UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS
FIRST SESSION

VOLUME 111—PART 17

AUGUST 31, 1965, TO SEPTEMBER 13, 1965
(PAGES 22279 TO 23626)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1965

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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

SENATE

TUESDAY, AUGUST 31, 1965

(Legislative day of Monday, August 30, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit who art revealed to us in the order of the universe in which we live, in the truth about our world which our minds discover, and above all in spiritual realities as we touch them, in the noblest sons of men, as we face the tasks of deliberation which center in this Chamber, we would bring our fragmentary and partial lives into the presence of Thy holiness. We would bring our transient and temporary concerns into the white light of Thy eternity. We would bring our restless and irritated spirits into the calm strength of Thy everlasting purpose which through the ages runs.

Teach us once again the eternal mystery that only as we lose ourselves in something higher than ourselves can we find ourselves.

To this end give us the grace to grasp great causes to live for, and to venture a great faith to live by. From doubt and disillusionment, from bitterness and cynicism, in these difficult times, Good Lord—deliver us.

Though we may not see all things clearly, let us see some great things plainly so that high decisions may be made on the right side of moral questions.

We ask it in the Redeemer's name. Amen.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, notwithstanding the unanimous-consent agreement previously entered into, I ask unanimous consent that the Subcommittee on Internal Security and the Subcommittee on Foreign Aid Expenditures of the Government Operations Committee be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 631 and 632, in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the first bill.

LOAN SERVICE OF CAPTIONED FILMS FOR THE DEAF

The Senate proceeded to consider the bill (S. 2232) to amend the act entitled "An act to provide for a loan service for the deaf in order to further provide for a loan service of educational media for the deaf, and for other purposes," which had been reported from the Committee on Labor and Public Welfare with an amendment on page 4, after line 12, to insert a new section, as follows:

SEC. 5. (a) (1) For the purpose of advising and assisting the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") with respect to the education of the deaf, there is hereby created a National Advisory Committee on Education of the Deaf, which shall consist of twelve persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws.

(2) The membership of the Advisory Committee shall include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals.

(3) The Secretary shall from time to time designate one of the members of the Advisory Committee to serve as Chairman of the Advisory Committee.

(4) Each member of the Advisory Committee shall serve for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that the terms of the office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment.

(5) A member of the Advisory Committee shall not be eligible to serve continuously for more than one term.

(b) The Advisory Committee shall advise the Secretary concerning the carrying out of existing and the formulating of new or modified programs with respect to the education of the deaf. In carrying out its functions, the Advisory Committee shall (A) make recommendations to the Secretary for the development of a system for gathering information on a periodic basis in order to facilitate the assessment of progress and identification of problems in the education of the deaf; (B) identify emerging needs respecting the education of the deaf, and suggest innovations which give promise of meeting such needs and of otherwise improving the educational prospects of deaf individuals; (C) suggest promising areas of inquiry to give direction to the research efforts of the Federal Government in improving the education of the deaf; and (D) make such other recommendations for administrative action or legislative proposals as may be appropriate.

(c) The Secretary may, at the request of the Advisory Committee appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

(d) Members of the Advisory Committee, and advisory or technical personnel appointed pursuant to subsection (c), while attending meetings or conferences of the Advisory Committee or otherwise serving on business of the Advisory Committee, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day including travel time and while serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Advisory Committee shall meet at the request of the Secretary, but at least semiannually.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended (42 U.S.C. 2491 et seq.), is hereby amended to read as follows:

"That the objectives of this Act are—

"(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

"(b) to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.

"SEC. 2. As used in this Act—

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(2) The term 'United States' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

"(3) The term 'deaf person' includes a person whose hearing is severely impaired.

"SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

"(b) In carrying out the provisions of this Act, the Secretary shall have authority to—

"(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

"(2) acquire by lease or purchase equipment necessary to the administration of this Act;

"(3) provide for the captioning of films;

"(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

"(5) provide for the conduct of research in the use of educational and training films and other educational media for the deaf, for the production and distribution of educational and training films and other educational media for the deaf and the training of persons in the use of such films and media;

"(6) utilize the facilities and services of other governmental agencies; and

"(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

"SEC. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966 and 1967, $5,000,000 annually for each of the fiscal years 1968 and 1969, and $7,000,000 annually for fiscal year 1970 and each succeeding fiscal year thereafter.

"SEC. 5. (a) (1) For the purpose of advising and assisting the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the 'Secretary') with respect to the education of the deaf, there is hereby created a National Advisory Committee on Education of the Deaf, which shall consist of twelve persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws.

"(2) The membership of the Advisory Committee shall include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals.

"(3) The Secretary shall from time to time designate one of the members of the Advisory Committee to serve as Chairman of the Advisory Committee.

"(4) Each member of the Advisory Committee shall serve for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that the terms of the office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment.

"(5) A member of the Advisory Committee shall not be eligible to serve continuously for more than one term.

"(b) The Advisory Committee shall advise the Secretary concerning the carrying out of existing and the formulating of new or modified programs with respect to the education of the deaf. In carrying out its functions, the Advisory Committee shall (A) make recommendations to the Secretary for the development of a system for gathering information on a periodic basis in order to facilitate the assessment of progress and identification of problems in the education of the deaf; (B) identify emerging needs respecting the education of the deaf, and suggest innovations which give promise of meeting such needs and of otherwise improving the educational prospects of deaf individuals; (C) suggest promising areas of inquiry to give direction to the research efforts of the Federal Government in improving the education of the deaf; and (D) make such other recommendations for administrative action or legislative proposals as may be appropriate.

"(c) The Secretary may, at the request of the Advisory Committee appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

"(d) Members of the Advisory Committee, and advisory or technical personnel appointed pursuant to subsection (c), while attending meetings or conferences of the Advisory Committee or otherwise serving on business of the Advisory Committee, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day including travel time and while serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(e) The Advisory Committee shall meet at the request of the Secretary, but at least semiannually."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 649), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This legislation expands the original act, Public Law 85–905 as amended by Public Law 87–715, which provided a loan service of captioned films for the deaf. S. 2232, as amended, will provide for the use of all educational media, rather than films alone, and for the distribution of such media to parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf.

The amendment to S. 2232, adopted unanimously by the committee, could create a National Advisory Committee on Education of the Deaf, to advise and assist the Secretary of Health, Education, and Welfare. The 12 members of the Advisory Committee would include educators of the deaf, persons interested in the education of the deaf, educators of the hearing, and deaf individuals, appointed by the Secretary.

Finally, the bill increases the authorization for this program from $1,500,000 annually to $3 million for fiscal years 1966–67, $5 million for fiscal years 1968–69, and $7 million annually thereafter.

Mr. PELL. Mr. President, I am extremely pleased that the Senate has taken prompt and decisive action in passing S. 2232 which amends and expands our existing Federal program of captioned films for the deaf.

This modest program already yields results far out of proportion to the relatively small amount of Federal funds which have been devoted to it. I have received dozens and dozens of letters from all over the country testifying to the fact that it literally opens the minds and lives of handicapped persons, particularly children, to experiences and knowledge that otherwise would be denied to them.

In a recent 6-month period, the existing loan service for captioned films, operated by the Department of Health, Education, and Welfare, recorded 1,917 bookings involving a total audience of 171,815. For the fiscal year 1965 the total audience of all services under the program, including individual use of filmstrips, amounted to 948,000. Group showings during the year were made to 1,150 schools and youth groups, religious organizations, and clubs.

I am proud to say that several of the participating agencies and groups were in my own State of Rhode Island, which is one of the leading States in providing for education of children with hearing handicaps. Rhode Island was one of the first States to have a mandatory, across-the-board education program for handicapped children, beginning at age 3.

The bill approved today would expand the existing program to provide for all educational media, rather than just films alone, and would provide for progressive increases in the authorization for the program from the present level of $1,500,000 annually to $7 million annually after fiscal 1969. It also would create a National Advisory Committee on the Education of the Deaf.

I had the honor of presiding over the special subcommittee of the Committee on Labor and Public Welfare which handled this legislation and I am therefore especially pleased that the Senate saw fit to accept our bill.

Some of the possible benefits which can be expected to flow from this new bill were best described to our subcommittee by Mr. Paul V. Sherlock, supervisor of special education for handicapped children in Rhode Island. Mr. Sherlock said:

> Slides, filmstrips, educational television, programed instruction, the computer-aided instruction of the near future combined with the special technology designed for the hearing handicapped—group hearing aids, etc.—could be coordinated to approach these students through several learning modalities simultaneously, enhancing a multisensory learning experience and reinforcement.

This broad expansion of educational experience for our handicapped youth is extremely vital to the well-being of a large sector of our population—a group of people who for too long have been denied maximum opportunity to realize their potential. Improvement of their lot is very much in the national interest and I therefore hope that this bill will receive favorable action in the House and become law.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

The Senate proceeded to consider the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1964, as amended, which had been reported from the Committee on Atomic Energy with amendments on page 5, line 8, after the word "protection", to strike out "required" and insert "required"; and at the beginning of line 11, to insert "in the aggregate for all persons indemnified in connection with each nuclear incident"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 170 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. The Commission shall, with respect to licenses issued between August 30, 1954. and August 1, 1977, for which it requires financial protection, agree to indemnify and hold harmless the licensee and other persons indemnified, as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licensee. The aggregate indemnity for all persons indemnified, in connection with each nuclear incident shall not exceed $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage: *Provided, however,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000. Such a contract of indemnification shall cover public liability arising out of or in connection with the licensed activity. With respect to any production or utilization facility for which a construction permit is issued between August 30, 1954, and August 1, 1977, the requirements of this subsection shall apply to any license issued for such facility subsequent to August 1, 1977."

SEC. 2. The first two sentences of subsection 170 d. of the Atomic Energy Act of 1954, as amended, are amended to read as follows:

"In addition to any other authority the Commission may have, the Commission is authorized until August 1, 1977, to enter into agreements of indemnification with its contractors for the construction or operation of production or utilization facilities or other activities under contracts for the benefit of the United States involving activities under the risk of public liability for a substantial nuclear incident. In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, and shall indemnify the persons indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000, including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with such contract and for each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000: *Provided further,* That in the case of nuclear incidents occurring outside the United States, the amount of the indemnity provided by the Commission shall not exceed $100,000,000."

SEC. 3. The first sentence of subsection 170e. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"The aggregate liability for a single nuclear incident of persons indemnified, including the reasonable costs of investigating and settling claims and defending suits for damage, shall not exceed the sum of $500,000,000 together with the amount of financial protection required of the licensee or contractor: *Provided, however,* That such aggregate liability shall in no event exceed the sum of $560,000,000: *Provided further,* That with respect to any nuclear incident occurring outside of the United States to which an agreement of indemnification entered into under the provisions of subsection 170 d. is applicable, such aggregate liability shall not exceed the amount of $100,000,000 together with the amount of financial protection required of the contractor."

SEC. 4. Subsection 170 k. of the Atomic Energy Act of 1954, as amended, is amended by striking out the date "August 1, 1967" wherever it appears and inserting in lieu thereof the date "August 1, 1977".

SEC. 5. Subsection 170 l. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"l. The Commission is authorized until August 1, 1977, to enter into an agreement of indemnification with any person engaged in the design, development, construction, operation, repair, and maintenance or use of the nuclear-powered ship authorized by section 716 of the Merchant Marine Act, 1936, and designated the 'nuclear ship *Savannah*'. In any such agreement of indemnification the Commission may require such person to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising from a nuclear incident in connection with such design, development, construction, operation, repair, maintenance or use and shall indemnify the person indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 650), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL

The bill, as recommended by the Joint Committee on Atomic Energy, would amend section 170 of the Atomic Energy Act of 1954, as amended, to accomplish the following principal purposes:

1. The bill would extend the effective period of the Price-Anderson indemnity provisions of the Atomic Energy Act of 1954, as amended, for an additional 10 years, from August 1, 1967, to August 1, 1977.

2. The bill would require a decrease in the $500 million governmental indemnity afforded under the Price-Anderson indemnity provisions corresponding to the amount whereby the financial protection required of an AEC licensee or contractor exceeds the amount of commercial nuclear liability insurance currently available, i.e., $60 million.

3. The bill would provide that in no event would the liability of all persons who might be liable for public liability arising from a single nuclear incident exceed $560 million, i.e., the maximum amount of governmental indemnity which could be afforded under the Price-Anderson indemnity provisions, as they would be amended by the bill, together with the maximum amount of financial protection required in accordance with these indemnity provisions.

LEGISLATIVE HISTORY

H.R. 8496 and S. 2042, identical bills to extend and amend the Price-Anderson indemnity provisions of the Atomic Energy Act of 1954, as amended, were introduced on May 26, 1965, by Congressman MELVIN PRICE and Senator CLINTON P. ANDERSON. The introduction of these bills followed many months of informal meetings and discussions among members of the Joint Committee, the Atomic Energy Commission, and their staffs, and representatives of private industry. Among the topics considered during these meetings was a draft of a study of the Price-Anderson Indemnity Act which AEC had commenced in 1964 to determine whether the act should be extended to licenses issued and contracts executed after August 1, 1967. The AEC's final report of this study, as submitted to the Joint Committee, recommended a simple extension of the Price-Anderson indemnity provisions for 10 years, to August 1, 1977. The AEC also recommended further study of a number of problems related to this legislation.

Public hearings on these bills were held on June 22–24, 1965, before the Subcommittee on Legislation of the Joint Committee on Atomic Energy, as summarized in the next section of this report.

The Subcommittee on Legislation met in executive session on August 26, 1965, and after full discussion voted without dissent to approve H.R. 8496 and S. 2042, with two technical amendments. On August 26, 1965, the full committee met to consider these bills, and after careful consideration voted unanimously to report them out with the technical amendments approved by the Subcommittee on Legislation, together with a recommendation that these bills do pass. The committee also adopted this report on H.R. 8496 and S. 2042.

Mr. PASTORE subsequently said: Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make any necessary technical changes in the engrossment of S. 2042.

The VICE PRESIDENT. Is there objection?

Without objection, it is so ordered.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 30, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On August 26, 1965:

S. 1648. An act to provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions.

On August 28, 1965:

S. 45. An act for the relief of Maj. Raymond G. Clark, Jr.;

S. 125. An act for the relief of Armando S. Arguilles;

S. 207. An act for the relief of Dr. Jose S. Lastra;

S. 263. An act for the relief of Honorata A. Vda de Narra;

S. 442. An act for the relief of Carleen Coen;

S. 570. An act for the relief of Frank S. Chow;

S. 582. An act for the relief of Aleksandr Kaznacheev;

S. 616. An act for the relief of Miss Choun Seem Kim;

S. 826. An act for the relief of Har Gobind Khorana;

S. 916. An act for the relief of Debra Lynne Sanders;

S. 954. An act for the relief of Ailsa Alexandra MacIntyre;

S. 1103. An act for the relief of Kathryn Choi Ast;

S. 1309. An act to authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions;

S. 1498. An act for the relief of Nikolai Artamonov; and

S.J. Res. 81. Joint resolution to amend the Federal-Aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia.

The Senate resumed consideration of the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BIBLE. Is the pending amendment the Tydings-Kennedy amendment, which is to strike title I from the so-called omnibus crime bill?

The PRESIDENT pro tempore. The Senator is correct.

Mr. BIBLE. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BIBLE. Under the unanimous-consent agreement heretofore entered into, 15 minutes are available to the proponents of the amendment and 15 minutes are available to the Senator in charge of the bill; is that correct?

The PRESIDENT pro tempore. The Senator is correct.

Mr. BIBLE. I thank the Chair.

Mr. TYDINGS. Do I correctly understand that the amendment to strike title I is pending?

The PRESIDENT pro tempore. That is correct.

Mr. TYDINGS. Mr. President, I yield myself 5 minutes.

I desire to explain the effect of the amendment of the junior Senator from New York [Mr. KENNEDY] and myself in connection with the omnibus crime bill.

Our amendment, which would remove title I, removes from the bill the strict statutory version of what is now the administrative practice in the Police Department of the District of Columbia.

Last July, the U.S. Attorney for the District of Columbia, Mr. David Acheson, wrote an administrative memorandum in the form of a letter to the Chief of Police of Washington, D.C., outlining the procedures which he, the District Attorney, felt the police could use in interrogating the suspects of major crimes. Mr. Acheson wrote the letter in order to clarify some of the misunderstanding which arose as a result of judicial decisions in regard to what was an unreasonable period of time for a suspect to be held before being brought before a Commissioner.

At the same time, both the American Bar Association and the American Law Institute, are looking into the same problem, namely, permitting the police to effectively investigate crimes and at the same time providing the individuals accused the protection afforded under the Bill of Rights.

At the time the House omnibus crime bill was before our committee, the majority of the members of the committee felt that the administrative rulings should be taken in toto and written into law.

The Chief of Police opposed title I, the U.S. attorney for the District of Columbia opposed it, and the Deputy Attorney General of the United States opposed it. They opposed it basically for three reasons: First, because it would freeze in statutory form the procedure which the police are just beginning to formulate. It would remove all flexibility. It would afford an opportunity for an accused person to attack the constitutionality of the statute.

That would become a most unfortunate situation, because rather than setting aside the confession in that particular instance, the entire statute could be declared unconstitutional.

Chief Layton requested that it not be enacted, but that the Police Department be allowed a degree of flexibility in its questioning procedure. The Deputy Attorney General asked us not to enact it. The American Bar Association and the American Law Institute are spending a great deal of money in studying this field thoroughly.

I visited with Judge Lombard at the American Bar Association convention. He was upset, believing that Congress might freeze something into statutory form before there was an opportunity to get all the pertinent or relevant views. He believed that the cause of law enforcement would be hurt far more than it would be assisted by the enactment of title I.

Finally, no more protection will be afforded the individual citizen of the District of Columbia with title I in the act than without it. An opportunity may simply be afforded to have the validity of this title, of the police questioning procedure, attacked in the courts.

Since the Justice Department, the U.S. attorney, and the police chief opposed this title, they certainly are not of the belief that it would be of assistance to the police and the prosecuting attorneys in protecting the lives and property of our citizens from the depredations of wrongdoers. Those are the basic arguments in opposition to title I.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the testimony of the Deputy Attorney General of the United States, Mr. Clark, which appears in part 2 of the hearings dated July 15 and August 5, at pages 496, 505, 506, and the bottom of 511.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> It is more useful at this time than legislation incorporating the same features. It does not run the risk of constitutional invalidation of the standards involved, as would a statute. Most important, while affording the police the opportunity for questioning which we deem essential, it is flexible and permits the development of facts, technology, and comprehensible language to guide police and courts through the complex, varied, and critical processes of criminal investigation in a large city such as Washington.
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> * * * * *
>
> At this time we really don't have a pattern of experience, and an objective and studied determination of all factors in police interrogation, when we really don't have an adequate, in our judgment, fact basis to promulgate a final rule. We believe that all the advantages of the statute, plus flexibility, can be secured from the administrative procedure without the inflexibility and the risks that are inherent in statutory implementation at this time.
>
> * * * * *
>
> Senator TYDINGS. I just wanted to see if I got the thrust of your testimony this morning. As I understand that your primary concern in this matter is to give assistance to the Police Department by giving them the greatest amount of flexibility in the conduct of their investigations.
>
> Your reason for cautioning the committee against legislating in this area at this time is you held that rather than assisting the police, legislation might conceivably cause a court test. Such a test case involving one action or arrest under the new law might simply throw more confusion into an area in which the law is already greatly confused. Administrative procedures, on the other hand, would give the police more flexibility, with less risk of a judicial test of established police procedure. Is that a fair statement?
>
> Mr. CLARK. Well, very generally, yes, that is true. The need for flexibility is to afford an opportunity for empirical data, we can't really say today, and the police can't say, how much questioning goes on in a typical

case and we might be imposing by statute restrictions on effective police investigations that would be very difficult for them to operate efficiently under their own administrative procedure which is flexible.

I think empirical data can be obtained and we can learn more.

Senator TYDINGS. It is also my understanding there are presently being undertaken several large-scale studies in this area by the Department of Justice, with the assistance of the police department and by the American Law Institute. There should be within a reasonable amount of time a great deal more information available as to what the actual needs of the police are in this area. What you need now are the data as to the effect of the Mallory rule on police work, correlated data upon which a course of action can be based, facts and information which you do not now have available, is that right?

Mr. CLARK. That is true. I would like to say I have only lived officially with this problem a few months, but in looking back over the history it appears to me there has been a very great tendency to deal with the Mallory problem in terms of theory and abstractions and we have never gotten down to the hard cases and practicalities of police investigations.

Now in the last 6 months we have worked with the police at great length and tried to face and understand their practical problems of investigation and questioning of suspects and we feel that that is the real way to get to the heart of the problem and that if we establish, if we can establish a pattern of experience then this Congress can come much closer to what is needed to perfect this bill.

Mr. TYDINGS. Mr. President, how much time have I consumed?

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Maryland has used 5 minutes; he has 10 minutes remaining.

Mr. TYDINGS. I yield 5 minutes to the distinguished junior Senator from New York.

Mr. KENNEDY of New York. Mr. President, first I shall take a moment to pay tribute, as I have done before, to the chairman of the Committee on the District of Columbia, the distinguished Senator from Nevada [Mr. BIBLE], for the hearings he has held and the efforts he has made in this field. He has devoted a far longer period of time to this subject than has either the junior Senator from Maryland or I.

I also understand his exasperation in feeling that something needs to be done to correct a disturbing condition in a difficult field. This subject has been discussed for many years, and the Senator from Nevada has come forward with a proposal which has received considerable support.

I speak with some hesitation because of my great affection and strong admiration for the Senator from Nevada in his conduct of the work of the committee. I speak not because I favor crime; I am against crime. The question is how to deal with crime in the District of Columbia.

The junior Senator from Maryland also is against crime. He was U.S. attorney for Maryland and compiled an outstanding record in the United States in his efforts to deal with crime. So we are all engaged in a common effort to deal with crime in the District of Columbia.

The Senator from Maryland and I believe that the approach taken by the committee is not the best way to deal with this problem. Both of us feel that legislation to establish rules governing police interrogation may ultimately be necessary, but we also feel that when such legislation is enacted it should offer the best protection possible for both law enforcement efforts and individual liberties. We believe that title I, pending as it is while study of the problem is still going on, is not the best possible resolution of this problem. We believe that the bill may cause greater difficulty in the months and years ahead if the Senate passes it today without deleting title I.

I want to emphasize that the Mallory rule is not the cause of crime in the District of Columbia. It is acknowledged that there is a crime problem. The crime rate in the District of Columbia is rising every day. It has become almost a popularly accepted belief in the District of Columbia that if the Mallory rule were changed, crime would go away. Newspaper headlines and articles have stated, in effect, that the Mallory rule is the cause of the high crime rate in the District. I think we should understand that even were the Mallory rule to be done away with, the incidence of crime would not be materially affected in the District of Columbia. The testimony of the principal law enforcement officers in the District at the hearings on this bill confirms this assertion.

Other steps have been suggested. The Senator from Oregon [Mr. MORSE] has proposed that our committee examine into the subject in great detail. President Johnson has appointed a special commission to study the crime problem in the District, and another commission to study the crime problem nationally. The Department of Justice and the District of Columbia police are even now working together on a careful study of the matter. The American Bar Foundation and the American Law Institute are conducting a systematic review of the situation.

As I said during the hearings, I do not feel that an intensive effort has been made to understand what has to be done to combat crime. We have made speeches, but we have not made an intensive effort to analyze crime and to determine what steps must be taken to deal with it.

Well over 50 percent of the crime committed in the District of Columbia is committed by repeaters. Why is that? What is going on in the probation office? What is going on in the social service offices? All these factors must be analyzed. Merely changing the Mallory rule would not cause crime to disappear from the District of Columbia.

It should be understood, too, that by administrative action, new standards governing the application of the Mallory rule have already experimentally been established in the District of Columbia. What now concerns us is whether to write this experiment into a statute. More information is being provided the committee; more information is being provided the Chief of Police; more information is coming to the attention of the Department of Justice. The American Law Institute is conducting an examination in an effort to try to deal with the problem. So is the American Bar Association. All this information should be gathered together. It is unfortunate that it was not done in the past. But all that information should be accumulating soon. After it has been made available, appropriate action can be taken upon the recommendations of those who have made the intensive study.

I wish to emphasize that it is not only the junior Senator from Maryland who is opposed to taking the action that is proposed by the bill; it is not only the junior Senator from New York; but the Chief of Police of the District of Columbia also is opposed to taking this kind of action at present. Certainly the Chief of Police is not in favor of crime.

Likewise, the Deputy Attorney General is against having the Senate take the action that is proposed. The Attorney General himself is opposed to taking such action. I point this out so that it will be clearly understood that the question is not that Senators on one side of the question are in favor of crime while those on the other side of the question are against crime.

The Chief of Police of the District of Columbia, the Attorney General of the United States, the Deputy Attorney General, the junior Senator from Maryland [Mr. TYDINGS], who, as I have said, was an outstanding U.S. attorney, and I, who have had some experience in the field of law enforcement, believe that this is the wrong time to take the action proposed in the bill.

This is the wrong time to take action. I understand the frustration of the Senator from Nevada, who has studied this subject for a number of years, but I reiterate my belief that action now is still premature action.

We ask that this proposed legislation be put off so that when we take the kind of action which we feel is necessary, we can undertake it with the amount of knowledge and information that would permit the statute to stand up in the courts when it is tested, as it surely will be.

Mr. BIBLE. Mr. President, I yield 3 minutes to the senior Senator from Oregon.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The senior Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I say to to the Senate that I hope it will support the committee today and will adopt title I in its present form.

I say to my close friends the Senator from New York and former Attorney General of the United States [Mr. KENNEDY], and the Senator from Maryland [Mr. TYDINGS], a former U.S. attorney, that I believe they proved my case by their utterances. What the Department of Justice, the District of Columbia Commissioners, and the police chief want to do is not to bring about a change in the Mallory rule under the administrative procedures of the District of Columbia to the U.S. Supreme Court for a constitutional test. They have stated so during the course of our hearings.

The Deputy Attorney General does not want this provision in a statute because he questions its constitutionality. As I argued for 2 hours yesterday afternoon, I do not believe there is any question about its unconstitutionality. I am willing to await the decision of the Supreme Court, but we should take it to the Court and find out whether the circumvention of the Mallory rule by the administrative procedures that have been adopted by the Chief of Police upon the recommendation of the Deputy Attorney General of the United States is constitutional. What are we afraid of? Since when should we not send to the Supreme Court in statutory form the procedures that are designed and devised to get around a former decision of the U.S. Supreme Court known as the Mallory rule?

That is the issue, and the committee has met it forthrightly. What about the studies that are being made by the American Law Institute and the American Bar Association? What have they got to do with our action here today? They have nothing to do with it. They will continue, as they should, their studies.

The Senator from New York talks about a period of 3 or 4 months. Permit me to say that we will not get this question before the Supreme Court in 3 or 4 months, if we pass the bill today with these provisions excluded from it. We would be a long time getting it before the Supreme Court. However, if we were to keep these provisions in the bill, we would get the issue before the Supreme Court at the next term of court.

Mr. BIBLE. Mr. President, I rise to oppose the amendment offered by the Senator from New York and the Senator from Maryland. I do so with some reluctance because of my great respect for their ability and knowledge, particularly in this field.

They have brought to the Committee on the District of Columbia a reservoir of experience from the Federal and State level that has been very valuable to us.

In essence what they are saying is, "Wait until later to adopt title I, or some modification of it." This was the same thing that was said to us in the 88th Congress. It was rejected then. It was considered by our committee a few short weeks ago and was rejected.

I am very well aware of the fact that the American Law Institute is meeting in this very complex and complicated field. But they have been meeting on this subject for several years.

We questioned the then Attorney General of the United States and the present Attorney General of the United States, Mr. Katzenbach, concerning title I. This is and was a modification of rule 5(a) of the Criminal Procedure and designed to give the Police Department a better hand in law enforcement, and to resolve some of the uncertainties which exist throughout the Nation, and particularly in the District of Columbia today. When we heard from Deputy Attorney General Katzenbach on November 5, 1963, concerning a title almost identical to the title before the Senate today, I queried him myself as to whether we should await the conclusions of the study being made by the American Law Institute. He responded in the following way:

> I have the greatest respect for the American Law Institute, but I don't see any reason why Congress should delay action that it feels is necessary pending study by that body. You can always consider their recommendations subsequently, and amend any laws in the light of anything they come up with.
>
> The problem here in the District of Columbia has been urged by those responsible for law enforcement that it be an urgent one, and I think they state that with good faith and conviction, and would not feel that there was any reason to await a study by an outside body of a more general problem.

Certainly, in any criminal procedural statute, the challenge is to strike a balance between protecting the rights of the accused and protecting the law-abiding citizen from criminal molestation. It is the committee's judgment that title 1, as amended, meets that test squarely.

The complexities of the Mallory rule question are admitted. There is no question that the courts of the entire country are watching the Mallory developments, not to mention law enforcement officers. As an example, Chicago Police Superintendent Orlando W. Wilson, testifying October 22, 1963, before the committee on title I, expressed a fear that the Mallory rule, as made more restrictive by the District of Columbia Circuit Court of Appeals, might be adopted by other State courts and possibly by the legislatures of States looking to the Congress for guidance in the arrest and detention area. He said:

> There is always lurking in the back of my mind the fear that the Mallory rule may one day be imposed countrywide on all law enforcement agencies, placing the Chicago police in the same position that the Metropolitan Police are confronted with here * * *. This I think would be disastrous for our country.

Testimony on the same day from Chief Stanley R. Schrotel of the Cincinnati, Ohio, Police Department and president of the International Association of Chiefs of Police that year, was substantially the same.

Attorney General Katzenbach touched on this very point in testimony before the State, Justice, Commerce, and Judiciary Appropriations Subcommittee of the Senate on June 10, 1965, when he said:

> The law has developed and really stems out here in the District of Columbia. While it is related to a rule with respect to prompt arraignment, it is getting on the fringe throughout every constitutional decision and we get to the point if this is not acted on as wisely and as carefully and as speedily as we can * * * these are going to be constitutional decisions, all of them. Then you are in the difficult process of having to amend the Constitution.

I want to call to the attention of the Senate the most succinct statement on the Mallory rule problem I have ever heard. Its brevity makes its impact. That statement was made by Superintendent Orlando W. Wilson, of the Chicago Police Department on October 22, 1963, before the committee. He said:

> I feel that the purpose of the machinery of criminal justice should be to ascertain the truth so that the innocent may be freed and the guilty punished. The Mallory rule arbitrarily excludes the truth on the peculiar theory that by doing so, the court can punish the police for what the court considers to be a violation of the rights of the accused. But it is society that is being punished; not the police. The only beneficiary is the criminal. As a consequence, crime is overwhelming our society.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. PASTORE. Will the Senator explain, for the enlightenment of the Senate, what title I would do?

Mr. BIBLE. I should be happy to do so. I explained it at length on yesterday. It is a modification of the so-called rule 5(a) that deals with the Mallory rule. It lays out the four requirements, the conditions under which an arresting officer may question the accused, with certain procedural safeguards, before the accused is taken before a committing magistrate within the period of "unnecessary delay" as set out in rule 5(a) of the Federal Rules of Criminal Procedure.

The procedure is set out in detail. This is the very language that was given to us by the distinguished Senator from New York [Mr. KENNEDY], who was then the Attorney General of the United States, together with the U.S. attorney for the District, with one slight modification that I do not think is really pertinent here. These Federal officers were having a great problem in the District, as we all know, in attempting to establish arrest and detention guidelines that would meet the requirements laid down by the District Circuit Court of Appeals.

We asked the Attorney General to suggest methods to meet this problem. He met with the U.S. attorney for the District of Columbia. Testimony was given to us by Mr. Katzenbach, who is the present Attorney General. It is their language. It is not the language of the policemen. It is the language of the Department of Justice and the U.S. district attorney.

I believe that there is no need for waiting further to determine what the American Law Institute might do. The reporter for the American Law Institute has been before the committee on a number of occasions.

He indicated to us that they would be meeting in Atlantic City in early June, and the advisory committee did meet. They were hopeful that by that time possibly something might evolve. He was not too hopeful. Our staff members were present at the meeting. They discussed the problem and came back and said, "We are not ready to recommend anything yet."

We asked them how long it might be, and they said, "We are meeting again in November, and again at the first of the year." I believe that I am correct in saying that they also stated that the full Institute membership would meet and vote when convened in the District of Columbia in May 1966.

I see no need for waiting until this study is completed.

Mr. President, the Department of Justice and the outgoing U.S. attorney for the District of Columbia actively supported the Mallory title of this bill in 1963. In fact, singly or together, they were the drafters and authors of title I of this bill as it stands before the Senate today.

This year, when the Department of Justice testified before the committee, its position had shifted somewhat. Deputy Attorney General Ramsey Clark urged that legislative action on the Mallory rule section be delayed pending results of Department of Justice studies and examinations of the arrest and detention problems being carried on by the American Law Institute and the American Bar Association. Subsequently, the President's National Crime Commission and the District of Columbia Crime Commission have come into being within recent weeks.

Actually, Mr. Clark told the committee on July 15, 1965, that the Department of Justice today prefers no legislative action in the Mallory rule area awaiting the outcome of the studies. He announced to the committee that the U.S. attorney for the District of Columbia was placing into immediate effect via the Metropolitan Police Department new administrative procedures for arrest and detention of accused persons. It was admitted that those procedures were practically identical with title I, as the Department of Justice and the U.S. attorney suggested to the committee in 1963. Today, the Justice Department arrest directives are in effect in the District. Those directives are practically identical with title I of this bill today. In fact, the committee amended title I, so as to conform to the arrest safeguard language changes contained in the Justice Department administrative directive.

Mr. President, I ask unanimous consent to have placed into the RECORD at this point in my remarks a copy of a letter, dated July 14, 1965, from U.S. Attorney David Acheson to Chief John B. Layton, of the Metropolitan Police Department, and a copy of General Order No. 9-B, series 1964, dated August 11, 1964, from Chief Layton to members of the Metropolitan Police Force, carrying out the administrative arrest and detention procedures.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 14, 1965.

Hon. JOHN B. LAYTON,
Chief of Police, Metropolitan Police Department, Municipal Center, Washington, D.C.

DEAR CHIEF LAYTON: This letter is intended to summarize the understandings we reached in our recent discussion and to outline the practices which we believe should be followed in questioning persons arrested on probable cause and brought to a station house. Of course, the starting point is rule 5(a) of the Federal Rules of Criminal Procedure requiring judicial appearance "without unnecessary delay"; the purpose of this letter is to specify practices with respect to questioning pending the time when such appearance takes place.

In our judgment, some station house questioning of such persons is urgently required by the demands of fair and effective law enforcement and is not inconsistent with the present state of the law, provided that the safeguards discussed herein are observed and there is no unnecessary delay in arraignment. Before setting forth the proposed specific guidelines which we recommend to you, it may be worthwhile to refer to developments in recent months which make the formulation of such guidelines at this time particularly appropriate.

First, the Office of Criminal Justice, in collaboration with your Department and my office, has made a careful analysis of police questioning, its purposes, circumstances, limitations and methods. It is clear from this study that some questioning to determine whether to proceed with a criminal charge and precisely what crime to charge is essential to law enforcement and consistent with the legitimate interests of the person under arrest. Concurrently, the American Law Institute and the American Bar Association project on minimum standards for criminal justice have commenced intensive studies of police questioning, its legal framework and relation to a fair administration of the criminal law.

Second, there are several legislative proposals before the Congress at present which are designed to give the police affirmative statutory authority to question persons under arrest. In analyzing these proposals, it has become clear to the Department of Justice that safeguards of the sort proposed in this letter should be part of any procedure, whether or not governed by statute.

Third, recent court decisions in our own circuit and other circuits have further emphasized the division of view among judges as to what time limitations and other circumstances make questioning permissible under the Mallory decision. It is particularly difficult to find any consensus on these matters in a reading of the opinions in the Spriggs, Ricks, Perry, Copeland, and Alston cases. On the other hand, there appears to be a wider judicial agreement on the necessity of a careful and complete warning of the rights to silence and to counsel before a person under arrest at a station house is questioned. We think, therefore, that questioning procedures may be formulated which make use of judicial guidance where it exists and which leave procedures flexible in the phases where such guidance from the courts or the Congress is not now available.

In short, we think that the public responsibilities of our respective departments require an affirmative formulation of police questioning procedures, and that this may be done consistently with constitutional requirements of voluntariness of statements and notice to arrested persons of their legal rights. These views are not only my own. They are supported by the Department of Justice, which has carefully considered the problem and authorized this letter. Accordingly, we recommend to you the following guidelines:

1. Consistent with what we understand to be your Department's general practice, persons arrested and brought to a station house should there be clearly warned before any questioning that they may remain silent and that they may consult with a lawyer, relative, or friend. A recommended form of warning is attached.

2. One under arrest should be permitted to communicate with a lawyer, relative, or friend and such persons should be given access to him. Such communication or access should not, however, be allowed where there is reason to believe it is sought for the purpose of concealing or destroying evidence or otherwise defeating the ends of justice.

3. Police officers should regularly keep records relating to frequency and duration of questioning. These records would not only be helpful as evidence of disputed facts in a criminal case, but should be of great help as a factual experience background for legislation. In addition, I understand that you will explore the possibilities of making sound recordings of questioning, and that these possibilities will be pursued with persistence and every effort made to devise a practical method to preserve questioning.

4. Questioning should be of limited duration and should, of course, be reasonable and unoppressive in manner. While it is impossible in the present state of the case law in the District of Columbia to ascertain a specific permissible time limit for questioning, I believe it would be advisable to avoid having the aggregate period of questioning, exclusive of interruptions, exceed 3 hours. Interruptions will inevitably occur, for the purpose of verifying facts stated by the arrested person, questioning the complainant or other witnesses, checking out evidence and records which may indicate the truth or falsity of statements, and confronting persons making statements with inconsistent facts. And in the case where a suspect requests a polygraph examination it may occasionally be impracticable to operate within the suggested limitation on questioning time. The time taken for the whole investigation should, of course, not be such as to conflict with the requirement of rule 5(a) calling for appearance before a magistrate without unnecessary delay. The shorter it is, the better. Questioning should be avoided where it is without investigative purpose or is likely to weaken a case by exposing it to legal challenges.

It is difficult at best to devise a procedure which will insure the admissibility at trial of every incriminating statement made by persons under arrest. But, pending legislative or judicial clarification of the governing law, I believe that our public responsibilities will best be served if the course outlined herein is followed. As we have discussed, representatives of my office and your Department will continue to work closely together to insure fair implementation of these guidelines, and, hopefully, as we see how these procedures work in practice, to develop more detailed operating provisions for the guidance of your personnel.

Sincerely,

DAVID C. ACHESON,
U.S. Attorney.

(Enclosure.)

PROPOSED WARNING

1. You have been placed under arrest. You are not required to say anything to us at any time or to answer any questions. Anything you say may be used as evidence in court.

2. You have a right to call a lawyer, relative, or friend. He may be present here and you have a right to talk to him.

3. If you cannot afford a lawyer, one may be appointed for you when you first go to court.

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
August 11, 1965.

Subject: Questioning of persons arrested on felony charges.

To the Force:

Under date of July 14, 1965, a letter was received from the U.S. attorney in which he concluded that some station house questioning of persons arrested on probable cause is often necessary and desirable for effective law enforcement and for fair treatment of an arrested person and is not inconsistent with the present state of the law, provided that certain safeguards are taken, proper warning of constitutional rights is given and no unnecessary delay occurs between arrest and arraignment.

In accordance with the recommendations of the U.S. attorney, members of the force are directed that—

(a) After an arrested person is brought to a precinct station or to headquarters and prior to questioning there about alleged criminal offenses, he shall be clearly warned in the following terms:

1. You have been placed under arrest. You are not required to say anything to us at any time or to answer any questions. Anything you say may be used as evidence in court.
2. You may call a lawyer, or a relative, or a friend. Your lawyer may be present here and you may talk with him.
3. If you cannot obtain a lawyer, one may be appointed for you when you first go to court.

If necessary, this warning will then be given in writing or explained in language which the arrested person can readily understand. If the arrested person is incapable of understanding any warning, by reason of alcohol, drugs, injury, or other reason, the warning may be postponed until the arrested person is capable of understanding the warning and questions put to him. A notation shall be made of the fact that the warning was given.

(b) In accordance with provisions of chapter VI, sections 8, 9, and 10 of the manual, every reasonable effort shall be made to communicate with the person or persons whom the arrested person wishes to notify of his arrest, including use of the telephone. A record shall be made of any request of an arrested person to communicate with another person. If there is no request, the officer shall so note.

If a lawyer requested by the arrested persons come to the precinct station or headquarters, the arrested person shall be afforded every reasonable opportunity for confidential consultation consistent with safeguards against escape or the commission of an unlawful act. If no lawyer appears, and if a relative or friend requested by the arrested person comes to the precinct station of headquarters, it is advisable that one such person be permitted to talk for a reasonable time with the arrested person, though officers, in their discretion, may admit others.

Communication and access to an arrested person by a person other than a lawyer may be denied or postponed where there is a reason to believe that it is sought for the purpose of destroying evidence, concealing stolen property, intimidating witnesses, warning an accomplice, or arming or facilitating escape by the arrested person. If such communication or access is denied, a record shall be made stating the reason.

(c) Members of the force are reminded that a person may be arrested only on probable cause to believe he has committed one or more offenses. Arrested persons may be questioned in a reasonable and noncoercive manner concerning their knowledge of any alleged offense. The total period of actual questioning, exclusive of interruptions, should be limited to 3 hours except where an arrested person consents in writing to a polygraph examination. In pursuing an investigation, members of the force have a duty not only to ascertain the facts of alleged offenses (beyond the level of probable cause required for arrest) but also to protect arrested persons from false, mistaken, or exaggerated accusations of crime. Investigating officers should keep in mind that frequently these purposes can be fulfilled before the end of 3 hours of questioning and that in any event questioning should be as brief as is consistent with these objectives.

(d) Members of the force are also reminded that they are required to take arrested persons before a committing magistrate, without unnecessary delay, for the proceedings prescribed by rule 5(a) of the Federal Rules of Criminal Procedure. This Department has been advised that presentment should conform to the business hours of the District of Columbia Court of General Sessions and the U.S. Commissioner. A person arrested before the end of such business hours should normally be presented to a judge in the Court of General Sessions or the U.S. Commissioner at a regular sitting of such magistrate on the same day, but where it appears likely that presentment will not take place before the end of such sitting, the officers involved should consult an assistant U.S. attorney.

(e) It is important that records be kept to show times of commencement and ending of any administrative or investigative procedure involving the presence of the arrested person (lineups, fingerprinting, etc.), the time, circumstances, and duration of any questioning of the arrested person and of any statement made by him, whether or not persons other than police are present, and whether any warning, questioning, or statement is sound recorded.

Close cooperation and consultation with the office of the U.S. attorney and representatives of the Department of Justice will continue including review and examination of records and directives in the implementation and development of these procedures.

JOHN B. LAYTON,
Chief of Police.

Mr. BIBLE. Mr. President, the real question we have before us today is: Should the Congress enact a positive statutory law for the District dealing with the vitally important subject of arrest and detention of accused persons?

Or, should that area of the law be left to administrative directive or court interpretations of other court interpretations? Or, if you please, as Attorney General Katzenbach said recently in the publicized exchange of letters on this complex subject with Chief Judge Bazelon, of the U.S. Court of Appeals for the District of Columbia, and I quote:

> In your own court of appeals, the result is too often determined by the particular panel which hears a case. Thus the consistency, the efficiency, and consequently the fairness of justice have suffered.

It is the committee's conviction that legislatively enacted law must be what the courts should be guided by; not administrative arrest directives, changing as they have been in the last several years here, and not by judge-made case law since the judges themselves are in a complete quandary over what judges in courts above them mean, or what a Supreme Court decision above that appeals court really means.

That is the cardinal reason why the Congress itself exists, to make the laws, as section 1, article 1 of the Constitution requires.

The further argument is made that a legislative enactment in the Mallory area is risky at this time because, without information that additional studies would bring, such an enactment might be declared unconstitutional. If that occurred, the argument goes, then the difficult process of having to amend the Constitution is at hand, insofar as laws dealing with arrest and investigation are concerned in the District and throughout all States. It is recalled that the Mallory decision was not on constitutional grounds but an interpretation of rule 5(a) of the Federal Rules of Criminal Procedure.

When the Department of Justice testified before the committee in support of title I in 1963, no inference of any constitutional question was raised about it. Instead, the four safeguards built into the "unnecessary delay" requirement were designed purposely by its authors, the U.S. attorney for the District and the Justice Department, to meet those constitutional tests.

It is the committee's judgment that the only proper method for putting into orderliness the Mallory rule dilemma of judges, prosecutors, defense lawyers, and police, is to do it by positive legislative enactment, and that dilemma, stemming from a District case, is nationwide in impact. I submit, any basic change in the interpretation of rule 5(a) can only be made by statutory law, as the Justice Department well knows.

Administrative directives on arrest can come before the courts for interpretation against the conglomeration of Mallory rule guidelines of the various courts just as easily as will cases under a positive law. As a result, the police will be just as much in the dark as to what they can or cannot do as they are today. And the parties who really suffer meanwhile are the law-abiding men, women and children who are victims of the increasing crime crisis.

These administrative arrest directives cannot possibly assist the trial courts, which must rule day to day on the admissibility of confessions pursuant to the guidelines laid down by the appeals court here.

Congress must set into positive law what that law is, so all of the courts and all of the judges will know what it is today, tomorrow and next week.

Mr. President, what Congress approved by the language of rule 5 of the Federal Rules of Criminal Procedure, Congress can now disapprove by statutory enactment for the District of title I. It is not contended that this enactment, designed to alter the severe application of the Mallory rule, alone will curb the crime rate which has risen steadily in the District since that Supreme Court decision in 1957. It will help. The Department of Justice, the U.S. attorney, police officials, a respected member of the U.S. district court, the District of Columbia Council on Law Enforcement, and members of the bar have testified that a change in the Mallory doctrine should provide assistance in combating crime. Certainly, it cannot be disputed, that proper interrogation free of abuse and with the safeguards against abuse provided by this title, would provide a valuable tool for better law enforcement in Washington.

Mr. President, I submit that studies, restudies, and more studies cannot help to deal with the crime we find on Washington's streets today. I urge the Senate to reject the amendment offered by the Senator from Maryland [Mr. TYDINGS].

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. SALTONSTALL. Mr. President, as I understand the position of the distinguished Senator from Nevada today, it is to the effect that there is an opportunity at present for Congress to enact a law that will stimulate the morale of the police and afford a greater opportunity for safety on our streets and homes in the District of Columbia, even though it may possibly delay a Supreme Court decision on the important question concerning the policy of police questioning of suspects.

Mr. BIBLE. I do not believe that is a completely correct statement. I say to my friend the Senator from Massachusetts that it is hoped that the proposed legislation will strengthen the position of the Police Department and that it will give them a guideline to assist them in making arrests.

I do not believe that it would delay a Supreme Court decision. On the contrary, as has been stated by the senior Senator from Oregon, it would place us in a position in which we could obtain a Supreme Court decision as to whether it is constitutional. The senior Senator from Oregon would disagree with my viewpoint. He thinks it is unconstitutional, and I think it is constitutional.

If it is constitutional, I believe that the Supreme Court ought to have an opportunity to say so.

If it is unconstitutional, I think the Supreme Court ought to say so.

Mr. SALTONSTALL. If the Senator will yield further, that is the issue which I raised in my question. The proposed congressional action would do what we believe is necessary at the present time, even though it may possibly delay a final decision on the part of the Supreme Court.

Mr. BIBLE. I do not believe it would delay it. I believe it would speed it.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. BIBLE. I promised I would yield to our distinguished colleague on the committee, who has long had an interest in this subject.

Mr. President, I yield 3 minutes to the Senator from Colorado [Mr. DOMINICK].

Mr. DOMINICK. I appreciate the courtesy of the distinguished Senator. I wish we could have had this question before the Senate at the time we had an almost identical bill which I introduced earlier and one which the committee considered last year. This bill, with a few minor exceptions, is the bill approved by the committee last year and it is the bill as originally sponsored by me earlier in this session.

Mr. President, the enactment of H.R. 5688, the District of Columbia crime bill, will be a landmark as far as the Nation's Capital is concerned. It will also have broad implications throughout the entire country.

I have worked hard for this legislation since becoming a member of the Senate Committee on the District of Columbia over 2½ years ago. The increased crime rate in the Nation's Capital continues to shock and amaze not only those of us who live, work, or visit here, but also all law-abiding citizens throughout the Nation.

The House has passed two strong crime bills in the last 2½ years; but unfortunately, nothing of any consequence has yet passed the Senate. As my colleagues will recall, the Senate Committee on the District of Columbia reported a bill almost identical to H.R. 5688 last year; but, unfortunately, the bill was never called from the Senate Calendar for debate and action. Because of my concern and the concern of many people both here in the District of Columbia and throughout the Nation, I introduced S. 1526 which was identical with the bill reported from the Senate committee last year. Senator BIBLE, the distinguished chairman of our committee, again held hearings on this bill and we worked long and hard in order to improve it and to insure that it would come to passage this year. We have incorporated into the bill all of the more workable and practical features of the guidelines recently set out by the Honorable Ramsey Clark, Assistant Attorney General of the United States. This bill provides a workable balance between the rights of those accused of crime and the rights of innocent citizens upon whom these crimes are perpetrated. It provides a period of questioning of those accused of crimes, together with the most reasonable and practical safeguards that we could work out.

There are those who would urge that we delay this legislation because of the grave constitutional points that are involved. I would be the first to admit that we are dealing with an area of the criminal law where the legal precedents, constitutional or otherwise, are not well settled. However, I do not feel that we can do justice either to those accused of crime or to those against whom crimes are perpetrated by ducking the issue and proceeding by administrative action. We must remember that prior to Mr. Clark's recent guidelines, which provide the basic outline for title I of this legislation, the District of Columbia police were under instructions from the U.S. attorney for the District of Columbia to refrain from any questioning of criminal suspects between the time of arrival at the station house and arraignment before a magistrate. This directive, placed in effect because of the Court's interpretation of the Mallory rule, inevitably hampered the police in the investigation and prosecution of the rising crimes in the District and may well have been a prime and contributing factor to the skyrocketing crime rate.

I am certainly aware of the other contributing factors to the rising crime rate not only in the District of Columbia but throughout the country as well. We must continue to seek out social solutions and continue to try to improve upon other underlying conditions. However, until we have some practical and workable legislative guidelines in the District of Columbia under which law enforcement officials and law-abiding citizens alike can operate, I am afraid we will be faced with more of the same.

I wish to commend the distinguished chairman of our committee [Mr. BIBLE], and other Senators on the committee who have worked so diligently to make this bill a reality.

I wish to say a few words on the particular amendment in the short time I have remaining. If the amendment of the Senator from New York and the Senator from Maryland should be adopted, we would not have changed a thing so far as the procedures are concerned. This fact was pointed out ably by the Senator from Oregon [Mr. MORSE]. Administratively, the U.S. attorney and the police have the procedures that are required by the bill in administrative practice without having to come to the committee, without having to have legislative authority or any change in the rules of criminal practice.

If the Senate were to adopt the Tydings amendment, we would be back in what I consider to be a very untenable position.

It seems to me, since we have felt in the committee that the police should have this right formally and should have the persuasion, legislatively and psychologically and publicly, in order to control crime which is so rapidly increasing in the District of Columbia, that we should go forward and put it into legislation. If it is not constitutional, it will be so held shortly.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. DOMINICK. I yield.

Mr. PASTORE. The question that is not clear in my mind is this: If title 1 is designed to strengthen the hand of the police, why has the Chief of Police been against it?

Mr. DOMINICK. The Chief of Police is not against it, so far as I know.

Mr. PASTORE. That is what has been said here.

Mr. DOMINICK. The Chief of Police said it is in effect and he did not see any use in going further. As the U.S. Attorney said, the procedure has been put into practice. The only question is whether it should be done legislatively or administratively. I do not see that the amendment changes the rule of criminal procedure. It is in the Federal Rules of Criminal Procedure now.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CLARK. Is it not true that if the committee bill is approved and the amendment is defeated, the Supreme Court will have a reasonably prompt opportunity to pass on whether changes in the Mallory rule are or are not binding?

Mr. DOMINICK. That is true.

Mr. President, I oppose the Tydings amendment and support the bill.

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from South Carolina.

Mr. THURMOND. Mr. President, one of the most important provisions contained in H.R. 5688, the Omnibus Crime bill for the District of Columbia, is title I. This title provides a rule of evidence for the courts of the District of Columbia, governing the admissibility of statements obtained from an accused after a lawful arrest and prior to an appearance before a U.S. Commissioner. The major purpose of this title is to modify the Mallory rule in order to provide the law enforcement officials of the District with a reasonable and realistic rule governing the interrogation of suspects before arraignment. Under title I, 3 hours is allowed between the arrest and arraignment.

The Committee on the District of Columbia has labored diligently on this section of the bill, and it deserves the approval of the Senate. No one will contend that establishing a 3-hour statutory period of time is the perfect solution to the problems posed by the extreme applications of the Mallory rule. It is obvious that under some conditions 3 hours may be too long and under different conditions it may not be long enough. However, this provision does recognize the problem, and attempts to come to grips with it as best as is possible under the circumstances. For too long, unreasonable applications of the Mallory rule have allowed admittedly guilty and dangerous criminals to escape punishment altogether.

For these reasons, I support title I of H.R. 5688 and oppose the pending amendment which would eliminate it from the bill.

Mr. BIBLE. Mr. President, I yield the remainder of my time to the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I rise in strong support of the position of the chairman of the committee and in opposition to the amendment of the Senator from Maryland and the Senator from New York. I have been concerned since the Mallory rule was handed down by the Court in 1957. Some years ago I had a former Chief of Police in my office and asked him, "How many additional men and how much additional money do you need?" He said, "It is not a question of men or money. I need some authority." Meaning the Mallory rule had his men so severely restricted and handicapped that they could not handle the cases.

In all those years since the Mallory decision was handed down this is the first time the Senate has had an opportunity to restrict or alter its application. We had better act on this measure while we have it before us rather than merely have an academic debate over whether the procedures should be adopted by Executive order or through a congressional act. An administrative order can be changed next week or next month. Particularly, if there is pressure from civil rights groups, it may be changed. We have a duty to protect the women of this city, white women, colored women, all women from roaming rapists and roaming robbers who go up and down the streets and in the homes in the daytime and the nighttime.

This is a chance to do something about it.

I hope the Senate will overwhelmingly defeat this weakening amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TYDINGS. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 4½ minutes remaining.

Mr. TYDINGS. Mr. President, let me emphasize again the reason the Deputy Attorney General, the chief law enforcement officer of the District of Columbia, the U.S. Attorney, and the Chief of Police gave when they asked us not to freeze their administrative procedures into law. They have only recently started this procedure. They are working on tests of it. They want flexibility. This is a very important area of activity. The American Bar Association and the American Law Institute are doing research on this subject, trying to obtain facts to justify any proposed legislation in this area.

The Chief of Police wants to maintain law and order. The U.S. Attorney wants to maintain law and order. The Justice Department wants to maintain law and order. Yet they each oppose freezing the Police Department's administrative procedures into law at this time.

I believe one relevant answer of the Deputy Attorney General is found on pages 511 and 512 of the hearings. Senators will recall the question as it was directed to the Deputy Attorney General:

> It is not inconceivable, and in fact might be very probable that when you have completed your study and have the facts before you, you then come to Congress with the request for legislation in this field. But in the interim period legislation in this area would not be of any great assistance, and might in fact hinder your efforts to ascertain the probable effects of the Mallory rule.

The Deputy Attorney General answered:

> That is exactly right and I think it is important to recognize that in the meantime the public safety is not jeopardized because the police under this administrative regulation will be authorized and instructed to engage in the same type of questioning as with the statute but with greater flexibility.

We have a crime problem. This is admitted by everyone concerned. The question is simply one of method—how best to proceed, in our fight against crime. I would simply ask that we not proceed legislatively at this time. I would ask that we delay legislating in this area, pending the results of the studies which the American Law Institute, the American Bar Association, and the Justice Department are now conducting.

By deciding not to legislate in this area at this time we will not be impeding the fight against crime. We will not be giving aid and comfort to lawbreakers, for title I simply codifies what is already present police procedure.

By deciding not to enact title I at this time we simply heed the judgment of the law enforcement officers who must work in this area, and who would prefer the flexibility of administrative guidelines to the inflexibility of legislative fiat, at least until adequate data exist to support the legislative judgment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. TYDINGS. Mr. President, how much time have I left?

The PRESIDING OFFICER. One minute.

Mr. COOPER. Mr. President, will the Senator yield for one question?

Mr. TYDINGS. I yield.

Mr. COOPER. As concerns Federal jurisdiction and Federal procedure, do you consider that the Congress, by legislation, can set apart the District of Columbia or other areas from the remainder of the country, and so prevent the application of the Mallory decision by the courts to cases arising in the District of Columbia? I do not believe we have any such authority.

Mr. TYDINGS. No. The rule laid down by the Court would be a rule that would be applied anywhere.

Mr. COOPER. We cannot lay down a special rule in the District of Columbia with respect to the Mallory decision.

Mr. TYDINGS. That is correct. We cannot legislate in a vacuum.

Mr. KENNEDY of New York. Mr. President, in regard to the point made by the Senator from Mississippi, I do not believe that any of us wish to have the women of the District of Columbia attacked. The problem is whether we are going to enact a statute which raises serious constitutional questions, serious questions regarding the rights of those accused of crime. We all believe that this question needs to be dealt with. But we should not take steps which may well violate the Constitution. We should not enact a statute which might make Senators feel good because we would have done something about crime in the District of Columbia, only to have the statute declared unconstitutional within a year.

It does not seem to me that we are taking any kind of forceful action, or the kind of steps which need to be taken to deal with crime, if we pass a statute for which the Senator from Oregon is not going to vote because he feels that it is unconstitutional.

We believe that we should give this problem the kind of study it needs, and then come forth with the kind of statute which will be upheld by the courts. Then we shall really have done something to deal with the problem. We can do this if we act on the basis of experimental data and careful study.

The PRESIDING OFFICER. All time on the amendment has now expired.

The question is on agreeing to the amendment of the Senator from Maryland [Mr. TYDINGS].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY] is necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER] and the Senator from Wyoming [Mr. MCGEE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. MUNDT] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 26, nays 67, as follows:

[No. 242 Leg.]

YEAS—26

Brewster
Burdick
Case
Cooper
Dodd
Douglas
Hart
Hartke
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.

Long, Mo.
Magnuson
McGovern
Metcalf
Mondale
Moss
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Tydings
Williams, N.J.

NAYS—67

Aiken
Allott
Anderson
Bass
Bayh
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Clark
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Mansfield
McClellan
McIntyre
McNamara
Miller
Monroney
Montoya
Morse
Morton
Murphy
Muskie
Pearson
Prouty
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—7

Bartlett
Church
Ellender
Gore
McCarthy
McGee
Mundt

So Mr. Tydings' amendment (No. 427) was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BIBLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], the Senator from Florida [Mr. Smathers] are absent on official business.

I also announce that the Senator from Minnesota [Mr. McCarthy] is necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. Mundt] is necessarily absent and, if present and voting, would vote "yea."

The result was announced—yeas 86, nays 7, as follows:

[No. 243 Leg.]

YEAS—86

Aiken
Allott
Anderson
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Moss
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—7

Burdick
Douglas
McNamara
Metcalf
Morse
Neuberger
Proxmire

NOT VOTING—7

Bartlett
Church
Gore
McCarthy
McGee
Mundt
Smathers

So the bill (H.R. 5688) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BIBLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIBLE. Mr. President, I have a detailed analysis of title I, which is really the heart of the bill which the Senate has passed. It is a detailed analysis of court decisions related to the Mallory case. It states in detail the congressional background of the case for a legislative change, and sets out each of the subsections of title I of the bill which was just passed. I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

TITLE I—ADMISSIBILITY OF STATEMENTS MADE BETWEEN ARREST AND APPEARANCE BEFORE A COMMISSIONER

The purpose of title I is to provide a rule of evidence for the courts of the District of Columbia governing the admissibility of statements obtained from an accused after a lawful arrest and prior to an appearance before a U.S. commissioner. The title provides standards and safeguards for in-custody interrogation of persons arrested on probable cause and makes clear and certain the maximum period of time after arrest and prior to arraignment before a U.S. commissioner, during which such in-custody interrogation may take place.

The U.S. Supreme Court's interpretation of rule 5 of the Federal Rules of Criminal Procedure in the case of *Mallory* v. *United States*, 354 U.S. 449 (1957) has created special problems for law enforcement in the District of Columbia because only in the District do Federal courts have broad jurisdiction over crimes of violence which usually lack eyewitnesses, and because the courts of the District of Columbia have made extreme application of the Mallory decision. The result of this special local situation has been to allow guilty and dangerous criminals to escape punishment altogether or receive lesser punishment by pleading guilty to lesser offenses even though they may have voluntarily confessed to their crimes. This committee is of the opinion that the right of the law-abiding citizen to be secure in his person and property suffers when the guilty go unconvicted and that a reasonable concern for the right of the law-abiding citizen to be free from fear in his home and in the streets requires that this special local problem must be met by legislative action.

Background of rule 5 of the Federal Rules of Criminal Procedure

The complete text of the rule is as follows:

"Proceedings before the Commissioner

"(a) Appearance before the commissioner: An officer making an arrest under a warrant issued upon a complaint or any preson making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith.

"(b) Statement by the commissioner: The commissioner shall inform the defendant of the complaint against him, of his right to retain counsel, and of his right to have a preliminary examination. He shall also inform the defendant that he is not required to make a statement and that any statement made by him may be used against him. The commissioner shall allow the defendant reasonable time and opportunity to consult counsel and shall admit the defendant to bail as provided in these rules.

"(c) preliminary examination: The defendant shall not be called upon to plead. If the defendant waives preliminary examination, the commissioner shall forthwith hold him to answer in the district court. If the defendant does not waive examination, the commissioner shall hear the evidence within a reasonable time. The defendant may cross-examine witnesses against him and may introduce evidence in his own behalf. If from the evidence it appears to the commissioner that there is probable cause to believe that an offense has been committed and that the defendant has committed it, the commissioner shall forthwith hold him to answer in the district court; otherwise the commissioner shall discharge him. The commissioner shall admit the defendant to bail as provided in these rules. After concluding the proceeding the commissioner shall transmit forthwith to the clerk of the district court all papers in the proceeding and any bail taken by him."

On June 29, 1940, Public Law 76–675, 54 Stat. 688, was approved which gave the Supreme Court of the United States authority to prescribe rules of procedure for criminal proceedings in the courts of the United States and provided that such rules "shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session * * *."

The Supreme Court thereafter appointed an Advisory Committee whose function it was to draft new rules of Federal criminal procedure. In the early drafts of this Committee, rule 5 excluded from evidence any statement made by a defendant while the defendant was held in custody in violation of the rule. However, during the deliberations of the Advisory Committee, the Supreme Court decided *McNabb* v. *United States*, 318 U.S. 332 (1943). The ruling of his case excluded a confession obtained from an accused unlawfully detained in custody. Also decided during this period was *United States* v. *Mitchell*, 322 U.S. 65 (1944).

The Mitchell case qualified the McNabb case by holding that a voluntarily given confession would not be excluded from evidence because of the illegal detention of the accused, unless the confession resulted from such illegal detention.

With the law relating to admissibility of statements obtained during illegal detention in this posture, the Supreme Court promulgated the Federal Rules of Criminal Procedure on December 26, 1944, without any mention of any sanction against noncompliance with rule 5. Subsequently, the rules were duly reported to Congress, no objection was raised, and the rules became effective on March 21, 1946. It must be noted that following the *McNabb* case, there was a flurry of unproductive legislative activity aimed at altering the effect of the case.

Mallory v. *United States* and related cases

In 1957 the Supreme Court of the United States decided the case of *Mallory* v. *United States*, 354 U.S. 449 (1957). Andrew Mallory was convicted of rape in the U.S. District Court for the District of Columbia. The Court of Appeals for the District of Columbia affirmed the conviction (98 U.S. App. D.C. 406, 236 F. 2d 701). The Supreme Court reversed the conviction and held that if an arrested person is not brought before a U.S. Commissioner without unnecessary delay but is held and interrogated by officers for the purpose of obtaining incriminating statements, then any statements so obtained may not be received in evidence at a subsequent trial.

In so doing, the Supreme Court restated the sanction of the *McNabb* and *Mitchell* cases but extended the ruling of those cases to cover situations where there was no showing of any causal relationship between "unnecessary delay" and the incriminating statement.

Mallory had the further effect of creating confusion within the legal ranks of the bench and bar about what constituted an "unnecessary delay." In the *Mallory* case, the accused was arrested on a rape charge between 2 and 2:30 p.m. His first statement of admission was made about 9 p.m., and he dictated his confession between 11:30 p.m. and 12 midnight. He was brought before the U.S. Commissioner on the following morning.

Recent cases in the District of Columbia have demonstrated that there is great uncertainty among the judges on the appellate and district courts about how much delay is permissible between arrest and arraignment before a commissioner.

For instance in *Spriggs* v. *United States* (335 F. 2d 283 (D.C. Cir. 1964)), a conviction was reversed because of the admission in evidence of a confession made during booking some 30 minutes after arrest when the officer told the suspect three witness had seen him shoot another person.

In *United States* v. *James J. Jones*, Criminal No. 366–63 (U.S. District Court for the District of Columbia, 1963), the trial judge excluded a confession which occurred within 15 minutes after arrest and prior to presentment of the arrested person to the committing magistrate. The dissent in the former case and the ruling in the latter case were based on the ground that no interrogation of any length is permissible and, indeed, an arrested person is not to be taken to the precinct or headquarters for booking and fingerprinting, but is to be taken before a magistrate forthwith. Thus "without unnecessary delay" was considered to mean "without any delay."

In *Alston* v. *United States* (District of Columbia Cir. No. 18750 (May 6, 1965)), appellant was arrested at 5:51 a.m., on February 22, 1964, and arrived at police headquarters, with his wife at 5:30 a.m. Appellant's wife then sat in the homicide squad office while appellant was taken into an adjoining room where police questioned him "for at least 5 minutes." During this questioning, appellant "stated he didn't know anything about [the offense] or words to that effect." Appellant was then permitted to speak briefly to his wife, after which he returned to the police and confessed the crime.

The U.S. Court of Appeals for the District of Columbia Circuit reversed the case for a new trial on two grounds, (1) that the questioning violated rule 5(a) because the arresting officers failed to take appellant before a committing magistrate "as quickly as possible," and (2) that appellant was not informed of his right to remain silent prior to his being interrogated.

In *Elsie V. Jones* v. *United States* (113 U.S. App. D.C. 256, 307 F. 2d 397 (1962)), the defendant was arrested at 4:25 of a Sunday morning, confessed 3½ hours later, and was brought before a committing magistrate at 9 Monday morning. A divided court held her confessions inadmissible.

In *Charles S. Coleman* v. *United States* (114 U.S. App. D.C. 185, 313 F. 2d 576 (1962)), a delay of 2 hours and 5 minutes was, again by a divided court, held fatal to the admissibility of the conviction.

In *Tony A. Coleman* v. *United States* (317 F. 2d 891 (1963)), a divided court permitted the conviction on one count to stand although based upon a confession given 1 hour after the arrest, but reversed the conviction on other counts based upon confessions given 2 or 3 hours after arrest.

In a dissenting opinion in *Robert A. Muschette* v. *United States* (D.C. Cir. No. 17410 (July 25, 1963)), it was contended that a confession obtained 25 minutes after arrest and 1 hour and 50 minutes before the arrested person was presented to the committing magistrate should be excluded.

Testimony before the committee indicated that in each of these cases, the confession was clearly voluntary and admissible under all of the usual legal and constitutional criteria. The exclusion of these confessions except for Alston case was based solely on the lapse of time after arrest and prior to appearance before the U.S. Commissioner and the finding of the courts that such lapse of time constituted an unnecessary delay within the meaning of rule 5(a) of the Federal Rules of Criminal Procedure.

Underlying Reasons for Rule 5 and the Decisions of Mallory and Related Cases

The courts have long been plagued by the troubling situation where an accused who has been interrogated in the privacy of the police station alleges that his confession was coerced from him by unfair physical or mental pressures. In almost every instance, of course, his allegations are denied by the officers whose word is usually accepted by the court and jury. To end these insoluble conflicts over the nature of such interrogations and to minimize the opportunity for the use of improper methods in obtaining such confessions, are two basic underlying reasons for rule 5(a) and the *Mallory* v. *United States* decision. There are, of course, other underlying reasons, such as the implementation of the constitutional rights of the accused, such as his right to counsel, and his right against self-incrimination.

The difficulty of the Mallory rule and its interpretation of rule 5 is that even where it can be demonstrated that there was no coercive conduct on the part of the police, and where all of the constitutional rights of the accused were protected, the Mallory ruling, as it has been interpreted in the District of Columbia, still requires the exclusion of a voluntarily given statement on the basis of very minimal delay alone.

The purpose of title I, as amended, is to fill in this gap in the protection which is afforded to the life and property of the law-abiding citizen by the criminal laws of the District of Columbia.

Congressional background

Problems associated with rule 5(a) and the Mallory decision are not new to Congress. Language substantially the same as that contained in this bill, when it was passed by the House of Representatives, has been before Congress before. The first legislative attempts to meet this problem took the form of proposed amendments to rule 5(a) and would have had application to all Federal jurisdictions.

In the 85th Congress, H.R. 11477 was passed by the House and amended and approved by the Senate.

As a result of the Senate amendment, the bill went to conference where the conferees accepted the Senate amendment but added certain new language. The House adopted the conference report but adjournment prevented final action by the Senate after a point of order was raised concerning the new language added by the conferees.

In the 86th Congress, the House Committee on the Judiciary again reported similar legislation, H.R. 4957, but it was not enacted.

In the 87th Congress, the House Committee on the District of Columbia reported H.R. 7053, a similar bill limited in its application to the District of Columbia, which was passed by the House. The Senate did not act on this bill.

In the 88th Congress, the House Committee on the District of Columbia reported and the House passed H.R. 7525, the so-called omnibus crime bill. The Senate Committee on the District of Columbia considered that bill during lengthy hearings and 1 year ago reported an amended version, recommending substantial changes including those in title 1 (the so-called *Mallory* section). No action was taken by the Senate on the bill.

Early in the 89th Congress, the House Committee on the District of Columbia reported and the House passed H.R. 5688, whose title 1 is identical with that of H.R. 7525, as the latter bill passed the House in the last Congress.

Presently, this committee's recommendations to amend title 1 are substantially the same as those contained in its report to the Senate in the 88th Congress. The differences are set forth in detail hereafter under subtitle "Action Recommended by Committee."

The case for a legislative change in Mallory

In essence, the committee recommendations would legislate into a statutory rule of evidence for the District of Columbia only desirable and proper guidelines for the courts that would provide:

(1) Safeguards for accused individuals from improper police interrogation.

(2) Protection for the public in keeping law and order by permitting the police to carry on necessary questioning of arrested individuals under clearly defined criteria.

The committee rejected title I of the House-approved bill (H.R. 5688) on the grounds that such provision would not withstand constitutional attack because protective devices were not written into it to safeguard the rights of accused individuals from improper interrogation and delay from the time of arrest until arraignment before a magistrate. The committee has approved recommended safeguards that it believes will meet constitutional requirements and will provide better law enforcement tools for the police to protect the public.

Rule 5(a) and *Mallory* v. *United States*—A special problem for the District of Columbia

On November 5, 1963, while testifying before the Senate District Committee in the 88th Congress, the Honorable Nicholas deB. Katzenbach, presently Attorney General of the United States, and then Deputy Attorney General of the United States, summed up the special significance of the *Mallory* rule for the District of Columbia in the following language: [1]

"The Mallory rule is not frequently invoked in Federal criminal cases in jurisdictions other than the District of Columbia. The reason is twofold: First, only in the District of Columbia do the Federal courts have broad jurisdiction over crimes of violence which characteristically lack eyewitnesses and independent evidence.

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[1] P. 432, committee hearings, H.R. 7525 (88th Cong.).

"It is quite common in cases of homicide, yoke, robberies, rape, and certain other crimes that there is no third eyewitness, and it is often difficult for the complaining witness to make an identification. Of course, in homicides there is no complaining witness. Thus, in such cases, confessions assume far greater significance as evidence of guilt, and it becomes important to defendants to have their confessions excluded in the courts of the District of Columbia. Second, by contrast, most Federal criminal cases in other jurisdictions involve frauds, mail thefts, narcotic violations, and the like, where there is substantial evidence apart from a confession; i.e., contraband property, financial records, tax returns, et cetera.

"Therefore, it is reasonable to consider the problems in the District of Columbia as being rather unique with respect to the Mallory rule and deserving of congressional consideration in legislation limited to its application to the District of Columbia.

"In my opinion, the Mallory rule is a good one. Through it, the Supreme Court made clear its intention to prevent law enforcement officers from delaying preliminary hearings for the purpose of eliciting confessions. This is as it should be.

"The problem which gives rise to the legislative proposal before the committee lies not with the Mallory rule but with its application in the District of Columbia.

"In a number of cases in the District of Columbia 'unnecessary delay' has been interpreted and applied to make it virtually impossible, I am informed, for investigating officers to speak with arrested persons with any assurance that resultant confessions will be acceptable in the courtroom."

Action recommended by committee

Title I of H.R. 5688, as amended, recognizes the validity of the argument that the *Mallory* case does have special impact in the District of Columbia by denying to law enforcement officers the essential investigative tool of in-custody interrogation, but it further recognizes that any legislation which has as its purpose the preservation of this valuable police tool must provide safeguards and standards which will prevent abuse of the accused.

It protects the rights of the accused by providing that a statement resulting from an in-custody questioning of the accused may be admitted into evidence if—

(1) Immediately prior to any such questioning the defendant was plainly advised by the officers having custody of him, in addition to any previous warning, that he is not required to make any statement at any time and that any statement made by him may be used against him; and

(2) Prior to such questioning, the arrested person was advised by the officers having custody of him that, upon request, he would be afforded reasonable opportunity to notify a relative or friend and consult with counsel of his choosing, and if such request were made, he was, in fact, afforded such opportunity; and

(3) The aggregate period of questioning, exclusive of interruptions, does not exceed 3 hours between the arrest and the completion of the confession, admission, or statement; and

(4) Such questioning and the warning and advice required by paragraphs (1) and (2) of this section were whenever reasonably possible, witnessed by a responsible person who was not a law enforcement officer, or transcribed verbatim, or recorded by a wire, tape, or other sound recording, or conducted subject to other comparable means of verification.

In addition to protecting the rights of the accused, the amendments to title I of H.R. 5688, made by the committee aid the police by making clear exactly what they must do when interrogating a defendant and the maximum aggregate period of time they have within which to conduct such interrogation.

Detailed analysis

Section 103(3) of title I of the committee's bill places a 3-hour aggregate time period as the limit for questioning an arrested person during an investigation following arrest and before appearance of the accused before a magistrate. The committee's purpose in placing a 3-hour limit on questioning, in title I, is designed to give law enforcement officers and judges a workable rule of thumb by which oppressive practices can be avoided, both as a matter of policy and within proper constitutional limits. The committee does not envision the questioning of an accused, in the practical sense, would be consecutive and continuous. Instead, it would be intermittent as necessitated by the requirements of an investigation being carried out by police officers. Accordingly, a 3-hour time period for questioning has been provided in section 103(3) instead of an inflexible and fixed maximum time period between arrest and appearance before a magistrate.

This subsection purposely does not set forth a specific amount of time for police investigation but leaves that period flexible within the "unnecessary delay" limitation contained in the bill. The committee recognizes that "unnecessary delay," in some cases, has been interpreted by the courts as a period of time so short that, in this committee's judgment, a fair and reasonable investigation by the police and any questioning of an accused are altogether impossible.

It is the intention of this committee to clarify by title I of this bill the meaning of the statutory term, "unnecessary delay," as contained in rule 5(a) of the Federal Rules of Criminal Procedure and the subject for widely varying court interpretations that too often preclude reasonable and fair investigations by the police in the public interest. Likewise, safeguards have been set out specifically to rule out improper, oppressive, or abusive police practices against an accused.

Particular explanation must be given section 103(3), title I, providing an aggregate 3-hour period (without including interruptions) between arrest and the completion of a confession, statement, or admission. It cannot be supported that this provision is a back-door method of reinstituting investigative arrest in the District of Columbia. (See explanation under title II, "Investigative Arrest," of this report.)

Arrests under title I to stand up must be made on probable cause, while investigative or detention arrests are made only with reason to suspect. Thus, detention or investigative arrests, in the judgment of this committee, are clearly unconstitutional; however, arrests on probable cause do meet the constitutional test. The committee recommendations do no violence to this precept.

As has been previously pointed out in this report, the Mallory decision's interpretation of rule 5(a) has presented special problems to law enforcement in the District of Columbia which are not common to other Federal jurisdictions. Indeed, the Mallory case itself was a District of Columbia criminal prosecution for rape. This committee has therefore attempted to meet this special local situation. In any criminal procedural statute the challenge is to strike a balance between protecting the rights of the accused and protecting the law-abiding citizen from criminal molestation. In the judgment of the committee, title I, as amended, meets that test.

Language changes

Title I as contained in the instant bill is similar to title I of H.R. 7525 which bill this committee reported to the Senate during the 2d session of the 88th Congress. The language of such title as contained in H.R. 7525 was proposed to this committee in the 88th Congress by the Department of Justice and the Office of the U.S. Attorney for the District of Columbia as an appropriate legislative measure to effectively modify the Mallory rule in the District of Columbia.

The differences between title I of H.R. 7525, as amended, and title I of H.R. 5688, as reported by this committee are essentially two and relate (1) to the period of time that police officers can hold a defendant for questioning following arrest; and (2) the insertion in the instant bill of an affirmative duty on the defendant to ask for the opportunity of consulting with counsel and also of notifying a friend or relative once he has been advised of these rights by police officers.

Justice Department's views

On April 27, 1965, the Honorable Ramsey Clark, Deputy Attorney General of the United States, appeared before this committee and presented the Department of Justice views on title I of both the House and Senate crime bills (H.R. 5688, and S. 1526) the latter identical with H.R. 7525, as reported to the Senate 1 year ago by this committee.

At the committee hearing the Deputy Attorney General sought additional time for the Justice Department to pursue current work on the Mallory problem as it is affects law enforcement in the District of Columbia before making specific recommendations to the committee.

The Deputy Attorney General in his testimony before the committee stated in pertinent part: [3]

"I am convinced that our system of government can devise procedures which will at once permit reasonable police interrogation of suspects while fully protecting their constitutional rights. Moreover, if this committee develops rules which meet the practicalities of modern-day, big city law enforcement, and which are clear and understandable, the police can fairly be expected to assume responsibility for their observance. Where they fail the courts will review.

"For our part, we believe that our own work in this area during the past few months has already provided important additional insights. In addition to our factual inquiry, this has included an analysis of developments in the law since the earlier hearings of this committee, and we would also want to be sure that any proposals that we make reflect what information can be obtained from the recently published results of the American Bar Foundation study and the current work of the American Law Institute whose advisory committee will meet early in June. However, I should make it clear that we are not urging this committee to wait for the final results of the American Law Institute. Thus, we would like some additional time to press our current work in this area further before making specific recommendations. We believe this will enable us to make a more constructive contribution. In the interim, we will continue to work in close collaboration then with the committee staff."

After the Deputy Attorney General appeared before the committee and presented the Department of Justice's recommendation, the committee proceeded to hold in abeyance any immediate further action on title I of the crime bills until the American Law Institute Advisory Committee could meet at Atlantic City in early June of 1965 to discuss rule 5(a) and other related provisions of criminal procedure. It was the committee's belief that something beneficial to the committee consideration of the matter might be developed at this session.

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[3] P. 34, committee hearings, H.R. 5688 (89th Cong.).

Staff members of the committee attended the American Law Institute advisory sessions in Atlantic City as observers of the proceedings.

However, following the conclusion of the advisory sessions in Atlantic City, it became readily apparent to the committee that the American Law Institute was in the preliminary stages of devising remedial legislation for rule 5(a), and that nothing definitely affirmative could be expected to evolve from the American Law Institute with regard to the proposed modification of rule 5(a) until June of 1966, the date set for the annual session of the institute in Washington, D.C., at which time the full matter is expected to come before its full membership for a conclusion.

On July 15, 1965, and following the conclusion of the advisory sessions in Atlantic City, the committee proceeded to obtain further testimony on title I of the crime bills from the Deputy Attorney General as well as from the U.S. attorney for the District of Columbia.

In his testimony at this proceeding, the Deputy Attorney General proposed as the recommendation of the Justice Department that changes in rule 5(a) be implemented through administrative procedures rather than through a statute enacted by the Congress. In his statement before the committee, the Deputy Attorney General stated: [3]

"As for the problems raised by the Mallory rule in the District, our further study since your hearing of April 27 has led us to a plan which affords an immediate opportunity for a fairer and more effective police investigation and adequate protection of the rights of the suspects, while permitting the police to develop facts and avoid a premature test of the constitutionality of proposed procedures. The plan has been implemented by a letter of July 14, 1965, from U.S. Attorney Acheson to Chief Layton. Copies of this letter have been provided the committee.

"Under this plan, after an arrest based upon probable cause and prior to the filing of a charge, a suspect may be questioned concerning his knowledge of a crime. As a prerequisite to questioning he must be clearly advised that he need not answer any question; that any statement given may be used against him; that he may consult counsel, a relative, or a friend; and that if he is charged and cannot afford a lawyer the court will appoint one for him. Police officers are instructed to keep records of the time, duration, and circumstances of all questioning. Questioning will be sound recorded or otherwise preserved where possible, and steps will be taken to improve technology in this area. Any questioning will be of limited duration and should not exceed 3 hours in total. It will not, of course, be coercive or oppressive in manner, and will be avoided where it does not advance the investigation of crime.

"The arraignment of suspects who are charged after arrest will not be delayed except in unusual circumstances. Committing magistrates have arraigned at 10 a.m. on weekdays in the District for decades. This is typical of most jurisdictions. Any questioning of a suspect will be done, and the decision whether and what to charge willl be made, between the time of arrest and the time next available for arraignment except when the time and circumstances make this unfair or inadequate.

"In no event will questioning cause 'an unreasonable delay' in presentment to a committing magistrate.

"While we cannot be certain that statements made in compliance with this procedure will be admitted in evidence by every judge in every case, the courts will be given the opportunity to pass upon statements made under such conditions and may well find that Mallory does not require their exclusion. Careful police implementation and sound prosecutorial discretion will assure the development of a solid basis for legislation."

Committee favors statute

The committee concurs completely with the position that the Department of Justice—through the Deputy Attorney General—has taken with regard to the detention of an accused and the appropriate postarrest questioning under adequate safeguards.

However, the committee believes that to meet its proper responsibilities the procedures as proposed by the Department of Justice, and concurred in by the U.S. attorney for the District of Columbia, should be placed in statutory form and enacted into positive law by the Congress. Therefore, the committee in favorably reporting H.R. 5688, as amended, to the Senate, has in effect, placed the recommended procedures advanced by the Justice Department and concurred in by the U.S. attorney for the District of Columbia in statutory form for appropriate consideration by the Congress.

The committee's belief is that its legislative responsibility can only be properly discharged by recommending a positive statutory law rather than concur in lieu thereof with administrative orders from the U.S. attorney for the District of Columbia to the Metropolitan Police Department on the methods to deal with arrest and investigation.

The committee's recommendations as contained in title I of the instant bill represents a legislative effort to retain for persons charged with crime those essential individual rights that the Mallory rule and its subsequent case law refinements have made. At the same time the recommendation strikes a balance point in permitting police to carry on proper and necessary questioning under clearly defined limitations. It is the committee's judgment that the Mallory rule and subsequent court decisions, which have tightened the noose around effective law enforcement, must be changed.

This recommendation is limited to apply only to the District of Columbia where violent crimes fall within the trial and appeal jurisdiction of the Federal judiciary and limitations of the Federal Rules of Criminal Procedure. Since the District is unique in many ways, the committee believes law enforcement must be dealt with uniquely in providing the District courts and the police with clear-cut procedural guidelines so as not to do harm to persons accused of crimes and at the same time provide protection not now being given to the law-abiding general public.

What Congress approved by the language of rule 5 of the Federal Rules of Criminal Procedure, Congress can now disapprove by statutory enactment for the District where the court interpretations of Mallory are felt more keenly than in any other Federal jurisdiction.

It is not contended that legislative enactment to alter the severe application of the Mallory rule alone will curb the crime rate which has risen steadily since that Supreme Court decision in 1957. The Department of Justice, the U.S. Attorney, police officials, a respected member of the U.S. district court, the District of Columbia Council on Law Enforcement, and members of the bar have testified at various times before this committee that a change in the Mallory doctrine should provide assistance in combating crime.

Certainly, proper interrogation free of abuse and with the guidelines this title contains, would provide a valuable law enforcement investigative tool.

In a statement filed with the committee at hearings on May 13, 1965, the Honorable SAM J. ERVIN, senior U.S. Senator from North Carolina and chairman of the Constitutional Rights Subcommittee of the U.S. Senate Committee on the Judiciary, stated:

"The Mallory rule and rule 5(a) of the Federal Rules of Criminal Procedure are subjects which have long been of great concern to me. It is my feeling that the crime rate in the District will continue to mushroom and effective law enforcement here will continue to be frustrated until legislation such as that contained in title I is enacted. For this reason, I have in previous Congresses introduced legislation to clarify rule 5. The Mallory rule certainly is a factor influencing the crime rate for due to it, self-confessed criminals are let free by the courts, and the police are hampered in their crime detection."

Further, when Senator ERVIN testified before this committee on October 23, 1963, he said: [4]

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"Although I realize this is not the only factor influencing the crime rate, the Mallory rule certainly is a major factor, for due to it self-confessed criminals are let free by the courts and the police are hampered in their crime detection * * *.

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"I submit that when Congress approved the promulgation of the Federal Rules of Criminal Procedure, it did not intend to throw on the scrapheap the time-honored test of voluntariness concerning the admissibility of a confession. I submit that Congress had no intention of making convictions impossible simply because a police officer failed to take a prisoner before a committing magistrate until 7½ hours had elapsed.

"As chairman of the Subcommittee on Constitutional Rights, I am, of course, not unmindful of the many protections which the Constitution of the United States bestows upon the persons accused of crimes within our society. But, in the words of Judge Alexander Holtzoff, U.S. district judge for the District of Columbia, who testified at subcommittee hearings on the subject of confessions and police detention, in 1958:

"'We must bear in mind that the purpose of the criminal law is to protect the public. On the one hand, it is essential that no innocent person be convicted of a crime and that oppressive methods be not used against the guilty. On the other hand, it is equally indispensable that victims of a crime and potential victims of possible future crimes receive protection. The victim must not become a forgotten man. As was said by Justice Cardozo in *Snyder* v. *Massachusetts* (291 U.S. 97, 122), "Justice, though due the accused, is due to the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true".'" [5]

Section-by-section analysis of title I

Section 101 is a brief restatement of existing law with respect to the admissibility of incriminating statements made by an accused. The committee wishes to make clear that nothing in this title is intended to prevent the trial courts of the District of Columbia from determining the voluntariness of any incriminating statement made by an accused in accordance with established principles of law.

Section 102 restates existing law and excludes statements made by an accused after a period of unnecessary delay and prior to an appearance before a U.S. commissioner.

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[3] Committee hearings, July 15, 1965, H.R. 5688 (89th Cong.).

[4] P. 353, hearings, H.R. 5688 (89th Cong.).

[5] P. 355, hearings, H.R. 7525 (88th Cong.).

Section 103 provides that under section 102 of this title delay alone shall not cause the exclusion of any statement obtained by interrogation of the accused if (1) the accused was warned that he need not make a statement and was told that any statement made could be used against him; and (2) prior to any questioning, the arrested person was advised by the officers having custody of him that upon request he would be afforded reasonable opportunity to notify a relative or friend and consult with counsel of his choosing and if such request were made, he was, in fact, afforded such opportunity; and (3) the aggregate period of questioning, exclusive of interruptions, does not exceed 3 hours, between the arrest and the completion of the confession, admission, or statement; and (4) all of these warnings and any questioning of the accused were witnessed by a third party or transcribed or recorded verbatim.

The aggregate 3-hour time limitation in this bill, rather than a fixed time period, was included in the bill in order to provide police officers flexibility in their questioning during the course of the investigation.

Section 103(1) is intended to require a warning at the station house even though a warning had been initially given on the scene of arrest. It should be clear that this provision does not make it necessary for the police to reassert this warning after every interruption of their course of investigation at the station house.

The intention of section 103(2) is to require the police to advise the accused that he may request of them the opportunity to advise a friend or relative of his arrest and that he may request the opportunity to consult with counsel. However, this section shall not be constructed as a requirement that this advice be given the accused at the place of arrest or en route to the station house.

Section 103(4) is not meant to require that good investigative practice be changed to conform to the present technology of sound recording. The intention of the committee is rather to encourage experimentation with reliable means of verification and to require use of verification means during investigations where present technology and the circumstances of the case permit.

Section 104 requires the trial judge who admits any statement in evidence pursuant to section 103 of this title to make findings of fact concerning the existence of the conditions set out in section 103. This will establish the necessary record for any subsequent appeal taken by the accused from the decision of the judge to admit any statement under this section.

Section 105 authorizes and directs the Commissioners of the District of Columbia to promulgate regulations including necessary disciplinary measures to assure that police officers comply with requirements of law set out in this title and with the regulations made pursuant to it.

Mr. MANSFIELD. Mr. President, increasing attention has been directed to the problem of the rise in the crime rate across our Nation and in the District of Columbia—this city over which we in the Congress have a very direct and primary responsibility. It is toward a solution of this problem that the very important legislation just passed by this body—the District of Columbia crime and criminal procedure bill—is directed. I congratulate the Senate for its thorough treatment of this measure and its affirmative action.

Special thanks and commendations must be extended to the very able manager of the bill, the senior Senator from Nevada [Mr. Bible], who is the hardworking chairman of the Senate Committee on the District of Columbia.

The real issue in the bill was contained in title I, the portion dealing with the so-called Mallory rule. A number of Senators directed apt and incisive remarks toward this problem. The distinguished junior Senator from Maryland [Mr. Tydings] and the distinguished junior Senator from New York [Mr. Kennedy] forcefully presented and argued for their amendment to title I, and the ever-able senior Senator from Oregon [Mr. Morse], the junior Senator from New Hampshire [Mr. McIntyre], the junior Senator from Vermont [Mr. Prouty], and the junior Senator from Colorado [Mr. Dominick], all members of the District of Columbia Committee, ably and articulately expressed their views on the issue.

All of the participants in the debate on this piece of legislation deserve hearty thanks and congratulations for the skillful treatment which this body has given this significant measure.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Transfer of Research and Development Funds

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of research and development funds for the construction of a Delta Operations Building at the Western Test Range (with an accompanying paper); to the Committee on Aeronautical and Space Sciences.

Report on Reapportionment of an Appropriation

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Salaries and expenses, Bureau of the Mint," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Amendment of National Security Act

A letter from the Director, Central Intelligence Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the National Security Act to repeal the provisions dealing with the compensation of consultants, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Transfer of Copper From the National Stockpile to the Bureau of the Mint

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the transfer of copper from the national stockpile to the Bureau of the Mint (with accompanying papers); to the Committee on Armed Services.

Report on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the second quarter of 1965 (with an accompanying report); to the Committee on Banking and Currency.

Report on Reconstruction Finance Corporation Liquidation Fund

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the Reconstruction Finance Corporation Liquidation Fund, as of June 30, 1965 (with an accompanying report); to the Committee on Banking and Currency.

Improvement and Clarification of Certain Laws of the Coast Guard

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to improve and clarify certain laws of the Coast Guard (with accompanying papers); to the Committee on Commerce.

Regulation of Depreciation Accounting of Air Carriers

A letter from the Vice Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers (with accompanying papers); to the Committee on Commerce.

Clarification of Powers of Civil Aeronautics Board

A letter from the Vice Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings (with accompanying papers); to the Committee on Commerce.

Amendment of District of Columbia Teachers' Salary Act of 1955

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Teachers' Salary Act of 1955, as amended (with an accompanying paper); to the Committee on the District of Columbia.

Payment of an Allowance to Certain Employees Assigned to Duty at the Nevada Test Site of the Atomic Energy Commission

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission (with accompanying papers); to the Committee on Government Operations.

Report of Acting Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of aircraft engine cylinder assemblies without consideration of actual usage experience, Department of the Navy, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

Disposition of Funds Appropriated To Pay a Judgment in Favor of the Nooksack Tribe of Indians

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Federal Employees' Compensation Act Amendments of 1965

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Interior and Insular Affairs:

"H. CON. RES. 101

"Concurrent resolution memorializing the Congress relative to the establishment of the Sleeping Bear Dunes National Recreation Area

"Whereas a survey of the vanishing Great Lakes shoreline was made by the U.S. Department of Interior during 1957 and 1958; and

"Whereas this survey revealed three outstanding areas, all of them in Michigan, worthy of incorporation in the national park system; and

"Whereas one of these areas and the one nearest our population centers is at Sleeping Bear Dunes in Leelanau and Benzie Counties; and

"Whereas this beautiful area is deserving of national recognition and preservation; and

"Whereas legislation to this effect, modified to safeguard the property rights of homeowners, has been introduced in the Congress by the Senators from the State of Michigan; and

"Whereas early action to save this area for enjoyment of future generations has been recognized as desirable by the President of the United States, the Michigan Conservation Commission, the Michigan Tourist Council, and numerous nongovernmental organizations and individuals; and

"Whereas such action would clearly be in the interest of the State of Michigan, its citizens, and its economy: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That the Congress is hereby respectfully urged to authorize the establishment of the Sleeping Bear Dunes National Recreation Area in Michigan; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each member of the Michigan delegation to the Congress.

"Adopted by the house June 16, 1965.

"NORMAN E. PHILLEO,
"*Clerk of the House of Representatives.*

"Adopted by the senate July 29, 1965.

"BERYL I. KENYON,
"*Secretary of the Senate.*"

A resolution adopted by the legislators' section of the National Legislative Conference, at Portland, Oreg., relating to reciprocal intergovernmental tax exemption; to the Committee on Finance.

A resolution adopted by the legislators' section of the National Legislative Conference, held at Portland, Oreg., pledging the support of that organization to the President and the Congress in opposing the threat of communism; to the Committee on Foreign Relations.

A resolution adopted by the legislators' section of the National Legislative Conference, at Portland, Oreg., favoring the enactment by the House of Representatives of Senate bill 561, the Intergovernmental Cooperation Act of 1965; to the Committee on Government Operations.

Petitions signed by Lilianna Vitols, and sundry other citizens of the State of Connecticut, favoring the liberation of the Baltic States; to the Committee on Foreign Relations.

The petition of W. B. Robinson, of Oklahoma City, Okla., relating to the repeal of section 14(b) of the Taft-Hartley Act; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 803. A bill for the relief of Ching Zai Yen and his wife, Faung Hwa Yen (Rept. No. 656);

S. 1168. A bill for the relief of Timothy William O'Kane (Rept. No. 657);

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona (Rept. 658);

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan (Rept. No. 659);

H.R. 1627. An act for the relief of Esterina Ricupero (Rept. No. 660);

H.R. 1820. An act for the relief of Winsome Elaine Gordon (Rept. No. 661);

H.R. 2678. An act for the relief of Joo Yul Kim (Rept. No. 662);

H.R. 2871. An act for the relief of Dorota Zytka (Rept. No. 663);

H.R. 3292. An act for the relief of Consuelo Alvarado de Corpus (Rept. No. 664);

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely (Rept. No. 665); and

H.R. 9570. An act to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner (Rept. No. 666).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 481. A bill for the relief of Winnifred Evadne Newman (Rept. No. 667);

S. 779. A bill for the relief of Henryka Lyska (Rept. No. 668); and

H.R. 3128. An act for the relief of Angelo Iannuzzi (Rept. No. 669).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 670).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 5024. An act to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes (Rept. No. 655); and

H.R. 8027. An act to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes (Rept. No. 672).

By Mr. McINTYRE, from the Committee on the District of Columbia, with amendments:

H.R. 647. An act to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties (Rept. No. 671).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Edward M. McEntee, of Rhode Island, to be U.S. circuit judge, first circuit.

By Mr. SMATHERS, from the Committee on the Judiciary:

William O. Mehrtens, of Florida, to be U.S. district judge for the southern district of Florida.

By Mr. BAYH, from the Committee on the Judiciary:

Richard P. Stein, of Indiana, to be U.S. attorney for the southern district of Indiana.

By Mr. HART, from the Committee on the Judiciary:

Orville H. Trotter, of Michigan, to be U.S. marshal for the eastern district of Michigan.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be an Assistant Secretary of State;

Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the Executive Board of the World Health Organization;

Bernard Zagorin, of Virginia, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development;

Dr. Gustav Ranis, of Connecticut, to be Assistant Administrator for Program Coordination, Agency for International Development;

Charles Frankel, of New York, to be an Assistant Secretary of State;

Charles W. Yost, of New York, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and a Deputy Representative of the United States of America in the Security Council of the United Nations;

JAMES ROOSEVELT, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations; and

Mrs. Eugenie Anderson, of Minnesota, to be the representative of the United States of America on the Trusteeship Council of the United Nations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

S. 2480. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2481. A bill to amend the Federal Water Pollution Control Act, as amended, to increase the share of Federal financial assistance for construction of municipal sewage treatment works and to authorize increased appropriations for the purpose of making such grants, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 2482. A bill to prohibit obstruction of the performance of duty by the Armed Forces by obstruction of the transportation of personnel or property thereof; to the Committee on the Judiciary.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

PRINTING AS A SENATE DOCUMENT COMPILATION ENTITLED "CAMPAIGN '64"

Mr. MAGNUSON submitted the following concurrent resolution (S. Con. Res. 54) authorizing the printing as a Senate document of a compilation of the speeches, remarks, press conferences, and related papers, during the 1964 presidential campaign entitled "Campaign '64"; which was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed with illustrations as a Senate document a compilation, prepared by the Senate Committee on Commerce, entitled "Campaign '64" to consist of five parts, as follows:

Volumes I, II, III, and IV, the speeches, remarks, press conferences and related papers of President Lyndon B. Johnson, Senator HUBERT H. HUMPHREY, Senator Barry M. Goldwater, and Congressman William E. Miller, respectively, during the 1964 presidential campaign; and

Volume V, the radio and television network newscasts for the period September 1 through November 3, 1964.

SEC. 2. There shall be printed eleven thousand four hundred and fifty additional copies of such document, of which four thousand three hundred and ninety copies shall be for the use of the House of Representatives, two thousand and sixty copies shall be for the use of the Senate, and five thousand copies shall be for the use of the Senate Committee on Commerce.

RESOLUTION

STUDY TO DETERMINE FEASIBILITY OF UTILIZING TRADE CREDITS ISSUED BY THE INTERNATIONAL MONETARY FUND TO FACILITATE INTERNATIONAL TRADE

Mr. HARTKE (for himself, Mr. MCCARTHY, Mr. BARTLETT, Mr. MOSS, Mr. YOUNG of Ohio, Mr. METCALF, Mr. YARBOROUGH, Mr. CLARK, Mr. DOUGLAS, and Mr. WILLIAMS of New Jersey) submitted a resolution (S. Res. 142) proposing a study to determine feasibility of utilizing trade credits issued by the International Monetary Fund to facilitate international trade, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. HARTKE, which appears under a separate heading.)

PROHIBITION OF SALE OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF 21 IN DISTRICT OF COLUMBIA

Mr. SCOTT. Mr. President, I introduce for appropriate reference, a bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sale of alcoholic beverages to persons under 21 years of age. At the present time, hard liquor may not be sold to anyone under 21, although beer and light wines may be purchased by those over 18 years of age.

The drinking age in the District of Columbia is lower than in the surrounding areas of Virginia and Maryland. This leads to a large influx of minors who do their drinking in Washington and creates both a nuisance on our streets, especially in the Georgetown area, and to a serious danger on the highways. The Police Department feels that this is a crucial problem; in the last year alone there were 576 arrests of minors for drunkenness.

There is no justification for this situation to continue, and I sincerely hope that my corrective proposal will be given favorable consideration. I intend to press for action next January, if no action is taken by the relevant committees in the current session.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The bill will be received and appropriately referred.

The bill (S. 2480) to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on the District of Columbia.

LET US DECLARE WAR ON WATER POLLUTION

Mr. RIBICOFF. Mr. President, there is an old saying "you never miss the water until the well runs dry." The drought in the Northeast now reminds us of that truth. We miss the water. And unless we take certain positive steps—we are going to miss it much more.

The plain fact of the matter is that we are 15 years away from a water crisis that will make today's shortage seem insignificant. Our Nation's water supply remains constant. So the 200 million Americans using water today are drawing from the same supply—from the same amount of water—that was here when the Pilgrims landed in 1620. We have learned to hold water in one place—we have learned to move it around—but we have not yet significantly increased the absolute amount of fresh water we need.

In 15 years—by 1980—the consumption of water can be expected to rise to 600 billion gallons a day. Our projected dependable fresh water supply will be 515 billion gallons. That, Mr. President, spells crisis.

It is time we recognized that despite the promise of desalinization—and despite the possibilities of improved impoundments—our only salvation lies in water reuse. This means we will have to begin treating our waste water by removing the maximum amount of pollutants through advanced waste treatment techniques. In short, Mr. President, we must face up to reality and recognize that water pollution control is not mere esthetics—it is a matter of life and death.

Only through intelligent action now will we insure our future water supplies. Only by recognizing the size of the task and committing our resources now, will we avoid the crisis and turn away catastrophe.

Pollution control is a national concern—concern of every living man and woman and child—and of generations yet unborn.

For pollution reduces the supply of available water just as surely as a drought. We have not yet found a way to break a drought—but we can fight pollution. We can fight it—we have the techniques and the tools—but we have not yet put them to work. We are not doing enough.

The Conference of State Sanitary Engineers reported in its January 1, 1965, survey of municipal waste treatment needs that there exists today a backlog of 5,277 communities with sewage treatment needs that alone will cost $1.86 billion to fill. The survey further states:

> In order to eliminate the existing backlog, provide for the continuing obsolescence of existing plants, and the population growth, it will require an average annual expenditure through 1970 of $800 million.

In other words, we must embark now on a $4-billion cleanup of our Nation's waterways. This is an investment in our future. We cannot live without fresh water. We will need greater efforts on every level of government—local, State, and Federal. Every community should be concerned—as a matter of civic pride—about what it dumps on its downstream neighbor. Every State should adopt and promote vigorous pollution control programs. And the Federal Government should help both communities and States with technical assistance, research, and financial assistance.

The need for an expanded program of Federal aid has already been recognized. Practical businessmen—like Frazar B. Wilde, chairman of the board of the Connecticut General Life Insurance Co.—told the Greater Hartford Chamber of Commerce last May that "large grants-in-aid by the Federal and State Governments are needed." Such statements are greatly encouraging. Past industry opposition to Federal pollution control laws is fading in the dawning light of realization that the pollution problem is critical and getting worse.

I have long been concerned with water pollution problems. As Secretary of Health, Education, and Welfare, I proposed that the Federal law be amended to double the waste treatment construction grant program then in operation—and in 1961 President Kennedy signed such an act into law.

Last spring I suggested to the Department of Health, Education, and Welfare that Connecticut would be an ideal State in which to develop a meaningful pollution control program to serve as a model for the rest of the Nation. Highly industrialized, with a concentrated population drawing on a fixed water supply, with both salt and fresh water pollution problems, Connecticut has within its boundaries a microcosm of all the Nation's pollution control headaches.

The response of the Department of Health, Education, and Welfare was encouraging. Under the Hudson-Champlain metropolitan coastal comprehensive water pollution control project which began this year, the Housatonic River and Connecticut's Hudson River tributaries are being studied now. Next year, the New England drainage basins project will be started—and encompass the remaining waters in Connecticut. These projects will lay the groundwork and provide the study leading to the development of a model water quality management program. Under the leadership of Gov. John Dempsey, Connecticut is already taking important steps to clean up the pollution in its rivers.

We have begun. We shall have a study. And we are building the foundation for an action program.

But although we need further study—and although we need to do further research on advanced pollution control techniques, this is also the time for action. We know a great deal about controlling pollution now. The question is: Are we willing to spend the money to do it?

If we are to save what water we have left, we have no choice. If we are to prevent further despoiling of our precious water resources, we must act now. As a nation, we can afford the cost—and I believe the Federal Government must, of necessity, contribute a significant portion to the effort.

I, therefore, introduce, for appropriate reference, a bill to amend the Federal Water Pollution Control Act. My bill would quadruple the current Federal effort in this area—increasing from $100 million to $400 million the annual Federal contribution to State and local waste treatment plant construction programs. In addition, the bill would increase the maximum grant allowed each community from 30 percent of the cost of the project to 50 percent—and remove all maximum dollar limitations now in the law.

Under my bill Connecticut could receive $5,285,200—as opposed to the $1,321,300 allocation under the present law. By State and local matching of the Federal contribution we will double these amounts. And as a nation we will be able to maintain the $800 million annual effort needed to bring our communities' treatment facilities up to date.

Mr. President, my bill represents what I believe we must do to solve our pollution problems. I would hope that the able and distinguished Senator from Maine [Mr. MUSKIE] will take my bill into consideration as he prepares for the next step in the battle to make our Nation's water clean. There is no doubt in my mind that the United States owes a debt of gratitude to the junior Senator from Maine. He has fought long and hard for clean water, and his dedication to this cause has meaning for the entire Nation.

I believe that my bill represents a realistic assessment of a national need. Clean water is no luxury—it is essential to our Nation's future. The sooner we realize that fact, the sooner we will conquer the problem.

But municipal waste treatment facilities are not alone the answer. They are needed—they must be built—and the funds to build them must be provided.

Conquering pollution will be a gigantic undertaking, requiring the cooperation of every level of government and the best efforts of industry. We cannot merely point the finger of scorn at industry and say "Do something about pollution." We must squarely face the fact that pollution control is expensive—and that industries make economic judgments, not esthetic ones.

I believe industry has come to realize the good sense—and the utter necessity—of assuring clean water. But substantial outlays of capital for pollution control devices do not bring additional profits. In fact, if some firms within an industry install equipment while others do not, those willing to shoulder an economic burden for the good of the community may find themselves at a competitive disadvantage within their industry.

We must also recognize that there is a limit to the effectiveness of the demand by a State: "Clean up or else." The "or else" may well turn out to be a decision by an industry to move to another State—where controls are either unnecessary or not required.

The ultimate solution to the problem of industrial pollution must lie somewhere between the two extremes. We can fairly demand that industry clean up its pollution only if we extend a reasonable and equitable means of doing so.

I have proposed legislation to give the necessary economic incentives to industry in S. 1670. That bill would permit taxpayers who buy treatment equipment to deduct its cost over 36 months—rather than the entire useful life of the equipment.

I understand that the administration has had the use of economic incentives for pollution control under consideration since last February. In fact, the President ordered that such a study be made in his message on natural beauty. Despite the President's obvious interest in this area, the Council of Economic Advisers has not come to grips with the problem. It has procrastinated and delayed. I recognize that it is never comfortable to grasp the nettle—but grasp it we must, if we are to solve the problem of pollution.

The time for a decision is long overdue. Can we afford as a nation an additional $50 to $150 million in tax relief to insure that industry does its part in the fight for clean water?

I say we cannot do less.

We are the stewards of the Nation's resources. We have the responsibility to insure that future generations can enjoy what their forefathers possessed—and what we have come so perilously close to destroying forever.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2481) to amend the Federal Water Pollution Control Act, as amended, to increase the share of Federal financial assistance for construction of municipal sewage treatment works and to authorize increased appropriations for the purpose of making such grants, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Public Works.

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENT

AMENDMENT NO. 428

Mr. CARLSON. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes. I ask that the amendment be printed and lie on the table until the Senate considers the bill.

This amendment, if adopted, would permit a man and wife who owned and operated land individually previous to their marriage to operate the previously owned land independently after marriage under the farm program.

The PRESIDING OFFICER. The amendment will be received and printed, as requested by the Senator from Kansas.

NOTICE OF PUBLIC HEARING ON THE NOMINATION OF LAWRENCE FRANCIS O'BRIEN, OF MASSACHUSETTS, TO BE POSTMASTER GENERAL

Mr. MONRONEY. Mr. President, as chairman of the Committee on Post Office and Civil Service, I wish to announce that the committee will hold a public hearing on the nomination of Mr. Lawrence Francis O'Brien, of Massachusetts, to be Postmaster General, at 10 a.m., Wednesday, September 1, 1965, in room 6202, New Senate Office Building.

Anyone wishing to testify on this nomination may arrange to do so by calling the committee staff, 225-5451.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that yesterday the Senate received the nomination of John A. Gronouski, of Wisconsin, to be Ambassador Extraordinary and

Plenipotentiary of the United States of America to Poland.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARING ON NOMINATION OF SIDNEY O. SMITH, JR., OF GEORGIA, TO BE U.S. DISTRICT JUDGE, NORTHERN DISTRICT OF GEORGIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, September 8, 1965, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Sidney O. Smith, Jr., of Georgia, to be U.S. district judge, northern district of Georgia, vice William Boyd Sloan, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, chairman.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

George M. Stuart, of Alabama, to be U.S. marshal, southern district of Alabama, for a term of 4 years, reappointment;

Richard E. Eagleton, of Illinois, to be U.S. attorney, southern district of Illinois, for a term of 4 years, vice Edward R. Phelps, term expired; and

David G. Bress, of the District of Columbia, to be U.S. attorney for the District of Columbia for a term of 4 years, vice David C. Acheson.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 7, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

COMMITTEE MEETING DURING THE SENATE SESSION

On request by Mr. HART, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

ALLEGED FEUD IN FOREIGN RELATIONS COMMITTEE

Mr. DODD. Mr. President, over the past several days, a number of items have appeared in the press suggesting that there is some kind of feud between the distinguished chairman of the Foreign Relations Committee, Senator FULBRIGHT, and myself.

It was even implied that last week's exchange between the chairman and myself on the question of the Dominican Republic was simply another manifestation of this so-called feud rather than an honest expression of opposing viewpoints.

I know that talk of a feud between two Senators makes interesting newspaper copy.

But, if it will help at all, I want to assure my friends of the press that there never has been any feud between the chairman of the Foreign Relations Committee and myself, and there is none today.

I have the greatest respect, indeed, for the Senator from Arkansas whom I regard as one of the ablest and most original thinkers in the Senate in the sphere of foreign policy.

Our relationship in the committee has been a most cordial one; and I believe the record will show that I have voted alongside the committee chairman far more frequently than I have taken issue with him.

The chairman of the committee enjoys a deserved reputation as a man who says what he thinks, and he has never hesitated to espouse a viewpoint simply because it was unpopular. I hope the press will accord me the courtesy of believing that I, too, am governed by the dictates of conscience when I take stands that may be controversial.

That the chairman and I should have differences on certain aspects of foreign policy is only natural and proper; and if we sometimes voice these differences on the floor of the Senate, I believe that in doing so we have, on both sides, made some contribution to the process of public debate.

I am certain that the Senator from Arkansas has never taken issue with me for purely personal reasons or because of any so-called feud; and I am equally certain in my own mind that, if I have sometimes taken issue with the chairman of the Foreign Relations Committee, my remarks have stemmed from honest conviction rather than from any imaginary personal animus.

In the heat of debate, in the Senate or anywhere else, harsh words are sometimes exchanged. This is regrettable. However, the great majority of harsh words exchanged in the course of debate are not the product of personal ill-feeling, but are, instead, a manifestation of a weakness which afflicts most human beings who are active in debate and public discussion.

I know this is so, because I have been an advocate most of my life. I understand as well as any man how regrettable statements can sometimes be generated by heated debate, and I have myself, unfortunately, been guilty of such mistakes on occasion.

I, therefore, wish to request of the Senate press corps that they examine our statements, both past and future, on their objective merits, rather than speculating about personal motives.

I feel that such speculation does injustice to the committee chairman and myself and that it demeans the process of honest debate in the Senate on problems of foreign policy.

Mr. FULBRIGHT. Mr. President, I appreciate what the Senator from Connecticut has said. As he has correctly stated, on the great majority of the issues before our committee, we are in agreement. He has given me his proxy on numerous occasions. Occasionally there occurs a difference of point of view; and both of us may be inclined to overstate our personal point of view. But that has nothing to do with our personal feelings.

I reciprocate what the Senator has said. I have the highest regard for him as a Senator and as a member of the Foreign Relations Committee. I regret that the press tends to interpret these differences as a personal feud. I appreciate what the Senator has just said.

Mr. DODD. I am deeply grateful to my chairman.

Mr. MANSFIELD. Mr. President, I have listened with great interest to the colloquy between the Senator from Connecticut [Mr. DODD] and the Senator from Arkansas [Mr. FULBRIGHT].

I do not believe it was necessary for them to set the record straight so far as their colleagues are concerned, because if the time comes when a Senator cannot express what he is individually thinking, or exercise initiative or responsibility, it will be a sad day for the Senate.

Nonetheless, I am delighted that these two outstanding Members of this body went as far as they did in making this statement, though, I repeat, it was not at all necessary so far as their colleagues are concerned.

Mr. DODD. I am deeply grateful, Mr. President, to the majority leader. He is a kind and generous friend, and I appreciate his kind remarks about me and the chairman of the Foreign Relations Committee.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business to consider two nominations just reported from the Committee on the Judiciary.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations.

U.S. COURT OF APPEALS

The legislative clerk read the nomination of Edward M. McEntee, of Rhode Island, to be U.S. circuit judge, first circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. DISTRICT COURT

The legislative clerk read the nomination of William O. Mehrtens, of Florida, to be U.S. district judge for the southern district of Florida.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request by Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

APPLICATION OF THE ANTITRUST LAWS AND THE FEDERAL TRADE COMMISSION ACT TO ORGANIZED PROFESSIONAL TEAM SPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 446, Senate bill 950.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 950) to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional sports of baseball, football, basketball, and hockey, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "That,", to insert "(a) except as otherwise provided by subsection (b),"; on page 2, after line 17, to insert a new subparagraph, as follows:

(b) The exemption conferred by subsection (a) shall not apply to any agreement, plan, or arrangement under which any club administering a professional sport team may have an exclusive or preferred right to negotiate for the services of any college student if such agreement, plan, or arrangement would permit such club to enter into a professional athletic contract with any student who has matriculated, at a four-year college granting degrees, before the earlier of the following dates: (1) the date of the conclusion of the fourth academic year following his matriculation, or (2) the date of the conclusion, during the fourth academic year following his matriculation, at the college at which he first matriculated, of the scheduled intercollegiate season of the professional sport to which he has been signed.

And, on page 3, line 24, after "Sec. 6.", to strike out "Nothing in this Act shall be deemed to amend or otherwise affect the Act of September 30, 1961 (75 Stat. 732)." and insert:

Section 3 of the Act of September 30, 1961 (75 Stat. 732), is amended to read as follows:

"Sec. 3. Section 1 of this Act shall not apply to any joint agreement described in section 1 of this Act which permits the telecasting of all or a substantial part of any professional football game on any Friday after 6 o'clock post meridian or on any Saturday during the period beginning on the second Friday in September and ending on the second Saturday in December in any year from any telecasting station located within seventy-five miles of the game site of any intercollegiate or interscholastic football contest scheduled to be played on such a date if—

"(1) such intercollegiate football contest is between institutions of higher learning, both of which confer degrees upon students following completion of sufficient credit hours to equal a four-year course, or

"(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and

"(3) such intercollegiate or interscholastic football contest and such game site were announced through publication in a daily newspaper of general circulation prior to March 1 of such year as being regularly scheduled for such day and place."

So as to make the bill read:

S. 950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) except as otherwise provided by subsection (b), the Act of July 2, 1890, as amended (26 Stat. 209); the Act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717), shall be applicable according to their terms to the organized professional team sports of baseball, football, basketball, and hockey, except that neither such Act shall apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging, or participating in any one of the organized professional team sports of baseball, football, basketball, or hockey to the extent to which such contract, agreement, rule, course of conduct, or activity relates to—

(1) the equalization of competitive playing strengths;

(2) the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts;

(3) the right to operate within specific geographic areas; or

(4) the preservation of public confidence in the honesty in sports contests.

(b) The exemption conferred by subsection (a) shall not apply to any agreement, plan, or arrangement under which any club administering a professional sport team may have an exclusive or preferred right to negotiate for the services of any college student if such agreement, plan, or arrangement would permit such club to enter into a professional athletic contract with any student who has matriculated, at a four-year college granting degrees, before the earlier of the following dates: (1) the date of the conclusion of the fourth academic year following his matriculation, or (2) the date of the conclusion, during the fourth academic year following his matriculation, at the college at which he first matriculated, of the scheduled intercollegiate season of the professional sport to which he has been signed.

Sec. 2. As used in this Act, "persons" means any individual, partnership, corporation, or unincorporated association or any combination or association thereof.

Sec. 3. Nothing in this Act shall affect any cause of action commenced prior to the effective date hereof in respect to the organized professional team sports of baseball, football, basketball, or hockey.

Sec. 4. Nothing in this Act shall be construed to deprive any players in the organized professional team sports of baseball, football, basketball, or hockey of any right to bargain collectively, or to engage in other associated activities for their mutual aid or protection.

Sec. 5. Except as provided in section 1 of this Act, nothing contained in this Act shall be deemed to change, determine, or otherwise affect the applicability or nonapplicability of the antitrust laws to the organized professional team sports of baseball, football, basketball, or hockey.

Sec. 6. Section 3 of the Act of September 30, 1961 (75 Stat. 732), is amended to read as follows:

"Sec. 3. Section 1 of this Act shall not apply to any joint agreement described in section 1 of this Act which permits the telecasting of all or a substantial part of any professional football game on any Friday after 6 o'clock post meridian or on any Saturday during the period beginning on the second Friday in September and ending on the second Saturday in December in any year from any telecasting station located within seventy-five miles of the game site of any intercollegiate or interscholastic football contest scheduled to be played on such a date if—

"(1) such intercollegiate football contest is between institutions of higher learning, both of which confer degrees upon students following completion of sufficient credit hours to equal a four-year course, or

"(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and

"(3) such intercollegiate or interscholastic football contest and such game site were announced through publication in a daily newspaper of general circulation prior to March 1 of such year as being regularly scheduled for such day and place."

Mr. MANSFIELD. Mr. President, it is my understanding that the senior Senator from Indiana [Mr. Hartke] would like to take the floor for 10 to 15 minutes, if the Chair will recognize him.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. I, too, would like to talk for about 10 minutes when the Senator from Indiana has finished, and before the Senate returns to the pending business.

The VICE PRESIDENT. The Chair will try to accommodate the senior Senator from New York.

The Senator from Indiana is recognized.

PRESERVING WORLD PROSPERITY: A NEW ROLE FOR THE INTERNATIONAL MONETARY FUND

Mr. HARTKE. Mr. President, I intend today to continue the growing national and international debate over the balance-of-payments position of the United States and the financial situation of the free world.

The signal achievement of United States international financial policy in the past 15 years has been the elimination of the U.S. balance-of-payments deficit accomplished in the second quarter of this year. For the past 15 years, with the exception of the Suez crisis year of 1957, the United States has run balance-of-payments deficits on a scale unsustainable by any other nation. For the past 8 years, as least, these balance-of-payments deficits have put the American Government on the defensive in dealing with our foreign short-term creditors. But the firm and prudent policies of the Johnson administration have at last given us the initiative, an initiative commensurate with the unprecedented economic strength and economic prosperity of this country.

Our prosperity today is both great and growing greater. We are enjoying the longest peacetime period of economic expansion in our history—55 months of continuous expansion. And the whole of the industralized world has shared in that prosperity.

There are two fallacies which we must avoid in viewing the future from our present peak of economic well-being. First, we must not adopt the fatalistic assumption that there is a mysterious kind of economic "law of gravity." What goes up—in terms of income, of production, of profits—need not come down.

Second, we must avoid the overoptimism which assumes that prosperity is now our birthright and needs no tending. For, the truth is that the past 4½ years of prosperity are the result of careful watching, constant attention, and timely action on the part of the administration. Time and again, under both President Kennedy and President Johnson, our Government has seized the initiative—with liberalized depreciation guidelines and investment credits, with a massive income tax cut and a carefully gaged excise tax cut—in the continuing struggle to maintain our economic impetus. That record of initiative in economic and financial policy and action is, perhaps, the finest achievement of the Johnson administration.

But threats to our prosperity come not only from within our domestic economy. We are part of a free world economy and our fate is intimately and intricately linked to that of the rest of the free world. And the overriding threat to free world prosperity—and thus to our own—lies in the functioning of the international monetary mechanism which ties together all the interdependent, national segments of that free world economy. It was in the spirit of the Johnson administration's entire approach to economic and financial problems that Treasury Secretary Fowler seized the initiative in calling for an international conference to improve the functioning of the free world's monetary mechanism. And it is in that same spirit that he is in Paris today seeking to transform that initiative into action—with the full backing of the President.

The free world today critically requires American initiative on the whole range of international financial and economic problems. As many wise and informed observers—both within and without our Government and both within and without our Nation—have pointed out, that one dynamic factor in international liquidity which has been financing the tremendous growth in world trade has been the dollars which our payments deficits have been supplying to the rest of the world. The question we must face—the question on which the Senate must be heard—is: What will happen to the growth of world trade and our own continuing prosperity if we cease to supply the rest of the world with those vitally needed dollars?

The threat to world prosperity inherent in the elimination of the U.S. balance-of-payments deficit is not that there will be a general, uniform, worldwide shortage of dollars with which to finance trade. The threat is, rather, that one or more vulnerable nations will experience a liquidity squeeze due to the maldistribution of dollars in the free world economy. And the ultimate danger is that a liquidity squeeze in one country will generate crisis liquidations in others as the threatened nations seek to protect their currencies and economies by cashing in their international assets for dollars or gold.

That is precisely what happened in the crisis year of 1931. Then, a French provoked liquidity crisis in Austria, set off a chain reaction of liquidations in Germany, Britain, the United States, and, finally, France herself. The post-World War I monetary system was shattered, currencies were universally and destructively devalued, and economic downturns in various nations were transformed into the greatest worldwide economic depression in history. It is this chain reaction of liquidation which the U.S. Government must prevent—and certainly, above all, we must not provoke.

Already, Great Britain has been identified as the potential weak link in today's chain of world prosperity and liquidity. On August 12, the distinguished Senator from New York [Mr. JAVITS] made a major contribution to our understanding of the problems which Great Britain faces, while at the same time he took the lead in proposing specific policy initiatives to aid the British Government's vigorous, long-term program of modernization. In the spirit of bipartisanship in international affairs, I would like to take this opportunity to associate myself in every way with the perceptive analysis and far-reaching recommendations of my distinguished colleage from New York. The six-point program for economic, financial, and political cooperation with Great Britain offered by the senior Senator from New York provides a new and needed point of departure for American policy toward Europe and, indeed, toward the entire free world.

We must not allow the initiative in relations between Europe and America to fall by default to General de Gaulle. We can and must continue to move toward that close and cooperative working relationship with our like-minded allies that has been the cornerstone of our whole international economic policy—from the Bretton Woods Conference of 1944 to the Kennedy round tariff negotiations of today. But there are two prerequisites if we are indeed to achieve that partnership of friendship and alliance which is our goal. First, we must not be deterred by the outmoded economic theories and scantily supported power aspirations of the deflation-minded agents of Economic Gaullism—the central bankers of Continental Europe. And, second, we must beware lest our renewed drive toward a prosperous, growing, and cooperative free world economy be sabotaged by "beggar my neighbor" policies adopted as desperate expedients to preserve markets and currencies from liquidation and depression.

Let us make no mistake about it, in today's interdependent world depression in one country threatens disaster for all others. We are not in an economic depression today—nor is any other industrially developed nation. But the time to preserve prosperity—as the history of the last 4½ years demonstrates—is to head off the threat of depression before it becomes actual.

Great Britain is now undergoing the beginnings of a severe economic slowdown. This slowdown has been deliberately and explicitly induced by the British Government to reduce the demand for imports and, thus, to protect the pound. But the result of an economic slowdown in Great Britain is to deprive Britain's basic industrial suppliers—domestic and foreign—of markets. Steel that cannot go to Liverpool from Wales or Hamburg will go to Philadelphia or Detroit or other distressed places, such as New Jersey—and at distress prices. Moreover, the $3 billion plus of British assets, both private and official, that are sitting in New York are already being called home to bolster the British economy and the British pound. And pressures are growing on the British Government to match its domestic retrenchment with a pullback from its international responsibilities in the Middle and Far East. The one sure way to guarantee that balance-of-payments equilibrium in the United States will not be maintained is to force Britain to liquidate its dollar holdings, to compel Britain's suppliers to dump in New York or Indiana what they cannot sell in London and to create a strategic vacuum in Malaysia into which U.S. troops—and dollars—must flow.

It is not, therefore, only out of concern for the achievement of our long-term foreign policy aspirations that I speak today. I speak today, as well, out of fear for the jobs of American workers, for the profits of American enterprise, and for the revenues of the American Government. These are the three sources of our economic and financial strength—wages, profits, and tax revenues. All three are threatened by the incipient liquidation of world prosperity that had had its first blossoming in Britain. It may shortly be too late to ask, as all great innovators in history have asked, "what is to be done?"

What is to be done?

First, we must head off the deflationary pressures which Britain's economic slowdown may generate. Presidential exemption of Britain from the interest equalization tax, on the clearly justifiable grounds that the tax's application to Britain threatens international monetary stability, is a step that can and should be taken at once. Administration encouragement of private American investment in Britain and private business cooperation between the two countries can also be undertaken swiftly. Above all, the determination must be maintained that a stable pound at its present value is as crucial to our interests as it is to Britain's.

But heading off today's crisis will not alone insure that we will have the time to accomplish our long-range goals of international monetary reform and closer free world economic cooperation.

Second, we must make sure that future deflationary trade and financial crises do not arise. In our own interest and in the interest of the free world, we must do our best to guarantee that an end to dollar outflows does not mean an end to trade expansion. The critical need of the world economy today, in the years before fundamental monetary reform can be accomplished, is for internationally acceptable media for the international transfer of goods.

Mr. President, the resolution which I am submitting today on behalf of myself and other Senators is based upon a proposal formulated and presented on July 18 to the International Payments and Exchange Subcommittee of the Joint Economic Committee by the distinguished senior Senator from Minnesota [Mr. McCarthy] and myself. The distinguished Senators from Alaska [Mr. Bartlett], from Utah [Mr. Moss], from Ohio [Mr. Young], from Montana [Mr. Metcalf], from Texas [Mr. Yarborough], from Pennsylvania [Mr. Clark], from Illinois [Mr. Douglas], and from New Jersey [Mr. Williams] have joined in sponsoring this resolution. Its aim is to fulfill the need of the world economy for an additional increment to the world's money supply—without placing an additional burden on the dollar.

Simply put, our resolution would respectfully request the President to authorize a study of the feasibility of proposing an expansion of the functions of the International Monetary Fund to include the issuing of trade acceptances and credits against shipment of goods in international trade. The mechanism of such an expansion of the International Monetary Fund's authority is quite simple. Gold that would otherwise be purchased from our Treasury to lie sterile in central bank vaults around the world would be deposited in the International Monetary Fund. On the basis of the new gold subscription, the International Monetary Fund would be authorized to issue trade credits up to an internationally negotiated multiple of the amount of gold subscribed. The backing of the credits would be in part the gold subscription and the rest, as with all banker's acceptances, the actual goods whose transfer is being financed.

No discretion would be granted the International Monetary Fund to determine the volume of trade credits outstanding. No question of loss of sovereignty would be involved for any nation. No intervention of the International Monetary Fund in the banking system of any nation would be allowed. The initial allocation of credits would go to participating countries in direct proportion to each nation's gold subscription; each nation's monetary authority would have full discretion to determine what access, if any, to the new addition to the world money supply should be granted to that nation's importers.

I send to the desk a resolution proposing a study of the feasibility of utilizing trade credits issued by the International Monetary Fund to facilitate international trade.

The PRESIDING OFFICER (Mr. Williams of New Jersey in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 142), submitted by Mr. Hartke (for himself and other Senators) was received and referred to the Committee on Foreign Relations, as follows:

S. Res. 142

Whereas United States prosperity and economic growth depends upon a soundly growing free world economy based, in turn, upon a stable international monetary system;

Whereas the present international monetary system, known as the gold exchange standard, is founded upon the United States dollar's role as the number 1 international reserve currency and the number 1 medium for the international exchange of goods, services, and capital;

Whereas expanding free world trade and continuing free world prosperity depend upon an adequate and growing supply of international liquidity, of which the United States dollar is a key component;

Whereas chronic United States balance-of-payments deficits have raised questions with regard to the role of the United States dollar as a stable store of value and medium of exchange and, thereby, have called forth the President's emergency balance-of-payments program which has successfully restrained the outflow of dollars and produced a balance-of-payments surplus in the second quarter of 1965;

Whereas the elimination of the United States balance-of-payments deficit, by removing a critical, annual increment to the free world's supply of liquidity, threatens the continued growth of free world trade and the continued maintenance of free world prosperity;

Whereas long-term international financial stability requires internationalization of the burden of financing world trade which the dollar and the British pound now bear largely alone; and

Whereas the International Monetary Fund exists as an internationally accepted institution dedicated to the elimination of international monetary disturbances, with the potential for expansion to meet the changing needs of the Free World economy: Now, therefore, be it

Resolved, That the President is respectfully requested to cause an immediate joint study to be undertaken by the appropriate agencies of the Government, including the President's Council of Economic Advisors, the Department of the Treasury, and the Board of Governors of the Federal Reserve System, to determine the feasibility of proposing the expansion of the International Monetary Fund's role to include the issuance of trade credits and banker's acceptances to the designated banking institutions of the member nations of the International Monetary Fund against the shipment of goods in international trade; the supply of such credits to be equal to an internationally determined multiple of an internationally determined subscription of gold to the account of the International Monetary Fund by the member nations, apportioned according to the recent allocation of quotas.

Mr. HARTKE. Mr. President, the views are many and varied on the likelihood that the threat which I have identified today will become realities. There is even an opinion, common among the heirs of those central bankers of Continental Europe who initiated the last worldwide liquidation and depression, that there is too much liquidity in the world. More common is the outlook that any liquidity squeeze anywhere is sufficiently far in the future to make unnecessary such intiatives as that proposed in the resolution which we have just introduced.

It should be enough, Mr. President, to cite the adage that an ounce of prevention is worth a pound of cure. Last year, the pound of prevention required to save the British pound amounted to more than $3 billion. But I will go further. If those who hold that little or no urgency is required in the effort to overhaul the international monetary system are correct—and I do not believe they are—taking out the insurance policies which I have proposed today will still cost us nothing. And such action will, in any case, have positive benefits—including closer cooperation between progressive-minded governments around the world, the first real step toward internationalizing the burden which the dollar bears today almost alone and the first real demonstration that aid can make trade. If, on the other hand, the critics of urgency prove to be wrong—as I have said I believe they are—but no action has been taken, the consequences will be, in a word, disastrous.

Mr. President, I ask unanimous consent that the resolution lie on the desk until the close of business on Friday for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I compliment my colleague the Senator from Indiana, on the care and attention which he is giving to this very grave problem, which concerns the economic condition of the world.

I agree with him that we should not necessarily have a sharp recession and depression, though some form of correction in a free economy is always necessary. It is our duty to cushion its effect on the individual.

I am strongly for that course of action, with the use of unemployment insurance, social security, manpower retraining, and the many other forms of help which we will make available and are making available to place a concrete base under the economy and to see that no person in this country suffers. However, essentially, if we were wise and able, we could anticipate the swings and materially deal with them so that they would not have the sharp effect that they are always in danger of having.

I believe, laying that aside, that they are far from perfect now. We face a grave economic situation with respect to the British pound and the British economic situation, which could rock the world and bring us on a collision course with another depression.

I feel very much flattered that the Senator approves of what I have done, but, above and beyond that, I welcome a strong ally such as the Senator from Indiana in what must be a most considered course of action which would take, in my judgment, a great deal of support from outside of Britain to help in this very grave crisis in which our oldest, and in many ways, most productive ally, finds itself enmeshed.

By no means is it true that Britain cannot help itself a great deal. However, it will need help from others and from the United States.

It seems to me that the United States would help itself as well as the rest of the free world by a vivid cognizance of what is at stake. I hope that before very long, with the help of such distinguished Senators as my colleague the Senator from Indiana, there will be a consensus and a crystallization of what the United States needs to do in terms of helping the United Kingdom.

Mr. HARTKE. Mr. President, I thank the distinguished Senator from New York for a penetrating analysis of the problem, an analysis which deserves the consideration not only of all Senators, but also of the administration. This suggestion comes from a member of the opposition, one who is not of the same political persuasion as the administration.

Our proposal demonstrates an awareness of the fact that we cannot put the problem aside merely because we happen to be riding a high plane of prosperity at home.

I point out one other factor that the Senator from New York has made very plain. I hope that everybody understands the position that the Senator from Minnesota [Mr. McCARTHY] and I are pursuing.

It is our purpose to make sure that the task of Britain will be no more difficult. They have a responsibility to look after their own affairs. We should do nothing to make their position more difficult. If possible, we should do everything we can to help them alleviate the serious economic problem which they are experiencing so that it does not come home to roost with us.

Mr. JAVITS. Mr. President, I thank the Senator from Indiana.

STEEL LABOR CRISIS SHOWS NEED FOR PROMPT REVISION OF TAFT-HARTLEY EMERGENCY LABOR DISPUTE MACHINERY

Mr. JAVITS. Mr. President, I should like to say a word about the strike emergency in the steel industry. There is no question that the country is indebted to the President for his personal intercession and for a stay of 8 days and a new opportunity to seek to settle the strike.

Yet despite yesterday's 8-day reprieve, the country is still faced with a labor dispute of national emergency proportions, for neither our military efforts in Vietnam nor the health of our economy can emerge unscathed from another steel strike.

These stands at the 1-foot line are dramatic but they are exceedingly dangerous. For the fact is that existing law gives the President very few alternatives when faced with such a labor crisis.

Shall he invoke the Taft-Hartley Act and again postpone the crisis, hoping that in the next 80 days the parties will accomplish what they could not during the last 80? That is a possibility, but if the 80 days run out and the dispute is not settled, the Government of the United States will then be utterly powerless under existing law to avoid a resumption of the national emergency, and there will be no effective means of protecting the public interest once the strike is resumed.

Or shall we temporize, as we did in the 1963 rail crisis, by legislating an ad hoc solution closely akin to compulsory arbitration? That, of course, is the precedent with which we may be faced, but it is surely most unsatisfactory. The rail solution itself has proved far from adequate, and if it becomes a precedent, compulsory arbitration may well supplant free collective bargaining—a result which both labor and management would strongly oppose.

Or shall we just wait and see how bad the situation will really become, hoping that we will be lucky again and the problem will somehow go away? Surely, we have been lucky so far, for in 18 years we have rarely had to face the expiration of a cooling off period knowing that, when the strike resumes, the President will be powerless to protect the public interest. In 1963, when all the cooling off periods under the Railway Labor Act had expired, we found ourselves in just that position, and the Congress, as a last resort, imposed a kind of compulsory arbitration. We took the problem away from the parties at the bargaining table and let a third party write the contract for them. We can do that again, but only if we are prepared to begin to give up free collective bargaining, at least in basic industries.

Fortunately, there is another answer—and a good one—if we will only establish the proper procedures now so that we are not forced to temporize when a crisis becomes acute in a basic national industry.

Last June I introduced a bill, S. 2135, which would give the President new and critically necessary powers to protect the public interest in labor disputes of a national character, without in any way depriving the parties of the power to write their own collective-bargaining agreements. This proposed legislation would:

First. Authorize the President to appoint a board of inquiry to make public recommendations for a settlement based on factfinding. Under existing law, a board of inquiry appointed under the Taft-Hartley Act may make no recommendations.

Second. Authorize the President to order a 30-day freeze, during which both parties would be required to bargain upon the recommendations—even though neither party would be required to accept the recommendations.

Third. Authorize the President to seek appointment by a Federal court of a special receiver to operate the struck facilities to the extent necessary to protect the national health and safety.

This bill leaves unchanged the 80-day injunction provisions of the act—it merely adds additional remedies if all else fails.

Under this proposal, the parties are left free to bargain as long as they deem it necessary in order to reach a freely bargained settlement. If receivership becomes necessary, both parties operate under a disability, for the union forfeits the right to strike, and the employer forfeits possession of his facilities. Both have an added incentive to settle. The Federal Government has suggested what a proper settlement would be, but the parties are still free either to take that suggestion or reject it and bargain for something else. In short, this proposal is designed to make our existing institutions function more adequately with a minimum of Government decisionmaking, but with a maximum of Government concern and protection for the public interest.

I cannot help bearing in mind and calling to the attention of the Senate that we are about to begin a debate on repeal of section 14(b) of the Taft-Hartley Act to give more rights to trade unions. I am for the repeal of section 14(b), but repeal of section 14(b) of the Taft-Hartley Act should not stand alone—there should be other amendments to it. And one of the leading ones, complex as it is, should be a procedure in the Taft-Hartley Act to enable the Nation to deal fairly and effectively with national emergency strikes.

Yesterday I sent a telegram to the President urging him to send a special message to the Congress calling for revision of the emergency labor dispute provisions of the Taft-Hartley Act along the lines I have just discussed. I earnestly hope he will act upon my suggestion. But we need not wait, for the need for legislation is clear, and the time for action is short.

After all the legislation we have enacted this year to insure that our economy will continue to expand and to provide greater opportunities for all our people, surely we ought not to leave the Federal Government powerless to protect the very prosperity which we have all sought to build. I would hope, therefore, that the Labor Committees of both Houses of the Congress will schedule prompt hearings on this badly needed revision of our labor laws.

I close with the following personal affirmation.

I do not yield to anyone in being a friend of organized labor. I have shown that on a thousand battlefields. I believe that I am a better friend of organized labor by giving the Government the responsibility and the authority to keep the country operating rather than to give any group the power to immobilize the Nation in its essential responsibilities, as in the war in Vietnam, and in its economic responsibilities respecting the balance of payments, trade, and domestic employment.

Accordingly, I beg of the trade unions and Members of Congress, and citizens generally, to think about this situation very carefully. It comes at an odd time, when we are considering repeal of section 14(b) of the Taft-Hartley Act.

I believe that the responsibility for the public interest beckons Congress in the next 8 days. I hope that Members of Congress will not sit with their hands folded and again find themselves in the embarrassing position of not knowing what to do, and doing something wrong at the end of a trying crisis, as happened in the railroad strike.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER (Mr. Lausche in the chair). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, last Sunday morning the Nation witnessed the end of a devastating and destructive maritime strike. I do not know how many hundreds of millions of dollars were lost during the duration of that strike. I do not know how much was lost by the shipping companies; but I do know that the damage was tremendous and very likely will not be made up by either side to the argument for many years to come—if ever.

At the present time, the President has two problems of major concern. One is the situation in Vietnam, which occupies practically every waking moment, and I am sure disturbs him in his sleep as well. The other is the possibility of a steel strike which would affect not only the steel industry and its affiliates, but also other segments of the economy as well.

The interests of the Nation, in this instance, as in all others, must come first. I am delighted that the President saw fit to dispatch to Pittsburgh last Saturday the distinguished senior Senator from Oregon [Mr. Morse], one of the most able, if not the ablest mediator of mediators, conciliators, and arbitrators in this Nation.

It is my hope that on the basis of the report made by the Senator from Oregon and his colleague, Under Secretary of Commerce Leroy Collins, and on the basis of the President's call for representatives of management and labor in the steel industry to meet here in Washington, these representatives will stay in session in this city until the differences are settled equitably and with justice to both sides.

Yesterday, the President took action to forestall a shutdown in the steel industry. He was able to secure a postponement of an imminent closure for 8 days by prevailing upon Mr. Abel of the Steel Workers, and Mr. Cooper representing the industry, to continue negotiations.

In securing this reprieve, the President has performed an outstanding service for the Nation. Steel is the kingpin of the economy. A prolonged shutdown in its production would have the most serious consequences to the Nation both in its internal affairs and external relations.

In obtaining this reprieve and, unfortunately, at this point it is only a reprieve, the President has provided an essential breathing spell to the spokesmen of industry and labor. They will have, in these 8 days, an additional opportunity to fulfill their responsibilities not only to the segment of the American people for whom they speak but also to all Americans. The leadership of labor and management in the steel industry are to be complimented for responding to the President's request which was made on behalf of the entire Nation.

It is recognized that a steel strike at this time would deal a damaging blow to our prosperity and also to the defense of the dollar.

Close to 1 million men would immediately become idle.

Hundreds of thousands more would join in idleness as users of steel run out of inventories. While steel inventories are large overall, the lack of particular kinds of steel in particular places can bottleneck major segments of production. I recall that Dr. Arthur Burns, who was Chairman of the Council of Economic Advisers under President Eisenhower, said that the steel strike of 1959 was a major cause of the 1960 recession. We cannot have that again. What we want and need, as the President said at the leadership breakfast meeting this morning, is a fair and just and noninflationary settlement.

Mr. President, I ask unanimous consent to have printed in the Record a statement issued by the President pertaining to this situation.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by the President on the Steel Negotiations

(In the White House Theater)

My fellow Americans, I have been meeting with Mr. I. W. Abel, president of the United Steel Workers of America, and Mr. Conrad Cooper, the executive vice president of the United States Steel Corp., Secretary of Labor Willard Wirtz, and the Secretary of Commerce, the Honorable John Connor.

This morning I requested that there be no shutdown of operations and that production by the steel industry continue during the negotiations by the parties.

In response to my request, the union and company representatives have agreed to postpone the imminent shutdown for 8 days. During this period they will continue their negotiations in Washington. The next meeting will be held at 10 o'clock tonight.

I am confident that all Americans appreciate this response by the union and by the company representatives. Their decision has certainly been made in the public interest. I am sure that as they return to their negotiations this evening, they will be aware of the importance of their efforts to every man and woman in this country of ours, and to the health and the vitality of our economy and the security of America all around the world.

Gentlemen, this postponement will serve your country's national interest, and I am very proud of each of you for the contribution that you and your organizations have made.

Thank you very much.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I compliment the majority leader on inviting attention—as only one with the prestige of his high position in Government can—to this vital problem.

Everything I have said as to the need for Congress to prepare for this matter is entirely consistent with what the majority leader has stated, in which I fully join and with which I fully identify myself.

I also express the hope that the majority leader may give thought and consideration to the possibility of what Congress can do to arm itself better in order to meet these situations.

At the same time, I thoroughly concur with the majority leader in the praise to which the President is properly entitled, and in the expectation that those on both sides of this issue will see their patriotic duty and do it within the next 8 days, by coming to some agreement—even if they have to yield a point here and there.

Mr. MANSFIELD. I appreciate the remarks of the distinguished Senator from New York. I am sure that labor knows it has no better friend than the Senator from New York. As he has said, and said truthfully, he has fought labor's battles on a thousand battlefields. His record speaks for itself. Any suggestion he makes is worthy of consideration, as is any suggestion made by any Senator.

I am delighted that he took the initiative this afternoon to give some of his energies and abilities to a serious discussion of this problem and its potentials, not only now but also in the years ahead.

As always, the Senator from New York has contributed in a way which makes sense and which is worthy of every consideration.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPLICATION OF THE ANTITRUST LAWS AND THE FEDERAL TRADE COMMISSION ACT TO ORGANIZED PROFESSIONAL TEAM SPORTS

The Senate resumed the consideration of the bill (S. 950), to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes.

Mr. HART. Mr. President, I ask unanimous consent that the committee amendment beginning on page 3, line 24, and running through page 5 be agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is agreed to.

The amendment, agreed to, is as follows:

And, on page 3, line 24, after "Sec. 6.", to strike out "Nothing in this Act shall be deemed to amend or otherwise affect the Act of September 30, 1961 (75 Stat. 732)." and insert "Section 3 of the Act of September 30, 1961 (75 Stat. 732), is amended to read as follows:

"'SEC. 3. Section 1 of this Act shall not apply to any joint agreement described in section 1 of this Act which permits the telecasting of all or a substantial part of any professional football game on any Friday after 6 o'clock post meridian or on any Saturday during the period beginning on the second Friday in September and ending on the second Saturday in December in any year from any telecasting station located within seventy-five miles of the game site of any intercollegiate or interscholastic football contest scheduled to be played on such a date if—

"'(1) such intercollegiate football contest is between institutions of higher learning, both of which confer degrees upon students following completion of sufficient credit hours to equal a four-year course, or

"'(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and

"'(3) such intercollegiate or interscholastic football contest and such game site were announced through publication in a daily newspaper of general circulation prior to March 1 of such year as being regularly scheduled for such day and place.';"

Mr. HART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HART. What is the pending question?

The PRESIDING OFFICER. The pending question is on the first committee amendment, which the clerk will state.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "That,", to insert "(a) except as otherwise provided by subsection (b),"; on page 2, after line 17, to insert a new subparagraph, as follows:

(b) The exemption conferred by subsection (a) shall not apply to any agreement, plan, or arrangement under which any club administering a professional sport team may have an exclusive or preferred right to negotiate for the services of any college student if such agreement, plan, or arrangement would permit such club to enter into a professional athletic contract with any student who has matriculated, at a four-year college granting degrees, before the earlier of the following dates: (1) the date of the conclusion of the fourth academic year following his matriculation, or (2) the date of the conclusion, during the fourth academic year following his matriculation, at the college at which he first matriculated, of the scheduled intercollegiate season of the professional sport to which he has been signed.

Mr. HART. Mr. President, I ask unanimous consent that the committee amendments numbered 1 and 2 be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to these committee amendments en bloc.

Mr. ERVIN. Mr. President, may I inquire what the committee amendments numbered 1 and 2 are?

Mr. HART. They are the Ervin amendment, which, technically, is cast in number one and number two form, and which, in effect, in the amendment which the committee considered to be the Ervin amendment.

Mr. PROXMIRE. Mr. President, will the Senator yield at that point?

Mr. HART. I yield.

Mr. PROXMIRE. As I understand, the Senator from Michigan is asking unanimous consent to have the amendments considered en bloc. Would that waive the right of a Senator to offer an amendment that might affect this particular language?

Mr. HART. I understand that it would not.

The PRESIDING OFFICER. These amendments will be considered en bloc, but they are open to amendments offered from the floor.

Mr. PROXMIRE. Like original text?

Mr. ERVIN. Mr. President, I wish to clarify the record. As I understand the Senator from Michigan, there are before us two amendments, numbered one and two. The Senator refers to the amendment which begins at line 18 on page 2, and ends on line 6 of page 3. Is that correct?

Mr. HART. It is my understanding that that would be amendment numbered two. The committee amendment numbered one consists of the language that can be found in italics on line 3 of page 1.

The PRESIDING OFFICER. The Senator is correct.

Mr. ERVIN. In further clarification, I wonder if we could have unanimous consent that amendment No. 2, as designated by the Senator from Michigan, beginning at line 18 on page 2, and ending at line 6 on page 3, be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment ordered to be printed in the RECORD is as follows:

On page 2, after line 17, to insert a new subparagraph, as follows:

"(b) The exemption conferred by subsection (a) shall not apply to any agreement, plan, or arrangement under which any club administering a professional sport team may have an exclusive or preferred right to negotiate for the services of any college student if such agreement, plan, or arrangement would permit such club to enter into a professional athletic contract with any student who has matriculated, at a four-year college granting degrees, before the earlier of the following dates: (1) the date of the conclusion of the fourth academic year following his matriculation, or (2) the date of the conclusion, during the fourth academic year following his matriculation, at the college at which he first matriculated, of the scheduled intercollegiate season of the professional sport to which he has been signed."

Mr. HART. Is the Senator from Wissonsin reassured on his opportunity to offer an amendment before the several amendments are disposed of?

Mr. PROXMIRE. The amendment which I intended to offer affects lines 14 and 15 on page 2. Therefore, it would not be covered by this amendment. I am satisfied.

Mr. ERVIN. Amendment No. 1 is on page 1, line 3, following the word "That," to insert: "(a) except as otherwise provided by subsection (b),". Is that correct?

Mr. HART. Is the Senator inquiring whether that is amendment No. 1?

Mr. ERVIN. Yes.

Mr. HART. That is amendment No. 1.

Mr. ERVIN. I have no objection to voting en bloc on amendments No. 1 and No. 2.

The PRESIDING OFFICER. The question is on agreeing to committee amendments numbered 1 and 2.

Mr. ERVIN. Mr. President, perhaps the Senator from Michigan would like to explain his position on committee amendments numbered 1 and 2 to the bill. Then I will wish to explain my position on committee amendments numbered 1 and 2.

Mr. HART. Mr. President, very briefly let me outline the objectives that the professional team sports bill seeks to achieve.

The situation is as follows: Professional baseball, because of a Supreme Court decision in the early 1920's, is not subject to the antitrust laws as other professional team sports are by virtue of court decision. In later decisions, the Supreme Court acknowledged the apparent inequity and the clear inconsistency involved. However, the Court has declined to reverse the early 1920's case, citing the fact that organized baseball, in reliance on that exemption, had structured itself and had pursued a course of conduct which that decision clearly protected and treated as exempt from antitrust reach.

But no such decision has been available to professional football, which in recent years has greatly expanded. Nor did the Court apply the old Federal baseball case to give immunity to professional basketball or hockey.

In the period of years that has intervened, the feeling has developed in the Congress that two objectives are desirable, both of which this bill would achieve.

First, baseball should be subject to the antitrust laws. There is no basis, either in theory or in fact, why baseball should hold a privileged position in relation to other organized professional team sports.

Second, there are specific and traditional essential sports aspects of these sports which should be exempt from the antitrust law to enable these professional team sports to operate in the best interests of the general public. Those traditional areas which we feel should be exempt, and which this bill would permit to be exempt, are the equalization of competitive playing strengths—the draft system—the employment, selection, eligibility, and assignment of player contracts—particularly the reserve clause—the right to operate within specific geographic areas, and rules that insure the preservation of public confidence in the honesty of the sports contest. This last exemption would permit the continued operation of what is popularly known as the czar, the Commissioner.

These exemptions would insure the maintenance of a reasonably good balance in competitive structure of these sports, protect the interests of the public and their confidence in the honesty and integrity of the game, and increase the pleasure that is derived from a reasonably well-balance league operation. The bill also permits protection of the rights of the players.

Mr. President, this is by no means the first time that the Congress has sought to achieve these objectives; and there is a rather extensive chronological outline of these several efforts contained in the report from the Committee on the Judiciary on this bill. For those who are interested, it is to be found beginning at the bottom of page 6, and continuing through page 11.

Mr. President, it is our hope that this session of Congress will see the passage of this bill which reflects a great many days of hearings, and the efforts of several prior Congresses.

On balance, it is our feeling that the bill responds effectively to the need to protect the public, to insure the maintenance of a highly competitive system of team sports, and to insure protection of the interests of the several persons involved in the games.

The pending question is on agreeing to committee admendments Nos. 1 and 2, which were offered by the distinguished Senator from North Carolina [Mr. Ervin]. Those amendments, in short, would permit the exemptions to be enjoyed by the league and the members thereof only if it was agreed that there would be no draft arrangements with respect to players who had matriculated at a college. To draft such an individual would be permitted only at the conclusion of the fourth academic year following his matriculation, or the date of the end of the sport for which he was drafted, if that should occur earlier.

Mr. President, I hope that the amendments will not be agreed to. On balance, the draft system has made good sense. Those engaged in professional football and professional basketball, by their own rules, have agreed that they will not seek to reach any man while in college. Baseball, in the last year, has undertaken a common draft which reaches the man in college, or who may be going to college.

To limit the draft as the Ervin amendment proposes, in the long run, would unbalance rather than contribute to the competitive balance of the leagues. Clearly, the rich would grow richer and the poor, poorer; and the quality of the game would suffer. His amendment might, indeed, encourage what I know the Senator from North Carolina and all the rest of us would hope to see avoided—a broader raid, or greater persuasion to the player to get out of school. Rather, I think all of us should seek to insure that such men remain in college under terms consistent with the maintenance of stability and competitive team balance in the league.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HART. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I would like first to identify myself with Senators who are in opposition to the amendment. I point out that the amendment was adopted in committee based on our great respect for the Senator from North Carolina [Mr. Ervin]. It was also expressed that we would all have an opportunity to look into the question, and the Senator would understand if these issues were raised on the floor. Knowing him as I do, I am sure he would be the first to encourage full and free debate on the issue. That is what I would like, too. I state this by way of addition to the statement of the Senator from Michigan [Mr. Hart].

It has been pointed out that organized baseball has an effective and worthwhile college scholarship program, in which some 400 major league prospects are guaranteed $1,000 a semester in all, for eight semesters, to pursue a college education.

It is felt by those in organized baseball, who have expressed their views that the organized baseball scholarship program would be inhibited as a result of the amendment.

That is an additional fact which I think should properly appear in the consideration of the amendment.

Mr. HART. I thank the Senator from New York.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HART. I yield.

Mr. ERVIN. How would this interfere with the college scholarships?

Mr. JAVITS. Mr. President, will the Senator yield to allow me to answer that question?

Mr. HART. I yield.

Mr. JAVITS. It is felt by those who award the scholarships, namely, organized baseball, that the standard which is spoken of as matriculation, involving one who has matriculated under a 4-year college degree, would operate in such a way as to inhibit the present practice with respect to awarding scholarships. It is felt that the amendment would have the effect of deferring young athletic prospects from matriculating in college.

Mr. ERVIN. Those who sign up to play baseball have this opportunity under the professional scholarship system, but the only chance they have to go to college under the contract is after the season closes in October until early spring.

Mr. JAVITS. That would be true if the man were playing or were committed to play during the time he was going to school. But as I understand the scholarship, that would not necessarily ensue.

Mr. ERVIN. There is nothing in the bill to prevent them from accepting scholarships and letting them go from September 1 until June. There is nothing in my amendment to prohibit that.

Mr. JAVITS. Except that they could not be dealt with in terms of receiving scholarships as soon as they had matriculated.

Mr. ERVIN. I agree that the right to negotiate would not be impaired.

Mr. JAVITS. They would not be given scholarships unless there were commitments in return that they would enter professional sports.

Mr. HART. In addition, if the club is not permitted to draft them, it will not be in a position to provide funds for the scholarship and education. On that basis, I hope the Ervin amendment will be rejected.

Mr. MAGNUSON. Mr. President, before the vote, I wish to ask the Senator from Michigan a question regarding the bill. I believe I know the answer, but the Record should show it as coming from members of the committee.

Is it correct to say that this proposed legislation deals with what the Senator from Michigan termed team sports?

Mr. HART. That is correct.

Mr. MAGNUSON. The bill is quite important, and it is one in which the Senator from Michigan has a deep interest.

The real problem in sports in this country involves the entire field of professional boxing. As I recall, the Senator introduced a bill or bills on this subject. The House of Representatives finally passed a bill, which is somewhat different from some of the other versions, and it was referred to the Committee on Commerce.

The question is: Would this particular bill relating to team sports, which I am highly in favor of, have any particular bearing on the proposed legislation dealing with the sports of professional boxing, if I may call it a sport?

Mr. HART. The direct and immediate answer to the concern voiced by the Senator from Washington is no. This bill does not reach professional boxing.

I am aware of the long-term interest of the Senator from Washington in the problems that confront Congress with respect to boxing. I know, as we all do, of the many days he contributed in years past attempting to unravel the problems in amateur competition both in this country and abroad.

The pending bill would not solve the problem of boxing, and would not solve the problem the Senator from Washington is attempting to solve; namely, How can the United States field an Olympic team that will win all the time?

Mr. MAGNUSON. I thank the Senator.

Mr. ERVIN. This is a most peculiar bill in that it undertakes, as the Senator from Michigan said, to bring organized baseball under the antitrust laws. Then, after having brought them under the antitrust laws, it would proceed to take them out from under the antitrust laws in most of the important aspects of their commercial affairs.

This country was supposed to be founded upon freedom. One of the aspects of freedom is the freedom of contract. Under the existing law, we have freedom of contract. The Supreme Court of the United States used to say that one of the liberties granted to Americans by the fifth amendment was the right to engage in freedom of contract, and that one of the freedoms protected against impairment by the States by the provisions of the 14th amendment—to the effect that no person should be deprived of life, liberty, or property without due process of law—was the right of freedom of contract.

The pending bill would not affect those freedoms as to lawyers. Lawyers would still have the right to make free contracts and to sell their legal services for what they were worth. The same thing would apply to doctors, businessmen, and wage earners.

But the bill proposes to rob every man in America who possesses skill in baseball, football, basketball, or hockey of the right to sell his skill to the highest bidder on a free market and negotiate a contract with anybody who desires to purchase his athletic skill.

The pending bill would authorize professional baseball, football, basketball, and hockey clubs to enter into an agreement under which persons possessing skill of an athletic nature in the field in which they were engaged for the purpose of making money could be allocated among themselves, by an agreement made by them, in the absence of the persons to be affected by the agreement and without their knowledge, and consent. Only one team could negotiate a contract with a particular person.

A college boy, possessing skill in baseball, would have his right to negotiate a free contract on a free market and sell his skill to the highest bidder denied him by an agreement made by the persons engaged in baseball for a profit.

Under this agreement, only one team could be permitted to negotiate with the boy. He would have to sign a contract with that team or be denied the right to engage in baseball as a profession for a livelihood.

My amendment, which was adopted by the committee—by a narrow margin, I confess—would provide that those who are exempt from the antitrust laws in their moneymaking activities by this bill could not adopt an agreement that would be applicable to college students until the students had completed their 4 years or had played the last collegiate game in the sport in which their skill lay.

It was said by those who advocate the bill—and I am not referring necessarily to Senators, but to the lobbyists for the bill, that the bill would prevent a professional baseball team from signing a college player. There is no subtance to that claim.

All my amendment would do would be to provide that students would still have the same rights that they have under the existing law; and, while the bill would exempt professional sports from the antitrust laws, my amendment would exempt college players from a draft during the time they were pursuing their education.

There is nothing contained in my amendment which would prevent any professional baseball, football, basketball, or hockey team from signing up any college player it wished to sign.

My amendment would provide that a college player possessing athletic skill could sign with any team that would sign him, could negotiate with every team engaged in the sport in which his skill lay, and could sell his skill to the highest bidder.

The highest value of civilization is freedom. By this amendment I seek to preserve freedom of contract for the benefit of college students who possess athletic skill until these students have had an opportunity to obtain their education.

I am confident that a simple explanation of the purpose and effect of the amendment will suffice to silence any objection which may have arisen because of misinformation.

S. 950 would provide exemptions from the antitrust laws for professional sports—exemptions which no other business in the country enjoys. I am aware of the fact that it is claimed that such exemptions are necessary if a high level of competition in sports is to be maintained.

One of these exemptions given to football, basketball, baseball and hockey, is the right for the clubs to meet and decide among themselves that only one team has the right to negotiate with an individual. As one sportswriter has said, this is like the newspaper profession deciding that a college journalism graduate could either work for the newspaper in Anchorage, Alaska, at the salary offered, or not work at all. This, of course, is done so that bonuses and other inducements which the professionals offer for talent may be kept at a minimum.

Whatever the merits of this questionable practice may be generally, it is my strong opinion that boys in college who give up their education to play as professionals should have the opportunity to negotiate with all teams in order to secure for themselves the most attractive offer. Therefore, I introduced an amendment, adopted by the Judiciary Committee, which would withdraw the antitrust exemption allowing exclusive rights to negotiate with college players during their 4 years of school.

My amendment in no way would prohibit teams from signing college players; rather, it would prohibit the professionals from agreeing that only one team participating in a sport would have the right to negotiate with a player. Its sole purpose is to insure freedom of contract to those who give up their general education in order to enter the business of professional sports. This amendment has the support of the National Collegiate Athletic Association and many of the colleges of this country. In North Carolina alone, three universities and two colleges have endorsed the amendment. In addition, the National High School Federation has endorsed this proposal.

The question is often raised as to why the colleges are supporting this amendment since it would not prohibit the student from signing a freely negotiated contract. The answer, of course, is their concern for their students. They are more aware than any of us of the injustice of third parties imposing upon collegians a denial of bargaining rights. Also, many are appalled at the pressures which a professional baseball team brings to bear when that team knows it must sign a boy within 6 months or lose the rights to negotiate with him forever.

Although the amendment would apply to professional baseball, football, hockey, and basketball, baseball is the only professional sport which has expressed to me any opposition to my amendment. This is because football and basketball, under their own league rules, forbid the drafting of boys prior to completion of their college eligibility. Baseball, on the other hand, drafts players after their sophomore year.

While the football draft is limited to each league, and there is competition among the teams in the National, American, and Canadian Football Leagues for the services of players, major league baseball and its common draft constitute a total monopoly to the boy who wishes to play professionally.

If the Los Angeles Angels draft a North Carolina boy, that athlete must either move 3,000 miles and play for the salary offered, or he must sit and wait 6 months, hoping that another club with a more attractive offer will draft him.

That is according to the present practice, which the bill would legalize, despite our boast that this country believes in freedom.

Baseball claims that this system is necessary to maintain competition and assist the second division teams. It is claimed that the money which baseball saves is purely secondary. This, of course, is nonsense.

For 50 years, I have followed professional baseball; and the lack of a draft system until 1965 never dampened my interest. Competition has always been keen in the National League without the draft. In the American League, there has indeed been some evidence of New York Yankee domination; and I have grown used to Yankee domination in baseball as well as politics. However, the two teams who finished next to last and last in the American League last year, Washington and Kansas City, both voted against the draft. Both these teams who need new talent so much, want to bid for every promising star—not just the 1 in 20 that the draft allows them. Also, it is ironic that a draft would be instituted in the year that the Yankees finally crumbled—now mired in sixth place—having lost as many games as they have won.

It is, therefore, clear that the true reason and only reason for the institution of a draft after many long years without it, is the pocketbooks of the owners.

A moment ago I asked the able and distinguished Senator from New York how my amendment would affect the so-called scholarship program instituted by some professional baseball teams. That charge has been made, and nobody has given me an answer as to how the amendment would affect it, and I challenge the assertion that this amendment would affect it in any degree.

Baseball itself claims, or asserts, that this amendment would somehow damage the admirable scholarship program under which a high school or college student who signs a professional contract is given college tuition by the club who signs him. This scholarship program was in effect several years prior to this year's draft, the first in baseball history, and there is absolutely nothing in the amendment which would prevent its continuation. If a boy has the desire and intellectual curiosity to complete his education a little at the time during those periods of vacation he is allowed from his profession, he is to be commended. However, this would be a rare individual, for the season runs from spring training to late September and even October. During the winter months professional rookie leagues are maintained by the majors in Florida specifically for the young players of college age. And, as I shall point out in more detail in a moment, most boys who leave college to play professionally, never return, despite the scholarship program.

Recently I have been asked why the special attention to the college student. In these days of annual bills appropriating more and more for Federal aid to higher education, at a time when we all realize that education is important not only for the economic well-being of the individual, but also to the future of the Nation, the answer should be clear. It is inconceivable that we would enact legislation which the colleges feel encourages young men to give up their education during the same session of Congress we give massive aid to the same colleges. But if we are to enact such legislation, let us make certain we preserve the freedom of contract for those who leave college.

Studies have shown that a college education is worth $100,000 in lifetime earnings to the individual. Studies have also shown that while fewer than 5 percent of those who leave college to play professional baseball ever reach the major leagues and have a meaningful baseball career, more than two-thirds never return to finish their education. It is my strong opinion that when a college student gives up so much for so little to enter professional baseball, the least we can do is grant him the freedom to contract and seek the best offer.

I strongly urge that my amendment be adopted.

Mr. President, I ask unanimous consent that the following items be inserted at this point in the Record: "A Summary of Intercollegiate Baseball and Its Relationship to Professional Baseball," and the article, "Baseball Still Thinks First of Itself" from the Milwaukee Journal, June 9, 1965, and the article, "Smell Detected in Pro Football" from the Washington Post of August 17, 1965.

There being no objection, the material was ordered to be printed in the Record, as follows:

Summary of a Study of Intercollegiate Baseball and Its Relationship to Professional Baseball

INTRODUCTION

The information contained in this summary was obtained from surveys conducted by the American Association of College Baseball Coaches (AACBC) and the National Collegiate Athletic Association (NCAA). It not only affords a comparison of college baseball and professional baseball, but it factually weighs the merits of a student-athlete forgoing a college education for the uncertainties of a career in professional baseball.

It is heartening to those identified with or interested in college athletics to observe the growth of baseball as an intercollegiate sport. The expansion is occurring at a time when professional baseball is confronted with the shifting of franchises to stimulate interest and the deterioration of its minor league system.

Those who are impressed by the payment of super bonuses to a comparatively few prospects should be sobered somewhat by the facts in this report as to what happens to the vast majority of student-athletes who attempt a professional baseball career in preference to a college education.

PARTICIPATION

Ninety-two percent of the member institutions of the NCAA sponsored baseball on an intercollegiate basis during the 1957 season. This represents an increase of 6 percent over 1954 when 86 percent of the NCAA membership conducted intercollegiate baseball. The 433 participating NCAA member institutions provide equipment, facilities, coaching and competition for more than 15,000 student-athletes.

PROFESSIONAL BASEBALL

In 1953, 36 minor leagues of all classifications finished the season. In the spring of 1958, 24 minor leagues (a decrease of 33 percent from the 1953 figure) started the season. As of last month (August), the same 24 leagues involving 173 clubs were in operation.

The total number of players in professional baseball in 1958, including the 400 in the major leagues, is less than 4,000.

FACILITIES

NCAA colleges and universities provided 448 first-class diamonds in 1954. A survey of 1957 facilities shows that NCAA members have 562 baseball fields. In 3 years, the average per institution has increased from 1.09 to 1.27. It should be noted that these fields are cared for by the regular building and grounds departments of the institutions and are complemented by ample dressing rooms and locker space.

CONTESTS

Further testimony to intercollegiate baseball's growth is the fact that in 1957, NCAA member universities and colleges played 10,950 games. In 1954, NCAA institutions reported 8,944 games. This represents an average increase of more than 3 games per institution—1957: an average of 24.8 games; 1954: an average of 21.7 games per college.

COACHING

More than 850 coaches are employed at the 433 NCAA members which conduct intercollegiate baseball for 15,000 student-athletes. Over 85 percent of these coaches are employed on a full-time basis.

FINANCES

The Nation's colleges have a multimillion dollar investment in baseball, considering only equipment and real estate value. In addition, the NCAA membership annually spends more than $5 million on the sport.

CHANCE OF SUCCESS IN PROFESSIONAL BASEBALL

This study included a sampling of college baseball players (403) who signed professional baseball contracts during the 1947–57 period.

Of the 403 college players, 20 (4.96 percent) were playing in the major leagues in 1957. Of the 20, 12 signed bonus contracts and 8 were nonbonus players.

The survey results clearly indicate that unless a college student-athlete is considered talented enough to merit a substantial bonus contract or at least is signed to a major league contract, he has a slight chance of eventually reaching the major leagues.

A total of 224 (55.6 percent of 403) signed class B or lower classification contracts. Not one reached the majors; in fact, 168 or 75 percent dropped out of professional baseball before progressing beyond the classification in which they signed. Only 4 of the remaining 56 (1.7 percent of the original 224) progressed as far as AAA.

It is interesting to note that of the remaining 179 who signed class A contracts or better, 99 were seniors, 43 juniors, 14 sophomores, 19 freshmen. There were four whose classes were not specified. This indicates that the longer a student remained in school the more valuable he became. From this group came the 20 major league players; i.e., 11.2 percent of the 179 achieved their goal.

The survey also disclosed that the athlete who signs a nonbonus contract has a 50 to 1 chance of reaching the majors if he signs a major league contract; from an A to AAA contract his chances are approximately 400 to 1; as indicated, his chances are nil if he becomes a party to a class B, C, or D contract.

A college product who signs a bonus contract has a 4-to-1 chance of reaching the majors. Forty-seven of the 403 players (11.7 percent) received bonuses to sign. Twelve (25.5 percent of 47) were in the major leagues in 1957; 22 (46.8 percent) were out of baseball and 14 were scattered between Class AAA and class B teams.

VALUE OF COLLEGE EDUCATION

In 1954–55, 30 percent of college-age boys and girls in this Nation attended college. The educational statisticians predict that as of 1971–72, 50 percent of college-age young people will seek higher education.

The survey shows that 81 percent of college freshmen and 77 percent of sophomores signing professional contracts withdraw permanently from college, thus sacrificing their education for a highly speculative career in baseball.

It has been reported that a college education is valued in excess of $100,000. This is based on a survey which shows that the average college graduate earns 88 percent more than the average high school graduate—or a total of more than $100,000 during a lifetime.

The value of a college education can only increase.

[From the Milwaukee (Wis.) Journal, June 9, 1965]

Baseball Still Thinks First of Itself

(By Oliver E. Kuechle)

Why can't baseball leave kids still in school alone? Why must it tempt them with bonus money not to go to school? The free agent draft, introduced at a joint major league meeting in New York Tuesday, may one day save baseball from its wild, ruinous bidding of the past, although this remains to be seen, but once more it places its own selfish welfare above the welfare of the boy.

Of the first 20 young men drafted Tuesday, and these are the men baseball under its rules of the draft must sign to major league contracts, 15 were 17 or 18 year olds who had just received their high school diplomas, 4 others were 18 or 19 year olds who had just completed their sophomore year in college and 1 was a 21 year old who had just completed his junior year.

Why interrupt education? Baseball is not that important except to itself.

EXCEPTIONS

Admittedly, not all of the high school boys picked were of college timber or were even of a mind to continue on to college, and if baseball approaches such boys there can be no quarrel. A job in baseball with a bonus is better than a job parking cars with no bonus. Admittedly, a high school boy who wants to go on may still say "no" to the game's blandishments although only a boy with his feet on the ground (or a parent) can say the "no" to a $100,000 bonus. Admittedly a higher education, by itself, does not guarantee a richer, fuller, and better adult life although there are very interesting statistics on this.

In principal, though, baseball's temptations are still wrong. You don't interrupt a boy's education for a game. In a day when education has come to mean more than ever, when a boy without education often has two strikes on him in later life, you don't lure him from the classroom.

And baseball indiscriminately tries to.

NOT SO

The argument is often advanced: "Let the kid take the money. It's hard to come by. He can always go back to school."

It is an argument insidiously false. The facts don't support it at all.

The National Collegiate Athletic Association made a study a few years ago of college boys who interrupted their education to go into baseball. Know how many never returned to school whatever their intention? Eighty-one percent of the college freshmen never did and 77 percent of the college sophomores. They were through with formal education.

In the same study, the NCAA sought to learn what success in baseball awaits the college boy who in the period from 1947 through 1957, chose to go into baseball. Less than 5 percent stuck in the big leagues—4.96 percent to be exact.

WHY?

There comes to mind here what both Joe DiMaggio and Ted Williams separately said after their playing days were over. "If I had to do it over," each observed in effect, "I would get an education first and play baseball later."

Each quit school to play baseball. Each became a superstar. Each has financial security today. But each also obviously feels an adult void.

The average bonus baby, today, after a little flurry perhaps, winds up in the dwindling minors. And the average bonus baby finds that what once was held up so temptingly to him shrinks unbelievably fast after taxes.

Why can't baseball leave kids alone until their college years are over or they have flunked?

[From the Washington (D.C.) Post, Aug. 17, 1965]

SMELL DETECTED IN PRO FOOTBALL

(By Red Smith)

NEW YORK, August 16.—Stanley Frank, who used to be a newspaperman himself, has a piece in the September issue of True called "The Dirtiest Scandal in Sports." The situation he describes has not been a public scandal because the public hasn't been aware of it. But the tales he tells are scandalous and they are dirty. They are also true.

The piece describes some of the methods used last fall by professional football clubs competing for the services of top college players.

Somebody knows about the pros violating their own rules and breaking promises to the colleges by signing undergraduates secretly before they were through with amateur competition. Nobody got wildly excited about it, except the coaches and athletic directors of schools directly affected, because it was common knowledge that this sort of cheating had been going on for years, even back in the days when the National League had the field to itself and didn't have to bid against another league.

The scandalous tales concern the cases where booze and broads were used as bait to trap college boys into compromising positions where they could be blackmailed into signing contracts.

All last winter, the football grapevine brought stories of cloak-and-dagger operations as the National League and American League competed for talent. Stanley Frank retells a number of these yarns, perhaps deliberately mixing details of some cases to protect the young men involved.

At best, the stories tell about kids being snatched off campuses and held incommunicado in motels until they have been drafted and signed.

At worst, they tell of instances where boys were primed with liquor and housed with accommodating ladies until, at some hour like 4 a.m., they would be invited under threat of exposure to accept an offer from a pro team.

Befuddled by grog and burdened by an uneasy conscience, a young man does not necessarily make the best deal he can for his services.

One story, at least, has a happy ending. A kid who had been trapped got back to college, found out how much more a teammate was getting from the other league, and hired a lawyer. The pro team that had collared him quickly upped the price rather than let the truth be told in court.

These tales have been kicked around so freely it is inconceivable that they have failed to reach the ears of Pete Rozelle and Joe Foss. Up to now, however, neither the commissioner of the National League nor the commissioner of the American has taken cognizance of the situation publicly.

They're going to have to take cognizance of it, for without firm action upstairs, conditions are going to get worse. The interleague war has escalated, as the political writers say, into total war. If the struggle goes on, the belligerents will find new and dirtier ways to operate.

It is a sorry situation, sorriest because it need not exist. There is no reason except for the stubbornness of a few men why two leagues cannot coexist peacefully in this country, cheating only a little for the fun of it.

Human nature isn't going to change. Either these guys make peace, or they buy themselves a scandal that will make a few bets by a few players look like good, clean fun at a Boy Scout's jamboree.

Mr. ERVIN. Mr. President, I have heard only three arguments made against my amendment. One was that it would prevent professional teams from signing a college player. I think I have demonstrated by my argument that that argument is totally lacking in substance. The only thing my amendment would do would be to assure college players during their continuance in college of the right to sell their services to the highest bidder for cash and to negotiate with each business employing professional players.

As to the argument about the professional scholarship system, I think I have fully answered it.

The third objection is that the amendment applies to college players, and not to high school players. It is a peculiar thing that Senators who oppose the application of the amendment to college students are concerned about the failure to include high school students. For their information, if my amendment is adopted, I will send to the desk another amendment to the bill to include high school players as well.

Those who are engaged in operating professional teams undoubtedly regard them as sports, but they are not engaged in altruistic operations; they are engaged in moneymaking operations. I respectfully submit that we ought to see to it that the college players retain the freedom of contract which belongs to all other Americans, at least while they remain in college. If teams wish to have a draft, let them draft under this bill after the boys have completed their education. Or, if they are not willing to negotiate for the boys on the free market, let us allow a boy to get the highest price he can get for his skill.

Before closing discussion on the amendment, I would like to call for the yeas and nays. I do not know whether there is a sufficient number of Senators present to order them.

With the assurance of my friend from Michigan that he will join with me in such a request, I yield the floor.

Mr. HART. I assure the Senator that I will join in seeking to obtain the yeas and nays on his amendment.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN].

Mr. HRUSKA. Mr. President, I rise reluctantly. It is not often that my colleague from North Carolina and I find ourselves at a different point of view in a matter of this kind. There are few issues of any kind on which we differ. However, in this instance I believe there are sound reasons why we should not go along with the Ervin amendment and why it should be rejected.

I start by saying that the purpose of the bill is to exempt certain aspects, specifically including the "Reserve Clause and Drafting of Players" of organized professional team sports of baseball, basketball, football, and hockey, from the antitrust laws.

We know the history of the antitrust laws. Briefly, in 1953, the Supreme Court of the United States in the Toolson case followed the Supreme Court decision of 1922, which held that baseball was in effect, exempt from the antitrust laws. However, in 1957 the Supreme Court in Radovic against National Football League ruled that professional football was subject to the antitrust laws, thus placing professional basketball and professional hockey under the antitrust laws. Beginning with 1957 a series of bills were introduced in the Senate and the House of Representatives to exempt professional football, baseball, basketball, and hockey from certain aspects of the antitrust laws; namely, the draft system, the reserve clause, geographic areas, and preservation of public confidence in the honesty of sports contests. Also included was a provision to exempt professional team sports from antitrust laws in negotiating television contracts by the respective leagues.

This year S. 950 was introduced on February 2, 1965, and I was one of the cosponsors of the bill. The Senator from Illinois [Mr. DIRKSEN] had suggested an amendment to S. 950 which would have put into the bill the new rules and regulations enacted by professional football rules which would have prohibited professional football from signing a college football player to a professional football contract prior to the completion of the college football season during the fourth year of matriculation in college. He specifically left out professional baseball, basketball, and hockey because their systems of drafting players are such that to include them in the amendment might seriously damage the drafting of players. The distinguished senior Senator from North Carolina [Mr. ERVIN] introduced an amendment approved by the Judiciary Committee which would go to all four professional sports, football, basketball, baseball, and hockey.

I have been receiving calls from staffs of various Members of Congress and of college and university athletic staffs as to the confusion as to the impact of the Ervin amendment on the professional team sports bill.

College football coaches and athletic directors have been urging the adoption of the Ervin amendment because they believe it would prohibit raiding of college football players whereas Senator ERVIN's letter clearly states that the purpose of his amendment is to protect a college baseball player—who may also play football or other college sports—by enabling him to negotiate with more than one major league baseball team prior to his completion of his collegiate athletic career. The present major league free agent draft requires that the drafted college player negotiate with only the team that drafted him and if the terms are not acceptable, he would then be subjected to a free agent draft 6 months later.

The meaning of this is that Senator ERVIN's amendment would encourage college baseball players who may also be competing in other collegiate sports to leave college and enter professional baseball in his first, second, third, or fourth year of college matriculation. In this event, definitely that player would be lost to the college football team or other college sports for the balance of his collegiate career.

It should be remembered that the purpose of the original Dirksen amendment was to prohibit the raiding of college football players, primarily when in the past few years the National Football League and the American Football League were trying to outbid each other in obtaining the best college football players. Since the Ervin amendment does not prohibit the raiding of collegiate football players and other collegiate athletes but is only intended to nullify the major league free agent draft, this amendment would be inappropriate to meet the requests of the National Collegiate Athletic Association and the collegiate football coaches who are attempting to protect the raiding of their college players.

Recently, the distinguished Senator from North Carolina wrote a letter to all members of the Judiciary Committee, and to all Members of the Senate, if I remember correctly, in which he set out the position of his amendment which he eloquently restated just a moment ago.

However, I am particularly concerned about this particular wording in the Senator's letter:

> One of these exemptions given to football, basketball, baseball, and hockey, is the right for the teams to meet and decide among themselves that only one team has the right to negotiate with an individual. This, of course, is done so that bonuses and other inducements which the professionals offer for talent may be kept at a minimum. It is also claimed that this action in restraint of trade helps even out the chances of various teams which compete in a sport.
>
> Whatever the merits of this practice may be generally, it is my strong opinion that boys in college who give up their education to play as professionals should have the opportunity to negotiate with all teams in order to secure for themselves the most attractive offer. Therefore, I introduced an amendment, adopted by the Judiciary Committee, which would withdraw the antitrust exemption allowing exclusive rights to negotiate with college players during their 4 years of college. My amendment in no way prohibits teams from signing college players; rather, it prohibits the professionals from agreeing that not but one team participating in a sport has the right to negotiate wih a player. Its sole purpose is to insure freedom of contract to those who give up their general education in order to enter the business of professional sports. This provision has the support of the National Collegiate Athletic Association and a great many of the colleges of this country.
>
> Because my amendment has been widely misinterpreted, I felt this letter of clarification would be helpful. I earnestly hope that you will give it your careful consideration and will vote to retain it.

After reciting some of the background and history and necessity for the amendment, the Senator from North Carolina goes on to say:

> Therefore, I introduced an amendment, adopted by the Judiciary Committee, which would withdraw the antitrust exemption allowing exclusive rights to negotiate with college players during their 4 years of college. My amendment in no way prohibits teams from signing college players; rather, it prohibits the professionals from agreeing that not but one team participating in a sport has the right to negotiate with a player. Its sole purpose is to insure freedom of contract to those who give up their general education in order to enter the business of professional sports.

Mr. President, the reason I signal this quote is that the Dirksen amendment was designed to prohibit professional football from signing a college football player before the 4 years of college football eligibility were completed. There were instances of raiding of the college football players which caused concern among college officials and Members of Congress. However, my understanding of the Ervin amendment is that it could be interpreted to kill the free agent and draft system employed in certain professional team sports which draft system has been declared to be the lifeblood of professional team sports.

I ask unanimous consent to have printed in the RECORD the language contained in some of the official printed hearings of the past dealing with professional team sports, and dealing with this subject of the draft system as it exists in the sport as being the lifeblood of professional team sports.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> On page 328 of the printed hearings, Tuesday, February 22, 1958, William Howton, star player of the Green Bay Packers and president of the National Football League Players Association, stated, and I quote:
>
> "I appreciate the opportunity to appear before this committee as representative of the players association, to present our views regarding the problems of antitrust laws as related to professional team sports.
>
> "After much thought and careful consideration we of the players association realize that due to the unique and somewhat peculiar aspects in the operation of professional team sports, that the clubowners are vulnerable to antitrust attacks.
>
> "We feel that some legislation should be enacted to partially relieve the club owners from their present position. That is to say, for the good of professional team sports as a whole, legal privilege should be allowed concerning the player draft and reserve clause, with which this committee is no doubt very familiar."
>
> He stated further (p. 329):
>
> "We recognize the player draft and reserve clause actually puts us in an adverse bargaining position with our clubs, but for the good of the sport we are happy to go along with the relaxation of laws pertaining to them since they are beneficial to all. Otherwise successful teams would dominate the game and the weaker ones would die on the vine."
>
> On page 331, he stated further:
>
> "Mr. DIXON. Were you paid anything by Green Bay at that time?
>
> "Mr. HOWTON. I was drafted by the Green Bay Packers in 1952. At that time, I became the property of the Packers, and I received no money upon signing a contract, and my first check from the Packers came after the first league game which is about the last Sunday in September.
>
> "Mr. DIXON. How do the players feel about this system? Do they feel that it is equitable?
>
> "Mr. HOWTON. We realize that it eliminates our ability to bargain with the clubowners and it appears to be in violation of the antitrust laws because it is in restraint of free trade.
>
> "But it appears to be the lifeblood of professional football, also."
>
> On page 340, Lester Richter, football star of the Los Angeles Rams, stated as follows:
>
> "Mr. RICHTER. Senator Kefauver, I, as a player in the National Football League, am one of over 400 football players representing the league, feel that the legislation that is now before this subcommittee is important to the welfare and lasting existence of the National Football League.
>
> "As a player, I can foresee greater things in the development of professional football if the draft is protected. I feel the draft is a definite reason why the National Football League has developed to the limits and heights that it has to this present day.
>
> "The draft, although in many instances it might seem unfair, has balanced the league in the 5 years I have been playing in the National Football League, to where we have 12 evenly balanced football teams and I feel that on a given Sunday when we play our National Football League games, due to the outcome of this draft, we are drawing greater crowds than we ever have before.
>
> "As an example, last year the Los Angeles Rams, which to my regret were, in a sense, a second division club finishing with a six-win, six-loss record, were the first football team in the history of professional football and college football to draw over a million people in 1 year through the turnstiles.

"I think this is due to the game itself, because we are playing better football because of the balance created by the draft.

"As far as the reserve clause, so-called, in football, it is much different from that of baseball, and I am not an expert. I do feel that the reserve clause is necessary to preserve the rights of what we have established to date.

"I, myself, would like to have the right to play a year and then turn around and bargain with another club, and I know you have two of the greatest players in the game today in Kyle Rote and Bill Howton, both of whom I shudder every time we have to face them, but they are players——

"Senator Kefauver. I do not imagine they find it too pleasant facing you either.

"Mr. Richter. But they are players, where there are a few others in the league who have the ability and are of such stature that they could turn around and bargain freely with another club.

"This would, in turn, I think, create some difficulties just the reverse of what the draft has done of balancing out the league.

"So, as the two main features of this legislation exempting the two aspects that we are discussing here, the reserve clause and the draft, as a player in the National Football League, I am definitely for their being deleted or refrain from being used in the subject of antitrust laws.

"Senator Kefauver. You mean you are in favor of exempting them from the antitrust laws?

"Mr. Richter. Yes, sir."

It would do well to quote from some of the testimony from players in major league baseball beginning with one of the greats and one of the highest paid in baseball, Ted Williams, formerly of the Boston Red Sox who on p. 27 of the printed hearings of Wednesday, July 9, 1958, stated:

"After all, when you sign up in baseball, as I understand it, you are their property then until they sell you, trade you, or release you, and I think once you sign that, why, that's the way it goes for a ballplayer.

"Senator Kefauver. Do you particularly approve of that system?

"Mr. Williams. Well, I personally don't see how baseball could operate without the reserve clause and still maintain the integrity of the game.

"I have looked at the legislation that you are talking about, and the only reason that I would think there was a need for this legislation is to give baseball a chance to operate as it has been operating. I know if I had to do it all over again, I would do it exactly the same way.

"I think I have been awfully lucky, I know I have been lucky in baseball, and I know I have been treated wonderfully in baseball, and I think the only reason for all this discussion, as I understand it—and I am not a lawyer—is to give baseball a chance to operate as it has operated and to give it a chance not to be interfered with, because I think if it is, it is going to lose a lot of its—a lot of the wonderful things in it and a lot of the good things in it, and it is going to disrupt it by a lot of technicalities."

Another one of the greats, Stan Musial, formerly of the St. Louis Cardinals told the committee on pages 35 and 37:

"Senator Kefauver. Do you still think, or do you not, that the reserve clause should be limited to some number of years?

"Mr. Musial. No; I do not. I think the reserve clause of baseball—most ballplayers understand the reserve clause when they sign up.

"We have a better class of men coming into baseball who know these various things about baseball, the reserve clause, and the workings of baseball, and when a young fellow signs up, why, he has an idea what he is getting into. We have our various meetings, and never has the reserve clause been brought up among the ballplayers, as to some limitations.

"Senator Kefauver. Have you, in your 20 years' experience, ever been dissatisfied with your salary or with the team where you were going to be sent to play?

"Mr. Musial. No; I never have. Most ballplayers playing in the minor leagues, they are satisfied with conditions, and their main objective is to get to the big leagues, so I think they are satisfied.

"Mr. Musial. Other than the fact that we did not, as I said earlier, we did not discuss the terms down at the Key West meeting. I don't think the ballplayers knew too much about what was said down there at that time.

"A little later on, after discussing these things with our Player Representatives Roberts and Yost, we felt it was not in the best interests of baseball to have the term, 'reasonably necessary' included in this particular bill."

Further a quotation of Robin Roberts, formerly of the Philadelphia Phillies and the National League player representative, who on page 43 states:

"The player representatives system in the last 6 years—oh, I would say since 1952—has become much more organized and much more helpful to the ballplayer himself. The pension plan really came out of a strong player representatives system, and other benefits such as the minimum salary increase and other smaller things that have come up have come through this meeting with the club owners."

"Mr. Chumbris. I have one here for clarification, Mr. Chairman.

"Mr. Roberts, on June 24, 1957, you appeared before the House subcommittee, and the chairman, Congressman Celler, asked you this question:

"Mr. Roberts, what are your views as to the unlimited clause? And your answer was:

"Mr. Roberts. I just said before the way it is run now is the only way it has ever been run. I think it has been thoroughly examined and if they could come up with something else, fine. I don't know myself and I don't think anybody else does, to be honest.

"That is a summary of your views before the House committee.

"In appearing before us today, you made a statement which may leave a wrong impression when you said, 'What is good for the owners is good for the players.'

"There is basically more reason to your views on the reserve clause than that one statement?

"Mr. Roberts. Yes, sir. I don't mean what is always good for the owners is always good for the players. We thought in this one particular instance, the reserve clause, that what is good for them in connection with the reserve clause and good for baseball will only benefit the ballplayer in the long run. That is what I meant by that statement."

The subcommittee also heard from Edward Yost, star third baseman of the Senators and the American League players representatives who agreed with the testimony of Robin Roberts and stated also, beginning at page 65:

"Senator Kefauver. Do you have anything else you want to add about this bill? Do you feel the reserve clause has operated satisfactorily with your American League players?

"Mr. Yost. Yes, sir; I have had no complaints at all along those lines. You may hear of some now and then, but they are few and far between.

"Senator Kefauver. How about the draft provision?

"Mr. Yost. If there is a fellow in your system that has played in the minor leagues for 4 years, and you don't bring him up to the parent club, he is draftable. If you have four on one team that are in that same situation, they are all draftable.

"Senator Kefauver. I thought the rule used to be that you could draft only one person. Has that been changed?

"Mr. Yost. That is right. That was changed in December of last year.

* * * * *

"Senator Carroll. Would you say a young man in high school who wants to be a major leaguer, when he signs up is not, or would you say that he is, thinking of money, or is he thinking of perhaps a little fame and glory, too?

"Mr. Yost. Well, that could work both ways. I know in my particular case, I didn't think too much of money. I was concerned about playing big league baseball.

"But at that time, they weren't giving out the kind of bonuses that they are now, and I think a young fellow who has any talent almost has to be interested in the money angle, too.

"Senator Carroll. Is his contract always open to reconsideration to get more money? I understand there has been some such testimony?

"Mr. Yost. Yes; there is.

"Senator Carroll. Every year?

"Mr. Yost. As a matter of fact, it is open during the year, too.

"Senator Carroll. Is this true in the minor leagues, also?

"Mr. Yost. Yes, sir; it is."

Mr. HRUSKA. Mr. President, those excerpts from the testimony are from such players as William Howton of the Green Bay Packers, Lester Richter, football star of the Los Angeles Rams, Ted Williams, formerly of the Boston Red Sox, and others—Stan Musial is among them. They were interrogated at length, and they testified along the lines suggested.

Mr. President, in later hearings on the professional team sports bill, other witnesses, including the group of professional baseball, football, and basketball league officials and players, have testified that the reserve clause and the drafting systems that they use in the respective professional sports are absolutely necessary and that any action taken by the Congress to upset either the reserve clause or the drafting of players would be ruinous to the professional team sports and, thus, the most seriously affected would be the players themselves.

In conclusion, professional team sports, as testified to by the above witnesses, must have the draft system and the reserve clause because they are "the life blood of the professional team sport." We would all like to ensure the freedom of contract which would give the person the right to set the price for his services or for his wares but we know from experience in certain business and professions there is not always that freedom. Farmers are told by the Government just how many acres they can toil; oil people are told by the State just how much they can produce each month and also on an international level, how much oil they can import into this Nation. Union members have delegated the right to negotiate for their wages to a committee. The above represents only one from each category of industry, agriculture, and labor.

It surely would not be freedom because it would mean that without the draft system—and it is functioning pretty much as it has functioned heretofore—we would find that the more fortunate and more prosperous teams would get the preference and get the better players. But it would not be in the interest either of confidence in the sport nor in the interest of real competition.

It was the intent of the Members of Congress in introducing the professional team sports bills to exempt from the antitrust laws the reserve clause and the right to draft players, a system which has been in effect in professional team sports for many, many years. In asking the Senate Legislative Counsel's office to prepare amendments to prohibit raiding of the college athletes by professional teams, they prepared two versions, one, applying only to football, to which I have referred earlier, and two, applying to all professional team sports which Senator ERVIN introduced as the Ervin amendment and adopted by the Senate Judiciary Committee. However, the Ervin amendment, as I have noted earlier, is not for the purpose of prohibiting raiding of college players but in his own words:

> My amendment in no way prohibits teams signing college players; rather it prohibits the professionals from agreeing that not but one team participating in a sport has the right to negotiate with a player.

Thus, Senator ERVIN'S amendment could, in effect, kill the free agent and draft system. If it is applied only to professional baseball, it would discriminate against that professional sport alone but it goes further because it gives freedom of contract to boys who are signed before they complete their 4 years of college eligibility but the amendment does not give freedom of contract to college players after said 4-year period of eligibility nor to high school students who are qualified to play professional baseball.

I urge the Members of Congress to defeat the Ervin amendment.

Mr. ERVIN. Mr. President, will the Senator from Nebraska yield at that point?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. HRUSKA. I am glad to yield to the Senator from North Carolina.

Mr. ERVIN. The 6-month provision is part of the present baseball draft system. Under the pending bill, the professionals could get together and draft persons in college of certain athletic skills.

They could make an agreement that no other team would ever negotiate with "A," if he did not sign the Detroit contract.

Mr. HRUSKA. Yes; they could if they agreed to do so.

Mr. ERVIN. That agreement could bind the individual until the last trembling note of Gabriel's horn trembles into ultimate silence.

Mr. HRUSKA. Yes; to the last note; but it would be reached between the club and the player.

Mr. ERVIN. No. That agreement would be reached by the teams, and they would reach that agreement before they approached the player, and they could agree that only one team would ever make an offer to that particular player, and he would have to take that contract with that team or never play professional ball.

Mr. HRUSKA. That is not my understanding. My understanding is that the first team would get an opportunity to negotiate a contract with the player.

Mr. ERVIN. Will the Senator read the bill at lines 11, 12, and 13? Where is there any such a limitation?

Mr. HRUSKA. On what page of the bill?

Mr. ERVIN. On page 2. It states:

> The employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts.

They could deny a man the right to negotiate with any other team or with more than one team.

Mr. HRUSKA. That is a conceivable result which could follow from that language. I am talking about the arrangement that prevails under the free-agent system. That arrangement provides for a draft. The team at the bottom of the list gets first chance to choose a player. When it makes its choice, it enters into negotiations with the player. If successful, the parties arrive at an agreeable figure for the purpose of entering into a contract. For example, it could be for $105,000 with Mr. Mundy of the Kansas City team. The deal is made. However, if the parties are unable to reach an agreement, another draft is held. At some date more than 6 months after the first draft was exercised, another choice is made by the teams in the same way that the first draft was made. It may be that the first team would again make the draft. If so, they would have another go-around. There is the opportunity for that player to negotiate freely as between himself and the team that drafts him. That is my understanding of how it works.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. BAYH. I believe this point bothers not only the Senator from North Carolina. This is a specific point on which I should like to ask a question of the Senator from Nebraska, and perhaps of the Senator from Michigan, also, to elaborate on this point. With respect to the first draft choice to which the Senator has referred in his hypothetical example with respect to Mr. Mundy, the only choice available to the athlete in the first instance is to deal with the club that has been given the right in the draft agreement that was arrived at among the clubs; is that correct?

Mr. HRUSKA. Yes.

Mr. BAYH. Six months later another draft is held, and at that time the individual has an opportunity to deal with another club. Is that correct?

Mr. HRUSKA. That is correct.

Mr. BAYH. Is there ever a time under the present draft arrangement or under the rules to which the Senator has referred when there is an outright choice to deal with more than one club?

Mr. HRUSKA. After he graduates from college, he can.

Mr. BAYH. In the way in which they are operating this year?

Mr. HRUSKA. As I understand, the draft applies to either high school players, under the present system, or to college students who have finished at least 2 years of college.

Mr. BAYH. That is what I should like to have clarified. I should like to have additional information on this point. The Ervin amendment, as I understand, applies only to the 4-year period in which the athletes are in high school. The Senator from North Carolina said that later he would offer an amendment which would cover them in high school. This deals with athletes who are subject to the draft.

I wonder whether the Senator from Michigan would elucidate on this point.

Mr. HART. If I correctly understand the Senator's question, it goes to this point: What opportunity does a young man have who has been drafted by a team in organized baseball under the free agent draft, to negotiate with someone other than that team? Is that the question?

Mr. BAYH. Yes.

Mr. HART. I believe the amendment that is pending, offered in committee by the Senator from North Carolina [Mr. ERVIN], and the question which indicates the concern of the Senator from Indiana [Mr. BAYH] brings us to the hard, direct issue in this bill. The answer to the Senator's question is that under this bill, draft lists and reserve clauses would be permitted to teams in organized professional sports. As a consequence of that, the rules could be such that a selected player would have no opportunity to bargain with other than the drafting team.

Those of us who support that type of antitrust exemption do so out of the deep conviction that on balance this approach gives the best assurance of high level, balanced competition. This kind of balanced competition provides the best opportunity for a young man with professional athletic skill to obtain a salary which may be the just envy of most Americans. The players represented have said as much. They recognize that, in the short haul, the man with the fast breaking curve could do a better bargaining job for himself if he were able to deal with 20 ball clubs. However, in the long haul, they felt that their own individual interest could best be served by avoiding having the rich grow richer and the poor drying up, with only two or three left to pay the man with the fast breaking curve.

That brings us to the issue as bluntly as we can put it, and the question of determining between two competing principles. As the Senator from Nebraska has said, freedom of contract is great. The maintenance of a system of professional team sports that enables a number of clubs to pay substantial salaries is also desirable. To achieve the latter we suggest that some limitation be applied in the former.

Mr. HRUSKA. May I ask the Senator if there is not a second benefit? The first point is that we give a player who is not outstandingly excellent a chance, but we also secure a relative degree of balance among the teams. This will result in a competitive arrangement: Is not that inherent in the draft system?

Mr. HART. It is fundamental to the maintenance of athletic balance and proficiency. It will permit a team to pay substantial wages.

Mr. HRUSKA. I address myself to the point that the Senator from Michigan has raised. This was illustrated in the testimony of Lester Richter, who was formerly with the Los Angeles Rams. He was asked about the reserve clause. He was an outstanding athlete and, no doubt, he protected himself. He said:

> I, myself, would like to have the right to play a year and then turn around and bargain with another club, and I know you have two of the greatest players in the game today in Kyle Rote and Bill Newton, both of whom I shudder every time we have to face them, but they are players, where there are a few others in the league who have the ability and are of such stature that they could turn around and bargain freely with another club.
>
> This would, in turn, I think, create some difficulties just the reverse of what the draft has done of balancing out the league.
>
> So, as the two main features of this legislation exempting the two aspects that we are discussing here, the reserve clause and the draft, as a player in the National Football League, I am definitely for their being deleted or refrain from being used in the subject of antitrust laws.

In that way the player who does not have an outstanding excellence gets a chance, too. He would get a chance along with the other fellow who gets a chance. Only the most successful team would get the most successful and outstanding players, if it were not for the draft and reserve system. This is what we are trying to preserve in the pending bill.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. BAYH. Let me first make the record clear to my friends, the Senator from Michigan [Mr. HART] and the Senator from Nebraska [Mr. HRUSKA]. I find myself in somewhat of a quandary, which I need to have resolved between now and the time a vote is taken. I do not know exactly how I feel. That is the reason I ask these questions.

As far as I can see, we are dealing with two different points when we talk about the reserve and the draft. It seems to me that when we talk about the reserves, we are talking about a man who has already had a chance to make a determination, to decide between two or three different competing clubs, and once he has decided, then he is the so-called property of that club until they desire to trade him. But when we combine the draft and the reserve, we not only remove any future choice he might have, but we also remove any initial choice that he might have.

The Senator from Michigan referred to the financial ability of the clubs, which is something with which he has had a great deal of personal experience. I think it is certainly a very valid concern. Could the Senator from Michigan or the Senator from Nebraska elucidate a bit on why this is such a matter of concern? If it is a matter of great financial concern to the club, why did they go so long in history before seeking a change? This is the first year that the baseball clubs have resorted to seeking such legislation.

If we had a situation in baseball such as we have in football, I think there would be a great deal more freedom of choice. I have not talked with the Senator from North Carolina, but in baseball, they have drafts in each league, which will put a boy in a better position to determine whether he wants to go to one league or the other, or even into a Canadian league. What I am trying to find is some way we can give some choice to that boy who wants to make his own choice.

Mr. HRUSKA. This free agent draft is a new rule, as I understand it, because the big leagues have found a vast field for supply of recruits. In the old days, the clubs used to sign them up and send them to the minors. The minors are sadly lacking in effectiveness for that purpose today. So a new mechanism had to be created for the purpose of recruitment. It is that which is desirable in the free agent rule, and which is now being used.

I yield to the Senator from Michigan.

Mr. HART. I think the Senator from Nebraska has responded very effectively. I think also that if the only reason for a free agent draft was to save baseball money, they would have done it about 81 years ago. But there are also other reasons which make good sense to the league, the players, and the fans.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. HART. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. I wish to go back to the amendment of the Senator from North Carolina, and ask the Senator from Nebraska the following question: Under the amendment, if a young man, a student athlete, is completing his high school education, and he has athletic talent such that he intends to play professional ball at some time, is he then going to have to make a decision as to whether or not he goes to college or does not go to college? Because if he does go for 1 or 2 years, there is no possibility of his playing professional sports until after 4 years following his matriculation.

I put the question, with the consent of the Senator from Nebraska to the Senator from North Carolina.

Mr. HRUSKA. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. There is nothing in my amendment that would prevent anybody at any time from choosing the best course for himself, or from signing a contract with any club at any price on which the parties can mutually agree.

All my amendment does is to provide that the exemption of these professional sports from the antitrust laws will not apply to any person who is a college student during his first 4 years, or until the time he plays the last college game in the sport for which he signs. He can get out of college at any time; he can refuse to go to college at any time. My amendment does not change that. My amendment merely preserves the freedom of contract. A college athlete, during the time he is in college or during the time he is not subject to a draft, can get his education at any time, and sign a contract with anybody; but he would be given a right to seek a contract on the free market, where he would not be limited to negotiating with any one team.

Mr. HRUSKA. Of course, that is another way of saying that the draft system as we know it, which gives an opportunity to achieve balance in a league and gives all players, in the spectrum of good, excellent, and outstanding, a chance, would be eliminated if the amendment is adopted. The draft system is a means of affording every player a fairly equitable chance to get into a big league, and also to achieve that second thing which is so important in baseball—some balance among the teams.

I subscribe to the thinking expressed a little while ago by the Senator from California. One of the best illustrations of the value of the draft is the present state of the race in the National League today. There has been that leveling off which has made a tremendously fine competition in the game.

Mr. PEARSON. If the Senator will yield further, I have not had an intelligible answer to my question, although I know the limitation is mine, as to whether, under the Ervin amendment, all boys would be treated equally whether or not they decide to go to college, quit school at the high school level, or quit school 2 years after they matriculate?

I am fearful—and I acknowledge again that perhaps I do not understand—that the effect of the amendment would be a deterrent to the further education of students who have athletic ability.

Mr. ERVIN. My amendment now before the Senate does not cover high school players. If my amendment is adopted, then I propose to offer another amendment which would put high school players on exactly the same basis as college players. But there is nothing in my amendment which would prohibit any boy at any time from entering a professional athletic career. The only thing my amendment would do would be to provide that the men who are operating teams for profit shall not be allowed to meet in restraint of trade, and then assign a particular college player to one team and say that he must negotiate with that team and not negotiate with anybody else.

Mr. PEARSON. Suppose the Senator's amendment is adopted and the proposed high school amendment fails. Would we not then get into a situation in which athletic organizations and teams would go to the high school boy and say, "Come to sports, come now, and quit your college"? We are going to get into a lot of redtape.

Mr. ERVIN. In fact, 55 percent of all boys who go into professional baseball now go out of high school and never see college.

It might be interesting to the Senator to see what happens to the college players who forsake their education for a baseball career. A study of a sample of 403 college baseball players who signed professional contracts during the years 1947 through 1957 showed that 20, or 4.96 percent, were playing in major leagues in 1957. Of the 20, 12 signed bonus contracts, and 8 were nonbonus players.

Mr. HRUSKA. To answer the Senator from Kansas, the Ervin amendment would not prohibit the signing of college players. All it would do would be to prohibit the professionals from agreeing among themselves that only one team at a time would be allowed to negotiate with a player in college. It would not prohibit the signing of players in college. That is the point that bears on the problem of dropouts in which the Senator from Kansas has evidenced an interest.

Mr. PEARSON. I ask the Senator the following question: The competition for football players crosses national boundaries. Our country is now competing with Canadian teams. Will a Canadian team be in a better position to negotiate with college athletes than the members of the National Football League?

Mr. HRUSKA. I am not familiar with the international aspects; however, I believe the National Football League and the American Football League have a set of regulations by which their members are controlled. It gets at the business of rating college football teams, such as those that engage in the post-season bowl games.

Mr. PEARSON. It may not be a problem, but the Canadian Football League imposes a limitation on the number of American players that can be used. Perhaps I am mistaken, but I do not believe there are any contractual relations between the American football leagues and the Canadian League.

Mr. HART. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. HART. The Senator from Kansas is correct. There is no working arrangement between the American and National Football Leagues and the Canadian League.

As to the basic question raised by the Senator from Kansas: What would be the effect on the future of someone's academic standing if the amendment were agreed to? It is possible depending on the response from the leagues that the reaction could be to eliminate the draft by treating the men as free agents, and by intensively recruiting and raiding them. In the short run, that would be good for the best college shortstops. In the long run, it would be a disadvantage to those who enjoy the game, to the clubs which operate the teams, and to the players of the future.

On the other hand the leagues could decide not to touch any man for 4 years after his entering class began in college. Certainly, the Ervin amendment would not have its desired effect if this course were followed.

Mr. BAYH. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield to the Senator from Indiana.

Mr. BAYH. I hesitate to interrupt the Senator from Nebraska again; but so long as we are involved in a colloquy, will he indulge me the opportunity to ask a question, which I think is pertinent, of the Senator from North Carolina?

Mr. HRUSKA. By all means.

Mr. BAYH. One other alternative might be added, if I am not incorrect, to the proposal of the Senator from Michigan. I should like to ask the Senator from North Carolina what his thoughts are in this respect: What might happen or what would be the best thing that could happen to the boys under the Ervin amendment would be that they would not sign up with a professional team until they entered college, then they could deal as free agents. This, it seems to me, might tend to increase the rate of college dropouts. In other words, the boys would know that they had a better bargaining agreement if they signed up.

Even if many professional teams wanted them, they could be limited to the one team that had drafted them. This would be contingent on the fact that the league would have to continue with the same sort of draft it now has.

Mr. ERVIN. I do not think it would do anything to encourage college dropouts. I have an amendment that would apply to high schools. It would permit high school students to be free agents, just as all other Americans are free agents. If the present amendment is agreed to, I intend to offer one relating to high school students, so as to take care of any difference between the two groups. I do not believe there would be any increase in the number of dropouts.

The professional baseball scholarship programs are for boys who must leave college to go to spring training and then must remain with the teams until the fall season is over. They are the ones to whom there would be encouragement to drop out. As I said a moment ago, two-thirds of the boys who leave college to play baseball never return to college. That is what has happened under the present system.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MURPHY. Is it not true that boys drop out of college for many reasons?

Mr. ERVIN. That is correct.

Mr. MURPHY. Is it proper that we analyze the current baseball and football system in order to accommodate a situation which results in a large number of dropouts? Is it not also true that the present system of regulation has been established for several reasons; namely, the consideration of the audience, the consideration of the overall health of the sport, and the consideration of keeping competition close, so that there will be an interest in the sport?

Not so long ago a play entitled "Damn Yankees" was produced in New York. It related to the New York Yankees, which owned a highly successful farm club operated by George Weiss.

Over the years, the Yankees would bring up new players from the farm club. The situation became such that with the Yankees continually winning the pennant, the American League was almost a lopsided league.

As to the individual benefits to be derived from the scholarship, I could cite many instances in which boys would not have had an opportunity to go to college had it not been for the scholarship system.

I am told—I believe my information is correct—that there is never encouragement to have a boy drop out of college. The scholarship provides for a 4-year period. The team giving the scholarship cannot retreat from the bargain, but the boy can. The boy can leave college any time he wishes to do so. The scholarship is for 4 years. In many instances, the pressure has been to the contrary: it has been to keep the boy in college.

If we balance the good against the harm, I believe that organized baseball has rendered a valuable service. I know that when I was a young man, if I had not had an athletic scholarship, I never would have got to prep school, let alone college.

Mr. ERVIN. There is no doubt that all scholarships have been beneficial, and have been so without exemption from antitrust laws.

I believe professional baseball teams can make a good case for the proposition that if they are given a monopoly on athletic skills, and can say who will hire a particular boy, and that nobody else is going to hire him they can make a bigger profit. I believe the steel companies could make it appear that they could get along better if they were exempt from the antitrust laws.

Mr. MURPHY. The analogy is neither a fair one nor a good one. The Senator is discussing steel products; that is, the restricted use of a product. We are now talking about something basically accepted or generally accepted. The motion pictures are entertainment.

Mr. ERVIN. The steel companies have an interest in their product. They have to negotiate on the free market with the men who work for them. I believe that the professional sports are an example of another type of commercial enterprise, but they seek by this bill to deny other people the freedom of contract, for their own benefit.

Mr. MURPHY. The men employed in the steel industry do not have the right to negotiate individually. I submit that the unions negotiate for them.

Mr. ERVIN. I must disagree with the Senator from California on that point. The union may negotiate. The union seeks to obtain for them, however, the highest price the labor market affords.

Mr. MURPHY. From a practical standpoint, he would have a problem.

Mr. ERVIN. I say to the Senator from California that it is a question as to what to attach the greater value: the right of people engaged in commercial enterprise to deny to people whose services they want a free market for the sale of those services, or the freedom of the individual to contract.

I stand on the side of freedom of the individual wherever the issue is drawn.

Mr. HRUSKA. Mr. President, this is predicated on the system of free agent and draft that we have now. If it is tempered with, two results may flow from such action.

First. The bill may be rejected.

Second. If the free agent and draft system were abandoned, we would have chaos and confusion.

Mr. ERVIN. Perhaps, instead of passing a bill to exempt the leagues from the antitrust laws, we should place them under the antipoverty program.

Mr. HRUSKA. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have a rollcall vote on this particular amendment.

The PRESIDING OFFICER. Is there objection?

Mr. CARLSON. Mr. President, reserving the right to object, I believe that it is poor policy to grant a rollcall vote by unanimous consent. I believe that is very poor policy.

Mr. HART. Mr. President, reserving the right to object, I share the concern of the Senator from Kansas.

Mr. MAGNUSON. Mr. President, I withdraw my request. Sometimes, in an emergency, we can save time by following such a procedure.

Mr. HRUSKA. Mr. President, I yield to the Senator from Indiana.

Mr. BAYH. Mr. President, I should like to address one other question to the Senator from North Carolina.

The Senator has mentioned freedom. Freedom is a question which concerns me also. The Ervin amendment, as I read it, would apply to all the sports mentioned in the bill.

Does the Senator from North Carolina make a difference or discriminate in his thinking concerning freedom which presently exists as between a lad who is about to be drafted by a baseball team and a lad who is about to be drafted by a football team?

Mr. ERVIN. Mr. President, I see no difference between the two. It is a question of freedom of contract in both cases.

The Senator made a good point a while ago concerning baseball and football teams. The football teams at least have competition among themselves for the services of persons skilled in football. Under this bill, that freedom could be abolished.

Mr. BAYH. Mr. President, the point I wanted to explore the thinking of the Senator on is that, in football, we now have the American, National, and Canadian Leagues. With respect to a prospective college or high school football player—and it would have to be college now because, under the league rules, there is now a freedom of choice—any of those three groups of teams could participate. However, the thing that concerns me is that there would be only one league, or two leagues considered together, and only one team would get a draft choice.

Mr. ERVIN. The reason that this situation exists now in the sport of football is a Supreme Court decision to the effect that they are subject to the antitrust laws. However, if the pending bill is passed, they can make the same kind of agreement as the American and the National Baseball Leagues can.

The baseball leagues have expressed the opinion that this would place them under the antitrust laws, not because they want to be there, but because they expect the Supreme Court to overrule the previous decision, and that would be one decision that I believe the Supreme Court would be justified in overruling.

Baseball is quite a different sport now than it was at the time Justice Holmes wrote, in his opinion, that baseball was not covered by the antitrust laws. Since that time, we have had the advent of radio and television broadcasting of games from one State to another in interstate commerce.

I believe that the Supreme Court will overrule its decision. People interested in baseball are afraid that it will happen at any time and they want to be exempt.

Mr. HRUSKA. Mr. President, I ask unanimous consent that there be printed at this point in the Record, an article by Shirley Povich, printed in the Washington Post of August 13, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

This Morning With Shirley Povich

The sports bill that was getting along so swimmingly in Congress has just been gaffed by Senator Sam J. Ervin, who comes from North Carolina, a State that jumps with college football. The Senator is saying that the professional leagues are asking too much permissiveness in S. 950.

This is the bill that has already been reported favorably by the Judiciary Committee and is expected to reach the Senate floor later this week. It endows the organized football and baseball leagues with virtual immunity from antitrust legislation and reinforces a 1922 Supreme Court decision that exempted baseball from Federal regulation.

But Senator Ervin has said whoa, there, too much is being conceded to the pros. The college people who have long been sore at the pro clubs for their vulturelike descents on the campuses with tempting offers to go commercial with their skills, have found a forceful advocate in the Senator from North Carolina.

He has persuaded the same Judiciary Committee to accept the Ervin amendment to the sports bill. It strikes hard at the so-called draft rights of both professional football and baseball which eliminate competitive bidding and at the same time erase the individual bargaining rights of the college athletes who find themselves indentured to the selecting team, with no choice of their own.

This is the power the pro football leagues, particularly, have arrogated to themselves and Senator Ervin wants the freedom of contract rights of the athletes protected. His amendment would strip pro teams of exclusive bargaining rights and their antitrust protection if they negotiate with players during the 4 years they are in college. But it is a distressingly half-way measure that the Senator has introduced.

He seems to be saying that what is bad while the athletes are in college is good after they graduate. The same invasion of private bargaining rights that is horrendous while the athletes are in school becomes, in Senator Ervin's view, permissible after a diploma is received. His amendment would approve their later loss of free bargaining rights.

The pro football people have defended their college draft, making the point that the draft pool is helpful to the weaker clubs in the league by giving them access to new talent that brings about a speedier balance to the league. They have not dwelled on the fact that the draft policy deprives the athlete of a right to invite competitive bidding and sign with the team of his own choice after weighing all offers.

It is not pro football, however, that will be wounded by the Ervin amendment. Baseball would take the biggest blow here, for reasons obvious to both professional sports. The pro football people couldn't care less that the Senator wants them restrained from signing players before they graduate. They already have a well-spelled-out policy that no player can be signed by any league team until his class graduates, including college dropouts.

The only manner in which the pro football clubs could be affected by the Ervin amendment would be in the restraint on their pregraduation negotiations. By league rule they are not supposed to negotiate with collegians, anyway, until their football eligibility expires in December. The pros would simply postpone their draft meetings until June and find themselves admirably within the law.

But baseball, which has proved a greater lure to college dropouts, has no wait-until-graduation rule and draws much talent from the campuses. Also, baseball likes to get them younger. The 17- and 18-year-old football player is too tender for the pros, but this is at the age when baseball teams like to muckle on to them.

The Ervin amendment is the more awkward for baseball, too, because that sport's clubowners voted only recently to indulge in the college draft after learning to envy the gravy train that pro football set up for itself. Like pro football, baseball was eager to be done with its expensive competitive bidding for talent and put the signings on a pool basis.

Earlier in the summer, the organized baseball leagues which once took pride in giving the school player at least an original choice of the team he would join, drafted 863 young players virtually on a pro football basis. The bulk of these were offered contracts long before college graduation, and a great many were high school players.

That is another thing about the Ervin amendment: It covers only college players. It seems to say that pro teams who entice boys to drop out of college are bad, but there is nothing naughty about encouraging high school dropouts. Somehow, there is something odd about the view from North Carolina.

Mr. CARLSON. Mr. President, there are Senators who have not as yet had the opportunity to receive the benefit of reading the transcript of the hearings which took place before the committee.

I have received a letter from the Big Eight Conference, Missouri Valley Intercollegiate Athletic Association, signed by Wayne Duke, executive director. This conference includes Iowa State University, Kansas State University, Oklahoma State University, the University of Colorado, the University of Kansas, the University of Missouri, the University of

Nebraska, and the University of Oklahoma.

I read from one paragraph of this letter as follows:

> It is the concern of this office and the member institutions of the conference that unless S. 950 is adopted as amended by Senators DIRKSEN and ERVIN, such bill will work to the detriment of the Nation's interscholastic and intercollegiate competition.

I have received a letter from Wade R. Stinson, director of athletics at the University of Kansas, Lawrence, Kans. I read one sentence of this letter. It reads as follows:

> Having a very vital interest in intercollegiate athletics, I strongly request your vote favoring the Ervin amendment and the proposed floor amendment, placing the same television "packaging" restraints upon individual club arrangements to Senate bill 950.

I have a letter from the Kansas State High School Activities Association, Inc., which is signed by Brice B. Durbin, executive secretary.

I shall read two paragraphs of this letter. They read as follows:

> We are hopeful that a proposed floor amendment to S. 950 will place the same restraints that attach to packaging upon individual club ararngements, if a club were the beneficiary of an antitrust exemption for television purposes.
>
> We are also interested in the second amendment of S. 950 as introduced by Senator ERVIN, of North Carolina, and can be identified as the Ervin amendment. This amendment would put into law the substance of an agreement between colleges and professional football regarding contract signings of college students with eligibility remaining.

Mr. President, I ask unanimous consent that the letters from which I have just read be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BIG EIGHT CONFERENCE,
MISSOURI VALLEY
INTERCOLLEGIATE ATHLETIC ASSOCIATION,
Kansas City, Mo., August 10, 1965.

HON. FRANK CARLSON,
The U.S. Senate,
Washington, D.C.

DEAR SENATOR CARLSON: While on a recent visit to the Senate Office Building, I stopped by your office, without any advance notice, principally in the hope of making your acquaintance and also to submit views, informally, relative to S. 950, which would grant broad exemptions to the professional sports organizations.

It now becomes apparent that S. 950 will come to a vote shortly—possibly this week—prompting this more formal expression of views with respect to the bill on behalf of the eight State universities which comprise the Big Eight Conference.

It is the concern of this office and the member institutions of the conference that unless S. 950 is adopted as amended by Senators DIRKSEN and ERVIN, such bill will work to the detriment of the Nation's interscholastic and intercollegiate athletic programs.

Our concerns in this matter center largely upon privileges which might be granted to permit (1) the premature signing of college student-athletes prior to the completion of their undergraduate program, and (2) the televising of professional football games in direct conflict with interscholastic and intercollegiate competition.

No more graphic illustration of the premature signing problem can be cited than the one involving one of our own member institutions, the University of Oklahoma, whose football team was virtually stripped of its key personnel prior to the Gator Bowl football game last season.

The matter of ruinous, indiscriminate signings of undergraduate student-athletes to professional baseball contracts has always been a problem to the development and maintenance of a sound intercollegiate baseball program, and the new professional baseball draft, unless curtailed by passage of S. 950, will accentuate this serious problem.

The seriousness of the television situation was emphasized by the forceful reaction of the Nation's high schools when it became apparent last fall that professional football contemplated televising on Friday nights in opposition to the many high school games being played on that traditional playing date.

While S. 950, as reported to the Senate, does afford protection to the high schools and colleges from telecasting of professional sports contests contracted on a league basis, it is my understanding that an amendment will be presented on the floor extending such protection from telecasts arranged by individual clubs. This amendment will afford even greater protection than that provided by the Dirksen amendment, and we urge your support of this additional proposal.

Without these statutory responsibilities incorporated in S. 950, the position of the school-college sports program as the backbone of American sports is seriously threatened. It is our hope that you will see fit to support passage of the bill containing these provisions.

Sincerely,

WAYNE DUKE,
Executive Director.

THE UNIVERSITY OF KANSAS,
Lawrence, Kans., August 6, 1965.

Senator FRANK CARLSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CARLSON: Having a very vital interest in intercollegiate athletics I strongly request your vote favoring the Ervin amendment and the proposed floor amendment, placing the same television packaging restraints upon individual club arrangements to Senate bill 950.

We must continually be on guard for amateur high school and intercollegiate athletics, to prevent professional inroads that would prove very damaging.

All of us hope you will give these two amendments your favorable consideration.

Sincerely,

WADE R. STINSON,
Director of Athletics.

KANSAS STATE HIGH SCHOOL
ACTIVITIES ASSOCIATION, INC.,
Topeka, Kans., August 5, 1965.

Senator FRANK CARLSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CARLSON: Of considerable concern to the junior and senior high schools in Kansas is Senate bill 950, as pending in the U.S. Senate at this time. This bill would exempt certain aspects of the conduct of professional sports such as the player-selection draft and from Senate antitrust laws. We are interested in this measure only insofar as exemption privileges might be exercised to the detriment of the school and college program. We are interested in supporting two amendments to the bill.

One of these does not appear in the bill as it was reported to the floor for the Judiciary Committee. The schools in Kansas are quite concerned about the privileges granted professional team sports for television rights through antitrust exemptions. The wording in Senate bill 950 at this time does not give protection to the schools should clubs enter into a television agreement individually and, therefore, could cause a tremendous impact on the receipts and attendance at high school and college contests on Friday and Saturday nights.

We are hopeful that a proposed floor amendment to S. 950 will place the same restraints that attach to packaging upon individual club arrangements, if a club were the beneficiary of an antitrust exemption for television purposes.

We are also interested in the second amendment of S. 950 as introduced by Senator ERVIN, of North Carolina, and can be identified as the Ervin amendment. This amendment would put into law the substance of an agreement between colleges and professional football regarding contract signings of college students with eligibility remaining.

We urge your support of these two measures and, based on our contact with the school administrators throughout Kansas, they are most interested in what steps will be taken by the Senate to give some protection to the school athletic programs. We will be most appreciative of any action and help you can give in the solution of these two problems.

Very cordially yours,

BRICE B. DURBIN,
Executive Secretary.

Mr. CARLSON. Mr. President, I asked that these letters be printed in the RECORD because, after listening to some of this debate, I have been a little concerned that we might do the wrong thing if we did not agree to the Ervin amendment.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. HRUSKA. Mr. President, I have also received letters similar to those which have been read by the Senator from Kansas.

Concern is expressed by coaches and athletic staffs and directors of universities and colleges. However, that concern is based on the fact that they understand the Ervin amendment would prohibit the raiding of college students from the ranks of college students prior to graduation.

I again refer to the letter from the Senator from North Carolina in which he undertook to express to the Members of this body what his amendment means.

In his letter, the Senator from North Carolina stated:

> My amendment in no way prohibits teams from signing college players.

All it would mean is that it would provide that there cannot be any arrangement to have a limitation within the rules and regulations of the league whereby a player, when he is signed up, would be prohibited from dealing with all the teams in the league.

That would not bear on the matter of signing college players. It would not prohibit the signing of college players. If that understanding had been clear in the minds of those who sent letters and telegrams such as those to which I referred, I am confident they would have lost interest in the Ervin amendment.

The success of the Ervin amendment would mean the death knell to the draft system. Make no mistake about that. That is exactly what would happen.

Testimony has been taken, going back for the last 4 or 5 years, from the players and the league representatives, to the effect that we must have a draft system and a free agent system in order to give the players at large a chance to get on teams and in order to balance the teams within the league.

Mr. CARLSON. Mr. President, I say to the distinguished Senator from Nebraska that we are very proud of our athletic ability in the Midwest and in Kansas. No one knows that better than the distinguished Senator from Nebraska, whose football team usually romps on ours every year, or two, or three, and causes us some problems. However, in view of the statement of the Senator, I ask the distinguished Senator from Nebraska, if I were to vote against the Ervin amendment, can the Senator from Nebraska assure me that our situation, as it has been mentioned in the letters, would be protected?

Mr. HRUSKA. Letters and telegrams such as those to which the Senator from Kansas [Mr. Carlson] referred have not been based on a proper understanding of the Ervin amendment or the rest of the bill, because, flatly, there is no prohibition in the Ervin amendment against the signing of college players. That is what interests the athletic directors.

Mr. HART. Mr. President, earlier I assured the Senator from North Carolina I would ask for the yeas and nays on his amendment.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I am rather astounded to hear it suggested that the colleges which favor my amendment do not understand the proposal. I do not believe that is so. To show that they do understand, I ask unanimous consent to have printed in the body of the Record a letter from Duke University, signed by E. M. Cameron, director of athletics, endorsing my amendment.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Duke University,
Durham, N.C., July 21, 1965.

Hon. Sam J. Ervin, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Ervin: The educational community including all of the high schools, junior colleges, and colleges are really indebted to you for your assistance on behalf of the amendments to S. 950.

We are all observing your efforts with great interest and you have our unqualified support.

Thank you again.

Yours truly,

E. M. Cameron,
Director of Athletics.

Mr. ERVIN. Mr. President, I have a copy of a letter which was addressed to the able and distinguished Senator from Michigan [Mr. Hart], from William R. Reed, chairman, NCAA Legislative Committee. He also represents the Big Ten—Illinois, Indiana, Iowa, Michigan, Michigan State, Minnesota, Northwestern, Ohio State, Purdue, and Wisconsin—which asks for an amendment of this character. I ask unanimous consent to have that printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Intercollegiate Conference,
Chicago, Ill., June 10, 1965.

Hon. Philip A. Hart,
Chairman, Antitrust and Monopoly Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Hart: In response to your thoughtful invitation, this statement of views with respect to S. 950 is submitted on behalf of the National Collegiate Athletic Association, an organization of 626 of the Nation's universities, colleges, athletic conferences, and associations.

Our association is respectful of the role which professional sports play in American culture, and are sympathetically aware of the problems posed by the inconsistency in presently applicable law to the professional team sports of baseball, basketball, football and hockey. We wish to make clear that the views we hold regarding the provisions of S. 950 are in no way opposed to the bill's purposes in providing uniform treatment, under the antitrust statutes, for those sports.

Nor are we necessarily opposed to the means of providing uniformity of treatment through exemption from applicability of the antitrust laws in the four areas specified in the bill.

We do feel that the Congress should examine closely, in the interests of the individual athletes concerned and possibly from a constitutional standpoint, the propriety of the so-called free agent player draft which would in effect be legalized by the bill, since it must operate to inhibit an individual's opportunities to negotiate freely in contracting for his services as a professional athlete. We recognize, however, that the question involved is essentially one of public policy to be determined by the Congress. We therefore express no view, affirmatively or negatively, with respect to this feature of the bill in its general terms.

Our views regarding S. 950 rest upon the fact that its essence is to grant broad exemptions from existing law, and upon the proposition that when such privileges are to be accorded it is appropriate, and essential, to provide corresponding requirements of responsibility in the public interest.

We submit that unless the bill is appropriately amended to create a statutory responsibility, privileges afforded professional team sports under existing law and as proposed by S. 950 can and would operate to the detriment of the Nation's interscholastic and intercollegiate athletic program, and we submit that such detriment is contrary to the public interest.

To qualify the latter statement, may we digress here to describe that system briefly. The tradition of the school-college sports program in the United States is unique among nations. (The Soviet track coach was recently quoted as saying "The U.S. chief advantage (in Olympic potential) is the annual vast flow of fresh athletic forces from the schools.") The system is the backbone of American sports, amateur and professional. The programs of the NCAA membership embrace formal intercollegiate competition in 32 sports, involving 144,000 participants. Additionally, some 33,500 male students engage in recreational club activities sponsored by their institutions, and some 1,161,000 students, or 85.7 percent of the male undergraduate enrollment, participate in 59 different intramural sports (1963 data).

Football, with college revenues amounting to approximately $71,500,000 annually, is a vital force in this sports program. Both at the high school and college level football provides a stimulus to the entire sports program and to the vitality of campus life, and is an important factor in financing the interscholastic, intercollegiate and allied recreational and physical fitness programs.

We earnestly believe that intrusions upon and disruptions of the school-college sports system on the part of professional sports in the exercise of statutory privilege would be contrary to the national interest and should be carefully guarded against.

We visualize such intrusions and disruptions occurring readily in two areas: (1) the signing of college athletes to professional sports contracts before they have had an opportunity to fulfill their educational objectives and before they have completed a normal period of collegiate sports eligibility; and (2) the televising of professional football games to the detriment of in-person attendance at and support for interscholastic and intercollegiate football games.

Our concerns in these matters were recorded with the Senate Judiciary Committee and the Antitrust and Monopoly Subcommittee in connection with the consideration of S. 2391 in the 88th Congress, a measure virtually identical with S. 950. Amendments to S. 2391, designed to relieve those concerns, were introduced in committee by Senator Dirksen, and with some modification we urgently petition their attachment to S. 950.

The Judiciary Committee, in reporting on S. 2391 August 4, 1964, indicated that it had given sympathetic consideration to the amendments but that the contract signing situation did not then "seem * * * to warrant congressional action" although the subcommittee would "follow closely the actions of the leagues and clubs in his regard"; and that action then on the television situation "would be premature." We submit that events since the date of that report have amply confirmed our alarms and fully justify, if they do not compel, modification of S. 950 by inclusion of the substance of the amendments proposed to S. 2391 last year.

The first amendment proposed would not preclude operation of the free agent player draft. It would, however, make it a violation of law to execute a contract for playing services, pursuant to negotiation rights acquired by a professional club through the draft, with a college student, under certain circumstances. Those circumstances would be limited to the signing of a contract with a student for his playing services in a particular sport before the end of his college's season in that sport in the fourth year following his matriculation in college.

The thrust of such a measure would be simply to protect against operation of the draft privilege to permit signing a student to a professional contract before he has completed his normal or ordinary college eligibility in the sport. Such a statutory provision would have precluded those numerous instances of premature signings to professional football contracts last fall which were graphically and tragically illustrated when it was necessary for the University of Oklahoma to declare ineligible four members of its football team on the eve of a game after it was learned they had previously signed "undated" contracts for their professional football services.

These premature signings last fall were so serious in their implications that the NCAA made direct appeals to the National Football League and to the American Football League for assurances that such practices not recur. It should be a matter of record that pledges to this effect, with stringent penalties upon member clubs for any breach, have been given by both professional football leagues.

The point may be made that such pledges, to bar the same acts which the proposed amendment would make unlawful, obviate the necessity of such legislation. We submit to the contrary, that the agreements which have been executed between the professional football leagues and the NCAA only confirm the reasonableness and desirability of statutory provision to the same effect.

It is no reflection upon the good faith or intentions of those in professional football who are parties to the recent agreements to observe that there is nothing in them which is necessarily binding upon a future generation of professional football's management; or to recall that the events giving rise to these agreements were in violation of pledges given the Congress and the public by an earlier commissioner of professional football. In short, it must be recognized the agreements are not necessarily permanent or inviolable. Furthermore, the agreements referred to are limited to the sport of football and we submit that the principles involved are equally valid and applicable to any other team sport which does or may exercise antitrust exemptions to conduct a player draft to establish contract negotiation rights with college students.

The second amendment would perfect certain provisions of Public Law 87–331 (75 Stat. 732), which is an act giving professional football leagues privileges of televising games under a league agreement, notwithstanding the antitrust laws. The privileges are limited in that they may not be exercised on Friday evenings or Saturdays during the football season over stations located within 75 miles of a scheduled intercollegiate football game.

These limitations were discovered, by events which transpired last year, to be inadequate protection to intercollegiate football and more particularly to interscholastic football. It developed, through publicized plans of a television network and sponsor, that it was possible for individual professional clubs to avoid the restraints of the law which are applicable only to joint agreements. Those plans did not materialize because the league schedule did not provide for a series of Friday night games, as contemplated by the television plan. The potential remains, however, and indeed was exemplified when a professional game played on a Friday night in New York (and, ironically, blacked out there under league policy which protects home games from TV competition) was televised in Washington to the substantial detriment of high school games scheduled for that time in that area.

It is proposed that the existing statute be amended, through an amendment to S. 950, to extend its protective features to high school and junior college football games, and that its restraints be operative upon individual clubs which otherwise, by joint agreement, enjoy the statute's exemptions from antitrust provisions.

This amendment is particularly vital to the high schools and junior colleges. The NCAA urges the amendment in support of those sister institutions in the school-college community and on behalf of a certain though considerably lesser number of its members who schedule football games on Friday or Saturday nights, and in recognition of the existing potential for professional football clubs individually arranging to schedule and televise games without restraint on Saturday afternoons, the traditional hour for and the heart of intercollegiate football.

It has been suggested that since S. 950 does not concern itself with television practices, the proposed amendment relating to television is not relevant. We submit that it is always relevant to attach conditions and requirements of responsibility when privileges of statutory exemption are being accorded any party, and that since S. 950 is in essence a grant of privilege to professional football, among other sports, it is an appropriate and logical vehicle for statutory definition of obligations which should be required of the benefited party.

Respectfully submitted,

WILLIAM R. REED,
Chairman, NCAA Legislative Committee.

Mr. ERVIN. Also, Mr. President, I wish to say to my good friend the senior Senator from Kansas that I have a letter signed by Wayne Duke, executive director of the Big Eight Conference, Missouri Valley Intercollegiate Athletic Association, who endorses this amendment.

Mr. President, we might as well understand fully what we are doing. Those who are engaged in operating the college athletic programs understand what is involved. Under the bill they would be in danger of being raided by teams with immunity from the antitrust laws. It is said it may not happen. It already has happened with respect to football in the case of one of the great teams of America.

The bill before us provides, in lines 2 to 13 of subsection (a) about as broad an authority for exemption from the antitrust laws as can be conceived in this field. It provides that—

> The antitrust law shall not apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging, or participating in any one of the organized professional team sports of baseball, football, basketball, or hockey to the extent to which such contract, agreement, rule, course of conduct, or activity relates to * * *.
>
> The employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts.

I say in all seriousness that those words in the bill enslave any person in the United States who possesses any skill in baseball, football, basketball, or hockey.

With respect to the reserve clause, my amendment does not relate to it, as I construe it.

My amendment provides that the exemption provided by subsection (a) shall not apply to—"Any agreement, plan, or arrangement under which any club administering a professional sport team may have an exclusive or preferred right to negotiate for the services of any college student," during the period specified.

All the amendment does is preserve the freedom of contract.

As has been pointed out, I did not try to put in my amendment a provision that a college player could not sign a contract. That would be unconstitutional, because a student should have the rights of contract. I would not deny the student the right to sign a contract. I do not propose to do so. I would not if I could, and I certainly do not want to.

All I am trying to do by the amendment is to preserve for a limited period of time a right which belongs to all Americans, namely, the right of anyone to negotiate a contract with anyone who is willing to negotiate with him to sell his skill for the highest price he can obtain. I would apply that provision for only a limited period of time.

When it comes to making a choice between freedom and economic enslavement, I stand by economic freedom. It is to protect that same freedom that I have offered this amendment.

PROHIBITION OF OBSTRUCTION OF PERFORMANCE OF DUTY BY THE ARMED FORCES

Mr. LAUSCHE. Mr. President, I regret that I am not going to speak on the subject which is pending before the Senate at the present time, but it is my understanding that at 3 o'clock nongermane matters are allowed to be placed before the Senate.

Mr. President, I introduce for appropriate reference a bill declaring it to be a felony against the United States for any person to interfere with or impede the flow of transportation of personnel, equipment or property of the military forces of the United States. Conviction for such an offense would subject the offender to a fine of not more than $10,000, or imprisonment of not more than 10 years, or both. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2482) to prohibit obstruction of the performance of duty by the Armed Forces by obstruction of the transportation of personnel or property thereof, introduced by Mr. LAUSCHE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2387 of title 18, United States Code, is amended by—

(1) Redesignating subsection (b) as subsection (c);

(2) Inserting therein, immediately after subsection (a), the following new subsection:

"(b) Whoever, with intent to obstruct, impede, or interfere with (1) the performance of duty by any organization, unit, or member of or (2) shipment or transportation of any supplies or materiel to or for the use of, any of the military or naval forces of the United States, willfully obstructs, impedes, or interferes with, or attempts or conspires with any other person to obstruct, impede or interfere with, the operation, movement, or passage of any vehicle, railway equipment, boat, vessel, aircraft, or other facility for transportation while such facility is in use or intended to be used for the transportation of any personnel or property of any of such forces shall be fined not more than $10,000, or imprisoned not more than ten years, or both."

Mr. LAUSCHE. Mr. President, recent incidents that have occurred in this country where organized groups have attempted to prohibit the transport of Vietnam-bound military personnel and loading of vital supplies aboard ships border on revolution and treason. One of the most flagrant attempted acts against our Government was committed at Berkeley, Calif., by an irresponsible group whose members recently tried to stop a passenger train containing military personnel assigned to Vietnam. On Thursday, August 12, a sizable group of irresponsible individuals demonstrated at the San Francisco port protesting against the loading of a vessel with urgently needed cargo destined for Saigon. Mr. President, this August 12 act was incited as the result of distribution of a two-page piece of propaganda directly attacking our Government's policy and urging demonstrations to the extent that vitally needed cargo could not be shipped. I ask unanimous consent that the contents of this piece of propaganda be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROTEST THE WAR IN VIETNAM

(On August 12, a ship is departing for Saigon, join us in this demonstration, Thursday, August 12, pier 39—Embarcadero from 4:30 p.m. to 7 p.m.)

The second heaviest bombing of North Vietnam to date was carried out the day after 25,000 students marched and protested in Washington (the April 17 SDS March on Washington). Only 11 days after the Washington protest, U.S. Marines invaded the Dominican Republic.

In the face of strong opposition, Johnson is stepping up the war effort; 200,000 men are now going to Vietnam. The number may reach 400,000 by the end of the year. The draft call has been more than doubled and reserves are scheduled to be called or reclassified.

All this wouldn't be necessary if it were only to stop a handful of "foreign aggressors" infiltrating from the north. The Vietcong could not have had the military successes they have had unless the Johnson-backed regime in Saigon was opposed by the overwhelming majority of the people of South Vietnam. Washington knows this, or they would not have gone to such lengths to prevent the free elections guaranteed by the 1954 Geneva Agreement.

Johnson's call to the American youth: "He told a group of students who visited the White House that many of his ideas came from students. He said he would like to see them develop as much fanaticism as young Nazis did about their system during the war." From the New York Times, February 6, 1965—early edition only.

Everyone in this country must fight Johnson's efforts to drag us down this road to war and destruction.

The student community alone cannot halt U.S. aggression. Workers must be organized around the issue of withdrawal of all U.S. forces from Vietnam. This will not be a short or simple task. Students and intellectuals can provide the spark that could lead to a worker-student alliance. Such an alliance would be a qualitative advance for the peace movement in this country.

The war in Vietnam is against the interests of workers. There are certain general reasons for this. Workers themselves may die; their sons may die. In a nuclear war, we all may die. Taxes will increase in proportion to the increasing escalation. Major repressions are prevalent during a war situation; strikes are forbidden; wage freezes, Taft-Hartley, and Kennedy-Landrum-Griffith Acts result.

We call for the formation of a broad, united front composed of students, workers, civil rights fighters, housewives, etc., to demand the immediate withdrawal of all forces from Vietnam.

Students and workers face a common enemy—ruling class imperialism. We are going to approach workers and attempt to involve them along with students and other segments of the community in direct action at the San Francisco docks.

The docks are the last point from which war-supporting materials embark. The cargo is supposed to be loaded by ILWU longshoremen. At their international convention last April, the union delegates passed a strong "Get Out of Vietnam" resolution which called, in part, for an "immediate cease-fire" and the "withdrawal of all foreign troops (U.S. forces) from Vietnam."

You'll be seeing more of us passing out these leaflets. If you agree with what we're saying, we invite you to join us, talk to your friends and demonstrate at piers where goods are being loaded for Vietnam. If you disagree, then argue it out with us. When people discuss political issues face-to-face we'll be on the road to making this country a living democracy instead of a paper one.

Students who are against the war must aline themselves with workers and other segments of the community. In order to be effective in ending the war, all segments of the community must become united.

Alliance for Action: Alliance for Action is a coalition of individuals and organizations. Only when workers, students, and the community join together can effective opposition to the war be waged. We call on all individuals and organizations to join on a coequal basis.

Mr. LAUSCHE. Mr. President, this propaganda leaflet is signed by:

Industrial Workers of the World. May Second Movement. Noe Valley Committee Against the War. Progressive Labor Party. Students for a Democratic Society. Young Peoples Progressive Alliance—NAPA Junior College.

The docks are the last point from which war-supporting materials embark. The cargo is supposed to be loaded by ILWU longshoremen. At their international convention last April, the union delegates passed a strong "get out of Vietnam" resolution which called, in part, for an "immediate cease-fire" and the "withdrawal of all foreign troops (U.S. forces) from Vietnam."

You'll be seeing more of us passing out these leaflets. If you agree with what we're saying, we invite you to join us, talk to your friends and demonstrate at piers where goods are being loaded for Vietnam.

Mr. President, the leaflet does not incite violence and overt acts of interference, but the result has been that in every instance when citizens and youths have responded to the call of the leaflet, there has been physical interference with the military forces of the United States.

Such conduct and actions are deplorable and should not be condoned. I believe in free speech. I believe in the right of peaceful assembly, but the actions I have described constitute physical interference with the movement of personnel, equipment, and property of the military forces of the United States, and are, therefore, wrong and harmful to the security of our country. They must be stopped. My bill should have the early consideration and approval of Congress.

Mr. President, I ask unanimous consent that the bill may be allowed to remain at the desk for 1 week, for cosponsoring by Senators who may feel sympathetic to what I am proposing.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate of the bill (H.R. 728) to amend section 510 of the Merchant Marine Act, 1936; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARMATZ, Mr. ASHLEY, Mr. DOWNING, Mr. MAILLIARD, and Mr. PELLY were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. BRADEMAS, Mr. CAREY, Mr. GIBBONS, Mr. WILLIAM D. FORD of Michigan, Mr. QUIE, Mr. GOODELL, and Mr. BELL were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SIKES, Mr. MCFALL, Mr. PATTEN, Mr. LONG of Maryland, Mr. MAHON, Mr. CEDERBERG, Mr. JONAS, and Mr. BOW were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 7811. An act to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes;

H.R. 7812. An act to authorize the loan of naval vessels to friendly foreign countries, and for other purposes;

H.R. 7813. An act to authorize the loan of naval vessels to friendly foreign countries;

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations;

H.R. 9022. An act to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes;

H.J. Res. 403. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 22d World Health Assembly in Boston, Mass., in 1969; and

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 7811. An act to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes;

H.R. 7812. An act to authorize the loan of naval vessels to friendly foreign countries, and for other purposes;

H.R. 7813. An act to authorize the loan of naval vessels to friendly foreign countries; and

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations; to the Committee on Armed Services.

H.R. 9022. An act to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; to the Committee on Labor and Public Welfare.

H.J. Res. 403. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 22d World Health Assembly in Boston, Mass., in 1969; to the Committee on Foreign Relations.

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes; placed on the calendar.

APPLICATION OF THE ANTITRUST LAWS AND THE FEDERAL TRADE COMMISSION ACT TO ORGANIZED PROFESSIONAL TEAM SPORTS

The Senate resumed the consideration of S. 950, to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey, and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes.

Mr. HART. Mr. President, briefly, before the yea-and-nay vote on the pending amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. HART. Do I correctly understand that the question on which we are about to vote is on agreeing to the first two committee amendments en bloc offered by the Senator from North Carolina [Mr. Ervin]?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the first two committee amendments en bloc.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT (when his name was called). Mr. President, on this vote I have a pair with the Senator from Iowa [Mr. Hickenlooper]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], the Senator from Georgia [Mr. Russell], the Senator from Maryland [Mr. Tydings], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from Arkansas [Mr. Fulbright] and the Senator from Minnesota [Mr. McCarthy] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGee], the Senator from Georgia [Mr. Russell], the Senator from Maryland [Mr. Tydings], and the Senator from Ohio [Mr. Young] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Hickenlooper] is necessarily absent and his pair has been previously announced.

The result was announced—yeas 29, nays 60, as follows:

[No. 244 Leg.]

YEAS—29

Bass
Bayh
Byrd, Va.
Byrd, W. Va.
Dodd
Eastland
Ellender
Ervin
Gruening
Harris
Hartke
Hill
Holland
Jordan, N.C.
Long, La.
McClellan
McGovern
Monroney
Montoya
Nelson
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Sparkman
Stennis
Williams, N.J.
Yarborough

NAYS—60

Aiken
Allott
Anderson
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Fannin
Fong
Hart
Hayden
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McIntyre
McNamara
Metcalf
Miller
Mondale
Morse
Morton
Moss
Mundt
Murphy
Muskie
Neuberger
Pastore
Pearson
Pell
Prouty
Saltonstall
Scott
Simpson
Smathers
Smith
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—11

Bartlett
Bennett
Church
Fulbright
Gore
Hickenlooper
McCarthy
McGee
Russell, Ga.
Tydings
Young, Ohio

So the first two committee amendments were rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendments were rejected.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 425

Mr. PROXMIRE. Mr. President, I call up my amendment No. 425 and ask that it be made the pending business.

The PRESIDING OFFICER. The amendment of the Senator from Wisconsin will be stated.

The legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and the amendment be printed at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the Record.

The amendment offered by Mr. Proxmire is as follows:

On page 2, strike out all in lines 14 and 15, and insert in lieu thereof the following:

"(3) the right of any team which is a member of a league to operate within a specifically defined geographic area, if that league by rule requires that all revenues derived by all member teams from the radio and television broadcasting of contests and exhibitions of such teams be divided equally among all such member teams; or".

On page 3, strike out all in lines 7–9, inclusive, and insert in lieu thereof the following:

"Sec. 2. As used in this Act—

"(1) The term 'persons' means any individual, partnership, corporation, or unincorporated association, or any combination or association thereof; and

"(2) The term 'league' means an association composed of two or more teams engaged in a professional team sport which by agreement have adopted, accepted, or placed in effect rules promulgated by that association for the conduct of such teams and the regulation of contests and exhibitions in which those teams regularly engage."

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the names of the Senator from Montana [Mr. Metcalf] and the Senator from New Hampshire [Mr. McIntyre] be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, the amendment would modify subsection 3 of section 1 of S. 950, which grants major league baseball and other professional sports an exemption from antitrust laws by allowing teams "the right to operate within specific geographic areas."

This exemption permits exclusive territorial franchises for teams, including the sale of television and radio rights.

My amendment would permit professional sports' leagues to grant territorial rights only "if that league by rule requires that all revenues derived by member teams from radio and television broadcasting of contests * * * be divided equally among all such member teams."

I am strongly opposed to this bill without my amendment because it would sign a death warrant for major league baseball in Milwaukee. It would seriously weaken the chances for survival in cities with limited television and radio marketing areas, such as Kansas City, Washington, Pittsburgh, Cleveland and Cincinnati.

This bill, without my proposed amendment, is likely to give great encouragement to baseball owners to move from some of their present established locations.

It will prevent still other cities wishing to attract baseball teams in the future from any realistic possibility of ever having major league baseball.

All of this is because the bill would permit teams exclusive rights to operate in specified geographic areas, including television and radio rights.

Broadcasting revenues have become such an important part of the profit picture for all professional sports, and this is especially true with major league baseball, that the TV and radio market—not local fan support—is becoming the determining factor in where a team locates.

The proposed move of the Milwaukee Braves to Atlanta is a case in point. For the 12 years the Braves have played in Milwaukee—1953 through 1964—Braves' attendance topped every team that stayed in one city during that period, including the New York Yankees.

The team is being taken out of Milwaukee despite this strong fan support because television revenues in the southeastern section of the country promise to be enormous.

The bill would provide that kind of jurisdictional, geographic monopoly, so that it would be possible for a team to know that it could be guaranteed a market, not merely in one State or two States but, in this case, in many, many States.

Milwaukee's television market is limited almost entirely to the State of Wisconsin because it is hemmed in on all sides—by Chicago teams on the south, the Minnesota Twins on the north and west, and by Lake Michigan on the east.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I merely wished to ask the Senator from Wisconsin whether professional football pools its TV and radio remuneration.

Mr. PROXMIRE. Yes, indeed. I am happy that the distinguished Senator from Colorado asked that question. Professional football does pool its revenues. Incidentally, that is one of the reasons why we have a team in Green Bay, Wis. That is why there can be teams in other cities which are relatively small. It is not necessary to have a huge metropolitan area in order to have a team, so long as the local fans will support it, when TV revenues are pooled and equally divided.

Mr. DOMINICK. In the case of football, how are revenues divided? Are they divided equally among all teams, proportionately to their gate, or how is it accomplished?

Mr. PROXMIRE. The revenues are divided equally among the teams.

Mr. DOMINICK. That is the proposal that the Senator from Wisconsin sets forth in his amendment?

Mr. PROXMIRE. The Senator is correct. That is what my amendment provides.

Mr. DOMINICK. I thank the Senator.

Mr. PROXMIRE. Mr. President, other cities with major league teams face a similar situation and still others who wish to attract teams will confront it too.

In short, without my amendment, the Hart bill will inadvertently write into law a situation that threatens major league baseball in some cities and forever blocks it in others.

I used the move of the Braves as an example because it is current, because I am familiar with it, and because it is a classic example of the need for the amendment I propose, and not because I expect to be able through amending or defeating the bill to keep the Braves in Milwaukee.

Before going into a justification for my amendment and further elaboration on the points already made, it is necessary to describe the Hart bill in greater detail.

The purpose of S. 950, according to the report of the Judiciary Committee, "is to place the organized professional team sports of baseball, football, basketball, and hockey on an equal antitrust footing and then to grant exemptions relating to the essential sports practices as opposed to the business practices of the sports involved."

To accomplish this, the proposed sports bill places all professional sports under antitrust laws and then provides four broad exemptions, which relate to: The equalization of competitive playing strengths, the employment, selection, or eligibility of players, or the reservation, selection or assignment of player contracts, the right to operate within specific geographic areas, the preservation of public confidence in the honesty of sports contests.

The Judiciary Committee, which reported out S. 950 favorably, gave, in part, the following explanations for the exemptions:

> These (first two exemptions) permit the use of the draft system and the reserve clause in addition to regulations restricting the employment, selection and assignment of player contracts. The committee considers these exemptions as necessary to maintain competitive equality among member clubs and leagues in various sports.
>
> The third exemption permits the leagues to restrict geographic areas in which their member teams operate.

And that is what I would amend.

The explanation continued——

> The fourth exemption relates to the preservation of public confidence in the honesty of sports contests. Provisions for discipline of players and clubs by fines, suspensions and other penalties by a league or club official * * * are essential for the maintenance of public confidence in sports.

I have no quarrel with any of the areas of exemption or with the committees' explanation of the need of them. It is clear—and extensive hearings by the committee have shown this conclusively—that exemptions are necessary if professional teams sports are to continue to operate under the league concept of organization.

My amendment does no injury either to the purpose of the bill as stated in the committee report or to the justification for the third exemption contained in the report. Senators will recall that the report said that the purpose of the proposed legislation was to place all professional team sports "on an equal antitrust footing and then to grant exemptions relating to the essential sports practices as opposed to the business practices of the sports involved."

This purpose is even more clearly spelled out in the conclusion of the report, which states, in part, that:

> It (the committee) feels further that the public interest is best served by keeping the business aspects of the team sports involved within the antitrust laws while the essential sports activities are exempted.

It seems clear that by applying the territorial rights concept to the sale of television and radio rights and granting a blanket exemption without some regulation, the committee has violated its own purpose.

The committee appeared to recognize this in its discussion in the report on the third exemption when it said:

> The third exemption permits the leagues to restrict geographic areas in which their member teams operate. This exemption is necessary to provide financial stability through preservation of the "live gate" and to give each of the leagues geographic balance.

But by failing to deal with TV and radio rights, this exemption would, through disparity of TV revenues, do just the opposite.

Dan Topping, president of the New York Yankees, pointed out in testimony before the Judiciary Committee that the Yankees would continue to obtain more revenue through the sale of the team's TV and radio rights locally, not through a pooling arrangement in network package deals. This is because New York commands such a huge radio-TV market area.

Topping indicated that the Yankees had to take in more money, because the team's salaries and expenses are double those of any other American League team. Topping and Frank Stanton, president of CBS, which recently purchased the Yankees, called my pooling arrangement as grossly unfair and inequitable from the Yankees' point of view.

This is precisely the point. By failing to equalize radio and television revenues, the Hart bill would guarantee that the

Yankees and one or two other teams could continue henceforth to dominate the leagues. Under such an arrangement, the teams with lucrative TV and radio revenues would continue to enjoy their extra income from this source.

So, instead of providing "stability and geographic balance," the third exemption would grant an unequal, not equal, chance for victory for teams like the Yankees.

Television and radio rights are not mentioned in the Judiciary Committee report, as if such revenues were mere incidental revenues.

The fact is, however, that the sale of these rights have assumed immense proportions in recent years and the trend is still upwards.

From that standpoint, it is the position, it seems to me, that we would have considered, possibly, in 1922, instead of 1965. What a vast difference television revenue has made in the meantime.

Television Age, a TV trade magazine, pointed out this remarkable growth in its February 1965 issue.

In 1956, when some 860 games were aired—and this was only 9 years ago—$6.2 million was spent for rights and another $6 million was spent for air time and facilities.

By 1964—last year—the numbers had grown to 975 games, $16 million for rights, and another $35 million for TV time and talent.

The March 1, 1965, issue of Broadcasting magazine estimated that the rights to major league baseball climbed to $25,310,000 for 1965.

Mr. President, just consider that. Since 1956 television rights have grown from $6 million to $16 million last year. This year they will be $25 million. It is clear, on the basis of all experience and of all knowledge of what is happening in television broadcasting and the lucrative aspects of the business, that in a very short time television revenues will dominate baseball's gross receipts. They will substantially exceed the gate receipts. There is no question about it.

If this factor is ignored, as it is in the present bill before us, there will be a gross disparity and a disproportionate distribution of revenue among teams. That will result in imbalance, and a few teams will then dominate baseball and destroy it.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Kansas.

Mr. PEARSON. Do I correctly understand that the point the Senator from Wisconsin is now making relates to the exemption as to territorial franchise rights? While I understand the Senator to agree that that ought to be a part of the bill, he still feels that the television and radio money derived is the real essence of why baseball clubs move from place to place. Is that the point the Senator makes?

Mr. PROXMIRE. I believe the Senator makes the point well. While I believe that is the essence of why they move now, it was not, of course, the reason years ago, before television came into the picture, and it was not nearly so much the decisive reason 10 years ago as it is today. But in the future it is going to be overwhelmingly the determining factor unless the kind of amendment I am proposing is adopted.

The determining factor will have nothing to do, I suppose, with whether a city has supported its team or will support it. It will be whether or not the team can move into a more profitable territory.

The section to which the Senator from Kansas refers relates to guaranteed geographic protection, geographic franchise, and geographic monopoly.

Mr. PEARSON. In all the discussions, in all the pronouncements made by team owners and officials as to the moving of franchises from city to city, has television and radio money ever been given as a reason for moving? In truth and in fact, have not all pronouncements and all rationalizations been on the basis of general attendance from city to city?

Mr. PROXMIRE. The Senator makes a good point. Those who have tried realistically to analyze moves such as the proposed move from Kansas City and proposed moves from other cities, including the move from Milwaukee, soon to take place, recognize that this is the real factor. This is it. To my knowledge, though, the owners have not admitted it.

It is clear that the moves are being made to where the TV money is. Teams are not moved from cities like Milwaukee to smaller cities like Atlanta for any other reason. Milwaukee has a higher per capita income than Atlanta.

Milwaukee has turned out more fans than any other city in the last 12 years, so there is no reason to move the Milwaukee team to another city unless there is a strong financial reason for doing so. There is a controlling reason for doing so. Television receipts in Wisconsin are limited and will be from now on. If television pooling is lost the possibility of having a Milwaukee team is nil. In Atlanta there is not that problem to worry about. What is of importance is the ability to reach into Florida, Georgia, Alabama, North Carolina, South Carolina, and other Southeastern States. This is the reason for the move by the Braves to Atlanta.

This amendment is not intended to block the move of the Braves from Milwaukee to Atlanta. In all probability, they are going to move. They have signed a contract. Unless the present suit which has been filed by the State of Wisconsin and Milwaukee County is supported in the courts, the Braves are going to move.

Mr. PEARSON. Would the Senator say what reason the club owners give for moving the franchise from Milwaukee to Atlanta?

Mr. PROXMIRE. The only reason, in my judgment, and the only one I can understand and that makes sense, is that they can obtain a very lucrative—and I mean very lucrative—television contract.

Mr. PEARSON. What is the public reason given by the club owners?

Mr. PROXMIRE. The public reason given by the club owners is that they felt that fan attendance had declined. The attendance at Milwaukee was down somewhat in 1962. It was down in 1963. It was below a million, but close to a million, in 1964. But the Braves owners estimated the team did not make money, and the owners felt that they can make more money in Atlanta.

Over the years, good and bad, Milwaukee has averaged a far better attendance than any other city.

Mr. PEARSON. I agree with the Senator. I shall support his amendment.

Baseball, in its dual capacity of commercial and public interest, involves a great many other considerations than television and radio revenue. Municipalities throughout the country float bond issues to erect stadiums. Huge great public and private investment has been made by many people in cities and counties all across the country.

Mr. PROXMIRE. The Senator is correct.

Mr. PEARSON. This puts baseball in the public interest and the public domain.

Mr. PROXMIRE. This is an important point. I am delighted the Senator raised it.

Milwaukee County built a beautiful stadium, at a cost of $8 million. It would now cost from $16 to $17 million to duplicate it.

It was built obviously for the sole reason of providing a home for the baseball team. This would be worth a great deal. There are a few football games we can play, a few exhibition games, and one or two gigantic conventions can be held there. However, throughout the year it would be vacant and idle under the proposed legislation.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. PASTORE. I have a great amount of sympathy with what the Senator is trying to accomplish. I question whether we would not be setting a bad precedent. Nonetheless, I think the rationale that the Senator uses is that, because broadcasting plays such an important part in the prospects of organized baseball, before a person could receive an exclusive franchise, he would have to more or less make an arrangement whereby there would be an equal sharing of the television fees. Is that a correct statement?

Mr. PROXMIRE. The Senator is correct.

Mr. PASTORE. If that is so, why not split, on an even basis, even the gate receipts? Where would we end?

Mr. PROXMIRE. The argument of the Senator from Wisconsin is that the television receipts are not related to control, or fan, or local support. Television receipts are a result of the accident of the team being located in a place in which there is a large area covering several States which has no other baseball team. The receipts will result entirely from the protection we are writing into the law today, not from any effort on the part of the owners.

The reason that Houston is able to have such enormous television receipts is not because the people there support the team. Indeed support until this time has been near the bottom. However, the reason that Houston receives these television receipts is that there is no other team in that particular area of the country. In the State of Ohio, there is the Cleveland team, the Cincinnati team, and the team across the State border in Pittsburgh. Those teams are bound to have low receipts. In a case in which a community will not support the team, we have a logical and strong argument for moving to some place where the people are interested enough to support it.

Mr. PASTORE. Mr. President, does that not depend on how good the team is? People tune in on certain baseball games because they like the competition between the two teams.

I believe I understand what the Senator is trying to accomplish. However, the Senator from Rhode Island is afraid that when we try to create equalization, we might take a chance of losing a little competition. How much can we do by legislative fiat?

Mr. PROXMIRE. It has been tried in football. The receipts were divided equally. It has worked out very well.

Mr. PASTORE. They did that on their own?

Mr. PROXMIRE. They did that on their own, but it works out extremely well. As the Senator well knows, the argument that people will support a good team has been pretty well rebutted by the New York Mets, which is probably the worst team in either league.

Mr. PASTORE. Mr. President, I believe that the situation that prevails now might be due to the retirement of Casey Stengel. Most people were here to see the antics of Casey Stengel, more than to see the teams play.

That is a very unusual situation. I do not believe that we could use that as a criterion.

Mr. PROXMIRE. Milwaukee has had some good teams and some bad teams over the 12 years between 1953 and 1964. However, the teams have been supported on the average. They have been supporting their teams better than any other major league teams have been supported.

Mr. PASTORE. Mr. President, I have sympathy for what the Senator is trying to do. However, we may be approaching too closely to the area of competition when we begin to equalize these things. I can see that clubs can work this problem out for themselves. However, I wonder if we are not interfering too much as a legislative body in the freedom and exercise of a competitive sport when we place such conditions upon the sport.

PROXMIRE. Mr. President, the answer is that the Senate has just voted by a decisive majority to abrogate the freedom of contract that a young college man might have to sign a contract with one of several competing teams. The distinguished Senator from Michigan [Mr. HART], the Senator in charge of the bill, was very frank to admit that this was done for the reason that the majority of the Senate felt that this would be one way to preserve effective league balance, so that we could have an opportunity for some kind of equal competition between the teams. Otherwise the team with the greatest amount of money would hire the best players and that would be it. If the Senate is going to go that far and abrogate the freedom of contract to that extent—and I voted for the Ervin amendment—it would seem to me that that television relationship, which is far less important than the freedom of contract of the individual player, ought to be modified in this way, as it has been in football.

Mr. President, I yield to the junior Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the Senator from Wisconsin for a very persuasive presentation.

Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the amendment of the senior Senator from Wisconsin.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, it is pertinent to point out that the revenues that are produced as a consequence of broadcasting and televising flow as a result of the people of the United States, through their Government, loaning or granting, on a temporary basis, a license to a private group to use the public airways, so that if one television or radio station in a city which has a baseball team has an advantage in the revenue it produces, it is not something that is a consequence of the effort of the participating baseball team.

Mr. PROXMIRE. Mr. President, the point made by the Senator from Wisconsin is one which frankly had eluded me. It is a very important and crucial point. We are not only talking about the fact that this is a sport which has been given a territorial exemption and has been given protection and safeguarded from competition. We are also talking about a situation in which the television and radio revenue itself is regulated necessarily by the Government. Those who broadcast or televise are given a Government monopoly, in a sense, over their frequencies. For that reason, it is different than the usual kind of direct competition experienced in most industry.

Mr. NELSON. It is true that, theoretically, at least, we could have a baseball team with no stadium which would still be a most profitable enterprise if there were a large enough and lucrative enough outlet through a federally regulated radio or television station.

Mr. PROXMIRE. The Senator is correct. We could have a situation in which hardly anyone attended the game, perhaps 500 people. Nevertheless, the team might make much more money and hire the finest players and be able to do so because it had an opportunity such as that afforded by this bill to sell the television rights in an area which no other team would be able to invade, and, because the bill would provide that, we would have a territorial and geographic franchise over this particular area, given as a monopoly gift by the Federal Government.

Mr. NELSON. Mr. President, the amendment of the Senator from Wisconsin would in no way affect the television station itself or the network. It would make no difference to them who might see or hear the game once the air time was paid for.

Mr. PROXMIRE. The Senator is correct. All this amendment would do would be to distribute the revenues.

Mr. NELSON. The difference would be only as to the baseball teams themselves.

Mr. PROXMIRE. I suppose that we could make the argument that there would be some fringe situation in which a network or radio or TV station or some other group selling network or television time could bargain between teams in an area and get a little more money for them than it would if they did not pool.

But I think that this is a minor consideration, particularly in view of the fact that radio and television are given a governmental franchise, or, in effect, a monopoly.

Mr. NELSON. The money they can get depends on the advertising they can get and the audience they can reach.

Mr. PROXMIRE. That is correct.

Broadcasting estimated that sponsors will pay a total of $85 million to purchase the air time, put on their shows, and sell their products. The broadcasting estimates include sale of local rights by individual teams, sale of package rights to networks, and sale of rights for the all-star games and the world series.

Broadcasting also furnished a team-by-team listing of the sale of local broadcast rights.

A study of the sale of local TV and radio rights by individual team shows clearly that such income is substantial and that a great variation exists between teams. A breakdown of such revenue for American and National League teams in the past 2 years illustrates this.

In the American League, revenue from the sale of local rights for 1965 ranges from $300,000 for Kansas City and Washington to $1,200,000 for the New York Yankees and $1,300,000 for Detroit. In the National League Pittsburgh gets $450,000, St. Louis gets $500,000, while Houston receives $1,770,000—which is easily the largest amount received by any major league team—and Philadelphia gets $1,300,000. Because of the proposed move the Braves were unable to find a Milwaukee sponsor and are obtaining only $150,000. The Braves received $400,000 in 1964 and would have received $525,000 this year if the team had agreed to remain in Milwaukee.

Mr. President, I have tables showing the estimated American and National League revenues from television and radio contracts. I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Estimated American League revenues from television and radio contracts[1]

	1965	1964
Baltimore	$700,000	$700,000
Boston	690,000	600,000
Chicago	900,000	900,000
Cleveland	700,000	700,000
Detroit	1,300,000	650,000
Kansas City	300,000	300,000
Los Angeles	850,000	825,000
Minnesota	600,000	600,000
New York	1,200,000	1,200,000
Washington	300,000	300,000
Total	7,540,000	6,775,000
Average club income if revenues were pooled	754,000	677,500

[1] Broadcasting magazine, vol. 60, No. 9, Mar. 1, 1965, pp. 44–49.

Estimated National League revenues from television and radio contracts[1]

	1965	1964
Chicago	$550,000	$550,000
Cincinnati	550,000	550,000
Houston	1,770,000	1,600,000
Los Angeles	1,000,000	1,000,000
Milwaukee		400,000
(Atlanta)	150,000	
New York	1,000,000	1,000,000
Philadelphia	1,300,000	650,000
Pittsburgh	450,000	450,000
St. Louis	500,000	450,000
San Francisco	1,000,000	900,000
Total	8,270,000	7,550,000
Average club income if revenues were pooled	827,000	755,000

[1] Broadcasting magazine, vol. 60, No. 9, Mar. 1, 1965, pp. 44–49.

Mr. PROXMIRE. Mr. President, the committee at one point, at least, recognized the growing importance of TV and radio revenue to baseball and it pointed this out in its report, stating:

> Organized baseball relies increasingly on television for financial stability and the position CBS has gained by its acquisition raises serious competitive questions that require the availability of antitrust weapons to protect the public interest.

The report failed to note other joint TV and radio-baseball relationships that I pointed out in my testimony in support of my amendment. These joint holdings include:

Gene Autry, who owns the Los Angeles Angels, also owns two television stations and shares joint control of 65 percent of Golden West Broadcasters. John Fetzer, owner of the Detroit Tigers, owns five television stations. John Allyn of the White Sox is president of a company which holds a franchise for pay TV in Dallas and Houston. Judge Roy Hofheinz, president of the Houston Astros, owns 16 percent of the stock in a Houston television station. And both the Giants and the Dodgers have substantial holdings in pay TV.

The importance of radio and TV revenue seems to be obvious to those baseball owners who are moving into radio and TV and to those in the radio and television industry who are buying into baseball.

It would seem that Congress, too, should note the growing importance of this relationship. I submit that it would be prudent for Congress to study closely the impact of this increased revenue before granting monopolistic territorial franchises which would include radio and TV rights.

The problem has been recognized by professional football.

As I indicated in my colloquy with the distinguished Senator from Colorado, the TV and radio pooling system used in the National Football League has kept the teams competitive and has prevented the inordinant number of franchise shifting that we are witnessing in major league baseball. Pooling of radio and TV receipts has allowed the Green Bay Packers, whose home is a city with a population of 60,000, to remain in Green Bay. It can do the same for baseball. It has also allowed the Green Bay Packers to compete on an equal financial basis, and as every football fan knows, field a great team. This would be flatly impossible if the NFL followed major league practices.

It might be well to discuss for a moment what has been happening to baseball in recent years regarding these franchise shifts to determine whether such shifts are good for baseball and good for the public.

In the past 12 years there have been six transfers of major league baseball teams from one city to another. Each of these transfers were accompanied by widespread complaints by the cities losing the clubs. Thus far, fortunately none of the moves has resulted in the loss of professional baseball to a community which has been a major league city. But this could happen if the Braves move from Milwaukee, which seems likely.

When the Braves moved to Milwaukee, Boston retained the Red Sox. When the Browns moved to Baltimore, St. Louis still had the Cardinals. Philadelphia lost the Athletics to Kansas City, but fans there still enjoy the Phillies. The same situation existed in the moves of the Dodgers to Los Angeles and the Giants to San Francisco. The Senators were replaced in Washington when the team moved to the Twin Cities in Minnesota.

Although this shifting around caused grumblings and even dismay among sportswriters, baseball could and did argue that the shifts strengthened the league and did not deprive baseball fans in the stricken communities of the enjoyment of watching major league baseball.

And it was argued that in most of the shifts the fans were somewhat responsible because they failed to support the teams by attending the games.

Surely, it would be difficult to argue that a team should have to stay in a community even after the community failed to support it. So far, I am aware of no responsible person who is making such a demand.

But I ask baseball and Members of the Senate, Was the absence of fan support the sole cause of the moves of the Dodgers, the Giants, and the former Senator team? And I ask baseball and Members of the Senate, Is the absence of fan support the sole reason the Milwaukee Braves have decided to move to Atlanta, Ga.?

In the last case, which of course is the one with which I am most familiar, I can assure you that it was not lack of local support, but the lure of a television bonanza that prompted the two Chicago businessmen, who bought the team several years ago, to make the decision to move. Atlanta, Milwaukee—it makes no difference to these businessmen. They will go where the television gravy is the richest.

This becomes transparently clear upon examination of the attendance record of the Braves during their 12-year stay in Milwaukee and comparing the average attendance during this period with that of other clubs in both leagues.

Braves attendance in Milwaukee, 1953–64

1953	1,826,397
1954	2,131,388
1955	2,005,836
1956	2,046,331
1957	2,215,404
1958	1,971,101
1959	1,749,772
1960	1,497,799
1961	1,101,441
1962	766,927
1963	773,018
1964	910,811

During the past 12 years, average Braves attendance exceeds the average of any team that has remained in one city during this period. Only the Los Angeles Dodgers, bolstered by the record breaking attendance that accompanied the team's move from Brooklyn 7 years ago, have compiled a better record, and that for only 7 years.

The outstanding attendance record achieved in Milwaukee can be better seen in comparison with records compiled by other teams in both leagues.

National League average attendance[1]

Los Angeles Dodgers (last 7 years)	2,213,897
Braves	1,583,027
San Francisco Giants (last 3 years)	1,485,650
New York Mets (last 3 years))	1,161,407
St. Louis Cardinals	1,016,312
Pittsburgh Pirates	960,743
Philadelphia Phillies	906,482
Cincinnati Reds	851,419
Houston Astros (last 3 years)	805,316
Chicago Cubs	785,781

[1] 12-year average, except where noted.

But they are making more money than anybody else because, as the distinguished junior Senator from Wisconsin pointed out, they have a very rich television market.

American League average attendance[1]

New York Yankees	1,496,309
Minnesota Twins (last 4 years)	1,326,001
Chicago White Sox	1,190,497
Detroit Tigers	1,117,031
Boston Red Sox	1,007,442
Baltimore Orioles (last 11 years)	944,127
Cleveland Indians	915,362
Kansas City Athletics (last 10 years)	869,733
Los Angeles Angels (last 4 years)	832,257
Washington Senators	559,161

[1] 12-year average, except where noted.

The county of Milwaukee has provided the team with a new, well-designed stadium and has granted numerous concessions to make their stay in Milwaukee profitable. When rumors began to circulate that the team was considering a move, even though the owners categorically denied the rumor, county officials offered to sweeten the Braves contract with the county. Civic and business interests indicated they would rally to support the team and as a result, the team drew almost 1 million persons last year, despite a relatively poor season.

Throughout this period, the team owners denied any intention of moving and even tried to dampen efforts by the well-meaning county officials and fans who sought to gain additional concessions for the team.

This does not fit the picture of a group of altruistic sportsmen who, after diligent efforts to make a go of it in Milwaukee, reluctantly decided to move to save their enterprise from bankruptcy. The fact is that the several enterprising Chicago businessmen saw an opportunity to move into a vast, unexploited television and radio market which dominates at least five States and jumped at the opportunity. In doing so, they abdicated their responsibility to the community which provided an outstanding facility for their team and to the millions of fans who supported the team in Milwaukee.

As I have pointed out earlier, while there have been six baseball franchise shifts in the past 12 years, the blow was somewhat softened by the fact that in none of the cases was a major league city deprived of major league baseball.

This is not true with the contemplated move by the Braves. It is also not true with the anticipated move of the Kansas City Athletics or of the possible move of the Cleveland Indians.

In each of these cases, major league baseball is abandoning a sizable public following, a significant number of local businesses which have been built up around the teams and, in the case of Milwaukee, a modern, multimillion dollar facility which will stand as a vacant, expensive white elephant to remind the community of the ruthless business tactics of professional baseball.

There can be little complaint if a team moves because it lacks community support. But the community cannot be held responsible for the vagaries of television and radio marketing.

The Judiciary Committee took note of the impact of such franchise shifts and said in its report:

> Concern has been expressed regarding moving baseball franchises from one city to another in order to increase revenues. Baseball franchise owners have an obligation to the public to remain with their franchised territories, absent compelling reasons to transfer.
>
> Naturally, there is a desire of many cities to secure a team; however, it seems that the public interest would best be served by expansion of the existing major leagues or the formation of another major league rather than the movement of existing franchises.

The committee report correctly described my amendments a device to discourage moving a major league franchise to a more lucrative television market. Regarding the amendment, which was not accepted by the committee, the report said:

> The committee views the amendment as unfair to teams which have established a large following in their franchise areas enabling them to obtain better television and radio contracts.
>
> The variation in revenues received by major league baseball teams for local telecasts and broadcasts is too great for the proposal to be equitable.

If it were not so great, there would be no necessity for it.

Continuing reading:

> There is a trend for pooling television and broadcasting revenues and that practice should not be discouraged as it tends to equalize further the strength of the various teams.

I should like to make several points on the committee's appraisal.

In the first place, a cursory glance at the current television and radio revenue picture quickly dispells the notion that having "established a large following" in the franchise areas has any relationship to the revenue amounts. Some of the teams having the lowest totals have been in established areas for many years while some of the teams receiving the most have been in their present locations for a relatively short period.

Among the lowest are Pittsburgh—$450,000. The Pirates were in Pittsburgh long before I was born—in fact before the turn of the century.

St. Louis—$500,000.

Cincinnati—$550,000. I believe Cincinnati was the first major league baseball team.

Chicago Cubs—$550,000—while among the highest are Houston—$1,770,000.

How can anyone argue that this means we are favoring an established team which has cultivated a market over many years when we compare those revenues with those of Houston, which is a brand new team, and received $1,770,000 last year; San Francisco, Los Angeles, and the New York Mets, all a million dollars each. They are, of course, all new teams in their locations.

Second, while the committee concludes that the variations in revenue are too great to be equitable, it admits that pooling of revenues is desirable because it would "tend to equalize further the strength of the various teams."

Indeed, equalization of playing strength and the need to prevent the wealthiest clubs from dominating play, is cited earlier in the report by the committee as a justification for an exemption which allows the leagues to use draft systems and other devices for the "equalization of competitive playing strengths."

On this point, the report states:

> Although the exemptions provided in this bill, it is generally agreed that the wealthier teams would absorb the best talent and force the dissolution of the poorer teams and of the leagues themselves.
>
> Therefore, there is a special situation affecting the public interest involving team sports which does not apply to the traditional competitive situation.

It seems to me that this argument applies one for one to my amendment.

The statements in the committee report support my position even better than my own arguments.

The committee's own report provides the rationale for the desirability, need, and justification of my amendment. The precedent for such an arrangement already exists. The National Football League has thrived on a pooling system and major league baseball, in its contracts for network package deals, has already embarked on a pooling arrangement on a modest scale.

In order to give the Senate the benefit of the results of the pooling arrangements which have already been in practice in the National Football League, I should like to quote from a statement made by Pete Rozelle, Commissioner of the National Football League, before the House Judiciary Committee on the House hearings, regarding the permission he obtained from the National Football League for this pooling.

This is what he said:

> The fundamental issue is relatively simple—whether the National Football League and its member clubs are to have any say as to how their games are to be televised. If they cannot, the matter must be left entirely to the determination of the networks. The networks have their own problems of production costs, cable charges, costs per homes reached, and sponsor availability. If the league cannot have any voice in the manner in which its games are telecast, the networks will be guided, as they necessarily must, by their own economic interests—which in this instance are not the interests of professional football, of the sports fans of America, or of the National Football League and its 14 member clubs.
>
> The immediate result will be television programing for 1962 and all successive football seasons which will deprive many member clubs of the National Football League of all access to television facilities and television income. It will also deprive hometown fans in many National Football League cities of telecasts of the games of their home club, sharply reduce TV income to the league, and seriously impede the league's efforts to maintain a balanced league.
>
> In the sport of professional football, with its limited playing schedule and its emphasis on team play, equality of competition is essential to the maintenance of fan interest and the survival of the league. Balance in the league has only been achieved during the past decade of the National Football League's 41-year existence. Without it, 41 franchises had failed earlier.
>
> We are now threatened with losing what has taken so many years to develop unless Chairman CELLER's bill can be passed at this session of Congress.
>
> These are not speculative concerns. The league's problem is real and immediate. All teams have been able to secure access to television facilities for the present season simply because their individually negotiated contracts carry through 1961. Most of these contracts expire at the end of this season.
>
> For the 1962 season, the networks have already announced their intentions. They will abandon the league's longtime policy of televising the road games of each team back to the team's home area. It no longer makes economic sense for the networks to purchase individually the rights of all 14 member clubs of the league for local and regional telecasting. Costs and other factors make it more productive for them to acquire the television rights of only a select few clubs for national or quasi-national telecasting.
>
> Thus, unless the league is permitted to exercise some control over its television programing, only a limited number of teams in the National Football League will have access to television facilities in 1962. Only those fans in the large metropolitan centers and favored by their geographical location—such as New York, Los Angeles, and Chicago—will be assured of seeing the games of their home team on television.

> I don't think I have to tell this committee what the response of fans in Green Bay, Minneapolis-St. Paul, Dallas, St. Louis, Detroit, and even such cities as San Francisco and Philadelphia will be when they are informed that they will no longer be able to follow the road games of their home teams on television.
>
> The bill would resolve the problem by permitting the commissioner and the member clubs of the league to act jointly in the sale of their TV rights. Only by grouping the weaker and stronger clubs and the clubs with more and less favored geographic locations can the league hope to achieve any control over the manner in which its games are telecast. This is the only way the league can maintain sponsorship interest in telecasts of National Football League games, restore order and stability to league television arrangements, equalize television income among the clubs, secure realistic values for television rights, and assure all member clubs of the league of continued access to television facilities and television income.
>
> If the 14 teams of the National Football League and the 8 teams of the American Football League are each required to act separately in disposing of their TV rights, no more than a handful of these teams will, after this season, be able to find a home on the limited network facilities available.

Of course, the argument can be made, Why not leave it to the owners of the major baseball teams to make their own arrangements? The fact is that these arrangements are made only when there is a three-fourths vote to sustain them; that is, it is necessary to get 8 of the 10 teams in each league to vote affirmatively. To get an affirmative vote on this issue would seem to be almost impossible. Dan Topping has indicated the view of the Yankees. It requires only two other teams to block the American League from acting. If they did act to equalize the revenues by pooling, it would deprive the Yankees of perhaps millions of dollars in profits. We should not expect the leagues to act, under those circumstances, on a voluntary basis. They will not do so until the situation reaches the point where they fear some action by Congress.

Mr. President, I was speaking about a package deal. In one such package deal 18 baseball teams from both major leagues have contracted with ABC for televising 81 games. Each of the teams involved receives a flat $300,000 whether they play in 1 or 10 of the telecast games.

Mr. Charles Finley, owner of the Kansas City Athletics, testified before the Judiciary Committee:

> Television and radio income is the difference between profit and loss for almost every major league team.

Mr. Finley told the committee that Houston and the New York Yankee were able to get outstanding TV and radio contracts because they were in rich market areas. He said:

> Senator, Houston * * * represents the Southwest and they have an enormous television market, and they were able to obtain this outstanding contract on the same basis as the New York Yankees have been able to obtain such good contracts year by year.
>
> The same reason for Milwaukee going to Atlanta. A very, very lucrative contract. And it is getting to the point today where it is almost impossible for a ball club such as my club—and I could name you several others—to compete with clubs that have a * * * $1.4 million TV contract.

Regarding my proposed amendment, Mr. Finley said:

> I might stop right here for a moment, Senator HART, and would like to state if I may that I was very much impressed with Senator PROXMIRE's statement and would like to go on record at this moment and state that the Kansas City Athletics Baseball Club agrees with Senator PROXMIRE 100 percent.

Baseball Commissioner Ford Frick, who also testified before the committee, has conceded that baseball has considered pooling TV revenue. In a letter to Representative HENRY REUSS, of Milwaukee, dated July 15, 1964, Frick said:

> The pooling of television revenue by the major league clubs has been considered by them and is worthy of further consideration.

Frick went on to say that he did not think pooling was feasible at this time.

Warren Giles, president of the National Baseball League, in a letter to Representative REUSS, dated July 16, 1964, said that the "pooling of television receipts has been discussed by our clubs." Giles went on to say that while the pooling of weekly network shows might be worked out, sharing of receipts from local television coverage "seems impractical."

It is clear from these responses that there is strong opposition to pooling of all television revenue by some of the teams in both leagues. Dan Topping, president of the Yankees, told the committee that he opposes pooling TV receipts. Topping explained that the Yankees need television revenue from the huge New York TV market in order to pay the higher salaries Yankee players command.

In this answer, Mr. Topping hit the nail right on the head. This is precisely the point. With a pooling of receipts other teams could afford to pay greater salaries and attract better players.

What does that do to the Yankee competition with Kansas City or with other teams in the American League? It is true that the Yankees are having a bad season this year. However, that is a rather rare situation. This is that rare year in which the Yankees lost the pennant.

Is it in baseball's interest or in the public's interest to perpetuate the Yankees domination of baseball?

Is it in baseball's interest or in the public interest to encourage the opportunistic moving of teams from one location to another in a never-ending quest for optimum television revenue?

Is it in baseball's interest or in the public interest for the Congress to grant monopolistic territorial franchises which include blank checks for incredibly valuable TV and radio rights in the face of the overwhelming evidence that such a policy would give a clear and distinct business advantage, a financial advantage to some over others when there is not a scintilla of evidence that such an advantage is necessary for the sport. Indeed, it is sure to hurt the sport.

While I realize that it is conventional for Senators to follow a committee report, I would respectfully urge Senators to do some soul searching on this matter.

To summarize, the Hart proposal, if passed without the Proxmire amendment added, would kill major league baseball in Wisconsin and in other States which do not enjoy a huge TV market.

Professional baseball constitutes business. The Hart bill recognizes this by bringing baseball under the antitrust laws. It also recognizes that if baseball is to continue to provide roughly equal competition, there must be some exemptions for baseball.

The rationale of the Hart measure is to limit exemptions to those phases of baseball's operation which would otherwise result in destructive competition and bring about domination of the sport by one or two teams.

But the provision in the Hart bill for geographic monopoly to include radio and TV rights does precisely the opposite of this. TV is far and away the most rapidly growing source of revenue for major league baseball.

It will soon be by all odds the main source of revenue. Without the Proxmire amendment, the Hart bill would hand a few teams located in rich TV markets an immense advantage.

This TV advantage will build a financial imbalance into baseball permitting domination by one or two teams. My amendment would prevent this by requiring that major leagues pool and equally divide TV and radio revenue as the National Football League now does.

This would be like passing a law which would state, in effect: "You cannot henceforth play major league baseball in Milwaukee or other cities of the country."

The public would be better served if the bill were defeated than if it were passed in its present form. I earnestly hope that my amendment will be adopted.

Mr. HART. Mr. President, the Senator from Wisconsin and Senators who have joined him in offering the amendment hold their point of view with deep conviction. It is not alone the result of the experience that Milwaukee has had, but, of course, necessarily that experience does affect the attitude of not only the Senator from Wisconsin, but also of other Senators whose States find themselves in similar circumstances with respect to a baseball franchise.

I believe the amendment should be rejected, as it was rejected in committee, principally for the reason that this degree of regulation on the part of Congress of a business aspect of a substantial business in this country is unwise. At least it is unwise at this time.

I know, as the Senator from Wisconsin has argued, that football has decided that it wishes to pool its television revenues. This is a business decision, which Congress certainly will not undertake to reverse. Up to this point the baseball interests have not decided that they wish to pool their revenues. This points up the disparity and the difference between the two games. Baseball has never been presented by the television networks with the opportunity that football had been presented with. Baseball's TV and radio revenues are primarily local in nature.

Football has a season of some 14 games. Baseball has some 160 or more on an annual schedule. When the time comes when baseball can obtain receipts from pooling comparable to football, I would anticipate that the decision to pool would be made by the businesses involved.

I feel that it is not desirable for Congress to make the judgment that is involved in the Proxmire amendment with respect to the distribution of profits by independent businesses, even though they are in a league operation. As a result of this bill, baseball will be required to surrender some of the broad immunity that it now has under the Court decisions.

With respect to the deterrent to the freedom of movement of franchises that would be provided if the Proxmire amendment were adopted, I think that under certain conditions it might well stabilize the movement of franchises. But if baseball, for reasons of its own, decided not to pool thereby forfeiting the exemption in this area the amendment might have quite the contrary result. It might induce a broader movement in relocation of franchises. At least there is a partial brake on the movement of baseball franchises now because league approval is required. If it was not required any team would be free to move anywhere at any time. Further, if all teams pool revenues, all teams would have a financial interest in member clubs moving into a richer TV area. This might also encourage moves.

I would also make the point that we should not dismiss too lightly revenues and receipts from sources other than television. It is quite true that in recent years income to baseball from television has increased appreciably. But the live gate remains a significant revenue source. It is the bread and butter revenue of baseball, though perhaps not of football.

The Senator from Wisconsin very properly cited the situation of the Green Bay Packers. The Green Bay Packers have survived, indeed flourished, at least artistically—I do not know whether financially—for a long period of time, and there was no pooling of television until a couple of years ago. But there was no movement out of Green Bay of the Packer franchise.

There is a very great difference between baseball and football, not alone in the schedules, but in the individual team arrangements and the suitability of the game for television sponsorship. It appears that football is a more dramatic attraction to the television tube than baseball.

But overriding all, I think, is the undesirability for Congress to get into what is primarily a business decision, a decision that relates to how businesses across the country shall be permitted to treat the profit that may be derived as a result of their management effort. It is for this reason, at least at this point in time, that I think it would not be desirable to require that exclusive territorial rights be permitted to organized baseball only if they agree to pool, to spread their television revenues.

Therefore, Mr. President, I hope that the amendment is not agreed to.

Mr. PROXMIRE. Will the Senator yield?

Mr. HART. I gladly yield to the Senator from Wisconsin.

Mr. PROXMIRE. The Senator has indicated—and, as usual, he is very fair and thoughtful in his appraisal of my amendment, even though he opposes it—his agreement that there are certain attractive aspects to the amendment, in that it might be desirable from the public interest aspect, the interest of the fans, if franchises were stabilized, for example, by a greater equalization of revenues.

But the Senator has said, as I understand, that this would be wrong because the decision should be left to baseball to make the authorization itself; is that correct?

Mr. HART. The Senator from Michigan stated that he sympathizes with and generally shares the feeling that it would be desirable that the location of franchises be stable and predictable. I did make that statement.

Mr. PROXMIRE. Will the Senator not concede that if Congress does not act on the question, it is very unlikely that baseball will pool revenues, in view of the fact that it takes, as I understand it—perhaps I am misinformed—a three-quarters vote—in other words, it takes eight votes of the ten teams in each league, to act in this particular way—and that there are at least three teams that have such an immense revenue from television, and expect a sky-rocketing revenue in the future, that it would be most unlikely, short of some very unusual development, for them voluntarily to take this action? So if Congress does not act, we simply will not get this pooling, and the disparity, the imbalance, is built in and guaranteed.

Mr. HART. I think the Senator from Michigan would not argue that there is a great likelihood or even a remote possibility that baseball, within its organized structure, would in the future agree to pool television revenues. I really do not know. But I do feel that there are many factors other than the pooling of television revenue that would persuade organized baseball generally to maintain a stable distribution of the franchises. Over a long period of years, this generally has proved true.

Mr. PROXMIRE. Is it not also true that over the long period of years there has been bread and butter income from gate receipts and such other receipts as the various concessions, and so forth, but that now in recent years television revenues have shot up enormously? After all, in 1956, revenues from television were $6 million, and this year they are going to be $25 million; by the early 1970's they are likely to be close to $50 million or more. As the Senator himself has pointed out and conceded, gate receipts are fairly stable; it seems most likely that the major revenue, the main revenue, will come from television receipts. If one team is to get 3, 4, or 5 times as much in television receipts as another, its seems to this Senator that we shall destroy any real prospect for a balance in the leagues and any real prospect for the winning teams to be determined on the basis of skill, good managership, and that kind of thing, and not strictly on the basis of money.

Mr. HART. Mr. President, I think we have demonstrated by our vote on the Ervin amendment our desire to insure that player strength be balanced.

But I would hope that by the adoption of the Proxmire amendment, we would not add an effort to stabilize profits as between businesses.

The question can be asked, "Yes, but if we permit one club to develop, generate substantially more revenue from television than another, are we not thereby enabling that club to unbalance player strength?"

Not so long as we have the draft; and it is for that very reason that we argued against the adoption of the Ervin amendment.

Mr. PROXMIRE. If the Senator will yield on that point, the draft is only one source of players.

Is it not a fact that although the farm systems have deteriorated quite a bit, they are still of some importance and significance in the building of a strong baseball team? Also, the salaries that players are paid, and that sort of thing, can be important.

The draft is not the only method. Furthermore, I voted for the Ervin amendment. I did so because it seemed to this Senator that the freedom of contract between the employee and the baseball team should certainly take precedence over the right of owners to get a more profitable television contract than would some other owner.

Mr. HART. That is the point of view of the Senator from Wisconsin.

Mr. PROXMIRE. The distinguished Senator from Michigan stated that on balance, limiting freedom of contract for young players is justified. It seems to me we would violate their freedom of contract this way. Is that justifiable in the judgment of the majority of the Senate? If equality is to be this important, should we not consider applying the same kind of equal distribution of revenues in baseball that football now has? I submit that in football, we do not have any equalization of profits, we have only equalization of gross receipts from one of their important sources.

Mr. HART. The position of the Senator from Wisconsin, eloquently voiced, reflects, as it well should, the concern that the people of Milwaukee have with respect to a franchise transfer of recent day. I hope it will not persuade Congress to adopt an amendment which the majority of the committee felt was unwise.

The effect of this amendment would be to make a common denominator of profits among the franchise holders.

I am not at all persuaded that the adoption of an amendment which would tend to create a common denominator for profits is desirable or would even serve, in the long run, the job of stabilizing the franchises.

For that reason I hope the amendment will be rejected.

Mr. MAGNUSON. The amendment is not practical.

Mr. ERVIN. I have been intrigued by the colloquy between the Senator from

Michigan and the Senator from Wisconsin.

The Senator from Michigan opposed my amendment and recommends the passage of the bill on the theory that we should deprive all individuals in the United States possessing athletic skill in these four areas of sports of the freedom of contract in order to promote equality among the teams in the various leagues.

The Senator from Wisconsin makes the point, as I understand it, among other things, that in order to have equality among the teams in the leagues there ought to be equality in the provision for revenues, particularly those from television advertising. The proponents of the bill say "No"; they do not want equality in division of television receipts, because that would call upon Congress to regulate the right of contract among businessmen to operate the clubs and thus, deprive them of their freedom of contract.

All this reminds me of Aesop's fable about the man who went into the woods on a very cold day and saw a satyr. The man blew on his hands in the cold. The satyr said, "Why do you blow on your hands in the cold?" The man said, "To make them warm."

The man took the satyr to his home to a breakfast of hot porridge. The satyr said, "Why are you blowing on the hot porridge?" The man said, "To make it cool."

The satyr said, "I am not going to stay and accept your hospitality. I refuse to accept the hospitality of a man who blows both hot and cold with the same breath."

The proponents of the bill would have Congress deprive every person possessing athletic skill in four different sports of his freedom of contract and make him an economic slave to those who own teams engaged in these four sports in the hope of receiving commercial gain.

I shall have to confess that I was moved, as I heard the pleas made for these clubs, to offer an amendment to give them the benefit of the poverty program.

I do not see a bit of difference between Congress legislating how the skills of athletes are going to be apportioned among the league teams without their consent, and legislating how the receipts from the telecasts of the games shall be divided.

I will console the Senator from Michigan by saying that I shall vote with him on this amendment because the amendment, I believe, does exactly the same thing the bill does: It robs people of the freedom of contract. I am in favor of retaining freedom of contract for the businessmen engaged in these sports for commercial purposes, as I was in favor of keeping freedom of contract with the athletes.

For that reason, I shall vote against the amendment of the Senator from Wisconsin.

I believe in freedom. I agree with the Senator from Wisconsin that if there is to be equality of skills, there must be equality of power, financially, to pay people for exerting their skills in these sports.

I do not believe there would be equality of skills if one team is so poor that it will have to pay salaries on a substantially lower plane than those of another team which receives a lion's share of the television receipts.

I am going to be consistent. I am not going to blow both hot and cold. I am going to blow on both occasions in behalf of the retention of freedom.

Mr. PROXMIRE. I answer the Senator from Michigan by saying that his prime objection to the amendment is that it would regulate or limit direct profits.

The Senator from Michigan has had, perhaps, more association with baseball than anybody else. He knows it does not take a great deal of business acumen, good judgment, or business competence to obtain television profits when a team is given, by the league, a franchise such as the Atlanta Braves will have. They will have a monopoly of all television receipts in a particular area.

One could have the greatest business acumen in the world and could not make money with the Milwaukee Braves. Why? Because television cannot be sold outside of Milwaukee. It is physically impossible. They are limited by the Minnesota Twins on the north and the Chicago teams on the south.

The matter of negotiating a contract takes skill and judgment, but it is minor compared with all the aspects that go into operating a successful business operation in major league baseball.

To say that this amendment would regulate team profits seems to me, with all due respect, to be ridiculous. Most important of all it overlooks the fact that this bill would itself give the TV territorial franchise—the monopoly that guarantees the revenue and the profits.

Mr. HRUSKA. Mr. President, in this connection I subscribe to the statement and reasoning of the Senator from Michigan. I am one Senator who does blow hot and cold. I believe most of us do not. Different circumstances and different situations call for different treatment. There is one way to eat soup when it is too hot. You blow on it a little. But you do not blow on food when it consists of a scoop of ice cream.

The situations are not analogous at all. This situation, after all, is one which has been treated in the football leagues in the way in which they want it treated. In baseball they are treating it in their way. In due time, they may come to see the situation differently, if the proposal is as meritorious as outlined by the Senator from Wisconsin.

We should leave the matter as it is for another reason. It is more than high time that a bill of this kind be enacted into law and that we should confer upon all professional sports teams a parallel and parity with reference to the antitrust laws.

I feel that agreement to this amendment might be an impediment and an obstruction in that regard.

I urge the rejection of the amendment.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. Proxmire]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], the Senator from Maryland [Mr. Tydings], and the Senator from Ohio [Mr. Young], are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd] and the Senator from Minnesota [Mr. McCarthy], are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], the Senator from Maryland [Mr. Tydings], and the Senator from Ohio [Mr. Young], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Hickenlooper] is necessarily absent.

The result was announced—yeas 26, nays 62, as follows:

[No. 245 Leg.]

YEAS—26

Aiken
Allott
Bennett
Burdick
Byrd, W. Va.
Carlson
Clark
Dominick
Hartke
Jordan, Idaho
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Nelson
Pearson
Proxmire
Randolph
Thurmond
Young, N. Dak.

NAYS—62

Anderson
Bass
Bayh
Bible
Boggs
Brewster
Cannon
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hayden
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
McNamara
Mondale
Montoya
Morton
Murphy
Muskie
Neuberger
Pastore
Pell
Prouty
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—12

Bartlett
Byrd, Va.
Church
Gore
Hickenlooper
Lausche
McCarthy
McGee
Robertson
Smathers
Tydings
Young, Ohio

So Mr. Proxmire's amendment was rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLOTT obtained the floor.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the distinguished Senator yield?

Mr. ALLOTT. I yield.

Mr. DIRKSEN. I should like to ask the majority leader about the remainder of the day, and, incidentally, I should like to ask the Senator from Colorado how long he is going to take and whether or not he will ask for a yea-and-nay vote.

Mr. ALLOTT. In response to the inquiry of the distinguished minority leader, I have an amendment which I think is quite important, but it can be explained briefly. I plan to take about 5 minutes if I can have reasonable attention of a number of Senators. Then I will ask for a voice vote.

Mr. DIRKSEN. Mr. President, I understand that the Senator from Kansas [Mr. PEARSON] has an amendment. I should like to ask him how much time he needs.

Mr. PEARSON. I shall take only 2 or 3 minutes, and I shall not ask for a yea-and-nay vote.

Mr. JAVITS. Mr. President, may I ask if there is to be a yea-and-nay vote on passage of the bill?

Mr. MANSFIELD. Mr. President, so far as I know, there will not be a yea-and-nay vote on passage of the bill, so I hope Senators will remain close to the floor. Senators who offer amendments are entitled to serious consideration of their amendments.

If the bill should pass tonight, as appears likely, there will be no further business tonight, but Calendar No. 627, H.R. 3157, to amend the Railroad Retirement Act of 1937, will be laid before the Senate and become the pending business tomorrow after the morning hour.

In addition, tomorrow we will clear up odds and ends.

Incidentally, I understand that the higher education bill was reported unanimously by the committee today; but the reports will not be in final form until midnight tomorrow. I have discussed the matter with the chairman of the committee and the distinguished minority leader.

It is our anticipation that it will be made the pending business tomorrow, to be taken up at the conclusion of morning business on Thursday.

Mr. JAVITS. If the Senator will yield I would express the hope—I am the ranking member on that committee—inasmuch as we understood each other quite well in committee and with the Labor Day holiday coming on, that it would be extremely helpful if Senators who had in mind offering amendments on the higher education bill would be gracious and kind enough to have them printed. This would accelerate their consideration, with the holiday coming up, as we shall be up against meeting the deadline of, let us say, Friday.

Mr. MANSFIELD. I am sure that Senators will pay strict attention to what the Senator from New York has said and will have their amendments, if any, ready.

Let me say at this time that the Senate can anticipate a "layover," so to speak, from the conclusion of business Friday until noon on the following Tuesday.

Mr. DOUGLAS. Mr. President, I had understood, in an earlier statement made by the majority leader, that the holiday would consist of Friday, Saturday, Sunday, and Monday.

Mr. MANSFIELD. No. I never said that. If I did, I was in error. I would bet 10 cents that I did not say it.

Mr. DIRKSEN. Mr. President, I concur in what the majority leader says. I believe that the only modification of it was that Friday could be a light day, and there might not be any record votes late in the day; but, other than that, I thought we were agreed on the end of business Friday and the holiday would then begin and we would go over until Tuesday.

Mr. MANSFIELD. Let me say——

Mr. DOUGLAS. This is the usual Labor Day holiday then?

Mr. MANSFIELD. It is the usual Labor Day holiday, but we can anticipate having the higher education bill this week, and either the immigration or the farm bill. We are in difficulty on the other two. I assure the distinguished Senator from Illinois [Mr. DOUGLAS] that if there is no business, the Senate will not be in session, and we will not go through any formality. It depends on what business there is before us. The best I can say, at this time, is from the conclusion of business Friday until Tuesday noon.

That is it.

APPLICATION OF THE ANTITRUST LAWS AND THE FEDERAL TRADE COMMISSION ACT TO ORGANIZED PROFESSIONAL TEAM SPORTS

The Senate resumed the consideration of the bill (S. 950), to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes.

Mr. ALLOTT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

> On page 2, line 13, strike "contracts;" and insert in lieu thereof the following:
>
> "contracts: *Provided*, That each person who participates as an employer in a plan of selection of players or player contracts for professional football shall permit all other persons so engaged in the same professional sport at the same level to participate in such plan on an equitable basis;"

Mr. ALLOTT. Mr. President if we can get a reasonable number of Senators to remain in the Chamber for a voice vote on my amendment, I shall not ask for a yea and nay vote.

Mr. President, I intend to support the sports bill because I feel that it is essential for the continued growth and prosperity of professional team sports. I certainly agree that the leagues should be permitted, by agreement or plan, to equalize player strengths, provide for a common means of selecting players, and operate within specific geographic areas. In addition, professional sports should be permitted to take such actions as are necessary to preserve public confidence in the honesty of sports contests.

Mr. HOLLAND. Mr. President, will the Senator from Colorado yield for a question?

Mr. ALLOTT. I yield.

Mr. HOLLAND. I was not able to hear the Senator. Did he say that there would be a yea and nay vote, or merely a voice vote?

Mr. ALLOTT. I said that if I could get enough Senators to remain in the Chamber for a voice vote, I would not ask for a yea and nay vote; but I wish more than an empty Chamber to vote on my amendment. I am sure that the Senator from Florida understands my position.

Mr. HOLLAND. I thank the distinguished Senator. I did not understand his statement before, due to the confusion in the Chamber.

Mr. ALLOTT. There was certainly enough confusion.

Mr. President, I believe that the current bill, however, leaves open one facet of equalizing player strengths which should be rectified, and I am introducing an amendment to achieve that goal. My amendment calls for a common draft between or among professional sports leagues at the same level. In other words, any two or three leagues playing at the same level would have one common draft instead of individual drafts for each league.

The effect of my amendment would be to give the less wealthy teams equality with the more wealthy teams. Currently, for instance, a player may be drafted by a team in each league. Naturally, in most instances, the player will sign with that club which will pay him the most money. Last fall, we saw untried and untested players signing for phenomenal sums which the less wealthy teams just could not pay. Thus, the richer teams get richer in player personnel and the poorer teams have to take the poorer players.

I certainly do not wish to leave the impression that I am opposed to these young men getting well paid for their services. I wish them to be well paid, and paid fully to the degree of their competence. What I object to are the exhorbitant salaries promised these young men, as a result of team bidding against team, when the young man has never participated in the sport professionally. If, after proving himself, a young man can get a huge salary or bonuses, I am in favor of it, but I do not believe that he should be paid huge amounts of money for merely signing a contract.

Again, my amendment would do no more than provide equality in player selection for all professional sports teams playing at the same level. This would give the less wealthy teams in the various leagues an opportunity to hire better player personnel, thus making the teams within each league and between leagues equal.

Mr. HART. Mr. President, I would hope very much that the amendment would not be agreed to. I believe that although it would apply uniformly to all professional team sports, it is intended to require the two professional football leagues, currently in existence as competing entities, to join together. I believe that this is a decision Congress should not arrive at at this time, and for that reason I hope that the Senate will reject the amendment.

Mr. HRUSKA. Mr. President, I shall speak briefly. I support the position of the Senator from Michigan on this score. In committee, we have not considered the amendment or anything that would be comparable to it.

Let me say again that our concern is to fashion a bill and get it approved by the Senate so that we may resolve a situation long overdue, which needs the treatment of all professional team sports on a parity basis insofar as the antitrust laws are concerned.

I do not believe that the effect of the amendment proposed by the Senator from Colorado would be any other than to lead to an obstruction toward that result. For that reason, I hope that the amendment will be rejected.

Mr. ALLOTT. Let me say in reply, that we are considering a team sports bill. My amendment would make it possible, throughout both football leagues, to bid on an equal basis and get a common draft for these players.

If we wish to make the big teams bigger all the time, then vote against the amendment. If we wish to place it on a somewhat equal basis so that there can be a common draft, and give these young men the opportunity to prove themselves and draw the salaries and bonuses, then vote for my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was rejected.

Mr. PEARSON. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. PEARSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. PEARSON is as follows:

On page 2, strike out lines 14 and 15.

Mr. PEARSON. Mr. President, what my amendment would do actually would strike from the bill the third subparagraph on page 2 which refers to "the right to operate within specific geographic areas."

I do not contend for a moment that all of the transfers from city to city, or from county to county have been against the best interests of sports or against the best interests of the public. However, if the Proxmire amendment represented a flanking attack, my amendment represents a direct attack on what I believe to be a serious problem in today's professional sports and athletics and in the organization of leagues, for there exists a problem to which I refer as "hop scotching" of franchises from one section of the country to another.

Specifically I believe serious consideration should be given to the removal of subparagraph (3) in order to offer some protection to cities and the public. In my opinion, removal of this subparagraph would not prohibit the removal of a franchise for any legitimate reason and would aid in the protection of municipalities against overnight loss of their professional athletic groups. Cities and counties have, and in all probability will continue, to erect through municipal bond issues and considerable private investment, the necessary stadium facilities and requirements necessary for the operation of professional athletic clubs. They should, therefore, have some guarantee of future security for their professional athletic groups, that exist in various cities.

I say to the Senator in charge of the bill that I know it is late in the day, and it has been a very confusing day. I merely wish to say that the amendment would strike paragraph 3 on page 2. We discussed this matter privately earlier today.

Mr. HART. Mr. President, I hope very much that at this late hour the Senate will not strike what is really a critical and key element in the bill. During the debate many comments were made on the necessity for this aspect. Again, Mr. President, while none of us pretends that the product of the committee can be listed among those achievements which are perfect, I am satisfied that the elimination of this aspect of the bill would have very serious repercussions within a short period of time. I hope that the amendment will be rejected.

Mr. HRUSKA. Mr. President, I join the Senator from Michigan in opposing the amendment. After all, the territorial aspect of this bill is what imparts value to a franchise in organized professional team sports. Without it there would be nothing but chaos and confusion. While it might, on the surface, be thought to correct a situation, it would create complete chaos and confusion in other areas. I urge that the amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

The amendment was rejected.

Mr. MUNDT. Mr. President, this proposed legislation is needed. It is needed to bring equality to our professional team sports in respect to the antitrust laws of this Nation. It is needed at the same time to provide necessary exemptions for these same sports from these same laws.

Others have outlined the reasons why professional team sports should not be expected to meet the same competitive standards that other businesses are expected to meet. Why, in fact, these competitive standards could very well mean the end of professional team sports as we know them today. I concur in these reasons.

And yet, Mr. President, in concurring with these reasons I must also voice my views on the relationship that exists between professional athletics and their business activities, for professional team sports and big businesses to their owners—and becoming more and more so.

The people have, I believe, become alarmed at the recent trend toward control of professional teams by diversified corporations. The leagues themselves are also beginning to show an awareness of this problem as witnessed by the recent ruling by the Commissioner of one of the two major professional football leagues that henceforth purchasers of franchises must have football as their major interest and that diversified corporations are out as buyers. This aspect of big business was dramatically illustrated by the acquisition of 80 percent of the stock of the New York Yankees baseball team by the Columbia Broadcasting Co.

By saying this I do not mean to single out CBS for special damnation. However, I believe this does pinpoint one of our problem areas. Whether the purchase be by CBS, NBC, ABC, or even by a large advertising firm; we are faced with the same possible legal consequence—an interlocking interest that could be, but is probably not, subject to the antitrust laws.

This situation is the result of legal decisions that have left professional baseball outside the sphere of these laws. In 1922 the Supreme Court in *Federal Baseball Club* v. *National League,* 259 U.S. 200, ruled that organized baseball was not subject to the antitrust laws. Some 30 years later the Supreme Court upheld its ruling in deciding the case of *Toolson* v. *New York Yankees, Inc.,* 346 U.S. 356 (1953). In the latter case, the Court, with admirable restraint that is oftentimes lacking in their decisions, indicated that they were basing their ruling on the principal of stare decisis and went on to say that Congress had shown no indication of including the business of baseball within the scope of the Federal antitrust laws even though we had had the matter under consideration.

In subsequent decisions, however, the Court held that other professional team sports were not entitled to this exemption. The result is twofold. We have, in the first place, discrimination between sports that operate substantially in the same way. We also have this hazy area of when baseball, in its purely business activities, could be subject to antitrust laws. Legislation is clearly needed.

This pending legislation would include business activities, but would specifically exempt certain types of activities which have little or no commercial significance. These activities include the equalization of competitive playing strengths, the employment selection or eligibility of players or the reservation, selection or assignment of player contracts, the right to operate within specific geographic areas, and the preservation of public confidence in the honesty in sports contests.

It would cover sales such as the recent sale of the Yankees. This purchase could be considered a vertical acquisition of a major supplier by a customer, for CBS is in a position of bidding on the league television contracts and at the same time is one of the 10 American League baseball teams voting on acceptance of such bids. Such a situation may or may not have been in violation of antitrust laws but if this bill had been enacted years ago, the Department of Justice or the Federal Trade Commission would have been authorized to investigate to determine if antitrust implications were involved.

Mr. President, I do not believe that professional team sports are opposed to having their purely business activities covered by the antitrust laws. In fact, in justice to CBS it should be pointed out that the president of the Columbia Broadcasting Co. has testified that he also thought the antitrust laws should be applicable to the business aspects of team sports.

Nor do I believe that it is wrong for Congress to pass a law covering this problem. This is a legitimate function of the legislative branch and is a matter of governmental concern. The public needs and deserves this protection.

It is, incidentally, far better for us to solve these problems by legislation such as this which lays down specific guidelines for the professional sports involved so that they can then run their own business, than it is for the Government to become actively involved in the management of a particular sport as is being proposed in the establishment of a federally appointed Boxing Commission.

I would hope that the Senate will not follow the lead of the other Chamber and pass legislation creating such a commission, but the best way to avoid such policing duties in the future for all sports and at the same time protect the public would seem to be passage of legislation which would allow the professional team sports to police themselves within the general legal framework of such laws as the antitrust law.

I urge, therefore, the adoption of S. 950.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. **ERVIN**. Mr. President, I shall vote against the bill on passage for two reasons. First, the bill makes it lawful for persons who operate professional baseball, football, basketball, or hockey clubs to do things for which other Americans are to be subjected to damages, fines, or imprisonment.

Second, the bill makes every person in the United States who possesses skill in baseball, basketball, football, or hockey, and who wishes to use such skill in an athletic career the economic slave of those who are engaged in these sports on a professional basis for commercial gain.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, shall it pass?

The bill (S. 950) was passed, as follows:

S. 950

An act to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 2, 1890, as amended (26 Stat. 209); the Act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717), shall be applicable according to their terms to the organized professional team sports of baseball, football, basketball, and hockey, except that neither such Act shall apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging, or participating in any one of the organized professional team sports of baseball, football, basketball, or hockey to the extent to which such contract, agreement, rule, course of conduct, or activity relates to—

(1) the equalization of competitive playing strengths;

(2) the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts;

(3) the right to operate within specific geographic areas; or

(4) the preservation of public confidence in the honesty in sports contests.

SEC. 2. As used in this Act, "persons" means any individual, partnership, corporation, or unincorporated association or any combination or association thereof.

SEC. 3. Nothing in this Act shall affect any cause of action commenced prior to the effective date hereof in respect to the organized professional team sports of baseball, football, basketball, or hockey.

SEC. 4. Nothing in this Act shall be construed to deprive any players in the organized professional team sports of baseball, football, basketball, or hockey of any right to bargain collectively, or to engage in other associated activities for their mutual aid or protection.

SEC. 5. Except as provided in section 1 of this Act, nothing contained in this Act shall be deemed to change, determine, or otherwise affect the applicability or nonapplicability of the antitrust laws to the organized professional team sports of baseball, football, basketball, or hockey.

SEC. 6. Section 3 of the Act of September 30, 1961 (75 Stat. 732), is amended to read as follows:

"SEC. 3. Section 1 of this Act shall not apply to any joint agreement described in section 1 of this Act which permits the telecasting of all or a substantial part of any professional football game on any Friday after 6 o'clock post meridian or on any Saturday during the period beginning on the second Friday in September and ending on the second Saturday in December in any year from any telecasting station located within seventy-five miles of the game site of any intercollegiate or interscholastic football contest scheduled to be played on such a date if—

"(1) such intercollegiate football contest is between institutions of higher learning, both of which confer degrees upon students following completion of sufficient credit hours to equal a four-year course, or

"(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and

"(3) such intercollegiate or interscholastic football contest and such game site were announced through publication in a daily newspaper of general circulation prior to March 1 of such year as being regularly scheduled for such day and place."

Mr. **HART**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **HRUSKA**. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

Mr. **MANSFIELD**. Mr. President, the question of the applicability of the antitrust laws to professional sports has been a knotty one which has troubled both the courts and the Congress for more than four decades. The problem has involved weighing and evaluating essential sports practices as distinguished from the business practices involved in sports in the light of fundamental antitrust principles. Today this body has passed a bill which seeks to accomplish this goal.

I congratulate the junior Senator from Michigan [Mr. HART], the chief sponsor of the measure, chairman of the Antitrust and Monopoly Subcommittee of the Judiciary Committee, and able manager of the bill, for his skill in shepherding the Professional Sports Act of 1965 through the Senate. He did so with the very able assistance from across the aisle of the senior Senator from Nebraska [Mr. HRUSKA].

But an equal measure of commendation is due to those who so capably proposed and pressed their amendments, both in committee and on the floor. I refer especially to a skillful and distinguished lawyer, the senior Senator from North Carolina [Mr. ERVIN], the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], and the distinguished Senator from Colorado [Mr. ALLOTT].

The skillful handling of this measure and the spirited debate surrounding it are a credit to this entire body.

Mr. **JAVITS**. Mr. President, what has been done here to revise the antitrust laws will be of great benefit to professional sports and with respect to the whole temper in which the sports are carried on in the United States.

It is critically important to my city and State. I am delighted that it has been done finally.

I congratulate the Senator from Michigan [Mr. HART], who has done a splendid job in piloting through the Senate intricate and difficult legislation, which will be of great value to millions of Americans, young and old alike, who will thank him for having brought regularity and order to what has often been the subject of uncertainty.

I also congratulate one of the ranking Republican members of the committee [Mr. HRUSKA], who cooperated in the successful handling of the bill.

TRIBUTE TO CASEY STENGEL

Mr. WILLIAMS of New Jersey. Mr. President, I rise to pay tribute to one of nature's noblemen, Casey Stengel. Time and physical infirmity have accomplished what combative opponents, intransigent umpires, and heckling fans could not accomplish for over half a century. The "Ole Perfesser" is retiring from the playing field—unbeaten, but unable to continue taking a fully active part in the game.

Mr. Stengel, for those of you who do not know him, is the peerless leader of the practically peerless New York Mets. He is a man who, over a period of 75 years, has acquired a vast tolerance for the vicissitudes of life. As a player and then a manager, he has experienced the sublime and the ridiculous. He reached the pinnacle of his career in winning five world's championships in a row with the New York Yankees. With his graceful gift for placing what might be embittering defeat for smaller men in its proper perspective, he has tickled the funnybone of baseball fans on many occasions.

Though some may think that the amazing Mets have taxed his sense of humor to the utmost, it was the old Brooklyn Dodgers who brought out the most ingenious in Casey. They were not only an unusual baseball team, they were, individually and collectively, as unusual—and I use that word advisedly—a bunch of characters as ever were assembled in a dugout.

But Casey, with his rich sense of humor, topped them all. One day, while taking a verbal shellacking from the crowd, he doffed his cap to the assembled multitude—and a bird flew out, effectively silencing his hecklers.

I tell this revealing little anecdote, not just to illustrate what an amusing and enjoyable character Casey is, but also to illustrate what a shrewd handler of people the Ole Perfesser is.

With a nimble mind and a lively imagination, Casey has devised many ways of dealing with many people and situations during his years in baseball. He handled an angry crowd or a friendly sportswriter with equal ease. But, perhaps, his greatest achievement has been in his handling of young people. Casey has established a reputation as the finest developer of young ballplayers in the business. He teaches his lessons in many different ways—by example, with a wink or a nod—or with that unique command of the English language which has been termed Stengelese—a now widely accepted synonym for artfully scrambled syntax.

Casey has contributed in many ways to the game of baseball and to contemporary American life.

He even made his contribution to the deliberations of this body, back on July 9, 1958. He testified before the Subcommittee on Antitrust and Monopoly of the Judiciary Committee, when the Congress was considering whether to exempt baseball from the antitrust laws.

Casey was under questioning by Senator JOHN CARROLL, of Colorado. I quote a short excerpt from that testimony:

> Senator CARROLL. That was not the question I asked you, and I only asked you on your long experience——
>
> Mr. STENGEL. Yes, sir. I would not be in it 48 years if it was not all right.
>
> Senator CARROLL. I understand that.
>
> Mr. STENGEL. Well, then, why wouldn't it stay that?
>
> Senator CARROLL. In your long experience——
>
> Mr. STENGEL. Yes.
>
> Senator CARROLL. Do you feel—you have had experience through the years——
>
> Mr. STENGEL. That is true.
>
> Senator CARROLL. With the draft system, and the reserve clause in the contracts. Do you think you could still exist under existing law without changing the law?
>
> Mr. STENGEL. I think it is run better than it has ever been run in baseball, for every department.
>
> Senator CARROLL. Then I come back to the principal question. This is the real question before this body.
>
> Mr. STENGEL. All right.
>
> Senator CARROLL. Then what is the need for legislation, if they are getting along all right.
>
> Mr. STENGEL. I didn't ask for the legislation. [Laughter.]
>
> Senator CARROLL. Your answer is a very good one, and that is the question Senator Kefauver put to you.
>
> Mr. STENGEL. That is right.
>
> Senator CARROLL. That is the question Senator O'Mahoney put.
>
> Mr. STENGEL. Right.

Casey brought one of his young Yankee ballplayers with him, Mickey Mantle. Mickey had long been under the wise tutoring of the Ole Perfesser.

And when he was asked his opinion of the antitrust laws in reference to baseball, he showed that the lessons had been learned. His reply was:

> My views are just about the same as Casey's.

Mr. President, with the kind of resilience and joy of living Casey has shown—with the great contributions he has made in the past—I know that he will continue to make contributions to baseball and to the American scene as a vice president of the Mets, working with young people on the west coast.

THE AMERICAN FRIENDSHIP COMMITTEE FOR SOUTH VIETNAM

Mr. DODD. Mr. President, the feeling and compassion of Americans for the plight of the people of South Vietnam continues to impress me tremendously. While our Government and Armed Forces help to fight Communist aggression in southeast Asia, private citizens have responded with aid and assistance for the people caught in this bitter struggle.

In June, I spoke on the Senate floor about "Operation Friendship" and the motorcade of Virginia Jaycees who took food, clothing, and supplies to Fort Bragg for shipment to South Vietnam.

Today I would like to bring to your attention another good will effort undertaken by private citizens.

Concerned for the morale and harsh conditions of the South Vietnamese soldiers, Mr. Anthony Ustjanauskas, of Hartford, Conn., sent a sizable check to Ambassador Maxwell Taylor in Saigon. He suggested that this money be used to buy gifts for the wounded soldiers of the Vietnamese Army.

Ambassador Taylor was impressed by this idea, and with the money purchased transistor radios for distribution among the wounded South Vietnamese in Can Tho Military Hospital. These radios, which help to ease the tedious and pain-ridden hours, were gratefully received by the hospital and its patients.

This gift, an expression of American appreciation for the courageous fight which the South Vietnamese are waging, received considerable coverage and attention in various Connecticut newspapers.

It met with spontaneous public approval, and soon Mr. Ustjanauskas was receiving inquiries from many who wished to take part in this effort. Money and checks began to come in, and a special bank account and the services of an attorney were needed to handle these funds.

It was then decided that a committee might be formed to expand the initial idea on a larger scale. As a result, the American Friendship Committee for South Vietnam was established as a nonprofit organization on July 22, 1965.

Mr. Ustjanauskas serves as secretary of the committee. Dr. Emanuel Marcus, a reserve colonel now with the Veterans' Administration, is president; George Sherman, an attorney, is vice president; and Raymond Woolson, a bank official, is treasurer.

The contributions made by interested citizens are credited to a special account and sent directly to the U.S. Ambassador in Saigon. Decisions as to the purchases are made there, and the gifts are then distributed to wounded South Vietnamese soldiers.

Because there has been such a heartening public response to this program, the committee now hopes to expand their efforts to include gifts of used clothing, and also to help promote similar programs in other States and communities.

Americans are aware of and understand the brutal toll of this critical conflict, and the people of South Vietnam appreciate the growing desire of our citizens to help. The patriotic and humane efforts of individuals and groups, such as Mr. Ustjanauskas' committee and the Virginia Jaycees, are meaningful, tangible contributions to the fight for freedom in southeast Asia.

It is a great source of pride to me that the citizens of Connecticut have demonstrated in this way their concern for the needs of others.

I would commend and encourage the initiative and good will of all those throughout the Nation who have taken part in these voluntary assistance programs. Obviously, this could have a very real and important effect on the outcome of the present struggle.

SENATOR YARBOROUGH'S TESTIMONY ON THE COLD WAR VETERANS' READJUSTMENT ASSISTANCE ACT

Mr. RANDOLPH. Mr. President, we are keenly aware of the persevering and conscientious efforts and the leadership manifested by the distinguished Senator from Texas in advancing the Cold War Veterans' Readjustment Assistance Act, commonly known as the cold war GI bill. His continuing efforts, for many years on behalf of this vital measure and his expert floor management in moving this legislation to passage in the Senate last month have elicited the admiration and thanks of the Members of this body. The Senator from Texas has been the leading spokesman for the cold war veterans, who will number almost 6 million by 1970, according to estimates by the Veterans' Administration. His dedication to their cause is unparalleled. It was my privilege to join this esteemed gentleman in support of S. 9, first as lead-off witness in the committee hearings of the Senate Veterans' Affairs Subcommittee and then in the floor debate prior to Senate approval.

Today, the Senator from Texas continued his spirited endeavors to secure the enactment of S. 9. He was the opening witness in hearings being conducted by the Veterans' Affairs Committee of the House of Representatives. The Senator from Texas again cogently pointed out that this legislation provides an opportunity for our citizens to demonstrate that the extreme and unique personal sacrifices of the cold war veterans are recognized; that this is not a bonus bill, rather it is a readjustment bill; and that our Nation can ill afford to lose the talents and abilities of these veterans.

Mr. President, I again commend the Senator from Texas and I ask unanimous consent that his remarks in support of the Cold War Veterans' Readjustment Assistance Act be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RALPH YARBOROUGH BEFORE THE HOUSE VETERANS' AFFAIRS COMMITTEE IN SUPPORT OF S. 9, THE COLD WAR GI BILL

Chairman TEAGUE, and members of the Veterans' Affairs Committee, I am honored by the privilege afforded me by so able and distinguished a committee, to open the testimony today on the cold war GI bill, S. 9, here from the Senate, and at least 39 House bills, including those by the distinguished chairman of this committee, the Honorable OLIN TEAGUE of Texas.

And I pay tribute to the chairman of this committee for his sponsorship of the Korean conflict GI bill, under which more than 2 million veterans received a part of their education. The Korean conflict GI bill, authored by Chairman TEAGUE, made history in America, because it was the first GI educational bill for a cold war period, called by opponents of GI education, a bill for "peacetime GI's." The Korean conflict bill ran right on past the end of the fighting in Korea in July 1953, and the armistice of October 1953, until it was terminated by Presidential Proclamation on January 31, 1955. A serviceman who entered service for the first time on January 31, 1955 was eligible for Korean conflict benefits when he came out of service 2, 3, or 4 years later.

S. 9, the bill that passed the Senate July 17, 1965 by an overwhelming vote of 69 to 17, would begin eligibility for GI benefits on February 1, 1955, where the Korean conflict bill left off, and would extend them to July 1, 1967, the end of the present draft. As a cold war bill, it follows the solid experience of Chairman TEAGUE's bill, proven in cold war periods of 1953, 1954, and January 1955, to be beneficial to the veterans, to the armed services, to our economy, and to the Nation.

S. 9 is very similar to the Korean conflict GI bill in that it provides 1½ days of schooling for each day of active duty, but not to exceed 36 months of schooling the maximum. It is more restricting than the World War II and Korean conflict bills, which required at least 90 days of service as a prerequisite to eligibility, because this cold war bill requires more than 180 days of service, and 6 months men are not eligible.

If discharged for a service-connected disability before the 180 days were up, a veteran would be eligible for schooling.

During educational training, a veteran would receive, for full-time college training, monthly allowances as follows: with no dependents, $110 per month; with one dependent, $135 per month; with more than one dependent, $160 per month.

These figures are identical with the allowances under the Korean GI bill, but the cost of college tuition has doubled since 1952, and other living costs have so far advanced that $72 in 1952 would buy as much as $100 buys now for a college student; so, in purchasing power, we are actually not granting these cold war veterans anything like as generous benefits as were granted the veterans of World War II or the Korean conflict.

This bill is a veterans' readjustment bill, not a bonus bill. There is no mustering-out pay, as was contained in the World War II GI bill. This bill is solely to aid readjustment to civilian life by the 40 percent of our young men who now do military service, to give them a chance to try to catch up with the 60 percent of the young men who are not required to serve, and who, on the average, have a 28-month headstart over those in military service who defend liberty for all of us.

The provisions of S. 9 are similar to cold war GI bills introduced during the last three Congresses. In the 86th Congress, the cold war GI bill (S. 1138) passed the Senate by a vote of 57 to 31, the bill of the 87th Congress (S. 349), as well as the cold war GI bill of the 88th Congress (S. 5), was favorably reported by the Labor and Public Welfare Committee in the Senate. This year, the Senate, cognizant of the overwhelming support for the bill by both military and civilian elements of the Nation, passed the GI education bill (S. 9) without substantive amendment by a vote of 69 to 17. This proposed legislation has always enjoyed broad public support, and its public acceptance is far greater today than it has ever been before. Each year a large number of our vigorous American youth enter military service to give from 2 to 4, or more, years of their lives to the defense of their country. They do so, and this country needs them to do so, because foreign powers continue to threaten the security of this Nation and of the free world. So long as there is a violent Vietnam, a Berlin crisis callup, or an island threat from Cuba, our American youth will be required to serve their Nation in hot military spots as well as in the Arctic wastes and the Lybian Desert.

S. 9 provides an opportunity to demonstrate that we, as a nation, do recognize the extreme, unique personal sacrifices exacted from our cold war veterans by their military service. Let me point out that this bill is not conceived as a reward or as an inducement for our young men to serve their country. For those who would reduce the purpose of this bill to these concepts, I can only retort that I conceive the level of patriotism in our country to be of a higher quality. I do not believe that we need reduce our defense effort to gimmicks or rewards to induce our young men to defend our country. Service to one's country should be and presently is based on a moral obligation to defend the principles by which we live.

I do not wish this bill to be confused with the thoughts of those who would hold this educational opportunity out as a reward to those who undergo specially hazardous duty for their country. I mention this because I do not believe that there is any room in our American philosophy for the demand that our youth earn educational opportunities by risking their lives. We often speak of the United States as the Nation of opportunity, a place where anyone is offered an opportunity in life to aspire to his highest ambitions. There is no place in our heritage for the idea that educational opportunity must be earned by placing one's life at stake.

The basis of the philosophy behind S. 9 is that everyone in this country should have the opportunity of pursuit of happiness without being penalized unfairly for securing the safety of the rest of us. This is the idea that in the name of justice, one will not be discriminated against unfairly in seeking fulfillment of life. Yet, this is just what is happening to our cold war GI's at the present time.

Only 40 percent of our draft-eligible young men ever serve their country in uniform. While these men are sacrificing 2 to 4 years of their lives just at their crucial age of peak development, the 60 percent of their counterparts are utilizing this time to further their careers and develop their futures. It is just these admirable young men who are serving their country who are the least able to afford the time which is sacrificed from their future development. These are the men who are least able to afford an education, who are least prepared for a civilian occupation, and who have to struggle the hardest to survive the competition for the future. The injustice is magnified, for we take the very men who must struggle the hardest to get ahead in life and set them 2 to 4 years behind in their competitive position, just because they are the 40 percent who do the admirable thing in serving their country.

The real problem occurs when our cold war veterans return to civilian life. After being removed for 2 to 4 years from the mainstream of competition, they return to civilian life just as they left—unskilled, uneducated, and largely unemployable. Last year unemployment compensation for veterans increased $2 million—to over $96 million—money which could have reaped benefits if used for the training of these veterans. Here is the place where the cold war veterans needs help. He does not need a reward—what he needs is a chance. Whatever his military experience, hazardous or not, there is a need for readjustment assistance to help the cold war veteran get his ship of success back into the mainstream of opportunity.

Mr. Chairman, I ask that a brief statement entitled "The 'Hot Spot' Approach Creates Grave Foreign Policy Problems and Has No Relevance to the Need Which S. 9 Is Designed To Meet" be printed at this point in the RECORD:

"The 'hot spot' approach would present grave difficulties as far as our foreign policy is concerned. This kind of bill requires that 'areas of hostilities' or 'combat areas' be designated. Thus, at a time when we are trying to reach an accord with the Communist world the President would be required to give emphasis to our conflicts with the Communists by designating certain zones as 'areas of hostilities.' This could only serve to aggravate our difficulties in international relations, and make the United States appear hostile in the eyes of others.

"The purpose of S. 9 is to provide readjustment assistance to veterans who are coming back to civilian life. The need for readjustment assistance has no relation to whether a serviceman has been in an area of hostilities. He is just as much in need of readjustment assistance whether he has been in Vietnam or not. It is unclear why a serviceman must be shot at before he is deemed to be in need of readjustment assistance. Why must we say to our servicemen that you must place your body on the firing line before you are deemed worthy of being educated?

"The World War II and Korean GI bills were both intended as readjustment assistance. They applied to every person who served, regardless of whether he saw combat or not. For instance, the congressional intent in the Korean GI bill is stated as being for the purpose of 'providing vocational readjustment and restoring lost educational opportunities to those men and women whose educational or vocational ambitions have been interrupted or impeded * * *.' The purpose of the cold war GI bill is the same.

"Figures provided by the Department of Defense indicate that during World War II (December 7, 1941, to December 31, 1946) of the 8,113,000 male personnel in the U.S. Army, 25 percent never served overseas; of the 4,183,000 personnel who served in the Navy, 13 percent never served overseas; of the 599,693 personnel in the Marine Corps, 29 percent never served overseas. These same figures show that during the period of the Korean conflict (June 25, 1950, to July 27, 1953), of the 2,834,000 personnel in the Army, 34 percent never served overseas; of the 1,177,000 personnel who served in the Navy, 79 percent served elsewhere than in the Far Eastern theater; of the 424,000 personnel who served in the Marine Corps, 61 percent never served overseas; and of the 1,284,977 personnel who served in the Air Force, 61 percent never served overseas. These personnel who never saw the glimmer of the far-off shore and never heard the sound of hostile cannons rumbling in the distance received the needed educational benefits of the GI bill, and rightly so. Their contribution to the culture and economic growth of this Nation has been immeasurable.

"The Veterans' Administration estimate that of the 8,700,000 persons who have served in the Armed Forces since January 1955 (the post-Korean period), 42 percent either served overseas for less than 90 days or never served overseas at all. The educational progress and opportunity of this sizable group of persons has been impaired in just as serious and damaging a fashion as if they had served on distant shores. Their educational needs are no less than those of their comrades who served abroad.

"Each serviceman is a part of the entire Defense Establishment. Each is necessary to the defense of the free world. One man serves in this country, or in the Middle East—so that another can serve in Vietnam, and so that the majority of us can remain at home and get a lead in life over those who are protecting us.

"Servicemen stationed in areas of hostilities should receive extra benefits, and indeed they do so. They receive extra pay of $50 a month. They pay no income tax. We should be doing still more; Senate bill 2157, which would provide special indemnity insurance to soldiers serving in combat areas, should be enacted immediately. But the way to provide benefits to soldiers serving in combat zones is not to provide benefits only to them which should go to all servicemen currently being discharged."

It is not for the veteran alone that this assistance is needed. Our Nation can ill afford to lose the talents and ability of over 5 million cold war veterans by 1970. Our Nation needs them, and they need the interest of the Nation in their future. This is the purpose of S. 9: to do everything we can to rectify the injustice dealt these veterans, and to afford educational opportunity to every American indiscriminately.

S. 9 provides these young people with 1½ days of educational assistance for each day of service, not to exceed 36 months of schooling. This aid would be in the form of a monthly cash allowance to the veteran, who selects his own school and pays his tuition and maintenance expense from the allowance. A single veteran would receive $110 monthly. A married veteran with two children would receive a maximum of $165 a month. The bill also provides home and farm loan assistance of a type which calls for a loan fee that will be set aside to pay for any losses under the program. Only those persons who perform 180 days or more of military service and who are discharged honorably would be eligible for these benefits.

This is not a bonus or a pension plan; it is a readjustment plan to train a veteran to become self-sufficient and thus avoid the necessity of a bonus or a pension. It is a way to give these young veterans an opportunity to return to civilian life, get a job, and to realize their educational objectives at the most formative time of their lives.

By far the most farsighted veterans' program in our history was the original World War II GI bill of 1944, which accomplished just these objectives. Through this bill and the later Korean conflict GI bill, almost 11 million veterans received training which elevated them into productive employment and additional income. The total cost of this program to the U.S. Government amounted to $19 billion. On this basis it is estimated that the trained and educated veterans paid additional income taxes in excess of $1 billion a year.

The GI bill provisions for education covered a period of 20 years; the estimate of $1 billion annually in added taxes totals a $20 billion return in taxes alone on the $19 billion cost of the program. The cold war GI bill will also be self-liquidating.

Aside from the monetary advantages of this investment, the GI bills have injected hundreds of thousands of trained scientists, doctors, engineers, teachers, and other professional personnel into our economy. Through these bills, veterans were able to escape the problems of readjustment now plaguing cold war veterans, and this is just what this bill will provide for the cold war veterans.

The cold war GI bill does more than redress inequities and provide opportunities. In addition, it will help build an educational fortress which in the long run, will be of more value in defending our freedom than all the armaments in existence. The contributions which can be made by these educationally readjusted veterans is incalculable, especially in light of our still desperate need for more teachers, more engineers, and more scientists.

The documentation of need for and values accruing from this bill could go on without end. However, the most important basis for this bill is the need to provide our young veterans with an opportunity to readjust to civilian life so that military service will not have the effect of creating a lifetime burden for the 40 percent of our eligible men who defend their country.

This is not a halfway proposal to reward only those who see hazardous duty, or some other select group of servicemen—for educational opportunity cannot be used to salve our conscience for sending men to war. Rather this is the recognition that there is a segment of our population that suffers from lack of opportunity—the entire cold war veteran population. Their need is not based on the type of military duty they performed, but on the lack of opportunity to readjust back to civilian life after having been removed for 2 to 4 years.

Four hundred years before the birth of Christ a very wise man[1] proclaimed that he who neglects learning "loses the past and is dead for the future." Let us not neglect the vast intellectual resource which lies within the cold war veterans. Let us pay heed to the past and indicate our regard for the future by prompt enactment of the cold war GI education bill.

This Nation can ill afford to lose the talents and ability of those more than 5 million cold war veterans who will have served their country by 1967. If America is to remain the citadel of liberty and progress in a world of rapid change and violent competition, an educated citizenry is a mandatory requirement. The cold war GI education bill offers a just educational opportunity to the most deserving and capable group of young Americans—an opportunity to continue a lifetime of service to their country not as a monetary and cultural liability but as an economic and intellectual asset. If human history is in fact "a race between education and catastrophe" enactment of this bill will surely assist in securing victory for the enlightened intellect and in the long run for the whole community of civilized men and women.

BIG BROTHER: ELECTRONIC INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, the 27th annual convention of the Communications Workers of America was held in Kansas City June 21–25, 1965. At this convention, the CWA passed a very strong resolution opposing the use of lie detectors in industry and to limit the use of eavesdropping equipment on employees. The resolution further pledges:

> To seek legislation licensing the manufacture, regulating the distribution, and outlawing the indiscriminate use of all types of eavesdropping and wiretapping equipment.

The support of this fine union will be crucial when we get to the stage of legislating on this subject. At this time, I ask unanimous consent to have the resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 27A–65–17 ELECTRONIC INVASIONS OF PRIVACY

We live in an era in which individual rights of privacy are under steadily increasing attack. Not only are government agencies and private industry stepping up their efforts to pry into the private lives of individual citizens and workers, but the methods used are becoming more sophisticated and subtle.

The use of personality tests is now supplemented by lie detectors. Old-fashioned window peeping can now be conducted over great distances in total secrecy by using laser beams that can cut through walls and transmit sound and pictures of everything taking place in a closed room. The equally old-fashioned custom of listening in on someone else's telephone conversation on a party line can now be conducted through sensitive and easily hidden wiretaps.

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[1] Euripides (484–406).

Easily obtainable transistorized listening and recording devices can be hidden in a desk calendar, in a rose or even in an olive in a martini glass.

Recent congressional investigations have uncovered a wide range of deplorable eavesdropping practices carried out by industry and Government. As workers in the communications industry, we, the members of the Communications Workers of America, are particularly aware of the technical possibilities of various types of electronic eavesdropping and monitoring equipment.

While such equipment may have a place in such limited areas as national security, when used by authorized Federal law enforcement officers acting under strict court imposed safeguards, their widespread use in industry and government creates a clear and present danger to the privacy, personal dignity and freedom of every American: Now, therefore, be it

Resolved, That this 1965 convention of the Communications Workers of America opposes the use of lie detectors in industry, whether in the hiring or in any investigation of employees or other employer-employee relation. We pledge to seek legislation on the local, State, and Federal level to outlaw the use of lie detectors in personnel matters: Be it further

Resolved, To seek legislation to limit the use of eavesdropping equipment within any industry on their employees while they are performing their respective jobs.

We further pledge to seek legislation licensing the manufacture, regulating the distribution, and outlawing the indiscriminate use of all types of eavesdropping and wiretapping equipment. The skillful invasions of privacy being conducted by snoopers of all types and descriptions must be brought to an end if freedom and democracy are to survive.

FARM INCOME IN THE STATE OF MONTANA

Mr. METCALF. Mr. President, I have just reviewed disturbing data on farm income in the State of Montana. I have gone over farm income and expense returns compiled by 99 Montana farmers for 1964. More than half of these farm operators reported less than $3,000 net income in 1964.

Not only small farmers, with only a few hundred acres, made less than $3,000. A number of the farm operators in this category had several thousand acres.

Seventeen of the farm operators did not break even. They went in the hole.

The data on Montana farm income was furnished by the operators to the Montana Farmers Union. It solicited from its members information on 1964 farm income and expenses as reported to Internal Revenue Service on Schedule F. The data on each farm operator includes his gain—or loss—co-op refunds and agricultural payments, gas tax refunds, gross income, the number of acres in his farm unit, his investment, and the county in which he is located.

It is pertinent to note that, had it not been for co-op refunds and agricultural program payments, most of the farmers would have been much worse off.

Mr. President, I ask unanimous consent to insert in the body of the RECORD a summary of the farm income and expenses of the 99 Montana farm operators.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SCHEDULE F.—*Farm income and expenses, 1964*

County	Gain or (loss)	Co-op refunds and agriculture payments	Gas tax refunds	Gross income	Acres	Investment
Gallatin	($25,115.62)	--------	--------	$47,441.36	1,232	$1,342,600
Judith Basin	(12,508.21)	$1,528.59	$270.60	9,359.75	3,000	260,000
Yellowstone	(2,690.00)	80.00	192.00	1,764.00	732	19,800
Chouteau	(2,475.01)	1,160.86	144.66	2,555.11	4,500	260,000
Teton	(1,964.71)	993.86	127.78	3,214.67	150	77,000
Carbon	(1,813.42)	756.50	248.04	16,203.78	420	161,750
Fergus	(1,708.18)	454.41	--------	3,301.82	1,300	114,000
Liberty	(1,408.87)	5,223.13	30.12	5,039.64	1,600	150,000
Yellowstone	(1,374.10)	536.74	145.75	4,449.21	1,067	54,385
Petroleum	(1,210.67)	1,630.92	--------	8,286.88	600	75,400
Lewis and Clark	(932.59)	--------	90.24	3,897.77	41	12,009
Cascade	(835.00)	1,950.00	--------	7,900.00	700	95,000
Madison	(528.00)	746.00	--------	7,808.00	800	65,000
Flathead	(342.46)	169.09	--------	631.43	237	23,500
Sheridan	(182.69)	944.41	--------	1,260.79	420	25,300
Toole	(121.11)	5,170.57	56.00	16,029.87	2,700	302,500
Flathead	(26.18)	3,702.76	52.04	4,880.77	480	--------
Gallatin	111.66	563.88	67.24	1,735.12	320	--------
Flathead	159.47	438.84	111.24	8,426.16	240	71,000
Cascade	195.75	4,915.01	97.74	17,868.94	1,059	290,000
Sheridan	263.00	951.00	--------	3,980.00	640	10,150
McCone	603.52	1,563.00	145.00	5,600.00	1,500	31,500
Mineral	617.00	499.00	321.00	7,423.00	160	127,400
Flathead	652.22	970.36	--------	5,651.82	175	100,000
Madison	659.48	1,218.90	247.20	6,523.06	320	51,000
Richland	757.00	483.84	150.91	6,426.81	150	12,400
Fergus	842.02	631.38	--------	3,916.61	80	42,800
Phillips	1,008.00	685.00	149.00	3,059.00	530	23,200
Wheatland	1,040.56	--------	--------	6,480.39	1,360	51,000
Gallatin	1,098.64	2,285.48	242.98	36,938.23	560	34,300
Fergus	1,139.59	145.98	--------	6,488.25	450	76,500
Toole	1,145.00	6,000.00	--------	14,280.00	2,556	335,000
Ravalli	1,200.00	266.60	--------	6,643.61	120	38,000
McCone	1,243.61	1,064.71	222.96	3,584.71	1,280	9,500
Wheatland	1,363.39	467.74	34.68	4,648.18	480	41,000
Fallon	1,380.65	5,416.84	159.22	10,123.99	3,725	30,049
Liberty	1,439.13	1,551.63	--------	2,761.12	360	--------
Judity Basin	1,479.50	1,397.67	50.00	7,589.99	800	70,180
Daniels	1,600.82	4,019.60	--------	10,947.47	2,240	--------
Valley	1,848.67	109.61	--------	6,630.62	187	30,000
Yellowstone	1,942.97	852.88	--------	10,303.68	220	86,000
Madison	1,989.40	359.96	35.04	11,054.51	2,200	78,400
Sheridan	2,078.00	925.48	--------	4,531.44	398	18,000
Golden Valley	2,156.14	--------	218.90	8,863.14	520	76,400
Cascade	2,215.89	102.18	49.99	4,604.19	165	36,000
Phillips	2,265.44	560.79	--------	14,510.18	200	47,500
Wibaux	2,268.00	1,314.00	--------	9,024.00	1,280	22,220
Golden Valley	2,291.04	1,366.00	142.00	5,790.00	800	36.500
Carbon	2,337.97	158.94	84.60	5,336.14	83	--------
Glacier	2,366.52	4,993.19	--------	23,730.48	1,681	245,085
Wheatland	2,645.53	1,468.09	--------	7,719.97	560	78,000
Wibaux	2,662.00	1,763.00	--------	8,159.00	1,280	133,700
Lake	$2,676.48	$414.21	--------	$17,199.75	320	$107,420
Fergus	2,700.38	1,109.12	--------	8,169.14	3,000	161,000
Chouteau	2,722.98	2,632.15	$138.00	9,197.41	642	106,000
Golden Valley	2,742.26	658.74	51.80	6,842.44	2,880	36,000
Phillips	2,759.48	769.76	152.60	7,769.53	365	10,300
Pondera	2,842.06	464.56	--------	16,468.76	700	40,000
Hill	3,061.01	4,212.10	--------	11,912.47	1,350	127,200
Phillips	3,167.41	769.77	--------	7,737.02	1,520	59,200
Richland	3,319.00	1,438.00	201.00	11,296.00	170	35,600
Jefferson	3,348.85	1,866.09	--------	6,378.24	500	42,400
Stillwater	3,710.75	3,605.21	283.89	19,908.44	2,300	62,250
Flathead	3,726.61	809.80	--------	6,372.86	347	103,500
Park	3,743.06	1,704.01	--------	8,710.39	740	14,000
Blaine	3,746.00	4,590.00	--------	21,395.00	2,762	109,876
Powder River	3,768.31	--------	--------	14,154.00	3,020	100,640
Liberty	3,893.08	2,352.00	172.00	8,495.94	1,604	91,464
Pondera	3,920.28	1,960.00	126,00	5,938.82	720	12,600
Liberty	4,122.41	38.29	--------	6,439.13	1,637	--------
Toole	4,133.95	6,398.30	--------	11,816.35	1,050	147,000
Jefferson	4,266.74	1,976.52	113.26	8,311.81	1,280	59,500
Golden Valley	4,322.00	389.00	143.00	11,529.00	198	92,000
Flathead	4,475.33	4,006.43	--------	11,296.02	590	69,620
	4,815.56	532.52	--------	9,382.10	175	60,509
Lewis and Clark	4,884.14	112.81	--------	16,179.65	1,106	103,533
Golden Valley	4,967.38	1,428.84	--------	10,846.47	796	68,218
Roosevelt	5,409.65	1,843.96	--------	10,127.53	780	75,400
Toole	5,412.39	5,030.21	--------	17,433.44	2,080	83,700
Fergus	5,434.38	897.25	--------	22,424.74	1,500	275.000
Roosevelt	5,519.50	268.80	--------	15,764.62	924	4,000
Hill	5,585.98	225.16	120.60	12,536.94	1,321	147,000
Gallatin	5,829.80	3,164.40	133.00	13,347.00	1,280	58,100
Blaine	6,124.68	4,775.30	--------	25,827.53	2,000	190,300
Flathead	6,377.59	2,113.18	441.50	61,993.95	778	213,452
Judith Basin	6,653.90	2,023.83	--------	12,327.19	842	84,515
Chouteau	6,760.00	1,868.00	--------	17,065.00	850	202,000
Pondera	7,550.00	4,165.00	--------	12,535.00	1,260	158,500
Judith Basin	7,662.00	1,230.00	80.00	32,534.00	1,920	200,400
Daniels	8,078.40	5,749.80	146.94	14,284.24	1,520	111,950
Pondera	8,350.52	7,947.79	116.00	12,285.62	1,985	126.000
Pondera	8,741.00	925.00	90.00	25,865.00	1,880	298,000
Richland	8,896.86	537.78	33.90	13,406.10	800	103,600
Teton	8,945.49	100.95	78.06	17,768.59	1,240	154,800
Cascade	9,531.40	8,707.75	57.40	16,185.47	1,176	83,343
Judith Basin	10,802.06	6,269.76	--------	14,723.59	1,220	140,600
Cascade	11,025.98	1,151.30	210.96	21,808.99	1,640	190,000
Hill	11,921.75	4,006.59	46.11	14,726.91	1,440	83,968
Chouteau	12,433.98	4,670.72	--------	17,871.42	1,650	150,000
Cascade	12,955.20	545.31	--------	28,876.71	2,008	125,000
Golden Valley	16,006.00	6,433.00	--------	30,267.00	4,034	247,000
Madison	16,381.67	7,383.22	--------	51,185.42	8,000	341,000
Hill	22,084.52	14,092.61	--------	36,150.26	4,420	364,700
Toole	29,218.77	14,531.00	397.04	43,833.81	3,000	320,000

JUSTICE CHARLES E. WHITTAKER SPEAKS OUT ON "MASS DISOBEDIENCE ENDANGERS NATION"

Mr. HRUSKA. Mr. President, last week our colleague, a Senator from West Virginia [Mr. BYRD] delivered in this Chamber a very analytical and thoughtful discussion on "Contempt For Law and Order."

He pointed out, among other things, that some of the violent eruptions and disturbances which have occurred recently in various cities may be said to be a logical outgrowth, in part, of some leaders stating a belief that such violence is appropriate and that it is even desirable to disobey what they arbitrarily consider to be "bad" laws and to obey only those laws which they label "good" laws. In other words, "that it is morally right to resort to disobedience whenever a citizen's conscience tells him that a law is unjust."

Our West Virginia colleague appropriately quoted Supreme Court Justice Felix Frankfurter a couple of times. One of these passages is:

> If a man can be allowed to determine for himself what is law, every man can. That means first, chaos; then, tyranny.

At another point, Justice Frankfurter is quoted as having said:

> Lawlessness, if not checked, is the precursor of anarchy.

Mr. President, I should like to quote from our colleague's speech to the following extent because it so well gets to the core of one of the Nation's most troublesome current problems. Senator BYRD stated, in part:

> Laws are made to be obeyed by all of the people all of the time. Respect for the law is the basis for orderly government and law-abiding and peace-loving citizens, regardless of race, need to rally around the police, who, too often, play a thankless role in riotous and difficult and dangerous situations * * *. Peaceful assembly is protected by the Constitution and so is the right to petition the Government against grievances. But willful violation of the law—whether the law be municipal, State, or Federal—should not be tolerated.

The speech by Senator BYRD was constructive. It was wholesome.

The quotations from a former member of the Supreme Court were very much in order.

There has come to my attention an article written by former U.S. Justice Charles E. Whittaker, a onetime colleague of Justice Frankfurter. Justice Whittaker's article was entitled, "Mass Disobedience Endangers Nation." It was published in the Kansas City Star recently.

Since his retirement from the U.S. Supreme Court 3 years ago, Justice Whittaker has spent much of his time writing and speaking on the law. In the article mentioned, he sums up his philosophy on the importance of law and order. He writes from a very active and deep-rooted experience in the practice of the law and as a member of the bench.

A native of Kansas, he moved to Kansas City, Mo., where he got a law degree and where he practiced law for about 30 years. In 1954 President Eisenhower appointed him to the U.S. district court. Two years later, he was elevated to the U.S. Court of Appeals. In the following year President Eisenhower appointed him to the U.S. Supreme Court.

With this appointment, he was the only man on record to have been appointed to all three levels of the Federal judiciary—and all within a period of 3 years.

Severe reverses in his health forced his reluctant retirement. He has returned to Kansas City and since his retirement he has done work for the American Bar Association and has lectured widely.

The Kansas City Star has made a very constructive contribution to the thinking of the public at large on the subject at hand.

Mr. President, I ask unanimous consent that the article which appeared in printed at this point in the RECORD. the July 25 issue and referred to above be

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MASS DISOBEDIENCE ENDANGERS NATION: MIDWESTERN PERSPECTIVE: A JURIST SPEAKS ON LAW OBSERVANCE

(By Justice Charles E. Whittaker)

Can any thoughtful person reasonably believe that a disorderly society can survive? In all recorded history, none ever has. On the contrary, history shows that every society which became lawless soon succumbed, and that the first evidences of each society's decay appeared in the toleration of disobedience of its laws and the judgment of its courts.

These are ancient and universal lessons. Yet, in recent times, all of us have daily seen and heard an ever-increasing number of accounts that show, with unmistakable clarity, the rapid spread of a planned course of lawlessness in our land that threatens seriously to get out of hand, and, hence, to destroy law and order.

While, of course, all of our crime is not due to any one cause, it can hardly be denied that a large part of our current rash and rapid spread of lawlessness has derived from planned and organized mass disrespect for, and defiance of, the law and the courts, induced by the irresponsible and inflammatory preachments of some self-appointed leaders of minority groups "to obey the good laws, but to violate the bad ones"—which, of course, simply advocates violation of the laws they do not like, or, in other words, the taking of the law into their own hands.

PEACEABLE PHRASE MISLEADS

And this is precisely what their followers have done and are doing—all under the banner of "peaceable civil disobedience," which their leaders have claimed to be protected by the peaceable-assembly-and-petition provisions of the first amendment to the U.S. Constitution.

In truth, that conduct is neither peaceable nor civil in nature, nor is it protected by the first amendment, as we shall see.

In furtherance of that philosophy, some of those leaders have incited their followers to assemble at a focal point, from far and wide—often, unfortunately, with the encouragement and physical support, and also frequently at the expense, of well-meaning but misguided church organizations—into large and loosely assembled groups, which at least resembled mobs, to wage what they call "demonstrations" to force the concession of what they demand as their rights in defiance of legal processes, the courts and all constituted authority.

Because of general familiarity with the pattern, only a word as to the nature of those demonstrations is needed. In the beginning they consisted of episodic group invasions and temporary appropriations of private stores, first by sitting down and later by lying down therein, and eventually by blocking the entrances thereto with their bodies—conduct which has always been known as criminal trespass.

TRESPASS, THEN WORSE

Seeing that those trespasses were applauded by many, even in high places, and were generally not punished, but, rather, were compelled to be appeased and rewarded, those leaders and their incited groups quickly enlarged the scope of their activities by massing and marching on the sidewalks, streets, and highways—frequently blocking and appropriating them to a degree that precluded their intended public uses. And that conduct, too, being nearly always appeased, the pattern has rapidly spread, as one might expect, pretty generally throughout the land, even into our university campuses, and there is some recent evidence that it is now threatening to invade our military forces.

"Crime," says Webster, means: "Any act or omission forbidden by law and punishable upon conviction." It can hardly be denied that those trespasses violated at least the criminal-trespass laws of the jurisdictions involved, that these laws imposed penalties for their violation, and, hence, that those trespasses constituted "crimes."

In the first place, that conduct cannot honestly be termed "peaceable," for its avowed purposes was and is to force direct action outside the law, and hence was lawless, and, of course, inherently disturbing to the peace of others. One can hardly deny the truth of the statement written by Mr. Justice Black, joined by two other Justices, in June 1964, that "Force leads to violence, violence to mob conflicts, and these to rule by the strongest groups with control of the most deadly weapons."

CRIMINAL, NOT CIVIL

In the second place, that conduct cannot honestly be termed "civil disobedience," for the simple reason that willful conduct violative of criminal laws is not civil, but is criminal disobedience.

And lastly, that conduct is not protected by the peaceable-assembly-and-petition provisions of the first amendment. That provision reads: "Congress shall make no law * * * abridging * * * the right of the people peaceably to assemble and to petition the Government for a redress of grievances." Surely, nothing in that language grants a license to any man, or group of men, to violate State criminal laws. Rather, as Mr. Justice Roberts wrote upon the subject in 1939, "the privilege of a citizen of the United States to use the streets and parks for communication of views on national questions must be regulated in the interest of all; it is not absolute, but is relative, and must be exercised in subordination to the general comfort and convenience, and in consonance with peace and good order."

Would not every thinking person also agree with the statement made very recently by the president of Yale University in a speech at Detroit, that the current rash of "demonstrations" makes "a ludicrous mockery of the democratic debating process?"

The pattern of forcing demands by mass or mob actions, outside the law and the courts, has proven—as certainly we should have expected—to be tailor made for infiltration, use and takeover by rabble rousers and Communists who are avowedly bent on the breakdown of law, order and morality of our society, and, hence, on its destruction.

SOME ACT IN IGNORANCE

Even though those results may not have been contemplated, and surely were not wished, by those Americans who so advocated and participated—either conspiratorily, financially or physically—in such disobedience of our laws, nevertheless, they did advocate that philosophy, and they did put its processes into action, and however well—even if ignorantly—motivated, cannot now escape responsibility for its results.

As we have all seen, the pattern of the process has now spread into the campuses of most of our great universities. A sampling of examples of what is there occurring may be seen through a few brief quotations.

The California State superintendent of public instruction, in commenting about conditions on the campus at Berkeley, recently said: "Demonstrations there provided a vehicle for infiltration by rabble rousers, redhots, and Communists and resulted in assaults, kidnapings, and imprisonment of police officers, the commandeering of public address systems, and their use in spewing over the campus the most filthy four-letter words, and the general breakdown of law and order."

An Associated Press dispatch of Wednesday, May 19, in speaking of lawless demonstrations in progress at the University of Wisconsin, said that one of the leaders there openly espoused, from a public rostrum on the campus, that "The students should band together to bring down the Government by any means." It also said that the "demonstrations" there had now been infiltrated and were being led by "eight to a dozen" ringleaders who are operating under "pretty good cover," and at least some of them are known members of the DuBois Clubs of America, which Senator Dodd and J. Edgar Hoover have recently described as a "new Communist-oriented youth organization."

A NEGRO LEADER DISTRESSED

These demonstrations have even invaded Howard University—the largest Negro university in our country. In a recent interview, its president, Dr. Nabrit, says that he is meeting on his campus "open defiance of law and order," which he characterized as a part of a campaign "to bring the university into general disrepute." He warned that even though those "demonstrators" parade under the banner of civil rights, "they do not believe in civil rights for anyone. They are children of lawlessness and disciples of destruction. They are people who cloak themselves in the roles of civil righters but plot and plan in secret to disrupt our fight for justice and full citizenship. They must," he said, "be unmasked for the frauds that they are, and must be fought in every arena."

A very recent issue of the Kansas City Star contained several articles about the general breakdown of law and order on our college campuses. One of them fairly put the finger on the cause. It did so by quoting one of the "demonstrating students." He was asked why some students had abandoned historical "panty raids" and similar college pranks for open and riotous rebellion.

"Why," he said, "you could get kicked out of school for conducting a panty raid and things of that kind, but no one is ever kicked out or punished for demonstrating for something like civil rights."

It is thus plain that the students, knowing just as everyone else knows, that riotous conduct in the name of "civil rights" is not being punished, but is being tolerated, have been thus encouraged to continue and spread their riotous actions.

AN INEVITABLE RESULT

These lawless activities, nauseating as they are, can hardly be surprising, for they are plainly some of the results that we should have known would inevitably come from tolerating open and direct preachments to defy and violate the law.

Another recent article quoted some comments of J. Edgar Hoover about the effects of spreading crime upon the personal safety of our citizens. He said:

"There is too much concern in this country * * * for the 'rights' of an individual who commits a crime. I think he is entitled to his (legal rights), but I think the citizens of this country ought to be able to walk all the streets of our cities without being mugged, raped or robbed." "But," he said, "we can't do that today." And he added: "All through the country, almost without exception, this condition prevails."

The April 10, 1965, issue of the magazine America contained an article on the imperative need for certain and severe punishment of crime, which made many pertinent observations, including this one:

"(Government) has no right to turn the cheek of its citizens. Instead, it is gravely obligated—by the very purpose of its existence—to see to their protection."

To this, I say amen.

THE GOVERNMENT'S DUTY

There are, of course, first duties of citizenship, but there are also first duties of government. It is undoubtedly true, as recited in the theme of the recent presidentially proclaimed Law Day, 1965, that "A citizen's first duty is to uphold the law," but it is also a first duty of government to enforce the law.

Because some of our citizens will not voluntarily perform their "first duty" to uphold the law, our governments, State and Federal, are, as said in the article quoted from America, "gravely obligated—by the very purpose of (their) existence—to see to (the protection of the people)" by at least making them obey the law.

All of us have been often told, and many of us have preached, that crime does not pay, but the recent rash and spread of law defiance, and the successes—even though tenuous and temporary—of that philosophy in obtaining goals, seems to compel a reappraisal of that concept for, from what we see currently happening, one can reasonably believe that certain types of crime are being permitted to pay.

Probably because of a rather widespread recognition that, at times and in certain sectors, some of our colored brethren have suffered unconstitutional discriminations, and because many of us have been sympathetic to the ends they seek—and have not, therefore, thought very much about the destructive means they have embarked upon to attain those ends—there has been a rather general public apathy toward their preachments to violate, and their practices in violating our laws.

THE WAY TO ANARCHY

But whatever may have been the provocations—and, doubtless, there have been some—no man, or any group or race of men, can be permitted, in a government of laws, to take the law, or what they think ought to be the law, into their own hands, for that is anarchy which always results in chaos.

The fact that the provocations may have been, themselves constitutionally unlawful cannot justify unlawful means for their resolution. Both types of conduct are wrong—constitutionally wrong, the one as much as the other. And, obviously, two wrongs cannot make a right.

All discriminations that violate the Constitution and laws of the United States are readily redressible in our courts which have always been open to all citizens. And no one has any room to doubt that, if he will resort to those courts, and have the patience to await their processes—as we all must do in an ordered society—all his constitutional and legal rights will be vouchsafed to him, whatever his creed or color.

But there has been impatience with the judicial processes, manifested by the recent hue and cry for "Action now—not the delays of the law." Obviously, that cliche, too, calls for direct action in disobedience of the laws, the judgments of the courts, and of all constituted authority.

SLOW, BUT JUST

It is true that legal processes, being refined and deliberative processes, are slow. But like the mills of the gods, though they grind slowly, they grind exceedingly fine, and their judgments are most likely to be just.

In all events, there is no other orderly way to peaceably and fairly decide the issues that arise among us, and to have an ordered liberty.

The great pity here is that these minority groups are, by their unilateral mass actions outside of and in defiance of the law, actually eroding and destroying the legal processes which alone can ever assure to them or permanently maintain for them, due process and equal protection of the laws, and that can, thus, protect them from discriminations and abuses by majorities.

Last May, Lewis F. Powell, president of the American Bar Association, in a speech dedicating the new Missouri bar center at Jefferson City, said:

"Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

RESPECT FOR LAW VITAL

I think we must all agree with his conclusion that "America needs a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, a new impatience with those who violate and circumvent our laws, and a determined insistence that laws be enforced, courts respected and due process followed."

We must take the laws into our hearts rather than into our hands, and seek redress in the courts rather than in the streets if we are to survive as a civilized nation.

The remedy is as plain as the threat. It is simply to insist that our governments, State and Federal, reassume and discharge their "first duty" of protecting the people against lawless invasions upon their persons and property by the impartial and vigorous enforcement of our criminal laws and by the swift, certain and substantial punishment thereunder of all persons whose conduct violates those laws—and to do so immediately, and hopefully before planned and organized crime has spread beyond the capacities of our peace-keeping machinery to control and suppress.

These are not platitudes, but are fundamentals and vital, as every thinking man should see, to the survival of our civilized and cultured society. In no other way can we orderly resolve the issues that confront and divide us, or live together in peace and harmony as a civilized nation of brothers under the fatherhood of God.

STATEMENT BY GILBERTO R. ALEMANY VILAR, FORMER TRADE COUNSELOR TO THE CUBAN EMBASSY IN TOKYO

Mr. DODD. Mr. President, on August 27, 1965, Gilberto R. Alemany Vilar, former trade counselor to the Cuban Embassy in Tokyo, Japan, held a press conference in Miami, Fla.

Mr. Alemany Vilar had defected to the United States less than a week before. The primary theme of the press conference dealt with the manner in which Castro has been able to cheat and deceive free world businessmen through phony promises of trade, made through dummy state-owned corporations.

Mr. Alemany Vilar centers his remarks upon the manner in which Castro has successfully dealt with Japanese trade officials and businessmen.

He says that many Japanese firms are now aware of Castro's deceptions and have suspended all trade dealings with Cuba.

Mr. Alemany Vilar sums up Castro's real feelings toward the Japanese peoples and other free peoples when he says:

> It is necessary that the Japanese authorities, the business firms and the people learn that the Cuban Ambassador to Japan, who is all sweet smiles to them, does not think much of Japanese integrity and inclination to work. That, being a convinced Communist, he sees enemies in Japanese businessmen, since, to him, they represent democracy and free enterprise, so loathsome to Marxist-Leninists. He is being a hypocrite and a faker when he offers them sympathy

and friendship. In my presence, he has repeatedly emphasized his contempt for the Japanese Government, for its businessmen, and for the people of Japan.

Mr. President, I ask unanimous consent that Gilberto R. Alemany Vilar's press conference, as printed in full in the Movimiento Unidad Revolucionaria be inserted into the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY GILBERTO R. ALEMANY VILAR

My name is Gilberto R. Alemany Vilar, and a Cuban who, up to a short while ago, held the post of trade counselor to the Cuban Embassy in Tokyo, Japan. I have held this office for 3½ years, and it is now that I publicly resign it.

I studied business and law in Cuba. Through my fellow workers of Unidad Revolucionaria, with whom I have been collaborating, I am requesting that the Government of the United States grant me political asylum, and I wish to avail myself of this opportunity to explain to the gentlemen of the free world press gathered here the reasons that have prompted me to seek such asylum. I began working with the Cuban regime in 1960, when private enterprise had already begun to disappear in Cuba as a result of what was then called socialization, and which later, as was admitted by Fidel Castro himself, turned out to be none other than Marxism-Leninism, the doctrinary label used to cover the worst of tyrannies.

At first I worked at the Ministry of Industry and, by the end of 1961, I was transferred to the Ministry of Foreign Trade. In February 1962, I was appointed trade counselor in Japan.

In that post I was able to observe the administrative disorganization that prevailed in my country, the mismanagement of trade matters, and the Communist Government's inability to conduct Cuba's foreign trade wisely. As my firsthand knowledge of this situation grew, so did my concern over the fate of my country, and I eventually lost all faith in these men who were ruining Cuba's economy and sinking my people in despair and starvation.

Our sovereign nation had been incorporated to the Soviet bloc of satellites by the Castro-Communist regime; our impoverished economy was bartered to the Soviet masters in return for guns and military equipment, and for alleged technical and economic assistance that has served only to destroy everything that Cuba had accomplished in the economic and industrial fields during its short history as a republic.

I visited Cuba twice, in 1963 and 1964, and I verified that the situation grew worse every day: administrative chaos prevailed, and oppression—illegal imprisonment and executions had reached unprecedented heights. All liberties had been suppressed: freedom of thought, freedom of the press, even freedom of movement.

This situation, which I witnessed with my own eyes, reaffirmed me in the decision, which I already had made, to fight the Castro tyranny. I made contact with some friends in Unidad Revolucionaria and we began to work jointly toward paralyzing the commercial exchange between the Castro regime and Japan, since the Japanese market is Castro's main source of hard currency.

Now, I wish to pass on to explain the manner in which such trade relations between a free country and a Communist dictatorship have been taking place. The Japanese have been the victims of a monumental deception. For the purpose of maintaining the sales of Cuban sugar to Japan, which is an important importer of that product, the Japanese Government and private firms were told that Cuba's purchases to Japan would be increased in order to level the balance of payments, which, up to then, had been totally favorable to the Castro-Communist regime.

The figures were the following: In 1962, the Castro regime made $14 million from the Japanese market; in 1963, it made $12 million; not less than $8 million in 1964; and in 1965, after Japanese imports have been banned in Cuba, it is figured that Castroite revenues from the Japanese market will amount to at least $14 million, after making due allowance for the current low price of sugar. This adds up to a total of $48 million within a 4-year period, which is equivalent to a monthly million dollars worth of economic assistance being paid by Japan to the Castro-Communist regime. To all practical purposes, this is the absolute truth, and there is no sense in putting it in milder terms.

And, what has Fidel Castro done with all that money? The answer is simple. First, he has used the dollars earned from Japan to pay long-term credits granted him by British, French and other Western European firms. Thus, although the Japanese have not themselves granted Castro deferred payment terms, they have in fact helped him to obtain such terms from other countries, as it is obvious that, were it not for his Japanese dollars, he would have been unable to meet his commitments with European companies and these would have long withdrawn their credit.

Second, a substantial amount of these dollars have been used by the Communist régime to promote subversion throughout Latin America, and also to lend financial assistance to the Communist Parties of this hemisphere. It is ironical that about 77 percent of Japanese investments abroad have gone to the same Latin American countries where Castro-financed violence and terror directly attempt against political and economical stability and, consequently, against Japanese investments in such countries.

See, then, Castro's double deception against Japanese business firms, and the use to which he puts the financial benefits of his Japanese market.

It is most important that the members of the Japanese Trade Mission that currently visits Latin America seeking to increase Japan's exchange and investments in these sister Republics, take due notice of the above and carefully analyze the nefarious consequences being had by Japan's trade with Cuba.

To proceed, we shall say that, in 1964, under Japanese pressure, afraid to lose the Japanese sugar market, and also prompted by the then high price of sugar in the world market, the Castro regime decided on a wild, useless plan of purchases from Japan which sunk the Cuban people still deeper in hunger and despair. Over $30 million were spent buying Japanese radios, electrical appliances and scientific equipment which the Cuban Communists did not know how to use. A half-million dollars worth of table and glassware was also purchased—which leads one to inquire why, since it is no secret that the starved Cuban people have little use for plates and fountains nowadays.

Having thus misled the Japanese into believing that the 1964 purchases promised a good, steady Cuban market, the Castro régime was able to sell them a large quantity of sugar in 1965. A new deception. The truth is that, this year, Communist Cuba has been unable to buy as little as a single million dollars worth of merchandise from Japan since, in 1964, Castro spent all his dollars in the manner explained, and those he is getting this year from that country are being used, as we have also said, to pay his European creditors, and in financing subversion throughout Latin America. This is shown by the fact that, early this year, a Castro trade mission visited Japan to give the impression that Cuba was about to make large purchases there, with the purpose of deceiving the Japanese into buying a considerable amount of sugar. The Japanese fell in the trap, bought the sugar, and the Communist trade mission departed without signing a single buying contract.

This is the kind of people that, by force, run the national destinies of our homeland. People who live by lies, treason, and deception.

Many important Japanese firms are aware of this and have suspended all trade dealings with Cuba. But, unfortunately, other firms such as Hitachi, Mitsui & Co., Iwai, Kanematsu, Sumitomo, C. Itoh, Nissho and others, are still trading with the Castro regime through dummy companies such as Shinnihon, Abe Trading Co., Toho Busan, Kyodo Trading, and others.

The lies and falsified figures employed by the Communists to maintain and increase their trade relations with Japan and other free-world nations were duly exposed by myself in a letter addressed to the Japanese business firms that still maintain such relations with Castro-communism. In that letter, I explained the dangers of continuing such relations, which serve only to inject economic assistance to a Communist tyranny such as Castro's that depends on Japan for over 30 percent of its dollar revenues.

I hope that my Japanese friends have understood the importance of this message and I trust that I will someday have the opportunity to discuss such importance with them.

It is necessary that the Japanese know that with this trade venture with Red Cuba they are risking the loss of the Latin American market, whose volume is of vital importance to Japanese industrial production.

It is also necessary that the Japanese know that the economy of Cuba is in shambles; that the Castro regime does not have the money to pay its European debts, hence its desperate drive to sell sugar to Japan, in order to pay such debts with part of the proceeds of these sales while the remainder is invested in subversion throughout the Americas. The Japanese know that, even though the Cuban people are starving to death and there is no food or milk even to feed children, the Communist regime has offered to sell Japan 4,000 tons of frozen beef. This fact further shows Castro's desperate desire to get dollars from Japan with which to cover his debts, promote subversion and, at the same time, try to impress the Japanese by offering to sell them foodstuffs such as beef, of which there is no exportable surplus in Cuba, and the lack of which is sorely felt by our starving children, women, and elders. It would be inhuman for Japan to buy that amount of beef from Cuba, and the Japanese firms involved should bear in mind that, in their country, there exist strict regulations for the importation of meats as to hygiene, health, purity, and quality of the product which would be very difficult to meet under the circumstances that prevail in Cuba where there are no veterinarians or technicians. It is very unlikely that the Castro-Communist beef will be able to meet such specifications and offer minimal guarantees to Japanese consumers.

The Hitachi group of companies has been selling to Cuba through a number of "dummy" companies such as Abe Trading Co. The amount of the trade between Hitachi and Cuba, even though vital to the latter, means little in relation to the general volume of Hitachi's business, since that company is one of the largest business concerns in Japan. It is necessary that Hitachi knows that it is an absurdity to continue in this game. Hitachi is getting nothing from this trade, but it is risking the credit of its equipments. For example, the scientific equipment bought from Hitachi by the self-styled Cuban scientist Dr. Yamil Kouri for an alleged National Center of Scientific Research, have not yet been installed, and in Cuba no one—absolutely no one—knows how to operate them. Some of this equipment has been deteriorating in the warehouse for more than a year, and it will not be long before they are absolutely useless. I ask myself: What can a powerful concern such as Hitachi possibly get from this subversive trade, except international discredit of its trademark?

Osaka's textiles, which were sold to Cuba in fairly large quantities in 1964, should harbor no illusions as to their future possibilities with the Castro régime. Last year's purchases were motivated by political rather than commercial reasons, as is shown by the fact that this year Cuba has hardly bought anything in that line. The Castro régime is buying its fabrics in Red China in return for Chinese preferential treatment of Cuban sugar. And what is still more serious, there are indications that Communist Cuba is buying Japanese textiles from Spain, in order to meet her commitments with that country. May Osaka remember that last year the Castro-Communist régime sent a boastful invitation for a Japanese textile mission to travel to Cuba, and the four Japanese businessmen who accepted the invitation were unable to sell a single yard in the island. It was all a Communist propaganda maneuver, this time at the expense of Japanese gullibility.

Japanese sugar importers and refiners are certainly getting advantages (in the form of special discounts, and so forth) from imports of Cuban sugar. But, aside from the moral issue involved in this criminal trade by free-world businessmen, it is necessary that these men pay attention to the fact that they are excessively relying on supplies by a Communist country in which chaos prevails, and with which there can be no guarantee as to the certainty of delivery, as happened last June, when Japan had to buy sugar from Colombia and Brazil because the Castro government was unable to provide sufficient vessels to ship the sugar.

This problem gets worse all the time, and the tyranny is seriously concerned over it, since the gradual decline of free-world shipping to Cuba is plainly noticeable. For example, during the past month of July, only 26 Western ships docked in Cuban ports, while during the same month of last year a total of 35 free world ships sailed to Cuba and as many as 40 did the same in July 1963. As may be seen, this means a decline of 65 percent in 1965 in relation to 1963. There is no doubt that this is a result of the boycott declared by the dockworkers of the Americas, as well as of some of the activities that are being carried out by our compatriots in Unidad Revolucionaria and in other Cuban exile organizations.

But as is this decline in free-world shipping were not enough, it must be added that the vessels that the Castro-Communist regime is using for its sugar shipments are, for the most part, old boats, some of them built before 1940, which are the only ones available in the charter market. Foodstuffs such as sugar cannot be transported in these obsolete old clunkers, lest they be contaminated with rust. In contact with the old, rusty iron, sugar loses its natural color, its quality is affected, and all the well-known phenomena that have been publicized by the press take place with it. It is necessary that the Japanese businessmen think: Even these old ships, how much longer will they be available to the Castro regime in the world charter market? They must remember that international maritime concerns have joint interests and commitments with other free-world nations that, sooner or later, will keep these vessels from being used in this traffic that helps maintain the slavery of the Cuban people. It has been British, Lebanese, and Greek vessels for the most part that, up to now, have solved Red Cuba's shipping problem, even though they are well aware of the fact that, by doing this, they help sink 7 million souls into pain, misery, and poverty.

Lastly, it is necessary that the Japanese authorities, the business firms and the people learn that the Cuban Ambassador to Japan, who is all sweet smiles to them, does not think much of Japanese integrity and inclination to work. That, being a convinced Communist, he sees enemies in Japanese businessmen, since, to him, they represent democracy and free enterprise, so loathsome to Marxist-Leninists. He is being a hypocrite and a faker when he offers them sympathy and friendship. In my presence, he has repeatedly emphasized his contempt for the Japanese Government, for its businessmen, and for the people of Japan.

Soon, Mr. Arnold Rodriguez, the Cuban Vice Minister of Foreign Relations, will arrive in Tokyo. The Cuban Ambassador, three or four politicking members of the Government Party, and the local Communists, will use Vice Minister Rodriguez to try to deceive Japanese authorities and businessmen into believing that Japanese-Cuban trade will continue and even increase. This is false, and the Japanese Government and business must know it.

Besides the aforementioned economic reasons, we wish to make a special call on the Japanese people, among whom we have had the honor of living for the last 3 years. Think of the Cuban women and children who suffer poverty and starvation; think of the political prisoners, who suffer indescribable agony in the Red dungeons of Cuba; think of the thousands of young men who have been shot at the infamous execution wall; think of freedom, completely crushed in the face of 7 million Cubans. I am sure that the people of Japan would not like to have a Communist regime ruling them, and that is why I call on them not to cooperate with their business to the maintainance of the Castro-Communist tyranny that oppresses the Cuban people and exports terror and subversion to all the peoples of the Americas.

These are the reasons why I have requested political asylum in the United States of America, and I avail myself of this opportunity to express my gratitude to my dear comrades of Unidad Revolucionaria for the constant attentions that they have had with my family and with myself, and for the opportunity given me today to publicly express views on the Cuban tragedy.

From now on, I shall devote myself, body and soul, to the relentless struggle that will culminate in the destruction of the Castro tyranny and in the total eradication of Communism from Cuba and from the Americas.

MIAMI, *August 27, 1965.*

THE AMERICAN INSTITUTE FOR FREE LABOR DEVELOPMENT

Mr. KENNEDY of Massachusetts. Mr. President, the American Institute for Free Labor Development—AIFLD—was established in 1962 by the AFL-CIO to train Latin American labor leaders.

Working through the Alliance for Progress, AIFLD seeks to make possible the full benefits of the Alliance to Latin American trade unionists through education programs in Latin America and such programs as worker banks, credit unions, cooperatives, self-help, low-cost housing projects, and other welfare projects.

These programs are solidly supported by U.S. labor, more than 60 U.S. business firms, and the U.S. Government. The AIFLD is doing an excellent job in education at the grassroots level and in fostering the ideals of democratic trade unionism. I ask unanimous consent to insert in the RECORD two newspaper articles by the noted labor columnist, Victor Riesel, on the good work AIFLD is doing in Latin America.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

(By Victor Riesel)

CARPINA, BRAZIL.—On any clear day diners in the air-conditioned, 12-story skyscraper restaurant some 27 miles distant in the huge city of Recife can see well into this desolate area where unemployed peasants and jobless sugar mill workers eat a glorified sawdust called farinha.

It has no color, no taste, no food value. But it fills the stomach because it is bulky ground-up root. And for a few hours it keeps children from whimpering for food.

Occasionally fortune strikes. Some of the 220,000 hungry people whose breadwinners are jobless come onto beans or molasses or edible ants and then the farinha stew does have a taste.

It is so not only around Carpina, a long jeep ride from Recife, the massive metropolis of Brazil's frontier northeast where cowboys still ride in leather hats. Hunger stalks 28 million people in this bulge—three times the size of France.

Jammed in strips between the ocean and the dried-out mountains, ravaged regularly by lethal flashfloods, it is the "India" of the Western World. It is made to order for the Maoists, the Moscovites, the Trotskyites, and the Fidelistas. They all were here before the military revolution, organizing their peasant leagues, spreading hatred against the United States, and preparing for "the day."

But these peasants and workers have no stomachs—empty as they are—for hatred. The other day some 75 of them cheered this reporter simply because the visitor is from the United States. They have seen only a handful of Americans—and in that handful is a dramatic story which proves we can win even the saddened and the hungry, even the mothers and fathers of naked children, over to freedom's side and keep the Communists from exploiting their misery.

Among the few Americans who have come to this desolation are the small band of men who have given up the ease of living in the States to come here as a sort of U.S. labor-management private peace corps. They make up the team of the local American Institute for Free Labor Development (AIFLD) of which AFL-CIO President George Meany is intercontinental chairman.

His support comes not only from American labor but from such corporations as Pan American World Airways and General Motors, who want nothing more than to develop skilled and knowledgeable labor officials to stave off Communist infiltration and to feed the starving.

I drove out to Carpina, for here the AIFLD will build the first of 10 regional "centros servicos componeses"—centers to service the rural working people. Each will be a union headquarters costing about $25,000 apiece. Each will be constructed with the assistance of the U.S. AID mission.

From these centers special services will radiate into the surrounding countryside. Each headquarters will have movies and a big room to which the workers can come to socialize. Each will have a legal adviser. There will be a clinic staffed 3 days a week with a doctor, a nurse, and a dentist, so perhaps children won't die as quickly as they do.

There will be "kiddie" playgrounds and a spot for the women to gather and learn crafts if they have the time. There will be credit unions, joint consumer buying to lower the cost of food, land leasing associations and finally an office for planning of rural low cost housing.

This is essentially a union-to-union approach. In a broad sense, the Communist Party used this technique in Italy. Had democratic forces gotten there "fustest with the mostest," as AIFLD is doing here, the Italian Communist Party would not now be rolling up 9 million votes.

But man here cannot live on dreams alone. There must be food. And the Catholic Relief Services has been getting food from the food for peace agency back home. It is shipped to Recife under Public Law 480. Then it rolls out into the countryside. But this takes trucks and the big vans cost money. So AIFLD has appropriated the funds to carry the food to the hungry families—600 tons in this district alone.

In a primitive meeting hall we told them more victuals were coming. And perhaps some free medicine, too.

A peasant worker, barefooted but in a clean Sunday shirt, said slowly in his native Portuguese:

"We want no charity. Give us work."

There were tears in his voice. The visitor wept a bit, too, as he headed out of the white hot sun for the air conditioning and tower restaurant of what we euphemistically call civilization.

Mystery in Amazonia

(By Victor Riesel)

Recife, Brazil.—Legends of head shrinking and majestic giant women warriors along the Amazon and deep in the Brazilian jungle, which covers territory as vast as the United States west of the Mississippi, always have excited energetic explorers. But that's fiction.

There is real mystery in Amazonia and this neighboring northeast territory—modern intrigue centering on an intricate international military arms smuggling ring whose members make Ian Fleming characters appear as amateurish as silent movie flicker detectives.

That smuggling ring, in which are several Americans, use fast small planes to leapfrog the jungle with their cargoes of Communist China's machineguns, submachineguns, .45s and rifles.

I've followed their routes from Georgetown, British Guiana, to Paramaribo, Surinam (the ring's headquarters), over the jungle to Belem, and on to Recife—a metropolitan area of 1,100,000, half of whose workers are jobless, underemployed, hungry and desperate.

The Brazilian intelligence service claims to have penetrated the ring, and now the authorities declare they have the names of the key smugglers, pilots and couriers—one of whom actually hires night club dancing girls as a business front.

I take the word of the austere Brazilian Government that these arms have been bound for the Communist followers of a jailed congressman named Francisco Juliao, friend of Mao Tse-tung and creator of the peasant workers' leagues in this almost aboriginal bulge of the South American Continent.

I take the word of the courageous young priest, Father Antonio Melo, that Juliao is a revolutionary Communist of Peiping persuasion.

I take Francisco Juliao's word for it too. There is documentary evidence that he declared himself a "Marxist-Leninist-Maoist, Castroist, Ben Bellaist" ideologist.

It is unfortunate that the Ho Chi-Minhs of the world are not discovered by the "outside" across the globe before they hurl guerrilla armies at the governments of nations allied with the United States and international freedom. The Ho Chi-Minhs are of many kinds and come in Western garb, too.

Francisco Juliao is one of them. Knowing of the hunger and desperation here he set up headquarters in this city. From it he launched the Peasant Leagues. They were agricultural workers' unions and tens of thousands flocked to him. He looked to the east for his ideology. He believed in rural revolution. He thought he could organize the agrarian unions into military and guerrilla bands.

He was certain it was possible. The peasants here are much like the Chinese—vastly illiterate, ghastly impoverished, tilling on equally poor soil to which they have been tied since they were slaves under the Brazilian emperor of the last century.

Francisco Juliao is aware of the power that is inherent in trade union organization—be it amongst the workers in the fields or in the factories. As the labor people go, frequently, so goes the nation.

Juliao broke with the Moscovities. The Russian brand of comrades infiltrated the big industrial unions, from the waterfront to the shops and plants. They believed such a base, tied to the pro-Communist Goulart regime, could launch a revolution from the top instead of from below.

But they ran second to Juliao. He caught the imagination of the peasants. He sent his children to Cuba and wooed Castro and in turn was wooed by the Fidelistas. He went to Peiping and talked with Mao.

Then came the revolution—but not Juliao's. The armed forces revolted against the heavily infiltrated national regime whose power was based on the muscle of the Communist longshoremen's unions. The military smashed the Communist unions. The new regime put in new officials as trustees—many of them trained in Washington at the American Institute for Free Labor Development.

BANK MERGERS

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the Record a lucid explanation of the pending bank merger bill by its copatron, the Senator from Wisconsin [Mr. Proxmire], before the House Committee on Banking and Currency.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator William Proxmire on S. 1698, a Bill To Amend the Bank Merger Act, for Presentation to the House Committee on Banking and Currency

I am here to support S. 1698, Senator Robertson's bill to amend the Bank Merger Act which, as revised by my amendment—the Proxmire amendment—the Senate Banking and Currency Committee adopted without dissent and the Senate passed without objection after the Hart amendment to eliminate the exemption for cases now pending in court had been defeated.

When this bill came before the Senate Banking Committee, I was, frankly, deeply concerned about it. It had been argued that the intent of the 1960 act was to clarify the responsibility of bank regulatory agencies to act on mergers with the advice but not with the veto of the Department of Justice.

Four of the fifteen members of the Senate Banking Committee in 1959 felt strongly enough about that bill to file the supplementary views at that time. It was one of those four Senators.

Let me read one paragraph from those views:

"Previous bank merger legislation approved by this committee and passed by the Senate would have given the banking agencies discretionary authority to consult with the Attorney General. We agree with the testimony of the Department of Justice that the agencies should consult the Attorney General in every instance so that the enforcement of the statute shall be uniform and in line with the enforcement of the other antitrust laws. While we would have preferred to have given the Attorney General even more influence to stop mergers when he thought competition might be substantially lessened, the bill amended by the committee is a vast improvement over previous legislation which only permitted participation of the Department of Justice when desired by the banking agencies."

Those views were also signed by Senators Douglas, Clark and Muskie. Now remember that was in 1959, and it was written in relation to the bill that became law the following year and became the Bank Merger Act of 1960.

So when the Department of Justice apparently went farther than that 1960 act seemed to provide, frankly I was pleased. The 1960 act had made some progress in bringing the Department of Justice into the act as an adviser in every case, I repeat in every case. Somehow their own initiative had carried them beyond that and brought them into direct action beyond our fondest hopes as expressed in those supplemental views.

So I was concerned about a 1965 bill which appeared to confine the Department of Justice to the advisory role set forth in the 1960 legislation.

It was in this context that I offered my amendment to keep the Justice Department in the bank merger act from now in perpetuity. Needless to say, I think it represents a clear and decisive gain for those who believe in competition and vigorous antitrust action.

Frankly, I was astounded that the Attorney General suddenly but belatedly appeared to attack this bill. When the bill was pending in the Senate, he was invited and reinvited to appear before our committee. He had an observer present. I did my best in interrogating witnesses to bring out the importance of putting the Department of Justice squarely—by statute—in the act if it were possible. But there wasn't a word, no letter, not even a phone call of encouragement from the Justice Department.

My amendment keeps the Department of Justice in the business of stopping bank mergers that conflict with the antitrust laws in perpetuity—forever.

What is more, my amendment not only keeps the Justice Department in the ball game, it significantly improves the Department's position.

The amendment does this by preventing banks from merging while suits are pending. As a practical matter, it is sure that the Justice Department will lose cases precisely because banks have merged following a favorable initial court decision, but before the court acts on the Justice Department appeal.

A court confronted with the sure injury that unscrambling a merger is likely to impose on innocent borrowers, depositors, and stockholders may reluctantly acquiesce in the merger.

Since banks are permitted to go ahead with mergers now when antitrust cases are pending and, of course, do, this provision of the bill constitutes a clear and decisive gain for the antitrust action.

The desirability of this provision of my amendment has been strongly attacked by a financial writer, J. W. Livingston, on the ground that it makes it more difficult to merge banks than is now the case. I agree. My amendment was not designed to benefit banks, but to benefit the public. As the committee report states, we recognized this provision placed in the hands of the Justice Department a considerable measure of authority which would have to be used with care and discretion, since many banks might feel they have to abandon a merger at the mere threat of a suit by the Justice Department. The committee, therefore, called on the Justice Department to use this opportunity to hold up bank mergers with care and discretion.

And I am glad to say that the Attorney General, in his reply to my request for his comments on Mr. Livingston's suggestion to eliminate this provision of my amendment, stated that this provision provided a "significant advantage" over the present situation. Let me repeat the Attorney General writes me this provision of my amendment provides a "significant advantage." Those are Attorney General Katzenbach's words. I should like to ask that copies of the letters from the Chairman of the Federal Reserve Board and the Attorney General on this point be included in the RECORD.

Now in return for this quid we give two very modest quos. First, we limit the Department of Justice to 30 days after the favorable decision of the regulatory agency to bring suit, and with the 30 days they have to report to the banking agency—in fact, a minimum of 60 days.

Since the Department is in this from the beginning in advising the regulatory agency on the competitive facets involved this should be ample time. And it removes a serious, overhanging threat, which tends to undermine confidence so essential to banking soundness.

Second, the bill provides that banks that have merged will be spared the agony of unscrambling. This I shall discuss a little further later.

But all in all, it seems to me that any fair-minded man would consider this a pretty good trade for a law placing the Department of Justice for the first time in a position to act on mergers with full legal sanction from now on, and also for a law preventing mergers until final court action.

Why isn't this an excellent advance for antitrust, all things considered?

My amendment is a practical solution to a confused and controversial situation. My amendment would leave untouched the principle of the applicability of the Sherman Act and section 7 of the Clayton Act to future bank mergers, in accordance with the decisions of the Supreme Court in the Philadelphia and Lexington, Ky., cases, but it would eliminate the necessity of unscrambling any future bank merger by providing the Justice Department a reasonable opportunity to sue before consummation of the merger. My amendment would prevent the breakup of banks which have already merged, either before these landmark decisions, or pursuant to a district court judgment specifically authorizing the merger while litigation was being carried on, or otherwise.

The present bank merger situation arose out of the completely new and unexpected interpretation of section 7 of the Clayton Act, announced in the Philadelphia decision and the almost equally unexpected decision as to the Sherman Act in the Lexington case. Up until these decisions it was generally understood that section 7 of the Clayton Act, as amended by the Celler-Kefauver amendment in 1950, did not apply at all to the usual bank merger. It was also generally understood that the Sherman Act was ineffective as far as bank mergers were concerned; in any event, the Sherman Act had never been applied to bank mergers by the Supreme Court and had never been used in any court in connection with a bank merger up to March of 1959. Additional legislation controlling bank mergers was necessary because the antitrust laws were either inapplicable or ineffective with respect to bank mergers. This was the advice given to the Senate Banking and Currency Committee in 1959 by Congressman CELLER, chairman of the House Judiciary Committee, and it was the advice given by the Department of Justice on six different occasions and by the President in his Economic Reports for 1956, 1957, 1958, 1959, and 1960.

On the basis of this understanding, the Senate decided in 1959, and the House agreed in 1960, to pass the Bank Merger Act of 1960. Under this act, the three banking agencies were clearly established as the final authorities to approve or disapprove mergers of insured banks. Each Federal banking agency had to obtain a report on the competitive factors involved in each bank merger from the other Federal banking agencies and from the Attorney General.

However, it was clear that these advisory reports on competitive factors were not binding on the banking agencies, which were instructed to consider banking factors, such as the public convenience and necessity, as well as the competitive factors, and which could approve the mergers after this consideration only if they found the merger in the public interest.

The Congress specifically decided not to make applicable to bank mergers the strict standards of section 7, under which a merger would be denied if it would tend to substantially decrease competition in any one section of the country in any one line of commerce, regardless of good motives and demonstrable benefits of one kind or another which might flow from the merger.

I have earlier in this statement expressed my personal views on that 1960 legislation.

The Supreme Court in the Philadelphia case held that section 7 of the Clayton Act, as amended by the 1950 Celler-Kefauver antimerger amendment, applied to bank mergers. While this was contrary to the understanding of the Congress and the position the Congress had taken in the Bank Merger Act of 1960, it is the decision of the Supreme Court.

The Sherman Act also was applied in the Lexington case under circumstances not contemplated in 1959 and 1960. Instead of the more general standards adopted in the Columbia Steel case, the rigid standards of four railroad cases, widely thought to be obsolete, were applied to a bank merger with results closely approximating the Clayton Act standards.

The net result of the present situation is that the Attorney General, instead of serving in an advisory capacity to the Federal banking agencies, may start a suit on his own initiative against any merger, either a future merger or, under the 1950 amendment to section 7 of the Clayton Act, any merger effected after 1950, or under the Sherman Act any merger effected since 1890. It may be recalled that the divestiture order in the Du Pont-General Motors case applied to stock acquired in the 1920's, 30 or 40 years before the divestiture was ordered.

Senator ROBERTSON's original bill, S. 1698, as he introduced it, would have exempted completely from the antitrust laws, including both the Sherman Act and section 7 of the Clayton Act, all mergers approved under the Bank Merger Act, past, present, and future, and all mergers approved by the appropriate Federal or State authority before the Bank Merger Act. Senator ROBERTSON felt that this would restore the situation to what it was thought to be, and what it was for all practical purposes, at the time of the enactment of the Bank Merger Act and before the Supreme Court's decisions in the Philadelphia and the Lexington cases.

My amendment, as I have said, would prohibit the consummation of a merger approved within 30 days after its approval. This would give the Justice Department time to start a suit under the Sherman Act or section 7 of the Clayton Act without being prejudiced by the fact that the merger had already been consummated. If such a suit were started, the merger could not be completed until after the suit had been concluded. If, however, the Justice Department did not sue within this 30 day waiting period or if, at the end of the suit, the Court decreed that the merger might be carried out, then the merger would be exempted from the laws, including both the Sherman Act and section 7 of the Clayton Act. The merger could no longer be the subject of any proceedings under the laws, either by the Department of Justice or by private parties through a triple damage suit.

In the case of mergers already consummated at the date of enactment of the bill, a similar exemption would be provided by my amendment from all proceedings under the antitrust laws, including both the Sherman Act and section 7 of the Clayton Act, and including both suits by the Justice Department and triple damage suits by private parties.

As far as future mergers are concerned, my amendment leaves the Justice Department just as free as it is now to institute suits under the Sherman Act or the Clayton Act during the 30 days waiting period. In this connection, it is pertinent to note that the Justice Department has 30 days to file a report under the Bank Merger Act, so it would in fact have 60 days in every case. And the experience of the Federal Reserve Board, as shown in hearings this year, is that merger cases average about 3½ months before approval.

And, as I have said, my amendment would be even more rigorous than the present situation because it would not permit banks to merge under any circumstances while such a suit was pending. In the Continental-Illinois case, in the Nashville case, in the Crocker-Citizens case, and in the St. Louis case, district courts, after hearing arguments from the Justice Department and from the banks involved, permitted the banks to go ahead and merge while the suit was pending. This would be impossible under my amendment. I inserted this provision for two reasons. First, I thought that to permit the merger to be effected while the suit was pending would prejudice the Department of Justice in its efforts to win the case and to convince the court to order the breakup of the merged bank. I think the Justice Department is finding this a real problem. Second, I am opposed to any attempt to unscramble or to break up merged banks. Banks are of real importance to the country, to the government, and to business, trade and the public generally. Most of our money supply is in the form of demand deposits in banks. Most industrial, commercial, individual and governmental receipts and payments are made by check. Most of the Nation's business depends on bank credit and financing. It is because of the importance of banking to the Nation that we have a national bank system, a Federal Reserve System and a Federal Deposit Insurance Corporation. I thought it would be bad, not only for the banks' officers and employees and stockholders, but also, and more importantly, for the banks' depositors, borrowers and trust accounts and for the government and the public generally. The difficulties which the Government is having in Lexington and New York are, I think, clear evidence that these are real and substantial problems.

I included in my amendment an exemption for all mergers which had been consummated at the time of enactment of the bill and had not yet been unscrambled. I did so for two reasons. First, I felt that most of these mergers had been approved and had been carried out at a time when there was a general understanding in Congress, in the executive branch and among the legal profession that bank mergers were for all practical purposes exempt from the antitrust laws.

This was, as you know, the position taken by Kaysen and Turner in their book on antitrust policy. Without wishing to question the decision of the Supreme Court in the Philadelphia and Lexington cases, I think it is fair to say that for practical purposes these cases had the effect of new legislation. And I think it is appropriate under these circumstances to apply to rules established for the first time by the Supreme Court decisions the same principles against retroactive legislation and against ex post facto laws as the Constitution applies to laws generally. Furthermore, in several of these cases preliminary injunctions were sought by the Justice Department against the merger even before the consummation of the merger, and in some of these cases the trial court authorized the merger on the ground that there was no reason to believe that the Government would be successful. In the case of the approved mergers on which no suits have been started, including those approved under the 1960 act and those approved by the Comptroller or the appropriate State bank supervisor in the 1930's, 1940's, and 1950's, I felt that the need for certainty and confidence in the banking system outweighed any possible interest the Attorney General might have in attacking a merger consummated 5 or 10 or 20 years ago.

My second and more important reason was that I do not think it is good for the Government, for business, industry, and commerce or for the public to attempt to break up or unscramble banks which have already merged. I have already discussed this point, and I need not elaborate on it further here.

My amendment would exempt future mergers from the antitrust laws, including the Clayton Act and the Sherman Act, at the expiration of the 30-day waiting period. It would not, however, immunize banks created by such mergers from future attacks under the antitrust laws for later conduct which might violate the antitrust laws. If, for instance, a bank resulting from an exempted merger should engage in action found to be a violation of the prohibitions of section 1 of the Sherman Act against illegal restraints on trade or commerce, or the prohibitions of section 2 of the Sherman Act against monopolization, or some other action which might be a violation of an applicable provision of the Clayton Act, my amendment would not provide any protection against action by the Department of Justice, or by private parties through a triple damage suit, arising out of activities of this sort subsequent to the merger.

Senator JAVITS and I discussed this point on the Senate floor during the debate on S. 1698, and made it clear that the Senate understood and agreed with the position I have expressed above.

I am in favor of strong and effective competition in banking. I believe this is good for the banks and their officers, employees and stockholders. I believe competition in banking is also good for those who wish to deposit money in banks, or to borrow money from banks, or to make banks their trustees, and for those who wish to carry on business and make their financial transactions through the 130-odd billion dollars worth of demand deposits. Incidentally, I believe competition in banking is good for the Government, which must sell vast quantities of Government obligations in the money market. These same considerations convince me that sound banking is just as important as competitive banking. My support for competition in banking does not make me wish for the return of the good old days of "free banking" when one could start a bank and issue bank notes freely without any Government review or supervision. More recent experience with unregulated savings and loan associations in Maryland should disabuse us as to the supposed merits of full and free competition in the financial world.

The history of our Nation shows our unending concern with sound banking and competitive banking. The First and Second Banks of the United States tended, it was thought, toward monopoly and undue concentration. The era of free banking in the 1830's and 1840's went the other way. The national bank system, the Federal Reserve System, the Federal Deposit Insurance system showed the United States groping toward a workable combination of competition and soundness, and obviously the Bank Holding Company Act of 1956 and the Bank Merger Act of 1960 reflected Congress' concern with banking even more sharply.

With all its faults, I think our present dual banking system, made up of some 14,000 commercial banks, divided into 51 different bank systems, each with its national and State bank elements, with branches and holding companies limited to the several systems, provides a very high degree of competition and a very high degree of soundness and security.

This country has the only truly competitive banking system in the world. Other free nations either rely on government banks or on a very small number of huge private banks.

Furthermore, our banking system with some 14,000 independently owned banks is far more competitive than most American industries. Aluminum, steel, automobiles, insurance, newspapers and virtually all other major industries have far higher degrees of concentration.

In my judgment, this banking competition is good and is a principal reason for the vigor and strength of American competition generally. The bank merger bill would keep it that way by taking by far the strongest action to stem bank mergers the Congress has ever taken.

THE DANGER OF A HEMISPHERIC VIETNAM

Mr. DODD. Mr. President, within the last few days there has come to my attention that the Castro radio in its broadcasts to Haiti is now providing its Haitian audience with regular readings from Che Guevara's book on guerrilla strategy.

Within the last few days, too, I have learned of another broadcast from Cuba from the renegade American Negro, Robert F. Williams, urging Negro extremists in this country to "learn to shoot and handle explosives."

> When the impending showdown comes, use the match and the torch unsparingly. The flame of retribution must not be limited to urban buildings and centers, but the countryside must go up in smoke also. Remember the forests, the fields, and the crops. Remember the pipelines and oil storage tanks.

At the conclusion of my remarks I ask that more extensive quotations from Mr. Williams' Broadcast of August 21, to American Negroes be inserted.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, it is against this background that I ask unanimous consent to insert into the RECORD the text of a speech on the "Danger of a Hemispheric Vietnam," which I delivered last Thursday before the national committee of the American Legion in Portland, Oreg.

In this speech I pointed out that the Castro Communists are now openly talking of the prospect of a hemispheric Vietnam, that guerrilla forces are now operating in a dozen or more Latin countries, and that there is a constant influx of new guerrilla trainees from about 30 guerrilla training centers now operated by the Castro Communists in Cuba and in Latin America.

I said that it was frightening to contemplate what would happen if we were ever confronted with a Hemispheric Vietnam, with guerrilla uprisings occurring simultaneously in Brazil, and Uruguay and Colombia and Bolivia and Nicaragua and Guatemala, and then spreading out to other countries. I said that we had to make up our minds that Castro had to go and that Cuba had to be liberated so that the countries of the Americas could together embark on that true democratic revolution which we in our country have pioneered, and which points the way to the future of all mankind.

I hope that my colleagues will find the time to read my remarks because I honestly believe that there is no more urgent problem confronting us.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

VIETNAM AND LATIN AMERICA: THE DANGER OF A HEMISPHERIC VIETNAM

(Remarks of Senator THOMAS J. DODD before the national convention of the American Legion, Portland, Oreg., Aug. 25, 1965)

The invitation to address your national convention means very much to me, not only because of the respect I have for your great organization but also because it has over the years encouraged citizen concern with our major problems of foreign policy and has given its uncompromising support to those policies which advance our national security and protect the peace.

That this is so is not surprising. There are no more passionate advocates of peace than those who, like the members of the American Legion, know the meaning of war. On the other hand, the members of the American Legion know well that peace cannot be purchased or protected by appeasement and that aggression cannot be wished away by burying one's head in the sand.

You know, because you have experienced these things in your own lives, that the surest way to destroy peace is to close one's eyes to reality and to retreat before aggressors. You know that peace can only be protected through strength, and that freedom can only be protected if we are willing to pledge to its defense "our lives, our fortunes, and our sacred honor."

This to me is what the American Legion stands for. And this is why I consider it a very special privilege to be able to address your convention today.

I want to take advantage of this opportunity to discuss with you the increasingly critical situation in Latin America.

We have, I fear, been so engrossed with the war in Vietnam that most of us have failed to note the storm clouds forming on our Latin American horizon.

Even the Dominican uprising we were disposed to put down as a passing storm.

And as soon as its fury had spent itself we again turned our eyes away from Latin America back to Vietnam, where almost 100,000 American boys are now committed to a life-and-death struggle with the aggressive forces of Asian communism.

Vietnam is not a diversion to distract our attention from Latin America.

Nor was the Dominican uprising a diversion intended to distract our attention from Vietnam.

Latin America and southeast Asia are two major fronts in the battle between the forces of freedom and the forces of international communism.

And each of these fronts is of such great importance that the war can probably be won or lost in either area.

More than any other war in which we have been engaged in the past, the war in Vietnam has driven home to the American people the terrible difficulty of coping with this type of Communist warfare, in which each well-trained guerrilla soldier can pin down 10 or 15 defenders.

Even on the scale on which it is now being fought, the war in Vietnam is taxing our resources and our capabilities.

It is frightening, therefore, to think of what would happen if we were ever confronted with a hemispheric Vietnam, with guerrilla uprisings occurring simultaneously in Brazil and Venezuela and Colombia, and Panama and Nicaragua and Guatemala, and then spreading out to other countries.

This prospect is neither a pipedream nor a nightmare.

On the contrary, there are official pronouncements by Castro Cuba and by other Communist sources which make it clear that the Communists are even today organizing for the objective of a hemispheric Vietnam.

In this plan, Castro Cuba plays the role of North Vietnam. And, as Castro's official newspaper Revolucion has spelled out the next stage of Communist policy in Latin America, "Colombia and Venezuela form the nucleus of a vast South Vietnam of Latin America."

CASTRO'S RECORD OF AGGRESSION

In January 1964, a tremendous cache of arms was discovered on the coast of Venezuela.

A special commission of the Organization of American States which was set up to investigate this cache unanimously reported that the arms originated in Cuba and that they were surreptitiously landed on the Venezuelan coast "for the purpose of being used in subversive operations to overthrow the constitutional government of Venezuela."

On the heels of this report, the OAS, with the single exception of Mexico, decided to sever diplomatic relations with Cuba.

This was held up at the time as a major victory in isolating Castro from his Latin American neighbors, and as a death blow to subversion.

But 1 year later we find that Castro subversion has been intensified and that it is being carried out more and more openly and with even greater success.

We have witnessed the overthrow of governments in Bolivia, Ecuador, and the Dominican Republic.

Riots and terrorism threaten the foundations of the governments of Panama, Guatemala, Colombia, Venezuela, and Peru.

And, in every case, Castro-trained plotters are identified with these disturbances and insurrections.

In July of 1963, the OAS issued a report dealing with Soviet activities in Cuba.

In this report it named 10 major guerrilla warfare training centers.

But, despite this exposure, Castro has stepped up his training program for Latin American guerrillas so that Castro today operates no fewer than 30 guerrilla camps in which Latin American cadres are trained in the art of subversion.

After they are trained, they are reinfiltrated into their homelands, where they are skillfully working to overthrow the legitimate governments.

The Dominican crisis is eloquent testimony to the effectiveness of these trained infiltrators.

Guerrilla training camps have been recently located in the Panamanian province of Chiriqui and in the capital of Guatemala.

In the latter case, troops captured a large cache of Cuban weapons.

The grave implications of these discoveries are that we may soon face self-propagating armies of Communist guerrillas in this hemisphere—armies which will no longer be completely dependent on their Cuban base.

When that happens, Cuban-sown time bombs will explode one by one throughout Latin America, or conceivably they will be timed so that a number of them go off simultaneously.

And the Communists make no secret of their intent.

The record is full of comments by leading figures in Castro's government to the effect that Cuba is indeed the North Vietnam of this hemisphere.

Castro's guerrilla chieftain, Maj. Ernesto "Che" Guevara, has publicly embraced Latin American guerrilla leaders in training in Cuba—Jose Cardona, and Tiro-Fijo from Colombia; German Layret of Venezuela, and others.

Cuban broadcasts blanket Latin America with propaganda, inciting riots and encouraging terrorism.

Havana radio openly broadcasts instructions to guerrilla bands in other Latin American countries.

For example, in a broadcast to Haiti on August 9 of this year, the Havana radio carried a lecture by "a guerrilla of the Venezuelan Armed Forces of National Liberation."

"The lecture," said the announcer, "deals with his experiences in northern Venezuela and it will serve as valuable orientation for revolutionaries. To the people of Haiti, Latin America, and the whole world the lecture will show that they must conduct their own revolutionary processes."

The lecturer then proceeded to describe how the urban and suburban detachments of the Venezuelan rebels had been organized; how they had sought to win the support of workers and peasants with reform slogans; how they had extended the guerrilla area of influence, instructed the peasants in the use of arms and explosives, and given them political indoctrination; established operation centers for guerrillas in the towns; and finally how they had proceeded to establish a combined command for the various sectors of the guerrilla movement.

The lecture on guerrilla warfare even included a passage inciting its listeners to the kind of terrorist murders that have characterized the Vietcong insurgency in Vietnam. "There is another kind of influence," said the broadcast. "For example, in a village where there is an enemy of both the peasants and the guerrillas, he is tried and executed. There have been many cases in which the results of this kind of influence had been extraordinary."

The incitations to violence are not confined to Latin America. I do not think that it is in any exaggeration to suggest that the broadcasts over Castro's Radio Free Dixie by the renegade American Negro, Robert F. Williams, have played a role of some importance in inciting extremist elements in the American Negro community to the kind of violence that we have witnessed in recent weeks in Los Angeles and Chicago and other centers.

I do not mean to minimize the injustices which the American Negroes have suffered—the poverty, the discrimination, the lack of opportunity, the overcrowding in ghettos. But no one can tell me that it does not have some impact on the extremist minority in the Negro community when day after day they listen to broadcasts like the following over Radio Free Dixie. I quote Robert F. Williams' words verbatim:

"We are injured by racial injustice. Let the thug cop and the racist savages view our indignation through the razor, the lye can, the gas bomb, and the bullet * * * let those who despise us and brutally oppress our people be prepared to kill or be killed * * * let our people take to the streets in fierce numbers and let their battle cry be heard around the world: Freedom, freedom, freedom now or death."

THE ROLE OF THE OTHER COMMUNIST COUNTRIES

But it is not just a matter of Cuba.

Those who talk about a détente with the Soviet Union or about the so-called "desatellization" of the European satellites, would do well to examine the activities of Soviet and satellite embassies in Latin America.

In 1962, Ecuador broke relations with Czechoslovakia when it was found that the Czech Embassy was selling Skoda industrial products in Ecuador and turning over the proceeds to Castroites in that country.

Only last fall the Bolivian Government also broke relations with Czechoslovakia. Riots which overthrew the Government were traced to the Czech Embassy and to the military and financial support that it gave to Castroite terrorists in that country.

Moscow itself publicly issued a communique which targeted seven nations in this hemisphere to be overthrown by Cuban exported subversion. It went so far as to line up all Communist parties in this hemisphere in support of Castro.

The huge Soviet Embassy in Uruguay acts as one of the several direction centers of subversion in Latin America, while the role played by the Chinese Embassy in Brazil prior to the overthrow of the Goulart government is a matter of documentary record.

Despite the differences which divide them as nations, a Communist consortium appears to be biding its time in Latin America until its trained guerrilla forces are ready to strike. If they strike simultaneously in a number of Latin American countries, I am afraid that we may be confronted by a "continental war," as it is described by Moscow, which will make the Dominican uprising and even the Vietcong insurgency appear minor affairs by comparison.

THE ANDES—"THE SIERRA MAESTRA OF SOUTH AMERICA"

I have already spoken about the danger in Central America—in Guatemala, Honduras, Panama, and Nicaragua—and of the danger in the southern Caribbean countries of Venezuela and Colombia.

There is, in addition, evidence that Castro is setting up a series of headquarters and way stations in the Andes Mountain.

Shortly before taking power in Cuba, Castro boasted that he would convert the Andes into "the Sierra Maestra" of South America.

There are increasing indications that Castro is on the way to achieving this goal.

From Bolivia comes reports that La Paz has become a center of Communist arms running and subversion throughout the Andes, with the Cuban Embassy in La Paz acting as a de facto headquarters.

From Chile comes the report that the capital city of Santiago is the seat of a Castro-Communist headquarters headed by two veteran Bulgarian Reds, Ivan Tenev and Konstantin Telalov.

From Peru there comes a report that, when several Communist youths were captured in the course of a guerrilla attack on May 20, they confessed that they were part of a larger Castroite operation intended to bring terror and guerrilla warfare to key areas of the country.

THE WAY OUT

At its meeting of July 26, 1964, the Organization of American States emphatically condemned the Government of Cuba for its acts of aggression and intervention against Venezuela.

In addition to voting to sever all diplomatic connections and suspend all trade and transportation between their countries and Cuba, they warned the Castro government that, if it persists in its acts of aggression and intervention, the member states of the OAS reserve the right to defend themselves, either individually or collectively, not excluding the resort to armed force.

I believe that the time has come to reexamine, on an emergency basis, our entire policy toward Cuba and Latin America.

We cannot afford the luxury of waiting and doing nothing until the flames of a Vietnamese or Dominican-type insurrection erupt at a dozen different points in the troubled countries of Latin America.

There is no single solution for the sickness of Latin America.

Those who believe that all of our Latin American troubles would disappear overnight if we simply sent in the marines to unseat Castro have woefully oversimplified the situation.

For the fact is that, with only a few countries excepted, the masses of the people in the Latin American countries are abysmally poor; the propertied classes—apart from an enlightened minority—are narrow-minded and grasping, and opposed to social progress; and their social structures remain virtually untouched by the vast reforms that have swept through most of the civilized world in recent decades.

If Castro were removed by the marines tomorrow and if nothing were done to improve social and economic conditions in the Americas, then, as surely as night follows day, it could be predicted that we would be confronted with another half dozen Castros in various parts of the hemisphere over the coming decade.

But those do-gooders who urge that we push reforms in Latin America, and simply ignore the menace of Castroism, are just as blind and just as wrong as those who urge that we send in the marines tomorrow.

The mere existence of the Castro regime and its subversive network makes social reform and economic progress virtually impossible.

It makes chaos and violence an epidemic condition throughout the Americas; and it produces an outpouring of frightened capital that far exceeds the intake of new capital through the Alliance for Progress and private investment.

The problem of Latin America will never be solved and we will have no security in this hemisphere unless we embark on a simultaneous program, without delay and with all possible urgency, to put an end to the menace of Castroism and to bring the American Revolution to the suffering and impoverished and freedom-hungry peoples of the hemisphere.

For it is we, and not the Communists, who are the true revolutionaries.

It is we who stand for freedom and justice and human equality, we who have found the key to a better life for the masses of the people—while the Communists, in every country where they have seized power, have coupled the total slavery of the mind with an infallible genius for reducing agricultural production and stultifying progress in general.

I would like to see the OAS or the Alliance for Progress commit itself at their next meeting to the goal of a hemispheric revolution.

I would like to see a hemispheric attack on the problems of illiteracy and disease and housing and poverty.

I would also like to see the kind of sweeping land reform program that the Chinese Nationalist Government has carried out in Taiwan put into effect in the many Latin American countries where the majority of the peasants still do not own their own land.

I would like to see a massive program of assistance to the institutes of higher education in the Americas so that they can turn out more graduates in business and public administration, in agriculture and geology and marine biology and all the fields related to the expansion of social resources and the proper management of society.

Needless to say, no such hemispheric program can be carried out without massive support from our own country.

I, as one Senator, would be prepared to vote for such massive support because I believe that we could make no better investment from the standpoint of our own security.

As for Castro, the time has come to accept the simple unescapable fact that Castro must go—that we must embark on a crash program to help the Cuban people liberate themselves from the tyranny of this alien despot.

To those who say that Castro cannot be overthrown, my answer is the example of the Hungarian revolution.

True, the Soviet Red Army succeeded in crushing the Hungarian rebels. But Castro will not be able to count on the intervention of 5,000 Soviet tanks when the Cuban people rise against him, as the people of Hungary rose to a man against their own quisling Communist tyrants.

There is today in Cuba a state of disenchantment and open rebellion against the Castro regime that bears a striking similarity to the situation that existed in Hungary before the great popular revolution of October 1956.

There have been six major demonstrations and revolts against the Castro regime over the past 2 years.

The last revolt took place only several weeks ago when a village of some 300 families went on a hunger strike.

The army was sent in and the entire population was taken by truck to the nearby city of Sancti Spiritus.

And all of these uprisings and demonstrations, I want to emphasize, took place without the slightest encouragement or support from the United States.

Guerrilla bands, too, are operating against the Castro regime, with no support or public encouragement from outside.

Just over a month ago, the Castro regime made the revealing admission that the official antiguerrilla forces, which are called the fighters against bandits, had liquidated over 1,000 civilians and guerrillas in just three of Cuba's six Provinces.

Fidel Castro himself said on July 26 that his soldiers had wiped out "counterrevolutionary bands," with the exception of three unidentified groups. Castro upped the figure of civilians and guerrillas killed to 2,005.

It is significant that Castro has claimed the extinction of guerrillas on three previous occasions, but they always pop up again.

Obviously, he is beset with more problems than meet the eye.

If the Cuban people can accomplish this much without any assistance from the outside, then I say that we have every reason to be confident that, given the assistance to which they are entitled, the Cuban people will prove to the world that they are capable of making their own Hungarian revolution.

We must put an end to the folly of restraining and handicapping those patriotic Cubans who seek to bring aid to the freedom fighters in their homeland.

We must accord them at least the same freedom of action that we accorded the followers of Castro when they were working for the overthrow of the Batista regime—without any interference of any kind from the American authorities.

Basing ourselves upon the recognized facts that the Castro regime is guilty of aggression and intervention against its neighbors, we must, as a measure of legitimate self-defense, publicly commit ourselves to the liberation of the hemisphere from the menace of Castro subversion and aggression.

We must put teeth into our embargo on trade with Cuba. And here I would like to suggest a declaration that if a ship of any company discharges or takes on cargo in Cuba, all the ships of this company should be barred from entering American ports for a period of 1 year thereafter.

I would also like to urge that we bring more pressure to bear on our allies than we have heretofore brought, to put an end to this traffic which undermines the security of the hemisphere and our own security.

I do not pretend to have worked out a solution in all its details.

These are only some of the things that can and must be done.

But the essential thing is that Castro must go and Cuba must be liberated so that the countries of the Americas can together embark on that true democratic revolution which we in our country have pioneered, and which points the way to the future for all mankind.

EXHIBIT I

[From Havana Radio Free Dixie in English 0300]

0300 GMT, Aug. 21, 1965]

ROBERT F. WILLIAMS URGES MORE RIOTS IN UNITED STATES

(Excerpts): Greetings my brothers and sisters. We are witnessing the beginning of a ferocious and devastating fire storm. We are living in an age of great upheaval. We are living in an age of violence and revolution. We are living in an age where the angry cry of freedom rises from every quarter as the slave rises to challenge the enslaver. We see passions pent up for centuries burst from the miserable heart of the bondmen and set the streets aflame with insurrection. Yes, we see mighty racist America quiver from the impact of a terrifying shock wave of freedom.

Yes, Los Angeles, Los Angeles. The glorious spirit of our brutally dehumanized people of the ghetto has restored our self-respect, our human dignity. Los Angeles is a warning to oppressive racists who know they can no longer enjoy immunity from retribution for their brutal crimes of violence and oppression of our people.

Our shining hour is fast approaching, and let us prepare to make the most of it. We are not alone. Our friends are many, and they are daily becoming even more powerful. My brothers and sisters, the Afro-American has no enemy any place in the world other than in racist America. Look about you. Take a good look. There you will see the only enemy you have on this earth. He is the one who hates you. He is the one who abuses you. He is the one who blows the heads off little black girls praying in Sunday school. His hands are the ones stained with the blood of Emmet Till, Mack Charles Parker, Medgar Evers, and countless others.

My brothers and sisters, times are critical. They are going to become ever more critical. We are facing a future wherein the streets shall become like rivers of blood. Let us be prepared to fight to the death, organize, arm, learn to shoot and to handle explosives. When the impending showdown comes, use the match and the torch unsparingly. The flame of retribution must not be limited to urban buildings and centers, but the countryside must go up in smoke also. Remember the forests, the fields, and the crops. Remember the pipelines and oil storage tanks. Yes, let it be known to the world that we shall meet their sophisticated weapons of violence with the crude and simple flame of a match. We cannot escape our historical mission of destiny any more than our oppressors can escape the destiny of retribution.

THE MOUNTING REFUGEE CRISIS IN SOUTH VIETNAM

Mr. TYDINGS. Mr. President, today's New York Times carries an article about the work of the Refugees and Escapees Subcommittee of the Senate Judiciary Committee chaired by the able and distinguished junior Senator from Massachusetts, EDWARD M. KENNEDY.

For the past 2 months, the subcommittee has been holding extensive hearings on the mounting refugee crisis in South Vietnam. The hearings have probed deeply into the problems and dilemmas involved in the humanitarian effort to help these hundreds of thousands of homeless men, women and children fleeing from their war-torn villages and rice fields.

As a member of Senator KENNEDY's subcommittee, I am delighted to note that the subcommittee's work has apparently resulted in a significant change in administration policy toward the refugee problem in South Vietnam. For the first time, a major portion of our AID program in South Vietnam will be directly devoted to the health and proper settlement of these needy and hapless refugees. The problems are substantial. There is much to be done but it is heartening that we are taking important steps in the right direction.

Great credit is due to the distinguished junior Senator from Massachusetts for under his effective leadership the work of the subcommittee has been constructive and productive. I am sure that under his able chairmanship, the subcommittee will continue to explore and recommend further improvements and solutions in our programs toward refugees.

I ask unanimous consent, Mr. President, that today's article from the New York Times, written by their able correspondent, Richard Eder, be reprinted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. REFUGEE PLAN FOR VIETNAM SET—SENATE HEARINGS DISCLOSED INCOHERENCE OF PRIVATE AND PUBLIC PROGRAMS

(By Richard Eder)

WASHINGTON, August 30.—The United States, reversing a previous policy, is setting up a full-scale program to assist the 400,000 refugees made homeless by the Vietnam fighting.

The decision to make refugee assistance a principal concern of the U.S. aid mission in Vietnam was in large part a result of recent hearings on the refugee problem conducted by Senator EDWARD KENNEDY of Massachusetts, according to U.S. officials.

Eight hearings held by a Senate subcommittee on refugees of which Mr. KENNEDY is chairman brought out, as one high official of the Agency for International Development said, that "in effect we have had no refugee program as such."

SEVERAL STEPS TAKEN

Over the last 3 weeks the State Department and the Agency have taken a number of steps to set one up. Among them are the following:

Approximately 40 officials of the Agency for International Development in Vietnam have been put to work full time on refugee problems. A great many other members of the 700-man AID mission will spend a major part of their time dealing with refugees. For example, according to one AID official here, 80 percent of the public health team will be assigned to refugees.

The administration is looking for a candidate to fill a new high-level job coordinating refugee programs. On one hand, he will act as an adviser to the Saigon Government. On the other, he will be able to draw on all the resources of the AID mission for assistance.

The first thorough studies of the refugees are now being made. These will include how many there are, where they are and how they are living, and in just what ways they are being helped now.

ESTIMATES ARE TENTATIVE

The U.S. Government does not now know how many refugees there are. South Vietnamese Government figures, which are not considered accurate, give rise to tentative estimates that there are 200,000 in camps and an equal number crowded into urban slums.

Virtually all of these came in during the Vietcong offensive in February and March, and during the monsoon fighting of May, June, and July. In recent weeks the influx appears to have tapered off somewhat.

Still another 200,000 who fled their homes in 1964 and earlier have been resettled.

Aid administered by private agencies, which was to run at $8.5 million this year, is expected to rise considerably. Furthermore, the private agencies are expected to work out a program for closer cooperation with each other and with the U.S. program.

The Senate hearings disclosed a lack of proper coordination. A coordinating committee set up in Saigon has been rather inactive, the hearings showed.

Today President Johnson announced that he would send Dr. Howard A. Rusk, director of the Institute of Physical Medicine and Rehabilitation of the New York University Medical Center, to study the private agencies' work in Vietnam.

Dr. Rusk, who helped to organize a program of relief for refugees from the Korean war, is expected to survey the opportunities for private relief work, as well as the means of overcoming what is described as the spotty use by the agencies of available U.S. logistic support.

In Vietnam, the United States has had the Government send teams around to provincial governments to spur their programs. Some $12 million is available to the provincial authorities, but little has been spent.

In part, according to officials here, this stems from the fact that many provincial officials are unfamiliar with the rules for using this money. In other instances, the officials do not want to spend the money for fear of being accused of favoritism by the residents of the area.

ESTIMATES ARE DIFFICULT

Since many details are still being worked out, officials here are unable to give a close estimate of how much the program will cost. One rough estimate was $20 million. Any calculations are complicated, however, by the fact that much of the aid will be a rechanneling of existing programs.

For example, the major part of U.S. health, education, and possibly housing programs in Vietnam will now be specifically aimed at the refugees.

Until now, according to AID officials, the United States has not had specific programs for the refugees. They received without special emphasis, a portion of the assistance under regular programs. Former Ambassador Maxwell D. Taylor and his aid chief, James S. Killen, believed that refugee assistance should be an initiative of the Saigon authorities with the United States providing help as requested.

Partly because of a lack of interest and competence and partly because of the massive increase of refugees, this formula was not working.

According to AID officials, this was brought home by a series of alarming reports from the interior. Henry Cabot Lodge, the new Ambassador, told the Senate subcommittee earlier this month that the situation was gravely unsatisfactory.

According to officials here, the new program will still be designed to work through the Saigon government as much as possible. The difference will be that the United States will now take an active part in recommending measures and in providing money, personnel, and political pressure.

TRIBUTE TO MRS. GENIE McGLASSON OF LINCOLN, NEBR., FOUNDER OF THE AMERICAN LEGION POPPY DAY

Mr. CURTIS. Mr. President, a distinguished Nebraska lady who, over a long period of years, gave in vast measure the efforts of her heart and hands to the welfare of the Nation's disabled veterans has passed from the mortal scene.

On July 28, 1965, Mrs. Genie McGlasson died at Lincoln, Nebr., at the age of 87. Mrs. McGlasson long will be revered as the founder of the American Legion Poppy Day, an event which has done so much to further the rehabilitation and child welfare work carried on by the American Legion. Although originated by Mrs. McGlasson as a local effort, Poppy Day since has spread across the land and is nationally recognized as one of the American Legion's major programs.

Indicative of the place of affection and esteem she occupied is the fact that the funeral service for Mrs. McGlasson was the first ever held at the Veterans' Administration hospital at Lincoln.

I ask unanimous consent, Mr. President, that two articles be inserted in the RECORD at this point. They are taken from the August 1965 issue of the Legion Auxiliary Star, department of Nebraska.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SHE LEAVES A SPOT THAT WILL BE HARD TO FILL

Mrs. Genie McGlasson, rehabilitation chairman and hospital director for the American Legion Auxiliary, department of Nebraska for 36 years, died July 28, 1965 in Lincoln, Nebr., at the age of 87.

Mrs. McGlasson had spent all day Friday of the previous week at her regular duties, volunteer hospital director of the Lincoln Veterans' Hospital; and was returned there on Saturday, July 31, to receive final honors from statewide friends. For the first time, a funeral was held at the 35-year-old hospital. The 10 a.m. service took place on the lawn before the open west porch where Mrs. McGlasson and patients years ago listened to band concerts. Salvation Army Maj. Charles Duskin officiated, assisted by the Reverends Thomas Holoman and Loren Pretty, hospital chaplains. A poppy blanket made by Lincoln members of the American Legion Auxiliary covered the casket and paid tribute to Mrs. McGlasson as the originator of the American Legion poppy. In 1921 Mrs. McGlasson taught a small group of disabled veterans to make crepe paper poppies and sell them on street corners, with the proceeds going to the Legion's rehabilitation and child welfare committees. The poppy program has been adopted by the national organization.

A charter member of the Lincoln American Legion Auxiliary, Mrs. McGlasson had given unselfishly of her time, talent and self to promote and carry on the many phases of the rehabilitation and hospital program for the American Legion Auxiliary.

During her years with the auxiliary she served on the first unit welfare committee; was elected to the first department executive committee; attended the first national convention in Kansas City in 1921 and was elected president of Lincoln unit 3 in 1923.

She also was named national committeewoman from Nebraska in 1926; was appointed national chairman of the convention held in Omaha in 1926; traveled to the Paris, France, convention and was elected national chaplain; and also served as national community service chairman, and member for the national rehabilitation committee.

The feelings of a multitude of friends and associates in the State of Nebraska as well as members of the National American Legion Auxiliary, are summed up in the words given by Dr. J. Melvin Boykin, hospital director of the Lincoln VA hospital, "She leaves a spot that will be hard to fill."

A Doer of Good

Mrs. Genie McGlasson, 87, longtime resident of Lincoln, is dead.

She will be remembered for a long while as the woman who started Poppy Day. But we are sure that this national institution was not started for her personal aggrandizement. She was too sincere for that.

Mrs. McGlasson was of the World War I generation who found her great life interest in veterans affairs, and, especially, the welfare and comfort of the men whose lives were wrecked by war. The Lincoln Veterans Hospital was more to her than a community asset. It was the place where disabled veterans would be required to spend their lives. They could not go out into the world, but she brought the world to them—a very good world.

There is not much a disabled veteran can do, and the days hang heavy for them. Mrs. McGlasson taught them how to take a little wire and a little crepe paper and make poppies. Then it naturally followed that the poppies would be sold to the public and the returns dedicated to the American Legion's rehabilitation and child welfare committee. An infinite amount of comfort to a great many resulted from her plain idea. A little wire, a little crepe paper, some willing disabled veterans developed enormous power for good. It is something that science has not been able to match, nor ever will because it includes the precious element of humanitarianism as it exists in people.

Mrs. McGlasson's work succeeded beyond measure but she exemplified the good that human compassion and interest can do and she heads the list of the many who with less acknowledgment and smaller effect do the same. We call that kind blessed.

CONVICTS, COMPUTERS, AND THE NUMBERS GAME

Mr. BAYH. Mr. President, an age-old problem confronting those who administer penal institutions is how best to train and rehabilitate inmates for the time they will be able to resume a normal life in society. In the State of Indiana much progress has been made in developing meaningful and useful programs to instruct prisoners how to become skilled members of trades or professions.

In the last few years the Indiana Reformatory at Pendleton has pioneered in providing specialized training in the operation of electronic computers and has established the first data processing school in the United States which is inside a prison. Most of the equipment and materials used for this data processing center has been donated by various private companies while several experts have generously given their time to help prisoners acquire the necessary knowledge and techniques. The experiment has proved so successful that three other penal institutions in Indiana have begun similar data processing instruction and the first graduation of inmates from this training program has been held.

Recently the magazine published by the employees of the Indianapolis Works employees of the Western Electric Co., described in some detail the excellent results achieved in helping to train prisoners for this important new field. Because it has national significance, I ask unanimous consent that this article in the August 1965 issue of Dial Tone be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Convicts, Computers, and the Numbers Game

Behind the high prison walls that once held budding badman John Dillinger, inmates of Indiana's maximum-security reformatory at Pendleton have figuratively shed their blue collars to learn data processing, one of America's fastest growing white-collar professions.

Not far from where other convicts are learning more conventional semiskilled repair or service trades, a carefully screened group of young prisoners staff the first data processing training school ever set up inside a prison.

Reformatory inmate No. 46252 (names will not be used to avoid embarrassment to their families, though they're used universally in conversations here) characterizes the elite inmate staff that operates this unique center.

Bright, with an aptitude for data processing work, he has survived one of the toughest inmate screening boards and the most rigorous training course in the institution. Chances are he'll be a low-risk parole violator when he gets out.

And the success of the program in the past 4 years has led skeptical prison officials to consider this one of the most promising, progressive self-rehabilitation efforts ever undertaken.

FIFTEEN-HOUR DAY

One role of the center is to train fellow inmates; another is to process data for the institution. During his 15-hour-long day, No. 46252 teaches computer classes for new students and handles his share of the burgeoning workload. He earns between 8 and 18 cents a day.

In the 4 years of its existence, the data center has expanded from a dingy three-room basement suite to more spacious, and colorfully decorated, quarters covering some 6,000 square feet. The inmate-computer expert is proud to point to what is considered one of the largest data processing libraries in the Midwest, jammed with books donated by sympathetic companies and individuals.

Donations have kept the program alive during its existence. "The interest and support from individuals, companies, and organizations has been overwhelming," wrote the center's inmate director in his latest annual report. Thus far, the center has received equipment, books, and training materials valued at more than $250,000.

Some of the equipment—obsolete forms, surplus IBM wiring boards, and miscellaneous accessory equipment—has come from Western Electric's data processing department. In all, some 2 tons of equipment were trucked from Shadeland to the reformatory.

BOAST HUGE COMPUTER

Together with donations from other large companies the center now boasts 25 keypunches, 4 sorters, 4 tabulators, a reproducing punch, an interfiling reproducing punch, and the most recent prize acquisition—a huge Univac 60 computer.

Training in the three-step program takes 6 months. Convict 46252 spent some 406 hours in classes and approximately 1,600 hours working on center computer projects or completing homework behind locked cell doors.

To give the convicts a nodding acquaintance with industry methods, the inmate supervisors invite computer expects from industry to visit and instruct. Two of those giving time to the program were Western Electric's Dave Johnston, Jr., data processing department chief, and Blaine Flick, head of the plant's computer development department.

Johnston, as president of the central Indiana chapter of the Data Processing Management Association at the time, was also instrumental in getting DPMA endorsement of the three-phase training program in 1962.

WHAT TRAINING DOES

William L. Perrin, Indiana Department of Corrections official who's been closest to the program since its start in 1961, explained what the training does for inmates.

"Jail is the most degrading experience a man can ever go through," Perrin explained.

"The one thing an inmate loses is his self-respect. Brought here," he said in a tour at Pendleton, "stripped of his civilian clothes, quarantined and slapped in a cell, he's at his lowest ebb."

Progressive-minded rehabilitation officials feel that the exacting work of data processing, properly taught, helps the man develop a characteristic lacking in so many prison populations—precise analytical thought processes and a measure of self-confidence.

Underlying the entire program is the hope of employment for trained programers, analysts, statisticians, and repairmen once the graduates leave prison. Yet only 7 of 17 parolees who've received certificates of graduation have landed computer jobs.

DROPOUTS NUMEROUS

If getting a computer job on the outside is difficult, being accepted into the training is more so. Last year, of 127 who applied for the program, only 53 were accepted. Only 14 of that 53 were issued the DPMA-endorsed data processing diploma.

What kind of prisoner is selected for the program? "We're looking for an individual who's trying to help himself," explained a long-term inmate supervisor, "but who can also produce something for us."

The philosophy established by the center's inmate founders is that once a man completes training, he is expected to train others. "We want to perpetuate this program," another inmate earnestly declared.

Once skeptical reformatory officials have allowed the program to expand, and now heartily endorse this type of white-collar rehabilitation. Center inmates have responded to this confidence by compiling more than 300,000 man-hours free of supervision with only one violation of prison regulations.

SPREAD TO PRISONS

From its start at Pendleton, data training in one form or another has spread to classes by inmates of the Indiana State Prison in Michigan City, the Women's Prison in Indianapolis, and the State Farm at Putnamville. The first graduation of inmates of all four institutions was held in May at Pendleton.

Cost of the program to the State has thus far been a meager $500, largely in stationery supplies, in the 4-year history of the program. Yet careful inventory controls provided by data processing have led to savings in purchases, although exact figures are hard to pin down.

Despite the careful, rigorous training, and the strong desire of the inmate graduates, there are few jobs awaiting them. Willingness to hire ex-convicts is tempered by bonding requirements and other restrictions.

"As far as business acceptance is concerned," says Bill Perrin, "the same thing we're fighting now, mental health fought 30 years ago."

CUBA'S BLUEPRINT FOR SUBVERSION

Mr. DODD. Mr. President, in the August 1965 edition of the Reader's Digest, I found an article of exceptional merit, which I would like to call to the attention of my colleagues. It is written by Kenneth O. Gilmore, and it is entitled "Cuba's Brazen Blueprint for Subversion."

The article presents, in damning detail, the role Castro's Communist agents are playing in fomenting guerrilla and terrorist activities in Venezuela, Guatemala, Panama, the Dominican Republic, and other Latin American countries.

It tells of "bibles of terror," that Castro exports along with his so-called revolutionaries.

The article relates how heavy weapons, clandestinely placed in Venezuela, were traced through their factory markings to purchases Castro made in Belgium.

Let me quote what the article said about this arms cache:

> Several of the weapons were rushed to Fabrique Nationale d'Armes de Guerre at Herstal-Uz-Liege Belgium, whose trademark had been left on: Fabrique Nationale, the largest private arms manufacturer in the Western World, had filled an order by the Cuban Army for 22,500 automatic rifles on March 23, 1959. Now company experts examined the rifles, dug up at Macama and reported that "the coat of arms of Cuba was stamped in the place where a cut has been made.

On February 24, 1964, the OAS Commission presented its verdict on the Cuban arms cache found in Venezuela:

> The shipment was made up of arms originating in Cuba that were surreptitiously landed at a solitary spot on the coast for the purpose of being used in subversive operations to overthrow the constitutional Government of Venezuela. The objective of the Caracas plan, was to capture the city of Caracas, to prevent the holding of elections on December 1, 1963, and to seize control of the country.

In his concluding remarks, Mr. Gilmore cites a warning by Secretary of State Dean Rusk:

> When Secretary of State Dean Rusk called for sanctions against Cuba last summer, he pointed out that "subversion supported by terror, sabotage and guerrilla action is as dangerous a form of aggression as an armed attack." And he added these significant words: "Today it is Venezuela which is under attack. Is there any one of us who can say with assurance, 'It cannot be my country tomorrow'?"

Mr. President, I ask unanimous consent that the article entitled "Cuba's Brazen Blueprint for Subversion" be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA'S BRAZEN BLUEPRINT FOR SUBVERSION

(By Kenneth O. Gilmore)

On the northern coast of Venezuela's Paraguaná Peninsula, there is a lonely stretch of beach in a small inlet known as Macama. Half a mile from this beach, in a two-room stucco hut, lives 24-year-old Lino Gerardo Amaya, a wiry, quiet campesino. On the morning of November 1, 1963, Lino and his 18-year-old brother, Pedro, set out along the beach in search of a lost goat. They came upon two men in bathing suits, standing on the shore looking out to sea. Beside them was a shiny 16-foot aluminum boat with a handsome outboard motor. The taller of the two calmly waved his hand. "Hello, Frank, how are you? Don't you work for the Creole company?"

"I'm not Frank," replied Lino, "and I never worked for Creole."

Lino didn't find his goat that day. But shortly before 5 p.m. he and his brother headed back to the beach, fishing poles in hand. All that day a thundercloud of suspicion had been building up in his mind. What were those two strangers up to?

At the beach the brothers found the boat and outboard motor. And more. The coarse dark sand was scuffed with footprints—lots of footprints now etched by the lengthening shadows. And something else. A rope mark, its coils clearly imprinted in the sand, led from the water toward a tree.

Lino followed the mark, Pedro behind him. At its end they spotted the corner of a piece of canvas. They pulled it up. Underneath lay a large dark bag. They dragged it out and loosened a thick drawstring. Four automatic rifles. And layers of bulging cartridge belts.

On hands and knees they pawed away more sand and found more sacks of rifles, more cartridge belts. And now that they looked harder, it was apparent that a large section of sand was loose and soft ahead of them.

Lino sprang up. "We've got to tell the police," he said.

BURIED TREASURE

Shortly before 10 p.m. Lino arrived at the Jadacaquiva police station. He told his story to the prefect, Antonio Lugo, who immediately relayed the news to Police Commandant Eusebio Olivares Navarrate, at Punto Fijo, the largest town on the peninsula. Olivares roared off for the lonely beach with five jeeploads of policemen.

Soon the police were digging into the sand like pirates seeking lost treasure, grunting, heaving, hauling. In 15 minutes, Olivares had seen enough. He switched on the radio in his patrol car, gave the stunning news to the State Governor, Pablo Saher.

It took 4 hours to hoist the entire deposit from its temporary grave. The hole in the ground was 8 feet deep, 6 feet wide, and 90 feet long. The cache—automatic rifles, machineguns, antitank guns, mortars, bazookas, demolition charges and thousands of rounds of ammunition—weighed 3 tons.

In Caracas, the Venezuelan capital, President Rómulo Betancourt was awakened at home and briefed by phone. He ordered a naval patrol of the peninsula and sent a special alert to every security and military agency in the country. For 2 years Fidel Castro had boasted that he would export his Cuban revolution to the mainland of South America. Oil-rich Venezuela was his prime target. "With victory in Venezuela," cried Cuba's old-line Communist boss Blas Roca, "we shall not longer be a solitary island in the Caribbean confronting the Yankee imperialists." Castro-trained guerrillas of Venezuela's Communist Armed Forces of National Liberation (FALN) had terrorized the countryside in an attempt to paralyze the nation. They had dynamited oil pipelines and bridges, burned stores and warehouses, robbed banks, raided police stations, kidnaped and murdered officials and blasted the streets with sniper and machinegun fire. More than 50 policemen had been cut down in the streets of Caracas alone, and twice as many civilians.

But never before had the FALN been equipped with mortars and bazookas. Obviously something special was afoot.

A NEW LEAD

At the heavily protected Caracas headquarters of Venezuela's state security police (Digepol), Chief of Investigation Orlando Garcia Vázquez studied a surveillance report that had just come to his desk. It was late Monday afternoon November 3, exactly 48 hours after Lino had looked under the canvas. The report disclosed that at 10:30 a.m. that day a young woman known to have Communist connections was seen near the home of Eduardo Machado, a Venezuelan Communist Party boss. She was followed to a cafe on Negín Street, where she sat chatting with three men. Fifty minutes later all four drove to a complex of four housing units known as Urbanización Simón Rodríguez.

The woman strolled to building No. 1 and took the outside elevator to a fourth-floor apartment, No. 49. Her companions loitered in the area, making sure she was not being followed. Two hours later she came back to the car and sped to the old section of the city, where she was observed talking with several leaders of Central University's Communist-controlled student federation, some of whom had recently returned from Cuba.

Inspector Garcia was sure apartment No. 49 was "hot." Too many precautions had been taken. "I think we had better hit this place as soon as possible," he told his boss.

Shortly after midnight five Digepol agents in two groups sauntered toward building No. 1, chatting and laughing as if returning from a party. Garcia and two agents took the elevator to the fourth floor, while the others climbed the stairs, the only other exit.

Garcia knocked gently at apartment 49. There was a shuffling of slippers. The door opened a crack, revealing a middle-aged woman in a nightgown.

"We've come with a search warrant," said Garcia, shouldering his way in. "Is anyone else here?"

"No," she replied.

In a bedroom they found a young man in bed. "Stay very still," warned Garcia. "Who are you?"

"Germán López Méndez," the man replied, and handed over his identification card. No. 618945—Germán López Méndez—born November 27, 1941—5 feet 6 inches—hair brown—eyes brown. On the left-hand corner was pasted a small mug shot: a slim face, placid eyes, thin mustache, wavy hair. It matched the man.

"What's your occupation?" Garcia asked.

"I'm a teacher. Just visiting here for a couple of days."

"OK, don't move while we search," Garcia said.

BIBLE ON TERROR

The men began to hunt, opening closets, pulling out drawers, looking under beds and in toilet tanks. Under one corner of the suspect's bed two objects were extracted: the first, a small light-blue airline traveling bag full of drawing equipment and materials—ink pens, tracing paper, rulers, compasses, crayons.

"What are you doing with these?" Garcia asked López.

"I've never seen them before," López answered, as if bored.

At first, Garcia thought the second item was a Bible. Book-size, it was enclosed in a dark-brown leather case with a zipper on three sides, the kind of covering often used for a Bible. Inside was a looseleaf notebook. Garcia flipped through some 70 pages. He found that he was holding an instructor's manual on the handling of arms and explosives—an FALN "bible."

Garcia glanced at the man on the bed. "This belong to you?"

"No."

About 5 a.m. Garcia returned to headquarters with his two suspects. "Keep searching," he told two agents left behind. "Mattresses, pillows, everything. When you're finished, start all over again. There's bound to be more than we've found."

Digepol's files indicated that the woman, who claimed to be a nurse, was a contact for a fugitive FALN leader. The man who called himself López was fingerprinted, and a search through the files disclosed his real identity: Luis Eduardo Sánchez Madero, age 24. On the margins of the FALN sabotage manual were notes jotted down in his handwriting, among them a precise schedule of his last day of instruction on October 21: 6 a.m.—rise; 8 to 12—courses in artillery and mortar; 2 to 6 p.m.—training in recoilless rifle, bazooka and machinegun and cryptography; 8 to 10—study; 11—bedtime.

PUZZLE BECOMES PICTURE

Meanwhile, at apartment 49, an agent had found, taped to the bottom of a desk drawer, a 2-inch-thick stack of papers. Included in the material were lengthy descriptions of arms and explosives plus an intricate checklist for pulling off a successful sabotage or kidnapping operation: escape routes, floor plans, guards, alarm systems, cover stories, hiding places. There was also a large map of Caracas showing every street and major building in the city, and four pieces of transparent paper—overlays for the map—dotted by rectangles, circles, arrows, asterisks, crosses, parallel bars and triangles.

What did it all mean? Garcia and his men studied these and other items, zeroing in on several papers crisscrossed with neatly ruled lines. At the top of each perpendicular column were large letters: "F," the symbol for fusil, Spanish for rifle; "PERS" for persons; "M" for mortar; "Csr" for cañone sin retroceso—recoilless rifle; and "B" for bazooka. The same type of arms found at Macama!

More notes were studied, such as a list of apartment buildings, offices and streets with specific designations of weapons. These numbers were compared. The map was pulled out, and the overlays with their symbols were arranged and rearranged. At last the puzzle became a picture. The rectangular figure meant "artillery," the triangle "fixed group," the open circle "troop positions," the slanted parallel lines "barricade," the cross "emergency station," the five-sided figure surrounded by arrows "object of attack." Sanchez Madero had drawn up a detailed plan for attack upon Caracas using the weapons delivered at Macama.

The Urdaneta barracks was the prime objective. A walled fort perched on the city's highest ground, it held a concentration of troops. Here also were tanks, near a jail holding top FALN terrorists. The scheme: isolate the troops and free the prisoners to join in the attack. This one phase of the operation called for 3 artillery units, 6 fixed groups of 3 to 4 men, 3 mobile groups plus positioning of 12 FALN troop units in carefully chosen locations. Assigned to do the job were 374 men, 195 rifles, 8 mortars, 12 bazookas, 4 recoilless rifles, 75 machineguns.

Apartment houses near the barracks were selected from which snipers and machinegunners could pick off soldiers trying to reach jeeps and armored cars. Mortars would knock out key exits, sabotage units would cut telephone lines, seize power stations, and blow up vital streets; bazookas and recoilless rifles would be waiting for tanks—if they made it through the carnage.

FANTASTIC?

At Miraflores Palace the attack plan was laid before President Betancourt. "To those of us who have witnessed FALN's murder and arson for 3 years, it doesn't seem so shocking," he confided to a colleague. "But this is going to look fantastic to the outside world."

Indeed, the question was: Would the "outside world" believe it? Could they prove conclusively where the plan had originated, where the arms had come from?

The first point hinged on Sánchez Madero. An exhaustive check of all airline listings was undertaken. It was a long shot but it paid off. Sánchez Madero had fled from Venezuela to Jamaica on March 5, 1962, listed as "Luis E. Sánchez M.," after an armored-car robbery in which his fingerprints were found. In Jamaica he had boarded a KLM special flight, No. 977 from Kingston to Havana, Cuba. He had cockily given the airline his destination address: House of Americas (headquarters in Havana for the infamous Institute of People's Friendship, the processing agency for Cuba's Latin American terrorist trainees).

Tracing of the arms was turned over to the Venezuelan Army. An elaborate effort had been made to disguise the weapons. All serial numbers had been ground off. Near the trigger of each rifle, a hole had been cut, obviously to remove the insignia. But whose insignia?

Several of the weapons were rushed to Fabrique Nationale d'Armes de Guerre at Herstal-lez-Liège, Belgium, whose trademark had been left on. Fabrique Nationale, the largest private arms manufacturer in the Western World, had filled an order by the Cuban Army for 22,500 automatic rifles on March 23, 1959. Now company experts examined the rifles dug up at Macama and reported that "the coat of arms of Cuba was stamped in the place where a cut had been made." Moreover, the Cuban weapons had their serial numbers uniquely located on the left side of the trigger guard, as these had been before they were ground off. Rifles with these characteristics had never been delivered to any country but Cuba.

As for the 31 "UZI" 9-mm. machine guns, the Belgian company also confirmed that they had been bought by Cuba. But the Venezuelans went a step further. Where a seal had obviously been ground away, an etching solution was applied. Slowly the chemical made decipherable the outlines of a legend. Under a magnifying glass an ornate crest could be distinguished—the crest of the Cuban Army.

The case was airtight. It was time to bring charges.

IRREFUTABLE PROOF

The wood-paneled main council room of the Pan American Union Building, four blocks from the White House in Washington, D.C., was packed on December 3, 1963. Venezuela had called the Organization of American States into emergency session to charge Cuba with aggression. Ambassador Enrique Tejera-París of Venezuela was speaking: "The people of Venezuela have been the constant victims of the insults and attacks of Cuba's Castro regime. Now in the face of the new act of aggression by Cuba, for which there is definite and irrefutable proof, Venezuela is forced to take this action."

An investigating commission was immediately set up, composed of representatives of Argentina, Colombia, Costa Rica, Uruguay, and the United States. On December 8, the commission flew to Caracas, along with a team of military advisers. There they heard detailed accounts from a score of witnesses ranging from Minister of National Defense Gen. Antonio Briceño to Juan DeDios Marín, a young Venezuelan who had been in Cuba for several months receiving military training in the handling of arms and guerrilla tactics. (See "Inside a Castro 'Terror School,'" the Reader's Digest, December 1964.)

Venezuelan Army officials picked out weapons at random, and before the eyes of the investigators demonstrated how the Cuban insignia could be raised chemically. Ward P. Allen, chief U.S. representative, was especially curious about the aluminum skiff and outboard motor that had been left behind on the beach that first morning by the two strangers. Odd, he thought—a Johnson motor with the manufacturer's marking: The Outboard Marine Corp. of Canada, Ltd., serial number C367809. The Canadian Ambassador in Caracas was asked to have the motor investigated. A report came back through Canadian Government channels: four Johnson outboard motors, including C367809, had been purchased by an exporting company in Montreal and flown to Cuba on October 1, 1963, consigned to the National Institute of Agrarian Reform, Poultry Division.

A DAMNING VERDICT

On February 24, 1964, the OAS commission presented its verdict: "The shipment was made up of arms originating in Cuba that were surreptitiously landed at a solitary spot on the coast for the purpose of being used in subversive operations to overthrow the constitutional government of Venezuela. The objective of the 'Caracas plan' was to capture the city of Caracas, to prevent the holding of elections on December 1, 1963, and to seize control of the country."

This plan, plus Cuba's "propaganda methods, provision of funds, training in sabotage and guerrilla operations," concluded the investigators, added up to "a policy of aggression." A 112-page report was submitted with a mountain of facts and proof, much of which is the basis for the preceding account.

Columbia's OAS representative found it hard to contain his fury. "This is not an incident of unwary sailors," he declared. "It is a serious international incident which is part of a carefully thought-out plan of Cuba for carrying the Communist revolution to the hemisphere."

La Tribuna, a major newspaper in Lima, Peru, commented: "What is important is the next step: that is, what kind of action will be taken against a government convicted of armed intervention?"

Incredibly, the answer to that question was in grave doubt. Several Latin countries balked at imposing firm measures against Cuba, clinging to the ancient concept of nonintervention which had originated years before Soviet communism moved into the hemisphere. Principal backsliders were Mexico, Uruguay, Bolivia, Chile and Brazil, all of whom at the time maintained diplomatic relations with Cuba.

SANCTIONS OR NOT

Venezuela would not be put off, and pressed for a foreign ministers' conference of the 20 American Republics to punish Castro. It called for mandatory steps such as cutting off all trade, air travel and diplomatic relations with Cuba. "If the OAS does not apply sanctions to Castro's Cuba, it means the bankruptcy of democracy and the inter-American system," warned Venezuela's Foreign Minister Marcos Falcón Briceño.

Then in April 1964 a revolution in Brazil led by Gen. Humberto Castelo Branco, a firm anti-Castroite, ousted left-leaning President João Goulart. (See "The Country That Saved Itself," the Reader's Digest, November 1964.) Soon after, Brazil expelled Cuba's diplomatic delegation. Now those seeking stern measures against Castro felt that the continent's largest nation could be counted on when the chips were down.

Still, weeks, then months, dragged by while diplomats dickered over sanctions that would assure the necessary two-thirds vote. Finally, on July 21, more than 8 months after Lino stumbled on the arms at Macama, the hemisphere's foreign ministers gathered in Washington for the crucial voting.

The hemisphere states should not maintain diplomatic or consular relations with Cuba: 14 yes, 4 no, 1 abstain. They should suspend their trade, either direct or indirect, with Cuba, except for humanitarian reasons: same vote. They should suspend all sea transportation, again with the humanitarian exception: 14 yes, 3 no, 2 abstain. Any new attempts to subvert an American Republic could bring quick armed retaliation without consultation: 15 yes, 4 no.

By the time the final resolution had passed, it was 12:15 a.m., July 26, the day Castro annually celebrates the birth of his revolutionary July 26 movement. At long last the American Republics had branded an outlaw in their midst. Within 6 months Chile, Bolivia, and Uruguay broke relations with Cuba. More significant was that key resolution giving the green light to OAS nations, alone or collectively, to strike back without delay should Castro be caught in further subversion.

THE THREAT REMAINS

Whether this provision will be used for direct retaliation against the Cuban sanctuary is quite another matter. Just last November representatives of Latin American Communist parties slipped into Havana to map out a bold new strategy with the Soviets to accelerate Red revolutions A secret declaration (released in Moscow 2 months later) was signed promising "active aid" to "freedom fighters" in Colombia, Guatemala, Honduras, Paraguay, Panama, Haiti, and Venezuela.

Operations center for this guerrilla warfare is Cuba's subversion and espionage agency, the DGI (whose biggest unit promotes Latin revolutions), advised by at least five Soviet intelligence specialists. Squads of Latin Americans are trained by the DGI's Department of Special Schools. This department and other Cuban organizations have turned out at least 5,000 graduates. "This training today represents the most serious threat to democracy in Latin America," says Assistant Secretary of State for Inter-American Affairs Jack H. Vaughn. "We know of cases where the individuals of a given country trained in Cuba return by the hundreds. These people form a cadre of guerrilla units, and the larger the number, the greater the threat ultimately that they will make a move."

AN APPALLING SCOREBOARD

The scoreboard of riots, bombings, assassinations, violence, and espionage emanating from Cuba is appalling. In Guatemala a band of terrorists with a hard-core strength of about 300 men roams the mountains with headquarters in the Lake Izabal region. Five of them recently burned the U.S.-aid program garage in Guatemala City, gutting 23 vehicles. Last February during a festive parade in the capital, 10 Guatemalan soldiers were killed by a grenade lobbed into the back of their trucks. Chief of these guerrillas is stocky, tough Marco Antonio Yon Sousa who has secretly received $200,000 from the DGI.

A contingent of Panamanian Communists recently went back to Cuba for a second round of guerrilla instruction, while even more are preparing to journey to Havana. Next door in Colombia, banditry and ,kidnapings, once confined to remote rural regions, are closing in on the cities. Former Cabinet Minister Harold Eder was grabbed by kidnapers and a $250,000 price put on his head even though he had been murdered before the ransom demand. A newly organized Cuban-backed Army of National Liberation (ELN) directs much of this violence. In Moscow, Pravda propagandizes that events in Colombia are "very little different from the dirty war being fought in Vietnam."

Finally, look at the grim tragedy in the Dominican Republic. In classic style a band of skilled Communists swiftly exploited an explosive chaotic revolution. At least 77 known Communists were pinpointed and, as President Johnson has disclosed, "two of the prime leaders in the rebel forces were men with a long history of Communist association and insurrections." He noted that many of the "conspirators" were "trained in Cuba" and, "seeing a chance to increase disorder, to gain a foothold, joined the revolution."

WHERE NEXT?

Where will the graduates of the Soviet-Cuban Communist combine strike next? Where within our hemisphere will U.S. soldiers have to be sent next to avert a Communist coup while Havana and Moscow have a propaganda field day? And will we and our friends be able to discover and act against the next blueprint for subversion before it is too late?

No one can say—so long as an operations center for "wars of liberation" functions with impunity in Cuba. Time and time again our officials have said this subversion "must stop," yet it continues. Our words and warnings are scorned, and we go on merely reacting to one Cuban-fomented foray after another.

One long-overdue solution is for the OAS to modernize its rules and machinery so that it can act swiftly against Communist "interventions." Otherwise, Latin countries must accept U.S. fast action when lives and liberties of nations are in the balance, as in the Dominican Republic.

Another solution lies in tightening the economic noose around Cuba. Considering the mess communism has made of the Cuban economy, experts say it would collapse within weeks if most outside assistance was cut off. Why, for example, should we permit a procession of Soviet oil tankers to steam into the Caribbean to fuel Cuba's industries and utilities so that this springboard for subversion can survive? And why should we allow non-Communist nations to furnish vital items—867 shiploads since 1963?

When Secretary of State Dean Rusk called for sanctions against Cuba last summer, he pointed out that "subversion supported by terror, sabotage and guerrilla action is as dangerous a form of aggression as an armed attack." And he added these significant words: "Today it is Venezuela which is under attack. Is there any one of us who can say with assurance, 'It cannot be my country tomorrow'?"

MALAYSIA DAY

Mr. KENNEDY of New York. Mr. President, today is Malaysia Day, the anniversary of the independence of Malaysia. Malaysia became a federation within the British Commonwealth on this day in 1957, and achieved its present independent status in 1963. I know that my brethren in the U.S. Senate join me in congratulating this young nation on its birthday and in wishing it well for the coming years. I want particularly to extend my best wishes to Malaysia's Prime Minister, Tunku Abdul Rahman, at this time of independence celebration in his country.

Malaysia has made significant progress in many areas. I enjoyed visiting there in 1951 when it was fighting for survival and I enjoyed being there again just last year. Over the years Malaysia has made great strides with its rural development programs, with its educational programs, and in its operation of a parliamentary democracy with free elections.

On this occasion of independence observance, I want to wish Malaysia continued success in its programs of economic and social development. I might point out to Senators in connection with recent events in Malaysia that the Tunku stated in his independence day speech earlier today that Malaysia and Singapore have pledged to work together "in intimate association on matters of mutual benefit or concern." This is good to hear, and it is appropriate that the Tunku was able to announce it on an occasion in which everyone's thoughts are with Malaysia. We all wish this young country well on this anniversary day.

CRIME, DELINQUENCY, UNEMPLOYMENT PROBLEMS COMPOUNDED BY THE POPULATION EXPLOSION—SENATOR SIMPSON'S TESTIMONY ON S. 1676

Mr. GRUENING. Mr. President, this morning our able colleague, the junior Senator from Wyoming, MILWARD SIMPSON, testified before the Subcommittee on Foreign Aid Expenditures, which is holding hearings on S. 1676, a bill to establish offices in the Department of Health, Education, and Welfare and in the Department of State to make birth control information available to those desiring it and to provide for a White House Conference on Population Problems in 1967. Senator SIMPSON is a member of the subcommittee.

Senator SIMPSON gave an excellent analysis of the need for this legislation, implementing as it does the four statements made by President Johnson urging action to help solve the problems created by the population explosion both at home and abroad.

I ask unanimous consent that Senator SIMPSON's press release as well as his testimony before the subcommittee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BIRTH CONTROL

WASHINGTON, D.C.—U.S. Senator MILWARD SIMPSON spoke out today on the controversial subject of birth control, warning that if people do not learn to limit their numbers, millions of human beings throughout the world will die of starvation, and poverty will continue on the increase.

SIMPSON, in a statement presented before his Foreign Aid Expenditures Subcommittee of the Committee on Government Operations, told Senators that the population of the United States will double before the end of this century and then double again within the next 30 or 40 years. He pointed out that two-thirds of the world's people are underfed, under present population ratios, and that there are now 55 million more mouths to feed in the world each year.

"The standard of living experienced by a nation's people is determined by the quantity of goods and services related to the number of people drawing upon this availability," Senator SIMPSON pointed out. "America has been blessed and has been able to produce more goods and services than it needs, but there is no assurance that this balance will continue and it certainly does not exist today in other countries of the world."

SIMPSON asserted that the only solution to the population problem is reproduction control on a voluntary basis, and he said that "no religious group opposes family planning or planned parenthood. It is to the particular method of planning that there may be objection," he said.

The Wyoming lawmaker praised both the Government and the press for the change in attitude toward the birth control issue.

He recalled that President Kennedy had endorsed action which led to a $500,000 appropriation by Congress for studies in human reproduction and that "the press for the first time has this year been lending itself admirably to the subject."

Senator SIMPSON asserted that there is a clear and graphic relationship between poverty and population. He said that evidence produced during Senate debate on the Appalachia bill made it abundantly clear that low-income families with many children plunged themselves deeper into the poverty cycle than those with fewer children. "The cost of maintaining children of the poor has climbed to more than a billion dollars a year," SIMPSON said. "One child in every 25 receives welfare aid. That number is expected to double in the next 10 years. These children, because of family poverty and the resulting lack of education and opportunity, have little chance of rising above the culture of despair."

SIMPSON listed three economic aspects of increased population in the United States: We may expect our burgeoning population to burden rather than accelerate our economy, we can expect vast increases in public expenditures for new schools, health facilities, housing, water supplies, transportation, and public power—all necessitating a greater tax burden and a bigger government, 15 to 20 percent of all tax revenues this year will be spent simply to give 4 million new babies the basic services of our society.

SIMPSON said the United States must embark upon programs for research on a large scale on the biological and medical aspects of human reproduction so that improved methods of fertility control can be developed. He said the American people must be informed of the enormous problems inherent in unchecked population growth in the United States and abroad, and he stressed the need for responsibility in bringing into the world only those children whom parents want and are prepared adequately to care for and educate. SIMPSON asserted also that information on birth control must be made available at low cost to all those who need and wish such guidance.

Senator SIMPSON called birth control "one of the most vital issues facing the United States and the world."

BIRTH CONTROL LEGISLATION

(Statement of U.S. Senator MILWARD L. SIMPSON, of Wyoming, before the Foreign Aid Expenditures Subcommittee of the Government Operations Committee)

Mr. Chairman. I want to commend you for holding these hearings which I have been regularly attending. The need for birth control here in the United States and in the world has been dramatically demonstrated by the witnesses that we have heard.

The tremendous number of children born unwanted, unplanned, and unneeded is one of the causes of the problems that we in the Senate try to solve. Crime is on the increase. We have a great deal of poverty. Delinquency in our schools and universities is abundant. Unemployment continues to plague us. School dropouts continue to increase. Here in the United States and abroad these problems are compounded and multiplied by the population explosion.

Mr. Chairman, I am of the opinion that there is a direct correlation between poverty and uncontrolled births. I realize that there are many reasons for poverty, but certainly one reason is the tremendous population growth of the United States and the world.

The standard of living experienced by a nation's people is determined by the quantity of goods and services available divided by the number of people. America has been blessed and has been able to produce more goods than it needs. Consequently, our standard of living has been steadily increasing. However, two-thirds of the world's people are underfed and undernourished, partly because there are now 55 million more mouths to feed in the world each year.

The population of the United States will double before the end of this century. And then it will double again within the next 30 to 40 years. The less developed areas, such as China, southeast Asia, Africa, and Latin America, are doubling their population every 20 to 30 years, according to a study made by the National Academy of Sciences entitled "The Growth of the World Population."

The population crisis in the world is startling. Countries which now cannot even feed their own will have two or three times as many people as they have now by the year 2000.

The Department of Agriculture has published a book written by Les R. Brown entitled, "Man, Land, and Food: Looking Ahead at World Food Needs," which is must reading for those who are interested in the problems caused by the uncontrolled population explosions.

Can we feed the people of the world? Mr. Brown handles this question very well. He points out the problem of feeding the world is two dimensional. "It is partly a production problem, partly a distribution problem. Food supplies in the developed regions are abundant and steadily rising on a per capita basis. In the less-developed regions, supplies are inadequate * * *.

"The distribution aspects of the food problem give little evidence of immediate improvement. Population in the less-developed regions, now totaling 2.1 billion, is expected to reach 5 billion by the end of the century. If the expected addition of about 3 billion materializes, the less-developed regions will need to develop an additional food production capacity equal to current world capacity."

What are the prospects of this needed additional production? Not very good. We must learn to control our population birth rate or millions of human beings throughout the world will die of starvation or malnutrition.

If the world situation can be said to be critical, then our national problem must be called serious. Birth control and the population problem were formerly taboo subjects but now, due to the seriousness of the problem, they are extensively discussed in the Nation's mass media. In 1963, newspaper stories concerning birth control jumped 55 percent to a total of 11,699. Popular magazines and specialized professional publications, with circulation in the many millions, published at least 130 articles on these and related subjects.

In 1964, birth control problems and the population explosion received a great deal of attention through the news media of this Nation. Never before had there been such an overt attempt by our editors and publishers to bring to the forefront the problems that are being experienced in this field. This year, Mr. Chairman, because of your pioneering spirit, and because of your willingness to talk about a subject which heretofore had been considered taboo, the press has been full of information concerning birth control. The Senate now has a great opportunity to do something which will be constructive and will help meet the need of this Nation and possibly the world. I hope we will be courageous enough to act.

It is important that the American people be fully informed on the subject matter of birth control. I am pleased to know that there are many organizations which are doing all that they can to get the known information distributed and to acquire new information and knowledge. Organizations, such as the Planned Parenthood Federation of America, the Population Council, the National Academy of Sciences, the Population Reference Bureau, the American Public Health Association, the National Institute of Child Health and Human Development, and the many pharmaceutical manufacturers, as well as public health officials across the land, are trying to educate our people to the need of birth control or, as some prefer, family planning. It should be pointed out that no religious group opposes family planning or planned parenthood. It is to a particular method that there may be objection.

The U.S. Government has wisely adopted a policy concerning the population problem. President Kennedy endorsed action, and following his endorsement, our Government gave $500,000 to the World Health Organization for studies in human reproduction and created a major new research division of the National Institute of Health—the National Institute of Child Health and Human Development.

The State Department affirmed the United States' willingness to "help other countries, upon request, to find potential sources of information and assistance on ways and means of dealing with population problems." Our foreign aid laws authorize the use of assistance funds for "research into problems of population growth."

There is an emerging pattern of public responsibility in educating the public regarding the need for birth control. The question must be asked: Is the Government doing enough to promote population control? Clearly, we are not.

State, county, and city governments must take a more active role. The county of Mecklenburg, N.C., according to an article which appeared in the April 7, 1964, Look magazine, has met the challenge and has assisted the poor by giving them birth control devices and information. By this practice the county government spends $1 to save $25. The human savings are much greater.

There is a direct relationship between poverty and high birth rates. If we are to declare "war on poverty," we must assist people so they can plan for their families.

Much of the attention has been focused on Appalachia because of its large unemployed population and poverty. Traditionally, the Appalachian region has experienced phenomenally high fertility. The report of the National Resources Committee, published in 1938, noted that "the highest fertility in the United States is found among the women of the southern Appalachians. * * * The population would increase 2½ times in about 30 years without emigration * * *." Conditions have improved but the problem is still acute.

We are all familiar with the problems caused by the needy families who have too many unwanted children. Our welfare departments are plagued with the poor who continue to have children when they can't even afford to feed the ones they have.

The cost of maintaining children of the poor has climbed to more than a billion dollars a year in welfare funds. One child in 25 receives welfare aid, and the number may double in the next 10 years. These youngsters, because of family poverty and lack of education, lack of love, have little chance of rising above the culture of despair.

Birth control does not solve all the problems of poverty. But it does help the poor regulate the growth of their families. Expenses are cut. The health of the mother improves because she isn't having too many children too quickly. The fear of bearing another child, who might mean increased poverty, diminishes.

The costs of unwanted and unplanned children are immeasurable. The human suffering caused by and to them and the financial strain on the family and community are more than we realize. Among low income, low educated parents surveyed recently, 54 percent of their children were unplanned and unwanted. For every 100 patients visiting a planned parenthood center in 1962: 66 have incomes of $74 or less per week; 33 are on welfare or have incomes of less than $50 a week; 78 are less than 30 years old; 21 are less than 20 years old; and 69 have three children or less.

What are the economic aspects of increased population in the United States?

1. Increasingly, we may expect our rapid increase in numbers to burden, rather than accelerate, our economy.

2. Increased expenditures—mostly public funds—needed to supply schools and colleges, health facilities, housing, water supplies, transportation, power, etc., for the expanding population will mean a substantially higher tax burden and bigger government.

3. This year 4 million new babies will be born in the United States, and between 15 and 20 percent of all tax revenues will have to be spent simply to give them basic services.

4. The U.S. Office of Education estimates that Americans spent $32 billion last year on schooling—three-quarters of it from tax funds.

What must be done to meet this challenge?

1. Research on a far larger scale must be supported on the biological and medical aspects of human reproduction so improved methods of fertility control are developed.

2. The American people must be informed of the enormous problems inherent in unchecked population growth here as well as abroad.

3. A sense of responsibility must be developed concerning marriage and parenthood, including the responsibility of bringing into the world only those children whom parents want and are prepared adequate to care for and educate.

4. Existing knowledge about birth control at low or no cost must be made available to those who need and wish such information and guidance.

The Federal Government has spent millions of dollars in research so that the health of the world could be improved. The effectiveness of our federally financed research in cooperation with private enterprise has been so effective that we have now virtually eliminated many of the killer diseases and our death rate is now very low. Now our public health officials must concern themselves with the increase in population which threatens the health and well-being of many millions of people.

In my judgment, action is required. I suggest:

1. Public health organizations at all levels of government should give increased attention to the impact of population change on health.

2. Scientific research should be greatly expanded on (a) all aspects of human fertility; and (b) the interplay of biological, psychological, and socioeconomic factors influencing population change.

3. Public and private programs concerned with population growth and family size should be integral parts of the health program and should include medical advice and services which are acceptable to the individuals concerned.

4. Full freedom should be extended to all population groups for the selection and use of such methods for the regulation of family size as are consistent with the creed and more of the individuals concerned.

Recognizing that the population problem, nationally and internationally, has become a serious crisis, we must determine a course of action. I recognize that a great deal of work has already been done by the drug firms throughout America and other interested organizations. Nothing should be done to detract from their achievements. In fact, we should compliment their efforts.

Our public health officials should fully utilize the devices and information that are now available. It is my understanding that even though our law provides that money can be used for family-planning services, few agencies use it. Our officials must face up to their responsibilities.

We must mount an educational program that will inform the American public of the wisdom and advisability of planning parenthood. There has been substantial information and know-how collected. It must now be used.

Mr. Chairman, the meetings that we have held have been most informative and most valuable. I am hopeful that the great reservoir of knowledge that has been pulled together will be used by the Federal Government and State governments in their efforts to meet these population problems and the problems experienced by our individual citizens who must concern themselves with the need for planning their families. I have appreciated serving on this committee and am grateful for the opportunity of presenting this statement.

THE SUPERSONIC TRANSPORT PROGRAM

Mr. HARTKE. Mr. President, two articles published in the August 30, 1965, issue of Aviation Week demonstrate a continuing concern over the future of the civilian agencies of our Government, especially the FAA.

The military takeover is continuing at a steady pace and again should be an item of national discussion. The two articles are well written and of Senate interest, and I therefore ask unanimous consent that they may be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CONGRESS TO APPROVE SST MONEY REQUEST—MAJOR OPPOSITION UNLIKELY, BUT PROTEST BUILDS ON APPOINTMENT OF USAF OFFICER TO HEAD FAA PROGRAM

(By George C. Wilson)

WASHINGTON.—Congress within the next few days will approve President Johnson's request for $140 million in fiscal 1966 funds for the supersonic transport program but not without protesting what some Members contend is militarization of the Federal Aviation Agency.

Chairman, GEORGE H. MAHON, Democrat, of Texas, of the House Appropriations Committee, told Aviation Week & Space Technology there was no significant opposition in the House to the President's supersonic transport money request. "I think people are sold on the idea that this supersonic transport is desirable. I think it will be a routine thing" to get House approval.

But a protest is building in the Senate, led by Senator VANCE HARTKE, Democrat, of Indiana. He said he is "very disturbed" over the imminent replacement of Gordon Bain, deputy administrator for supersonic transport development, by an Air Force general and intends to make an issue of it when the money request reaches the Senate, if not before. Senator HARTKE objected to the naming of USAF Gen. William F. McKee (retired) as FAA administrator on grounds it amounted to militarizing the civilian agency (Aviation Week & Space Technology, June 28, p. 31).

WEATHERS ATTACK

Although General McKee weathered this attack and was confirmed, the whole question will be raised again because General McKee has announced that USAF Brig. Gen. Jewell C. Maxwell will replace Bain.

To blunt expected criticism of militarization of the FAA, General McKee told the Senate that while General Maxwell was joining the agency another general was leaving it—USAF Maj. Gen. M. S. White, Federal air surgeon. Dr. Peter V. Siegel, a civilian who has been serving as Chief of the FAA Aeromedical Certification Division at the Office of Aviation Medicine in Oklahoma City, will replace General White.

Senator HARTKE contends that the arrival of General Maxwell and departure of General White do not balance out because of the overwhelming importance of the civilian supersonic transport program. He has asked General McKee why the title of the job to be held by General Maxwell has been changed from deputy director for supersonic transport development, to "director, supersonic transport program."

Other questions Senator HARTKE has asked General McKee by letter to answer are: "Why was a military man selected for this position? Was any search made for a civilian to fill this position? Is any civilian technically competent and qualified to fill this important position? Is there any civilian in the aviation industry technically competent and qualified to fill this position? Is there any civilian in any of our aviation engineering schools, such as Massachusetts Institute of Technology, California School of Technology, Purdue or others, who could fill this position? Is it considered necessary that a military man take this post? If so, should the supersonic transport development program be transferred from the Federal Aviation Agency to the jurisdiction of the Pentagon?"

Chairman A. S. MIKE MCNRONEY, Democrat, of Oklahoma, of the Senate Aviation Subcommittee, who has championed the supersonic transport in the Senate in the past, said, "I don't expect a flap" over the replacement of Bain by General Maxwell. Whether there will be a sizable fight when the $140 million appropriation reaches the Senate floor, or before, depends on how much support Senator HARTKE recruits.

The House Appropriations Committee will lump the $140-million for the supersonic transport with other Presidential requests for fiscal 1966 supplemental appropriations. The whole bill will be voted within the next few days. Then it goes to the Senate special subcommittee for supplemental requests, headed by Senator JOHN O. PASTORE, Democrat, of Rhode Island. Senator MONRONEY is on this subcommittee and probably will defend the supersonic transport money request when it reaches the Senate floor. Because Congress is pushing hard to get the money bills out of the way so it can adjourn as soon after Labor Day as possible, the supplemental appropriations will reach a vote in the Senate a few days after it clears the House. No separate bill authorizing the supplemental appropriations is required as in most regular money bills.

HARTKE'S FORUM

Although the supplemental appropriation for the supersonic transport is entirely separate from the question of whether the appointments of Generals McKee and Maxwell threaten to militarize the FAA, the debate on the money bill will provide a forum for Senator HARTKE and his supporters. They came within three votes of recommitting the bill granting General McKee special treatment to enable him to collect about $8,000 a year in retirement benefits. Some of that support may be transferred into opposition to the supersonic transport appropriation although not enough to deny the President the money.

Privately, those Senators pushing for the supersonic transport program generally and the $140 million specifically contend that there was no place other than the military to recruit the kind of experienced management needed to run the billion-dollar effort.

"Where are you going to get somebody who knows enough about the aircraft development to run the supersonic transport program," asked one Senator. "Do you really think you're going to get a $75,000-a-year man from Boeing or Douglas or any place else to work for the FAA for less than half that money? We're getting near the metal cutting stage now. Where are you going to go to get somebody who really knows aircraft development and procurement if you don't go to the military?"

Although Bain enjoyed considerable support within the aerospace industry during his tenure as FAA's supersonic transport chief, backers of General Maxwell counter Bain's work was mainly organizing the Government's paper effort. The hardware stage, they contend, demands a breadth of experience different from the experience Bain brought to the job.

One byproduct of having military officers at the forefront of the civilian supersonic transport development is bound to be a full assessment of the military potential of the aircraft, despite the contention of Defense Secretary Robert S. McNamara that there is no military requirement for it. This could be a most significant byproduct, including the very real possibility that the Defense Department eventually will pay for part of the supersonic transport's development—perhaps the engines.

Departure of Bain Spurs Concern Over Future FAA Direction of SST

Washington.—Gordon M. Bain's decision to leave the Federal Aviation Agency where he has directed the supersonic transport program since 1963 has created concern among airlines and aircraft manufacturers over the future of the program.

Adding to the uncertainty is the appointment of Air Force Brig. Gen. Jewell C. Maxwell, to replace Bain.

Bain's resignation is effective September 15. Bain said it was for "personal reasons" and that he plans to return to private industry, although he has not said where or what his new job will be.

Bain was considered to have a sympathetic understanding for the problems faced by both the airlines and the airframe and engine manufacturers in developing a practical transport.

"We differed with him on a lot of points, but at least you could argue constructively with him," one airline equipment planner said.

The fact that the supersonic transport is a commercial enterprise, and that it is to be directed by an active-duty Air Force general, is the basis for most of the current concern. However, Gen. William F. McKee, FAA Administrator, said in making the appointment that General Maxwell was the best man he could find who had lengthy experience in R. & D. work.

The job Bain holds pays $24,500 a year, which is not considered high by industry standards for a project like the supersonic transport.

General Maxwell, 48, is presently commander of the Air Force Western Test Range at Vandenberg AFB, Calif. Among his research and development activities was service as chief military coordinator in development of the Boeing B–52 bomber.

He is a former chief of staff of USAF Systems Command, and in 1963 was chairman of the aircraft committee of Project Forecast, which included analysis of future Air Force needs for transports. For 5 years he was chief of the bomber aircraft division at Wright-Patterson AFB. General Maxwell flew 44 missions as a Martin B–26 pilot in World War II, and was executive officer of the 386th Bomb Group in the European Theater of Operations.

He holds a mechanical engineering degree from the University of Tennessee, a masters degree in aeronautical engineering from Princeton University, and is a graduate of the War College.

Industry sources are avoiding any public comments on the merits of General McKee's bringing a fellow Air Force officer into the supersonic transport program. The airlines are particularly anxious to see to what extent General Maxwell will seek their advice.

"The supersonic transport must be developed in a fish bowl, without any secrecy," one airline official said. "The airlines do not buy off-the-shelf aircraft. Each one, even though it is a basic model, must have features desired by the individual carrier."

At present, FAA sources said, the only part of the supersonic transport still covered by Defense Department security is performance and interior technology on the engines.

Bain told Aviation Week & Space Technology that he felt now was the most opportune time for him to resign.

"When I took this job in 1963, I had no intention of seeing it through to the end," Bain said. "My job was to pull everything together and get it headed forward in good order. That has been done, and the pattern for the next 18 months is set. So I feel it is a good time for me to step out."

Industry officials who have worked closely with Bain acknowledge that he has kept the program working smoothly and that schedule deadlines have been met. The main point of disagreement between himself and the industry has been over the eventual production of flying prototypes—the industry wanting two and Bain insisting on one.

"We in the industry know that the best airplane and engine always comes from an intense competition," one airline official said, "but recognize that Gordon might have had a tough time convincing the Government that the added expense * * * was justified."

Bain's leading role in the program also was affected when President Johnson named Defense Secretary Robert S. McNamara to head a special advisory committee whose recommendations led to the recent phase 2C research decision.

Spokesmen said it was apparent during negotiations on the phase 2C contracts that Bain was not in complete agreement with the order to continue research for another 18 months.

"We cannot expect delivery of a U.S. supersonic transport now before 1975," one industry spokesman said. "But Gordon agreed with those of us who know we could have it ready by 1973."

THE THEORY THAT THE VIETNAMESE COMMUNISTS ARE BASICALLY ANTI-CHINESE

Mr. DODD. Mr. President, we are frequently assured by those who urge an American withdrawal from Vietnam that our withdrawal will not result in turning Vietnam and southeast Asia over to the effective political control by Peiping. We are told that the Vietnamese Communists are basically anti-Chinese, that Ho Chi Minh is basically another Tito, and that the most effective way of assuring the continued independence over Vietnam from Peiping would be to turn the entire country over to the control of the so-called Nationalist Communists.

Mr. President, I believe that the most effective answer to those who entertain these theories was recently given by the Chairman of the Presidium of the National Liberation Front of South Vietnam, in a letter to Mao Tse-tung. This letter was broadcast over Peiping domestic service on August 19. Let me quote to you the words of the broadcast letter to the patron saint of the Chinese Communists:

> On behalf of the South Vietnam people and the NFLSV, and in my own name, I would like to extend the warmest and highest respect to you, the great leader of the Chinese Communist Party and the Chinese people. The South Vietnamese people are deeply inspired by receiving the full and valuable sympathy and support from the Chinese Communist Party and the fraternal Chinese people in their patriotic and just struggle and war of resistance against the U.S. imperialist aggressors and their lackeys and for national independence.

Mr. President, I ask unanimous consent to have this inserted into the Record at this point, the entire text of the letter from Nguyen Huu Tho to Mao Tse-tung.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[Communist China, International Affairs,
Aug. 20, 1965]

NFLSV Chairman's Letter to Mao Tse-tung

Chairman Mao Tse-tung recently received a letter from Nguyen Huu Tho, Chairman of the Presidium of the NFLSV Central Committee, thanking the Chinese people for their support to the South Vietnam people in their struggle against U.S. imperialist aggression. At the same time, Chairman Liu Shao-chi, NPC Chairman Chu Te, and Premier Chou En-lai also received letters from Comrade Nguyen Huu Tho. The letters were hand delivered to Premier Chou En-lai by Tran Van Trung, head of the NFLSV permanent delegation to China, on August 12.

The full text of Chairman Nguyen Huu Tho's letter to Chairman Mao Tse-tung reads:

South Vietnam,
June 1, 1965.

Chairman Mao Tse-tung of the CCP Central Committee.

Dear Chairman: On behalf of the South Vietnam people and the NFLSV, and in my own name, I would like to extend the warmest and highest respect to you, the great leader of the Chinese Communist Party and the Chinese people. The South Vietnam people are deeply inspired by receiving the full and valuable sympathy and support from the Chinese Communist Party and the fraternal Chinese people in their patriotic and just struggle and war of resistance against the U.S. imperialist aggressors and their lackeys and for national independence.

The historic statement issued by you on August 29, 1963, on the South Vietnam question is of great significance to the revolutionary cause of the South Vietnam people. It also demonstrated once again the close, solid militant friendship between the Chinese and South Vietnam people, and has strengthened further our solid strength to defeat the U.S. aggressors.

To avoid its inevitable defeat in South Vietnam, U.S. imperialism is exerting great efforts to intensify its war of aggression against South Vietnam, has dispatched to South Vietnam tens of thousands of U.S. troops and some troops of its vassal countries, and has continuously extended the bandit war to North Vietnam. At the same time, it has spread the so-called unconditional peace talks tricky offer, attempting to deceive world opinion and to cover up its true aggression and bellicose nature. However, the NFLSV Central Committee's five-point statement issued on March 22, 1965, has pointed out that the South Vietnam people are convinced that no frantic schemes, no tricky arguments, and no modern weapons and troops of U.S. imperialism and its vassals could make the 14 million patriotic

South Vietnam people submit or shake their will to fight and win.

With the wholehearted sympathy and thorough support of the great 650 million Chinese people, the people of the various socialist countries, and all the peace-loving people throughout the world, our people in South Vietnam are resolutely taking up arms with the determination to fight to the last drop of blood in driving U.S. imperialism out of South Vietnam, liberating South Vietnam, and unifying the fatherland in order to contribute to the national liberation and the defense of peace in southeast Asia and the world.

Our people in South Vietnam exceedingly admire the indomitable revolutionary spirit of the Chinese people, whom we follow as an example. The Chinese people, under the brilliant banner of the CCP which regards the people as master, have victoriously carried on long-term resistance and, with their brilliant example, inspired all the oppressed people throughout the world to wage the struggle for their liberation.

Now, the Chinese people are building a prosperous and strong China through their laboring efforts and lofty spirit on self-reliance, and making an important contribution to the lofty causes of revolution of the world's people and of world peace.

The people of South Vietnam feel a great joy over all those brilliant achievements of the CCP and the great Chinese people and sincerely convey their wishes to the CCP and the Chinese people under your wise and brilliant leadership for still more brilliant successes.

I wish to take this opportunity in behalf of the people in South Vietnam and the Central Committee of NFLSV in expressing my most sincere gratitude to you and wishing the best of health.

Nguyen Huu Tho,
Chairman of the Presidium of the Central Committee of the NFLSV.

THE LOWER COLORADO RIVER BASIN WATER PLAN

Mr. KUCHEL. Mr. President, in the last several days a number of distinguished California citizens, public servants of my State in various fields, have testified before the House Committee on Interior and Insular Affairs in favor of legislation to provide for a Lower Colorado River Basin water plan. The whole southwest area is in dire straits with respect to the problem of water in the future. I ask unanimous consent to have printed in Record at this point the statements by the attorney general of California, Thomas C. Lynch; Northcutt Ely, special counsel for the Colorado River Board of California, and six Agency Committee of California Water Users; and the joint statement of W. S. Gookin, I. P. Head, W. E. Steiner, D. E. Cole, and W. D. Maughan; the individual statement of D. E. Cole, chief engineer of the Colorado River Board of California; and the Colorado River Basin seven-State consensus.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement by California Attorney General Thomas C. Lynch, Appearing at the Request of Governor Edmund G. Brown, Before the House Committee on Interior and Insular Affairs, Washington, D.C., August 24, 1965

Mr. Chairman, my name is Thomas C. Lynch. I am the attorney general of California. I have the honor to appear not only in that capacity, but at the request of the Governor of my State, Edmund G. Brown. He wants me to tell you that he would be here today but for the aftermath of the last two tragic weeks in our State. He wants me to tell you that he wholeheartedly and enthusiastically supports the legislation offered by 37 Representatives in Congress and by both California Senators.

I assure you that a California consensus—as close to unanimity as you will find in a State of nearly 20 million people—supports the Governor in that position.

That position is urged by the Colorado River Board of California, a State agency whose members are nominated by the public entities which have Colorado River water rights: The Metropolitan Water District of Southern California, the Department of Water and Power of the City of Los Angeles, the San Diego County Water Authority, Imperial Irrigation District, Palo Verde Irrigation District, and Coachella Valley County Water District. Each of these public agencies supports the pending bill.

Likewise, it has the most earnest support of our sister State—our historic water antagonist with whom we are now in agreement—Arizona. It has the support of Nevada, which has a community of interest with both Arizona and California. It has the support in principle of the U.S. Government, expressed by the Bureau of the Budget and the Secretary of the Interior.

I hope and I believe that this legislation will come to have the strong support of other regions: the States of the Upper Colorado River Basin and Western States outside the Colorado River Basin which may be benefited. It deserves the support of the entire Nation. The most immediate benefit will be to the Lower Colorado River Basin, whose problems produced this agreement after decades of embittered and futile combat. Benefits, less immediate but fully as substantial, will later accrue to areas adjacent to the Colorado River Basin. The precedent and the principle mark a legal and political breakthrough as important as any new scientific discovery in man's fight against drought.

I was delighted to learn on Friday that representatives of the seven Colorado River Basin States had agreed on basic principles for regional legislation. This is good news for the entire Nation.

The seven-State accord is a second great step toward making regional water development a reality. This accord will be as significant as the original agreement between Arizona and California which established unity among the Lower Basin States—Arizona, California, and Nevada—earlier this year.

Many problems remain, but they will also yield to the constructive spirit with which the seven States have approached their problems. I am sure this committee will give thorough attention to the unresolved problems as the hearings progress. I should like to confine myself to the very significant subjects on which there now appears to be a meeting of the minds.

The lower basin agreement which has united Arizona, California, and Nevada is, as I am sure everyone in this room fully realizes, an astonishing development. It came about when men of good will from all over the Colorado River basin became fully aware that the interests of our region can be served only by agreement and not by combat. We shall all face a continuing struggle and problems far more serious than anyone could have realized in 1952 when Arizona and California squared off against each other for the fourth time in the U.S. Supreme Court. Now, our struggle is against nature. It is a struggle we can win if we are all together; which we shall surely lose if we are divided.

I had the privilege of watching the agreement happen. I shall tell you about it in some detail, because the time has come for further agreement—this time in the Congress of the United States. We look to this committee to fashion a final agreement which will serve the West and set a pattern for the rest of the country which is reaching the limits of available water, and which must eventually turn to regional planning as the basis of regional accomplishment.

I became attorney general of California at the beginning of September 1964. The constitution of California imposed on me the responsibility of representing California in interstate litigation. I was told by some that the problems of the Colorado River were insoluble. The U.S. Supreme Court had entered a decree in *Arizona* v. *California* the preceding March. The decree had not settled the problems of the Colorado. It had only framed some of the issues for renewed combat. I made it my first business to study the Colorado problem intensively. I have continued to do so. I discovered that these reports were in substance correct. Winston Churchill once described Russia as "a riddle wrapped in a mystery inside an enigma." He might well have been speaking of the Colorado.

The decree concluded one of the greatest trials in history. The purpose of the suit was to answer yes or no to the question posed in 1952 by the State of Arizona: Is there water to supply the Central Arizona project?

The decree failed to answer that question. Instead, it answered two others: First, how is 7.5 million acre-feet per year of consumptive use from the main river to be divided among Arizona, California, and Nevada? It is to be divided 2.8 million to Arizona, 4.4 million to California, 300,000 acre-feet to Nevada.

Second, how is water in excess of 7.5 million acre-feet to be divided among them? It is to be divided equally between Arizona and California, except that the Secretary of the Interior may by contract give 4 percent of the excess to Nevada, coming out of Arizona's 50 percent.

Lest there be any doubt, I repeat what my predecessor said, "We accept those decisions. We do not ask Congress to change the Court's decree."

Unfortunately, these omit the major question which requires an answer: How is less than 7.5 million acre-feet to be divided? Engineering opinion was unanimous that ultimately there would be no excess over 7.5 million acre-feet for the three States. In time, there will be less than 7.5 million acre-feet. But the court expressly refused to decide how a supply of less than 7.5 million acre-feet would be divided. The court left that question to be decided by the Secretary of the Interior or the Congress.

There are two limitations on the Secretary's power: (1) "Present perfected rights" must be given interstate priority by the Secretary before he allocates the remaining water among the States. (2) The court will review the Secretary's exercise of discretion. However, the quantities of "present perfected rights"—those exercised by use prior to 1929 when the Boulder Canyon Project Act became effective and all Federal rights existing on that date—are left to future agreement or litigation. The standards by which secretarial discretion is to be controlled are otherwise unspecified.

As an alternative to a secretarial allocation, Congress can enact legislation providing for allocation of shortages if the main river supplies less than 7.5 million acre-feet.

The court left unanswered the question Arizona had in effect asked the Supreme Court: "Is there water for the Central Arizona project?"

It left unanswered the question we in California face: "Is there to be a disastrous exception to the historic rule of law throughout the West that water is never taken from existing projects to supply new projects to be built in the future?" We thought there could be only one answer

There was no possibility whatever that Arizona could be expected to yield that which Arizona had sought for a generation, and for which her need is increasingly great: the Central Arizona project.

There was no possibility whatever that California would yield water used by her projects in order to build the Central Arizona project, except as a decree by the Supreme Court had so determined. The Supreme Court had expressly and unanimously rejected the Special Master's recommendation that proration of shortages within the 7.5 million acre-feet should be imposed on the States. We demanded, as we had to, protection of existing projects. The Arizona Legislature twice sought the same protection for Arizona's existing projects.

Secretary Udall had suggested in two successive regional plans a way to avoid the hard question to which the answer appeared so ruinous to Arizona or California. Our entire region is indebted to his inspiration, stimulated I am sure by the dreadful responsibility the Court had thrust on him to destroy either the hopes of Arizona or the existing projects of California.

The resource of the Colorado is water. Water generates power. Power generates money. And through money the water supply can be made to replenish itself. Imports of water can avoid shortages in the 7.5 million acre-foot quantity. Water users in both States would be made whole to the extent of the decreed allocations out of that 7.5 million acre-feet.

The two Pacific Southwest water plans could not, however, overcome the handicap of lack of time. Arizona's need for a Central Arizona project was immediate and urgent. Investigations, engineering, and economic studies were necessary for a project to import water to replace Colorado River water exported to central Arizona. All three take substantial time, even on a crash basis. My State resisted—it had to resist—a Central Arizona project which would deplete the water available to California projects so long as replacement of that water was only a hope or a promise.

After several months of study, I attended my first public meeting devoted to this unhappy dilemma. It was called in December by the Southern California Water Conference. Representatives from all over the Colorado River Basin were present.

There was a serious—even grimly somber mood—of men patiently willing to state and restate without rancor their deeply held positions. Theirs was a firm determination not to compromise or suggest compromise in matters essential to survival.

Californians protested they did not insist upon 4.4 million acre-feet from the Colorado and also water from some alternative source. But they could not yield that 4.4 million until the alternative source had been achieved. That would take time.

Californians also recognized Arizona's need. They did not want to insist that Arizona's overdrawn groundwater basins continue to be pumped without respite until a great regional plan to replace the central Arizona project supply could be readied for adoption as a whole. But they were determined to defend California's 4.4 million acre-feet.

At the end of the conference, this question emerged:

Is it possible to estimate the shortage in the Colorado River supply and provide for priority of existing projects until an import of water to make up that shortage has actually been achieved?

Next day, Secretary Udall came to Los Angeles. While the California group was waiting to meet with him, the question was put to the chief engineer of the Colorado River board. He estimated the probable ultimate shortage at 2.5 million acre-feet.

That consists of 1.5 million acre-feet annually which the Mexican Treaty assures to Mexico, and about 1 million acre-feet of annual channel and reservoir losses between Lee Ferry—where the lower basin begins—and the Mexican boundary. You can see that unless 2.5 million acre-feet is imported, the 7.5 million acre-feet annual average—which article III(d) of the Colorado River compact requires to be delivered at Lee Ferry—will provide only 5 million acre-feet of consumptive use.

Would it be possible to assure protection for existing projects until at least 2.5 million acre-feet was imported into the main river?

Stewart Udall gave a cautiously affirmative reply. This inspired negotiations which resulted in the legislation before you.

In the first week in February, Senator KUCHEL offered S. 1019 in the U.S. Senate. Counterparts were offered in the House, and Senator HAYDEN has said that he will press for prompt passage in the Senate if one of these counterparts is passed by the House.

I shall not try to discuss the details of the bill. I shall point out only how it answers the hardest questions.

First, it gives the same protection to existing projects of all three states, Arizona, California, and Nevada, except that California is limited in that protection to 4.4 million acre-feet. If there is less than 7.5 million acre-feet, shortage will be borne by the Central Arizona project before existing projects are forced to cut back. The 4.4 limitation on California exists because only California's existing projects use more than the quantity decreed out of the first 7.5 million acre-feet available each year from the river.

You would suppose that this was not a matter of consequence to Arizona projects, since Arizona's uses plus Central Arizona project use will be substantially less than Arizona's 2.8 million acre-feet. In fact, the problem was of universal concern. As I have said, Arizona's Legislature has twice sought protection for Arizona's present projects against demands of the Central Arizona project. This bill makes that principle applicable to both sides of the river, and to all three States.

Second, the bill makes it unnecessary to provide an answer to the truly unknown and unknowable "ultimate water supply" available from the Colorado. That requires study of hydrology and law. The law is the Colorado River compact which only the Supreme Court at the end of another 10 years of litigation may definitively construe. We must avoid that path. This bill requires an answer only to the easy question. How much water is probably available to the lower basin until imports from other regions become available? That question, I am assured, can be answered: Enough to justify the Central Arizona project for immediate authorization and construction on these conditions. That, I am sure, will be the subject of engineering testimony and evidence before you.

Third, the bill makes it unnecessary to face the cruelest dilemma ever imposed by man or nature on a great region: Either to go on letting temporarily unused upper basin water flow down the river, unused, to the Gulf of California; or put it to use with projects which must be abandoned when the upper basin requires that presently unused water to which it has a guaranteed right by compact. This bill uses that wasted water for its best purpose—a temporary resource to be replaced by imports.

Fourth, this bill gives every State and every region a continuing incentive to make the regional plan work. Arizona and California both need far more water than they can expect from their shares of 7.5 million acre-feet. This bill gives both States an equal interest in the excess above 7.5 million acre-feet which must be provided. It gives the maximum assurance now possible that a choice between an empty Lake Powell in the upper basin or an empty Lake Mead in the lower basin need never be made.

I will conclude by telling you that there is still some controversy about the bill in California. However, it is a happy kind of controversy. Who is entitled to the most credit for launching the agreement?

Like victory of any kind, this plan has—I should say it has needed—many fathers. We are still, I think, in the negotiating stages. I hope that the members of this committee who are not from Lower Colorado River Basin States will promptly enter their claims to joint paternity. We need your support.

I would pay tribute to the three men who have done more than any others to further this concept of regional planning. The first is Stewart Udall, Secretary of the Interior, who offered two regional plans which contained basic principles of the bills before you.

The second is Governor Brown. First, in launching the California water plan as the first major business of his administration, he demonstrated to the Nation that regional animosities can be reconciled to the benefit of mutually hostile antagonists. Second, he defended Secretary Udall's plan when Arizona and California would otherwise have killed the concept with renewal of ancient hostility.

The third is Senator KUCHEL. He has provided leadership which has put regional water problems ahead of party politics, ahead of interstate hostilities, and ahead of personal advantage. His bill is S. 1019 in the Senate. The 37 House bills we heard first, in this committee, because this appears to be the best and quickest way to get the job done.

Mine is a rare privilege. To travel to Washington as attorney general of California and to urge approval on behalf of the Governor of California of a central Arizona project, with the assurance that I will be well received when I return to California. I think you will want to share with me the sense of great accomplishment that has come to all of us who have helped fashion the present agreement.

STATEMENT OF NORTHCUTT ELY, SPECIAL COUNSEL, COLORADO RIVER BOARD OF CALIFORNIA, AND SIX AGENCY COMMITTEES OF CALIFORNIA WATER USERS BEFORE THE IRRIGATION AND RECLAMATION SUBCOMMITTEE OF THE HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, WASHINGTON, D.C., AUGUST 27, 1965

Mr. Chairman and members of the committee, my name is Northcutt Ely. I am a lawyer, a member of Ely, Duncan & Bennett, Washington, D.C.

Last week I had the honor to appear before you, accompanying Attorney General Thomas Lynch of California, in my capacity as special assistant attorney general in charge of the case of *Arizona* v. *California*. I shall therefore not repeat the analysis of that case given you by Attorney General Lynch, nor the historical background and statement of the issues which Senator KUCHEL gave you on the opening day.

I appear before you today as special counsel for the Colorado River Board of California and the six California agencies that have rights to Colorado River water; the Metropolitan Water District of Southern California; the city of Los Angeles and the San Diego County Water Authority, which are included within Metropolitan; Imperial Irrigation District; Coachella Valley County Water District; and Palo Verde Irrigation District.

Dallas E. Cole, chief engineer of the Colorado River Board, has prepared an excellent statement for you, describing these six agencies and their relationship to the economy of California. I ask that it be printed with my own.

These California agencies receive water through three great projects: The Colorado River aqueduct serves Metropolitan and its constituent agencies, which encompass the major portion of the southern California coastal basin. The All-American Canal and Imperial Dam, its diversion structure, serve both Imperial Irrigation District and Coachella Valley County Water District, located in the Salton Sink in the southeast corner of California. The All-American Canal also serves the portion of the Yuma project in California. Palo Verde Irrigation District, located along the Colorado around Blythe, diverts its Colorado River water by use of its Palo Verde Diversion Dam. In addition to these projects, there are also certain other rights to Colorado River water in California: small Federal rights (primarily Indian reservations) and minor rights of individuals, including riparians, independent of the organized districts.

I. THE FIVE FEATURES OF THE PENDING BILLS

The bills before you—of which H.R. 4671 is a counterpart—embody a compromise between the water users of California whom I represent here today and the sponsors of the Central Arizona Project in Arizona.

The bill has five main features—one of pirmary concern to Arizona, one of primary concern to California, two which affect all seven States of the basin, and one which primarily affects the States from which water might be imported into the Colorado. California is one of these.

The feature of overriding importance to Arizona is authorization of construction of the Central Arizona Project, which appears in sections 302 and 303 of the bill. Section 302 describes the main stream reservoir unit, consisting of Bridge and Marble Canyon Dams and powerplants, while section 303 authorizes the central Arizona aqueduct unit. Arizona has made her case in support of the aqueduct and made it well. I shall not repeat it.

A feature of primary concern to California water users appears in section 304(a) and (b), p. 7, line 19. This is protection of the existing uses of California projects up to 4.4 million acre-feet per annum as against the Central Arizona Project until at least 2.5 million acre-feet of water is imported into the main stream of the Colorado below Lee Ferry from sources outside the natural drainage basin of the Colorado River. Attorney General Lynch of California, who, as much as any other man, helped to develop this compromise, spelled out the basis for this provision in his statement. In addition to protecting California's projects up to 4.4 million acre-feet, section 304 also protects existing uses in Arizona around the Yuma area and existing uses in Nevada, primarily in Clark County.

A third major feature, one which concerns all seven States in the basin, is title II. This authorizes the Secretary to investigate the water requirements of both the Upper and Lower Basins of the Colorado River to year 2020, and the sources from which the deficiencies might be supplied. I will return later to the conditions placed upon him in this investigation for the protection of States of origin of imported water.

The fourth major feature, one which concerns all seven basin States, is title IV. This creates a basin account, into which revenues from Marble Canyon and Bridge Canyon powerplants are to be paid, along with revenues from Hoover, Davis, and Parker Dams, after payout of these structures, to finance importation works as well as help pay out the cost of the Central Arizona Project. Of these the principal revenue producer is Bridge Canyon.

The fifth major feature, one which affects the potential States of origin of imported water, is of particular concern to California as a possible State of origin, as well as to the States dependent on the Columbia River system. This is so in view of the Secretary's statement during these hearings that the two major stream systems which he would investigate are northern California rivers and the Columbia downstream from its lowest dam.

California, as a potential State of origin, has pioneered in protection of area of origin law. It is a pillar of our State water plan which has successfully reconciled regional differences as sharp as any which exist in the West. We are gratified by the direction in section 201(a)(2), page 3, line 19, that in making his investigations:

"The Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from the development fund established by title IV of this Act, to the end that water supplies may be available for use therein adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system."

California is pleased also by the direction in section 201(b), page 4, line 18:

"The Secretary shall, after submission of his reports thereon to the affected States in accordance with section 1 of the Flood Control Act of 1944, recommend to the President and the Congress an initial group of projects and programs for authorization pursuant to paragraphs (2), (3), (4), and (5) of subsection (a) and shall submit feasibility reports on such projects and programs. * * *"

The Flood Control Act of 1944 gives the affected States a right to see and comment upon the proposed plans, and requires the Secretary to forward these comments to Congress along with his project report.

California, as a potential State of origin, also welcomes the provisions of section 601(a)(2), page 24, line 14, directing the creation of a Federal-State regional planning commission, to include not only members from the five Lower Basin States (they would thus have for the first time a commission comparable to the Upper Basin Compact Commission), but also a member from every affected State. This would include the States of origin.

We were particularly careful, in the section which would terminate the priority protection of existing projects as against the Central Arizona project, to write it in terms which, in our opinion, fully protect California as a potential State of origin, as well as the other possible States of origin. It reads:

"(b) The limitation stated in paragraph (a) shall cease whenever the President shall proclaim that works have been completed and are in operation, capable in his judgment of delivering annually not less than 2,500 million acre-feet of water into the mainstream of the Colorado River below Lee Ferry, from sources outside the natural drainage area of the Colorado River system; and that such sources are adequate, in the President's judgment, to supply such quantities without adverse effect upon the satisfaction of the foreseeable water requirements of any State from which such water is imported into the Colorado River system."

My statement today will deal primarily with the changes in the bill suggested by the Bureau of the Budget and the Secretary of the Interior, the Upper Basin States, and the members of this committee during these hearings. I will tell you which of these changes in my opinion are improvements, which ones seem to be acceptable, and which ones require further negotiation.

Before I do, however, I would first like to discuss the seven-State consensus that was reached here last week.

II. THE SEVEN-STATE "CONSENSUS"

Congressman Udall and others have reported to the committee the consensus reached last week by a group of representatives from the seven Colorado River Basin States. We participated in the discussions that led to this consensus, and we are in accord with it. It is an important document. For emphasis, I quote its four points:

"This consensus, without affecting the accord heretofore arrived at among the Lower Basin States, as set forth in H.R. 4671, 89th Congress, expresses certain principles with respect to the rights, obligations, and requirements of each basin as against the other. These principles are:

"1. The upper basin's right to the use of water of the Colorado River, pursuant to the Colorado River Compact, shall not be jeopardized by the temporary use of unused upper basin water by any lower basin projects.

"2. The importation of substantial quantities of water into the Colorado River Basin is essential to the adequate development of both the Upper and Lower Colorado Basins. It is recognized that this importation must be accomplished under terms which are fair to the areas of origin of the water so imported. The pending legislation should authorize the Secretary to construct importation works which will deliver not less than 2,500,000 acre-feet annually, upon the President's approval of the Secretary's finding of feasibility.

"3. Such importation works should be planned and built so as to make the imported water available, if possible, not later than 1980. Water supply prospects on the Colorado River, based in part upon the temporary use of water allocated to the upper basin, appear adequate to furnish a full supply to the central Arizona project accompanied by the safeguards for existing projects agreed to by Arizona and California, until some time during the last decade of the present century. Thereafter, the central Arizona project supply would diminish unless supplemented by importation.

"4. Satisfaction of the Mexican treaty burden should be the first priority to be served by the imported water. The costs of importation allocable to the satisfaction of that burden, which is a national obligation, should be nonreimbursable."

We are prepared to sit down immediately with representatives of the other six States and draft amendments to H.R. 4671 to carry out those principles. I will return in a moment to the amendments that the upper States submitted to the committee this morning.

III. BUDGET BUREAU RECOMMENDATIONS

The Budget Bureau has approved the bill in principle, with these four reservations (all accepted by the Secretary of the Interior).

First. The Budget Bureau recommends against present authorization of Bridge Canyon Dam and powerplant, suggesting that the dam's effects on scenic values and its need as part of the overall regional project be studied further by a commission. The California water users believe that Bridge Canyon Dam should be authorized now. Commissioner Dominy's testimony shows that the reservoir will not harm scenic values, but to the contrary, would make accessible to millions of ordinary visitors the incomparable beauty heretofore restricted to a few hundred people with time and money enough to "run the river" in special boats. And the Commissioner has testified that in 75 years, the Bridge Canyon powerplant would put about $1 billion into the development fund to help finance import projects. This committee is quite competent to resolve the issues without the aid of a commission. We would prefer to face up to this issue right now and have it decided.

Second. The Budget Bureau recognizes that the Mexican treaty burden is a national obligation which should be nonreimbursable. It equates this burden with the quantity which must be delivered at the boundary, 1.5 million acre-feet annually. The burden is greater than that, because the delivery of the Mexican treaty water also requires a pro rata share of evaporation losses in conveying that water downstream through the river channel and reservoirs to the delivery point at the boundary, and unavoidable regulatory losses. David Dam, for example, is a treaty structure.

The nonreimbursable treaty allocation should be related to the full treaty burden, to be determined by the Secretary, not just 1,500,000 acre-feet.

Third. The Budget Bureau objects to the principle of guaranteeing Colorado River prices for the imported water required to firm up a supply of 7.5 million acre-feet for the lower basin, even though the guarantee is limited to the availability of funds in the basin account. It believes that if the costs allocable to the Mexican treaty are made nonreimbursable, this will have the same effect, at least for a protracted period of time. I would recommend that we concede this point, repeating here that the burden properly allocable to the treaty is greater than 1.5 million acre-feet.

Fourth. The Budget Bureau recommends that any study of importation works be undertaken by a National Water Commission as part of a full-scale study of the entire Nation's water problems, instead of by the Secretary. We think this proposal should be reconsidered.

Time is of the essence. The Colorado River's problems have already been thoroughly studied by the Secretary of the Interior, and the responsibility for the Colorado should remain in that department, where the Congress has placed it. It would be a mistake to submerge the immediate, critical problems of the southwest in the broader problems of the entire Nation. New York City should not wait on the Colorado, and the Colorado should not wait on Lake Erie.

IV. UPPER BASIN AMENDMENTS

The Upper Colorado River Compact Commission and the Colorado Water Conservation Board have proposed today a number of specific amendments to H.R. 4671, some of them encompassed by the principles in the seven-State consensus, some going beyond them. They kindly gave us advance copies. In my view, all of the upper basin proposals are proper subjects for negotiation, although some of the language presently proposed is not acceptable. They deal with seven subjects, as follows:

Conditional authorization for importation works: The proposal is that this act authorize the Secretary to construct works to import 2.5 million acre-feet annually into the Colorado, on condition that he finds that such a project has a favorable benefit-cost ratio, and the President approves his findings. This has been objected to by a number of committee members as a blank check taking the decision out of the hands of Congress and of the affected States, including the States of origin.

I suggest a compromise. Section 9(a) of the reclamation project of 1939 gave the Secretary this authority (as did the 1902 Reclamation Act). But the authority is conditioned on a finding, among others, that the project's revenues will repay the reimbursable allocations of the Government's investment, not merely that it has a favorable benefit cost ratio. The Grand Coulee project in the State of Washington was first authorized in this way, by the Secretary, in a feasibility finding approved by the President, later by act of Congress. Davis Dam, the Salt River project, and many others were authorized by feasibility findings. But in 1944, in section 1(c) of the Flood Control Act of 1944, Congress amended this authority by requiring the Secretary to submit his proposal to each affected State for comment, requiring him to forward the State's comments along with his report to Congress, and directing that if the Governor of any affected State disapproved the proposal, the projects should only be built if thereafter authorized by Congress. This seems a fair solution here. I would have no objection to a further condition requiring the Secretary, even if no State objected, to submit his proposal to this Committee and its counterpart in the Senate, to remain under submission for a specified period subject to disapproval by either committee. This is the pattern of the Reorganization Act, followed by several others.

Allocation of imported water: The Upper Basin States propose that imports be subject to the following priorities:

1. A first priority to satisfy the Mexican treaty burden. This is quite proper.

2. A second priority to firm up the annual main stream supply for Arizona, California, and Nevada to the 7.5 million acre-feet of main stream water which Congress thought it was dividing among those three States in 1928. H.R. 4671 is designed to do this, and we welcome the upper basin's concurrence, if this is what it means. But Governor Love's statement reads as though this 7.5 million, to be firmed up, includes Arizona's uses on the tributaries, leaving us only 5.5 million on the main stream. The three States are already using more than 5.5 million acre-feet from the main stream, and, of course, could not agree to this if such is intended.

3. A third priority to firm up 7.5 million acre-feet of consumptive use for the upper basin contemplated by the Colorado River Compact. The principle is fair, if the upper basin can pay for the added 2 million acre-feet of importations that the Tipton report indicates may be needed (6.3 million acre-feet depletion as forecast by Tipton for the upper basin, less reservoir evaporation, equals about 5.6 million acre-feet of consumptive use (diversion less returns) for the upper basin).

But there are a number of practical difficulties. If the imported water is delivered into the Colorado below Lee Ferry the upper States would presumably reduce their article III(d) deliveries below 75 million acre-feet per decade to the extent that they buy and deliver to lower basin users imported water in excess of, not a part of, the first 2.5 million. This is because the 2.5 million is necessary to supply the lower States 7.5 million even if 75 million per decade is delivered at Lee Ferry. The upper basin will probably not begin to need imported water until near the turn of the century, according to point 3 in the consensus of August 20, which I have previously quoted. Meanwhile, imported water above 2.5 million, which is required for priorities 1 and 2 of the present upper basin proposal, will be needed in the lower basin commencing as early as 1975. This is so because the Metropolitan Water District of Southern California will get only 550,000 acre-feet, under the priorities set out in the Hoover Dam water contracts, even if the lower basin's annual consumptive use from the main stream reaches 7.5 million. Thus, imported water in addition to the 2.5 million acre-feet required to firm up the 7.5 million in the main stream in the lower basin is needed to enable Metropolitan to recover the 662,000 that it is now using but must relinquish as the central Arizona project goes into operation. The problem is to match up, on one hand, security of the right to use the imported supply with, on the other hand, the obligation to pay for it. Perhaps some special consideration for Metropolitan's existing capacity and need for 662,000 acre-feet annually can be worked out.

The upper States also propose that imports available in the lower basin in excess of 2.5 million acre-feet be allocated in such fashion as Congress may later direct. H.R. 4671 provides that such excess be allocated in accordance with article II(B) (2) of the decree in *Arizona* v. *California*, that is, 50 percent to California, 50 percent to Arizona and Nevada. We are content that the Supreme Court's decree be made applicable to imported water within the lower basin in the same way the decree now applies to the natural Colorado supply.

The upper basin amendments would strike out the proposal in section 304(c) of H.R. 4671 to make the 2.5 million acre-feet of imports available at Colorado River prices. I have already indicated my views with reference to the Budget Bureau's recommendation on this point.

Bridge Canyon: The upper basin disagrees with the Budget Bureau's recommendation to delete the bridge canyon authorization. So do we, for the reasons indicated earlier.

Upper basin's Mexican treaty obligation under III(c) of the Colorado River Compact: The obligations of the upper and lower basins under III(c) of the Colorado River Compact present an exceedingly complex legal problem. We had hoped to have this question decided by the Supreme Court in the *Arizona* v. *California* litigation, but the upper States' successful resistance to our effort to join them as parties in that suit prevented that resolution of the problem.

The upper division States seek immediate relief from whatever obligation article III(c) of the compact imposes upon them with respect to the Mexican burden. Article III(c) says, in substance, that the 1945 Mexican burden (its extent and form being unknown when the compact was written n 1922) shall be satisfied first out of surplus over the quantities specified in articles III (a) and (b) of the compact. If that surplus is insufficient, the two basins shall bear the deficiency equally, and the upper division will add water to make up its half of the deficiency to the 75 million acre-feet which it must deliver each decade under article III(d).

The first question, therefore, is this: Is there any surplus, and, if so, how is it calculated? The compact defines surplus, for this purpose, as the excess over the quantities specified in articles III (a) and (b). Articles III (a) and (b) allocate 8.5 million acre-feet to the lower basin and 7.5 million acre-feet to the upper basin, a total of 16 million acre-feet.[1] Arizona says that the lower basin's 8.5 million must all be supplied from the main stream. If so, there is no surplus. The upper basin says that these specified quantities are to be supplied from the main stream plus the tributaries. If so, there may be surplus. There is not 16 million acre-feet available for consumptive use in the entire basin. However, there is a surplus over the 8.5 million in the lower basin, say the Upper Basin States, because Arizona's tributaries support some 2 million acre-feet of consumptive use along those streams.

If this issue goes to Court, I think Arizona—and California would support her—will win it, for two reasons: First, Arizona presents the interpretation of the Colorado River Compact that Congress gave in 1928 when it approved the Compact. Second, even if the upper basin is right as a matter of law, nevertheless, as a mater of fact, the Mexican water treaty, when finally formulated 23 years after the compact, requires daily delivery to Mexico of specified quantities, 365 days per year, whereas the flow of the Gila, coming down in great floods only a few days in the year in a state of nature, would not have been usable to any appreciable extent in satisfying these fixed daily requirements. There is no site for a regulatory reservoir in Mexico. Consequently, even if the Gila's potential contribution to satisfaction of the Mexican treaty were to be credited against the quantities that the lower basin could otherwise demand from the upper States under article III(c), the reduction might not amount to much.

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[1] Article III(a) apportions 7.5 million acre-feet of beneficial consumptive use to each the upper basin and the same quantity to the lower basin. Article III(b) permits the lower basin to increase its beneficial consumptive use by 1 million acre-feet.

Moreover, if the interpretation of the compact has to be litigated, the upper basin might remember that the Special Master in *Arizona* v. *California* determined that the Colorado River Compact is not a grant of rights to the upper basin, but a ceiling on the appropriations in both basins. Hence, each basin would be free to appropriate any quantity of water up to the respective ceilings—7.5 million acre-feet in the upper basin and 8.5 million acre-feet in the lower basin.

In short, if this issue remains unresolved, some very expensive litigation will be required over an insignificant quantity of water. It would be an even sadder result to have that question over just a little water hold up legislation involving potentially many millions of acre-feet for all the States.

I believe that a satisfactory compromise can be worked out.

Immediate relief of the upper basin from any obligation to deliver water in excess of 75 million acre-feet each 10 years required by article III(d): The Upper Basin States propose this as a technique to eliminate immediately any obligation under article III(c) to deliver water at Lee Ferry to supply the Mexican treaty in addition to the article III(d) delivery. I have already discussed that. But the language proposed—although probably not the intent—clearly does more than this. It writes articles III (e) and IV(b) out of the compact.

Article III(e) says:

"The States of the upper division shall not withhold water, and the States of the lower division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses."

The upper division must thus deliver more than 75 million—deliver whatever quantity exceeds its own domestic and agricultural uses—if required for like uses in the lower basin. Some of the upper basin statements implicity recognize this.

I will come to article IV(b) in connection with the next upper basin proposal.

Drawdown of Glen Canyon below rated power head: The Upper Basin States propose that Glen Canyon reservoir shall never be drawn down below rated power head, except to meet the upper division's III(d) obligation or by consent of the Upper Colorado River Compact Commission.

This proposal would violate not only article III(e), but also IV(b), which says:

"Subject to the provisions of this compact, water of the Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes."

Glen Canyon reservoir must be drawn below rated power head if necessary to use of water for agricultural and domestic purposes in the lower basin.

This proposal, moreover, might result in Lake Mead being drawn below rated power head (or even emptied) to enable Glen to stay above that minimum, a result which would be unacceptable to the lower basin. We think the task is to develop equitable operating criteria which will prevent either Lake Powell or Lake Mead being drawn down solely to benefit power operations at the other. But, in any event, power operations at both dams should remain subject to consumptive use requirements in each basin, as articles III(e) and IV(b) of the Colorado River Compact require.

Upper basin representatives have argued that in order to make the consumptive uses that their present projects require and still meet the article III(d) requirement, Glen Canyon must be kept at least at rated power head. I do not see the connection. Rated power head is the reservoir level (i.e., the head) required for the turbines to provide their nameplate power production. I have seen no figures that show why rated power head is the measure of the minimum carryover storage required to permit the upper basin to meet the article III(d) requirement and still make its present or future consumptive use requirement. So far as I know, rated power head is relevant only to power production.

Reimbursement to the upper basin fund for payments to Hoover Dam power allottees: The upper States propose to have the upper basin fund reimbursed for payments heretofore made to Hoover Dam power allottees, in accordance with the Glen Canyon filling criteria, for impairment of power operations at Hoover caused by filling operations at Glen Canyon. We might have no objection to making such payments out of the $500,000 per year which these same allottees now pay as a surcharge on Hoover power rates for channeling into the Colorado River Development Fund set up pursuant to the Boulder Canyon Project Adjustment Act. However, we would strongly oppose tapping Hoover revenues after payout in 1987, as the upper basin proposes. Instead, if the committee sees fit, any remaining deficit may be paid to the upper basin fund from the general Treasury, to be repaid to the Treasury from the new development fund created by H.R. 4671.

The problem will probably not recur, but, if it does, the existing power contracts at Hoover Dam must be honored, or the contractors compensated if the Government does not perform them.

Conclusion

During the course of these hearings, many of the States' representatives have been asked if they would support or oppose the bill if one provision or another were omitted or added.

To some extent, these questions can be answered because they have been carefully studied by the States before the hearings. For example, the California water users would oppose any central Arizona project bill that did not contain a provision like section 304 to protect our existing projects up to 4.4 million acre-feet annually.

To a great extent, however, many of the questions from the committee members cannot be answered now. For example, California's Attorney General Lynch made clear that he could not answer now the question whether California would support the bill without title II, which authorizes the study of importations. I can give a categorical answer that we will oppose the elimination of title II with all the resources at our command. Of course, an investigation of ways to avoid disaster in the Southwest is necessary, just as it is in New York City, and, of course, all available sources of water should be investigated, concurrently and rapidly, not in leisurely sequence. Who's afraid of facts? Naturally, all reasonable safeguards for areas of origin, including California, must be obeyed in planning projects based on these investigations, as I indicated earlier in my statement. In short, we are not contemplating defeat on this issue, and the question of what we would do next if we lost it is an iffy question.

On some issues, other reasons prevent an immediate answer. For example:

First. It is often necessary to consult with many persons on major policy questions. Attorney General Lynch, for California, made clear that he would have to consult our Governor on several questions of policy that he was asked about. Governor Hansen of Wyoming indicated, quite properly, that he would have to consult with his experts.

Second. It is impossible to evaluate a proposed amendment without seeing its language and perhaps other language changes in the bill.

Third. The decision on some issues is primarily Arizona's, not ours. For example, if Arizona wants to stand and fight for Bridge Canyon Dam, even with a consequent delay in the central Arizona project authorization—so will we, and with determination. If she will not, then with great regret we will retreat with her on that particular issue. But, as Arizona knows better than most, we have had very little practice at retreating.

I conclude with this comment, the most important lesson of the past several months is this: We can work out mutually acceptable solutions to our problems; and we have the kind of people throughout the West to do so.

We all need this regional legislation, either for present or for future needs, or for both. I can say to the upper basin that this legislation may be as vital to their aspirations as it is to ours. Arizona's overdraft or New York City's shortage of today may be yours and ours tomorrow unless all seven States work together to bring more water into the Colorado. We face a common challenge and it requires a united response.

"Never send to know for whom the bell tolls; it tolls for thee."

Joint Statement of W. S. Gookin, I. P. Head, W. E. Steiner, D. E. Cole, and W. D. Maughan Before the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, House of Representatives, in Support of Proposed Legislation (H.R. 4671, H.R. 4706, and H.R. 9248) To Authorize the Lower Colorado River Basin Project, as Presented by W. Don Maughan

Mr. Chairman and members of the committee, I am W. Don Maughan, regional planning staff specialist, department of water resources, for the State of California. I make this statement not only for myself but also on behalf of Mr. W. S. Gookin, State water engineer, Arizona Interstate Stream Commission, State of Arizona; Mr. I. P. Head, administrator, Colorado River Commission of Nevada, State of Nevada; Mr. W. E. Steiner, assistant chief engineer, department of water resources, State of California; and Mr. D. E. Cole, chief engineer, Colorado River Board of California, State of California. We appear before you now to present our joint memorandum on the Colorado River water supply in response to the question posed by Chairman Aspinall in his letter of May 22 as to the availability of water to the central Arizona project.

Before reading our memorandum, we will summarize the response to the question posed by Chairman Aspinall. He asked each State for its views as to the availability of water for the central Arizona project "taking into consideration present uncommitted uses in the upper basin, the filling of upper basin reservoirs, and, further, taking into consideration the ultimate use by the upper basin of its share of water under the provisions of the Colorado River Compact."

Our joint studies indicate that there is better than an even chance that by 1975, the earliest date that the central Arizona project could be completed, Lakes Mead and Powell together will contain more than 40 million acre-feet of water in a total storage capacity of about 55 million acre-feet. There is an even chance, taking into consideration projections of upper basin depletions in the amount of 5.5 million acre-feet per annum that a full supply of 1.2 million acre-feet per annum would be available for the proposed central Arizona project until about the turn of the century. If there is no import of water by that time, the water supply available to the central Arizona project would then gradually reduce as the upper

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basin growth continues. In other words, on the basis of our joint memorandum, sufficient water will not be available to provide 1.2 million acre-feet per annum to the central Arizona project together with other mainstream commitments in the lower basin after upper basin depletions reach 5.5 million acre-feet.

We have reached this conclusion on the basis of the studies reported in our joint water supply memorandum dated August 13, 1965. Before responding to questions, I will read the memorandum into the record:

AUGUST 13, 1965.

COLORADO RIVER WATER SUPPLY

This memorandum regarding the probable future water supply of the Colorado River is prepared at the request of our Governors for the guidance of legislators and administrators in passing judgment on pending legislation to authorize a Lower Colorado River Basin project, which would include urgently needed facilities in the lower basin, principally the central Arizona project, and investigations leading to a regional plan to supplement the water supply of the river at an early date.

Summary and conclusions

The water supply of the future cannot be predicted with absolute confidence, particularly in a stream of such widely fluctuating annual runoff as the Colorado River. We can only estimate future possibilities within reasonable limits, based upon what has happened in the past. Risks are inherent in all such projections.

We are unanimous in the opinion that the supply of the river will be insufficient to meet future demands, estimated to reach about 18 million acre-feet per annum by year 2000, or to meet apportionments of use of water made by the Colorado River Compact to the upper and lower basins, and the Mexican Treaty burden. It is simply a question as to how long it will take the demands to surpass the water available. Both basins are ultimately dependent upon substantial importations which should be made available by the last decade of the present century.

We have concluded, however, that there is a 50–50 chance that the supply in the mainstream will equal or exceed the amount needed to provide: (1) 4.4 million acre-feet a year for California; (2) water for decreed rights and existing mainstream projects in Arizona and Nevada and the southern Nevada water supply project; (3) water for increasing demands of the upper basin; and (4) a full supply of 1.2 million acre-feet per annum for the proposed central Arizona project until about the turn of the century, gradually reducing thereafter.

Present mainstream uses and commitments in the Colorado River Basin, with California uses limited to 4.4 million acre-feet per annum,[1] are:

	Million acre-feet per annum
Upper basin	4.7
Lower basin	5.7
Mexico	1.5
Net losses after salvage (mean of estimates)	.8
Total	12.7

Probability studies indicate a 95 percent chance that the future long-range average annual runoff will exceed 13.3 million acre-feet, and a 50 percent chance that it will equal or exceed 14.9 million acre-feet. With an even chance that there will be 14.9 million acre-feet available for present uses and commitments amounting to 12.7 million acre-feet, and with a water supply augmentation program pending, it is in the national interest to develop a portion of the remaining unused water resources by enactment and implementation of H.R. 4671, 89th Congress (this and 36 other House bills are identical counterparts of S. 1019 in the Senate).

Discussion

In considering water projects in a single river basin such as the Colorado, absent special circumstances or a program of augmenting its water supply by importation or otherwise, most estimates of future water production have been based upon so-called safe yield studies. These consist of hypothetical reservoir operation studies in which the estimated or recorded stream flows of the past are routed through existing or proposed reservoirs in exactly the same sequence in which they occurred historically, deducting losses in storage and calculating by successive trials the uniform annual release from the downstream reservoir which could have been maintained under various assumptions. Thus the results of safe yield studies are circumscribed by the somewhat rigid assumption that historical runoffs, including those during the critical low-flow period of record, will be repeated in the future in exactly the same sequence.

The Colorado River has been the subject of numerous safe yield studies. The most recent studies of the virgin flow of the mainstream at Lee Ferry indicate a dependable yield over the least favorable runoff period (1931–64) of about 13.7 million to 14 million acre-feet year, varying a little according to judgment factors although obviously not enough to supply future demands. However, the more favorable historic sequence of flows at Lee Ferry beginning in 1921 would have furnished by 1930 enough water to fill all storage reservoirs presently in existence or under construction within the Colorado River Basin.

Mainstream supply available for use in the lower basin equals the dependable yield at Lee Ferry minus (1) estimated upper basin depletions and future increases thereof, (2) estimated net channel and regulator losses in the lower basin, and (3) the quantity required for Mexico under the 1944 Water Treaty. Any variation in these deductions stems from judgment factors. Judgment may be tempered according to whether the prime objective is to protect existing rights or to optimize the utilization of the water supply.

Depending upon a variety of such factors, water available for the proposed central Arizona project has been estimated to range from an inadequate quantity even under initial operation of the project to quantities adequate to supply the project with 1.2 million acre-feet a year throughout the entire payout period.

Safe yield studies which span the critical drought period minimize the risk of overcommitment of the water supply of the river basin but by the same token may result in underdevelopment and a consequent waste of water to the ocean or unnecessary evaporation from reservoirs during sustained periods. The risk of overdevelopment must be given greater weight if consideration is being given independently to a self-contained water supply system than if consideration is being given concurrently to two or more systems that may be conjunctively regulated and developed to mutual advantage.

There are several reasons why decisions in the regional program should be based on technical information on water supply beyond that provided by the foregoing approach. We have adopted an approach which recognizes that the future will not mirror the past and applies the theory of probabilities to the occurrence of natural phenomena in order to determine what future flows will probably be.

The probability approach to projecting future events is a commonly accepted technique in the appraisal of risks. Probability techniques have been used for years in the assessment of flood frequencies, in weather forecasts, in actuarial procedures, etc. Many scientists and educators have encouraged the use of the probability technique in planning for water conservation. The Corps of Engineers uses probability methods to evaluate and justify flood control projects. The U.S. Geological Survey also uses probability methods of water supply analysis.

Wide variation may be expected in the future runoff of the Colorado River not only in annual flows but also in 10-year and even 50-year averages, as demonstrated by nearly 70 years of streamflow data, about 110 years of lake level measurements and roughly 700 years of tree-ring data. For example, in the 70-year period of estimated and measured flow at Lee Ferry, the average virgin flow for the first 35 years was about 17 million acre-feet annually, but the average for the last 35 years was only about 13 million acre-feet.

Probability analyses of the annual virgin flow of the Colorado River at Lee Ferry, using streamflow estimates for the 69-year period 1896–1964 show a 90-percent chance that the virgin flow will average between 13.3 million and 16.5 million acre-feet per annum over the next 69 years and between 12.8 million and 17 million acre-feet over the next 35 years. The midpoint in each case is 14.9 million acre-feet. Therefore, the chances are equal that the future average will be above or below that quantity. There are 19 chances in 20 that the future 69-year mean flow will equal or exceed 13.3 million acre-feet. There is 1 chance in 20 that it will exceed 16.5 million. Since there is a total of more than 60 million acre-feet of storage capacity in major reservoirs in the basin the possibility of unusable spills need not be weighed for the present purpose.

A lower basin mainstream supply of 7.1 million acre-feet a year is required to satisfy 4.4 million acre-feet of use in California, existing uses in Arizona and Nevada, and the central Arizona and southern Nevada projects. Opinions differ as to such matters as net channel and evaporation losses and the rate of future increase of upper basin depletions. Such differences affect only the estimate of the date when augmentation of the Colorado River must be accomplished. Deducting from the midvalue of 14.9 million acre-feet a year the Mexican treaty deliveries and midvalues of current estimates of upper basin depletions and net channel and evaporation losses, indicates that a residue of at least 7.1 million acre-feet a year of the mainstream supply would be available to Arizona, California, and Nevada until about the turn of the century, and would reduce gradually thereafter.

	Million acre-feet per year
Virgin flow at Lee Ferry	14.9
Net losses below Lee Ferry plus delivery to Mexico	2.3
Available for upper basin depletions and in mainstream for Arizona, California, and Nevada	12.6

When upper basin depletions reach 5.5, water available for Arizona, California, and Nevada would be reduced to 7.1.

For comparison, if the 1-in-20 chance of a mean virgin flow as large as 16.5 million acre-feet should materialize, the residual mainstream supply available to Arizona, California, and Nevada would be of the general order of 8.7 million, and, at the other extreme, if the 1-in-20 chance of a mean virgin flow as low as 13.3 million should prevail, the corresponding residual supply would be as little as 5.5 million, which would make the early augmentation of the Colorado even more imperative. We believe that the midpoint value is sensible.

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[1] California's present uses are approximately 5.1 million acre-feet.

The average annual water supply available to the three lower basin States would gradually decrease to the 7.1 billion acre-feet shown above by about the turn of the century, the rate of decrease depending on salvage operations in the lower basin and future depletions by upper basin projects.

Of course, more than 7.1 million acre-feet will be needed to meet all the projected needs of the lower basin, including the needs of California in excess of 4.4 million acre-feet and the present needs of central Arizona beyond an additional 1.2 million acre-feet.

The interval between the completion of the central Arizona project and completion of import works will constitute the period during which there is the greatest risk of water shortage. The probability studies indicate, however, a favorable chance of having a substantial reserve of water in mainstream storage when the central Arizona project goes into operation. They show a 54-percent chance that in 1975 Lakes Mead and Powell together will contain more than 40 million acre-feet (about 75 percent of their total capacity) and a 78-percent chance that both will be at least at rated power head (about 30 million acre-feet).

Additional development of the utilization of the Colorado River system water supply can and should proceed as part of a regional program to augment the supply, carefully phased with inbasin development, to minimize the risk of overcommitment within the basin itself. Enactment of legislation to authorize a Lower Colorado River Basin project keyed to timely supplementation of the Colorado River will render pointless further argument about the future supply of the river.

We agree that each of us will transmit the foregoing synthesis of views to our respective Governors with the recommendation that it be forwarded to Chairman WAYNE N. ASPINALL as the position of our respective States regarding the availability of water in the Colorado River.

W. S. GOOKIN,
State Water Engineer, Arizona Interstate Stream Commission, State of Arizona.
I. P. HEAD,
Administrator, Colorado River Commission of Nevada, State of Nevada.
W. E. STEINER,
Assistant Chief Engineer, Department of Water Resources, State of California.
D. E. COLE,
Chief Engineer, Colorado River Board of California, State of California.
W. D. MAUGHAN,
Regional Planning Staff Specialist, Department of Water Resources, State of California.

STATEMENT OF DALLAS E. COLE, CHIEF ENGINEER, COLORADO RIVER BOARD OF CALIFORNIA, ON H.R. 4671 AND S. 1019, 89TH CONGRESS, 1ST SESSION, LOWER COLORADO RIVER BASIN PROJECT, AUGUST 1965

The Colorado River Board of California favors prompt passage of the pending legislation, because of the urgent need of more water in the great Pacific Southwest and the imperative need to implement quickly the necessary investigations and plans to augment the water supply naturally available in the region. Parts of the region, for example central Arizona, are in dire need of more water now. The region as a whole will need a supplemental water supply of 4- or 5-million acre-feet a year within a few decades, and as much as 15 million acre-feet a year in the long-range future. The search for supplemental water for the Pacific Southwest must begin immediately.

The Colorado River Board is a State agency created by act of the legislature in 1937, and given the statutory responsibility of protecting the interests of California, its agencies and citizens in the waters of the Colorado River system. The board is composed of six members appointed by the Governor, each nominated by and representing one of the public agencies of California having contracts for the use of water or power from the Colorado River. These agencies are: Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley County Water District, the Metropolitan Water District of Southern California, San Diego County Water Authority, and City of Los Angeles Department of Water and Power.

These six agencies own, in behalf of more than 10 million people, the major water rights in California on the Colorado River. The agencies cover an area of more than 9,800 square miles and contain more than half the population and assessed valuation of the entire State (more than $19 billion).

Southern California homes, farms, and industries rely greatly on the water and power resources of the Colorado River. Eighty percent of the water now used in southern California and 25 percent of all the water now used in the entire State comes from the Colorado River by means of facilities representing a total investment of $800 million—and a replacement value more than twice that much at present-day prices. About 4 billion kilowatt-hours of electrical energy are delivered each year to southern California from hydroelectric plants on the Colorado—small in percentage of total use but large in necessity and value, because most of it is used to meet high peak demands of short duration that could not otherwise be met except by large additional capital investment.

THE REGION OF WATER DEFICIENCY

The bill before the committee deals with the water needs of large and important segments of the Nation's population and economy. The region covers the entire Colorado River drainage area plus part of the seven basin States outside the natural basin which are or may be served with Colorado River water, in all some 350,000 square miles or about 11 percent of the area of the 48 contiguous States. It includes such important population and industrial centers as Salt Lake City, Denver, Las Vegas, Phoenix, Tucson, Los Angeles, and San Diego, which are dependent upon the Colorado River system for all or major portions of their water supplies.

More than 80 percent of the Colorado River Basin receives on the average less than 15 inches of rain a year. Thus, despite the large area of the basin, the runoff per square mile is relatively small. The Ohio River Basin, the Columbia River Basin, and the Colorado River Basin are almost equal in size but each of the first two produces more than 10 times as much water on the average as the Colorado. To achieve full development of all the resources of the Colorado River service area will require more water than can be produced in the basin. Even at the present state of development, water deficiencies are acute in some parts of the region.

The Pacific Southwest is the fastest growing region of the United States. Its population has increased about 85 percent in the 15 years since 1950 and now numbers about 15 million people. There is no sign of any letup in the rate of increase. Accompanying the population growth is a similar growth in the region's economy. According to projections in the report of January 1964, by the Secretary of the Interior on the Pacific Southwest water plan, the population of the region may be expected to triple in the next half century.

This is a region rich in resources, except water. The vitality of the area's economy can be gaged by a number of indicators, as in chart 1 (not printed in the RECORD).

A wide variety of mineral deposits is scattered through the region, including some materials which are surging rapidly into national importance as the atomic and space programs demand. For example, the region accounts for 99 percent of the Nation's domestic uranium production. More than half the Nation's copper production comes from the area, with Arizona leading in this regard. Vast coal deposits are being developed for generation of electricity at large mine-mouth steamplants. Many trillions of barrels of oil in extensive shale deposits in Wyoming, Utah, and Colorado will be exploited as the market for fuels and petrochemical grows and many of the conventional sources of oil are depleted. Industrial development in the States of the Colorado River Basin has proceeded at a rapid rate since the end of World War II and is expected to continue far into the future. Food processing in connection with the extensive agricultural development was one of the first industries to be established and is still one of the largest in the basin.

Manufacturing has grown continuously and now includes many thousands of items large and small: shipbuilding, aircraft, electronics, space support equipment, refining of petroleum products, clothing, movies, television production, rubber products, and plastic products. Value added by manufacture in the seven-State area is 10 percent of the national total.

The seven Colorado River Basin States contain about 12 percent of the Nation's population. People in those seven States account for 13 percent of national retail sales, 14 percent of the telephones, 35 percent of the pleasure boats and camping trailers, and 15 percent of the motor vehicles. They drive more miles per capita than the national average. Tourism and outdoor recreation attract millions of visitors to the area from all over the world.

Irrigated agriculture and livestock raising are major elements of the area's economy. More than 15 million acres of land are devoted to irrigated agriculture in the Colorado River Basin States, of which more than 4 million acres are irrigated with Colorado River water. The seven States produce more than $5 billion worth of crops and livestock annually, or about one-sixth of the U.S. total. Annual production from areas irrigated by the Colorado River system is $921 million, and would be much greater if water were available to irrigate all suitable lands. Practically all the agriculture in the basin is dependent on irrigation.

Because of warm climate and long-growing season, the southern half of the region ships enormous quantities of fresh fruits and vegetables to eastern markets during much of the winter. For example, at the height of the winter lettuce harvest, as many as 2,800 carloads of this perishable crop are sent to market from the Imperial Valley, California each month.

A wide variety of specialty crops is produced in the southern area, including melons, grapes, dates, citrus, green vegetables, and seed and nursery items.

WATER DEFICIENCY

The explosive growth in the population and economy has led to overcommitment of the water supply naturally available in the region as a whole. Sustaining the present level of economic activity depends upon complete utilization of the available surface water supply and the mining of ground water, principally in southern California and central Arizona.

When water is scarce, conflicts of interest are unavoidable and often lead to controversy as in the Colorado River Basin, where competition among subbasins, States, and projects and among different water uses has been prevalent for many years. In recent months, for example, differences have become sharp between those whose primary interest is in preservation and enhancement of the fish, wildlife, and recreation resources along the lower Colorado and those whose primary interest is in maintaining an adequate water supply for the agricultural, municipal, and industrial water users in an area threatened with water shortage. Sincere efforts are being made to compromise such differences but they cannot be fully resolved as long as the water supply is inadequate for all reasonable demands. Competition will intensify as demands increase.

Taken as a whole the region is presently short 1,500,000 acre-feet of water a year. Chart 2 (not printed in the RECORD) illustrates the present and anticipated future shortage, considering the needs of existing and identifiable future developments. Eventually the equivalent of another Colorado River will be required to overcome the projected deficiency. The plotting on the chart allows for the transfer of 2½ million acre-feet a year of water from northern to southern California through facilities now under construction as part of the State water plan.

Shortages in some segments of the region are now and will be in the future more severe relatively than may be inferred from the regionwide figures. The central Arizona area must now pump from its wells 2 million acre-feet more water a year than the ground water basins can permanently sustain. Current use of water from groundwater basins in southern California aggregates about 2 million acre-feet a year, of which about 500,000 acre-feet represents overdraft.

The decree of the U.S. Supreme Court in *Arizona* v. *California* et al. deals essentially with an assumed basic water supply sufficient for the consumptive use in the United States of 7,500,000 acre-feet a year from the lower mainstream of the Colorado River and divides that quantity 2,800,000 to Arizona, 4,400,000 to California and 300,000 to Nevada. The decree provides no guide to the sharing of a supply less than 7,500,000 acre-feet a year, a condition which may prevail fairly soon. Accordingly, Arizona and California congressional representatives have agreed upon language in section 304 of the bills which would provide that diversions for the central Arizona unit be so limited as to assure the availability of enough water to permit 4.4 million acre-feet of consumptive use of mainstream water a year in California and certain other uses in Arizona and Nevada, until works are constructed to deliver not less than 2.5 million acre-feet of water a year from outside sources into the Colorado River below Lee Ferry.

Apparently the decree and the agreement in section 304 of the bill have induced the misconception by some persons that the horizon of the proposed regional planning is to be established and limited by the quantities just cited. That is decidedly not the case. The numbers 2.5 million, 7.5 million, etc., are of legal import only and are by no means to be construed as physical, engineering, or economic limitations. The 2.5 million acre-feet a year is only the legal minimum of the initial phase of an importation program; the practical physical minimum likely would be higher for the initial phase, which would have to be followed by later additions as the real water needs grow.

A total annual supply of 7.5 million acre-feet in the lower mainstream is not enough to meet the full needs of the three lower basin States. The supply of the entire Colorado River system, plus an importation no greater than 2.5 million acre-feet a year would not be enough to meet all the requirements of the upper and lower basins.

Arizona needs substantially more than 2.8 million acre-feet a year from the mainstream to provide water for her existing mainstream projects, provide for anticipated growth in her population and economy, and overcome the present ground water overdraft in the central part of the State. Nevada says her 300,000 acre-feet will not suffice to the end of the century.

California's Colorado River projects are already using more than 5 million acre-feet a year, and have contracts and designed capacity for at least 5.4 million, including 1,212,000 acre-feet for the metropolitan water district. To supply all the irrigable land within the agricultural projects' service areas in addition to the full metropolitan water district entitlement would require a total considerably in excess of 5.4 million.

The Secretary in his 1964 report estimated that in order to maintain at their present levels the economies of California's agricultural areas dependent on the Colorado River, a net diversion of about 4.2 million acre-feet a year would be needed. Current research and studies of consumptive use and leaching requirements indicates that the total needs may be substantially greater than 4.2 million acre-feet. Similar conclusions would apply to similar areas in the other States.

Even to provide 5.4 million acre-feet a year to California and the corresponding shares of the total supply to Arizona and Nevada would require an average annual flow of about 12 million acre-feet in the river at Lee Ferry, leaving 9.5 million for consumptive use after deducting losses and the required delivery to Mexico. To maintain that much flow in the lower main stream would require an importation of 4.5 million acre-feet a year, or 2 million more than the 2.5 million legal minimum specified in the bill. Still more would be required if the Upper Colorado River Basin States are to share in the benefits of an importation of water.

The water needs of the upper basin States are increasing rapidly and will some day exceed the upper basin's legal share of the supply naturally available. Mexico would like to acquire more Colorado River water than the present treaty provides. Factors like these emphasize the need for long-range plans to add large quantities of water to the supply in the southwest region.

NEED FOR REGIONAL PLAN

The only effective solution to problems such as those mentioned is a comprehensive approach to the water problems of the region as a whole. A regional plan to meet the most urgent needs and to anticipate the long-range needs, as the Secretary of the Interior has proposed, is in the best interest of the Nation. The need to get started is urgent. Even if planning starts at once, years will pass before additional water can be brought to the Colorado.

A plan that will coordinate the augmentation of the water supply of the Colorado River with the growing needs will do much to minimize conflicts of interest and lessen controversies. A region so rich in natural and manmade resources should be provided plenty of water, sufficient for all practical and reasonable purposes.

Considering the West as a whole, the water supply is ample for extensive additional development but the water must be redistributed geographically to achieve maximum use. River basins in the Northwest waste to the sea annually millions of acre-feet of water in excess of foreseeable future needs within those basins. Numerous suggestions that have been made to transport some of this excess to the Colorado River Basin must be examined in detail, to select the best. First, however, the future needs of the areas that have surplus water must be determined in order to assure those areas proper protection and assistance in their own development. Other possibilities such as salt water conversion must be studied also. All this takes time, money, and cooperation. The regional plan should spread benefits to the maximum practicable, and minimize detriments. When fact and logic displace emotionalism and fear, an effective solution to our water problems will emerge.

The bill before you has widespread support throughout California. Arizona, California, and the other Colorado River Basin States are at last working together toward the same end, the implementation of a regional plan and framework that will take care of the water requirements of all segments of the regional economy as the needs arise.

AUGUST 20, 1965.

COLORADO RIVER BASIN SEVEN-STATE CONSENSUS

There is a general recognition in the West that Arizona's water situation is only a part of a larger problem which confronts all of the States of the Colorado Basin. During the past week informed and experienced representatives of the seven Colorado River Basin States—Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming—met for several lengthy and fruitful sessions exploring the basin's water situation as it is affected by the legislation before the committee. We are gratified by the broad consensus of views on many fundamental factors.

This consensus, without affecting the accord heretofore arrived at among the lower basin States, as set forth in H.R. 4671, 89th Congress, expresses certain principles with respect to the rights, obligations and requirements of each basin as against the other. These principles are:

1. The upper basin's right to the use of water of the Colorado River, pursuant to the Colorado River Compact, shall not be jeopardized by the temporary use of unused upper basin water by any lower basin projects.

2. The importation of substantial quantities of water into the Colorado River Basin is essential to the adequate development of both the Upper and Lower Colorado Basins. It is recognized that this importation must be accomplished under terms which are fair to the areas of origin of the water so imported. The pending legislation should authorize the Secretary to construct importation works which will deliver not less than 2,500,000 acre-feet annually, upon the President's approval of the Secretary's finding of feasibility.

3. Such importation works should be planned and built so as to make the imported water available, if possible, not later than 1980. Water supply prospects on the Colorado River, based in part upon the temporary use of water allocated to the upper basin, appear adequate to furnish a full supply to the central Arizona project accompanied by the safeguards for existing projects agreed to by Arizona and California, until sometime during the last decade of the present century. Thereafter, the central Arizona project supply would diminish unless supplemented by importation.

4. Satisfaction of the Mexican Treaty burden should be the first priority to be served by the imported water. The costs of importation allocable to the satisfaction of that burden, which is a national obligation, should be nonreimbursable.

AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937 AND THE RAILROAD RETIREMENT TAX ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 627, H.R. 3157.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3157) to amend the Railroad Retirement Act of 1937, to eliminate the provisions which reduce the annuities of the spouses of retired employees by which the amount of certain monthly benefits, to amend the railroad retirement tax, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SEC. 1. Subsection (e) of section 2 of the Railroad Retirement Act of 1937 (45 U.S.C. 228b(e)) is amended by changing the colon before the last proviso to a period and by striking out all that follows down through the period at the end of such subsection.

SEC. 2. (a) Subsection (a) of section 3 of the Railroad Retirement Act of 1937 is amended by striking out "the next $300" and inserting in lieu thereof the following: "the remainder up to a total of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater".

(b) The second sentence of subsection (c) of such section 3 is amended by inserting before ", shall be recognized" the following: "and before the calendar month next following the calendar month in which this Act was amended in 1965, or in excess of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any calendar month after the month in which this Act was so amended".

SEC. 3. (a) Subsection (f)(2) of section 5 of such Act is amended by inserting after "so amended" where it appears the second time in the first parenthetical phrase after clause (vi) the following: "and before the calendar month next following the month in which this Act was amended in 1965, and in excess of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after the month in which this Act was so amended".

(b) Subsection (l)(9) of section 5 of such Act is amended—

(1) by striking out "and" where it appears the fourth time and inserting in lieu thereof a comma;

(2) by inserting after "so amended" where it appears the second time the following: "and before the calendar month next following the calendar month in which this Act was amended in 1965, and any excess over (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any calendar month after the month in which this Act was so amended";

(3) by striking out "$6,600" both times it appears in such subsection and inserting in lieu thereof "an amount equal to the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954"; and

(4) by striking out "$450" where it appears the second time and inserting in lieu thereof "(i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater,".

(c) Subsection (l)(10) of section 5 of such Act is amended by striking out "$450" and inserting in lieu thereof "(i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater".

SEC. 4. The provisions of sections 1, 2, and 3 of this Act shall take effect with respect to annuities accruing and deaths occurring in months after the month in which this Act was enacted, and shall apply also to annuities paid in lump sums equal to their commuted value because of a reduction in such annuities under section 2(e) of the Railroad Retirement Act of 1937, as in effect before the amendments made by this Act, as if such annuities had not been paid in such lump sums: *Provided, however,* That the amounts of such annuities which were paid in lump sums equal to their commuted value shall not be included in the amount of annuities which become payable by reason of section 1 of this Act.

TITLE II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. Sections 3201, 3202, 3211, and 3221 of the Railroad Retirement Tax Act are each amended by inserting after the phrase "or $450 for any calendar month after the month in which this provision was so amended", wherever such phrase appears in such sections, the following: "and before the calendar month next following the calendar month in which this provision was amended in 1965, or (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after the month in which this provision was so amended".

ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 58 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 1, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 31 (legislative day of August 30), 1965:

In the Navy

Vice Adm. Paul D. Stroop, U.S. Navy, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233.

In the Coast Guard

The following-named officers to be permanent commissioned officers in the Coast Guard in the grade of lieutenant:

Charles F. Reid
Warren H. Madson

The following-named officers to be permanent commissioned officers in the Coast Guard in the grade of lieutenant (junior grade):

Vincent E. Abrahamson
John R. Malloy III
Roy L. Foote
Gary L. Rowe
Carl D. Bossard
Richard S. Bizar

The following-named officers of the Coast Guard for promotion to the grade of lieutenant (junior grade):

John J. Soltys, Jr.
Robert L. Armacost
Kurt G. Zimmerman
John N. Naegle
Ronald A. Walrod
Harold J. Capell
Morris D. Helton
David E. Clements
Norman T. Saunders
John R. Harrald
James C. Card
William E. Wheelock
Richard S. Jarombek
William R. Wilkins
George E. Watts
John H. McGowan
Richard D. Herr
Richard W. Hawrins
Michael B. Stenger
Stephen P. Plusch
Kenneth W. Thompson
Lewis W. Parker II
Peter K. Valade
David N. Arnold
Robert Bates
James R. Sherrard
Robert L. Sundin
Fred H. Halvorsen
Raymond E. Cunningham, Jr.
Philip R. Laut
Robert T. Dailey
Michael J. Meehan
Richard J. Beaver
Harry E. Budd, Jr.
Berne C. Miller
Richard E. MacDonald
Peter J. Heistand
Harold G. Reed
Alan D. Rosebrook
Jerry J. Surbey
Robert E. Hammond II
James M. Loy
Gordon G. Piche
Edward V. McGuire
John A. Gloria
Frank E. Rockwell
Arnold H. Litteken, Jr.
Joseph M. Maka
Paul A. Martin
Thomas A. Welch
Anthony J. Lutkus
Thomas J. McCarthy
Richard L. Anderson
Donald F. Potter
Robert L. Hanna, Jr.
Gary Russell
Douglas B. Engel
William E. Remley
Martin C. Miller
James W. Featherer, Jr.
Walter C. Reissig
Larry A. Murdock
William M. Senske, Jr.
Timothy V. Johnson
James M. Landt
Terrance R. Pietenpol
David Zawadzki
Robert J. Heid
Richard B. Ralph
Thomas Rutter
George A. Bachtell
Steven C. Martin
Paul T. Potter
Frank R. Long
Paul W. Needham, Jr.
Earl J. Meiers, Jr.
Richard C. Waterman
William G. MacDonald
Burton F. Folce, Jr.
Thomas H. Galligan
Jerry C. Bacon
Martin L. Lindahl
Charles W. Murray
Richard V. Butchka
Donald G. Campbell
William R. Ladd
Walter F. Bodner, Jr.
Gary C. Nelson
Kenneth W. Bates
Ronald J. Davies
Joseph J. Wehmeyer
Grant W. Risinger
James A. Monahan
Larry H. Hyde
Gilbert T George
Lee J. Black, Jr.
Ralph C. Yetka
Stephen R. Edmondson
Thomas Nunas
David L. Priddy
F. Michael Kien
William W. Furrer
Robert R. Dudley
Stephen H. Davis
James W. Kunkle
William H. Thompson
Andrew F. Hobson
Dennis M. Fairbrother
James M. Sharpe, Jr.
Delbert L. Hemphill
Galen B. Siddall
Steven A. Pope
Wayne I. Smith
Sperry C. Storm
James T. Fenner
Walter B. Perm
David R. Van Dreumel
Richard G. Evans
John R. Carlile, Jr.
Thomas L. Osborne
Gerald J. Pounds
Richard G. Johns
David F. Orszak
Robert L. Zeller
Gary A. Rogers
James E. Cornell
Lawrence R. Rodgers
Gerald W. Schwab
James D. Crisp, Jr.
William H. Rollins, Jr.
Charles C. Williams
Richard H. King
Larry P. Searborough
Rene N. Roussel
Robert H. Miller
Anthony G. Kasparian
Jimmie H. Hobaugh
Bernard W. J. Ching
Charles S. Endress
Roy E. Henderson
James L. Golden, Jr.
Ted B. Bryant

Postmasters

I nominate the following-named persons to be postmasters:

ALABAMA

Gene L. Tisdale, Brantley, Ala., in place of J. C. Horn, retired.

Daniel W. Johnson, Jr., Headland, Ala., in place of J. L. Gamble, retired.

ARIZONA

Nolan G. Mack, Gilbert, Ariz., in place of W. M. Johnson, retired.

ARKANSAS

Robert C. Mabry, De Queen, Ark., in place of T. H. Edwards, retired.

Max G. Cope, Monette. Ark., in place of G. L. Agnew, retired.

CALIFORNIA

James L. Tinnin, Coyote, Calif., in place of F. W. Patterson, retired.

Walter W. Coleman, Escondido, Calif, in place of R. F. Osmann, deceased.

Nilo J. Jacobson, Fort Bragg, Calif., in place of Hugo Celeri, deceased.

Rose M. Caipen, Independence, Calif., in place of W. E. Kester, deceased.

Donald L. Sheehy, Norco, Calif., in place of E. J. Copenhaver, retired.

Roy A. White, San Joaquin, Calif., in place of M. S. Butz, deceased.

Guy Rossi, Sierra Madre, Calif., in place of C. E. Louk, retired.

COLORADO

Roy G. Larson, Arvada, Colo., in place of S. E. Koon, retired.

Vernon J. Dix, Haxtun, Colo., in place of L. E. Taylor, retired.

CONNECTICUT

Edward J. Coyle, Stratford, Conn. Office established June 22, 1963.

FLORIDA

Roger A. Lopp, Dundee, Fla., in place of A. C. Greiner, retired.

Bessie M. Osteen, Osteen, Fla., in place of L. M. Brooke, retired.

Hazel T. Stevenson, Sebastian, Fla., in place of R. W. Long, retired.

James H. Acker, Vero Beach, Fla., in place of S. V. Buss, retired.

GEORGIA

Alice A. Marshall, Appling, Ga., in place of M. K. Pollard, retired.

John G. Butler, Savannah, Ga., in place of J. M. Stubbs, retired.

ILLINOIS

Malvin W. Ditzler, Davis, Ill., in place of H. A. Ditzler, retired.

William C. Thompson, Edwards, Ill., in place of M. E. Mulvaney, retired.

Francis C. Shanahan, Midlothian, Ill., in place of J. E. Pacatte, retired.

Gerald D. Earlenbaugh, Pearl City, Ill., in place of B. B. Kampmeier, retired.

INDIANA

Roberta L. Harlan, Bringhurst, Ind., in place of C. J. Quinn, retired.

Fred D. Janney, Gaston, Ind., in place of Audley Dildine, retired.

Merrill K. Lambert, Hope, Ind., in place of C. B. Holder, retired.

Cletus H. Engler, Lawrenceburg, Ind., in place of L. W. Ogden, deceased.

Ralph E. Manifold, Mooreland, Ind., in place of Jeannette Manifold, retired.

Raymond T. Elliott, Portland, Ind., in place of I. E. Stabler, retired.

Myron D. Barnes, Rosedale, Ind., in place of W. H. Lauterbach, retired.

IOWA

Darrell B. Daugherty, Adel, Iowa, in place of F. W. Knoll, retired.

Edgar A. Cox, Charlotte, Iowa, in place of T. G. Clifford, deceased.

Pat McGuire, Cushing, Iowa, in place of R. H. Stoneking, deceased.

Dean A. Cowger, Mediapolis, Iowa, in place of J. M. Stephenson, retired.

Mildred E. Howell, New Liberty, Iowa, in place of H. L. Allmandinger, deceased.

Murel L. Scherbring, Red Oak, Iowa, in place of C. P. Norris, retired.

Paul E. Beumer, Rock Valley, Iowa, in place of H. J. Long, retired.

George W. House, Sigourney, Iowa, in place of Cotton Etter, retired.

Edward J. Delaney, Stuart, Iowa, in place of G. W. Trowbridge, retired.

KANSAS

Durward E. Smith, Admire, Kans., in place of D. W. Fowler, transferred.

Orval M. Siefers, Dorrance, Kans., in place of E. L. Betts, retired.

Elizabeth M. Elliott, White City, Kans., in place of O. T. Kappelmann, retired.

KENTUCKY

Bennie G. Faulk, Mortons Gap, Ky., in place of Bertha Stanley, retired.

Pauline H. Applegate, Tollesboro, Ky., in place of V. O. Ruark, deceased.

LOUISIANA

James A. Hoyt, Cheneyville, La., in place of S. R. Jackson, retired.

Juliette W. Chabaud, St. Gabriel, La., in place of J. L. Richard, retired.

MARYLAND

F. Wallis Wheeler, Silver Spring, Md., in place of W. E. Bowman, retired.

MICHIGAN

Allison W. Green, Dafter, Mich., in place of T. A. Liukko, retired.

Harold L. Hutchinson, Deerfield, Mich., in place of D. F. Seiser, deceased.

MINNESOTA

Gerald W. Leland, Bricelyn, Minn., in place of O. L. Flo, resigned.

Frank E. Henderson, Elkton, Minn., in place of W. B. Spear, retired.

MISSISSIPPI

James R. Triplett, Flora, Miss., in place of L. A. Stephenson, retired.

William R. Robison, Hamilton, Miss., in place of M. C. Basham, retired.

MISSOURI

Dale M. Baker, Kingston, Mo., in place of R. M. Farr, retired.

MISSOURI

Albert L. Mix, Osborn, Mo., in place of M. S. McMahill, retired.

MONTANA

Myron G. St. John, Opheim, Mont., in place of C. D. Tichenor, retired.

NEBRASKA

Allen K. Lookabill, Lisco, Nebr., in place of F. G. Carney, transferred.

NEW HAMPSHIRE

Vernon F. Hall, Bradford, N.H., in place of G. H. Simpson, retired.

G. Nelson Lambert, Center Harbor, N.H., in place of H. F. Smith, retired.

Paul E. Sanborn, Wilmot Flat, N.H., in place of W. F. Haskell, resigned.

NEW JERSEY

James L. Doyle, New Lisbon, N.J., in place of F. S. Doyle, retired.

NEW YORK

Francis E. Gilhooly, Alexander, N.Y., in place of E. B. Tenney, deceased.

John B. Goodwin, East Rochester, N.Y., in place of E. P. Talley, retired.

John L. Ingalls, Hornell, N.Y., in place of F. J. Kelly, retired.

Florence Robinson, Lawrence, N.Y., in place of L. J. Stankard, deceased.

John J. Bridgeford, Rensselaer, N.Y., in place of O. L. Johnson, retired.

NORTH CAROLINA

Luther E. Taylor, Jr., Faison, N.C., in place of J. E. Faison, retired.

Hardy L. Vause, Hookerton, N.C., in place of W. B. Jenkins, resigned.

Charles P. Smith, Rowland, N.C., in place of G. S. Crawford, retired.

Rhoda L. Lewis, Sneads Ferry, N.C., in place of N. M. Millis, retired.

L. Yale Miller, Wilkesboro, N.C., in place of M. O. Elliott, resigned.

NORTH DAKOTA

Carroll D. Tudahl, Berthold, N. Dak., in place of H. W. Emanuel, retired.

Glenn D. Heldt, Rocklake, N. Dak., in place of Bland Elsberry, retired.

OHIO

Dorothy V. Benson, Barlow, Ohio, in place of M. D. Proctor, retired.

William L. Cale, Cambridge, Ohio, in place of W. H. Driggs, retired.

Virgil L. Detty, Londonderry, Ohio, in place of W. D. Smallwood, transferred.

Treva M. Betts, Risingsun, Ohio, in place of R. D. Ferguson, retired.

Rule J. Smith, Walhonding, Ohio, in place of A. B. Fox, retired.

Lulu V. Guderjahn, West Salem, Ohio, in place of V. K. McVicker, retired.

OKLAHOMA

Edward O. McCarty, Skiatook, Okla., in place of A. S. Bradshaw, retired.

OREGON

Elmore D. Spencer, Salem, Oreg., in place of A. C. Gragg, retired.

PENNSYLVANIA

Chester P. Tracewski, Eynon, Pa., in place of E. P. Shamborsky, retired.

Joseph A. Ferace, Greensburg, Pa., in place of French Cason, Sr., retired.

Mary C. Klingel, La Plume, Pa., in place of A. F. Wydeen, retired.

Thomas F. Collins, Jr., Linesville, Pa., in place of H. D. Akens, retired.

Edward D. Oliver, Montrose, Pa., in place of O. W. Rogers, transferred.

Leonard H. Stackhouse, Muncy Valley, Pa., in place of F. D. Starr, deceased.

Henry A. Springer, New Stanton, Pa., in place of Raymond Carlson, retired.

Albert L. Wessner, Pine Grove, Pa., in place of M. P. Haldeman, retired.

Robert R. Mease, Springtown, Pa., in place of J. H. Stoneback, deceased.

Doris I. M. Moyer, Virginville, Pa., in place of Chester Homan, deceased.

Hale Truitt, West Grove, Pa., in place of H. C. Reece, retired.

SOUTH CAROLINA

James D. Watson, Jr., Elgin, S.C., in place of J. D. Watson, Sr., retired.

Luther V. Mayer, Jackson, S.C., in place of J. P. Sullivan, Jr., declined.

Cecil B. Guerry, Jamestown, S.C., in place of S. H. Grady, retired.

Fred B. Setzler, Jr., West Columbia, S.C., in place of R. W. Trotti, retired.

TENNESSEE

Betty C. Street, Antioch, Tenn., in place of F. C. Taylor, retired.

Marvin G. Scott, Scotts Hill, Tenn., in place of R. E. Scott, transferred.

TEXAS

Mary R. Cartwright, Boerne, Tex., in place of E. G. Saxon, deceased.

Sidney L. Gustafson, Gonzales, Tex., in place of L. H. Boothe, retired.

Ruby F. Henderson, Groesbeck, Tex., in place of H. L. Humble, retired.

Lynn Ratliff, Madisonville, Tex., in place of G. L. McKay, deceased.

Ross B. Stuart, Strawn, Tex., in place of W. R. Baker, deceased.

John G. Hagan, Jr., Whitehouse, Tex., in place of D. E. Gilley, retired.

John W. Buckner, Wimberley, Tex., in place of W. R. Saunders, resigned.

UTAH

Kae B. Weston, Laketown, Utah, in place of A. K. Cheney, resigned.

VIRGINIA

Harold J. Workman, McGaheysville, Va., in place of R. H. Sipe, resigned.

Theodore Raines, Vansant, Va., in place of A. H. Matney, transferred.

WASHINGTON

Mike Montanye, Goldendale, Wash., in place of O. K. Hill, retired.

WEST VIRGINIA

Harry J. Reitter, Colliers, W. Va., in place of C. O. Freshwater, retired.

Julia A. Warrick, Glen Dale, W. Va., in place of E. W. Fitzgerald, retired.

Genevieve D. Kessel, Gormania, W. Va., in place of A. H. Elrick, retired.

WISCONSIN

William Ihrig, Jr., Centuria, Wis., in place of C. J. McKenzie, transferred.

Julia M. Binning, Kansasville, Wis., in place of C. V. David, retired.

Robert F. Hartsworm, King, Wis., in place of E. F. Smith, retired.

Kenneth K. Kanneberg, Loyal, Wis., in place of L. M. Meyer, deceased.

Carl S. Nordin, Siren, Wis., in place of W. L. Nelson, transferred.

John P. Seckar, Vandyne, Wis., G. A. Jacobs, retired.

WYOMING

Wesley G. Somers, Kemmerer, Wyo., in place of A. M. Gilchrist, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 31 (legislative day of August 30), 1965:

DEPARTMENT OF JUSTICE

Edward M. McEntee, of Rhode Island, to be U.S. circuit judge, first circuit, vice Peter Woodbury, retired.

William O. Mehrtens, of Florida, to be U.S. district judge for the southern district of Florida, vice Emett C. Choate, retired.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 31, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer, using this verse of Scripture: Ephesians 5: 1: *Be ye therefore followers of God, as dear children.*

Almighty God, in whose presence we are all one in our littleness and our need, we beseech Thee to make us one in purity and humility of heart.

Bless us with the spirit of generosity and the grace of understanding when we think of the vast multitude for whom the struggle of life is so difficult.

Grant that our minds and hearts may be filled with aspirations to follow Thee and skilled in the ministry of doing good and ever determined to bring mankind within reach and range of Thy beneficence.

May we do all within our power to draw men together in fellowship and promote justice and good will among them.

Help us to clarify and confirm by our daily life, that we believe that in its simplest motive and manifestation our life must strive to be one of service and sanctity.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4905. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4170. An act to provide for adjustments in annuities under the Foreign Service retirement and disability system.

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2092. An act to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to celery, sweet corn, limes, or avocados to provide for paid advertising; and

S.J. Res. 69. Joint resolution to authorize the Administrator of General Services to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the "Library of Congress James Madison Memorial Building" and to contain a Madison Memorial Hall, and for other purposes.

TRIBUTES TO SIDNEY W. WILLISTON

Mr. GETTYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GETTYS. Mr. Speaker, the loss of the House of Representatives in the retirement of Sid Williston will be the gain of the Fifth Congressional District of South Carolina which it is my great honor to represent. Sid has built a home at Chesterfield and his family is now there awaiting the completion of today's business of the House so he can join them.

Mr. Speaker, I have known Sid almost since "old Blue" was a pup. I first met him when I served as secretary to the former distinguished chairman of the House Committee on Foreign Affairs, Gov. James Richards, of South Carolina, years ago. I have always found Sid to be a gentleman in every sense of the word and a loyal, devoted employee of the House of Representatives. He has manifested his worth to this body in the efficient and expeditious manner in which he has discharged his duties as Chief Clerk to the Official Reporters of Debates.

Mr. Speaker, the CONGRESSIONAL RECORD is one of the many great endeavors around here which never fail. It is at our desk every morning of the session and is what I consider to be one of the best prepared documents of our day. A large measure of its success is due to the clerical staff of the Official Reporters. Sid has always been on the job with a ready smile, an attitude of cooperativeness, and a willingness to get on with the job. Painstaking attention to detail, loyalty to this great legislative body, and devotion to friends has been his credo. We shall miss him.

Sid, on behalf of the wonderful people of Chesterfield County, S.C., I extend to you a warm and hearty welcome, and may you and your wife and daughter enjoy your association with us for many years in happiness, health, and the comfortable knowledge that you have returned to live among the finest people in all the world.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GETTYS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my distinguished colleagues in this expression of appreciation for the fine service of Mr. Sid Williston and join in this tribute to a great servant of this House.

Mr. Williston came to work for the House of Representatives in 1939 as an expert transcriber for the reporting staff. He has advanced during this period of time to the position from which he is now retiring. He is at the desk today carrying out his duties on this last day with us, as he has done so faithfully and well throughout the years. I am sure that all Members, on both sides of the aisle, have been the recipients of his patient attention to our many requests and the efficiency with which he has handled them.

Mr. Speaker, presiding over the clerical formulation of the House portion of the CONGRESSIONAL RECORD is no small task, as all of us are aware. Sid has done this with quiet calm and expedition. He has been on the job and always willing to give that extra time and effort which is so important to the work of the House. He has been loyal to the rules and precepts of this body and has always conducted himself in a gentlemanly fashion.

We are proud to have had him with us, and it is with reluctance that we see him go. However, I am sure I express the sentiments of every Member of this body when I say we wish for him and his family every happiness in his retirement years.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUBCOMMITTEE ON RIVERS AND HARBORS OF THE COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Rivers and Harbors of the House Committee on Public Works may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUBCOMMITTEE ON LIBRARY AND MEMORIALS OF HOUSE ADMINISTRATION COMMITTEE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Library and Memorials of the Committee on House Administration have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LYNDON BAINES JOHNSON ARCHIVAL DEPOSITORY

Mr. BROOKS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 632) to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. REID of New York. Mr. Speaker, reserving the right to object—and I do not intend to object—I should like to ask the distinguished gentleman from Texas a few questions about House Joint Resolution 632.

First, it is my understanding, that the President has written Mr. Heath, chairman of the University Board of Regents, on August 9, 1965, stating that this is his pleasure, that he wishes the main archives of the Johnson Presidency to be at the University of Texas; is that correct?

Mr. BROOKS. That is correct.

Mr. REID of New York. May I also ask the gentleman whether this joint resolution deals at all with funds for the collection or whether the University of Texas is going to deal with that matter?

Mr. BROOKS. The University of Texas has agreed to build a building to house the presidential documents and papers, about 100,000 square feet on 14 acres of land.

Mr. REID of New York. And this will be without expense to the Federal Government?

Mr. BROOKS. The construction will be without expense to the Federal Government, but the maintenance and operation of the Presidential library, as is the case with other Presidential libraries, will be maintained by the GSA. This will run in the neighborhood of $190,000 to start with, which is comparable to the amount expended on the Eisenhower, Truman, and the Roosevelt Libraries.

Mr. REID of New York. May I ask the gentleman whether this sum for maintenance will be a matter to be considered by the appropriate subcommittee of the Committee on Appropriations?

Mr. BROOKS. It will.

Mr. REID of New York. May I further ask why the joint resolution has been brought to the floor without the normal 60-day congressional review period?

Mr. BROOKS. For the reason that we hope Congress will have adjourned before the running of the 60-day period. There is also the difficulty of acquiring the land, employing an architect and designing the building. Also, construction costs are liable to go up. It was felt that the University of Texas, as trustees, would be better protected by having this agreement before they expended several million dollars in building a library to house these documents.

Mr. REID of New York. Mr. Speaker, may I ask the gentleman whether the President requested a waiving of this 60-day review period?

Mr. BROOKS. That is my understanding. He is aware of the resolution and favored it when our subcommittee passed it out last week.

Mr. REID of New York. And he has requested that this be brought to the floor without the normal review period?

Mr. BROOKS. That is my impression.

Mr. REID of New York. Mr. Speaker, I withdraw my reservation and I urge the passage of House Joint Resolution 632.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, further reserving the right to object, where are the reports on this resolution?

Mr. BROOKS. The reports are now available. They were just printed recently. I have one here for the gentleman. It will reflect all of the detail of the hearings that we held. The resolution was passed unanimously by the subcommittee and by the full committee.

Mr. GROSS. Well, now, Mr. Speaker, I do not understand this procedure. This is not in the nature of an emergency. I do not understand why the House had no notification that this resolution was to be brought up. There are no reports available at the desk, as is usual, but more importantly, I do not understand why there was no previous notification that this resolution was to be brought before the House today.

Mr. BROOKS. Well, I want to tell my distinguished friend from Iowa, who is a historian of some note himself——

Mr. GROSS. I question that, but go ahead.

Mr. BROOKS. The importance of getting this material together is of course critical. It is important to get these documents in a proper place where they can be available for historians and to reporters and to the public. The 60-day period may well ensue and run while Congress has adjourned. So the problem is that we would like to get this on the road now and not delay it any further.

Mr. GROSS. Where were there hearings held on this proposition?

Mr. BROOKS. Hearings were held in the Subcommittee on Government Activities August 25. We heard in detail from the head of the General Services Administration who submitted a report to the Speaker and to the President of the U.S. Senate. These hearings have been printed. They are available. The report has been drafted and it is now available today. The Committee on Government Operations passed this resolution unanimously.

Mr. GROSS. Do I understand correctly that the Federal Government is not being called upon to construct a library building?

Mr. BROOKS. That is absolutely correct.

Mr. GROSS. And all land and buildings will be made available, but that the cost will be in the neighborhood of $190,000 a year from now on in perpetuity; is that correct?

Mr. BROOKS. I would say that that is correct. This will be in accordance with the 1955 act on Presidential libraries and archives. This is in the same range of the cost, somewhat less than some, of the Roosevelt Library, the Truman Library, and of the Eisenhower Library, and I think is in keeping with the policy of this Nation to provide the public access to our Presidential papers.

Mr. GROSS. Is it not true that we have never gotten into this sort of thing until other Presidents had left office?

Mr. BROOKS. No; that is not exactly correct. The request for President Eisenhower's library was made to the same committee and to the same subcommittee in 1960, before he went out of office, and it was approved unanimously by the subcommittee of which I was the chairman, in view of the urgency of the request.

Mr. GROSS. The gentleman will admit that President Eisenhower was on his way out when this legislation was adopted?

Mr. BROOKS. Yes; of course that is true.

Mr. GROSS. Are we now moving toward a situation where we will provide library maintenance for a presidential candidate in which the candidate can dispose of his papers? Are we going to be confronted with a situation of that kind?

Mr. BROOKS. I do not believe so. I do not believe any university or organization is going to build a $2 or $3 million building for any candidate. This one will be built at no cost to the Government whatsoever.

Mr. GROSS. I want to say to the gentleman from Texas that I do not understand for the life of me the necessity for the speed that brings this resolution to the floor without prior notification of the Members of the House. I do not know why we have to be confronted with legislation on this basis.

Mr. BROOKS. It would delay it until next year. That is the difficulty. I will say to my distinguished colleague from Iowa that if we wait until next January and have to resubmit this and have another 60-day-period run, it may well be March or April before we can employ an architect and begin to acquire the land and move out on this. It would delay this library not just 60 days, but in effect 6 months or a year.

Mr. GROSS. Why did we not have at least 1 day's notification that this was coming before the House? What if this went over until tomorrow? Would the world come to an end?

Mr. BROOKS. Of course it would not.

Mr. GROSS. The gentleman from Texas does not like to be confronted with legislation on the floor of the House which has never been heard of before, or seen, or anything else. I am sure of that. I am sure he would not want to impose on other Members of the House.

Mr. BROOKS. I may say to the gentleman, and he has been a friend since I came to Congress, that we have worked on this with all of the Republican members of the subcommittee and of the full committee. They understand it, and feel it is proper and fitting that this Congress act on it without further delay.

Mr. GROSS. This Congress can act on it. We have not left Washington yet, and are not likely to for at least another month.

Mr. BROOKS. I am hoping we will.

Mr. GROSS. From the way things are going we will be here until the snow flies. I do not see any emergency connected with this project, however, I think the subject has been fairly well explored and I hope there will be no repetition. I here and now serve notice that if any other bill or resolution is brought up on this basis, and I do not care whether it affects the President of the United States, I will object to it.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, the President on August 9, 1965, graciously accepted a proposal from the board of regents of the University of Texas to construct and equip the Lyndon Baines Johnson Library on the university campus at Austin as a depository of the President's papers and other historic materials of his public offices. Previously, on August 6, 1965, the board of regents of the university had advised the President of the university's desire to provide a library for his papers.

The President, on August 13, 1965, wrote the Administrator of General Services of his wishes regarding the designation of the proposed Lyndon Baines Johnson Library as a depository for his papers. At that time the President offered "as a gift to the United States for the purpose of ultimate deposit in the said Presidential library my Presidential and other papers, documents, historic materials, mementos, objects of art, and other memorabilia, including books, motion pictures, still pictures, and sound recordings belonging to me or in my possession which relate to my life and work."

As provided by law, the Administrator of General Services has submitted a report to the Speaker of the House and the President of the Senate outlining the proposal of the University of Texas. He also has officially advised the Congress of the President's offer of his papers and the other materials of his public offices to the people of the United States. The Administrator's report is now required to lie before Congress for 60 days of continuous session before the university's offer can be accepted.

Upon review of the Administrator's report, I introduced House Joint Resolution 632 as a means of obtaining prompt, affirmative congressional review of the Administrator's report as a more reasonable substitute for the 60-day period of negative congressional action. It is my conclusion, which I believe will be shared by all of those who review the university's proposal, that congressional approval of this project should not be delayed. It would be more appropriate and fully in keeping with our legislative responsibilities to give active consideration to this matter at this time, rather than simply provide a manifestation of congressional acceptance through the mere passage of time.

Upon referral of the Administrator's report to the Government Activities Subcommittee, we held a hearing at which time both the substance of the report and the joint resolution waiving the 60-day period were considered in detail.

The subcommittee and later the full Government Operations Committee unanimously endorsed and passed this resolution—House Joint Resolution 632.

Under the proposal submitted to the President by the university's board of regents, the university, at its own expense, will provide an appropriate 14-acre site on the campus at Austin for construction of a building in which not less than 100,000 square feet of space would be dedicated as the Lyndon Baines Johnson Library to display the President's papers and other historical materials relating to and contemporary with the President's life and works.

The proposal provides that upon completion of the building, the university will "turn over, dedicate, and make available the same, including the furnishings and equipment therein, to the United States for its use in perpetuity as the Lyndon Baines Johnson Library."

As manifested in the correspondence between the President and the university, in addition to the space and facilities dedicated for us as the Presidential archival depository, the building to be constructed will also include space and facilities for University of Texas purposes to be used in furtherance of studies and research in history, government, economics, public administration, and related disciplines. The cost of administering, maintaining, operating, and protecting the site of the Presidential library and such portion of the building as is used for university purposes will be borne by the university. The estimated cost to the United States of maintaining, operating, and protecting that portion of the building dedicated to national archival depository use is estimated to range from approximately $190,000 during the early years to $225,000 after the library is in full operation. This estimate as to the cost of operation to be accepted by the Government is in line with the operational costs of the other Presidential libraries. One unique advantage the Government will have regarding the Johnson Library is that the university has agreed to provide all parking facilities and also to maintain the grounds surrounding the library building. These can be significant items of expense in themselves. The subcommittee, considering all facets of the proposal, unanimously concluded that the report submitted by the Administrator of General Services should be affirmatively endorsed by the Congress. This alone is sufficient reason for approval of this resolution waiving the remainder of the 60-day review period as provided in the proviso to section 507(f)(1) of the act. But, in this instance, there are additional reasons justifying expeditious congressional consideration of this proposal and which dictate waiver of the review period.

First, the sooner this library project is begun, the sooner the papers of the President will become available to students and scholars. As the board of regents of the university operate in a trust capacity, it would not be appropriate to ask them to go ahead on this project without the agreement of the Government to designate the structure as a Presidential archival depository. The President will also have to participate in many aspects of the project. The sooner the project gets started, therefore, the more time he can devote to it personally.

Lastly, the University of Texas must be considered. The university's generous proposal is based upon cost analyses and other criteria available at this time. Delays in construction often mean increases in construction costs. They are also wasteful in the time and efforts of those responsible for and involved in the implementation of the project.

For these reasons, I believe that the House of Representatives is fully justified in endorsing the report of the Administrator and approving Joint Resolution 632 waiving the "60 days of negative action by the Congress," as Speaker MCCORMACK so aptly characterized this provision at the time it was enacted.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the House joint resolution, as follows:

H.J. RES. 632

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to enter into an agreement upon such terms and conditions as he determines proper with the University of Texas to utilize as the Lyndon Baines Johnson Archival Depository, land, buildings, and equipment of such university to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the National Archives system. Such agreement may be entered into without regard to the provisions of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397(f)(1)), that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House which was read, referred to the Committee on House Administration and ordered to be printed:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 30, 1965.

The Honorable THE SPEAKER,
House of Representatives.

SIR: From the Honorable THOMAS G. ABERNETHY, Member of Congress from the First District of Mississippi, the Honorable JAMIE L. WHITTEN, Member of Congress from the Second District of Mississippi, the Honorable PRENTISS WALKER, Member of Congress from the Fourth District of Mississippi, and WILLIAM M. COLMER, Member of Congress from the Fifth District of Mississippi, the Clerk has received a motion that the attempted contest against each individually, be dismissed, or that each be otherwise relieved from taking further notice of such matter.

The communication in this matter is being transmitted for referral to the appropriate committee of the House of Representatives.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. HOLIFIELD. Mr. Speaker, I call up the conference report on the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 884)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Department of Housing and Urban Development Act'.

"DECLARATION OF PURPOSE

"SEC. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development of the Nation's communities and metropolitan areas in which the vast majority of its people live and work.

"To carry out such purpose, and in recognition of the increasing importance of housing and urban development in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban community, suburban, or metropolitan development; to encourage the solution of problems of housing, urban development, and mass transportation through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; to encourage the maximum contributions that may be made by vigorous private homebuilding and mortgage lending industries to housing, urban development, and the national economy; and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation's communities and of the people who live and work in them.

"ESTABLISHMENT OF DEPARTMENT

"SEC. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Housing and Urban Development (hereinafter referred to as the 'Department'). There shall be at the head of the Department a Secretary of Housing and Urban Development (hereinafter referred to as the 'Secretary'), who shall be appointed by the President by and with the advice and consent of the Senate. The Department shall be administered under the supervision and direction of the Secretary. The Secretary shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

"(b) The Secretary shall, among his responsibilities, advise the President with respect to Federal programs and activities relating to housing and urgan development; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's urban areas; exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development; provide technical assistance and information, including a clearinghouse service to aid State, county, town, village, or other local governments in developing solutions to community and metropolitan development problems; consult and cooperate with State Governors and State agencies, including, when appropriate, holding informal public hearings, with respect to Federal and State programs for assisting communities in developing solutions to community and metropolitan development problems and for encouraging effective regional cooperation in the planning and conduct of community and metropolitan development programs and projects; encourage comprehensive planning by the State and local governments with a view to coordinating Federal, State, and local urban and community development activities; encourage private enterprise to serve as large a part of the Nation's total housing and urban development needs as it can and develop the fullest cooperation with private enterprise in achieving the objectives of the Department; and conduct continuing comprehensive studies, and make available findings, with respect to the problems of housing and urban development.

"(c) Nothing in this Act shall be construed to deny or limit the benefits of any program, function, or activity assigned to the Department by this or any other Act to any community on the basis of its population or corporate status, except as may be expressly provided by law.

"UNDER SECRETARY AND OTHER OFFICERS AND OFFICES

"SEC. 4. (a) There shall be in the Department an Under Secretary, four Assistant Secretaries, and a General Counsel, who shall be appointed by the President by and with the advice and consent of the Senate, who shall receive compensation at the rate now or hereafter provided by law for under secretaries, assistant secretaries, and general counsels, respectively, of executive departments, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. There shall be in the Department a Federal Housing Commissioner, who shall be one of the Assistant Secretaries, who shall head a Federal Housing Administration within the Department, who shall have such duties and powers as may be prescribed by the Secretary, and who shall administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

"(b) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service, who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time, and whose annual rate of compensation shall be the same as that now or hereafter provided by or pursuant to law for assistant secretaries for administration of executive departments.

"(c) There shall be in the Department a Director of Urban Program Coordination, who shall be designated by the Secretary. He shall assist the Secretary in carrying out his responsibilities to the President with respect to achieving maximum coordination of the programs of the various departments and agencies of the Government which have a major impact on community development. In providing such assistance, the Director shall make such studies of urban and community problems as the Secretary shall request, and shall develop recommendations relating to the administration of Federal programs affecting such problems, particularly with respect to achieving effective cooperation among the Federal, State, and local agencies concerned. Subject to the direction of the Secretary, the Director shall, in carrying out his responsibilities, (1) establish and maintain close liaison with the Federal departments and agencies concerned, and (2) consult with State, local, and regional officials, and consider their recommendations with respect to such programs.

"TRANSFERS TO DEPARTMENT

"SEC. 5. (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to and vested in the Secretary all of the functions, powers, and duties of the Housing and Home Finance Agency, of the Federal Housing Administration and the Public Housing Administration in that Agency, and of the heads and other officers and offices of said agencies.

"(b) The Federal National Mortgage Association, together with its functions, powers, and duties, is hereby transferred to the Department. The next to the last sentence of section 308 of the Federal National Mortgage Association Charter Act and the item numbered (94) of section 303(e) of the Federal Executive Salary Act of 1964 are hereby repealed, and the position of the President of said Association is hereby allocated among the positions referred to in section 7(c) hereof.

"(c) The President shall undertake studies of the organization of housing and urban development functions and programs within the Federal Government, and he shall provide the Congress with the findings and conclusions of such studies, together with his recommendations regarding the transfer of such functions and programs to or from the Department. Notwithstanding any other provision of this Act, none of the functions of the Secretary of the Interior authorized under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) or other functions carried out by the Bureau of Outdoor Recreation shall be transferred from the Department of the Interior or in any way be limited geographically unless specifically provided for by reorganization plan pursuant to provisions of the Reorganization Act of 1949 (63 Stat. 203), as amended, or by statute.

“CONFORMING AMENDMENTS

“Sec. 6. (a) Section 19(d)(1) of title 3 of the United States Code is hereby amended by striking out the period at the end thereof and inserting a comma and the following: ‘Secretary of Health, Education, and Welfare, Secretary of Housing and Urban Development.’

“(b) Section 158 of the Revised Statutes (5 U.S.C. 1) is amended by adding at the end thereof:

“ ‘Eleventh. The Department of Housing and Urban Development.’

“(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

“ADMINISTRATIVE PROVISIONS

“Sec. 7. (a) The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, or other funds held, used, arising from, or available or to be made available in connection with, the functions, powers, and duties transferred by section 5 of this Act are hereby transferred with such functions, powers, and duties, respectively.

“(b) No transfer of functions, powers, and duties shall at any time be made within the Department in connection with the secondary market operations of the Federal National Mortgage Association unless the Secretary finds that the rights and interests of owners of outstanding common stock issued under the Federal National Mortgage Association Charter Act will not be adversely affected thereby.

“(c) The Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including attorneys, as shall be necessary to carry out the provisions of this Act and to prescribe their authority and duties: *Provided*, That any other provision of law to the contrary notwithstanding, the Secretary may fix the compensation for not more than six positions in the Department at the annual rate applicable to positions in level V of the Federal Executive Salary Schedule provided by the Federal Executive Salary Act of 1964.

“(d) The Secretary may delegate any of his functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties. The second proviso of section 101(c) of the Housing Act of 1949 is hereby repealed.

“(e) The Secretary may obtain services as authorized by section 15 of the Act of August 2, 1946, at rates not to exceed $100 per diem for individuals.

“(f) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space; central services for document reproduction and for graphics and visual aids; and a central library service. In addition to amounts appropriated to provide capital for said fund, which appropriations are hereby authorized, the fund shall be capitalized by transfer to it of such stocks of supplies and equipment on hand or on order as the Secretary shall direct. Such fund shall be reimbursed from available funds of agencies and offices in the Department for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and for depreciation of equipment.

“(g) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

“ANNUAL REPORT

“Sec. 8. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress of the activities of the Department during the preceding calendar year.

“SAVINGS PROVISIONS

“Sec. 9. (a) No cause of action by or against any agency whose functions are transferred by this Act, or by or against any officer of any agency in his official capacity, shall abate by reason of this enactment. Such causes of action may be asserted by or against the United States or such official of the Department as may be appropriate.

“(b) No suit, action, or other proceeding commenced by or against any agency whose functions are transferred by this Act, or by or against any officer of any such agency in his official capacity, shall abate by reason of the enactment of this Act. A court may at any time during the pendency of the litigation, on its own motion or that of any party, order that the same may be maintained by or against the United States or such official of the Department as may be appropriate.

“(c) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers and duties transferred by this Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer or office of the Department as, in accordance with applicable law, may be appropriate. With respect to any function, power, or duty transferred by or under this Act and exercised hereafter, reference in another Federal law to the Housing and Home Finance Agency or to any officer, office, or agency therein, except the Federal National Mortgage Association and its officers, shall be deemed to mean the Secretary. The positions and agencies heretofore established by law in connection with the functions, powers, and duties transferred under section 5(a) of this Act shall lapse.

“SEPARABILITY

“Sec. 10. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

“EFFECTIVE DATE AND INTERIM APPOINTMENTS

“Sec. 11. (a) The provisions of this Act shall take effect upon the expiration of the first period of sixty calendar days following the date on which this Act is approved by the President, or on such earlier date as the President shall specify by Executive order published in the Federal Register, except that any of the officers provided for in sections 3(a), 4(a), and 4(b) of this Act may be nominated and appointed, as provided in such sections, at any time after the date this Act is approved by the President.

“(b) In the event that one or more officers required by this Act to be appointed, by and with the advice and consent of the Senate, shall not have entered upon office on the effective date of this Act, the President may designate any person who was an officer of the Housing and Home Finance Agency immediately prior to said effective date to act in such office until the office is filled as provided in this Act or until the expiration of the first period of sixty days following said effective date, whichever shall first occur. While so acting such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.”

And the Senate agree to the same.

William L. Dawson,
Chet Holifield,
Dante B. Fascell,
Henry S. Reuss,
Benjamin S. Rosenthal,
John N. Erlenborn,
John W. Wydler,
Managers on the Part of the House.

Abraham Ribicoff,
Henry M. Jackson,
Robert F. Kennedy,
Jacob K. Javits,
Milward L. Simpson,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

The Senate amendment deleted nothing substantive from the House bill but made a number of additions.

The Senate inserted the word “community” or substituted it for “urban” at various points in the bill so that the areas affected by the legislation would be broadened to include “community” as well as urban, suburban or metropolitan as were contained in the House bill. The managers on the part of the House accepted this amendment.

The declaration of purpose in the House bill was amended by the Senate to encourage the solution of problems of mass transportation and also to encourage the maximum contributions that may be made by the vigorous private homebuilding and mortgage lending industries to housing, urban development and the national economy. These additions were accepted by the managers on the part of the House.

In section 3, the Senate created an additional responsibility for the Secretary of the new Department to consult and cooperate with State governments with respect to State programs for assisting communities in developing solutions to community and metropolitan problems and for encouraging effective regional cooperation in the planning and conduct of community and metropolitan development programs and projects. It also required the Secretary, upon the request of the Governor of any State, within 60 days of such request, to hold an informal public hearing in any community of such State with respect to the manner in which any program of assistance to a State or local public body or agency administered by the Department is proposed to be, or is being, carried out in such community. The conferees substituted for the above a provision requiring the Secretary to "consult and cooperate with State Governors and State agencies including, when appropriate, holding informal public hearings with respect to Federal and State programs for assisting communities in developing solutions to community and metropolitan development problems and for encouraging effective regional cooperation in the planning and conduct of community and metropolitan development programs and projects." The holding of such public hearings would be entirely discretionary with the Secretary. The Senate managers receded and agreed to this provision.

In section 3, a further responsibility was placed upon the Secretary by the Senate to "encourage private enterprise to serve as large a part of the Nation's total housing and urban development needs as it can and develop the fullest cooperation with private enterprise in achieving the objectives of the Department." The managers on the part of the House agreed to this amendment.

The House bill included a provision in section 4 that one of the Assistant Secretaries of the new Department shall be designated to administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market. The Senate added a provision that "There shall be in the Department a Federal Housing Administration headed by a Federal Housing Commissioner who shall be appointed by the President, by and with the advice and consent of the Senate. The Federal Housing Commissioner shall have such duties and powers as may be prescribed by the Secretary." The conferees agreed to eliminate both provisions and substitute the following:

"There shall be in the Department a Federal Housing Commissioner, who shall be one of the Assistant Secretaries who shall head a Federal Housing Administration within the Department, who shall have such duties and powers as may be prescribed by the Secretary, and who shall administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market."

The Senate added an additional subsection to section 4 creating within the new Department an Office of Urban Program Coordination headed by a Director, to be appointed by the Secretary, who will assist the Secretary in achieving maximum coordination of the programs of the various departments and agencies of the Government which have a major impact on community development. The conferees agreed that such an Office would not be created, but that a position in the Department would be established called the Director of Urban Program Coordination, to be designated by the Secretary, to assist the Secretary in carrying out his responsibilities to the President with respect to achieving maximum coordination of the programs of the various departments and agencies of the Government which have a major impact on community development. In providing such assistance, the Director shall make such studies of urban and community problems as the Secretary shall request, and shall develop recommendations relating to the administration of Federal programs affecting such problems, particularly with respect to achieving effective cooperation among the Federal, State, and local agencies concerned. Subject to the direction of the Secretary, the Director shall, in carrying out his responsibilities, (1) establish and maintain close liaison with the Federal departments and agencies concerned, and (2) consult with State, local, and regional officials, and consider their recommendations with respect to such programs.

In section 5, the Senate included an amendment providing as follows:

"(c) The President shall undertake studies of the organization of housing and urban development functions and programs within the Federal Government, and he shall provide the Congress with the findings and conclusions of such studies, together with his recommendations regarding the transfer of such functions and programs to or from the Department. Notwithstanding any other provisions of this Act, none of the functions of the Secretary of the Interior authorized under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) or other functions carried out by the Bureau of Outdoor Recreation shall be transferred from the Department of the Interior or in any way be limited geographically unless specifically provided for by reorganization plan pursuant to provisions of the Reorganization Act of 1949, as amended (79 Stat. 135) or by statute."

The managers on the part of the House receded from their disagreement with this amendment and adopted the Senate provision.

William L. Dawson,
Chet Holifield,
Dante B. Fascell,
Henry S. Reuss,
Benjamin S. Rosenthal,
John N. Erlenborn,
John W. Wydler,
Managers on the Part of the House.

Mr. HOLIFIELD. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as Members of the House will recall, this bill in essence creates a new executive Department of Housing and Urban Development. It transfers to the Department the presently existing functions of the Housing and Home Finance Agency and gives the Secretary additional duties in the area of urban development. We are making a start at doing for the cities what the Department of Agriculture has done so long and so well for our farmers.

First of all I want to commend my fellow conferees of both Houses on the positive spirit in which the discussions were conducted. We sought diligently to uphold and make prevail the positions of our respective bodies but we also endeavored to reach reasonable compromises always keeping in mind the objectives of the bill.

I especially wish to commend my colleagues: Chairman Dawson, Mr. Fascell, the author of the bill; Mr. Reuss, Mr. Rosenthal, Mr. Erlenborn, and Mr. Wydler.

The Senate made a number of additions to the House bill, many of which had no substantial effect on the purposes of the legislation. There were three major changes by the Senate with which we disagreed.

The first involved the Federal Housing Administration. During debate in the House, the gentleman from Illinois [Mr. Erlenborn] offered an amendment that the House rejected which would have transferred the FHA as an entity to the new Department with statutory powers of its own. This was not in accord with the recommendations of the Hoover Commission or with modern concepts of governmental administration which favor full authority and responsibility in the head of the Department. To reassure those who were concerned about the future of FHA, a committee amendment was adopted, assigning to one of the Assistant Secretaries supervision of departmental programs relating to the private mortgage market. This included FHA and FNMA. The Senate, however, added on to the bill a provision that would have had an effect somewhat like that of the Erlenborn amendment. The FHA was set up in the new Department with a Commissioner to be appointed by the President and confirmed by the Senate. His duties, however, would be prescribed by the Secretary. The compromise was as follows:

> There shall be in the Department a Federal Housing Commissioner, who shall be one of the Assistant Secretaries, who shall head a Federal Housing Administration within the Department, who shall have such duties and powers as may be prescribed by the Secretary, and who shall administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

The principal differences between the conference language and that adopted by the House and Senate are that the FHA will be retained within the new Department; its functions, however, will be vested in the Secretary; it will be headed by a Commissioner who will also be an Assistant Secretary; the Assistant Secretary-Commissioner will have such powers and duties as the Secretary may prescribe; and will administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

We believe that in this compromise the essential principles of good administration have been preserved. The powers and functions are in the Secretary who may delegate them as his responsible judgment may dictate. The possibility of conflict or obstruction has been reduced to a minimum.

The second major difference involved a responsibility the Senate imposed upon the new Secretary to hold an informal public hearing, within 60 days of a request by a Governor for such a hearing, in any community of a State with respect to the manner in which any program of assistance to a State or local public body or agency administered by the Department is proposed to be or is being carried out in such community. Our major concern was the mandatory requirement for the public hearing whenever a Governor requested it. We saw all sorts of possibilities for delay in carrying out programs already planned and approved by the Federal, State, and local agencies involved. Our compromise directed the Secretary to consult and cooperate with State Governors but public hearings would be held only when he deemed them appropriate.

The third major difference involved a Senate provision creating an Office of Program Coordination within the new Department to assist the Secretary in carrying out his responsibilities to assist the President in achieving maximum coordination of the programs of the various departments and agencies which have a major impact on community development. We felt the creation of such a statutory office within the Department would not accord with sound administration. We achieved a compromise which set up a position called Director of Urban Program Coordination who would be designated by the Secretary.

We urge the House to accept the report of the conferees so that the great promise of this legislation can be realized.

Mr. Speaker, I move the previous question.

Mr. ERLENBORN. Mr. Speaker, I thank the gentleman for yielding.

This morning, prior to a meeting of the Committee on Government Operations, I was discussing with the gentleman from Georgia [Mr. CALLAWAY] the conference committee action on this bill. I explained to the gentleman how the substance of the Senate amendments, which I believed made a better bill out of this bad bill, had been retained by action of the conference committee.

Subsequently, during the meeting of the Committee on Government Operations, the gentleman from California [Mr. HOLIFIELD] announced to the members of the committee that this conference committee report would be brought up on the floor today and explained that the position of the House had been sustained and that we had won a victory in the conference committee.

After the meeting the gentleman from Georgia [Mr. CALLAWAY] took me aside and asked me if I had attended a different meeting from the meeting the gentleman from California [Mr. HOLIFIELD] had attended. I assured the gentleman from Georgia that we had attended the same conference committee.

Mr. Speaker, there were many amendments adopted in the Senate. As the gentleman from California pointed out, some of these were noncontroversial and were accepted without debate on the part of the House conferees.

One of those amendments was the insertion of the word "community" in lieu of the word "urban" throughout the body of the bill. I believe this is in line with one of the amendments which was offered and rejected in the House, to broaden the scope or function of this Department outside of strictly urban areas, or large concentrations of population, and to give consideration to the suburban and rural areas, to the smaller communities throughout the country.

Second, an amendment was adopted in the other body to provide that the new Department should encourage vigorous private home building and mortgage-lending industries. This amendment was also agreed to by the conferees.

Many who opposed the bill were fearful—and still are—that the new Department of Housing and Urban or Community Development would bypass the State and county agencies and go directly to local communities, ignoring the real function of the States in the solution of the problems in the urban areas.

Some lipservice has been given—as a result of one of the amendments adopted in the other body and agreed to by the conferees—to this problem, in that one of the functions and duties of the Secretary is to consult and cooperate with State governments with respect to State programs for assisting communities. As I say, this was agreed to by the conferees.

Along the same line was a provision that the Director of the new Department consult and cooperate with State Governors and State agencies, including, when appropriate, the holding of informal public hearings. This, I believe, was not as strong as the provision the other body would have liked to have had in the bill, but at least it gives consideration to the fact that the Governors of the various States and State agencies do have a role to play in the solution of the problems of our urban communities.

For my own part, the most important amendment which was offered in the House and in substance adopted in the other body—and I believe also in substance approved by the conference committee report—is the one which recognizes the somewhat autonomous nature of the Federal Housing Administration, the independence of the Federal Housing Administration.

I am pleased with the provision in the conference report that the Federal Housing Administration shall be considered to some extent a separate agency within the new Department, and that there shall be a Federal Housing Commissioner to head the Federal Housing Administration within the Department.

On the whole, the action of the conferees, I believe, admitted the shortcomings of the bill as it passed the House. I believe that the action of the conferees makes a better bill of this bill to create the new Department.

For my own part I still think the approach of creating an office within the Executive Office of the President to deal with these problems is a better approach. However, being a realist, I know that this bill was thoroughly debated on the floor of the House before and was adopted on a rollcall vote. I know that this new Department will be created in this session by the adoption of this bill. Being a realist and knowing that this will happen, I am happy that these improvements have been made in the legislation and therefore I am happy to support the action of the conference committee.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman from Illinois for his remarks. He was very strong on one principle, that of naming the Federal Housing Administration within this Department. As I said in my remarks and as he has said, we have retained that name for whatever publicity value and for whatever goodwill value with respect to the housing industry that it may have. The housing industry was very strong on retaining the name FHA. That has been done. I agree with the gentleman that this is more acceptable to me than if it were not in the bill.

Mr. Speaker, I now wish to yield to the author of the bill, the gentleman from Florida [Mr. FASCELL], such time as he may consume. However, before I do yield to him I want to say that I just want to congratulate him for taking the initiative in carrying the burden for this bill through the hearings and granting every witness who wanted to come before him the right to testify. I believe that he has achieved a very important legislative result in the creation of a new Cabinet department. I do not share the fear that this Cabinet-level department may be something we do not need. The shift of population from the agricultural areas of our country to urban centers has been tremendous in the last few years, and it will undoubtedly continue. We are soon to have between 75 and 80 percent of our people in these great urban areas, community areas, and densely populated areas. They will have all of the problems that we are so familiar with. Certainly the recognition of the importance of 75 to 80 percent of our population, by giving them a Cabinet-status department and a representation close to the ear of the President and a prestige before the Congress, is something that I think none of us will regret.

Mr. Speaker, I now yield to the gentleman from Florida [Mr. FASCELL], the author of this legislation.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from California for the remarks he has made concerning this legislation. I must say that in the 10 years I have been here the gentleman from California has been one of the most outspoken advocates of dealing with the problem of our urban communities and has given great leadership to legislation in this area. I want to express my appreciation also to the gentleman from Wisconsin [Mr. REUSS] who is a sponsor of this legislation. He has long been in the forefront of dealing with the problems of our urban communities. I thank him for his cooperation and commend him for his outstanding leadership in this body on this very important matter.

I want to make some remarks with respect to the very fine compromise the House conferees achieved on the rather difficult question that appeared at first with respect to the problem of the FHA. Yet in conference this problem was resolved in a manner which was extremely satisfactory to both bodies. The compromise retains the good will, as the gentleman from California has said, of the FHA and we have provided for the designation of a FHA Commissioner. Yet, the conference agreement does not do violence to, and is in complete consonance with, the principles laid down in the Hoover Commission report with regard to what is good administration, good management, and good organization. These principles are simply that all of the powers, the duties, the functions, and the responsibilities should rest in the head of the Department. That cardinal principle is preserved in this report, because while we preserve the name of the FHA and provide for the designation of a Federal Housing Commissioner, the bill specifically provides that all of the responsibilities, duties, functions, and powers should rest in the Secretary of the Department. Therefore, it is in complete consonance with the recommendations of the Hoover Commission recommendations. So, on all points, Mr. Speaker, I think the conference committee has done an admirable job and I certainly thank my colleagues who participated on the majority and minority sides for bringing back this very fine conference report.

Mr. HOLIFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Speaker, I hope that the conference report will be adopted, and the bill to establish a Department of Housing and Urban Development thus sent to the President.

The effort to give our cities recognition at the Cabinet level has had its strong sponsors in this House. In the headquarters of the Federal Reserve on Constitution Avenue in Washington, the name of Carter Glass, of Virginia, is memorialized as one whose congressional backing had made that structure possible. When, at some future time, the new Department of Housing and Urban Development occupies its own headquarters, nothing could be more fitting than that the names of William L. Dawson, of Illinois, Chet Holifield, of California, and Dante B. Fascell, of Florida, likewise receive recognition for their devoted services in behalf of our cities.

As a result of the conference, I believe that the bill before us is a better one than it was when it first passed the House. Particularly, I am happy that the House accepted Senate language declaring it as one of the purposes of the bill "to encourage the solution of problems of mass transportation."

Today our Federal Government is committed to substantial research efforts to develop new methods of transportation to the moon by rocket, to other continents by supersonic planes, and to other cities by revolutionary rail systems. But in the area where new transportation systems are needed most—how to get from one part of a metropolitan area to another rapidly, safely, economically, and without polluting the atmosphere—we are undertaking no noticeable rerearch effort whatever.

Last June 17 I introduced H.R. 9200, to set up a 2-year $20 million, federally supported research program to achieve a breakthrough in new methods of urban transport. Twenty-one other Members have joined me in introducing identical legislation—the gentleman from Ohio [Mr. Ashley], the gentleman from Texas [Mr. Cabell], the gentleman from New York [Mr. Farbstein], the gentleman from Minnesota [Mr. Fraser], the gentleman from Ohio [Mr. Gilligan], the gentlewoman from Michigan [Mrs. Griffiths], the gentleman from New York [Mr. Halpern], the gentleman from New Jersey [Mr. Joelson], the gentleman from Maryland [Mr. Long], the gentleman from New York [Mr. McCarthy], the gentleman from New Jersey [Mr. Minish], the gentleman from Pennsylvania [Mr. Moorhead], the gentleman from New York [Mr. Multer], the gentleman from Illinois [Mr. Ronan], the gentleman from California [Mr. Roosevelt], the gentleman from New York [Mr. Rosenthal], the gentleman from Wisconsin [Mr. Stalbaum], the gentlewoman from Missouri [Mrs. Sullivan], the gentleman from Ohio [Mr. Vanik], the gentleman from Georgia [Mr. Weltner], and the gentleman from Illinois [Mr. Yates].

I hope that the new Department of Housing and Urban Development will endorse this legislation, so that man on earth is not lost sight of in our attempt to put a man on the moon.

Mr. HOLIFIELD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

MILITARY CONSTRUCTION FOR DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1966

Mr. SIKES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Florida?

The Chair hears none, and, without objection, appoints the following conferees: Messrs. Sikes, McFall, Patten, Long of Maryland, Mahon, Cederberg, Jonas, and Bow.

There was no objection.

AUTOMOTIVE PRODUCTS TRADE ACT OF 1965

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules and on behalf of the gentleman from Texas [Mr. Young], a member of that committee, I call up House Resolution 551 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 551

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] and pending that I yield myself such time as I may consume.

AMENDMENT OFFERED BY MR. DELANEY

Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Delaney: On page 1, line 8, strike out the period, insert a comma, and add the following: "and all points of order against said bill are hereby waived."

The amendment was agreed to.

Mr. DELANEY. Mr. Speaker, House Resolution 551 provides a closed rule, waiving points of order, with 3 hours of general debate for consideration of H.R. 9042, a bill to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada, and for other purposes.

The occasion for H.R. 9042 arises from the signing on January 16, 1965, by the President of the United States and the Prime Minister of Canada of an Agreement Concerning Automotive Products between the United States and Canada.

The principal purposes of the bill are to authorize the President to implement the Agreement Concerning Automotive Products between the United States and Canada; to authorize the implementation of similar agreements that the President may enter into with countries other than Canada; to authorize the implementation of agreements supplementary to the foregoing agreements; and to provide interim special procedures for adjustment assistance to firms and workers suffering dislocation resulting from the operation of the agreement signed on January 16 of this year.

Mr. Speaker, the chairman of the Committee on Ways and Means will explain the provisions of the bill more fully, and I urge that House Resolution 551 be adopted in order that the bill may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 551 will provide 3 hours of general debate in the consideration of the bill H.R. 9042, the Automotive Products Trade Act of 1965. It is a closed rule. It is an amendment to the Tariff Act, and unless the rule is a closed one it would open up the entire Tariff Act.

Points of order have been waived. Because of the Ramseyer rule it would be necessary to print the entire Tariff Act to set forth a few changes. That was the agreement in the Rules Committee. House Resolution 551 did not provide for waiving of points of order, so an amendment has been offered to that effect.

Mr. Speaker, there are some additional views in connection with this particular bill. The purpose of the bill is to authorize the President to implement the Automotive Production Agreement and others supplemental to it, signed on January 16, 1965, between the United States and Canada; to authorize similar future agreements with other nations, and to provide adjustment assistance to firms and workers suffering dislocation from such agreements.

Under the agreement duty-free treatment is afforded automotive parts and autos across the United States-Canadian border. Parts must be original equipment. The agreement is inconsistent with our obligations under GATT, but the committee majority sees this as more form than substance. They point to the common ownership of plants in both countries, and the fact that it will not affect prices and so harm no other importing countries.

Section 201 authorizes the President to proclaim the modifications of the tariff schedules and such further changes as are necessary—new types of original equipment parts.

Section 202 authorizes similar agreements with other nations. Prior to beginning negotiations the President must first, seek the advice of the Tariff Commission as to probable economic effects; second, give reasonable public notice; and third, seek information from the Departments of Commerce, Labor, State, and the Treasury. If within 60 days following delivery to Congress both Houses by concurrent resolution have not indicated disapproval, the President may carry out the agreement.

In the minority or separate additional views, Mr. Speaker, signed by eight Members, they oppose the special treatment afforded one industry. They also object to a special adjustment program for one industry when the Trade Expansion Act is now operating. They feel such special assistance should be carried out not by the taxpayers but by the industry which is the beneficiary of the agreement.

This morning I received a letter signed by five Members expressing opposition. They will be heard later on. This arrangement can extend to other NATO countries.

I know of no objection to the rule; in fact, those who oppose are opposed to certain portions of the bill, and are not objecting to the rule itself because a situation, Mr. Speaker, has arisen where something has to be done. In other words, duties have not been paid since January 16, 1965. They are accumulating, and unless we vote the bill up or down we cannot dispose of the problem which affects manufacturers at this time.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Speaker, in discussing H.R. 9042 which purports to facilitate trade between the United States and Canada, let me emphasize, first of all, my personal and individual interest in promoting the closest possible relationship between our two countries. I married a Canadian, and many members of our family are Canadians today. Indeed, I am hopeful that all actions taken by the United States Congress and the Canadian Parliament will improve the unity and solidarity between our two nations socially, economically, culturally, and I hope politically and governmental unity as well. However, it is my position that the treaty which H.R. 9042 proposes to authenticate will not have these effects.

First of all, we should recall that in 1963, through adoption of the remission of the duty order, the Canadian Government undertook, in effect, to provide a subsidy for exports of automotive parts. The manner in which the subsidy operated was this: Automotive parts imported into Canada from the United States were paid at the regular rates, which included rates up to 25 percent.

Canadian manufactured automotive parts continued to be subject to U.S. tariffs. However, to the extent that exports of Canadian automotive parts by a Canadian manufacturer exceeded exports of prior years, the Canadian Government granted remission of duty or a credit on the parts imported from the United States. While this may sound like a great deal of bookkeeping and did not, in fact, involve payment of a cash subsidy, it represented, nevertheless, an identifiable and actual item to the extent of 25 percent of the price of the additional Canadian made automotive parts.

This subject was brought to the attention of our State Department as well as the Treasury Department without any corrective action. Subsequently, a petition was filed with the Tariff Commission in behalf of the Automotive Service Industry Association of Chicago seeking under section 303 of the Tariff Act of 1930 to impose countervailing duties on those Canadian made parts which benefited from the remission of duty order.

I believe other petitions were also filed on behalf of American concerns seeking the same relief. Indeed, the provisions of section 303 appeared to be clearly applicable by requiring that there "shall be levied and paid" an additional duty equal to the net amount of "any bounty or grant" upon the "manufacture or production for export" of any article manufactured or produced in another country when such article is imported into the United States.

The petition before the Tariff Commission was never decided and, except for the damage incurred by various American parts manufacturers, the treaty which H.R. 9042 proposes to validate, will render the controversy moot.

I question that anyone would contend that the Canadian remission of duty order could possibly promote the cordial relations between the United States and Canada. Obviously if the United States provided a subsidy equal to the amount of a Canadian tariff on articles exported to Canada, the Canadian Government would be completely justified in criticizing any such action and would undoubtedly take steps to impose an additional duty equal to the amount of any such American subsidy.

Now that is the story of the remission of duty episode which has now been abandoned and is being replaced by the so-called treaty which was signed so dramatically on January 16 at the L.B.J. Ranch in Texas.

Let us recognize first of all that Canada is anxious to develop its industrial capabilities. I am all for that, particularly to the extent that this industrial capability can be developed economically and competitively to the advantage of Canada, both internally and in relation to its trade with other countries.

The treaty or agreement regarding automotive parts was developed on condition that certain large automobile and parts manufacturers—principally the Chrysler Corp., Ford Motor Co., General Motors, and American Motors—would agree to maintain the existing ratio of production. These private agreements contain a commitment to increase the value of production of automobiles and automobile parts in Canada by a total of $241 million over the next 3 years.

In reliance upon these commitments, the agreement was developed which provides for the elimination of duties on both sides of the border in such a manner that these large manufacturers will be protected and will probably gain some substantial advantages to the detriment of smaller, independent parts manufacturers. Let me point out that the manufacture of automotive parts is carried on by a large number of small, independent concerns in addition to larger companies that operate both within the United States and in Canada. Obviously an American company with a Canadian subsidiary will, under the agreement, be able to export parts to the Canadian subsidiary for attachment to new vehicles without payment of duty. In addition, the new automobile which is assembled in Canada with Canadian-made and American-made parts may be imported into the United States without payment of duty.

But heretofore there has never been any distinction made between automotive parts going into a new vehicle and those going into used vehicles. Indeed, Canada has always been a fertile market for used automobiles and for replacement parts. American concerns have developed a reliance upon this market and, notwithstanding the Canadian duties, were able to compete with the Canadian parts manufacturers. Under this legislation, those trade opportunities will disappear. Certain parts manufacturers are to be favored over other parts manufacturers, dependent upon whether the parts will find their way into a new vehicle or a used vehicle. This distinction has never been made before and yet it serves to reveal the intent and purpose of the agreement which is to continue in effect the same discriminatory practice against certain American parts manufacturers.

Let me say this: If the Canadian Government wished to remove all tariffs on automobiles and on automotive parts, there would be no controversy here today whatever. The controversy results because first, there is a guarantee provided of an increase in Canadian automotive and automotive parts production, and second, the new automobile and automotive parts production in Canada is bound to increase at the expense of the automotive parts manufacturer in the United States.

I say this is bound to happen and yet, of course, I should qualify my statement by declaring that the American automotive parts manufacturers will suffer only to the extent that they depend upon export sales to Canada. If the domestic parts business continues to improve, American parts manufacturers will continue to prosper despite this agreement, but not because of it.

In speaking as I do on this subject today, I want also to emphasize that some American industries will undoubtedly benefit from this legislation. They will benefit because Canada has a growing market for new and used automobiles and for new and replacement automotive parts. Through the utilization of subsidiary companies, the parent company can transfer operations more easily and perhaps, in many instances, more economically.

But, Mr. Speaker, in the light of our system of private enterprise, it seems to me that this legislation is wrong. It does not treat all alike and it does not protect the individual American manufacturing concern against the unfair competition which is implicit in the agreement which this bill would validate.

It has been suggested to me that the step taken by this legislation must be taken in order to solidify close and harmonious relations with our Canadian neighbors. On the contrary, I am suspicious that the measure is designed to placate and satisfy the current political administration in Canada. I wonder if the policy of that administration is not one of greater Canadian nationalism, of Canadian self-interest, self-sufficiency, and isolation as contrasted to the policy of cooperation and harmony which we would like to see developed. I am fearful that seeds of disagreement and misunderstanding are contained in the bill before us.

Would that it were possible for the Congress today to express the desire for free and unrestricted trade in automobiles and automobile parts of all types. If this were possible under the rule, I would undertake to offer an amendment to the bill to permit the President to negotiate such an agreement. Regrettably, under the rule as presented, such an amendment would not be possible. Accordingly, I am suggesting that the rule should be defeated or recommitted with a view to permitting such an amendment to be offered and thereafter adopted as the expression of the Congress toward an era of greater unity and cooperation between the United States and Canada, and toward a more flourishing economy in this great North American Continent.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

(By unanimous consent, Mr. Gross was granted permission to speak out of order.)

Mr. GROSS. Mr. Speaker, over the weekend I received an envelope with some enclosures from Vice President Hubert H. Humphrey. I assume other Members of Congress received the same material. These enclosures include a letter from the Vice President, a mimeographed letter, in which he says that "hundreds of thousands of youngsters were provided with summer jobs they would not otherwise have held." Of course, that includes the Vice President's nephew, who got a job at $2.29 in a post office in South Dakota, although the nephew's family was not known to be poverty stricken. The letter goes on to say:

> The President and I urgently seek your help in encouraging young boys and girls in your district, particularly those age 16 to 21, to return to school.

The second enclosure is a speech or a statement by President Johnson as of August 21, 1965.

Incidentally, in his letter Mr. Humphrey lauds the President, and in the President's communication he lauds Mr. Humphrey and himself.

Then there is included a suggested editorial for weekly newspapers. Why the youth opportunity editorial writers do not write editorials for the daily newspapers I do not know, but here is an editorial for the weekly newspapers dwelling on the subject of the great accomplishment of hiring youths during the past summer and urging the newspapers to urge young men and women to go back to school. Incidentally, the editorial lauds Lyndon Johnson.

Mr. Speaker, those who are spending so much time and money urging Congress to encourage the dropouts to go back to school would do well to examine the kind of example they are setting for our young people. It would be better for our youth and the encouragement of hard work and education if some of our officials would try to give more of an indication that they are interested in running a decent and responsible government.

All of us should, and will, encourage young people to stay in school and obtain the best education that is practical. We will encourage them to return to school if they are dropouts who are unqualified for jobs.

However, it should be understood that all of the education and poverty programs are undermined when our highest officials set bad examples and give the impression that it is political influence and arm twisting that really counts.

It is a poor example for our youth when an administration boasts of a summer job program based on merit, and then secretly turns it into a political patronage program.

It is a poor example for our youth when the administration continues to hide the names of the job holders behind a wall of secrecy, even after it has become apparent that it is filled with political influence.

It does little to encourage hard work and decency when an administration is irresponsible in its fiscal affairs, and in its youth job program makes it policy that "it is not what you know, but who you know that counts."

It is time for actions to match the stated intentions of the administration in this and many areas.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the ayes had it.

Mr. McCLORY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 364, nays 23, not voting 46, as follows:

[Roll No. 254]

YEAS—364

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Battin
Beckworth
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolton
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clevenger
Cohelan
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Ellsworth
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gubser
Gurney
Hagan, Ga.
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hechler
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McFall
McGrath
McMillan

McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Younger
Zablocki

NAYS—23

Baring
Bates
Belcher
Bow
Brademas
Bray
Broyhill, N.C.
Callaway
Cleveland
Curtis
Duncan, Tenn.
Gross
Grover
Haley
Hall
McClory
Marsh
Natcher
Olsen, Mont.
Roudebush
Secrest
Stubblefield
Walker, N. Mex.

NOT VOTING—46

Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Bolling
Bonner
Cameron
Celler
Clawson, Del
Collier
Corman
Denton
Dickinson
Diggs
Edmondson
Edwards, Ala.
Edwards, Calif.
Evins, Tenn.
Flynt
Gallagher
Goodell
Hagen, Calif.
Hays
Hébert
Herlong
Jarman
Kee
Kornegay
Landrum
Lindsay
McEwen
Mailliard
Martin, Mass.
Matthews
Morse
Passman
Reifel
Roncalio
Ryan
Saylor
Thomas
Thompson, N.J.
Toll
Ullman
Williams
Willis
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Saylor.
Mr. Willis with Mr. Edwards of Alabama.
Mr. George W. Andrews with Mr. Dickinson.
Mr. Diggs with Mr. Lindsay.
Mr. Corman with Mr. Del Clawson.
Mr. Evins of Tennessee with Mr. Glenn Andrews.
Mr. Toll with Mr. McEwen.
Mr. Kornegay with Mr. Anderson of Illinois.
Mr. Thomas with Mr. Martin of Massachusetts.
Mr. Thompson of New Jersey with Mr. Morse.
Mr. Matthews with Mr. Reifel.
Mr. Cameron with Mr. Mailliard.
Mr. Hays with Mr. Collier.
Mr. Herlong with Mr. Goodell.
Mr. Roncalio with Mr. Ryan.
Mr. Gallagher with Mr. Passman.
Mr. Denton with Mr. Williams.
Mr. Edmondson with Mr. Hagen of California.
Mr. Celler with Mr. Kee.
Mr. Jarman with Mr. Bonner.
Mr. Flynt with Mr. Ullman.
Mr. Young with Mr. Edwards of California.
Mr. Landrum with Mr. Abernethy.

Mr. ROGERS of Texas changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AMEND SECTION 510 OF MERCHANT MARINE ACT

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 728) to amend section 510 of the Merchant Marine Act, 1936, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? The Chair hears none and appoints the following conferees: Messrs. GARMATZ, ASHLEY, DOWNING, MAILLIARD, and PELLY.

AUTOMOTIVE PRODUCTS TRADE ACT OF 1965

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9042, with Mr. DONOHUE in the chair.

The clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill presently before the Committee of the Whole is the culmination of a situation that I would like to refer to briefly before getting into the provisions of the bill itself.

Mr. Chairman, as all of us are aware there is an automobile industry in the United States made up of the producers of automobiles and the producers of automotive parts. At the same time there is an automobile industry in Canada also made up of producers of automobiles and producers of parts. The American automobile industry is very, very strong, one of the great economic accomplishments of the American way. The industry in Canada is much weaker, only about one twenty-fifth the size of the industry here in the United States.

In recent years the importation of automobiles and parts into Canada has resulted in an imbalance in the Canadian balance of payments to the extent in 1964, as I recall, of nearly $600 million.

Mr. Chairman, the increased importation of automobiles and parts into Canada brought about a degree of concern in that country that resulted in the establishment of a practice known as the remission of duties plan that I shall not discuss in detail, but which disturbed certain producers of automobile parts here in the United States no end. Efforts were made, and were actually successful, I think, in demonstrating to our Government that this was contrary to our own best interests, and it would have been necessary, I think, although there is some dispute, for the United States to have initiated countervailing duties had this remission on the part of Canada to the producers of automobiles in Canada not been rescinded.

I do not know what would have happened. No one knows what would have happened. It is entirely possible that there existed at least the seeds for a trade war between this very friendly ally of the United States and the United States itself. This could have been disastrous to the trade between the two countries, Canada and the United States.

Mr. Chairman, we should bear in mind that Canada still remains the prime importer of American products.

The automobile industry itself was concerned about the possibilities of such a trade war because the industry here in the United States is largely the owner of the subsidiaries that are its counterpart in Canada. The Government itself here and apparently the Government in Canada was concerned about it. The union which represents most of the automobile industry, including the parts industry here in the United States, was greatly disturbed about what had happened and the automobile industry of the United States had reason to be concerned, of course, because it has become a practice that we do not like for countries of the world to impose restrictions and limitations upon the import of American-made automobiles of the kind and nature such as to prevent the friendly acquisition of these very fine machines and parts in all of the markets in the world.

For instance, Mr. Chairman, Australia requires that 90 percent of the automobile itself be made in Australia in order to be sold in Australia. South Africa does approximately the same thing. Brazil does approximately the same thing. Mexico does approximately the same thing, and wherever this situation exists, because of the shortrun production faced by the industry within that country, cars automatically sell to the consumer for a lot more than they do here and a lot more than they would if they were permitted to buy parts from the United States and assemble them in those countries.

There was some thought that Canada might be drifting into that kind of a situation which would be very detrimental to the manufacturers of automobile parts in the United States, the manufacturers of cars in the United States, and to those employees of these concerns in the United States.

Mr. Chairman, sensing this situation and desirous of maintaining the very cordial friendly relationship that has existed between Canada and the United States over the years, the President of the United States and the Prime Minister of Canada drew up and signed on January 16 last, what is known as the agreement concerning automotive products between the Government of the United States and the Government of Canada. Canada immediately put into effect that which she agreed to do in this agreement.

The President of the United States immediately started the process of carrying out that which he had agreed to do on behalf of the United States.

Pursuant to this agreement Canada reduced her duties to zero under certain circumstances. The President committed himself to ask the Congress to implement this agreement during this session of the Congress.

Now, Mr. Chairman, the bill before us has as its primary purpose the implementation of this agreement and the adjustment of American duties on automobiles and automotive parts going into new automobiles, in keeping with what Canada has done and what we undertake in the agreement to do through legislation. That is the primary purpose of the bill. There are some collateral provisions such as the section of the bill, I believe it is 202, which authorizes the President to enter into similar agreements with other countries of the world, if those countries are so disposed.

If he does this he has to report back to the Congress. We have a 60-day waiting period in which the Congress may act adversely with respect to such an agreement if it is so inclined.

In addition, that section also authorizes the President to enter into agreements to change the rate of duty with respect to automobile parts that are to go into used cars, that is, replacement parts but here again such an agreement can also be voted on and voted down by the Congress if the Congress wants to do it within the 60-day period. In the absence of the agreement, if we try to export an automobile into Canada and face the Canadian duty, it would be 17.5 percent. If Canada wants to export a like automobile into the United States the rate of duty is 6.5 percent. Both countries are agreeing under certain circumstances to reduce these rates of duties to zero.

In the United States we have a duty of 8.5 percent on most parts that come into the United States to be used in cars here in the United States. Canada has rates of duty on corresponding United States automobile parts into Canada that go as high as 25 percent, and averages about 17 percent.

Canada agreed to immediately reduce to zero the rate of duty on the automobile parts that are brought into Canada by the automobile producers of Canada for use in new cars or in connection with the production of new cars, effective January 18 of this year. We had to limit our part of the agreement along the same line because Canada was not ready at that point—she perhaps is not yet ready—to provide for the complete elimination of all duties on all parts which would mean the inclusion of replacement parts.

I have talked to a number of people who are in the parts production business here in the United States, and they have told me, without exception—those that I talked to—they have no fear whatsoever of complete free trade with Canada in all parts, that they can here in the United States produce those parts cheaper and sell them cheaper than the corresponding parts produced in Canada can be sold in the American market. But there has been a great deal of suspicion, let me say, that the Canadian automobile producers may have entered into some type of side agreement with the Canadian Government which would mean that the producer or assembler of cars in Canada would have to buy a Canadian-made part in preference to an American-made part, regardless of what the difference in cost might be.

When we opened the hearings on this matter I am sure each and every member of the committee who heard the statements expressing this fear were interested in exploring them, and we did explore into what turned out to be letters of undertakings—not agreements—that we found had been written by the Canadian automobile producer in response to a request from the Canadian Government setting forth what they thought they could do and what they would undertake to do in the event such an agreement were consummated by the United States and Canada.

There is no demand whatsoever on the producer of Canadian automobiles to disregard price or to buy any given number of parts or any kind of parts produced within the Canadian borders. Actually, there is this expression of intent to increase the Canadian value added of automobiles produced in Canada, an intent and a desire and a hope that any successful business operator would have taken into consideration in view of the fact that there is a higher percentage of annual increased demand for automobiles in Canada today than there is here in the United States. I said "percent," because they do not have as much population.

Now what would happen under this agreement and under this legislation? I think, Mr. Chairman, we can expect, and confidently expect, that the automobile industry in the United States and the automobile industry in Canada both will grow. Why do I say it? Because we will be developing for the first time, as against what we have today; namely, two separate industries—one of them having the experience of the short-line production in Canada, upping the costs and the other our own more efficient industry, a North American automotive industry. This will be an integrated North American automotive industry so that a given model can be produced in Canada in greater number and thus extend the production run and reduce costs of particular models for the Canadian market.

I think the automotive industry and I think the labor union that represents these workers were exactly right in their conclusions when they testified before your committee that this bill was desired by them.

I think I should call attention to the fact that we have here a little different situation from what we have been having as some of these bills come before us. Here we have industry and labor together. That does not happen all the time. But in this instance we have the labor involved in the industry and we have the management involved in the industry, both telling us that this legislation should pass and that this legislation is in the long run for the best interest of both management and employees in the industry.

So I think it should not be unnoticed that that is the case in this situation.

Mr. Chairman, we reported this bill in June—I think it was on June 21. We revised the original bill that was submitted to us in some respects. Very frankly, I wanted to know more about the reaction to it and the operation under it. I wanted to know more about what might happen before we brought it to the floor of the House. I think we have had enough experience with the implementation of the agreement by Canada that I can assure the membership of the House that though there may be some dislocation here and there as between particular manufacturers of parts, I think I can assure the membership of this House that this bill does not offer any threat to the continued operation and the continued expansion of the smaller independent producers within this industry who are dependent for the sale of their products to the automotive manufacturers themselves as well as to the general public who use cars and car parts.

I am thoroughly convinced in my own mind that here is a golden opportunity for us to set in operation machinery that will inure to the benefit of the people of Canada—yes—but moreover it would inure to the benefit of the people of the United States as well.

Mr. Chairman, I do not know of anything that has received any more careful consideration than this particular bill because I must say I viewed it with a great deal of concern when it first came to us. I had many, many questions about it and I think other members of the committee had many questions. Most of these questions, if not all of them, have been resolved as we have gone over this time and time again.

What is the situation if we do not pass this legislation? We revert right back to where we were, the Congress having failed to implement this agreement. At a minimum we could expect Canada to put back their duties on automobiles and parts—duties that are about three times as high as U.S. duties. We do not know whether the least additional thing that Canada would do would be to restore the remission-of-duties plan. We do not know what Canada will do. But those who are concerned at the moment about some parts producer here in the United States should remember that it was the parts producer himself who found fault with the Canadian remission-of-duties plan to begin with and it is the U.S. parts producer who will once again have to try to sell his parts into Canada over the barrier of a high duty.

I know I can assure the membership that this arrangement is far better for the parts producer than was the original remission-of-duty scheme this agreement supplants.

In addition, there is nothing we can say by way of assurance that there could not be established at the Canadian border a limitation on the imports of parts from the United States, which would cut off or substantially cut off the export from the United States of parts this year which, so far, for the first 5 months is greater than it was in the first 5 months of 1964.

It is not a choice between this agreement and what we would want. That is not the situation. The choice is between this agreement and what another country may decide it wants.

Let me point out, Mr. Chairman, that the agreement which this legislation is concerned with does not establish complete free trade on automotive products between the United States and Canada. While this country might be prepared to take that step at this time, we cannot very well expect Canada to do so now. Our automotive industry is great and powerful; Canada's is relatively small and weak. As I stated, the Canadian industry is about one twenty-fifth the size of our industry. Complete free trade now would mean that our highly efficient industry would simply take over the entire North American automotive market. This is not what we want to do to our good neighbor, and it certainly is not what the Canadians should be expected to be willing to have us do. The agreement contemplates the achievement of fully free trade in automotive products by stages. It provides for limited free trade in automotive products for a transitional period under conditions that will permit the Canadian sector of the industry to achieve a reasonable increase in her automotive production, while the U.S. manufacturers plan their production so as to make the most efficient use of their plants whether in Canada or the United States. Since the Canadian market is growing more rapidly than the U.S. market, both sectors of the industry should benefit.

The agreement contemplates this transitional period as one of adjustment of both sectors of the North American automotive industry for the stated objective of early achievement of a broader market for automotive products, within which the full benefits of specialization and large-scale production can be more fully realized. Consultation may be had at any time at the request of either Government on any matter relating to the agreement, and the agreement provides for a comprehensive review, no later than January 1, 1968, of progress made toward achieving the objectives of the agreement. At the end of this transitional period judgments can be made as to what further steps toward achievement of full integration of the industries and full free trade in automotive products can be taken.

Now, Mr. Chairman, what is the United States obligated to do in furtherance of this historic step that our Government and the Government of our major trading partner have agreed to take—to lay aside the narrow objective of maintaining walls of protection around separate, autonomous, automotive industries, and remove the barriers to the creation of a single, integrated North American industry? All the agreement calls upon the United States to do is to remove its already low duties on motor vehicles and on original equipment to be used in the manufacture of motor vehicles. The possible benefits to the United States are great, and the risks represented by the removal of these duties are small. If either country should become dissatisfied with the way the agreement is working, the agreement can be terminated under its terms, upon 12 months' written notice. The Congress will be kept informed regarding activities under the agreement by an annual report from the President, as required by section 502 of the bill.

I mentioned temporary undertakings made by Canadian producers to increase their Canadian production. The Committee on Ways and Means heard much before the hearing on the bill about the so-called side agreements that Canadian producers had made with the Canadian Government, and we inquired into them most thoroughly. They turned out to be private letters from the Canadian automotive companies to the Canadian Government, sent before the agreement was signed, in response to the Canadian Government's inquiry of Canadian producers as to their plans for expanding production of automotive products in Canada.

Copies of these letters were supplied to the committee by the witnesses for the four major companies. They are reproduced in the committee report at page 43. Examination shows them to be "letters of undertaking," requested from each company individually by the Canadian Government—intended to assure the Government that the signing company will comply with the terms of the agreement and will increase the dollar value of the "Canadian value added" in its production of vehicles and original equipment parts by a stated amount. The undertakings of all the Canadian companies taken together are understood to total additional "Canadian value added" in the amount of approximately $241 million. This increase is to be above the anticipated normal increase in production in Canada and is to be achieved during model year 1968.

The undertakings of the companies are unilateral and are subject to qualifications about the effect of market conditions and other factors beyond the control of each company. They were made so the Canadian Government could be confident that under the duty-free regime made possible by the agreement, Canadian production would not be swamped in the first critical years by far greater U.S. production but would share in the rapid growth of the Canadian automobile market. These letters are not part of the agreement, but their terms must be weighed in considering the potential overall effect of the agreement.

Because the adjustments that may take place in the industry during the transitional period and the elimination of the duties all at one time—that is, without reduction by annual stages as provided in the Trade Expansion Act of 1962—the bill provides special adjustment assistance procedures during the transitional period for firms producing automotive products and their workers that are dislocated primarily because of the operation of the agreement. Now these procedures are admittedly more liberal than those provided for firms and workers under the Trade Expansion Act of 1962. But let me point out, Mr. Chairman, that these special procedures will apply only during the transitional period, that is, until July 1, 1968, during which period parts and component supply sources may be shifted either within each country or between countries to take advantage of the lower costs and potential improvements in efficiency made possible by the agreement and to carry out temporary undertakings made by Canadian producers to increase their Canadian production. Furthermore, unlike the Trade Expansion Act adjustment assistance provisions, which are properly limited to cases where injury or loss of employment is due to increased imports, adjustment assistance provisions of the bill take into account the fact that dislocation may result not only from an increase in imports from Canada, but from a loss of exports.

I submit, Mr. Chairman, that the United States-Canadian agreement is a unique one designed to achieve an objective going far beyond the objectives of trade agreements that have been made under trade agreements legislation; namely, the integration of the North American automobile industry. The special adjustment assistance provisions in the bill during the period of transition from the present state of this industry to the greatly improved state that it will hopefully be in 1968 are accommodated to special circumstances that may arise from the operation of the agreement.

These special procedures have been criticized as favoring workers in the automotive products industry over those in other industries who must rely on the more onerous adjustment assistance provisions of the Trade Expansion Act. I have shown, I believe, that these special temporary provisions in the bill are designed to meet situations not pertinent under the Trade Expansion Act.

Now in addition to provisions authorizing the President to implement the United States-Canadian automotive products agreement and those providing for adjustment assistance to firms and workers adversely affected by the operation of that agreement, the bill authorizes the President to implement similar agreements covering automotive products with other countries as well as supplementary agreements with Canada and such other countries with which original equipment agreements may be made, covering replacement parts. The reason for these additional authorizations, Mr. Chairman, is to encourage the extension at an appropriate future date of the agreement with Canada to cover replacement parts as well as original equipment, and to demonstrate to countries other than Canada producing automotive products that the United States is willing to agree to extend the benefits of the United States-Canadian agreement to them where such agreements would afford mutual trade benefits. I would emphasize, Mr. Chairman, that the authority to carry out any agreement additional to the present United States-Canadian agreement may be exercised only if first, prior to the negotiation of such agreement the President obtains advice from the Tariff Commission on the probable economic effect of the agreement and provides opportunity for interested parties to present their views; and second, the agreement has lain before the Congress for 60 days and a concurrent resolution disapproving the agreement is not adopted during that 60-day period.

Mr. Chairman, your committee did not overlook the concern of certain U.S. independent parts manufacturers over the possible effect of the agreement with Canada on their operations. We have concluded that their fears, which were based largely on the "secret" agreements that turned out to be the letters of undertaking I previously described, are excessive. Of course, the operation of the agreement may cause some dislocations among particular parts manufacturers. But the fact is that the U.S. independent automotive parts manufacturers stand to gain from the agreement. The Secretary of Commerce advised your committee that in his judgment the independent parts industry, far from being adversely affected by the agreement; "should"—and I quote—"also benefit from this program, both immediately as a result of the termination of the Canadian duty remission scheme, and in the long run as a result of the projected increase in total vehicle sales in the North American market."

Statements have been made that prices of Canadian automobiles have not as yet been reduced to U.S. levels. These statements deserve comment.

With the United States-Canadian agreement in full effect, both countries anticipate an expansion of the Canadian market for automobiles and trucks. This expansion will come about more rapidly as Canadian automobile prices are reduced; these prices are now about 15 percent higher than those in the United States. However, an immediate and drastic price reduction would cause very heavy losses and serious injury to Canadian companies and Canadian automobile workers.

I am confident that both governments and the companies intend that there shall be as rapid a reduction in prices as the rise in efficiency will permit. This intention has been plainly stated by the Canadian Prime Minister and the Minister of Industry in debates in the Canadian Parliament. Although the U.S. Government cannot and should not attempt to dictate automobile prices to the Canadian companies, we can be certain that there will be continuous pressure from a variety of interests for appropriate price reductions.

Mr. Chairman, as the President stated in his letter to the Speaker, the agreement is based on mutual trust and will result in mutual benefit—benefit to producers, to labor, and to consumers on both sides of the border. The Secretary of Commerce testified in favor of this legislation, as did the Secretary of Labor and Under Secretary of State Mann. The "big four" of the U.S. automotive industry urged enactment of the legislation, and the spokesman of the UAW supported the legislation. Canada has abandoned her unilateral approach to improvement of her position in the Canadian motor vehicles market that cast a cloud on our good relations and has agreed to a joint program that will allow both countries to share equitably in a growing North American market. She implemented her obligations under the agreement promptly after signature—eliminating all relevant duties on imports of U.S. automotive products on June 18. She awaits corresponding action on our part.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. In the absence of this legislation, how can we revert back to where we were? Are we not now where we were?

Mr. MILLS. No. We would revert back to the situation prior to the agreement, is what I had in mind.

Mr. GROSS. Is the gentleman saying that the President of the United States entered into a most important agreement with Canada without the sanction of the Congress?

Mr. MILLS. I am not saying that at all. The agreement speaks for itself. The elimination of U.S. duties cannot go into effect unless this legislation is passed.

The Congress can pass this, and the President will have completed his undertaking, which was, "I will ask the Congress in this session to establish zero rates of duty under certain circumstances."

Mr. GROSS. The President would not clandestinely or otherwise enter into an agreement with Canada or the auto manufacturers, would he, without the sanction of the Congress?

Mr. MILLS. This is not the first time that an agreement has been entered into, I must say. Does the gentleman from Iowa find fault with the fact that the President did not first get authority? Is that the point?

Mr. GROSS. Yes; because he is making quite an issue right now of an alleged invasion of his authority by the Congress.

Mr. MILLS. If we had waited this long and no action had been taken, no agreement had been signed or anything else, perhaps the remission of duty practice would have remained in effect on the part of Canada. We must remember that is what the producers or parts were so concerned about. In my opinion, we would not have seen the export of parts to Canada that we have seen this year if the remission of duty scheme had not been eliminated from the picture.

I cannot help believing that this is certainly in our interest. The President has done nothing wrong in entering into the agreement and asking the Congress to implement that agreement.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Chairman, again it is my pleasure to state that the chairman of our committee has carefully and accurately explained the situation.

Let me state, lest there be some confusion, since I voted against the rule, I voted against the rule because it was a closed rule and I saw no justification for that. I assure the House that in my judgment the Ways and Means Committee has done its homework in this instance. As the chairman described, we went into this matter as thoroughly as I believe we could have, with public hearings and considerable executive sessions.

Let me also say that although I voted against the rule, I believe this matter is ready for floor debate.

I shall vote for this bill. On the other hand, probably most of what I am going to say will be pointing out the features of this bill that very much bother me.

Again the administration presented us with a fait accompli. I think the remarks of the gentleman from Iowa [Mr. Gross] are well taken. This is a fait accompli without any Members of Congress that I know of having been consulted ahead of time about the serious aspects of this legislation that are involved here. Yet the executive knew that in order to carry out this agreement they were going to have to come to the Congress for authority.

The reasons for voting for this bill I think are clearly set out in the committee report. It is a good report, I think, and I hope that people will read it. Also the minority views should be read. The report sets forth why this bill should be enacted.

No. 1, because "it is important to United States-Canadian relations." In my judgment, that is it.

However, I must say this—and this is a partisan political remark that I am now making—as a member of the minority party, I think it is proper for us to call attention of the Congress and the people of this country to the number of instances in which the executive branch of the Government has in effect made what I regard as an improper and essentially a bad deal and then come before the Congress and said, "Look, there is nothing for you to do but come along, because if you do not come along,"—using the chairman's words—"if you do not come along, where are we going to be?" Now, this is the argument, I might say, that prevails with me. Where are we going to be? I think

I am ready to ask on the part of the minority a little appreciation on the part of the executive branch of the Government for the times that we have gone along for this very reason. Indeed, a partisan political issue could well be made of a number of these situations. To the extent that this can be done carefully and properly, it should be done. Because mind you—and I do not need to say it in this House, with the majority you have here—of course, the other side of the question will be presented adequately. There are many of you who can take the position that this is a good deal and it should be our policy. I disagree. I want to say this: This agreement is contrary to the foreign trade policies as espoused by this administration, by the Kennedy administration, and the Eisenhower administration. This is a violation of GATT. It is not just a technical violation, but it is a violation of the spirit of GATT. This is just one further step in a series of steps that has been taken in recent years under this administration, which is in discord with the administration's statements as to what its trade policies are. The International Cotton Textile Agreement is a cartel, an international cartel, sponsored by our Government with licenses and quotas. This is the most regressive form of regulating trade. A tariff is the most liberal if you are going to regulate trade. Then the International Coffee Agreement. There was another of these faits accompli presented to the Congress. It was pointed out that if we did not go along, where would our friends in Brazil and so forth be? There was legitimacy in the argument. Interestingly enough, the first time it was before the House I voted for it, although I did then about what I am doing now. Having said that I was going to vote for it, I did most of my talking against what had been done and the reasons why I thought it was a very bad deal. But I voted for it and said so, because of the consequences if we did not pass it. This passed the House and went to conference and then I think it died in conference without going further. So in this session of Congress we had it up again. This time I voted against it. Why? Because the administration had told the Committee on Ways and Means the previous time they had to have this action of the Congress right away. And here we sat around for over a year without doing anything about getting congressional implementation. And I might say, as I view it now, operating without the authority of law. Apparently this administration just proceeds to act whether it has received authority or not. This is what is going on here.

The gentleman from Iowa was correct in saying that actually this automobile agreement has been carried out. Customs officers are set up computing the customs, on the assumption that this will become law. This bill itself is retroactive to January 18, 1965.

This is the same procedure followed by this administration in the case of the interest equalization tax. The Congress took many months to authorize it. The executive merely announced that it was going to ask the Congress to enact it and immediately the Treasury Department began printing up tax forms as if it were law, using the date of its announcement as the date of imposing the tax. This is moving further and further to Government by men and away from Government by law, which is the tradition of this country.

The separate views of the Republicans, on page 56 of this report, makes this statement:

> Faced with the possibility of having to take retaliatory action, the administration set about to find a way to accomplish the purpose sought by the Canadian Government and without the risk of penalties.

I made a little note on the side—"Faced with the possibility of having to take retaliatory action"—and here is my note—"by law." Because the present law provides the method whereby those who felt that they were aggrieved, our domestic industries, could pursue their remedies. This is what the administration was confronted with, either following out the laws of the United States for giving justice as the laws were written to those who were complaining, or forget about legal remedies even though they were being legally pursued and set out to change through executive fiat and hope the legislative hand would later legalize it.

I worry about this procedure. If the laws are not good, here is the place to change them. I know that this Congress and your Committee on Ways and Means are responsive to pleas of the administration where the laws need changing. But let us change the laws, Mr. Chairman. Let us not follow this process of setting the laws aside when people have a legitimate right to expect the administration to carry them out—having the laws set aside while the administration figures out some other method to pursue.

This measure, as the chairman said, did receive deep consideration. I, myself, was going to oppose this until I saw the actual agreements of the automobile manufacturers with Canada. I want to say to the credit of our automobile companies that when they testified, they laid out on the public record what their agreements were. This administration proposal was meaningless when it was presented first to the Committee on Ways and Means without knowing what the agreements were with Chrysler, Ford, General Motors, and American Motors.

In the committee hearings you will find a record of these agreements, and the committee had an opportunity to interrogate concerning them.

The total of all this is, in my judgment, a form, again, of a cartel sponsored by Government. But I want to say in behalf of it that it is as fair a cartel setup as I have ever seen. From that standpoint I want to commend our people, because if they are going to do this kind of thing—and I do not think we should—but if we are going to, this is as fair way to do it and permits as much progress through real competition as I think we can imagine, assuming the cartel technique is to be followed.

But here is what it is really doing. It is saying that Canada may insist on a certain percentage of the automotive parts that the automobile companies buy in order to manufacture their automobiles; that that percentage must be made in Canada. This is bound to affect our automobile parts people in the United States. And they have had no voice in the details of this. You see, there is the tragedy of this.

Hopefully the automobile companies, the big companies, will look after the big automobile parts dealers, but the parts people have had no real voice. I suppose in theory someone will look after the United Automobile Workers in the United States.

But, of course, the United Auto Workers' union is an international union. This poses an interesting situation because their union members in Canada stand to benefit. However, I was wondering how Mr. Reuther resolved this question between the United Auto Workers in the United States versus those in Canada. And, one further thing: How about the union members and the nonunion employees of these independent parts companies? Where did they have a voice in this? There was no voice. It is interesting to see that in spite of the—incidentally, I could not find where the Secretary of Commerce had actually said that this was not going to adversely affect the independent automobile parts industry as stated in the committee report. He testified, but I do not think he made these remarks. I can be in error and that is why I am directing attention to it, because I would like to have it pointed up, if he did say it. If he said it, I believe he is in error.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I now yield to the gentleman from Indiana.

Mr. BRADEMAS. Although I am opposed to this legislation, I want to commend the gentleman from Missouri [Mr. CURTIS] for his very candid explanation of it, particularly at two points.

The gentleman from Missouri—I believe I am correct in this—stated that this legislation authorizes a cartel, and the gentleman said it is a fair cartel, but it is a cartel all the same.

Mr. CURTIS. I said it is as fair a cartel as one could be. I do not even go along with this, but if you are going to have one, I suppose this is as an unrestricted one as there could be.

Mr. BRADEMAS. If the gentleman will yield further, I appreciate that because representatives of the Department of State have repeatedly objected to the characterization that some of us who are against the bill have made of the agreement; namely, that it in effect authorizes a cartel, and the word of the gentleman in the well certainly supports our contention that it does.

Mr. CURTIS. Could I say on that they expressed their resentment to me, too. Some of my good friends from the auto companies resented my use of this term when they were in the office. I said, "Let us go to the dictionary." I do not like to use epithets, I like to use the dictionary definition of terms. According to the dictionary definition this agreement is a cartel.

Mr. BRADEMAS. Mr. Chairman, if the gentleman will yield further, I also want to comment on the observation which the gentleman made with respect to the role of the auto workers in this matter.

Having worked at the Studebaker plant during my summers while in college, I happen to be a member of the United Auto Workers, Studebaker Local 5, at South Bend, Ind. Today I represent many UAW members, and I wish I had the honor of representing many more of them but, unfortunately, the Studebaker plant at South Bend shut down and went to Canada. The United Auto Workers, however, is an international organization, with members in both the United States and Canada. But I am a Representative in the U.S. Congress, not the Canadian Parliament, and I have a deep concern about the jobs of auto workers whom we represent in this country. I do not represent a single Canadian auto worker.

Mr. CURTIS. I thank the gentleman.

Let me say how serious this problem is. Let me go to the statement of the Secretary of Commerce when he is quoted in the committee report. Incidentally, the quote appears on page 16 of the report. Perhaps he did not actually say it, because here is the way the report reads:

> We have been assured by the Secretary of Commerce that the independent parts industry will not be adversely affected and, in fact, "should also benefit from this program"——

And so on and so forth. But I say this: We spent quite a bit of time on title III which is "Tariff Adjustment and Other Adjustment Assistance." This is what we are going to do with respect to some people who are damaged, essentially the employees of independent parts industry. If no one was to be hurt what is the purpose of title III?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CURTIS. The United Auto Workers were pretty good, I believe, toward getting recompense for their people who would be damaged. But I do not quite see how in title III we are going to be able to do very much for the independent parts worker who is not an auto worker. For instance, he might be an employee of a company selling glass to a contractor who in turn will sell headlights to the auto companies. I refer to the subsubcontractors, and their employees. They will be hurt and there will be little recompense for them.

Incidentally, here is one reason, in my judgment, this matter should not be considered under a closed rule. Title III contains matter wherein the Ways and Means Committee indulged in a number of substantive judgments. I think we made pretty sound judgments, but I frankly want to submit those kinds of judgments with the reasons therefor for the consideration of the House. I do not think it works well for us to assume these responsibilities as a committee. Of course, we dig into those things and report to the House what we find out, sure, with our recommendations; but the House should be able to exercise its own judgment in these areas. There are many areas of judgment exercised in this bill where the House could act under a proper rule for debate which permitted amendments. I do not mean the entire tariff schedule should be opened for amendment under a rule; I would not advocate that, but a proper rule could be adopted to permit the House to exercise its judgment on these other aspects of the bill.

I wish to call attention to one other important feature in the bill, and it was one of the big issues raised in the committee. Under the administration proposal the Tariff Commission was completely read out of this so far as determining whether or not damage had occurred to employer and employees. Apparently the administration contemplated a new executive bureau was going to be set up in place of the Tariff Commission. I am happy to say that the Tariff Commission and the machinery with which we are all familiar has been restored in the bill and will operate in this program if it ever comes to be needed.

One other substantial point. The committee report says on page 16, section b, "effect on balance of trade.", states that it will not adversely affect it. Well, now, that is not accurate. The preliminary statement is accurate. The Secretary of Commerce, in analyzing the agreement, said:

> The effect on these provisions will be to maintain and in fact increase the level of Canadian production. However, I do not expect that our own exports to Canada will drop as a result.

The conclusion in the committee report is, therefore, it is not going to hurt our balance of payments.

Let me point out that all of the arguments of the administration are to the effect that they are counting on increased exports to solve our international balance-of-payments problem. Where would be the increased exports here? This simply says that exports will not drop. In other words, without this agreement and under a proper arrangement our exports would be increased, not just stand still. One of the reasons the treaty is entered into is to help Canada in her international balance of payments. You cannot have it both ways. If we are helping Canada's balance of payments, we are not going to be helping ourselves. The ultimate goal might be beneficial, and the chairman has pointed out if this will produce a more efficient automotive industry in North America, Canada, and the United States in the long run will increase their production and their exports, I presume, of automobile parts. So this will be splitting up a bigger pie.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. ICHORD. I direct the attention of the gentleman to the separate views of the Republicans on page 56 of the report, the last paragraph thereof, which reads:

> As a condition to the agreement, the Canadian Government obtained commitments from the automobile and parts manufacturers to increase the value of their production in Canada by a total of $241 million over the next 3 years. The agreement provides that the reduction in duty by Canada can only be enjoyed by those companies which have committed themselves to the increase in Canadian production. Therefore, this bill does not result in the freeing of trade. On the contrary, it is more restrictive than the Canadian rebate scheme which the agreement replaced.

And the gentleman signed that.

Mr. CURTIS. Yes, and I agree with that statement.

Mr. ICHORD. I would like to ask the gentleman how that is to work. Does that mean if there is a parts manufacturer in the United States who also has a factory in Canada and he refuses to increase his Canadian production that the parts that might go into Canada from his U.S. plant would not be granted the reduction in duty?

Mr. CURTIS. I do not think that applies. But I want to be corrected. I do not think that applies to the parts dealers. I think it only applies to the automobile companies themselves. I might relate that to what the real problem is.

Of course, every automobile is made up of many component parts. The basic manufacturer manufactures only a certain percentage and a certain percentage it will actually buy elsewhere. Now Canada is saying that of the total automobile—and actually the figure is about 60 percent—she would want to see 60 percent of that manufactured in Canada either through the manufacturing process of the automobile company itself or through Canadian parts companies that have contracts with the automobile industry. Under this, it is in effect saying—if you do not agree to increase the amount of Canadian parts or manufactures that goes into the final production of automobiles that meets these figures, then this agreement does not affect it. Am I correct; may I ask the chairman about whether this would apply? Am I correct in saying that this would not apply to the parts company itself but just to the automobile company?

Mr. MILLS. The gentleman is eminently correct.

Mr. STUBBLEFIELD. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. STUBBLEFIELD. Under this bill the Canadian Government could reduce their import duties to zero; is that correct—but only to qualified Canadian manufacturers?

Mr. CURTIS. No; to the automobile companies that qualify. But all of them have qualified under these agreements.

Mr. STUBBLEFIELD. They are qualified if their production is kept at the 1964 level.

Mr. CURTIS. In essence, it is about 60 percent.

Mr. STUBBLEFIELD. Just about half.

Mr. CURTIS. It may be freezing it at that point. Of course, the projections are that the overall industry production will increase which would benefit both Canada and the United States.

Mr. STUBBLEFIELD. Would not the $240 million production figure tend to preclude any importation of American products into Canada for the next 3 years?

Mr. CURTIS. No, I do not think so. At least according to the testimony and this is on all sides—they do anticipate growth. There is a growth factor. The thing is—we will not participate to the same percentage in this increase of that new market.

Mr. STUBBLEFIELD. That is the point I am making. They would not participate until this $240 million figure was exceeded in sales and production; is that right?

Mr. CURTIS. That is correct.

Mr. STUBBLEFIELD. I thank the gentleman.

Mr. CURTIS. In essence, and I want to reiterate, I will vote for this bill because of Canadian-American relations and because of what we would be confronted with if we go backward. I am reluctantly voting for this. Again I am trying to make a record so that the administration will get back on the track of our basic trade policies and trade theories.

We have to stop this process, this business of bilateral agreements and industry by industry agreements which can only bring us back to the thirties and the days of the Smoot-Hawley Tariff. This is why we moved to the multilateral and most favored nation concept of trading with trade across the board and not industry by industry, product by product. If we ever start doing it on an industry by industry, product by product, or nation by nation basis, this is just going to end, I regret to say, in a fiasco.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. HALL. I have a specific question based on a maker of electrical cables, or bridles, as they are called, for the car industry.

I believe this is one of the principal subcontractors or suppliers to many of the assembly line car producers before the final product rolls out for retail consumption. They use great amounts of steel. They use great amounts of copper. They manufacture these assemblies and they simply have to be put in place—hooked up to the ignition, the spark plugs and the dashboard—and off they go.

These people have complained bitterly about the original agreement and the effect it has had on them as subsuppliers, both under the variable tariff agreement Canada first imposed and subsequently.

I wonder if the gentleman could answer the question as to whether this has been taken care of in the final bill, (a) from the point of view of the bridle suppliers for the assembly lines, and (b), what effect it will have on the steel producers and copper producers?

Steel is very much in argument today, as to whether there will be a strike. Although supplies have been laid up ahead of time, this seems a vital thing at a time we are asked to agree to a cartel arrangement such as this.

Mr. CURTIS. The answer, I regret to say, is that these people are not taken care of, except insofar as they can make their deals with the big three auto companies. The auto companies have it in their power to make up whatever package they want to on the 60 percent to be manufactured in Canada. This is the danger. This amounts again to government by men and not government by law.

No, there is no protection against this kind of thing, except, as I say—and this is a form of protection—as they can make deals with the big auto companies.

Mr. HALL. This first vitally affected these bridle manufacturers at the time we lost the Studebaker plant to Canada. I will not go into the merits of whether that was good, bad, or indifferent; but they objected violently to the situation in which they were placed at that time. I believe these bridle manufacturers did not supply the Studebaker organization an assembly line after they moved across the line into Canada. They do have other contracts.

As the gentleman says, if they cannot protect themselves with the big three, can they in fact protect themselves across the line in Canada?

Mr. CURTIS. The gentleman is certainly zeroing in on this problem.

Let me say another thing. I have been talking negatively. There is the other side of the coin. That can be gotten by reading the administration presentation.

If this were the beginning, as I told the administration people when they came in to see me, of really a free United States-Canada trade area, and it were across the board—including paper, lumber, and all sorts of things—it would seem to me there might be some justification and it might be put in accord with GATT.

However, when it is done on a limited basis, with only one industry, important as that industry is, the situation is different.

I believe it is a true statement in the majority report, to talk about the "pluses" when they refer to the importance of this agreement to the automotive industry. This honestly is a "plus" for our big auto companies. But I believe that in the long run the United States benefits from the fact that we have thousands of little industries, small businesses, and so forth. To put them to any extent in this kind of straitjacket of a political agreement—a treaty—I believe is unwise.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I have listened again with great interest to what the gentleman had to say. I hope I represent his attitude correctly when I say he suggests that this legislation and this agreement move in the direction of bilateralism and away from multilateralism in international trade.

Mr. CURTIS. That is correct.

Mr. BRADEMAS. If the gentleman will allow me to do so, I will read just two sentences from a statement made on the 15th of July 1965 by the Honorable Michael Blumenthal, the deputy special representative for trade negotiations of our Government, in an address he delivered in Germany. He said:

> All of the major industrialized countries are under pressures of various sorts or have been tempted at one time or another to depart from MFN (most favored nation). We must resist this temptation. We must be particularly careful not to vitiate the MFN principle in our search for expedient solutions to immediate problems.

Would the gentleman from Missouri agree with me that this legislation does fly in the face of the kind of declaration of principle by a representative of our Government that I have just read?

Mr. CURTIS. Yes. And we are in the process of diagnosing schizophrenia in the administration.

Mr. BRADEMAS. I thank the gentleman.

Mr. CURTIS. Mr. Chairman, the legislation (H.R. 9042) implementing the Canada-United States Automotive Products Agreement has many flaws. Though in a sense it can be considered a creative and bold solution to a problem which seemed difficult at best to resolve, its faults should make us seriously question its advisability.

Briefly stated, the root cause of the Automotive Products Agreement is the provision in section 303 of the Tariff Act of 1930, which allows for the automatic imposition of countervailing duties on imports to the United States which have been the subject of subsidy or bounty.

AN IMPERFECT SOLUTION TO A REAL PROBLEM

In this case, the Canadian Government had subsidized by a complex tariff rebate scheme, the export of Canadian auto parts to the United States. A U.S. parts maker complained that this subsidization of exports was in violation of section 303 of the 1930 Tariff Act. Reluctant to impose the countervailing duty authorized by this act, the U.S. Government argued that any U.S. retaliation against the Canadian duty would result in Canadian counter-retaliation, and thus a Canada-United States trade war.

That is, almost beyond question, a specious argument. The long history of Canada-United States relations shows that even the hottest disputes can be solved in normal ways. I do not think it at all unlikely that the dispute about the Canadian scheme to encourage auto parts exports could have been settled without resort to this truly extraordinary and troublesome trading arrangement. U.S. officials give themselves too little credit in claiming that this device was the way to resolve the rebate plan dilemma.

For the sake of perspective, however, I want to state that the Canada-United States agreement is forward looking in that it has tried to take account of and satisfy one of Canada's oldest and most important economic problems: How to achieve an economic automotive industry. U.S. officials could, nonetheless, have taken an even bolder and more enlightened approach to the problems of Canadian industry. They need not have discriminated against all other United States and Canadian industries by giving special treatment to automobiles. They could have incorporated the automotive products agreement into a larger plan to gradually create true free trade between Canada and the United States. They could have taken this opportunity to schedule movement toward a true free trade area using the automotive agreement as a beachhead for the effort.

The views of the Republican members of the Ways and Means Committee, submitted independently in the committee report on this bill, very well explain our objections to it.

INTERNATIONAL TRADE POLICY IMPLICATIONS

I would like to focus here, however, on an aspect of the bill which is very important to me as one of the four congressional members of the U.S. delegation for trade negotiations. This is the group, headed by Governor Herter, the President's Special Representative for Trade Negotiations, which is responsible for conducting trade negotiations under the General Agreement on Tariffs and Trade (GATT). It is in relation to the U.S. commitment to trade expansion and our deep involvement in the effort to find sound ways to help less-developed countries grow that the Canada-United States agreement and this legislation can be most fundamentally criticized.

The United States has since the beginning of the reciprocal trade expansion effort in 1934 championed the cause of fairer or freer trade on a multilateral, reciprocal, nondiscriminatory basis. We have led the effort to end special, bilateral trade pacts. We have opposed the creation of spheres of trading influence in which one developed country establishes preferential trade and payments ties with weaker, less-developed countries We have accepted the formation of common market and free trade area arrangements with hesitation on grounds of their overriding political importance and with assurances that they would be outwardlooking in their trading relationships. We have opposed the special barter-trade devices used by the Soviet Union and other Communist nations to tie less-developed countries to them through trade.

WORLD TRADE AND THE DEVELOPING COUNTRIES

But the most recent, and in many ways the most convincing, proposals that would jeopardize the principles of world trade we have established are the proposals of the United Nations Conference on Trade and Development (UNCTAD).

About 80 less-developed countries brought about the 1964 United Nations Conference on Trade and Development. Many of the recommendations of this conference run counter both to traditional trade policies espoused by the United States and to what we believe is sound economic principle. U.S. officials have—both during UNCTAD and since in meetings at New York and in Geneva—defended U.S. policy while trying to seek remedies for the legitimate grievances of the developing countries. Our position at UNCTAD should not be one of defending an old trade order, but rather one of developing sound economic principles which are rooted in basic U.S. trade policy, to help the developing nations, and most importantly to insure that all help is based on sound international trade theory. Thus, we have opposed many of the unrealistic restrictive, and costly proposals of the UNCTAD.

When viewed in this light the agreement creating special trading arrangements for a single industry exclusive to Canada and the United States takes on an invidious hue. It is a preferential agreement. It gives the developing countries grounds to ask us to sanction special arrangements in their favor.

OBTAINING GATT APPROVAL

It is quite clear that the Canada-United States agreement will have serious and harmful implications that will make our dealings with developing countries more difficult. Apart from this consideration, however, is the problem of obtaining approval for the Canada-United States agreement under the terms of the GATT.

The fact is that the Canada-United States agreement is not in accord with the fair trade principles of the GATT. The United States will have to obtain a waiver from our fellow GATT participants in order to remain in good standing. This is a procedure frequently undertaken by other countries in the past, and the United States has given its approval to these waivers for others. Thus, it is reasonable to expect that we in turn will receive a waiver. But we may be paying a high price.

The expectation we will receive a waiver is supported by the fact that the Canada-United States agreement has the backing of Mr. Eric Wyndham-White, the respected Director General of GATT. In negotiating this agreement the United States sought and obtained Mr. Wyndham-White's advice and somewhat reluctant approval.

At a press conference in the United States on April 29, this year, Mr. Wyndham-White said:

> The implementation of the agreement by the United States would involve at least a technical departure from the most favored nation clause in the sense that it would provide for free entry for Canada whilst it would maintain the duty for automobiles from other sources of supply. I say technical because as I understand the case, as presented recently by the United States in the GATT, this departure would not in fact, owing to the special circumstances of the trade, have any practical trade effects on the exporting practices of other parties to the GATT.

Then Mr. Wyndham-White questioned the Canada-United States agreement from the point of view of the U.S. trade principles I have cited above, and in light of our bargaining position vis-a-vis the developing countries. He said:

> Coming at a time when the whole question of preferences and the most favored nation clause is very much debated, it is bound to be used as an argument by those who have accused the United States of a very great rigidity when it comes to the preferences which other people are interested in, compared with perhaps a certain relaxed attitude when it comes to a departure from the most favored nation clause when it is a question of accommodating a U.S. policy.

Then Mr. Wyndham-White commented:

> Precedents are dangerous things to establish. Perhaps that was one of the thoughts that was moving through the back of my mind when I advised that there are other ways of dealing with this problem.

NEED FOR FULL CONSIDERATION

I have announced my intention to vote for this bill, but only with hesitation. I would only ask that we consider thoroughly the international trade implications of the bill during our discussions of it.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the distinguished gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Chairman, I would like to say to the gentleman who preceded me that there are two kinds of cartels—those trade agreements which benefit us are good cartels and those trade agreements which benefit others can be bad cartels, the latter are usually of European origin.

I would like to say immediately, while it is true that this is a bilateral trade agreement and not multilateral, applying to all countries, this is a good policy in this case, just as the Coal and Steel Community of Europe was good policy or the European Economic Community was good policy for them. We should not deprive ourselves of this opportunity to extend our own trading partners, particularly in this case where 90 percent of all the Canadian automobile plants are owned by U.S. companies and they are only a few miles apart. Economically it should be one industry. I feel that the State Department is really to be congratulated on their treaty.

I would like to say further it would have been exceedingly difficult for the President to have come to Congress and said this, this, and this is what I will agree to and nothing else and then ask our permission to make that agreement. I think the President did it in the only way he could; he had a right to do it that way. You do not advise in advance what you will settle for.

Now, having said something nice about the State Department, which I really feel is going a long way, I am glad that they negotiated the Canadian auto tariff agreement. I think it is forwardlooking and shows understanding of the problems of Canada and of industry, but it goes further than that, Mr. Chairman. It also shows that the State Department, when pressed, can even try a new method for solving an old problem; and protection, Mr. Chairman, is an old, old problem. Every country, whether fully developed or developing, views with consternation the importation of any large quantity of foreign goods but regards as its rightful due the exportation of its own goods.

The remedies against the imports are numerous, and most of them have been at one time or another tried by every nation. Thus Canada tried the duty remission plan on auto parts. Some have suggested that our answer should have been countervailing duties and an appeal to GATT or, in the final analysis, the increase of tariffs against Canada's products. Each of these remedies is old; and each of these remedies diminishes us and Canada. We, who grew to economic greatness because of our vast free trade area, which gave us access to raw materials without tariff duties and customers who paid no tariff duties—certainly we realize that at this late point in the 20th century we as the leading Nation of the world, cannot say to our closest neighbor and one of our best customers, "Give us complete access to your market on our terms or you cannot sell us anything."

On the other hand, Canada had a choice of many of the remedies than this agreement. She could have made this same deal with the European Common Market. And certainly it is not too much to point out that most of the automotive plants in the Common Market are owned by the same people who own our own plants. She could have made this deal by setting up her own industry, as Brazil and Mexico have gone. She could have simply put the tariffs so high on us that we could not have sold to her.

And it is not enough to say that Canada would not have put up with it. Canada would have put up with it before she starved.

This agreement goes a long way toward making one automobile market of Canada and the United States. Why shouldn't Canada, as a great national power, share in that market? Whether the result of the agreement is to lower the price of cars—which I hope it will do—to the total market, or raise the wages of the workers—and I point out it is one union—the result should be a greatly expanded market for the items that go into the composition of a car, as well as other items.

In other words, a trade war with Canada, suggested by the timid, makes us poorer, too; while the increased prosperity of Canada increases our prosperity. The intent of this agreement is to help Canada and ourselves. I congratulate the State Department. I hope this agreement works so well that our great and good neighbor, Mexico, chooses to join in the same agreement.

But I would go further. I trust that Central and South America also find that such arrangements are beneficial and that they, too, can be joined in an ever-increasing trade area; and that thus with a new method the New World can answer the European Economic Community.

Now, before anyone says further that we are losing business, I would like to report that in the first 5 months of 1965 the United States had a trade surplus of $310.2 million in automotive products. This compared with the first 5 months of 1964 of $278.8 million.

In cars we had a surplus of $29.8 million as opposed to $10.8 million for 1964.

In trucks and buses, the U.S. surplus was $9.6 million, as compared with $8.1 million for the same period of 1964. In parts the U.S. surplus was $270.8 million as opposed to $257.9 million for the same period of 1964.

Mr. Chairman, I support this bill and I urge its passage. I believe that with its passage a new prosperity will come to North America.

Mr. KEOGH. Mr. Chairman, will the gentlelady yield?

Mrs. GRIFFITHS. I yield to the gentleman from New York.

Mr. KEOGH. Mr. Chairman, permit me to compliment the gentlelady on her typically excellent statement. But we who are privileged to serve on the committee with her know that excellent statements from her are the rule and not the exception.

And, Mr. Chairman, meaning not in any way to deprecate the force of her statement, I would like here to say that I share completely her views on the importance of this agreement, and the importance of the enactment of this bill; and this, in my opinion, will blaze, I hope, a trail for further agreements of this precise type.

Mrs. GRIFFITHS. I thank the gentleman very much.

Mr. Chairman, I would like to answer one further criticism. There is no provision whatever in this agreement relating to the maintenance of 60 percent, or any other level of Canadian production for increases in auto sales over 1964. The Canadian companies have given the Canadian Government undertakings to increase their future Canadian value added in this way. However, the failure of any company to do so will not affect the removal of tariffs because that is brought about by the agreement, not by the letters of undertaking.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. UTT].

Mr. UTT. Mr. Chairman, I rise in opposition to the bill. I am not only going to talk against the bill but I happen to be one of those who is going to vote against it also.

Mr. Chairman, I realize that my remarks probably will not influence many votes, but I would like to say I am in favor of free trade between Canada and the United States. I believe it would be good for both countries. But, of course, this is not a free trade bill. It is a special preference to four of our biggest corporations. What you will be voting for this afternoon will represent a $50 million windfall for the four biggest corporations in America. If you want to do it, it is all right. But I can recall the days when Charlie Wilson made the statement that "What is good for General Motors is good for the United States." The Democrats laughed him out of office and he had to resign as Secretary of Defense.

Mr. Chairman, the Democrats have taken that slogan and they say that what is good for the four big automobile companies is good for the United States. That is known as the "trickle down" theory. I have always supported the "trickle down" theory, believing that if you give the benefit at the top, eventually it gets down to the little man and it is enjoyed by all.

Mr. Chairman, I hope that my opponent next year will recognize the fact that his party has now adopted the "trickle down" theory.

Mr. Chairman, my principal objection to this bill is the financial adjustment assistance provision. I believe the balance of the bill is proper and that it should be passed. But if we are giving a $50 million windfall to General Motors, to Chrysler, to Ford and to American Motors, and if this is so valuable to them, I feel they should stand the financial adjustment assistance for any displacement of workers of the automotive industry. I do not feel that it should be paid for out of the U.S. Treasury. That is what we are doing today, we are giving a $50 million windfall to these great corporations and then we are asking the taxpayers to pick up the tab for the displacement of workers in this industry.

Moreover, Mr. Chairman, the bill itself is not, as I said, a free trade agreement. If you are an automotive parts dealer in Canada, you cannot import parts from America without paying a tariff, but only if you are one of these four giant automobile dealers. And, if you are a person dealing in auto parts in the United States you cannot import from Canada parts without paying the regular tariff. This benefit is designed only for the preferred four big corporations. So, we are passing preferential legislation to help four of our biggest corporations in America. We are giving them a windfall. We say, "If you upset our American labor market, then the American taxpayer will pick up the tab."

Again, Mr. Chairman, I say if it is valuable enough to these corporations to have this legislation, then they should agree to pick up the tab for the displaced labor.

This legislation is a poverty program in reverse.

In connection with the adjustment assistance section, those that are affected will get unemployment compensation, which is approximately 26 weeks to 52 weeks. They also have a labor contract which gives them additional unemployment compensation, and on top of that they can come to the Federal Government for additional compensation. This could result in the payment of $400 or $500 a week to some of the workers who are displaced. There is no regulation on how this money shall be paid out for assistance. Under the Trade Adjustment Act of 1963 we set up a very strict criteria under which anyone could get assistance, but under this section they make application and if the administration decides they are entitled to it they will be paid. The criteria is not strict enough to work, and we could end up by paying millions of dollars a year in financial adjustments which should be paid by Ford, Chrysler, General Motors, and American Motors. For that reason I will offer a straight motion to recommit.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to H.R. 9042, the Automotive Products Trade Act of 1965.

As the distinguished chairman of the great Committee on Ways and Means [Mr. MILLS] said a few minutes ago, the agreement authorized by this bill may result in—and I believe I quote him correctly—"some dislocation here and there." That is what bothers me about the bill—nobody has said just "where" the "here and there" are.

I have yet to be convinced that the results of this United States-Canadian agreement will not be injurious to American automobile parts manufacturers whose plants are located exclusively in the United States. The very fact that this bill makes provision for adjustment assistance is an indication of an expectation that some American workers might lose their jobs.

Scarcely one week after this agreement was signed by President Johnson and Canadian Prime Minister Pearson the Modine Manufacturing Co., which has a plant in La Porte, Ind., in my congressional district, announced that it might establish a plant in Canada in order to protect its share of the automobile radiator market and that it was investigating sites in Canada.

In December 1964, I am advised, as a direct result of the Canadian duty remission scheme then in effect, the production of automobile radiators at the McCord Corp. plant in Plymouth, Ind., in my congressional district, was transferred to the McCord plant in Orangeville, Ontario. Approximately 65 people lost their jobs.

The distinguished chairman of the Committee on Ways and Means [Mr. MILLS] has just admitted that our Government might well have invoked countervailing duty orders to offset the Canadian duty remission scheme, but such orders were never issued by our Government. Instead, we got this agreement. And, as I have said, after this agreement was signed, the Modine Manufacturing Co. continued to warn of the possible loss of American jobs. Possibly 500 jobs are at stake in La Porte, Ind., alone.

An important question about this agreement, which still lacks an adequate answer, is: "To what extent will this agreement result in exporting United States automobile parts manufacturing firms and the jobs of American workers they employ to Canada?"

I am one of those who believe that our Nation's No. 1 economic problem is unemployment. I am particularly sensitive about unemployment in my own congressional district because it was only 20 months ago that the Studebaker Corp. closed the gates of its automobile plant in South Bend, Ind., leaving over 7,000 workers jobless. Ironically, or perhaps not so ironically, Studebaker moved its automobile manufacturing to Canada.

During my years in Congress I have consistently supported free trade legislation and the general relaxation of tariff barriers. I will continue to do so. But this agreement should not be mistaken by anyone as a free trade agreement. Only certain Canadian manufacturers, including the subsidiaries of American automobile manufacturers, are eligible for duty-free imports, and then only if they agree to increase their production and to abide by other Canadian Government guidelines.

Furthermore, I question how this bilateral agreement can be reconciled with our Government's stated policy of liberal multilateral trade relations based on the most-favored-nation principle. All GATT countries have the right to be accorded the same treatment as Canada. But this bilateral agreement undermines GATT and the most-favored-nation principle by substituting an expedient scheme for a reasoned, fair solution. It seems to me this agreement represents a repudiation of our Government's fundamental principles of trade policy.

I, therefore, urge congressional disapproval of H.R. 9042.

Mr. Chairman, I ask unanimous consent to include following my remarks the text of a letter sent yesterday to all Members of the House opposing passage of this bill and signed by the gentlemen from Kentucky [Mr. STUBBLEFIELD], from Illinois [Mr. MCCLORY], from Virginia [Mr. MARSH], from Wisconsin [Mr. STALBAUM], and myself.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 30, 1965.

DEAR COLLEAGUES: We are writing to present for your consideration our reasons for opposing H.R. 9042—the Automotive Products Trade Act of 1965—scheduled for consideration by the House tomorrow, Tuesday, August 31.

H.R. 9042 purports to ratify and implement a "trade agreement" between the United States and Canada on automotive products. But the underlying pact to which H.R. 9042 relates is not a trade agreement at all. The United States will give away part of its market in automotive products to Canada and get nothing in return. What the bill would really ratify and implement are private, cartel-like agreements between the Canadian affiliates of U.S. auto companies and the Canadian Government. In other words, enactment of this bill would constitute the approval by Congress of a give-away to Canada of an important segment of the U.S. market in auto products and a congressional sanction of the operation of in effect a North American cartel in the auto products field.

Our principal objections to the passage of this bill are:

1. The United States has undertaken, in the so-called trade agreement with Canada, to grant duty-free treatment to motor vehicles and original equipment parts imported by anyone from Canada. Canada in return has undertaken nothing. Canada promises to give duty-free status to automotive products imports only if they are imported by qualified Canadian vehicle producers. But a qualified Canadian producer is one who has entered into a private agreement with the Canadian Government pursuant to which he undertakes to maintain his Canadian production and sales at their highest historic level and guarantees a fixed, increased annual amount of Canadian production (for export to the United States) in years to come. In short, duty-free treatment on imports into Canada will only be extended to those who guarantee that Canada's share of the home Canadian market for automotive products remains intact and that the Canadian share of the U.S. market will increase. Thus, the agreement is completely one-sided in favor of Canada to the detriment of U.S. companies and their workers.

2. The private agreements between the auto companies and the Canadian Government, part of which are documented in the Ways and Means Committee Report on H.R. 9042, are agreements to restrain trade. Such agreements are the very antithesis of liberal trade and their existence raises serious antitrust implications.

3. The underlying formal agreement which H.R. 9042 purports to ratify is a bilateral agreement whose benefits are not extended to products of non-Canadian origin. This agreement constitutes an administration proposal to return to the long-since discredited policy of limited, conditional bilateralism.

The record made to date on this bill is totally devoid of any reason why the Congress should now scrap our long-standing policy of unconditional, most-favored-nation trade pacts. Indeed, the most recent administration pronouncements about the need for our adhering firmly to this fundamental principle fly in the face of the United States-Canadian auto pact. The Honorable W. Michael Blumenthal, Deputy Special Representative for Trade Negotiations, just a few weeks ago said:

"All the major industrialized countries are under pressures of various sorts, or have been tempted at one time or another, to depart from MFN (most favored nation) in this or that area. We must resist this temptation. We must be particularly careful not to vitiate the MFN principle in our search for expedient solutions to immediate problems." Address to Dusseldorf Chamber of Commerce and Industry, Dusseldorf, Germany, July 15, 1965.

Since Mr. Blumenthal's statement represents current U.S. policy on discriminatory trade pacts, how can one reconcile the United States-Canadian pact with this fundamental, overriding principle of U.S. trade policy?

4. In the present 89th Congress, over 100 Members of the House have sponsored or introduced legislation to amend the U.S. antidumping statute. Regardless of one's position on the subject of dumping and the adequacy of present U.S. law thereon, he must be concerned with any legislative proposal which would condone and excuse the sale of foreign merchandise in the United States at prices below those charged in the home market. The passage of H.R. 9042 would do this very thing.

We understand that the Ford Motor Co. of Canada, relying on the passage of this bill by Congress, began, last March, to sell 400 Canadian-made cars per month to the United States. These cars, which are being marketed in upstate New York, have been, and are being, sold at U.S. prices. The U.S. prices being charged are substantially below the Canadian prices for the same cars. In other words, the Canadian cars are being sold in the New York market at less than their fair value, at dumping prices.

We are also informed that Chrysler of Canada, beginning with the 1966 model year, will ship some 80,000 Canadian-made Chrysler cars to the United States and sell them at U.S. prices. This means that in a few weeks, some 7,500 Canadian-made cars will be dumped every month on the U.S. market, just by two suppliers.

Regardless of one's views on what U.S. antidumping policy should be, he cannot fail to be alarmed when asked to approve legislation which will condone beforehand a potentially large scale dumping operation. Nor is his concern lessened because such dumping is supported by the U.S. auto producers. Other American industries which stand to be hurt by this practice, and other American workers whose jobs are threatened, do not approve of such dumping.

If the Canadian and the U.S. Government desire to effect a trade agreement under which all automotive parts and all completed vehicles might be sold tariff free in the other country, this would be a step quite different from that involved in H.R. 9042. Indeed, negotiations looking toward the establishment of a North American Free Trade Community would appear to be consistent with our national policy. However, granting congressional approval of limited private agreements as contemplated by H.R. 9042 appears to us to be quite inconsistent with such a policy.

We urge your careful consideration of these views when you decide on how you will vote on H.R. 9042.

Respectfully yours,
ROBERT MCCLORY,
JOHN BRADEMAS,
LYNN E. STALBAUM,
JOHN O. MARSH,
FRANK A. STUBBLEFIELD.

Mr. KEOGH. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, 3 minutes will not allow very much time to explain the background of this legislation. It is sufficient to state there be no free trade between unlike economies. Your committee of which I am a member has been debating in its hearings the question of the $1.75 minimum wage, the double time for overtime, and other agreements and covenants that cover American production. Your committee as a rule has voted for the $1.75 minimum wage.

Now they say this is not going to be injurious because they write into the bill, as the gentleman from Indiana has already shown, certain kinds of relief for workers or for an industry that is injured by this particular proviso which allows free trade, on which the gentleman and I disagree, between the two nations, not only on automobile parts but on automobiles. Because at this moment, as I stand on this floor, over 2,000 Ford cars are being imported into the United States of America and have been imported into this country since the first 30 days after the signing of the agreement between the Canadian and American Governments.

It is perfectly all right to say that we are doing this because we believe it is going to help Canada. That is perfectly all right. But I have not heard in the 15 years that I have been studying trade relations and trade problems as they affect all nations, where any Canadian Parliament has yet met to pass one piece of legislation that would in any way aid the United States. Because Canada still has in effect one particular import tariff rule that has never been wiped out and the committee has never suggested that it would be wiped out and that, to put it simply, is this—that any time a manufacturer or a group of manufacturers in Canada can produce 10 percent of the parts volume required for consumption in Canada, then tariffs automatically go up in order to protect the manufacturer in that country.

Now the word "protectionism" is not a bad word or a bad name. Every person here tries to protect not only his home and his homeland but tries to protect his industry and his job. If you did not do that, you would not run for office. Just let somebody run against you, and you run on a platform where you are not trying to protect the homes and the jobs and the industry of your workers and see what would happen.

There is no place where the people of a community or country having an economy that allows them to pay less wages and where the people are paying less taxes per capita into the Government for defense and other necessary governmental operations can live together in the same room. There cannot be. You talk about Canada and I heard the gentlewoman for whom I have a great deal of respect say that she wanted to see Central America and Latin America come under this particular proviso. Let me tell you, if you want to go to Peru where workers are paid 12 cents an hour to produce cars to ship into the United States, I am sure that Ford, General Motors, and Chrysler would be happy to make a deal. I would predict that within 1 year after the signing of that agreement, the countries producing automobiles for export into the United States would demand the application of the favored nation clause as provided in the Trade Agreement Act so that that particular country could receive the same deal.

That is why you are here today—you are here for a trade policy agreement because Fiat, Simca, Volkswagon, Opal—all four car manufacturers, in the main controlled by American manufacturers or owners of corporations overseas, are demanding under the Trade Agreements Act passed in 1962 the invocation of the favored nation clause. From now on, believe me, when you pass this today, you will have opened up the favored-nation proviso which would allow all cars to come into the United States from any country—and incidentally 1 out of every 13 automobiles being sold in the United States today is an imported car and over 550,000 cars a year will be imported if they keep on coming in at the rate they have been coming into this country.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may require to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, we are faced with an accomplished fact. By executive proclamation, as of January 18, 1965 the duty on automotive products between the United States and Canada were reduced to zero. The President did not have the authority to do this. The bill will grant this authority to the President. Meanwhile, however, the automotive industry has proceeded on the assumption that all automobiles and parts shipped between the United States and Canada are free of duty. As I view the situation, the Congress has no practical alternative except to enact this bill. I wish that it were otherwise. I will vote for this bill with great reluctance, and I am certain that many other Members of this body share my views.

We have before us today another example where the executive branch—and particularly our representatives from the State Department—have entered into negotiations, not with the thought of negotiating, but in order to achieve a result sought by the other party to those negotiations. With this attitude, no one should be surprised that our negotiators always come out second best.

The United States-Canadian automotive agreement, which makes necessary this legislation, was hailed by the administration as a great step forward in trade negotiations. The facts do not support these claims. All you need do is look to the committee report on this bill under the section entitled "Benefits of the Agreement" on page 6. This might better be addressed to the Canadian Parliament for justification for its action. Canada got everything she wanted, the United States got nothing, and, incidentally, the automobile manufacturers will save $50 million a year in Canadian duties and a much larger amount through integration of Canadian and United States production of automobiles and parts.

There should be no misunderstanding about the facts in this case. Canada wanted to increase the value of its automotive production. The Government of Canada adopted a duty rebate scheme which was designed to bring about that result. This scheme ran afoul of section 303 of the Tariff Act of 1930, because it constituted a subsidization of exports. Faced with a complaint by an American parts manufacturer, retaliatory action by our Government against Canada was imminent. The administration took the position that such action would be extremely harmful to our trade relations with Canada. Other means were sought in order to achieve the same result, that is to increase Canadian production. This is what the United States-Canadian automotive agreement is designed to accomplish.

The United States-Canadian automotive agreement—when coupled with the collateral commitments which must be given to the Government of Canada by any company seeking to avail itself of the right to import U.S. automotive products duty-free into Canada—guarantees to Canada precisely the result that Canada sought to achieve through other means, namely, to increase the value of automotive production in Canada over and beyond the normal growth in Canadian demand. Our negotiators reached an agreement with Canada—and avoided a showdown—by giving Canada precisely what she wanted. I do not call this negotiating.

On its face, the agreement would appear to liberalize trade. All duties on automotive products were eliminated. However, a manufacturer exporting to Canada is not entitled to duty-free treatment unless that manufacturer has first entered into a collateral undertaking with the Government of Canada to increase Canadian automotive production by a specified dollar amount. For all practical purposes, a parts manufacturer who does not presently have facilities in Canada will be foreclosed from the Canadian market unless the automobile manufacturer wishes to purchase the parts and act as importer. Thus, instead of liberalizing trade, the effect is to restrict trade to a select few who have entered into the required undertakings with the Government of Canada. Your constituent and my constituent cannot export to Canada without the payment of the old duty.

I do not know how this can help the economy of the United States, because through separate undertakings made with the Canadian Government, the automobile manufacturers guarantee that Canada will not lose anything. In fact, they guarantee that by the model year 1968 Canada will benefit to the tune of additional production of $241 million annually over and beyond the growth of the Canadian market.

Who gains as a result of this agreement? The Government of Canada is assured of the production gains which it sought to achieve through the duty rebate scheme. The latter might not have worked. The value of automotive production in Canada must necessarily be increased by $241 million over the next 3 years. From the standpoint of the Canadian Government, all risk has been eliminated by the result of this agreement.

The major automobile manufacturers, and perhaps one or two major parts manufacturers with Canadian plants, will also stand to gain. These manufacturers save more than $50 million annually in Canadian duties. In addition, these manfacturers can concentrate the production of certain items in Canada in order to make up the required dollar value in Canadian output. Other items can be made in the United States and shipped to Canada free of duty. This is described as a "rationalization" of the automotive industry.

I am told that one of the first results will be that the Canadian automotive plants, presently operating well below capacity, will be brought up to full capacity. What cannot be sold in Canada will be shipped to the United States. The automotive industry will save many millions in production costs. The small independent parts manufacturer and the American auto worker will suffer the loss.

Our negotiators made a disadvantageous deal. The Congress is stuck with it. Once the agreement was executed and the Presidential proclamation issued reducing to zero the duty on automotive parts, there was no possibility of retracing our steps in this negotiation. In recognition of this. I am reconciled to voting for this bill. I do it with great reluctance.

I would also like to add a note of caution to our negotiators at Geneva in the so-called Kennedy round of trade negotiations authorized by the Trade Expansion Act of 1962. I hope that they will be prepared to "negotiate" with all that the term implies, including the risk of failure to agree. It takes no great skill to give in to the demands of other parties in a negotiation. If the United States-Canadian automotive agreement is symptomatic of our posture in trade negotiations—and it certainly is an example of what we have been doing in the past—I am greatly concerned over what will be forthcoming from the negotiations at Geneva.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Chairman, I wish to add my unqualified support for the bill implementing the Canadian-United States Automotive Products Trade Agreement. My district is vitally affected by this agreement. In Oakland County, Mich., and particularly in the eastern portion of the county which comprises my district, and in Wayne County which adjoins us to the south where many of my constituents work, there is the largest concentration of manufacturing plants for automobiles, trucks, and their constituent subassemblies and parts of any area of similar size in the world.

To make plain to the Members of this body the tremendous interest of my constituents in this bill, I call attention to the fact that in 1960, of the 154,000 persons in my district in the civilian labor force, 59,000—or 38 percent—were employed in manufacturing establishments. The largest number of these were employed in the production of automobiles, trucks, and automotive parts.

In Oakland County in the first quarter of 1962, there were 30,000 workers employed by the motor vehicles and parts industry, and 108,000 in Wayne County. Together these two counties in 1962 accounted for more than half of the employment in motor vehicle and parts plants in the entire State of Michigan.

In the Greater Detroit area in 1963, there were 204,000 persons employed in the production of motor vehicles and parts out of a total employment in these industries in the entire State of 338,000. In the entire United States in 1963, there were 745,000 persons employed in the motor vehicles and equipment industries—so Michigan alone accounted for 45 percent of the Nation's employment in these basic industries; and Oakland and Wayne Counties, where my constituents live and earn their living, accounted for about one-third of the State's total.

To illustrate the sheer economic impact of motor vehicle manufacturing in my district, and State, it is only necessary for me to point out that the weekly payroll of this industry in the State in 1963 was $45 million—and it is even more today.

Of course, the legislation must be evaluated not solely in terms of the local interest in Michigan, but also that of the Nation as a whole. But the importance of the motor vehicle and parts industry to the Nation as a whole is no less dramatic than its vital role in Michigan. According to the Census of Manufactures, the motor vehicles and parts industry had shipments valued at $37 billion in 1963. In producing these vehicles and parts, the industry purchased materials and services from others worth $24½ billion and paid out more than $5 billion in wages and salaries. An additional $700 million was spent for capital improvements. So the motor vehicle and parts industry contributed nearly $70 billion in these various ways to the national income in 1963. This combined activity was equal to 14 percent of the total national income that year.

The health and vigor of the automobile industry is obviously of the foremost importance to the Nation. Auspiciously, motor vehicle sales are on a sharply rising trend—giving extra zing to the whole economy. U.S. production of new cars rose from 5.4 million in 1961 to about 8.5 million vehicles in the model year just ended—a 57-percent rise. By the 1969 model year, according to conservative estimates, U.S. auto production is expected to rise to at least 11 million automobiles—a further rise of 25 percent over the very large plateau reached this year.

To sustain this growth, all of the automobile companies are making unprecedented commitments for capital expenditures in the United States—to say nothing of their commitments for investment abroad. The four major producers together will spend about $5 billion for new plants and equipment in the United States during the next 3 years.

With the powerful thrust provided by this surge in investment and output, employment in the motor vehicle and equipment industry has been soaring. In June of 1961 the industry had an average of 657,000 employees. By June of 1964 this had grown to 782,000 employees. Now, a year later in June 1965—the latest month for which the data are available—employment in the motor vehicles and equipment industry stood at 893,000 workers—a whopping 236,000 new jobs having been created in the four-year period.

The rate of increase in employment in this industry has averaged 8 percent per year for the past 4 years.

An industry that can make this kind of contribution to the U.S. economy commands our respect. It is doing its part to make America strong and her people prosperous. When Lynn Townsend, the president of Chrysler, stated as he did in Boston last week—August 18—that the next 10 years have all of the potential to be the "golden age" of the automobile industry, he was emphasizing the point that the brilliant performance of the industry in the recent past will be overshadowed by the vigor of its activity in the years ahead. I am inclined to believe him.

The growth in auto production and sales which has so richly benefited the U.S. economy can also be a source of greater strength for our neighbor to the north, Canada. The motor vehicle industry there, because of a market less than one-tenth the size of the U.S. market, is markedly less efficient than the U.S. industry.

Moreover, the presence of an industry ten times its size on its border has compelled the Canadian automobile industry in its own self-interest to ask its Government to maintain relatively high tariffs on motor vehicles and parts. Because large-scale economies are impossible in the plants of the four major auto companies producing motor vehicles in Canada, each plant, being required to produce a broad range of different models and styles, really carries forward automobile output on a semicustom basis. Further, it is necessary for the Canadian plants to import a large volume of parts, subassemblies, and stampings for use in their production operations. Motor vehicle parts are subject to duties ranging up to 25 percent.

As a result, Canadian consumers pay an average of 17 percent more for their new cars than U.S. consumers, and the Canadian nation has a balance-of-payments deficit in motor vehicle trade with the United States of a half a billion dollars a year. In 1964, Canada's total deficit with the United States was $1⅔ billion, so the motor vehicle trade accounted for nearly one-third of this total deficit.

Without any sacrifice of U.S. interests, the genius of the Canadian-United States Automotive Products Agreement is that it strips away the trade barriers that have compartmented the industry on both sides of the border and permits an efficient integration of the two into one North American industry. Obviously, the geographical orientation of this industry will be predetermined by the capital investment already in place in both countries, and the nearness of existing plants to the preponderant population centers to be served. The United States, therefore, has nothing to fear from the agreement.

It would be economically illogical for any significant shift in plants, facilities, or jobs to take place because of the implementation of the agreement. Rather, the Canadian plants can now become efficient producers in their markets by being able to concentrate on the mass production of a relatively few models, thus achieving economies of scale, lower production costs, and eventually lower consumer prices.

The models which will no longer be produced in Canada will be exported from the U.S. duty free. In a return movement, Canada's surplus production of the few models it will now produce in volume will be sent into the United States duty free to provide a small part of the rapidly increasing supply of all models of automobiles needed to satisfy the continuing strong U.S. demand.

The increased trade in motor vehicles and parts between the United States and Canada will roughly come into balance by the end of the 3-year transition period. The total number of motor vehicles and parts moved between the countries will not achieve a balance, of course, as Canada will continue after 1968 to have a net deficit in motor vehicle trade with the United States of about a half billion dollars. Canada will, however, gain lower-cost autos and a 3-year standstill on the motor vehicle component of its trade deficit with the United States. The United States, on its part, will gain duty-free access to the Canadian motor vehicle market for its auto parts manufacturers, in addition to substantial indirect benefits which I shall shortly describe.

Most important of all, the reduction in costs and prices in Canada will strengthen demand in that country for new automobiles. Canada's gross national product, which in recent years has been rising at an average rate of 4 percent per year, will increase even more rapidly, at the rate of 5 percent per year, as a result of the increased economic activity stimulated by the reduction in automobile prices anticipated by the end of the transition period, 1968. Increased consumer disposable income in Canada will be spent in large part on the purchase of goods made in the United States.

Here is where my State and district will gain an additional benefit from the implementation of the automotive agreement. Let me put this just as graphically as possible, Mr. Speaker. In my district there is substantial activity in established manufacturing plants in the following industries, in addition to transportation equipment: food and kindred products; apparel; lumber and wood products; furniture and fixtures; paper and allied products; printing and publishing; chemicals and allied products; petroleum and coal products; rubber and plastics; stone, clay, and glass products; primary metal and fabricated metal products; machinery, both electrical and nonelectrical; and instruments and related products.

In 1964, there were exported to Canada through the customs district of Michigan—principally Detroit—the following values of goods produced by these industries:

Transportation equipment	$485,679,630
Machinery, except electrical	392,855,311
Food and kindred products	143,322,676
Electrical machinery	97,411,695
Chemicals and allied products	91,518,239
Primary metal products	68,808,362
Stone, clay, and glass products	36,458,512
Fabricated metal products	35,107,059
Printing and publishing	33,723,406
Lumber and wood products	28,214,562
Petroleum and coal products	16,334,200
Instruments and related products	16,214,470
Paper and allied products	15,868,577
Rubber and plastics	14,872,124
Furniture and fixtures	3,733,199
Apparel	718,681
Total	1,480,840,703

Altogether the manufactured products exported to Canada through the Michigan customs district in 1964 were valued at $1.4 billion.

At the average output per worker in these industries in 1963, as derived from census of manufacturers data, these exports accounted for roughly 57,000 jobs—and a goodly share of these jobs were in my district.

Mr. Chairman, a 1-percent rise in the rate of increase in Canada's gross national product may not sound impressive, but translated into consumer disposable income available for the purchase of goods in Michigan, it represents a potential 25-percent increase. The Canadian-United States Automotive Products Agreement will contribute that increased purchasing power to Canadian consumers and enable them to step up their very considerable purchases of Michigan products. This, in turn, will produce the increased employment to which I have referred.

At the same time, by 1968 it is anticipated that employment in the United States in motor vehicle and parts plants will increase by from 165,000 to 214,000 jobs, depending upon whether the rate of increase is 6 or 8 percent per year. As I have pointed out, employment has increased at the average rate of 8 percent per year for the past 4 years. Forty-five percent of this increased employment will take place in Michigan. So my State will benefit directly by some 74,000 to 96,000 new jobs in motor vehicle and parts production. At least a third of these new jobs will either be located in my district, in Oakland County, or in Wayne County where many of my constituents normally seek employment.

This job-producing aspect of the agreement necessarily commands my interest. The people of my district, my State, and of the Nation have so much to gain from the implementation of this Canadian-United States Automotive Agreement that I must give it my wholehearted support.

Mr. Chairman, the situation may be summarized as follows:

The President of the United States has pledged the word of this Nation to Canada through the execution of the agreement.

The best brains in the executive departments of the Government have enthusiastically endorsed this agreement and its benefits to the United States.

The responsible officials of the major motor vehicle producing companies in the United States—the big four—have enthusiastically voiced their support for the agreement and this legislation, stressing the benefits to this Nation.

The leadership of organized labor in behalf of the auto workers has also indicated its support of the legislation.

My own analysis convinces me that the agreement when implemented will lead to outstanding economic benefits to the people of the United States as well as those of Canada.

The negotiation of this agreement was entirely in the spirit of the principles for partnership between Canada and the United States recently enunciated by Ambassadors Livingston T. Merchant of the United States and A. D. P. Heeney of Canada. It is indeed, as they declared, in the abiding interest of both countries to make practical arrangements to keep the totality of our relationships in good and friendly order, and where trade is involved, it is incumbent upon the United States in particular to be especially alert to the potential impact on Canada of U.S. action in the tariff area. Canada is indeed vulnerable to U.S. economic policy. It must in its own interest and in ours be vigilant in dealing with its persistent deficit in international payments.

Specifically, the two distinguished Ambassadors observed that:

> The economies of scale in production and the potential of larger markets justify continuing efforts on both sides to minimize barriers to trade between the two countries.

I agree with them that the arrangement achieved by the two Governments with respect to automobiles and automotive parts is to the mutual advantage of the two countries in this context.

The action taken here to mitigate the growing erosion of Canada's trading account with the United States and the achievement of a balancing of our mutual interest in such a way as both countries benefit, as in the case of the automotive agreement, is a proud moment in the history of our relationships with Canada and deserves the support of every Member of this body.

Mr. Chairman, I cite the following sources from which I compiled my statement:

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Bureau of Labor Statistics, Department of Labor, "Employment and Earnings Statistics for the United States 1909-64," bulletin No. 1312-2, issued December 1964; "Employment and Earnings," July 1965; "Employment and Earnings Statistics for States and Areas 1939-63," bulletin No. 1370-1, issued 1964.

Bureau of the Census, Department of Commerce, "County Business Patterns, First Quarter 1962, Part 4A, East North Central States."

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Mr. KEOGH. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. MARSH].

Mr. MARSH. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 9042, which, as the Members know, has been designated the United States-Canada automotive products agreement, and has been described as creating a free trade situation between the United States and our great neighbor to the north, Canada. However, how free is free trade?

I submit that this is really not a free trade agreement for the export of American automotive products to the Canadian market, but is really a Canadian industrial development program for the export of American jobs to Montreal and Windsor. Actually, the Canadians are to be congratulated on their highly successful efforts for the economic development of their country, which has occurred, however, I fear at the expense of the producers of automobiles and automotive parts in this country.

A substantial producer of automobile parts has a plant in my congressional district. Although this particular industrial facility does not produce automotive parts, nevertheless, it seems likely that the impact of this agreement on other production facilities which they operate in this country, could have a slackening of production of related products brought about by a shifting of production to plants that might be idle or seriously affected by the Canadian agreement.

The most serious question is whether this is a free trade agreement, and I submit to you that it is not—for the following reasons:

That Canada imposed certain conditions on major American producers of automobiles which, in effect, relate to first, the history of production in Canada; second, maintenance of certain levels of production; third the proportionate increases; and, fourth, expansion of production over a period of 3 years by the major manufacturers in a total amount of $240 million.

This is the price that is being paid for this free trade. As the Under Secretary of State, Mr. Thomas C. Mann, in his testimony said:

> Its purpose is to make possible a single North American automotive industry, and it goes far beyond a typical reduction of tariffs in a trade negotiation.

It is, therefore, apparent that this is a sweeping experiment in our trade relations with Canada.

To those who argue that there shall not be any economic displacement, I simply point out the clear anticipation that there shall be loss of jobs by the request to amend those sections of the Trade Expansion Act that provides for adjustment assistance arising out of such dislocation.

It is significant to note that this bill also provides, in establishing this adjustment assistance, that the determining authority, as provided under the act for its implementation, is shifted from the Tariff Commission to the President or those to whom he delegates it.

At a time when we are trying to limit the outflow of American gold and favorably adjust the balance of payments, we will see American investment flowing north of the border in the next 3 years in an amount of nearly one-fourth of a billion dollars.

Testimony in the hearings and other economic surveys show that in the market sense Canada heretofore has not had the capacity to absorb large-scale automotive production through purchases by Canadians. Where, then, can we expect the automobiles to be sold that will be produced by the plans for expansion of the facilities in Canada in the next 3 years? It appears certain that this market will have to be the United States.

Because this is a far-reaching obligation in the field of trade which will only enable the American automobile producer and parts manufacturer to gain access to the Canadian market at the cost of serious conditions, I cannot support H.R. 9042.

Mr. KEOGH. Mr. Chairman, I yield 2 minutes to the very able and distinguished gentleman from New York [Mr. MCCARTHY].

Mr. McCARTHY. Mr. Chairman, I would like to address a question to the distinguished chairman of the Committee on Ways and Means. As the chairman knows, I represent a district on the Canadian-United States border with a very susbtantial and huge automotive industry, both parts manufacturers and assembly plants. I wonder if the distinguished chairman could indicate what he would expect the impact of this agreement would be on the automotive industry in a border area such as the Buffalo area.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman.

Mr. MILLS. Let me call the gentleman's attention to this, in answering his questions. The gentleman has within his congressional district the city of Buffalo, as I understand it.

Mr. McCARTHY. Part of it.

Mr. MILLS. Buffalo is very near the Canadian border, as I remember my geography. The gentleman's producers of parts in Buffalo prior to this agreement would be faced with Canadian duties as high as 25 percent each that would average 17 percent. The Canadian Government says that the licensed automobile manufacturers and parts manufacturers and jobbers in Canada will be permitted to import into Canada parts produced in the gentleman's district free of that 17 percent for use as original equipment. I have all of the confidence in the world in the ingenuity and know-how of American business and American labor. I would think that undoubtedly the export of parts from a place as near the Canadian border as Buffalo is would mean it would share in the growth of the automobile industry in Canada and a share would be in the gentleman's district.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. STALBAUM].

Mr. STALBAUM. Mr. Chairman and Members of the Committee, I rise in opposition to bill H.R. 9042, because I, too, in line with other speakers, state that it is not a free-trade agreement. I feel in the course of the debate so far this afternoon not enough attention has been paid to the letters of undertaking by the Canadian subsidiaries of the U.S. auto companies.

Basically what we have here is a situation where the Canadian subsidiaries said, "We will agree through these letters of undertaking to buy in the next 3 years $241 million more parts in Canada than we have bought previously."

I submit to you, representing an industry that supplies automotive parts, that this is putting my company at a disadvantage in this foot race, if you please, to the tune of this $241 million which has been agreed to by these Canadian auto subsidiaries of U.S. companies.

I recognize the value of the statement of the gentlewoman from Michigan that these are not part of the agreement itself, but they were precursors of the agreement and the Canadian Government, I am satisfied, would not have entered into the agreement if they had not had these assurances from these companies.

I would like to point out in this connection that this is the very item that makes this other than a free trade agreement, and the committee itself has so recognized it by its statement on page 6 of the report where they state:

> In the view of the committee, although these letters limit the free trade of the new arrangements—

And then they go on to say they feel they are desirable, but they are admitting in the report that this is not a free trade agreement as a result of the letters of undertaking that were written by the Canadian companies and which we are sure will have to be honored, although there are no penalties in the act itself if they do not honor them.

I do not accept the argument that these are a part of the agreement, because to say this is to say that we are implying that these companies would not keep their word. I am satisfied that the Canadian Government fully expects that these companies will keep their word, that in the next 3 years they will buy the $241 million of additional parts in Canada and that the agreement would not have been acceptable to the Canadian Government if these letters of undertaking had not been there in the first place.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, I come to this well with mixed emotions, I suppose, insofar as representation of my constituents is concerned, since I am informed that on Monday, September 13, the large Chrysler Corp. is going to open in my district a plant where they intend to employ 5,000 individuals in the manufacture of new automobiles.

At the same time I am reminded that there are various automotive parts manufacturers in my district, small independent concerns, which are going to be affected by this legislation one way or the other; some may benefit, and I am inclined to feel that many more may suffer some detriment if the bill is passed.

We debated here recently an immigration bill and we were persuaded to reject a certain amendment because we were told that foreign policy was being made by the Executive and we should follow that foreign policy. That bill had hardly left this Chamber when the policy of the Executive was changed, in order to follow the policy which had been proposed in this Chamber by the amendment.

Now we are urged to support this legislation as a fait accompli on the basis that it represents part of our foreign policy and we have to support that foreign policy. I question that this is good foreign policy. In addition, we have a right, as Members of this legislative body, in the enactment of legislation, to decide for ourselves whether we are promoting the best interests of our Nation internationally. With respect to the bill before us I do not think we are. I do not think we are acting wisely when we favor one group of automotive products manufacturers over another.

I do not think we are promoting the best interests of our Nation insofar as our international relations are concerned, when we provide that automotive parts which are going into a new product are going to be exported duty-free whereas those which are replacement parts are going to have to pay duty.

Mr. Chairman, insofar as I know we have never made any distinction heretofore in the application of our tariff laws in which the imposition of tariff depended upon the end result of a product which was imported or exported.

We know that this legislation is a refinement or a new development of the so-called Canadian remission of duty order which has now been abandoned. This was a form of subsidy of Canadian exported products which was under scrutiny by the Tariff Commission at the time it was abandoned and replaced by this legislation.

Now, Mr. Chairman, I had intended to offer an amendment, if the rule were an open rule and if we had the opportunity to offer such an amendment.

However, I do ask leave to attach at the conclusion of my remarks the amendment that I would offer if I had the opportunity to do so at the appropriate time.

This amendment would merely do this: It would provide that this act should become effective only if it should apply to all automotive parts and to all new automobiles. It would eliminate the duty on all automotive parts, regardless of their final destination, regardless of whether they are intended for new automobiles, or as replacement parts.

In such a way we would be treating the automotive manufacturers equally and equitably and we would be promoting friendly trade as between our Nation, something which I believe we all want to encourage and which we all desire.

Mr. Chairman, as I said before, I am fearful that this legislation and the agreement this bill authenticates are going to result in misunderstanding, dissension, and disagreement. The agreement is being promoted in Canada as a means of aiding Canadian national interests and not its international relations. The promotion of these national interests is a part of the philosophy of the political party and administration in authority in Canada at the present time. Passage of this bill will give encouragement to that administration, but the measure will not advance the long-range good relations between Canada and the United States, and I doubt that the bill will promote cooperation, harmony, and free trade as between our nations.

Therefore, Mr. Chairman, I ask unanimous consent to attach my proposed amendment as a part of my remarks.

The CHAIRMAN. The Chair wishes to inquire if the statement is the gentleman's own statement?

Mr. McCLORY. Yes; it is my own statement. It relates to an amendment that I would offer if I had an opportunity to offer it. It merely qualifies the acquiescence of the Congress with respect to this legislation, with the proviso that is contained in the proposed amendment, which I have explained.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter referred to follows:

Page 2, line 17, strike out "Act." and insert the following: "Act, but only if the Agreement is amended to provide for the mutual reduction or elimination of the duties applicable to automotive products (hereinafter referred to as 'automotive replacement parts') other than motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles. Such proclamation shall include such further modifications of the Tariff Schedules of the United States as the President determines to be required to carry out the Agreement with respect to automotive replacement parts."

Page 2, line 24, after "subsection (a))" insert the following: "or which is an automotive replacement part".

Page 3, strike out line 4 and all that follows through line 3 on page 4, and insert the following:

"SEC. 202. (a) Whenever, after determining that such an agreement will afford mutual trade benefits, the President enters into an agreement with the government of a country providing for—

"(1) the mutual elimination of the duties applicable to products of their respective countries which are motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles, and

"(2) the mutual reduction or elimination of the duties applicable to products of their respective countries which are automotive replacement parts,

the President (in accordance with subsection (c)) is authorized to proclaim such modifications of the Tariff Schedules of the United States as he determines to be required to carry out such agreement."

Page 4, line 4, strike out "(c)" and insert the following: "(b)".

Page 4, line 5, strike out "or (b)".

Page 4, line 23, strike out "(d) (1)" and insert the following: "(c) (1)".

Page 4, line 25, strike out "or (b)".

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. STUBBLEFIELD].

Mr. STUBBLEFIELD. Mr. Chairman, I rise in opposition to this bill.

My principal objection to the passage of this bill is that the United States has undertaken, in the so-called trade agreement with Canada, to grant duty-free treatment to motor vehicles and original equipment parts imported by anyone from Canada. Canada in return has undertaken nothing. Canada "promises" to give duty-free status to automotive products imports only if they are imported by "qualified" Canadian vehicle producers. But a qualified Canadian producer is one who has entered into a private agreement with the Canadian

Government pursuant to which he undertakes to maintain his Canadian production and sales at their highest historic level and guarantees a fixed, increased annual amount of Canadian production—for export to the United States—in years to come. In short, duty-free treatment on imports into Canada will only be extended to those who guarantee that Canada's share of the home Canadian market for automotive products remains intact and that the Canadian share of the U.S. market will increase. Thus, the agreement is completely one-sided in favor of Canada to the detriment of U.S. companies and their workers.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, I will speak on this bill from a somewhat different vantage point than its bearing on our flourishing trade with Canada. I have not gone into all of the economic details of the legislation—I rely fully on the distinguished chairman of the committee for my information on that subject. However, with my colleagues of the House delegation to the United States-Canadian Interparliamentary Group, I am deeply interested in the great benefit this legislation will bring to United States-Canadian economic and political relationships generally.

It is standard procedure to talk about the unique relationship between the United States and Canada, and some people may find this an overworked concept. But our relationship with Canada is a very special one and I think that it is immensely important for us both that we make certain that it works smoothly and well.

Two distinguished diplomats—former U.S. Ambassador to Canada, Livingston Merchant, and former Canadian Ambassador to the United States, Arnold Heeney—have recently reported on the United States-Canada relationship and on the principles that can be used to guide it for the future.

The two Ambassadors state that the "volume and variety of mutual involvement of the two countries and their peoples are without parallel." And that is the key to our relationship with Canada. Never in human history have two sovereign nations been linked together so closely—not merely by the inescapable fact of geography, but by a huge flow of trade, by investment, by financial relationships, by culture, by family ties, by sports, above all by a common interest in the preservation of a way of living as democratic peoples.

We have been at peace for 150 years, without a break. Our border is undefended. The record of harmonious joint occupancy of this vast continent is one of the political wonders of the world.

We are bound together in partnership. As the Ambassadors put it:

> The network of joint arrangements between the two governments and their military services is striking evidence of the degree to which the two countries are involved with one another in the ultimate and fundamental business of national security.

In our defense partnership, we have agreed that North America must be considered, in effect, as a single unit if we are to assure our common security.

Defense is not the only aspect of our relationship that requires a North American view. As the technological revolution races on, as the hazards of the 20th century continue to threaten us both, we are going to find more and more problems that will demand a continental approach in the interest of the common prosperity and security of the American and Canadian peoples.

The automobile industry is very clearly one of those places where we must have a North American look. We make and drive the same automobiles, within our countries and across our long border. It is perfectly evident that the efficient way to run this particular industry—in both nations' interest—is as a North American industry.

The agreement which has been worked out and which has been signed by the President and by Prime Minister Pearson is an imaginative answer to a situation crying for just such an answer.

We have heard arguments that the arrangements made with Canada do not benefit the United States alone. If this is true, it is probably as it ought to be. We cannot deal with a good friend and tough negotiator on a matter like this and expect to have it all our way. But there is one basic economic and political fact we must not forget and that we should not minimize: I mean that Canada was headed toward the creation of a home-grown Canadian automobile industry which would have seriously reduced the opportunity for sales in Canada of United States parts and vehicles made by United States workers. Now Canada has given up that idea and has agreed to remove the barriers to a single North American industry. This is a truly outstanding event in the good relations of our two countries. I believe it will benefit both our countries. It far outweighs any minor imperfections any of us may find in the details of the arrangements. It is an event we should seize on with great satisfaction.

I do not believe, Mr. Speaker, that we will stop here. There are other industries and other facets of our relations with Canada where we have to find North American solutions in the years ahead.

As we see in the present bill, and as we see in our defense arrangements, we can do so within a relationship between sovereign and independent countries. It is the particular genius of Americans and Canadians that they have learned to find practical answers to practical situations, leaving political theorizing to somebody else. In enacting this bill, we shall be telling the President and Prime Minister Pearson to keep on working, as good neighbors, good partners, and good North Americans, toward the kinds of practical, constructive understanding that will continue to make the United States-Canadian relationship the political miracle of the age.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, wondrous are the ways of the Ways and Means Committee. We are asked again, as with other bills that come from the Committee on Ways and Means, to swallow the offering whole, no matter what our ability to digest it.

It has become fashionable, it seems, to bring bills in, any bill out of the Committee on Ways and Means, it does not make much difference what it deals with, under a gag rule. I can conceive of no reason whatever why this bill is on the floor under a gag rule so that the House cannot work its will. There is no explanation from anyone as to why the House is again being short-circuited by the Committee on Ways and Means.

Evidently the President has his doubts about this legislation and its effect upon the workers of the automobile industry and the related auto parts industry, for he says on page 3 of the report:

> To provide appropriate relief, the bill I propose will make applicable the adjustment assistance of title III of the Trade Expansion Act of 1962.

In other words, compensatory payments out of the Federal Treasury, not from the automobile industry, not from the parts industry, but out of the U.S. Treasury—compensatory payments to workers who may be displaced by Canadian labor from enactment of this legislation—from the implementation of a Presidential treaty.

The chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], when the coffee bill came before the House of Representatives, assured us it would not result in an increase in the price of coffee. Later he amended that statement to say that he regretted that it had resulted in a price increase. I will say to you that the coffee we use in our home, the same brand, the same pound can, has gone from 77 cents a pound to 90 cents a pound as a result of the Ways and Means Committee legislation that implemented the international coffee cartel.

We are getting the same kind of deal in this bill, except that the compensatory coffee payments are being paid over the dinner tables and breakfast tables of this country to the Brazilians and other coffee producing countries in Latin America. If we are going to enact legislation of this kind, then it is about time we got legislation to the floor of the House to give those of you who support this legislation today the opportunity to likewise vote to provide for the construction of American ships in Japanese shipyards. Why not? Why not build our ships in Japanese yards? I am one of those who has been voting for subsidies to build American ships in American yards because I know that employed American labor is the best consumer of American agricultural products. I want to protect American industry and I want to protect American labor. I am not going to be caught voting for this bill or any other bill that gives away the American market for American labor, American farm products, American industry and business. That is exactly what you will be doing if you vote for this bill today.

If anyone can give me a solid reason why we should turn over any part of our automotive production to Canada I want to hear it. Such reason has not been forthcoming up to this point.

Mr. BYRNES of Wisconsin. Mr. Chairman, may I inquire of the gentleman from Arkansas, the chairman of the committee, whether he wishes to yield time?

Mr. MILLS. I do not have any requests for time now and I would like the gentleman from Wisconsin to conclude the debate, if he would.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the problem confronting the automobile industry, that is the producers of automobiles and the producers of parts, as a result of the situation that has existed for the past several years, is not a simple one nor is the solution of that problem a simple one. I do, however, rise in support of this legislation. I rise quite frankly with some misgivings but I would say I would have even graver misgivings as to the consequences of withdrawing from this agreement that our Government has entered into with the Government of Canada. Frankly, I think that is the thing we have to bear in mind.

We should discuss, and I am glad there were discussions, of the problems and the departures from our established trade policy in the course that the administration pursued in undertaking this agreement. I wholeheartedly agree with the comments made by my colleague, the gentleman from Missouri, in regards to the matters that concern him. I subscribe wholeheartedly to the words of caution contained in the Republican supplemental views accompanying this report. But the issue is, it seems to me, where are we now, and where will we be should we withdraw from this agreement, what would be our position if the Congress should refuse to give the President the authority to do what he undertook to do in his agreement with the Canadian Government?

As I see it, these are the alternatives that we face. You will either have unilateral action by the Government of Canada to increase its share of the automobile market in Canada, by taking whatever action Canada decides upon to reduce the exportation of parts from the United States to Canada—and parts are in considerable volume—and to reduce the exportation of new automobiles from this country to Canada. Or we can meet the problem as is proposed here by a bilateral action through a meeting of the minds, in recognition of the fact that both countries have an interest in the automobile industry and its economic welfare.

I believe that the course adopted here is the wiser course to pursue. By this action, at least, we have some understanding with Canada. The cards are all out on the table. We know the terms of the supplemental agreements between the automobile manufacturers and the Canadian Government. We know what is proposed as the increase in the operations of the automobile industry in Canada. If we revert back to the former situation we will not know what unilateral or individual action Canada may take in order to increase the part it plays in automobile manufacturing.

Let us make up our minds, whether we like it or not, the Canadian Government as a matter of policy has determined that it will play a larger part in the manufacture of automobile parts and of automobiles that are consumed in the Canadian market. That is their policy. We can disagree with that policy. I certainly do not stand here defending the Canadian policy, but they are the ones who made the decision. It was as a result of that decision that we sought negotiations with Canada to find out what could be done. This particular agreement is the outcome.

I believe this history of the situation is rather important in order that we know where we are today and what we should do in the case of this legislation.

Canada was and still is faced with a balance-of-payments problem and a desire to increase employment for its labor force. In seeking to alleviate the problem, the Canadians were influenced by the unfavorable balance of trade in automobile products between the United States and Canada. This unfavorable balance was almost equivalent to the unfavorable balance-of-payments problem which they faced. In addition, the Canadians anticipated that the Canadian market for automobiles would expand at a rate greater than the rate of growth of the Canadian economy as a whole. This would mean that the unfavorable balance of trade in automotive products would increase unless steps were taken by Canada to expand the production of automotive products. So they said, "We are going to do something about it."

They started first with the "value added" concept. Canada required that about 60 percent of the value of automobiles sold in Canada represent Canadian production. That was beginning in 1962. This was intended to stimulate automotive production in Canada.

In addition, the Canadians offered in 1962 a rebate of duty on automobiles and parts imported into Canada measured by the value of the automobiles and parts exported from Canada. This was part of the scheme to increase Canadian production.

We protested. The only thing we could do—and I believe we were forced to do it under the law—was to impose countervailing duties. But that would not foreclose further action by Canada to increase the value of Canadian labor and parts going into the production of automobiles.

Following the inauguration of the Canadian program, the value of the Canadian exports of automobile parts to the United States increased from $9 million in 1962 to $30 million in 1963 and then to $65 million in 1964. During this same period, Canadian exports to the United States of completed motor vehicles also rose sharply. The annual value increased from $3 million in 1962 to $4 million in 1963, and then to $24 million in 1964.

That is the course that Canada was pursuing unilaterally. The agreement is preferable in that at least we get some benefit from the situation, because we remove the high Canadian duty that applies to automotive products exported from the United States to Canada. In exchange, we eliminate a much lower duty which applies to Canadian automotive products coming into this country in the form of finished automobiles or parts.

Mr. Chairman, I say that in spite of the misgivings that we all may have, and in spite of certain objections we have to the way this agreement was initiated, and even in spite of the retroactive effect of the agreement and the other various aspects of the agreement to which I have serious reservations—in spite of our objections and our reservations, we have today before us legislation affecting a very vital industry in this country, namely, the automobile industry. We all recognize the importance of that industry. If it goes on strike or something happens to it, everybody becomes concerned. The automobile industry is a vital part of our economy. Our choice is clear. We can either turn our backs on the problem and let Canada take unilateral action, restricting the importation into Canada of American parts and automobiles, or we can take this bilateral action which at least keeps the matter somewhat under control and accepts the philosophy that there is going to be a normal increase in the Canadian sales and consumption of automobiles, and that the Canadians will have a greater share in that increase, but we will also share in it.

One of my regrets is that we have not pursued this type of action in areas where we need to get concessions from the Canadians on the restrictions and duties that they put on our exports. I think it is regrettable that these negotiations have been confined to one industry, but I would say now that that is not what we have before us. The question is: What do we do as far as this industry is concerned?

I am convinced in spite of the misgivings and in spite of this horn of the dilemma that we are on, we are better off to take that course which gives us the least misgivings and in which we have the least concern that it might be damaging to this country's interests. I believe we should take that course rather than the other course, which we all agree could have grave consequences, of simply leaving this matter up to Canada itself as to what they were going to do as far as restricting American participation in their automobile industry is concerned, because we know it is their policy to increase the automotive industry in Canada itself.

Mrs. HANSEN of Washington. Mr. Chairman, the problem of trade and tariffs is before us today and I have no wish to disrupt the orderly process of trade and friendship between our Nation and Canada, our northern neighbor, who has been and will undoubtedly continue to be one of the great bulwarks of democracy in a world sometimes filled with controversy and disagreement.

However, there are many problems which should be discussed between the two nations relative to policies that effect the economy of areas such as my own.

My district has been dependent upon forest products for many years. This year we celebrate the 25th anniversary of the first tree farm in the United States.

Logging, lumbering, and the processing of forest products has long provided the economic stability and vitality of southwest Washington. However, as time passes we find that due to changing circumstances our forest products economy has not always been as healthy as possible.

One of the major problems in the Northwest at the present time is the question of our exports of raw logs to Japan. The second thing is the inability of our American forest products to compete with the importation of softwood from Canada.

It might be well for Members of Congress to look at the record.

In 1960, such imports totaled over 3.6 million board feet; in 1961, some 4 million board feet; in 1962, over 4.5 million board feet; in 1963, some 5 million board feet; and in 1964, almost 5 million board feet again. For the first quarter of 1965, softwood lumber imports are slightly ahead of the same period of last year.

When we bear in mind that over 95 percent of U.S. total softwood imports come from Canada, it becomes readily apparent that the Canadian softwood producer enjoys a very fruitful market in our country.

It is difficult, Mr. Chairman, to isolate a single item which gives Canadian producers a preferred position over domestic producers. One of the most important, however, relates to the facts that governmental cooperation through realistic appraisal prices of Government-owned timber assists the Canadian forest industry to export. As a matter of Government policy, raw material costs are kept in line with prevailing economic conditions in the United States. Timber sales from the national forests in our country are generally not conducted with comparable consideration of market conditions and community stability.

The British Columbia government, which owns the Provinical timber in Western Canada, effectively assists Canadian wood products promotion. The mills of British Columbia also have a regional advantage over U.S. producers in the amounts paid in salaries and wages. British Columbia lags behind in fringe benefits as well.

The bill before us today brought to mind the American softwood lumber industry's struggle during the past 5 years for survival against Canadian imports. That industry continues to be faced with a serious import crisis which is effectively gnawing away at the economic security of every forest-based community in our Nation, threatening unemployment and economic insecurity for our citizens.

The pending measure was a sharp reminder of this valiant struggle of our own domestic lumber industry against imports of a Canadian product.

It is my hope that our Government will do something to help the domestic softwood industry and its employees overcome the disadvantage of these imports and rebuild our economic health.

Because I think the facts about Canadian timber resources would be of interest, I am including for the RECORD: First, data on 1964 lumber production in Canada by Province; and second, the timber potential by Province.

I am also including for the United States: First, data on 1962 lumber production by region in the United States; and second, the net volume of sawtimber on commercial lands on January 1, 1963:

Net volume of growing stock

New England	30, 695
Middle Atlantic	46, 611
Lake States	31, 896
Central	136, 469
South Atlantic	40, 516
East Gulf	24, 663
Central Gulf	30, 359
West Gulf	38, 548
Pacific Northwest	203, 085
Pacific Southwest	55, 518
Northern Rocky Mountain	271, 192
Southern Rocky Mountain	147, 200
Total West	357, 327
Total all regions	627, 882

Net volume of sawtimber

New England	54, 428
Middle Atlantic	103, 704
Lake States	59, 705
Central	91, 937
South Atlantic	117, 554
East Gulf	69, 890
Central Gulf	93, 619
West Gulf	131, 007
Pacific Northwest	1, 091, 929
Pacific Southwest	304, 634
Northern Rocky Mountain	271, 192
Southern Rocky Mountain	147, 200
Total West	1, 814, 955
Total all regions	2, 536, 799

Net volume of sawtimber

Central Gulf	18, 832
West Gulf	102, 994
Pacific Northwest	198, 797
Pacific Southwest	48, 664
Northern Rocky Mountain	17, 981
Southern Rocky Mountain	1, 574
Total	398, 935

The timber cut from sawtimber

New England	1, 348, 000
Middle Atlantic	1, 759, 000
Lake States	1, 300, 267
Central	1, 718, 697
South Atlantic	4, 790, 209
East Gulf	2, 824, 230
Central Gulf	3, 811, 027
West Gulf	3, 949, 166
Pacific Northwest	17, 138, 140
Pacific Southwest	5, 922, 608
Northern Rocky Mountain	2, 878, 342
Southern Rocky Mountain	961, 331
Total all regions	48, 401, 017

Net annual growth and cut

	Growth	Cut
New England	1, 001, 700	398, 300
Middle Atlantic	1, 685, 600	485, 500
Lake States	1, 152, 489	469, 352
Central	4, 835, 716	1, 696, 311
South Atlantic	2, 013, 500	1, 196, 843
East gulf	1, 518, 700	835, 702
Central gulf	1, 786, 000	1, 121, 352
West gulf	2, 151, 000	1, 081, 551
Pacific Northwest	2, 378, 800	2, 617, 436
Pacific Southwest	650, 605	947, 442
Northern Rocky Mountain	586, 497	586, 497
Southern Rocky Mountain	344, 217	344, 217
Total	16, 265, 035	10, 147, 954

In conclusion, Mr. Chairman, I would like to say again that it is extremely difficult to isolate any one product or any one segment of American manufactured goods and make it the ostensible basis of trade or discussion. Our entire import policy should be reviewed in the context of development of a better internal policy and a more satisfactory external trade policy with our Canadian neighbors.

Mr. BURKE. Mr. Chairman, I am glad to add my support to this bill which will implement the historic agreement signed last January by President Johnson and Prime Minister Pearson. This agreement is a further major step toward the closer integration of the United States and Canada.

The United States and Canada are good and close neighbors. We are each other's greatest trading partners. Last year, we exchanged goods valued at more than $9 billion. Our trade in automotive products alone almost totaled $1 billion. United States investment in Canada now totals more than $20 billion. Canadians have invested some $4 billion in the United States.

Our relations are closely entwined in other ways as well. In matters of our mutual defense, we have established the closest of ties. The Permanent Joint Board on Defense, established in 1940 by President Roosevelt and Prime Minister MacKenzie King, treats the defense of the North American Continent as a whole. The North American Air Defense Command—NORAD—is a joint defense command with an American as its commander and a Canadian as its deputy. The DEW line—the distant early warning network—jointly established and maintained by the United States and Canada, has its objective the defense of the entire North American Continent.

A year ago, President Johnson and Prime Minister Pearson celebrated the ratification of the Columbia River Treaty. This treaty provides for the construction of dams in Canada which will protect the United States against flood damage and will provide electrical generation for our joint use.

Mr. Chairman, I could cite many other instances where the United States and Canada have established and maintained the very closest of ties. So, I think it only natural that provision should now be made to treat the great automotive industries in the United States and Canada as a single unit. That is what the agreement signed last January and this bill will do. By removing trade barriers between the two countries, auto manufactures who, in almost all cases, have plants on both sides of the border will be able to produce in their most efficient manner without regard to arbitrary and unnatural barriers. The automotive agreement speaks well for the future of our relations with Canada. I believe that everyone on both sides of the border will benefit from it—workers, manufacturers, and, ultimately, consumers. I think our economy and that of Canada will benefit generally. Mr. Chairman, I supported and voted for this bill in the Committee on Ways and Means and I shall vote for it here today.

Mr. TUPPER. Mr. Chairman, I urge in the strongest terms an affirmative vote by the House on H.R. 9042, the Automotive Products Trade Act of 1965. A significant amount of goods now move duty free between the United States and Canada. A free market for manufacture and sale of automotive products should prove to be an economic gain for both our country and Canada.

Canada has already acted to remove the impediment to trade in automobiles and original equipment.

The Canadian Parliament has voted to remove all duties on import of automobiles—17½ percent—and parts—up to 25 percent.

Congress must act to match this expression of good faith.

This bill, growing out of an agreement last January by President Johnson and Prime Minister Pearson, will remove barriers to the creation of a single North American automotive industry. Canada has thus abandoned its purpose of creating a separate competitive auto industry.

U.S. automobile companies will be able to treat their Canadian and United States plants as a single industry thereby increasing the efficiency of their operation. Parts manufacturers will have opportunities for new business with removal of tariffs. It should bring fuller employment in the U.S. automobile and parts industry. Moreover, it will help preserve a favorable balance of trade with Canada of over one-half billion dollars per year.

In the event of temporary injury to an individual firm and its workers through increased imports or loss of exports, adjustment assistance under the provision of the Trade Expansion Act of 1962 will apply. Since it reduces duties 100 percent immediately, adjustment assistance is more generous than in any cases of dislocation under the 1962 act.

Instead of engaging in retaliatory tariff measures, the United States and Canada must commence to look at trade between the two countries with the maturity the mid-sixties demand.

Even where it is determined that an agreement helps one country more than the other, as long as it does not harm either nation, the friendship between the peoples of the two countries ought to dictate terms for a reasonable agreement. Just as there must be intelligent compromise in diplomacy, there must be an intelligent give and take in trade policies.

Mr. DUNCAN of Oregon. Mr. Chairman, I rise in opposition to this bill as I did more vocally a few weeks ago on a proposal for a universal divestiture of tariffs in nickel. Today we have not a unilateral action but a bilateral action predicated again on the interest of a substantial portion of a single industry which is completely inconsistent with all our grandiose objectives and plans and statements for a "grand design" of a peaceful and closely knit world bound together by the sinews of a freer trade.

Once again the exigencies of the moment and the demands of a single powerful industry subvert this "grand design." Once again we prove to the world that "freer trade" is not a broad freeway with benefits flowing in both directions but is a one-way street with American producers and American labor giving much and receiving little. No effort is made to equalize the competitive disadvantages in which our lumber and woods products industry finds itself vis-a-vis the Canadians. No effort is made to relieve the log export problem presently bearing so heavily on our own Pacific Northwest nor to equalize the flow of logs across the border between Washington and British Columbia which seem to our producers to flow only in one direction.

How can the administration and the Congress blatantly announce that this agreement is in violation of the General Agreement on Tariffs and Trade and then ask for and vote for this bill? The most-favored-nation doctrine, must be applied and the benefits accruing to Canada must be spread among our trading partners of the free world. We are faced here with a specter not just of Canadian production, 90 percent of which, we are told, is American owned—but Canadian manned—but production from Japan, Germany, England, France, Italy, Sweden, and who knows what other nations, all of whom are entitled to most favored nation. We have many friends in the world when approached on this basis, and it will mean little to any of them when we try to explain our especial relation to Canada as a justification for breaking the agreement.

Our Government tells us that they intend to ask for a waiver. A waiver should be obtained before the deed is done—for what do we do if the waiver is not forthcoming. I reiterate again my belief that our greater prosperity and that of the world lies in the direction of freer trade. I cannot help but agree with the gentleman from Missouri, [Mr. CURTIS] who prophesied gloomily that the road down which we are moving with bilateral agreement following unilateral agreement in odd juxtaposition can but lead us back to the confusion, the barriers, and the stagnation of "Smoot Hawley." The intense pressures of a single industry or the troubles of even so close a friend as Canada ought not be permitted to divert us from our goal.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may be permitted to revise and extend their remarks on the bill under consideration at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. If there are no further requests for time, under the rule the bill is considered as having been read for amendment.

The bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND PURPOSES

Short title

SECTION 101. This Act may be cited as the "Automotive Products Trade Act of 1965".

Purposes

SEC. 102. The purposes of this Act are—

(1) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada signed on January 16, 1965 (hereinafter referred to as the "Agreement"), in order to strengthen the economic relations and expand trade in automotive products between the United States and Canada; and

(2) to authorize the implementation of such other international agreements providing for the mutual reduction or elimination of duties applicable to automotive products as the Government of the United States may hereafter enter into.

TITLE II—BASIC AUTHORITIES

Implementation of the Agreement

SEC. 201. (a) The President is authorized to proclaim the modifications of the Tariff Schedules of the United States provided for in title IV of this Act.

(b) At any time after the issuance of the proclamation authorized by subsection (a), the President is authorized to proclaim further modifications of the Tariff Schedules of the United States to provide for the duty-free treatment of any Canadian article which is original motor-vehicle equipment (as defined by such Schedules as modified pursuant to subsection (a)) if he determines that the importation of such article is actually or potentially of commercial significance and that such duty-free treatment is required to carry out the Agreement.

Implementation of other agreements

SEC. 202. (a) Whenever, after determining that such an agreement will afford mutual trade benefits, the President enters into an agreement with the government of a country providing for the mutual elimination of the duties applicable to products of their respective countries which are motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles, the President (in accordance with subsection (d)) is authorized to proclaim such modifications of the Tariff Schedules of the United States as he determines to be required to carry out such agreement.

(b) Whenever, after having entered into an agreement with the government of a country providing for the mutual elimination of the duties applicable to products described in subsection (a), the President, after determining that such further agreement will afford mutual trade benefits, enters into a further agreement with such government providing for the mutual reduction or elimination of the duties applicable to automotive products other than motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles, the President (in accordance with subsection (d)) is authorized to proclaim such modifications of the Tariff Schedules of the United States as he determines to be required to carry out such futher agreement.

(c) Before the President enters into the negotiation of an agreement referred to in subsection (a) or (b), he shall—

(1) seek the advice of the Tariff Commission as to the probable economic effect of the reduction or elimination of duties on industries producing articles like or directly competitive with those which may be covered by such agreement;

(2) give reasonable public notice of his intention to negotiate such agreement (which notice shall be published in the Federal Register) in order that any interested person may have an opportunity to present his views to such agency as the President shall designate, under such rules and regulations as the President may prescribe; and

(3) seek information and advice with respect to such agreement from the Departments of Commerce, Labor, State, and the Treasury, and from such other sources as he may deem appropriate.

(d)(1) The President shall transmit to each House of the Congress a copy of each agreement referred to in subsection (a) or (b). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session.

(2) The President is authorized to issue any proclamation to carry out any such agreement—

(A) only after the expiration of the 60-day period following the date of delivery,

(B) only if, between the date of delivery and the expiration of such 60-day period, the Congress has not adopted a concurrent resolution stating in substance that the Senate and House of Representatives disapprove of the agreement, and

(C) in the case of any agreement referred to in subsection (b) with any country, only if there is in effect a proclamation implementing an agreement with such country applicable to products described in subsection (a).

(3) For purposes of paragraph (2), in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die.

Effective date of proclamations

SEC. 203. (a) Subject to subsection (b), the President is authorized, notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C., sec. 1514) or any other provision of law, to give retroactive effect to any proclamation issued pursuant to section 201 of this Act as of the earliest date after January 17, 1965, which he determines to be practicable.

(b) In the case of liquidated customs entries, the retroactive effect pursuant to subsection (a) of any proclamation shall apply only upon request therefor filed with the customs officer concerned on or before the 90th day after the date of such proclamation and subject to such other conditions as the President may specify.

Termination of proclamations

SEC. 204. The President is authorized at any time to terminate, in whole or in part, any proclamation issued pursuant to section 201 or 202 of this Act.

TITLE III—TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE

General authority

SEC. 301. Subject to section 302 of this Act, a petition may be filed for tariff adjustment or for a determination of eligibility to apply for adjustment assistance under title III of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1901–1991) as though the reduction or elimination of a duty proclaimed by the President pursuant to section 201 or 202 of this Act were a concession granted under a trade agreement referred to in section 301 of the Trade Expansion Act of 1962.

Special authority during transitional period under the agreement

SEC. 302. (a) After the 90th day after the date of the enactment of this Act and before July 1, 1968, a petition under section 301 of this Act for a determination of eligibility to apply for adjustment assistance may be filed with the President by—

(1) a firm which produces an automotive product, or its representative; or

(2) a group of workers in a firm which produces an automotive product, or their certified or recognized union or other duly authorized representative.

(b) After a petition is filed by a firm or group of workers under subsection (a), the President shall determine whether—

(1) dislocation of the firm or group of workers has occurred or threatened to occur;

(2) production in the United States of the automotive product concerned produced by the firm, or an appropriate subdivision thereof, and of the automotive product like or directly competitive therewith, has decreased appreciably; and

(3)(A) imports into the United States from Canada of the Canadian automotive product like or directly competitive with that produced by the firm, or an appropriate subdivision thereof, have increased appreciably; or

(B) exports from the United States to Canada of the United States automotive product concerned produced by the firm, or an appropriate subdivision thereof, and of the United States automotive product like or directly competitive therewith, have decreased appreciably, and the decrease in such exports is greater than the decrease, if any, in production in Canada of the Canadian automotive product like or directly competitive with the United States automotive product being exported.

(c) If the President makes an affirmative determination under paragraphs (1), (2), and (3) of subsection (b), with respect to a firm or group of workers, he shall promptly certify that as a result of its dislocation the firm or group of workers is eligible to apply for adjustment assistance, unless the President determines that the operation of the Agreement has not been the primary factor in causing or threatening to cause dislocation of the firm or group of workers.

(d) If the President makes an affirmative determination under paragraph (1) but a negative determination under paragraph (2) or (3) of subsection (b), with respect to a firm or group of workers, the President shall determine whether the operation of the Agreement has nevertheless been the primary factor in causing or threatening to cause dislocation of the firm or group of workers. If the President makes such an affirmative determination, he shall promptly certify that as a result of its dislocation the firm or group of workers is eligible to apply for adjustment assistance.

(e)(1) In order to provide the President with a factual record on the basis of which he may make the determinations referred to in subsections (b), (c), and (d) with respect to a firm or a group of workers, the President shall promptly transmit to the Tariff Commission a copy of each petition filed under subsection (a) and, not later than 5 days after the date on which the petition is filed, shall request the Tariff Commission to conduct an investigation related to questions of fact relevant to such determinations and to make a report of the facts disclosed by such investigation. In his request, the President may specify the particular kinds of data which he deems appropriate. Upon receipt of the President's request, the Tariff Commission shall promptly institute the investigation and promptly publish notice thereof in the Federal Register.

(2) In the course of each investigation conducted under paragraph (1), the Tariff Commission shall, after reasonable notice, hold a public hearing, if such hearing is requested (not later than 10 days after the date of the publication of its notice under paragraph (1)) by the petitioner or any other person showing a proper interest in the subject matter of the investigation, and shall afford interested persons an opportunity to be present, to produce evidence, and to be heard at such hearing.

(3) Not later than 50 days after the date on which it receives the request of the President under paragraph (1), the Tariff Commission shall transmit to the President a report of the facts disclosed by its investigation, together with the transcript of the hearing and any briefs which may have been submitted in connection with such investigation.

(f)(1) The President shall make each final determination under subsection (b), (c), or (d) with respect to a firm or group of workers only after he has sought advice from the Departments of Commerce, Labor, and the Treasury, the Small Business Administration, and such other agencies as he may deem appropriate.

(2) The President shall make each such final determination not later than 15 days after the date on which he receives the Tariff Commission's report, unless, within such period, the President requests additional factual information from the Tariff Commission. In this event, the Tariff Commission shall, not later than 25 days after the date on which it receives the President's request, furnish such additional factual information in a supplemental report, and the President shall make his final determination not later than 10 days after the date on which he receives such supplemental report.

(3) The President shall promptly publish in the Federal Register a summary of each final determination under this section.

(g) Any certification with respect to a group of workers made by the President under this section shall—

(1) specify the date on which the dislocation began or threatens to begin; and

(2) be terminated by the President whenever he determines that the operation of the Agreement is no longer the primary factor in causing separations from the firm or subdivision thereof, in which case such determination shall apply only with respect to separations occurring after the termination date specified by the President.

(h) Any certification with respect to a firm or a group of workers or any termination of such certification, including the specification of a date in such certification or termination, made by the President under this section shall constitute a certification or termination, including the specification of a date therein, under section 302 of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1902) for purposes of chapter 2 or 3 of title III of that Act.

(i) If a firm which has been certified under this section applies for tax assistance as provided by section 317 of the Trade Expansion Act of 1962, the reference in subsection (a) (2) of such section 317 to a trade or business which was seriously injured by increased imports which the Tariff Commission has determined to result from concessions granted under trade agreements shall be treated as referring to a trade or business which was seriously injured by the operation of the Agreement.

(j) Notwithstanding any provision of chapter 3 of title III of the Trade Expansion Act of 1962 or of this title, applications based on any certification made by the President under this section for—

(1) trade readjustment allowances for weeks of unemployment beginning after January 17, 1965, and before the 90th day after the date of the enactment of this Act, and

(2) relocation allowances for relocations occurring after January 17, 1965, and before such 90th day,

shall be determined in accordance with regulations prescribed by the Secretary of Labor.

(k) The President is authorized to exercise any of his functions under this section through such agency or other instrumentality of the United States Government as he may direct and in conformity with such rules or regulations as he may prescribe.

(l) For purposes of this section—

(1) The term "automotive product" means a motor vehicle or a fabricated component to be used as original equipment in the manufacture of motor vehicles.

(2) The term "dislocation" means—

(A) in the case of a firm, injury to the firm, which may be evidenced by such conditions as idling of productive facilities, inability to operate at a level of reasonable profit, or unemployment or underemployment, and which is of a serious nature; and

(B) in the case of a group of workers, unemployment or underemployment of a significant number or proportion of the workers of a firm or an appropriate subdivision thereof.

(3) The term "firm" includes an individual proprietorship, partnership, joint venture, association, corporation (including a development corporation), business trust, cooperative, trustees in bankruptcy, and receivers under decree of any court. A firm, together with any predecessor, successor, or affiliated firm controlled or substantially beneficially owned by substantially the same persons, may be considered a single firm where necessary to prevent unjustifiable benefits.

(4) The term "operation of the Agreement" includes governmental or private actions in the United States or Canada directly related to the conclusion or implementation of the Agreement.

Adjustment assistance related to other agreements

SEC. 303. At the time the President transmits to the Congress a copy of any agreement pursuant to section 202(d)(1), he shall recommend to the Congress such legislative provisions concerning adjustment assistance to firms and workers as he determines to be appropriate in light of the anticipated economic impact of the reduction or elimination of duties provided for by such agreement.

Authorization of appropriations

SEC. 304. There are hereby authorized to be appropriated such sums as may be necessary from time to time to carry out the provisions of this title, which sums are authorized to be appropriated to remain available until expended.

TITLE IV—MODIFICATIONS OF TARIFF SCHEDULES OF THE UNITED STATES

Entry into force and status of modifications

SEC. 401. (a) The modifications of the Tariff Schedules of the United States provided for in this title shall not enter into force except as proclaimed by the President pursuant to section 201(a) of this Act.

(b) The rates of duty in column numbered 1 of the Tariff Schedules of the United States which are modified pursuant to section 201(a) of this Act shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President as being required to carry out a foreign trade agreement to which the United States is a party.

References to tariff schedules

SEC. 402. (a) Whenever in this title a modification is expressed in terms of a modification of an item or other provision, the reference shall be considered to be made to an item or other provision of the Tariff Schedules of the United States (28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202). Each page reference "(p.)" in this title refers to the page both in part II of the Federal Register for August 17, 1963, and in volume 77A of the United States Statutes at Large on which the item or provision referred to appears or is to appear.

(b) Title I of the Tariff Act of 1930, as in effect on or after August 31, 1963, may be cited as the "Tariff Schedules of the United States".

Definition of Canadian articles

SEC. 403. In general headnote 3 (p. 11) redesignate paragraphs (d), (e), and (f) as paragraphs (e), (f), and (g), respectively, and insert a new paragraph (d) as follows:

"(d) Products of Canada.

"(i) Products of Canada imported into the customs territory of the United States, whether imported directly or indirectly, are subject to the rates of duty set forth in column numbered 1 of the schedules. The rates of duty for a Canadian article, as defined in subdivision (d)(ii) of this headnote, apply only as shown in the said column numbered 1.

"(ii) The term 'Canadian article', as used in the schedules, means an article which is the product of Canada, but does not include any article produced with the use of materials imported into Canada which are products of any foreign country (except materials produced within the customs territory of the United States), if the aggregate value of such imported materials when landed at the Canadian port of entry (that is, the actual purchase price, or, if not purchased, the export value, of such materials, plus, if not included therein, the cost of transporting such materials to Canada but exclusive of any landing cost and Canadian duty) was—

"(A) with regard to any motor vehicle or automobile truck tractor entered on or before December 31, 1967, more than 60 percent of the appraised value of the article imported into the customs territory of the United States; and

"(B) with regard to any other article (including any motor vehicle or automobile truck tractor entered after December 31, 1967), more than 50 percent of the appraised value of the article imported into the customs territory of the United States."

Definition of original motor-vehicle equipment

SEC. 404. In the headnotes for subpart B, part 6, schedule 6 add after headnote 1 (p. 325) the following new headnote:

"2. Motor Vehicles and Original Equipment Therefor of Canadian Origin.—(a) The term 'original motor-vehicle equipment', as used in the schedules with reference to a Canadian article (as defined by general headnote 3(d)), means such a Canadian article which has been obtained from a supplier in Canada under or pursuant to a written order, contract, or letter of intent of a bona fide motor-vehicle manufacturer in the United States, and which is a fabricated component intended for use as original equipment in the manufacture in the United States of a motor vehicle, but the term does not include trailers or articles to be used in their manufacture.

"(b) The term 'motor vehicle', as used in this headnote, means a motor vehicle of a kind described in item 692.05 or 692.10 of this subpart (excluding an electric trolley bus and a three-wheeled vehicle) or an automobile truck tractor.

"(c) The term 'bona fide motor-vehicle manufacturer', as used in this headnote, means a person who, upon application to the Secretary of Commerce, is determined by the Secretary to have produced no fewer than 15 complete motor vehicles in the United States during the previous 12 months, and to have installed capacity in the United States to produce 10 or more complete motor vehicles per 40-hour week. The Secretary of Commerce shall maintain, and publish from time to time in the Federal Register, a list of the names and addresses of bona fide motor-vehicle manufacturers.

"(d) If any Canadian article accorded the status of original motor-vehicle equipment is not so used in the manufacture in the United States of motor vehicles, such Canadian article or its value (to be recovered from the importer or other person who diverted the article from its intended use as original motor-vehicle equipment) shall be subject to forfeiture, unless at the time of the diversion of the Canadian article the United States Customs Service is notified in writing, and, pursuant to arrangements made with the Service—

"(i) the Canadian article is, under customs supervision, destroyed or exported, or

"(ii) duty is paid to the United States Government in an amount equal to the duty which would have been payable at the time of entry if the Canadian article had not been entered as original motor-vehicle equipment."

Identification of automotive products

SEC. 405. (a) Redesignate item 692.25 (p. 326) as 692.27; in headnote 1(b) of subpart B, part 6, schedule 6 (p. 325) substitute "item 692.27" in lieu of "item 692.25"; and insert in proper numerical sequence (pp. 325 and 326) new items as follows:

"	692.06	If Canadian article, but not including any electric trolley bus, three-wheeled vehicle, or trailer accompanying an automobile truck tractor (see general headnote 3(d))_____	Free		"
"	692.11	If Canadian article, but not including any three-wheeled vehicle (see general headnote 3(d))_	Free		"
"	692.21	Chassis, if Canadian article, except chassis for an electric trolley bus, or a three-wheeled vehicle; bodies (including cabs), if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)__________	Free		"
"	692.23	Chassis, if Canadian article, except chassis designed primarily for a vehicle described in item 692.15 or a three-wheeled vehicle; bodies (including cabs), if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)__________	Free		"

"	692.25	If Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"
"	692.28	Automobile truck tractors, if Canadian article; other articles, if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"

(b) Insert in proper numerical sequence (pp. 150, 229, 297, 305, 308, 321, 323, 355, and 364, respectively) new items as follows:

"	361.90	Any article described in the foregoing items 360.20 to 360.70, inclusive, 360.80, 361.80, or 361.85, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	516.98	Any article described in the foregoing items 516.71 to 516.76, inclusive, or 516.94, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	646.79	Any article described in the foregoing item 646.20 and items 646.40 to 646.78, inclusive (except 646.45 and 646.47), if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	652.39	Any article described in the foregoing items 652.12 to 652.38, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	658.10	Any article described in the foregoing items 657.09 to 658.00, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free.		"
"	682.65	Any article described in the foregoing items 682.10 to 682.60, inclusive (except 682.50), if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free.		"
"	685.55	Any article described in the foregoing items 685.20 to 685.50, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	721.20	Any article in the foregoing items covering clocks, clock movements, clock cases and dials and parts thereof, plates (720.67), assemblies and subassemblies for clock movements, and other parts for clock movements, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"
"	727.60	Any article described in the foregoing items 727.10 to 727.55, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free		"

(c) Insert in proper numerical sequence (pp. 145, 164, 365, 380, and 395, respectively) new items 355.27, 389.80, 728.30, 745.80, and 774.70, each having an article description and rate as follows:

"		Any article described in the foregoing provisions of this subpart, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6).	Free		"

(d) Redesignate item 613.16 as 613.18; and insert in proper numerical sequence new items as follows:

207.01 (p. 92)
220.46 (p. 93)
357.91 (p. 147)
357.96 (p. 147)
358.11 (p. 147)
517.82 (p. 229)
535.15 (p. 242)
540.72 (p. 244)
544.18 (p. 247)
544.32 (p. 247)
544.42 (p. 247)
544.52 (p. 248)
544.55 (p. 248)
545.62 (p. 249)
545.64 (p. 249)
547.16 (p. 249)
610.81 (p. 273)
613.16 (p. 278)
613.19 (p. 278)
618.48 (p. 279)
620.47 (p. 281)
642.21 (p. 292)
642.86 (p. 294)
642.88 (p. 294)
646.93 (p. 298)
647.01 (p. 298)
647.06 (p. 298)
652.10 (p. 305)
652.76 (p. 306)
652.86 (p. 306)
652.88 (p. 306)
653.41 (p. 307)
660.43 (p. 310)
660.45 (p. 310)
660.47 (p. 310)
660.51 (p. 310)
660.53 (p. 310)
660.55 (p. 310)
660.86 (p. 310)
660.91 (p. 310)
661.11 (p. 310)
661.13 (p. 310)
661.16 (p. 310)
661.21 (p. 310)
661.36 (p. 311)
661.96 (p. 311)
662.36 (p. 312)
662.51 (p. 312)
664.11 (p. 312)
678.51 (p. 318)
680.21 (p. 319)
680.23 (p. 319)
680.28 (p. 319)
680.31 (p. 319)
680.36 (p. 319)
680.58 (p. 319)
680.61 (p. 319)
682.71 (p. 321)
682.91 (p. 321)
683.11 (p. 321)
683.16 (p. 321)
683.61 (p. 322)
684.51 (p. 322)
684.63 (p. 322)
684.71 (p. 323)
685.71 (p. 323)
685.81 (p. 323)
685.91 (p. 323)
686.11 (p. 323)
686.21 (p. 323)
686.61 (p. 324)
686.81 (p. 324)
687.51 (p. 324)
687.61 (p. 324)
688.16 (p. 324)
688.41 (p. 324)
711.85 (p. 346)
711.91 (p. 346)
711.93 (p. 346)
711.95 (p. 346)
711.97 (p. 346)
711.99 (p. 346)
712.26 (p. 346)
712.28 (p. 346)
712.51 (p. 346)
772.66 (p. 394)
772.81 (p. 394)
772.86 (p. 394)
773.26 (p. 395)
773.31 (p. 395)
773.36 (p. 395)
791.81 (p. 399)
791.91 (p. 399)

each such item having the article description "If Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6) * * *." subordinate to the immediately preceding article description, and having "Free" in rate of duty column numbered 1.

TITLE V—GENERAL PROVISIONS

Authorities

SEC. 501. The head of any agency performing functions authorized by this Act may—

(1) authorize the head of any other agency to perform any of such functions; and

(2) prescribe such rules and regulations as may be necessary to perform such functions.

Annual report

SEC. 502. The President shall submit to the Congress an annual report on the implementation of this Act. Such report shall include information regarding new negotiations, reductions or eliminations of duties, reciprocal concessions obtained, and other information relating to activities under this Act.

The CHAIRMAN. No amendments to the bill are in order except amendments offered by the direction of the Committee on Ways and Means. Are there any amendments?

Mr. MILLS. There are no amendments, Mr. Chairman.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DONOHUE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes, pursuant to House Resolution 551, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. UTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. UTT. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. UTT moves that H.R. 9042 be recommitted to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on passage of the bill.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 280, nays 113, not voting 39, as follows:

[Roll No. 255]

YEAS—280

Abbitt
Abernethy
Adams
Addabbo
Albert
Annunzio
Arends
Ashley
Ashmore
Aspinall
Bandstra
Barrett
Bates
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolton
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Clevenger
Cohelan
Colmer
Conable
Cooley
Corbett
Craley
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Derwinski
Donohue
Dorn
Dow
Dowdy
Downing
Dwyer
Dyal
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Findley
Fino
Fisher
Flood
Fogarty
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Green, Oreg.
Green, Pa.
Greigg
Griffin
Griffiths
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Helstoski
Henderson

Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Hutchinson
Irwin
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Leggett
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McFall
McGrath
McMillan
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
Olson, Minn.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Purcell
Quie
Quillen
Race
Redlin
Reid, N.Y.
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Rumsfeld
St. Onge
Scheuer
Schmidhauser
Schneebeli
Selden
Senner
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Steed
Stephens
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, Tex
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Van Deerlin
Vanik
Vivian
Watts
Weltner
Whalley
White, Tex.
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Younger
Zablocki

NAYS—113

Adair
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Ashbrook
Ayres
Baldwin
Battin
Belcher
Bennett
Berry
Betts
Bow
Brademas
Bray
Brock
Broyhill, N.C.
Buchanan
Callaway
Cameron
Chelf
Clancy
Cleveland
Conte
Conyers
Cramer
Curtin
Dague
Davis, Wis.
Dent
Devine
Dickinson
Dole
Dulski
Duncan, Oreg.
Duncan, Tenn.
Erlenborn
Feighan
Ford, William D.
Gonzalez
Goodell
Grabowski
Gray
Grider
Gross
Gurney
Haley
Hall
Hanley
Hansen, Idaho
Harsha
Hays
Hechler
Hull
Ichord
Jacobs
Johnson, Pa.
Kastenmeier
King, N.Y.
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
McClory
MacGregor
Marsh
Martin, Ala.
Monagan
Mosher
Natcher
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neal, Ga.
Pool
Powell
Pucinski
Randall
Reid, Ill.
Reuss
Robison
Roudebush
Roush
Roybal
Satterfield
St Germain
Schisler
Schweiker
Scott
Secrest
Shipley
Shriver
Smith, Calif.
Stalbaum
Stanton
Stratton
Stubblefield
Talcott
Teague, Calif.
Utt
Vigorito
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
White, Idaho
Whitener
Whitten
Williams

NOT VOTING—39

Anderson, Ill.
Andrews, George W.
Baring
Bolling
Bonner
Clawson, Del
Collier
Corman
Denton
Diggs
Dingell
Edmondson
Edwards, Ala.
Evins, Tenn.
Flynt
Hébert
Jarman
Kee
Kornegay
Landrum
Lindsay
Long, La.
McEwen
Martin, Mass.
Matthews
Morse
O'Neill, Mass.
Passman
Reifel
Rogers, Tex.
Roncalio
Ryan
Saylor
Thomas
Thompson, N.J.
Toll
Ullman
Willis
Young

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Collier for, with Mr. Hébert against.

Mr. Diggs for, with Mr. Reifel against.

Mr. Thompson of New Jersey for, with Long of Louisiana against.

Mr. O'Neill of Massachusetts for, with Mr. Passman against.

Mr. Martin of Massachusetts for, with Mr. Edwards of Alabama against.

Mr. Dingell for, with Mr. Del Clawson against.

Until further notice:

Mr. Evins of Tennessee with Mr. Anderson of Illinois.

Mr. Willis with Mr. McEwen.

Mr. Thomas with Mr. Morse.

Mr. Kornegay with Mr. Saylor.

Mr. George W. Andrews with Mr. Lindsay.

Mr. Edmondson with Mr. Bonner.

Mr. Matthews with Mr. Baring.

Mr. Toll with Mr. Corman.

Mr. Roncalio with Mr. Flynt.

Mr. Ryan with Mr. Landrum.

Mr. Rogers of Texas with Mr. Denton.

Mr. Kee with Mr. Ullman.

Mr. Young with Mr. Jarman.

Mr. POOL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members desiring to do so have 5 legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TO EXPAND THE WAR ON POVERTY AND ENHANCE THE EFFECTIVENESS OF PROGRAMS UNDER THE ECONOMIC OPPORTUNITY ACT OF 1964

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

The Chair hears none, and appoints the following conferees: Messrs. POWELL, BRADEMAS, CAREY, HAWKINS, GIBBONS, WILLIAM D. FORD, QUIE, GOODELL, and BELL.

HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1965

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 535 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 535

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that Act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that Act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 535 provides for consideration of H.R. 3141, a bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes. The resolution provides an open rule with 2 hours of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment.

H.R. 3141 would extend for 3 years the current program of matching grants to aid in the construction, replacement, or rehabilitation of teaching facilities for the training of physicians, dentists, professional public health personnel, optometrists, pharmacists, and podiatrists; and increases the authorization for appropriations for this program to $160 million per year.

The bill extends for 3 additional years, until July 1, 1969, the current program under which funds are made available to schools of medicine, dentistry, and optometry for the operation of student loan funds; permits the extension of such loans to students at schools of pharmacy and podiatry; and authorizes appropriations of $25 million per year for this purpose.

It authorizes a new 4-year program of basic and special improvement grants to schools of medicine, osteopathy, dentistry, and optometry, to provide increased support in order to aid them in increasing the scope and quality of their teaching programs and to redress the present imbalance at these institutions arising out of the emphasis on research programs; and authorizes appropriations for this purpose of $20 million for fiscal 1966, $40 million for 1967, $60 million for 1968, and $80 million for 1969.

The bill establishes a new 4-year program under which grants are to be made to schools of medicine, dentistry, osteopathy, and optometry from which scholarships may be awarded to students in these schools in amounts up to $2,500 per year, the same amounts as are presently permitted to be paid as fellowships under the National Defense Education Act and the National Science Foundation Act to graduate students.

Mr. Speaker, I believe this is a meritorious piece of legislation. I hope it will be favorably considered and the rule adopted.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Iowa.

Mr. GROSS. I note this bill does not come from the Committee on Ways and Means and is, therefore, not a gag rule.

Mr. PEPPER. The bill comes from the Committee on Interstate and Foreign Commerce.

Mr. GROSS. It has not become fashionable as yet to give the Committee on Interstate and Foreign Commerce a gag rule.

Mr. PEPPER. It does appear there are different reasons which confront the two committees when they present their requests to the Rules Committee. The Committee on Ways and Means, in view of the complexities of the matters presented, feel justified sometimes in asking for a closed rule. In this instance that feeling does not go to the Committee on Interstate and Foreign Commerce.

Mr. GROSS. The gentleman refers to some complexities.

Mr. PEPPER. This has not those complexities, and there are so many benefactions that the benefactions override the complexities.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from Florida, this is an open rule with 2 hours for consideration of the bill (H.R. 3114), the Health Professions Educational Assistance Act Amendments, 1966. It is my understanding this was a unanimous report by the Committee on Rules. The gentleman from Florida has explained this bill in accordance with my understanding and in order to save time I will not repeat the statements which he has made in explanation of the bill.

I would like to add these few remarks.

Under section 774 there is established a National Advisory Council on Medical, Dental, and Optometric Education, to consist of the Attorney General and 12 members appointed by him with the approval of the Secretary of Health, Education, and Welfare. The members are to be experts in the field, three are to be from the general public. The council is to advise the Surgeon General and pass on applications for special improvements grants. They are to receive $100 per day per man.

Mr. Speaker, if I understand this bill correctly, there are a couple of changes in it which leave a little question in my mind. It is my understanding that under this bill, the students for medicine and dentistry can actually receive an outright scholarship grant up to a total of $2,500 per year which they will not have to repay. If my understanding is correct, it leaves some concern in my mind whether or not we should go that far. We started 3 years ago with this program in an effort to obtain more doctors and dentists, which were certainly needed. There was a similar program several years ago to obtain scientists. If you train a doctor for $2,500 per year on a basis of an outright gift, and place him through medical school and schools of dentistry, we are helping individuals to become highly educated, who in turn will subsequently have a greater chance than the average individual of obtaining considerable income. It seems to me if we are going to provide them money to obtain an education they should have some incentive to repay this money as years go on, when they are able to obtain a very satisfactory livelihood.

Why could not an individual who wanted to be a lawyer or a doctor and who did not have his mind made up, having finished undergraduate school—why could he not say, well let me try medicine for a while and take the first year as a doctor at $2,500 expense to the Government and then if he did not like it, decide to be a lawyer. I think perhaps we ought to have some kind of little incentive on the paying back of these loans.

In addition to that it does extend the bill to include bachelor of arts or doctoral degree in pharmacy or doctoral degree in podiatry or surgical chiropody. Those are added fields under this particular bill.

The total cost is estimated at $760 million over 4 years.

I understand there is one other controversy and from the testimony and mail that I received, it has to do with the nursing part. I believe the gentleman from Nebraska [Mr. CUNNINGHAM] sent a letter on that today. We can hear that discussion when we get into general debate.

Mr. Speaker, I know of no objection to the rule and the gentleman from Nebraska has just asked me to yield him 2 minutes, and I now yield 2 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, as the gentleman from California just stated, there is a great deal of controversy connected with the tail end provision of this legislation having to do with the accreditation of nurses. I support the rule and I support the bill, but I am strongly opposed to the amendment that has been attached to the tail end of this bill which in my opinion does violence to the wonderful nurses training act that we passed last year. I hope during the debate that together with other Members who are concerned about this, we can bring out the fact as to the reason why this provision is very unwise and will set the nursing profession back many, many years. We are all proud of our nursing profession and the great contributions they have made. Certainly the Rogers amendment will injure their professional standing. It has to do, as I said, with accreditation and it would permit the 50 different States to accredit nursing schools. In our bill last year, we gave to the Director of Education in HEW the right to choose the agency for the accrediting of nursing schools. This job was given by the Office of Education to the National League of Nurses. They have done an excellent job. So we hope that this tail end amendment can be attacked successfully, and we know it can be attacked successfully, and we will develop that point as the debate proceeds.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to concur in the remarks of my distinguished colleague, the gentleman from Nebraska.

The legislation in question has the effect of eliminating proper accreditation for baccalaureate and associate nursing programs. It seems to me entirely reasonable that professional accreditation for nursing education should be accomplished through the American Nursing Association and its regional bodies.

The National Nursing Association is very much responsible for the high-quality nursing profession. The legislation as written would serve to undermine these high professional standards.

In my opinion, the slight burden and expense of accreditation does not justify an erosion of the high standards of this most important profession.

I hope that the Committee of the Whole will delete the language of the committee bill which eliminates voluntary national accreditation for baccalaureate and associate nursing programs.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. PEPPER. Mr. Speaker, I yield such time as he may require to the distinguished gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Speaker, today, the Committee on Armed Services has approved a new military construction authorization bill by a vote of 34 to 1 identical to the bill vetoed by the President except for the base closure language to which the President objected.

By no means do we consider that the language contained in the original bill that passed the House or the language that was adopted in the conference was unconstitutional in any sense of the word. The veto message was based upon the invasion of powers of the Executive and the erosion of Executive powers. On the contrary, we are inclined to think that the powers of the legislative branch of government have eroded considerably over the past few years. But we have placed the security of the Nation above all other interests.

There are 1,299 separate military construction items contained in this authorization bill, all of them directly involved in the security of the Nation. These items authorize construction projects throughout the world and they must be our first concern. Until this bill passes, no appropriations for these projects can be made.

Mr. Speaker the committee has agreed to language which would require the Secretary of Defense to report to the House and Senate Committees on Armed Services all of the facts and a full justification for base closures with a further restriction that no base could be closed until after 30 days from the date the notice had been submitted to the committees.

In addition, Mr. Speaker, there is an understanding with the Department of Defense that no base closure announcement will be made until the Members of Congress affected and the two committees have been given advance notice.

We do not claim a victory in this dispute with the executive branch of Government, but certainly we do not acknowledge a defeat. What we do claim is that certain principles have been established. The President, quite properly, and to his everlasting credit, has accepted and acknowledged these fundamental principles. The veto makes it clear, as the Committee on Armed Services has contended for some time, that the Congress is a partner with the executive branch of Government in all matters involving our national security. The President suggested in his veto message a reporting procedure so that the Congress could be kept advised in advance of base closures. We have adopted language which does exactly this.

It must be remembered, Mr. Speaker, that the conference report that went to the President for signature did not give the Congress veto power over base closures. The language that we have agreed upon likewise does not give the Congress a veto power, but I do not think we will ever repeat the fiasco we had last November. I have every reason to believe that we have entered into a new era of understanding with the Department of Defense. Only time will tell.

The Committee on Armed Services has acted wisely, with admirable restraint, and with a deep sense of responsibility. We could have argued this matter on constitutional grounds but in the meantime vital defense projects would be delayed. Instead we have chosen to take the President at his word that the Congress would be consulted in the future with respect to base closures. I have every reason to believe that from here on the President and the Secretary of Defense will cooperate with the Congress in every sense of the word.

Certainly, we have met the President more than halfway in this matter. We have knowingly done this. At the same time we are fully aware of the fact that if there has been any erosion of the doctrine of the separation of power, it has been erosion of the powers of the legislative branch of the Government and not an invasion of the executive branch by the legislative branch of Government.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. What was wrong with 120 days?

Mr. RIVERS of South Carolina. The President said it stopped him from effectively carrying out his responsibility. We take him at his word.

We must remember that we had a veto power in our first bill. It was a veto power. When the bill went to the other body, they made it plain to us that they could care less about this. We worked out something which was not completely satisfactory to us.

This is just a question of degree. We are convinced that we now have what we sought, a partnership.

We have not retreated one step in our desire or in our program or in our objective of getting cooperation from the Department of Defense.

Then there is another thing. We do not admit to defeat. We boast of an understanding. What we sought we have obtained.

We are not now seeking to bolster prestige. We are seeking to achieve understanding in the national interest.

This is what I believe we accomplished. We want this to work. We are confident it will work. If it does not, we will have a new public works bill every year.

We have not been remiss in our efforts. We are not reluctant, nor are we hesitant, about asserting our responsibility. Indeed, we plan to do this.

I thank the gentleman for his usual fine observation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield with pleasure to my distinguished friend from Iowa.

Mr. GROSS. I should like to ask the gentleman from South Carolina if this is the same story he gave us when we voted unanimously to back him up.

The gentleman says that there is no difference. If my mathematics do not fail me, there is a difference of 90 days. That is a difference easily discernible.

Is this the same story the gentleman told us when we gave him a unanimous vote in the House?

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. It is the same story.

Mr. GROSS. Yes.

Mr. RIVERS of South Carolina. I also say to the gentleman——

Mr. GROSS. Just a minute.

Mr. RIVERS of South Carolina. Will the gentleman permit me to finish?

Mr. GROSS. The gentleman can finish in a minute, if I have any time left.

This business of cooperation works on a two-way street, as I understand it.

The gentleman says that we are now cooperating with the President. I want to see some cooperation on the part of the President with the Congress.

Mr. RIVERS of South Carolina. Since the President made this promise to the committee, I have had fine and encouraging cooperation.

Mr. PEPPER. Mr. Speaker, I have no further requests for time. I believe my able friend on the other side has no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1965

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill H.R. 3141, with Mrs. GRIFFITHS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1 hour and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1 hour.

The Chair now recognizes the gentleman from Arkansas.

Mr. HARRIS. Madam Chairman, I yield myself 10 minutes.

Madam Chairman, it is with a great deal of pride and satisfaction that I join with the other members of the Committee on Interstate and Foreign Commerce in presenting to the House today this bill, the Health Professions Educational Assistance Amendments of 1965. This bill is designed to increase the supply of medical manpower and to improve the quality of medical manpower in the United States in the future. The bill was reported by the committee, after the usual hearings and careful consideration, unanimously. We think it represents a sound and reasonable approach to a tremendous problem for the whole country.

Now, as has been related to you by members of the Committee on Rules who have briefly discussed this proposal, there are four programs contained in the bill. First, we provide assistance for the construction of schools for the training of health professions manpower. This means doctors, dentists, osteopaths, professional public health personnel, optometrists, podiatrists, and pharmacists. This is an extension of the existing program which was approved by this House in 1963.

The second program contained in the bill provides for student loans for students at health professions schools. This is also an extension of the present program, with which, no doubt, the Members of this House are familiar.

Now, there are two additional programs, Madam Chairman, provided in the bill that are new, insofar as they relate to schools teaching persons in the health professions field. I call to your attention that we are authorizing a system of grants to the schools which may be used by them in granting scholarships to persons studying in the health field. This is not a new idea, even though it is a new program insofar as concerns the health fields.

Mrs. BOLTON. Madam Chairman, will the gentleman yield for a question?

Mr. HARRIS. I will be delighted to yield to the gentlewoman.

Mrs. BOLTON. It seems to me, and I notice this is entirely for the medical end of things, reading from your report. There is nothing said here about schools of nursing. I do not see how a doctor is going to function in a hospital unless he has plenty of nurses.

Mr. HARRIS. As the gentlewoman will no doubt recall, when this act was authorized at the outset in 1963, it provided among other things for construction assistance for collegiate schools of nursing. However, if the gentlewoman will recall also, we provided a special program for nurse training in 1964. Therefore, the nurses come under their own program and not under this one. As I remember so well, the gentlewoman contributed so much to that program, which is working out exceedingly well.

Mrs. BOLTON. May I say to the gentleman I hope when we get to discussing the nursing problem you will permit me to take some time to say something, because I do not think it is going so well.

Mr. HARRIS. I will be very glad to have the gentlewoman have the time and express her views.

As I was about to say, this question of providing scholarships to persons studying in our institutions is not new at all. A similar program was authorized under the National Science Foundation Act which was passed by this Congress about 1950, after several years of consideration and hearings. Another similar program was also provided in the National Defense Education Act of 1952, when fellowships up to $2,500 per year were granted to advanced students for degrees beyond the baccalaureate.

I would remind our friend and colleague from California [Mr. SMITH], a member of the Committee on Rules, who raised the question a few minutes ago, that what we are doing here is not a new idea at all. We are carrying a program forward which this Congress inaugurated some years ago, but we are extending it to a new field. It is a well known and recognized fact that it takes about 10 years to educate a doctor from the time he starts his school program until he completes his training and education and is then ready to serve the sick and ill of our country.

We are seeing today out of our experience that it is becoming more and more difficult for capable applicants entering the schools of medicine and the health field to finance their education. Primarily this is because of the cost and the length of time it takes to complete training, which is far beyond that of any other profession in this country. Consequently we have felt that we are not catching up, we are not meeting the demands and the needs of our people. Even though other programs of student aid are available through well-known, altruistic people, who have made money available out of their own savings, and even though great organizations such as the American Medical Association offer loan programs, and even though there are some business organizations that offer scholarships, still we are not meeting all of the needs.

There are many fine potential students, as one institution after another has told us, people who are interested, but who simply cannot meet the high cost and the time required, the 10 years that would be required, to provide necessities for themselves to live and to go ahead with their education in this field.

We have had brought to our attention the cases of many people who would be interested if they were given encouragement and assistance. In view of this situation we have decided to try to meet this problem.

Mr. SMITH of California. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I am delighted to yield to the gentleman from California.

Mr. SMITH of California. Madam Chairman, I concur in the gentleman's statement, but I want to be certain that I never make a misstatement when I am presenting a rule. Was I correct in stating that outright grants or scholarships will not have to be repaid, if they are granted under that provision?

Mr. HARRIS. The gentleman is correct.

Mr. SMITH of California. We have never done that before?

Mr. HARRIS. It is new for this program, but it is not new in the field of education.

Mr. SMITH of California. But it is new in this bill?

Mr. HARRIS. It is new for medical schools and in the health and professional assistance program; the gentleman is correct.

Mr. SMITH of California. I think we are in agreement; I thank the gentleman, Madam Chairman.

Mr. HARRIS. We feel that in this profession there is just as great a need, if there is any way that you can compare it, as there is in any other profession in our entire society.

Madam Chairman, the committee considered this at some length and finally arrived at this conclusion. We did not 3 years ago when this bill was first approved include scholarships, because we were not convinced that this was necessary. However, it is like some of the other programs now. After we have had a few years' experience we have come to the conclusion that it is necessary if we are going to meet the need.

Madam Chairman, the fourth program provided in the bill is a program for what is called basic and special improvement grants to schools in the health professions field to enable them to strengthen their programs of teaching students.

Madam Chairman, the testimony presented to the committee during the hearings, and summarized in the committee report to which I invite your attention, demonstrates the clear need for this new program.

Now, I shall ask permission to revise and extend my remarks, and take up each one of these four programs and explain them, construction assistance, the student loan program, scholarship grants, and these basic and special improvement grants which I have briefly summarized to you.

CONSTRUCTION ASSISTANCE

Madam Chairman, the original Health Professions Assistance Act of 1963 has worked extremely well to date. Many medical and dental schools have submitted applications for construction assistance, which will, upon the completion of the construction, provide facilities for the training of additional students. Relying on these increased facilities which will be provided with assistance under the original legislation, many schools have increased their enrollment. For example, in 1962 the total first year enrollment in medical schools was 9,200; in September of this year it is estimated that this enrollment will total 9,925. Similarly, dental schools have gone from 3,680 in 1962 to an estimated 3,850 this September.

Applications have been approved and funded for six new medical schools and one new dental school. It is anticipated that additional medical and dental schools will be created under the program we are presenting to you today.

It has been estimated to us that, by 1975, we will need to have a minimum of 12,700 students admitted to the first year class in medical schools throughout the United States in order to produce graduating classes numbering 11,500. If we can obtain this enrollment increase, then it will be possible, according to the best estimates furnished to us for the physician/patient ratio in the United States to remain at the current level of 149 doctors for every 100,000 Americans. Frankly, I am not sure whether this will be enough since trends in the practice of medicine in recent years have been in the direction of increased specialization by doctors, with a declining proportion of general physicians. It is for this reason, among others, that we must be alert to establishment or continuation of programs under which general practitioners may practice medicine more efficiently and effectively.

The Department of Health, Education, and Welfare made projections for the committee of the additional first-year places which will be created under the construction assistance provisions contained in this bill. This information is set out in a table at the bottom of page 4 of our committee report, and if these projections work out in accordance with the estimates we should, within a few years, upon completion of the construction provided for in this bill, have increased the number of first-year students in medical schools to almost 12,000 and to dental schools to a little over 5,000.

The legislation also provides assistance in the construction and rehabilitation of schools of osteopathy, schools of public health, schools of optometry, schools of podiatry, and schools of pharmacy.

The committee was furnished information during the hearings both in this Congress and in the two preceding Congresses indicating the need for increased personnel in these fields. Fundamentally, the problem which we face in these areas arises out of the fact that our population is expanding so rapidly that the facilities to train persons to meet the health needs of our expanding population are not able to expand sufficiently to meet the needs except through the establishment of programs of Federal assistance for these schools.

STUDENT LOAN PROGRAM

The original Health Professions Educational Assistance Act of 1963 established a program under which student loan funds may be established at schools of medicine, dentistry, and osteopathy. Loans may be made to students in these three disciplines up to $2,000 a year, with provision for a delay in repayment of the loans for 3 years following completion of his education. By later legislation, this program was extended also to students of optometry.

Of the 152 schools which are eligible, 147 have established student loan funds.

Under the bill, the maximum amount of a loan which may be made to a student has been increased to $2,500, the same amount authorized under the National Defense Education Act. The estimates furnished the committee indicate that approximately $25 million a year in appropriations beginning in the fiscal year 1967 will be needed in order to meet the needs of students at these schools, and the bill authorizes appropriations in this amount. The committee has also authorized the extension of the student loan program to schools of podiatry and schools of pharmacy, if the Secretary of Health, Education, and Welfare determines that the needs in this area require the extension of this program to these schools.

SCHOLARSHIP GRANTS

Our committee has also authorized a program of grants to the schools in amounts ultimately amounting to $2,000 times one-tenth of the total number of students in the schools, which may be used by the schools to make scholarship grants to needy students in amounts up to $2,500 a year.

Under present programs, the bright college graduate who wants to go on to medical school is faced with a difficult dilemma unless he comes from wealthy parents. More than four-fifths of the graduate schools in the life sciences received nonfundable grants in 1962–63 and the average grant was $2,700. In contrast, less than one-third of the medical students received nonfundable grants of any kind and the average which they received was $760. Only 15 percent of the dental students received scholarships which average $425. Similarly, there are relatively few scholarships available to students at schools of optometry and they are in relatively small amounts averaging out to about $350 a year to the students who receive the scholarships.

This means then that a student from a poor family faces a difficult problem if he wants to become a doctor or a dentist. He stands a good chance of getting scholarship aid in amounts sufficient to meet almost all of his needs if he chooses to study for a Ph. D., but if he decides to go into the study of medicine his prospects of receiving scholarship aid are quite low and the assistance he will receive will be inadequate to meet his needs.

Establishing a scholarship program would, in our opinion, increase the quality of students at schools of medicine by increasing the number of students who will be able to afford to attend these schools. The program should increase the number of applicants to medical schools and enable the schools of medicine, dentistry, osteopathy, and optometry to compete for brighter students more adequately with other disciplines.

What we are doing for these students who are studying at the graduate level is providing for them the same level of Federal support available to them if they pursue graduate work in other areas.

BASIC AND SPECIAL IMPROVEMENT GRANTS

Madam Chairman, the program of basic and special improvement grants which our committee has approved for this legislation is a new program, but it is one that is badly needed and one that I support very strongly. In recent years, costs have been rising in every area, and the costs faced by medical schools for teaching have increased drastically. For example, in 1956–57, medical schools spent a total of approximately $240 million; whereas in the 1962–63 school year these expenditures had increased to over $600 million. The Federal Government is, of course, supporting large amounts of research at medical institutions. These amounts increased from 1956–57 to 1962–63 from about $90 million to almost $350 million. During this same period the regular operating costs of the schools, where little if any Federal assistance is provided, have increased from $146 to $256 million. Students are paying increasingly burdensome amounts of tuition and fees, from $719 average in 1956–57 to $1,025 average in 1962–63. Notwithstanding these increases in tuition and fees, tuition and fee income now comprises a smaller percentage of the total operating budget, dropped during the period discussed above from 14.3 to 12.6 percent.

The average cost of instruction of students increased from $5,026 average per year in 1956–57 to $8,000 average in 1962–63. State appropriations have increased in amount but decreased as a percentage of total operating costs from $49 million in 1956–57—33.5 percent of total—to $69.5 million in 1962–63—or 27 percent of total. The same is true of endowment income which has increased from $13.7 million—10 percent of total—to $20.7 million—7.8 percent of total.

These patterns apply equally to schools of dentistry, osteopathy, and optometry.

It is for this reason that our committee was convinced on the basis of the evidence submitted during the hearings that the medical schools in the United States need additional financial assistance if they are to continue to serve their teaching functions. Our committee has, therefore, provided a system of grants to the schools which are to be used to aid the schools to contribute toward the maintenance of their accreditation or to provide for their accreditation or to contribute toward the maintenance of the specialized functions which the schools serves, such as teaching or research, or to provide for these specialized functions.

Basic improvement grants are to be paid to schools in accordance with a formula set out under the bill under which the first year the school will receive $12,500 plus $250 for each full-time student enrolled therein; for the second and subsequent years of the program the school will receive $25,000 plus $500 for each student. These grants would be made to the school, without regard to whether it is wealthy or poor. It is intended that in the case of the wealthy schools, these grants would be used to aid them in strengthening, enriching, and improving their programs. These schools would use these grants for such things as achieving balance in their curriculum areas and for experimenting in innovations in professional health education.

In the case of the less well-to-do schools, these grants are critically needed. In a report of a council of the American Medical Association, it was stated that the weaker schools lack the number of faculty members they need. It was stated that these schools are handicapped by their basic financial instability. The report expresses concern about the quality of the educational programs, and states that almost all of the 10 schools with the lowest expenditures during 1960–61 have been warned of possible withdrawal of their accreditation.

In the field of dental schools already 3 schools have been placed on provisional accreditation and others are in serious jeopardy. The schools of osteopathy have the same basic problems, as do the schools of optometry. These grants will aid all schools in improving the quality of their teaching programs and thereby improve the quality of the training of their graduates.

The special improvement grants will serve a similar purpose, except that it is expected that they will go primarily to the schools with the greatest need. Special improvement grants may be made up to $100,000 per school for the current fiscal year; $200,000 for the next fiscal year; $300,000 for the next fiscal year; and $400,000 for the final fiscal year. The committee has provided that these grants may be made only upon the recommendation of the National Advisory Council on Medical, Dental, and Optometric Education established by the bill. In addition, the applicant school must have met the requirements for obtaining a basic improvement grant.

Our committee added two requirements which must be met in the case of applications for basic improvement grants, and these requirements, of course, also apply to the special improvement grants, since obtaining a basic improvement grant is a prerequisite to obtaining a special improvement grant.

One of these requirements is a "maintenance of effort" provision, which provides that the application must be supported by assurances that the applicant will expend funds from non-Federal sources which are at least as great as the average amount spent by the applicant during the 3 preceding years. The other requirement added by the committee is that the school must provide for an increase in its first year enrollment of full-time students during the period for which the grant is made by at least 2½-percent of the schools' highest first year enrollment during the period July 1, 1960 through July 1, 1965, or by five students, whichever is greater.

This requirement is in addition to the requirement contained in section 721 (c)(2) which requires that construction grants may only be made if the school will increase its first year enrollment by 5 percent or by five students, whichever is greater. The way this would work is as follows: If a school applied for a construction grant, and in order to obtain it, it had to show an enrollment increase of 6 students, but actually showed an increase of 11, this would meet the requirements of both the construction grant provision and the basic and special improvement grant provision. In other words, students counted for purposes of the construction grant program which are in excess of the requirements of the law may also be counted against the requirements in the basic and special improvement grants section.

Now, Madam Chairman, there are some schools that are fearful of this amendment that the committee adopted. I feel this is a good amendment and I supported it when it was proposed by the gentleman from Illinois [Mr. SPRINGER], the ranking minority member.

The amendment would require each of the schools that participates in this program and which derives benefits from it to increase to some extent the doctor output. We did not go into great numbers and percentages. We said 2.5 percent each year of additional students to the class, or a minimum of five. We feel that certainly if we are going to provide Federal assistance for a program—and our stated objective is to increase manpower as I explained a moment ago—certainly they can go just this small step in providing additional manpower.

It is just that simple. There are some institutions, including my own in the State of Arkansas, that have expressed themselves as fearing this is going to put a strain on them to meet this requirement. I said to one of them a few days ago who expressed great concern, if we are not able to accomplish the objective here why get into the program at all? If we are not going to meet the demands of an increased population, we have not accomplished what we started out to do. All we are asking is that these very fine medical institutions throughout the whole of the country that we are going to help assist us in meeting certain objectives.

There are one or two institutions—I will not call their names—that have expressed the fear that this may cause them to lose accreditation. I think that can be taken care of. Certainly we will as it goes on if this fear does appear warranted.

I think this is not too much to ask. Certainly we are expecting that there will be cooperation, but we do not want to put a strain on them, and we will not. If we find it is necessary to adjust it we will do so.

The other question I wanted to mention was the question that was mentioned earlier during the discussion of the rule. The gentleman from Colorado, of course, has some concern, as others have, on this Rogers of Florida amendment to this bill affecting the nursing program. We have no intention of adversely affecting the standards and the criteria of nursing institutions. There was some question about the utilization, as there should be, of junior colleges of the country, and it was for that purpose that the Rogers of Florida amendment was adopted. Since the bill has been reported and since a rule has been granted some controversy has developed over this matter. We have had a general understanding that there will be a record made during the course of the debate expressing the interest and concern of Members, but, as I understand it, the amendment to delete the amendment will not be offered, with the understanding that the matter will go on through, and will be considered in the other body with a view of working it out in conference in a way we can get the greatest benefit out of the entire program. I compliment those on both sides of the aisle in arriving at this agreement, and we expect to cooperate with them.

Mr. ROGERS of Colorado. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I appreciate the statement made by the chairman of the committee, and I am hopeful that when the record is made it will be established it is not the intention of this bill or the amendment offered by the gentleman from Florida to bring about a lowering in standards in connection with nurses' training that is set forth in this bill, and particularly inasmuch as there are additional provisions whereby the program provides for an educational institution which has been approved or accredited by either an accredited agency or a State-approved agency shall not be so expanded as to make it possible for most any group to step up and say, "we have been accredited by thus and so", that is recognized by State superintendents, and then you make sure that whatever language may be finally determined upon the standards are not lowered.

Mr. HARRIS. I have given assurance it is not the intention of lowering the standards at all. I think a great deal of the National League for Nursing and the American Nurses Association. They have served their purpose very well in this country. There are other regional associations that they use in connection with the higher education program.

Mr. ROGERS of Colorado. I want to thank and compliment the gentleman for his remarks on this matter.

Mr. HARRIS. I thank the gentleman.

Madam Chairman, this bill was reported out of our committee unanimously. It is a good bill and one which will go a long way toward meeting the demonstrated needs in this area. We recommend it to the House for approval.

Mr. SPRINGER. Madam Chairman, I yield myself 10 minutes.

Madam Chairman, recognizing the need for new and better schools in which to train medical professionals, this Congress 2 years ago passed H.R. 12. We provided $105 million for the construction of new schools of medicine, $35 million for new schools of dentistry and $35 million for the renovation or rehabilitation of existing facilities. This program is paying off. There are 12 new schools of various kinds in the medical field now underway because of the provisions of H.R. 12. Testimony before our committee revealed that many more new schools and many projects for the improvement of facilities have already been presented for approval and there is every reason to believe that many others will come forward. This is good news, but like much good news it indicates the necessity of more funds. Based upon all the facts that we could acquire the committee recommends making available additional money over the next 3-year period. In our caution with a new program the original legislation specified the funds for each kind of activity as noted above. This restriction seems to be unwarranted. We need facilities of many different kinds and it really makes no difference whether they come into being by reason of new construction or by reason of upgrading present facilities. It also appears that the needs for various kinds of training centers have relatively equal priorities and the earmarking of funds for dental schools, for example, does not really make as much sense as it appeared to when the original legislation was under consideration. Since H.R. 12 was considered here, it has been decided by this body that optometry as a profession needs and deserves the same support as the medical skills originally included. For this reason, optometrists and optometry have been included in the provisions of H.R. 3141 across the board.

Since that time 2 years ago when H.R. 12 was so carefully considered by this House, we have had occasion to consider and approve other far-reaching measures dealing with the health professions and health facilities. The vital problems of the nursing profession were faced up to and assistance in the form of construction grants and student loans were provided. Mental health and mental retardation were tackled for the first time, with a new approach and a sound philosophy. All of these programs have deserved and received the support of this House. Much remains to be done in the broad field of health care for all of our citizens. The more we have considered the broad problems and possible solutions the more definite it has appeared that the key to every medical and health problem facing us today will hinge on the creation and the assurance of adequate manpower in those professions in the medical and allied fields. In order to train such manpower we must have first-class accommodations, such as school buildings and equipment. This bill would provide them. Once the places exist in which training can occur a new set of problems and considerations follow on.

The competition among the various academic fields for highly qualified personnel presently works against such institutions as medical and dental schools. Various fields of research attract the people best suited to educate our doctors. Medical schools do need additional funds if they are to provide the kind of medical education which the rapidly advancing profession must require. High quality instruction and adequate curriculum are not things merely to be desired but to be obtained with certainty.

There was a time when a State government could provide a medical school adequate to the needs of its particular population. Those days are gone. Medical schools, particularly the bigger and the better ones, train doctors to serve areas far removed from the boundaries of a particular State. To meet this situation H.R. 3141 provides for grants to all medical schools which after the first year would provide $25,000 plus $500 per student enrolled. This should make it possible for schools to compete on more even terms for faculty members. If such assistance is to be granted with Federal funds it is my conviction that there should be some assurance that we will end up with more doctors. By this I mean that we should make certain that upon spending these millions of dollars to support the operations of professional schools, we will train more people than would have been trained if this specific assistance had not been given. For this reason I suggested and the committee adopted an amendment which requires that any school applying for grants under this section must agree to increase its enrollment by 2½ percent or 5 students, whichever is greater. This increase in enrollment must continue for a period of years. You may recall that I suggested a similar provision in the construction authority of H.R. 12. The schools which have made application under the statute have found it possible to give such a guarantee. By adding this amendment to the grants section we can be sure of even further additions to enrollment over the years. If Federal support to medical school operation will definitely increase the number of people being educated and the resulting number of doctors and other health professionals, such assistance is well justified. My amendment has resulted in 63 new projects and will ultimately produce 2,279 new enrollees. I am hoping this legislation will produce approximately another 2,000 new enrollees.

In addition to these general support grants we have provided for a series of special grants to assist schools finding it difficult to maintain accreditation. We need more schools but we must also be sure that existing schools are first rate. Any other kind of medical education is useless. There is no doubt that some schools will have access to more support than others. In all likelihood the areas with the weaker schools will also be areas in greatest need of additional doctors. It is necessary in providing for any grant of this type to leave considerable room for the exercise of judgment by those charged with the administration of the act. We have laid down the general guidelines for the use of these special funds and fully expect that they will be used to bolster the weaker institutions.

Based upon experience to date and the projects supplied by those most knowledgeable in the field we should be able to conclude safely that institutions for the training of medical personnel will grow in number and in strength. There is another major requirement to the production of doctors, dentists, and the other professionals mentioned in the bill. That requirement is a student body capable of and motivated to the completion of a course of study. We presently make available loans up to $2,000 in 1 year. This cannot take care of all of the expenses at a medical school. The average cost per year is about $3,500 and at many schools it might be considerably more. Many students, by the time they have reached medical school, have borrowed large sums of money. They must have this undergraduate training and they must prove themselves to be worth the time and the efforts of the graduate school. The student of limited means applying for admittance to medical school, after struggling to obtain his college education, faces formidable expense. Although he may be able to obtain the full $2,500 per year—the amount provided in this bill—he will still be short. There must come a time when the student surveys his obligations and decides that he has had enough. Even the challenge and the possible rewards of the medical profession will cease to give him the necessary incentive. Particularly is this true when we consider other possible fields of endeavor into which he might channel his ambition. There are grants, traineeships, and fellowships open to graduate students. They also offer a challenge and rewarding careers. If he wishes to pursue that line of endeavor known as the life sciences, and become expert in one of the many fields of research he can do so at very little expense to himself. Obviously this is making it increasingly difficult to keep many well-qualified students on the track toward a medical degree.

It is not the intention of this legislation to grant free medical education to all comers. I do believe that there are many instances in which assistance in the form of grants, whether they be called fellowships or scholarships, are justified. This bill would provide a fund for each medical school from which it could give scholarship support to a few students up to $2,500 per student in any given year. I think that we must rely upon the integrity of those who operate our medical schools to maintain their standards and to use scholarship funds for that purpose. Certainly the amounts anticipated in this bill will not cause an overwhelming rush of applicants to medical schools. It will still require dedication, determination, and perserverence, as well as outstanding intelligence to become a doctor.

Earlier we talked about manpower. This bill is meant to increase it. We need more health professionals in many different areas. Certainly we need more general practitioners. The answer does not lie in dissuading qualified persons from specializing. Neither of these groups should stand in the way of teaching. Each element of medical manpower is dependent upon the other and at the same time supports the others. It almost becomes the chicken and egg dilemma. This bill should provide encouragement in each of these directions and should add greatly to the prospects for first-rate medical care for every citizen.

For these reasons I support H.R. 3141 and recommend that the House pass it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Madam Chairman, I yield myself 5 additional minutes.

Mr. NELSEN. Madam Chairman, will the gentleman yield to me?

Mr. SPRINGER. I yield to the gentleman.

Mr. NELSEN. I would like to point out that the requirement in the bill that will insist on the expansion of the enrollees is the amendment that was offered, I believe, by the gentleman in the well. I want to point out that certainly this is a very constructive approach and a much needed amendment to this bill. I might point out further that in our hearings in our committee it was obvious that the need for doctors, especially in rural areas, is a crying need and one which we must try to meet.

I want to thank the gentleman for his statement and for reaching the objective he sought by his amendment. I believe it is a very worthwhile contribution to this legislation.

Mr. SPRINGER. Madam Chairman, I want to thank the distinguished gentleman for his words and say even though it was my amendment, I believe it was unanimously accepted in 1963 and again this year on both sides of the aisle.

Now, a lot of you are wondering here. This is a lot of money. Over this period of years from 1963 and through the period we authorize here it will run upwards of $800 million to $1 billion before we get through with this program, if we do not do any more to it. Can we expect that we are going to have a greater number of doctors per 1,000? I wish I could assure you that it is true, but the best estimate we can get, even with the increase we are expecting to get, even from the results of H.R. 12 in 1963 and H.R. 3141 in 1965, the best we can hope to do is stay approximately even on this score. That means approximately the same number of doctors per 1,000 population in this country that we have at the present time is what we will have by 1972. I believe for this reason this program was urgently needed in 1963 and I supported it then. For the same reason I am supporting it in 1965.

Mr. JONES of Missouri. Madam Chairman, will the gentleman yield for a question?

Mr. SPRINGER. I yield to the distinguished gentleman from Missouri.

Mr. JONES of Missouri. Do you think you are going to get any more students under a grant program than under a scholarship program or, to put it another way, would not a loan program do the job if you could not get enough students to fill all of the facilities you are going to have for training these people?

Mr. SPRINGER. That was a point we went into in some detail. There was some conflicting testimony on this. May I say that taking into consideration all of these factors, there will probably be enough applicants to fill all the positions regardless of whether or not we did this at all, but we were made very aware of the fact that there were a great many highly qualified students without funds who want to become doctors.

As to the second point, as to grants, I believe in the Education Act that they called them outright grants. In this bill we call them scholarships. I suppose we could have used the word "grant" but we did not.

Mr. JONES of Missouri. What is the difference?

Mr. SPRINGER. There is no difference. The effect of the scholarship and the grant are identical. On the loans we did feel there were many—and the American Medical Association testified to this 2 years ago—there were many students in schools who ought to be giving more time to it rather than working at some other job. In other words, they ought to be working at this. It was the feeling that many of those students did not want to get a scholarship, but it was necessary to get a loan and they were perfectly willing to qualify for a loan and to pay it back.

Mr. JONES of Missouri. Was any consideration given to any obligation on the part of a graduate going into these rural areas, as was stated, where the need was great?

Mr. SPRINGER. May I say that we did. The gentleman from Mississippi [Mr. WILLIAMS]—and I wish he were here to discuss it with you—and I did a lot of work in trying to work out some kind of mandatory arrangement whereby we could get these doctors in rural areas.

In wrestling with this task we found that it was an almost impossible situation. We did find, for instance, that in the State of Mississippi and one or two others they were successful in inducing them to come in under a State plan. We did not feel that we could make a workable national plan, if the gentleman wants to know the truth about it. That is the reason why we did not do it. We did not think it would be workable.

I come from a rural area where there is a shortage of doctors and I wanted to come up with some kind of a plan, but we just could not get a workable plan.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to my distinguished chairman.

Mr. HARRIS. On the point just mentioned, it will be remembered also that a bill was reported from the committee to provide this incentive that we discussed on the floor of the House, and because of the opposition to it the House did not approve the bill. It was defeated by a very small vote.

Mr. SPRINGER. That escaped my attention, but since the chairman has recalled it, I know that he is stating the fact.

Mr. JONES of Missouri. Mr. Chairman, has any consideration been given to the anticipated income of doctors as compared with graduates from other schools, other professions? The pay of a doctor, when he gets out into practice, is greater than the average, and would he not be in a better position to repay a loan than would many other people?

Mr. SPRINGER. I think the gentleman probably has a point there. This was a matter of discretion. We did feel that the number of years it takes to produce a doctor, a good one, was greater than to produce a graduate of another profession with a doctor's degree. I think that is true. Customarily, when a doctor graduates and goes through his internship and into specialization, it is a matter of 10 to 12 years. Another man may get a doctor's degree in 7 years.

Mr. JONES of Missouri. It has been my observation that the average doctor, after he gets out of school, in a very short time has an income of up to and more than $20,000 a year. Certainly he should feel some obligation to pay back the money he has borrowed. I, for one, am not going to vote to provide any grants when loans would accomplish the same objective.

Mr. SPRINGER. I recognize the value of what the gentleman has said. From the evidence before our committee we had the feeling, in the first place, that there were many students who were smart but simply had no funds and probably would never become doctors without this kind of assistance.

As to the loan situation, that is a little different. Generally the man has some money and he adds that loan in order to supplement his money. This is what Dr. Carter of our committee mentioned in the discussion of this bill. He is an M.D. in the State of Kentucky. He, himself, had no scholarship, but he did have some money and did get some loans and he did repay them. The scholarship was for an entirely different purpose, to help those who had absolutely no money. There the only solution was this.

Mr. HALL. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I simply seek a point of clarification and perhaps a reference. I have read the hearings and the report and I am concerned about the gentleman's statement, who is in the well of the House, because I know he takes full seriously the public care of people in a quality fashion in the United States. I have reference to medical schools that are on the verge of collapse. I do not find any reference to that either in the hearings or in the report. Quite to the contrary, my information is that for the first time in many years we have no substandard medical schools that are expanding.

The number, as the gentleman points out, is growing. We are turning out more and more doctors. I just wonder if the gentleman can cite the record.

Mr. SPRINGER. I cannot give the gentleman the exact figures.

Mr. HALL. I do not know that I should want the gentleman to do that.

Mr. SPRINGER. I can tell you this in numbers; there are 10 medical schools in number, and 3 dental schools are on the provisional accreditation list.

Mr. HALL. This is accreditation by which body, if the gentleman knows?

Mr. SPRINGER. I will have to yield to my chairman on that, but I assume it was the American Medical Association.

Mr. HARRIS. Madam Chairman, if the gentleman will yield there is a reference to this at page 16 of the report. It is stated there as follows:

> Testimony presented to the committee indicates that a small number of medical schools are so weak and poorly financed that it is doubtful that they can continue to provide acceptable education without more institutional support.

Mr. HALL. Madam Chairman, if the gentleman will yield further, would the distinguished chairman, without mentioning the names of the institutions, tell me the source of that testimony? That is all I am seeking.

Mr. HARRIS. It came from the Association of American Medical Schools itself and it is included in the report.

Also, it is included in the hearings and I shall be glad to look it up and refer the gentleman to it.

Mr. HALL. As I say, I have looked through the hearings and I am familiar with the situation and the competition, if I may use that word, between the Association of Medical Schools, the Association of Deans of Medical Colleges, the Hospital Association and the Council on Education of the American Medical Association which does actually accredit these schools.

I am of the opinion that perhaps in the spirit of the chase or for emphasis, we can well believe that perhaps none of our schools are in those throes of verging on collapse without the traditional funds, albeit, they would like to have.

Mr. HARRIS. May I say to the gentleman that on page 19 of the report the gentleman will find a quote from the American Council on Medical Education and they did refer to the fact that there were, as the gentleman from Illinois [Mr. Springer] mentioned, 10 that were in dire circumstances and possibly 12 that were in need, and some question as to whether they could continue unless something were done.

Mr. QUIE. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. QUIE. I would like to ask the gentleman if the committee considered the implication that this legislation might represent a precedent with reference to the basic improvement grants and the special improvement grants, because I understand this is the first time any college or university would receive money which would go directly for current operating expenses such as salaries and administrative expenses.

Mr. SPRINGER. Insofar as I know this is the first instance.

Mr. QUIE. So, this is the first time that this has been done?

Mr. SPRINGER. Yes.

Mr. QUIE. If the gentleman will yield further, we went at great length into this when the Higher Education and Academic Facilities Act was up for consideration, and there was some discussion of this when the facilities part of the medical bill came up in the last Congress; that is the question of direct grants to private and church-related institutions, because we do have a constitutional question involved.

Did the constitutional question come before the Committee on Interstate and Foreign Commerce at all, since I note that there are 13 of the 84 schools which are church related and 11 of the 47 dental schools that are church related?

Mr. SPRINGER. May I say to the gentleman from Minnesota that I think we approached this on this premise. I doubt that there was a lot of discussion, but we approached it on the premise that in the medical schools they are not going to teach religion.

When we had the facilities bill up in 1963—and I will stand corrected by my chairman if my information is false—we provided in that legislation that there could not be used any funds of any kind to even build any building in which there was so much as a chapel.

Mr. QUIE. That is correct, or the teaching of any sectarian course.

Mr. SPRINGER. We did try to eliminate any possibility that any church-related school could use any funds for anything other than the purely bricks and mortar building of a medical facility.

Under this legislation we feel we have it in the position where none of this could be used for any other purpose except teaching and that kind of operation.

I do admit that there will have to be some regulation made by the Secretary in this matter to assure that this will be true.

Mr. QUIE. Undoubtedly there are a number of colleges and universities in the country that are going to expand their enrollment.

After we have set this precedent, at least, there should be no more opposition to providing the same type of basic and professional improvement grants to any college or university for increasing enrollment?

Mr. SPRINGER. May I say we do not approach this as general education. The gentleman may assume that. We approach this in the Subcommittee on Health and Safety because we believe this affects a vital interest, which is the health of the country. We do approach this simply as an educational matter. We would have no jurisdiction to do anything with reference to anything other than what I am talking about, the health of this country. That is our philosophy.

Mr. QUIE. Well, as far as you have been able to establish, the need for doctors, on that principle, at least this committee would not be in opposition to that same type of assistance?

Mr. SPRINGER. I would want to reserve that until I knew the nature of the need, and the extent of the need. I do not take this as basic college education or as graduate education. I take this as something which has been defined to this committee as far as the health of the country is concerned. I would not want to go beyond that in my dialog with the gentleman.

Mr. QUIE. The gentleman does recognize this is precedent-setting when we will pass this legislation?

Mr. SPRINGER. We believe this is a precedent based on the health of the country.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Is it not a simple statement of fact that instead of catching up we are actually losing ground in providing adequate manpower so far as doctors and other medical personnel are concerned, to meet the needs of the future, and with the expanding population and with the greater demands that are being thrown on the professional people in this field? We have simply got to do something on a long-term basis if we meet it in the future.

Mr. SPRINGER. That was in essence what I am trying to say.

Mr. QUIE. Just one more comment: It is just that. A number of other professions have made the same kind of claim to us. You will recall the need for engineers, technicians, and a number of others. Then the humanities came in. We are caught now in a war with another nation, in labor management difficulties, the poverty matter, and the other struggles. I recognize we do have health needs, but I recognize the other areas feel just as much a need. I want to point this out today so that we may know we are setting a precedent for the future.

Mr. SPRINGER. May I say that in the general broad field we have not done anything in the field of education. There was Sputnik in 1957, and that resulted in a request specifically of the President in two or three fields. National Defense Education Act was formed. Engineers, mathematicians, certain types of scientists were needed. We went into that field because there was an immediate need which the President said affected the security of this country. I felt it was right because this was a need with which the Defense Department was actually confronted. I am putting this in on a similar, not as an excuse, but on a similar basis. I am not surrendering this any further than I have indicated so far. I know how the gentleman feels about this.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. HARRIS. With reference to what the gentleman from Minnesota said, I want to call attention to the fact that there were other professions in the field of health making the same claim to us and we did not include them in this program because we did not have the record to prove that the need existed.

Mr. SPRINGER. There was discussion on these problems in the committee and this would have been expanded by at least five or six more professions. But we did not feel the need was there. In fact there is at least one in the bill that I had serious reservations on and I do have today serious reservations on it but by a narrow margin it was put in the bill.

Mr. QUIE. And veterinarians were left out by the committee's action.

Mr. DON H. CLAUSEN. Madam Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. DON H. CLAUSEN. I have before me a letter from the president of one of my junior colleges in California. He says we are supporting the Rogers amendment in H.R. 3141 which would permit the benefits of the nurses training act to come to junior colleges with registered nurses programs. I note the gentleman from Colorado [Mr. Rogers] and the chairman on the floor. I have been told that this particular amendment was included in the committee bill.

Mr. SPRINGER. It is in the bill.

Mr. DON H. CLAUSEN. So I can assure the president of this college that his particular request is already covered?

Mr. SPRINGER. That is correct.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. HARRIS. Madam Chairman, I yield 10 minutes to the gentleman from California [Mr. Cohelan].

Mr. COHELAN. Madam Chairman, I would like to make clear initially that I strongly support the basic provisions of this Health Professions Educational Assistance Act. Our Nation's health can be no stronger than the availability and the skills of our health personnel—of our doctors, dentists, and nurses. Yet the greatest breach in our health defenses today is the critical lack in many areas of such personnel. This legislation is designed to deal specifically with this problem and I believe that it should be strongly supported.

But, Mr. Chairman, I am seriously disturbed about one amendment to this otherwise meritorious bill, an amendment which was added by the committee in executive session without the opportunity of public discussion or dissent.

This is an amendment which provides that in the field of nursing alone of all the health professions, accreditation, which is the requirement for receiving Federal assistance, would not be made by the recognized accrediting body within the profession.

This bill provides that in medicine, dentistry, osteopathy, and optometry, accreditation of all educational programs will be made by each group's accrediting body. But not for nursing. This amendment, adopted by the committee without hearings, means that accreditation by the National League for Nursing for baccalaureate and associate degree programs in nursing could no longer be a requirment for receiving Federal funds under the Nurse Training Act of 1964.

It is both obvious and imperative that the quality of nursing and other health care be maintained and improved. To accomplish this, I believe it is essential that the accrediting body within the profession itself should be the judge of the quality of the preparation.

Madam Chairman, several arguments have been advanced in support of this amendment and I have asked for this time today since there was no opportunity at the time the committee considered this amendment to discuss them.

First it is alleged that in the field of nursing education there have been "delays in the processing of applications for accreditation." This just is not so.

Since passage of the Nurse Training Act in August of 1964, a total of 167 programs applied for reasonable assurance of accreditation, the standing which enables a school to apply for Federal funds under the Nurse Training Act. Each of these 167 applications was considered and 113 were granted reasonable assurance.

To accomplish this, the National League of Nursing planned closely with the Public Health Service, with the Commissioner of Education, and the schools themselves. The schools were informed well in advance of the dates for submitting reports, visits, and meetings of the review panels.

A second allegation has to do with expense. This likewise is not justified.

For reasonable assurance, institutions offering new nursing programs are charged an accrediting fee of $100, plus the travel and per diem expenses of two visitors. Institutions offering established nursing programs are charged an accrediting fee of $100.

Schools that are agency members of the National League for Nursing pay an accrediting fee to cover the cost of travel and daily expenses of the two accrediting visitors at the time of the visit. Visits are made approximately every 6 years.

For junior colleges—nonagency members of the National League for Nursing—a fee of $1,500 is charged at the time of the visit every 6 years to assist in defraying the cost of the visit, convening the board of review, processing of materials, correspondence with the school, and listings of the program.

Certainly, these fees are not unreasonable when placed in perspective with the importance of this work and the fees charged by other professional accrediting bodies.

A third and very serious allegation is that the accreditation provisions contained in the Nurse Training Act can be modified without impairing the goals of that act. This assumption just does not withstand the test of experience.

There is danger in permitting State or regional accreditation, when experience has shown that the highest percentage of nurses are graduated by nationally accredited programs and the highest percentage of passing scores on licensure examinations are achieved by graduates of nationally accredited schools.

The record of nationally accredited schools of nursing demonstrates that they are able to attract, maintain, and graduate the largest numbers of students. Seventy-five percent of all students are enrolled in the 717 nationally accredited programs. A higher proportion of graduates from accredited programs pass State board examinations and are licensed to practice. The accredited associate programs had a 10-percent failure on State boards, while the nonaccredited programs had a 25-percent failure on State boards. The Federal support of nonaccredited programs is wasteful of public funds as well as being costly to the individual student who has completed a training program and is then unable to pass a licensing examination as a safe practitioner of nursing.

The effect of lowering the quality of nursing education would be tragic when there have been and are continuing to be such striking advances in the development of the medical sciences and the nurse is faced with greater and greater responsibilities and decisionmaking in the care of the sick. It is imperative that we at least maintain the current standards of nursing education and it is unthinkable that we would do anything to lower the quality of nursing education.

A fourth point which has been made is that accrediting or approval agencies shall be those which are responsible for accrediting or approving the educational institution as a whole rather than only the nursing programs conducted in the institution. The inconsistency of this provision should be readily clear.

Accreditation by a regional association gives approval of an institution in its totality. A particular program within the institution may be very weak. State approval establishes minimum standards only. These vary from State to State as the quality of the educational systems vary. The Federal Government cannot in all reason, equity, and fairness afford to give financial support to a nursing education program in one region of the country whose standards might be too low to make it eligible for that support if it were located in some other region.

Furthermore, this general accreditation is not the same as specialized accreditation of a specific program. Specialized accreditation, given for example to a medical school by experts in the medical field, is doubly important because the performance of the graduates involves the life and health of the people. By the same token, it is equally important that programs in nursing education be accredited by experts in nursing education in order to assure the public of quality preparation of future nurses who will be caring for them. The Commissioner of Education recognized the necessity for this type of professional competence in the accrediting of nursing education programs by designating the National League for Nursing as the national accrediting body for all types of nursing programs specified in the Nurse Training Act of 1964.

Madam Chairman, I have taken the time to make these rather extensive remarks because I believe this particular amendment to H.R. 3141 has been inadequately and insufficiently considered. I intend to vote today for the overall program which the original provisions of this bill so constructively advance. But I believe and I urge that the Rogers amendment, which is both unnecessary and harmful, be deleted from the final measure which is approved by the Congress.

Mr. BENNETT. Madam Chairman, I rise in support of H.R. 3141, legislation to improve the educational quality of schools of medicine, dentistry, and allied sciences by providing scholarships to needy students and aid for school construction.

I have also introduced legislation to accomplish the same purpose as H.R. 3141, including H.R. 2366 and H.R. 8751. I have long had interest in providing assistance to schools teaching students in the health professions. It was my privilege in the last Congress to support and take an active part in the passage of the Health Professions Educational Assistance Act of 1963, of which I was a co-introducer. The long-range planning to produce the needed doctors to serve our Nation's growing population, including the construction of medical schools and scholarships to needy students in the field of medicine, is one of our most challenging problems, and I have been happy to take an active part in this endeavor.

As a member of the House Armed Services Committee I have witnessed how this national problem of inadequate medical schools and not having enough doctors affects our national defense mission. It was with this in mind that I introduced legislation in this field back in the 84th Congress, and I have continued to have a very great interest in it. In this session of Congress I have reintroduced measures to establish an Armed Services Medical School—H.R. 272—and to provide for scholarships to medical and dental students who would serve in the armed services for a period of time after they completed their education—H.R. 2365. These measures would help to eliminate the "doctor's draft" and are now pending in the Armed Services Committee.

The facts and figures about the critical demand for doctors and teaching facilities have been well publicized. In October 1959, the report of the Surgeon

General's Consultant Group on Medical Education pointed out that the expected 1975 population of 235 million will require a total of 330,000 doctors of medicine and osteopathy. This would necessitate the annual graduation of 11,000 students, an increase of approximately 3,600 over the 1959 graduates. In the President's message to Congress on health, earlier this year, he said that we would need 346,000 physicians in 10 years, almost 60,000 more than we now have. The Association of American Medical Colleges reported in 1963 that 3,500 additional medical doctors must be graduated each year from medical schools by 1975. This is supporting evidence to the need for more doctors.

A survey in 1963-64 showed the expenses of single medical students were about $2,700 a year, and of married students who had more than one child, $5,200. Fifty percent of the income of the single student comes from gifts and loans from his family. Earnings account for 30 percent, and only 8 percent comes from nonrepayable grants. Among married students with no children, 57 percent of the income derives from the earnings of the spouse, and only 16 percent from the family.

One-half of last June's medical school graduates came from families with incomes exceeding $10,000 a year.

It is essential that medical schools accept talented young people from every level of income status. This is not the case now. The high cost of a medical education prevents many qualified students from pursuing medical careers.

The Federal Government has an obligation to the Nation's health and wellbeing, to help where it can properly help in filling this medical gap. The Government has done much in this field, and now 51 percent of total medical school expenditures are provided by the Government.

I have contacted the medical associations directly involved in my legislation and have favorable replies. Bernard J. Conway, secretary, council on legislation, American Dental Association, wrote me:

> The American Dental Association has, in the past, favored Federal financial support for the operational costs of dental schools and scholarships for dental students. To the extent that H.R. 2366 would supply Federal funds under appropriate safeguards, the association could approve your proposal in principle.

Dr. Campbell A. Ward, president, American Osteopathic Association, wrote:

> With regard to the bill, H.R. 2366, which amends the Health Professions Educational Assistance Act of 1963, I recall that our osteopathic witness before the House Commerce Committee in testimony * * * advocated Federal scholarship aid as necessary to increase the pool of available superior students, and the need continues. I am sure the program advocated in your bill would be of great assistance in the improvement and extension of physician training in our institutions.

The American Medical Association favors part, but not all, of these legislative proposals, as shown by the printed hearings on the bill.

The urgent need for this legislation is well documented. I congratulate the chairman and the Committee on Interstate and Foreign Commerce on taking a leadership role in this problem of providing adequate medical facilities and doctors to meet the demands of the future.

This legislation is needed now, and I hope the House acts favorably.

Mr. FARNSLEY. Madam Chairman, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FOGARTY. Madam Chairman, I rise to speak in favor of H.R. 3141, the Health Professions Educational Assistance Amendments of 1965.

These amendments extend and expand the present Health Educational Professions Assistance Act of 1963, an act that was one of the most significant landmarks in health legislation that I have seen in the course of nearly a quarter of a century in the Congress. Passage of that historic measure by the 88th Congress, after earlier Congresses had considered the problem of the dwindling supply of medical manpower in the United States, but had failed to act, makes our course of action here today so clear that we have to do no more than follow a blazed trail, and enlarge it and smooth it out. This is what H.R. 3141 is designed to do.

In his health message to Congress last January President Johnson—whose personal interest in the health field is known to all of you—summarized what must be done. He pointed out that the need for trained health personnel continues to outstrip the supply, and that high operating costs and shortage of operating funds are endangering our health professions educational system. He said that the high costs of medical school must not be permitted to deny access to the medical profession for able youths of low- and middle-income families, and that the number of physicians and other health professions must be sharply increased if we are able to meet future needs.

The President also recommended legislation to authorize formula grants to help cover basic operating costs of our health profession schools, and project grants to enable these schools to experiment and demonstrate new and improved educational methods. And he urged, scholarships for medical and dental students who could not enter or complete their professional training without such assistance.

After lengthy hearings before my distinguished colleague, the gentleman from Arkansas [Mr. Harris]—soon to be a Federal judge—H.R. 3141 which we are considering today proposes to carry out the President's recommendations through a series of amendments to the existing law.

Briefly, these amendments would accomplish the following:

First. Extend for 3 years the current program of matching grants to aid the construction, replacement, or rehabilitation of teaching facilities for the training of physicians, dentists, professional public health personnel, optometrists, pharmacists, and podiatrists. An appropriation of $160 million per year would be authorized.

Second. The bill extends for 3 additional years, until July 1, 1969, the current program making grants to schools of medicine, dentistry, and optometry for the operation of student loan funds and permits the extension of such loans to students at schools of pharmacy and podiatry. An appropriation of $25 million per year is authorized for this purpose.

Third. In a new provision, the bill authorizes a 4-year program of basic and special improvement grants to schools of medicine, osteopathy, dentistry, and optometry to enable these schools to increase the scope and quality of their teaching programs as other funds have served to aid their research programs. Total appropriations authorized for this purpose would amount to $200 million over the next 4 fiscal years.

Fourth. The bill establishes a new 4-year program under which grants are to be made to schools of medicine, dentistry, osteopathy, and optometry from which scholarships may be awarded up to $2,500 per year per student.

Fifth. Finally, the proposed bill also carries an amendment to expedite accreditation of nursing schools which have experienced difficulty receiving Federal aid because of the delays and expense associated with the accreditation procedure. The new provision considers programs of nurse education accredited if they are furnished by a junior college or college approved or accredited by either a regional or State approving agency.

As one who supported the Nurse Training Act of 1964, and as one who has long been aware of the deepening need for more nurses in this country, I am in sympathy with any move that will increase the quantity of nurses. However, I believe that we must be careful that there is no decline in the quality of nursing care in our efforts to augment the numbers of nurses. I am afraid that this is being lost here.

Under the amendments made by the Nurse Training Act of 1964, schools of nursing are prohibited from receiving assistance under the legislation unless they are accredited by a recognized accrediting body approved for this purpose by the Commissioner of Education, with certain exceptions. These exceptions are, I think, generous. In the case of new schools, or schools receiving special improvement grants, or grants for student loan funds, the schools may be considered as accredited and, therefore, eligible for participation in the programs under the act, if reasonable assurances are provided that at the time specified in the law, the school will be accredited by the body or bodies recognized for this purpose.

I recall that the American Nurses Association, testifying in behalf of the inclusion of nurses in the Health Professions Educational Assistance Act of 1963, pointed out that the number of nurses graduating from collegiate courses would have to double from 4,000 in 1960 to at least 8,000 in 1970. We have narrowed the gap a little, and we have so far made no compromise with the quality of nurses training. I regret that I cannot support this portion of this otherwise excellent bill, H. R. 3141, which we are considering here, today.

At this point, I would like to include several letters I have received from persons in my Second Congressional District of Rhode Island with whom I am in agreement on this proposal:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF HEALTH,
Providence, R.I., August 23, 1965.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: I am most grateful to you for the opportunity you provided in meeting with Miss Brandt and myself last week in your office. My tardiness in responding sooner is due to a vacation leave.

Your counsel proved to be most valuable. Commissioner Keppel was also supportive, interested, and concerned. The opportunity to have met Dr. Shannon and to have shared our concerns regarding the technical amendment attached to H.R. 3141 was most satisfying.

On our return to Rhode Island, we informed Miss Margaret Kelleher of the technical amendment which caused her and her board grave concern. I am certain that she has been in communication with you. We sincerely trust, at this writing, that a sincere concern has been affected to halt the proposal from becoming law.

Thank you for your kind, personal attention.

Sincerely,
RITA M. MURPHY, R.N.,
Director,
Division of Public Health Nursing.

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH,
Providence, R.I., August 18, 1965.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: I have learned with great concern of the provisions of the technical amendment attached to H.R. 3141 since I, as well as my associates in nursing education in Rhode Island, support in full the accreditation program of the National League for Nursing.

The quality of nursing care rendered by graduates of schools of nursing depends, in no small measure, on the type of education received by the student nurse. Quality nursing care for the citizens of our country is the greatest challenge facing schools of nursing today, and toward this end they have received immeasurable assistance from the National League for Nursing.

I am proud to tell you that all of the professional schools of nursing in Rhode Island have achieved the distinction of accreditation by the National League for Nursing, and that this accreditation program has done more to upgrade the standards of nursing education in this State than any other movement. I should also add that I had the privilege of serving on the National League for Nursing's Board of Review for the accreditation of schools of nursing for 7 years. In this capacity, I had the experience of witnessing equally dramatic improvements in the schools of nursing throughout the country. To undo the progress made in the field of nursing education through legislation such as H.R. 3141 would be tragic, and I know you will do your utmost to see that the proposal does not become law.

With heartfelt gratitude for your continued interest in nursing, and with kindest personal regards, I am.

Very truly yours,
MARGARET C. KELLEHER, R.N.,
State Director of Nursing Education.

RHODE ISLAND HOSPITAL,
Providence, R.I., August 26, 1965.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: Because of your vital and continuing interest in the health of our citizens, I urge your consideration of matters outlined in this letter.

It has come to my attention that the Committee on Interstate Commerce of the U.S. House of Representatives, meeting in executive session, adopted a technical amendment to H.R. 3141, the Health Professions Educational Assistance Amendments of 1965, which reads: "any program of nurse education, offered by a diploma school nursing, means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, and when applied to any collegiate or associate degree program of nurse education, means a program provided by an educational institution approved or accredited by either a regional accrediting agency or a State approval agency."

In essence this means that baccalaureate and associate degree programs in nursing would no longer be required to achieve accreditation by the National League for Nursing in order to qualify for receiving Federal funds under the Nurse Training Act of 1964. It is my opinion that this would seriously jeopardize the quality of nursing care for patients attended by graduates of the programs which have failed to apply for or which failed to qualify for National League for Nursing accreditation. My opinion is based on the following facts:

1. The National League for Nursing program in accreditation is designed to involve schools of nursing in improving their programs in the interest of graduating more competent nurses. Since 1952 the number of accredited programs has increased from about 150 to 707. This number includes diploma programs, baccalaureate programs, and associate degree programs. It represents the majority of nursing programs in the United States.

2. Accredited programs attract and graduate the majority of students. Seventy-five percent of all students are enrolled in National League for Nursing accredited programs.

3. The National League for Nursing accredited programs are able to attract faculty better qualified to guide students toward safe and sound nursing practice. For instance, a faculty study conducted by the National League for Nursing in 1964 showed the following distribution of educational credentials among faculty of accredited and not accredited baccalaureate degree and diploma programs.

Percentage of full-time nurse-faculty in baccalaureate programs by highest earned credential and accreditation status

	Accredited	Not accredited
Highest earned credential:		
Doctoral	3.5	1.4
Master's degree	81.0	66.0
Baccalaureate	15.5	28.1
Associate degree		3.6
Diploma		.9

Percentage of full-time nurse-faculty in diploma programs by highest earned credential and accreditation status

	Accredited	Not accredited
Highest earned credential:		
Doctoral	0.2	
Master's degree	23.0	16.6
Baccalaureate	52.6	49.1
Associate degree	1.1	2.3
Diploma	23.1	32.0

4. A higher proportion of graduates from accredited programs pass State board examinations and are licensed to practice. For instance in 1963–64 only 6 percent of candidates from accredited baccalaureate programs failed licensing examinations compared with 19 percent from programs not accredited.

Type of program	Accredited		Not accredited	
	Number of candidates	Percent of failures	Number of candidates	Percent of failures
Baccalaureate	3,696	6	744	19
Associate degree	144	10	1,133	25
Diploma	20,118	13	5,950	24

I sincerely hope that this technical amendment will not pass because I believe that it is not in the best interests of patients.

Sincerely,
MILDRED E. SCHWIER,
Director of Nursing.

HOSPITAL ASSOCIATION OF RHODE ISLAND,
Providence, R.I., August 27, 1965.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FOGARTY: The Labor and Public Welfare Committee has amended H.R. 3141, medical school bill, to remove from the accreditation program of the National League for Nursing both college and 2-year junior college schools of nursing. On behalf of the hospital schools in our State I have telegraphed Senator PELL, who as you know is a member of this committee, urging that he oppose this amendment and strongly support continuation of the National League for Nursing accreditation program as written into the original bill before it is reported out of committee.

Your continued support in behalf of hospital schools is needed in this regard and to help resolve for the future their status and financing. I believe that any action by Government which further beclouds or diminishes the absolutely essential role of the hospital school will do irreparable damage to the end which you and I are striving to serve—optimum care of the sick and injured.

Your awareness in regard to health care needs and problems is probably unmatched in the history of our Congress. Your knowledge of the great need to achieve a dramatic breakthrough in nursing supply, even in relatively high resource areas, such as Rhode Island, led to the creation of the Surgeon General's Consultant Group on Nursing. Yet, after the protracted efforts of this group and the implementation of its recommendations, the problems of supply persist and the financing dilemma of hospital sponsors grows steadily worse.

I have yet to find the opportunity to discuss with you the deliberative process of this task force and its report—I visited your office several times for this purpose when I was in Washington attending its meetings—but I am certain that you know of my extreme disappointment in the lack of emphasis and support for diploma schools.

In this current move to separate diploma schools from other nursing education by means of different accreditation authorities I see a continuation of the process which received preponderant support in the Surgeon General's group. There are those articulate members within the profession and those in general education who vehemently criticize and oppose any assistance to diploma schools because "they are not the mainstream of American education," and such assistance would tend "to perpetuate this anachronism in education." I am not negative in regard to legitimate goals of the profession for self-improvement—the achievement of advanced status and better compensation—as I believe that this is needed to make nursing more attractive vis-a-vis other career opportunities for women. Neither am I opposed to assistance programs for collegiate based nursing education. However, I believe the desire of the nursing profession to achieve self-determination, and the goal of professional educators to absorb this important segment of education for women, together do great disservice to the unmet need of the American people for more nurses.

This continuing controversy, which thus far has successfully denied deserved support to the main source of supply for professional nurses, must not be additionally encouraged to the further detriment of diploma schools. I believe that more confusion and uncertainty regarding the future of diploma schools would result inexorably from the passage of the amended version of H.R. 3141. Instead, what is clearly needed is emphasis on the essentiality of the diploma school for fulfilling national health care goals so that necessary financial support by society—not the hospitalized patient or third party agency—may be achieved. In my opinion, this recognition and support is inevitable. Roadblocks, such as those referred to above, which confuse or delay the establishment of affirmative public policy for diploma schools, should be vigorously opposed as being contrary to the public interest.

I will appreciate an opportunity to talk with you further about this important problem whenever you desire.

Sincerely,

WILLIAM K. TURNER,
Chairman, Council on Hospital Financing and Government Relations.

Mr. Chairman, it is extremely encouraging, I think, that the Health Professions Educational Assistance Act has already caused a significant increase in the enrollment at medical and dental schools and that—if the trend continues—the continuation of this program represented today by H.R. 3141 will mean that we may be able to at least maintain in this country the current ratio of medical, dental, and other health professional manpower to population during the 1970's.

In 1962, for example, the total first year enrollment in medical schools in the United States was 9,200; it is estimated that next month, the first year enrollment will total 9,925. In 1962, the total first year enrollment in dental schools was 3,680; it is estimated that next month the first year enrollment will total 3,850. Substantial increases have also occurred in public health, nursing, pharmacy, and optometry enrollments. These significant increases are attributable—in part, at least—to the programs of construction assistance and—for students of medicine, osteopathy, and dentistry—the loan provisions of the 1963 act to aid the health professions. This is the act which we are amending and extending today.

These statistics are indeed encouraging, but to be realistic we must recognize that at best we can only hope to hold the present ratio of physicians and other health personnel to our population at a time when our population is growing and increasing demands are being made upon health manpower, which is already in short supply.

Just to give a glimpse of future needs—to maintain the present inadequate ratio of physicians to population, we will need 346,000 physicians by 1975. We have less than 290,000 today, and even with the aid of health professions assistance we will get only about 9,000 graduates per year by 1975.

We will be short about 15,000 dentists by 1980.

Public health workers who guard against air and water pollution, radiation, epidemics—to name only a few national dangers—are being trained in only 13 schools. Indeed, there are actually fewer public health physicians in this country today than there were 15 years ago—a shocking example of the neglect of a vital health profession.

To provide for the national deficit in pharmacists and optometrists, it is estimated that the current number of graduates must be doubled, to maintain current population ratios.

And schools of podiatry must triple their number of graduates, if current ratios are to be maintained by 1980.

Precisely because current ratios are inadequate in all of these health professions, it is particularly gratifying to me to note that H.R. 3141 extends the student loan program for another 3 years, boosts the amount from $2,000 to $2,500, and adds pharmacists and podiatrists to the list of those eligible for such loans.

A related provision of H.R. 3141 adds Federal scholarship authorization for the first time for full-time medical, dental, osteopathic, and optometric students.

Some of you may recall that earlier this year I introduced a bill before this House—H.R. 6000—to provide Federal scholarships not to exceed $2,500. At that time I pointed out that it is a sad instance of economic discrimination that half of last June's medical school graduates came from families with incomes of over $10,000 a year. Surely there are many young people from low- and middle-income families well qualified to become physicians and dentists but who are blocked by lack of finances from realizing their abilities.

In the past three Congresses I introduced bills to provide Federal assistance in awarding scholarships to students of medicine and dentistry. The scholarship provision was stricken from those bills. I ask this Congress to carefully consider this bill and not take similar action. The need for qualified, well-trained health personnel is so grave that this time we must not fail to do what we can to meet this urgent need.

Finally, I want to touch upon the provision in H.R. 3141 authorizing Federal operating funds for medical, dental, osteopathic, and optometric schools under a new program of so-called basic improvement and special improvement grants. To get basic grants, schools must increase their enrollment by 2½ percent or a minimum of five students. To get the special grants, they must continue spending non-Federal funds at a specific rate. That is the mechanical side of it.

On the philosophical side, these two grants are designed to help schools of medicine, dentistry, osteopathy, and optometry improve their strength and programs. The basic improvement grant would provide a larger proportion of the budget of underfinanced schools than it would of budgets of better endowed schools. Inadequately supported schools could use these funds to improve student-faculty ratio, attract more highly qualified faculty, and to strengthen basic curriculum. More adequately supported schools could use these grants for experimenting with new ideas in professional health education. The special improvement grant would provide the incentive for development of specific programs or departments within inadequately supported schools, and more fortunate schools could use them to develop new programs in rapidly expanding fields such as genetics and biophysics.

Because these two kinds of grants would be made on the basis of need, they will tend to narrow the gap in quality between individual schools. They will insure the more adequate preparation of all future physicians and dentists and in this way increase the standards of medical care for all our citizens.

It is of special concern to all of us that at least 10 medical schools are in serious financial straits at a time when this Nation has to look to these schools to provide more and more training—for medical graduates, for practicing physicians, for ancillary health workers. It is incomprehensible to me that at this same time the American Medical Association opposed this operating fund provision of H.R. 3141 in committee because it regarded these funds as a step toward "Federal domination of medical education." It is not, I think, necessary to dignify that old charge with an answer.

Those of us concerned with health matters must face certain facts. As the President said in his health message last January:

> We must fact the fact that high operating costs and shortage of operating funds are jeopardizing our health professions education system. * * * Several underfinanced medical and dental schools are threatened with failure to meet educational standards. New schools are slow to start, even when construction funds are available, due to lack of operating funds.

Finally, I want to emphasize that this is no partisan measure. I want to urge every Member of this House—Republican as well as Democrat—to give careful consideration to this bill. Health matters should know no politics, because disease is no respecter of political party allegiance. In our health—in the health of our citizenry—is our country's strength.

Mr. MATSUNAGA. Madam Chairman, I rise in support of H.R. 3141, the

Health Professions Educational Assistance Amendments of 1965.

It is now a statistical reality that the lifespan of Americans has increased in recent years as the result of advances in medicine. And Congress in its wisdom has in recent weeks enacted legislation which will bring proper medical care within the economic reach of all our elder citizens. Modest financial circumstances should no longer be an obstacle for older Americans who are in need of medical care. As Americans live longer and as medical care for the aged is assured, it would seem logical to follow that the health manpower requirements of the Nation are correspondingly increased.

Mr. Chairman, the time has, therefore, come for us to shift our attention from the beneficiaries of medical technology and advancement to the technicians themselves. These are the people upon whom is placed the responsibility of providing to all who seek their services the knowledge, the skill, and the care of the medical arts and sciences. The result of this shift of attention is startling, indeed.

As the result of extensive hearings and careful study, our own Committee on Interstate and Foreign Commerce states that even to begin to meet the Nation's health needs, the number of new dentists must increase by at least 100 percent. In addition, the number of new physicians must increase by at least 50 percent over the next 10-year period. This means that to meet the estimated need for medical school graduates by 1975, there must be some 12,700 first-year places by 1971 to train the 11,500 medical school graduates needed for 1975. Taking the most optimistic view of the current expansion program of medical school facilities, we are still faced with the problem of providing approximately 2,600 first-year places. And we must act now to support the need for such new first-year student places.

This shortage in the medical and dental professions is also being felt in the fields of osteopathy and optometry.

Just how much of the shortage of personnel in the health professions is due to the tremendous increase in the cost of obtaining such professional education is of course a matter of some conjecture. There is little doubt, however, that many are discouraged from seeking a health professional school education because of the high cost involved. This is unfortunate for many of our brilliant students who otherwise would seek a career in medicine or dentistry. It is also a serious loss to our health professional schools, the health professions, and the people who are deprived of their services.

As in other fields of endeavor, the student of low income should not be deprived or handicapped in his quest for health professional training merely because of the fact that he does not come from an affluent family.

Madam Chairman, by means of the legislation we are now considering, a more nearly equal opportunity would be provided the low-income student to enter one of the health professions of medicine, dentistry, osteopathy, or optometry. This measure would significantly improve the competitive position of health professional schools in the annual competition for outstanding students. It would help to meet the increased demand for health services throughout the Nation.

In addition to providing educational improvement grants and scholarship grants to schools of medicine, dentistry, osteopathy, and optometry, and to improve the quality of their educational programs, H.R. 3141 would also provide needed assistance in furthering the education of the members of the public health professions. There is a rapidly growing need for well-trained and competent public health physicians, dentists, nurses, engineers, statisticians, and others. It is significant that throughout the 50 States there are only 13 schools of public health, and the 13th which was recently started at the University of Hawaii, is now awaiting accreditation action. We in Hawaii are naturally proud of our leadership in the public health field, and we are looking forward to the day when we can also add a fully accredited 4-year medical school to our expanding health educational facilities at the University of Hawaii. With Federal programs such as this we may in the near future serve as the health center of the Pacific.

Madam Chairman, I strongly urge a favorable vote for H.R. 3141.

Mr. DAVIS of Wisconsin. Madam Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order that a quorum is not present. The Chair will count.

Mr. HARRIS. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mrs. GRIFFITHS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes, had come to no resolution thereon.

ELECTION OF MEMBERS TO COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 558

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Government Operations: ROBERT DOLE, of Kansas.

Committee on Rules: DELBERT L. LATTA, of Ohio.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STEEL INDUSTRY AND LABOR ACTING IN THE NATIONAL INTEREST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the whole country was elated to learn last night of an 8-day postponement of a strike in the steel industry and of the willingness on the part of both labor and management to continue negotiations for this period. We compliment them for this constructive decision. Both sides showed real concern for the national interest when they were willing to back away from a showdown to which both had apparently been committed. We compliment also the President of the United States as well as the Secretary of Commerce and the Secretary of Labor upon their work in helping to persuade the parties immediately concerned that to continue negotiations to settlement is in the interest of the steel industry and of the country.

The steel industry is enjoying a period of great prosperity. Its net earnings were 36 percent higher during the first 6 months of 1965 than they were during the corresponding period in 1964. The steel industry is sharing in the great prosperity which this Nation now enjoys.

Steel is a basic industry. A strike in this industry would have grave effects on the national economy and the national defense. We are still feeling the effects of the 1959 strike. We urge both labor and management to let free collective bargaining operate, to stay in Washington and to use every minute of the next 8 days to effect a just and equitable settlement, to approach the problem in the same spirit with which they agreed to a postponement of a showdown last night, to keep the mills working and in the end to continue to make their indispensable contribution to the national economy and the national defense.

LETTER TO THE PRESIDENT FROM A MARINE CORPORAL IN VIETNAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time to read a very moving letter dated the 23d of August this year from a corporal in the Marine Corps to the President of the United States.

AUGUST 23, 1965.

DEAR MR. PRESIDENT: I'm writing this letter from Qui Nhon, Vietnam. I'm a corporal serving in the U.S. Marine Corps. I have my speculations as to whether you'll see this letter, but someone will. This letter has no special reason—just a simple letter from a marine serving his country.

First, I'd like to thank you for giving me the opportunity to serve my country and my God, although I wish there were no war and no killing. This undoubtedly is the most important thing I have ever done, and God willing, the most important thing I will do in my entire life. I feel very proud and privileged fighting this war in Vietnam because it gives me the feeling of repayment. Repayment to what? To you, Mr. President, and to the great free country I was reared in. Many people—both men and women—have risked, and in many instances died, to keep our country free from communism. Now it is my turn and I have pledged my life to defend our country. I am but a minute part of the fighting force we have over here, but I feel that every man plays an important part in this war. Every one of us is fighting for one thing—freedom. Some will never see home again, but they will not have died in vain. They will have died for a reason—one that is worth every man that is lost. Wars are not won without losses. They never have been, nor will they ever be.

There are many misconceptions about the American college student. Many feel that he cares nothing about Vietnam and the servicemen here. He understands what is going on. He too has an important role in this war for he may be the man who reaches the solution leading to our victory. Without teachers, chemists, engineers, and so forth how would we be able to fight—and win—this conflict? We wouldn't. Without him we'd be defeated. Yes, "Mr. Joe College" is serving an important part in this war—as important as every man over here.

Well, Mr. President, I think I've said enough—maybe more than I should have—but I wanted you to know how a serviceman feels, as I'm sure many do, about fighting in Vietnam.

Respectfully,

DENNIS L. STEFANACCI.

The letter, Mr. Speaker, speaks for itself.

CONTINUANCE OF NATIONAL CEMETERIES

Mr. GROVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, it came to my attention last year, during a routine inquiry regarding water main easements over U.S. Government property at the Pinelawn National Cemetery, that a Presidential study commission had recommended a "phaseout" of the time-honored national cemetery system.

A quiet pronouncement from the Quartermaster Corps confirmed the administration's intention to follow that recommendation.

It is tragic shortsightedness which permits us to ask a young man to dedicate himself in life, and perhaps death, to militant defense of freedom, and yet deny him the simplest and most sacred of national honors, burial in a part of America especially set aside for those who served.

Mr. Speaker, I have introduced today a joint resolution which expresses the policy and intent of the Congress that the national cemeteries be continued and expanded.

I trust that my colleagues will join with me in mutual enthusiasm in support of this resolution.

H.J. RES. 648

Whereas it is the policy and intent of Congress that a grateful Government of the United States in recognition of the loyalty, patriotism and zeal of American servicemen in war and peace, maintain, enlarge and expand a system of national cemeteries and continue the historic tradition, honor and privilege of interment in a part of our beloved country so specifically dedicated: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "National Cemeteries Act of 1965".

SEC. 2. No new national cemetery shall be established, and no existing national cemetery shall be enlarged, except in accordance with the provisions of this Act.

SEC. 3. (a) There is hereby established a National Cemeteries Site Selection Advisory Board, the members of which shall be two Members of the House of Representatives appointed by the Speaker of the House, two Members of the Senate appointed by the President of the Senate, and five members appointed by the President of the United States. Of the members appointed by the President, at least one member must be a veteran (as that status is defined in sec. 101(2) of title 38, United States Code) who is active in veterans affairs, and, at any one time, not more than two members may be officers or employees of an executive department or agency of the Federal Government.

(b) Members of the Board appointed by the President who are officers or employees of an executive department or agency of the Federal Government shall hold office at the pleasure of the President. The other members of the Board appointed by the President shall hold office for a term of five years, except that the President shall designate shorter terms of office for such other members first appointed so that no more than one term of office will terminate in the same year.

(c) Five members of the Board shall constitute a quorum.

(d) The members of the Board shall elect a Chairman from among their number and employ an Executive Secretary whose salary shall be such amount (but not to exceed the maximum rate provided by the Classification Act of 1949, as amended) as may be fixed by the Board. The Board may employ such other persons as it finds necessary for the conduct of its business and procure contract services in accordance with section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a).

(e) Each member of the Board appointed by the President who is not an officer or employee of an executive department or agency of the United States shall receive $50 per diem when engaged in the performance of the duties vested in the Board. All other members of the Board shall serve without compensation in addition to that received from their services in the executive branch of the Federal Government or as Members of Congress, as the case may be. Each member of the Board while engaged away from his home or regular place of business in the performance of the duties vested in the Board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(f) The Secretary of the Army shall assign, on a reimbursable or nonreimbursable basis, such personnel of the Department of the Army to assist the Board, and shall aid it in such other manner, as the Board requests and as is compatible with the other duties of such Department.

SEC. 4. (a) The Board shall advise and report to the Congress on the suitability of any site proposed for use as a national cemetery. In so doing, it shall make an estimate of the cost of establishing or enlarging, as the case may be, the national cemetery, and it shall take into account the location of the proposed site, the number of people residing within a convenient distance from the proposed site who are eligible for burial in a national cemetery, the proximity and accessibility of other national cemeteries, the need for the establishment of additional national cemeteries or the enlargement of existing ones, and other pertinent factors.

(b) A copy of the Board's report on each proposal for the establishment or enlargement of a national cemetery shall be furnished to the Secretary of the Army. The Board shall not recommend the establishment or enlargement of a national cemetery if the estimated cost to the United States for land acquisition and development is more than $1,000,000. If the Board's report recommends the establishment or enlargement of a national cemetery the Secretary of the Army shall report to the Congress his concurrence or nonconcurrence in the Board's recommendations within sixty days of his receipt of the Board's report. If the Secretary reports nonconcurrence in the recommendations of the Board, he shall state his reasons therefor.

(c) If the Secretary of the Army concurs in the recommendations of the Board, he may acquire the site and proceed with its development as a national cemetery, as soon as the necessary funds become available for that purpose.

SEC. 5. (a) The Secretary of the Army may accept, on behalf of the United States, donations of land and of funds for the development, operation, and maintenance of national cemeteries, in accordance with this Act, expend such funds for the purposes for which they are donated, and return unexpended and uncommitted portions thereof to the donors if those purposes cannot be carried out. He may also accept transfers of jurisdiction over land (including public land) owned by the United States and useful for national cemetery purposes, and the head of any executive department or agency of the Federal Government having jurisdiction over such land is authorized to transfer it to the Secretary of the Army for this purpose.

(b) The Secretary of the Army shall, whenever an offer of donation of land or of money for the purchase of land for a national cemetery is made to him, or whenever land owned by the United States becomes available for this purpose, notify the National Cemeteries Site Selection Advisory Board.

SEC. 6. The following provisions of law are hereby repealed: Sections 4870, 4871, and 4872 of the Revised Statutes (24 U.S.C. 271, 272, 273); the Act of June 29, 1938 (24 U.S.C. 271a); the Act of August 4, 1947 (24 U.S.C. 281a–c); the Act of March 10, 1950 (24 U.S.C. 281d–f); and the Act of August 10, 1950 (24 U.S.C. 281g).

SEC. 7. Nothing contained in this Act shall affect the development of lands which were acquired or designated for national cemetery purposes before the date of enactment of this Act.

IN L.B.J.-LAND

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **CABELL**. Mr. Speaker, Presidential libraries provide a uniquely valuable means for the training of the future leaders of our Nation.

The wisdom of establishing these invaluable aids to learning and the particular value of designating the University of Texas as the site for President Johnson's papers is aptly demonstrated by the following editorials which appeared on August 11 in the Dallas Times Herald and the Dallas Morning News. Because of the helpful insight they contain, I ask consent to place them in the Record at this point.

[From the Dallas (Tex.) Times Herald, Aug. 11, 1965]

IN L.B.J.-LAND

The University of Texas, close to "the President's country," is a logical site, both geographically and academically, for a Johnsonian Presidential Library. The possibility of a post-retirement professorship for L.B.J. would be an additional coup for the University of Texas.

The proposed Lyndon B. Johnson Library should become a focal point for scholarly and historic research. Because of the President's unusually long and distinctive political career, the library will doubtless contain a more extensive trove of official papers and memorabilia than any Presidential library yet.

The university's board of regents rates an "A" for planning and foresight, for presenting the President not only with an offer to build an impressive physical plant to house the library but also to establish a Lyndon B. Johnson Institute of Public Service—a future institution of learning to further political and governmental acumen in a manner no doubt dear to the heart of a famous former schoolteacher. The university, the State and the Nation are to be beneficiaries of this historically significant center.

[From the Dallas Morning News, Aug. 11, 1965]

JOHNSON INSTITUTE

Selection of the University of Texas at Austin for the Presidential library and archives of the Johnson administration is an excellent one. It will be further enhanced by early establishment of the Lyndon B. Johnson Institute of Public Service in connection with it.

Regents of the university headed by W. W. Heath of Austin, joined by Chancellor Harry Ransom, have outlined the whole project which, in cooperation with other institutions of higher learning, should prove a notable advance in the postgraduate training of leaders in the field of public service.

The main building to be opened by January of 1969 will be located on 14 acres of university land yet to be announced. One possibility is a magnificent site on Lake Austin on acreage given to the university years ago by the late Col. George W. Breckenridge of San Antonio.

The study and research center to contain the papers of Lyndon B. Johnson will be a fitting complement to libraries already completed or authorized for all past Presidents beginning with Herbert Hoover. It is a wise and fruitful development under the National Archives of the Nation.

The President is rumored as wanting to lecture at the university in the field of politics. If he does, that course ought to pack them in. The field of public service needs a continuing flow of young talent.

THE PRESS HAILS PRESIDENT JOHNSON'S APPOINTMENT OF LAWRENCE F. O'BRIEN AS POSTMASTER GENERAL

Mr. **BOLAND**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **BOLAND**. Mr. Speaker, few men who have served the Nation in Washington have been so highly regarded by the communication media as Lawrence F. O'Brien. President Johnson's designation of him as Postmaster General of the United States has been applauded by newsmen across the Nation.

It is easy to understand the praise that has been and is being accorded by the Washington Press Corps and by journalists in his native State of Massachusetts. It comes from a natural affection for him. They respect his honesty and directness. They like his style. They appreciate his effectiveness.

Mr. Speaker, many times in the past, Larry O'Brien has been cited by outstanding columnists and newsmen for the effectiveness of his work. His appointment to the President's Cabinet is the subject of current words of praise.

Under unanimous consent, I insert in the Record, a splendid article by Tom Wicker, chief of the Washington Bureau of the New York Times and editorials from the Washington Post, and Springfield, Mass., Union:

[From the New York Times, Aug. 31, 1965]

POLITICS: THE MAN WHO DELIVERED THE GOODS

(By Tom Wicker)

Washington, August 30.—Larry O'Brien is a man in the finest traditions of our many former Postmasters General. He knows nothing whatever about delivering the mail, but he is an absolutely professional politician who has shown two Presidents that he knows how to deliver the goods—both on election day and when the roll is called up yonder on the Hill.

O'BRIEN'S TECHNIQUE

General O'Brien—as something in excess of 20,000 personal friends soon will be entitled to call him—is a smiling Irishman who would not be caught dead saying "yes" or "no" if 150 other words could be substituted to the same effect. He has made just enough enemies in 4 years in Washington to crowd a telephone booth, and he is admired in both parties for his political organizing genius and for his effective work on behalf of the Kennedy-Johnson legislative program.

O'Brien's contribution to the practice of modern politics was simple but revolutionary. After decades when political bosses in cities and States alike had operated on the theory of keeping the electorate as small and manageable as possible—to keep to a minimum the risk of unruly voters getting out of hand—O'Brien took the opposite view. In the three major campaigns he ran for John Kennedy (no matter who was the titular campaign boss), he brought as many people into action as possible—by registering new voters, by organizing masses of volunteer workers, by seeking out voters where candidates never had looked before.

So massive has been the legislative achievement of the Johnson administration that it is customary to give most of the credit to the President himself. He deserves a lot of it, but O'Brien the congressional liaison chief for both Mr. Kennedy and Mr. Johnson, has played a larger role than is generally realized.

IMPROVED LOBBYING

In the first place, under his leadership the White House lobbying activity has been better organized and more efficient. It has acquired more personnel, more autonomy, more respect and more legitimacy than any similar operation in the past, and therefore, it is an improved, if not a new, tool of Presidential power.

It is Washington folklore, for instance, that in 1964 Mr. Johnson salvages the tax cut and civil rights bills Mr. Kennedy had not been able to get through Congress before his death in 1963. In fact, Mr. Kennedy had predicted "an 18-month delivery" for 1964 and it probably always will be a question whether O'Brien's spadework might not have produced these measures had Mr. Kennedy lived; O'Brien thinks the bills would have passed in any case.

Even this year, with the massive majorities provided by the election of 1964, O'Brien's work with Congress has been vital to Mr. Johnson. The key element in any lobbying program is to understand the legislation thoroughly; only then can be it presented to a legislator in such a way as to make him see that it will help him politically—or at least not hurt him so much as he has thought. O'Brien and his staff—far from relying, as myth would have it, on twisted arms, patronage, and the pork barrel—have made this process of study and persuasion one of the President's most formidable weapons in seeking such controversial items as the rental subsidy in the housing bill or the voting rights act.

All of that is more or less public. In a more personal and private matter, Larry O'Brien also delivered the goods early in 1964. The sharpest of the transition from John Kennedy to Lyndon Johnson was then past. Ted Sorensen was leaving the White House staff; Kenneth O'Donnell wanted to; Pierre Salinger would leave in the spring.

AVERTING POSSIBLE DISASTER

If at that moment the popular and respected O'Brien also had resigned—so members of the old Kennedy staff said privately—there would have been a wholesale exodus, damaging Mr. Johnson in two ways. It would have appeared to signal a lack of confidence in him that could have been disastrous in an election year; it might have left him with too few experienced men to run either the White House or the coming campaign.

But Larry O'Brien stayed, in one of the crucial acts of a crucial time, one of many for which he deserves the respect in which he is held here. He will still have that respect at the Post Office Department; he will still be delivering the goods next election day, and if past achievements are any guide he may even get the mail delivered twice a day.

[From the Washington (D.C.) Post, Aug. 31, 1965]

O'BRIEN FOR GRONOUSKI

Lawrence F. O'Brien, President Johnson's new nominee as Postmaster General, is among the best liked, hardest working and most quietly effective public officials in this Capital. He has served two Presidents as legislative assistant with rare discretion and devotion, and he has managed to win the respect and affection of Congress in the process. If the contention is accepted that the Postmaster Generalship is fundamentally a political job, Larry O'Brien is a splendid choice to succeed John A. Gronouski, whom the President has selected to be Ambassador to Poland.

It can be argued that departmental morale might be improved by taking someone from the career postal service. But this is not always a satisfactory course; and on the other hand, some of the most conspicuously successful Postmasters General have been political appointees. James A. Farley, for example, was a political strategist and patronage dispenser, but an innovator in terms of the service. Fresh ideas sometimes come best from the outside.

Cabinet posts, moreover, are essentially political by nature. The Post Office, among all Cabinet departments, is particularly one in which Members of Congress are disposed to assert a proprietary interest. Mr. Gronouski, with his academic background, was perhaps not quite vigorous enough in standing up to Congress on one or two occasions. Mr. O'Brien's knowledge of the ways of Capitol Hill should make him adroit at dealing with the various congressional interventions.

The selection of Mr. Gronouski as the new Ambassador to Poland may or may not pay direct dividends. For a while last winter American relations with the Communist government in Warsaw were somewhat strained, partly because of the war in Vietnam and partly because of internal developments in Poland. These difficulties may not be easily remediable. At the same time, the nomination of a Cabinet officer who speaks Polish should be flattering and is a testimonial to the strong ties with the Polish people. Obviously it should not be regarded as a precedent for the fatuous practice of selecting an envoy merely because of his ethnic origin. But in this case the appointment is a tangible expression of President Johnson's wish to build bridges to Eastern Europe.

For all his other attributes, Mr. Gronouski is hardly yet trained to carry on the intermittent dialog with Communist China that has taken place through Ambassadors in Warsaw. Retiring Ambassador John M. Cabot has been conducting these meetings with the assistance of Alfred Jenkins, a Chinese language expert from the American Embassy in Stockholm. So far they have not been very productive, but the contact is useful for the time when the Chinese may seriously want to talk. Actually, though, there is no reason why the locale could not be shifted to another capital.

Altogether the two appointments seem admirable. And what names—O'Brien and Gronouski—could be more typical of the mixture of backgrounds that characterizes America.

[From Springfield (Mass.) Union, Aug. 30, 1965]

CABINET POST FOR O'BRIEN

The appointment of Lawrence F. O'Brien as Postmaster General of the United States is bound to win the endorsement of Americans, inside and outside his party, who know his personal qualities and his talent for organization. But nowhere will approval be heartier than in his home State of Massachusetts and his home city of Springfield.

"Larry" O'Brien's political acumen was known in Springfield some three decades ago. This was the gift that was to make him "key legislative architect of the New Frontier," as President Johnson phrased it when he announced the appointment Sunday. "I know of no single individual," the President added, "who has contributed more to the enactment of legislation that touches on the lives of so many Americans." He pointed to measures ranging "from voting rights to medicare, from tax cuts to the war on poverty, from Peace Corps to education." The O'Brien influence is known to anyone at all familiar with the Kennedy administration—and the Johnson administration to date.

The names of O'Brien and Kennedy were linked on a national scale during the late President's successful campaign for the White House in 1960. That was a victory, too, for "Larry" O'Brien as national director of organization for John Kennedy. He became Presidential Assistant for Personnel and for Liaison with Congress. Last year he handled the organizational chore for the Johnson-Humphrey ticket, and has continued to serve President Johnson as assistant for congressional relations. In the Bay State, the O'Brien-Kennedy meeting took place in the late forties, when the future President was U.S. Representative from a Boston district. The O'Brien touch was applied as John Kennedy's organization director in his successful Senate campaigns of 1952 and 1958.

One effect of the new appointment will be the loss to the President of a strong right arm in congressional relations—though Mr. Johnson's own background in Congress should continue to be effective. Another effect will be a change in the political outlook for 1966 in Massachusetts. "Larry" O'Brien commands great respect, as an individual, in Democratic councils; and his closeness to the Kennedy family is not to be overlooked. So, when the word spread that he was interested in State office there was a ripple of distress within the party. The waters may now settle a bit, but there are still some sharp contests in sight for 1966.

The prospects are that Postmaster General O'Brien will be a most worthy successor to John Gronouski, who is resigning the Cabinet post to become Ambassador to Poland. The Post Office Department will be in the hands of a master organizer and, as his associates know, a gentleman.

THE TWIGGS COUNTY HOSPITAL

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, many times this Congress has seen itself divided on the question of whether the Federal Government or the local governments can best help solve the people's problems—when help is required. I have always stood with those who assert that local problems are best handled by the government closest to the people, and have recently found in my own district a remarkable example of this philosophy in action.

In Twiggs County, a small, rural, south Georgia community, the citizens are singlehandedly raising funds to build themselves a long and badly needed hospital. They have set high standards for their hospital; they plan to have the most modern medical facilities, and such added features as oxygen piped into each room. After raising $54,000 to complete the cost of the building, the citizens found that in order to meet State requirements, an additional $30,000 would be needed. So again, the community alone set out to raise the added money—and is now very close to its goal.

I tell this story, Mr. Speaker, in the hope that it will be an inspiration to other communities to follow Twiggs County's example. I tell it because I find so few in Washington who believe that local people can act for themselves without Federal aid. But here is a farm community that for years has had only one doctor, now in his 80's, and that is badly in need of more doctors and a hospital. All on their own, without a word to Uncle Sam, they have taken up the fight to build a hospital and attract more doctors. I have no doubt that they shall succeed.

WINNING AT THE POST OFFICE DEPARTMENT

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, we all heard with more than average interest that our man at the White House, Larry O'Brien, will leave his present post as assistant to the President for congressional relations and become Postmaster General. We all wish him well, because a finer fellow never twisted an arm in Washington.

Some commentators have chosen to view the O'Brien appointment from a partisan perspective. They say he is being shifted to a position where his undoubted organizational genius can be better employed for the benefit of the Democratic Party.

I reject this narrow view. What the Postmaster General does in his spare time is his own affair, but in business hours Larry O'Brien will devote all his talent to the public business. The Post Office needs a lot of attention, to keep the whole Department from becoming a dead-letter office.

This package was mailed last Thursday in New York by air parcel post—and it was not delivered to my office until Monday. The flight from New York to Washington takes 1 hour. I hope Larry O'Brien can find out where that package was during the other 95 hours in transit.

Yesterday a constituent reported that letters take 6 days to get from New York to Hagerstown, Md. Today another told me that mail from Baltimore to Hagerstown, a distance of about 70 miles, takes 3 days. That is a speed of about 1 mile an hour. Many residents in new developments in Montgomery County, Md. have virtually no mail service at all.

Winning at the Post Office Department could well be Larry O'Brien's toughest campaign. But a man who has "delivered the goods" for two administrations should be able to deliver the mail. I say good luck, Mr. Postmaster General. Good nonpartisan luck—you will need it.

THE PARKVIEW HIGH SCHOOL BAND

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, this afternoon at 1:30 the Parkview High School Band affectionately known at home as the "Jolly Green Giants," of Springfield, Mo., will present a band concert on the east steps of the Capitol Building. Tonight another performance will be given at 8:30 p.m. at the Sylvan Theater on the Washington Monument grounds.

Last Friday it was my privilege with Colleague WILLIAM HUNGATE and others, to attend the Missouri Day ceremonies at the New York World's Fair, and to hear this splendid 108-piece concert band represent our State with a sterling performance.

One remarkable feature of the band's Eastern tour is the fact that the members themselves, by a series of collective and individual projects, raised the funds necessary to finance their trip.

That they succeeded is a tribute, not only to the members, their fine director, Mr. Dan Palen, and others associated with the trip, but also to the citizens of Springfield whose financial support made the effort a success.

On behalf of the band, I would like to extend a cordial invitation to the members who can arrange to be off the floor, to hear the band perform this afternoon on the Capitol steps. Not only did the band bring their best musical talents, they also brought along some of our delightful Ozarkian weather to the Federal Capitol.

APPOINTMENT OF HON. JOHN A. GRONOUSKI AS AMBASSADOR TO POLAND

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I would like to congratulate my very good friend, the Honorable John A. Gronouski, upon his appointment by President Johnson as Ambassador to Poland.

As a Member of the House Committee on Post Office and Civil Service, it was my good fortune to come to know Mr. Gronouski very well. Out of this professional relationship grew a very warm personal friendship. I was very honored when he made a very fine address in my native Jersey City last May in connection with services held commemorating Polish Constitution Day.

Mr. Speaker, I consider John Gronouski one of the most brilliant and dedicated men in American public life. In addition, he brings to any task he is assigned a refreshing modesty and candor that is unequaled among men in high public office.

John Gronouski has been given a difficult task as Ambassador to Poland. However, I could not imagine this job being assigned to anyone more capable than he is. American-Polish relations are in good hands with John Gronouski at the helm.

THE NEED FOR STIMULATING DEVELOPMENT AND PEACE IN THE NEAR EAST

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. ROOSEVELT] is recognized for 60 minutes.

Mr. ROOSEVELT. Mr. Speaker, this concludes the fourth of the series of discussion of the problems in the Near East which I began on August 10. My colleagues will realize that since I began these discussions I have been afforded the opportunity of undertaking responsibilities somewhat different from those which are mine as a Member of Congress. Today I conclude my own personal views which, as a Member of Congress, I have the privilege of freely stating. I should emphasize that these are not necessarily the views of my country as determined by the President and the State Department and, therefore, cannot be binding upon me in the new duties which I shall assume. They express, however, my sincere convictions, and I want to say again, as I have always said, that my fundamental purpose is not to be pro-Arab or pro-Israel. My fundamental purpose is to hope that a way can be found, within the realities of the situation, to bring peace to all the residents of this important part of the world—where the needs of all human beings of all races and creeds are so great—in order that they may achieve the dignity and the opportunities to which I firmly believe they are entitled. My hope encompasses the thought that a real peace in the Near East, a real amnesty between people of such different faiths, could be the cornerstone upon which peace in the rest of the world might well rest.

I pray that in my new assignment I may, therefore, be the friend of all the representatives of the people of the Near East.

Since the 1949 armistice agreements which left two states in Palestine—Israel and Jordan—substantive issues have been aggravated by suspicions on both sides. The right of Jews to a homeland in the Middle East; the legality of Israel's existence as a state; the scope of Israel's territorial claims; the fate of and the responsibility for Arabs who fled from what is now Israel; and conflicting claims over the waters of the Jordan River system have been heatedly disputed issues.

Jews in Israel say, "The Arabs propose to push us into and under the sea." And Arab declarations of purpose, including recent extremely belligerent threats by Gamal Abdel Nasser, do not encourage a relaxed military posture in Israel.

Jordanians say, "The Jews intend to push us into the desert."

One whose compassion flows toward the people of both sides of the quarrel finds for himself in this controversy no sage position except perhaps that of silent neutrality. My role is not one that permits the withholding of opinion.

Whatever friends and enemies of Israel may say about the forces which brought modern Israel into being, those forces are irreversible. The State of Israel exists and is recognized by the United Nations, the Soviet Union, the United States, and apart from the Arab world, by most members of the family of nations.

Despite the political, ethnic and religious chasms which divide Israel and the Arab nations, they share the same problems and the need for peace and cooperation with each other.

It is a source of great concern to all of us that after 17 years, there is still no peace in the Near East; that Arab belligerence continues; and, that we have been unable to bring Arabs and Israelis to the peace table.

There have been ideological changes taking place in the Arab countries which today reflect deep structural changes in their society. The principles and institutions that held together the traditional Arab society have been broken down; and, there is a desperate search underway for new bases of integration; and, an observer cannot fail to be impressed by the fact that the traditional Western ideologies and institutions do not provide these bases.

For centuries Arab politics were contained in a smug self-satisfied world. But the Arab society had the redeeming feature of being a stable, integrated society. The prevailing communal systems of land tenure—musha, dira, and ard al-fallah—provided both security and a rough measure of equality, since the land was periodically redistributed among its members in more or less equal shares. This meant that there were no landless peasants among the sedentary population which consisted of perhaps four-fifths of the peasants; and, within the community there were no great differentiations of wealth.

The handcraftsmen, who probably constituted the majority of the urban population, were bound together by guilds—asnaf—and religious brotherhoods—turuq—which provided them with security and an object of loyalty.

The Islamic world never had city-states with an independent, self-reliant middle class. And, they had practically no contacts with the outside world which might inspire them with new ideas.

Notable was the absence of an intellectual ferment and a group that could utilize these conditions to further its own ends. Consequently, the various disturbances that occurred in the Arab world—army insurrections, conquests by one ruler or pasha of another territory, bedouin raids, local revolts, and so forth—could not lead to any important modification in the social structure, but led only to a change in the composition of the ruling group.

Of course, Arab society was not completely static. Economic and social changes occurred in Syria and Iraq in the 18th century. Toward the close of the 18th century there were detected signs of a spontaneous cultural revival. But an equally important factor was the quest of Western countries for raw materials, markets, bases and spheres of political, religious, and cultural influence.

In the first place, Western medicine and hygiene eliminated the plague and many endemic diseases prevalent in the region. The result was a sharp reduction in the death rate while the birth rate remained at its previous high level which lead to a rapid increase in the population.

This vast growth took place unaccompanied by either massive industrialization or a commensurate extension of the cultivated areas. This subsequently led to great pressure on the land and, in recent years, to an exodus to the cities. The social consequences were two: the landless peasant and a large underemployed urban working class.

Insurgence of a landless peasantry brought economic consequences which were beneficial in that it promoted a changeover from subsistence to a market-oriented cash-crop agriculture. However, the accompanying social consequence—dissolution of the village community, without which no progress could have taken place—eliminated the security formerly enjoyed by all peasants.

The discovery of the West and the consequent cultural transformation of Arab society had a revitalizing effect. Its overall consequence was to bring into being a new class. Whereas old intellectuals were loyal to basic values and institutions of their society, the new ones did not owe it allegiance. Political strife was added to social discontent and a stirring up of the masses. Increased participation of the masses meant new leaders took command—representing neither the upper- nor middle-class values but radical ideologies.

Until the 1920's or 1930's the dominant ideas were moderate nationalism, constitutionalism, and political and economic liberalism; mainly because these were the dominant ideologies of the leading powers—Britain, France, and the United States. Also, Arab cultural contacts were restricted to these three countries.

During the 1930's and 1940's, however, Arab society passed through their acute crises caused by a drastic fall in agriculture prices during the depression, growth of unemployment, and changing world climates marked by the emergence of the Soviet Union and China as major powers, and with the rapid growth of the "developing" nations with beliefs in Socialist planning and a one-party dictatorship. The result was the collapse of the fragile Arab parliamentary systems and replacement of landowner and middle-class elite by one of army officers, bureaucrats, and technicians. And now, as in other underdeveloped countries, an attempt is being made to reconstruct their society on the twin bases of intense nationalism and socialism.

This ideological shift has not been universal. Lebanon is still committed to a parliamentary democracy and an economic liberalism. Morocco, Syria, and Tunisia are struggling to find their way. In all four of these countries, a native middle class had time to develop and they are not inclined to give up their power without a struggle. Several Arab countries have not yet reached the stage where either liberal or Socialist ideologies are meaningful. Egypt and Algeria are engaged in revolutions to implement their version of Arab socialism. Iraq seems to have chosen the Arab Socialist way.

Our present thinking is that Egypt is the fulcrum on which Arab behavior can be bent. In varying degrees, the Arab countries, from Morocco on the Mediterranean to Iraq on the Persian Gulf, look to Cairo for their cue, if not their diplomatic orientation. The Egyptian omnipresence is fortified by the image of Nasser, which radiates a charismatic quality among the faceless Arab masses. An active and effective propaganda apparatus in Cairo has parlayed this image into a potent force which must be reckoned with by the regimes in the Arab world.

Like him or not—and Nasser has not been a popular figure among serious practitoners of Middle East diplomacy—he is a key factor in the achievement of U.S. objectives in the region—peace, stability, economic development, and the absence of Communist penetration. And by working with the Egyptian leader we have been able to obtain a modicum of positive results for the United States in the Middle East.

The arguments for continuation of the emphasis on Egypt have become less persuasive. With respect to U.S. objectives in the region, there are few signs of real progress. Peace is precarious; instability remains a condition of political life; economic development has not kept pace with economic need; and the danger of Communist penetration is no less acute. The major obstacle to progress has been, and remains a fixed focus on the United Arab Republic, rather than on the entire region.

In earlier statements I have discussed several major problems which complicate the Near East picture. These include the arms race, water use and diversion, and refugees.

While Arab nationalism antedates communism in the Middle East, Russia has been having considerable success undermining Arab moderates, inflaming Arab grievances, egging on Arab extremists, and arming Arab revolutionary regimes.

While Nasser dismisses American aid to his country—about a billion dollars in technical and economic assistance since the end of World War II—as "wheat, meat, and leftovers," U.S. contributions have, in fact, released Egyptian funds for direct military expenditures.

Since 1956 Russia has been providing Egypt with about $65 million a year in modern arms. The Yemen campaign has provided hard training for Egyptian troops if and when Nasser decides to deploy them elsewhere.

We have, repeatedly, since the Tripartite Declaration of 1950, pledged to see to it that the borders of all states in the Near East are preserved intact. The cost and danger of such an operation by the United States is directly proportional to the size and sophistication of Egypt's arsenal. Cost and danger to us will rise as Egypt grows militarily stronger, and more adventurous.

The Arab refugee problem is infinitely complex and that complexity has been compounded by the bitterness it generates. Dr. Chaim Weizmann, a scientific and political genius, won from Britain a crucial promise which eventually created Israel: the 1917 Balfour Declaration pledging Britain to support a "national home for the Jewish people" in Palestine. Britain did this to secure their strategic toehold in the Middle East and in gratitude to Dr. Weizmann's scientific contribution to its munitions industry, his discovery of synthetic acetone. Until that time, Palestine had been part of the Ottoman Empire.

In order to win Arab support against the Turks, Britain promised the Arabs independence. The effect of these conflicting pledges was to antagonize Jews and Arabs alike. From 1920 to 1948 the Palestine Arabs rose in bloody revolts against Zionist settlers and the British mandate. Finally, Britain in 1947 tossed the problem to the United Nations which voted to partition Palestine between Arabs and Jews. The Arabs rejected partition. During the fighting which followed, Arabs who had lived in this territory or in other parts of what is now Israel fled into Arab countries. The Israelis beat off the Arabs and even extended their borders thereby gaining control of 80 percent of Palestine. Most of the refugees still live in camps outside Israel's borders.

Nasser says, "Innocent Palestinians have been made to pay for Britain's devious policies and Hitler's crimes."

The Arab League demands repatriation.

Israel decries their return because of the security problem, steadfastly refusing their return because they do not want to become another Cyprus with two hostile people under one roof.

In addition, to accept back large numbers of Palestinian Arabs—who would return believing that their old way of life was given back to them—would cause insoluble problems because they would find themselves in a modern state with a highly competitive economy.

Mr. Speaker, I propose that the refugee issue be negotiated as a humanitarian matter, separated from other outstanding Arab-Israeli differences. A real effort to help the refugees would improve Israel's image. Both sides must cease being totally negative. Israel herself has collected substantial reparation for German injuries to Jewish people and should take a stronger initiative to receive and settle just claims of Arab refugees.

In order to provide the refugees with food and welfare assistance and with work projects designed to promote their integration into the economic life of the Near East, the United Nations Relief and Works Agency was created in 1949. The Arab governments have rejected the projects for "political reasons."

We must now aim at "phasing out this program" by resettlement of the refugees and by providing work opportunities for them through the establishment of an international committee, with the United Nations supervising the gradual transfer of the United Nations Relief and

Works Agency's activities to the Arab governments.

Then there is the water controversy.

Water sparks the latest venomous dispute between Arabs and Israelis. For the first time since the Suez crisis 9 years ago, Israel and Arab States are on a direct collision course. This time the immediate issue is not land but water: the lifeblood of the Middle East.

Israel is already tapping its supply to the limit and new sources of water are essential for its prosperity and future growth. The Arab plan is to shut off the taps on Israel, cutting off much Jordan River water by diverting three tributaries which now flow into Jordan from neighboring Arab countries. This scheme will cost Israel an estimated 61 million gallons of water yearly. The Arabs know that Israel is willing to fight rather than lose the source of its lifeblood. At the moment both Syria and Lebanon have suspended work on the diversion project, but that could resume at any time. If they do, it is estimated within 2 years, most of the Jordan's water could be shut off from Israel.

Both sides affect the use of the River Jordan which alternately flows through both Israel and Jordan. The Jordan River begins in northern Israel and runs south through the Sea of Galilee where Christ performed the miracle of the loaves and fishes, and continues south in Jordan to the salt-killed Dead Sea. Israel is pumping fresh water from the Sea of Galilee and sending it miles south in a huge ditch to irrigate the Negev Desert. Jordan claiming this deprives its fields to the south retaliates with a canal which this year will divert the Yarmuk River which rises in Jordan. As of now the Yarmuk feeds the Jordan below Galilee and is an important irrigation source for Israel. Moreover, Syria and Lebanon threaten to divert streams rising there which feed the head of the Jordan. This would slash the flow to Israel's fields. Both Israel and the Arabs are ready to fight over the issue.

Whichever side attacks first, war means a major world crisis endangering the Suez Canal and the West's vital supply of Arab oil.

Massive nuclear-powered plants could possibly desalinate sea water cheaply enough to meet Israel's needs. President Johnson has proposed a United States-Israel partnership "in using nuclear energy to turn salt water into fresh water," because Israel is presently utilizing more than 80 percent of her total water supply, and in 5 years no additional sources will be available.

The President has invited other nations to join the partnership. Most of these countries have a common problem—a lack of sufficient funds to carry out these projects. Saudi Arabia because of her vast oil reserves is a notable exception.

The Office of Saline Water of the U.S. Department of Interior has been working closely with the Atomic Energy Commission in developing a joint program. In an effort to assist other nations in applying nuclear energy to desalting, we have been cooperating with the International Atomic Energy Agency. The First International Symposium on Water Desalinization will be held in Washington from October 3 to 9, 1965.

Mr. Speaker, I propose that we proceed in our investigation and implementation of the use of large nuclear reactors for producing energy for sea water distillation, using Israel as a model project.

The United Nations has an opportunity here to work for a regional water planning system for this area for which the United Nations should assume definite responsibility.

Indeed, this pilot project may have a twofold purpose. Aside from exploring the possibilities of a technical breakthrough with respect to the nuclear potential for desalinization of water, might it not also provide the basis for exploring the potential for a regional approach to the other basic issues dividing Israel and the Arab countries?

It is clear that an easy prognosis for the ills of the Near East is among the most illusive of diplomatic goals. But that region, as much as any in the world, demands therapy of an imaginative brand. A U.S. diplomacy directed more at a regional solution to these problems, conceived with imagination, and prosecuted without rigidity, may be equal to the challenge.

Mr. FARBSTEIN. Mr. Speaker, in this, fourth of these weekly meetings, it is most appropriate that we discuss the future of economic cooperation and development in the Middle East. If this region is to ever have the kind of prosperity and standard of living that I am sure all of its residents would like to see, some effort must be made to plan for the future.

I think that we can all agree that before any extensive regional development program can be discussed or even proposed, however, there must be peace. I also firmly believe that the United States can do more to help bring about this precondition than any other country. But, in order to do so, we must be more willing to use the influence which we have than has been the case in the past.

For some years now, we have been supplying surplus food to many of the Arab States, as well as Israel. For some years now, we have been supplying economic and technical aid to some of the Arab States, as well as Israel. And, for some years now, we have provided military aid to some of the Arab States, as well as Israel. What has the result been? We have not helped to bring about any new attempt at establishing a more permanent peace between the Arabs and Israelis. Rather, we have helped to perpetuate the division between them, for by feeding, aiding, and arming both sides, we have never forced either one to undertake a serious reassessment of its policies and position. This is extremely unfortunate, for this is precisely what is needed.

For example, if we were to make it clear to the Arab States that we will no longer provide any economic, technical, or military aid until such campaigns as are at present going on in Yemen and Iraq cease, until they are willing to recognize the existence of the State of Israel, and until they are willing to contribute their part toward a peaceful solution of such outstanding problems as the Palestine refugees and the allocation of the waters of the Jordan River, I am certain that there would be a very serious reappraisal of their policies.

As a result of such a policy, we would be making it clear—absolutely and unmistakably clear—that the Arab policy of intransigence toward Israel is and will continue to be immensely costly to them—in political, economic, and even military terms. I would hope, of course, that we would at the same time offer a rational and far-sighted alternative. For example, a commitment to use our vast technological resources and skills in programs of economic development which would help to bring about the kind of material progress the Middle Eastern peoples want.

It is not hard to imagine the improvements such a program could accomplish. One need only look at the example of Israel in order to witness what a wholehearted commitment to progress can achieve. It is, consequently, not difficult to understand the immense benefits which could accrue to a Middle East at peace. The industries and businesses of the whole region would be able to take advantage of the economies of scale, there would be a more intelligent and rational allocation of resources, and the natural complementaries which exist would be allowed to develop.

Of course, this bright picture is predicated upon the creation of a permanent and just peace. It is my firm conviction that the United States, by the judicious use of its influence among the Arab States, could do much more to help bring it about. Clearly our past policies have accomplished little, if anything. Now that the Middle East appears to be embarked upon a new escalation of arms, now that the problem of the diversion by the Arabs of the Jordan River waters approaches the crisis point, and now that Colonel Nasser of Egypt has learned something of the tremendous cost to his domestic program of development that a foreign misadventure brings, the present appears to be not only a propitious but also a necessary time for the United States to undertake a new effort at peace in the Middle East.

If we once again hesitate, and permit events in this volatile region to proceed without any attempt to persuade the Arab leaders to follow both a policy which is both economically and politically more constructive and farsighted, we may find ourselves forced to intervene more conclusively and expensively at a later date. This would be both tragic and unnecessary; if we devote our energies to the problem now, I feel certain that such an unpopular and even potentially dangerous path will never become necessary.

Mr. RYAN. Mr. Speaker, I wish to congratulate my honored and distinguished colleague on his excellent presentation today and commend him for this series of special orders which he has sponsored. He has provided a valuable public service in making available to the members of the House helpful information and constructive ideas on the problems of the Near East. I have been honored to join with the gentleman in each of these discussions.

In my remarks during the past 4 weeks, I have stressed the need for a peaceful solution to the pressing water problems of the Near East, along the lines of a coordinated water policy. Just as I have advocated Federal water planning for the United States in my bill, H.R. 10244, to establish a Federal Water Commission, so have I pointed out the advantages of coordinated regional water planning in the Near East. Such planning would be a help to all the nations of that area, and would help make water a unifying force, rather than a divisive one.

I have also commented upon methods of solution of the Arab refugee problem, stressing that these refugees can be a vital force toward economic development. I have deplored the Arab arms race, and urged our representatives in the United Nations to aid in putting a stop to this tragic waste of the national resources of the Near Eastern nations. I know that the gentleman from California [Mr. ROOSEVELT], who will soon be serving at the United Nations, will exert every effort in this direction.

Mr. Speaker, the problems of the Near East are not local or regional, but affect the future peace and development of all the world. We must aid in their solution, not merely in the spirit of a great humanitarian Nation, but also because an Arab-Israeli conflict will ultimately affect us as well. Our goal must always be the peaceful economic development of the area—and our means of attaining that goal must always be those of peace.

Mr. REUSS. Mr. Speaker, I want to compliment the gentleman from California [Mr. ROOSEVELT] for his excellent speeches over the past several weeks on the problems of the Middle East. By analyzing the problems in such depth, he has done a great service to all of us who are concerned about the situation there and want to see stability brought to that section of the world.

The race between the Arab States, on the one hand, and Israel, on the other, to equip themselves with superior military capability has had the two-pronged disadvantage of increasing instability and depriving the countries of needed investments to develop natural resources and industry. Unless there is a reversal in this practice, the eventual result could be a full-scale war. The likely addition of nuclear armaments to this equation would magnify many times over the consequences of such a confrontation.

Therefore, in view of its responsibilities to itself and to the rest of the world, the United States has no alternative but to do all it can to persuade the Arab States and Israel to check the arms race and work together for a better future.

As an indication of the size of the military burden carried by the Middle Eastern States, it is useful to compare their expenditures for defense as a percentage of their gross national product to that of the United States. The United States, with all of its global commitments, over the past decade has spent between 9 and 10 percent of its GNP on national defense. In a recent year Egypt spent 8.6 percent, Syria 12.7 percent, Iraq 8.6 percent, Jordan 22.8 percent, and Israel 8.2 percent of GNP on defense—wholly unreasonable rates of expenditure.

If Middle Eastern countries reduced defense commitments, much of the wealth of the area could be put to improving the lives of the people. For instance, natural resources could be developed so as to supply industry and furnish items for export. Until now, the Middle East has concentrated largely on developing only one mineral resource to its fullest extent—oil. But the area contains deposits of phosphate, manganese, iron, gypsum, and coal which could be developed to a much greater extent than they have been. Through irrigation and long-range planning, the agricultural output of the area—particularly grains, vegetables and fruits—could be greatly expanded. Full development of water resources would be a boon to both industry and agriculture.

The United States through its foreign aid program has a powerful device which could be used to persuade the countries of the Middle East to yield in the arms race and devote their considerable efforts to more constructive ends.

Between 1945 and 1964 the United States provided Egypt with $888.9 million in economic assistance, Syria with $81.4 million, Iraq with $42.5 million, Jordan with $429.6 million, and Israel with $771 million. Without playing favorites, the United States in the future could make assistance contingent upon the countries' willingness to slacken arms development and step up economic development in cooperation with the other countries in the area.

We should also consider joining with other nations to help the Middle East in a coordinated large-scale economic development program, similar to the one which President Johnson has proposed for southeast Asia.

Mr. HORTON. Mr. Speaker, I am pleased to join with my distinguished colleague, the gentleman from California [Mr. ROOSEVELT] in this fourth and final discussion of the problems confronting the Middle East.

The discussions of the past 4 weeks on various aspects of the Middle East have made it abundantly clear that the Arabs have really gained nothing as a result of their 18 years of enmity directed at the Israelis.

During the first weeks of our discussions, we treated the tremendous expenditures for arms and military equipment. During the second week, we talked about the problem of the Jordan River, and the waste of water and money which the inability of the Arabs to come to a regional agreement has caused. And, in our third week, we discussed the waste of talent and energies which the Arab refusal to help solve the problem of the Palestine refugees has brought about.

These 3 weeks have amply demonstrated that if we are to see any change for the better in the Middle East, there will have to be a concerted effort to bring about a just and equitable peace in that area. For, without such a peace, we will continue to see millions of dollars, the talents and energies of millions of people, and the prospect of a more prosperous future for these same millions, completely wasted.

We have seen, in other areas of the world, and particularly in our own United States, that the logic of economics is often sufficient to overcome more parochial and shortsighted political interests. I do not think that it is unusually utopian to imagine that the same may be true of the Middle East. There is no doubt in anyone's mind that peace is the essential prerequisite for the future development of the Middle East. Yet, at the same time, I think it essential to stress the tremendous economic gains which the Arab countries as well as Israel have made in the past two decades. A review of this progress demonstrates more than anything else how much could be accomplished if the tremendous diversion of funds and energies into the various aspects of the Arab-Israeli dispute were channeled into more constructive undertakings.

It is precisely here that the United States can be of greater assistance in establishing the bases of a permanent peace. We can, for example, make it absolutely clear that we will not tolerate any attempt to change the borders of any state in the Middle East by force; we should do this strongly enough to convince any doubters among the Arab leadership that a war against Israel is futile. If we make our position forcefully enough, and clearly demonstrate our commitment to Israel, there is an excellent chance that the arms race may cease, for no matter how much is devoted to military equipment, none of these countries can ever hope to match the United States.

The next step is also clear. We can offer our assistance and support in intelligently conceived efforts to develop the economy of the Middle East at an ever faster rate. There are many areas in which the technology and skills of the United States could be fruitfully used in order to create the economic conditions which would make any peace in this area more permanent and effective. Once the futility of any attempt to settle the problems of the Middle East by force is seen, it will be possible to allocate more time and increased funds toward finding a solution to the many other economic and social problems which still remain. With the assistance of the United States, and a conscientious desire to tackle their own domestic issues, the countries of the Middle East would be able to take their rightful place as peaceful, prosperous, and constructive members of the world community.

Mr. HALPERN. Mr. Speaker, again I wish to commend my friend, the able and distinguished gentleman from California for presenting to this House his forthright and thought-provoking observations on the problems which beset the Middle East. I have joined the gentleman in his previous special orders on this subject to express my own views on this timely and important matter. But I cannot agree with some of the comments he has expressed about Israel today, and which I feel are worthy of further reflection. I refer to the gentleman's remarks linking German reparations to Jews with his call for greater response by Israel to Arab refugee claims. I realize that by no stretch of the imagination did the gentleman infer there could possibly be a connection. But I do fear a misinterpretation of his remarks in suggesting such analogy. Any such interpretation equating gas ovens of Auschwitz and the brutal genocide of the Nazis against 6 million Jews, with Israeli response to the Arab refugee aggression, would be a disservice to history.

I am confident, of course, that Mr. ROOSEVELT, whose distinguished record as a humanitarian in this House is unequaled, never intended any such meaning and will recognize the justice of the point of my remarks.

Also, I cannot agree with all the gentleman's observations on the water problem. As I see it, the water problem will not be solved by introduction of new U.N. complications allowing the Arabs a voice in Israel's domestic water needs, and looking for an escape from current Jordan River diversion threats by referring Israel to eventual hopes for nuclear desalination. It would be better to urge the U.S. delegation to the U.N. to issue a clear statement denouncing the Arab diversion tactics as aggression which threatens the peace.

CIVIL COMMITMENT AND TREATMENT IN CASES OF DRUG ADDICTION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 20 minutes.

Mr. ADDABBO. Mr. Speaker, I have today introduced legislation which, if enacted, I believe will aid in the treatment and reduction of drug addiction and its continued increase.

The legislation I have introduced provides for a change in theory from one of severe punishment to that of civil commitment, providing for treatment, supervision, and aftercare. I believe that the present provisions of law as to severe punishment of professional sellers should remain the same and possibly made more severe, but the addict who sells to other addicts or commits certain lesser crimes to provide for his own drug addiction should be given other consideration.

The bill I have introduced is similar to New York State law which went into effect in 1963. The results have, in several respects been, encouraging and point up the need for adequate financing and aftercare. Therefore, I have also provided for, in this legislation, a program of Federal aid to the States and local communities to aid them in their programs of treatment and rehabilitation.

Mr. Speaker, this legislation would permit a drug addict, upon arrest, the opportunity to voluntarily submit to examination to determine whether or not he is addicted and, if addicted, to be given civil commitment which provides for treatment in an institution, supervised release, and aftercare. If the addict complies with treatment, supervision, and aftercare, the crime for which the addict was arrested exclusive, of course, of crimes of violence and other major felonies, would be dismissed.

Mr Speaker, I urge my colleagues to introduce and support similar legislation for, although New York has the infamous reputation of having the most reported narcotics addicts with Illinois and California not far behind, we know that this menace knows no territorial borders—it is East, West, Central, and continually spreading. The menace of drug addiction knows no race, color, creed, or sex or economic strata. In recent years there has been a continual increase amongst those in the middle and upper socioeconomic class. We must remember that every drug addict is a potential seller, seeking new markets.

Present Federal facilities such as at Lexington, Ky., have proven inadequate and inefficient because the addict has voluntary admission and discharge and there is no aftercare and supervision.

We have had previous studies, previous hearings by previous Congresses, surveys and Presidential commissions, all of which have pointed up the actualities of the problem, but there has been no action. We must now have action—the need is now—the menace is growing. I again urge my colleagues to join in this needed legislation to protect their communities and our Nation.

TAIWAN AFTER 15 YEARS

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 20 minutes.

Mr. WAGGONNER. Mr. Speaker, recently I had the distinction and honor of being invited to address the Captive Nations Week rally on the island of Formosa. During my visit I was able to confirm impressions which I have had concerning that beleaguered country and I would like to report back to the Congress briefly on these now confirmed impressions.

On June 30 the U.S. Agency for International Development terminated its program in Taiwan after 15 years of operation. This step was taken after several years of planning and after a gradual hardening of the terms of the aid. Some aid still continues; long-term projects financed in previous years have not yet been completed, an agreement for Public Law 480 aid in surplus agricultural commodities will run through 1966, and the military assistance program will continue as well. A small residual AID staff remains in Taipei to monitor the programs still in progress.

When U.S. aid to Taiwan began in 1950, the island was still suffering from the devastation of the Second World War; there was serious inflation, and several hundred thousand refugees from the China mainland were still not settled. Although the Government of the Republic of China began the reconstruction in 1949 with the implementation of a land reform program, it was not until large arrivals of U.S. aid began in 1951 that rapid progress was made. By the end of 1952, prewar production levels were regained although living standards did not reach prewar levels until 1956.

In 1952 the Government of the Republic of China began the first of a series of 4-year plans, worked out in coordination with U.S. aid officials, which set forth the broad goals of the economy. Chinese imputs and the U.S. aid contribution were coordinated to produce maximum development, but the plans were designed to widen the field of activity for private enterprise and detailed planning of production was avoided. The plans dealt with the most urgent problems of the economy in turn: monetary stabilization, agricultural production, infrastructure, and industry. The current 4-year plan is part of a 10-year long-term development plan designed to complete Taiwan's transition from an agricultural to an industrial economy without foreign grant aid.

The phaseout of U.S. aid to Taiwan began in 1956 with the gradual substitution of loans repayable in local currency for grant aid; loans on relatively soft terms repayable in dollars were instituted in 1960. Planning for the eventual closing out of aid began in 1959, and in 1960 a 19-point accelerated development program was agreed on by the United States and the Republic of China. The principal points of this program were the encouragement of foreign private investment, the development of private enterprise in Taiwan, and the promotion of Taiwan's exports. The success with which these objectives were achieved was beyond the original expectations of AID, and led to the announcement in May 1954, that aid would be terminated at the end of fiscal year 1965.

The U.S. aid program, and its efficient utilization in Taiwan can be credited with very substantial accomplishments: The inflation which plagued Taiwan for many years has been halted, and prices actually declined over the first half of 1965; real national income has more than doubled since 1953; per capita real income has risen to over $150, which, though still low, is high by Asian standards; industrial production has more than tripled since 1953, and agricultural production has increased 73 percent over the same period; foreign trade increased from $320 million in 1953 to $874 million in 1964, and the large annual trade deficits which existed before 1962 were changed into a surplus by 1964. The rapid growth of the economy and the favorable prognosis for the future have given Taiwan a high credit rating in international, public, and private money markets.

This remarkable growth was achieved with $1,425,000,000 of U.S. aid added to the efforts of the Chinese themselves. When the termination of aid was announced in 1964, many officials and businessmen in Taiwan doubted that economic growth could continue without American aid, but in the year which has passed since the announcement of the phasing-out of aid the economy has grown even faster than before, despite a substantial reduction of aid deliveries in 1964. With this accelerated growth, the confidence of businessmen and government officials in Taiwan has grown to a cautious optimism over the economic future of the island. The foreign exchange formerly furnished by aid is being replaced by increased export earnings and by foreign loans—from Japan and from the World Bank—and investments. Domestic investment, much of which came out of AID counterpart funds, is now being supplanted by increasing domestic savings. The Government of the Republic of China and the people of Taiwan have efficiently used American aid to reach the point where they can resolve their own economic problems and continue to develop Taiwan without further economic assistance.

This situation is, indeed, a refreshing one in view of the miserable failures this aid program has produced in far too many instances. I am pleased to report to the Congress on this signal success.

GEMINI V—A BRILLIANT SUCCESS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CONTE. Mr. Speaker, I am pleased and proud to join with my colleagues in this body and with my countrymen all over the world in extending warmest congratulations to astronauts Gordon Cooper and Charles Conrad for the successful completion of their recordbreaking 8-day space flight aboard Gemini V.

This is a proud and historic moment for this Nation. Astronauts Cooper and Conrad, and every member of the Gemini team, have demonstrated for all the world to see not only the technical superiority of U.S. science and industry, but the high order of our manpower as well. This flight stands as a monument to the determination, imagination, and boundless vision of a free society.

Generous credit must go to a great many individuals who, in spite of automation and all the other technological apparatus of the space program, are the only single indispensable element.

There is a particularly sweet satisfaction in the fact that the mission fulfilled all of its expectations in spite of a nagging technical problem which threatened to shortcut the duration and over which our Soviet competitors spent much time and effort in gloating. In every sense, this mission has been a brilliant success and has yielded untold profits.

I want to extend congratulations also to the members of the astronauts' families; to Mrs. Cooper who has now watched her husband soar among the stars on two occasions, and to Mrs. Conrad. Their understanding, encouragement, and support have undoubtedly had much to do with the success of the Gemini V mission and are as fine an example of courage and devotion as are the astronauts themselves.

I happily join with my fellow countrymen now in anxious anticipation of the conclusion of the prolonged debriefing period when I might be privileged to congratulate these two young men in person and hear firsthand about this thrilling experience and historic achievement.

CLEVELAND DETAILS FLAWS IN PROPOSALS TO DEICE ST. LAWRENCE SEAWAY CHANNELS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the Committee on Public Works is now conducting hearings on S. 2300, the omnibus river and harbor flood-control bill. The bill, as passed by the Senate on July 27, contains authorization for an investigation and study to be conducted by the Corps of Engineers, at an estimated cost of $75,000, of means for extending the navigation season on the Great Lakes and St. Lawrence Seaway, including a complete investigation and study of waterway deicing systems.

This proposal, which I oppose, is before the committee for the second time. In 1963, the Senate passed a bill—S. 530, 88th Congress—which would have authorized such a study. Although favorably reported by the House Committee on Public Works, it was never acted upon by the House.

Now that the matter is before us again, I wish to take this opportunity of stating my objections in detail for the information of the House.

First. There has been no showing of need for shipping on the Great Lakes and the St. Lawrence Seaway during the entire year.

Second. There has been no showing that deicing of the Great Lakes, the St. Lawrence Seaway, and their connecting channels is practical.

Third. The preliminary study, to be authorized by this bill, will accomplish nothing more than to whet the appetite for an exhorbitantly expensive and fantastic deicing scheme to plague the Congress in future years.

NO SHOWING OF NEED FOR YEAR-ROUND SHIPPING

Navigation on the Great Lakes, the St. Lawrence Seaway, and their connecting channels is now open about 8½ months each year, from early April to mid-December. The principal commodities shipped over this waterway are bulk cargoes, such as ore, coal, and grain. The quantities of ore and coal shipped annually are more or less fixed, and if these waters were open for navigation an additional 3½ months each year, it merely means that these shipments could be spread over a longer period of time, not that more cargo would be moved. The same applies to shipments of grain, movement of which depend largely upon the foreign market, rather than the period of navigability upon the Great Lakes and the St. Lawrence Seaway.

Furthermore, there has been no indication that shipping interests would navigate these waters during the winter months even if some measure of deicing were possible. In fact, it appears that little if any additional shipping would result, because of the ever-present danger of ice floes in the open waters of the Great Lakes, the real possibility of vessels becoming frozen in for the entire winter, and the substantially increased insurance rates imposed on vessels at the commencement of the winter season.

No evidence was presented before the Committee on Public Works of need for year-round navigation, and no witnesses appeared in behalf of the shipping industry or shippers to support this bill.

NO SHOWING THAT DEICING IS PRACTICAL

The Great Lakes and their connecting channels have a total water surface of about 95,000 square miles. The distance from Duluth at the western end of Lake Superior to the mouth of the St. Lawrence River is approximately 1,716 miles. In the restricted channels connecting the Great Lakes there are the St. Marys River, about 65 miles in length; channels between Lakes Huron and Erie, about 90 miles; Welland Canal, 28 miles; the St. Lawrence River from Lake Ontario to Montreal, about 190 miles, and from Montreal to the Isle of Orleans, 190 miles, making a total of about 563 miles of restricted channels in which heavy ice is prevalent from December through March of each year. To this must be added the ice problem in the Great Lakes themselves and the many harbors involved. The magnitude of deicing becomes readily apparent when we consider the mileage involved.

Nor does the difficulty end here. Maj. Gen. Jackson Graham, Director of Civil Works, Corps of Engineers, Department of the Army, testified that, in his opinion, the major problem is to prevent the accumulation of ice as a result of wind and storm, even after a channel may have been opened. Ice floes in the Great Lakes pile up 20 to 30 feet above the surface of the water, and to almost an equal depth beneath the water. These floes drift around with the wind, and constitute a serious danger to shipping. No one has suggested a feasible method of preventing wind and storms from forming these obstructive ice floes, or of controlling the floes, even assuming that a channel can be deiced in the first instance.

According to the testimony, the only method of deicing that has met with any degree of success is the air-bubbling system. It has been used for some time to keep a few feet of water ice free at the face of dams, to enable operation of gates during winter. Some limited use has been made of air bubbling by this country, Canada, and the Scandinavian countries to keep small areas of water free of ice, such as small channels, marina boat basins, and a working area around a dredge. However, this or any other known method of deicing appears completely impractical of application to large areas of water, and certainly not to one so vast as the Great Lakes, the St. Lawrence Seaway, and their connecting channels.

The Bureau of the Budget, in its report on this bill, points out that it is not cognizant of any technological advances which would render the project physically or financially feasible, and in the absence of any realistic hope for positive accomplishment does not recommend enactment of S. 530. The hearing on this bill fully substantiates the position of the Bureau of the Budget.

GATEWAY TO FANTASY

The investigation and study to be authorized by this bill would not include experimentation for the development of new deicing techniques. This study is to collect and analyze information already in existence, and it is bound to produce nothing more than is already known. Why should we accumulate existing information which gives no hope of a practical method of opening this great system of waterways to year-round navigation? The most that this study can produce is a recommendation that additional studies and experimentations be undertaken for the development of new technology.

Considering the extent of the problem and the obvious enormous capital investment and maintenance expense to create and operate facilities capable of rendering the channels and lakes sufficiently ice free to permit all-winter navigation, it is quite evident that no practical solution now exists. This preliminary study, flying the popular banner of research, costs only $50,000, which may not be considered much when Government expenditures are usually expressed in millions and billions of dollars. But it may be enough to whet the appetite for additional and far more expensive studies, and possibly even for the authorization of a construction project, without any more expectation of practical solution than now exists. Once Congress has taken the first step, it will be urged to pour more and more money into this project, which now holds the promise of nothing more than sheer fantasy.

CONCLUSION

The study authorized by S. 530 can provide us with nothing of any value except a predictable finding that deicing of the Great Lakes and the St. Lawrence Seaway is not practical, barring a major technological breakthrough. Since this is now evident, the proposed study is superfluous and unjustified, especially at a time when everyone, even the President, is urging that we keep Government spending to the minimum necessary for defense and other essential activities. The amount we are considering is not large, but the study cannot be characterized as essential, nor is it advisable until the prospects for success are better than they now appear. The relatively small amount of money involved is no justification for its expenditure. We should have more persuasive evidence that its expenditure will be fruitful.

PRESIDENT JAMES MADISON MEMORIAL LIBRARY BUILDING

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today I have introduced a bill to authorize and direct the Architect of the Capitol, under the joint direction of the House and Senate Office Building Commissions, to construct the third Library of Congress building in square 732 in the District of Columbia, and to provide that such building shall be designated as the President James Madison Memorial Library.

Mr. Speaker, a dispute has raged for several years over the appropriate use of square 732 in the District of Columbia. The land was originally authorized by the Congress to be purchased for the exclusive purpose of constructing upon it a third Library of Congress building. Since the purchase of the land, there have been those who have strongly advocated the construction of a James Madison memorial building on the site, to honor with a memorial in the Nation's Capital, the "Father of the Constitution."

It has long been recognized that a suitable memorial to James Madison would be a welcome addition to the many places of historical interest in the Federal City. James Madison rightly deserves to be honored by the Nation for which he struggled so diligently. He drafted the guarantee of freedom of religion in Virginia's Declaration of Rights, one of the most significant documents on religious freedom in the history of the Western World. He was an outstanding leader of the Continental Congress, and he led and won the fight in that Continental Congress to make western lands a national public domain. He fought strongly for provisions requiring the separation of church and state in the new Nation. He drafted the document which became the Constitution of the United States of America, and sponsored and drafted the first 10 amendments to the Constitution which formed the Bill of Rights. As Secretary of State under Thomas Jefferson, he contributed largely to the purchase of the Louisiana Territory. As the President of the United States, he stiffened American foreign policy in defense of American neutral rights, gallantly commanded the Armies and Navies in the War of 1812, and under this administration the United States became universally regarded as a world power.

James Madison was one of the greatest of the Founding Fathers. A memorial to him in the Nation's Capital should be constructed, but it should not be constructed on square 732.

During the 87th Congress, when a confrontation between those who advocated the construction of a third Library of Congress building to be named the President James Madison Memorial Library, and those who advocated construction of a James Madison Memorial Building which would have had underground storage vaults for Presidential papers, a bitter dispute raged over the use of square 732.

The proponents of constructing a James Madison Memorial on square 732 which is bounded by Independence Avenue and C Street SE., running east and west, and First and Second Streets SE., running north and south, advocated construction of a memorial costing some $39 million. However, the most serious and disturbing thing which the proponents advocated was the location of the memorial on square 732. This was entirely contrary to the intent of the Congress. When the site was purchased it was exclusively for the construction of a third Library of Congress building which would have adequate facilities for the expanding Library needs.

Mr. Speaker, the construction of a Madison Memorial instead of a Madison Library Building would require the acquisition of additional land in the area at taxpayers' expense. This is unwise and unnecessary, for the Madison Memorial can be constructed elsewhere. Square 732 should be used for the purpose for which it was acquired, for the construction of a third Library of Congress building.

Most proposals for the Madison Memorial have included provisions for a ground floor containing a memorial room, two stories in height, in which a statue of Madison and certain historical exhibits pertaining to his life would be placed. The proposals have included provisions for an annex with underground vaults for the storage of documents of many of the Presidents of the United States. These facilities would be wholely inadequate for the badly needed expansion of the Library of Congress. It is just not practical.

The plans for the building and the facilities authorized under this bill would be designated to provide for the currently projected needs of the Library of Congress for the next 25 years; and, in the development of the design for the building, the Architect of the Capitol would, with the advice of the Commission of Fine Arts and the American Institute of Architects, obtain the consulting services of distinguished architects. If, upon receiving advice from those architects, he deems a national competition for such design to be appropriate, he would, with the advice and approval of the Librarian of Congress and the House and Senate Office Building Commissions, hold a national competition and would specify the conditions thereof.

Mr. Speaker, because the Library of Congress is rapidly expanding, the bill provides that the Librarian of Congress would, in consultation with a committee of nationally recognized leaders in the arts and sciences, whom he would select for the purpose, prepare and recommend to the Congress by February 15, 1967, a plan to guide the growth and development of the Library of Congress as the national library and repository. In developing this plan, the Librarian would resolve any conflict between the functions of the Library of Congress and the functions of the national library and repository and would recommend the location or locations of the building or buildings, facilities, and organization which would provide maximum services for the benefit of the people of the United States with the greatest economy.

Mr. Speaker, I sincerely hope that the many outstanding architects who will participate in the designing of this building will consider the use of natural stone in its construction. The Federal buildings on Capitol Hill have traditionally been constructed of this fine natural stone, and I do not think use of concrete exteriors would be a wise decision in this instance. The Federal City has been characterized as one of the most beautiful capital cities in the world, and its many fine buildings of natural stone have contributed greatly to this image. The granite quarries of New Hampshire can supply the necessary natural stone for this building, and I hope that they are given consideration.

Mr. Speaker, the Library of Congress needs a third library building, and it needs it urgently. The facilities of the Library of Congress are literally bursting at their seams. The Congress should authorize construction of a third Library of Congress building as soon as possible. The land has already been purchased, and the third building is needed.

WHY IS THE ROLE OF THE NATIONAL CAPITAL PLANNING COMMISSION BEING PREEMPTED?

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, Members of this body have increasingly become aware of growing public debate about the location of the J. F. Kennedy Center for the Performing Arts along the Potomac River. This debate has been joined by architects and city planners, the press, and Members of Congress.

THE NATIONAL CAPITAL PLANNING COMMISSION'S RESPONSIBILITY TO THE DISTRICT OF COLUMBIA

The considerable public expression of doubt about the advisability of the Center's present location should cause all those interested in the orderly growth of our cities to question the planning mechanism that Congress has provided for the Nation's Capital. Almost every Congressman must be concerned with planning for the growth of American cities according to human needs. As long as Congress retains its control of the Federal City, every Congressman has an obligation to provide for the orderly government of the District of Columbia, not by directing all elements of the District's affairs, but by establishing public institutions fully adequate to meet the needs of the city.

The National Capital Planning Commission is charged by law with serving as the overall planning agency for the Federal and District Governments within the National Capital region. In this capacity it reviews District development programs and advises about their consistency with the comprehensive plan for the area. The National Capital Planning Commission was specifically authorized by law in 1958 to choose the site along the Potomac that is now in dispute.

HOW THE PRESENT SITE WAS CHOSEN

The Potomac site was chosen in 1958 by legislators who proposed that the site originally committed in 1938 for a cultural center, a site directly across the Mall from the National Gallery, would be used instead for the Smithsonian's air museum. The legislative situation at the time demanded that an alternative site be found within the space of a few hours. The present Potomac site was thus hastily chosen as the best of the alternatives then available. The actual bill specifying the site was then drafted using similar wording and a concept used in the bill which fixed the site of the National Gallery, stating that a site would be selected within certain strictly defined boundaries. In the case of the National Gallery, the site had been very carefully selected, with full advice and approval from the existing planning agencies. The National Capital Planning Commission was never consulted, however, in the selection of the Potomac site. It was in effect ordered by law to select a site within a plot of land whose limits had already been determined.

That site, having been selected by the Planning Commission, is now defended by Mr. Stevens, who is Chairman of the Kennedy Cultural Center's Board of Trustees. But it is the National Capital Planning Commission, as the body generally charged with the planned development of the site for the Cultural Center, that is best qualified to determine the site ultimately chosen for this national institution.

NEED FOR PUBLIC CONSIDERATION

Thus, I am today introducing a joint resolution that calls for the National Capital Planning Commission to study and review the relative merits of the Potomac site, to hold public hearings on the advisability of the site and to report its findings to Congress. This public study and review process should take fully into account the many public and private organizations and individuals interested in the finest site possible for the Center. It should also consider the views of President Kennedy's immediate family, who are understandably distressed over the present site.

It is important to remember, in this connection, that President Roosevelt's family successfully challenged the Stonehenge memorial proposed by the Franklin Delano Roosevelt Memorial Commission, and that the family of President Theodore Roosevelt successfully challenged the memorial proposed for Roosevelt Island.

The resolution provides also that the preparation for construction of the Center on the present location be delayed until the Commission makes its report to Congress.

In introducing this legislation, I want to make clear that I do not in any way question the need or the desirability of constructing the Kennedy Cultural Center. Such a Center, if well planned, would be an invaluable addition to the cultural life of the Nation and the Nation's Capital, and a fitting memorial to the late President.

NEED FOR ADEQUATE PLANNING MECHANISM

My concern is, first, that the Nation's Capital be served by the best type of planning organization, and that this organization function adequately. The Planning Commission must be able to determine how best to meet the needs of this fast-growing city. Then it must locate the Cultural Center on the site best suited to the needs of the Capital, both as a social organism and a physical entity. And if the public discussion of the location of the Cultural Center reveals that the Planning Commission has not adequately carried out its legal mandate, or that it lacks sufficient legal authority to be effective, I would expect that steps be taken by the Congress and legislation passed to correct shortcomings when proved.

TWO PROPOSED ALTERNATIVES

To date the most seriously proposed alternative to the Potomac site is that of my colleague from New Jersey, William Widnall, who in H.R. 10558, has proposed that the Center be located "between 4th Street and 12th Street Northwest, appropriately related to the National Gallery of Art, the National Portrait Gallery, the National Collection of Fine Arts, the historic Ford's Theater and Lincoln Museum, and the National Archives."

In order to help focus the growing public debate, it may be valuable to list the arguments for and against the Potomac and the Pennsylvania Avenue sites. Though there may well be other satisfactory alternatives, these two seem the most likely.

WHY THE POTOMAC SITE?

The principal arguments in favor of the Potomac site are that it will benefit from the site along the presently unspoiled, wooded bank of the Potomac. A secondary argument is that the planning for the present site has gone too far to allow reconsideration of it.

Counterarguments are that the Potomac site is accessible to the Virginia suburbs, but is relatively inaccessible to the great bulk of the city behind it, and to the Maryland suburbs. Plans of the Center and its surrounding road networks published in the August 22 Washington Daily News by Nicholas V. Satterlee, president of the Washington-Metropolitan Chapter of the American Institute of Architects, give grounds to question the accessibility of the Potomac site to pedestrians and to public transportation. It supports those who contend that the Center on the Potomac site is like a fortress surrounded on all sides by barriers of concrete and water, to which only those with motor vehicles can gain access. The site is isolated from the heart of the city, promoting the use of the Center only for large cultural events, and effectively preventing its use for informal, small exhibitions and performances which conceivably could take place during the day and which would be enjoyed by shoppers, Government employees, and business men and women.

THE CITY'S RECREATIONAL NEEDS

The present wooded riversite is now used for a variety of human recreational activities. It is used by fishers, sun bathers, athletes from nearby universities, dog walkers, strollers, and people who watch canoe and rowing races. It is an area used daily by all kinds of people from many parts of the city.

As Foggy Bottom continues to develop, this lovely stretch of riverbank will be increasingly needed for human recreation. The gigantic cultural center will effectively destroy the human uses of this section of the river. It will mitigate in favor of the construction of yet another bridge in the unspoiled area above Key Bridge across from Three Sisters Islands. It will certainly prejudice the development of a new waterfront for Georgetown.

OVERWHELMING SIZE IN RELATION TO SITE

Few of the residents of the city realize, I think, just how gigantic the planned center will be. It will be much larger than Dulles Airport, a structure that can be seen for miles in the rolling Virginia countryside. As shown by the perspective drawing published in the Sunday, August 22 Washington Post, the center will dwarf the beautiful Lincoln Memorial. It is fully nine times larger than the memorial. It is as high as an 11-story office building.

Considerations of cost should not at this stage be determining. No major contracts have been let. Much of the planning—for the needed type of auditoriums and their seating capacities, for instance—need not be scrapped by a change of site alone, it is argued.

Certainly, it would be unrealistic to carry through a project ultimately costing $65 million merely on the grounds that $3 million has already been spent. The long-term social and economic costs of an improperly located building, and, therefore, a building which cannot be properly used, far outweigh the shortsighted argument that we have gone too far to turn back now. The important fact is that the money has now been obtained for the Center. Certainly, the donors of that money, both private and public, would prefer that it be used well rather than used badly.

ARGUMENTS FOR THE PENNSYLVANIA AVENUE LOCATION

Several recent developments are cited by proponents of the Pennsylvania Avenue site to support their position. The first is that the plans of the new Commission on Pennsylvania Avenue now give a physical and aesthetic framework into which a cultural center of the importance of the Kennedy Center would properly fit. The second is that the National Capital Transportation Agency has planned subways which would center in the downtown area in the vicinity of the proposed Pennsylvania Avenue area, and which would provide rapid and cheap public transportation that would largely overcome the problem of access other than by automobile to the center.

Yet a third reason used to support the Pennsylvania Avenue site is that the Housing Act of 1965 makes the midtown section of Washington eligible for the kind of urban renewal funds which were used to acquire the sites for the new cultural center in Los Angeles, and the Lincoln Center in New York. Thus the additional costs of a relocated site would be substantially defrayed.

Arguments cited by Roger L. Stevens against the Pennsylvania Avenue site seem primarily to be that the cost of the land would increase the total cost of the Center, that the money spent for planning the Center at the Potomac site would be lost, and that access to the downtown site would be very difficult.

ACCESS TO ALL THE PEOPLE

It would seem to me that the best argument to be brought to support the Pennsylvania Avenue site is that a cultural center located there would be a part of the living city. It would be freely accessible in the evenings to the people who work in the surrounding areas. It is close to hotels, restaurants, and shops. People would be able to leave work, dine, and attend the theater without first returning home, and without moving by car.

Best of all, the Center in a downtown site would be easily available to the thousands of tourists for whom the Center is in large part planned. It would be within walking distance of their hotels, and would be easily accessible by subway. These strangers to the Federal City would not have to unscramble an incredibly complex and tortuous road system in order to reach the Center. Attending events at the Center would thus be easily integrated into their sightseeing programs.

Finally, the Center should contribute immeasurably to the creation of a grand national avenue which should be a place to live and enjoy as well as a place to work. It would also promote the renewal, by private initiative, of the somewhat shoddy areas of downtown Washington we know today.

All of these arguments and many more should be considered by the National Capital Planning Commission in the public study and review process I propose. The views of city planners, architects, historians, representatives of private and public organizations, and other concerned individuals must be heard. A partial list of these organizations follows immediately after this statement, with unanimous consent. It shows the complexity of the decision that must be made, and it especially reveals the need for a strong focus of decisionmaking in this city's planning.

THE ROLE OF THE BOARD OF TRUSTEES OF THE J.F.K. CENTER AND ITS CHAIRMAN VERSUS THE ROLE OF THE PLANNING COMMISSION

The Commission of businessmen and other notables, headed by the real estate man Roger L. Stevens, has done a remarkable job collecting enough private funds to match the Federal grant of money for the Cultural Center. The Board of Trustees has thus fulfilled one of the major purposes for which it was organized. It did not choose the present site, and it is not competent to decide the location of a cultural institution which is of such importance to the city and the Nation; it should not have the power to make this decision or to impose its will in this matter.

The National Capital Planning Commission is the organization best suited to take into account the views of the innumerable public and private organizations interested in this project.

I suggest that the present dispute about the Cultural Center site will cause us to look beyond the problem of site selection to examine the functioning of the planning mechanism the Congress has established for the District of Columbia.

LIST OF PUBLIC AND PRIVATE ORGANIZATIONS WHOSE VIEWS SHOULD BE CONSIDERED

Board of Trustees, J.F.K. Center for the Performing Arts.
National Park Service.
Potomac River Task Force.
Commission of Fine Arts.
District of Columbia Redevelopment Agency.
President's Pennsylvania Avenue Commission.
Senate Public Works Committee.
House Public Works Committee.
District of Columbia Board of Commissioners.
National Capital Transportation Agency.
American Institute of Architects.
American Institute of Planners.
American Institute of Landscape Architects.
Downtown Progress.
Washington Board of Trade.
Committee of 100 on the Federal City.
National Academy of Arts and Letters.

HON. JAMES A. REED

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TUPPER. Mr. Speaker, I know I speak for a great number of my colleagues in extending best wishes to the Honorable James A. Reed, Assistant Secretary of the Treasury, as he returns to private life after 4 years of outstanding public service.

As all of us are acutely aware, it is difficult to attract dedicated and competent men to executive positions in Government. Jim Reed was appointed Assistant Secretary of the Treasury, in charge of U.S. Coast Guard, Bureau of Customs, and Bureau of Narcotics, by the late President Kennedy. During his stint of service he has done a particularly meritorious job. The energy, enthusiasm, vision, and judgment that he brought to the areas of his responsibility set a standard of excellence that is difficult to duplicate.

It has been my privilege as ranking minority member of the House Subcommittee on U.S. Coast Guard to work closely with Secretary Reed on a considerable number of matters. I have been immensely impressed with the accomplishments he has brought to this branch of our armed services.

Under his stewardship, careful long-range plans have been developed setting forth future requirements for vessels, shore stations, and aircraft. These programs should assure the U.S. Coast Guard continuing congressional support, and by the mid-1970's this service should have a truly modern and efficient operation.

Two years ago an authorization bill was finally passed requiring that the Coast Guard present to the House Subcommittee on Coast Guard and Navigation, their request for capital expenditures in each fiscal year. Secretary Reed was strongly behind this measure, for he believed it would have a salutary effect on the Coast Guard and its budgetary requests.

The Congress has been far more generous in appropriating funds for the Coast Guard since Secretary Reed has been at its helm.

Jim Reed has demonstrated a keen awareness of the role of the Coast Guard in the field of oceanography, and during his term of office there has been a substantial growth of participation by this service in this scientific field. He has been an advocate for constructing nuclear icebreakers manned by the Coast Guard. The Coast Guard has taken over all icebreaking functions from the Navy in the Arctic and Antarctic regions.

Through his perseverance in getting better equipment and facilities, better housing for Coast Guard officers and enlisted men, he has won the lasting respect of Coast Guard personnel.

Two months ago I visited Governors Island in New York City with Secretary Reed. This island, which has been called Fort Jay by the Army, will now be used by the U.S. Coast Guard. This will consolidate many Coast Guard activities and save the Federal Government millions of dollars.

As Members of the House know there are 17 U.S. Coast Guard vessels now on patrol in waters off Vietnam. I think it tells us a lot about Jim Reed that after he had decided to return to the practice of law, he took a trip to Vietnam with Admiral Roland, the able Commandant of the U.S. Coast Guard, to visit with coast guardsmen on duty there. Shortly before making his recent inspection trip he told me:

> I would not feel right leaving this job without going out to Vietnam to see how these young men were making it.

In his supervision of the Customs Bureau, Secretary Reed has been responsible for great improvement in the image of this Bureau. Courtesy and service to the traveling public has vastly improved. Under his leadership a study was made relating to the complex antidumping laws, and a new set of regulations, clearer and fairer, were promulgated.

It may well be that Secretary Reed will be remembered in future years for his role in modernizing the Customs Service administrative structure. There had been no substantive changes in the Customs Service from its origin in 1789 until President Johnson presented reorganization plan No. 1 to Congress this year. Secretary Reed's participation in updating of Customs procedures was a significant achievement.

Administrative functions of the Bureau of Narcotics underwent change under Secretary Reed's direction. Responsibility for suppressing the manufacture and exportation of illicit drugs overseas was formerly divided between the Bureau of Customs and the Bureau of Narcotics; this was changed three years ago with the Bureau of Narcotics becoming solely responsible for overseas operations relating to illicit drugs, and Customs becoming concerned alone with smuggling. This has brought about a great improvement in cooperation between the two agencies, and in the efficient operation of both.

During the last few years there has appeared to be a change in the attitude of the Narcotics Bureau with respect to the treatment and rehabilitation of narcotic addicts, resulting in a more humane enforcement of these laws as they pertain to addicts.

I have touched upon a few of the accomplishments that James A. Reed can take a large measure of credit. Being a modest man by nature, Jim Reed would probably assert that others, both in subordinate positions as well as superiors of Cabinet rank, deserved the credit.

It therefore seems even more appropriate that the record show that we in the legislative branch applaud dedicated and exceptional public service in the executive branch.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I join with our colleague in paying tribute to Jim Reed, who has served so faithfully as Assistant Secretary of the Treasury since 1961.

In that capacity he has been in charge of the policies and activities of the Coast Guard and has done an outstanding job. He has been directly responsible for the development of the medium and large cutters, which are proving so valuable to that service. His active and continuing interest has enabled them to expand the service and to increase its value to the country. Its recent use in connection with the emergency in Vietnam is just one example of its readiness in time of need.

Jim Reed has been ready at all times to appear before congressional committees to speak in behalf of the Coast Guard, and this has paid off well for the Coast Guard and for the country.

In leaving the Federal service to return to private law practice, the Government is losing a valuable public servant, and those of us who have been in close contact with him in his capacity as Assistant Secretary of the Treasury will miss him very much.

I wish Jim Reed every success in private life.

ADDRESS OF GOVERNOR SCRANTON OF PENNSYLVANIA

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GOODELL. Mr. Speaker, last year I was a delegate to the Republican national convention and I supported Bill Scranton for our presidential nomination. Governor Scranton has written a superb record during his administration thus far in the Commonwealth of Pennsylvania. Prior to attaining the highest office in his State, Bill Scranton was a distinguished lawyer, businessman, official in the State Department, and finally Congressman from the 10th District. He takes a thoughtful, intellectual, and realistic approach to problems. His record of bringing prosperity to Pennsylvania and reducing unemployment is particularly significant. On August 12, 1965, Governor Scranton addressed the American Bar Association annual dinner in Miami, Fla. His provocative and incisive speech deserves the attention of all my colleagues and all Americans. I commend it to your attention and include it at this point in the body of the RECORD:

ADDRESS OF GOV. WILLIAM W. SCRANTON AT THE ANNUAL DINNER OF THE AMERICAN BAR ASSOCIATION, BALLROOM, HOTEL FONTAINBLEAU, MIAMI BEACH, FLA., AUGUST 12, 1965

American jurisprudence and American government share a common dependence on the adversary system.

In our courts the search for civil justice is conducted under the prodding of opposing advocates, and the system rests on the supposition that both advocates be strong and able and aggressive.

In our government the quest for civic excellence is pursued under the prodding of opposing political parties, and rests on the supposition that there be two great parties, each strong and able and aggressive.

It is a rare lawsuit, of course, in which the adversaries are absolutely equal in ability, experience, or verve. Nor does the system require absolute equality. We expect and we understand that so long as lawyers are human and lawsuits are lawsuits there will be differences in ability and differences in the fundamental merits of cases. But what we do demand in our jurisprudence are basic competitive qualifications for the advocates and that no influence be allowed to destroy their role as adversaries.

And if circumstances suddenly endangered this adversary system—if suddenly it were proposed that justice be dispensed in American courts without competent advocacy on both sides of the question—then promptly and properly this distinguished assembly would become extremely alarmed.

I propose to you tonight that this is precisely what is happening in the forum of American government: that the two-party system has come upon an hour of peril and paralysis.

And I submit, too, that this is particularly hazardous because it comes at a time when basic decisions are being made about the very fabric of our Federal system, and, thus, about the liberty of our people and the goodness of our society.

Specifically, the National Republican Party today is not, for the most part, serving as an effective instrument of the two-party system, and though as a Republican I may find that uncomfortable, as an American I find it alarming.

All of us, Democrats and Republicans alike, must be concerned when the condition of either party becomes such that it endangers the system itself.

So let me, as a Republican and as a practicing politician, but mostly as an American, talk to you without partisanship about my party and about our Nation.

It is a tribute to the art of cartooning that when we think of the Republican Party, we think of elephants.

I grew up in a household where both the substance and symbols of the Republican Party were treated with more than indifferent interest. My mother particularly spent her working hours electing good Republicans, and her off-hours collecting model elephants, elephants in stone, steel, ebony, ivory, crystal or glass—any way in which human ingenuity fashioned them.

There was but one criteria: From whatever material the elephant was carved, he had to have his trunk raised high in a bellow of victory. Elephants were considered unfit and useless if their trunks drooped—however gracefully—in the whimper of defeat—or worse yet, in the posture of not having tried hard enough.

But accepting the symbol of the elephant is one thing, and believing the many myths that go with elephants is quite another.

Particularly, there are two commonly accepted legends which we would do well to realize are fictitious.

First is the legend that elephants live many hundreds of years. Modern science has knocked that into a cocked hat. The real lifespan of an elephant is no more than that of man—a 70-year-old elephant is an old elephant.

A political party, like an elephant or like a man, cannot claim extra years or extra life as a matter of right. A political party, however, unlike man and elephant, can rejuvenate itself.

If the Republican Party wants to continue to live, it is going to have to earn the privilege through self-rejuvenation, not by expecting it to happen automatically.

The second elephant myth has also been shot down by modern science. Contrary to folklore, elephants don't gather up each other's trunks and tails, marching off to a common dignified graveyard. Elephants die like the rest of us. They drop one by one in their tracks, wherever disease or longevity or mortal injury dictate.

So, too, the Republican Party is unlikely to join tails and trunks today or tomorrow and fall dead before our eyes in a sacred graveyard. Instead, it's a matter of one elephant after another dropping along the way.

And the Gallup poll has been counting the remaining Republican elephants. That poll—which, incidentally, through some peculiar perverseness the Republican Party's power structure believed in 1948 when it was wrong, but not since, when it has been right—reveals that today but one-quarter of the American electorate considers itself to be Republican. Under these circumstances only a stupid elephant would fail to realize that he's running short of trunks and tails to grab hold of as he takes that last majestic and mythical walk through the jungle.

The one part of elephant folklore that modern science has not been able to destroy completely is the matter of memory and intelligence. It turns out that the elephant is a bit brighter and more able to learn from experience than most of the animal kingdom.

One would hope that the Republican Party might take a lesson from the elephant, learning from the past, without succumbing to the temptation to confuse memory with nostalgia.

The Republican Party was a long time being born. It can trace its roots back into American soil first turned by the Federalists. The Federalists fought for a strong National Government and played a prominent role in forging a nation with the political strength to be unified and the spiritual strength to be diversified. The Federalists remained a power in American government until they became too small, too exclusive and too exclusionary. Then the party died. The heirs of the Federalists were the Whigs, who in their turn remained a major political party until they became so enamored of the backlash theory that they succumbed by compromising their antislavery sentiments.

Thus came the Republican Party and Abraham Lincoln. The American Nation has never since seen quite so a remarkable combination of idealism and pragmatism as he fashioned into a political philosophy.

He took the Federalists' sense of nation, the Whigs' spirit of frontier, and he added a belief in the common man that could have come from nowhere except the heart of Thomas Jefferson.

So armed, Lincoln's party was able to preserve the Union, inaugurate the land-grant colleges, open up the West to homesteaders, tie the continent together with railroads, and generally conduct itself as though it believed the United States was a going concern with a future and not a museum piece.

In fact, as the 20th century broke across the American Continent, the Republican Party was the natural home of a Theodore Roosevelt who was talking orthodox republicanism when he said: "Be progressive. A great democracy has got to be progressive, or it will soon cease to be either great or a democracy."

* * * * *

Now all of this is of obvious importance to the Republican Party, but why do I say all of it here before this distinguished and bipartisan audience? I do so because the awesome domestic challenges which face our Nation in the immediate future will best be met if they are subjected to the best efforts of two strong parties. It is partisan nonsense to believe that all wisdom and all sound ideas reside in the Republican Party, but it is equally foolish to believe that they reside only in the Democratic Party.

Where do we stand today in the ongoing adventure of perfecting the American experiment?

No man, be he political friend or foe, can question the skill with which the President has been shepherding his domestic programs through the Congress. You need not be in full agreement with the substance of each program to admit that they constitute a remarkable political scoreboard. And I do not believe it partisan to point out that thinking men in both parties might justifiably be concerned that the very quantity of the program so far enacted might becloud the very substantial unfinished public business in America today. Consider but a portion of the catalog and see if you do not agree that a strong two-party system is essential for its sound fulfillment.

The field of human rights comes to mind as most significant in the second half of the 20th century. We have seen this year and last the enactment of the most far-reaching legal protection for the rights of man ever attempted by any society. But yet, who will deny that even after the recent voting rights law much still needs to be done to protect the sanctity and equality of every man's ballot. I am thinking primarily of the big city machines, which to this day callously and deliberately prey upon the outnumbered in every election. If equal voting rights are truly to be accomplished for every American, this Nation and its States are going to have to undertake massive election reforms. And I believe that this is far more likely to happen with two strong political parties rather than one.

Or consider the maze of health and welfare programs which have been created by American Government during the past several decades. It is no secret that they have become cumbersome, wasteful, overlapping, and, perhaps worst of all, so uncoordinated that they reach but a fraction of those whom they were designed to assist. Here, too, we shall find reform coming far more rapidly with two strong parties contributing to the subject.

Or consider the myriad and mammoth problems involved in 20th century urban life. The big cities each year, despite huge doses of tax money continue to lose ground in the fight for livability. Clearly, existing approaches to urban problems have not been successful, and surely we shall all be better off if there are two vibrant parties at work on the problem.

But of all the important issues of our time that might be mentioned in discussing the importance of the strong two-party system, none stands out with more clarity than the questions which now need to be answered about the very structure of the Federal system itself.

In the law of property, lawyers have a term called imperceptible encroachment to describe change so gradual that it can only be seen from a distance in time. Certainly our Federal system has been undergoing imperceptible encroachment until suddenly we find that great and important changes have taken place, and even more significant, that even more important changes now need to be made.

The fundamental principle behind the Federal system, of course, is that the various levels of Government ought to share separate areas of responsibility for the public business.

The problem comes in the decision of what governmental level ought to handle what responsibility and how once the responsibilities have been assigned, they can be most effectively carried out. The significance of these divisions of responsibility is that with responsibility there necessarily goes corresponding amounts of power—and power if not wisely distributed can infringe on the individual liberties of a people.

Our Federal system today has evolved into a hodgepodge of confusing and uncoordinated areas of responsibility. As an incumbent Governor, I can assure you that the list of governmental functions which are now shared on a hit-and-miss basis by all three levels of government is a long and disturbing one. In health, in welfare, in conservation, in education, in a score of different areas, overlap and confusion breed almost hourly.

The net effect of this hodgepodge is threefold:

First, it is terribly inefficient. Tax moneys are wasted and in far too many cases the lack of coordination is so great that many persons ironically fail to receive any of the services which the three levels of government—State, local and national—are all involved in providing.

Second, in the face of such confusion an overabundance of power tends to rise to the National Government. As mankind should have learned many long years ago power corrupts and absolute power corrupts absolutely.

The third effect—and understandably also a contributing cause to the whole problem—is that the tax revenues of the Nation are seriously malapportioned between the three levels of government.

The National Government—primarily through the graduated income tax—can look forward under our present tax structure to an increase annually in its revenues of some $7 billion. And yet as the National Treasury bulges, experts have estimated that within 10 years the State governments will be billions of dollars short each year from what is needed to provide their share of governmental services.

There is no more pressing business before the Nation today than to correct the disrepair into which the Federal system continues to drift.

And in a problem so basic who can deny the importance today of two strong political parties each contributing ideas and solutions. Should the National Government pass over to the States a share of the national income tax?

How big a share should this be?

Should there be restrictions as to its use by the States, and if so what restrictions?

Should each of the levels of government give up responsibility accumulated over the years in one field or another, and if so, what level of government should give up what responsibility?

How do you best protect the individual liberties of the American people in an evermore complex society?

These and an endless list of other questions today stand unanswered and in fact too often unexplored in the United States.

We must find answers and I believe with all my heart the best answers will come from the give and take inherent in a strong two-party system.

So, as a Republican, I say to my party, we must get about the business of strengthening ourselves—and as an American I say to my Nation, you have a tremendous stake in the outcome of our efforts.

The United States of America is the most unique and effective system of government ever created on the face of the earth. It was created and grew and flourished precisely because it never became captive to a one party monopoly or became proliferated into a meek, multiparty status. If it is not to flounder, to fade, to lose its genius, then it is imperative that we reestablish a strong and vibrant two-party system and with it, the Federal system of government—strong and efficient on all levels—local, State, and National.

FOREIGN SUGAR LOBBYISTS GETTING OUT OF HAND

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LANGEN. Mr. Speaker, the steady parade of foreign sugar lobbyists in Washington these days points up the alarm we have registered for a number of years that their activities were getting out of hand. You find them in the State Department, attempting to dictate foreign policy. You find them hounding the administration, interfering with established trade policies. And you find them in the Halls of Congress, attempting to increase their already too large slice of the 4-million-ton sugar pie.

I am pleased that certain segments of the Nation's press have been shedding needed light on this growing menace. It is good to see the American public being informed of the wheeling and dealing by 19 or 20 highly paid foreign sugar lobbyists who received in excess of $350,000 last year from foreign sugar interests. Some received over $50,000 apiece. Others will get even more if they can grab a bigger slice of the quota. And you can bet that all of them will benefit if they are successful in their latest campaign to remove the import fees on sugar. Those fees alone amount to what some have estimated at $80 million a year.

I note that foreign sugar lobbying tactics have for too many years gone on without being adequately investigated. It is the U.S. taxpayer and consumer who actually pays the outrageous fees obtained by the lobbyists. It was the American sugar program, created to help U.S. agriculture, that resulted in the higher prices that attract these foreign suppliers. They get much more here than they would on the world market, so it is no wonder they are willing to grease the lobbyists' palms to get the lion's share every time sugar legislation comes before the Congress. Unfortunately, they have been entirely too successful in the past and threaten to outflank the domestic industry again this year.

One foreign lobbyist has even had the gall to suggest that our domestic sugar production should be reduced, apparently to accommodate additional foreign tonnage. This is an example of how bold these lobbyists have become in attempting to dictate the affairs of the United States.

It is time to get the sticky fingers of foreign lobbyists out of the American sugar pie. And a good place to start is to expose the true financial arrangements of these lobbyists, retain the necessary import fees, and guarantee the domestic sugar industry a greater share of the increased national consumption.

THE POSTMASTER GENERAL AND RURAL AMERICA

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am most interested in the announced switch in leadership in the Post Office Department, and sincerely hope it will eliminate the climate that has permitted the postal service to sink into a state of confusion. I personally welcome the change, and I assume the postal workers across the Nation welcome it as well.

I have personally sent a letter of congratulations to the new Postmaster General, Lawrence F. O'Brien. I also asked the new postal chief to review the problems and reverse the past decisions that have led to drastically curtailed mail service in rural areas of the Nation.

I am sure the new Postmaster General is aware of the many criticisms recently leveled against the Department, and he will note from his files many inquiries and observations from me relative to changes in the postal service in rural America. The complaints are particularly heavy on the subject of the recent conversion to star routes across the Nation that has resulted in curtailed postal service to many areas.

I have met with postal officials on numerous occasions this past year in an effort to discuss the problems. I have now asked the new Postmaster General to direct his attention, as well to rural America. A reduction in service that offers less than these people had before, and threatens the economic well-being of rural communities, can hardly be termed what the Post Office Department in the past has called "better service at lower cost." I trust that the new Postmaster General, when the facts have been analyzed, will agree.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their own remarks in the RECORD during the committee consideration of the bill (H.R. 3141), and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FOR CLEANER AIR

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I would like to take this opportunity to commend the House Committee on Interstate and Foreign Commerce for having ordered favorably reported S. 306, which is designed to reduce air pollution attributable to motor vehicle exhaust. Our responsibility for the health and welfare of the American people requires that this bill be passed before the Congress recesses.

Over 50 percent of the Nation's air pollution is attributable to motor vehicle exhaust. In our metropolitan areas, the exhaust combines with smoke from incinerators, powerplants, industrial factories, and the like, and poses a very real menace to health. Since the greatest single contributor to air pollution is the noxious exhaust of the Nation's 84 million motor vehicles, I believe this is the place to start, and I believe that this start must be made without any further delay.

We must pass this bill now, so that the automobile industry can begin the work necessary to equip new cars with pollution control devices. If we delay action until the next session of Congress, another year will go by in which the noxious fumes of buses, trucks, and cars will poison our air.

The Chrysler Corp. estimates that these pollution control devices will add only about $13 to $24 to the price of a new car, which is a small fraction of the savings to the consumer which results from the repeal of the excise tax on automobiles. I believe that this is a sound investment in the health of Americans, and I urge that full House action be scheduled for this bill as soon as possible.

THE WAGE-PRICE GUIDEPOSTS AS AN ANTI-INFLATIONARY WEAPON

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 20 minutes.

Mr. CURTIS. Mr. Speaker, in recent years the administration's economic policymakers have been faced with a critical dilemma. On the one hand, they have made vigorous use of expansionary fiscal and monetary policies in order to stimulate the economy. In doing so, however, they have withdrawn from the economic arsenal the fiscal and monetary weapons traditionally used to fight inflation. This was one of the key points raised by Chairman Martin of the Federal Reserve Board in his June 1 speech on the vulnerability of our current economic situation.

The use of direct wage and price controls to contain inflationary pressures has been properly rejected. Instead, the administration has resorted to exhortation designed to encourage labor and business to act in a responsible manner in setting wages and prices. Exhortation has been reinforced by the wage-price guidelines, which specify precise figures upon which "permissible" wages and price changes are to be calculated.

The administration has thus put the burden for preventing inflation squarely on the private sector. The role of government in causing inflation has been ignored. This is evidenced by the failure to spell out noninflationary guidelines for fiscal and monetary policies that would help prevent the Government itself from acting as an engine of inflation.

Two questions arise from the experiences with the guidelines thus far. First, does this experience bear out the confidence of those who feel that the guidelines will contain inflation in a highly expansionary economic environment? Second, what would be the long-run implications for our economic system if the guidelines were applied successfully? The record of recent major labor settlements and price increases is enlightening with regard to the first question, while a recent lecture by Dr. Arthur F. Burns of Columbia University deals brilliantly with the second.

Among the recent labor settlements which have breached the administration's guidelines for noninflationary wage behavior are those between the United Auto Workers and the automobile industry. As a result of the auto industry settlements, the increase in labor costs to automobile manufacturers will run between 4½ and 5 percent in each of the next 3 years. Similarly, the agreement last fall between the Communication Workers of America and the Michigan Bell Telephone Co. called for a 5-percent boost in wages and fringe benefits.

Other recent settlements have also markedly exceeded the 3.2 percent 5-year trend productivity guidepost for wage settlements established by the President's Council of Economic Advisers. One such settlement involved the Nation's big oil companies and the Oil, Chemical, and Atomic Worker's International Union; another, the big rubber firms and the United Rubber Workers; and still another, the workers in the aluminum industry.

An examination of major wage developments for the first half of 1965 indicates the general extent to which the wage guidelines are being breached. The Bureau of Labor Statistics recently reported that the average wage increase provided by new settlements during the period was 4 percent. Nearly one-third of the 1.2 million workers covered by the settlements received increases of 5 percent or more. This data does not include the value of changes in fringe benefits, which in recent years have contributed a rising amount to total labor costs. Had these figures been included, the breach in the 3.2-percent guideline would have been even larger.

As a result of contracts recently concluded with the United Steelworkers, American Can Co. and Continental Can Co. raised can prices, effective May 1. Price increases on tires, stainless steel products, sulfuric acid, paper containers, certain resins, aluminum products and on copper and fabricated copper products also attest to the strength of inflationary pressures in the economy, as do the recent sharp increases in both the consumer and wholesale price indexes. Thus, recent wage settlements and selective price increases are evidence that the guideposts, while a useful theoretical concept, have thus far not proved workable in practice.

The belief that the guidelines can serve as an inflationary cure-all naturally assumes that they will be obeyed. However, as the evidence thus far indicates, it is unlikely that labor and management will be willing to base wage and price increases on national productivity trends. This will be particularly true in periods of tight labor and commodity markets—or precisely at those times when inflationary pressures will be most serious. Adherence to the guidelines would undermine the practice of collective bargaining and render it purposeless.

AFL–CIO President George Meany expressed his views on the subject of guidelines as follows:

> It is quite obvious that, if you are going to have guidelines on the question of wages, the question of prices, the question of the role of production, you'll have to go a little further. If we go down the road far enough, it leads to the end of free collective bargaining.

The March-April 1965 issue of the Harvard Business Review carries an article by Dr. Arthur Burns, former Chairman of President Eisenhower's Council of Economic Advisers, in which he subjects the issue of wage and price guidelines to a searching and critical analysis.

Dr. Burns criticizes the replacement of the traditional anti-inflationary weapons of monetary and fiscal restraint with what he calls "general appeals to public responsibility" as "implemented by wage and price guidelines."

In addition to replacing the classical weapons of monetary and fiscal restraint, the guidelines have come to assume much greater significance, surpassing their originally suggestive purpose. This change is best illustrated in a comparison between the 1962 and 1964 Reports of the Council of Economic Advisers.

The 1962 report indicated that the general guideposts were only first approximations that would need to be adapted extensively "to the circumstances of particular industries." The report of 1964, on the other hand, states that the guideposts "can cover the vast majority of wage and price decisions, and, while the modifications that have been suggested earlier still apply—it must be emphasized that they are intended to apply to only a relatively few cases." Unlike the 1962 report, the 1964 discussion of the guideposts specifies the annual trend increase in national productivity and speaks of it as standard for private wage and price decisions rather than as merely a contribution to public discussion of how the national interest may be judged.

Among other inherent shortcomings of the guideposts policy are the productivity figures upon which the guideposts are based. Accurate productivity figures are first of all difficult to obtain. With regard to this point, Dr. Burns has stated:

> There is, first of all, a vast gap in our statistical arsenal. To comply with the guideline for wages, businessmen would need to know the trend increase of the overall output of the Nation per man-hour. Once this highly complex magnitude had been estimated by the Government, it would presumably be subjected to outside review, revised if need be, and accompanied by a specification of the boundaries of the year (if a year be the interval) to which it would apply. All firms dealing with labor, except those newly established, would then know what wage adjustment was expected of them.
>
> Compliance with the price guideline would be infinitely harder. For this purpose, every company would need to know the trend increase in the productivity of its own industry and how this increase compares with the trend increase of overall productivity of the economy.

Secondly, the use of productivity figures as a guide to wage determination ignores market forces which are even more pertinent. There is also the implication that the impact of a guidelines policy would fall heaviest on the larger, more highly profitable industries, where productivity gains are an important factor. Concerning the influence of guidelines policy on smaller firms, Dr. Jules Backman, research professor of economics at New York University, has written that:

> For smaller companies and industries, as well as in local bargaining, the proposed guidepost of productivity is of minor importance in wage negotiations. Since the other factors peculiar to the competitive situation, locality or industry (i.e., demand for firm's

> product, or the supply of labor and/or capital on which the product relies) tend to have greater weight in the minds of the negotiators. Accordingly, even if the productivity standard were satisfactory in some negotiation, it cannot be used generally throughout the economy.

Statistical evidence shows that long-run productivity trends have been upward. This means, as Dr. Burns has pointed out, that regardless of short-term considerations, such as the level of employment and stage of business cycle, observance of the guidelines will result in higher wages every year. Thus, the average wage in any year would rise by the same percentage in every firm, regardless of its own profit position or the state of the market for different types of labor.

Therefore, a profitable firm, taking the guidelines literally, would not pay as much as might be needed to attract workers from declining industries, or to draw workers with special, highly needed skills.

To use productivity increases as a measuring rod for wage increases would tend to freeze the worker's share of the national income. As Dr. Backman notes, this prospect would certainly not encourage union leaders to follow the guidelines when they are committed to obtaining an ever-greater share of the national income for labor.

One of Dr. Burns' most striking criticisms is that general observance of the guidelines would stifle the forces of competition. This would hold true even in industries where a few corporations dominate the market—as in the case of automobiles, steel, and aluminum. If trade unions and business firms complied voluntarily with the guidelines, they would relinquish any market power they had not yet used or that they might use in the future. The fundamental point, Dr. Burns says, is that "general observance of the guideposts would throttle the forces of competition no less effectively than those of monopoly."

A shift from our present market economy to one of voluntary compliance with the guidelines would adversely affect efficiency, the rate of growth and the rate of improvement in the general standard of living.

The Morgan Guaranty survey for October 1964, speaks of the effects of adherence to guidelines on competition as follows:

> If, in compliance with the guideposts, wage and price decisions were preset on the sole basis of productivity, these other influences which normally affect wages and prices would be rendered sterile. What then would happen to the other function they perform in the economy—namely, their vital traffic-directing role of guiding labor and capital into the activities where they will best satisfy human wants as expressed by the market?

In concluding his article, Dr. Burns questions the alleged advantages of the guidelines policy and expresses the fear that such a "policy may, under pressure of events, move our Nation's economy in an authoritarian direction." He writes:

> To the extent that the Government relies on private compliance with its guidelines for prices and wages, it may more easily be tempted to push an expansive monetary and fiscal policy beyond prudent limits. Besides, it may fail to resist strongly enough the political pressure for higher minimum wages, larger trade union immunities, higher farm price supports, higher import duties, more import quotas, larger stockpiling programs and other protective measures that serve either to raise prices or to prevent them from falling.

In place of wage-price guidelines, Professor Burns suggests the Government adopt its own set of guidelines to aid in forming and implementing its economic policies. He writes:

> A sensible guideline for monetary and fiscal policy is, therefore, not the volume or rate of unemployment as such, but the relation between the number of the unemployed and the number of job vacancies.

Those who are interested in reading Dr. Burns' complete text will find it in the Record of May 11, 1965, on page 10186.

THE FEDERAL GOVERNMENT AND EDUCATION

The SPEAKER. Under previous order of the House, the gentleman from Minnesota [Mr. Quie] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, until September 1963, no one knew how deeply the Federal Government was involved in education, how many programs it conducted which affected education directly, how much these programs cost, and how well they were accomplishing their objectives. There was no central source to which colleges, universities, schools, and communities could turn for information on the many programs for which they were eligible. There were overlapping efforts by uncoordinated agency programs. Moreover, no one knew what overall effect these programs were having on American education. Is American education becoming overly scientific, specialized, and unbalanced as a result of Federal programs? Is the Federal Government responsible for the "flight from teaching" to research? Many of these questions remain unanswered at a time when answers to them are vital and necessary for us to continue to write sound legislation in the field of education.

A great step forward in answering these questions was made in 1963, when the Special Subcommittee on Education, under the chairmanship of the gentlewoman from Oregon [Mrs. Green], for the first time brought together all of the Federal programs which affect education in a 170-page booklet entitled "The Federal Government and Education," House Document No. 159, 1963. Unfortunately this valuable work, which covered educational legislation through 1962, has not been kept up to date. Since its publication major changes have been made in the programs then existing, and broad new programs have been enacted, including the Higher Education Facilities Act of 1963, the Library Services and Construction Act, the Economic Opportunity Act, and the Elementary and Secondary School Act of 1965.

Constructive and forward-looking thinking in the area of education must be grounded on a thorough knowledge of existing programs. Many of these programs are sound, carefully written and amended pieces of legislation which should be fully utilized before we pile on new, sometimes conflicting and wasteful measures to further confuse an already complicated area. A knowledge of existing programs is also necessary to point out the areas in which Federal action may be necessary. With these objectives in mind, the Republican Task Force on Education, of which I am chairman, has recently issued a 22-page report, "The Federal Government in Education," which summarizes all existing Federal legislation which affects education. This report contains the gentlewoman from Oregon's [Mrs. Green] earlier work in abridged form as well as all of the amendments and new programs which have been added to the statute books since her report. It is my hope that this shorter summary of educational legislation will prove useful to many Members of Congress who perhaps have not had time to read the earlier, longer work of the Special Subcommittee on Education. I also hope that the updating of this compendium of all educational legislation will be helpful to all Members of Congress.

Mr. Speaker, I insert this report at this point:

The Federal Government in Education

(Report of the Republican task force on education: Albert H. Quie, chairman, of Minnesota; William H. Ayres, of Ohio; Howard H. Callaway, of Georgia; Robert P. Griffin, of Michigan; Edward J. Gurney, of Florida; James Harvey, of Michigan; Ralph Harvey, of Indiana; Thomas M. Pelly, of Washington; Ed Reinecke, of California; Henry P. Smith III, of New York; John W. Wydler, of New York; J. Arthur Younger, of California; William E. Brock, of Tennessee.)

FACILITIES AND EQUIPMENT

Higher education facilities and equipment: The main piece of legislation in this area is the Higher Education Facilities Act of 1963.

Higher Education Facilities Act of 1963: The purpose of this act is to provide assistance to institutions of higher education, including graduate and undergraduate institutions, junior and community colleges, and technical institutes, in providing certain academic facilities.

Title I. Grants for construction of undergraduate academic facilities

Appropriations: $230 million for the fiscal year ending June 30, 1964, and for each of the two succeeding fiscal years. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, only such sums as may be appropriated by Congress.

Twenty-two percent of the appropriations under this title is allotted to the States for public community colleges and public technical institutes. The allotment formula takes into account the number of high school students in the State and the way the State's per capita income compares with national per capita income. If the State's per capita income is below the national average it receives a greater share than its proportion of the total number of high school students. Thus it gives a weighted advantage to States with lower per capita income.

Seventy-eight percent of the appropriations under this title is allotted to the States for institutions of higher education other than public community colleges and public technical institutes.

(a) One-half of the funds is allocated to the States according to a formula that each State's allotment will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all States. Thus one-half of the funds are distributed to the States in proportion to the number of students presently enrolled in their higher education systems.

(b) The remaining one-half is allotted among the States so that the allotment to each State will be an amount which bears the same ratio to such remainder as the number of students enrolled in grades nine through twelve (both inclusive) of schools in such State bears to the total number of students in such institutions in all States. Thus this one-half of the funds is distributed to the States in proportion to their secondary school enrollments which will soon be facing their colleges and universities.

State plan: A State plan of action must be submitted to the Commissioner by an authorized State agency. This plan must set forth certain provisions, including:

(a) A plan to be administered by a State commission.

(b) Basic criteria for determining the relative priorities of eligible projects and for determining the Federal share of the development cost of each such project other than a project for a public community college or public technical institute (unless such plan provides for a uniform Federal share for all such projects).

(c) A provision that funds will be used only for the construction specified by the act (22 percent for public community colleges, etc., and 78 percent for institutions other than public community colleges, etc.).

(d) A guarantee that every applicant will have a right to a fair hearing as to his assigned priority under the State plan.

(e) Provision for fiscal control and fund accounting, and for making of such reports as may be needed by the Commissioner.

The Commissioner is authorized to expend a maximum of $3 million during each of the first 2 fiscal years of the program for administration of the State plans approved under this title, including expenses which he determines were necessary for the preparation of such plans.

In order to be eligible for a grant, the institution of higher education (not including public community colleges and public technical institutes), must use the funds for structures, or portions thereof, especially designed for instruction or research in the natural or physical sciences, mathematics, modern foreign languages, or engineering, or for use as a library. Such construction must result in urgently needed substantial expansion of the institution's student enrollment capacity, or, in the case of a new institution, result in creating urgently needed enrollment capacity.

The Commissioner prescribes the basic criteria for the State plans of determining priorities. Special emphasis is placed on expanding undergraduate enrollment capacity.

The Federal share in eligible projects at institutions of higher education (other than public community colleges and public technical institutes), shall not exceed one-third of its total costs. For a public community college or public technical institute, the Federal share is set at 40 percent of its development costs.

Institutions of higher education apply to States and are awarded a priority under the State plan (which they may contest). The State plan is then sent to the Commissioner for approval, but the Commission may not disapprove any State plan submitted without allowing the State agency a hearing on the plans or project. This decision may be appealed to the courts. Once funds are approved, they are awarded to the institutions in order of priority until they run out.

Title II. Grants for construction of graduate academic facilities

The purpose of this title is to assist institutions of higher education to improve existing graduate schools and cooperative graduate centers, and to assist in the establishment of graduate schools and cooperative graduate centers of excellence.

Appropriations: $60 million for the fiscal year ending June 30, 1965, and for the succeeding fiscal year. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, only those sums appropriated by the Congress.

Grants may not exceed one-third of the costs of the construction and are made with the advice of an Advisory Commission on Graduate Education set up by the act. The Commissioner and Advisory Board give special consideration to the extent that the grant will aid in a wider distribution throughout the United States of graduate schools and cooperative graduate centers.

Title III. Loans for construction of academic facilities

In order to receive a loan under this title at least one-fourth of the construction cost must come from a non-Federal source, and the applicant must be unable to secure a loan from another source under at least as favorable conditions. The interest rate charged is to be one-fourth percent above the average annual interest rate on obligations of the United States. The present interest rate charge on these loans is 3⅞ percent. Loans must be repaid within 50 years.

Appropriations: For the fiscal year ending June 30, 1965, and for the succeeding fiscal year, $120 million. For the fiscal year ending June 30, 1967, and the following fiscal year, only such sums as appropriated by the Congress.

The Commissioner has the power to make rules and regulations, can sue or be sued in his enforcement of this act.

Title IV. General provisions

"Academic facilities" are defined as structures suitable for use as classrooms, laboratories, libraries, and related facilities necessary (1) for the instruction of students, (2) for research, (3) for the administration of the educational or research programs, (4) for maintenance and storage, (5) for utility facilities essential to the operation of the foregoing facilities.

This definition does not include (1) any building intended for events for which admission will be charged, (2) any gymnasium, other than for the academic course in physical education, or (3) any facility to be used for sectarian instruction or as a place of religious worship.

"Construction" is defined as (1) erection of new buildings or expansion of old buildings, (2) acquisition of existing structures not owned by the institution; or (3) modernizing of present facilities.

"Equipment" does not include books, curricular and program materials, and items of current operating expenses, such as fuel, supplies, and the like.

Besides the Higher Education Facilities Act, other Federal grant and loan programs for higher education facilities and equipment are:

(a) Grants

National Institutes of Health: Grants totaling $31,229,000 were made in 1962, mostly on a 50–50 matching basis, for facilities for research and research training in the medical sciences and for construction of specialized resource centers.

National Science Foundation: Grants totaling $44,800,000 were made in 1962, in developing graduate research facilities and for specialized research facilities. Also $5 million was spent to help provide modern scientific equipment, mainly for undergraduate science education. All grants, except those for specialized research facilities, are on a 50–50 matching basis.

Atomic Energy Commission: By contract, it installs and retains title to reactors and accelerators in the institution's own facilities thus enabling them to write off their investment through research conducted for the AEC. Also, $2,452,322 in direct grants for equipment to undergraduate institutions.

Department of Defense: Through the Advanced Research Projects Administration it enables institutions to construct facilities limited mainly to instruction and research in materials, and to write off the cost over 10 years. Title to the facility is vested in the institution. Eleven such installations have been built at the cost of $18.2 million. Also, through ARPA, grants amounting to $10 million in 1962 were made to educational institutions for the purchase of equipment, used for materials research.

National Aeronautics and Space Administration: Grants totaling $6,410,000 were made in 1962 to universities engaged in research in space sciences. No matching funds are required and the grants may be used for construction.

Miscellaneous programs: Grants of approximately $5 million were made for the construction and operating costs of Howard and Gallaudet. Also $442,000 was spent to provide facilities to higher educational institutions through the area redevelopment program under the Department of Commerce, primarily to promote scientific research.

(b) Loans

Housing and Home Finance Agency: $250 million loaned at 3.5 percent interest in 1962, for the construction of dormitories and related facilities for students and faculty.

Elementary and secondary school facilities: Under Public Law 815 (discussed below), which provides for school construction in federally affected areas, $54.8 million was spent in 1962, mainly in local public school districts, but also for Indian schools operated by the Department of the Interior and for schools erected on Federal property, such as military bases.

Surplus Government property: Distributed to the States who use it for schools, hospitals, and civil defense centers. About 70 percent of the land is used for schools.

SUPPORT OF STUDENTS

Not including the National Defense Education Act loan program, Federal grants in 1962 totaled $256.5 million to 182,000 students.

Grants: In 1962 a total of 66,911 students received $110,662,000 in Federal grants (exclusive of veterans, war orphans, cadets, and military personnel). These grants were mainly for predoctoral work centered in the natural and social sciences and in engineering.

The basic stipend pattern is $1,800 for the first year, $2,000 for the second, and $2,200 for the third year, plus $500 a year per dependent. One main variation from this schedule is in National Defense Education Act, which is outlined later.

National Institutes of Health: In 1962, grants to 9,995 graduate students, totaling $35,253,000 were made for research fellowships and training grants in the basic biological and physical sciences, and in certain areas of the social sciences, and in medical sciences.

National Science Foundation: In 1962, grants to 2,749 graduate students, totaling $10,871,000 were made for study in the physical, life, and social sciences, mathematics, and engineering.

Office of Education: In 1962, grants to 5,366 students, totaling $26,675,000 were made for the training of college teachers and foreign language specialists (established by title VI of National Defense Education Act), and also $503,000 to institutions for the training of teachers of the deaf and college teachers for the mentally retarded.

Public Health Service: In 1962, grants totaling $8,659,000 were made to 2,735 graduate students to insure professional public health personnel for the future.

Office of Vocational Rehabilitation: In 1962, grants were made to 1,941 graduate students, totaling $8,964,000 for training personnel to work with the handicapped.

Atomic Energy Commission: In 1962, grants totaling $1,325,000 were made to 261 graduate students for small fellowship programs, mainly in the fields of nuclear science and engineering and health physics.

National Aeronautics and Space Administration: In 1962, grants totaling $1,866,000 were made to 100 graduate students for fellowships in space sciences and technology.

Department of the Interior: In 1962, grants totaling $200,000 were made to 17 graduate students for fishery research and oceanography.

There is also some part-time graduate work done under fellowships from the Public Health Service, Office of Vocational Rehabilitation, Atomic Energy Commission, and the National Science Foundation, at a cost of $2.5 million.

Over 1,600 fellowships for full- and part-time research and study beyond the doctoral degree are awarded at a cost of $12.5 million (NIH, $9.7 million; NSF, $2.3 million; also AEC, Office of Vocational Rehabilitation, and the Air Force).

As for undergraduate students, three agencies have $1,256,000 in fellowships to 1,960 students: The Department of the Interior scholarship program for Indians supported 650 students at a cost of $250,000; the Office of Education spent $286,000 for training teachers of the deaf; and the Department of Commerce spent $720,000 in support of students in State maritime academies.

Veterans and war orphans: Nearly 60 percent of the grants for student support in 1962 went to veterans and war orphans under three programs operated by the Veterans' Administration. These programs supported 116,000 students at a cost of $145,900,000, in undergraduate and graduate college courses, less than college-level education, and farm and job training.

(a) The GI bill (veterans readjustment training) covered 98,000 students in 1962, with over 60 percent of those covered attending colleges and universities. Veterans receive monthly allowances, but have to pay their own tuition fees and other expenses. The cost of this program in 1962 was $121,100,000.

(b) Veterans' vocational rehabilitation program provides educational and training benefits to veterans with service-connected disabilities (extended to peacetime veterans disabled in the line of duty, in October of 1962). Training covers college and below-college education, on-farm and job training. The VA pays the institution the full cost of tuition, fees, supplies, and equipment, and pays the veteran a monthly subsistence allowance which is combined with his disability compensation. About 5,000 participated in the program in 1962, at a cost of $3,500,000.

(c) War orphans educational assistance provides assistance for both college and below-college education. Thirteen thousand participated in 1962, over 80 percent of whom were in colleges and universities. The students receive a monthly stipend, and support is provided for up to 36 months of full-time education. The cost of this program in 1962 was $21,300,000.

Loans: Provided for under title II of the National Defense Education Act as outlined later.

SUPPORT OF TEACHERS

Basically Federal funds in this area are spent for training, mostly in the sciences.

	Number supported	Total cost
Atomic Energy Commission:		
Short-term institutes	1,347	$1,433,000
National Science Foundation:		
(a) Short-term and academic year institutes	39,404	40,700,000
(b) Teachers' fellowships, part and full year	610	3,855,000
(c) Research participation	727	1,550,000
(d) Seminars	1,200	1,363,000
Office of Education:		
(a) Guidance institutes	2,582	7,025,000
(b) Language institutes	4,587	7,242,000
National Institutes of Health:		
(a) Research career awards	685	9,968,000
(b) Fellowships abroad	251	1,770,000
Total	51,393	74,906,000

Recipients are mostly elementary and high school teachers, and the field receiving the most money is science, followed by modern foreign languages.

Under title XI of the National Defense Education Act, $32,750,000 was appropriated for each of the next 3 fiscal years to arrange for short-term and regular session institutes for those teaching or planning to teach history, geography, modern foreign languages, reading, and English. These institutes will also include those planning to teach disadvantaged youth, preparing to become library personnel in elementary and secondary schools, and those who are or are preparing to become educational media specialists. Persons who attend such institutes receive a stipend of $75 a week plus $15 a week for each dependent, the same amounts as are presently provided to those attending comparable NSF institutes.

The National Science Foundation, besides their institutes in scientific areas, conducts institutes in economics, sociology, and other social sciences.

CURRICULUM STRENGTHENING

Some $74,330,000 was expended through grants in 1962 for curriculum strengthening. Of this amount $9.2 million went to higher education.

Higher education

National Sciences Foundation: In 1962, $5.1 million was spent for content improvement studies to revitalize education in chemistry, physics, and earth sciences. The NSF supports institutions experimenting with new methods of teaching science. It also has a visting scientists program and provides supplementary teaching aids.

The Office of Education: In 1962, $2,080,000 was spent to develop foreign language instruction as well as studies of the areas where the language is spoken.

The Public Health Service: In 1962, $2 million was spent for the expansion and creation of graduate programs relating to the problems of public health.

Secondary education

National Science Foundation: NSF activities on the elementary and secondary levels parallel their higher education programs (discussed above). They have a special program to train teachers to work with gifted science pupils in the secondary level. The total appropriation for these programs is $6,650,000.

The Office of Education: In 1962, this office distributed $44,120,000 to the States for the purchase of science teaching equipment, and to a lesser degree language teaching equipment. This program was established under title III of National Defense Education Act. Also, $14,385,266 was spent for improvement of counseling facilities.

RESEARCH IN COLLEGES AND UNIVERSITIES

The Federal Government utilizes colleges and universities to conduct a portion of its basic research in many fields, such as defense, public health, agriculture, and space exploration.

Expenditures, 1962:

Department of Agriculture	$35,600,000
Atomic Energy Commission	52,300,000
Department of Commerce	1,000,000
Department of Defense	197,900,000
Department of Health, Education, and Welfare:	
National Institutes of Health	213,100,000
Office of Education	8,000,000
Office of Vocational Rehabilitation	2,700,000
Public Health Service	19,600,000
Department of the Interior	1,000,000
National Aeronautics and Space Administration	18,800,000
National Science Foundation	59,300,000
Department of State: Agency for International Development	1,200,000
Other Departments	2,600,000
Total	613,100,000

Ninety percent of these grants are concentrated in 100 institutions of higher learning.

FEDERAL INSTITUTES OF HIGHER EDUCATION

The Federal Government operated 12 institutions of higher education, including the military academies, at a cost of $129,100,000.

FEDERALLY IMPACTED AREAS

Public Law 874

This law was enacted in 1950 to provide school districts, heavily overburdened with pupils as a result of national defense activities, with funds for current operating expenses and construction of school facilities.

Expenditures in 1962 totaled $231,293,000. All 50 States received funds; 4,100 school districts qualified in 1962. Their combined enrollment was 11 million, or about one-third of all the public elementary and secondary school children in the United States. Of these approximately 1.7 million are federally connected.

Provides assistance for (a) school districts where revenues for schools have been reduced because of the acquisition of real property by the Government, (b) districts providing education for children living on Federal property, (c) districts providing education for children whose parents are employed on Federal property, and (d) districts where there is a sudden and substantial increase in school attendance as a result of Federal activity.

Determination of eligibility: Federally connected students are divided into three principal categories: (a) those whose parents both live and work on Federal property, (b) those whose parents either live on and work off Federal property or work on and live off Federal property, (c) those who have moved into a district in sufficiently large numbers, as a result of enlarged Federal activity or federally supported contracts, so that the district tax structure for school support has been temporarily thrown out of balance.

Due to an unusual provision in the law, equal treatment is not accorded to all federally impacted districts. Larger school districts (35,000 or more students) are required to have at least 6 percent of their enrollment "federally connected." Smaller school districts need only have 3 percent of their students "federally connected" in order to qualify.

The size of the payment per pupil is calculated on the "local contribution rate." In principle it is intended to approximate the rate of current expenditures per child made from local sources of revenue for elementary and secondary education in comparable communities in the same State. If the local contribution rate is less than either the State average per pupil cost or the national average per pupil cost, then either the State or national average is used, whichever is greater.

The major portion of funds distributed are for category B students (those whose parents lived off but worked on Federal property). Public Law 874 expenditures have grown from a 1951 expenditure of $29 million to an estimated expenditure of $232,293,000 in 1963.

Public Law 815

This law provides for the construction of minimum school facilities in federally impacted areas. Assistance for Government construction of schools on Federal property is made in two instances: (1) where State statutes prohibit free public education for children residing on tax-free property, or (2) where a Federal installation is in an isolated area, not in reasonable proximity to a public school system.

Where local school districts are providing the educational opportunities, assistance for construction is authorized if, (1) there is an increase in the number of "federally connected" children, or (2) the local district is unable to provide adequate facilities.

Since the enactment of Public Law 815 in 1950, about $1.07 billion in Federal funds have been provided for school construction, providing classrooms for over 1½ million children.

MISCELLANEOUS EDUCATION PROGRAMS

Higher education

Department of Health, Education, and Welfare: Land-grant colleges—68 land-grant colleges enroll about one-fifth of the total higher education enrollment in the United States. Funds for these colleges amounted to $10,774,000 in fiscal 1962. These funds were distributed partially on the basis of equal grants to all the States, but mostly on the basis of the State's population in relation to the Nation's total population.

National Science Foundation: This program was inaugurated in 1961 to provide general grants to higher education institutions to strengthen their science programs. Grants in 1962 totaled $3,731,000. The size of the grant is determined by the amount of basic research the institution has conducted with National Science Foundation funds. A maximum of $50,000 may be awarded to any single institution.

National Institutes of Health: In 1962, $78.3 million in grants was awarded by the NIH. Eighty-eight percent of these were training grants (used largely to pay professors' salaries) awarded to 126 institutions of higher education, the balance going to hospitals and nonprofit research centers. Approximately $11 million of the above total was designated for use in what the NIH designates as "undergraduate" teaching support (postbaccalaureate, pre-M.D. work and nursing).

NIH clinical research centers—$29.8 million provided each year for the support and operation of general clinical research centers.

Other training grants: Public Health Service—in 1962 approximately $1,200,000 of the total grants of this agency were used to support faculty salaries, supplies, equipment, and other expenditures in the teaching of public health programs; $1,173,000 was paid as a direct subsidy to the Nation's 12 schools of public health to help underwrite the cost of education.

Office of Vocational Rehabilitation: This Office sponsors a program of training grants, which totaled $3,809,000 in 1962.

Disaster medicine: Interagency cooperation (Departments of the Army, Navy, Air Force, and Public Health Service) for a specific mission is found in the so-called MEND program (medical education for national defense) which provided in 1962, $709,000 in grants to medical schools to support programs of their own aimed at acquainting medical students with techniques for handling mass casualties resulting from major disasters.

Elementary and secondary education

A total of $331,855,000 was expended by the Federal Government in fiscal 1962 in the support of elementary and secondary schools in the United States, and for the Government-operated schools abroad for children of servicemen and Federal employees serving overseas; $231,293,000 of this total represented support for the school districts and school construction under the federally impacted areas program discussed above. Another $41,680,000 of the total comes from the Department of Defense funds for DOD schools abroad. There were 289 of these schools with 144,957 students and 6,000 teachers in 1962. The remainder of the total comes from several other Government agencies. The most extensive legislation in this area is the Elementary and Secondary Education Act of 1965, which is summarized below.

Vocational education

George-Barden and Smith-Hughes Acts: Smith-Hughes Act of 1917—Vocational education programs are conducted under the two acts mentioned above. Through these two programs the Office of Education distributed $52.2 million to the States in 1962 which, in turn, channeled the funds to the local communities.

The largest share of Federal funds for vocational education is allotted to agricultural training (approximately $13.5 million in 1962). In addition, some funds are allotted for training in the service industries. These funds provide a program called distributive education, with allotments for training in the marketing or merchandising of goods or services. Funds are also available for training in the fields of home economics, trade and industry, and practical nursing.

The amount of support provided for each occupational category specified in these acts is fixed by formula, rather than by the need for training.

These two vocational education programs provide training for high school and post high school students and adults.

Both of the acts mentioned above require that each dollar of Federal money must be matched by a dollar of State and local money, or a combination of both.

The most important pieces of legislation in this area is the Vocation Education Act of 1963.

The Vocation Education Act of 1963

Appropriations: For the fiscal year ending June 30, 1966, $177,500,000, and for the fiscal year ending June 30, 1967, and for each fiscal year thereafter, $225 million. Ten percent of the total appropriation is reserved for research and demonstration grants authorized by the Commissioner. Payments resulting from such awards are made directly to the grantee. All other payments are made to the appropriate State agency. No State receives less than $10,000 annually.

This act provides grants to the States for (1) the expansion and improvement of vocational education and (2) part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis.

Appropriations may be used for: (a) vocational education for persons attending high school; (b) vocational education for persons who have finished or left high school and who are available for full-time study in preparation for entering the labor market; (c) vocational education for persons who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment (exclusive of those covered by the Manpower Development and Training Act, Area Redevelopment Act, or the Trade Expansion Act of 1962, discussed below); (d) vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program; (e) construction of area vocational education school facilities; (f) ancillary services and activities to assure quality in all the vocational education programs, such as teacher training, program evaluation, and special demonstration and experimental programs.

A State plan must be submitted and approved by the Commissioner. It must provide: (a) a designation of the administrating agency; (b) the policy and procedure of allotting funds for the areas mentioned above (a–f); (c) minimum qualifications for teachers, trainers, supervisors, etc.; (d) for the proper use and accounting of Federal funds, and the making of the required reports.

One-third of each State's allocation must be expended for adult vocational education training or the construction of area vocational education facilities.

All Federal vocational education payments are conditioned on the availability of matching funds from State and local sources. The State must expend at least the same amount on vocational education each succeeding year to be eligible for Federal assistance.

The act sets up an Advisory Council on Vocational Education to review the programs and make recommendations for improvement of those programs.

Work-study programs for vocational education students

The work-study program must be administered by a local educational agency. These programs provide employment to students (a) who have been accepted for full-time vocational education, or, if already enrolled, who are in good standing and in full-time attendance, (b) who need the earnings to continue their vocational education, (c) who are at least 15 years old, but not more than 21, and (d) who can maintain good standing in their vocational education program while employed under this program. The student may not work more than 15 hours a week while classes are in session, and student employment must be for the local educational agency or some other public agency or institution. Local education agencies must expend at least as much in the year current as in the previous year to be eligible for Federal funds.

Appropriations: $50 million for the fiscal year ending June 30, 1966, and $35 million for the next 2 fiscal years.

State plan: The same fiscal and administrative procedures required for vocational education grants (discussed above) are also required under the work-study program.

Residential vocational education schools: Commissioner to make grants to public education agencies for the construction, equipment, and operation of such schools (including room, board, and other necessities), for youths at least 15 years old who need such schools for the full benefit of the vocational education program.

Manpower Development and Training Act

The purpose of this act is to support public school adult vocational education programs. These activities include testing, counseling, and referral for training or retraining of unemployed or underemployed workers, with preference for the unemployed.

Arrangements for such training are channeled through the Office of Education and the State agency responsible for vocational education. The funds are provided on a 50-50 matching basis, and training allowances are made for those who meet the following requirements: (a) Enrolled in an approved training course, (b) unemployed, (c) head of the household, and (d) have at least 3 years' experience in gainful employment. Training will vary with the needs of the community and area.

Funds may go for reasonable charges for indirect expenses such as administration, utilities, and other overhead costs. Instructors' stipends, cost of instructional material, and expenditures for equipment are also covered.

Area Redevelopment Act

Very similar to the Manpower Development and Training Act, and administered through the Manpower Development and Training Act. In Area Redevelopment Act, matching funds are not required for vocational training programs, and only those areas selected by the Federal Government are eligible to receive funds.

Prisoner education: Operated by the Department of Justice, this program offers a general and vocational education program for inmates of Federal penitentiaries. Training ranges from the fundamentals of reading and writing to college and university extension courses.

Indian vocation education: Provided by the Department of the Interior to adult Indians. In 1962, $4,250,000 was appropriated for funds to go directly to the student to cover tuition, related expenses, maintenance, and travel.

Miscellaneous programs include Rural Library Service at a cost of $7.5 million per year and provides books and bookmobiles for students and readers of all ages.

The Federal Government also expends $620,000 to provide, through the Printing House for the Blind at Louisville, Ky., reading and study materials for the blind.

Income from public land: This program distributes funds to the States to be used for public purposes of which education is a part. In 1962 these funds totaled $79,171,000. Of that total $27.2 million was paid through the Department of Agriculture to those States from which revenue had been derived from national forest lands.

An additional sum of $51.9 million was distributed to States and counties through the Bureau of Land Management of the Department of the Interior. This fund represented revenue derived from grazing permits, mining and mineral leases, revested and reconveyed lands in Oregon and California, and from the sale of public lands.

Education of Government Personnel: These programs are carried on mainly by the Department of Defense. The Department of Defense programs fall into three categories: (a) Inservice professional training ($81.8 million in 1961), (b) Education in Government school ($116.4 million in 1962), (c) Training of military and civilian personnel in nongovernmental educational institutions ($75.2 million in 1963).

ROTC programs

Army: Largest ROTC program—The main purpose of the program is to provide some military training to college students without regard to the possibility of their future commissioning as officers.

Navy: (1) NROTC has the fundamental purpose of producing career officers. (2) Contract NROTC has the purpose of producing Reserve officers.

Air Force: Closely resembles the Army program.

Full-time programs at civilian institutions for uniformed personnel.

The Army supports the education of its uniformed personnel in the physical and social sciences, engineering, foreign area studies, and in management.

The Navy sends selected personnel to civilian institutions for a period of 1-3 years.

Selected Air Force students working toward undergraduate and advanced degrees are assigned to universities through the Air Force Institute of Technology.

All three branches of the service make provisions for assignment of career officers to civilian institutions to enable them to earn their baccalaureate degrees.

Part-time academic programs: The Air Force Institute develops part-time programs designed to meet the educational needs of all branches of the service in all parts of the world.

Programs in international education

Department of State: Under the authorization of the Fulbright-Hays Act to increase mutual understanding between the people of the United States and the peoples of other countries, the Department of State administered a number of international education programs in fiscal year 1962 at a cost of approximately $30.6 million. Other State Department programs include American-sponsored schools abroad, American studies and other special projects, an East-West Center, and a Bureau of International Educational and Cultural Affairs.

The U.S. Information Agency spent approximately $10.1 million in 1962, in support of educational programs abroad consisting of teaching the English language, university to university affiliations, and American studies programs. The program is conducted through binational centers, community centers, information and cultural centers, radio and TV broadcasts, and contracts with private organizations.

Agency for International Development: Pursuant to its mission of rendering foreign economic assistance, AID administers specific projects designed to upgrade the education system of foreign countries. Its educational expenditures are estimated at $108 million, plus $98 million worth of foreign currency. AID also gives assistance to school systems in 20 countries for the purpose of teaching English as a second language ($1.8 million in 1962) and helps support American-sponsored schools abroad ($6,000,500 in 1962).

Peace Corps: The Peace Corps sends its personnel abroad to work in partnership with the people of other nations. The cost of training for these volunteers, and for research at American universities, was approximately $7.4 million in 1962.

Office of Education: The Office of Education assists both foreign organizations and governments and private American institutions and organizations through its conferences and reports in the field of education. It provides teaching aids and consultation for curriculum development in world affairs and foreign culture courses for the American system. Other organizations involved in international education are National Science Foundation, Atomic Energy Commission, NASA, National Institutes of Health and the Department of Defense.

EDUCATION LEGISLATION ENACTED AND AMENDED SINCE 1912

National Defense Education Act, as amended

Title I. General provisions.

Title II. Loans to students in institutions of higher education: Authorization: 1966, $179.3 million; 1967, $190 million; 1968, $195 million.

School contributions to the loan fund must be at least one-ninth of the Federal contribution.

Qualifications: For the student to receive a loan he must be in need of the loan to pursue the course of study, be capable of maintaining a good average have been accepted by the institution or already in the institution and maintaining a good average, and carrying at least one-half of the normal academic load.

Repayment: Students have a 10-year period in which to repay their loan, at 3 percent interest, from 1 year after the time they leave school. The time for repayment may be extended by the Commissioner for good cause.

Colleges can receive loans to help them fulfill their share of the costs of the loans. The amount spent under this section cannot exceed $25 million a year and the loans must mature in less than 15 years.

The 1964 amendments provided for extension of the loan program to include accredited postsecondary business schools and technical institutes, public and nonprofit private institutions, extension to part-time students who carry at least half the academic workload, adding also a 3-year moratorium on their loan repayment; increases in the yearly limit of loans to graduate and professional students from $1,000 to $2,500, and increases the aggregate amount to $10,000. The undergraduate loan limit is still $1,000 yearly; extension of the cancellation loan privilege—the 10 percent a year forgiveness feature to teachers in nonprofit private elementary and secondary schools, the establishment of superior academic background in any fields as the only special consideration for loans.

Title III. Financial assistance for strengthening instruction in science, mathematics, modern foreign languages, and other critical subjects:

Authorization: $90 million. Annual minimum allotment to a State—$50,000.

State plan: The State must set forth a plan under which the funds will be expended solely for (a) equipment necessary for teaching the subjects, and (b) minor remodeling of laboratories and other space used for such materials and equipment.

The 1964 amendments provide for expansion of the program to include English, reading, history, geography, and civics among the subjects for which equipment may be purchased from the 50-50 matching grants and from loans; the allotment of $20 million for the purchase of equipment; funds for the States to provide in-service training in the added fields.

Title IV. National defense fellowships:

Number of fellowships: 3,000 in 1965, 6,000 in 1966, and 7,500 in 1967-68. Recipients must be studying for a Ph. D. or an equivalent degree, and planning to teach or to continue teaching in an institution of higher education.

About one-third of the fellowships go to individuals accepted for graduate study approved by the Commissioner. The remainder go to those working for a Ph. D. in the subjects covered by the bill, but none for divinity students.

The fellowship is $2,000 for the first year, $2,200 for the second year, and $2,400 for the third year, plus $400 a year for each dependent.

The institution where the person is studying receives $2,500 a year less any amount they charged such person for tuition.

Title V. Guidance, counseling, and testing; identification and encouragement of able students:

Authorization: 1965, $24 million; 1966, $24.5 million; 1967–68, $30 million.

State plan: the plan must allow for (a) testing of public elementary and secondary students, public junior college and technical institute students, to identify students of outstanding ability, and (b) a program of guidance and counseling to advise students of the best courses of study.

Some $7,250,000 is provide for counseling and guidance centers and for short-term or regular session institutes for teachers interested in becoming counselors, or already counselors. There is a $75-a-week stipend for those attending these institutes.

Title VI. Language development:

Provides support for institutes, language and area centers, language fellowships, and research and studies to improve the teaching of modern foreign languages at all levels of education. This includes the purchase of needed materials, such as textbooks, dictionaries, and recordings.

Appropriations: $13 million for the fiscal year ending June 30, 1965; $14 million for the next fiscal year; $16 million for the following fiscal year, and $18 million for the fiscal year ending June 30, 1968.

Title VII. Research and experimentation in more effective utilization of television, radio, motion pictures, and related media for educational purposes:

Grants and contracts to foster research in the above areas as well as training teachers to utilize such media, and for research into the presentation of academic subject matter through these media.

The Commissioner shall make studies to ascertain the need for increased utilization of these media, catalog materials useful in using such media, and should publish an annual report showing the projects carried out in this area, and the development of these media in educational fields.

Advisory Committee on New Educational Media is established to review ideas and progress in this field.

Appropriation: $5 million each year up through the end of the fiscal year June 30, 1968.

Title VIII. Area vocational education programs (replaced by the Vocational Education Act of 1963—see above).

Title IX. Science Information Service: To be set up by the National Science Foundation to provide or to arrange for the provision of, indexing, abstracting, translating, and other services leading to a more effective dissemination of scientific information, and to undertake to develop new and improved methods, including mechanized systems, for making scientific information available.

Science Foundation Council to advise the Information Service set up by this title.

Appropriations: Such sums as may be necessary to carry out the provisions of this title.

Title X. Miscellaneous provisions: Provides grants to State educational agencies to improve the adequacy and reliability of educational statistics and the methods of collecting, processing, and disseminating such data. In 1964, $1.8 million was spent.

Title XI. Institutes:

Appropriations: $32,750,000 for the fiscal year ending June 30, 1965, and for the three succeeding fiscal years, to enable the Commissioner to arrange with institutions of higher education, through grants or contracts, for the operation of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualifications of persons (a) who are engaged in or preparing to engage in the teaching, or training of teachers of history, geography, modern foreign languages, reading, or English in elementary or secondary schools, (b) preparing to teach disadvantaged youth, (c) are or are preparing to become library personnel in the elementary or secondary schools, (d) are or are preparing to become educational media specialists.

Persons who attend such institutes will receive a stipend of $75 a week plus $15 a week for each dependent.

Federal Communications Act

Matching grants for modification, acquisition, or construction of educational television facilities are available under a provision of the Federal Communications Act. A maximum of $32 million has been authorized by Congress for the 5-year period ending June 30, 1968.

Local and State educational agencies as well as institutions of higher education or nonprofit organizations may participate in this program. Applications must show that funds will be available for continued operation of such educational television facilities.

In addition to 50 percent of the costs of new construction, grant payments can include up to 25 percent of the value of educational TV facilities already owned by the applicant.

The acquisition of TV receivers is specifically excluded under this program. Purchase of such equipment is, however, covered under title III of the National Defense Education Act.

The total amount of grant payments for construction of educational TV facilities within any State is limited to $1 million.

The Elementary and Secondary Education Act of 1965

Grants: (a) Basic grants—July 1, 1965 to June 30, 1968; (b) special incentive grants—July 1, 1966, to June 30, 1968. Estimated appropriation, $1 billion.

Basic grants are provided for payment of one-half the State average per-pupil expenditure for children from families with an income below $2,000 a year. During the first year of the program the basic grant to local educational agencies may not be more than 30 percent of the sums budgeted by that agency for current expenditures of that year.

The 50-percent Federal contribution is for the fiscal year ending June 30, 1966. After that, the percentage will be determined by the Congress. The same situation exists with the low-income factor of $2,000.

To receive Federal grants, the number of school-age children from families below the income factor must be 100 or 3 percent of the total number of school-age children.

State plan: To receive a basic grant the agency must submit an application which has to be approved by its State educational agency. The State agency approves such application if it meets the requirements set forth by the State and is consistent with such basic criteria as the Commissioner may establish. The State plan should include: (a) assurances that payments will be used for projects and programs designed to meet the special educational need of educationally deprived children and have reasonable promise of substantially meeting those needs; (b) can have special educational services and arrangements (radio, TV, mobile educational units, etc.); (c) construction projects must be consistent with overall State plans; (d) programs worked out with local agencies, if such exist; (e) dissemination of valuable information obtained to other teachers and interested persons.

The control of the funds must be in a public agency and the State must have an annual report of activities, mentioning the educational achievements of students participating in the program.

Special incentive grants will be made to school districts in which there is an increased average per-pupil expenditure, not counting any Federal aid. To qualify, the expenditure during the school year ending in 1965 must have been more than 105 percent of that ending in 1964, and the 1966 figure must be greater than 110 percent of the 1964 expenditure.

These funds may be used to cover all direct project expenses, including materials, supplies, and equipment. Where necessary, grant payments may also be used for construction of additional facilities, except athletic stadiums.

Title II. School library resources, textbooks, and other instructional materials:

The act makes grants for the acquisition of school library resources, textbooks, and other printed and published instructional materials, including documents and audiovisual materials, for the use of children and teachers in public and private elementary and secondary schools. Such acquisition may be in the form of outright purchase or lease-purchase or straight lease.

Appropriation: $100 million for the fiscal year ending June 30, 1966, and for the 3 succeeding fiscal years only such sums as may be appropriated by the Congress. Appropriations will be allotted to the States pro rata on the basis of the number of children in each State enrolled in those schools.

State plan: The State must submit a plan for the approval of the Commissioner. Such a plan must contain the following provisions: (a) A State agency to be the sole agency for administering the plan; (b) funds must be expended solely for the purchase of library resources; (c) set forth the criteria for the allocation of these resources, based on need and provided on an equitable basis to the students in private schools; (d) set down the criteria for the selection of the resources (State will establish standards for school library resources); (e) assurances of appropriate fiscal control and that reports will be made to the Commissioner.

Federal funds cannot supplant State efforts in this area.

Title III. Supplementary educational centers and services:

Appropriations: $100 million for the fiscal year ending June 30, 1966, and for the 4 succeeding fiscal years only such sums as appropriated by the Congress. A minimum of $200,000 shall be allotted to each State.

Purpose: To provide needed educational services and to establish exemplary model school programs. Federal funds are to be used for the programs mentioned below for operational and maintenance costs.

(a) Counseling, remedial instruction, health, social and recreational services.

(b) Academic services for continuing adult education.

(c) Developing exemplary programs for improvement or adoption of new educational programs.

(d) Specialized instruction for those interested in the sciences and foreign languages.

(e) Making available modern educational equipment and specially qualified personnel on a temporary basis to institutions.

(f) Developing TV programs for the classrooms.

(g) Special services for those in or from the rural areas, like mobile educational units.

Although the grant payments are made directly to the local school district, the amount of such aid is charged against the State allotment.

Title IV. Educational research and training:

Appropriations: $100 million over a 5-year period beginning the end of the fiscal year June 30, 1966, for the construction and operation of regional research facilities in the field of education.

Grants to be made to universities and colleges and other public or private agencies, for research, demonstrations, and surveys in the field of education, including such programs as: curriculum research, testing new educational ideas (e.g. audiovisual materials), and for improving the administration of education in the States.

Title V. Grants to strengthen State departments of education:

The purpose of the title is to stimulate and assist States in strengthening the leadership resources of their State educational agencies, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of the States.

Appropriations: $25 million for the fiscal year ending June 30, 1966, and for the following 4 years only such sums as may be appropriated by the Congress.

Programs: (a) educational planning on a statewide basis; (b) recording, collecting, processing local educational data; (c) disseminating the information concerning the needs of the States; (d) to improve the quality of teacher preparation; (e) measuring of educational achievement of pupils.

Library Services and Construction Act

Distribution of LSCA funds is in accordance with approved State plans. The State plan must set forth the criteria and procedure for approval of the construction projects, and such projects should be for areas presently without library facilities.

The project must be planned primarily as a public library and available for the use of the general public during normal library hours. While such a project could be combined with a school as a cofacility, such school use may not interfere with the regular public use of the facility.

All allocations must be matched by the States, based on proportionate per capita income. The maximum Federal share is fixed at 66 percent and the minimum at 33 percent. State allotments are set in relation to population. The minimum annual allotment to a State for library services is currently $100,000 and the minimum for construction is $80,000.

Economic Opportunity Act

Operation Head Start: A pre-school program for children from poverty-stricken families for training these children to bring them to a level sufficient for meaningful participation in the classes of the first grade. In addition to the educational aspects, attention will be directed to the children's well-being. This will include physical examinations, medical check-ups, etc.

Adult basic education program: Administered by State educational agencies. This program is for the benefit of those adults (18 years of age and over) who don't have command of the English language.

Depending on local needs, the War on Poverty has made funds available to defray the costs incurred by public schools in providing basic educational skills. Grants will also be made to schools which can demonstrate new methods and improved materials to accomplish the desired results. All Adult Basic Education Program payments are made to the State education agency, which subsequently disburses appropriate sums to local school districts.

Work-study programs: To stimulate part-time employment for students who need the money to continue their higher education.

The provision makes grants to institutions to assist the program. Students may work for the institution itself, or for a public or private nonprofit organization when the position is obtained through an arrangement between the institution and such an organization, and (a) the work is related to the student's educational objective, or (b) such work (i) will be in the public interest and is work which otherwise would not be provided, (ii) will not result in the displacement of employed workers or impair existing contracts for services, and (iii) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as the type of work performed, geographical region, and proficiency of the employee.

Students cannot work more than 15 hours a week while classes are in session.

Students must come from low-income families and be in need of the earnings to continue their education. Students must be capable of maintaining a good average in their studies.

The Federal share of compensation will not exceed 90 percent; $412,500,000 has been appropriated for the fiscal year ending June 30, 1965, and for 1966–67 such sums as may be appropriated by the Congress.

The Civil Rights Act of 1964

There are two provisions of significance to education in this legislation. Title IV of the act provides assistance to school districts involved in desegregating school facilities. Title IV grants are available to local school districts for the purpose of providing school staff personnel with training in how to deal with the problems incident to desegregation. These inservice programs also cover employment of specialists in dealing with such problems.

Title VI withholds Federal-aid payments in any form from any organization which practices discrimination.

AN INFORMED CITIZEN SPEAKS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, an article recently appearing in Life magazine, entitled "An Ancient Hatred Builds Toward War," failed to reflect accurately the nature and causes of the Arab-Israeli antipathy. I believe a cogent refutation has been advanced by a business executive of high repute, Mr. Ben Michtom, chairman of the board of Ideal Toy Co., which is located in the congressional district I am honored to represent. I believe his analysis of this article would serve to edify my colleagues in Congress, and therefore I am pleased to bring it to their attention today:

Fair-minded readers of June 18, 1965, Life magazine must have been shocked by George de Carvalho's bias in his article: An Ancient Hatred Builds Toward War.

Still more shocking is Life's lead statement that the author is one of the few journalists who has covered the growing Arab-Israeli conflict from both sides. A resident of Beirut since 1962, he has acquired unique understanding of the Arab leadership.

In this objective article, Mr. de Carvalho quotes Arab leaders 17 times for a total of 98 lines of print—he quotes Israeli leaders seven times for a total of 17 lines. The Arabs quoted received almost six times the space the Israelis received. The resulting distortions are serious, becasue of Life's great influence with its millions of readers who were not given all the facts.

Mr. de Carvalho points out that Israel is already tapping its water supply to the limit. One questions why the Arabs did not use this water to make the desert bloom for 2,000 years.

Time and again, Mr. de Carvalho points out that the Arabs are readying to invade and destroy Israel, but he stresses that the Arabs are afraid of Israeli attacks. Can Mr. de Carvalho quote a responsible Israeli Government official who has threatened to attack the Arabs as the Arab Government heads threaten Israel? Who should be afraid of whom? And should not the Israelis arm to defend themselves against heavy odds?

Among his peaceloving Arabs, Mr. de Carvalho quotes Ahmed Shukairy, whom he affectionately describes as a chubby Palestinian lawyer. Why not mention that this Ahmed Shukairy was the noisiest Arab agitator and spokesman at the U.N. for years—a sword-rattler so virulent that Egypt had to recall him because he created U.N. hostility toward the Arabs?

The logic in Mr. de Carvalho's article would give all of Arabia to the Arabs to continue it as a desert, for the same reason that we should give all of Europe to Hungary because the Huns had overrun Europe 1,200 years ago. The truth is the present Arab countries were not countries at all. All of Arabia was a desert under the Ottoman rule—and the Jews who occupied that tiny part of it which is now Israel and Jordan were in their area just as long as the Arabs were in their areas.

Mr. de Carvalho failed to make clear that the Jews did not grab the land, but before the Arab invasion, the Jews actually bought from the Arabs at high prices every acre they occupied.

He omits mentioning that the Arabs at first approved the Balfour Declaration, in order to get the Jews to help them throw off the Turkish yoke, but Hitler and his inflammatory agent, the Grand Mufti, stirred the Arabs up to repudiate their approval.

Mr. de Carvalho states that the Arabs were driven out of Israel by the Jews, whereas in fact the Jews urged the Arabs to stay and be protected—a quarter of a million did stay. These Israeli Arabs live better than does any Arab outside of Israel. Those Arabs who were intimidated and left, were intimidated not by Jews but by Arabs. They joined the invading Arabs for the purpose of seizing, without compensation, the lands they had sold to the Jews.

After the invading Arabs were defeated by the Jews—who stood to defend their lives and property—the Arab rulers (who had lured them to leave and attack Israel) refused to let the defeated Arabs be absorbed into the large Arabian countries (which in the past had supported whole civilizations). Instead they deliberately kept them in poverty on the frontiers of Israel, with no hope except what they could steal or pillage from across the border. One and a quarter million refugees have been kept in poverty for the propaganda ends of the Arab leaders, although the West and the United States have offered to finance their resettlement.

In the 1950's, Professor Loudermilk was subsidized by the United States to make a survey of the Jordan River Basin to plan a series of dams and irrigation projects for the benefit of Syria, Jordan, and Israel, allocating the water fairly among these three countries. Thus, the desert areas would become as fertile as Arizona under the Colorado River projects.

The United States, through its commissioner, Eric Johnston, offered to advance funds for this development which would not only enrich Jordan, Syria, and Israel, but would employ the refugees in the project. But the Arabs rejected this.

Meanwhile, Israel has planned no use of water in excess of her allocation under the Loudermilk plan, nor do her present plans envisage an increase.

Mr. de Carvalho says that the Jews have never made any conciliatory effort for peace—and he refers to the United Nation's lengthy resolution made in 1948 which, among many other clauses (favoring the Israelis, which Mr. de Carvalho has entirely omitted), contains one clause (which he does quote), namely: "the refugees wishing to return to their homes and live in peace with their neighbors should be permitted to do so at the earliest practicable date, and compensation should be paid for the property of those choosing not to return."

Note, please, the words "wishing to live in peace with their neighbors." None of the refugees want to return to Israel in order to live in peace with their neighbors. They want to return to Israel for the purpose of destroying the host country of Israel, and have said so.

They should be permitted to do so at the earliest practicable date, and compensation should be paid for the property of those choosing not to return. Would any right-minded person say that in the present mood of the refugees it would be practicable for two and a half million Israelis to take in any major part of 1,246,585 hostile refugees?

Mr. de Carvalho then states that Israel has rejected any resolution on refugee repatriation for 17 years. He does not mention that Israel (a) had agreed to accept 100,000 refugees as a starter; (b) had agreed on the principle of compensation for those who do not return; and (c) had offered to help subsidize their resettlement in Arab lands which need plenty of labor and skills to develop. This must be part of an overall peace package, which would guarantee both Israel and the Arabs security from attack.

The Jews want to negotiate peace—a just peace—anywhere, even in Cairo, and to exchange guarantees.

The article admits that the Arabs have consistently refused to negotiate. Are they any more reasonable than China and North Vietnam, who challenge America's motives for the restoration of southeast Asia, and who even refuse to talk to us about it?

How can the Arabs know what the Jews are willing to do for peace guarantees, unless they get together and discuss it? What can Arabs lose by sitting around a table?

Mr. De Carvalho quotes Nasser, sympathetically: "What's the use of negotiation? We know Israel's stand. Israel has always defied the U.N. and refuses to carry out its resolutions." But Mr. De Carvalho omits to state that the Arabs have consistently defied the U.N. many more times, and on many more clauses in the very resolutions they accuse Israel of ignoring.

The author states, as though it is reasonable, that the Arabs refuse to negotiate because they say they have nothing to gain—"Israel will neither shrink its narrow border nor repatriate the refugees." One must ask again: how do they know what the Jews will do until the Arabs talk to them? What have they to lose by discussion? And how do they know what guarantees each side is willing to offer to protect its promises, until they talk?

Consider Mr. de Carvalho's statement: "U.N. officials are scrupulously impartial." Then he quotes a U.N. observer as saying: "But when the Arabs do something wrong, it's usually stealing a sheep or picking fruit in Israel. When the Israelis act, it's usually to take over more land, or set up military positions." Which U.N. observer said that? The U.N. record is at complete variance with that inflammatory and false statement—except for the Arab observer who cannot be called scrupulously impartial.

Enough about the article. One could pick every line apart to show its shocking bias against a tried and true friend of the United States and of freedom. Instead, let me recapitulate the actual facts which you can verify in back numbers of Time magazine and the New York Times in the past 50 years.

Life's reputation for fairness demands equal space to present the truth and the Israeli case.

Now that every U.S. President since Truman first recognized Israel has declared that Israel is vital to the free world, and now that the Prime Ministers of Jordan and of other Arab lands have met violent death by Arab assassins, it is timely for Life to reveal just what the background of the Arab-Israeli relations is, and what should be our position toward it.

Here are the facts:

Before World War I, the Arabian peninsula belonged neither to the Arabs nor to the Jews, but was part of the Ottoman Empire under the Turks. As a matter of military strategy, the British sent Colonel Lawrence to Arabia to encourage the sheiks, the leaders of the nomad tribes, to revolt. He promised they could get the Jews of the world to help if they would set off just a very small portion of the historic desert land, which had been inhabited by Jews, as a national home for the Jewish people. In this way, the Jews would pour in their money, their people and their skills to help the sheiks achieve independence.

The sheiks accepted this gladly, and the Balfour Declaration was issued by the British Parliament on November 2, 1917. On June 30, 1922, a joint resolution, the Lodge-Fish resolution (Senator Lodge and Representative Hamilton Fish), was unanimously adopted by both the U.S. Senate and House of Representatives, favoring the establishment in Palestine of a national home for the Jewish people, thus endorsing the Balfour Declaration.

The French support of the national home concept. as stated by the Balfour Declaration, was officially expressed by the French participation in the Palestine Mandate by the Council of the League of Nations on July 24, 1922.

On the strength of the Balfour Declaration, and the hope it gave, the Jews helped the Arabs throw off the Turkish yoke, and Palestine was set aside. Incidentally, this then included Jordan.

After the Jews poured in their money, their people and their hopes, to make their area bloom by dredging harbors, building roads, orchards, farms and industries, along came Hitler. He influenced the Grand Mufti to agitate against the Jews and to stir up the Arabs to demand cancellation of the promises made to the Jews.

It must be remembered that, in accord with the proviso of the Balfour Declaration to protect the rights of Arabs, every acre of land the Jews occupied was paid for by high prices to the Arabs. When the Arabs demanded return of this land, there was never any mention of refunding the money or compensating the Jews for what they had bought in good faith.

As a result of the increasing attacks and agitations by the Grand Mufti and his followers, the Arabs were inflamed and made the lot of the mandated power, Great Britain, very difficult. To appease them, she cut off Jordan from the land promised to the Jews.

Instead of being appeased, the Arabs increased their attacks on the now truncated area of Palestine, and no Jew's life was safe. The Arabs would bomb trucks, murder peaceful farmers. It got so bad that during the Hitler terror, the only country in the world which forbade any Jews, even a small quota, to enter was, ironically, Palestine. When the Jews saw themselves hemmed in with no help from the outside, they defended themselves vigorously. Unable to maintain the peace, the British threw this into the lap of the United Nations.

The United Nations again cut the boundaries of Palestine, and gave Israel a very tight little area in a new partition plan. The Arabs even denounced this partition. Then, when Britain finally said she would withdraw and let the Jews and Arabs solve the problem themselves, the 40 million Arabs sent troops to invade Israel and destroy the several hundred thousand Jews.

To their shock, the Jews resisted. They invited the Arabs in their area to stay, and offered to protect their lives and property. Many Arabs did stay—200,000 of them. Those hostile to the Jews, or influenced by the Grand Mufti, fled, swearing to destroy the Jews.

While the world watched with amazement, the Jews fought vigorously, rolled back the invaders and kept on rolling them until the Arabs found themselves in flight. Finally, when it looked as though there would be total collapse of the Arab forces, the United Nations persuaded the Jews to accept a truce. The Arabs agreed that this truce would be the forerunner of a permanent peace to be negotiated at the earliest possible moment.

But as soon as the Arabs obtained this truce and recovered their breath, they repudiated their pledge, demanded that Israel be destroyed, and refused even to help their own refugees. To this day, they refuse to negotiate such a peace.

They permitted the lot of the refugees to deteriorate. The United Nations and the United States, on several occasions, offered to advance funds to set up a Jordan River Water Authority, which would employ most of the Arabs. The United Nations and the United States offered to finance developments in Iraq and other areas, which would employ all the rest of the Arabs and build up the economies of the Arabian peninsula (which once had supported millions in older and now extinct civilizations). The Arabs persistently refused all such offers. The Arabs have even refused to permit food and supplies freely to reach these refugees. They have placed devious obstacles in the way.

Israel has always favored economic assistance for underdeveloped Arab countries, but the Arab leaders themselves have shifted the emphasis to the acquisition of arms, frustrating aid for their oppressed people. Meantime, Israel offered even to take back 100,000 of these refugees which, of course, is equivalent to 5 percent of their own total population, and equivalent to the United States offering to take in 10 million fanatical Russian Communists.

Israel's role as a Western bastion in an area which is being increasingly penetrated by the Communists must receive fuller recognition as a matter of enlightened self-interest. Israel's program of aid and education to small and new nations of Asia and Africa, such as Burma, Ghana, French Congo is of priceless help to our free world. Israel is doing what great free powers cannot accomplish—she is winning these people to our ideals.

Now, 50 million Arabs—with 99½ percent of the land, 99 9/10 percent of the natural resources, 99 percent of the cash, many times the armament and the ability to pay for still more armament, and with 98 percent of the people—complain that they fear the 2 million industrious democratic Israelis. Why?

In accord with the Arab protective clause in the Balfour Declaration, and because Israel is a true democracy, in Israel rank-and-file Arabs enjoy more economic, civil, educational and political rights than in any Arab land. Israeli Arabs enjoy higher wages and living standards than those in any Arab land.

Many of the hostile Arabs, who fear the Israelis, keep and trade in slaves. They have killed and assassinated their own rivals and Arab foes for centuries. They feud among themselves. They have always been undemocratic and feudal in their government. They have been opportunistic and unreliable in their promises. They scorn infidels. Do they want to control the oil and the access of Europe to it because they realize that oil is the lifeline of western Europe?

Through free, democratic Israel, access to at least Iranian (not Arab) oil can now be provided by pipeline to the Mediterranean. This would protect Europe from Arab blackmail such as Nasser tried at Suez. No wonder such Arabs would destroy Israel.

To recognize legitimate national aspirations of all people, is American policy. This applies to the Middle East, for Arab countries as well as Israel and the other non-Arab States of the region. Our Government must, therefore, contain fanatic Arab expansionism—which foments aggression and subversion, serves as an instrument for Soviet domination of the Middle East, and menaces the independence of the Middle Eastern countries—Arab and non-Arab. Demagogs cannot be appeased—they must be constrained until their people wake up.

Efforts by our Government to provide economic assistance to the underdeveloped countries of the Middle East merit support. If applied through the United Nations, such assistance should be rendered to nations observing the United Nations Charter, which prohibits belligerency and economic boycott, as practiced by Arab States against Israel. We should favor continuation of economic aid programs for countries such as Israel, Turkey, and Iran which are identified with the United States in the struggle for democracy and against communism.

Israel's role as the major bulwark of strength for the West in that region is now appreciated throughout the free world. In accordance with the solidarity prevailing in the United States-Israel relations, every President and both parties have proclaimed publicly support for Israel's political independence and territorial integrity, and have made it clear that aggression against Israel would be treated as a threat to our own security. But this is not the whole sad picture. Let us think beyond what would happen if the Arabs had Israel and the Communists spread their influence throughout the Arab world. Once in African Egypt, how long is it taking for the Chinese- and Russian-dominated communism to stir up the Africans? The Congo? Once they have Africa, how long would it take to stir up unhappy people in South America? Remember, the narrowest part of the Atlantic Ocean is from Africa to Brazil.

In conclusion, for want of a nail, the shoe was lost. And for any prospective defection from its word to Israel, the whole world may be lost.

EXTENSION OF REMARKS IN THE BODY OF THE RECORD

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the body of the Record following the special order of the gentleman from California [Mr. Roosevelt].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PANAMA CANAL ZONE: REPREHENSIBLE JOURNALISM—SEQUEL

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FLOOD. Mr. Speaker, as a student of Panama Canal history and interoceanic canal problems, I long ago learned how our great tropical waterway and U.S. citizens burdened with responsibility for its construction, maintenance, operation, sanitation, protection and defense, have suffered at the hands of fly-by-night, indeed, flighty, North American journalists.

One of the earliest such incidents following U.S. occupation of the Canal Zone resulted from a December 1–2, 1905, visit to the Isthmus by Poultney Bigelow, whose total time there was 28 hours and 10 minutes. His story, published in the January 4, 1906, issue of the Independent, a highly respected magazine, was so inaccurate that he was invited to appear before a congressional committee to present facts. He did appear but was altogether unable to give facts to justify the article he had written.

Since that time the Isthmus has been plagued with a long rash of Poultney Bigelows whose pattern of performance is repeated with little variation. They arrive by ship or airplane, cross the Isthmus by train or automobile, gather a few fleeting impressions through the windows, spend an evening at some hotel talking with gossips, seize on half-truths or misinformation, and, as quickly as they can do so, sail or fly away to write superficial, inaccurate and, at times, malicious articles.

A recent example of such reprehensible journalism was a newsstory by the syndicated columnist, Charles Bartlett, published in his column in the June 24, 1965, issue of the Washington Evening Star and other papers of the Nation. In this, he outrageously attacked U.S. citizens in the Canal Zone, spread much misinformation, and quoted me out of context as regards my stand for maintaining our undiluted and indispensable sovereignty over the Panama Canal enterprise. In a statement to the House on July 26, 1965, which quoted the full text of his June 24 article, I undertook to expose some of his major distortions, errors, and fallacies.

It was, therefore, with much interest that I subsequently received a copy of a very fine, factual letter to Charles Bartlett by Frank A. Baldwin, Panama Canal Information Officer in the Office of the President of the Panama Canal Company at Balboa Heights, C.Z., which exposes additional inaccuracies in the Bartlett June 24 story.

Because this letter admirably supplements the analysis and exposure in my July 26 statement, I quote it as part of my remarks, inviting attention to the fact that much of the friction between the United States and Panama has been induced by just such yellow journalism as that which characterized the indicated Bartlett column.

Panama Canal Company,
Balboa Heights, C.Z., July 7, 1965.

Mr. Charles Bartlett,
Care of Publishers Newspaper Syndicate,
Chicago, Ill.

Dear Mr. Bartlett: Readers who questioned the accuracy of some of your facts in two articles relating to the Republic of Panama and the Canal Zone have prompted us to furnish to you accurate information on several points.

As a journalist, you are unquestionably aware that errors in facts, particularly when presenting a controversial matter, can lead readers to form conclusions that are unfair. A second unfortunate result, of course, is that the readers we seek to inform become misinformed.

We have the highest respect for the right of opinion and do not presume to make any comments in that direction. But, again, a writer who bases an opinion upon incorrect information may come to distorted conclusions.

In reference to your article concerning the Canal Zone and the Republic of Panama which appeared in the Denver Post and other newspapers, the following points are pertinent:

1. Peace Corps Volunteers: It is true that the Peace Corps has instructions to minimize their contacts with the Canal Zone and its residents. This is due to the fact that they have a mission in the Republic of Panama and are encouraged to be within the Republic and with Panamanians as much as possible. However, Canal Zone residents and the Canal Zone administration have worked together with the Peace Corps in joint projects such as tourist trade in the interior of the Republic, initiated by the Peace Corps. Much organization and support was furnished by the Canal Zone on other projects which include a program to send teams of Panama and Canal Zone doctors and dentists to out-of-the-way areas in the Republic of Panama.

2. Canal Zone residents: Canal Zone residents do make friends with Panamanians. Hundreds are married to Panamanians, and in practically all cases, their children are bilingual. Canal Zone residents participated in Panama's national carnival and annual fairs. Many who own homes at beach and mountain sites travel to the interior of the Republic on weekends. Thousands of Panamanians are invited to visit the Panama Canal and Canal Zone installations. Canal Zone residents participate in numerous charitable projects to raise funds for such activities. There is much more that could be added.

3. The International Commission of Jurists did, in fact, state as you say "having regard to the special situation. * * *" But you began the sentence with a capital H on the word having." The Commission report did not do this, but reported, and I quote here in full "We cannot help feeling that the United States having regard to the special situation it occupies in the world, and with its resources and ideals * * * should reflect upon these sad facts and take effective steps to make possible a reorientation, etc."

And the very next item in that report, in the same paragraph, reveals the other side of the coin by saying, "The Government of Panama and the life and economy of Panama is so closely tied to the Panama Canal that is would not be out of place to suggest that the Panamanian Government and Panamanian people should also reflect upon the facts as they appear to impartial observers and should exercise tolerance, moderation, and understanding in their relations with the United States and Canal Zone authorities." That sentence, of course, did not appear in your column.

4. You state "The obduracy of the old outlook among these 32,000 Americans * * *." An accurate census, about which there is no question, places a total civilian population of the Canal Zone at 27,300 in 1964. Many of these are Panamanians. The U.S. citizen population you refer to is 16,000, by the same census. This information is contained in several public records, among them the International Commission of Jurists Report, page 12. Since you quoted from this report, I assume you have a copy.

5. You quote the Governor of the Canal Zone, Robert J. Fleming, Jr., as saying, "There are no beaches in Panama, you know." It is correct that this was his statement. It is also correct that, as you say, there are three beaches close to downtown Panama. It is not correct that they are rigidly preempted by Americans. It is not correct that one is "even reserved for officers." It is not correct that "A Panamanian has to drive for an hour to enjoy the nearest beach that is open to him in his own country." Farfan Beach is in the Canal Zone. It is used by thousands of Panamanians each week. Americans use it too. There are no restrictions by nationality or any other standard and the beach is freely and harmoniously used by all. The second beach is Venado Beach, also in the Canal Zone. It too is used by Panamanians and Americans, without restriction of any kind. A third beach is Amador Beach at the Amador Officers Club facility, which is a private club. There are more than 100 Panamanian members of this club who use this beach, not counting many others who are guests of club members. The restrictions at Amador are the same as those at any officers' club in the U.S. Army anywhere in the world: members and their guests only. But as I have pointed out, many Panamanian nationals have membership in this club. Governor Fleming meant only that there are no beaches in the Republic convenient to Panama residents. That is correct, since there are three in the zone that are a few minutes from Panama City.

6. You quote Governor Fleming as justifying an operating deficit for the Tivoli by saying, "It is essential to have a guest facility." The testimony before Congress shows that Governor Fleming did not say this, that the statement was made by Philip L. Steers, Comptroller of the Panama Canal Company. And he referred to an anticipated deficit, not a current one. Mr. Steers also stated that in the present fiscal year, 1966, this facility would be very close to breaking even.

7. You wrote that "Fleming requested $30,000 to build a glass-enclosed announcer's booth at the high school football field. This structure will be located almost within sight of thousands of Panamanians who live in the most wretched cardboard housing in the hemisphere." The fact is that Governor Fleming did not testify on this point. It was in the budget request. And the $30,000 was principally for a 10-by-22 foot concrete storage building. Sitting atop this, as a small addition, will be the frame-and-glass booth.

8. The Governor's residence is on Ancon Hill, not Balboa Hill. And if you visit the Canal Zone, you will learn it does not overlook the city, as you also stated.

9. Incidentally, "Panama Canal Zone" used by you is a unique dateline. The wire services and New York Times and other large newspapers having correspondents who cover this area use either "Canal Zone" or "Balboa, Canal Zone" to designate news from this area and "Panama City" to designate stories filed from the Republic of Panama.

10. You state that the commissaries "will presumably be closed by the new treaty. But even this step will have to be taken slowly because it will cost the jobs of 6,000 Panamanians." This is incorrect. Presuming that the commissaries were closed immediately, the maximum number of Panamanians to be affected would be 1,800. That is the total number employed in all commissary operations here, not 6,000.

11. In another article appearing in the Chicago Sun-Times and other newspapers of June 21, 1965, you state "The United States can contemplate this generosity because its total investment in the old canal, some $1.8 billion, is only $200 million short of being repaid from revenues." This is incorrect. The latest official report shows unrecovered investment at nearly a billion dollars * * * to be exact: $957,075,685, excluding the investment of the United States in Armed Forces facilities in the Canal Zone. This is also a public record.

Let me assure you that our office stands ready to furnish factual information, fully and at any time. We regularly answer inquiries from hundreds of sources. And should you be in this area again, I cordially invite you to visit us. We will be happy to talk with you and answer any and all questions you might have.

Sincerely yours,

Frank A. Baldwin,
Panama Canal Information Officer.

THE POPULATION PROBLEM

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Todd] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. TODD. Mr. Speaker, I think it appropriate that it be called to the attention of the Members of this body that once again President Johnson has spoken forthrightly on the population problem. The President's most recent remarks were made on Monday, August 30, 1965 in a letter written to Secretary General U Thant at the Second United Nations World Population Conference, which opens today in Belgrade, Yugoslavia.

Over the past years we have seen a great reluctance on the part of many people to discuss the overwhelming problem of the world population explosion. That there is today a growing concern and a growing public dialog on the matter is in large part the responsibility of President Johnson. His past statements, as well as his extremely important letter to U Thant, illustrate responsible and creative leadership of the highest order. It is through his efforts and his program that we now have hope that this enormous problem may be solved in a humane and intelligent manner.

Mr. Speaker, I believe that the President's letter today is of enormous interest to my colleagues, and I believe it appropriate that it be read into the body of the Record in full:

My Dear Mr. Secretary General: The U.S. Government recognizes the singular importance of the meeting of the second United Nations World Population Conference and pledges its full support to your great undertaking.

As I said to the United Nations in San Francisco, we must now begin to face forthrightly the multiplying problems of our multiplying population. Our Government assures your Conference of our wholehearted support to the United Nations and its agencies in their efforts to achieve a better world through bringing into balance the world's resources and the world's population.

In extending my best wishes for the success of your Conference, it is my fervent hope that your great assemblage of population experts will contribute significantly to the knowledge necessary, to solve this transcendent problem. Second only to the search for peace, it is humanity's greatest challenge. This week, the meeting in Belgrade carries with it the hopes of mankind.

Sincerely,

Lyndon B. Johnson.

HOME RULE BILLS FOR THE DISTRICT OF COLUMBIA

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Dowdy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. DOWDY. Mr. Speaker, the District of Columbia Federation of Women's Clubs, through its president, Miss Mary J. Bean, appeared before the House District Committee holding hearings on the home rule bills for the District of Columbia.

This fine group of clubs, composed of dedicated, patriotic ladies, has given many years of service to the city of Washington and its residents.

Miss Bean's statement is well considered, and deserves the attention of all the Members of the House.

I respectfully include her testimony in my remarks:

Statement of Miss Mary J. Bean, President of the District of Columbia Federation of Women's Clubs, Presenting General Federation of Women's Clubs' Resolution Against Home Rule for the District of Columbia

Mr. Chairman and members of the committee, I thank you for giving me this opportunity to appear before your committee.

My name is Mary J. Bean and I am president of the District of Columbia Federation of Women's Clubs, an affiliate of the General Federation of Women's Clubs. As Mrs. Hasebroock pointed out the first day of these hearings, it is the largest women's organization in the world with an international membership of 11 million of which 9 million are in the United States.

At our general federation convention held in New Orleans, La., June 7–12, 1965, a resolution was passed favoring our present form of government in the District of Columbia. It reads as follows:

"Whereas Washington, the Capital City of the Nation, was created as a Federal city which the Founding Fathers set apart as a seat of government free from local political interferences; and

"Whereas there is legislation pending before the Congress of the United States which if enacted would give to the District of Columbia a municipal form of government commonly called home rule with elected officials and a council; and

"Whereas Washington, D.C., enjoys a stable form of government which has been in effect since 1878; and

"Whereas Washington, D.C., exists primarily for the business of the Federal Government; and

"Whereas the Federal Government and tax free foreign governments and organizations own 54.2 percent of the land in the District for which no real estate and other taxes are assessed and collected; therefore

"*Resolved,* That the General Federation of Women's Clubs requests the Congress to continue its executive jurisdiction over the municipal affairs of the District, retaining its present form of local government which has proven adequate for 87 years; and

"*Further Resolved*, That a copy of this resolution be sent to proper officials of Congress, and that the General Federation of Women's Clubs urges its member clubs to write their Senators and Representatives in Congress advocating retention of the present form of government."

This resolution was passed by the General Federation of Women's Clubs because the members are cognizant of the fact that the District of Columbia was set up by our forefathers as a Federal city and that the Federal Government owns approximately 43 percent, the District of Columbia 4 percent, and foreign governments and other organizations 7 percent—or a total of slightly more than 54 percent of the area of the city. This means that Washington is a city belonging to all the Federal taxpayers of the United States and not just for those who live in the District of Columbia. While I have been waiting, I have heard testimony to the effect that some citizens living geographically remote are not particularly concerned with the problems of the District of Columbia and how it is governed but I assure you this is not true of the members of the General Federation of Women's Clubs. They are vitally interested in the governing of the Capital City of the United States.

The District of Columbia belongs to the whole Nation. It is a city which was established for the convenience of the Federal Government. Those people who live here, do so from choice, or for their employment and many leaving their positions with the Government elect to stay here. When anyone comes to Washington to live, they know our form of government and if they do not like it, they should not have come. Most people who work for the Federal Government retain their legal residence in the State from which they were appointed and we doubt very much that they would change this if we had home rule.

The framers of the Constitution left no shadow of a doubt about their intentions when they wrote article I, section 8, clauses 17 and 18 of that historic document, in which they stated "To exercise exclusive legislation, in all cases whatsoever over such district (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of Government of the United States, and to exercise like authority over places purchased by the consent of the legislature of the State in which same shall be, for the erections of forts, magazines, arsenals, dockyards, and any other needful buildings; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States."

Note the words "exclusive," "all cases," and "whatsoever." It is clear—their meaning direct. James Madison in clarifying this clause wrote "it was done to provide a small territory where Congress and the national administration could have original and complete jurisdiction at all time, without local interference from political factions and vested interests, a sanctuary, as it were, a neutral spot where all citizens of the United States could meet to discuss problems, whether political, economic, or social."

And to further quote from "A History of the National Capital" by W. B. Bryan, "But the emphasis was placed by the advocates of this clause on the vital need of having a Federal city in a territory where the general government would be sovereign and the few objections raised to the creation of such a district were apparently looked upon as highly theoretical."

We did have the vote here at one time. Prior to 1871, with the negative consent of the Congress, the various municipal units in the District of Columbia had their own local government. In 1871, Congress granted a territorial form of government with one elective but voteless delegate in the House of Representatives and an elective lower house of the District territorial legislature comprising 15 whites and 7 Negroes. The upper house and the Governor of the territory were appointed by the President. This government lasted about 3 years. It was very incompetent and during the period amassed a debt of $25 million and this debt was not fully discharged until 1922, a period of 44 years.

Congress, in abolishing local government in 1874 and all suffrage in the District of Columbia, gave as its almost unanimous opinion, based on 74 years of experience, that any kind of suffrage at the seat of government greatly interfered with the orderly functioning of the National Government in Washington, and that suffrage operated much to the disadvantage of the local residents thereof. Most of the longtime inhabitants of the District of Columbia shudder at the thoughts of a return of the vote in the District. Obviously, the local politicians are violently opposed to our present form of government.

We would like to quote that venerable Justice, ex-President William Howard Taft, later Chief Justice Taft, who said in a speech at a dinner given in his honor by the citizens of the city of Washington, May 8, 1909. "This is the home of the government of a nation and when men who were just as much imbued with the principles of civil liberty as any who have come after, Washington at the head, put into the Constitution the provision with reference to the government of the District of Columbia, they knew what they were doing and spoke for a coming possible 80 millions of people who should insist that the home of the Government of that 80 millions of people should be governed by the representatives of that 80 millions of people; and that if there were of that 80 millions of people men who desired to come and share in the grandeur of that capital and live in a city of magnificent beauty as this city is, and enjoy all the privileges, then they come with their eyes open as to the character of the government that they were to have, and they must know that they must depend not upon the principles ordinarily governing in popular government, but that they must trust, in order to secure their liberty—to get their guarantees—they must trust to the representatives of 80 millions of people selected under the Constitution."

Let me digress just a bit to say that this applies today just as it was spoken by the late President William Howard Taft, later Chief Justice. He further stated, we are all imperfect. We cannot expect perfect government, but what we ought to do is pursue practical methods, and not make it seem as if the people of Washington were suffering some great and tremendous load of sorrow, when as a matter of fact they are the envy of the citizens of other cities.

"Washington intended that this to be a Federal city, and it is a Federal city, and it tingles down to the feet of every man, whether he comes from Washington State, or Los Angeles, or Texas, when he comes and walks these city streets and starts to feel that 'this city is my city; I own a part of the Capital and I envy for the time being those who are able to spend their time here.' " I quite admit that there are defects in the system of government by which Congress is bound to look after the government of the District of Columbia. It could not be otherwise under such a system, but I submit to the judgment of history that the results vindicate the foresight of the Fathers.

He continued by saying, "Now, I am opposed to the franchise in the District; I am opposed and not because I yield to anyone in my support and belief in the principles of self-government"; but principles are applicable generally, and then, unless you make exceptions to the application of these principles, you will find that they will carry you to very illogical and absurd results. This was taken out of the application of the principle of self-government in the very Constitution that was intended to put it in force in every other part of the country, and it was done because it was intended to have the Representatives of all the people in the country control this one city, and to prevent its being controlled by the parochial spirit that would necessarily govern men who did not look beyond the city to the grandeur of the Nation, and this as the representative of that Nation.

He further stated, "I have gotten over being frightened by being told that I am forgetting the principles of the Fathers. The principles of the Fathers are maintained by those who maintain them with reason, and according to the fitness of the thing, and not by those who are constantly shaking them before the mass of voters for the purpose of misleading them.

"I think that when it comes to looking into the hearts of the American people, that they will not be convinced when they come to Washington that the Washingtonians are suffering to the degree that requires a reversement of the policy adopted, with entire clearness of mind, by the framers of the Constitution, also had L'Enfant draw the plans of Washington * * * that was adapted to a city of significant distances, and to a city of millions of inhabitants; and therefore the clause was adopted, knowing that just such a city we would have here, and just such a city would have to get along, relying upon the training in self-government of the Representatives of 80 million of people to do justice by it."

Again, members of this committee, I would like to emphasize that this statement is as true and applicable today as it was at the time it was made in 1909.

When Chief Justice Taft was asked to autograph a copy of the foregoing speech and I quote "Smilingly he promised to do so, with the added remark that I still feel the same way about that speech."

And this remark was made 16 years later.

There are some things in life that change but the basic ones never do, no matter how much we try to change them.

It is our firm belief that for many people the reasoning back of the desire for home rule is just the ballot. We believe they have not gone deeply enough into all the problems involved. Some are only interested in "feathering their own nest" and are not particularly interested in what is best for the District of Columbia.

For example: how are we going to raise the money to pay for the operation of a home rule government with about 37 percent of the population paying income tax and approximately 46 percent of the real estate tax of the District of Columbia being taxable—54 percent being owned by the Federal Government or rather the citizens of the United States, the District of Columbia government, foreign governments, and other organizations. What makes the proponents think Congress will appropriate a higher percentage of funds? History does not show this.

What makes them think that home rule will bring about an honest form of government when throughout the United States this is not always true?

What makes them think it is the panacea for our problems in the areas of education, health, welfare, recreation, and all other social concerned fields? It hasn't been answered in other cities and States throughout the country. Yes, we have problems in the District, no one could possibly deny this—so does every other city in the United States. But with a population growing so fast we have to be patient and gradually try to solve these problems and I use the word "gradually" advisedly. If there is a criticism of our current Federal programs, it is that we are trying to do too much for too many people at one time. We have to try out a program, test it to see if it does the things we want it to do. This is the only way to have a well governed people and not chaos. We very much fear that if we have home rule, we will soon be bankrupt as it would seem we are inclined to let our emotions run away with our commonsense.

Instead of it being the worst governed city as stated in Changing Times, we have always believed the District to be one of the best governed cities—a city for all the citizens of the United States and not just for those who live here. It has been free from politics as such and free from graft.

We believe that the hand of our government should be strengthened rather than change our present form of government and have it fail as it did during the period prior to 1878.

Mr. Chairman, I have attended a number of the school board meetings, and if we elect our school board, I doubt very much that we will have a better school system than we have now. In fact, I question whether it will be as good.

We believe the superintendent of the District schools is a dedicated man; and that the members of the Board of Education should continue to be selected by the judges of the courts rather than be elected.

As president of the federation, I attended the board meeting, at which the sit-down episode occurred, and if that is a sample of what we will have when home rule elects the board, the schoolchildren in the District are not likely to receive as good an education as they have the opportunity to do now.

At this meeting, the spokesman for a so-called Committee of 100 stated that the appointed of the new assistant superintendent in charge of the elementary schools was not from the community of which the majority of the children were and therefore could not understand the problems of most of the children attending the District schools. He also said that future appointments should be on this basis. Now that puts appointments on the basis of color instead of qualifications. Is this within the purview of the Civil Rights Act?

The track system is not a race problem as Mrs. Rosalyn Switzer stated Sunday a week ago on the "Dimension Four" program. The District Federation of Women's Clubs had come to that conclusion and has endorsed the track system. The color of the skin of a child does not determine his ability to keep up with other children. This is determined by the background of the child, and the track system simply gives it a chance to learn at the level it can absorb.

No amount of money expended by local or Federal Governments for educational purposes is going to give young folks the incentive to learn which is so necessary to get an education. Incentive comes from within ourselves. It is instilled in us by our parents or teachers but mostly, it has to be born in us.

We need more vocational schools for those who are better able to work with their hands than with books.

We need to teach good citizenship, not civil disobedience which breaks down our respect for law. There are too many people out with a hatchet instead of putting their shoulder to the wheel, to build rather than to tear down.

A statement was made on the television to the effect that the clock is ticking, time is moving, and we should and must do something about the situation in Washington or we will have riots here. This statement is seeds of riots and seeds of depredation. Flammatory statements can cause riots as occurred in Philadelphia, Rochester, Cleveland, Chicago, and Los Angeles. May I remind you that all these cities have complete and free voting rights, as well as home rule and access to all places and have had for a long time?

In July 1919, the District of Columbia had a race riot, but at that time, we did not succumb to pressures and threats. Immediate action was taken then, soldiers patrolled the streets and in a short time law and order was restored. The way to put out a fire is not by adding fuel. For obvious reasons, under no circumstances should a riot be invited or allowed to get under way in the Nation's Capital. The Federal Government should be in control at all times.

Many people need to have the following attributes: "First of all to work, and then self-restraint; obedience to law; respect for authority; creative imagination; right conduct; * * * some capacity for leadership, some positive contribution to the community he lives in, some sense of common decency in the maintenance of neighborhoods."

They should have "respect for law, respect for property, respect for the rights of others—these have to come first. And these must be enforced by the courts and by the suddenly stiffened demands of a fed-up society."

What we need are good laws and good law observance and courts that will punish when punishment is due. We, in the District of Columbia Federation, are thankful for, and we respect the men who are willing to give their lives in police work, and we support them in every way we can—not undermine them.

We believe that when the members of this committee review all the facts, they will realize that the District of Columbia should remain the Federal City, as envisioned by our Founding Fathers, who had the wisdom and the vision, which somehow—we must hold onto.

FOREIGN AID DISCUSSION 3 P.M., WEDNESDAY, SEPTEMBER 1, SPEAKER'S DINING ROOM

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRASER. Mr. Speaker, on behalf of the bipartisan group that has been sponsoring the foreign aid discussions, I am very pleased to announce that the next meeting will be Wednesday, September 1, at 3 p.m. in the Speaker's Dining Room.

"Vietnam: Winning the Support of the Peasants" will be the subject of the discussion. Two top officials from AID with responsibility for Vietnam and the Far East will be present.

AID TO MEDICAL AND DENTAL SCHOOLS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRASER. Mr. Speaker, tomorrow we will consider extending the Health Professions Educational Assistance Act. The 1963 legislation has been successful and it is essential that we continue and expand its operation. Since its enactment, 2,279 new first year places have been created in medical, dental, public health, nursing, pharmacy, and optometry schools. This progress is encouraging.

However, we are still not providing new places fast enough. In 1962 there were approximately 149 physicians for every 100,000 Americans. At that time, the medical schools were graduating approximately 7,500 M.D.'s per year. In order to maintain that ratio in 1975 they would have to increase the size of their graduating classes to 11,000. But, in the 2 years since 1963, only 725 new medical places have been created. Because of the time necessary to complete a medical education, the rate at which new places are being created is too slow to provide 11,000 graduates in 1975. Facilities on which construction begins this year will not produce a general practitioner until 1973, or a specialist until 1975.

In 1963, there were 64.6 dentists for every 100,000 individuals. To maintain this ratio, dental schools will need to graduate more than 70,000 dentists between now and 1980. At the present rate of graduations, only slightly more than 55,000 dentists can be graduated, reducing the ratio of dentists to 50 per 100,000 persons.

Minnesota needs this legislation as do other States. The average age of dentists in the State is 58 years. Half of the Minnesota dentists will probably not be practicing in 10 years.

The University of Minnesota, which is in my district, needs this legislation in order to construct a new medical-dental outpatient clinic and a new dentistry building. This will cost some $20 million, much of which will have to come from the Federal Government. The new facilities will increase the number of graduates, provide better training in comprehensive medical care methods, and provide facilities in educating doctors in new methods.

Expanding the number of first year places available does not insure an adequate supply of qualified doctors. We must also encourage the best students to enter the health professions.

A high school graduate who desires to be a doctor must anticipate that his education will cost $20,000 to $30,000. This is certainly a deterrent to young people who are otherwise eager and promising. A disproportionate number of medical and dental students are drawn from families which are able to pay for professional education. In 1963, half of the medical students came from the 20 percent of families having incomes over $10,000.

The National Defense Education Act and the National Science Foundation Act provide fellowships for teaching and science students. A critical shortage was recognized in these areas and the Federal Government responded with scholarship assistance. Now that we have recognized the imminent shortage of health profession personnel, we must provide comparable scholarships.

Both loans and scholarships are provided by this bill in order to encourage the most qualified students to go on to professional schools. The practice of providing Federal funds for student loans is extended for 3 years. Grants are also made to schools of medicine, dentistry, osteopathy, and optometry for scholarships in amounts up to $2,500 per year.

Dr. Robert Howard, dean of the University of Minnesota Medical School and president of the American Association of Medical Colleges, testified before the Subcommittee on Public Health and Welfare. Mr. Speaker, I would like to call his excellent testimony to the attention of my colleagues by inserting it at this point.

STATEMENT OF DR. ROBERT HOWARD, DEAN, MEDICAL SCHOOL, UNIVERSITY OF MINNESOTA

I think it is clear that in the last several years there has been increasing awareness on the part of the American public of its concern over health matters and awareness of a relative shortage of physicians. These matters were spoken to with clarity by the President in his message to Congress on the 7th of January 1965, where he pointed out this concern and he pointed out the shortage of physicians which has been very real and has been of interest and concern to all of us responsible for medical education these past several years.

This shortage or this need for more manpower will be even more severe in the future, if we are to develop programs such as those that are envisioned in the DeBakey report. The medical complexes for dealing with the killer diseases will require even more physicians than are now needed, and I think that it is appropriate that real attention be given to this matter of strengthening the Nation's ability to provide opportunities for medical education.

In 1963 the health profession's educational assistance amendment was passed and has been in actual operation for the last year. This provided $175 million total for support of construction of schools of medicine, dentistry, public health, nursing, optometry, and pharmacy. This was $175 million over a 3-year period.

During the past year I have been privileged to serve as a consultant to the Public Health Service and have visited some 10 schools that had put in applications for support under this act. In two or three of these instances they were brandnew schools. In the remainder they represented schools that were increasing their capacity for medical education.

I could not help but be impressed by what this act had done in stimulating these schools either to develop as new schools or to increase their enrollments.

The total new physicians—the total new places in medical schools represented by just these 10 schools that I was privileged to visit was something in the neighborhood of 400, and this is just in 1 year's time.

So you can see that the impact of this act was a very real one, and in just 1 year's time, then, there had been a considerable move forward on the part of the Nation's schools for the development of more educational opportunity.

I would like to call your attention to the fact that medical schools have, to date, either put in specific applications or filed letters of intent totaling more than $400 million of requests in support of construction of facilities. It would require maximum funds in an amount of slightly more than that, I suppose in the neighborhood of $500 million, based on present kinds of programs. But this is a very substantial contribution on the part of schools and their States that support them or their private endowments, and replies again reflect this national interest in this problem.

So I am here, among other things, to urge that the construction feature of H.R. 3141 be passed; that it be increased in its amount to meet these growing needs. We do strongly support the provisions of this legislation and the administration's position with respect to this which asks for an extension over a 4- or 5-year period.

We do, however, recognize that Congress has at times indicated an interest in applying some sort of limitations on such programs, and we would urge that if it does that it appropriate no less than $160 million for each year of the period in which it hopefully will extend the act.

I would like to speak briefly to the portion of the act that relates to provision for student loans. We also urge the extension of the student loan program and that the amount which may be loaned to individual students in any given academic year be increased from $2,000 to $2,500 per year. This would conform with what is possible for other students under the National Defense Education Act.

This program, too, in a year's time has proved very helpful and very popular, and the funds that were made available during this last year were sufficient only to meet 57 percent of the requests made by students.

One of the things we are interested in is extending the possibility to go to medical school to students who come from families of relatively modest incomes and clearly this kind of act will help them do that.

Dr. Berson is going to speak to the other aspects of this bill and, in particular, I think he is going to say things about the provisions of the bill that would provide general support for medical schools, and this, too, I would want to go on record as saying is badly needed, and if medical schools with rapidly rising costs are to be able to meet the needs of the future, some form of support of this kind is clearly in order.

Thank you very much.

APPOINTMENT OF CONFEREES ON THE ANTIPOVERTY BILL

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, I was shocked to hear that the minority conferees for the antipoverty conference between the House and the other body were announced today.

Mr. Speaker, the list prepared by the chairman of the committee, the gentleman from New York [Mr. Powell], listed the members of the minority that would be members of the conference, when no members of the minority were even asked who they might want, let alone myself, the ranking minority member.

Mr. Speaker, I think this is an outrage. We all know that this antipoverty program is somewhat confused, but little did I realize that the chairman of that committee would take it in his own hands to submit a list to you, Mr. Speaker, which was announced here today as to who the members of the minority on the conference would be. In fact, the gentleman from New York [Mr. Goodell] was not even a member of the ad hoc subcommittee that heard all of the testimony.

Tomorrow, Mr. Speaker, I shall ask when the House convenes unanimous consent that the names be stricken from the list on the minority side and that the conference not be started until, Mr. Speaker, you have an opportunity to appoint a list that I have submitted to you.

The SPEAKER. The Chair suggests that the gentleman might confer with the chairman of the Committee on Education and Labor between now and tomorrow.

Mr. AYRES. Mr. Speaker, I could not agree with you more. For the last hour and a half I have tried to confer with the chairman of the committee. The only person I have been able to talk to is an assistant, a gentleman by the name of Mr. Stone. Mr. Stone could not tell me how the list was prepared. All he said was that the chairman programed the conference to meet tomorrow, and the conferees had been notified.

Mr. Speaker, I did my best to confer with the chairman; however, he has not seen fit to accept my phone call.

PROBLEMS OF NEGRO RELOCATION AS A RESULT OF URBAN RENEWAL

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the problems of relocation as a result of urban renewal projects have fallen particularly heavily on the Negro citizen and other minority groups whose opportunities for finding or affording decent, safe, and sanitary relocation housing have, in many areas, been greatly curtailed. Only last July 13 the Washington bureau director for the NAACP, Mr. Clarence Mitchell, in testimony before the Senate Subcommittee on Intergovernmental Relations, commented on the fact that even present relocation techniques appear insufficient for the job to be done adequately. Said Mr. Mitchell:

> There is a strong suspicion that a careful analysis of the housing now occupied by displaced persons would show that far too many have moved into areas with greater overcrowding and worse slum condition than the places that they left.

The careful analysis mentioned by Mr. Mitchell has been done in at least one area of the country. In July of 1963, the Connecticut Advisory Committee to the U.S. Commission on Civil Rights issued a report entitled "Family Relocation Under Urban Renewal in Connecticut—Problems and Proposals in a Typical Federal Government Program Involving

Relocation." The thoroughness of this study and its particular relevance to the needs and problems facing our nonwhite population have made it something of a classic in the field. A good number of the proposals that the minority on the House Special Subcommittee on Housing have made in the past 2 years have been based, at least in part, on the findings contained in this study, as well as its recommendations. The improvements in relocation, compensation procedures, code enforcement, and the new rehabilitation tools suggested by Republicans and passed with bipartisan support by Congress owe a great deal to the work of the Connecticut Advisory Committee.

Unfortunately, the number of copies of this report available for public distribution has dwindled, as could be expected. In order to provide an additional source for this invaluable study, I include it at this point in the RECORD:

FAMILY RELOCATION UNDER URBAN RENEWAL IN CONNECTICUT—PROBLEMS AND PROPOSALS IN A TYPICAL FEDERAL GOVERNMENT PROGRAM INVOLVING RELOCATION

(Report of the Connecticut Advisory Committee to the U.S. Commission on Civil Rights, July 1963)

MEMBERS OF THE CONNECTICUT ADVISORY COMMITTEE

Prof. Louis H. Pollak, chairman, New Haven.
Joseph J. Morrow, vice chairman, Stamford.
Mrs. Sarah G. Rosenthal, Secretary, Branford.

Subcommittee I (*on relocation*)

Prof. John D. Maguire, chairman, Middletown.
Frank J. Corbett, Bridgeport.
The Reverend Edwin R. Edmonds, New Haven.
Hon. Palmer S. McGee, Farmington.
Prof. Rex Charlton Neaverson, Hartford.
Hon. Robert Satter, Newington.

Subcommittee II (*on apprenticeship training*)

Prof. E. E. Schattschneider, chairman, Old Saybrook.
Hon. Peter Paul Mariani, Groton.
Joseph Morrow, Stamford.
Mrs. Sarah Rosenthal, Branford.

Consultants to Subcommittee I: Dr. Henry G. Stetler, research director, Connecticut Civil Rights Commission; Robert Feldman.

PREFACE

This report was submitted to the U.S. Commission on Civil Rights by the Connecticut Advisory Committee. The Connecticut committee is one of the 51 committees established in every State and the District of Columbia by the Commission pursuant to section 105(c) of the Civil Rights Act of 1957. Its membership consists of interested citizens of standing who serve without compensation. Among the functions and responsibilities of the State advisory committees, under their mandate from the Commission on Civil Rights, are the following: (1) To advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; (2) to advise the Commission as to the effect of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution; and (3) to advise the Commission upon matters of mutual concern in the preparation of its final report. The Commission, in turn, has been charged by the Congress to investigate allegations, made in writing and under oath, that citizens are being deprived of the right to vote by reason of color, race, religion, or national origin; to study and collect information regarding legal developments constituting a denial of equal protection of the laws; to appraise Federal laws and policies with respect to equal protection; and to report to the President and to the Congress its activities, findings, and recommendations.

INTRODUCTION

Cities in Connecticut were among the very first to obtain major Federal assistance through the Housing and Home Finance Agency's Urban Renewal Administration when it was formally established in 1949. New Haven and Hartford were rapidly followed by smaller towns like Ansonia and Middletown, so that by July 1962, there were 29 Connecticut municipalities engaged in 63 urban renewal projects, requiring the relocation of 12,949 families. By the summer of 1962, 3,125 of these families had been relocated.[1] By October, principally because of the launching of a comprehensive general neighborhood redevelopment plan in New Haven, the number of families to be displaced had dramatically risen to 20,760. In this period, only 200 additional families were relocated.[2] Overall, enough families had been relocated to obtain a representative sample of their praise or complaints regarding the process. (Indeed, throughout the extensive interviewing described below, only seven families refused to be interviewed.) A growing number awaited relocation, enough to make a critique of the process urgent.

The relocation of individuals and families occurs, of course, not only in connection with urban renewal projects, but also in connection with clearance for public housing, stricter municipal code enforcement, turnpike and highway construction, or the construction of schools, parks, or other community facilities intended to improve a city. However, urban renewal projects have already involved every major Federal housing program and agency and therefore are representative of Federal Government involvement in efforts toward local community improvement. The character and quality of relocation in conjunction with urban renewal projects may therefore be relevant to relocation in connection with these other Federal-local programs. Hence it was relocation accompanying urban renewal projects within our State which subcommittee I of the Connecticut Advisory Committee studied.

A number of recommendations to the U.S. Commission, to be forwarded by them to the appropriate Federal agencies, have emerged from our study. For convenience sake, all of them are contained in chapter V. In some instances, we suggest changes in the administering of existing policy by the Urban Renewal Administration, either at the local or regional level, to assure nondiscrimination in the relocation of all families. In other instances, we propose basic changes in the policy itself. Wherever there are relevant statutes, directives, or Executive orders bearing on a recommendation, these are also cited, and the texts of these key regulations are found in appendix C. The reader may wish to refer to the recommendations at the outset of his study of the report.

Each member of the committee shared the conviction of the 1959 "Report of U.S. Commission on Civil Rights that":[3]

"The most difficult and important test of urban renewal programs is in the relocation of displaced families. This is particularly true with respect to nonwhite families whose mobility is limited not only by virtue of their economic status but also by racial restrictions."

Our unsystematic, impressionistic observations suggested that racially segregated neighborhoods (which bred and reinforced conditions requiring urban renewal) were, in too many instances, being reproduced by relocation in other areas of the city. If relocation were providing the occasion for the recurrence of segregated housing patterns, we wanted to know why, especially since one-fourth of the families involved by October (5,569 of them) were nonwhite.[4] (In a number of States, the percentage of nonwhite families involved is considerably higher.)

We sought to learn from the families who had been relocated the types of assistance received from the relocation offices; the extent of their self-relocation; their satisfaction with the new location and their plans to move or stay; whether they owned their new place or were renting; the racial composition of their neighborhoods before and after relocation; and their satisfaction with the racial composition of their new neighborhood.

The subcommittee used two major instruments for probing these questions: extended interviewing and a weekend conference. (See Acknowledgments.) Two schedules were designed to be administered by interviewers in those five cities within the State having projects involving both the largest total number of families to be displaced and the largest number of nonwhite families to be relocated. (See schedules II and III, appendix B.) These cities are New Haven (12,540 families to be relocated, 3,325 of them nonwhite), Hartford (1,212 families to be relocated, 492 of them nonwhite), Bridgeport (1,148 families to be relocated, 447 of them nonwhite), New Britain (1,205 families to be relocated, 231 of them nonwhite), and Norwalk (403 families to be relocated, 123 of them nonwhite). Projects in these five cities thus involved about three-fourths of all the families in the State to be relocated, about four-fifths of all the nonwhite families involved, and about nine-tenths of all nonwhite families that had already been relocated at the time we launched our inquiry.[5]

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[1] Housing and Home Finance Agency, Region I, quarterly report, June 30, 1962.

[2] Id. Oct. 30, 1962.

[3] P. 482.

[4] Housing and Home Finance Agency, region I, quarterly report, Oct. 30, 1962.

[5] A city-by-city comparison of the number of families to be displaced with the families already relocated by October 1962 follows:

Families to be displaced and families relocated in 14 Connecticut cities (September 1962)

	Families to be displaced				Families relocated			
	Total	White	Nonwhite		Total	White	Nonwhite	
			Number	Percent			Number	Percent
Hartford	1,212	720	492	41	533	335	198	37
New Haven	12,540	9,215	3,325	27	1,853	1,084	769	42
Bridgeport	1,148	701	447	39	116	57	59	51
New Britain	1,205	974	231	19	219	157	62	28
Norwalk	403	280	123	31	77	52	25	32
Subtotal	16,508	11,890	4,618	28	2,798	1,685	1,113	40
Stamford	1,057	679	378	36	55	19	36	65
Waterbury	200	155	45	23	114	87	27	24
New London	514	410	104	20	-----	-----	-----	-----
Danbury	887	794	93	10	55	19	36	65
Ansonia	658	484	174	26	117	79	38	32
Middletown	122	87	35	29	122	87	35	29
Meriden	375	305	70	19	16	9	7	44
Norwich	67	48	19	28	4	4	-----	-----
Bristol	372	339	33	9	45	38	7	16
Subtotal	4,252	3,301	951	22	528	342	186	35
Grand total	20,760	15,191	5,569	27	3,326	2,027	1,299	39

Chapter II, relying heavily on an extended study in the West End of Boston,[6] and other studies outside the State, tells much about the emotions of families facing relocation.

An extended interview schedule for relocation officers was administered to 14 such officials through Connecticut. (See schedule I, appendix B.) These 14 cities in which relocation is occurring include approximately three-fourths of the total nonwhite population of Connecticut. Our findings from these interviews, which often differ from the reports of the relocated families which were interviewed, are provided in chapter III.

A representative sample of relocated white and nonwhite families in these five cities was interviewed. Of the 720 already relocated white, Negro, and Puerto Rican families from the five cities in our original sample, 351 were finally interviewed; 142 were Negro, 179 white, and 30 Puerto Rican.[7] (This 49 percent success was quite remarkable in light of the fact that we could not interview 186 families because they were not living at the addresses provided us by the relocation offices; furthermore, our interviews were conducted during January and February 1963, the worst winter in New England in this century.)[8] The stories of these families interviewed are told in figures and comments in chapter IV.[9]

1. BACKGROUND: THE CONNECTICUT SITUATION IN NATIONAL PERSPECTIVE

The word "relocation" first came into technical use in the mid-1930's when the Public Works Administration started clearing slums to build public housing. Then it meant simply displacement forcing people to move so that old buildings could come down to make way for the new.

In the 1930's and 1940's, it had only one purpose: to get people off the site so that construction could begin. There was no requirement to find housing for displaced people, nor to pay moving expenses, although many local authorities waived rent to defray moving expenses and helped the families in many kind and humane ways.

Growing public conscience brought changes. In 1949, the Federal Housing Act set a new goal: Localities must try to relocate families in standard housing and local renewal agencies could pay moving expenses. These changes were regarded as adequate safeguards against hardship; relocation in standard housing with reimbursement for out-of-pocket moving expenses was regarded as an adequate goal.

These changes, however, seemed inadequate to the concerned observers of relocation and certainly unsatisfactory to the people being relocated. Pressures led to the Housing Act of 1954, which converted the notion of urban renewal from mere slum clearance to total community improvement. It required communities seeking Federal assistance to build into their plans strict housing codes and zoning enforcement, a comprehensive community workable program, communitywide citizen participation, a neighborhood-by-neighborhood analysis of blight, and—most important—the provisions of decent, safe, and sanitary housing for displaced families.[1]

As the 1961 U.S. Commission on Civil Rights Report and numerous other sources testify, the great difficulty for the Urban Renewal Administration nationally, and for its local relocation officials especially, has been in making this workable program work. Cities across the country often had weak housing codes laxly enforced. Their preparatory plans for a community program were often altogether inadequate. Often census data and other printed records were used instead of on-the-spot inspections to "analyze" the neighborhood needs and to determine housing supply. The projects themselves were mostly of the clearance, rather than rehabilitation type, and were hastily planned and pushed through. Citizens' planning and action committees frequently functioned only spasmodically and ineffectively. But the major problems for renewal authorities and their officials seemed to root in the relocation process itself, and to involve racial problems, low incomes, families with many children, and what have become to be called multiproblem families.

Our study confirms in part these relocation problems. The study shows that while only 17 percent of the white families interviewed required "placement" by the LPA (local public agency under whose auspices relocation takes place), 36 percent of the Negro families and 33 percent of the Puerto Ricans required this assistance.[2]

Families with no gainfully employed worker required considerably more relocation assistance than those with one or more wage earn-

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[6] Fried, "Grieving for a Lost Home," "The Environment of the Metropolis," ed. Leonard J. Duhl (1963) (a report of the West End research project of the Boston Center for Community Studies).

[7] A word about nomenclature. Sometimes analysis uses only white and nonwhite racial categories. The Puerto Ricans are distributed in an unknown proportion between the two categories, although the nonwhite category is predominantly Negro in Connecticut. In this particular analysis dealing with data secured from field interviewing of relocated families, white refers to white respondents but excluding white Puerto Ricans; Negro refers to Negro respondents but excluding Negro Puerto Ricans; Puerto Ricans includes all respondents of Puerto Rican origin regardless of color.

[8] A town-by-town breakdown of the completed and uncompleted interviews of relocated families follows:

Sample of relocated families selected for interviewing, January 1963

	Total	Interviews completed	Interviews not completed				
			Total	Moved	Not home	Refused	Other
Negro:							
Hartford	120	59	62	44	14	1	3
New Haven	80	32	48	21	17	1	9
Bridgeport	70	29	41	20	16	1	4
New Britain	20	13	7	1	6		
Norwalk	20	10	10	7	1	1	1
Subtotal	310	142	168	93	54	4	17
White:							
Hartford	120	38	82	33	38		11
New Haven	120	65	55	24	20		11
Bridgeport	90	40	50	31	15	3	1
New Britain	20	17	3	1	1		1
Norwalk	30	19	11	4	4		3
Subtotal	380	179	201	93	78	3	27
Puerto Rican:							
Hartford	19	19					
New Haven	3	3					
Bridgeport	5	5					
New Britain	2	2					
Norwalk	1	1					
Subtotal	30	30					
Grand total	720	351	369	186	132	7	44
Percent	100	49	51	26	18	1	6

[9] For social scientists, Dr. Stetler has provided a brief statement on the research problem and procedure in appendix A.

[1] Housing and Home Finance Agency, "Program for Community Improvement (Workable Program)" (1960).

[2] An indication of the representative character of our sample may be seen by comparing our interview results with the percentages reflected in the Jan. 31, 1963, LPA reports to the Urban Renewal Administration from the same 5 cities. The proportion of families who said that they were "self-relocated" is in substantial agreement with data available in the records of the LPA to the effect that 73 percent of the whites and 68 percent of the nonwhites relocated themselves. The higher proportion of "self-relocations" in our study results in part from our grouping of home purchasers and renters whereas the LPA records refer only to self-relocation of rental families. In fact, our study reveals that 90 percent of the home purchasers, whether white or Negro, were self-relocated. On the whole, the consistency between our data and the LPA records is indicative of the representativeness of our sample. The LPA reports follow:

Characteristics of relocated families in recent urban development projects in 5 cities (Hartford, New Haven, Bridgeport, New Britain, and Norwalk) from which families to be interviewed were selected

[Source: LPA reports for Jan. 31, 1963]

	Number of families	Percent
Families relocated	2,005	100
White	1,257	63
Nonwhite	748	37
Families relocated in standard private rental housing	1,184	100
White	738	62
Nonwhite	446	38
White	738	100
LPA referred	199	27
Self-relocated	539	73
Nonwhite	446	100
LPA referred	143	32
Self-relocated	303	68
Families relocated in sales housing	289	100
White	258	89
Nonwhite	31	11
Families relocated in public housing	264	100
White	116	44
Nonwhite	148	56
Families self-relocated in substandard housing, refused aid (4 cities only)	192	100
White	82	43
Nonwhite	110	57
Individuals relocated (4 cities only)	250	100
White	128	51
Nonwhite	122	49

ers.[3] (Families without any gainful worker included those who were receiving welfare aid or social security benefits, and those in which the principal wage earner was either unemployed, disabled, or retired.)

Almost half of the relocated Negro families interviewed (60 of 134) reported families of five or more persons, and three-fourths of the Puerto Ricans interviewed (23 of 30) reported five or more in their families.[4] Clearly, the larger the family, when it is a minority-group family, the greater the assistance required.[5]

Our study disclosed more than these obvious problems. It revealed that, while 60 percent of the whites requiring relocation are 50 years of age or under, 85 percent of all Negroes and 90 percent of all Puerto Ricans requiring relocation are under 50 years of age.[6] Forty-seven percent of the Negro families interviewed were composed of adults, and children 15 years of age or younger, while 67 percent of the Puerto Rican families had this same youthful cast.[7] The comparative youthfulness of the minority-group families involved in relocation seems to support the suggestion that it can be accounted for only by extensive immigration of such groups to urban centers, and that these recent arrivals gravitate to the most deteriorated housing areas, hence become involved in urban renewal.

As for their training and capacities for employment, 51 percent of the Negro families and 71 percent of the Puerto Rican families reported their gainfully employed family members in semiskilled or unskilled occupations; 36 percent of the Negro families and 26 percent of the Puerto Rican families reported no gainfully employed workers.[8] Indeed, of those who had workers, only 11 percent of the Negroes and 5 percent of the Puerto Ricans were engaged in white-collar occupations.[9]

Without speculating as to causes, it is also clear that the expectations about improved housing were not high in these families. Although they were informed that the relocation officer could help them, a strikingly high percentage of the families, regardless of racial considerations, did not desire or seek information from the relocation office in regard to different neighborhoods into which they might move. This is the more significant, since those who, on the basis of earlier evidence, needed such assistance most did not ask for it.[10]

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[3] Self-relocation—gainful employment of families:

	Families having 1 or more wage earners	Families with no gainful worker
White .... families	(109)	(43)
Self-relocated .... percent	86	72
LPA relocated .... do	14	28
Negro .... families	(81)	(46)
Self-relocated .... percent	70	54
LPA relocated .... do	30	46
Puerto Rican .... families	(20)	(7)
Self-relocated .... percent	80	43
LPA relocated .... do	20	57

[4] Size of family:

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
1 person	13	10	3
2 to 4 persons	63	45	20
2 persons	29	23	10
3 persons	18	12	3
4 persons	16	10	7
5 to 7 persons	22	34	57
5 persons	10	16	13
6 persons	8	8	24
7 persons	4	10	20
8 or more persons	2	11	20
8 persons	2	7	10
9 or more persons	------------	4	10

[5] Self-relocation, by size of family:

	All families	Size of family			
		1 person	2 to 4 persons	5 to 8 persons	8 or more persons
White .... families	(174)	(23)	(110)	(38)	(3)
Self-relocated .... percent	83	65	85	89	33
LPA relocated .... do	17	35	15	11	67
Negro .... families	(134)	(14)	(60)	(46)	(14)
Self-relocated .... percent	64	71	70	59	57
LPA relocated .... do	36	29	30	41	43
Puerto Rican .... families	(30)	(1)	(6)	(17)	(6)
Self-relocated .... percent	67	--------	83	59	83
LPA relocated .... do	33	100	17	41	17

[6] Age of respondent (estimated):

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Under 35	14	37	43
35 to 50	46	48	47
Over 50	40	15	10

[7] Composition of family:

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Adults only	51	36	13
Adults and children 16 to 20	12	8	10
Adults and children under 16	27	47	67
Adults and children of all ages	10	9	10

[8] Occupational characteristics of families:

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Families having 1 or more wage earner	72	64	74
Professional	1	2	------------
Proprietary, managerial	6	------------	3
Clerical	7	5	------------
Skilled	17	6	------------
Semiskilled	20	18	15
Unskilled	21	33	56
Families with no gainful worker	28	36	26
Welfare or social security	8	24	19
Unemployed	1	7	4
Disabled or retired	19	5	3

[9] Principal occupation in families having one or more wage earners:

[In percent]

	White (111 families)	Negro (82 families)	Puerto Rican (20 families)
Professional	2	4	------------
Proprietary, managerial	8	------------	5
Clerical	10	7	------------
Skilled	23	10	------------
Semiskilled	28	28	20
Unskilled	29	51	75

[10] Responses to question, "Did you want the man from the relocation office to give you information about several neighborhoods?":

[In percent]

	Self-relocated families			LPA relocated		
	White (147 families)	Negro (90 families)	Puerto Rican (20 families)	White (30 families)	Negro (50 families)	Puerto Rican (10 families)
Yes	16	29	35	33	40	30
No	75	62	35	47	54	50
Don't know	9	9	30	20	6	20

Young, minimally skilled, large families centered in areas requiring renewal, displayed little apparent concern about "moving out," and encountered difficulties in moving: this was the picture of the minority group families revealed by our study. Chapter IV indicates a more complex profile of all the families and their reactions, but this brief sketch suggests the problems confronting relocation officials in Connecticut.

By all reports, Connecticut's situation is not untypical of those elsewhere. The 1961 report spoke of a "stream of * * * poor, ill-educated, unadapted, largely nonwhite migrants moving into the central cities and becoming fenced off into older, deteriorating neighborhoods."[11] And Whitney Young, the director of the National Urban League, infers from Department of Commerce figures that "by 1975, 85 percent of all Negro citizens will live in major urban centers, mainly in the North * * * and unless some way can be found for housing them adequately—especially in connection with urban renewal, slum clearance, and superhighway construction, which will further dislocate them—they face the specter of becoming more segregated, not less segregated, in the unattractive areas of the cities which remain educationally, culturally, and socially substandard."[12]

Our study seems to confirm Mr. Young's bleak prophesy. It discloses that such integrated communities (approximately half white, half nonwhite) as existed prior to relocation were rarely preserved during the process and that, more often, a polarization took place, with whites using this opportunity to flee from racially mixed neighborhoods into ones which are either all white or mostly white in composition, while the overwhelming majority of Negroes ended up being relocated in neighborhoods having 50 percent or more Negroes (see ch. IV).

Family relocation in connection with urban renewal in Connecticut is thus probably typical, for better or worse, of programs throughout the Nation. Alterations needed here are likely to be needed elsewhere. Thus, in light of our findings, many of our recommendations suggest concrete ways in which the "workable programs" of the Housing and Home Finance Agency can be improved nationally. The statutes and guidelines governing relocation need to be modified and tightened up, as we indicate, to assure availability of housing sites and of projects adequate to house all displaced families in various parts of the city.

Our findings also suggest the necessity of a shift in mood on the part of local authority officials from one of mere near-compliance with the present minimal standards, sometimes ambiguously phrased, to one of actively utilizing the relocation occasion as an opportunity for achieving a more genuinely diversified, residentially desegregated community. This will require involving the families earlier; placing information about a range of housing possibilities before them (sometimes in spite of their difference); explicitly encouraging and aiding them to move into neighborhoods of their choice; working to prevent a repetition of such segregated housing patterns as formerly existed; continuing communication for a period after these families are resettled; and putting the local social agencies in touch with them when it is clear that additional outside help is needed. Only a sweeping effort to help families fulfill goals, which perhaps they never thought possible, can minimize or nearly eliminate the hurt of relocation.

The Urban Renewal Administration, while hardly the sole force at work in this process, does play a crucial and principal role. And a shift in mood affecting the planning and execution of its policy is required if this desirable residential diversity, now too often lost, is to be realized. The URA must move to prevent discrimination at the time of relocation. Our experience shows that unless the local authority actively promotes desegregation at the time of relocation, it will inevitably perpetuate further residential segregation. This calls for a rigorously executed positive policy of diversity by design. Otherwise, the physical renewal that Federal programs bring to the city may produce further human blight in the lives of low income nonwhite families. And should this happen, the recent observation of Howard Moody will prove true:[13]

"A city is dying when it has an eye for real estate value but has lost its heart for personal values, when it has an understanding of traffic flow but little concern about the flow of human beings, when we have increasing competence in building but less and less time for housing and ethical codes, when human values are absent at the heart of the city's decisionmaking, planning, and the execution of its plans in processes like relocation—then the city dies and all that is left, humanly, is decay."

2. HOW FAMILIES ON THE VERGE OF RELOCATION VIEW THE PROCESS

What kinds of hopes and fears do families about to be relocated experience? The schedule prepared for interviewing a representative sample of these families probed for answers to these questions by inquiring of such families their hopes for the neighborhood into which they might move—its physical relation to shops, schools, and to the downtown area, its racial composition, and the kind of dwellings it would contain. The schedule further inquired of the families their own appraisal of their needs and the degree and kinds of assistance they expected from the relocation office. (See schedule II in appendix B.)

Unfortunately, the interviews could not be conducted. The reasons for this failure are, however, significant for this report. Relocation offices, when asked for a list of families about to be relocated (from which a sample could be drawn), could not provide one. Various explanations were offered. As soon as a project is announced, it was pointed out, the mobile, motivated families rapidly move out, relocating themselves. This occurs so swiftly in the wake of the public announcement that it is time wasted to attempt keeping accurate records on all the families involved from the outset. A list could be provided, it was explained, of those "problem families" still remaining in projects already launched, but their responses would hardly provide a representative picture of outlooks prior to relocations.

This inability to find a cross section of prerelocatees led the subcommittee to abandon this portion of its interviewing, and to rely on the recollections of families most recently relocated about their prior expectations. It left the subcommittee, however, with many serious questions.

In theory, Federal urban renewal grants are awarded only to those communities which have already assessed the housing demands of displacees and have determined that adequate rehousing is available. But how can such determinations be made without earlier and more direct contact with the families than is suggested by the inability of relocation offices to provide lists of families to be relocated? In spite of URA policy there is little evidence of any initial discussion with families about relocation preferences or needs. Yet, how can a rational search for new housing be conducted without this prior information? Further, many of the families involved need social service assistance in addition to housing aid. Without contacting all families at the commencement of the renewal project, the LPA can hardly assess the social needs of the families involved, and is unlikely to put them in touch with the community's social agencies. Surely the Urban Renewal Administration should consider requiring this kind of initial contact.

Some of our evidence suggests that the relocation office performs only a minimal function, informing those families who linger of housing vacancies in the city's existing supply and urging them to accept this rehousing, without regard to its condition.

We found that at least two Connecticut communities had listed public housing as a principal rehousing resource for low-income site families. Ample proof was provided by extrapolating the annual vacancy rate in the Federal low rent and State moderate rent projects. In one of these cities, there were over 500 vacancies altogether at the time the survey of the housing supply was made. That number more than satisfied the requirement of the workable program. In no instance, however, was there any evidence that "eligible" site families were asked about their feelings regarding public housing occupancy. Moreover, no exploration was made to learn whether there were factors which would exclude some of the families from eligibility. Once the project had begun, relocation officials discovered that some of the "eligible" families had been evicted from public housing and, therefore, were in fact ineligible. Other families who desired public housing units were excluded because of illegitimate children. Still others simply rejected public housing.

Relocation officials in one Connecticut city encountered among site families considerable resistance to public housing as a rehousing resource. In each instance, public housing units were an improvement over the site quarters in which the families were living. Yet the opportunity for improvement was refused for one reason: the stigma attached to public housing in that community. The popular image of public housing—very much a reality in that community—was that it is marked by inferior architecture; that it is inhabited by people who are inferior, precisely because they live there or receive public assistance, or because the projects are rife with crime and muggings, or overseen by tight-fisted managers. The poorest kind of tenant-management relations with the concomitant low tenant morale actually existed; extremely poor living standards prevailed; brusque treatment of tenants by public housing employees was common; exposure of children to clearly antisocial behavior by adults was frequent—all of these conditions were commonly cited as bases for objections to public housing.

The relocation officials, under considerable pressure to clear the site of families, and frustrated in the effort to place them in public housing, merely shifted many of the unattended hard core social problem families from one section of the city to another already burdened with problems, and accelerated the trend toward racially segregated neighborhoods and schools.

Some of the conditions which served to eliminate public housing as a resource in that particular community were described in detail in a report by a volunteer citizens group in that city. As part of its conclusion the report stated:

"Several activities are underway to give (community named) the 'face lifting' it has needed for a long time. Notable among these activities are the urban renewal program and the movement to overcome the serious lags in public education. The success of these activities will depend in substantial degree upon the efficiency with which public housing operates in the future. * * * This suggests that * * * the Redevelopment Agency * * * will have to help bring about needed reforms in local public housing administration."

It should be noted that relocation officials in Connecticut seemed to contact the families involved, when they were finally reached, on a personal basis more adequately than their colleagues elsewhere have formerly done.

The frequently cited study by H. W. Reynolds of relocation practices in 41 cities from 1955 through 1958 disclosed that in 14 of these cities accounting for 65 percent of all the relocations, families to be relocated received no other official information about their displacement except handbills announcing the demolition dates. Rarely was information given about standards for suitability of housing, how new housing could be found, what rents ought to be paid in relation to income, or, what preparations were necessary for moving.[1]

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[11] Four, 1961 "Report of the U.S. Commission on Civil Rights, Housing," 81.

[12] Young, Whitney M., Jr., "What Lies Ahead?" (an address delivered before the 6th Annual Convention of the Southern Christian Leadership Conference, Sept. 27, 1962, Birmingham, Ala.).

[13] Moody, "The City: Metropolis or New Jerusalem?" (1963).

In contrast, 66 percent of the 351 recently relocated families interviewed in Connecticut indicated that they were notified by a visit from "the relocation man" that they would have to move. To be sure, about one-fourth of them were notified by letter, but it was addressed to them personally.[2] This surely is an initial step in the right direction, one which would become far more significant if it were taken earlier and included more considerations of the families' needs than housing alone. We do not assume here that the relocation office should solve all the nonhousing needs, but rather that it should inventory them.

The striking fact which emerged from the interviewing which was completed is that a large number of families faced with relocation "don't want to talk about it." Forty-three percent of the recently relocated whites interviewed, 50 percent of the Negroes, and 28 percent of the Puerto Ricans, frankly acknowledged seeking no information from any source about schools, churches, stores, transportation or anything else in relation to the new neighborhood into which they might move.[3] Further, as noted in chapter I, only 20 percent of the whites, 32 percent of the Negroes, and 33 percent of the Puerto Ricans wanted any information from the relocation official about alternative neighborhoods into which they might move.

While this fact might suggest a total lack of interest, Marc Fried, on the basis of his 4-year study of relocation in the West End of Boston,[4] is certain that it reflects the deep disturbance which many displaced families feel, a "grief" which numbs them into silence. Interviewing families before and after relocation, he discovered feelings of painful loss experienced prior to displacement and persisting as long as 2 years after relocation.

To be sure, he discovered that the severity of this grief-indignation reaction depends on prior orientation to the project area. The longer an individual lived in the area, the wider his range of associations there, the deeper his commitment to it, the more severe was his grief upon having to move.

Although they rarely verbalize their relation to their home, people to be relocated—especially working class people—attach enormous importance to it as, what Fried calls, "a center of their spatial and social arrangements" so that being required to move is a highly disruptive and disturbing experience for them, even when the home being left is, by any standards, in a slum neighborhood.

Fried's findings reinforce our other bits of evidence. They all suggest that families living in a renewal area ought to be informed much earlier and much more extensively than at present of the impending project. Only this kind of information and "education" as to what is afoot, can avert the panic which often leads them to run for new housing which is often substandard, unsafe, and for which they frequently pay higher rents.

Wherever possible, rehabilitation renewal should be considered. When dislocation and relocation are unavoidable, the project planners might well consider providing for the families to move within their formal residential areas during and after renewal. When new areas must be utilized, the possibilities of assimilating them to former patterns of the relocatees' "style" ought to be explored. Chapter V suggests concrete ways in which this might be accomplished.

3. RELOCATION OFFICIALS: HOW THEY FUNCTION AND HOW THEY REGARD THEIR ROLE

The job of the Local Public Agency relocation official is at best a difficult one. He must be, among other things, an administrator, a negotiator, a real estate agent, social worker, loan arranger, adviser, and Government agent. One individual can hardly do equal justice to all these responsibilities—particularly since relocation officers are rarely well paid. Facing multiple demands and only ordinary pay, the officer is also responsible to the LPA's executive director, who, even more than the relocation officer, is also beholden to many "publics." LPA officials must be sensitive and politically alert in order to meet both the requirements and standards of the HHFA regional offices[1] and at the same time satisfy the wishes or demands of the governing forces in the local community.

The objectives for the relocation officer's task are set out by the HHFA as follows:[2]

1. Families displaced by a title I project shall have the full opportunity of occupying housing that is decent, safe, and sanitary, that is within their financial means, and that is in a reasonably convenient location.

2. Displacement shall be carried out with a minimum of hardship to site occupants.

In order to learn more precisely what relocation officers do, an interview schedule was devised and 14 relocation officials throughout Connecticut were interviewed. (See schedule I, appendix B.) These 14 cities included all the major cities currently involved in federally financed urban renewal projects. Because only 14 interviews were involved, no detailed statistical analysis was made. However, several telling trends clearly ran through the responses of the group interviewed.

In almost all instances the LPA executive director was present at the interview and gave most of the responses involving general policy decisions. One gains the distinct impression that, while the relocation officer may do the day-to-day job in the project area, it is the executive director who actually sets down the relocation policy for the specific LPA. Consequently, the references made in this chapter to the relocation officer may be as validly applied to the local executive director. This chapter also draws upon material gathered at the weekend conference of urban renewal officials held at Wesleyan University. (See Acknowledgments.)

Responses to queries made during the interview of all LPA officials regarding the characteristics of the families involved in relocation were almost identical. This suggests that, while the details of each community may vary, the basic problems of all of them are quite similar. Ironically, examples of relocation difficulties thought by various officials to be unique resolved themselves into certain major types of problems.

A minimal conclusion to be drawn from the similarity of relocation problems is that the major policy changes and innovations we suggest may well be appropriate in virtually all communities currently in the renewal process.

When the LPA officials were asked to explain how they viewed the goals of their jobs in relation to their communities, all of them answered in terms which seemed to be paraphrases of the objectives of the official HHFA relocation outline.[3] When asked about their views on using relocations as a device to achieve further residential desegregation, almost all of the officials replied that such an activity, i.e., "integration," was neither their responsibility nor within their authority. Only in isolated instances, however, did any official feel that present ethnic or racial alinements ought to be maintained. Generally, these isolated instances involved elderly people accustomed to a way of life which it would be virtually impossible for them to alter.

In view of the LPA officials' rather neutral position on relocation as a device for creating and maintaining residential diversity, it is interesting to note the resulting racial composition of neighborhoods into which LPA-relocated families have moved. (See chapter IV.) It is striking that a far smaller percentage of LPA-relocated families ended up in racially segregated neighborhoods than did families who relocated themselves.

The LPA officials were asked if racial or ethnic clustering had occurred as a result of relocation. All answered that only minor clustering had resulted. This response is supported only if the self-relocatees are eliminated from consideration. Under the present system it is not altogether just to blame LPA officials for racial clustering by self-relocatees, but this fact does raise the question of what policy changes can be adopted to avoid it, insofar as possible, and the relocation officer's role in such an altered situation.

The heart of the present policy problem is that families to be relocated enter the relocation officer's workload only after the LPA, or another public body, has acquired the subject property.[4] By this time, however, most of the families involved have become aware that they must move quickly. Panic often ensues, for the pressure to move before the building is taken becomes great. There is anxiety, fear, and lack of understanding regarding the entire

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[1] Reynolds, "The Human Element in Urban Renewal," Public Welfare, April 1961 (a University of Southern California study).

[2] The ways in which they were notified:

How were you notified, by the man from the relocation office, that you would have to move?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
By letter	26	24	23
A telephone call	3	4	7
A visit from the relocation man	68	67	63
Some other way (unspecified)	5	4	7
Don't know	10	9	3

[3] The responses regarding kinds of information sought:

Did you want information about the following (from any source)?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
The school situation	18	28	38
The location of churches	26	22	38
Where the colored and white people lived	16	12	7
The location of stores and shipping centers	26	24	34
Transportation	19	22	28
Anything else	2	----------	3
Don't know	8	6	17
No response	43	50	28

[4] Fried, op. cit. supra, note 6, at 7.

[1] Urban Renewal Administration, HHFA, "Urban Renewal Manual: Policies and Requirements for Local Public Agencies," pt. 16, Relocation.

[2] Id. sec. 16–1.

[3] Urban Renewal Administration, HHFA, op. cit. supra note 1.

[4] Id. sec. 16–3–1.

urban renewal concept and the specific program. When the LPA does finally start to work with the families to be relocated, it is often too late to start an adequate educational program about the rights and opportunities open to these families on the renewal site. It is evident that some provision must be made to launch at least the information-sharing aspect of the relocation process considerably before the current entrance into the LPA workload.

Relocation officials often confided that the concrete needs of the families to be relocated are rarely determined in advance of a project, but insisted that this resulted in part from the failure of the LPA to include them early enough in overall project planning.

They also acknowledged that home-finding and rehousing were, at present, largely unplanned operations, totally dependent on "naturally developing" vacancies in the city's existing supply.

Another weakness in the present situation emerged: The current staffing of most LPA's does not include personnel trained in meeting the problems unearthed in the course of relocation and dealing with them in a manner consistent with the goals of urban renewal. In all interviews except one, the LPA officials lamented the lack of adequate facilities and personnel for dealing with the manifest social problems. Most relocation officers stated that they would and did do whatever they could to ease or solve a pressing problem, but that any larger personal involvement would be destructive of their main task—physical relocation. Many of the officials interviewed said, in effect, "The relocation officer is not a social worker; nor should he become one." The interviewer repeatedly heard this refrain. Yet it is essential to analyze the needs of problem families and to see that they are put in touch with the proper social agencies, and this must be done in connection with the relocation process, and at its heart.[5]

In summary, the subcommittee has found that the LPA officials are, for the most part, struggling to do a satisfactory job, but that their guidelines and supports are woefully deficient. These gaps must be closed, as our recommendations in chapter V suggest.

4. WHAT HAPPENS TO RELOCATED FAMILIES

What happens to the families who have gone through the relocation process? This very general and deceptively simple question may well be the most vital and the most sensitive matter in the urban renewal program of any community. A family currently residing in a dwelling which must be evacuated because of renewal site clearance or rehabilitation has, within its means, the freedom of action or movement that characterizes our society. Such a family is under no obligation to make use of the local public agency's relocation service, and, as indicated in chapter III, many families do not use this service. The first question asked of relocated families was whether they had "found their own apartment or house or whether a representative of the relocation office (LPA) had found it for them." An unusually high proportion of the respondents, 83 percent of the whites, 64 percent of the Negroes, and 67 percent of the Puerto Ricans said that they had relocated themselves.[1]

The significance of the high-relocation rate is that there can be no "grand design" made and enforced for new residential patterns resulting from urban renewal. This maximum freedom of choice is most desirable. However, it is also true that several aspects of the currently critical urban crises may in fact be worsened by residential patterns which result from panicky self-relocation. To retain freedom of action while achieving some of the goals of an integrated community is at best a difficult task, but the importance of the task surely makes it worth attempting.

Since urban redevelopment in the larger metropolitan centers often involves the displacement of substantial numbers of nonwhite families living in segregated neighborhoods, the neighborhood patterns which emerge after relocation merit close observation. It is important to determine whether urban renewal produces any charges in the direction of breaking down the segregated pattern of nonwhite housing. This is of vital importance for the future of persons residing in these areas because of the now accepted belief that even de facto segregation can have adverse psychological and sociological effects upon nonwhite families. Also, residential segregation almost inevitably brings with it de facto segregation in schools and community life.

Thus we sought to determine the type of neighborhood racial pattern which emerges after relocation. To this end, we asked each respondent to tell us what the racial composition of his neighborhood had been before redevelopment and relocation and what the racial composition of his present neighborhood is after relocation. Each respondent was asked to classify the before and after neighborhoods in one of five alternative categories: all white, mostly white, half white and half Negro, mostly Negro, or all Negro.

Among our white respondents, we found that one-half were now living in all white neighborhoods, compared with only one-fifth prior to relocation. The proportion of white families living in half white and half Negro neighborhoods was cut in half (from 29 percent down to 16 percent), and only 2 percent were now residing in mostly Negro neighborhoods in comparison with 19 percent prior to relocation. Thus there seems to be little doubt about the flight of white families into all white neighborhoods after relocation.[2]

Since we noted earlier that a majority of our families were "self-relocated," a circumstance which involves some degree of choice in regard to neighborhood (though unquestionably a more limited range of choice where nonwhites are involved), the subcommittee felt that more detailed analysis of neighborhood changes according to whether the families were self-relocated or LPA relocated might disclose some interesting differences.

Among whites who were self-relocated, the flight to all-white neighborhoods is even more pronounced (57 percent after, and 23 percent before relocation). Only 1 percent of self-relocated whites wound up in mostly Negro neighborhoods.[3] On the other hand, among LPA-relocated whites, the proportion residing in all-white neighborhoods after relocation was virtually the same as prior to relocation (18 and 17 percent, respectively). The greatest change occurred among whites in mostly Negro neighborhoods, which dropped from 28 to 7 percent, though still in excess of the proportion of self-relocated whites who moved into this type of neighborhood.[4]

It would appear that the relocated white family, even though it possesses the relatively limited economic means characteristic of those displaced from a redeveloped area, tends to gravitate toward all-white or predominantly white neighborhoods when left to its own devices (self-relocation). Being white equips them, of course, with an immensely greater freedom of choice, because of race, in regard to the racial character of the new neighborhood.

The neighborhood pattern of Negro respondents after relocation presents an entirely different picture. The changes are, in fact, minor compared with those of whites. There was an increase of families moving into mostly white neighborhoods from 12 to 21 percent, accompanied by an equivalent reduction in families leaving half-white, half-Negro neighborhoods (49 to 41 percent). However, the proportion of Negro families living in mostly Negro or all-Negro neighborhoods remained at 38 percent—virtually the same percentage which had been living in this type of neighborhood prior to relocation.[5] Apart from a shift of 9 percent of the Negro families into mostly white neighborhoods, their neighborhood pattern showed relatively little change after relocation in comparison with whites.

On the other hand, among self-relocated Negro families there appears to be some degree of polarization in regard to the racial

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[5] In fact it is Urban Renewal Administration policy to encourage and authorize the hiring of staff to coordinate social services available to displaced families.

[1] Did you find your own apartment or house, or did the man from the relocation office find it for you?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Self	83	64	67
Relocation office (LPA)	17	36	33

[2] Type of neighborhood in which families lived before and after relocation:

[In percent]

	White (179 families)		Negro (142 families)		Puerto Rican (30 families)	
	Before	After	Before	After	Before	After
All white	22	51	--------	--------	14	22
Mostly white	30	31	12	21	28	11
Half white and half Negro	29	16	49	41	34	44
Mostly Negro	19	2	28	31	24	19
All Negro	--------	--------	11	7	--------	4

[3] Type of neighborhood in which self-relocated families lived before and after relocation:

[In percent]

	White (147 families)		Negro (90 families)		Puerto Rican (20 families)	
	Before	After	Before	After	Before	After
All white	23	57	--------	--------	11	35
Mostly white	28	30	8	18	21	6
Half white and half Negro	31	11	49	35	37	35
Mostly Negro	18	2	32	40	32	24
All Negro	--------	--------	11	7	--------	--------

[4] Type of neighborhood in which LPA-relocated families lived before and after relocation:

[In percent]

	White (30 families)		Negro (50 families)		Puerto Rican (10 families)	
	Before	After	Before	After	Before	After
All white	17	18	--------	--------	20	--------
Mostly white	38	36	21	27	40	40
Half white and half Negro	17	39	50	52	30	50
Mostly Negro	28	7	19	14	10	10
All Negro	--------	--------	10	7	--------	--------

[5] See note 2, supra.

character of the neighborhood after relocation. Negro families in mostly white neighborhoods increased from 32 to 40 percent in those Negro families who entered mostly Negro neighborhoods. This increase in both directions, toward mostly white and mostly Negro neighborhoods, was at the expense of neighborhoods having half-white and half-Negro composition (reduced from 49 to 35 percent).[6] Among those Negro families relocated by the LPA, there appears to be a similar movement toward mostly white neighborhoods (from 21 to 27 percent) but accompanied by an actual reduction in the proportion of Negro families living in all-Negro or predominantly Negro neighborhoods.[7]

We are thus confronted with a situation in which it appears that the Negro family when left to his own devices tends to gravitate more toward the predominantly Negro neighborhood than when it is relocated by the LPA.[8] However, the Negro family does not possess the same freedom of choice in selecting a new neighborhood as the white family. In addition to the primary limitation of racial status, there is often a second limitation of economic status.

An inquiry more in depth than the present study would be required in order to determine what proportion of Negro families—apart from limitations because of economic and racial factors—choose to move into predominantly Negro neighborhoods because of a racially motivated choice similar to that of the whites who gravitate toward predominantly white neighborhoods. From the evidence available in our comparison of self-relocated and LPA-relocated Negro families, it would appear that self-relocated, more frequently than LPA relocation, leads them to predominantly Negro neighborhoods.

The limitations on freedom of neighborhood choice among Negro families are further illustrated in the replies to our next question, "In regard to the race of the people who live here, is this neighborhood the kind you wanted to move into?" While 71 percent of the whites said they were satisfied, only 52 percent of the Negroes voiced similar satisfaction.[9] And among Negro families, the amount of dissatisfaction seems to be greater among LPA relocated than self-relocated families.[10] A noteworthy aspect of satisfaction with the racial character of the neighborhood is revealed when we compare replies to this question among respondents living in different types of neighborhoods.[11] White respondents voiced increasing dissatisfaction as we proceed from residence in all-white to residence in mostly Negro neighborhoods (from 1 percent to 50 percent). And a similar trend is noticeable among Negro respondents who also voiced increasing dissatisfaction as we proceed from residence in mostly white to residence in all-Negro neighborhoods (from 11 percent to 33 percent). This trend among relocated Negro families probably reflects increasing dissatisfaction with the whole complex of physical and psychological deterioration that usually characterizes segregated nonwhite neighborhoods.

The dissatisfaction felt by minority groups with their new homes is echoed in other statistics gathered by the subcommittee.

In response to the question, "Are you planning to live here awhile, or do you want to move as as soon as you can find another place?" we found that white families were most satisfied (72 percent), Negro families were less well satisfied (58 percent), and Puerto Rican families were least satisfied (50 percent) with their new location.[12] It is worth noting that white families who planned to stay in their present location were most satisfied, if they were living in all-white or mostly white neighborhoods, and least satisfied if they were living in neighborhoods having 50 or more percent Negroes. On the other hand, Negro families who planned to stay in their new location were more satisfied (69 percent), if they were living in neighborhoods that were half-Negro and half-white, and least satisfied in all-Negro neighborhoods.[13]

One can surmise that this large-scale dissatisfaction with the new neighborhood will probably prove harmful to the development of community roots, ties, and participation. It may breed a careless approach to new dwellings, local schools, etc., which might be more typical of a transient area than a supposedly permanent residential neighborhood. In many instances it may be said that one result of relocation is to introduce a new transient population into the community.

In response to criticism of its earlier policy—of encouraging wholesale demolition and site clearance—the Urban Renewal Administration has shifted much of its program emphasis to residential conservation and rehabilitation. Even in these programs, however, some degree of family relocation is inevitable. Dwellings must usually be vacated by rehabilitation and there are always some dwellings which are beyond saving by any known structural techniques. Since relocation is thus inescapable, the problem is really one of minimizing the hurt of the families involved, many of whom have long been neglected by the community agencies.

It appears to the subcommittee that the dissatisfaction of the relocated families arises not only from the racial patterns resulting from relocation but from a variety of accompanying social problems. In many instances relocation acts as a spotlight illuminating the grave problems of the hard-core urban families. The conference on relocation held at Wesleyan University (see Acknowledgments) demonstrated that urban renewal consistently performed this "spotlight" function, arousing indifferent communities to the social, economic, and other problems upon which existing community efforts have so little effect. Increasingly the complex of urban ills is being attacked on an overall basis by foundation-sponsored health, employment, education, and welfare organizations such as Community Progress, Inc., in New Haven.

The need for new forms of help is also sensed, if poorly articulated, by the subject families themselves. Since these families have their only real contact with urban renewal through the LPA relocation service, we sought their reactions to the scope of this service.

When respondents were asked whether the relocation office had been of any help to them in the process of moving into a new

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[6] See note 3, *supra*.

[7] See note 4, *supra*.

[8] Compare notes 3 and 4, *supra*.

[9] Responses on satisfaction with the new neighborhood:

In regard to the race of the people who live here, is this neighborhood the kind you wanted to move into?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Yes	71	52	53
No	9	23	10
Don't care	14	21	33
Don't know	6	4	4

[10] Breakdown of satisfactions expressed with relocation:

In regard to the race of the people who live here, is this neighborhood the kind you wanted to move into?

[In percent]

	Self-relocated families			Families relocated by LPA		
	White (147 families)	Negro (90 families)	Puerto Rican (20 families)	White (30 families)	Negro (50 families)	Puerto Rican (10 families)
Yes	73	51	65	63	54	30
No	7	19	5	17	30	20
Don't care	14	23	30	10	16	40
Don't know	6	7		10		11

[11] Responses regarding satisfaction with the racial composition of neighborhood:

In regard to the race of the people who live here, is this neighborhood the kind you wanted to move into?

		Racial composition of neighborhood				
		All white	Mostly white	Half and half	Mostly Negro	All Negro
White respondents	families	(87)	(54)	(27)	(4)	
Yes	percent	87	67	41	25	
No	do	1	9	30	50	
Don't care	do	9	17	22		
Don't know	do	3	7	7	25	
Negro respondents	families		(28)	(55)	(42)	(9)
Yes	percent		50	65	35	55
No	do		11	20	29	33
Don't care	do		36	11	29	11
Don't know	do		4	4	7	
Puerto Rican respondents	families	(6)	(3)	(12)	(5)	(1)
Yes	percent	100	67	25	60	
No	do			25		
Don't care	do		33	42	40	
Don't know	do			8		100

[12] Plans of the relocated families regarding staying in their new communities:

Are you planning to live here awhile, or do you want to move as soon as you can find another place?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Stay	72	58	50
Move	22	36	47
Don't know	6	6	3

[13] This table suggests the relation between the community's racial composition and plans to remain:

Plans of relocated families to stay or move, by racial composition of neighborhood:

		All white	Mostly white	Half and half	Mostly Negro	All Negro
Are you planning to live here awhile, or do you want to move as soon as you can find another place?						
White respondent families		(87)	(54)	(27)	(4)	
Stay	percent	71	78	63	50	
Move	do	22	20	22	50	
Don't know	do	7	2	15		
Negro respondents	families		(28)	(55)	(42)	(9)
Stay	percent		54	69	52	44
Move	do		36	24	45	56
Don't know	do		11	7	3	

neighborhood, only half of the whites answered in the affirmative, compared with 65 percent of the Negroes and 70 percent of the Puerto Rican respondents.[14] However, in response to a second question, we found that 90 percent of the white respondents, 80 percent of the Negro, and 85 percent of the Puerto Rican respondents said that the relocation office had actually paid for their moving.[15] We discovered the striking fact that 81 percent of the white and 58 percent of the Negro respondents who had answered "no" to the first question later told us that the relocation office had paid for their moving expenses.[16] It may be that respondents in both racial groups were thinking of help from the relocation office in terms of other problems than merely helping to pay for moving. Clearly the assistance offered did not "feel" like help, or the assistance offered was not the kind of aid really sought.

A substantially higher proportion of white families (25 percent) than Negro families (9 percent) purchased their own relocated homes. Significantly enough, not one Puerto Rican family in our sample purchased a home.[17] Three-fourths of the white families who purchased homes moved to all-white neighborhoods, and one-fourth to mostly white neighborhoods. On the other hand, among the few Negro families who purchased homes, the majority moved into half-white and half-Negro neighborhoods.[18]

In regard to the value of purchased homes, it is most revealing that about half of the Negro purchasers paid $20,000 or more, whereas only slightly more than one-third of the white purchasers paid in excess of $20,000. This comparison tends to support a long standing complaint, that the Negro family—when it buys—pays more than a white family for a house in a racially mixed neighborhood. Furthermore, a white family pays, on the average, less than a Negro family for a home in an all-white neighborhood.[19]

The rent paid by the majority of our respondents who did not purchase homes varied directly with their race. On the average, white respondents paid less for rentals than did Negroes, and Puerto Ricans averaged higher rentals than either of the other groups. As a striking example, only 19 percent of white families paid $80 or more per month, compared with 29 percent of the Negro families, and 45 percent of the Puerto Rican families.[20]

The comparative youthfulness[21] and larger average family size[22] of Negroes and Puerto Ricans are not the primary reasons for higher rents paid by them. When we examine the group of families which consisted of adults with children under 16, we find that only 6 percent of the whites paid $80 or more monthly, in comparison with 29 percent of the Negroes, and 42 percent of the Puerto Ricans.[23] Among families having five to seven persons, only 15

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[14] Did the man from the relocation office help you in any way?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Yes	50	65	70
No	45	30	23
Don't know	5	5	7

[15] Breakdown of the forms of help:
How did the man from the relocation office help you?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Give you a list of apartments	23	21	22
Give you the address of this apartment	15	23	30
Take you to see any apartments	12	12	11
Take you to see this apartment	15	19	15
Help you to move	30	40	33
Pay for your moving	90	80	85
Help you with any special or personal problems	6	10	11
Other	1	----------	4
Don't know	2	2	----------

[16] Services provided by the relocation officer (respondent's testimony):
Did the man from the relocation office help you in any way?

[In percent]

	White respondents		Negro respondents	
	Yes (91 families)	No (80 families)	Yes (92 families)	No (43 families)
Give you a list of apartments	30	13	21	16
Give you the address of this apartment	20	6	29	5
Take you to see any apartments	18	4	11	12
Take you to see this apartment	20	8	22	9
Help you to move	39	18	47	19
Pay for your moving	87	81	80	58
Help you with any special or personal problems	9	3	12	----------

[17] Homeownership following relocation:
Do you rent or own your present home?

[In percent]

	White (179 families)	Negro (142 families)	Puerto Rican (30 families)
Own	25	8	----------
Rent	75	92	100

[18] Rental or ownership, by type of neighborhood:

[In percent]

	White respondents		Negro respondents	
	Own (45 families)	Rent (127 families)	Own (10 families)	Rent (123 families)
All white	76	42	----------	----------
Mostly white	24	34	10	22
Half and half	----------	21	80	38
Mostly Negro	----------	3	10	33
All Negro	----------	----------	----------	7

[19] Cost of relocatees' purchased homes:
If owned, what is its value?

[In percent]

	White (30 families)	Negro (9 families)	Puerto Rican (none)
Under $10,000	----------	----------	----------
$10,000 to $14,900	23	33	----------
$15,000 to $19,000	40	12	----------
$20,000 to $24,900	17	22	----------
$25,000 or more	20	33	----------

[20] If rented, what is the monthly rent?

[In percent]

	White (126 families)	Negro (115 families)	Puerto Rican (29 families)
Under $40	10	5	7
$40 to $59	37	----------	20
$60 to $79	34	45	28
$80 to $99	14	22	17
$100 and over	5	7	28

[21] See chapter I, note 7.

[22] See chapter I, note 4.

[23] Value of rental, by composition of family:

Monthly rental	Adults only	Adults and children 16 to 20	Adults and children under 16	Adults and children of all ages
White respondents ... families	(63)	(15)	(34)	(13)
Under $40 ... percent	21	----------	35	54
$40 to $59 ... do	36	20	41	23
$60 to $79 ... do	27	67	18	15
$80 to $99 ... do	13	7	3	8
$100 and over ... do	3	7	3	----------
Negro respondents ... families	(43)	(11)	(58)	(9)
Under $40 ... percent	7	----------	5	----------
$40 to $59 ... do	42	----------	21	11
$60 to $79 ... do	35	64	45	45
$80 to $99 ... do	12	27	24	33
$100 and over ... do	5	9	5	11
Puerto Rican respondents ... families	(4)	(3)	(19)	(3)
Under $40 ... percent	25	----------	5	----------
$40 to $59 ... do	25	----------	21	33
$60 to $79 ... do	25	33	32	----------
$80 to $99 ... do	----------	33	16	33
$100 and over ... do	25	33	26	33

percent of the whites paid monthly rentals of $80 or more, in comparison with 38 percent of the Negroes, and 45 percent of the Puerto Ricans.[24]

Admittedly, a comparison of rental values by size of apartment (number of rooms) occupied by each racial group would be valuable, had such data been requested in the interview schedule. However, given the data that we have, with the recognition that larger proportions of Negro families were relocated in racially mixed neighborhoods it seems apparent that Negro and Puerto Rican families, size by size, and type by type, pay monthly rentals in excess of those paid by whites. It is surely an undesirable situation when minority groups have to pay, in effect, a "color tax" either to purchase or to rent a place to live. The situation becomes even less desirable when it is recalled that the relocated minority groups studied here were least able to afford such a "tax," according to relative income levels.

The first and minimal step to combat this situation would be an extensive investigation policy by LPA relocation officials before any of the families to be relocated begin the move.

In summary, the following highlights characterize our interviews of 351 relocated families in 5 of the larger Connecticut cities during January and February 1963. (It should be borne in mind, once more, that the number of Puerto Rican families interviewed is quite small and, therefore, of limited statistical significance.)

1. The majority of the families, whether white, Negro, or Puerto Rican, were self-relocated rather than relocated by the local redevelopment authority.

2. White families, considerably more than Negro or Puerto Rican families, were satisfied with their new location and planned to stay.

3. Although most families were relocated in rental accommodations, more whites than Negroes purchased relocation homes.

4. Of these relocated families who rented accommodations, Negroes and Puerto Ricans paid higher rents, even when the size of the families in each group were held constant.

5. Of the relocated families who purchased homes, Negro families paid a higher average purchase price to live in integrated neighborhoods than did whites—higher even than the average paid by whites who moved into all-white or mostly white neighborhoods.

6. The pattern of racial composition of neighborhoods before and after relocation changed much more for white than for Negro relocated families. Whites in fact fled from racially mixed neighborhoods into neighborhoods which were either all-white or mostly white in composition. On the other hand, only a fraction of the Negro families wound up in mostly white neighborhoods, the overwhelming majority being relocated in neighborhoods having 50 percent or more Negroes.

7. White families, if self-relocated, tended to move with greater frequency into all-white neighborhoods than those who were relocated by the LPA. Negro families, if self-relocated, also tended to move more frequently into mostly Negro neighborhoods than did those who were relocated by the LPA.

8. The great majority of all respondents received some help from relocation offices—usually in the form of payment for moving expenses, although their responses suggest that this was not the kind of help they had in mind.

The families interviewed have clearly told us an important story. On the basis of these findings and the studies in chapters II and III, we are prepared to make our major recommendations.

5. RECOMMENDATIONS

In recommending changes in Federal policy and practice with regard to family relocation, the Connecticut Advisory Committee has sought a level of generality applicable to relocation in communities of all sizes throughout the Nation. Since we have confined our study to relocation in connection with urban renewal programs, our recommendations, for the most part, will be directed and need transmitting to the Urban Renewal Administration.

Our study gives further concrete support to the recommendations made by the U.S. Commission on Civil Rights to the Urban Renewal Administration and the HHFA in 1961; namely, that new programs of rehabilitating and preserving existing housing—rather than clearing every renewal site and dislocating its residents—ought increasingly to be supported; that the Administration should rigorously require communitywide participation, including minority groups, in the planning of projects from their outset; that when altogether new housing has to be constructed, it be open to all; that cities seeking support genuinely demonstrate the availability of adequate rehousing for the families to be relocated; and that, where possible, more than one project be in process simultaneously to keep housing supply open and facilitate the flow of families to be relocated.

New and more specific recommendations seem warranted by our study. We, therefore, recommend that the Urban Renewal Administration revise its policy and guidelines in the following ways:

1. The Local Public Agency must be committed (a) to encouraging and supporting all families in their efforts to live wherever they desire and are able; (b) to preventing the repetition of previously existing patterns of racially segregated housing; and (c) to making the maximum use of all Federal, State, and local laws, ordinances, and regulations to accomplish the purposes just stated.

Specifically, the LPA, like its sponsor, the Urban Renewal Administration, should recognize that it now has a mandate to implement affirmatively the overriding national policy enunciated by the President in his Executive Order No. 11063[1] in the provision on prevention of discrimination, because as stated in the preamble "discriminatory policies and practices result in segregated patterns of housing and necessarily produce other forms of discrimination and segregation which deprive many Americans of equal opportunity."

A simple device for the Urban Renewal Administration with respect to this order, would be to amend the following section of its present guidelines:[2]

"The objectives of relocation are that:

"(1) Families displaced by a title I project shall have the full opportunity of occupying housing that is decent, safe, and sanitary, that is within their financial means, and that is in reasonably convenient locations.

"(2) Displacement shall be carried out with a minimum of hardship to site occupants."

By rewording paragraph (2) as follows:

"(2) Displacement shall be carried out with a minimum of hardship to site occupants, and without regard to race, color, creed, or national origin."

2. Homefinding and rehousing must not continue as an unplanned operation. It must be central in the urban renewal process. URA policy should condition approval of grants to projects on the prior availability of standard housing, physically verified, or on firm plans to suppy sufficient housing through new construction or rehabilitation. At present the Administration's guidelines encourage project planners to lean too heavily on existing records and materials, and gross, generalized data for determining demands and resources. Often the LPA discovers in midsteam that there is not enough alternative housing available. We urge, therefore, the adoption by the Administration of more sensitive and more accurate devices for determining accurately and early in the renewal process the housing needs and housing supply, not the least of which will be more personal contact by LPA with the families themselves.

3. Relocation officers should be directly involved in the LPA's project planning from the outset, and their direct relationship to the families involved should commence at the time of site acquisition, long before relocation itself begins.

4. The families to be affected by the project should be informed in their native language, if necessary, at the outset of launching a project and before relocation actually begins: (a) of the scope of the project and its residential implications for them; (b) of the aid available to them from the LPA; (c) of the existing State statutes on discrimination in housing and the related procedures (see appendix C for Connecticut's statutes preventing discrimination in housing and urban renewal operations); (d) of the housing possibilities already known to be available from the prior supply study. Furthermore, the preference and needs of the families as to location, kind, and cost of housing should be determined, if possible, at this initial conversation, and should guide the LPA so that it can meet specific housing needs. These initial interviews at the first survey of site occupants may prove very helpful in avoiding the panic reaction we have described.

5. The LPA should include a trained staff member to insure that community support will be given during and after relocation in those situations which stand in the way of successful rehousing—such as poor health, inadequate income, insufficient furniture, ignorance of urban standards of homemaking, and other family or social problems. Because relocation creates a crisis for most families, it offers a uniquely advantageous occasion and opportunity for bringing constructive services into direct use. This trained staff member should be charged with the responsibility for enlisting and coordinating the assistance of the social agencies within the community and encouraging the families to use the services available. He might well be the staff member responsible for maintaining formal contact with displaced families following their relocation for a longer period than at present.

6. The pace of projects should whenever necessary be slowed down to assure longer time for the counseling and assistance of families to be relocated. It is now recognized that relocation is the most critical single factor in urban renewal, and it should, therefore, be the key factor in determining the timetable.

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[24] Value of rental, by size of family.

Monthly rental	Size of family			
	1 person	2 to 4 persons	5 to 7 persons	8 or more persons
White respondents..........families..	(20)	(72)	(27)	(4)
Under $40..........percent..	40	7		
$40 to $59..........do....	30	35	48	25
$60 to $79..........do....	20	39	37	25
$80 to $99..........do....	5	15	15	50
$100 and over..........do....	5	4		
Negro respondents..........families..	(13)	(53)	(42)	(11)
Under $40..........percent..	15	6		9
$40 to $59..........do....	54	28	21	
$60 to $79..........do....	23	49	40	45
$80 to $99..........do....	8	11	33	36
$100 and over..........do....		6	5	9
Puerto Rican respondents..families..	(1)	(6)	(16)	(6)
Under $40..........percent..	100			
$40 to $59..........do....		16	31	
$60 to $79..........do....		34	19	50
$80 to $99..........do....		16	19	16
$100 and over..........do....		34	25	34

[1] 27 Fed. Reg. 11527 (1962).

[2] Urban Renewal Administration, HHFA, "Urban Renewal Manual: Policies and Requirements for Local Public Agencies," pt. 16, Relocation.

7. Analysis and assessment by the Urban Renewal Administration of all projects should be required more frequently than every 2 years and in more depth than at present, and LPA directors should be required to make such modifications as are shown to be necessary in order to achieve the maximum benefits from the projects.

8. Since public housing is an important resource for rehousing, its image and actual operation must be significantly improved. Without such changes, public housing will continue to make only a negligible contribution to relocation. The scheduling of additional public housing construction by the Public Housing Authority and the selection of sites for it should be closely coordinated with all other renewal activities of a given city. To make public housing a desirable goal for families requiring relocation, there must be considerable improvement in the administration of public housing projects.

9. Federal grants should be awarded to only those cities which demonstrate commitment to codifying, strengthening, and enforcing standard housing and health and building codes.

The general purpose of our recommendations is to make relocation an integral part of the renewal process; to assure an optimum relationship between the processes of displacement and housing production; to permit the rate of housing production or volume of available housing to modify the pace of relocation and of the entire project; to shift the emphasis in urban renewal from site clearance and place it on improving the housing and neighborhoods for the people to be rehoused; to make relocation an occasion for providing equal housing opportunities for all citizens, regardless of race, and for preventing the recurrence of previous patterns of segregated housing; and to convert it into a process which, by minimizing hurt and maximizing help, assists people in human rebuilding.

If these recommendations are adopted and implemented, family relocation need no longer to be an obstacle to urban renewal; it will become its key constructive and positive element. By achieving the rehabilitation of people along with the rehabilitation of structure, and by encouraging diversity throughout the community, relocation will no longer be a painful process, the price paid for progress, it will be a fundamental part of progress itself.

ACKNOWLEDGMENTS

Subcommittee I of the Connecticut Advisory Committee to the United States Commission on Civil Rights is especially indebted to:

The Connecticut Commission on Civil Rights: Thomas F. Henry, the commission's executive secretary, met with our subcommittee several times at the outset of the study. Through his good offices, the chairman of the commission, Elmo Roper, and deputy chairman, Ralph Goglia, and the full commission authorized its research director, Dr. Henry G. Stetler, to assist us in analyzing relocation practices in some selected Connecticut cities.

Dr. Henry G. Stetler: Dr. Stetler's contribution in training the interviewers required for our study, tabulating and interpreting their results, and superintending the entire process has been altogether indispensable.

Robert Feldman: Mr. Feldman, a senior in the Yale Law School, was instrumental in drafting the interview schedule for relocation officials in Connecticut. In addition to supervising its administration to 14 officials, he has served throughout the study in a variety of invaluable capacities.

Frank Logue: Mr. Logue, consultant to the U.S. Commission for New England, assisted our subcommittee in ways beyond his formal responsibilities. A resident of Trumbull, Conn., he took a special interest in this project and contributed his time and himself in an exceptional way.

Mrs. Arthur Dillingham and Mrs. Martin Weitzler: Mrs. Dillingham, of Meriden, Professor Maguire's secretary, and Mrs. Weitzler, of Oxford, Professor Pollak's secretary, provided exceedingly helpful clerical assistance to the group. Indeed, without their unusual contributions this report and the work of our subcommittee could not have been done.

Wesleyan University: The university's Institute of Ethics and Politics, which periodically holds weekend conferences of faculty, and political, professional, and business leaders, convened a meeting or urban renewal directors and relocation officers on February 15–16, 1963, to discuss various aspects of their responsibility for public policy and its execution. In addition, the university several times provided a meeting place for our subcommittee and gave various kinds of assistance throughout the study to our Chairman, Professor John David Maguire.

APPENDIX A—THE RESEARCH PROBLEM AND PROCEDURE

The tabulated material throughout this report, and especially the core of chapter IV, involved the gathering and analysis of data secured through field interviews with recently relocated families. It is the outgrowth of a request for research assistance made in August 1962 to the Connecticut Commission on Civil Rights by the Connecticut Advisory Committee to the United States Commission on Civil Rights. The Connecticut Advisory Committee was concerned with "the impact of the Urban Renewal Program on racial discrimination in housing."

With the limited time available, a project was designed to determine the policies and practices of Urban Renewal Administration authorities in Connecticut in regard to the relocation of minority group families, i.e., whether they assumed any responsibility for preventing the recurrence of racially segregated neighborhoods among relocated families. It was felt that interviews with a representative cross section of relocated families would provide some clues as to whether the recurrence of segregated neighborhoods represented the preference of relocated families or was imposed upon them by circumstances beyond their control.

Twenty-nine cities in Connecticut had urban redevelopment projects at the time this study was initiated in the fall of 1962. Of these, 14 cities were initially selected for the purpose of interviewing the project officials who were in charge of the relocation of families. The questions asked in the course of these interviews are reproduced in appendix B (schedule I) and the results are discussed in chapter III. These 14 cities include approximately three-fourths of the total nonwhite population of Connecticut, and were chosen because one of the basic purposes of our inquiry was to make a comparison between the relocation of white and nonwhite families.

In order to supplement the information secured from the relocation officers, the decision was made to interview a representative cross section of families involved in the relocation process. For this purpose we selected 5 of the 14 cities—Hartford, New Haven, Bridgeport, Norwalk, and New Britain. Since the nonwhite population of Connecticut is concentrated in the larger metropolitan areas, these five cities included approximately four-fifths of all nonwhite families to be displaced, and approximately nine-tenths of all nonwhite families that had already been relocated at the time we started our inquiry. (See Introduction, note 5.)

The sample of families to be interviewed in the five cities was selected by us in cooperation with the relocation officers in each of the cities. The names and addresses of the sample of relocated families were taken from the most recently completed project in each of the cities. The total sample included slightly more than 700 families, which represented about a third of the 2,000 families that had been relocated in this group of projects. (See Introduction, note 8, and chapter I, note 2.)

The sample of Negro families selected in each city was roughly proportionate to the percentage of Negro families in the population. It is felt that the total Negro sample is representative of Negro families relocated in these cities, as well as of Negro families relocated in the State inasmuch as at least two-thirds of the State's Negro population is concentrated in the five cities. The sample of relocated white families was chosen to match the number of relocated Negro families in each city and may be considered to be representative of relocated white families in the larger metropolitan areas.

Having selected a total sample of 720 families, we proceeded to make contact with them at the relocated addresses provided by the relocation offices. For this purpose, we utilized a corps of volunteer interviewers recruited in each of the cities through the cooperation of colleges, universities, churches, private intergroup agencies, and other civic groups. These volunteers received professional instruction and direction from members of the Research Division of the State Civil Rights Commission in order to insure uniformity in completing the interviews.

The schedule to be administered included a variety of questions on matters such as types of assistance received from the relocation offices, self-relocation (if any), satisfaction with the new location and plans to move or stay, ownership or rental values, racial composition of the neighborhood before and after relocation, satisfaction with the racial composition of the new neighborhood, and race, sex, age, occupation, and type and size of family of each respondent. (See schedule III, app. B.)

Of the sample of families selected, we succeeded in completing interviews with a total of 351 or 49 percent of the total. (See Introduction, note 8.) These included 179 white, 142 Negro, and 30 Puerto Rican families. The Puerto Rican category emerged during the process of field interviewing, and was not identified as such in the original sample. Although data on Puerto Rican families are analyzed separately in this report, the small number of cases does not give it the validity comparable to the white or Negro categories.

It is worth noting that of the 720 families in our sample we were not successful in completing interviews with 26 percent because they had moved from the address furnished us by the relocation office. Another 18 percent were not at home even after repeated visits by our field interviewers. Only 1 percent refused outright to be interviewed after they became aware of the nature of the interrogation. We must recognize that the universe of families involved in relocation includes a substantial proportion of families characterized by low income and relative instability, and hence more likely to move even after they had been relocated at a new address.

One indication of the representativeness of our white and nonwhite sample of relocated families is found in the consistency between the replies of our respondents and LPA records in regard to the "self-relocation" of families. In our sample 83 percent of the whites, 64 percent of the Negroes, and 67 percent of the Puerto Ricans said that they had relocated themselves. The records in the LPA offices in the cities from which the sample was drawn indicated that 73 percent of the whites and 68 percent of the nonwhites had relocated themselves. The slightly higher proportion of "self-relocation" in our study resulted in part from our grouping of home purchasers and renters, whereas the LPA records refer only to the self-relocation of rental families. In fact, our study reveals that 90 percent of home purchasers, whether white or Negro, were self-relocated.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HUNGATE, for September 1 and 2, on account of official business in Missouri.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WOLFF, for 30 minutes, on September 1, 1965; to revise and extend his remarks and to include extraneous matter.

Mr. ADDABBO (at the request of Mr. ALBERT), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. CURTIS) and to include extraneous matter:)

Mr. HALPERN, today, for 5 minutes.

Mr. CURTIS, today, for 20 minutes.

Mr. QUIE, today, for 60 minutes.

Mr. HALPERN, today, for 20 minutes.

Mr. QUIE, on September 1, for 60 minutes.

Mr. WAGGONNER, for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS.

Mr. ZABLOCKI.

Mr. FINO and to include extraneous matter.

Mr. BRADEMAS (at the request of Mr. FARNSLEY) during debate on H.R. 9042 and to include extraneous matter and tables.

(The following Member (at the request of Mr. CURTIS) and to include extraneous matter:)

Mr. MARTIN of Alabama.

(The following Members (at the request of Mr. FARNSLEY) and to include extraneous matter:)

Mr. POWELL.

Mr. ST. ONGE.

Mr. FALLON.

Mr. TEAGUE of Texas.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 69. Joint resolution to authorize the Administrator of General Services to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the Library of Congress James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; to the Committee on Public Works.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 30, 1965, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 496. An act to designate lock and dam 3 on the Cape Fear River, N.C., as the William O. Huske lock and dam;

H.R. 2263. An act to provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation;

H.R. 3329. An act to incorporate the Youth Councils on Civic Affairs, and for other purposes;

H.R. 4822. An act to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960;

H.R. 5280. An act to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States;

H.R. 6007. An act to amend title 10, United States Code, to authorize the promotion of qualified reserve officers of the Air Force to the reserve grades of brigadier general and major general;

H.R. 6964. An act to amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States;

H.R. 7596. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers; and

H.J. Res. 639. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

ADJOURNMENT

Mr. FARNSLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 1, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1527. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States (H. Doc. No. 283); to the Committee on Appropriations and ordered to be printed.

1528. A letter from the Clerk, U.S. House of Representatives, transmitting a motion that the attempted contest against each individually, be dismissed, or that each be otherwise relieved from taking further notice of such matter (H. Doc. No. 284); to the Committee on House Administration and ordered to be printed with accompanying papers.

1529. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on the District of Columbia.

1530. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

1531. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to improve and clarify certain laws of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

1532. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds: Blue Eye Creek, Ala.; Beardsley, Calif.; Revolon, Calif.; Mill Creek, Ind.; Mosquito of Harrison, Iowa; Turkey Creek, Kans.; Little Delaware-Mission Creek and tributaries, Kansas; Lower Bayou Teche, La.; Back Swamp, N.C.; Margaret Creek, Ohio; Rock Creek, Okla.; Escondido Creek, Tex.; Williams Creek, Tex., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

1533. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds; Upper Choptank River, Del. and Md.; Little Raccoon Creek, Ind.; Timber Creek, Kans.; Tamarac, Minn.; Quapaw, Okla.; Duck Creek, Tex.; Cherrystone, Va., pursuant to section 5 of the Watershed Prevention and Flood Prevention Act, as amended (16 U.S.C. 1005), and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. House Joint Resolution 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes; poses; with amendment (Rept. No. 893). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 2071. A bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; with amendment (Rept. No. 893). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 4851. A bill to amend the Small Reclamation Projects Act of 1956; with amendment (Rept. No. 894). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 2853. A bill to amend title 17, United States Code, with relation to the fees to be charged; with amendment (Rept. No. 895). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 10369. A bill to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity; without amendment (Rept. No. 896). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 7888. A bill providing for the extension of patent No. D-119,187; with amendment (Rept. No. 897). Referred to the House Calendar.

Mr. WILLIS: Committee on the Judiciary. H.R. 9867. A bill to provide penalties for the use of the interstate route marker for commercial purposes; with amendment (Rept. No. 898). Referred to the House Calendar.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; with amendment (Rept. No. 899). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 9778. A bill to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code; without amendment (Rept. No. 900). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 10104. A bill to enact title 5, United States Code, "Government Organization and Employees," codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees; without amendment (Rept. No. 901). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. Senate Joint Resolution 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement; without amendment (Rept. No. 902). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 10330. A bill to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes; with amendment (Rept. No. 909). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 10366. A bill to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes; without amendment (Rept. No. 910). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 6312. A bill for the relief of Mario Menna; without amendment (Rept. No. 903). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2757. A bill for the relief of Maria Alexandros Siagris; without amendment (Rept. No. 90). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 2762. A bill for the relief of Manlio Massimiliani; without amendment (Rept. No. 905). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 2933. A bill for the relief of Kim Jai Sung; without amendment (Rept. No. 906). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2938. A bill for the relief of Przemyslaw Marianski; with amendment (Rept. No. 907). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on the Judiciary. H.R. 2939. A bill for the relief of Manojlo Vrzich; with amendment (Rept. No. 908). Referred to the Committee of the Whole House.

Mr. McCLORY: Committee on the Judiciary. H.R. 2578. A bill for the relief of Maxie L. Rupert; with amendment (Rept. No. 911). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde; without amendment (Rept. No. 912). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. S. 1873. An act for the relief of Mrs. Clara W. Dollar; without amendment (Rept. No. 913). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1409. A bill for the relief of Louis W. Hann; with amendment (Rept. No. 914). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 2557. A bill for the relief of Frank Simms; with amendment (Rept. No. 915). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 6590. A bill for the relief of Arthur Hill; with amendment (Rept. No. 916). Referred to the Committee of the Whole House.

Mr. McCLORY: Committee on the Judiciary. H.R. 8457. A bill for the relief of Robert G. Mikulecky; with amendment (Rept. No. 917). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10338. A bill for the relief of Joseph B. Stevens; with amendment (Rept. No. 918). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. **ADDABBO**:

H.R. 10762. A bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

H.R. 10763. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. **GONZALEZ**:

H.R. 10764. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. **HELSTOSKI**:

H.R. 10765. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

By Mr. **OTTINGER**:

H.R. 10766. A bill to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10767. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. **SCOTT**:

H.R. 10768. A bill to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes; to the Committee on Education and Labor.

By Mr. **SECREST**:

H.R. 10769. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. **STRATTON**:

H.R. 10770. A bill authorizing participation by the Corps of Engineers in cooperative planning in the State of New York; to the Committee on Public Works.

By Mr. **ABBITT**:

H.R. 10771. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. **CHELF** (by request):

H.R. 10772. A bill to enable the people of a portion of the District of Columbia to form a constitution and State government and be admitted into the Union on an equal footing with the original States; to the Committee on the District of Columbia.

By Mr. **CLEVELAND**:

H.R. 10773. A bill to authorize and direct the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, and to provide that such building shall be designated "The President James Madison Memorial Library"; to the Committee on Public Works.

By Mr. **DENT**:

H.R. 10774. A bill to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes; to the Committee on Education and Labor.

By Mr. **RIVERS** of South Carolina:

H.R. 10775. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. **BURTON** of Utah:

H.R. 10776. A bill for the relief of the Box Elder County School District, Box Elder County, Utah; to the Committee on the Judiciary.

By Mr. **CRAMER**:

H.R. 10777. A bill to amend the Internal Revenue Code of 1954 to remove certain limitations on the amount of deduction for contributions to pension and profit-sharing plans made on the behalf of self-employed individuals; to the Committee on Ways and Means.

By Mr. **de la GARZA**:

H.R. 10778. A bill to authorize the Donna-Rio Bravo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Donna, Tex.; to the Committee on Foreign Affairs.

H.R. 10779. A bill to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.; to the Committee on Foreign Affairs.

By Mr. **FUQUA**:

H.R. 10780. A bill to authorize a preliminary examination and survey to determine the justification for a channel at Indian Pass in Apalachicola Bay, Fla.; to the Committee on Public Works.

By Mr. **MORRISON**:

H.R. 10781. A bill to adjust the rates of basic compensation of postmasters in post offices less than level 6; to eliminate classes of post offices; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'BRIEN:

H.R. 10782. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSON of Minnesota:

H.R. 10783. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of South Carolina:

H.R. 10784. A bill to authorize extension of active duty of members of the Army, Navy, Marine Corps, and Air Force if necessary when Congress is not in session; to the Committee on Armed Services.

By Mr. MILLS:

H.R. 10785. A bill to amend the Internal Revenue Code of 1954 to provide an investment tax credit for aircraft leased abroad under competitive disadvantages; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.J. Res. 645. Joint resolution proposing an amendment to the Constitution of the United States relative to establishing as paramount the right of society in general and individual persons in particular to be protected from crimes against person and property; to the Committee on the Judiciary.

By Mr. CURTIS:

H.J. Res. 646. Joint resolution directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such center; to the Committee on the District of Columbia.

By Mr. BURLESON:

H.J. Res. 647. Joint resolution proposing an amendment to the Constitution of the United States relative to establishing as paramount the right of society in general and individual persons in particular to be protected from crimes against person and property; to the Committee on the Judiciary.

By Mr. GROVER:

H.J. Res. 648. Joint resolution to establish a National Cemeteries Site Selection Advisory Board to govern further development of the national cemetery system; to the Committee on Interior and Insular Affairs.

By Mr. RESNICK:

H. Con. Res. 467. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MAILLIARD:

H. Res. 556. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Res. 557. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BANDSTRA:

H.R. 10786. A bill for the relief of James Kilroy Canning; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 10787. A bill for the relief of Plastics Manufacturing Co.; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 10788. A bill for the relief of Mrs. Hilda Georgiana Wells; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 10789. A bill for the relief of Takio Nozu; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 10790. A bill for the relief of Mr. and Mrs. Piero Taddei; to the Committee on the Judiciary.

By Mr. CRALEY:

H.R. 10791. A bill for the relief of Dang Thi Kim; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10792. A bill for the relief of Vincenzo Minutolo; to the Committee on the Judiciary.

H.R. 10793. A bill for the relief of Guido Cantalicio; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 10794. A bill for the relief of Bruno Ceniccola; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 10795. A bill for the relief of Helen and Wilfred Henry; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 10796. A bill for the relief of Lt. Col. Norman Dean Schanche; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 10797. A bill for the relief of Elsy Menashe; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H.R. 10798. A bill for the relief of Elvira Sarmiento; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

267. The SPEAKER presented a petition of General Federation of Women's Clubs, Washington, D.C., relative to Congress continuing its jurisdiction over the municipal affairs of the District of Columbia, which was referred to the Committee on the District of Columbia.

EXTENSIONS OF REMARKS

A Good Public Servant Leaves the Government

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. ST. ONGE. Mr. Speaker, it is with a great deal of regret that I learned about the planned departure from Government service of one whom I have come to know as a dear friend in recent years. I refer to the Honorable James A. Reed, Assistant Secretary of the Treasury, who is leaving shortly to resume his private law practice.

Jim Reed is a most capable public servant and a very able administrator. As Assistant Secretary of the Treasury he had much of the administrative and other responsibilities of the U.S. Coast Guard, including the formulation of its policies and many of its activities. He did much for the Coast Guard, over and above the ordinary demands upon his time and energy, in his untiring efforts to be helpful to this very important governmental function.

As a member of the House Merchant Marine and Fisheries Committee, and particularly its subcommittee on the Coast Guard, Coast and Geodetic Survey, I had the opportunity to observe Jim Reed in operation at committee hearings and at other occasions when he spoke up for the Coast Guard. His departure from Government service is a distinct loss. We shall miss him, his good counsel, and his sincere friendship.

Survivorship Benefits for Servicemen

EXTENSION OF REMARKS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 881 of th 84th Congress which was effective January 1, 1957, was enacted after a select committee had studied survivorship benefits in the 83d and 84th Congresses. The basic benefits of this legislation was dependency and indemnity compensation, otherwise designated as DIC.

In addition to this benefit members of the Armed Forces were given full coverage under the Social Security System and the 6 months' death gratuity was liberalized to provide a greater benefit in the lower ranks.

In the same Congress there was enacted a bill which I had the honor to sponsor and which originated in the Committee on Veterans' Affairs, the so-called War Orphans Educational Assistance Act, which provides monthly payments of as much as $110 a month for 36 calendar months for the children of men who lost their lives in the defense of their country. The age of the child is generally set from 18 to 23 years.

In view of the situation in Vietnam and other troubled areas, I have received many inquiries concerning these benefits. I recently had the Veterans' Administration prepare a series of charts showing the commuted value of such benefits. I was greatly pleased to see the sizable benefits provided by existing law.

Mr. Speaker, under unanimous consent, I include as part of my remarks the case of a private first class who dies at the age of 20 and who leaves dependent parents:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Private first class, U.S. Army;
2. Age 20 at death;
3. Death was service connected;
4. Two years' service at death;
5. Two years in grade at death;
6. Assumed average monthly pay was $105;
7. Base pay at death was $148.50 a month;
8. Left dependent parents (no other income), age 45;
9. Parents live out their expectations of life (mother, 32.1 years; father, 27.1 years).

Benefits

Payee	Paying agency	Type of payment	Payment period	Payment rate	Total payments
Mother	Veterans' Administration	38 U.S.C. 412(a)	181 months [1]	[2] $60.30	$11,274.30
Father	do	do	121 months [3]	60.30	7,296.30
Mother	do	Disability insurance compensation.	385 months	[4] 55.00	19,173.00
Father	do	do	325 months	[5] 55.00	15,213.00
Total					52,956.60

[1] Beginning at age 62.
[2] Increasing to $66.30 after death of the father.
[3] Beginning at age 62.
[4] Decreasing to $33 at age 62 and then increasing to $66 after death of the father.
[5] Decreasing to $33 at age 62.

NOTE.—Guaranteed minimum is $160 a month (38 U.S.C. 412(a)).

The Settlement Cook Book Co. Has an Outstanding Record of Philanthropies in Milwaukee

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. REUSS. Mr. Speaker, on September 2, the Settlement Cook Book Co. of Wisconsin will publish the 32d edition of its excellent cookbook.

This is a significant event in Milwaukee. For, since 1901 when the company published its first book, it has poured all its proceeds into educational, recreational, and other philanthropic causes in the Milwaukee area. About a half million dollars has been given to charities and used to finance projects—including farsighted innovations in social service and education—to help Milwaukeeans build a better life for themselves and the community.

Many of the programs supported and helped by the Settlement Cook Book Co. foreshadowed programs that are now part of the war on poverty.

The company started the nursery school at the State teachers college and financed part of its operations. The requirement that some of the children in the school come from the area served by the settlement house made it something of a forerunner of the valuable Operation Head Start program. The Milwaukee child care centers were supported by the company, and Americanization and English classes were financed from 1901 to 1920 and again when refugees were fleeing from Hitler.

The record of the company's philanthropies is a long and proud one. It includes aid for the training and rehabilitation of the unskilled and the homebound, scholarships to aid needy students, and equipment for technical and vocational schools. The company also contributes regularly to the United Community Services fund and to the Milwaukee Jewish Welfare fund drive.

It is my privilege to salute this company and the public-spirited men and women who have carried out its work over the years. Their accomplishments are an example worthy of note and emulation wherever men and women are striving to create better communities.

Federal Government and Maryland: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the combined ignorance of the Federal Government and the State of Maryland in keeping gambling in Maryland illegal and thus wide open for mob exploitation. Illegal gambling is a popular pastime in Maryland—and unfortunately its revenues are not going to the public treasury, but rather are going to finance a multitude of organized crime's enterprises.

The parimutuel turnover in Maryland last year came to $212 million. Illegal gambling is far more significant in Maryland, just as it is nationally. Testimony before the McClellan committee in 1961 put off-track betting at $50 billion a year nationally. Other estimates put off-track betting at about 40 percent of the national illegal gambling total. This would make illegal gambling of all kinds come to about $120 billion a year in the United States. This figure, of course, represents total turnover—the same $10 bill can be won and lost many times the same night, with no economic effect in the end if you break even, except the bit clipped off each time by the proprietor. On a population basis, Maryland's share of this national illegal gambling total comes to $2.16 billion annually. This may be a very good estimate. Ten years ago, the Massachusetts Crime Commission, in pegging Massachusetts' gambling at about the same figure, said that citizens of that State spend more on gambling than on groceries. Perhaps the same is true of Maryland. There is no doubt that illegal gambling is big business in Maryland's southern counties. Inasmuch as the mob gets to keep about 10 percent of the total turnover as profit, Maryland may be a $200 million a year tidewater treasure chest for the organized crime empires.

The way to take gambling revenues away from organized crime and put them to work for the people is a national lottery. Only Government-run gambling can be trusted to keep the profits of the gambling urge in public hands for public tasks. The European experience has shown how the lottery represents social and financial commonsense. America needs a national lottery as soon as possible.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. MARTIN of Alabama. Mr. Speaker, I have been requested to include in the RECORD the newsletter which I have been sending to the people of the Seventh District of Alabama. In response to this request, I ask permission to extend my remarks and include the Washington Report of January 15, 1965:

WASHINGTON REPORTS: 89TH CONGRESS CONVENES

(By Congressman JIM MARTIN, Seventh District, Alabama)

The most significant remarks at the opening of the 1st session of the 89th Congress, were contained, of course, in the President's state of the Union message. As each proposal from the White House is sent to Congress and the committee reports begin to come in, I will discuss individual programs in detail. At this moment we can take only an overall look at what the President proposes.

If he is successful in getting through all his programs, a radical change will have taken place in our form of Government of the United States of America. We simply cannot turn all our responsibilities and the responsibilities of the States over to the Federal Government without the loss of individual freedoms. When a strong Federal Government undertakes to house, feed, clothe, provide jobs, medical care, education, recreation, and all the necessities and luxuries of life, that is socialism no matter how we sugar coat it.

I think there is good sound commonsense in a statement by Congressman OTTO PASSMAN, Democrat, of Louisiana, who said: "The last election brought great changes here. Nevertheless, I do not believe that the voters gave a mandate to Congress to bankrupt America or destroy our sovereignty. In the next 2 years, the voters must tell this to Congress again and again."

THE FIRST PROPOSALS

As expected, the program which will be pushed the hardest by the liberals for quick action is medicare. I have serious reservations about tying hospital care or medical care for the elderly to the social security system. It will greatly increase taxes for working people and will threaten the solvency of the social security fund which is already $331 billion in the hole.

The plans for Federal aid to education put Washington in tight control of American education at every level and will add over a billion dollars to the tax rolls the first year with demands for untold billions in the years to come. The South greatly needs help in improving our educational facilities—but the question to be answered is—at what price and how will the money be spent?

For instance, New York is one of the richest States in the Union, and yet it will receive $92 million from the Federal Government for aid to education. The personal income of the citizens of New York State is over $55 billion. The State spends more than $2.5 billion a year for education. So it is not clear why it could not spend an additional $92 million, including the $50 million for New York City, which pays the largest amount of taxes of any city in the State. Can we afford the price of Government control? Is it worth the monetary gain?

The President's proposal to change our immigration laws to permit entry into the United States of cheap coolie labor from the Asia-African nations and encourage greatly increased immigration of Negroes from Jamaica, Trinidad, and Tobago threatens to add to our welfare rolls, increase unemployment, and face American workers with hordes of cheap labor to crowd the marketplace for jobs. These are just a few brief comments on the far-reaching effects of some of the liberal legislation Members of Congress will be considering. I have an open mind on all the President's proposals and intend to study each one fully after hearings are held and the various committees of the House report on them. Only then will I make up my mind on how to vote on each proposal.

NEW REPUBLICAN MEMBER RECEIVED

It was most encouraging to watch the reception given Congressman ALBERT W. WATSON, of South Carolina, by Republicans after he had been stripped of his seniority by northern liberal Democrats because he stood by his convictions. As he attended his first meeting with his fellow Republicans after changing his party affiliation, he was given a unanimous ovation by all the Republican Members of the House. This is a good sign of the growing strength of a solid two-party system in the South and their growing influence in the Republican Party.

Anniversary of Trinidad-Tobago

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. POWELL. Mr. Speaker, 3 short years ago, on August 31, 1962, the newly independent country of Trinidad-Tobago joined us in the world community of free nations as an equal and sovereign state. On this memorable occasion, we wish to extend warm felicitations to His Excellency Eric Williams, the Prime Minister of Trinidad-Tobago; and to His Excellency Sir Ellis Emmanuel Innocent Clarke, C.M.G., the Trinidad-Tobago Ambassador to the United States.

In this short period of time, we have witnessed in this country an economic progress that has been greatly encouraging, we have seen the peaceful and nondisruptive transfer of governmental power to an indigenous government, and we have seen the people of this new country respond to their challenge with rejoicing and accept their new responsibilities with conscientiousness.

The island of Trinidad lies 7 miles off the northeastern coast of the continent of South America. The island of Tobago is 19 miles to the northeast of Trinidad. Thus, this new nation occupies an important place in the pattern of the world's commerce. The many international airlines that stop at Piarco Airport make it one of the area's busiest and most important. Likewise, the many intransit travelers that are enchanted by the island's beauty and thus make their visit there more than a stopover point have given rise to a rapidly expanding tourist industry. For the islands of Trinidad and Tobago are indeed among the world's most beautiful tropical paradises, covered as they are with lush vegetation and the vibrant tropical colors of a profusion of flowers the year round. Mountains, savannas, rivers, forests, coastal mangrove swamps, and quiet sandy beaches make these islands a varied and pleasing home for the 900,000 citizens of this new nation.

Trinidad and Tobago were formerly colonies in the British Empire, after being ceded to England by Spain in 1802. From the time of its discovery by Columbus in 1498, on his third voyage, these islands have welcomed peoples of many nationalities and many different customs. Spaniards, Caribs, Arawaks, Negroes from Africa, English, East Indians, French, Dutch, and many more representatives of the world's varied cultures have made their common home in this beautiful setting. Thus, today, the islands of Trinidad and Tobago have a culture uniquely their own, and they may be justly proud of it. Calypso, steeldrum bands, and many other enrichments for the lives of men have originated in these islands.

The most impressive and encouraging accomplishment of the fine people of this new nation, though, has not been that of successfully advertising their sunny beaches, but rather the tremendous economic growth and development that has taken place in the last decade or so. So successful have been their efforts, their hard work, careful planning, and astute administration, that the per capita income of the people of Trinidad and Tobago is one of the highest in the Caribbean. The national income more than doubled from 1951 to 1961, and has continued to grow rapidly. Stability in government, growing markets, government cooperation and incentives, the friendly people and fine living conditions, all have contributed to bring needed foreign investment to the island. The economy of the islands is now gaining its needed diversity, as fertilizer plants, oil refineries, and electrical plants are added to sugar mills, cocoa plantation, and textile mills.

With rising standards of living, increasing educational opportunities, a spirit of dedication to progress, and a willingness to sacrifice time and energy to build a better future, the prospects are indeed bright and healthy for the future of Trinidad and Tobago.

We salute the government and people of this young nation today, not only as the occasion of their third anniversary of complete independence, but for the inspiring, courageous, and bold example that they have set for other new and developing nations throughout the world to follow. Peace, progress, prosperity have all been accomplished with, by, and through their natural freedom. Trinidad and Tobago are to me and for many others a shining example of what freemen, working together in a free economy, can accomplish. Most sincerely, then, we congratulate Trinidad and Tobago on this, their independence day, and wish them the most happy and prosperous of futures.

Appointment of Postmaster General John Gronouski as Ambassador to Poland

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. ZABLOCKI. Mr. Speaker, seldom is a State honored by a native son as the State of Wisconsin has been recently by its own John Gronouski. It is, in fact, an honor which Wisconsin shares with the entire Nation.

In September 1963, Mr. Gronouski answered the call of the late President Kennedy to join his Cabinet by accepting the appointment as Postmaster General. In February of this year and following a period of distinguished and intelligent leadership, Mr. Gronouski was reappointed to that post by President Johnson. And again only last Sunday, John Gronouski, with the dedication and deep commitment which has characterized his personal and public life, once more accepted a new and challenging call to public service by answering to his appointment by President Johnson as Ambassador to Poland.

In returning John Gronouski to the country from which his grandparents came, President Johnson is to be commended. There is no doubt that the competence, intelligence, and vigorous leadership which has marked his Cabinet career will come to bear in this highly important post as our representative to Poland. Certainly in view of the heightened tension in southeast Asia and the growing importance of Warsaw as a meeting ground of possible peace, his ambassadorial post takes on added significance.

From throughout Wisconsin and across the Nation has come warm confirmation of John Gronouski's qualifications to assume this post. To that supportive chorus I am pleased and equally honored to add my own endorsement and expression of best wishes.

To that end I could think of no more fitting expression than to share with my colleagues at this time President Johnson's own comments of praise in announcing Mr. Gronouski's appointment.

President Johnson's remarks follow:

GRONOUSKI APPOINTMENT

Early in 1964, speaking at V.M.I., I pledged my administration to a policy of building bridges across the gulf which had divided us for more than two decades from the people of Eastern Europe. I said then, "They will be"—I said—"bridges of increased trade, of ideas, of visitors, and of humanitarian aid."

Our hopes for these people of these countries are identical to their own aspirations for their own future. We want to strengthen their ability to shape their own society, and we seek to bring every European nation closer to its neighbors in the ties of peace.

And so today I am very pleased to announce one of the most important steps this Nation has yet taken to implement that policy. I am asking a member of my Cabinet, a vigorous, intelligent, highly trained and deeply committed public servant—Postmaster General John Gronouski—to serve as U.S. Ambassador to Poland.

I have discussed this assignment at great length with Secretary Rusk and other top key officials in the Department of State, and we believe that Mr. Gronouski's appointment reaffirms our strong desire for increased trust and friendly cooperation between Poland and the United States.

Mr. Gronouski is going to Warsaw to do everything in his power to further increase understanding and good will between Poland and our country.

He is a grand and a very warm human being who enjoys people. His background and his experience uniquely qualify him to translate American ideals to Poland and Polish ideals to America.

POLISH TIES CITED

I have asked Mr. Gronouski to say to the peoples and to the leaders of Poland that a deep and historic bond exists between Poland and the United States. Let, therefore, trust grow between us. Let us strengthen that bond, and let us work together for the peace and the liberty that we all seek for all peoples everywhere.

John Gronouski is the man, I think, that can carry that message. America is in his blood, but so is Poland. He was born the grandson of a Polish immigrant. He is a member of the Polish Institute of the Arts and Sciences of Chicago, a director of the Pulaski Foundation, the honorary chairman of the committee for an endowed chair in Polish studies at the University of Chicago. In 1963 he became Postmaster General by selection of President Kennedy. He was the first American of Polish descent to ever serve in the Cabinet, and it was my great pleasure to reappoint him to the post of Postmaster General last February.

But John Gronouski is more. He is one of the very few men with a doctor of philosophy degree ever to sit in the Cabinet. As an expert on international economics and on Government finance, he has established a most outstanding record in one of the great progressive States of the Union—Wisconsin. He is a talented administrator who has opened up new paths of progress for the postal service of the United States.

Just as another very extraordinary American who I'm delighted to see here with us today, Ambassador Arthur Goldberg, left the Supreme Court to accept—a very extraordinary, highly significant diplomatic assignment, John Gronouski is now leaving the Cabinet with a distinguished record and high honor to serve his President and his country.

And he is, by the way, enhancing a very noble and unique tradition, for the man who really set up our postal service, our first Postmaster General, also went on to later serve his country as Ambassador. His name was Benjamin Franklin.

The Nation's Future Highway Program

EXTENSION OF REMARKS

OF

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 31, 1965

Mr. FALLON. Mr. Speaker, on Saturday the President signed into law Senate Joint Resolution 81, the authorization of $3 billion for the Interstate System for fiscal year 1967. On that occasion, Mr. Speaker, the President issued a statement which, in my opinion, was an outstanding expression of the position of the administration on the Nation's future highway program.

Because of the significance of these remarks of the Chief Executive, under unanimous consent, I include them at this point in the RECORD:

STATEMENT BY THE PRESIDENT

With the signing of this legislation, we are authorizing the largest single year apportionment of Federal aid to the States for highways.

The highways to be built and improved under the Federal aid highway program will save time, save money, and save the lives of motorists. They will strengthen our national economy and our national defense. They will increase the markets for the products of our farms and they will give flexibility to the movement of people and goods in our growing urban areas. They will broaden the travel and recreational opportunities for all Americans. They will permit everyone to see the beauty and grandeur of America conveniently, comfortably, and safely.

This legislation also provides for the study of the orderly continuation of the Federal aid highway program. Congress has asked that it be provided with regular estimates of the future highway needs of the Nation. This administration, through the Department of Commerce and its Bureau of Public Roads, has a study underway of our future highway needs. On the basis of that study, I will, in January 1968, consider legislation for a program of Federal aid to the States for highways to continue after the expiration of the present program in 1972.

This legislation also provides the tools for a coordinated national attack on highway accidents. It provides that the Secretary of Commerce shall develop uniform standards for State highway safety programs. The death of over 48,000 persons on our highways last year and the prospect of an even greater total this year give urgency to a national safety effort. The approach provided for by this legislation is in keeping with the traditional Federal-State relationship through which the Federal aid highway program has operated so successfully. It recognizes the primary responsibility of the States for highway safety and at the same time acknowledges the Federal Government's responsibility to lead and coordinate.

This legislation, however, is but part of what is needed to insure that our highways will be able to meet the increasing demands placed upon them. I have proposed to Congress legislation to insure that the highway trust fund will receive the revenue it needs so that the States might receive Federal aid sufficient for the timely completion of the Interstate Highway System. I have also submitted to Congress legislation that will insure that the enormous public investments in highways will be protected from roadside blight and that highways will serve the increasing public demand for the beautiful as well as the merely utilitarian. The everyday driving of Americans provides the greatest opportunity to see and enjoy the beauty of our Nation. The higher standard of living and the increased leisure time of Americans have created a demand for scenic and recreational roads. I anticipate that the Congress will shortly act on these needs.

This proposed legislation meets a public need, in reality a public necessity and is going to be pursued with all the vigor of the executive department until acted upon.

We are a nation of almost 100 million drivers and 90 million vehicles. By 1970 we will be driving a trillion miles a year in America. We cannot depend on the roads of yesterday to carry the motor traffic of today and tomorrow. The life and pocketbook of every American are affected by the efficiency of our motor transportation system. The legislation now before Congress is necessary if we are to meet the new needs essential to the progress of our motor transportation system.

I appeal to all patriotic citizens interested in the improvement and continued development of our highway system to unite to the end of making that system adequate, superior in construction and most important, attractive and beautiful.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 1, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scripture: Galatians 5: 14: *For all the law is fulfilled in one word, even in this; Thou shalt love thy neighbor as thyself.*

Eternal God, whose grace is the supply and strength of our life, receive us in our need and waken the song of faith and joy in our hearts.

Draw us nearer to Thyself than we have ever known before. By Thy divine power work in us both to will and do what is well-pleasing unto Thee. In lowliness of heart may we walk together in Thy way.

Purify our spirits that we may hallow in our hearts that Name which is above every name forever blessed in which our holiest longings find voice.

Help us to understand that our love for Thee and our fellow men are inseparably related and that if we refuse to be in Christ the brothers of men, we cannot be in Christ the sons of God.

We beseech Thee to complete our spiritual endeavors and may we accept life as a great gift with glorious possibilities and opportunities and prove ourselves to be good and faithful servants.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H.R. 10342. An act to authorize the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, to accept the award of Officer in the French National Order of the Legion of Honor; and

H.J. Res.632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

The message also announced that the Senate had passed, with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5688. An act relating to crime and criminal procedure in the District of Columbia.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 950. An act to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes;

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended; and

S. 2232. An act to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes.

CONFEREES ON H.R. 8283

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may be excused as a conferee on the bill H.R. 8283, an act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, and that the Speaker be authorized to appoint a Member to fill the vacancy.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, will the gentleman explain just what the purpose of this is?

Mr. GERALD R. FORD. Yesterday conferees were named on the bill H.R. 8283, and unfortunately, and I hope unintentionally, a mistake was made in that the gentleman from New York [Mr. Goodell] was appointed as a conferee even though he is not a member of the subcommittee of the Committee on Education and Labor which handled this particular legislation. By tradition and otherwise the gentleman from Ohio [Mr. Ayres], as ranking minority member of the full committee, should have been appointed as a conferee. As a result I have checked with the gentleman from New York [Mr. Goodell] and he is willing to step aside. It is the intent and purpose of the resolution to substitute the gentleman from Ohio [Mr. Ayres] as his replacement.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman.

Mr. AYRES. The gentleman from Mississippi, I believe, understands that the gentleman from Ohio is the ranking member of the Committee on Education and Labor and that it has been customary for the 15 years that I have been a Member of the House that the ranking Member be consulted, at least, for suggestions to be made to the Speaker on the appointment of conferees. I was not consulted and I did not know that the conferees had been named until I was called by the gentleman from California [Mr. Bell], a member of the committee, from the floor of the House.

In no way am I casting any aspersions on our great Speaker. He accepted the list that was given to him.

This is most unethical, most unorthodox, and most unusual.

Mr. WILLIAMS. Mr. Speaker, I appreciate the gentleman's statement. In view of the fact that this was offered by the distinguished minority leader, of course I shall not object. I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. HALL. Mr. Speaker, further reserving the right to object, I just believe that we ought to understand what is going on within the comity of the Chamber, and of the privileges of individual Members of the House, and the precedents which have been established concerning the appointment of conferees on matters as vital as extending the Economic Opportunity Act, the Area Redevelopment Act, and the accelerated public works program.

This seems unduly strange and uncommon. I wonder if the chairman of the Committee on Education and Labor would care to comment about the situation, under the reservation of objection, in view of the "bypass," which has obviously been worked here and what was the actual intent.

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from New York?

Mr. HALL. Yes, I yield for that purpose.

Mr. POWELL. Mr. Speaker, I say to the gentleman from Missouri that what happened yesterday was purely a combination of accidents, because the gentleman from Ohio [Mr. Ayres] is not only my esteemed friend but is also a distinguished colleague, and he is the leader of the minority side of the committee. On everything I have always tried to clear with him, and always will try to clear with him, in connection with the Committee on Education and Labor.

Mr. HALL. But this was not done yesterday; is that true?

Mr. POWELL. That is correct. It was a combination of accidents, and I should like to apologize to my good friend from Ohio.

Mr. HALL. Mr. Speaker, under the circumstances, I do object.

The SPEAKER. The Chair can assure the gentlemen, the Members of the House, that there was no motive other than what was pure. These things occasionally happen, and the matter is then rectified.

Is there objection to the request of the gentleman from Michigan? The Chair hears none——

Mr. HALL. Mr. Speaker, I do object, as I stated awhile ago, under the circumstances.

The SPEAKER. The gentleman does object?

Mr. HALL. I do object. I reserved my right, and I did object.

The SPEAKER. Objection is heard.

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, this matter was called to my attention late, late yesterday afternoon. I sought to find out what had happened and why. I consulted with the Speaker. The Speaker, on being told the facts and circumstances, agreed with me we would try to remedy and rectify the situation this morning.

I believe it is most unfortunate that the incident occurred. I pass no judgment on how it happened or why it happened. However, I strongly feel that the Record ought to be clear that so far as the Speaker is concerned, he had no part, or no involvement, in this regrettable incident. Our distinguished Speaker has worked with me in trying to remedy and rectify the situation. I thank him for his help and cooperation.

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the distinguished leader of the minority side of the Committee on Education and Labor may be added to the conferees. In other words, Mr. Speaker, I ask that there be one more conferee on the Republican side.

Mr. GROSS. Mr. Speaker, reserving the right to object——

The SPEAKER. The Chair would like to have the gentleman from New York confer with him before submitting that request. The Chair at this moment suggests that.

Mr. POWELL. Mr. Speaker, I withdraw my request.

COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TRANSFER OF CONSENT CALENDAR AND SUSPENSION OF THE RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar and the authority for the Speaker to recognize for motions to suspend the rules, in order on Monday, September 6, 1965, be transferred to Tuesday, September 7, 1965.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I hope I will not have to object, but I will until we can have the order of bills that may be called up under suspension so that we may know what legislation we can expect. Unless the gentleman withdraws his request with respect to bills under suspension rule, I will be constrained to object.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I cannot advise him of all of the bills at this time, because until the week closes and we are ready to submit the program, we will not be able to know just how many requests we will have.

Mr. GROSS. Then, Mr. Speaker, I object.

TRANSFER OF DATE FOR MOTIONS TO SUSPEND THE RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I, of course, made the request, as I am sure all Members know, because Monday is Labor Day. We can meet Monday; we will have to meet Monday unless this permission is granted. And I might say to my good friend from Iowa that the matter of putting bills on the suspension list is within the exclusive power and jurisdiction of the Speaker. That jurisdiction lies with the Speaker.

The Speaker is not required under the rules or the customs of the House to make that announcement until he has finally made the decision. On the day on which suspensions of the rules are in order, the Speaker can recognize Members for that purpose as he deems fit. The only thing the gentleman can do, if he persists in his objection, is compel the House to meet on Monday, because the Speaker's jurisdiction is clear.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. GROSS. Can the gentleman recall when the bills to be called under suspension were not announced to the House prior to the call of the calendar?

Mr. ALBERT. No; and I will say that when the Speaker has made his decision they will be announced so far as I am concerned. Of course the whole matter is within the control of the Speaker.

Mr. GROSS. I will say to the gentleman that when the House is informed of the legislation to be brought up under suspension——

Mr. ALBERT. The gentleman is gaining nothing, because the Speaker's prerogatives are clear. The gentleman is gaining nothing except forcing the House to meet on Monday, if that is what he wants to do.

Mr. GROSS. Until we know the bills that are to be called up under suspension the gentleman will continue to object.

Mr. ALBERT. The gentleman is not going to take over the prerogatives of the Speaker, even though he may attempt to take over the prerogatives of the minority leader. We desire to accommodate Members, but we cannot do so at the expense of the rules of the House.

The SPEAKER. The time of the gentleman from Oklahoma [Mr. ALBERT] has expired.

CALL OF THE HOUSE

Mr. JOELSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered, and the following Members failed to answer to their names:

[Roll No. 256]

Abernethy
Anderson, Ill.
Andrews, George W.
Baring
Bates
Blatnik
Bonner
Brock
Clawson, Del
Collier
Craley
Denton
Devine
Dingell
Dow
Evins, Tenn.
Feighan
Hathaway
Hébert
Holifield
Hungate
Kee
Kornegay
Landrum
Lindsay
Long, La.
McDowell
McEwen
Martin, Mass.
Matthews
Miller
Morse
Mosher
Pucinski
Reifel
Resnick
Roncalio
Roosevelt
Thomas
Thompson, N.J.
Toll
Ullman
Willis

The SPEAKER. On this rollcall 385 Members answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1965

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 3141, with Mrs. GRIFFITHS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from Arkansas [Mr. HARRIS] had 29 minutes remaining and the gentleman from Illinois [Mr. SPRINGER] had 30 minutes remaining.

The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Madam Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Madam Chairman, I am greatly concerned over an amendment which the Interstate and Foreign Commerce Committee, upon which I serve, has added to the bill to amend the Public Health Service Act, H.R. 3141. This rider, adopted in executive session without an opportunity for those parties affected to present their views, does not affect the Public Health Service Act at all, but proposes to amend title VIII of the Nurse Training Act of 1964. The committee, under section 843 pertaining to definitions, has amended the term "accredited" in a manner which I feel will be highly detrimental to the nurse training program. The American Nurses' Association, the National League for Nursing, the American Hospital Association, and the Department of Education are violently opposed to such change.

The Nurse Training Act at present provides that the Commissioner of Education is given authority to recognize any body or bodies for purposes of accrediting programs of nurse education. Under that act as it now stands, only nursing programs so accredited may qualify to receive Nurse Training Act funds. Pursuant to this authority, the Commissioner has recognized only the National League for Nursing as the accrediting body. The American Nurses' Association—160,000 members—the National Hospital Association—approximately 9,000 associated hospitals—and many other professional medical groups endorse the selection of the National League for Nursing as the sole accrediting body for specialized programs of nursing because it is the only experienced national accrediting body recognized in the field of nurse education.

The amendment of the committee to which I am opposed proposes to eliminate the present requirement of the Nurse Training Act with regard to accreditation. Instead, it would provide that collegiate or associate degree programs—2-year junior college nursing programs—could be approved or accredited by either a State approval agency or a regional accrediting agency. This change, in effect, removes these two groups of schools from the accrediting program of the National League for Nursing and removes from the Commissioner of Education the responsibility and decision as to the satisfactory accreditation of the collegiate and associate degree programs.

It is the consensus of opinion among informed professional medical groups of both practitioners and educators that this change would result in the weakening of the nationwide efforts being made to strengthen and improve the quality of nurse training. National accreditation by the National League for Nursing has provided a strong incentive for nursing schools across the country to improve and maintain the quality of their nurse education programs. The associate director of the American Hospital Association, Mr. Kenneth Williamson, has stated his opposition to the proposed change in accreditation as follows:

> We have seen no evidence that the regional accrediting authorities which are responsible for accrediting institutions of higher learning in terms of their general educational quality are competent in the areas of professional nurse education. Their present programs and staff would have to be augmented extensively. The program developed by the National League for Nursing has fully demonstrated its competency.

The optional selection of State approval authority, of course, removes the requirement of accreditation entirely.

The question as to whether or not those programs of nurse education not specially accredited should be allowed to participate in the nurse training program was extensively discussed during the hearings in 1964 on the Nurse Training Act. At that time, after thorough consideration had been given to the matter, it was decided to maintain the administration bill intact in this regard and to limit NTA participation to those institutions which had secured proper accreditation. It was recognized then, as it is today, that many of the smaller nursing schools had not attained that minimum level of proficiency in the education of nurses to justify their continued existence at that level; these schools should be encouraged to improve their standards or to discontinue their nursing programs. National accreditation as a requirement of participation in the nurse training program provides the needed incentive to improve and maintain the quality of nurse training.

A letter which I received from Dr. John F. Gillespie, assistant professor of surgery at Georgetown University, in opposition to the proposed change in accreditation is typical of the hundreds of letters received by Members of this House from professional medical groups across the Nation. Speaking on behalf of himself and the dean of the Georgetown School of Nursing, Dr. Ann Douglas, he states in part:

> The nursing school dean and myself are further prepared to show facts that National League for Nursing accredited programs, admit, retain, and graduate the largest number of students, have the lowest proportion of failures on State board examinations, and attract better faculties. In my opinion, such an amendment * * * is a step backwards in nursing education as well as evidence of a lack of knowledge of the responsibilities nursing has, not only to the medical profession, but to the community as a whole.

I am constrained to agree with Dr. Gillespie and the many other professional people who have urgently requested me to oppose this ill-conceived change in the manner of accreditation for purposes of the Nurse Training Act.

Madam Chairman, when we debated the rule I stated that I was for the rule and for the bill, but there is a major flaw in the bill, and that is the purpose of my speaking now. This is called the Rogers amendment. It is a tail end provision of this bill and has nothing to do with the bill we are now discussing, H.R. 3141, as we know it. I first became concerned with the Rogers amendment to H.R. 3141 after receiving a letter from the director of nursing at the Nebraska University College of Nurses. After receiving that, I went into the matter in depth and I was amazed at the harm the Rogers amendment would inflict upon the nursing profession.

Madam Chairman, the amendment is a front for a handful of junior colleges. Out of thousands of junior colleges only slightly more than 100 have nursing schools. Compare this with the nearly 1,000 nursing schools which have been accredited.

Madam Chairman, this is the crux of the matter, accreditation. Junior colleges can be nationally accredited, if they qualify. Some of them have. The Rogers amendment, without doubt, does violence to our wonderful nurses and that great profession. They want to be the best in the world, and they are. Have you ever had, have the Members ever had, their "tender care" as a patient? Well, I have. The Rogers amendment will tend to destroy this wonderful profession, and this highly respected profession, because it will reduce the standards now prevailing in the nursing profession.

Madam Chairman, last year we passed a Nurse Training Act. We gave authority to the Office of Education to choose the accrediting agency for these nursing schools. The Office of Education chose the highly qualified National League for Nursing as the accrediting agency.

Now, Madam Chairman, the junior college lobby is the agency which is supporting the Rogers amendment, which is on the tail end of this very important bill.

Madam Chairman, there are only slightly more than 100 junior colleges out of approximately a thousand which have nurse training programs. These are 2-year courses. The high caliber of nurses we have and their needs cannot be provided with 2-year nurse training programs which are not nationally accredited. The Rogers amendment proposes to let the bars down, to allow the State agency to do the accrediting.

Madam Chairman, a State agency is not equipped or qualified to accredit a school of nursing, a highly technical school.

If this provision remains in the bill in its final form, you can be assured that the nursing profession as we know it will suffer irreparable harm.

Those against the Rogers amendment are many. Yesterday we had a splendid speech opposing the Rogers amendment by the gentleman from California [Mr. COHELAN], and I believe one other, but there are a great number of very respected organizations which are violently opposed to the Rogers amendment. For example, the American Nurses Association with a membership of 160,000, the National League for Nursing which has a huge membership, and they are the accrediting agency that has been designated as such by the Office of Education. Others opposed to the Rogers amendment include the American Hospital Association with 9,000 affiliated hospitals, and I understand that over 50 hospital associations on the State level are against the Rogers amendment.

Madam Chairman, of great significance is the fact that the Office of Education under the Department of Health, Education, and Welfare is against the Rogers amendment. There are also hundreds of professional and medical groups who oppose it.

I might say also that the Rogers amendment is opposed to the President's program.

When we had the Nurses Training Act up last year, it was the administration's position that the accrediting of nursing schools should be under the Office of Education and HEW. In this bill we are going to destroy what the administration wants, and I want to support the administration in this matter.

When we go back into the House I will ask permission to include various letters of opposition to the Rogers amendment to which I have referred. If the Rogers amendment should prevail—and I certainly hope it will not—it means that at least 50 accrediting agencies—one in each of the 50 States—will do the accrediting. They are not equipped to accredit the highly complex nursing school.

These State agencies under the Rogers amendment can accredit a college as such, but when it comes down to the professional schools they are not equipped to pass on the accreditation of the nursing schools.

You will hear some arguments in favor of the Rogers amendment, but as far as I am concerned they are of little or no value. As I said, there is a little group of people, about 100, as I understand it, junior colleges that are back of the Rogers amendment.

Madam Chairman, I understand by the 160,000 members of the American Nurses' Association, highly qualified people, and I refer to them. They are the ones who give you "gentle care" if you are hospitalized. I stand with the 9,000 hospitals represented by the American Hospital Association. I stand by the administration and the Office of Education.

So in summary, Madam Chairman, may I say that this was snuck into this bill at the last minute with no hearings. There were no hearings on it to be sure. It was put in during an executive session, and it does damage to the great nursing profession, it does damage to the President's program.

What we need and what we must have in this country are highly qualified nurses, and the only way we can assure professional nurse's training is to not go along with the Rogers amendment but to leave accreditation to the National League of Nursing as it now is. I do hope that this amendment will be knocked out of the bill. I had originally proposed an amendment to do that, but I have so much respect and regard for my dear chairman, the gentleman from Arkansas [Mr. HARRIS] and we have had some conversations and think we have another way of getting at this problem. But if the Rogers amendment stays in the final bill, and I feel it will not, you will see a downgrading of the wonderful women who are in the nursing profession.

So I hope that all of you here in this Chamber will take this to heart and will give the support that is needed because we want to continue to have excellent training for our nurses. We certainly will not get such training under the Rogers amendment.

As I said, I have all of these documents from the administration and from the departments—HEW, and so forth, and when we go back into the House, I will ask permission to insert them in the RECORD as part of my remarks.

Madam Chairman, I include at this point in the RECORD, the letters to which I have referred:

THE UNIVERSITY OF NEBRASKA,
COLLEGE OF MEDICINE,
Omaha, Nebr., August 20, 1965.

Hon. GLENN CUNNINGHAM,
Representative, U.S. Congress,
House Office Building, Washington, D.C.

MY DEAR MR. CUNNINGHAM: I am concerned about the information received from the National League for Nursing about bill H.R. 3141, which includes an amendment to the Nurse Training Act, 1964 (Public Law 88–851, sec. 843–F). This amendment would replace professional accreditation of baccalaureate and associate degree programs in nursing with either regional accreditation or State approval of the educational institution. If this amendment has been considered in committee and reported to the House of Representatives for consideration, I hope you will consider the following points and plan to vote against the amendment.

As a member of both the American Nurses Association and the National League for Nursing as well as the director of the University of Nebraska School of Nursing, which is accredited, I believe the negative implications which this amendment has for continued high quality accreditation of nursing programs could be disastrous to the profession. It is to the best interest of the consumer of professional nursing, the public, as well as the nursing student for accreditation of schools of nursing to remain in the hands of the nationally approved agency which is the National League for Nursing.

Some statements in support of my beliefs are as follows:

1. The National League for Nursing is presently recognized by the National Commission on Accrediting, by the U.S. Department of Health, Education, and Welfare and by the American Nurses Association as the national accrediting agency for baccalaureate and higher degrees in nursing.

2. The accrediting agency of the National League for Nursing is staffed with experts in nursing and nursing education who are qualified to give the kind of guidance needed by schools of nursing in planning and improving their educational programs.

3. The National League for Nursing has established policies and procedures for accrediting all nursing programs which are of a quality to warrant immediate accreditation as well as for those who have the potential for achieving accreditation.

4. The National League for Nursing has taken steps which will give junior colleges with high quality programs the opportunity to achieve accreditation and thereby enable them to benefit from the Nurse Training Act.

5. A change in accrediting agencies would delay progress in nursing education at a time when nursing can least afford delays.

6. State and/or regional agencies do not have and probably could not get enough prepared people to carry out accreditation programs for professional schools of nursing.

7. The present accreditation policies of the National League for Nursing have controlled the quality of nursing education and hence the quality of nursing care. Nursing studies have shown that: the majority of nurses in 1964 graduated from NLN accredited schools, the best qualified faculty members are with NLN accredited schools, most State board failures are from nonaccredited schools, and the largest number of State board failures are from nonaccredited associate degree programs.

Your vote against the amendment to the Nurse Training Act of 1964 (Public Law 88–851, sec. 843–F) will retain the National League for Nursing as the professional agency for accrediting all nursing programs. I strongly urge your consideration and support.

Very truly yours,
IRMA M. KYLE, R.N.,
Director, School of Nursing.

AMERICAN HOSPITAL ASSOCIATION,
August 25, 1965.

Hon. LISTER HILL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HILL: This association strongly supported the new and progressive amendments to the Public Health Service Act which pertained to teaching facilities and the training of professional health personnel. We expressed our detailed support of the proposals embodied in the legislation (H.R. 3141) as it was being considered by the House Committee on Interstate and Foreign Commerce.

We are greatly concerned, however, over an amendment which the House committee added to Title VIII of the nurse training program. The committee, under section 843 pertaining to definitions, has amended the term "accredited" in a manner in which we feel will be detrimental to the purpose of the program.

The act at present provides that the Commissioner of Education is given authority to recognize any body or bodies for purposes of accrediting programs of nurse education. He is, thereby, given authority to determine that an accrediting body is desirable and competent for accrediting programs of nurse education in collegiate, in 2-year junior college and in the 3-year hospital schools of nurse education.

The Commissioner of Education has recognized the accrediting program of the National League for Nursing. We endorse this selection as the league is the only experienced national accrediting body recognized in the field of nurse education.

The amendment adopted by the House committee provides that collegiate or associate degree (2-year junior college program) programs of nurse education must be approved or accredited by either a regional accrediting agency or a State approval agency. This change in effect removes these two groups of schools from the accrediting program conducted by the National League for Nursing, and it provides only that the 3-year hospital programs of nurse education will be under the accrediting program of the National League for Nursing. A definite weakening of the nationwide efforts being made to strengthen schools of nursing would result. The optional selection of State approval authority, of course, removes the requirement for accreditation entirely.

This amendment removes from the authority of the Commissioner of Education the responsibility and decision as to the satisfactory accreditation of the collegiate and 2-year schools; and in essence, breaks down the responsibility of the Federal Government for the conduct of the program.

It would be most unfortunate at this time for the Commissioner of Education to be forced to recognize multiple accrediting authorities. Such an approach would prove very detrimental to the development of one nationwide program of accreditation. It will likely result in different standards for schools and varying qualifications of their graduates. The products of these three schools of nursing all take the same qualifying examinations within the States. We believe, therefore, different basic accrediting of the schools makes no sense whatever and will prove to have an unfortunate effect upon the efforts being made to strengthen the 3-year hospital schools of nursing and to improve the programs of certain of those schools through the national accrediting efforts.

We have seen no evidence that the regional accrediting authorities which are responsible for accrediting institutions of higher learning in terms of their general educational quality are competent in the areas of professional nurse education. Their present programs and staff would have to be augmented extensively. The program developed by the National League for Nursing has fully demonstrated its competency.

There appears also to be a basic fallacy attached to the proposed amendment as it suggests that one accrediting authority has competency for all programs of education within a college or university including all the various highly specialized and professional schools. This basic policy suggests that one accrediting authority would be competent to cover not only the university in general but the school of law, the school of engineering, the school of medicine, the school of dentistry, the school of nursing, etc., etc. The regional accrediting authorities responsible for overall accreditation of an institution of higher learning may rely upon the certification of accrediting authorities for various professional schools within the university. However, schools of medicine are accredited by a voluntary program which is the same for all medical schools and which is carried out by a liaison committee between the Association of American Medical Colleges and the American Medical Association. The accreditation of schools of dentistry is carried out by the American Dental Association.

There has been expressed some concern on the part of the 2-year junior college programs of nursing education that they were required to pay the accrediting fees established by the National League for Nursing. This is, of course, a fact. Since the National League for Nursing is a voluntary program it must be supported by charges assessed to cover the costs of the accrediting program. Thus, the 2-year junior colleges, as well as the collegiate schools and the hospital schools, would each be required to pay a fee. The apparent desire of the junior colleges to avoid this fee seems a small justification for removing them from the requirement presently provided in the law. As we see it, it seems a very small price to pay in return for the substantial Federal assistance that is offered. It is, of course, necessary that all programs of nurse education covered under the act must face the cost of providing for their special accreditation. This means that the 2-year junior college programs would be faced with the same essential costs which would be required by a national accrediting authority and cannot expect to avoid costs of accrediting programs by attempting to place themselves under the authority of the various regional educational accrediting bodies.

Finally, I believe it is quite appropriate to compare the situation that would result from the proposed amendment to what would happen if we returned to the days of having a variety of accrediting or approval authorities for schools of medicine. No one familiar with the whole situation would suggest that the future of medical education and the future health of the American people would be served by breaking down a single nationwide uniform approval program of such schools and substituting several possible approval authorities with the likelihood of widely differing standards and quality being the result.

We sincerely urge that the Senate committee not accept the amendment to section 843 and pertaining particularly to the term "accrediting," but that you retain the language presently in this section of the act. When the Congress passed the nurse education bill, it was quite specific in its intention to require the assurance which accreditation would provide to students in nursing education. There is every indication that a strong uniform accreditation program is needed and one which can exert its influence upon all schools of nurse education. It is important to realize that for the year 1963-64, of the graduates of baccalaureate programs which were not accredited, 19 percent failed to pass their State board examinations and 25 percent of the graduates of associate degree (2-year junior college) programs which were not accredited failed to pass their examinations. This would certainly seem to indicate the desirability of refraining from any weakening of accreditation requirements which must be met by all schools of nursing in order to be eligible to receive Federal funds.

Sincerely yours,

KENNETH WILLIAMSON,
Associate Director,
American Hospital Association.

AUGUST 26, 1965.

Hon. ALAN BIBLE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BIBLE: Congressman PAUL ROGERS, Democrat, of Florida, recently introduced an amendment to the Health Professions Educational Assistance Amendments of 1965 (H.R. 3141) which stated that a school in receipt of Nursing Training Funds will not be forced to be accredited by the National League for Nursing. The accreditation required would then only be regional or State approval of the educational institution.

On August 6, 1964, favorable testimony was given (at hearings on H.R. 11241) concerning accredited over nonaccredited nursing programs. Dr. Ann Douglas, dean of the Georgetown University School of Nursing, and I are prepared to testify on latest figures that not only reconfirm, but make even more impressive, the record of the accredited programs and reemphasize the need for public concern regarding the educational programs that are not accredited by the National League for Nursing.

The nursing school dean and myself are further prepared to show facts that National League for Nursing accredited programs, admit, retain, and graduate the largest number of students, have the lowest proportion of failures on State board examinations, and attract better prepared faculties.

In our opinion, such an amendment as introduced by Congressman ROGERS, is a step backward in nursing education as well as evidence of lack of knowledge of the responsibilities nursing has, not only to the medical profession, but to the community as a whole.

Sincerely yours,

JOHN F. GILLESPIE, M.D.,
Assistant Professor of Surgery,
Georgetown University.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C.

Hon. GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: Thank you for offering me the opportunity to comment on the position of the Office of Education with reference to the designation of an accrediting agency for associate degree programs in nursing for purposes of the Nurse Training Act of 1964. We are enclosing a summary statement of issues and developments involved in an attempt to reconcile conflicting views.

Let us know if we may be of further service.

Sincerely yours,

PETER P. MUIRHEAD,
Associate Commissioner for
Higher Education.

DESIGNATION OF THE NATIONAL LEAGUE FOR NURSING AS THE APPROPRIATE ACCREDITING AGENCY FOR THE PURPOSES OF PUBLIC LAW 88-581, THE NURSE TRAINING ACT OF 1964

The U.S. Commissioner of Education, pursuant to legislative authorization and on the basis of criteria established and published in October 1952, designated the National League for Nursing as the nationally recognized accrediting agency for the field of nurse education. When, in 1957, the league extended its accreditation to include evaluation of associate degree programs in nursing, the Commissioner of Education recognized this as a logical assumption of responsibility by the nationally recognized accrediting agency in the field of nurse education. Parallel situations appear in several other professional and specialized fields, e.g., accreditation of engineering technology programs by the Engineers' Council for Professional Development; accreditation of dental hygiene, dental technology, and dental assistant programs by the American Dental Association; accreditation of allied medical sciences such as medical technology, physical therapy, occupational therapy, and X-ray technology by the Council on Medical Education of the American Medical Association; and accreditation of programs in music at the junior college level by the National Association of Schools of Music.

The associate degree program in nursing is of fairly recent development, and many of the junior colleges offering the program had not, prior to the passage of Public Law 88-581, sought National League for Nursing accreditation. At the close of fiscal 1965, of the more than 100 associate degree programs in nursing, 3 had been accredited by the League and 37 had attained the status of "reasonable assurance" provided in section 843(f) of the act.

The institutions not qualifying for participation in the provisions of the act have voiced objection to the requirement of "specialized" accreditation for the associate degree program in nursing, suggesting that "general" accreditation by nationally recognized regional agencies or by State agencies should be considered adequate for specialized programs at the junior or community college level.

In November 1964, when the U.S. Commissioner reaffirmed his designation of the National League for Nursing as the appropriate agency for the accreditation of programs of nurse education at the baccalaureate and higher degree, associate degree, and diploma (hospital school) levels, it was with the reservation that it may be necessary to designate additional accrediting bodies for programs at the associate degree level at a later date. This reservation recognized the fact that there were honest differences of opinion between the junior colleges on the one hand and the professional leadership, practitioners and educators, on the other.

With the cooperation of the National Commission on Accrediting (the nongovernmental agency assuming responsibility for recognizing accrediting agencies in the interest of institutions of higher education), the Office of Education has explored with representatives of the junior colleges, the professional accrediting agencies accrediting programs in those colleges, representatives of State education departments, and the Federation of Regional Accrediting Commissions of Higher Education the factors involved and the problems in need of resolution. The results of the several conferences held have led to the conclusion that accreditation for general purposes by regional accrediting or State agencies will not guarantee the achievement of the goals of the act—to increase the quantity of nurses available for the care of patients and to improve the quality of training of nurses. Pertinent to this conclusion are the following facts:

The present policy of the Federation of Regional Accrediting Commissions of Higher Education regarding accreditation of specialized programs within an institution is as follows:

"The general accreditation of the institution as a whole is not and should not be interpreted as being equivalent to specialized accreditation of each of the separate parts or programs of the institution."

Thus, while regional association accreditation implies attainment of minimum standards for the institution as a whole, it does not attempt to provide evaluation appropriate to a determination of satisfactory preparation in a professional field. This has been the long standing, institutionally accepted practice in the accreditation of baccalaureate programs, and there seems to be no defensible reason for inaugurating a different practice at the junior college level. Furthermore, the development of the associate degree program in nurse education is so recent that many of the institutions offering such programs have not had their regional accreditation reaffirmed since the institution of such program.

The procedures and standards for licensing of nurses and approval of programs of nurse education in the several States vary so widely that it does not seem feasible to identify State licensing or approval agencies for the purposes of the act. The States are concerned primarily with identifying individuals who are competent to perform professional duties. Licensure or certification by the State complements but affords no substitute for identifying well qualified institutions and helping to raise and maintain institutional standards.

The professional leadership in the field of nursing as represented by the California Nurses' Association, the American Nurses' Association, and the State and Territorial Directors of Nursing has indicated support of the Commissioner of Education's designation of the National League for Nursing for purposes of the Nursing Training Act of 1964 and expressed the conviction that it is the role of government to protect the safety of the public through State licensure of individual practitioners but that standards for educational preparation should be established by peer groups in the appropriate field and carried out through voluntary nationwide participation.

The Office of Education concurs in this point of view and supports the deletion of the proposed amendment to H.R. 3141 which would substitute "general" for "specialized" accreditation as establishing institutional eligibility for participation in the provisions of Public Law 88-581.

POSITION OF THE AMERICAN NURSES' ASSOCIATION ON ACCREDITATION OF ALL BASIC NURSING EDUCATION PROGRAMS

The American Nurses' Association recognizes and supports the National League for Nursing as the national accrediting agency for all basic nursing education programs. National League for Nursing accreditation is directed toward strengthening and maintaining quality of nursing education for the protection of both the student and the public. Such accreditation, we believe, is most essential at the present time for the effective development of associate degree programs which are providing rapidly increasing numbers of candidates for licensure as registered nurses.

We support the designation of the National League for Nursing as the accrediting agency for the purposes of awarding Federal funds for nursing education, and urge that National League for Nursing accreditation be maintained as a requirement for Federal assistance to associate degree and baccalaureate programs, as well as for diploma programs.

SOUTH CAROLINA STATE
NURSES' ASSOCIATION,
Columbia, S.C., August 25, 1965.

Hon. ROBERT T. ASHMORE,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ASHMORE: The South Carolina State Nurses' Association is very much concerned about and opposed to the technical amendment to H.R. 3141, the Health Professions Educational Assistance Amendments of 1965.

This technical amendment calls for changes in the Nurse Training Act of 1964 to provide that funds be available to collegiate programs on the basis of regional or State approval rather than approval by the National League for Nursing as named by the Commissioner of Education.

You will understand that this matter is of the greatest concern to nurses in South Carolina. We have, together with State government and other citizens, sought to improve the preparation of nursing practitioners so that our people might have better nursing care. And we believe that definite standards must be adhered to if we are to insure sound education for nursing.

While regional accreditation is important, it testifies to general excellence of the educational institution rather than excellence of specific programs within the institution. Since nurses are so vitally concerned with health and often with matters of life and death, we believe that the nursing programs and clinical facilities used must be examined by those qualified to judge ability to prepare sound practioners of nursing.

Our experience in this State has shown that nationally accredited programs can attract faculty and students and that graduates of these programs make better, safer, practitioners of nursing. Since the National League for Nursing is the recognized accrediting body for basic nursing education programs, we believe that NLN accreditation (or reasonable assurance as provided) should be a requirement for schools to receive funds under the Nurse Training Act of 1964.

This association, therefore, urges you to oppose the technical amendment to H.R. 3141 when it comes up for debate in the House.

Very sincerely yours,
VIRGINIA COKER PHILLIPS.

LANSING, MICH., *August 26, 1965.*

Representative CHARLES CHAMBERLAIN,
House Office Building,
Washington, D.C.:

The Michigan Hospital Association opposes those portions of H.R. 3141 which would remove collegiate and associate degree nurse training programs from present national accreditation requirements. Nurse training is vital to the health of our citizens and should meet uniform standards of quality as presently established through the National League for Nursing.

We endorse the position of the American Hospital Association on this subject and trust that your support of our opposition to this measure will be forthcoming.

Sincerely,
ALLAN BARTH,
Executive Director, Michigan Hospital Association.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Madam Chairman, I yield 10 minutes to the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Madam Chairman, I rise in support of H.R. 3141, but vigorously oppose that portion of the committee amendment which modifies the language of section 843(f) of the Public Health Service Act. Under the present law, assistance is given to schools of nursing which are properly accredited by a recognized body approved for such purpose by the Commissioner of Education. The proposed modification would make eligible for assistance any school of nursing offering collegiate or associate degree programs, if the school is part of an educational institution approved or accredited by either a regional accreditation agency, or a State approval agency.

This modification was approved in subcommittee without hearing, and after little or no notice, notwithstanding the fact that it vitally affects the operation of our nurses training schools, and the profession generally. The American Nursing Association and the American Hospital Association are unqualifiedly opposed to this change in the present law.

If this amendatory language remains in the bill as finally approved, it will, in effect, make it no longer necessary for a school of nursing to meet the high standards prescribed by its officially designated accreditation organization, in order to qualify for assistance. It will weaken those professional nursing standards which have been carefully erected as citadels for the safety of the American people. It will expose those standards to erosion, resulting in projecting the nursing profession along a downward, rather than an upward, road.

By way of background, may I say that the junior colleges and senior colleges and universities in this country have organized themselves into six regional accreditation associations whose purpose it is to extend accreditation to member organizations. These regional associations, although performing a very useful function, are strictly limited. Their function is to accredit schools or universities, as a unit, rather than to pass on the merits of any constituent professional school. It is very possible, for example, that a regional accreditation association might approve a university, on its overall performance, even though its school of nursing might be conspicuously weak. The Federation of Regional Accrediting Commissions of Higher Education has admitted this itself, when, on October 14, 1964, it adopted a policy statement which reads in part as follows:

> The general accreditation of the institution as a whole is not and should not be interpreted as being equivalent to specialized accreditation of each of the several parts or programs of the institution.

It is these regional associations which the above-referred to amendment enthrones as the final authority on matters of accreditation and eligibility for Federal funds.

It is because of their inherent limitations that almost all of our professional schools have established their own professional accreditation associations for the purpose of establishing a higher standard of excellence than it is possible to maintain by the regional accreditation associations.

Thus, the nursing profession has organized the National League for Nursing for the purpose of establishing national and uniform standards of excellence. This league has been designated by the Commissioner of Education to establish accreditation for schools of nursing. It has done an excellent job, and succeeded in raising the standards of nursing throughout the Nation, so that to be a registered nurse, today, is to be accepted everywhere as a person of quality and competence.

If the above language remains in the bill, the vast progress made in raising standards of nursing will be compromised, and the hands of time will be set back many years.

Today's little lady with the lamp has come a long way since the Crimean War, over a hundred years ago, when Florence Nightingale brought care and comfort to the battered British soldiers. Today she still brings care and comfort, but on a plane of scientific enlightenment and skill which would have confounded the founder of modern nursing. Today's registered nurse, acting under doctor's instructions, but nevertheless relying entirely on her own skill, is licensed to administer any one of hundreds of drugs and narcotics, medications, blood transfusions, intravenous feedings, and oxygen. She is required to exercise skill, and judgment in the most professional sense of the word. It is probably not an exaggeration to state that today's registered nurse literally holds life and death power over more people than does any other professional person.

With each new advance in technology, there come new demands upon her knowledge and skill. Every year there are scores of new antibiotics, new serums, new narcotics, new medications, new machines and gadgets with which she must become thoroughly familiar.

It seems to me that we should move in the direction of raising standards, rather than lowering them. To leave in the present bill the language in question would without any question move us in the wrong direction. It would remove from hundreds of institutions the incentive to achieve accreditation. It would squander millions of dollars on programs foredoomed to turn out unduly large numbers of failures: that is, nursing candidates who fail to pass the State board examinations. The records show, for example, that last year 10 percent of those receiving an associate degree from accredited schools failed their State boards, but that 25 percent of those receiving the same degree from nonaccredited schools failed their examination.

Because of the incredible complexity of modern medicine, it is apparent to me that the least the public should expect is that those nurses who care for them in their illness should meet, not just the minimum standards prescribed by the regional accreditation associations, but the much higher standards of competence and excellence prescribed by the National League for Nursing. A dying man should not be required to gamble on whether or not he will receive good nursing care.

Let me make it abundantly clear that the issue here is not one of whether or not the junior colleges should be allowed to participate in the nursing program. The answer is clear that they should, and are. They are not on trial. The National League for Nursing has already accredited 3 junior colleges, and has given 32 others reasonable assurance of receiving accreditation, which has made them eligible for Federal funds. Twenty-three more are in the process of review. All of this has been accomplished, in a year's time.

Nothing which I have said is intended to disparage the program of the junior colleges. The position which I take is merely that junior colleges should expect no preferential treatment where standards of professional excellence are concerned. If their courses meet the accreditation standards of the National League for Nursing, then they should become accredited; if they do not, they should not.

I cannot understand why the noble nursing profession has been singled out for this type of discriminatory treatment by the committee bill. On page 18 reference is made to the professions of medicine, dentistry, osteopathy, and optometry. As to them, financial assistance shall be made conditional upon accreditation by a nationally recognized association approved by the Commissioner of Education. Why has an exception been carved out from the general rule, for nurses? Is it because a lower standard of excellence is required of them? This cannot be. Or is it because this is the opening salvo of a legislative barrage that will eventually batter down the standards for all the healing art professions? I believe that the Nation deserves answers to these questions.

No amendment is being offered to the committee bill at this time, frankly because the matter was so handled that insufficient time was allowed to publicize our point of view. I am confident that had committee hearings been allowed on this provision, it would never have survived.

I feel however that it is absolutely imperative that a record of opposition be established during the debate on this bill.

I will say frankly that although I approve the general purposes of this bill, and will support it on final roll call vote, I shall think a long time before approving the conference report if it shall still contain language which in my opinion is so repugnant to the public good.

The following material was prepared by the National League for Nursing, showing importance of maintaining National Accreditation standards for schools of nursing, dated August 6, 1965.

1. Accredited Programs Have the Largest Enrollments

1964

Seventy-five percent of all student nurses are enrolled in the 62 percent (707) of the professional nursing programs that are accredited by the NLN.

ENROLLMENT ON OCT. 15, 1963, AND ACCREDITATION STATUS OF PROGRAMS OF PROFESSIONAL NURSING ON JAN. 1, 1964

Accreditation status	Number of programs	Number of students enrolled	Average enrollment
Accredited	707	93,587	132.4
Not accredited	441	31,157	70.7
Total	1,148	124,744	

1965

	Students
Enrollments in accredited programs, increase	4,966
Enrollments in nonaccredited programs, decrease	540
Total gain	4,426

Seventy-six percent of all student nurses are enrolled in the 62 percent (717) of the professional nursing programs that are accredited by the NLN.

ENROLLMENT ON OCT. 15, 1964, AND ACCREDITATION STATUS OF PROGRAMS OF PROFESSIONAL NURSING ON JUNE 30, 1965

Accreditation status	Number of programs	Number of students enrolled	Average enrollment
Accredited	717	98,553	137.5
Not accredited	438	30,617	69.9
Total	1,155	129,170	

[Supplemental information]

ENROLLMENT ON OCT. 15, 1964, IN PROGRAMS ACCREDITED BY THE NLN AS OF JUNE 30, 1965

Baccalaureate	[1] 138	24,105	174.7
Associate degree	3	313	104.3
Diploma	576	74,135	128.7
Total	717	98,553	137.5

ENROLLMENT ON OCT. 15, 1964, IN PROGRAMS NOT ACCREDITED BY THE NLN[2]

Baccalaureate	38	2,936	77.3
Associate degree	96	5,872	61.2
Diploma	193	13,999	72.5
Total	327	22,807	69.7

[1] Includes 1 masters program preparing graduates for initial practice of nursing.

[2] The 111 programs that have been granted reasonable assurance of accreditation are not included.

2. Three-fourths of All Professional Nursing Students Graduate From NLN Accredited Programs

1964

Seventy-six percent of all graduates were from NLN accredited programs.

GRADUATIONS BY TYPE OF PROGRAM AND ACCREDITATION STATUS, SEPT. 1, 1962, TO AUG. 31, 1963

Type of program	Number of graduates from accredited programs	Number of graduates from not accredited programs
Baccalaureate	3,878	599
Associate degree	154	1,308
Diploma	20,366	5,872
Total	24,398	7,779

1965

Seventy-seven percent of all graduates were from NLN accredited programs.

GRADUATIONS BY TYPE OF PROGRAM AND ACCREDITATION STATUS, SEPT. 1, 1963, TO AUG. 31, 1964

Type of program	Number of graduates from accredited programs	Number of graduates from not accredited programs
Baccalaureate	4,445	544
Associate degree	114	1,331
Diploma	22,471	3,989
Total	27,030	5,864

3. ACCREDITED DIPLOMA PROGRAMS ARE LESS COSTLY THAN NOT-ACCREDITED DIPLOMA PROGRAMS

1964

The cost of nursing education programs varies inversely with the size of student enrollment. A study of costs of nursing education conducted by the Research and Studies Service of the National League for Nursing and published in 1964 provided dramatic evidence relating to cost, size of enrollment, and accreditation status of the 126 diploma schools that participated in the study. The larger the program, the lower the annual cost per student and the greater the likelihood that the program is accredited.

COST, ENROLLMENT, AND ACCREDITATION STATUS OF 126 DIPLOMA[1] PROGRAMS INCLUDED IN NATIONAL LEAGUE FOR NURSING COST STUDY

Annual educational cost per student to the institution	Size of student enrollment	Percent of programs by size of enrollment	
		Accredited	Not accredited
$1,425	Under 70	0	50
$997	70 to 120	38	31
$908	More than 120	62	19

[1] The numbers of associate and baccalaureate degree programs that participated in he cost study were too small to provide comparable data.

1965

No additional data collected in 1965.

No additional data collected in 1965.

4. ACCREDITED PROGRAMS HAVE BETTER PREPARED FACULTY

1964

The educational preparation of the faculty teaching in accredited programs is better (as evidenced by the highest earned degrees) than that of faculty teaching in non-accredited programs.

A. HIGHEST EARNED CREDENTIAL OF FULL-TIME NURSE FACULTY EMPLOYED IN 195 ACCREDITED AND NOT-ACCREDITED BACCALAUREATE AND HIGHER DEGREE PROGRAMS, AS OF JAN. 1, 1964

Highest earned credential	Total		Accredited		Not accredited	
	Number	Percent	Number	Percent	Number	Percent
Doctoral	145	4.6	130	4.8	15	4.0
Masters	2,502	80.0	2,242	81.3	260	69.9
Baccalaureate	475	15.2	381	13.8	94	25.3
Associate degree						
Diploma	6	.2	3	.1	3	.8
Total	3,128	100.0	2,756	100.0	372	100.0

B. HIGHEST EARNED CREDENTIAL OF FULL-TIME NURSE FACULTY EMPLOYED IN 82 ACCREDITED AND NOT-ACCREDITED ASSOCIATE DEGREE PROGRAMS, AS OF JAN. 1, 1964

Doctoral	8	1.6	2	3.5	6	1.4
Masters	336	67.8	47	81.0	289	66.0
Baccalaureate	132	26.6	9	15.5	123	28.1
Associate degree	16	3.2			16	3.6
Diploma	4	.8			4	.9
Total	496	100.0	58	100.0	438	100.0

C. HIGHEST EARNED CREDENTIAL OF FULL-TIME NURSE FACULTY EMPLOYED IN 801 ACCREDITED AND NOT-ACCREDITED DIPLOMA PROGRAMS, AS OF JAN. 1, 1964

Doctoral	11	0.1	11	0.2		
Masters	1,924	21.5	1,577	23.0	347	16.6
Baccalaureate	4,629	51.8	3,601	52.6	1,028	49.1
Associate degree	121	1.4	73	1.1	48	2.3
Diploma	2,254	25.2	1,584	23.1	670	32.0
Total	8,939	100.0	6,846	100.0	2,093	100.0

1965

No additional data collected.

5. A HIGHER PROPORTION OF GRADUATES FROM ACCREDITED PROGRAMS ENTER NURSING PRACTICE

A higher proportion of the graduates from accredited programs than from not-accredited programs pass State board examinations and are licensed to practice as registered nurses. It is only the graduates who are licensed and practice as registered nurses who swell the ranks of nurses to provide nursing service.

1964

NUMBER OF CANDIDATES AND PERCENT FAILING STATE BOARD EXAMINATIONS, 1961–62

Type of program	Accredited		Not accredited	
	Number of candidates	Percent of failures	Number of candidates	Percent of failures
Baccalaureate	3,127	4	664	7
Associate degree	121	6	772	21
Diploma	17,875	12	5,313	22

1965

NUMBER OF CANDIDATES AND PERCENT FAILING STATE BOARD EXAMINATIONS, 1963–64

Type of program	Accredited		Not accredited	
	Number of candidates	Percent of failures	Number of candidates	Percent of failures
Baccalaureate	3,696	6	744	19
Associate degree	144	10	1,133	25
Diploma	20,118	13	5,950	24

Mr. MOORHEAD. Madam Chairman, will the gentleman yield?

Mr. KING of Utah. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. Is it the position of the gentleman in the well that the same standards of accreditation should be in existence for all of the health professions, including the nursing profession?

Mr. KING of Utah. That is essentially true. It is my position that there should be national professional standards for all of the professions pertaining to the healing arts, as a requisite for receiving Federal aid.

Mr. MOORHEAD. I say it seems to me the gentleman's position is eminently sound.

Mr. KING of Utah. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. HARRIS. Madam Chairman, I yield to the gentleman 2 additional minutes.

Mr. MACHEN. Madam Chairman, will the gentleman yield to me?

Mr. KING of Utah. I yield to the gentleman from Maryland.

Mr. MACHEN. I would like to congratulate the distinguished gentleman in the well for his statement in support of this bill and in opposition to the so-called Rogers amendment. I do want to associate myself with the gentleman from Utah's remarks in opposition to the Rogers amendment and in support of the bill.

Mr. KING of Utah. I thank the gentleman from Maryland.

Mr. REDLIN. Madam Chairman, will the gentleman yield?

Mr. KING of Utah. I yield to the distinguished gentleman from North Dakota.

Mr. REDLIN. Madam Chairman, the distinguished gentleman from Utah has made an excellent presentation of the concern many of us have for protecting the high standards of the nursing profession. I wish to associate myself with his remarks.

Madam Chairman, an evaluation of the standards of a profession is most meaningful coming from the experts in that particular profession.

In the Health Professions Educational Assistance Act, this principle is applied to medicine, dentistry, osteopathy, and optometry. For each of these professions, the bill provides for the accreditation of schools and training programs by appropriate professional associations in determining eligibility for Federal assistance.

A technical amendment, the Rogers amendment, makes one exception—for the nursing profession. Its adoption would mean that accreditation by the National League for Nursing would no longer be a requirement for receiving Federal assistance under the Nurse Training Act of 1964.

Madam Chairman, the National League for Nursing has an excellent record in maintaining high standards in nursing education. Graduates from training programs accredited by the League have consistently made superior scores in State board examinations.

While I support the overall objectives of the Health Professions Educational Assistance Act, I believe deletion of the Rogers amendment would assist the cause of quality nursing care.

Mr. KING of Utah. I thank the gentleman from North Dakota for his excellent contribution.

Mr. SPRINGER. Madam Chairman, I yield 8 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Madam Chairman, I rise in support of H.R. 3141. However, I believe we should have a national accrediting agency for schools of nursing. It is quite evident that unless there is a significant increase in the number of medical school graduates and also an increase of medical personnel, technicians, and nurses, our Nation will face a critical shortage. Recent enactment of medicare will result in a greater demand for medical services. These needs must be met and H.R. 3141 will help toward that end. The student loan program, which will be extended for 3 years, is sound. Of 152 schools of medicine, dentistry, osteopathy, and optometry, 147 have established student loan funds and there have been more than 10,000 student borrowers. The present cost of medical schooling is prohibitive to lower income groups. This cost averages over $3,700 per year. I see nothing wrong and much that is commendable in allotting scholarships up to $2,500 per year for those gifted individuals who have the ability but not the funds to attend medical schools. Four-fifths of graduate students in life sciences in 1962–63 received nonrefundable grants averaging $2,700. Less than one-third of our medical students received such grants and the average grant was only $760. Because of the impending great need for increased medical personnel, I urge my colleagues to support H.R. 3141. Otherwise we will be unable to supply the physicians and other personnel needed.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. CARTER. I yield to my distinguished chairman.

Mr. HARRIS. Madam Chairman, I want to compliment the gentleman for his very constructive statement just made to the committee. The gentleman has been an active practicing doctor in the medical profession over the years and is familiar with the problems as one who has been schooled and trained and has had experience in the field of medicine. As such he has performed a great service. His work on the committee has been outstanding. I want not only the medical profession and the Members of this Congress but the people of the Nation to know that he has contributed tremendously to the work of the committee in these fields out of the abundance of knowledge and experience that he has brought with him to this Congress.

I congratulate him not only on the outstanding service he has rendered as a Member of Congress in these fields, but for the very thorough enunciation he has made here today in connection with this program and the recognized need of our people as we try to meet future demands.

Mr. CARTER. I thank the distinguished chairman for his very kind remarks.

Mr. SPRINGER. Madam Chairman, will the gentleman yield?

Mr. CARTER. I yield to the distinguished gentleman from Illinois.

Mr. SPRINGER. Madam Chairman, I have felt for a number of years that we ought to have a practicing physician on this committee. We have been fortunate this year to have one on our side of the aisle. When these complicated questions come before the committee we usually have to get outside advice, but now we are able to get an immediate answer. I congratulate the gentleman not only on his excellent service in connection with this particular bill but also for his service on the committee in connection with the heart, stroke and cancer program which the committee is now considering and on which he has done an equally good job.

Madam Chairman, the gentleman should be commended for coming to the Congress in the capacity in which he did come and for the kind of service he has rendered.

Mr. CARTER. Madam Chairman, I thank the distinguished ranking member of the committee for his kind remarks.

Mr. HARRIS. Madam Chairman, I yield 3 minutes to the gentleman from California [Mr. VAN DEERLIN], a member of the committee.

Mr. VAN DEERLIN. Madam Chairman, as a member of this great committee I, too, am proud to appear on behalf of this legislation immediately following my esteemed colleague, Dr. CARTER. I am sure no one would suggest that there is a conflict of interest in a licensed physician addressing himself to the topics of this legislation. And no one would, other than facetiously, suggest that those few Members of the House who are married to registered nurses suffer from any conflict of interest in rising to speak to that portion of the bill which appears to have curtailed the eligibility of nursing organizations to maintain a high standard in the field of nurses' training.

I am one of those Members of the House who cheerfully accepted, 25 years ago this October, the conflict of interest that was imposed upon me by marriage to a registered nurse, and I must say that I recommend this conflict of interest to any of my bachelor colleagues who may now contemplate marriage.

Madam Chairman, I am also in receipt of a letter from the California Nurses Association which cites the long record of service performed by the National Nursing League in maintaining the standards of patient care at the nursing level through the accreditation of nurses training schools.

Madam Chairman, this letter makes the point that "the National League for Nursing has long and honorably carried out a national accreditation of nursing programs. It has proved its ability and its recognition of the responsibilities inherent in such an accreditation program."

These standards are essential if the sick and injured throughout the United States are to receive a comparable quality of professional nursing care and students of nursing throughout the United States are to be comparably prepared to give the needed nursing care. The California association enthusiastically supports the American Nurses Association in its efforts to remove from this legislation the amendment which puts an end to this historic role.

Madam Chairman, I would hope the 89th Congress, which has given this Nation medicare, community health programs, the Health Research Facilities Act, a mental health staffing program, and now this health professions educational assistance amendments legislation—and probably later a bold new approach to the old enemies of heart, stroke, and cancer—I hope it will not be said that we followed up this fine program for the health care of America, by leaving a surgical sponge inside the patient.

Mr. SPRINGER. Madam Chairman, I have no further requests for time. I reserve the balance of my time.

Mr. HARRIS. Madam Chairman, I yield 5 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Madam Chairman, I want to congratulate my distinguished friend from California, the gentleman who preceded me in the well, for his belated discovery of this surgical sponge. It was not apparent to the gentleman at the time it was offered in committee as an amendment. In fact there was a noticeable lack of opposition to what I regarded then and regard now as an excellent amendment, a reasonable amendment, one consistent in every respect with the highest standards of training, one which permits the 74 junior colleges in my State and the more than 119 in the Nation desiring to engage in the program, aimed at increasing the supply of qualified nurses in this Nation, to undertake that very responsible role.

Madam Chairman, I have the privilege of representing one of the very oldest junior colleges in this Nation, the Sacramento Junior College. I was privileged to attend that junior college. It has had for many years a program of nursing, as have numerous other junior colleges in California. They are not going to be able to meet the heavy expenses—I am not even certain that they can participate fully—without major changes in State law. I do not believe those in opposition to the amendment today are qualified to tell me whether or not participation by the California junior college system would require major changes in the laws of the State. But these are institutions accredited as educational institutions. They have not heretofore been called upon to seek individually the accreditation of professional groups. They have not been required to do it in engineering or in medicine or in law or any of the other professional activities in which they engage.

They give only an associate degree and, contrary to the inference clearly indicated in many of the statements today, their graduates are unusually successful.

The difference between their showing on tests for licenses in my State and the scores achieved by the baccalaureate nurses and by those who train at the hospitals is of no significant percentage. Their performance in their profession evaluated by appropriate interviews 2 years after entering the profession finds that they are accepted as being as competent in every respect as those with whom they compete. One of the pressing problems in this Nation is to expand the number of institutions engaged in certain programs of training. One of the areas in which that expansion can take place most readily is at the community college level, and it will if we have no impairment of the ability of these institutions to fulfill their assigned task.

Mr. COHELAN. Madam Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from California.

Mr. COHELAN. The gentleman has made a very fine statement, and has spoken at great length on our junior college program in California. But the gentleman is aware that the program as suggested by the amendment in the bill will, of course, have national implications and that the standards are not the same. The gentleman is aware of that?

Mr. MOSS. The gentleman is not willing to concede that that is necessarily so.

Mr. COHELAN. The gentleman will recall I discussed it at great length yesterday. There are 131 junior college programs in the United States, and out of the 131 programs there are 26 that are members of the National League for Nursing.

Mr. MOSS. Before I yield further, may I say that we did discuss this yesterday. The gentleman recognizes that we had an impossible task in reconciling the figures we were using. As a matter of fact, the figures just cited by the gentleman vary considerably from the figures he cited yesterday.

Mr. COHELAN. I merely want to say that I am perfectly willing to allow the figures to stand in the Record, and to be judged by any reasonable person, including the gentleman now in the well. I have no quarrel with the figures. But there is a very important issue of accreditation which pertains to junior college programs, because, unlike some of these other professions the gentleman referred to, in giving an associate arts degree and an R.N. after 2 years leads to the practice of nursing.

Mr. MOSS. I want to correct a statement just made. The receipt of the R.N. degree only gives a hunting license to go out and try to demonstrate competence and qualification through taking the same examination that would be given to a baccalaureate graduate in nursing. If they are able to do that, and it is a highly competitive area, and to do it with scores that compare favorably with those having had a 4-year course, then I think that is the test, the practical test of the adequacy of the program of training offered by the junior colleges.

Mr. COHELAN. Madam Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman.

Mr. COHELAN. The gentleman knows I am a strong supporter of the junior college program including the nursing program. The only thing that separates us is the issue of accreditation and the availability of Federal funds for this purpose. The reason this Member now speaking supports this so strongly is that I want to maintain the standards in this very important field of nursing. I may say to the gentleman, with all of his allegiance to the junior college program, he has not said one thing about why a junior college should not be accredited by the National League for Nursing.

Mr. MOSS. I do not know why the Government of the United States should require a private group to spell out the standards, when there is no evidence at hand of the lack of adequate standards, as a condition precedent to a public institution receiving funds to aid in the training of people in a profession when the demand for graduates and for qualified personnel is far greater than the supply, as it is at the moment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Madam Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. Cunningham].

Mr. CUNNINGHAM. Madam Chairman, I want to respond to the distinguished Member from California, if he would take the well.

Mr. MOSS. Go ahead and respond.

Mr. CUNNINGHAM. Would you take the well, I cannot hear you.

Mr. MOSS. The gentleman, I thought, wanted to respond. I did not know he wanted conversation.

Mr. CUNNINGHAM. The gentleman said the other day in committee that the California Nursing Association favored the Rogers amendment. Well, this is just not so.

Mr. MOSS. The gentleman has had that explained to him and he impugns my integrity—the gentleman knows that on the word of my friend, the gentleman from Florida [Mr. Rogers], who had received a communication from the California League of Nursing and inadvertently represented to me as the California Nurses Association. I stated that. I told the gentleman since that was an error.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Madam Chairman, I yield 1 minute to the gentleman from Nebraska.

Mr. CUNNINGHAM. This is an unusual situation. The gentleman from California indicated that the present method of accreditation is quite unusual. I point out from the document from the Office of Education, it is not at all unusual. Engineers are accredited by the professional engineering development arm of their organization. Dental hygienists, dental technologists, and dental assistants programs are accredited by the

American Dental Association. Many medical sciences such as medical technology, physical therapy, et cetera, are given approval or accredited by the Council on Medical Education. So the gentleman from California is in error.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SPRINGER. Madam Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Madam Chairman and Members of the Committee, I am sure that all Members of the House subscribe wholeheartedly to the intent of the act under discussion, and that all of us agree we must in this country improve the medical education and the supply of doctors for our people.

I wonder, however, how many share my views that the intent and the purpose of this act are not adequately implemented.

I do not know how many share my experience, but in the 7 years that I have been a Member of this body, I found hundreds and hundreds of young qualified men and women seeking admission into medical schools who could not gain admission because there was no room for them, yet I have never found one who could gain admission who could not obtain the funds to pay for the tuition.

I have taken this time to discuss briefly one section of the bill, though I would like to discuss many features of the bill which I do not believe have received sufficient study. I wish to discuss the section in relation to scholarships.

As I read page 24 of the bill, subsection (c) (2) provides for scholarships to be awarded to students from low-income families, but there is nothing in the bill to describe what is meant by "low-income family."

I wonder, for example, if the criteria of a low-income family is the same criterion established under the so-called poverty bill. If it is, then I would certainly be the first to agree that this would be a fair norm, standard, and criteria.

I find nothing at all in the bill which indicates the basis upon which these scholarships are to be granted. Will it be by written examination? Will it be by nationwide examination? Will the examination be different in the east from what it is in the west, the north, or the south? Who will establish the criteria?

Ten percent of the students of a medical school are going to be entitled to an outright grant of $2,500 with no provision to repay, in spite of the fact that we all know that doctors in this country—justifiably, I might add—are of the highest income bracket, generally speaking, of all groups of citizens.

There is no provision to repay this grant. There is no provision that any of the recipients must participate in any particular field of medicine, even though I am sure the chairman of the committee and the learned Members of the House who are members of the medical profession recognize that today there is a crying need in the field of psychiatry.

There is no doubt that many of the fields of medicine today are undermanned. Many of the areas of our country today are understaffed. Many towns and communities in rural areas of our country today do not have physicians.

Yet there is nothing in this bill, as I read it, to make it necessary or mandatory for any recipient of any scholarship to serve in any of these areas or to participate in any specific branch of the medical field.

As a matter of fact, as I read this bill, a man could get a scholarship for $2,500 for 4 years and he could quit medicine. He could go to Europe to practice medicine. I do not see any prohibition in the bill which would prevent any recipient of this scholarship from practicing medicine in England or in Ireland or in Italy or in the islands.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. CAHILL. I wonder if the gentleman could extend to me some additional time.

Mr. SPRINGER. Madam Chairman, I can yield the gentleman only 1 additional minute.

Mr. CAHILL. Madam Chairman, I shall ask for additional time under the 5-minute rule to discuss this, because I want to make clear to the committee that I favor scholarship programs. I think they are essential. I think the needy children of our country who want to become doctors should become doctors. But I do not think the criteria are spelled out in this bill. I do not think the safeguards and protections are in this bill.

Now, let me add one other thing. Do all of you in this committee realize that before a young man can receive this scholarship he first has to be enrolled in a medical school? Now, how is he going to get enrolled in a medical school if his family cannot afford to pay for it? Why would any boy make an application to go into a medical school when he knows in advance he does not have the money to pay for it? It seems to me that this scholarship should be established prior to acceptance in medical school so that all the boys of our country will know that they can go if they want to.

The scholarships are desirable; the criteria is not specified and the opportunity is not open to all qualified young men.

At an appropriate time I intend to offer an amendment to improve this portion of the bill.

Mr. HARRIS. Madam Chairman, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Madam Chairman, of course, I rise in support of this legislation, and also I want to speak just briefly to the amendment regarding accreditation.

I think it is well for us to look at the present situation as to how we get nurses now. There are three programs. A young lady who wants to be a nurse can go to a junior college for 2 years and she comes out with an associate degree. She must then go, if she wants to become a registered nurse, to take her examination just like anybody else does. If she passes that examination, she then becomes a registered nurse. If not she cannot practice nursing.

Secondly, there is the college degree program called the baccalaureate degree, which means a young lady goes to a school for a 4-year program and gets her degree. Then she has to take a State examination. If she passes that examination, she may become an R.N. If she does not, she cannot be a nurse.

Then we have diploma schools where nurses are trained in hospital schools and as soon as they finish training here again they have to take an examination if they want to become a registered nurse. If one cannot pass that examination, she will not be a registered nurse.

It is these examinations that are setting the standards presently of our nurses. You would think from hearing the conversation here today that this junior college program was something that just cropped up with the passage of this bill last year. Well, that is not so. We have had this nurse training program going on for about 15 or 16 years. It has proved itself. These nurses are being used in hospitals today and are well accepted by the doctors and by the public. In fact, last year, 1964, saw 2,000 nurses come to help fill the critical need from the junior college program. 2,000. They passed their exam. Their quality was high, and they are now performing those duties just as any other nurse. I doubt if a patient is asking, once the nurse has passed the examination, "Did you come from an associate degree school or do you have a baccaulaureate degree, or did you come out of a hospital school?"

What we need are nurses, and that is what this bill is directed to. I had just felt in looking at the situation that if we are getting presently 2,000 nurses from the junior colleges, and do you know how many of those schools are accredited by the National League of Nurses? Three. We have been turning out nurses from junior colleges since 1950, and there are only 3 accredited out of 131 schools. We hope we will get about 55 more junior colleges right away to come into the program. These standards can be maintained high. However, I do not think we ought to make these junior colleges go to a private organization—a private organization—to get their clearance before tax dollars are given to the nursing schools and students to study nursing, or for them to set up a program of nursing when the critical need of nursing is so great that we cannot meet the estimated total that we have been told year after year in our committee would require 800,000 nurses by 1970.

Let me say this. The Surgeon General has said that we need 800,000 nurses in 1970. We cannot possibly fill that need. All we can hope to obtain is about 560,000.

Madam Chairman, I do not know how many Members have read Life magazine of this week. Life magazine says the medical doctor shortage in this country is critical and the nursing situation is even more critical. In the words of Life magazine—and you ought to read it—"the nursing situation is even worse than the doctor shortage. The nursing home situation is so critical that Congress has put off until January 1, 1967, the start of the nursing home benefits under the law that we just passed." Think of that.

Do you know that they have just issued a call for nurses to go to Vietnam? Do you realize the demand that there is going to be as we crank into these programs—the old-age benefits and nursing homes? We need to produce every qualified nurse we can.

I do not want to let down standards. But I think where a junior college is accredited by a regional accrediting office, or by a State accrediting agency, that should be sufficient.

I do not think, with this critical situation, that we ought to require these junior colleges to join an organization and pay a fee to this private organization to come down and look over the school in the beginning before Federal funds can be used. The National League of Nursing sends two persons to look over the program, and I am sure they do a good job. Then 6 years later they check again.

However in the junior colleges most of these nursing programs are set up in close cooperation with State nursing groups. I know ours is in Florida.

Let me tell you what has happened in the State of Florida. They say these nursing programs do not turn out very well from the junior college. Let me tell you how junior college graduate nurses turned out in my State. In 1964 the result of the registered nurses exam showed that of the three competing schools of graduates, the associate degree students—that is, the junior college students—made the most impressive record. They finished above the other two types of graduates in two of the five categories on the exam; second in the other three; and their percentage of failure was lower than the baccalaureate degree for the entire exam, and only a fraction above the diploma schools.

The average that the associate degree nurses got was the highest in two of the five categories and the second highest in the other three. They were never last in any category or in any part of the exam.

Madam Chairman, we must meet a national need. We must have a realistic program. We need nurses, I say to my colleagues, and competent nurses. And if these young ladies can be trained as we envision it, we can help fill the need. They are going to have to pass the exam before they can take their place, and this is as it should be.

Mr. SPRINGER. Madam Chairman, I yield such time as he may require to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Madam Chairman, I rise to indicate my strong support for the Rogers amendment which has been incorporated in the committee bill, H.R. 3141, and to associate myself with the remarks of the gentleman from Florida [Mr. ROGERS].

Title I of the Nurse Training Act of 1964 provides assistance for construction and expansion of facilities for 2 years nursing programs. Titles II and III of the act provide that junior colleges which have associate nursing programs may receive certain special improvement project grants and student loan fund assistance.

Unfortunately, however, the act has been interpreted by the Commissioner of Education so as to require that a junior college must be accredited by a private organization, the National League for Nursing, in order to be eligible for such assistance.

In Michigan a number of junior colleges have associate degree nursing programs. They are, and they have been, turning out graduates who successfully pass the State examination, who meet State qualifications, and who are admitted as registered nurses.

Despite the fact that over a period of years these Michigan institutions of higher education have proved and established their qualifications to educate nurses in accordance with State standards, they are now precluded from participation in the Nurse Training Act because they are not accredited by the National League of Nursing. These same junior colleges are accredited to the extent required to meet State standards.

In my view, the interpretation placed on the present law by the Commissioner of Education, requiring accreditation by this private organization, is unduly restrictive and not in the public interest.

As a Nation, we need a great many more nurses. It is difficult to see how this pressing National need can possibly be met unless we fully utilize our junior colleges to help train nurses. Without question, the Nurse Training Act of 1964 will fall far short of its goal unless the Rogers amendment becomes law.

Accordingly, Madam Chairman, I wish to commend the gentleman from Florida [Mr. ROGERS] for his leadership on this important matter, and I hope that any effort to delete the Rogers amendment from the bill will be soundly defeated.

Mr. SPRINGER. Madam Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Madam Chairman, if I may have the attention of the gentleman from Florida [Mr. ROGERS], I think we ought to get the record straight. He mentioned a fee for these junior colleges. Do you know what the fee is? I understand it is only $100.

Of course, we need nurses, but we want good, qualified nurses. And, I might say again that there are approximately 100 junior colleges that participate in nurse training. The National League for Nursing has only been able to fully accredit three of these because the colleges have not requested national accreditation. However, 32 additional programs have received reasonable assurance of accreditation.

Now, Madam Chairman, the whole problem here is that the junior colleges need national accreditation to enable them to turn out qualified nurses. They want to be accredited because they want funds from the Federal Government; that is the nub of the problem.

Mr. O'BRIEN. Madam Chairman, I had intended to introduce amendments to the Health Professions Educational Assistance Amendments of 1965 to provide for participation by podiatry institutions in part (e)—grants to improve the quality of schools, and part (f)—scholarship grants to schools, but I have decided to fight on another and more propitious day.

Enactment of H.R. 3141 in its present form without providing podiatry institutions the opportunity to participate in all facets, creates real danger that the quality of education in podiatry will deteriorate and that the number of podiatrists that can be trained will not be sufficient to meet the foot health needs of the Nation. All parts of the bill should provide opportunity for participation by podiatry institutions as now do the sections on the extension of the construction program, and student loans.

It is not common knowledge that foot health problems are of serious proportions. A 1951 Public Health Service Report on the physical status of the men examined through selective service in World War II disclosed that twice as many registrants were rejected for foot problems, 1.4 percent, as were for dental problems, 0.7 percent. Of those examined, 90.1 per 1,000 registrants had foot defects as compared with 116.1 per 1,000 for dental defects.

While these numbers are significant, the incidence of foot problems in the rapidly expanding older population makes real demands on the podiatrists.

The 1961 White House Conference on Aging in one report stated: "The institutionalized or home-care patient once moving about with pain-free feet is more easily motivated for total rehabilitation. Eighty-five percent of these older people have foot problems." Over 40 percent of the practicing podiatrists serve the elderly in nursing homes, and one out of three serves homes for the aged.

From studies reported at the hearings on H.R. 3141, we learn that in 1978, if the present capacity of the colleges is unchanged, the deficit of podiatrists will be considerably more than 4,700. The situation cannot be changed materially until the facilities of the colleges are expanded. In order to care for the deficits in the number of podiatrists needed by 1980, and to improve the number needed to supply the profession in keeping with increases in population, the podiatry colleges will have to graduate about 600 students annually beginning with 1968. This is approximately three times their present capacity.

In 1960, the American Podiatry Association established a special commission on the status of podiatry education, to examine from a broad point of view the profession's educational program and advise on steps necessary to improve this program. Copies of the report, "Podiatry Education in the 1960's" were supplied Members of Congress in a previous session when hearings were being held on proposed legislation for assistance to health professions education. The special commission consisted of three educators from the field of higher education, an M.D. medical educator, and a practicing podiatrist, a member of the board of trustees of a podiatry college. A significant recommendation was "that the American Podiatry Association represent to the appropriate legislative and executive officials of the Government the need and social advisability of making financial provisions for podiatry education, in ways similar to those made for the other health sciences."

The colleges were advised to strengthen their faculties with considerably more full-time teachers and administrative officers, and to provide salaries commensurate with their responsibilities. The commission also noted a need to markedly increase scholarships and loan funds for students.

At the hearings on H.R. 3141, information was provided on college operations over the past 5-year period. Enrollment is up over 40 percent; operating expenditures have risen 131 percent; the average cost of education per student has jumped from $980 to $1,680; the number of full-time instructors has increased 107 percent.

In 1966, the APA will devote almost 40 percent of its total budget to the improvement of podiatry education. Measures include scholarships, fellowships, faculty improvement grants and other matching grants to the schools.

The five podiatry colleges are all private, nonprofit institutions. None receive public funds in support of their operation. Without Federal support, podiatry colleges will not be able to train sufficient numbers of podiatrists and to train them well enough to meet the needs of our increasing population. The training program is a minimum of 6 years, 2 years of prepodiatry and 4 years in the professional school; and those desiring to develop special knowledges and skills, such as in foot surgery, will have to devote an additional year or two of study.

Scholarship grants are needed in colleges of podiatry for the same reasons as in other health professions schools; that is, to make it possible for the less affluent but highly capable young people to enter the profession. At present, scholarships are available to fewer than two percent of podiatry students. Without such financial aid, and with the rising costs of attending professional schools, there is great danger that these professions in the future will be manned by persons who can surmount the financial barrier, but who are not necessarily the most capable people.

Another reason for including colleges of podiatry in the provisions for scholarship grants is to provide freedom of choice for young people who wish to prepare for professional health service. Obviously, freedom of choice is narrowed when one field of study offers financial inducements while a competing field does not. It is sound policy to encourage young people to enter those fields of service in which their major interests lie and for which they have aptitude.

Furthermore, it should also be noted that many students, particularly the less affluent, will inevitably be attracted to professional fields which offer financial help, often regardless of their major interests. Thus, a lack of scholarships in podiatry, when other health fields have them, would seriously handicap the colleges of podiatry in their efforts to recruit a fair share of talent.

There is an incongruity in having colleges of podiatry excluded from the scholarship and educational improvement grants when they are included for construction grants and student loans.

I urge my colleagues in the House to support at an early date legislation helping the public through help to colleges of podiatry.

Mr. FINDLEY. Madam Chairman, the problem of providing America with enough good doctors deserves our attention.

Most doctors are already heavily loaded and doubtless will become more so as social security medicare becomes effective January 1. Advances in medical science and hospital technology fortunately enable each doctor to care for more patients. Doctors can usually serve emergency cases best in the hospital rather than the home, and this practice lets the doctor make better use of his own time. House calls have become almost a thing of the past.

But even these favorable trends will not suffice to provide America with enough good doctors.

About 7,500 new doctors begin practice each year. Our estimate puts at 11,000 the number of new doctors that will be needed each year by 1975.

Several years ago I proposed a nationwide program to stimulate interest in medical careers and to provide student financing where needed. I proposed "Junior Intern" clubs to be conducted by doctors in high schools to stimulate youthful interest in medical careers, also a private-financed revolving loan fund so medical students could borrow as much as needed for the long period of professional training.

The House bill would establish a revolving fund at low-interest rate, with repayment not to begin until 3 years after medical training is complete. Although I would have preferred a privately financed revolving fund, I consider the loan fund to be in the public interest.

Another feature, however, strikes me as totally unwise. It provides grants as high as $2,500 a year for medical students, with no obligation for repayment.

Doctors can well afford eventually to repay money advanced to them during student days. What is needed is loan money.

Mr. RHODES of Arizona. Mr. Chairman, I rise as chairman of the Republican policy committee to report the action taken at our meeting Tuesday, August 31. The committee adopted a statement on the Health Professions Educational Assistance Amendments of 1965, H.R. 3141, which I would now like to read:

Republican Policy Committee Statement on Health Professions Educational Assistance Amendments of 1965, H.R. 3141

Due to the rapid expansion of the U.S. population, it is apparent that unless there is a significant increase in the number of medical school graduates, this Nation will not have an adequate supply of medical personnel. Moreover, the recent enactment of the medical care for the aged legislation undoubtedly will result in new and greater demands for medical services. These needs must be met and the Republican Policy Committee continues to support legislation that will afford adequate and appropriate assistance to our medical, dental, and other health profession schools and students.

Therefore, we endorse the 3-year extension of the current program of matching grants to aid the construction, replacement, or rehabilitation of teaching facilities for the training of physicians, dentists, professional public health personnel, optometrists, pharmacists, and podiatrists. The current program which H.R. 3141 extends has funded 63 projects and has made possible 2,279 new first year places. It is the type of assistance that Republicans traditionally have supported and endorsed.

Similarly, the student loan program that is extended for 3 years is a sound and meritorious program. Of the 152 schools of medicine, dentistry, osteopathy and optometry that are eligible, 147 have established student loan funds and to date there have been more than 10,000 student borrowers.

We are especially concerned by the provisions of H.R. 3141 which provide basic and special improvement grants to medical schools which can be used for any purpose including salaries and administrative expenses. For the first time, the Federal Government may assume the responsibility for providing a portion of the operating funds of every school of medicine, dentistry, osteopathy, and optometry in this country. Every such school, rich or poor, large or small, public or private, that files an application for a basic grant, and gives reasonable assurances that it will increase its first year enrollment by 2½ percent or by five students, whichever is greater, will be paid $12,500 plus $250 for each full-time student the first year, and $25,000 plus $500 for each full-time student the next 3 years. And every such school that is recommended by the National Advisory Council and satisfies the Surgeon General that it will use the money to maintain or to provide for accreditation or specialized functions, will be paid a special grant not to exceed $100,000 the first year; $200,000 the second year; $300,000 the third year; or $400,000 the fourth year.

This is a dramatic shift from the present program of selective assistance to one of outright Federal subsidy. Furthermore, there is no participation or coordination by a State agency. All payments flow from the Surgeon General directly to the recipient school. Certainly these grants are significantly different from the brick and mortar grants and the specific grants that have until now constituted the Federal assistance to higher education. Therefore, we urge that these provisions be stricken from the bill.

Mr. ROGERS of Florida. Mr. Chairman, I should like to address myself for a moment to the provisions of this bill which will revise the current system of securing accreditation for schools of nursing under the Nurses Training Act of 1964.

The committee bill contains a provision which will allow the official accreditating body to be a regional accrediting agency or State approval agency in the case of schools which offer associate degree programs of nurse training. This provision will correct an obvious deficiency in the existing law which was even recognized by the Office of Education when it designated the National League for Nursing as the sole accrediting body for funds, under the act of 1964. At that time the Office of Education stated that amendment of the law might be necessary in view of the special circumstances which many of the junior colleges were in.

The part that the associate degree programs have been playing in our country has been well documented in the general debate but I would like at this time to insert in the RECORD some statements, provided by the National Association of Junior Colleges, which reflect the feeling and need for the amendment which is contained in the committee bill:

STATEMENTS REGARDING QUALITY OF ADN PROGRAMS EXCERPTED FROM RECENT CORRESPONDENCE

Helen M. Wolfe, president, California League for Nursing, January 15, 1965:

"The quality of California associate degree programs in nursing can be documented by student performance on the licensing examination and in the work situation. This includes the following results in the California State test pool examination:

	Mean for all five tests
"1959 (967 examinees):	
Associate degree program	576
Diploma program	551
Baccalaureate program	582
1962 (1,263 examinees):	
Associate degree program	544
Diploma program	548
Baccalaureate program	573"

Albert E. French, president, State University of New York, Agricultural and Technical College, Canton Branch, August 17, 1965:

"The community colleges in New York State have been successful in training registered nurses in associate degree programs. One such college had yet to have a failure in the State board examinations a year or so ago after more than 5 years of operation. The advisory committee at this college found general satisfaction among employers of nurses with graduates of associate degree programs."

James L. Wattenbarger, director, Division of Community Junior Colleges, State of Florida, Department of Education, August 17, 1965:

"The quality of these programs has been unquestioned from the start. We used guidelines developed by the nursing profession. We applied the same careful planning procedures and analysis of quality all along the way. The success of our programs may be in part measured by the success of the graduates in their State examination. The percentage of students who successfully pass their State board examinations is very high. The enclosed graph shows these facts for November 1964."

William G. Dwyer, president, Board of Regional Community Colleges, Commonwealth of Massachusetts, August 20, 1965:

"Since the early 1950's, community colleges have offered associate degree programs in Nursing. Students completing this course of study have enjoyed outstanding success in the State R.N. examinations. This approach to providing more nurses was developed under a Kellogg grant and represents a change in training from an apprenticeship (3-year diploma school program) to an educational program (2-year ADN at a junior/community college)."

Edward Simonsen, president, California Junior College Association, August 27, 1965:

"The success of associate in arts degree graduates in State licensure examinations has been excellent. Cooperating hospitals, the medical profession, and the communities have been most enthusiastic about the programs."

Preston N. Tanis, director, Northwestern Michigan College, August 24, 1965:

"During the past 3 years, we have been able to develop an associate degree nursing program which was badly needed for some time in this part of Michigan. To date, our graduates have satisfactorily passed their State board examinations and have been admitted without any difficulty as registered nurses."

Randolph Newman, president, Santa Rosa Junior College, August 19, 1965:

"Santa Rosa Junior College has had a program in professional nursing since 1945. The program is under our jurisdiction and is subject to accreditation by the State of California Board of Nursing Education and Nurse Registration. We have graduated 391 students from our program and its quality is indicated by the fact that during all of these years only four have failed to pass the licensing examination which would permit them to follow the profession in this State."

Roy F. Bergengren, Jr., president, Daytona Beach Junior College, August 24, 1965:

"We have an outstanding associate degree program in nursing education and have graduated highly successful classes. Ours is one of a number of Florida programs established with the assistance of the Kellogg Foundation and the State Board of Nursing."

Oscar H. Edinger, Jr., president, Mount San Antonio College, August 19, 1965:

"The quality of our nursing program and its enthusiastic community and professional support is amply attested to by the eagerness by which our graduates are sought, and by the enthusiastic participation of the advisory committee on which is represented almost every major medical facility in the district. We have maintained a 100 percent placement record of graduates, and many of them have rapidly risen to leadership and supervisory positions. The college placement office and the department chairman of nursing consistently receive more job orders than the number of students that can be accommodated in the program. It is common practice for doctors' offices, civil service agencies, and hospitals to send brochures, application forms, and descriptive materials describing the benefits to be derived from employment with their institutions as inducements for our students."

H. R. Buchser, president/superintendent, San Jose City College, August 23, 1965:

"That our nursing program is of high quality if reflected in our graduates' success in the RN examination, in which they have constantly scored in the top quarter in competition with graduates from all California schools of nursing. Our program is strongly supported by hospitals, the medical and nursing association, and the Citizens Advisory Committee in the community."

Mr. SPRINGER. Madam Chairman, I have no further requests for time.

Mr. HARRIS. Madam Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Professions Educational Assistance Amendments of 1965".

Educational improvement grants and scholarship grants to schools of medicine, dentistry, osteopathy, and optometry

SEC. 2. (a) Title VII of the Public Health Service Act is amended by adding at the end thereof the following new parts:

"PART E—GRANTS TO IMPROVE THE QUALITY OF SCHOOLS OF MEDICINE, DENTISTRY, OSTEOPATHY, AND OPTOMETRY

"Authorization of appropriations

"SEC. 770. There are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1966, $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 for the fiscal year ending June 30, 1969, for grants under this part to assist schools of medicine, dentistry, osteopathy, and optometry to improve the quality of their educational programs.

Mr. HARRIS. Madam Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRIS. I am sorry, Madam Chairman, but I do not recall the revisions of the rule, but is it the intention to read the entire amendment?

The CHAIRMAN. The Chair will state to the gentleman from Arkansas that the amendment is being read by section.

Mr. HARRIS. By section?

The CHAIRMAN. By section.

Mr. HARRIS. Very well.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

"Basic improvement grants

"SEC. 771. (a) Subject to the provisions of subsection (b), the Surgeon General may make basic improvement grants as follows:

"(1) For the fiscal year ending June 30, 1966, each school of medicine, dentistry, osteopathy, or optometry whose application for a basic improvement grant for such year has been approved by the Surgeon General shall be paid the sum of $12,500 plus the product obtained by multiplying $250 by the number of full-time students in such school.

"(2) For each fiscal year in the period beginning July 1, 1966, and ending June 30, 1969, each such school whose application has been approved for such a grant for such year shall be paid the sum of $25,000 plus the product obtained by multiplying $500 by the number of full-time students in such school.

"(b) The Surgeon General shall not make a grant under this section to any school unless the application for such grant contains or is supported by reasonable assurances that for the first school year beginning after the fiscal year for which such grant is made and each school year thereafter during which such a grant is made the first-year enrollment of full-time students in such school will exceed the highest first-year enrollment of such students in such school for any of the five school years during the period July 1, 1960, through July 1, 1965, by at least 2½ per centum of such highest first-year enrollment, or by five students, whichever is greater. The requirements of this subsection shall be in addition to the requirements of section 721(c)(2)(D) of this Act, where applicable.

"(c) For the purposes of this part and part F, regulations of the Surgeon General shall include provisions relating to determination of the number of students enrolled in a school, or in a particular year-class in a school, as the case may be, on the basis of estimates, or on the basis of the number of students enrolled in a school, or in a particular year-class in a school, in an earlier year, as the case may be, or on such basis as he deems appropriate for making such determinations, and shall include methods of making such determinations when a school or a year-class was not in existence in an earlier year at a school.

"(d) For purposes of this part and part F, the term 'full-time students' (whether such term is used by itself or in connection with a particular year-class) means students pursuing a full-time course of study leading to a degree of doctor of medicine, doctor of dentistry or an equivalent degree, doctor of osteopathy, or doctor of optometry or an equivalent degree.

"Special improvement grants

"SEC. 772. (a) From the sums appropriated under section 770 for any fiscal year and not required for making grants under section 771, the Surgeon General may make an additional grant for such year to any school of medicine, dentistry, osteopathy, or optometry which has an approved application therefor and for which an application has been approved under section 771, if he determines that the requirements of subsection (b) are satisfied in the case of such applicant.

"(b) No special improvement grant shall be made under this section unless such grant is recommended by the National Advisory Council on Medical, Dental, and Optometric Education and the Surgeon General determines that such grant will be utilized by the recipient school (1) to contribute toward the maintenance of, or to provide for, accreditation, or (2) to contribute toward the maintenance of, or to provide for, specialized functions which the school serves.

"(c) No grant to any school under this section may exceed $100,000 for the fiscal year ending June 30, 1966; $200,000 for the fiscal year ending June 30, 1967; $300,000 for the fiscal year ending June 30, 1968; or $400,000 for the fiscal year ending June 30, 1969.

"Applications for grants

"SEC. 773. (a) The Surgeon General may from time to time set dates (not earlier than in the fiscal year preceding the year for which a grant is sought) by which applications for basic or special grants under section 771 or 772 for any fiscal year must be filed.

"(b) To be eligible for a grant under this part, the applicant must (1) be a public or other nonprofit school of medicine, dentistry, osteopathy, or optometry, and (2) be accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, except that the requirement of this clause (2) shall be deemed to be satisfied if, (A) in the case of a school which by reason of no, or an insufficient, period of operation is not, at the time of application for a grant under this part, eligible for such accreditation, the Commissioner finds, after consulation with the appropriate accreditation body or bodies, that there is reasonable assurance that the school will meet the accreditation standards of such body or bodies prior to the beginning of the academic year following the normal graduation date of students who are in their first year of instruction at such school during the fiscal year in which the Surgeon General makes a final determination as to approval of the application, or (B) in the case of any other school, the Commissioner finds after such consultation and after consultation with the Surgeon General that there is reasonable ground to expect that, with the aid of a grant or grants under this part, having regard for the purposes of the grant sought, such school will meet such accreditation standards within a reasonable time.

"(c) The Surgeon General shall not approve or disapprove any application for a grant under this part except after consultation with the National Advisory Council of Medical, Dental, and Optometric Education (established by section 774).

"(d) A grant under this part may be made only if the application therefor—

"(1) is approved by the Surgeon General upon his determination that the applicant meets the eligibility conditions set forth in subsection (b) of this section;

"(2) contains or is supported by assurances satisfactory to the Surgeon General that the applicant will expend in carrying out its functions as a school of medicine, dentistry, osteopathy, or optometry, as the case may be, during the fiscal year for which such grant is sought, an amount of funds (other than funds for construction as determined by the Surgeon General) from non-Federal sources which are at least as great as the average amount of funds expended by such applicant for such purpose in the three fiscal years immediately preceding the fiscal year for which such grant is sought;

"(3) contains such additional information as the Surgeon General may require to make the determinations required of him under this part and such assurances as he may find necessary to carry out the purposes of this part; and

"(4) provides for such fiscal-control and accounting procedures and reports, and access to the records of the applicant, as the Surgeon General may require to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part.

"(e) In considering applications for grants under section 772, the Surgeon General shall take into consideration the relative financial need of the applicant for such a grant and the relative effectiveness of the applicant's plan in carrying out the purposes set forth in clauses (1) or (2) of subsection (b) of section 772 and in contributing to an equitable geographical distribution of schools offering high-quality training of physicians, dentists, and optometrists.

"National Advisory Council on Medical, Dental, and Optometric Education

"SEC. 774. (a) There is hereby established in the Public Health Service a National Advistory Council on Medical, Dental, and Optometric Education consisting of the Surgeon General, who shall be Chairman, and twelve members appointed without regard to the civil service laws by the Surgeon General with the approval of the Secretary of Health, Education, and Welfare, and such appointments may be made for specified staggered terms. The appointed members of the Council shall be selected from among leading authorities in the fields of medical, dental, and optometric education, respectively, except that not less than three of such members shall be selected from the general public.

"(b) The Council shall advise the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this part and part F, and in the review of applications under this part.

"(c) The Surgeon General is authorized to use the services of any member or members of the Council in connection with matters related to the administration of this part or part F, for such periods, in addition to conference periods, as he may determine.

"(d) Appointed members of the Council, while attending conferences or meetings of the Council or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at rates to be fixed by the Secretary but not exceeding $100 per day, including travel time; and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"PART F—SCHOLARSHIP GRANTS TO SCHOOLS OF MEDICINE, OSTEOPATHY, DENTISTRY, OR OPTOMETRY

"Scholarship grants

"SEC. 780. (a) The Surgeon General shall make grants as provided in this part to each public or other nonprofit school of medicine, osteopathy, dentistry, or optometry, which is accredited as provided in section 721(b)(1)(B) or section 773(b)(2), for scholarships to be awarded annually by such school to students thereof.

"(b) The amount of the grant under subsection (a) to each such school shall be equal to $2,000 multiplied (1) for the fiscal year ending June 30, 1966, by one-tenth of the number of full-time first-year students of such school; (2) for the fiscal year ending June 30, 1967, by one-tenth of the number of full-time first-year students and second-year students of such school; (3) for the fiscal year ending June 30, 1968, by one-tenth of the number of full-time first-year students, second-year students, and third-year students of such school; and (4) for the fiscal year ending June 30, 1969, by one-tenth of the number of full-time students of such school. For the fiscal year ending June 30, 1970, and for each of the two succeeding fiscal years, the grant under subsection (a) shall be such amount as may be necessary to enable such school to continue making payments under scholarship awards to students who initially received such awards out of grants made to the school for fiscal years ending prior to July 1, 1969.

"(c)(1) Scholarships may be awarded by schools from grants under subsection (a)—

"(A) only to individuals who have been accepted by them for enrollment as full-time first-year students, in the case of awards from such grants for the fiscal year ending June 30, 1966;

"(B) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time second-year students, in the case of awards from such grants for the fiscal year ending June 30, 1967;

"(C) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time second-year or third-year students, in the case of awards from such grants for the fiscal year ending June 30, 1968;

"(D) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time students, in the case of awards from such grants for the fiscal year ending June 30, 1969; and

"(E) only to individuals enrolled and in good standing as full-time students who initially received scholarship awards out of such grants for a fiscal year ending prior to July 1, 1969, in the case of awards from such grants for the fiscal year ending June 30, 1970, or the two succeeding fiscal years.

"(2) Scholarships from grants under subsection (a) for any school year shall be awarded to students, particularly students from low-income families, on the basis of need for financial assistance in pursuing a course of study at the school for such year. Any such scholarship awarded for a school year shall cover such portion of the student's tuition, fees, books, equipment, and living expenses at the school making the award, but not to exceed $2,500 for any year, as such school may determine the student needs for such year on the basis of his requirements and financial resources.

"(d) Grants under subsection (a) shall be made in accordance with regulations prescribed by the Surgeon General after consultation with the National Advisory Council on Medical, Dental, and Optometric Education.

"(e) Grants under subsection (a) may be paid in advance or by way of reimbursement, and at such intervals as the Surgeon General may find necessary; and with appropriate adjustments on account of overpayments or underpayments previously made."

(b) Section 724 of such Act (containing definitions) is amended by striking out "As used in this part" and inserting in lieu thereof "As used in this part and parts C, E, and F"; and section 740(a) of such Act is amended by striking out "(as defined in section 724)".

Mr. HARRIS (interrupting reading of the section). Madam Chairman, in view of the fact that this section 2, which starts on the bottom of page 14 where the Clerk started reading and goes to the middle of page 25, is an amendment to title VII of the Public Health Service Act, I ask unanimous consent that further reading of the section be dispensed with and that it be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. COHELAN. Madam Chairman, I move to strike the last word.

Madam Chairman, I take this time to clarify a couple of points in regard to the main arguments which we have been having here. In the heat of discussion we have overlooked some very important points.

Madam Chairman, I take this opportunity to supplement the remarks I made yesterday and in particular to provide additional information in support of my strong belief that the amendment of my good friend from Florida [Mr. ROGERS] which was added by the committee in executive session without any opportunity to have hearings, that it be deleted from this otherwise needed bill.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. I asked the gentleman to yield, and I will get him some additional time if I take too much of his time.

There has been a very clear reference to the fact that the committee has apparently included an amendment to the bill which did not belong there, one that was not germane, and one which those who are interested did not have an opportunity to consider.

I would like to allay that contention. Certainly it appears some people may have not been consulted, but the committee did not include anything that was not germane. This is an amendment to the Nurses' Training Act of 1964. The committee, in my opinion, was within its rights in considering the amendment referred to. I did not want anyone to think that the committee has done something here without giving the proposal the consideration that the committee usually does.

Mr. COHELAN. I understand what the distinguished chairman is saying, but I wish as much time had been given for discussion of this subject in committee as has been generously granted on the floor yesterday and today.

Mr. HARRIS. I would like for the record to show that the committee did conduct hearings. It held extensive hearings on this entire subject matter, and afforded opportunity to anyone and anybody to discuss this matter as well as other provisions.

Mr. COHELAN. There was some misunderstanding about what the facts are in regard to this point. Let me finish, because I want to make the record in just the manner the chairman wanted me to yesterday.

As Members will recall, the Rogers amendment provides that in the field of nursing alone, of all the health professions, the accreditation of training programs would no longer be the responsibility of the recognized accrediting body within that profession. This, I believe, is a serious mistake, as I indicated in my remarks yesterday.

Madam Chairman, in response to several questions which have been raised, I would like to point out that since the passage of the Nurse Training Act in August of 1964, a total of 167 programs have applied for reasonable assurance of accreditation, the step which makes a school eligible for funds under this act. Of these 167 applications, 49 came from junior colleges and of these 49 junior college applications, 32 were granted reasonable assurance. It is my understanding that an additional 49 programs, 23 of them junior college programs, have submitted materials for the review panels which will meet later this month. From this breakdown, I think it should be perfectly clear that junior colleges are in no way being slighted; that their applications for accreditation are being considered promptly and fairly.

Madam Chairman, I would also like to comment on the matter of accreditation fees since certain questions have been raised and certain inaccurate conclusions have been drawn on this point.

In order to secure reasonable assurance, institutions offering new nursing programs are charged an accrediting fee of $100, plus travel and per diem expenses of two visitors. Institutions offering established nursing programs are charged only the accrediting fee of $100 since in most cases no field investigation is required.

Now Madam Chairman, the question has been raised about the $1,500 fee which is charged to those junior colleges which are not members of the National League for Nursing. Initially I think we should point out that 26 junior colleges are members and they, of course, pay only the fees I have already mentioned. The others, those that are not members, pay the $1,500 to assist in defraying the cost of the visit, convening the board of review, processing the necessary materials, corresponding with the school and listing the program. This $1,500 is paid only once every 6 years at the time of accreditation. Member schools incidentally, those who pay $100 at the time of accreditation, also pay annual dues of $575 and these dues, in part, defer the cost of accreditation. It should also be noted that through 1967 the National League of Nursing is offering a special annual dues rate to junior colleges, a dues rate of only $285 which is, of course, half the regular amount.

Again, Madam Chairman, I think the facts speak clearly to the need and to the fairness of eliminating this unnecessary and harmful amendment.

Mrs. BOLTON. Madam Chairman, I move to strike out the last word.

Madam Chairman, I rise with a great deal of reluctance. I have worked in nursing and for nurses longer than some of you men have lived. I have watched the nursing profession pull itself out of apprentice training into educational training. I have helped them at every point. I have felt in recent years, that they have gone a little beyond where they should have gone. The pendulum usually swings too far when it starts swinging.

Madam Chairman, I do surprise myself to be standing here speaking in opposition to the League of Nursing accreditation program. But I know of one State where there were 38 schools of nursing—small, but excellent schools. The girls who trained there went back to their own areas and nursed the sick. They did not just fill out papers. There are now only five schools in that State, because of the accreditation. There had to be M.A.'s as teachers or nurses with doctoral degree. You could not have just a nurse who knew nursing from top to toe teaching in that school.

Some of the schools that have been examined for accreditation have been informed that they would receive partial accreditation. What girl is going to go 3 years to a school when she cannot get a license to nurse when she has finished? To me these things are tragic.

In 1956 I introduced a bill in the House of Representatives when my very good friend and our former colleague, Mr. Priest, was chairman of the subcommittee at that time. I had studied the whole situation of why girls do not go into nursing in the numbers that we want them to and why they do not stay in the field of nursing when they are there. I was in touch with nearly 12,000 people in this country—doctors, nurses, patients and so on—and I happened to be one of the patients myself. I know hospitals inside out and upside down. We found many very interesting things. Most of them are matters that the nurse cannot talk to the hospital superintendent about nor to the board of trustees. She is taught not to. It takes lay people who are trained through experience to go to the boards of hospitals and to go to the various areas that have to do with nursing and make the changes happen. A great deal of research had been done by nurses—magnificent research—but it had never been pulled together and made to produce. We wanted to pull it together.

So I asked for a Presidential Commission. On that Commission I placed two laymen. They were the patients who, surely, should have been heard. The nurses killed it in committee. The hierarchy—way up here—of nursing—whom I know very well and whom I admire, would not have any of us laymen—nonprofessionals—on the scene.

So the bill was killed. There was a Commission appointed. It did an excellent job of its kind, but it has produced no more nurses. It has not made it easier for nursing schools to give real bedside nursing training.

The last time I had figures compiled, we were short 85,000 bedside nurses.

How are we going to staff the new hospitals? How are we going to take care of the people who are sick in the districts?

The practical nurse has been a boon. She has been a wonderful addition when she has had proper training. She has to be overseen also by registered nurses of the right caliber and of the right training.

I am surprised at myself, as I said at the beginning, that I agree with the amendment of the gentleman from Florida [Mr. ROGERS] and its having been made a part of the bill.

My one suggestion is that it is going to be desperately important to uphold the standards of nursing training, and this will have to be carefully watched. Standards in our 50 States vary. We cannot afford to have the high standards lowered. We must watch that with the utmost care and must find ways to lift the lesser ones. This, Madam Chairman, is an activity this subcommittee has assumed.

The CHAIRMAN. The time of the gentlewoman from Ohio has expired.

(By unanimous consent (on request of Mr. Harris), Mrs. Bolton was granted permission to proceed for an additional 3 minutes.)

Mr. ROGERS of Florida. Madam Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I wish to say that I certainly appreciate the very fine statement the gentlewoman just made. I believe it is an excellent one and puts the proper perspective on this problem.

No one wants to let down the standards of nursing. We want them raised all the time. But we do so badly need nurses for this country. The problem is being accentuated every day.

All we are trying to do is to get more nurses.

All of us who know of the wonderful work of the gentlewoman from Ohio in helping establish the great nursing profession in this country are grateful to her for her comments.

Mrs. BOLTON. I thank the gentleman. I do want to say one amusing thing. This work has given me the chance to get equal rights for men.

Mr. HARRIS. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I hesitate to take any additional time on this subject, because I believe it has been thoroughly discussed. There has been a record of great importance made. That was what we had in mind yesterday as we talked about this subject.

I am very glad the gentlewoman from Ohio did take the floor and speak on this subject. From my personal observation, I know she has contributed much to the welfare of the nursing profession through her efforts to bring to the attention of the people of this country the public service performed by the nurses. She is to be commended—and I do compliment her—for her sustained and continued interest over the years in this field. She has given me a lot of help, advice, and counsel, and has sustained me and other members of the committee in our efforts to try to reach a solution to the problems of nurse shortages in our traditional way in this Nation.

I wish to thank the gentlewoman publicly for the marvelous contribution she has made over these years.

I realize that this is a highly controversial issue. We did realize that in the committee. As was explained by the sponsor of the amendment, the gentleman from Florida [Mr. Rogers] the committee believed there was some substance to the contention that was made that there were problems faced by junior colleges. On the other hand, I have nothing but the highest admiration for the National League for Nursing. The nursing organization has contributed much to the health and welfare of the people of this country.

I have only the highest commendation for them in their efforts to improve their own profession so as better to serve the people of this Nation.

In view of the fact that this issue has been brought up and in view of the fact that there are so many who are concerned with it, I reiterate what I said yesterday—namely, if the matter will go on to conference and we have an opportunity further to develop the facts in connection with this matter, it will be my purpose—and I am sure other members of the committee will join me in it—that we make every possible effort to work this matter out satisfactorily in conference.

There have already been some suggestions made as to how it can be done. We do not want to lower the standards or the criteria in the nursing profession. We want to utilize all of the educational facilities that are interested in training nurses, including the junior colleges. We have provided programs of nurse training, including a program of associate degree nurses, or nurses with 2 years of junior college education, a program of baccalaureate degrees, a program of diploma nursing, and then, of course, graduate nursing. It seems to me with the record that has been made here and the interest that has been shown, when we get to conference, or maybe when it is considered in the other body, we should come to some satisfactory solution of the problem.

Again I want to assure you, my colleagues, as I did yesterday, that I will make every effort to try to work this matter out as satisfactorily as possible. We can do it better in that way than we can do it here on the floor of this House.

Mr. CUNNINGHAM. Madam Chairman, I move to strike out the requisite number of words.

Madam Chairman, I am pleased to hear from my distinguished chairman, that there is a problem here and it is not all black and white. As far as I am concerned, there is definitely a real problem. Reference has been made to the need for more nurses. There is not a member of this committee that does not realize we need more nurses. But we need qualified nurses, and you do not get qualified nurses under a 2-year program where the school has not been accerdited by the National League of Nursing.

I might say, as I have said before, that there are slightly more than 100 junior colleges that do have registered nurse training programs. When they graduate from these programs they have to take a State examination. The results of their examinations, in some instances, have been pitiful.

In conclusion I might say that we have this wonderful Nurse Training Act which we passed last year which was the administration bill. Now we have this bill, and we are in favor of all of the bill except this provision having to do with accrediting of nurses' schools.

We had no hearings. This was put in in executive session. I know that when you get into executive session you mark up a bill, but this was a major change from what we did last year. So I say we had no hearings, and it was not discussed at any length.

Madam Chairman, if this amendment of the gentleman from Florida [Mr. Rogers] stays in the bill, I am convinced that it will scuttle the National Nurses Training Act passed last year.

Mr. MOSS. Madam Chairman, I move to strike out the requisite number of words.

Madam Chairman, I have just listened to an amazing display of absolute inaccuracy. We have in junior colleges been training nurses for more than 35 years. San Jose Community College has been training nurses, I believe, for 35 years. Sacramento Junior College was training nurses or giving nursing education when I was a student there a long, long time ago.

The associate degree program has been underway for about 15 years. Hundreds of nurses who attended our junior colleges for their training are today rendering outstanding service in nursing.

Another bit of misinformation is the allegation that only three junior colleges are accredited today because of their pitifully inadequate standards. Three are accredited today; but the relationship of the number accredited to the number nonaccredited has absolutely no bearing upon their qualifications. Some 32 additional junior colleges have certificates of probable certification from the nurses accrediting group. It would be a great disservice to let the record stand as obfuscated as it was at the conclusion of the remarks of the gentleman who spoke before me.

The results of those attending the 2-year course in the license examinations given in the three larger States in this Union indicate that they compare in every respect favorably with the baccalaureate graduates and with the diploma graduates from the hospital schools of nursing.

The statement was made that no significant factor should be assigned to this matter of accreditation cost. I requested the staff of the subcommittee for a document setting forth the cost of accreditation supplied by the American Nurses Association themselves. What does accreditation cost? An accrediting fee for a nonagency member is $1,500 each 6 years.

There are annual dues of $285 for member institutions, agency members, for the years of 1965 through 1967 and in 1968 that fee goes up to $585.

Now, Madam Chairman, if an agency member seeks accreditation it must pay the fees covering the cost of visitors, and that appears to be significant, because in correspondence furnished to the gentleman from Florida [Mr. Rogers] by Sister Anne Joachim, of St. Mary's Junior College, in Minneapolis, Minn., and I quote:

> The cost of this visit—

Referring to an inspection visit—

> was $317. Added to our $600 payment to the NLN for our membership brings our payments themselves close to $1,000 for this year alone.

And, the good sister adds:

> One is painfully reminded of the comments one frequently hears about the unreasonably high cost of the NLN visits and travel which are neither necessary nor fruitful.

Mr. **KING** of Utah. Madam Chairman, I move to strike the requisite number of words. I have taken this time to clear up one or two points.

I might say that I appreciated the very fair attitude of the distinguished chairman who is managing this bill, and approach this matter in the same spirit.

Madam Chairman, I believe some of the trouble into which we have run in discussing the matter of accreditation of nurses is due to the fact that we have become victims of what I might call a time fix. A time fix occurs when one develops a mental image, in the nature of a fixation, at a particular instance of time, relating to a particular set of circumstances. The circumstances then change, but the image lingers on, unchanged.

Some Europeans who go out to Utah, for example, are still looking for wild Indians running up and down our main street. They are disappointed when they do not find them. They are victims of a time fix.

And so many people still conceive of the role of nurses as essentially that of dressing wounds, washing bodies, taking pulse and temperature, and emptying bedpans. This is the image which became accepted 40 years ago. But today, Madam Chairman, we must call to mind the image of a lady who sits behind her work desk on which are lined up hundreds of bottles containing narcotics and medications of every description. These bottles carry with them life, or death, depending on how they are used. The lady with the lamp has now become the lady with the hypodermic needle, and woe unto the poor patient upon whom that needle is used improperly.

What I am saying is that the nurses today are professional women who are required to exercise judgment and skill in the highest sense of the word. So, when we emphasize the need for upholding nursing standards, our position is not something artificially contrived. It is in full accord with realities of modern life.

Now, I am a little distressed that so much of the debate on this subject has dealt with the question of whether or not junior colleges are competent to train nurses.

In my opinion this is not the issue. I am perfectly willing to concede for the sake of argument that many, perhaps most, of the junior colleges are quite competent to turn out excellent nurses. Since this may well be true, it seems to me all the more logical that they should be willing to accept the same standards as do other institutions.

If the junior colleges can turn out such good nurses, then why should they ask for special privileges? Why should we give them special treatment, which we do not accord to others?

Madam Chairman, the issue is not whether or not the junior colleges are competent to do the job. They are not on trial. The indispensable service which they offer the Nation is a matter of public record. The issue is simply whether we shall have nationally enforced professional standards, to the end that those institutions which receive Federal funds shall be limited to those which are giving competent nursing instruction. By so doing, patients may have the assurance that they will receive the best care which training can provide.

This, it seems to me, is the issue, and everything else is irrelevant. For that reason, I reiterate, I feel that the best interests of this bill can be served by the conference committee going to conference with the intent of eliminating this language which jeopardizes the high standards that have been so successfully established.

AMENDMENT OFFERED BY MR. QUIE

Mr. **QUIE.** Madam Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. QUIE: On page 15, line 1, strike out all of part E from page 15, line 1 through line 11 on page 22.

Mr. **QUIE.** Madam Chairman, I offer this amendment to strike part E of the bill because to me it sets a new precedent that is going to affect all of the legislation that confronts us in the Committee on Education and Labor in the future in regard to education. This part E provides money for current operating expenses in medical schools. We have chosen not to do this in the Committee on Education and Labor for colleges and universities, in fact, in a previous Congress, there were efforts to include a sum of money to go toward current expenses whenever a Federal scholarship was granted. We felt that was unwise.

We did take a big step in the last Congress toward providing grant money for the construction of academic facilities. We felt that based on previous Federal assistance acts, the aid should go to both public and private institutions of higher learning we would not get into the constitutional question of church-state relationship, or into the question of the operation of the schools when we provided "bricks and mortar money" only.

We provided only construction money in the medical school bill in the last Congress as well.

Now, the Committee on Interstate and Foreign Commerce has in effect set a precedent. As I mentioned in yesterday's debate there are 13 of the 84 medical schools which are church-related, there are 11 of the 47 dental schools which are church-related. I believe that whenever we assist any institution of higher learning, we should treat them all alike whether they are public or private church-related.

We have tried very carefully in all the areas of Federal assistance coming from the Education and Labor Committee in an effort to make certain that we kept it absolutely constitutional, and develop a national policy that we could live with in future years. If we, then, in our committee could point to the efforts that are being made now by the Committee on Interstate and Foreign Commerce to provide a substantial amount of money for the operation of medical, dental schools, schools of osteopathy, and so forth, for salaries, administrative costs, in the medical schools of the country, as necessary as the committee claims it to be, we have little reason not to provide the same kind of money for the other colleges and universities in order that they may pay their salaries and meet their administrative costs. I just want you to know that the private colleges and universities are in as great a need as any other and I shall maintain when the time comes that all be equitably treated.

Many of the administrators of colleges and universities, especially public colleges and universities, have come to us and said—We are going to need more than scholarship money, more than tax credits for students and their families, and more than any of these other funds you are talking about on the Federal level. What they need is money for operating expenses. If the Federal Government would pay all the operating expenses, it would not cost the student anything to go to college. So here we see the first step being made, I believe, in a substantial change in Federal education policy in the country. It is true the institutions of higher learning do receive operating expenses, assistance in graduate education indirectly in research grants, and it amounts to better than 50 percent of all expenses of colleges and universities. However, in this case the universities and colleges utilize the services of a researcher to spend part of his time teaching and they have drawn tremendous benefits from these research grants which, on the most part, are project-oriented research grants. However, this would be the first time it was done directly. I do not believe it is wise for us to set this precedent without thorough study for its total education implications. Medical, dental, osteopathic, pharmacy schools, and podiatry schools policy will affect all of our colleges and universities. I think this aid ought to be deleted from the bill and this question should be considered by both the Committee on Education and Labor and the Committee on Interstate and Foreign Commerce. I believe the need is as great in many other disciplines as it is in medical schools. The need for our country is not only in the health field but also the other areas of knowledge. Our country does have a shortage of brainpower and we need to do everything we possibly can. However, I think this is an unwise step without at the same time looking at other colleges and other disciplines. I might point out if we do take that further step another year, using this as a precedent providing grant money for current operating expenses in all our colleges and universities, can we make certain that Federal influence and standardization will not be the outcome? So I just point this out to you. If you want to look down the pike a ways and want to spend a little bit more time in thorough study and analyzing what we ought to do I would hope you would support and adopt my amendment to delete part E and pass a bill with just the student assistance and construction money.

Mr. **HARRIS.** Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, now the Committee on Interstate and Foreign Commerce has given the very best it has in developing a program to try to meet a very great need. There is no one in this country who will tell you there is not a very great need in this field. If you strike out this provision, you are going to take away the principal part of this bill which is designed to meet this need—the need for trained people in the health professions.

The gentleman talks about precedent. I remind you in the recent Higher Education Act of 1965, which passed the House last Thursday, August 26, there is authorized a 5-year program of project grants to institutions of higher education and to teaching fellows to assist in raising "the quality of developing institutions." The college must, among other things, be "seriously hampered in its efforts to improve staff and services by lack of financial resources and a shortage of qualified personnel.". The main purpose of the legislation is to assist the institutions which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life.

Two general mechanisms are provided for in strengthening developing institutions: First, project grants to support cooperative arrangements aimed at building up these colleges; and, second, a national teaching fellowship program to graduate students and junior faculty members to encourage them to teach at developing institutions.

What we have been trying to do with these programs is to do something about these medical institutions. There are some 12 medical schools that right now are dangling on the brink as to whether or not they are going to continue. This is not fiction. There are 10 of these medical schools that are in a serious situation as to what is going to happen to them. Madam Chairman, there are six of these medical schools that are not going to make it, if some way is not provided to help them. How can we say we are going to establish a program, as we are providing in this bill, to increase the number of medical institutions by at least 10 new schools and then permit a dozen old established medical schools to go by the way. It just is not practicable.

This is not a new precedent.

The precedent for Federal support of institutions serving a clear and pressing need of the people of this country was established long ago in relation to land grant colleges.

Every medical school serves in part as a national institution. Its graduates spread out to all parts of the country and serve the total range of needs for medical care. It is worthy of some emphasis that accomplishing the missions of the Department of Defense, the Public Health Service, and the Veterans' Administration now requires the annual intake of about 3,900 physicians, or more than half as many as graduate from all the medical schools. They serve for an average of about 4 years, and about 22,000, or 12 percent of all the physicians in the country, are on full-time duty with these three agencies.

Improvement grants—basic or special—under the proposed legislation can be awarded only if the school "sets forth plans for using the grants which the Surgeon General finds give reasonable promise of strengthening and improving the school's faculty and curriculum." Thus, expansion of the school alone will not entitle a school to aid.

There are several precedents for Federal grants to strengthen and improve teaching programs for professional health personnel:

Under section 314(c) of the Public Health Service Act, the Surgeon General is authorized to make grants for the support of graduate and specialized public health training in the Nation's several accredited schools of public health—currently 12 in number. The current annual appropriation of $2.5 million for this purpose is divided among the schools as follows: One-third of the funds are allotted equally among eligible schools and the remaining two-thirds on a 3-year average of the number of federally sponsored students.

Under section 309 of the Public Health Service Act as amended, the Surgeon General is authorized to make project grants to any public or private nonprofit institution which provides graduate or specialized training in public health, for the purpose of strengthening or expanding graduate public health training. Appropriations for fiscal year 1965 for this purpose were $2.5 million.

Under the Nurse Training Act of 1964, the Surgeon General is authorized to make payments to diploma schools of nursing to defray a portion of the cost of training students of nursing whose enrollment in such schools can be reasonably attributed to the provisions of the act. Payments are determined on the basis of first, the increase in the full-time enrollment for the current year over the average for the 3 preceding years; and, second, the number of students enrolled in the school who have received loans under the Nurse Training Act.

Under various sections of the Public Health Service Act, all of the Institutes of NIH make training grants to public and other nonprofit educational institutions to support graduate training leading toward careers in research in sciences relating to medicine and health or toward increased competence in the treatment of disease. The grants, awarded to establish, expand, or improve training opportunities, provide sums both for the support of the institution's program and for stipends to students.

So it can be seen that this is not really a new program—there are many precedents already established for Federal assistance to schools serving a national purpose.

Our medical schools serve a national purpose, and Madam Chairman, their needs are great.

We must face the fact that high operating costs and shortages of operating funds are jeopardizing our health professions educational system. Several underfinanced medical and dental schools are threatened with failure to meet educational standards. New schools are slow to start even when construction funds are available, due to lack of operating funds.

A strong system of medical education requires adequate financial support that is continuing and stable. Universities with budgets already under great stress will be unable to maintain, improve, or expand their existing medical programs or to establish new medical schools or new educational programs unless sources of additional operating funds are found. It is reasonable and proper that the Federal Government should provide together with other national and local sources the needed additional operating funds.

The medical schools of this country vary enormously, not only in age and location but also in strength and stability. At one end of the spectrum are a small number of schools so weak and poorly financed that it is doubtful they can continue to provide acceptable education without more institutional support. The grants proposed in this legislation will be enormously helpful to them. At the other end of the spectrum are 15 or 20 very fine, well-established institutions with large and complex programs. The grants proposed will be modest in relation to their total expenditures, but they will make it possible for these fine institutions to continue to pioneer in the development of programs in which newly developed knowledge offers great promise. In the middle are the majority of schools with hardly enough money to keep their present programs going and under great pressure to correct their known weaknesses, institute programs of proven value, and expand enrollments. The grants proposed will be of great help toward doing some or all of those things.

It may not be always realized, but there are some medical schools in this country at any given time, 10 to 15, who are in very serious financial difficulty. They barely have enough money to keep going, and the strain is so great that their concern is as to whether they can continue or not. For institutions in this category the sort of institutional grants provided in this legislation will really be a lifesaver.

At the other end of the spectrum we are fortunate in having 15 or 20 medical schools that are very well established and very sophisticated and fine institutions. Institutional grants to those strong schools will be rather small compared to what they are already spending, but those are the schools who can pioneer in developing new programs where new knowledge makes it sensible and which pioneering can then be helpful to all schools.

The majority of medical schools are in between these extremes. They are finding it nip and tuck to have enough money to operate. This sort of grant can help them correct deficiencies that may exist and build strengths where they know they need it and can greatly help them meet the need to expand all of their activity. For example, Dr. F. J. Ebaugh, dean of the Boston University Medical School, testified before my committee that by 1966, this outstanding institution is expected to run a deficit of $113,000 and that by 1972 the deficit will increase to $152,000. Dr. Ebaugh stated that thus far his school has been able to stay in operation by means of committed grants from three foundations and gifts, and that the school will be able to remain solvent in this manner for approximately 4 years. However, the deficit which is anticipated by 1972 can be met only through Government support of the kind proposed by this bill plus support from private foundations which is not yet committed. The alternative to such support, Dr. Ebaugh states eloquently in these terms:

> Now if we are to remain financially solvent, we could triple our tuition. This is unthinkable. We could decrease the number of our faculty and hence the quality of our education. This is also unthinkable. Or we could decrease the number of students which would be completely against the interests of the Nation. The answer would lie, it seems to me, in the proposed grants in aid under the bill 3141 to supplement the operating budget of the school * * * and to continue to solicit gifts and foundation support for our operation.

Dr. Douglas M. Surgenor, dean of the School of Medicine, State University of New York at Buffalo, made the following statement before my committee:

> At Buffalo, we find that our resources, despite excellent support from the State University of New York, are completely committed to catching up in faculty strength for our basic program, and to related matters, with the result that we simply cannot fund new and important curriculum changes that the faculty has already agreed to. For example, we have developed a plan to provide a better educational transition between the basic science years and the clinical years of the medical curriculum. Tentatively entitled "Mechanisms and Manifestations of Disease," this course involves a new approach in which a team of physicians and scientists will introduce the medical student to the basic principles of clinical medicine. It is this kind of improvement in the curriculum which would be greatly expedited by the support envisioned in the bill. I could name several other areas of urgent need in my school which would also be aided by new Federal support.

Madam Chairman, my State of Arkansas is not going to get anything from this for its medical school, so I have nothing personal involved so far as my State is concerned. Our medical school is not one of those in trouble. It will get its share under the general basic improvement grants, but my own State does not have a school in serious trouble. We have a fairly new set-up there, and a very fine one of which we are proud. There are some schools in the Nation we are trying to save.

Therefore I urge, Madam Chairman, that the amendment not be approved.

Mr. LEGGETT. Madam Chairman, I move to strike the last word.

Madam Chairman, I wish to point up to the committee that there is pending now before the Interstate and Foreign Commerce Committee legislation to expand the scope of the pending bill to the allied field of veterinary medicine.

Authors of this legislation, other than myself, are Congressman ANDREWS of Alabama, Congressman STEPHENS of Georgia, Congressman ANDREWS of North Dakota, Congressman JOHNSON of Oklahoma, Congressman STEED of Oklahoma, Congressman ROBISON of New York, Congressman MATTHEWS of Florida, Congressman PEPPER of Florida.

Many of these authors, including Vice President HUMPHREY while he was a Member of the other body, introduced legislation to extend the coverage of this act to the allied profession of veterinary medicine starting in the 86th Congress, 87th, 88th, and the current Congress.

It is my understanding that reports from the Bureau of the Budget are imminent on the legislation which we have all jointly coauthored and for that reason I do not intend to offer an amendment at this time to perhaps prematurely expand the coverage of the act.

The national need for additional veterinarians is patent.

NATIONAL NEED FOR VETERINARIANS

The nationwide demand for veterinarians is at an alltime high and is growing very rapidly. It exceeds the supply by threefold or fourfold. There is a critical need for veterinarians particularly in public health activities and for food animal disease control. The following statement taken from the summary of the Centennial Evaluations of the Veterinary Division of the American Association of State Universities and Land-Grant Colleges still accurately reflects numerous nationwide surveys on the need for veterinarians:

> The demand for veterinarians is at an alltime high and is constantly growing. The best estimates based on current needs indicate that the number of veterinarians in the country should be trebled by 1980. This means that over 40,000 new veterinarians must be graduated in the next 20 years. It means that in order to accomplish this the capacity of all the present veterinary medical colleges must be doubled and at least five new veterinary medical colleges established immediately.

Although every effort has been made to expand the enrollment of veterinary medical colleges throughout the country, very little expansion can be accomplished without constructing new classrooms and laboratories for these programs. The very high cost of establishing a school of veterinary medicine mitigates against the establishment of the vitally needed new schools.

There are only 18 schools of veterinary medicine in the entire country. Veterinary medical schools are, therefore, truly national resources. There are only 3 schools that serve the entire 12 Western States. Consequently it seems more than appropriate that universities having veterinary medical schools receive some national support to maintain their programs.

VETERINARY MEDICINE'S CONTRIBUTION TO HUMAN HEALTH AND WELFARE

Veterinary medicine makes significant contributions to the health and welfare of all the people of the country. Veterinary medicine is the science that deals with diseases of all the kinds of animals useful to man. All kinds of animals includes not only the food-producing and draft animals, but also pet animals, zoo animals, wild animals, and laboratory animals used for research. Veterinarians have been given primary responsibility to control the host of animal diseases that are transmissible to people. All species of animals have important diseases that can affect people. This is particularly true of the many exotic pets that Americans are currently so interested in. Unless trained veterinarians are available throughout the Nation to minister to the health needs of all these kinds of animals, including pets, great numbers of people will be exposed to needless pain and suffering from animal diseases.

A great number of veterinarians are needed to care for the vast numbers of animals used in biological and medical research. Much of the medical research in the Nation today is conducted on animals. A great deal of this research is not truly significant because it has been conducted on animals afflicted with various diseases. Consequently the veterinarian plays a most important indirect role in human health and welfare by maintaining the health of these animals.

Without any doubt, the greatest contribution made by veterinary medical science to human health is through research which contributes to our understanding of disease and disease processes. Most of the diseases that affect people also occur in some species of animal. Many of these animals are much better suited for research on these diseases than are people. Consequently the veterinarian, skilled in animal biology and medicine, has been placed in a key position to make significant contributions to all of medical science. Many of his findings relate as directly to human welfare as they do to the immediate welfare of animals. Veterinarians in all aspects of professional activities from practice to basic research, make these kinds of contributions.

The veterinarian is a unique medical scientist. No other group of biological and medical scientists can do what he is trained to do. He is a vitally needed medical scientist. The health and welfare of the people to no small extent depend upon the effectiveness of the service that he provides to the community.

DEMANDS FOR VETERINARY MEDICAL EDUCATION

At the University of California at Davis, Calif., in my congressional district, by the end of the current year approximately 5,000 students will have written letters to the dean's office requesting information on a veterinary medical education. They already have received over 400 completed applications from students who have completed their undergraduate education and wish to continue in veterinary medicine. They accept approximately 50 students in each class. This means that the vast majority of these young men and women must change their objectives and go into some other profession or field. This is true even though the demands for graduated veterinarians exceeds the supply in California by at least five times. It is indeed a tragic situation that so few truly qualified people may enter a profession which provides society with such important service merely because educational facilities are not adequate to handle them.

DEMAND FOR VETERINARIANS

Last year approximately 250 positions were available for veterinarians in the

State. This included requests for individuals in laboratory animal medicine, animal disease control programs for State, municipal and Federal Government, the California board of health's research and zoonoses control program, research and teaching positions on the various campuses of the University of California, medical research organizations, the Veterans' Administration, the Bureau of Wildlife and Fisheries, as well as many opportunities in private practice.

Out of the 43 veterinarians that graduated from our school last year, 8 currently are in the armed services, 5 have gone directly into research and research training programs, for example, in cancer research at the McArdle Institute at Madison, Wis.; University of Chicago's Biochemistry Department; U.S. Public Health Service's Rocky Mountain Laboratory; the California Department of Public Health and the University of California. Two are in clinical internship programs to prepare themselves for academic careers in veterinary medical science, two have accepted positions in fish disease programs, while the others are in internships that may eventually lead to private practice. Most of our graduates go into positions which contribute to the general health and welfare of the populace.

We must import nearly 75 percent of the veterinarians who go to work each year in our State. If recent trends on immigration of veterinarians is a true indication of the future, the number of veterinarians immigrating will be reduced in the years ahead.

GRADUATE EDUCATION

There is a very strong demand for graduate education in veterinary medical science. Individuals completing graduate education go into the schools and colleges to teach and conduct research in many aspects of veterinary medicine. There is a critical and important shortage of qualified teachers and researchers. Support and expansion of the graduate program is essential if we hope to supply teachers and researchers vitally needed by the Nation.

THE UNIVERSITY OF CALIFORNIA

The University of California is currently embarking on a major veterinary medical expansion program. They hope to expand the program of the school so that they may eventually accept 120 veterinary medical students each year and provide graduate education for over 200. In order to do this, however, we must expand our physical plant tremendously. We have estimated that this will cost between $20 and $30 million. It is not possible to do this with funds available from State sources. Federal support for veterinary medical education is vitally needed.

RELATIONSHIP TO THE MEDICAL SCHOOL AT UCD

A new medical school soon will be established at the University of California at Davis. It is the fond hope of the university that the School of Veterinary Medicine and School of Human Medicine will be closely related. There is no doubt that each can contribute significantly to the quality and efficiency of the program of the other. They are hopeful that close integration may be accomplished so that both veterinary medicine and human medicine will profit from the association. These two branches of medicine have too long been separated. It is their hope that they will be able to bring them together.

In summary, I would respectfully request that the chairman of the Committee on Interstate and Foreign Commerce exercise every effort to see that this very important companion legislation is passed out of committee and brought to the floor of the Congress with the same support as has been given to the pending bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was rejected.

Mr. JONES of Missouri. Madam Chairman, I move to strike out the last word.

Madam Chairman, I am not a prophet of doom and gloom, but I think we need to call attention to some things that are happening. I read some excerpts from the current issue of U.S. News & World Report:

> Creeping rise in prices, gaining some momentum, is a cause of reviving official concern about inflation pressures; is influencing money policies.
>
> Prices of commodities, overall, are in a continuing rise. Industrial products, in turn, begin to rise with wage costs and costs of materials.
>
> Skilled workers are in short supply now. Unemployment of men over age 20 is down to 3.1 percent; of men over age 25 is down to 2.8 percent.
>
> The base is there for an upward price push.
>
> It's against that background that cash spending of Government is set.
>
> In this year, ending June 30 next, Federal spending of cash will rise by about $7.8 billion to above $130 billion. Probable deficit: $5.6 billion.
>
> Next year, beginning July 1, cash spending will rise about $13 billion to above $143 billion, up $20.7 billion in 2 years. Probable deficit: $8.1 billion. That's without any big increase in arms spending for war in Vietnam. Big rise ahead is to be in welfare programs of many and proliferating kinds.

I would predicate the statement I am about to make on the statement I have read: In this bill we are setting up a new program which goes about giving away money that we do not have in order to accomplish a purpose for which the giving of that money is not necessary. I am referring to the scholarship grants provided in this bill for the first time. I think what we are trying to do by offering grants, gifts, doles, welfare, or whatever else you want to call it, to a young man just because he is ambitious to become a doctor is helping to destroy his self-respect by giving him this help when there are available enough scholarships from outside the Government and enough loans are available both from the Government and from outside the Government to enable any young person who has the ability, the intellect, and ambition to fill every medical college that is now existent or which will be provided under the expanded program in this bill.

We need more doctors. I said that at the time that the medicare bill was passed. One of the greatest disappointments I predict will be on July 1 of next year when these great numbers of people who are eligible for hospital and nursing home care will try to get services that are not available. That is the reason why I am supporting this bill with the exception of this section, part F, scholarship grants. If this amendment which I will offer to remove the scholarships grant provisions is not adopted, I will feel forced to vote against the entire bill.

AMENDMENT OFFERED BY MR. JONES OF MISSOURI

Madam Chairman, if I may, I would at this time like to offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JONES of Missouri: On page 22, line 12, strike out line 12 and all that follows on page 22, page 23, page 24, and lines 1 through 12 on page 25.

Mr. JONES of Missouri. Madam Chairman, I think I have explained the purpose of this amendment, but I should like to go into further detail. This is not a great amount of money as compared with the other features of the bill. The bill itself, of course, is going to provide close to $1 billion. So this is not a large item.

I am offering this amendment as a matter of principle. I feel that we are not going to recruit or entice another person into the medical schools or schools of related professions that are provided in this bill by offering this money. I think any young man or young woman who wants to enter these professions would welcome the opportunity to get a loan that they would be glad to repay. I think we are destroying some of the initiative and self-respect of these people whom we are making wards of the Government, so to speak, by offering these grants.

This money comes from the taxpayers. I do not think anybody here will disagree with me when I say that of all the professions there is none that has a greater potential for earnings than the medical profession. Many doctors have made sacrifices, but they had a goal that they could look forward to and they could see not only the good that they were going to do, but also the financial security at the end of that time.

The report speaks of the fact that it costs from $20,000 to $30,000 for the 8 to 12 years that a person would have to be in school. By the time he is out of school, in 3 or 4, or at most 5 years, he will be making more money than that in any one year.

I think most of us recognize that the young man who comes out of a medical school today with a diploma, who is ready to hang up his shingle as an M.D., has the certainty that he is going to earn at least $1,000 a month to start with and in the year following it will be more than that.

There is another thing about this bill that was brought out by the gentleman from New Jersey awhile ago, and that is the fact that we have no requirements concerning this grant that we give this person to go to a medical school. We have no assurance that he is even going to continue in the practice of medicine in this country. At least we should expect, if we are going to give him some money, that he have a requirement and an obligation to go to some section of the country where there is not sufficient medical service now. They do that under the teachers program. We say that if they are going to teach school we will forgive a part of the loan. Here we are giving them a grant with no strings attached. I think that is entirely wrong. I see no need for it, because it means that we are just throwing the money away. For that reason I think the amendment should be agreed to.

Mr. HARRIS. Madam Chairman, I rise in opposition to the amendment. I hope the amendment will not be agreed to. We have tried to work out a practical and realistic program to meet the needs in this area. If I believed that what the gentleman from Missouri [Mr. Jones] has said was the fact, I would have a different point of view. I am sure the gentleman believes on the basis of the information that he has, that the statements he recounted here are true. But those are not the facts as we understand them.

The facts are that we have, through programs beginning a good many years ago, through the National Science Foundation and now NASA and the National Defense Education Act provided a great incentive to many of the better students. Of course, we needed scientists. All of us remember that we became concerned about scientists several years ago because we thought Russia was moving ahead of us in that field. And the first thing we knew, we had many people going into that field, so that the better class of students have been going into other fields and they have not been keeping up in the field of medicine, dentistry, and the other health professions.

The information which we developed throughout the course of the hearings and which came to us indicated that there are innumerable students that would be interested in going into the field of medicine if they could just see a way to afford it.

Madam Chairman, it takes 10 years to make a doctor, at high cost. So, the student gets beyond the capability of his family many times. Many of these medical students, as is well known—everyone knows it—get married and have their own family. They give up in despair, saying "There is no way I can get into the field of medicine, because it takes too long; I am obligated to my family; I cannot do it and therefore I am going to do something else."

Madam Chairman, what we are trying to do is to use this method of approach here where we say to a given school, "If you perform a service here, we will give you some help and assistance and incentive for doing it." So, we take the figure of $2,000 and one-tenth of the total medical students of the school and multiply these two amounts, and that is the amount that that particular school has allocated to it from this program to apply on scholarships.

Now, Madam Chairman, that institution then has within the framework of that total amount certain parts of it to allocate—maybe $500 or maybe $2,500—to a worthy and needy student. In this way with loans, foundation grants, and other help they may get applications from many of these students. This will help the institution improve the quality of students that comes to the school for that purpose.

Mr. JONES of Missouri. Madam Chairman, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the gentleman from Missouri.

Mr. JONES of Missouri. Does the gentleman from Arkansas know of any worthy student who could not obtain a loan for that same purpose?

Mr. HARRIS. Our information comes to us from the medical schools who screen the students themselves, the people who do the actual basic work. They tell us that they have many students that come to them with a high academic rating but when they look at that 10 years ahead of them and the high cost involved, they pass up medical school.

Yes, we have information that there are innumerable students that come within that category.

Madam Chairman, I hope the Committee will not approve this amendment.

Mr. CAHILL. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman and Members of the Committee, I have asked for this time not because I fully agree with the gentleman from Missouri [Mr. Jones] that the entire section should be stricken, but because I disagree with the distinguished chairman of the committee as to the implementation of this most desirable section providing scholarships.

Madam Chairman, during the general debate, I pointed out that in this legislation there are no criteria established as to what is a needy boy; there are no criteria established as to what is a bright boy. Each individual medical school in this country under this bill has a right to establish what is a needy boy and what is a bright boy.

There is nothing in this legislation that requires a written examination. There is nothing in this bill, as I understand it, that provides as to whether a young man has to be a member of a family that qualifies, for example, under the poverty program, and most importantly, there is nothing in this legislation as I read it which makes this a national criteria. In other words, it might be different in New Jersey than it is in Missouri or than it is in Arkansas.

I do not know of anything in this bill which requires any recipient of a scholarship to do one thing. Most recipients of a scholarship either have to perform some services around the school, some have to play football, some have to answer the telephone, some have to wait on tables, but there is nothing in this bill that requires them to work in the laboratories of the medical school, for instance or to perform any task whatsoever, the recipients do not have to pay the money back, and most important, they do not even have to practice medicine in the United States of America. After they have received their full education they can leave the medical profession and enter the teaching profession or work for some of the drug companies in this country. There is nothing that says they have to go into any part of this country where there is an acute need of doctors and perform any services. Those are my objections, and when the proper time comes I intend to offer an amendment which I hope will correct this. I believe scholarships are necessary, I think they are good, but I object to the criteria.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from Arkansas.

Mr. HARRIS. I would like to remind the gentleman that committees that we maintain in the Congress, so far as I know, have been very insistent that the matter of its administration, its curriculum, the handling of students and the applications for entrance and everything be left to the educational institution within the States. We have consistently adhered to that policy and, certainly, I do not think we should go beyond what we have already provided for the institutions themselves.

Mr. CAHILL. As I understand it, what we are doing here is granting $2,500 a year to 10 percent of the pupils of the school—an outright grant. There would be nothing as I read it that a medical school must determine as to what a needy student is. Perhaps he could be the son of a medical man who had passed away. If in the opinion of the adminstrators of the medical school this boy is a needy boy under this legislation as I read it he would get a scholarship. As I read the legislation a boy has to be enrolled in the medical school first before he can even be eligible. So, if that is the case, how can the boy get in if he has no finances prior to acceptance. Under this bill, before he gets a scholarship he must be enrolled before he is eligible. How ridiculous.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent (at the request of Mr. Harris), Mr. Cahill was allowed to proceed for 3 additional minutes.)

Mr. HARRIS. We provide a lump-sum—a total amount under the formula—which goes to a given school. We leave it as the responsibility of that school to determine that these criteria and standards are met, that a particular student is a needy student, that he cannot meet his costs from other sources. I believe we have a built-in criterion here in keeping with the concept that we are trying to provide assistance, and at the same time leaving with the recipient institution the running of that school and determining what students are eligible, and on what basis they are accepted.

Mr. CAHILL. If I may respond to the gentleman, there is nothing spelled out in here which binds any school anywhere in the country as to what is a minimum. For example, a boy could come from a family where the father is a postal worker, or a Member of Congress, and if in the opinion of the medical school that boy came from a needy family that school would have every right in the world under this legislation to award him a scholarship.

I am not saying it will happen. I am just saying there is nothing spelled out in this bill. So that we are giving every administrator of every medical school in this country an opportunity to hand out scholarships to 10 percent of the student body on any basis he pleases.

Mr. HARRIS. Madam Chairman, in view of the fact that there is other legislation on the program for today, I ask unanimous consent that debate on this amendment cease in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. JOELSON. Madam Chairman, I move to strike out the last word.

Madam Chairman, I have been listening with interest to the explanation of the distinguished chairman in which he said there are many potential doctors who would be discouraged because they would get a loan that they would have to pay back and they might not pursue a medical education unless they got a grant. It seems to me, if this is the type of motivation a young person has and if he has this little zeal to become a doctor, I think the medical profession could well do without him because he would be better advised to open a store some place.

I think that doctors are widely known to make a good income and if we had a general grant program for educational purposes, I would not be constrained to object to providing one for doctors. Under our National Defense Education Act, however, we do not have grants in these fields and we are training people without the economic potential, training people who might for instance go into forestry or many other professions where they will be making very little money and we require them to pay back. I must say it escapes me why we should favor a doctor who will be making big money and not ask him to pay back when we are asking the student who will be going into a rather limited profession financially to do otherwise.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. JOELSON. I am happy to yield to the gentleman.

Mr. HARRIS. I would not want anyone to get the erroneous impression that the door is open here for scholarships—that is not the case. You pay students going to an institution of higher learning and he gets his basic college training. Under the programs we have now, if he wants to go on in the field of science, he has a grant made available to him. That student is favored under this program just as much as we are trying to do here for a scholarship provision for doctors, to encourage them to go no additional years at a cost that is much greater than in any other profession that he might undertake to get into. What we are trying to do is to encourage people with a high IQ or with the intellectual ability to be interested in it. Now you talk about favoritism. We all know we wanted to do something for our GI's and we provided a GI program for them. I venture to say there are people on the floor of the House who received the benefit of that program and if that program had not been made available to them, where would they have been? We are not doing any more for the doctors to meet the needs than we have done for other people.

Mr. JOELSON. I am sure if the gentleman would limit the grant program to GI's even the gentleman from Missouri [Mr. JONES] would support it.

Mr. CAHILL. Madam Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New Jersey.

Mr. CAHILL. I would like to have the gentleman's observation as to what he believes would be the attitude of 90 percent of the students of the medical schools who do not receive scholarships but who either receive loans which they must pay back or who are working part time; or perhaps whose parents are working two jobs to send them to medical school. What does the gentleman think this will do when 10 percent get scholarships and others are compelled to pay the money back?

Mr. JOELSON. The gentleman has answered the question by merely formulating it. I am sure they would be very unhappy.

Mr. CAHILL. Does not the gentleman then believe that whatever criteria or whatever norm is established by the medical school, there will be an effort in the following year to increase it upward so that perhaps another 10 percent can qualify? And so on, ad infinitum, until we would find the Government giving out scholarships to all medical students.

Mr. JOELSON. I should not be surprised.

Mr. SPRINGER. Madam Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say to the distinguished gentleman from New Jersey that in the living sciences, 81 percent of all graduate students receive fellowships, which are the same as scholarships, in the sum of $2,500. At the present time the scholarship program, for going to medical school, is something like $700, from what is available.

What we are trying to do is to equalize the situation.

When the time comes, the gentleman from Minnesota [Mr. QUIE] will offer an amendment to provide that this will go "only to students from low income families who, without such financial assistance could not pursue"—and so on. I intend to support that amendment.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Missouri [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes, 21, noes, 69.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. QUIE: On page 24, line 15, strike out all after the word "awarded," strike out all of line 16, and on line 17 strike out the words "financial assistance in pursuing" and insert in lieu thereof "only to students from low income families who, without such financial assistance could not pursue"

Mr. QUIE. Madam Chairman, the purpose of this amendment is to change the wording so that we will make absolutely certain what I understand to be the intent of the committee, judging from the report; that is, only the young people with such low incomes, or who come from such low income families, that they cannot find the money to go to a medical school, will receive these scholarships.

This language would limit the aid to those, and it would be in conformity with the efforts we made in what we call the economic opportunity grants, which were in the bill that came before the House last week from the Education and Labor Committee. Those grants will go only to the exceptionally needy students who could not go to college without that kind of special grant even though they could get loans.

The purpose of my amendment is to make this bill conform in its purpose to reach the exceptionally needy medical students as the purpose of the Higher Education Act was to reach the exceptionally needy undergraduate.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Arkansas.

Mr. HARRIS. Do I correctly understand that the language would read as follows:

> (2) Scholarships from grants under subsection (a) for any school year shall be awarded only to students from low income families who, without such financial assistance, could not pursue a course of study at the school for such year.

Mr. QUIE. That is correct.

Mr. HARRIS. Would the gentleman have in mind that this would require a needs test, as has been acknowledged in connection with other programs and in other discussions?

Mr. QUIE. We do not consider this as a needs test, and did not consider that a needs test as such was in the bill passed last week for undergraduate higher education. What it would do is require the Surgeon General to give guidelines to the medical institution. The main point is that without this grant a student would not be able to attend or remain in the medical school which accepts him. An institution would make its decision as to who were the low income students.

Mr. HARRIS. That was the second question I wanted to ask. Would it be understood that the institution itself would make the decision?

Mr. QUIE. Each medical institution would make that decision, and they would know from the law if my amendment is adopted and the regulations set up by the Surgeon General.

Mr. HARRIS. I have talked to several other members of the committee with whom I had a chance to discuss this, and we are willing to accept the gentleman's amendment.

Mr. QUIE. I thank the gentleman.

Mr. CURTIS. Madam Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to the gentleman.

Mr. CURTIS. I certainly thank the gentleman. There are several questions I would like to ask, and before the vote on this amendment I hope I will have an opportunity to take a few minutes to ask some questions and raise some points.

Mr. NELSEN. Madam Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to my colleague from Minnesota.

Mr. NELSEN. I wish to point out that the amendment that the gentleman offers is in keeping with what the intent of the committee really is. I think it is a service to the committee and to this House that he spells it out as he does in the language which he has offered. I find the suggestion a very good one, and I agree with the gentleman in the well.

Mr. QUIE. I thank the gentleman.

Mr. SPRINGER. Madam Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. SPRINGER. I understood from talking to the gentleman that this puts this act in conformance with the bill that came from the Committee on Education and Labor. Is that correct?

Mr. QUIE. That is correct. In regard to the type of low-income individual to whom the grants would be made available.

Mr. SPRINGER. On that basis I am for the amendment and I hope it is adopted.

Mr. QUIE. I thank the gentleman, because it seems to me if there is any group of young people whom we want to get into the medical schools and we want to use this money for, it would be those who cannot go even with the loans available in this bill and the private grants that are available. So this means the institution first offers him the grant money which they have available and the loan money. If even then a student finds it is impossible for him for economic reasons to go to medical school and if you have a high-caliber individual that the medical schools want, then the school would be able to use this money as a grant to induce such a student to go to their medical school and therefore increase the number of M.D.'s which this legislation has as its basic purpose. I understand that medical schools are getting fewer A students, the same number of B students and more C students than they did a decade ago.

Mr. CAHILL. Madam Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. CAHILL. Is it required that the applicant already be in the medical school under your amendment before he is eligible?

Mr. QUIE. As I would understand it, even though the requirement that he be accepted by the medical school comes previous to my amendment in subsection (c), these would go simultaneously. The institution would find the student acceptable as a first-year student for entrance and would be admitting them, but then the student would say, "Well, without this financial help I will not be able to do it." In subsequent years, they would not be able to remain in medical school without the scholarship grants in this bill.

Mr. CAHILL. Is it the intent of this legislation, as you have suggested in your amendment, that the medical schools which are going to be eligible will get this information across to all of the young men and women of that area prior to enrollment so that they will know they are eligible even though they have not been accepted by the medical school?

Mr. QUIE. No. They will have to be acceptable to the medical school but be of such low income that without this grant money, they could not attend the school. I do not see how the medical school can grant them the money unless the student was acceptable to them in the first place.

Mr. CURTIS. Madam Chairman, I move to strike out the last word.

Madam Chairman, I am taking this time because it seems to me as though we are mixing apples and oranges. As I listen to this discussion, most of the talk is as if you are talking about students who are going to college. These are graduate students. These are students who are not the young 18-year-olds, but we are talking about people 21, 22, and 23 years old.

As the chairman of the committee has been pointing out before, the difficulty here is the graduate students. When you start talking in terms of whether they come from low-income families and so on, you are talking about young people who are 21 or 22 years of age. In the National Defense Education Act I did my best to get in the graduate fellow programs. These are grants and, as the gentleman from Illinois has been pointing out, the various science foundations have grants and scholarships. What I fear is by getting confused with the two types of students, one the student going on to college to get his A.B. degree and the other kind, the ones we are talking about here, those who have already gotten their A.B. degree, we will become confused in this issue, because I do not know very many medical schools that you can get into unless you have your A.B. degree. Look at what happened in the student work program in the colleges when you limited it to the so-called poverty class. There were very few students who could qualify because of it. I fear, although the committee wants to accommodate the gentleman offering the amendment—and I am most pleased with what the gentleman from Minnesota is trying to do, to coordinate the actions taken by the Committee on Education and Labor with this bill—I am afraid that you are confusing the two different categories of students and that this would be a very damaging amendment to accomplish what you seek.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAHILL: On page 23, in line 14, strike out "Scholarships" and insert in lieu thereof "Subject to subsections (d) and (e) of this section, scholarships".

Beginning with line 24 on page 24, strike out all down through line 2 on page 25 and insert in lieu thereof the following:

"(d)(1) There is hereby established a National Commission on Medical, Dental, and Optometric Scholarships which shall consist of seven members appointed by the President. Members of such Commission shall serve without compensation, but members of the Commission while attending meetings of the Commission and traveling to and from such meetings may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(2) Such Commission shall prepare, administer, and evaluate the results of a national examination which shall be taken by any person desiring to receive a scholarship under this part. No school shall award a scholarship under the provisions of this part to any individual unless such individual is approved therefor by the Commission as having requisite qualifications and as meeting criteria of financial need which shall be established by the Commission.

"(e) Before awarding a scholarship to any individual under this part, the school awarding such scholarship shall require such individual to agree in writing to serve for at least one year in an area which the Surgeon General designates as having a shortage of personnel having the training for which such scholarship is awarded. Such service shall be performed by such individual upon the completion of such training."

On page 25, line — strike out "(e)" and insert in lieu thereof "(f)".

Mr. HARRIS. Madam Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. HARRIS. Madam Chairman, as I understand from listening to the reading of the amendment, the gentleman from New Jersey [Mr. CAHILL] would establish a national commission or board for the purpose of establishing national scholarships and to determine who would receive scholarships under the program proposed here. Under the program proposed here the funds to be appropriated would be allocated to a school. Under the procedure the school would make the determination under a regularly established policy of the Congress as to which student under the program would receive a scholarship.

The gentleman's amendment sets up an entirely different program, apart from any program that we have, an entirely new national program which is not contemplated and is not a part of this bill. So it goes beyond the purview of this program and of this proposed legislation and imposes additional duties upon the Surgeon General to provide information that would determine the matter of scholarships, which is not a part of this program at all.

I would say that that being true, it would not be germane to this program that is established by this proposed bill and, therefore, in my judgment should be subject to a point of order.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. CAHILL] wish to be heard on the point of order?

Mr. CAHILL. I do, Madam Chairman.

Madam Chairman, I would respectfully point out to the distinguished chairman of the Committee on Interstate and Foreign Commerce that that is not the purpose nor do I believe the effect of this amendment.

The only purpose of this amendment is to have a board appointed by the President, consisting of seven members, to prepare an examination and to establish the criteria, which the bill fails to do. Then it places upon the medical schools which will receive the money and which will make the award of the scholarship only one prohibition, and that is that they may not award the scholarship to anyone who is not certified as eligible by this board.

Madam Chairman, the schools receive the money under the bill, the schools award the scholarships under the bill, and under the bill, as a matter of fact, the Surgeon General is given some authority to set up norms and standards. That is the provision that we are striking out here or are proposing to strike.

All we are trying to do, in effect, is say that every boy in New Jersey that wants to be a doctor, every boy in Arkansas that wants to be a doctor and every boy in California that wants to be a doctor takes an examination. He knows then whether he is going to be eligible or not. He does not have to wait until he makes an application and is accepted by a medical school, because I respectfully point out to the Chairman that most of the needy boys do not even make the application to get in, because they know they cannot afford it.

Madam Chairman, this would permit all of the boys to take an examination and it would permit them to establish to the satisfaction of a board appointed by the President of the United States that they have the eligibility from the standpoint of need. All it would do, the only restriction it would place upon them for the rest of their lives is to make them serve 1 year in areas of this country certified by the Surgeon General as being an acute shortage area for doctors.

Madam Chairman, it seems to me this is the least we can expect from a boy who receives an outright grant of $10,000 during his medical school training.

So, I submit that this is germane, it is relevant to the very issue, and all we are proposing to do through this amendment in my judgment at least is to set up criteria, standards and norms that were omitted in the bill of making the scholarships available to boys before they are enrolled in medical school. I have never heard anything so ridiculous in my life as to say you must first be accepted by a medical school before you are eligible for one of these scholarships. It is the boys that have the need who are not in medical schools and have not been accepted.

So I submit, Madam Chairman, that the amendment is germane and ask for a ruling.

The CHAIRMAN (Mrs. GRIFFITHS). The Chair will rule that the bill deals with scholarships and that the amendment as offered deals with a method of establishing scholarships. It is, therefore, germane and the Chair overrules the point of order.

Mr. CAHILL. Madam Chairman and Members of the Committee, first of all let me try if I may and distinguish between the scholarships alluded to by the distinguished gentleman from Illinois, the science scholarships. As I understand it we have given these scholarships because we cannot find enough qualified men to enter that particular field. Here we are granting scholarships in a field where we have literally 10 times as many applicants as we have seats for them in the medical schools of our country.

I have never heard, as I said before, in my experience, of any young man who wanted to go to medical school who could not go because of money. Loans as we all know are readily available from many sources.

But I have heard of hundreds who could not go, even though they were qualified and had the money, because there was no room for them.

How many Members of this House have had the experience I had in talking to medical school officials and saying "Here is a boy who is an A student," or "here is a boy who is a B-plus student," "here is a boy who is dedicated and wants to be a doctor," and having them say to you "That is true, but we only have so many seats here. If you fellows in Washington would give us some more money we would put up new schools, and we could increase our quotas."

But never once have they said "Give us the money for the scholarships." What we need in this country are more medical schools. If we are going to give scholarships it seems to me there ought to be a criteria, there ought to be a standard, so that every boy in this country who wants to go to a medical school knows he can go if he is bright enough.

Mr. JONAS. Madam Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from North Carolina.

Mr. JONAS. First let me say I am glad the gentleman has offered this amendment, and I would like to associate myself with his arguments. They are sound, they are reasonable, and they ought to be adopted, in my opinion.

And, secondly, let me say with respect to the National Science Foundation fellowships, since that subject has been brought up, the purpose of those fellowships is to permit talented people to engage in basic research, the product of which will become available to all of the people of the United States, and not merely for professional training which will directly benefit the individual, and in the future may benefit humanity if he practices medicine in the United States.

There is a great deal of difference between the National Foundation fellowships in basic research than in a fellowship to a professional student to qualify to practice a profession.

Mr. CAHILL. I would like to add this point: I would certainly have to believe that the 90 percent of the students of the medical schools who do not get scholarships and who are faced with paying the loans they have made throughout the country or through other private sources, are going to be resentful of this type of legislation. I would have to believe if a medical school in my State, for instance, says, "If your family makes less than $10,000 a year you are eligible," the boy whose family makes $11,000 or $12,000 is going to feel he has been prejudiced against, and there is going to be an effort made to raise it to $12,000. If $12,000, why not $14,000? If 50 percent, why not 100 percent?

What we are doing by the very lack of clarity in this legislation, in my judgment, is opening the door for a full scholarship for all students who want to go to a medical school, and that, in my judgment, is fairer than the act as now written.

I hope, therefore, that the committee will recognize that all this amendment does is to make scholarships available to all students in the country under a norm established by a commission appointed by the President and require the recipients to serve 1 year in an area designated by the Surgeon General.

I hope the amendment will be adopted.

Mr. MOSS. Madam Chairman, I rise in opposition to the pending amendment.

Mr. HARRIS. Madam Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments to this section close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MOSS. Madam Chairman, this amendment is a perfect example of the difficulty of objectively proposing solutions to imagined deficiencies in the Committee of the Whole on the floor of the House. I do not know what the amendment does. It appoints or rather it directs the President to appoint a seven-man commission. I do not know what type of staff they are going to have; and I do not know whether the staff is subject to civil service laws or not. I do not know the precise limits upon their power. But they are going to be instructed, I think, to propose criteria and I am not at all certain in which area. But under that criteria they would conduct an examination to establish: first, either ability, or second, financial need.

If it is to establish ability or competence or qualifications, all in the world it would do would be to satisfy the examining board that they met certain qualifications. It would not satisfy the individual medical schools who reserve their right, as they should, to determine which students are qualified to meet their criteria.

Mr. CAHILL. Madam Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman.

Mr. CAHILL. I think the gentleman misunderstands the amendment. This does not make it mandatory.

Mr. MOSS. I yielded to the gentleman to ask a question. I do not have the time to indulge the gentleman beyond that point.

Mr. CAHILL. Then let me ask a question. Does the gentleman understand that the medical schools have the absolute right to accept anyone they want and that the only prohibition against them is if they do not meet the requirements?

Mr. MOSS. Madam Chairman, I do not yield further because it is obvious that the medical schools in the final analysis are going to determine the qualifications of the applicants and therefore why in the world do we subject them to this intermediate level of examination. If it is to determine the criteria of economic eligibility, then are we going to consider the varying fees that are charged by the various schools in this country, and are we in fact going to have this board proliferate its examination so that it undertakes individual examinations to determine economic eligibility in each and every medical school in the Nation?

Madam Chairman, rarely have I seen a more perfect example of the impossibility of amending a bill, a bill that has been as carefully studied as this one has been studied, on the basis of assumed defects—not defects in evidence at all but merely on the basis of assumed defects, assumptions that have no sound basis.

Madam Chairman, the committee has with great care and deliberation brought this proposal to the House. The gentleman's amendment would not improve it but would only create confusion and make a hopeless situation for this board with its indefinite and undefined and undelineated responsibilities.

Madam Chairman, I strongly urge the defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Cahill].

The amendment was rejected.

The CHAIRMAN. If there are no further amendments to the section, the Clerk will read.

The Clerk read as follows:

Extension of construction program for medical, dental, and other health profession schools

Sec. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1966, section 720 of such Act is amended to read as follows:

"Sec. 720. There are hereby authorized to be appropriated $480,000,000 for the three fiscal years in the period beginning July 1, 1966, and ending June 30, 1969, of which not more than $160,000,000 may be available for grants before July 1, 1967, and not more than $320,000,000 may be available for grants before July 1, 1968, for—

"(1) grants to assist in the construction of new teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, or professional public health personnel;

"(2) grants to assist in the construction of new teaching facilities for the training of dentists; and

"(3) grants to assist in the replacement or rehabilitation of existing teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, professional public health personnel, or dentists.

Sums so appropriated shall remain available until expended."

(b) Subsection (a) of section 721 of such Act is amended to read as follows:

"(a) The Surgeon General may from time to time set dates (not earlier than in the fiscal year preceding the year for which a grant is sought) by which applications for grants under this part for any fiscal year must be filed."

(c) Section 721(c)(2)(D) of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", and the requirements of this clause (D) shall be in addition to the requirements of section 771(b) of this Act, where applicable".

Mr. HARRIS. Madam Chairman, I ask unanimous consent that all debate on this section conclude in 5 minutes, and that the time be allotted to the gentleman from Florida [Mr. Pepper].

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PEPPER. Madam Chairman, before the Committee rises, I want to state my strong support for this measure and to commend the able chairman of the Committee on Interstate and Foreign Commerce for the excellent job he and his associates have done in bringing the legislation to the House and I hope shortly to the country.

I wanted to associate myself with the remarks made by the able gentleman from California [Mr. Leggett]. While the degree of need is not as great for assistance for schools of veterinary medicine and for students of veterinary medicine, there is a need similar in character to the need which impels this House, I hope shortly, to favorable consideration of this measure.

I sincerely hope that at the beginning of the next session this distinguished committee will give due consideration to this subject.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Extension of, and improvements in, program for student loans

Sec. 4. (a) Subsection (b)(4) of section 740 of such Act is amended by striking out "July 1, 1966" and inserting in lieu thereof "July 1, 1969".

(b) Subsection (a) of section 741 of such Act is amended by striking out "may not exceed $2,000" and inserting in lieu thereof "may not exceed $2,500".

(c) Subsection (a) of section 742 of such Act is amended (1) by inserting "(other than section 744)" after "to carry out this part", and (2) by striking out that part of the first sentence that follows "June 30, 1966", and inserting in lieu thereof the following: "and $25,000,000 each for the fiscal year ending June 30, 1967, and each of the two succeeding fiscal years. There are further authorized to be appropriated to the Secretary such sums for the fiscal year ending June 30, 1970, and each of the two succeeding fiscal years as may be necessary to enable students who have received a loan under this part for any academic year ending before July 1, 1969, to continue or complete their education."

(d) Section 743 of such Act is amended by striking out "1969" wherever it appears therein and inserting in lieu thereof "1972".

(e) Section 744 of such Act is amended by adding at the end thereof the following new sentences: "There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not to exceed a total of $1,500,000. Loans made by the Surgeon General under this section shall mature within such period as may be determined by the Surgeon General to be appropriate in each case, but not exceeding fifteen years."

(f)(1) Subsection (a) of section 740 of such Act is amended by inserting "pharmacy, podiatry," immediately after "dentistry,".

(2) Subsection (b)(4) of section 740 of such Act is amended by inserting immediately after "doctor of osteopathy," the following: "bachelor of science in pharmacy or doctor of pharmacy, doctor of podiatry or doctor of surgical chiropody,".

(3) Subsection (b) of section 741 of such Act is amended by inserting immediately after "doctor of osteopathy," the following: "bachelor of science in pharmacy or doctor of pharmacy, doctor of podiatry or doctor of surgical chiropody,".

(4) Subsection (c) of such section 741 is amended by inserting "pharmacy, podiatry," immediately after "dentistry,".

(5) The amendments made by paragraphs (1), (2), (3), and (4) of this subsection shall only be effective with respect to periods beginning on or after July 1, 1966.

Technical amendments

Sec. 5. (a) Clause (B) of section 721(b)(1) of such Act (relating to the accreditation of new schools of medicine, etc.) is amended by (1) striking out ", upon completion of such facility," and (2) inserting the following after "meet the accreditation standards of such body or bodies": "(i) prior to the beginning of the academic year following the normal graduation date of the first entering class in such school or (ii) if later, upon completion of the project for which assistance is requested and other projects (if any) under construction or planned and to be commenced within a reasonable time."

(b) Section 843(f) of such Act (relating to accreditation of new schools of nursing), is amended (1) by striking out "any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education" and inserting in lieu thereof the following: "any program of nurse education, offered by a diploma school of nursing, means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education and, when applied to any collegiate or associate degree program of nurse education, means a program provided by an educational institution approved or accredited by either a regional accrediting agency or a State approval agency", and (2) by striking out "new school" and the remainder of such clause and inserting in lieu thereof the following: "new school (which shall include a school that has not had a sufficient period of operation to be eligible for accreditation), (A) upon completion of such project and other construction projects (if any) then under construction or planned and to be commenced within a reasonable time, or (B) if later, then prior to the beginning of the first academic year following the normal graduation date of the first entering class in such school;".

Mr. HARRIS (interrupting the reading). Madam Chairman, in view of the fact that the section previously read is an extension of present law and is authorization for construction, and section 4 is an extension of the present law on student loans, and section 5 merely covers technical amendments which are necessary, I ask unanimous consent that further reading of the bill may be dispensed with and that the remainder of the bill may be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND: On page 27, line 1, insert "(1)" immediately after "(B)", and after line 3, insert the following:

(2) Section 741 of such Act is further amended (A) by redesignating subsections "(f)", "(g)", and "(h)" thereof as subsections "(g)", "(h)", and "(i)", respectively, and (B) by adding immediately after subsection (e) thereof the following new subsection:

"(f) Where any person who obtained one or more loans from a loan fund established under this part—

"(1) engages in the practice of medicine, dentistry, or osteopathy in an area in a State determined by the appropriate State health authority to have a shortage of and need for physicians or dentists; and

"(2) the appropriate State health authority certifies to the Secretary of Health, Education, and Welfare in such form and at such times as the Secretary may prescribe that such practice helps to meet the shortage of and need for physicians or dentists in the area where the practice occurs; then 10 per centum of the total of such loans, plus accrued interest on such amount, which are unpaid as of the date that such practice begins, shall be canceled thereafter for each year of such practice, up to a total of 50 per centum of such total, plus accrued interest thereon."

Mr. CLEVELAND (interrupting the reading). Madam Chairman, I ask unanimous consent that further reading of the amendment may be dispensed with and that it may be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Madam Chairman, the amendment can be explained simply, as follows: The amendment would permit doctors under certain circumstances, who go to rural areas where there is a shortage of doctors, to have up to half of their student loans excused.

This measure is no stranger to the committee. I understand it was in the bill which was reported in 1963.

This proposal has been passed by the Senate. Senator COTTON and other Senators have introduced such legislation, and it has passed the Senate.

I might go a step further. I hope the distinguished chairman, the gentleman from Arkansas, will agree to this amendment, because he thinks so highly of it and thought so highly of his former colleague and good friend, Senator COTTON, that he brought this very amendment in the form of a separate bill to the floor of the House last year. He did so at my request and at the request of the distinguished gentleman from Illinois [Mr. SPRINGER] who with me had introduced the bill in the House. To my great discomfort, and I am sure to his discomfort, and through a misunderstanding the bill was voted down last year.

Now that the distinguished chairman is leaving these hallowed halls for the judiciary, it seems to me only appropriate that as one of his final "judicial" acts here he should agree to this amendment, and this body, should adopt my amendment out of respect to the chairman. We should right the wrong which occurred last year when this bill got waylaid in jurisdictional disputes with our distinguished educators and was voted down.

We talk a great deal about the needs of rural America. Across a broad spectrum of the legislative panorama we are moving to help rural America. Here is a small way in which we can help rural America, by encouraging young doctors and dentists to start out their practice there and, hopefully, stay for the rest of their practice in rural America. This is a simple matter and easy to explain and will certainly put the stamp of congressional approval on the fact that we would like to encourage some of these doctors to go out and practice in rural America where the need is so obvious and so great. This matter has been approved by the committee on two separate occasions. It was approved once by the Senate, and the Senate bill, which passed the Senate, has now been referred to the committee. I am waiting for the distinguished chairman of the committee to stand up and say he is going to accept this amendment. I feel confident he is going to, so I will not waste any more of your time.

Mr. HARRIS. Madam Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the distinguished chairman.

Mr. HARRIS. I thank the gentleman for his very generous and kind remarks. May I ask him if this is precisely the bill that the committee reported out during the last Congress and which was considered here on the floor of the House and which lost by a few votes?

Mr. CLEVELAND. This is exactly the same language.

Mr. HARRIS. I have no objection to the amendment.

Mr. CLEVELAND. I thank the gentleman. I know he is going to have a long and illustrious career on the bench, and I hope some day to have the pleasure of seeing him there.

Mr. SPRINGER. Madam Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say for the benefit of all my other colleagues that at one time last year I had this provision in the bill and withdrew it in order to get the bill through the House. May I say at least two gentlemen I know of on that side have introduced similar legislation at various times. Those of us who have lived in rural areas and where there is a shortage of doctors I know believe it would be a distinct help in getting doctors there. Therefore I do support the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. CLEVELAND].

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mrs. GRIFFITHS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes pursuant to House Resolution 535, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas **340**, nays **47**, not voting **45**, as follows:

[Roll No. 257]

YEAS—340

Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Battin
Beckworth
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carey
Carter
Casey
Celler
Chamberlain
Chelf
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Conable
Conte
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Dickinson
Diggs
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley

Halleck
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Langen
Latta
Leggett
Lennon
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Martin, Nebr.
Matsunaga
May
Meeds
Mills
Minish
Mink
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Powell
Price
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Tex.
Tenzer
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tunney
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wilson,
  Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—47

Abbitt
Ashbrook
Belcher
Bolton
Brock
Buchanan
Byrnes, Wis.
Callaway
Cederberg
Clancy
Colmer
Davis, Wis.
Derwinski
Dole
Duncan, Tenn.
Edwards, Ala.
Findley
Ford, Gerald R.
Goodell
Gross
Hall
Hansen, Idaho
Hutchinson
Jones, Mo.
King, N.Y.
Laird
Lipscomb
McClory
Marsh
Martin, Ala.
Michel
Minshall
O'Neal, Ga.
Passman
Poff
Quillen
Reid, Ill.
Skubitz
Smith, Calif.
Teague, Calif.
Tuck
Utt
Waggonner
Walker, Miss.
Watson
Williams
Wilson, Bob

NOT VOTING—45

Abernethy
Anderson, Ill.
Andrews,
  George W.
Baring
Bates
Bonner
Clawson, Del
Collier
Conyers
Corman
Craley
Devine
Dingell
Evins, Tenn.
Feighan
Ford,
  William D.
Halpern
Hays
Hébert
Hungate
Kee
Kornegay
Landrum
Lindsay
Long, La.
McEwen
Martin, Mass.
Mathias
Matthews
Miller
Morse
Mosher
Pucinski
Resnick
Rivers, S.C.
Roncalio
Roosevelt
Saylor
Schisler
Thomas
Thompson, N.J.
Toll
Tupper
Ullman
Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Miller with Mr. Hébert.

Mr. Feighan with Mr. Long of Louisiana.

Mr. Roncalio with Mr. Tupper.

Mr. Toll with Mr. Saylor.

Mr. Thompson of New Jersey with Mr. Morse.

Mr. Matthews with Mr. Martin of Massachusetts.

Mr. Dingell with Mr. Anderson of Illinois.

Mr. Kee with Mr. Mosher.

Mr. Kornegay with Mr. Collier.

Mr. Hays with Mr. Devine.

Mr. George W. Andrews with Mr. Del Clawson.

Mr. Schisler with Mr. Halpern.

Mr. Pucinski wth Mr. Roosevelt.

Mr. Corman with Mr. Conyers.

Mr. Baring with Mr. Craley.

Mr. Abernethy with Mr. Resnick.

Mr. Evins of Tennessee with Mr. Rivers of South Carolina.

Mr. Landrum with Mr. Bonner.

Mr. Ullman with Mr. Mathias.

Mr. William D. Ford with Mr. Bates.

Mr. Willis with Mr. McEwen.

Mr. Hungate with Mr. Lindsay.

Mr. **MORTON** changed his vote from "nay" to "yea."

Messrs. **HANSEN** of Idaho, **DOLE**, and **SKUBITZ** changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEE ON GOVERNMENT OPERATIONS

The **SPEAKER** laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 1, 1965.
Hon. JOHN W. MCCORMACK,
Speaker of the House, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: It is with regret that I submit my resignation as a member of the Committee on Government Operations, effective this date.

It has been a privilege and an honor for me to work with the many fine members of this committee during the 89th Congress. My association and participation in the deliberations of this group will remain a pleasant and rewarding experience.

Sincerely yours,
DELBERT L. LATTA,
Representative to Congress.

The **SPEAKER**. Without objection, the resignation will be accepted.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. **HARRIS**. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so have 5 legislative days in which to revise and extend their remarks on the bill just passed, H.R. 3141.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

INTERNATIONAL WHEAT AGREEMENT

Mr. **SISK**, from the Committee on Rules, reported the following privileged resolution (H. Res. 561, Rept. No. 945), which was referred to the House Calendar and ordered to be printed:

H. RES. 561

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2294) to amend section 2 of the International Wheat Agreement Act of 1949. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

UNITED NATIONS PARTICIPATION ACT

Mr. **SISK**, from the Committee on Rules, reported the following privileged resolution (H. Res. 562, Rept. No. 946), which was referred to the House Calendar and ordered to be printed:

H. RES. 562

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736). After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

TO AMEND THE FOREIGN SERVICE ACT OF 1946, AS AMENDED

Mr. **SISK**, from the Committee on Rules, reported the following privileged resolution (H. Res. 563, Rept. No. 947), which was referred to the House Calendar and ordered to be printed:

H. RES. 563

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6277) to amend the Foreign Service Act of 1946, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. As the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

STATE TECHNICAL SERVICES ACT OF 1965

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 548 and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 548

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3420) to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN] and pending that yield myself such time as I may consume.

Mr. Speaker, House Resolution 548 provides for consideration of H.R. 3420, a bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise. The resolution provides an open rule with 2 hours of general debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment.

H.R. 3420 would authorize a 3-year program of matching Federal grants to the States in a cooperative effort to disseminate the findings of science and technology throughout American business, commerce, and industry. The purpose of the proposed legislation is to speed industrial and economic growth of the States and the country through an improved application of technical and scientific knowledge. The achievement of an improved application of technical and scientific knowledge under this program and with the cooperation of universities, communities, and industries will to three objectives: First, strengthening the Nation's economy by upgrading industries through the utilization of advanced technology, thereby generally expanding the industrial base; second, increasing employment by facilitating industrial use of technology and the manufacturing of new products which result; and third, enhancing the competitive position of U.S. products in world markets.

The emphasis of the proposed legislation is on State participation in technical services programs, planned locally, and designed specifically to place findings of science and technology into the hands of local businesses and industries.

Mr. Speaker, I urge the adoption of House Resolution 548.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the able gentleman from New York has explained, House Resolution 548 provides for the consideration of H.R. 3420 under an open rule with 2 hours of debate. The committee substitute is made in order as an original bill for the purpose of amendment under the rule.

Mr. Speaker, none can quarrel with the stated purpose of H.R. 3420, to make available, essentially to small businesses, commerce, and industry, applied technical and scientific knowledge. The reported bill authorizes a 3-year program of matching Federal grants to the States in a cooperative effort to strengthen our economy, increase employment, and improve our competitive position in world markets.

To qualify for Federal matching funds a State must designate an agency responsible for the administration of its program. Such agency must then prepare a 5-year plan outlining how a technical services program could be used. The sum of $25,000 a year in Federal funds for the first 3 years on a nonmatching basis can be made available to any State to assist in the plan preparation. All qualified institutions of higher learning are to submit proposals for consideration of inclusion in the State plan, which is to outline a budget and assign responsibilities to schools participating. The Secretary of Commerce must approve submitted plans, based on reasonable criteria, and make funds available directly to the States. He has authority to fix maximum amounts based on population, industrial and economic development, and the technical resources and productive efficiency available within a State. He has informed the Committee on Interstate and Foreign Commerce that the smaller States may receive up to $150,000 annually and the largest up to $2 million. None can receive more.

The program has a life of 3 years and authorizations for fiscal 1966 of $10 million, of $20 million for 1967, and of $30 million for 1968.

Additional views are signed by seven Members. They approve the purpose of the bill and generally support it but are worried by the lack of matching funds in the planning stages of the program. They fear this may tend to place the States in a secondary position during the planning period.

They also believe that before the program moves to the implementation stage a more careful assessment of State and regional needs must be made, and provisions made for active participation and cooperation with Federal programs now in existence; that is, Commerce Clearinghouse for Scientific and Technical Information and the Presidential Commission on Automation and Economic Progress among many, along with non-Federal efforts such as those of MIT and some 28 existing State university programs.

The program must be extended or die after 3 years, giving Congress a chance to assess its value and correct any difficulties. Moneys must be appropriated each year and a ceiling is fixed.

Mr. Speaker, I know of no opposition to the rule and urge its adoption.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3420) to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3420, with Mr. RODINO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I am very happy, with other members of the Committee on Interstate and Foreign Commerce, to bring this bill, H.R. 3420, to the attention of the House, and to urge favorable consideration of it.

In my judgment this is one of the most important bills that we have brought to the House for its consideration.

Our entire future, as well as our past, depends on the strength of the economy and the economic growth of our country. This bill has for its purpose the strengthening of our economy, and it will give us opportunities for greater economic growth in order that we can improve under our system of free enterprise.

This bill was brought to us from the Department of Commerce. It is sponsored by the administration; it is considered to be one of the facets of our program to make a well-rounded approach to the problems that we are daily encountering.

The subcommittee held rather extensive hearings. The subcommittee was chaired by the gentleman from Massachusetts [Mr. MACDONALD]. The committee did an excellent job with the hearings, and in working out the bill in order to make it the kind of a program we were told was desired. I think it would be fair to say that as the bill came to us it was rather loosely drawn, if I might use that term.

We had some difficulties in analyzing it to determine just what would be accomplished under it. But after a full explanation and development during the course of the hearings of the program to be implemented, the subcommittee then proceeded to work out a good, practical, and sound bill to accomplish the purposes desired.

I would like to compliment the subcommittee highly for the very fine work it has performed and for bringing to the Committee on Interstate and Foreign Commerce and thus to the House what I consider to be a very fine bill.

At this time, Mr. Chairman, I would like to yield to the gentleman from Massachusetts [Mr. MACDONALD], chairman of the subcommittee who labored along with the other members of that committee and who did such a magnificent job in presenting here a program that I believe, after it is fully explained, will be overwhelmingly accepted by the House.

Mr. Chairman, I now yield to the gentleman from Massachusetts [Mr. MACDONALD] 15 minutes.

Mr. MACDONALD. Mr. Chairman, H.R. 3420 which is now before the House for consideration is a broad and imaginative program which can be used to promote economic growth and increase employment throughout the United States. In addition to these two vital purposes, the bill has as its third major goal the improvement of the competitive position of U.S. products throughout the world.

As originally introduced, the bill called for the establishment of technical service programs whereby each State would have been able to organize programs primarily through land-grant institutions and receive matching funds from the Federal Government without any fixed limitation as to the time such programs could run, and without any identified sum as a maximum authorization on the part of the Congress. The Subcommittee on Commerce and Finance and later the full House Committee on Interstate and Foreign Commerce, in public and executive sessions, took a very close and careful look at these and the other provisions of the bill as originally sponsored by the Department of Commerce and the administration. I believe, and my belief is supported by the report and the hearings on this bill, that the substitute amendment which I wholeheartedly endorse here today, is a much more desirable bill than the one which was originally introduced.

The committee amendment should go a long way to meet the commendable purposes of the original bill, but it does not suffer from the failure to include limitations and reasonable controls which was a considerable problem when we first had the bill under committee consideration.

Before outlining for you the manner in which we amended and tightened the original bill, let me first describe in some detail just how the State technical services programs will operate.

A State which is to participate in the program will, through its Governor, designate an agency to administer the program. This agency may be a component of the State government or a State university, a land-grant college or any other appropriate agency. This designated agency will prepare a plan which will describe the technical and economic situation in the particular State. It will also describe the State's business and industrial problems and the means proposed to assist in the solution of such problems. The designated agency will prepare an annual technical services program which will cover the objectives for the first year. It will set up a budget and the responsibilities which are to be assigned to each qualified institution which is to participate in the program. The qualified institutions in turn are defined as those of higher learning with a program leading to a degree in science, engineering, or business administration. These schools must be accredited by a nationally recognized accrediting agency or association which will be listed by the U.S. Commissioner of Education.

A second form of qualified institution is a State agency or a nonprofit institution which meets criteria of competence established by the Secretary of Commerce.

Each State will have but one designated agency. However, as you can see from the description which I have just given as to qualified institutions, each State may have many such institutions.

Every qualified institution within a State must be invited to submit a proposal for that State's technical services program. This does not mean, of course, that every qualified institution will be a participant but it does mean that each such institution can have a voice in the creation and execution of the State programs.

When the Governor of a State which has a program submits the annual program and the State's overall plan to the Secretary of Commerce, the Secretary will be required to review the plan, and where it is found to comply with the regulations and criteria set by the Secretary and to otherwise accomplish the purposes of the act, the plan will be approved.

Once in operation, there is a wide variety of technical services which might be offered by the various institutions participating in the program within a particular State. For example, a program oriented to the needs and problems of a specific industry dominant in one State might offer workshops, seminars, and demonstrations in order to bring existing technology to local business and industry interests for use in plants within the State. A technology dissemination and referral center could offer two types of services: First, technical reports, abstracts, bibliographies, reviews, microfilm, computer tapes and the like; and second, referral to sources of scientific and engineering expertise in the fields of interest to the local industry. These examples by no means exhaust the list of possible technical services that might be offered in any State program. The range of services can be as wide as the range of industrial and technological interests in this country.

There is also a provision for programs which may be administered, coordinated, and executed by two or more States. Similar procedures for approval of these interstate or multistate programs are provided for.

Contrary to the request and arguments of the Department of Commerce we have cut the Federal authorization back from a 5-year program to a 3-year program. Section 10 now provides for $10 million for the first fiscal year, $20 million for the second fiscal year, and $30 million for the third fiscal year. The Department had sought a fourth and fifth year, each at a $40-million level.

The Secretary of Commerce will be authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts will be fixed, and population, business, commercial, industrial, and economic development, and productive efficiency, as well as the individual State's technical resources will be used as criteria in the formulation of regulations.

We have been advised by the Department and it is part of the report—page 23—that the least populous State may receive an annual amount up to $150,000, and that the most populous State will not receive an annual amount exceeding $2 million. From the total amounts available, there is a provision, section 10, which would allow the Secretary to reserve up to 20 percent each year, and to make payments from this 20-percent reserve to any designated agency or participating institution for technical services programs which the Secretary determines have special merit, or he may within the limits of this reserve, make payments to any qualified institution for additional program which the Secretary determines are necessary to accomplish the purposes of this act.

The direct expenses of administering the act are limited to not more than 5 percent of the appropriated amount for each year.

In order to assist in the creation of technical services programs, the Secretary may pay an amount up to $25,000 for each of the first 3 fiscal years to each designated State agency. These are the only funds which are to be authorized on a nonmatching fund basis. Apart from this "start up" or "seed" money, all Federal funds will have to be matched at least dollar for dollar by State or other non-Federal funds.

The committee in section 5(e) and section 10(2) included language which would prohibit competition with private enterprise and duplication of similar activities or programs which are readily available in particular States.

And we deleted section 11(e) of the bill as introduced. This provision would have made available to the Secretary of Commerce as additions to the 20-percent reserve for special programs all amounts appropriated for payments to the States which were not obligated at the end of the fiscal year for which appropriated. These additions to the reserve would have been available until expended. By deletion of this provision, any amounts appropriated for payment to the States but not obligated will revert to the Treasury.

In section 14 and section 15 we have added requirements which call for annual reports and which provide for a complete evaluation after a 3-year period.

With these significant changes that I have discussed, it is my opinion that this Federal-State program should be undertaken. Through these means, business and industries will have a new and important pipeline of commercial information. This can serve as a vital stimulus particularly to the smaller and less sophisticated businesses and industries.

We have provided the necessary protections to see that the program does not get out of hand and we have called for a complete review after a 3-year experimental period. Under these circumstances, I strenuously urge the passage of H.R. 3420.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD. I am happy to yield to the gentleman from Connecticut.

Mr. MONAGAN. Would this apply to an existing organization as well as to one which would be formed after this legislation goes into effect?

Mr. MACDONALD. In the case of Connecticut, if the State of Connecticut were to do this, any college or institution in the State which gives a degree of bachelor of science, a degree in business administration, or a degree in engineering, would qualify.

Mr. MONAGAN. Even though it is in existence at the present time?

Mr. MACDONALD. We are looking forward to the fact that they will use existing facilities.

Mr. MONAGAN. I thank the gentleman.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD. I am happy to yield to the gentleman from New York.

Mr. WYDLER. Could the gentleman inform me what information these centers would disseminate?

Mr. MACDONALD. The information to be disseminated would be the information that is sought in the plan adopted by the agency in the various States. The States themselves, not the Federal Government or the Department of Commerce, will determine in which areas they feel the money which will be spent and the information which will be gathered should be concentrated. In the gentleman's home State, they might seek a plan for one industry.

In my home State and in my home region perhaps they would go into the modern methods of fisheries, and so forth. Therefore, when somebody in the fishing business wanted to know some of the problems that have been tackled and overcome by the fishermen in Oregon or the fishermen in Florida, then this information would be made available to them and they would save themselves money by being able to take advantage of the technological improvements that have been worked out in other regions or other States.

Mr. WYDLER. If the gentleman will explain, where would the school or the agency get the information that they were going to disseminate?

Mr. MACDONALD. I tried to explain to the gentleman, and if he will follow this, I will state it again.

Let us say in the State of Massachusetts the Governor decided that the agency he wanted to perform this function of gathering information would be the University of Massachusetts rather than MIT.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. MACDONALD. The reason why I asked for this additional time is I think it goes directly to the heart of the problem that at first baffled some of the people on our subcommittee.

The Governor designates the Massachusetts Institute of Technology, as his agency to formulate a plan which would be sent to the Secretary of Commerce. In the doing the people from MIT would get together with the people from other colleges and universities or technological people and decide what is the greatest interest economically for Massachusetts. They may decide to investigate and correlate the information on all of the methods that have gone into being not necessarily in Massachusetts but any place in the country as to new methods of fishing. Now, it is up to the Governor and his agency to determine what information they are going to correlate.

Mr. WYDLER. I follow the gentleman on that, but what I do not follow is this: When they have decided that they want to get information on fishing so that they can disseminate it to someone who wants that information, where do they get that information on fishing from?

Mr. MACDONALD. After they submit their plan to the Secretary of Commerce there is a clearinghouse, or there will be a clearinghouse, here in Washington, D.C., in the Department of Commerce, which will serve as a clearinghouse for information coming in on all of these subjects. This would be done, I imagine, in a computer-type fashion. The information about fisheries would come in and, would be filed under that subject, under the letter "F" in the alphabet, and when called upon they will furnish this information to the State agency.

Mr. WYDLER. If the gentleman will try to follow me, that is exactly what I thought you were describing. It appears to me all we are doing with this bill is setting up another place to keep the same information that is already available to people who want information on fisheries or any other matter. What does this bill do that is not done already?

Mr. MACDONALD. If the gentleman will permit me to answer him, I can just point out to the gentleman that he could not be more wrong. There is a section in the bill—and I do not have it here before me, I think section e-2—which specifically prohibits this duplication of information or effort.

Mr. WYDLER. But you just described the fact that when you have one of these agencies operating they will write to Washington and say, "Send us the information you now have so we can send it to somebody else." That is just exactly the situation you described.

Mr. MACDONALD. That is correct, because it is done not on a State basis but on a regional basis. If the gentleman will try to understand, I am sure he can. The problems which beset the fishing industry in Massachusetts are also common to the fishing industry in Florida or on the west coast. If the plan that is submitted by the Massachusetts people is accepted and it is acceptable that they shall go into the problems of fishing in Massachusetts, then they go to the fishing industry in Massachusetts. When they have collated the information they have gathered from Massachusetts, as a byproduct they send the information to Washington where it is made available to anybody who has a similar problem. It does not seem to me to be a very difficult thing to understand.

Mr. WYDLER. It is not difficult to understand. It is difficult to understand the reason for it.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, no one could object to the lofty aims of the State technical services bill. I agree with and support the stated purpose, which is "to promote economic growth and support State and regional technical service centers which will make available a wide variety of scientific and technical knowledge to American business, enterprise, commerce, and industry."

All of us realize the serious need for a solution to the problems of disseminating information from the wealth of scientific and technical knowledge available. We can sympathize with the problems of technical people and management in keeping abreast of day-to-day advances in science and technology. Although this bill will neither solve all of the problems nor meet all of the needs of the States most lacking in ability to put such scientific knowledge to the best use, it will be an important step in the right direction.

Although I originally objected to the vagueness of the bill, I think the wording now tightens it up considerably. For example, the first draft failed to provide for an annual review. The Committee on Interstate and Foreign Commerce inserted a provision for an annual review, and I am satisfied that the program will be monitored satisfactorily.

I can appreciate the dilemma the Department of Commerce faces in proposing a Federal-State program. It is the same dilemma the Congress faces in trying to assure that control remains in State and local hands when up to half the funds are Federal in origin. For example, I would favor more detailed assessment of the definite needs of the individual States and/or regions for the technical services authorized in this legislation. Yet the determination of the problems a State or region faces must be left in the hands of a designated agency, selected by the Governor to develop plans and programs for the State. In our annual reviews, the Congress must weigh the needs and judge whether the programs are directed toward substantive problems.

One of the possibilities which I shall be on the lookout for is unnecessary duplication of existing private and/or institutional programs already successfully furnishing technical services to business and industry. Many universities make technical information available for a fee, as in the Associates Plan of Massachusetts Institute of Technology. Nonprofit organizations, such as Stanford Research Institute and Midwest Research Institute, offer the results of their research and development programs in various seminars, publications, and reports. We have a right to be concerned that we not simply duplicate some or all of this activity.

Having pointed out those cautions, let me conclude by stating that my original cautions have been heeded, and I favor the bill. Properly administered, the State technical services program can contribute greatly to the increased efficiency of the industrial sector of our economy. Proper administration will be in the hands of the Secretary of Commerce. It will require careful attention by him to the spirit as well as the mechanics embodied in the State plans approved by him. I would encourage the Secretary to extend every effort toward consolidation of Government activities in the field of technical services. The Congress will give a searching look at the first report to Congress required under section 14 of the bill.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. HARRIS. I think perhaps it should be said in that respect that the Farm Extension Service, as the gentleman has pointed out, is a joint Federal-State office, so to speak. It has technical information available to it which it disseminates to the farmers for their use. This program, to state it succinctly and briefly, would provide a State agency, or someone designated by the Governor—I will put it that way so that it can be understood more easily—which coordinates the information within the States. It obtains the technical and scientific information from the more advanced and more successful businesses, as well as from research and other places, and assembles it in order that it may be distributed to the smaller businesses who do not have the benefit of it.

Mr. SPRINGER. May I say in reply to my distinguished chairman, it is my understanding that in this very highly competitive age, when engineers come out of college, say at the end of a 10-year period, an engineer should go back to college for 2 years to refresh his knowledge of his particular field.

Now, a portion of what is in this bill is an attempt to keep that engineer in that industry, whatever it is, up to date on what is happening in his particular field or in the particular kind of a concern with which he is connected. If he keeps in touch with this and keeps up to date he should not have to go back to the university to find out what advancements have been taking place, but should be able to do this on a rather current basis through the provisions of this bill.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. We are talking about small businesses.

A spirit of competition exists among small businesses. If you are going to send a college professor or a college engineer or somebody from a State agency around from business to business, how much real information do you suppose he is going to be able to garner from the businessman who really is not particularly interested in divulging his techniques and his ways of doing things to his competitors?

Mr. SPRINGER. I do not believe we anticipate that we are going to ask anybody for any information, say, in your State, but we are going to compile a tremendous amount of scientific information which is available every place but it has not been brought together at a place where industry can consult with someone else about what is available. He might not even know where it is. That is more or less the purpose of this bill. If it were in your State of Michigan your people in small industry would have a place or someone to whom they could go to find out the situation with reference to, for instance, industry problems and where he can improve his situation competitively by using the latest techniques.

Mr. HUTCHINSON. Mr. Chairman, if the gentleman will yield further, these procedures and techniques that would be divulged to him would be the procedures and techniques which have been worked out in the professional community rather than in the business community.

Mr. SPRINGER. I think you cannot forever keep those techniques a secret, except perhaps in the drug industry, you might, but not in the industrial field. This information would be open to the public. Under this program all of this information would be open to the public. The purpose of the State agency is to get these things or this information to the points where they would be needed in that State or accumulate them, we will say, at either the University of Michigan as in your State; whereas, in some other State such as Massachusetts, they might have an entirely different problem. But they would accumulate in Michigan a catalog of all the things that would affect industry in Michigan.

Mr. HUTCHINSON. We have trade associations such as the hardware people have an association, by way of illustration, and they have conventions. It has been my understanding that in those get-togethers, people interested in that business are able to pick up other information from people similarly engaged.

Mr. SPRINGER. I would say that is true, but this goes much deeper than that. For instance, there would be gathered together all of the information for the last 10 years in the hardware business and it would be put together at a place where one engaged in that business could go and find it under a catalog, and you would have the advice of the person at that location who could get this information out and who would have it in his hand and who could explain it.

I do not anticipate that this will be of much service to large firms. Large firms such as General Motors or United States Steel or the Caterpillar Company or Allis-Chalmers, I do not believe this would fit that kind of business, but it would fit the smaller businesses and I think it could be of considerable service to them.

Mr. HUTCHINSON. I thank the gentleman from Illinois for his explanation, but there are still doubts in my mind.

Mr. SPRINGER. This is not an easy bill to explain. It took us many hours and several days of executive meetings and discussions of it to come to a clear understanding of whether or not we felt the bill would have enough in it that it should be brought to the floor of the House.

Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, it is true, as my colleague from Massachusetts and my chairman, the gentleman from Arkansas, have said, that we have worked long and hard on this bill in an effort to bring to the floor of the House a measure that will truly contribute to the dynamic growth of our country, and particularly, to the share in that growth, of small business, industries, and commerce in our several States.

There have been one or two questions raised which I hope to be able to shed some light on. In the first place, it has been said that this is a 3-year program. Actually, it is a 5-year program, but we take a look at it after 3 years. The programs that are to be developed within the States are to be 5 years in length, and must meet with approval in order to obtain the matching funds of the Secretary of Commerce. The eventual scope of the program is $40 million a year. So we are not talking about $60 million—we are talking about an annual expenditure of at least $40 million, and if we live up to our history in this respect the program will probably be expanded in years to come.

The gentleman from Connecticut asked a question of my chairman as to the ability of the State of Connecticut to participate in this program. I believe that the State of Connecticut has such a program underway, which is probably under the Department of Commerce; is that correct?

Mr. MONAGAN. There is a program that is underway. I am not sure which State department has jurisdiction.

Mr. KEITH. The Department of Commerce could be designated the agency for the formulation of the program, but the qualified institutions which participate in the program itself will largely be in the educational field.

They could be directed by an agency of the State government, and it could either be a land-grant college or some other educational institution that has been approved for that purpose, or any other State agency as described on page 17 of the bill, which says:

> SELECTION OF DESIGNATED AGENCY
>
> SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

The Governor then selects an institution to coordinate the program and to prepare and submit a plan to the Secretary of Commerce for approval under this act. I believe the Department of Commerce could qualify as the designated agency in that respect.

As was indicated earlier, the maximum amount a State could receive in this program would be $25,000. That is $25,000 a year for each year, or $75,000 for 3 years, that a State could get grants without any matching requirements on the part of the State for planning purposes. It is my intention to offer an amendment to make these matching fund requirements a part of the planning phase as well as the operational phase.

The gentleman from New York asked a question concerning duplication. I believe he had in mind duplication on the selection and dissemination of scientific material. The response was made from the floor that the fishing industry was a good illustration of the kind of services that could be rendered by the proposed regional technical service center. I posed this question of Mr. Hollomon, and he responded with the fishing industry.

So I called on the Bureau of Commercial Fisheries which certainly is more qualified to estimate and understand the problems of the fishing industry and about the nature of their services and I found literally there were dozens of services that they rendered to those who are interested in the fishing industry in addition to those concerned with the actual catching of the fish.

I list here for the RECORD some of those services which are already available to the several States through the Department of the Interior, Bureau of Commercial Fisheries:

> TECHNICAL SERVICES TO INDUSTRY PROVIDED BY THE BUREAU OF COMMERCIAL FISHERIES
>
> 1. The Bureau of Commercial Fisheries publishes daily—in seven different cities—a fisheries market news report with a free distribution of 10,000. It is sent to fishermen, fish processors, and banks. Its information includes landings for the day, prices, and other news of marketing interest.
>
> 2. The Bureau of Commercial Fisheries provides $700,000 per year for a marketing service wherein it recruits the assistance of press, TV, and radio media for public service time for the purpose of advertising the feasibility of fish usages.
>
> 3. The Bureau also has a home economist service which provides advice and technical assistance to schools, hospitals and other institutions regarding fish diet and preparation of fish foods.
>
> 4. The Bureau provides a large technological program for the inspection of fishery products and methods for assisting the fish industry to improve fish processing.
>
> 5. The Bureau develops Government standards for fish products.
>
> 6. The Bureau is currently developing a large program for the processing and possible consumption of FPC.
>
> 7. A similar program is being run for the purpose of determining new uses of fish meal and fish oils.
>
> 8. The Bureau publishes a monthly magazine called the Commercial Fisheries Review which has a free circulation of approximately 6,000. Averaging 125 pages in length, the magazine includes information concerning fishing, fisheries research, fish locating techniques, fish catching techniques, new fishing gear being developed, fish storage techniques, fish processing techniques, fish marketing techniques, and home and commercial preparation of fish food products. It also has a large section on developments in various foreign fisheries programs.
>
> 9. The Bureau also has a large program devoted to new fish locating equipment and the development of new equipment, nets, etc., for the catching of fish.
>
> 10. The Bureau has various financial assistance programs which entail: (a) loans to vessel owners; (b) mortgage insurance programs; (c) fishery vessel construction subsidies.

My point is that in my view the State of Massachusetts would be wasting its money if it, in conjunction with another State or on its own, attempted to duplicate services offered to us by the very competent, hard-working, and the very informed Bureau of Commercial Fisheries which has offices in the major fishing ports of our country.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman.

Mr. MACDONALD. Is it not true, and I am sure the gentleman would not want to say otherwise by inference, that if the State of Massachusetts is being serviced in the field of fisheries, obviously it would not come into the plan that would be submitted by the agency through the Governor to the Department of Commerce.

Mr. KEITH. I would think it would be true. It is a matter of law. Although where we state that there shall be no duplication, we neglect to mention as I read the act and it extends to all governmental services. It possibly could be that governmental services are available and that there might be a duplication.

On pages 18 and 19, section 5, it says:

> The Secretary shall not accept an annual technical services program for review and approval under this act unless the designated agency has, as certified thereto by the Governor or his designee—
>
> (e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions.

It is conceivable a State could have a duplication of services that would be available under Government auspices.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman.

Mr. MACDONALD. Since the gentleman has raised this subject, I call your attention to page 23, section (e)(2):

> No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

Mr. KEITH. I thank the chairman of the subcommittee for pointing that out. It does clarify the problem.

I would state that the Assistant Secretary of Commerce, Mr. Hollomon, used the fishing industry, as did the gentleman, as an example of a service which could be provided under this act.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I am glad to yield to the gentleman from New York.

Mr. WYDLER. The gentleman has fairly well disposed of the illustration given as to the need for this agency in the fishing industry. I come back to my original question. Where will this agency or this institution get the information it is going to make available to small business? Where will the information come from?

Mr. KEITH. As I visualize the operation of the agency, the duties of collection and dissemination of information which would be made available to business and commerce in a particular State would be the responsibility of the participating institutions which, for the most part, will be educational institutions.

For example, if there were to be some collection of information for small textile plants, they might very well use the Lowell Textile Institute or the Southeastern Massachusetts Institute of Technology, both of which are located close by small textile firms. These institutions would have a role to play in the collection of information and, in turn, the distribution of it.

Mr. WYDLER. The gentleman still has not answered my question.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I am glad to yield to the gentleman from Arkansas.

Mr. HARRIS. Let me see if I can help the gentleman. I hope I shall be able to.

The reason this was designed for an agency was that under the laws of the various States the Governor, in many instances, is the person on whom the responsibility falls. It turned out, however, that in some States, under the State laws, there were other groups or organizations, boards and so forth, which have such responsibility. For that reason, we made this a responsibility to a designated agency within the State. That agency within the State would be designated for a particular purpose. The purpose would be to try to coordinate with the educational institutions of the State, with the business community and with research people and others involved, for the purpose of obtaining this information and making it available to those in the business community who could not otherwise obtain it.

In a particular State, a designated agency might be MIT, as mentioned, or some other educational institution which would have responsibility for the program. That institution could then go to other institutions in the State. All of these institutions have their business schools and are now in the business of accumulating information in cooperation with business, research analysts, and so forth.

It is contemplated that with the funds here to be allocated on a matching basis to the States, these institutions about which we are talking—whether it be one or a dozen, if they work cooperatively together in the program—would, in working together, assimilate all the information and bring it to one central location within the State to be so designated. In that region, the information would be made available to all in business who might be interested in any particular problem.

That is, very briefly, a description of how this is expected to work.

Mr. KEITH. In my view, there is one most important flaw which I should like to discuss for 5 more minutes, if I may.

Mr. SPRINGER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I urge the House to consider for a moment a serious and costly flaw in an important piece of legislation, a flaw which could undermine the effectiveness of the proposal from its outset, a flaw which is unfair to the taxpayer, disparaging of our State governments, and which could perpetuate the unhealthy big brother trend in Federal assistance legislation. I am referring to H.R. 3420, the State Technical Services Act of 1965.

This act, as you have heard, proposes a 3-year program to disseminate, via the offices of the Secretary of Commerce and through regional technical service centers, "the findings of science and technology throughout the American business, commerce, and industrial community." The price tag on this ambitious program will ultimately reach $40 million or more a year.

In many respects, Mr. Chairman, this is an excellent bill. Many of us have labored long and hard in committee to insure its workability. But there is a basic and potentially destructive flaw. During the all-important planning stages of this program, the period which will be most decisive as to the program's success or failure, the Federal Government will, in many cases, assume too much responsibility in the financing of the program. It is even possible that where the planning for the program is modest the Federal Government will have assumed the entire cost.

Experience should have taught us that, with few exceptions, this is not a good practice. In my opinion, it is not good government, and it certainly is not good business.

Mr. Chairman, I am not one of those who believe the Governors and State legislatures need Uncle Sam to guide them at every turn of government. I know that governors and legislators, like Congressmen, are human beings. If they contribute to a plan by helping to pay for it, they are going to take an interest and work to get the most out of that investment. In a word, contribution means interest. Lack of contribution or responsibility can just as surely lead to a lack of interest. A beneficial return on the tax dollar, success or failure of the program, can certainly hinge on such factors.

Every stockholder in a business knows he has a bread-and-butter motive for concerning himself with that business. Besides, for some reason, people do not seem to appreciate, fully at least, what they get handed them for nothing. On the other hand, they retain a high degree of working interest in a project in which they have a fundamental investment.

I saw a perfect example of this paradox in the town of Marshfield in my district just last week. The occasion was the dedication of a new school, being named for one of the teachers who, after many years of devoted service, was retiring.

When he rose to acknowledge this honor, his remarks touched on the fact that the construction of the school was the result of hard work and sacrifice on the part of the citizens of the town. Their faith in the future and in their youngsters had been the propellant for their mortgaging themselves to an extensive amount for more than a decade to come. This was something that the town wanted and had planned for, and therefore the town gave of itself willingly.

Can any of us say their interest and devotion would have been as complete and extensive had they had no part in the planning stages of this project? I doubt it.

Such, Mr. Chairman, is the unfortunate prospect that looms for this proposal should the State legislatures not be involved in any way with the planning phases of the State technical services program. Will they be as anxious to appropriate the money that will be required to implement the plans, which may have been financed entirely by Federal grants, if they have not been consulted beforehand?

It has been argued that a Governor with an unfriendly legislature might be hamstrung by their unwillingness to cooperate with him even in the planning stage. I ask, then, would such a legislature be any more willing to appropriate the necessary money called for in the operational phase? Would they be any more willing to appropriate the money if those plans were drawn up, say, by a pet agency of the Governor's? Again, this hardly seems likely.

Mr. Chairman, I have faith in the legislatures of the 50 States of our great country. They are concerned with the needs of their citizens. They will put forth every necessary effort to obtain assistance, if it is worthwhile, in both the planning and the operational phases of this proposed program.

Now, it has been suggested that these outright grants are particularly necessary in some of the poorer States. And it has further been said that, therefore, the $25,000 as an outright grant for planning purposes is vital because some of these States cannot even afford to match half that amount. If a State cannot afford $12,500, how can it possibly afford the many thousands that will be required in the operational phases of the program? If a State is not willing or cannot afford to match funds in the planning stage, where is the money to come from for the program itself? Is the Federal Government merely going to pay out $75,000 for plans that will never be implemented? Is it not unfair to the taxpayers of the country as a whole to invest money that will bring no return, even to the citizens of one State?

Three or four years ago we had before us a bill providing for Federal assistance to educational TV. This bill provided a $10,000 grant to every State regardless of their need or regardless of their interest in the program.

Every State was authorized under the original proposal to collect $10,000 from the Federal Government for planning purposes. We in the Committee on Interstate and Foreign Commerce amended that proposal and required that the grant to the State must be on a matching basis. We felt that a lot of the States would not undertake educational TV programs, and if they were going to undertake such an expensive program, they should be able to come forward with matching funds in the grant phase of the operation.

What happened? The House accepted the recommendation of the committee on participation in the planning stage. It went over to the Senate and, believe it or not, the Senate knocked out the grants for the planning phases entirely. So I think we really have a lesson to be learned from that particular incident and I would suggest, Mr. Chairman, that we should have the planning phase on a matching-grant basis.

Mr. Chairman, there are 28 States that have gone ahead on their own, and are in various stages of this kind of activity at the moment. Most of their planning has already been accomplished. All of it has been done at State expense. With the amendment which I shall offer later on, we can still say to those who have further planning to do, "We will help you underwrite your planning." To those who have not yet been able to begin, we can say, "With our help, you can now afford to plan." While to those who have concluded their plans we can say, "There will be more money available for sharing the operational costs—you can, in effect, go further than you hoped."

Inasmuch as the Federal Government is going to make, under this legislation, very substantial commitments which eventually will amount to $40 million per year and perhaps much more, we have an obligation to make certain that only those programs which are essential are undertaken. And the best way to make sure that they are essential is to require the maximum amount of State participation and interest.

All of us recognize that there is always a "broker's fee" for doing business through the Federal Government. We know that the income tax has preempted the tax resources of all of our States. The existence of a matching fund requirement in the planning phase of this legislation will, in my view, serve as a further check on the drain of tax dollars for plans that may never be implemented.

Mr. Chairman, Federal grants-in-aid have been one of the most beneficial factors in preserving the balance in the federal system. When these grants require State participation, particularly in the planning phases, they can help to meet essential social and economic needs. And, by their emphasis on State participation, they can, while achieving worthwhile purposes, help to avert and retard the growth of arbitrary central authority.

In our additional views published in the report of the Committee on Interstate and Foreign Commerce on this bill, several of my colleagues, and I, stated:

> One of the act's more serious drawbacks is the lack of provision for matching funds in the planning stages outlined in the bill. It is our feeling that such a provision would enable the State governments to become involved in the program from the beginning and to make more certain that the money would be wisely spent.

My amendment offers this practical incentive. It will give each State the opportunity for self-improvement through a system of matching grants.

In summary, Mr. Chairman, my amendment requiring matching funds in the planning stages of this proposal before us will, in the final analysis, result in better technical service centers for the business, commerce, and industry of the several States.

We will get more thoughtful planning, a better understanding of the program on the part of the State governments and more knowledge of the purposes and functions of the technical service centers by those who hopefully will ultimately benefit from their services.

I urge the adoption of my amendment.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Chairman, I thank the distinguished chairman of the Committee on Interstate and Foreign Commerce for yielding this time to me.

Within a week's time there are new opportunities for union and management to arrive at a meeting of the minds. They must resolve their differences and reach a just and equitable settlement.

There is much at stake as negotiations continue. It is clear that a strike of the great steel industry would be inexcusable—and unforgivable—in this period of great crisis.

And this is why it is appropriate to go back to 1959 and 1956 for a moment, the years of the last steel strikes. Let no one forget the lessons of these steel strikes and the damage they caused to our economy and to our national growth. They serve as a constant reminder.

First. The idleness of workers on strike is a costly waste which neither they nor their country can afford. The 116-day steel strike in 1959 directly cost 42 million man-days of work. This was the equivalent of a 5-percent increase in the Nation's unemployment for a year and represented nearly 1 day off for every male worker in the country. Even the 36-day strike of 1956 cost this Nation directly 12 million man-days of work. And it is important to keep in mind that in the entire post-Korean period no labor dispute has come close to these steel strikes in causing idleness.

Second. A steel strike can put as big a dent in our economy in a couple of months as recession does in 8 or 9 months. During the steel strike in 1959, industrial production fell 6.5 percent from June to October, while during the recession from May 1960 to February 1961, the decline was 5.7 percent. Because of the steel strike, personal disposable income showed no rise whatsoever in the third quarter of 1959.

Third: In 1959 the effects of the steel strike spread to many industries and communities resulting in sharp production cutbacks. For example, there was a 12-percent reduction in fabricated metals production; a 45-percent reduction in motor vehicles and parts; and a $5 billion drop in the rate of overall real gross national product, the first and only nonrecession decline since 1956 steel strike. In particular localities, the effects of the 1959 steel strike were especially severe. Manufacturing payrolls fell by an estimated 73 percent in Johnstown, Pa.; 62 percent in Youngstown, Ohio; and 35 percent in Pittsburgh.

Fourth. The 1959 steel strike nipped in the bud a possible surge in business investment. Actual plant and equipment outlays in the third quarter of 1959 fell 3 percent below the plans previously reported when businessmen found they could not get deliveries of steel equipment.

In December 1959, the Commerce Department reported:

> Supply shortages and uncertainties over near-term deliveries of capital goods have become major limiting factors affecting current movements in plant and equipment programs of business. The OBE–SEC survey of 3 months ago had pointed to some acceleration in the recovery in plant and equipment outlays; the latest survey indicates that seasonally adjusted these are expected to rise only slightly over this quarter and the next.

Finally, the rebound following the steel strike in 1959 built the economy up for a let down. When inventories were being restored in 1960, everything looked rosy—so rosy that nobody could see the recession coming. In fact, this misreading of the fundamental economic situation is the basis for the case that the strike was one of the major causes of the 1960–61 recession.

These are strong lessons and they are hard lessons. But we must profit by them. This Nation must not be condemned to repeat the experience of 1959 and 1956. In a real sense there are three parties represented at the conference table—the union, management, and the American people.

I am confident that the wise and distinguished leaders of the steel industry and the steelworkers union through their concerted efforts to reach a satisfactory agreement will not let the American people down.

Mr. HARRIS. Mr. Chairman, I yield such time as he may use to the gentleman from Colorado [Mr. McVICKER].

Mr. McVICKER. Mr. Chairman, I rise in support of H.R. 3420, the State Technical Service Act of 1965.

The infusion into our industrial potential of American know-how and advanced science is best undertaken by local institutions specifically oriented to local industrial and economic problems.

This bill has the enthusiastic support of the business community of my area. I have had a number of meetings with businessmen and university leaders in my district discussing my own bill, H.R. 7335, which corresponds to the bill before the House.

From these meetings, I can report to the Congress that the overwhelming support for this measure, the awareness of its need, and the anticipation of its application gives tangible evidence of the leadership shown by the great State of Colorado in forging new paths of economic greatness for our country.

This bill would permit the Federal Government to join with State governments, universities, and local industry in stimulating the industrial and economic growth of States and regions in the Nation through the application of science and technology.

The bill is addressed to the economic problems about which we read every day—long-term unemployment, regional pockets of poverty, industries which are losing their competitive positions, and increasing foreign competition in both domestic and world markets. These problems point to the increasing need for developing mechanisms to bring the latest developments in technology into the production lines and plants of our local industry.

Just as the problems are local, so should be their solution. This bill would establish mechanisms concentrated on the local level, utilizing local leadership, local initiative, local resources, and local participation. Federal funds, on a matching basis, would be used to encourage the establishment or expansion of local institutions specifically designed to meet the needs of the local economy.

A State wishing to participate in the program would designate an institution, either a State university or agency, to administer and coordinate the State's technical services program. This institution would prepare a 5-year plan, outlining the technological and economic situation in the State, the major regional and industrial problems, and the means to be used in assisting in their solution. The institution would also prepare an annual technical services program, including the objectives for the first year, the budget, and the responsibilities assigned to each qualified institution participating in the program.

The 5-year plan and the annual program would be submitted to the Secretary of Commerce. Federal matching funds would be made available to the designated institution to support eligible programs. The Secretary of Commerce would establish a formula designating the maximum annual Federal payment, taking the following criteria into consideration: First, population; second, level of industrial and economic development and productive efficiency; and third, technical resources.

His formula will be weighted to provide funds to States and regions where industrial development has lagged behind its potential and where technical resources are weak. The population criteria will be applied in a manner which will permit even the smallest and least populous States to participate in a meaningful and profitable program.

There are a variety of effective programs of university-industry cooperation in operation in 28 States at the present time. One especially notable program is conducted under the auspices of the Denver Research Institute, an integral part of the University of Denver which engages in sponsored research for government and industry. This institute offers ample evidence of the potential effectiveness of programs that the subcommittee is now considering. To stimulate the process of technology transfer, the DRI has developed a highly motivated staff of engineer-economists, engaged in effectively interpreting the significance of scientific and technological advancements to the commercial entrepreneur. These economists are studying new techniques for coupling technological innovations with potential users in industry, thereby providing the bridge between the generation of advanced technology and its use in technologically oriented as well as underdeveloped industries. In addition, these men are carrying out fundamental research on the processes by which technology is diffused and applied, seeking new ways to accelerate the transfer of knowledge into use.

The Denver Research Institute consists of seven operating divisions: Chemistry, electronics, electromagnetic propagation, industrial economics, mechanics, metallurgy, and physics. Research interests in these divisions cover a complete spectrum from basic investigations to directed developmental efforts. A number of large research programs are also conducted by the institute outside the divisional structure.

But such programs, effective as they are, are still small in comparison to the need and opportunity in their regions. If we are to promote our economic growth to the fullest possible extent, if we are to achieve and sustain a high level of employment throughout our Nation, and if we are to improve our competitive position in world trade—the hiatus between the technological developments in our laboratories and their application in our industries must be erased. I believe this bill will accomplish much toward the end of nurturing our economic growth and prosperity.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, I have asked for this time in order to propound a question of the distinguished chairman of the Committee on Interstate and Foreign Commerce. I had several mental reservations about this bill when we started to consider it, but, by amendment, they have been largely dissipated.

There is one feature of the bill, however, on which I would like some additional information from our distinguished chairman. I feel that in their enthusiasm, these designated agencies, provided for in the legislation, may go beyond the bounds of dissemination of existing information and go into research and development programs. I would like the opinion of the chairman as to the possibility of this happening under the terms of this bill.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CURTIN. I yield to our distinguished chairman.

Mr. HARRIS. The gentleman refers to section 5, paragraph (e), and I think it would be advisable to quote it. This has reference to the duties and responsibilities of the Secretary, meaning the Secretary of Commerce, with reference to his acceptance of the program for review and approval. I would also call this to the attention of the gentleman from New York who was speaking with me about this a few minutes ago.

The Secretary shall not accept a plan unless it has been "determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions."

In other words, this is to make it abundantly clear the program is not to interfere with the traditional type of program made available on a consulting basis, or by private agencies or institutions.

Mr. CURTIN. That answers the question as to whether or not this particular legislation would permit competition of these governmental agencies with private firms. However, I would further ask whether it is not the intent of this committee that the legislation is to provide only for the dissemination of existing information and is not to go into the field of research and development?

Mr. HARRIS. There is no intention at all that this program will go into either research or development. It does provide, if the gentleman will recall, that under the program the agency designated shall hold seminars and such meetings with appropriate businesses for the purpose of advising these businesses on what is available, and so forth, such as was explained by the gentleman from Illinois earlier in connection with a particular farm program.

But insofar as research and development is concerned there is none intended. I think the gentleman is probably referring to the report on page 4.

Mr. CURTIN. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. PICKLE], a member of the committee.

Mr. PICKLE. Mr. Chairman, I rise today in support of H.R. 3420, a vital measure which will help coordinate the dissemination of business and scientific data to interested business and governmental agencies.

This bill is designed to place the findings of science into the hands of American enterprise more effectively and efficiently. It would provide vital clearinghouses for the compilation and distribution of significant research data that our free enterprise system is constantly demanding.

This bill does not create competition within the business world, or competition between free enterprise and Government. Rather, it will achieve a more effective application of the findings of scientific research, and thereby improve our Nation's competitive position in world markets. I am glad that groups like the engineering profession have joined with other business interests to recommend that these services be supplied.

In my own district, I am most familiar with the availability and interest of the University of Texas in participating in this program. That university is a rapidly growing research center and is constantly engaged in valuable scientific studies. When efficiently assembled and compiled in a research center or clearinghouse, these findings could be disseminated throughout our State for the use and benefit of all segments of our economy.

The University of Texas is only one example of many fine research institutions throughout the country which could contribute much to the success of this program. I hope this important legislation will be promptly enacted.

Mr. HARRIS. Mr. Chairman, I yield such time as he may require to the gentleman from Georgia [Mr. STEPHENS], one of the cosponsors of this program.

Mr. STEPHENS. Mr. Chairman, I rise in support of this bill. I think it is a fine program for America. My State is now cooperating in the pilot efforts and I urge that this legislation be given favorable consideration by the Congress.

Mr. HARRIS. Mr. Chairman, I yield to the gentleman from Iowa [Mr. SCHMIDHAUSER], who is one of the cosponsors of this legislation, such time as he may require.

Mr. SCHMIDHAUSER. Mr. Chairman, I rise in support of the State Technical Services Act of 1965.

The proposed State Technical Services Act of 1965 would enable the Federal Government to make grants to the States in support of programs to achieve better commercial use of the latest findings of science and technology. Such programs, planned and carried out locally, would place these findings in the hands of local business and industry.

Such a national program is not only in the best traditions of America, it is in the best traditions of science. You may remember that Louis Pasteur, the great 19th century French bacteriologist discovered an understanding of the process of fermentation, with the practical method of control which we call pasteurization, while working in the 1850's on behalf of French beer and winemakers. Joseph Lister, an Englishman, saw the applicability of Pasteur's discoveries to medicine, and in 1865, he first sterilized incisions in surgery.

Pasteur went on to save the silk industry of France and other silk-producing countries by developing controls for silkworm disease. Then he produced successful inoculations against cattle anthrax and chicken cholera. These methods he called vaccination, which was his way of paying tribute to Edward Jenner, another Englishman, who had given that name to his discovery of the means of protecting man against smallpox. Pasteur also perfected the preventive vaccine against rabies in man and animals.

But even before those achievements, T. H. Huxley had described Pasteur's discoveries as having been so valuable as to have reimbursed the whole cost of the war indemnity paid by France to Germany in 1870.

Science was understandably crude, and the application of research results correspondingly simple, in Pasteur's day, 100 years ago. Even so, the dissemination of Pasteur's results was crucial to Lister; scientists have always exchanged information freely. Today, by contrast, science and technology are complex, and getting access to pertinent and useful information is, at best, difficult for business and industry. Even with our high level of education and our mass media of communications, we are losing the battle of the transfer of technology to the places where it is needed.

Since the outbreak of World War II, the Nation has spent more than $100 billion on scientific research and development. Only a small portion of that total has been directed toward civilian-oriented activities, yet from such R. & D. comes the greatest stimulus to economic growth. The rewards for a higher level of technology, in terms of economic growth, higher standards of living, and gains in employment, are surely worth seeking. Clearly, one sure way of seeking those rewards would be to pass the State Technical Services Act of 1965.

I am interested in this bill, first, because I come from an agricultural State. That is why the Pasteur story holds so much significance for me. I am interested in it, second, because there are several contemporary precedents for this State technical services program, and I am proud to say that one of them is located in my own State of Iowa. Briefly, the Iowa Legislature in 1953 appropriated $250,000 for the first 2 years' operation of a Center for Industrial Research and Services as a part of the College of Engineering at the Iowa State University. CIRAS, as it is called, assists industry in a variety of ways. Primarily it coordinates the transfer of technological information. Actual solutions may be developed by Iowa State University, the State University of Iowa, other State educational institutions or agencies, Federal Government agencies, or even private organizations.

Of course, the State Technical Services Act would not authorize support for research, but it would stimulate and encourage the dissemination of research results. Even the great discoveries of Pasteur were worthless until they were brought out of the laboratory and put into practice by industry or the medical profession.

Breakthroughs could not necessarily be expected to result from a modest program such as Iowa's—but it is always possible. The dozens of letters I have seen directed to CIRAS by grateful businessmen convinces me that a mechanism such as the State technical services program must be made available nationally.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 3420 whereby the Federal Government would provide assistance, through State and regional agencies, to enable business and industry to take better advantage of the fruits of existing research and technology. In my opinion, it is far too seldom that we in this body have an opportunity to act on a program that embraces both the visionary and the utterly practical, that is both completely unprecedented and completely feasible. The plan proposed in H.R. 3420 makes a great deal more sense to me than a lot of the aid and assistance programs that have come before us in recent months under the banner of the Great Society.

I have been among the strongest supporters of this program since its conception and was one of the cosponsors of the original bill, my bill being H.R. 7708.

There is little of a revolutionary nature in this plan, and yet it is a refreshing departure from what appears to be the present way of doing things. Here is no wild-eyed dream program, no half-baked scheme calling for the outlay of billions of tax dollars with only theoretical gains as justification. This is no sudden cure-all for an ailing society, no new and revolutionary welfare program; and it requires no new bureaucratic empire.

This is rather a simple, practical, feasible, efficient and effective means whereby we can make better, more effective use of what we have already bought and paid for.

The proposed State technical services plan does credit to its innovators because it acknowledges a principle in which I also believe very strongly—namely, that local or regional problems are best evaluated and best resolved at the local or regional level. The matching assistance funds which would be made available under this plan would be spent by the local institutions under which these services would be performed. Users of the service, local business and industry for the most part, would be dealing with an institution which has a thorough practical and academic knowledge of the specific local economic factors with which industrialists and businessmen must deal from day to day.

In my own State of Massachusetts, there has been optimistic speculation that the University of Massachusetts, with its superb faculty and excellent facilities, would be named the appropriate institution to administer this program for the Commonwealth. I might add that the president of this fine university, Dr. John Lederle, has expressed keen interest and support for the idea personally to me. I am confident there would be ample enthusiasm at the University of Massachusetts to assure success for the program.

I would also like to point out that among the earliest and most enthusiastic supporters of the concepts embodied in H.R. 3420 is Prof. Sydney T. Maunder, an electrical engineer and visiting lecturer in the electrical engineering department at the University of Massachusetts. Professor Maunder's faith in the idea was strong enough to bring him to Washington at his own expense to testify on behalf of the bill, his testimony appearing on page 64 of the hearings before the Subcommittee on Commerce and Finance of the Committee on Interstate and Foreign Commerce.

Professor Maunder's testimony contains much food for thought and, perhaps surprising because he is a man of science, is couched in practical, meaningful terms. I strongly recommend the reading of his testimony to all of my colleagues.

Mr. Chairman, among those who would benefit most from this program are the small, independent merchants and industrialists. Both in my capacity as representative for a great many small businessmen in my district, and as a member of the House Select Committee on Small Business, I am ever more keenly aware of the restraints and roadblocks that stand in the way of prosperity and success for many of these independent businessmen. Certainly not the least of these is their limited capacity to take proper advantage of the vast technological advances which our society has generated.

There are endless examples of floundering and failing business ventures whose fault lies solely with the inability of management to keep pace with new techniques and industrial innovations. The impact of bypassing technology is nowhere greater than in the area of small business.

The program proposed in H.R. 3420 goes straight to the heart of this situation. It would provide locally oriented machinery to bring this technology to these businessmen, and to put it in practical, useful terms for them.

In my opinion, the State Technical Services Act of 1965 is an exciting new prospect, a new, broad-scale approach to solving the persistent and chronic problems of small business. It is my fervent hope that H.R. 3420 will be passed without delay.

In closing, I wish to take this opportunity to compliment the chairman and the ranking minority member of Committee on Interstate and Foreign Commerce for their leadership in bringing this fine piece of legislation to the floor of the House. I refer especially to my good colleague from Massachusetts [Mr. MACDONALD].

Mr. FARNSLEY. Mr. Chairman, I think this State technical services program is wonderful. Some people will think it is only the Government spending money. In this case it is not spending money but investing money, because this money will come bouncing back many times over in increased tax revenues. I cannot see anything wrong with the State technical services program.

We are all familiar with the Agricultural Extension Service, which has certainly paid for itself over and over again during the 51 years it has been in operation. It has long seemed unfair to me that there was not a service available to business and industry that parallels the service available to the farmer. Especially the system which takes the results of research and channels it through the county agent to every farmer or homemaker who wants to know the latest.

Now, in the State technical services program, we have an opportunity to use this same tested and proven system for putting to use the scientific and technical information resulting from our Nation's annual $20 billion research and development investment.

Approximately 28 States are now operating programs of technical assistance to industry. Of these, perhaps five can be considered comprehensive efforts of the type promised by the State Technical Services Act. They have been proven to work well. In fact, all of them have been expanded, industry has endorsed them enthusiastically, and if you have occasion to write and ask what they are doing, you will be quite impressed with the information they can furnish you on any specific subject in which they specialize. This information is in the form of reports, publications, training films, proceedings of conferences, and so forth.

I mentioned that there are 28 States which now have some kind of technical assistance to industry. Aside from the top five, which are pathfinding in complete programs, the rest are either limited because of insufficient funds or staffs, or they are more heavily oriented toward industrial research or technological education. My own Commonwealth of Kentucky is a good example of a limited activity.

The University of Kentucky College of Engineering includes an engineering experiment station. Its objectives are: First, to organize, initiate, and promote engineering research of special interest to the State; Second, to aid and consult with industry regarding its research problems; third, to promote the conservation and utilization of the State's resources; and, fourth, to provide support for research and education in the fundamental and applied sciences.

My own alma mater, the University of Louisville, also has an outstanding and well-qualified College of Engineering and an engineering experiment station. The University of Louisville got its land grant from the Commonwealth of Kentucky in 1798.

In many sections of the country, industry has felt the need for catalytic institutions other than the universities, so local interests have founded nonprofit research institutes to supplement, without in any way competing with, the services of the universities and their research programs. My own Commonwealth of Kentucky is no exception. Civic and industrial leaders have founded, at Lexington, the Spindletop Research Institute. It is patterned on the lines of Midwest Research Institute at Kansas City, Southern Research Institute at Birmingham, and Southwest Research Institute at San Antonio.

As the State technical services program is implemented, the Governor of a given State would name a State institution or a State agency to prepare and administer a technical services plan for his State. Two or more States could join in a cooperative program and name a regional institution. This would be known as the "designated agency."

But the actual work could be done at any qualified institution. This would be a college or university which is accredited in science, engineering, or business administration, or a competent nonprofit organization, or a State agency. Thus, in Kentucky, the Governor might designate the University of Kentucky as the designated agency. It would prepare a 5-year plan outlining a technical service program to solve the most pressing problems. It would listen to all kinds of advice before it prepared that plan. All qualified institutions in the State would be invited to participate in the planning. So I would expect the University of Louisville, Berea College, and the other fine liberal arts colleges of the State of Kentucky, as well as the Spindletop Research Institute and several State departments to participate in the planning and to receive assignments in the program.

In conclusion, in my State as well as many other States, there is already a wealth of fine institutions, already engaged in the types of activities outlined as technical services in the proposed legislation. But their funds are limited, and they are not able to scratch the surface of what needs to be done. The State Technical Services Act is absolutely essential to tie together all the information that is available already, and present it to business in a way that businessmen can use it immediately.

Mr. HUOT. Mr. Chairman, on February 15, I introduced H.R. 4879 to the Congress, a bill similar to the one presently under discussion and introduced by Mr. HARRIS, the distinguished chairman of my committee.

The committee substitute, I believe, strengthens the basic reason why such a measure should be enacted into law. By placing new ideas and findings into the hands of local industrial and business concerns, the backbone of our economic structure is reinforced.

Arguments may be heard concerning increasing Federal involvement in our Nation's private economy. However, these arguments, when applied to this legislation, are not applicable due to the tight and specific guarantee of strict local and State authorization and implementation of a State technical services program.

Basically, this bill provides for the use of Federal funds by a State designated educational institution under a State plan to enhance the economic posture of that State. It is explicitly stated that the Secretary of Commerce shall not even review or approve a proposal unless the Governor of a State first submits his endorsement of the program.

This bill as applied to my State of New Hampshire will help assure the existence of a stable economic base.

As I stated on February 17 on the floor of the House, New Hampshire is faced with an economic challenge for the future.

There are now less than 700,000 people now residing in the Granite State. Of our 10 counties, 3 are presently designated as depressed areas by the Area Redevelopment Administration. The Portsmouth Naval Shipyard, whose existence affects over 100,000 people, either directly or indirectly has been scheduled for closure by a Department of Defense announcement last November. The problems of the shoe industry, a major factor in New Hampshire's economy, are well known to this Congress and textile industrial activity in New Hampshire has been decreasing at a steady pace for the past 10 years.

These problems in New Hampshire are not unique, but I believe are typical of many areas in the United States.

To provide existing industries, both large and small, with useful information and new techniques would be a stimulant for expansion and would aid in the unemployment situation now realized in certain areas. It would also act as an inducement for the establishment of new concerns.

The appropriation of $60 million by this Congress over a 3-year period would be a very important investment for strengthening our economic base. This program has been indorsed by the Department of Commerce, by numerous private concerns, and by a multitude of educational institutions. It is a positive program for the future which I again believe is essential and urge this House to take immediate and positive action.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 3420. Each year the Federal Government spends millions upon millions of dollars in financing basic scientific research and development work by universities, nonprofit institutions, and industry. The bill now under consideration is aimed at maximizing the application of the results of this research by bringing it to bear on local industrial and economic problems. Its goal is the dissemination of information from our growing wealth of scientific and technical knowledge Research in 1965 moves so quickly that today's innovation was obsolete yesterday. It is exceedingly difficult for the scientific and industrial community to keep abreast of day-to-day advances in the technical disciplines. The proposed legislation authorizes $60 million for a 3-year program of matching grants to States to support State or regional programs to achieve more effective commercial use of scientific discoveries. It will operate through local technical service programs specifically designed to inform local businessmen and enterprises about the most current technological advances. This bill will add muscle to the national economy by enriching industry through the application of advanced technology. It will inspire employment by providing industry with new techniques and new products. It will strengthen the position of American products in the international marketplace. Yankee ingenuity—long the foundation of our economic preeminence—does us no good while hidden under the proverbial bushel basket. This bill permits us to remove that basket and put our new ideas onto the production line.

Mr. MATHIAS. Mr. Chairman, this bill would initiate the first comprehensive effort to make the tremendous benefits of national research activities available to American business, commerce, and industry throughout the country. This would be an effort beneficial to many localities, to American enterprise and to the whole American economy.

This is in the best sense a cooperative, grassroots program. It encourages States to mobilize their industries and institutions to make full technico-economic surveys and to formulate long-range economic plans. Many agencies in my own State of Maryland are already engaged in such planning, and this legislation would further those efforts and help other States to begin similar projects. The planning aspects of this bill could also have many "spin-off" effects in promoting increased cooperation among industries and institutions on innumerable local tasks.

The programs developed on the basis of such preliminary planning will be pinpointed to meet the problems of free enterprise within each State. The types of technical assistance which can be utilized are limited only by the perception and imagination of the committees involved. Through technical advice, through seminars and discussions, through the dissemination of information, local industries will be lifted into enhanced competitive positions as they begin to take full advantage of the technological advances of recent years.

I share the view, expressed in the additional views in the committee report, that every care should be taken to avoid duplicating present programs of technical assistance. But I share the entire committee's hope that this program will reach far beyond existing efforts, and will enable local businessmen throughout the Nation to acquire knowledge and information not readily available from any other source.

As the sponsor of a similar bill, H.R. 7474, introduced on April 14 of this year, I commend the committee for its prompt action in reporting this measure to the House, and I urge its enactment.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and interstate technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable businesses, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or interstate technical information centers for this purpose;

(2) providing a reference service to identify sources of engineering and other scientific expertise; and

(3) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency which has been designated as administrator of the program for any State or States under section 3 or section 7 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to a degree in science, engineering, or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of science, engineering, or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

(g) "Governor", in the case of the District of Columbia, means the Board of Commissioners of the District of Columbia.

SELECTION OF DESIGNATED AGENCY

SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

PLANS AND PROGRAMS

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

(a) A five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means for measuring the impact of such assistance on the State or regional economy; and (3) explain the methods to be used in administering and coordinating the technical services program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget, together with procedures for adequate fiscal control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

REVIEW OF PLANS AND PROGRAMS BY SECRETARY

SEC. 5. The Secretary shall not accept the five-year plan of a State for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

(c) establish adequate rules to insure that no officer or employee of the State, the designated agency, or any participating institution, shall receive compensation for technical services he performs, for which funds are provided under this Act, from sources other than his employer, and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on request.

APPROVAL BY SECRETARY

SEC. 6. The Secretary shall review the five-year plan and each annual program submitted by a designated agency under section 4 or section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 10 to all of the cooperating States may be paid to the designated agency, participating institutions, or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates an interstate agency to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 an interstate five-year plan and an annual interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

CONSENT OF CONGRESS

SEC. 8. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance and in designating agencies, under section 7, for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved.

ADVISORY COUNCIL

SEC. 9. Each designated agency shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of each advisory council shall be available to the Secretary on request. Members of any such advisory council shall not be compensated for serving as such, but may be reimbursed for necessary expenses incurred by them in connection with attending meetings of any advisory council of which they are members.

AUTHORIZATION OF APPROPRIATIONS AND PAYMENTS

SEC. 10. (a) There are authorized to be appropriated for the purposes of this Act, $10,000,000 for the fiscal year ending June 30, 1966; $20,000,000 for the fiscal year ending June 30, 1967; $30,000,000 for the fiscal year ending June 30, 1968.

(b) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

(c) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated for each year under this section and is authorized to make payments from such amount to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

(d) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

(e) (1) No amount paid for any technical services program under subsection (b) or (c) shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed $25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 7, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

ASSISTANCE BY THE SECRETARY

SEC. 11. The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this Act.

RULES AND REGULATIONS

SEC. 12. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

SEC. 13. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilties under law of any other department or agency of the United States.

ANNUAL REPORT

SEC. 14. (a) Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

EVALUATION

SEC. 15. Within three years from the date of the enactment of this Act, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

TERMINATION

SEC. 16. Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with provisions of this Act, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

REPAYMENT

SEC. 17. Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 16, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

RECORDS

SEC. 18. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this Act.

SHORT TITLE

SEC. 19. This Act may be cited as the "State Technical Services Act of 1965".

Amend the title so as to read: "A bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

Mr. HARRIS (interrupting the reading). Mr. Chairman, in view of the fact that we have had full debate and explanation of the bill, since the Clerk has been reading the section dealing with the declaration of purpose, and the next section deals with definitions, and since I feel certain it is generally understood that the purpose of the bill is to provide for disseminating technical and scientific information to the business community, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the first word.

Mr. Chairman, I take this time—and I shall not use 5 minutes, I hope—to ask a question or two concerning the bill of the distinguished chairman of the committee, the gentleman from Arkansas [Mr. HARRIS].

I have been reading the additional views of the minority members of the committee, which indicate that much information has been given by a substantial number of organizations, such as the Department of Defense, the Atomic Energy Commission, the Federal Council for Science and Technology, the Science Information Exchange, and so on and so forth, and that there is in the Department of Commerce a clearinghouse for scientific and technical information. On page 26 of the report I note that additional information has been provided by MIT Associates, Stanford Research, the Illinois Institute of Technology, Arthur T. Little, and the American Society for Metals and so on and so forth.

I wonder why it is necessary to spend $60 million to provide either a clearinghouse for information or to provide for gathering information when apparently there are contract organizations, probably being paid a good many millions of dollars, to provide information in addition to the agencies and departments of the Government. Can the gentleman tell me why $60 million is required under these circumstances?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield to the gentleman.

Mr. HARRIS. I will endeavor again very briefly to explain the purposes of this.

In the first place, and basically what is behind this program, is the idea of getting this information to all of the business of the country in order that we can have greater opportunities for the type of small business and others who do not have the benefit of and are not big enough to get the benefit of the information that the gentleman refers to.

What we are doing is we are seeing a situation develop in the country where big business is getting bigger because it is in a position to obtain this information with its own staff, but smaller business is being handicapped more and more and is on the wane. It is estimated by those who have gone into this that if we will put it into the gentleman's State of Iowa and my State and other States, where thousands and thousands of smaller business concerns may have the advantage of it—if we put it into those places, then the smaller business will be able to develop along with the development of the big business of the country.

Mr. GROSS. Are the States in such a condition that they cannot establish it themselves? Most States have some sort of development commission. Can they not communicate with the Department of Commerce as the established clearinghouse for this information?

Mr. HARRIS. That is the great difficulty about it. The Department of Commerce does have certain information available. We appropriate millions of dollars to the Department of Commerce for certain information.

Mr. GROSS. Yes, we certainly do.

Mr. HARRIS. But they do not bring together, or they have not as yet, this scientific information and the technical services that they are in a position to disseminate to the business community in general throughout the country. There again bigger business gets it but not the general average business.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes. Of course.

Mr. MACDONALD. I would like to make two points to the gentleman from Iowa. No. 1, your own State has it.

Mr. GROSS. I understand that.

Mr. MACDONALD. And the gentleman who runs that Center for Industrial Research and Service at the Iowa State University, Mr. Waldo Wagner, testified before the committee at length and said that he thought this program was not only a great one but was long overdue and he heartily subscribed to it. He thought that it would improve the economy of Iowa itself.

A second point I would like to make is that there cannot be any duplication by the Federal Government. If the gentleman will look at the bill on page 23, section (e)(2), it specifically prohibits any funds under this bill being used that would duplicate any activity of a Federal or State agency.

Mr. GROSS. I will say to the gentleman, if he can devise some way by which the agriculture of Iowa can obtain the $1 billion a year that it is not getting as part of its fair share of the national income, he will have accomplished something. But I do not think this bill or the spending of this $60 million is going to get to that problem at all. No other Federal program has. If it does, it will be working a miracle.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. HARRIS. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. Did the gentleman's committee go into the cost of these contract organizations, such as are mentioned on page 26 of the report?

Mr. HARRIS. I would say to the gentleman that the committee did give consideration to this subject matter. The gentleman from Pennsylvania [Mr. CURTIN] was quite active in that regard in developing it, and through his very effective work, as usual, the committee adopted a couple of amendments in order to satisfy what had been brought to his attention. He handled the program to make it more workable. We did not go into what these private services would charge under contracts, or anything of that nature.

Mr. GROSS. Have they not been contracted, have their services not been contracted for by some agency or department of the Government?

Mr. HARRIS. No doubt you will have some of these that are mentioned that perhaps have entered into contracts for specific purposes, but not for technical services as contemplated under this program at all.

Mr. GROSS. For instance, the specific organizations listed at the top of page 26 of the report have not been employed by the Federal Government.

Mr. HARRIS. As to the agencies mentioned on page 26 of the report—which is part of the additional views of some of the committee members—what they are suggesting here is that we should ask more than we are asking in this program. Some of the things mentioned in the additional views we think are a part of the program and are being accepted by these agencies mentioned here.

Mr. GROSS. I understand that, but what I am trying to get at is who paid these organizations for the information that they have apparently already made available?

Mr. HARRIS. The private industries of the United States who obtained their services.

Mr. GROSS. This has been financed then by private industry?

Mr. HARRIS. Yes; and I would say mostly big industry.

Mr. GROSS. I will say that I know that MIT is heavily subsidized through the Federal Government by way of contracts as well as Stanford Research and Arthur T. Little.

Mr. HARRIS. I will say to the gentleman from Iowa that this MIT Associates referred to here is not the MIT educational institution.

Mr. GROSS. I will accept that.

Mr. HARRIS. This is a private agency.

Mr. GROSS. I assumed this was a part of the Massachusetts Institute of Technology.

Mr. HARRIS. Not at all. It is no part of it at all.

Mr. GROSS. Then I withdraw reference to that institution, but I am sure all of these organizations hold Government contracts.

Mr. HARRIS. Neither is the Stanford Research referred to a part of Stanford University. It is not a part of the Stanford University. It just happens to have that name. It is a private organization.

Mr. GROSS. Was the suggestion by the Comptroller General given authority to audit the books and records? Is that taken care of in the bill?

Mr. HARRIS. I can say to the gentleman from Iowa that that was given attention, and had the studied attention of the gentleman from California [Mr. Moss], a member of the committee, who never lets one of these pass without bringing that to the attention of the committee. That was well taken care of.

Mr. GROSS. I think it is an excellent enterprise on the part of the gentleman from California [Mr. Moss], that he gets that provision written into legislation, and I commend him for it.

I thank the gentleman for yielding.

AMENDMENT OFFERED BY MR. KEITH

Mr. KEITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEITH: On page 23, in line 10, strike out the colon and insert in lieu thereof a period, and strike out lines 11 through 16 and insert in lieu thereof the following:

"(2) The Secretary may pay to the designated agency for each State (not including a designated agency under section 7) for each of the first three years after such agency is designated not to exceed one-half the cost of preparing the five-year plan for such State and its annual technical services programs, except that such payment may not exceed $25,000 for any such year."

And redesignate the following paragraphs accordingly.

Mr. KEITH. Mr. Chairman, all my amendment proposes to do is to require that in the planning phase of this legislation there shall be matching funds on the part of the States. I believe, in the absence of this amendment, some States might embark upon a planning phase, and they would be encouraged to do so even though they had no serious intent or perhaps, even, the capability for undertaking the operational phase of the program. So by requiring participation you would discourage some States and, accordingly, you would save some money.

Secondly, I think that in the absence of a matching fund arrangement there would be less interest on the part of the States than would be the case if they had to provide matching funds. In the absence of such interest, the program when it came to the legislature for support in its operational phase, would not be as well conceived nor as well understood by the local legislatures as would be the case if they had some participation in the planning phase.

Finally, Mr. Chairman, inasmuch as in the first year of the program there is only $10 million allocated, the money that would be saved by requiring State participation could be rather substantial. The balance would be available for the operation of programs of those States which have already completed their planning.

Mr. Chairman, it has been said that the legislatures are not now in session and for that reason the program would not get off as readily as would otherwise be the case. This is an argument that could be brought up with reference to any of our programs where matching funds are required.

Mr. Chairman, I do not believe that on those grounds alone we should reject this amendment. I think the question is one of political philosophy. The States should participate—should pay their way from the start—and for these reasons, Mr. Chairman, I hope that the House will support the amendment, and will require matching funds in the planning stage of this legislation.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent that all debate on the amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. KEITH. Mr. Chairman, reserving the right to object, if we comply with the gentleman's unanimous-consent request there would be no opportunity to rebut any remarks he might make, and I would like to have an opportunity to be able to counter those remarks, perhaps.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. KEITH. Mr. Chairman, I object.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the pending amendment, and I hope it will not be adopted.

It has been said, perhaps with some merit, that this Congress goes a long way toward doing something for every segment of our society. This is one time we are trying to do something for business, and as I said in debate earlier in the afternoon, the underlying basis of our whole society is free enterprise, business, and industry of this country. If we do not maintain a sound, strong, and healthy business community then we cannot expect the labor organizations and people in the fields of various segments of our society to be strong and healthy.

Here is something we know: It takes knowledge, technology, and science if we are going to be a success in the business line.

What we are trying to do here is, with a rather small token, to try to do something to help the business of the Nation, making it stronger, so that it can keep up with what is absolutely necessary if we are going to serve all of the people in an expanding economy.

The gentleman's amendment offered here would automatically, in certain of the States, delay the program for as much as 2 years because there are some States in which the legislatures will not be in session. The Governor and the institutions, as well as the designated agencies and the educational institutions of the State, can with this kind of planning funds help devise a program.

We made this a 3-year program. We think it will accomplish its purpose in 3 years, and will put business, industry, and the educational institutions in the various States in the position so that they can carry on themselves. Do not stymie the program by starting off with an amendment that would virtually say it cannot move or accomplish the purposes for which it was designed.

For these reasons I ask that the amendment be defeated.

Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know how deeply the gentleman from Massachusetts feels about his amendment, both in the subcommittee and in the committee. I rather have the feeling his amendment is good, and I will tell you why I think it is good for whatever it may be worth.

In the later stages of the bill, after the first year, so to speak, the first allotment, the funds are matched by the States, but in the planning stages the Federal Government merely gives so much money to the States to set up a plan. It seems to me if a State is interested in setting up a plan involving $25,000, that they ought to furnish half of the money. I do not visualize States that cannot produce $12,500 in matching funds, to $12,500 by the Federal Government in order to get a program underway. If you would put this up to the States and ask them if the Federal Government were to put up $12,500 to plan it, and at a later stage produce as much as $500,000 a year in some States, as much as a million dollars in other States, and as much as $1.5 million in some States, and as much as $2 million in the large five States, that there would not be any State that would not say "We are willing to put up $12,500, or half of the $25,000 for planning."

This is not very much money but the gentleman from Massachusetts apparently has some of those New England precepts that States ought to do something for themselves in the beginning and not just later on—and match funds but they ought to match those funds from the beginning. Personally, that is the kind of integrity I rather admire. Maybe it will not make a great deal of difference whether or not this amendment carries, but the principle which the gentleman from Massachusetts has set out I do think stands for something and for that reason when the matter comes to a vote I personally shall support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KEITH].

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. RODINO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3420) to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, pursuant to House Resolution 548, he reported the bill back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO REVISE AND EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks in the RECORD and include therewith extraneous matter on the bill just passed—H.R. 3420.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

STATE TECHNICAL SERVICES ACT OF 1965

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, and ask for its present consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, enterprise, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and regional technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable business, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) analyzing problems of regions and industries to determine new opportunities for applying technology;

(2) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or regional technical information centers for this purpose;

(3) providing a reference service to identify sources of engineering and other scientific expertise; and

(4) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency in each participating State, which has been designated as administrator of the program for such State under section 3 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to degrees in engineering or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of engineering or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce or the official to whom the Secretary has delegated all or part of the authority in this Act.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

PLANS AND PROGRAMS

SEC. 3. The Governor or other competent authority of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit plans and programs to the Secretary of Commerce for approval under this Act.

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

(a) At the beginning of each five-year period, a five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means for measuring the impact of such assistance on the State or regional economy; and (3) explain the methods to be used in administering and coordinating the program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget, together with procedures for adequate control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

SEC. 5. The Secretary shall not accept a five-year plan for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

(c) established adequate rules to insure that no officer or employee of the State, the designated agency or any participating institution, shall receive compensation for technical services for which funds are provided under this Act from sources other than his employer and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service that is now available or could be made available as practically by private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on rquest.

APPROVAL BY SECRETARY OF COMMERCE

SEC. 6. The Secretary shall review each 5-year plan and each annual program submitted by the designated agency under section 4, or by the regional or interstate institution under section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

REGIONAL OR INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 11 to all of the cooperating States may be paid to the institutions or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates a regional or interstate institution to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 a regional or interstate five-year plan and annual regional or interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

Sec. 8. Notwithstanding the provisions of section 11, the Secretary is authorized to increase by 10 per centum the amount which he approves for any regional or interstate technical services program submitted under section 7. Such additional amount may be paid without requiring matching funds from State or non-Federal sources.

Sec. 9. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in establishing regional or interstate institutions under section 7 for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or any consent granted pursuant to this section, is expressly reserved.

ADVISORY COUNCIL

Sec. 10. Each designated agency and each regional or interstate institution shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of the advisory council shall be available to the Secretary on request.

ADMINISTRATION AND PAYMENTS

Sec. 11. There is authorized to be appropriated for the purposes of this Act, $10,000,000 for the fiscal year ending June 30, 1966; $20,000,000 for the fiscal year ending June 30, 1967; $30,000,000 for the fiscal year ending June 30, 1968; $40,000,000 for the fiscal year ending June 30, 1969; and $40,000,000 for the fiscal year ending June 30, 1970.

(a) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, regional or interstate institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

(b) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated each year under this section and is authorized to make payments to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

(c) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

(d) No amount paid under subsection (a) shall exceed one-half of the cost of the approved annual technical services program of the State, and for each dollar paid under subsections (a) and (b) there shall be available for expenditure on each approved program at least $1 from State or other non-Federal sources: *Provided*, That the Secretary may pay an amount not to exceed $25,000 a year for each of the first three fiscal years to each designated agency to assist in the preparation of the first five-year plan and the initial annual technical services programs, without regard to any requirement of this section.

(e) At the end of each fiscal year, all remaining amounts which are appropriated for payments to the States under subsection (a) and which have not been obligated for payments to the States at that time, shall be available to the Secretary for payments under subsection (b), until expended.

Sec. 12. The Secretary is authorized and directed to aid the States and regions in carrying out their technical services programs by providing reference services which a State or region may use to obtain scientific, technical, and engineering information from sources outside the State or region, for the purposes of this Act.

Sec. 13. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

Sec. 14. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instructions, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilities under law of any other department or agency of the United States.

EVALUATION

Sec. 15. Within five years from the date of the approval of this Act, and prior to the end of each five-year period thereafter, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of each five-year period.

ANNUAL REPORT

Sec. 16. (a) Each designated agency or regional or interstate institution shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

TERMINATION

Sec. 17. Whenever the Secretary, after reasonable notice and opportunity for hearing to any agency or institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with the provisions of this Act, with the regulations promulgated by the Secretary or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected, or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

Sec. 18. Upon notice by the Secretary to any agency or institution that no further payments will be made pending substantial compliance correction or repayment under section 17, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

SHORT TITLE

Sec. 19. This Act may be cited as the "State Technical Services Act of 1965".

AMENDMENT OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Harris: Strike out all after the enacting clause of S. 949 and insert the provisions of H.R. 3420, as just passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the title of the Senate bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, may be amended to conform with the title of the House bill, H.R. 3420.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, is the purpose of this request to substitute the House bill for the Senate bill and send it back to the Senate for a vote?

Mr. HARRIS. The purpose is to insert the provisions of the House-passed bill in the Senate bill and return it to the Senate for its consideration and whatever action it cares to take.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The title was amended so as to read: "A bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

A similar House bill, H.R. 3420, was laid on the table.

GENERAL LEAVE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NAZI GERMANY'S INVASION OF POLAND: A DAY OF INFAMY

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, September 1, 1939, was a day of infamy. It was a day of infamy because it was on this day 26 years ago that the military forces of Nazi Germany invaded Poland and set off a series of events that led to World War II.

The world has not been the same since that fateful day when Hitler's military might was thrown against Poland. Vast changes in the world have taken place, changes that had been brought about by the mysterious workings of history.

Poland was the victim in September 1939; she was the sacrificial lamb; for it was the sacrifice of Poland that led all free nations of the world to make that final decision to stop Hitler's Germany from its march toward the conquest of all Europe.

Within a very short time, a matter of days, the Nazi war machine destroyed Poland. The heroic, courageous, patriotic Polish people fought desperately to turn back the mighty enemy, but the power of Hitler's war machine was too much for the Poles. All the courage of their fighting men could not compensate for the simple fact that here was a war machine of enormous power, armed with the most modern weapons, and driven on by the compulsions of real or imagined grievances of racist ideology. The German Army could not be stopped, and the consequences for Poland were predetermined.

As victory seemed certain for the Nazis, the Soviet Union decided to seize its share of the war booty and its military forces, on September 17, crossed the Polish frontier and joined the Germans in the final destruction of the Polish state.

What Hitler had done that morning of September 1, 1939, can never be undone. He had set into operation a series of events and forces that could not be halted. The consequences of this fateful decision to invade Poland have been enormous, and the responsibility for these consequences must be borne by Germany. For what this war did was to prepare the way for the expansion of Soviet power and world communism in the postwar era. On the European Continent the war created a massive power vacuum in Central and Eastern Europe, a vacuum which the Communists quickly filled. In other parts of the world it created other power vacuums as the massive imperial systems of France, Great Britain, and the Netherlands began to crumble, their power seriously weakened by the demands of the war.

No, the world will never be the same; and the price that Western civilization has paid, is paying, and will pay for this fateful miscalculation by Hitler will be enormous.

It is, of course, one of the tragedies of history that the victim too must pay the price of the enemy's miscalculation. For Poland and her people endured the worst of World War II, but only to find that a new enemy had taken control of the country's destiny once liberation became a reality. Communism quickly filled the void created by the destruction of Nazi power in Poland, and ever since the people of Poland have been subjected to a new and all-consuming tyranny.

Freedom never had a chance in Poland once the Nazis were driven out. As the Soviet armies moved across the Polish plain, they were followed by Soviet-trained Communist organizers who moved into the country and began to establish the nucleus of political organization intended for eventual Soviet control. Moreover, the Communists had the support of the Soviet military presence, a reality that insured their success. Thus, the Western Powers which had hoped for and worked for an acceptable form of democracy in postwar Poland were able to do no more than protest against the various Soviet violations of their pledged word.

A cruel fate had befallen the Polish people in the first few years after the end of the war. Once effective opposition was destroyed, the Communist regime leaders set out to create in Poland a Communist state modeled after that of the Soviet Union. Freedom of religion no longer existed. Political freedom was narrowly limited by the Communist Party. The economic sector, particularly industry, was organized along Communist lines. In the cultural realm Communist control was total. No longer could the Polish writer give full expression to his thoughts; no longer could the Polish artist, the playwright, the composer create his art freely as his inner soul had demanded.

During the first decade in the postwar era the Polish people had suffered much under the tyranny of communism. But the Polish people are an irrespressible people. Sooner or later their pent-up fury would manifest itself in some violent demonstration for freedom. The year was 1956 and the Polish people could stand no more. At Poznan, riots broke out during the early summer. This was the signal to the Communist leaders that a storm was gathering on the horizon. In October 1956 the storm broke. Revolution had erupted in Hungary and almost simultaneously a near similar revolution occurred in Poland. But the Polish Communists, seeing the inevitable consequences of their gross mismanagement of affairs in Poland, quickly put into power Gomulka, a Polish nationalist but a totally convinced Communist, and effectively checked any direct intervention in Polish affairs by the Soviet Army. The Soviet leaders who had flown to Warsaw at the most decisive moment in the crisis accepted the terms of compromise laid down by Gomulka. As a result, Poland did not become a scene of bloodshed in the Hungarian manner, and Communist rule, though somewhat modified, was retained.

What will be the ultimate destiny of communism in Poland no one can tell. In the near decade following the crisis of 1956 communism still maintains a firm and steady grip over the country. Hopes for better days never materialized. Certain manifestations of freedom do exist. The political police, for example, are no longer the instrument of fear and terror they were in the heyday of Stalinism. But the fact remains that Poland is still a Communist police state, and reports from Warsaw during the past year indicate that the regime has whittled down many of the small freedoms that had been granted the Polish people out of necessity during the critical years 1956–57.

On this anniversary of the beginning of World War II, our hearts go out to the Polish people. Their lives have been too full of tragedy, misery, and suffering. These fearless, lovable, hard-working, courageous people deserve a far better fate than what has befallen them since September 1, 1939. And it is our hope that one day they shall have better times, and that they will be a part of the whole European community of nations enjoying fully the fruits of democracy and freedom.

YOUTH'S OPPORTUNITIES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, as we leave summer and welcome September with its promise of fall, I want to have a special conversation with young people. To most school-age youth, the decision to return to school and gain another year in their education is not a complicated one. But for an increasing number, there will be no return to school. This is the particular group of young people who have decided, or may soon decide, that their fortune lies elsewhere; or that school can not teach them anything new; or that the excitement they crave will come when they are no longer under the academic routine. This group is commonly called "school dropouts." The reason for leaving school, say at the age of 16, rather than finishing high school may come from any number of circumstances. It might be the conditions in the family, boredom, lack of training using the skills of a person, or the unfortunate illusion that one does not really need an education in these times.

The school dropout problem has become one of national significance. On August 21, President Johnson announced a major campaign, headed by Vice President HUMPHREY, to encourage young Americans to return to school this fall term. This youth opportunity campaign will seek employment opportunities, both full and part-time, which will enable young people to continue their education rather than become dropouts. Why all this concern for helping young people secure an education? Well, for one thing, the rate of unemployment for those young people age 16 to 21 and classified as "school dropouts" is 16.6 percent or almost four times the national average of unemployment among all groups. And, during the coming school year, more than 750,000 young people will either fail to return to school or drop out during the school term. They will enter the labor force and, unfortunately, many will contribute to these "unemployment statistics."

Gaining an education which earns for you a productive place in American society has immeasurable effects. It influences you as an individual, the family you might have some day, the community in which you will live, and, ultimately, your country. But perhaps you, the individual, are the real reason to continue your education. It is true that you may not completely understand why you must take this subject in high school, or why study with that particular teacher, but these problems are only small parts of the general contribution an education will make for your future.

But, do not evaluate your need of an education only on statistics. Think about what it will mean to you personally 1 year—5 years—even 20 years from now. Say in 1980 when you will be only 30 or 35 years old. Will you be a national unemployment statistic? Or will you be using all the education and training you had available during the years you were growing and learning?

I hope that you young people will make the decision to return to school this term. In doing that, you will make some real plans for your future.

SS "HOPE" RETURNS FROM WEST AFRICA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, 1 hour ago the hospital ship SS *Hope* returned to the United States after successfully completing its fourth teaching and healing voyage. The great white ship docked in Philadelphia at 11 this morning, home from a 10-month mission to Conakry, Guinea.

During the 10 months this American floating medical center was in that West African port, the ship's medical staff trained hundreds of doctors, surgeons, nurses, and technicians in modern medical techniques.

At the same time, the *Hope* staff performed approximately 1,500 operations, immunized 125,000 Guineans, treated thousands more, and distributed 750,000 cartons of milk.

More important, though, the members of the *Hope* medical crew provided a practical demonstration of the spirit of Americanism in that developing African nation. In fact, Guinean Health Minister Alpha Amadou Diallo called the *Hope* "a living symbol of the will of the people of the United States to make an effective contribution to the efforts undertaken by the people of Guinea to improve their own conditions of existence."

Mr. Speaker, I have long believed in and supported Project Hope, since Dr. William Walsh first advanced this great humanitarian project, and I congratulate the men and women who staff the ship for their success in translating noble idea and objectives into far-reaching good will for America.

Mr. Speaker, I am sure all members will join me in welcoming home the good ship *Hope*.

MANNED ORBITAL LABORATORIES

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, as a member of the Science and Astronautics Committee I want to express my support of the program set forth in a recent announcement by the President that the United States plans to launch five manned orbital laboratories starting in 1968.

At his press conference on Sunday, President Johnson said:

> No national sovereignty rules in outer space. Those who venture there go as envoys of the entire human race.

As this editorial from the August 26 New York Journal American indicates, the President has demonstrated that he means what he says by his invitation to a Russian scientist to watch the Gemini VI launching later this year. The importance of this invitation is articulately put by this editorial which I insert in the RECORD by consent at this time.

LAB IN SPACE

Announcement by President Johnson and the Defense Department that the United States plans to launch five manned orbital laboratories beginning in 1968 is exciting and readily credible. Yesterday's fantasies are today's realities or tomorrow's likelihoods.

Two astronauts, crawling into a laboratory from an attached Gemini capsule, will remain for up to 30 days in researching the heavens for knowledge useful in future excursions. Their work done, they will return to the capsule, detach it from the laboratory and come back to earth.

The Gemini 6 launching scheduled for October will be a preliminary, involving a linking up with an orbiting satellite. To this launching, President Johnson has invited the Russian Academy of Science to send an observer.

The invitation is a brilliant stroke. It is notification to the world that we are not secretive about our space ventures. They are public. Possibly it holds a subtle retort to Russian criticism when Gemini 5 suffered early trouble. Moscow then scorned the flight as ill-prepared in our haste to outpace Russia.

The laboratory enterprise is dramatic assurance to the American people that we are not laggard. We may be a few yards ahead in one phase, a few behind in another. But the United States is on a daring course and there is solid reason that hope will become realization.

PRESS AND PUBLIC OPPOSE "DE-HATCHING"

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, the Civil Service Commission has largely ignored the pleas of some of us in Congress to act vigorously to protect the Federal work force being threatened increasingly by large-scale political wheeling and dealing. So it is fortunate that many current "de-Hatching" efforts are not going without public notice and growing condemnation.

I request inclusion in the RECORD at this point in my remarks a most interesting article by Mike Causey, staff writer on the Washington Post, which indicates many civil service employees are aware the retention of the Hatch Act is "the salvation of the civil service."

I also request inclusion of recent editorials which appeared in the Minneapolis Tribune and the St. Paul Pioneer-Press.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[From the Washington Post, Aug. 29, 1965]

THEIR DRUTHERS SAY "STAY HATCHED"—FEDERAL WORKERS LIKE LIFE OF PARTISAN CELIBACY

(By Mike Causey)

It has been 26 years since the "no politics" umbrella of the Hatch Act was raised over the heads of Federal workers. Despite this long period of partisan celibacy, it appears that most employees are uninterested in sticking their necks out to see if politics is still reigning in the Federal service.

Critics of the act argue that it makes second-class citizens of Federal workers by denying them the right to participate actively in partisan politics and local government.

But friends of the act love it this way.

The act was born out of the political scandals and rumors of scandals during the early years of the Roosevelt administration. The Government was trying to get the country out of the depression and thousands were added to the Federal payroll and millions of people came under federally financed projects.

Members of Congress from both parties expressed the fear that political bosses might use the Federal payroll to create a cadre of party workers and donors.

The act generally bars Federal workers (and State and county employees paid with Federal funds) from actively participating in partisan politics. It also is supposed to protect them from on-the-job campaign solicitations. It does not interfere with the political activities of their families, or with the right to vote. It punishes violators with suspension or removal from their jobs.

PARTIAL EXEMPTIONS

Shortly after the act was passed, the Civil Service Commission began granting partial exemptions—"unhatching" areas with heavy Federal employee populations. Where that happened, employees may support nonpartisan candidates or run themselves against partisan candidates.

In other areas, Federal employees may only participate in elections that are strictly nonpartisan.

Those who want major liberalization of the act say that partial exemptions are no more refreshing than bathing fully clothed. They say this only creates a politically stagnant climate that nourishes nonpartisan splinter groups.

Counties and local communities in the Washington metropolitan area have been granted partial exemption from the act.

Nonpartisan organizations have sprung up in Alexandria and Falls Church and in Prince Georges and Montgomery Counties. The most successful is the Arlingtonians for a Better County, which has held power almost since it was organized in the mid-1950's. It has drawn much of its strength from Federal employees.

Local politicians and some employees claim that the nonpartisan splinter groups drain off the best talent in predominantly Federal employee communities and that regular parties suffer. Others say that the nonpartisan groups are, in fact, more partisan than regular Democratic or Republican organizations.

MOVES FOR CHANGE

So there are moves to change the law. Recently, several Federal workers in Montgomery joined with the county's Democratic State Central Committee and filed suit in Federal court to challenge CSC's partial exemption policy.

Representative Hervey G. Machen, Democrat, of Maryland, and other lawmakers have introduced legislation to grant total exemption from the act for employees at the local level. Most of the steam generated for such exemptions has, naturally, come from area Congressmen.

The Senate has approved a bill by Senator Daniel B. Brewster, Democrat, of Maryland, to establish a bipartisan commission to study the Hatch Act. It is generally believed that such a commission would recommend liberalizing the act.

And if Congress approves home rule for Washington, residents may find themselves choosing between Democratic and Republican candidates for mayor who also are Federal employees. Both the Senate-approved bill and legislation by Representative Abraham J. Multer, Democrat, of New York, now in the House District Committee, would lift the ban on partisan political activity for Federal employees who live here.

A CSC official said that no high-level study has been made by his agency but conceded that opening the political arena here to Federal employees "could make some interesting problems." Another high-level official said he thought it would "be terrible to exempt employees living here and keep restrictions" on more than 2 million Federal workers outside Washington.

But many Members of Congress and employee leaders doubt that Federal workers are straining at the leash to enter local partisan politics. Congressional critics have said for years that many employees don't even take advantage of the rights they have under the act. They suspect that some employees depend upon the act as a legal shield to avoid political involvement.

Those who favor liberalizing the act emphasize that none of the protections against on-the-job-partisanship would be altered. But skeptical Federal workers seem to believe a foot in the door could lead to many unwelcome changes.

NO BURNING ISSUE

Employees, however, haven't been consulted, and that isn't surprising. For one thing, there are too many of them. Another problem is that the act just isn't a typical item of daily conversation in Government lunchrooms as is Vietnam, vacation plans or the hard-hearted supervisor. In fact, an unscientific poll conducted by the Washington Post revealed that many employees don't even know what the Hatch Act is.

A dozen of those interviewed, mostly in grade 5 and below, said they were unaware of, or completely uninterested in, the act. But ignorance and apathy are not confined to the lower grades.

A grade 12 supervisor at Health, Education, and Welfare said she "never had any reason to think about it." But like other employees who "weren't interested," she added: "If it protects you from being forced to buy those $100 tickets, I'm for it. * * * Things are working well like they are."

She was referring to $100-a-plate Democratic congressional dinner here some time ago. Scores of employees contacted Congressmen and newspapers to say they were being pressured to buy tickets. But little hard evidence was ever turned over to CSC.

Another woman, a grade 4 employee of the District government, was well versed on the act. An active civil rights worker, she said it would "be risky to change it. I'm in all the outside activities I want and it doesn't bother me. * * * The act gives you a lot of freedom if you know how to use it."

A grade 12 Public Health Service employee said she had seen a great deal of politics and pressure in more than 20 years with Defense and an agency of the State Department. She called the act "the salvation of the civil service. Otherwise, each party in power would start nibbling away, some of them using a hatchet. * * * If you have a law to fall back on, you have some protection."

WHY ROCK THE BOAT?

During several lunch-hour sessions at a Government cafeteria, I talked with a few employees who said they had never heard of the act, but all but one knew there were certain political restrictions on employees and that it was illegal for their boss to bring political pressure on them.

A grade 7 college graduate at Treasury said he had never seen any political hanky-panky during his 3 years service. But he said the act "is a good thing. It saves us. Why rock the boat?"

A Veterans' Administration employee flatly stated: "Change it, are they nuts? It's what keeps the wolves away from the door."

A 43-year-old Commerce Department employee said fear of the act "keeps the commissars in my shop at bay."

A grade 16 official at Housing and Home Finance Agency said he had seen several administrations come and go and managed to weather them all with the help of the Hatch Act. Proposals to change it, he said, "are for the birds. It's the craziest damn thing they could do. It would be the start of the breakdown of civil service.

"I got nine letters at my home inviting me to that Democratic congressional dinner," he said. "Think of that—nine letters. I wonder where they got their mailing list? But they couldn't make me go."

Statistics on violations of the law kept by CSC since the law was approved in August 1939, show about 4,000 complaints of possible violations. CSC has ordered the removal of employees in 231 cases and has suspended 335 for violations. Thirty-five cases are pending. That means no action was taken in about 75 percent of the cases.

Violations included solicitation of funds by or from Federal employees for partisan political causes or candidates on Federal installations; threats regarding jobs and promotions for uncooperative political donors or workers, and actions or public statements by employees which violated their nonpartisan status.

Of course, CSC has no idea how many violations have not been reported. "People are afraid to talk about these things officially," a spokesman said, "and of course it is hard to prove that your boss implied you wouldn't get a promotion if you didn't kick in."

[From the Minneapolis Tribune,
Aug. 18, 1965]

Poor Explanation of Postal Patronage

The announcement that future summer hiring of youths for postal jobs will be based on merit would be more convincing if it were not such a blatant attempt to excuse political favoritism.

There was a misunderstanding, admitted Postmaster General John Gronouski and John Macy, Chairman of the Civil Service Commission, that gave nearly half of 8,500 youth opportunity jobs to nominees of mostly Democratic Congressmen. There apparently was a misunderstanding on their part, too, since the nominees included their own relatives and sons of the party faithful.

If this is the Civil Service Commission's idea of an investigation, the taxpayers are getting mighty poor protection for their money. The Commission, of course, has had experience at this sort of cover-up. For the past year, it and the Department of Justice have been sitting on demands by Representative Ancher Nelsen, Republican, of Minnesota, that the law prohibiting Federal employees from soliciting political funds from other Federal employees be enforced.

That incident involved four officials in the Rural Electrification Administration, but the same type of arm-twisting was detected in the State and Commerce Departments for last June's $100-a-plate Democratic congressional dinner. The Commission, it seems, has a greater respect for politics than it does for the public.

The taxpayers deserve a better explanation of who is encouraging the patronage policy in youth work programs—a course that the Commission itself ordered to be avoided—and of what is being done to prevent its resumption. Continued pressure from Representatives Albert Quie, Republican, of Minnesota, and H. R. Gross, Republican, of Iowa, may help to get some real answers.

[From the St. Paul Dispatch, Aug. 20, 1965]

Cover-Up on Jobs Scandal

Post Office officials at Washington are trying to cover up the full extent of the postal jobs scandal exposed by Albert Quie, Minnesota's First district Republican Congressman.

Quie caught the Post Office Department with its political pants down when he revealed that extra postal jobs supposed to be part of the President's poverty program were being handed out as patronage plums to relatives of high-up Democratic politicians.

In an effort to continue his probe, Quie asked the Post Office Department for the names of all persons hired this summer under the youth opportunities program. He was denied the information, and is now trying to get the House to adopt a resolution formally demanding the list. No one expects the resolution to get far. After all, the House majority is Democratic, and not a few of these Members put friends or possibly relatives on the Post Office payroll before the White House clamped down on the patronage caper that was in progress.

Whether he ever gets the list of names or not, QUIE has performed an excellent public service by bringing the jobs situation into the open. He managed to dig out enough facts to show what was going on, and the refusal of the Assistant Postmaster General to provide more information probably means that other abuses would be disclosed if the full records were available. The public will draw its own conclusions from this tawdry episode.

KATHERINE NABOKOFF

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. TALCOTT. Mr. Speaker, on August 3, 1965, the House of Representatives approved S. 618, which compensates Miss Nora Samuelli for the duration of her imprisonment by the Rumanian Government because of her alleged espionage in behalf of the United States. At that time, I stated my belief that others who suffered similar fates should be treated fairly by our Government.

In fulfillment of that statement, I am today introducing a private bill to compensate Katherine Nabokoff, and other persons employed by the American Legation in Bucharest, who were imprisoned under circumstances similar to Miss Samuelli. The Nabokoff case is extremely meritorious. She was imprisoned a longer period than Miss Samuelli. When she was released she made her way to Paris, and is currently employed in the American Embassy there.

I am confident the Congress will want to accord her, and others in similar situations, fair and equitable compensation. I hope the Claims Subcommittee will act expeditiously and favorably on my bill.

HELPING THE OLDER WORKER

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. DWYER. Mr. Speaker, of the multitude of ways in which man discriminates against his fellow man, one of the most difficult to oppose effectively—and to overcome personally—is discrimination in employment because of age.

Few social problems have become so serious and widespread in so short a time, chiefly because of the unfortunate trend in much of business and industry which denies to persons over 40 or 45 or 55, as the case may be, the opportunity even to be considered for employment, regardless of their qualifications or capabilities.

Men and women who, through no fault of their own, find themselves out of work and over 40 are the forgotten people of our time. They are victims of the myth that holds they are too settled, too hard to retrain, and have too little time left to make valuable contributions to new employers. The facts are otherwise, however—and demonstrably so—and it is up to Congress to help relieve the anxieties that beset millions of the middle-aged and eliminate the obstacles that stand in the way of full opportunity for all.

Toward this objective, Mr. Speaker, I have today introduced a series of five bills which I believe attacks the problem of age discrimination at its causes and which is designed not only to prohibit age discrimination in employment but also to encourage employers to give older workers a chance to prove their worth. In doing so, I am pleased to join with the growing number of our colleagues who have seen the tragedy of age discrimination and who are determined to do something to help.

When a man or woman of 55, for instance, loses his job, he faces the prospect of long months of frustration, fear, and insecurity as he searches for a new one. And the odds are heavily against his finding a new job similar in kind and pay to his former position—no matter how skilled and experienced and vigorous he may be. The cost of such an experience in terms of mental anguish, family suffering, lost income, and damaged self-respect is too high to measure. One must observe it at firsthand to appreciate how painful—and how unnecessary—it all is.

A number of recent studies, Mr. Speaker, including those undertaken by the Departments of Commerce and Labor, document the seriousness of age discrimination. Here are some of their findings:

First, nationally, one-half of all job openings that develop in the private economy each year are closed to applicants over 55, and one-quarter of them are unavailable to persons over 45.

Second, though 20 of the States, including New Jersey, do have laws banning age discrimination, many of the laws have not been implemented and most of the States lack the resources to assure compliance.

Third, 30 of the 50 States have no laws at all prohibiting age discrimination in employment, and in those States more than half of all employers set specific age limits—usually between 45 and 55—beyond which workers will not be considered for employment, regardless of ability.

Fourth, once a person over 45 loses a job, the chances against finding another job like it are 6 to 1 against him. And the older the person is and the less education and training he has, the more hopeless his problem becomes.

Fifth, last year, about 3.5 million workers age 45 or older were involuntarily unemployed—and this at a time of unprecedented prosperity. The number of workers in this age bracket continues to grow, and should the economy fail to continue growing as rapidly as the working-age population, conditions for the middle-aged worker can only become much worse.

There are reasons, of course, why age discrimination is so dishearteningly widespread. They are not malicious reasons, for business and industry do not seek to persecute middle-aged workers. Employers are concerned, however, that older workers may be less physically capable, less adaptable to new conditions, that they sometimes lack special skills and training and have a shorter period of work expectancy, that pension plans cost more for older workers, and that younger workers can be employed for less money, all of which may add to the cost of doing business in a highly competitive field.

On the other hand, when older applicants are, in fact, more capable and dependable, as these studies have demonstrated is often the case, or when retraining and the acquisition of new skills is feasible—and I refer to the University of Michigan's Survey Research Center study for the Bureau of Labor Statistics as evidence of the adaptability of older workers—then job discrimination hurts not only the deprived applicants but the employers and our economy and society as well. This, especially true when discrimination consists of the blunt, blind refusal, rigid and unbending, to employ workers once they have passed a specific age, however able or qualified they may be. Such a closed-door policy only adds to long-term unemployment, higher relief costs, and extensive human suffering and despair.

In such a complex situation, Mr. Speaker, a law which simply prohibits job discrimination will be unworkable. Legislation is needed, I am convinced, but it must attack the causes of discrimination, remove the obstacles to employment of older workers, and help make it possible for employers to hire such workers without suffering financial or competitive disadvantages.

The legislation I have introduced today will, I believe, meet these criteria. This five-bill package of proposals will, among other things, do the following:

First, amend both the National Labor Relations Act and the Fair Labor Standards Act to make it an unfair practice for an employer or labor organization to refuse to hire, to discharge, or to otherwise discriminate against an individual solely on account of age where age distinctions are not reasonably related to the demands of the job.

Second, establish in the Department of Labor a Bureau of Older Workers which would provide leadership and coordination in Federal activities to prevent age discrimination and to increase employment opportunities for older workers.

Third, authorize the appropriation of funds for the provision of grants by the Secretary of Labor to public and nonprofit private agencies for demonstration or experimental projects to show that older workers are useful and employable.

Fourth, authorize grants by the Secretary of Labor to voluntary, nonprofit groups which operate programs designed to assist older workers in obtaining employment.

Fifth, provide a credit against income tax for an employer who employs older persons when it can be shown that such employment results in added costs of doing business.

I believe these are reasonable and workable proposals, Mr. Speaker, and I would urge employers and their organizations to study this and other pending legislation so as to cooperate with Congress and the executive branch in finding ways of ending age discrimination and enlarging opportunities for older workers—in the best interests of all concerned.

DEMOCRATS CREATE SPECIAL-INTEREST AUTO CARTEL

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CLEVELAND . Mr. Speaker, there is considerable irony in passage of H.R. 9042, which would wipe out automobile tariffs between the United States and Canada and establish instead a huge, international cartel. I remember well the time Mr. Charles Wilson, Secretary of Defense under President Eisenhower, said "What is good for General Motors is good for the country" and how the Democrats jumped on him and laughed him derisively from office. So here we have a Democratic administration urging a compliant Democratic Congress to enact, in violation of the General Agreement on Tariffs and Trade, a $50-million-a-year windfall for big automobile manufacturers.

This bill, by which Congress merely gives approval to an action already taken by the President and the Government of Canada, will give the big automobile companies the right to more operations across the border any time labor costs get too high for them in this country. American auto workers who are thrown out of work as a result, become eligible, under this special-interest legislation, for all kinds of special help and treatment which is not available to any other workers displaced by foreign imports. The cost of the special programs is to be borne not by the automobile companies who are being given this lush opportunity but by the Federal Treasury; that is, by the taxpayers of America.

SPECIAL INTEREST CARTEL

I voted against this bill because it is special-interest legislation, violating existing trade treaties, establishing a huge cartel to be operated by the barons of auto management. This bill eminently bears out my oft-repeated charge that, underneath its public-relations veneer of being for all the people, this Great Society administration is, in fact, only for the big interests.

This bill is completely inconsistent with fair treatment for labor and with the administration's brave words about free trade. It represents a tremendous concession to four automobile companies. I agree with the gentleman from Missouri [Mr. CURTIS] when he told us that we are on the road away from free trade and back to the stagnant days of the Smoot-Hawley tariffs.

AUTO WORKERS FAVORED OVER OTHERS

It is interesting to point out that, while auto workers who lose their jobs, as a result of Canadian imports enabled by this bill, can go directly to the President for relief, other workers similarly displaced are bound by the Trade Expansion Act of 1962. Under that act, workers seeking the authorized relief—tax breaks, job retraining, and so on—must apply to the Tariff Commission for a finding that imports were the cause of the unemployment. It is interesting to note that the Tariff Commission has turned down every such application since that law went into effect.

It is true that Canada is a great friend and a tremendously important ally. It is true that Canada will be helped by this legislation, particularly Canadian automobile companies which are 90-percent owned by American auto companies. It is true that the economic, political, and even cultural lives of our two countries are closely intertwined. But all these truths together do not justify our Government's abandoning trade commitments to other nations, or its unequal, unfair treatment of other American workers and industries.

LOGGING, SHOE, TEXTILE WORKERS LEFT OUT

What am I to tell my constituents in the shoemaking and textile industries about this bill? They are in trouble because of foreign imports and their livelihoods are in jeopardy? What can I tell my friends in the logging and papermaking industries? Are their problems with Canada going to be treated in a similar way? Can they go directly to our President for help if they lose their jobs? No, it would appear not. I must instead tell them that our Government has enacted a tremendously beneficial bill for the automobile industry, which is extremely rich and important, more important evidently than our treaty commitments to other nations, and certainly more important than the poor little fellow making shoes or textiles in New England, or cutting logs in the northern woods.

I shall also tell them I voted against the bill; that I was one of a relative handful who fought for their interests.

Mr. Speaker, I hope the spirit of Secretary Charlie Wilson is watching these proceedings. He might even agree with this bill because it is certainly wonderful for General Motors but I think he would be astonished that it comes from a Democratic administration.

YUGOSLAVIA 1964

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, it is unfortunate the people of the United States are consistently being misinformed by naive and misdirected Government functionaries and spokesmen on the true complications in foreign affairs. In my humble opinion, one of the most consistent misdirectors of public opinion is the distinguished Senator from Arkansas who is the chairman of the Senate Committee on Foreign Relations.

Recently the chairman of the Senate Foreign Relations Committee approved the release of a report entitled "Yugoslavia 1964." The Croatian National Council—in exile—one of the stalwart anti-Communist organizations speaking on behalf of the peoples of Yugoslavia, presented a most effective reply to that report which I place in the RECORD at this point as a continuation of my remarks.

It is my hope, Mr. Speaker, that this commentary on the Foreign Relations Committee report clarifies the situation and corrects any misunderstandings which may have arisen if the Fulbright report is interpreted to be accurate.

The report follows:

FULBRIGHT'S FICTION: YUGOSLAVIA 1964

(A reply to Senator J. WILLIAM FULBRIGHT's report "Yugoslavia 1964" submitted to the Senate Foreign Relations Committee, by the Croatian National Council)

J. WILLIAM FULBRIGHT, the honorable Senator from Arkansas and chairman of the Senate Committee on Foreign Relations, made a 9-day visit to Yugoslavia last November, seemingly more to confirm his preconception about Tito's Communist government than to learn the facts. The Senator candidly admits in the opening sentence of his report submitted to the Senate committee and issued in summary to the press on July 20, 1965, that "it is not possible in a visit of 9 days to acquire expert knowledge or reach definitive conclusions about a country as complex as Yugoslavia." But having said this, Senator FULBRIGHT blithely proceeds to draw sweeping, and often erroneous conclusions about the nature of Tito's dictatorship, and then on this basis to postulate what U.S. policy should be toward Communist Yugoslavia.

Tito Equates the United States With Nazi Germany: After being wined and dined by Tito at one of his numerous retreats, Senator FULBRIGHT concluded that Tito and his associates are "extraordinary individuals" and that from the U.S. viewpoint Communist Yugoslavia is a "friendly country." Possibly Tito won Senator FULBRIGHT's endorsement by comparing the United States with Hitler's Nazi Germany and Mussolini's Facist Italy (see David Binder, the New York Times, May 11, 1965). Senator FULBRIGHT does concede that Tito has vehemently condemned U.S. policy in Asia and Africa and that Yugoslavia trades with Castro's Cuba. But, says the Senator, Communist Yugoslavia is no more hostile toward the United States than many other countries. The conclusion he draws from this is that the United States should do what it can to strengthen Tito's dictatorship. Actually Tito conducts a cheap policy of blackmail, vehemently abusing the United States and then promising to suspend his attacks in return for economic assistance. Usually Tito assails the United States most vehemently when he needs U.S. aid the least, and turns cooperative when he is in dire economic straits. Thus, for months the Yugoslav press accused the United States of aggression in the Congo and Vietnam, but as economic chaos in Yugoslavia increased and the need for further U.S. aid became more pressing, Tito's criticism turned into a whimper, and he even offered to act as an intermediary between the United States and North Vietnam. Tito will undoubtedly soon submit a bill for his services for a cool several hundred million dollars in aid.

After 20 years of Tito's rule, economic chaos: Senator FULBRIGHT claims that if Americans judge Tito's dictatorship by its performance "we are bound to concede that it has been a successful government." The Senator apparently got his "facts" about the Yugoslav economy directly from Tito and the other "men of unusual competence" who entertained him during his Yugoslav stay. It is regrettable that the Senator was not able to talk with Tito's unfortunate subjects, the workers in the factories and the farmers in the fields, for if he had he would have come back home with quite a different view of the "successes" of the Communist dictatorship. In fact Senator FULBRIGHT does not seem to have ever read George Bailey's article in the Reporter (July 1) describing the dismal chaos raging in the Yugoslav economy and the failure of Tito's foreign policy of so-called nonalinement. Even more surprising, the chairman of the Foreign Relations Committee does not seem to have read the New York Times dispatches in recent months, or perhaps he does not give them much credence. For instance on August 1, the New York Times reported that the Yugoslav cost of living went up 72 percent over the past few months, and that at present 200,000 "unskilled workers" (7 percent of the employed labor force) face dismissal. This is in addition to 500,000 workers already unemployed or underemployed, and the 140,000 Yugoslavs (mostly Croats) who have been compelled to seek employment in West Germany, the country which Tito constantly reviles. According to top Yugoslav Communists, Yugoslav industry operates at a dismal 54 percent of capacity. But all Senator FULBRIGHT needed to do was to find out what Komunist, the official organ of the Yugoslav Communist League, is saying about the economy. Last September, Komunist front-paged the speech of Vladimir Bakaric, Croatia's top Communist, in which he said that in Communist Yugoslavia the workers are worse off, and are more exploited, than were the slaves in Homer's Greece of 3,000 years ago, or the Central American Indians after the Spanish conquest. This then is the success achieved by the Communist regime, after 20 years in power. But even while Komunist concedes the dismal failures of the regime, Senator FULBRIGHT assures his colleagues of the Senate Foreign Relations Committee that "the Yugoslav economy has made impressive strides" and that "rapid growth continued in 1964."

Is Congress to blame for Yugoslavia's economic chaos? Arguing as he does against the facts, Senator FULBRIGHT is caught in a succession of contradictions. While lauding the impressive successes of Yugoslavia's Communist regime, he at the same time blames the U.S. Congress for the disastrous deficit in Yugoslavia's balance of payments. Says Senator FULBRIGHT: "The Yugoslav economy has been adversely influenced by inconsistent American policies." And a little later, he is even more explicit in blaming his congressional colleagues of problems of Tito's own making: "A new threat to the Yugoslav balance of payments has resulted from the unfortunate decision of Congress in October 1964 to deny Yugoslavia the right to purchase surplus American food products for local currency under the food-for-peace program." These so-called "sales" for local currency were in effect a form of subsidy to Tito's Communist regime, for the U.S. Government returned to Yugoslavia about 90 percent of the dinars to finance various projects in Yugoslavia. In reality Senator FULBRIGHT's attack on Congress' decision to terminate U.S. grain sales for worthless dinars (but to continue sales for dollars) may presage a renewed campaign to resurrect the now defunct program of subsidizing Tito's dictatorship. Let it be said that since 1945 Yugoslavia has received about $3.5 billion in U.S. assistance, more than Germany, France, or Italy received under the Marshall plan. Yet, today these countries enjoy unprecedented prosperity. The Yugoslav standard of living remains dismally low, and has in fact plummeted further over the past year, notwithstanding Senator FULBRIGHT's claim that "the standard of living of the Yugoslav people has risen steadily" under communism. The Yugoslav currency is almost worthless, to the point where farmers are refusing to sell their produce for dinars, and are instead demanding payment in German marks, dollars, and other foreign currencies (see the Belgrade publication Ekonomska Politika, June 5, 1965). At the same time the Government seeks to extract tax payments in foreign currencies from people with relatives working abroad. This is the state of the Yugoslav economy after 20 years of Tito's "extraordinary leadership" and after $3.5 billion in U.S. taxpayers' money has gone down the sewer which is Tito's economy. Clearly, Tito, and not the U.S. Congress, is to blame for Yugoslavia's economic chaos.

Why Yugoslav farms do not produce enough food: Senator FULBRIGHT praises Tito for abandoning collectivization in 1953. But if he had talked to the farmers or had read such books as Ernst Halpern's "The Triumphant Heretic," Senator FULBRIGHT would be aware that the regime has been driving the farmers off the land and into the cities by destroying them economically with confiscatory taxation. This is one of the reasons why Yugoslavia, which was formerly a food-exporting country, now must import every year large amounts of grain from abroad. To make the irony complete, the regime is currently dismissing from the factories the "unskilled workers" (i.e., the farmers previously driven off the land), and is forcing them to return to the villages, starve in the cities, or flee abroad.

More freedom, or less? One of the gravest mistakes Senator FULBRIGHT makes in his analysis of the Yugoslav situation is in asserting that "the long-term trend has been greater than less freedom." Admittedly, between 1948, following Tito's break with Moscow, and 1953, when Stalin died, Yugoslavia made notable steps in the direction of liberalization. But this trend was arrested after Stalin's death made it possible for Tito to mend his fences with Moscow. This, in fact, is what Milovan Djilas' dispute with Tito and the Yugoslav Communist Committee was all about. While Djilas demanded that the Communist dictatorship gradually evolve into socialist democrat, the leadership of the Yugoslav Communist Party held fast in its determination to maintain the dictatorship. Djilas was duly arrested, brought to trial and jailed in the Sremska Mitrovica prison. From then on, the Yugoslav leadership has carried on a determined struggle to prevent a further liberalization of the system. How much intellectual freedom there actually is in Communist Yugoslavia was amply shown by the arrest, imprisonment, and trial of Mihajlo Mihajlov, an assistant professor at the Croat University of Zagreb, at Zadar. The subsequent suspension of Mihajlov's jail sentence by the Croat Supreme Court is an indication of the power struggle going on within the Communist party between the "liberal" Croat and Slovene Communists and the "Stalinist" pro-Soviet Serbian wing of the party.

For a sane U.S. policy toward Communist Yugoslavia: The economic situation in Yugoslavia is so grave that the Communist regime may be forced to radically liberalize the system. Apparently, Senator FULBRIGHT is one of those representatives of the people who entertain doubts about the capacity of the people to find an alternative to dictatorship. He quotes to this effect from the book "Yugoslavia and the New Communism," by George W. Hoffman and Fred Warner Neal. According to this familiar line of thinking, there is no realistic alternative to dictators such as Hitler, Stalin, Mussolini, Tito, and Trujillo; dissidents like Djilas, who advocate the establishment of a socialist democracy, are befogged utopians. The Croat people, as well as the other nations which live under Tito's terroristic regime, oppose the granting of further U.S. assistance to prop up the Tito regime. While such programs as the Fulbright-Hays Act, under which an exchange of students is carried on between the United States and Yugoslavia, may be of positive value; the granting of further economic assistance to Tito's regime can only hamper the struggle for freedom within Yugoslavia. The United States should, at the present time, pursue a policy of noninvolvement in internal Yugoslav affairs. First and foremost, this means that the U.S. Government should withhold further aid to Tito's crumbling dictatorship, either directly, through the food-for-peace program, or indirectly, through United States and World Bank loans.

THE 26TH ANNIVERSARY OF GERMAN INVASION OF POLAND

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, 26 years ago today the Nazi forces invaded Poland, and the World War II officially erupted.

Of special significance to all of us is the continued determination of the people of Poland and the other captive nations of communism to resist the Red tyranny to which they were assigned by President Roosevelt at the Yalta Conference.

In commemoration of this historic day, I place in the RECORD as part of my remarks a message from the President of the Republic of Poland to the Polish nation:

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND TO THE POLISH NATION, SEPTEMBER 1, 1965

His Excellency August Zaleski, President of the Republic of Poland, has issued in London the following message to Poles all over the world to mark the 26th anniversary of the German invasion of Poland on September 1, 1939, and the 25th anniversary of her participation in the defense of Western Europe:

"On September 1, every Pole recalls with horror that terrible time when Hitler's Germany allied with Stalin's Russia began the war in order to carry out another partition of Poland. Both these inhumane autocrats, masking their imperialistic aims with the ideology of a pseudo-Socialism—one qualified as 'national' and the other as 'Soviet'—knew in advance that the Polish Armed Forces would be unable to withstand their combined more powerful armies despite the heroism of the Polish soldiers and the great effort made by the whole nation. Furthermore, they knew the attitude of our allies who did not even intend then to help us in the hope that they would manage to end hostilities by a compromise at Poland's cost.

"But it was unexpected for Poland's enemies that, despite defeat on the field of battle, the Polish nation would continue to fight in the homeland and beyond its frontiers.

"The beginnings of the Polish Home Army date from immediately after the capitulation of Warsaw in 1939. Within a few months, there arose in France a fresh Polish army of nearly 100,000 men ready to fight for the indisputable right of the Polish nation to its own independent state. The greater part of this army consisted of Poles who had lived on hospitable French soil for long past. Wherever Poles happened to be, they also hastened to join the colors.

"As early as April 1940, the Polish Highland Brigade was fighting the Germans in Norway; off her coasts, fought Polish warships which had broken out from the Baltic whilst part of the Polish merchant fleet carried out auxiliary duties.

"Toward the end of August and in September of the same year, the Polish Air Force signally contributed to the victorious outcome of the Battle of Britain. Testimony to this was given by the then British Ambassador to the Polish Government, Sir William Howard Kennard, who wrote to the Polish Foreign Minister as follows on September 8, 1940:

" 'I should be grateful if you would convey to the President of the Republic and the Polish Government my congratulations on the brilliant feats of the Polish Air Force during the past few days. I feel sure that they must inspire all Poles with heartfelt pride and know that they are regarded with great admiration by all English people.'

"The current year, therefore, marks the passage of a quarter of a century since the fight for Poland began beyond her frontiers. I am convinced that although we cannot at the present juncture wage armed struggle for the freedom of our homeland, we will exert every effort to bring home the indubitable truth that there can be no word of freedom in the world until the Polish nation recovers its independence. And God Almighty will aid us in this, our struggle.

"AUGUST ZALESKI."

Mr. Speaker, as another indication of the determination of the Polish people to regain their freedom, I submit a resolution adopted at the Polish Soldiers Day on August 15, 1965, by the Polish Army Veterans Association of America, District 2, the New York Wing of the Polish Air Force Veterans Association in the U.S.A. and the Polish Underground Army Association of New York:

Whereas the stable and unswerving line of our activity and purposes has been and will continue to strive toward the restoration of full freedom and independence to Poland under a democratic system; and

Whereas the existing Communist system imposed on and forcibly maintained in Poland by Russia is not only far from being free and independent, but even does not show a tendency toward softening of the dictatorial regime, as was the case with other countries behind the Iron Curtain: Now, therefore:

1. We brand the hypocritical policy of the Communist regime as far as the recognition of Poland's western boundaries on the Oder and Neisse Rivers by the United States and other countries is concerned. Both the declaration of the regime as well as the policy pursued by the latter indicates that they are merely interested in a Soviet monopoly in this territory. This only incites us to double our efforts, so that the frontier be finally recognized by the United States and other countries of the free world.

2. We also endorse Poland's rights to the western frontiers with Lwow and Vilna, which were grabbed from Poland by force and lawlessness.

3. We reiterate our annual demand that the case of the Katyn Forest genocide be investigated by the United Nations Organization, and we brand the tactics of the regime to prevent an open and frank discussion on this subject both in Poland and on the international arena.

4. We solemnly protest against the increasing persecution of the Catholic Church in Poland. We demand that the Commission on Human Rights look into the continuous violation in Poland of the principle of religious tolerance, which was guaranteed by the United Nations Charter, as well as investigate the practice of depriving the Polish population of such citizen's rights as is freedom of speech and assembly, and primarily freedom of the press.

5. We also protest against the regime's persecution of the Polish writers, scientists and artists who strive for an ever-increasing freedom of their creative work. We shall alarm the Western World whenever the Communist regime will commit new violations which so far disgraced it in the opinion of the civilized world.

6. With regard to the so-called "Moczar Program" which under the pretenses of fraternal collaboration tends to perpetrate Communist infiltration into Polish veterans organizations in the United States and in the Western World by means of the "Association of Fighters for Freedom and Democracy" (ZBOWID)—we can only express contempt. If Moczar and ZBOWID really desire closer ties with our veterans organizations and Americans of Polish descent—let them abolish visas in the tourist exchange with Poland and let them allow free access into Poland of our publications and newspapers printed by both the veterans and Polonia, as well as Polish books printed in exile.

7. We promise to do everything in our power to assure splendor and success to the Millennium of Poland's Christianity observance in 1966 in the United States, which will remind the American Nation of the 1,000-year existence of Poland as a Christian, civilized, and independent state.

8. While rejecting the idea of an atomic war for the liberation of Poland and other countries under Communist occupation, we fully support an American policy which will help the Polish nation liberate itself and recover independence; in particular we favor the "bridge-building" policy of President Johnson, provided, however, that these bridges will connect the United States with the Polish nation and not the Communist regime.

9. We support the Government of the United States in its determined fight against the aggressive Communist front.

Long live the United States.

Long live the persevering people of Poland in their fight for freedom.

Mr. Speaker, we must develop a foreign policy that will be based on the eventual restoration of freedom to the captives of communism. In this foreign policy we must use economic, diplomatic, and propaganda weapons to roll back communism and to place the Communists on the defensive, as they properly should be. Unless we avow this type of foreign policy, continued deterioration of the free-world position will unfortunately follow.

It is my hope that the stirring message of the President of the Republic of Poland to the oppressed Polish people and the resolution adopted at the convention of Polish-American veterans will carry with them significance to all of us in the free world who recognize that there cannot be true peace until legitimate freedom and self-determination are guaranteed all peoples of the world.

WHO IS FOOLING WHOM?

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. BATTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BATTIN. Mr. Speaker, while traveling across country not too long ago, I stopped with my family in a restaurant for our evening meal. After reading over the menu, I noticed a printed card was attached and I was somewhat shocked. The card read:

> Recent, rapid, ravaging food costs makes it necessary for an increase of 50 cents on all steaks. We hope this situation is only temporary.

The impression is left that the price of the steak is the cause of the increase. Coming from an area that produces the finest beef in America I thought I should press my inquiry further.

I then asked the waitress and later the assistant manager of the establishment if they had put a similar card on the menu when the price of beef was abnormally low about a year ago advising their customers that because their cost of beef was less than expected it was "necessary to reduce the price of steaks by 50 cents." The answer was, of course, no.

After returning to Washington, I began to make some inquiries about food prices and you do not have to be a housewife to realize there has been a substantial increase in cost.

I then went to a friend of mine here in Washington who is in the restaurant business and checked on his food prices to find out if there was a justification in placing the blame on the high cost of meat. The answer I received was no. The cost of fresh vegetables, lettuce, tomatoes, and so forth, and potatoes had risen substantially compared to the price of meat, in some cases over two and three times the cost of a year ago. This, then, is the area of blame and not the cattle producer, who a little over a year ago was on his way out as a result of the importation of cheap foreign beef.

My only point in bringing this to the House's attention, Mr. Speaker, is to set the record straight. The restaurant people have their problems and they seek redress in these legislative halls but if they want a fair audience and a fair hearing I suggest they play the ball game according to the rules.

There is an old maxim in equity cases that declares that persons seeking judgment must "come in with clean hands."

The person who blames increased costs of food on one group alone and actually profits by increased prices, should, I would think, be fair with the public and reduce prices when the costs they have to pay for food is reduced.

How long has it been since you looked at a menu in any restaurant and saw a reduction in the price of a meal?

BENJAMIN FRANKLIN

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. BOLTON. Mr. Speaker, this morning's mail brought me a letter from Vice Adm. H. G. Rickover from our 30th Polaris nuclear submarine, the U.S.S. *Benjamin Franklin* which has just successfully completed its sea trials.

The admiral told me something about the ship and also about our Founding Father for whom it was named. It is good for all of us to review the life of Benjamin Franklin. The plans he made and the program he followed to improve his own life and to serve his country are a challenge to all of us.

Under permission to extend my remarks I include the letter from Admiral Rickover.

U.S.S. "BENJAMIN FRANKLIN"
(SSBN 640).
At Sea in the North Atlantic,
August 30, 1965.

DEAR MRS. BOLTON: We have just successfully completed the first sea trials of the U.S.S. *Benjamin Franklin*, our 30th Polaris nuclear submarine. We also have in operation 22 attack-type nuclear submarines, making a total of 52. The *Benjamin Franklin* was built by the Electric Boat Division, General Dynamics Corp., Groton, Conn.

This ship is named for Benjamin Franklin (1706–90), one of the most illustrious of our Founding Fathers. A plain man of the people, his life was the American success story writ large. In his autobiography he speaks of his lowly beginnings and notes with quiet pride that he emerged from the poverty and obscurity of his birth to a state of affluence and some degree of reputation in the world. He did so purely on merit for he was, in every sense of the word, self-made man, owing little if anything to luck or the assistance of others, never pushing ahead at the expense of a fellow man.

Franklin was the youngest son of a poor tallow chandler who had migrated to Boston from England and married as his second wife the daughter of a former indentured serving maid. With 17 children to raise, he could give Benjamin only 2 to 3 years of schooling, but he encouraged him to study on his own, a habit which was to remain with Franklin all his life. At 10 the boy went to work in the family shop; at 12 he was apprenticed to his half brother to learn the printing trade, this being considered a suitable vocation for one whose love of books was already manifest.

In later life Franklin often remarked that he could not remember a time when he did not read. Books were his teachers. Through them he made himself a well-educated man. Taking the best authors as his models, he worked hard at perfecting his writing, eventually achieving a simple, lucid style. His thirst for knowledge never ceased. Since he wanted to read foreign books, he decided at 27—a busy young merchant—to teach himself to do so. "I soon made myself so much the master of the French," he remarked, "as to be able to read the books with ease. I then undertook the Italian." Later on, "with a little painstaking, acquired as much of the Spanish as to read their books also." He read not only for instruction but for enjoyment. His taste was catholic. All his life, men of learning and position, who would ordinarily not bother with an artisan, sought Franklin's company. He supposed it was because "reading had so improved my mind that my conversation was valued."

At 17 Franklin had learned all his brother could teach him and was ready to make his own way in the world. He went to New York but could find no work there, so continued on to Philadelphia. This is how he describes his arrival there after a long and uncomfortable trip—walking 50 miles, getting nearly shipwrecked, and helping to row a boat part of the way: "I was dirty from my journey; my pockets were stuffed out with shirts and stockings; I knew no soul, nor where to look for lodging. I was fatigued with traveling, rowing, and want of rest. I was very hungry and my whole stock of cash consisted of a Dutch dollar." He bought three large bread rolls. Wandering about town, munching, he met a fellow traveler. He gave her and her child two of his rolls. Thus did Franklin enter the town that was to become his permanent home, where he would rise to wealth and fame.

Seven years later he owned his own print shop, a stationery store, and a newspaper. He had in the meantime perfected his art by working for 18 months in England and could do the most intricate and difficult print jobs. At 26 he began the highly profitable annual publication of Poor Richard's Almanac. He managed his affairs so ably that at 42 he retired with an income equivalent to that of a royal governor. Though he was good at it, moneymaking never interested him, except as a means to obtain leisure for the things he really enjoyed: reading, study, scientific experimentation, social discourse, and correspondence with men of similar interests.

While still a journeyman printer, he had founded a club for sociability and self-improvement, called the Junto, of which he later said that it was "the best school of philosophy, morals, and politics" then existing in Pennsylvania. Its membership of about 12 consisted of alert, intelligent young artisans, tradesmen, and clerks who liked to read and debate. They met Friday evenings to discuss history, ethics, poetry, travels, mechanic arts and science (then called natural philosophy). It has been said of this group that it "brought the enlightenment in a leather apron to Philadelphia."

Franklin, who was full of ideas for improving life in Philadelphia and the Colonies in general, submitted all his proposals to the Junto where they were debated. Once accepted, members worked hard to get them put into effect. As a result, improvements were made in paving, lighting, and policing the town; a volunteer fire department and militia were formed; a municipal hospital was established; the foundations were laid for what became the University of Pennsylvania and the American Philosophical Society. Of most lasting importance, perhaps, was Franklin's plan for a subscription library, the first in the Colonies. Access to books, he felt, meant that "the doors to wisdom were never shut." The idea caught on. He noted with satisfaction that the numerous libraries springing up everywhere "have improved the general conversation of Americans, made the common tradesmen and farmers as intelligent as most gentlemen from other countries, and perhaps have contributed in some degree to the stand so generally made throughout the Colonies in defense of their privileges." The value of knowledge to man and society has never been put more succinctly.

When he was 40, Franklin discovered electricity. It was then a sort of magic, a parlor trick. Franklin—ably supported by his Junto—threw himself into experimentations and developed a workable theory which he proved in his famous kite experiment. In the 6 years between 1746 and 1752 his contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings on electricity were compared with Newton's Optics; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America. When he was sent to Paris, as America's first Ambassador to a major power, the admiration of France for Franklin's scientific achievement in catching lightning and putting it to man's use contributed not a little to the success of his mission: winning the help of France to the revolutionary cause.

As a man of leisure, Franklin found himself more and more drawn into public service, this being expected of anyone who had the time and ability to serve. He became a member of the Pennsylvania legislature, the Committee of Five charged with drafting the Declaration of Independence, the Second Continental Congress, and the Constitutional Convention. In one way or another, he represented America abroad a total of 25 years, becoming an exceedingly skillful diplomat. His statement, in hearings before Parliament, of the case of the Colonies against the hated Stamp Act was masterly and helped bring about the repeal of this act. He was among the first to recognize that not merely "taxation" but "legislation in general" without representation could not be borne by Englishmen, whether they lived at home or abroad. The bond uniting England and its Colonies, he argued, was the King, not Parliament. Had his "dominion status theory" been accepted, the war might have been prevented but, as he sadly remarked, "there was not enough wisdom."

At 65, Franklin began his autobiography, intending it for his son. When pressure of public duties interrupted work on the book, one of his friends pleaded with him to complete it. All that had happened to Franklin, he urged, was of great historic interest since it was "connected with the detail of the manners and situation of a rising people." Moreover, the way he had planned and conducted his life was "a sort of key and explained many things that all men ought to have once explained to them, to give them a chance of becoming wise by foresight."

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry, and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise, and good man, who personified all that is best in America. "Merely by being himself," wrote Mark van Doren, "he dignified and glorified his country."

Respectfully,

H. G. RICKOVER.

HOUR OF MEETING TOMORROW—VACATION OF PREVIOUS ORDER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to vacate the order previously entered to the effect that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE DOMESTIC SHEET GLASS INDUSTRY

The SPEAKER. Under a previous order of the House, the gentleman from Oklahoma [Mr. Edmondson] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, it is my sincere hope—and I know it is a hope which is shared by thousands of workmen and investors in the sheet glass industry across the country—that President Johnson will put to an early end the uncertainty and deep concern which prevail in the domestic sheet glass industry by declaring his intention to continue existing tariff rates.

The past few days have brought to my desk a large number of messages from business leaders, labor leaders, community officials—all expressing the very gravest concern about the possibility that the President might follow the implied advice of a portion of the Tariff Commission and reduce the tariff levels that were established by President Kennedy in 1962 following a report by the Tariff Commission that it was imperative, if we were going to have a domestic sheet glass industry, that tariff rates be increased.

I believe it would be highly dangerous to the stability of this important industry to reduce these tariff rates now.

Mr. Speaker, I have before me a number of messages from some of the major officials of the producing industry stating that any cuts in the tariff rates would be disastrous to the country.

Mr. BETTS. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I will be glad to yield to the gentleman.

Mr. BETTS. Mr. Speaker, I would like to say to the gentleman that some time ago I received a telegram signed by all of the employees of the Pittsburgh Glass Co. in our district who share the same concern as those that the gentleman from Oklahoma just referred to.

I certainly want to commend the gentleman for bringing this matter to the attention of the House and I would like to associate myself with his remarks.

Mr. EDMONDSON. I thank the gentleman very much.

Mr. Speaker, I have before me a message which was received just a short time ago in my office from President Mr. Jimmie C. Wittman, of the United Glass & Ceramic Workers of America, Local 163, at Okmulgee, Okla., stating the position of that local on this question. I ask unanimous consent that the text of that letter might be made a part of the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

United Glass &
Ceramic Workers of America,
Okmulgee, Okla., August 3, 1695.

Representative Ed Edmondson,

Sir: We the members of local 163 would like to go on record against the importation of foreign-made glass.

We do believe that this importing of foreign-made glass is detrimental to trade between American glass manufacturers, retailers, and consumers. We do believe this importation will injure, and possibly force out of business, many small glass manufacturers and jobbers. We also believe that this importation of foreign-made glass will result in the loss of many jobs.

As this administration has gone on record against unemployment, we feel that the importation of foreign-made glass would be a refutation of this policy.

We therefore wish to go on record against the increased importing of foreign-made glass.

A reply would be appreciated.

Respectfully yours,

Jimmie C. Wittman, President; Farrell Lee Clements, O. C. Goodwin, L. E. Vaughn, Joseph Rice, J. C. Tyler, Robert Ketcher, C. E. Peckinpaugh, Charles J. Hicks, Troy Winkle, George S. Cosen, August Vercelli, Ernest Bussey, Bobby Lindsay, Odie Brown, Jimmy Sickeny, Eugene Van Meter.

Mr. EDMONDSON. Mr. Speaker, I also have a message from the plant manager of the American-Saint Gobain Corp., Factory No. 3, at Okmulgee, Okla., Mr. James A. Arford, expressing the very grave concern of that great corporation about the possibility of a tariff rate reduction on sheet glass. I ask unanimous consent that that might be made a part of the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

American-Saint Gobain Corp.,
Kingsport, Tenn., August 6, 1965.

Hon. Ed Edmondson,
U.S. House of Representatives.
Washington, D.C.

Dear Mr. Edmondson: As an employer of 380 people in your area and a manufacturer under increasing pressure to operate profitably, we are deeply concerned over the recent Tariff Commission recommendation to reduce the tariff on imports of foreign sheet glass. Our concern—and that of other sheet glass manufacturers and their employees—is expressed in the attached advertisement. It appeared in the Okmulgee Daily Times on Tuesday, August 3, 1965.

Foreign sheet glass took 25 percent of our domestic market last year. In an effort to increase that share, foreign producers reduced already depressed sheet glass prices in the last 30 days. Now we are faced with further price depression and market loss if President Johnson accepts the Commission's 3-to-2 recommendation.

I know you want these facts brought to your attention since any tariff reduction will deeply affect many people in your area.

Sincerely,

James A. Arford,
Plant Manager, Plant 3.

Mr. EDMONDSON. Mr. Speaker, I have another message received from the manager of the Pittsburgh Plate Glass Co. at Henryetta, Okla., Mr. E. J. Slack, the manager of the company there, and I ask unanimous consent that this be made a part of the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Henryetta, Okla.,
August 31, 1965.

Hon. Ed Edmondson,
House of Representatives,
Washington, D.C.:

Very much concerned over recommended reduction in sheet glass tariff. We are currently enjoying a good level of employment in an area where approximately 33⅓ percent of the residents are unemployed. Reduction in duties will undoubtedly add to the number of unemployed. Takeover or even more substantial share of the domestic market by foreign manufacturers would have detrimental effect on any future plant expansion and capital investment. Further expansion of European and Japanese glass industries at the expense of the higher wage American industry would be disastrous to communities such as ours. Can anticipate possibly 20-percent reduction in our employment as result of reduction in tariffs. Loss of payroll dollars would have staggering effect on community.

E. J. Slack,
Manager,
Pittsburgh Plate Glass Co.

Mr. EDMONDSON. Mr. Speaker, I have a letter also from the mayor of the city of Henryetta, Okla., Mayor W. E. Richeson, in which he brings to my attention the feeling of the city council of that city that all in our power should be done to oppose any reduction in tariff rates on sheet glass. I ask unanimous consent that that letter may be made a part of the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Henryetta, Okla.,
July 16, 1965.

Hon. Ed Edmondson,
U.S. Congress,
Washington, D.C.

Dear Congressman Edmondson: The city council of Henryetta urges you to do all within your power to oppose the Tariff Commission report of June 11, 1965.

The split 3-to-2 decision advised the President that the termination of the escape clause duties would probably have only a slight effect on the domestic sheet glass industry. This conclusion, brought out by the report, we feel is unsupported by the facts.

Our local Pittsburgh Plate Glass Co. officials have researched this subject quite thoroughly and we are in agreement with their contention that approval of the Tariff Commission's report would affect our local glass industry drastically. As you know, Pittsburgh Plate Glass is Henryetta's major industry. Without Pittsburgh Plate Glass, our local economy would most certainly be destroyed.

We strongly urge you to recommend to the President that present rates of duty on sheet glass be continued.

Respectfully submitted.

W. E. Richeson,
Mayor.

Mr. EDMONDSON. Mr. Speaker, the problem exists not only with reference to the major producers and to the workmen, but it has been pointed out that we could have a very grave effect on the small manufacturers and also on the jobbers who handle glass. As an illustration of a further impact we might bring about, we have word received from the raw materials suppliers for the sheet glass industry. I ask unanimous consent that a letter from Mr. William I. Weisman, president of the Ozark-Mahoning Co., at Tulsa, Okla., be made a part of the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

OZARK-MAHONING CO.,
Tulsa, Okla., August 24, 1965.

Hon. ED EDMONDSON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN EDMONDSON: It is our understanding that early in September, President Johnson will review the temporary tariff granted to the sheet glass industry on June 17, 1962, by the late President Kennedy. As a raw material supplier to the sheet glass industry, we earnestly solicit your help in maintaining or increasing the existing tariffs. It is our belief that through the continuation of these tariffs the domestic sheet glass industry will be able to compete on an equal basis with the lower priced foreign glass. Reduction or elimination of these tariffs could materially weaken a vital part of our national economy.

It is difficult to believe that the Tariff Commission might consider the thought of lower tariffs while the U.S. Government is beginning the multimillion-dollar Appalachian project. This area employs about half of the 7,300 sheet glass workers in the United States. Any help you can give in maintaining or increasing the tariffs would be very greatly appreciated.

Very truly yours,
WM. I. WEISMAN,
President.

Mr. EDMONDSON. Mr. Speaker, we have also heard from the press on this subject, from the editor of the Henryetta Daily Freelance at Henryetta, Okla., Mr. Leland Gourley, who has written me expressing the concern of that fine newspaper about the situation and predicting that there would be a loss of at least 1,500 direct jobs in depressed eastern Oklahoma alone with a possible 5,000 additional jobs being lost across the country with subsequent serious effects on our economy if a tariff reduction were to be put into effect by the President at this time.

Mr. Speaker, I ask unanimous consent that that might be made a part of the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

OKLAHOMA CITY, OKLA.,
July 16, 1965.

Congressman ED EDMONDSON,
House Office Building,
Washington, D.C.:

Majority decision in 3–2 split opinion from U.S. Tariff Commission concerning glass imports is serious if recommendation is followed. It would cause loss of at least 1,500 direct jobs in depressed eastern Oklahoma alone. Loss of direct employment would result in 5,000 additional jobs being lost with subsequent serious effects on our economy.

LELAND GOURLEY,
Editor, Henryetta Daily Freelance.

Mr. EDMONDSON. Mr. Speaker, I think there is no question about the fact that the loss of many jobs and injury to many small glass manufacturers and jobbers would very likely be the result if the President were to disregard the warnings in the minority opinion of the Tariff Commission and if he were to conclude that the increases placed in effect in 1962 were no longer necessary. Increases in glass imports are almost certain to follow a tariff cut. The glass imports already consist of over a quarter of the American market in the sheet glass field. I earnestly hope that the President of the United States will heed the voice of the workmen and producers across the country and continue in effect the tariff rates that were established by the President in 1962.

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MOORE. Mr. Speaker, I join with the gentleman from Oklahoma in expressing my utter amazement at the recent sheet glass decision of the Tariff Commission and particularly with respect to the rationale which was used by the majority of that body in their opinion, which in substance would recommend the President to reestablish the tariff rates on sheet glass which were in effect prior to June 17, 1962.

If one were to spend much time in reading the opinion of the majority in this particular case, he can find the very basis for which the present tariff rate should be continued and no little, or any thought be given to reestablishing higher rates.

From time to time, I have pointed out on this floor several reasons why I believe that the President should not accept the suggestion of the Tariff Commission, but in fact, should give serious consideration to further increasing the tariffs. In order that I might share these thoughts with the House, I ask consent to include in my remarks the letter which I addressed to the President on this subject on August 13, 1965.

The letter follows:

AUGUST 13, 1965.

President LYNDON B. JOHNSON,
The White House
Washington, D.C.

DEAR MR. PRESIDENT: On June 11, 1965, the Tariff Commission made its report to you recommending by a 3-to-2 vote that the increased escape-clause rates of duty imposed on foreign sheet glass as of June 17, 1962, be removed, saying that this would have only a slight effect on the domestic sheet glass industry.

Commissioners Talbot and Sutton in their minority opinion stated, however, that a reduction in tariff would exert a downward pressure on sheet glass prices; lead to an increase in the share of consumption supplied by imports; contribute toward a decline in employment and profits; and idle productive facilities.

It would appear to me that the best evidence that the present tariff structure should be retained is the fact that even at the adjusted higher rates foreign imports of sheet glass continue to increase. Therefore, the higher rates have in no way prevented them from competing in the American marketplace. In addition, the adjusted higher rates have not been in effect for a sufficient period of time to actually determine whether or not higher rates of tariff on imported sheet glass should be considered rather than any suggestion that they be lowered.

Obviously, the recommendation of the majority was clearly based on a lack of information and erroneous assumptions, and its appraisement of the probable effects of its recommended action on the domestic sheet glass industry was not supported by its own findings of fact.

The Tariff Commission's action indicates a lack of knowledge or information concerning the problems and difficulties facing the sheet glass industry. Almost all of the sheet glass produced in the United States is produced by 7 companies in 14 plants. Six of these plants are in areas of persistent unemployment.

The destruction or the deterioration of the sheet glass industry would bring about further economic havoc to the State of West Virginia. The economy of the city of Clarksburg, W. Va., would in my opinion be totally destroyed and the jobs and well-being of thousands of people in the Clarksburg area would be placed in jeopardy. In my opinion, it is high time that the leadership in this Nation begin to concern themselves with the problems confronting American industries and its employees from the onslaught of unfair foreign imports. In my own district in West Virginia, the sheet glass industry is a large and important industry. In Clarksburg and Harrison County, this industry furnishes employment to over 2,000 employees at 3 local plants.

The American sheet glass industry generally, and especially the plants located in West Virginia, have been and are waging a desperate fight to compete with cheap-labor-produced foreign sheet glass from Japan and the mid-European countries. American sheet glass plants are already in many instances operating at less than full capacity and on a narrow margin of profit, if any, because about 25 percent of the sheet glass market in the United States has been captured by low-cost foreign labor competition. Naturally further inroads will be made by foreign sheet glass if the present increased escape-clause rates of duty are removed as recommended by the Tariff Commission.

The removal of the tariffs on sheet glass would impose great hardships and losses upon the owners and employees of sheet glass plants in West Virginia and elsewhere. Production would have to be further curtailed and some plants would probably have to go out of business, thereby imposing great losses and hardship on the owners and employees of other industries which furnish services and supplies to the sheet glass plants.

The six large sheet glass plants, including the three in or near Clarksburg, W. Va., are located in Appalachia. Congress and you, Mr. President, have authorized expenditures of almost $2 billion to help bring new industries to the area, to relieve unemployment, and to improve living standards. Maintenance of these protective tariffs which already have helped stabilize the American glass industry would definitely be more in line with the economic development objectives put forth by you and the Congress than would a reduction in duties.

Of course I am deeply concerned about the conditions of this industry in West Virginia. Job opportunities are scarce in West Virginia. Without the employment offered by the glass companies, our State would have an even more serious unemployment problem. It would be far better, considering the unemployment problem, if tariff rates on sheet glass were increased, rather than reduced or maintained at current rates.

The great damage that lies in store if these rates are reduced can be forestalled and instead the sheet glass industry can be given an incentive and a freer rein to make its own way back uphill, to the top where it belongs.

I therefore call for an increase in the protective tariffs on flat glass.

Sincerely yours,
ARCH A. MOORE, JR.,
Congressman, First District of West Virginia.

Mr. Speaker, the suggestion that tariffs on imports of sheet glass into this country be lowered is utterly ridiculous. For this Congress on the one hand to pass time and again legislation which is supposed to be sympathetic to the economic conditions of certain areas of our country, and then to have an agency of the executive branch of the Government to continue rendering decisions which adversely affect the economy of the areas which the legislation endeavors to aid seems to me to be an inconsistency of the highest order.

IMPORT PROBLEMS IN THE GLASS INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, I am indeed happy to join my distinguished fellow Member, Congressman EDMONDSON from Oklahoma and others in this open discussion of our serious import problems. In this instance, the emphasis is on flat glass simply because it happens to be the item selected at the moment by the import-export cartel group as the next victim of their systematized and international plundering.

I say this bluntly because to do otherwise would be to dignify plain everyday international profiteering as something other than what it is.

There is little or no regard for the human elements in this modern business of free trade unless it is the interest of the few as against the welfare of the many—U.S. workers.

No one profits except the handlers in this kind of world trade. The public pays the freight coming and going in world trade between unequal economies, trading like products.

When one realizes that 1 out of every 13 cars sold this year in the United States will be a foreign made import, it is easy to understand why this Congress must pass all types of antipoverty, education, manpower training, and other economic aid legislation. Every factory worker who loses his job to imports cuts two and a half jobs out of the economy. Every American who produces for overseas creates fewer extra job opportunities since shipments abroad go direct from factory to shipside and shortcuts the entire U.S. industrial complex.

The glass industry has a vital stake in car manufacturing since all cars, domestic and import, use a great amount of glass in their production.

Glass has had a rocky road in this Nation. Just 20 years ago there were 42 flat glass manufacturers in the United States—today there are only 4 left and one of these, formerly the American Window Glass Corp. one of the world's largest at one time is now controlled by the St. Gobain Syndicate from Paris and the company is now known as American St. Gobain.

The history of the glass tariff fight is one that should be reviewed by every Member of Congress since a study of the industry will give a fairly accurate picture of what has or will happen eventually in all our basic industries.

To buy an all American made radio, television and dozens of other consumer products today is a chore and when one does buy what he thinks is an American made product he is rudely awakened, on close examination, to find it is foreign made although the trade name is a well established U.S. patented or trademarked label.

February 13, 1962, I made an address to a group in New York City on the then pending extension of the trade agreements. A few of the comments from this address are as appropriate today as they were then. Let me quote from this address headed "Survival in World Trade":

FOREIGN TRADE—THE PROPAGANDA BATTLE

In this trade and tariff fight before the Congress and the people, let's look at the record. On one side, lined up behind the State Department's spokesman, George Ball, we find an army of many generals, unlimited resources and tools for propaganda, for subsidies, for favors, for presssure and for reprisals. On the other side, we find an army made up of workers, small industry with very limited resources—hardly the resources that win a war that depends upon the creation of public opinion.

In a booklet entitled "The ABC's of Foreign Trade," put out by the State Department this past week, trade is described as "an exchange of goods for something else of value." This is a sound economic fact. However, after this opening statement, the pamphlet becomes an out and out propaganda piece and attempts to justify trade for trade's sake with or without economic reality. The argument is made that we sell $20 billion abroad and buy $15 billion worth of imports. This fails to take into account the 30 percent of our exports sold to American taxpayers and shipped abroad—gifts if you will. The State Department claims 2 million jobs from exports and fails to show how many more jobs are lost by imports.

THEORY VERSUS FACT

For over 4 years a Harvard liberal in the labor movement has given me the well-known bird every time I talked about foreign imports injuring U.S. industry and destroying U.S. job opportunities. Recently he came into my office after returning from Japan. He returned the same time as our State Department grand tour ended, with two notable achievements—Udall climbed Mount Fujiyama, and the State Department promised Japan more of our market.

However, my visitor stepped down in the valley of realities and came back with a new view of free trade between unequal economies. This is his story: "I've disagreed with you over the years. I was wrong. I'll support your position in this fight all the way. What I saw in the manufacturing plants in Japan convinced me that we cannot compete in a free world market, no matter how much we automate.

"In one instance I watched a production line in an electronics plant. They had the new machines we have in our own domestic plants where we have a contract. The only difference was that our machines were 9 years old while theirs were only 2 years old. The rate of production per unit was timed at the same productivity per machine as our machines.

"The difference, however, was that in the United States, one worker operated one machine at a pay scale of around $2.60 an hour, while in Japan, one female worker operated two machines at 15 cents an hour. An inspector earned about 20 cents an hour as against over $3 an hour in the United States."

FALLACIES IN THE ADMINISTRATION'S ARGUMENT

Does anyone believe that barriers in any country stop essential goods from being traded? If this is true, then why does Brazil sell coffee to Germany when Germany has a tariff of 75 cents a pound on coffee although it must import coffee, having none of its own?

We need trade, we need certain raw materials and products we have in short supply. This doesn't mean that in order to get minerals from Chile we must let Chile sell below our cost of production in fruits and vegetables and other items we have in oversupply. It doesn't mean that Chile shouldn't sell these same products in our market based upon merit and quality and not on price.

We say that unless we buy, we can't sell. Does that really hold water in international trade? If this is true, why is it that the Common Market is courting disaster by erecting more external protective tariff walls while eliminating internal restrictions? Those who clamor for tariff cuts have in mind the joining of our economy with the Common Market. What happens then? Do we apply a free trade policy with the Common Market to our most-favored-nation clause and if we do, how much trade will the Common Market do with the United States in competition with Japan, Hong Kong, the Alliance for Progress nations and the emerging nations of Africa and Asia? More important, how much can we retain of our own markets both here and abroad taking into consideration our tax bites and labor rates?

FAILURE FORESEEN

I won't predict doom and disaster if we enact the administration's foreign trade program. I do predict, however, that it will have to be revised before too many moons have passed. We may, of course, have to go the whole route before we admit failure. That's been our program since 1952. The Reciprocal Trade Agreements Act actually never got a real test, properly administered, using the safeguards supplied by Congress. In fact, world conditions with the depression of the 30's, World War II, the Korean conflict, the massive rebuilding program for our allies and our former enemies made it impossible to assess the real value of the act up until now. The real impact of consumer goods imports and the loss of the high labor content exports followed the 4-year extension.

After the passage of the 4-year extension, damage really did start snowballing. The amount of the damage isn't fully assessed. The loss of a production job is felt immediately by the displaced workers, next by the employer unless he automates, and slowly but surely, over a 4-year period, the whole economy feels the loss of spending money on the part of the one worker who lost his job.

A REALISTIC APPROACH

This much I will confess. Before I started studying wage scales, tariffs, embargoes, licensing, employment figures, job ratings, retail prices, personalities, and theories of economics by some of our leading present and past economists and philosophers, I was a dyed in the foreign wool free trader. I'll admit I've been disillusioned. I find that people are just pretty much the same the world over. Their wants, desires, ambitions, greed, charity, tolerance, intolerance and virtues all measure in greater or lesser degree to the level of all men and women.

There are no supermen in this field of economics. Trade is a commercial venture based upon profits and losses, supply and demand. It's as true today as it was yesterday and will be true tomorrow. Without restraints and protective covenants, the high-cost production area will suffer in a free trade-international economy. The high-economy, high-price market will be flooded with cheap goods.

In this new world, with nations reduced to a matter of hours and minutes apart, instead of free trade being the answer, protective or survival trade must be the answer. When the world's nations were weeks and months apart, free trade was more workable because of the limitation of transportation and supply. These were built-in tariffs and protections.

Today, a new dress pattern in New Jersey is copied by foreign producers and put in the marketplace in New York within 72 hours after the original is shown to the public. The copies can come from Asia, Africa, Japan, Hong Kong, Portugal, Paris, Rome—in fact, anywhere in the world in about the same time as the New Jersey producer can fill his orders locally. This being the case, then how can a New Jersey operator compete in this new close-hitched world if he has a built-in cost of production beyond his control?

FIRST DUTY TO OUR PEOPLE

Proponents of the administration's program admit this much: "Some industries will be hurt more than others (by inference they admit all will be hurt), and the Government will have to give financial aid to those industries as well as institutive retraining programs for the displaced workers."

This means that, because of import injury, people will be denied their opportunities to earn a living in the field of endeavor they feel most suited for. It means that a family can be uprooted from its home site, its friends, its social and economic life. We seem to forget that although we have a collateral interest in the well-being of all nations and all peoples, our first interest and duty belong to the United States of America and all its peoples.

TOWARD SURVIVAL

Trade is described by Secretary Rusk of the State Department as "an exchange of goods for something else of value." We have no quarrel with this description. We refuse, however, to go on the premise that "trade for the sake of trade" is beneficial between two nations of different economic levels and costs of production.

Free trade is a desirable and worthwhile goal for all nations, but its attainment depends upon the economic equality between nations in the fields of wages, taxes, services, and raw materials costs. Until that time comes, if our Nation is to survive, it must maintain its economic stability by keeping all five pillars of our economy equal in proportion to protection. The five pillars of our economy are: Investment (creates production), Production (creates payrolls), Payrolls (creates consumption), Consumption (creates profits), Profits (create investment).

Mr. Speaker, as I stated, this is a fight against the importation of glass at a low tariff rate which causes unfair competition in our market for U.S. workers and U.S. industry.

Looking back to hearings before the committee, which I headed, studying the import impact the record shows the following statements from both management and labor on the glass situation:

Mr. SHERBONDY. Mr. Chairman, members of the committee, my name is Donald J. Sherbondy. I am director of industrial relations for the Pittsburgh Plate Glass Co. (PPG).

Extensive evidence concerning the effects of sheet glass imports has already been presented by the Pittsburgh Plate Glass Co., both orally and by written documentation, before the U.S. Tariff Commission at hearings on August 17, 1960, and March 15, 1961. These hearings were for the purpose of determining whether sheet glass is, as a result, in whole or in part, of the customs treatment reflecting concessions in duties granted on such products under the Trade Agreements Act, as amended, being imported into the United States in such increased quantities, either actual or relative to domestic production, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products. The U.S. Tariff Commission on May 17, 1961, unanimously found that the domestic industry has been and is continuing to be injured by foreign imports and recommended increases in existing tariff rates. On June 30, 1961, President Kennedy referred the sheet glass matter back to the Tariff Commission for additional investigation.

Much of the data, including most of the exhibits, which I shall present here today are already part of the record in the proceedings before the U.S. Tariff Commission. Mr. R. F. Barker, vice president and general manager of the Glass Division was the witness for the Pittsburgh Plate Glass Co. in the proceedings before the U.S. Tariff Commission.

The letter dated June 23, 1961, from Congressman JOHN H. DENT, chairman of this subcommittee, giving notice of the hearing, specifically requested that data be presented concerning the level of imports and exports of glass during the past 10 years and the changing levels of employment in the industry during this period.

It may be helpful to begin with a document which I designate as exhibit I, which I believe the committee has, and which is entitled "Import Duties—Paragraphs 219 and 224—1930 to Date." This exhibit shows the steady and marked decline in import duties on sheet glass over the years.

Exhibit II is entitled "Imports of Window Glass, Plain, Colored, and Processed, Covered by Paragraphs 219 and 224, Tariff Act of 1930, as Amended—1950 Through 1960."

The first general trade agreement concession on tariff duties applicable to sheet glass was made effective January 1, 1948, as indicated in exhibit I. Additional general reductions in duty were made effective in 1951, 1956, 1957, and 1958. During this period, as indicated in exhibit II, imports have increased sharply from 32,133,031 pounds in 1950 to 410,413,126 pounds in 1960, or an increase of more than 1,175 percent.

For a number of years following World War II the sheet glass industry abroad was principally concerned with rebuilding and reequipping its facilities and devoting its output to rehabilitating and rebuilding purposes in countries of production and neighboring countries. Through the decade of the 1950's there was, of course, a tremendous rise in the number of new sheet glass-producing foreign sources. As the home consumption needs of foreign industries were satisfied, as foreign expansion occurred and new foreign production sources were created, the attention of all foreign producers was turned to the world's largest market—the United States. It is respectfully submitted that this committee is not concerned with month-to-month or necessarily a year-to-year rise or fall but is interested in trends over a longer period covering a series of years.

Mr. DENT. May I interrupt you?

Mr. SHERBONDY. Yes, Mr. Chairman.

Mr. DENT. In your statement just previously, you said that these productive facilities being rehabilitated and built in foreign countries were built for the express purpose—you did not use that language—of invading the American market?

Mr. SHERBONDY. Whether they were built for that express purpose or not, the result is exactly that, Mr. Chairman.

Mr. DENT. Well, I think that at this time we ought to put right into the record a statement by Rene Lambert, permanent representative of the Belgium sheet glass industry for the United States and Canada, in its remonstrance against the protectionist order of the Tariff Commission.

The article also said:

"The Common Market countries are wondering whether this will be a first step toward a return to protectionism.

"The Belgians who claim they have created a modern sheet glass industry especially to suit the needs of the American market, hope Kennedy will reject them."

(The clippings referred to follow:)

"BELGIUM ASKS REJECTION OF GLASS TARIFF INCREASE

"NEW YORK.—The Belgian-American Chamber of Commerce has urged President Kennedy to reject the U.S. Tariff Commission's recommendation to almost double the tariff duty on sheet glass imported from Belgium and other West European countries.

"At at news conference, a spokesman for the chamber expressed 'deep concern' over the U.S. Tariff Commission's proposals, submitted to President Kennedy May 17, to increase duties on all types of imported sheet glass by almost 100 percent.

"Because the Communist bloc countries stand outside the mutual tariff concession area created by GATT (General Agreement on Tariffs and Trade) these proposals would not affect sheet glass imported from Russia, Czechoslovakia, and other Iron Curtain countries.

"MAJOR MOVE

"Rene Lambert, permanent representative of the Belgian sheet glass industry for the United States and Canada, said, 'The question goes far beyond the limits of the glass industry because this is the first move of major importance and of major consequence by the new President in the matter of escape-clause proceedings and it is bound to have serious repercussions.

" 'The Common Market countries are wondering whether this will be a first step toward a return to protectionism,' Lambert said.

"The Belgians, who claim they have created a modern sheet glass industry especially to suit the needs of the American market, hope Kennedy will reject them because, they claim:

"Belgian sheet glass imports have not hurt the U.S. domestic glass industry;

"The new tariff hikes would be more than U.S. manufacturers themselves asked for;

"CLAIM DISADVANTAGE

"They would put Belgian and other West European sheet glass imports into a very disadvantageous position compared to Iron Curtain glass imports here, which have boomed over the past 18 months.

"Lambert told newsmen 'two can play this game. The tariff proposals if adopted will have a serious effect on the psychological relationships between the two allies.'

"He said Belgium already carries on a deficit trade with the United States (its imports from the United States are some $60 million larger than its exports to America).

" 'Imposition of protectionist barriers is bound to invite retaliation.' He did not elaborate but said Belgium already has recalled its delegate to GATT in Geneva and its Ambassador in Washington for consultation.

"The President has until July 17 to act on the recommendations.

"(Officials of American-St. Gobian Corp., which operates a plant in Jeannette, and representatives of other sheet glass firms testified at hearings in Washington recently that imports have forced closing or curtailment of plant operations in America.)"

"GLASS TARIFF NOT REVISED

"WASHINGTON.—The Tariff Commission has declined to revise the tariff agreement on imports of rolled glass after disagreeing on the impact of foreign products on the domestic industry.

"Most imports come from Belgium, Japan, West Germany, Great Britain, and France.

"Three Commissioners ruled on Thursday there was no threat to the domestic industry and made no recommendation for modification of the agreement.

"Two ruled there was injury and recommended duties be increased 1½ cents a pound and 5 percent ad valorem. One said there was a threat of serious injury and recommended a 2-cent tariff increase.

"'There is no recommendation of any group of Commissioners for "escape" action that may be considered by the President as a recommendation of the Commission,' the Commission said. 'Accordingly, no report is submitted to the President.'

"The President does not act without a report from the Commission, a spokesman said."

Mr. Dent. I wanted to put that in the record right at the point that you made the observation that the rehabilitation of the European economy went beyond that contained in the original reciprocal trade arguments, foreign aid argument, that we were to help them recover their economic status to what it was at the beginning of World War II.

In your opinion, have they gone beyond their own needs?

Mr. Sherbondy. They certainly have, yes, sir.

Mr. Dent. Thank you. Proceed.

Mr. Bailey. May I interrupt at that point? I participtaed, as the gentleman will no doubt recall, and appeared on behalf of the glass industry in the hearings before the Tariff Commission in March.

Mr. Sherbondy. Yes, sir.

Mr. Bailey. And as a development, we find the President referring the question of sheet glass, sheet, crown, and cylinder glass, back to the Tariff Commission for clarification of their report.

Mr. Sherbondy. The significant fact is that during the period when duties on sheet glass were progressively reduced, imports increased at a staggering rate. During the period that these reductions in duty have been effected, the domestic industry has lost one-fourth of the U.S. market directly to import competition.

This is convincingly demonstrated by exhibit III which is entitled "Sheet and Window Glass, Plain, Colored, and Processed: U.S. Shipments, Exports, Imports, and Apparent Consumption 1950–60." This exhibit shows that although the total apparent consumption of sheet glass in the United States is increasing significantly the percentage of that consumption enjoyed by domestic producers has been steadily declining.

During this period from 1950 to 1960, imports of foreign sheet glass measured in pounds increased from 2.2 percent of total U.S. consumption in 1950 to 24.6 percent in 1960, a period of 10 years. Stated another way, in 1950 domestic manufacturers enjoyed 97.8 percent of our domestic market and in 1960 their share had declined to 75.4 percent. Unquestionably, imports have increased sharply and have taken over a steadily increasing share of the American market. There can be no doubt, therefore, that such imports have contributed substantially to the serious injury which the American industry and American labor have sustained.

It is also significant that during this same period, from 1950 to 1960, domestic exports of sheet glass from the United States to the other countries declined from 9,900,000 pounds to 4,200,000 pounds, a decline of more than 57 percent.

Mr. Bailey. Would you say there that they have not only taken 24 or 25 percent of our domestic market but they are also taking our markets in other countries?

Mr. Sherbondy. Correct. Correct.

Mr. Bailey. And cutting down our exports?

Mr. Sherbondy. Because our export business is declining.

Mr. Dent. Now one of the pet arguments of those seeking lower tariffs, and opposing any protective adjustment at all, is that you are in the position you are because you have failed to keep competitive and are not exporting as much as you can export.

Can you give us a reason for that, if it is so?

Mr. Sherbondy. Well, as I will point out later in the statement, Mr. Congressman, the actual situation with respect to the comparative relationships between foreign glass producers and American glass producers is such that it is practically impossible for us to compete with them because of their much, much lower costs, and one of the things we should realize, I think a great many people in this country who are uninformed on the subject have a feeling that a lot of these foreign manufacturers, glass and other products, are small, struggling industries, and this is certainly a very, very erroneous conclusion.

With respect to the sheet glass manufacturing, for example, you should realize that the sheet glass manufacturing originated in Europe, and there are companies there that have been in the business for hundreds and hundreds of years, large and powerful companies. These are not little starving companies; these are very powerful units, and they are operating with cost situations that are so much better than the American industry that we are certainly in need of protection of the American workingman.

Mr. Bailey. Would you add that they are not located in underdeveloped areas?

Mr. Sherbondy. They certainly are not: Belgium, England, West Germany, they are not underdeveloped countries.

Mr. Dent. Do you know, is there any restrictive covenant in the countries that export to the United States against the importation of American glass, either by way of tariff, variable currency, or quotas, that you know of?

Mr. Sherbondy. I believe there are tariff restrictions.

* * * * *

Mr. Sherbondy. As I have pointed out, exports declined during this 10-year period more than 57 percent, but even more significant is the fact that exports in 1960 were only one-third of 1 percent of total sheet glass shipments by domestic producers in the United States. One-third of 1 percent, absolutely insignificant, against, you see, imports which were practically a quarter of the American consumption.

Exhibit V is entitled "Foreign Penetration of U.S. Market as a Percent of U.S. Sheet Glass Production 1959." Exhibit V shows that in 1950 foreign sheet glass imports—measured 50-foot S.S.E. boxes as distinct from pounds—were equivalent to 2½ percent of the total estimated domestic production. In 1959 imports measured in boxes increased to over 31 percent of domestic production.

The most significant reason for the lower costs of foreign sheet glass producers, which makes it possible for them to invade so successfully the U.S. market, is the drastically lower hourly wage costs in foreign countries. This is demonstrated by exhibit VI entitled "Glass Workers Average Hourly Wages" which was submitted in evidence by Pittsburgh Plate Glass Co., at the hearing before the U.S. Tariff Commission on August 17, 1960.

You will observe that in 1959 the average hourly wages in Japan, excluding fringe benefits, were 33 cents and that such wages—including fringe benefits—were 69 cents and 75 cents, respectively, in West Germany and in Belgium.

On the other hand, our average—I mean by "our" the Pittsburgh Plate Glass Co.—average hourly wages in that year were $3.72. Thus, our wage rates were approximately five times those of Belgium and of West Germany, and eight times those of Japan.

While no data were available respecting Japanese fringe benefits it is unlikely that such benefits would increase the Japanese 33-cent figure above a maximum of 40 cents.

With respect to the Pittsburgh Plate Glass Co. figure of $3.72, there have been additional wage and fringe benefits granted under existing labor agreements from 1959 to date which would increase the hourly wage costs by approximately 20 cents.

The significance of this almost insuperable labor cost advantage held by the foreign producers is best appreciated when it is realized that the labor content represents more than 50 percent of our total costs in making sheet glass.

The effect of all this upon employment in our sheet glass operations must be obvious and is illustrated by exhibits VII and VIII. Exhibit VII is entitled "Index of Imports to Total U.S. Sheet Glass Consumption 1950–60 (1950=100)."

Exhibit VIII is entitled "Comparison—Domestic Consumption of Sheet Glass and PPG Man-Hours 1950–60 (1950=100)."

These exhibits show that while the apparent consumption of sheet glass in the United States had increased by 1959 approximately 620 million pounds (by 1960, 208 million pounds) over 1950—an increase in 1959 of more than 42 percent—hours of employment in our sheet glass operations in those years not only had not increased but actually declined 5½ percent in 1959 and 7 percent in 1960 from 1950. At the same time, imports of sheet glass into the United States increased 1,478 percent in 1959 and 1,177 percent in 1960, over 1950 (see exhibits II and III).

Mr. Rust. Mr. Chairman, I am Enoch R. Rust, international vice president of the United Glass & Ceramic Workers of North America, AFL–CIO. I appear here today as the representative of the employees of the window, plate, and rolled-glass industries and workers engaged in the manufacturing of ceramic floor and wall tile. Today the imports of these items are staggering when compared to imports just 10 years ago.

The 1960 imports of sheet, plate, and rolled glass amounted to over $50 million. This excluded the millions of dollars worth of glass that was prefabricated prior to shipping, such as the approximately 15 million square feet that was imported in the 668,000 foreign-made automobiles imported during 1959 and almost an equal amount during 1960. Plus mirrors, furniture, and many other imported items containing glass.

The imports of window glass in 1949 were only 4 million square feet. In 1951, 26 million; 1953, 80 million; in 1956, 281 million; and in 1959, 425 million square feet, or 8.5 million 50-foot boxes; 1960 imports fell slightly to 7,077,000 50-foot boxes, but domestic shipments also dropped.

I might say at this point that this 425 million square feet of window glass, taken from the statistics offered in the record at the Tariff Commission hearings, the jobbers quoted a figure of 3½ boxes, which amounted to 175 square feet of glass; when divided into 425 million, you find that it goes around 4.5 million times, which means that this was enough glass to build or supply window glass for almost twice as many six-room homes as were built during that time.

I think by checking the Government record you will find that during the 2-year period, we built some 2,700,000 dwellings, and this glass was enough to supply 4,500,000.

During the fifties, exports took a reverse action from that of imports, and fell from 172,000 50-foot boxes to only 55,000. The picture is practically the same in the ceramic floor and wall tile. One can easily envision the devastating effects upon the American economy when approximately $80 to $100 million in wages are being cut off yearly in these industries. (This is an estimated figure.) These workers that are being displaced by foreign imports are told to seek employment elsewhere in other industries, such as steel, textile, chemical, bicycle, plywood, or automobile, but when they arrive at the gates of these industries they find that they have laid off workers seeking employment in the glass and ceramic industries because they, too, have been adversely affected by excessive imports. In fact, they probably pass on the way to each other's gates.

Some companies are migrating to the South in search of cheaper labor. Some go out of business. Others leave the country.

Mr. Bailey. Would you mind enlarging on that last statement, some "leave the country"?

Mr. Rust. Well, I understand, Mr. Congressman, that this is also encouraged, and in a meeting of the nationwide Committee on Export-Import Policy in 1960, a maker of electronic parts and radios said that if relief isn't granted his company, that his company has already decided to go overseas. And I asked him where he expected to get his market, and he said he expected to find a market in the United States for at least 5 more years. So they went into that pretty lengthily, to see how long they could stay in the United States and enjoy the market, until they plucked the chicken dry here, and I guess they are going to slant their eyes and move to Japan with their companies. I don't know. They didn't go that far.

Now, I am speaking of the last remarks, the adverse effect upon the overall economy, because all three of these moves have an adverse effect upon our overall economy because they tend to drain our purchasing market, which creates unemployment.

Let's take the Gemmer Co., makers of steering gears at Detroit, Mich. They decided to move to Lebanon, Tenn., so that they could enjoy paying a lesser wage to newly hired employees. A Federal court recently ruled that their promise to give job priority to local citizens was invalid because their Detroit workers with as much as 20 years' service had created a vested right of seniority which could not be canceled unilaterally. The Detroit workers therefore have prior rights to jobs after the plant moves September 2, 1961.

But let us consider the thousands of workers that are left high and dry when the companies they work for decide to move to some foreign country. There is no court on earth that can rule that they have vested rights, yet our Government encourages such migration. This does not sound much like government for the people nor by the people.

We are here today to discuss economic repercussions caused by foreign imports. I feel the facts are very clear. Those workers that are so affected by runaway companies are expected to be the purchasers of their products. But no one has as yet adequately explained where these people are supposed to get their spending money to buy with, when they have no job.

The freetrader likes to focus the attention of the unemployed worker on automation and makes a strong claim that this is his trouble. But let us use the wagonmaker for an example. When automobiles came into being he just put motors on his wagons and called them autos and continued to prosper. This in my opinion can be deemed the greatest step in automation in our history. But look what happened to the automaker when 668,000 units were imported in 1 year. He almost went out of business. Merger here and merger there, in order to keep their heads above water.

I think this proves that we can keep up with automation, but where products can be produced by labor with wages many times below that of ours, we find it impossible to compete. This places our free enterprise system in jeopardy, therefore endangering the entire American way of life.

Let me sum up the impact of foreign imports in this manner. Had the 2,000 glassworkers displaced by imports worked or, let's say, half of them, they would have created jobs in the automobile industry, and many other industries. The thousands of automobile workers displaced because of the loss of this business, and by imports, would have created jobs for the glassworker. The men and women employed in making the 80.5 million pairs of footwear imported in 1959 and the 133 million pairs in 1960 would have created many jobs in glass, automobile, and many appliance industries that had to cut off workers because of a lessening market, caused by excessive imports.

This situation exists in many other industries. All forms of ceramic pottery ware, flint glassware, toy and novelty, and many other American industries. This is the grassroots. This is where the market is created. And when we export these jobs to foreign lands, these people cease to buy radios, autos, televisions, refrigerators, furniture, and the many other necessities of life.

I have no way of knowing, but I think it would be vital information to this committee to know just what the retail price of the $14 billion worth of imports come to. I am sure it would open the eyes of many sleeping Americans.

Mr. Chairman, I will close by saying, God bless America. Today she really needs it.

I thank you, Mr. Chairman, and this is the end of my prepared remarks, but I do have here something I think should go in the record. It is called "The Truth About Imports" and it is printed by the United States-Japan Trade Council, and it will give anybody that is interested and that knows something about the import-export problems just how these people go around misconstruing fact, and to create a false impression as to just what is happening in the trade situation.

Now here in 1958—and I am quoting this from this magazine—"when four medium-size companies tried to get their duty raised on nails, galvanized fencing, and barbed wire, the Tariff Commission unanimously dismissed the cases. At the hearing, a witness for the United Steelworkers opposed any increase in duties, having advised the Commission that any problems the industry was having were the results of its own deliberate pricing policies."

Now, this man—there is no name in here of who this representative of the Steelworkers Union was, and I am pretty sure that there is a good reason for it, because if the people that he was supposed to be representing, the people that were out of jobs, the people that were working part time, and the people that were paying his wages to appear before the Tariff Commission knew that he was OK'ing to import their jobs to Japan or to some other country, I do not think he would have been there very long. So they very cleverly excluded his name from the report, and I think it was a protective measure for him.

Now, let me show you how they misuse information that is misleading to the public on another case. This is trying to support the escape clause legislation as outlined in section 76 of the act, and here they say concerning the case that is most dear to me and the gentlemen sitting here:

"The case of ceramic mosaic tile: The Commission unanimously found that imports caused serious injury to domestic producers, and recommended an increase in the tariff rate. Similiarly, in the case of cylinder crown sheet glass the Commission unanimously found serious import injury, and recommended a tariff increase. These three cases—baseball gloves, ceramic mosaic tiles, and sheet glass—indicate that in those relatively few cases where actual import injury has been established, the Tariff Commission can be relied upon to recommended additional tariff protection."

Now the same people that wrote this article are inferring to the American public that the mechanics of the legislation is workable, that it does work, and that relief was granted; and it has not been granted, and probably the odds are that it won't be granted unless a tremendous amount of pressure will be put on the person that has the authority to wield the pen to say yes or no.

So that's the kind of misleading information that is fed to the public, to make them think that they are secure, in a trade situation that in my opinion is very dangerous to the American way of life.

I thank you, Mr. Chairman, and I hope that the remarks that we have made here today have helped to further our case in this fight for some kind of protection.

Mr. Dent. Be seated, sir.

Mr. Romito. The city of Arnold is here today to impress upon the committee the economic aspects that have confronted the city, due to the layoff at the American Window or at the American-St. Gobain glass plant.

In the city of Arnold, one source of revenue is the collection of the wage tax. It has been one of our chief sources of revenue.

In the year of 1956, we received a total revenue that year from the wage tax of $102,736.89. The following year, that is, the year of 1957, when the American-St. Gobain plant closed, our revenue for that year was $88,409.13; and in 1958, the wage tax dropped to $78,329.35.

In 1959, the amount collected was $77,622.08. In 1960, the amount collected was $68,649.50, and in 1961, we have collected to date $35,546.16.

As a result of the loss in wage tax that has been collected, the city of Arnold has been compelled to double the assessment on the real estate tax. We had an assessment of 6 mills, and in December of last year, the millage was increased to 12 mills for the year of 1961.

Mr. Dent. Mr. Romito, does that mean that the plant that is idle over there also gets a double assessment?

Mr. Romito. Yes, they have been reassessed.

Mr. Dent. I think there are two fellows coming off the sidelines to attack you.

Mr. Romito. Now I don't say that all of this drop in the wage tax is due to the number of men being reduced at the glass plant. But at least in my opinion, anywhere from 50 to 60 percent of it is due to the fact that the men at the plant are not working. And it has created an extreme hardship on the city, and the inhabitants.

In the census of 1950, we had a population of about 11,000 and in the census of 1960, our report, we have a population of a little over 9,000 now. Part of that loss is due to the fact that the men are not working, and are leaving our city, and seeking work elsewhere. And we definitely feel that if some relief is granted to the glass industry, and the men are working, that our economic condition will be greatly improved, and that we might be able to grant some relief to the taxpayers and to the industry.

Mr. Speaker, while the debates were going on in 1961 and 1962 the tariff Commission belatedly found that the glass industry was heading for oblivion and suddenly agreed with the industry that tariffs were too low. The recommendations of the Commission asked that tariffs be placed at levels even higher than they were under the famous Smoot-Hawley high tariff law.

President Kennedy recognized the danger to the glass industry and ordered the tariff committee's recommendations be put into effect. However, the import-export group never gave up and with the passing of President Kennedy started their moves to get back the lower tariff rates.

We now find ourselves faced with a simple majority recommendation that would wipe out the Kennedy rates and again put this industry in complete, serious jeopardy.

While the U.S. industry has been able to work out some modernization under the Kennedy tariff rate I am reliably informed that had the industry suspicioned a lower rate was in the offing there would not have been the vast sums of money spent to rehabilitate the industry. This I personally know to be true in my home town of Jeannette, Pa.

Even the majority members of the committee admit that the higher rate has not cut down on imports but it has given our domestic producers a narrower spread between our costs and foreign costs, thereby, giving the industry a fighting chance for survival.

It is no longer a fight to grow and expand, it is really a struggle to stay alive and survive in the glass industry.

The American glass industry has contributed immeasurably to the success of our space projects, to our defense stature and while its fight to stay alive has been hard and long drawn out it has spent millions to maintain its research and modernization of facilities.

What we seem to forget is that without our own industries the successful defense of our Nation is impossible.

We are already finding out that in the final analysis it is our own trained, skilled workers, our own facilities, that we must depend upon in both our peace and war economies.

For Congress to sit idly by while this is going on is to betray the trust the people placed in our hands.

The American workman is finding out that there is a third party at the bargaining table, the international trader who holds, in many instances, the trump cards and has more influence in the final negotiations than domestic labor and industry.

While working on the Fair Labor Standards Act we heard from witnesses after witnesses of the grave dangers—as told to the committee—in any increase in hourly wages, any overtime penalties and especially in any increases in production costs because of raising the minimum and lowering the maximum work week.

The ogre setting on the shoulders of the U.S. worker is foreign trade as represented by U.S. imports of competitive goods. Oftimes the witness wore two hats, they were American producers with overseas facilities and the implication and warnings in their testimony clearly spelled out a grave danger to the U.S. workman and his economy.

Can this Congress refuse to raise U.S. standards because worldwide traders can demoralize our market with foreign made products. This apparently is the aim of the international producers and traders.

While we enjoy a relatively sound economy one must realize that automation and specialization would be less damaging, in the face of population growth and increased consumption, if imports did not take so much of our market.

It has been stated that over 93 percent of all fine china sold in the United States is imported. The story of handmade glassware is too well known to repeat but it is worth noting that while the country has tripled in size only 10 percent of our hand plants are left.

There are some who say there is room for all the world's products to flow into our market and yet the same group use a completely different approach to the agricultural products such as wheat, flour, and so forth.

We cannot say in any kind of an honest appraisal that the farmer must be protected against imports of cotton, wheat, and other farm products while in the same breath demand a free market for manufactured products.

This world trade picture has many facets. We find ourselves exporting products we are in short supply of and importing products we have in surplus.

The case of molybdenum is one in point. We produce about 85 percent of world supply of molybdenum and yet our domestic industries operate in a straitjacket of shortage.

The case history is worth repeating. For the past 3 years I have had to fight with other Members of Congress helping to take molybdenum from the stockpile to keep the specialty steel industry from curtailing products and even shutting down facilities.

The following article from Iron Age, February 18, 1965, by T. M. Rohan, points out the seriousness of the situation:

Moly Shortage Pinches Steelmakers

(Note.—The supply of molybdenum is becoming critical. It affects a large part of the steel and foundry industries. Moly producers are planning expansions to add new capacity.)

(By T. M. Rohan)

A critical near-term shortage of molybdenum for alloy steel, stainless and castings is now adding to the problems of harried steelmen, foundrymen, and their customers.

Supply has tightened since last summer. Neither producers nor users have any significant inventory. Some steelmakers' allocation of moly has been halved for the critical months of March and April.

Rationing; alloy steel producers don't like to discuss it. But some have had to put in a type of double-barreled allocation system where steel users are held to their pattern of moly content as well as regular steel tonnage pattern.

Others are discontinuing production of some high moly content steels. And they are urging users to attempt to convert to less critical chrome- or nickel-bearing types which cost more.

The pinch cuts across a fairly wide swath of the steel and foundry industry. For every ton of steel produced in the United States in 1963, for instance, .38 pound of moly was required, this ratio has been rising steadily from .24 pound per ton in 1947. The U.S. steel industry used 42 million pounds of molybdenum in 1963.

Tailgate survival: Much moly-bearing steel goes into forged auto ring and pinion gears, transmission gears, front auto spindles, machine tool and other machinery shafting, bolting stock and pressure vessels.

The big moly producers—Climax Molybdenum, Molybdenum Corp. of America, Kennecott Copper Corp., and Duval Corp.—are at capacity production, have no plant inventories and ship almost all production by premium truck. Steel mills and foundries are "living off the tailgate of the incoming moly trucks."

Molybdenum producers are in all-out production and have launched multi-million-dollar expansions which will increase capacity almost 50 percent but will not start becoming effective until late this year. A Government stockpile disposal of 3 million pounds this month will help temporarily.

Black market: Meanwhile, a small black market has sprung up. Resellers who got in on earlier Government stockpile sales have unloaded for as high as $6 per pound of contained moly compared to going market price of $1.75 for oxide and $2.04 as ferro molybdenite. Buyers were either desperate users or speculators or both.

Few steel firms will talk publicly for fear of getting cut off. "We have to plead and beg from molybdenum companies to get what we can," one steel mill purchasing agent says. "They keep assuring us they won't let us down. But we don't have enough on hand to get through the first 2 weeks of March now."

After scrap: Another steel executive says, "We are really riding our purchasing people to get all they can and also buy up all the moly-bearing scrap. Our customers are also being told we need their scrap back and they are cooperating."

One major steel firm admits privately it has only 50 percent of the moly it needs for April in sight. Some order commitments for the moly-bearing steel involve defense-rated tonnage. So the outlook for moly plate users who are building shovels, road graders and similar equipment is grim.

"All users of molybdenum-bearing steels ought to immediately work on using non-moly-bearing grades where possible or reduce the moly content," says R. S. Clingan, sales vice president of Copperweld Steel. "In many cases other hardening elements, like chrome and manganese can be used. The shortage does not appear to be temporary. There is some relief in sight the next few months, but the potential for the future is not encouraging."

Cynical view: A purchasing agent for an Ohio auto supplier, however, is somewhat cynical of the situation. He says:

"The steel companies are using this as a wedge to explain their delivery delays. Alloy producing facilities are marginal because they use the old hand mills for alloy production and this is why mills are falling behind in their production."

Mr. Speaker, let me sum up by quoting from my old friend and associate in our studies of the "Impact of Imports on U.S. Employment":

Exports Do Not Increase Total Market

Many writers in business and technical articles have talked about the need to increase our exports so that we may have a healthy and growing economy. This idea seems to be a carryover from the well-exploded pessimism of the 1930's that our economy and domestic market had ceased to grow. The idea now, is that in order to expand production and sales, we will have to find markets outside the country. The deduction is that we will have to accept more imports to pay for the exports. It then follows that we will have to lower tariffs in order to increase imports. This sort of thinking fails to take into account the fundamental economic law that on a sound, long-term basis we cannot expand our production by more than the total economic demand in the country. If there is anything to be gained by increased foreign sales, it is a temporary lack of balance between production facilities and consumer demand.

A BILL TO HELP CURB MISMANAGEMENT AND WASTE IN THE EXECUTIVE DEPARTMENT

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BETTS] is recognized for 15 minutes.

Mr. BETTS. Mr. Speaker, a favorite subject of criticism by Members of Congress is waste, inefficiency, and mismanagement of public funds. Yet, few of these attacks include proposals for workable solutions to reduce uneconomical and inefficient practices. Today I am introducing a bill which goes to the source of these problems and will provide improved procedures to ferret out the individuals or administrative practices underlying misuse of our tax dollars. Here are the principal objectives of this legislation:

First. To require publication in General Accounting Office reports of the names of Government employees personally responsible for failing to comply with the laws or administrative procedures in spending public funds after this has once been reported by the Comptroller General to the appropriate agency head.

Second. To require that before 1 cent of taxpayers' money can be spent by a newly established Federal agency, the head of that agency must consult with the Comptroller General to become well acquainted with requirements for the disbursement of funds and contracting procedures.

Third. To suspend funds from all agencies whose accounting systems have not been approved by the General Accounting Office within 2 years after passage of the bill, and requiring all new agencies to meet these approved standards within 2 years after they begin operation.

Fourth. To require that every agency which receives General Accounting Office recommendations because of findings of mismanagement of funds must submit to the Bureau of the Budget a report of corrective action to prevent recurring waste.

Now let us consider the provision to require the Comptroller General to publish the names of persons responsible for improper handling of public funds.

First, it is a basic concept of American Government that all activities of public employees should be open to inspection, excepting only those of a purely personal nature or involving the national security. Accordingly, persons charged with the authority to disburse public funds should be publicly held accountable for their actions. To hide by anonymity or pass the buck through the "chain of command" is a great disservice to the American people. It is with this in mind that I submit the Comptroller General should publish the names of persons whose fiscal or legal decisions have cost the taxpayers unnecessarily through inefficient operations.

I believe in rewarding those in Federal service whose suggestions and good judgment merit recognition. Through the Government Employees' Incentive Awards program, 67,731 awards, averaging $36, were given for superior job performance in 1964. More than 118,800 suggestions were adopted with awards averaging $40 presented to many thousands of officials. If such an expansive program can be conducted for promoting good work, surely it is only proper to seek to identify and obtain disciplinary action or dismissal, where justified, for those failing in judgment, training, or intent, to meet the standards of responsibility with which they are charged.

The Comptroller General presently has the basic authority for access to records of Government agencies but does not regularly publish the names of individuals involved in deficiencies in his periodic reports. However, former Comptroller General Campbell believes it desirable to identify these decisionmaking personnel and has stated this in a letter addressed to me on March 18, 1965:

> In order to achieve for the Congress and the agency involved the greatest benefits from our findings, it is our policy not only to clearly demonstrate the existence of deficiencies and their actual or potential adverse effects, but also to determine, insofar as practicable, the underlying causes. In this respect, we consider it desirable to closely relate the deficiencies we find, not only with the specific practices and procedures, but also with the organizational units and individuals who are responsible for the existence or occurrence of the deficiencies since we feel that there is no substitute for a strong sense of personal responsibility in conducting the Government's affairs.

The legislation I propose requires that when the Comptroller General finds that a particular Government employee is not complying with the prescribed procedures for dispensing funds, property, or assets for which he is responsible, this information must be called to the attention of the head of his department or agency. If, in a subsequent audit, the Comptroller General finds the same individual guilty of the same or similar deficiencies and corrective or disciplinary action has not been taken against him, then the name of this individual shall be published in the General Accounting Office reports on that agency. With the names of such persons and a documented report on the deficiencies involved, appropriate committees of Congress can conduct investigations, draft new legislation, or otherwise determine what action is needed to rectify these situations.

This bill goes to the heart of a great many of the wasteful practices which are often repeated. I believe it is essential that every accounting system must be adequate to properly and prudently dispense Federal moneys in accordance with statutory provisions and good business practices. My bill will require executive departments and agencies to bring their accounting procedures into conformity with the Budget and Accounting Procedures Act within 2 years. This 2-year limitation will also apply to all new agencies. If a department fails to comply, all expenditures of public funds must cease until the Comptroller General approves the agency's accounting system.

Mr. Speaker, when we talk about Federal spending over a period of years we are referring to astronomical figures in the hundreds of billions of dollars. We should also not overlook these facts: In 1963, the Comptroller General presented evidence of potential savings of $218,380,000 and for 1964 the figure was $294,323,000. When we speak of accounting systems we are speaking of 128 such systems within the civil departments and agencies subject to General Accounting Office approval. These agencies have had more than 14 years to improve and modernize their accounting systems. Look at the results: Only 41 complete systems and parts of 15 others had been approved through May 1964. Last year the Comptroller General made the following statement regarding the delinquencies in improving their systems:

> In the nearly 14 years that have gone by * * * the number of executive agency accounting systems that have been modernized, improved, and brought into conformity with the requirements of law and the broad principles and standards prescribed by our office is disappointingly small.

This bill would require that all agencies receiving Government Accounting Office recommendations for improved procedures or policies submit a report to the Director of the Bureau of the Budget on whether the agency has complied with the recommendations and, if not, why. The President has pledged his administration will fight waste, so, through this bill, the Director of the Bureau of the Budget must review the progress of executive departments and agencies to eliminate recurring waste. A compilation of the reports to the Director of the Bureau of the Budget will be submitted to Congress annually for review, particularly by the Government Operations Committee and Appropriations Committee.

While a basic problem in any government is the ability and judgment of personnel at every level of decisionmaking, the administrative officer should be quick to take remedial action when a Government Accounting Office recommendation is brought to his attention. Presently, except for the initiative taken by an Administrator and the encouragement in that direction contained in the Bureau of the Budget's Circular No. A–50 of April 1, 1959, little coordination or control is maintained over recurring waste.

The President, in his far-reaching legislative program, has proposed a number of completely new agencies, and at least one new Cabinet department. I believe the Congress has a responsibility beyond simply criticizing Government officials after waste has been discovered. We should build, develop, and reinforce administrative practices to keep newly hired officials in full and accurate compliance with the statutes under which new Government establishments must operate. The heads of all new agencies are required to consult with the Comptroller General on principles, standards, and related requirements for accounting and legal disbursement of public funds in my bill. This procedure is mandatory because only by a thorough review of the contracting and expenditure systems can an accounting system function with minimum difficulty and maximum efficiency.

Abundant examples to document the need for this bill are available to my colleagues and the American people. I simply refer you to any annual report of the Comptroller General, the Comptroller General's periodic reports to Congress, and various hearings and reports of the House and Senate Government Operations Committees.

Consideration of this measure is timely today because as the first session of the 89th Congress prepares for adjournment, such a bill can be studied by Members this fall and appropriate committees and executive agencies. When we return in January with a full session ahead, necessary analysis and reports can be completed, and, I would hope, hearings held on this and other related measures.

SERIOUS CONDITION OF PRIVATE SHIPYARDS IN THE NEW YORK-NEW JERSEY AREA

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. DANIELS], is recognized for 60 minutes.

Mr. DANIELS. Mr. Speaker, the New York-New Jersey port has been hard hit in recent years. In the last few years we have seen the closing of not less than four private shipyards in addition to the Brooklyn Navy Yard.

It is fairly obvious what the economic loss to our part of the Nation has been. We have suffered greatly from these closings, and in my opinion, the security of the United States has not been well served by this paralysis which has hit the largest port in the United States.

After the announcement of the closing of the Todd Shipyard in Hoboken, on the New Jersey side of the Hudson, the New York-New Jersey congressional delegation met and formed a committee to aggressively seek repair work as a substitute for some of the shipbuilding work which we would no longer receive. The very able gentleman from New York, the beloved dean of the House, the Honorable EMANUEL CELLER and I were elected cochairmen of the group.

Last spring, my colleague, Hon. JOHN M. MURPHY—representing Mr. CELLER—and I, along with a large number of representatives from labor and management, met with Secretary of the Navy, Paul H. Nitze, at his office at the Pentagon. We were given every assurance that we would be given every consideration.

Just how much consideration we have received can be gleaned by the following amount of repair work which our private yards have received since our meeting with Mr. Nitze on April 26, 1965.

From April 26 to June 23, 1965, our private yards received the magnificent total of $138,000 for repair work done on four destroyers, a minesweeper, an auxiliary ship, and subcontracted work relating to the overhaul of the aircraft carrier, U.S.S. *Intrepid*. Surely, this amount of work divided among five shipyards is not going to go very far toward alleviating our serious difficulties caused by the shutdown of the Brooklyn Navy Yard and the private yards in our port.

This week, insult was added to injury, when the Maritime Administration announced that our shipyards would be passed over for repair work being done on federally owned ships which are being taken out of the so-called mothball fleet for use by the Navy's Military Sea Transportation Service in connection with the current buildup in Vietnam.

Six ships are being reactivated from the mothball fleet which is located at Jones Point up the Hudson River.

Last week the Maritime Administration announced the reactivation of all of these ships would not be done in the New York-New Jersey facilities.

It was originally announced that only four of these ships would be refitted in our local shipyards. After a storm of protest was raised over the weekend from alarmed labor leaders, spokesmen for management and officials of the Port of New York, the Maritime Administration backed down, stating that only one ship would be taken from the Port of New York. This ship, the *Denison Victory*, is already at the Sun Shipyard in Chester, Pa.

Mr. Speaker, the cost for renovating each of these ships runs to about $300,000. In view of our severe unemployment situation, we cannot afford to lose even one of these ships.

Last week Capt. Thomas A. King, Director of the Atlantic coast district of the Maritime Administration, stated that repair work could not be done because we lack the facilities.

Mr. Speaker, if there were some substance to the statement of Captain King that we are not able to handle the repair work in question, then our cause would not be the legitimate one that it is. The fact of the matter is that we have all sorts of ship repair facilities available which are not presently being used. In my own district alone, the Bethlehem Steel Yard in Hoboken could handle all the work being done in connection with the ships being reactivated from the Jones Point reserve fleet. And, there are other yards in the port which are equally capable to perform the work in question.

Mr. Speaker, our workmen are highly skilled. They have learned the shipbuilding trades by means of years of experience. Their experience and skill is a vital national asset in times of international peril. During World War II and the Korean conflict our skilled workmen performed shipbuilding miracles.

The Bethlehem Yard in Hoboken could employ 12,000 men if it were running at full capacity. Today this great shipyard employs only about 1,000 men. The Todd Shipyard also in Hoboken now has only about a score of men still working. Its final demise is scheduled for December.

We have the yards, we have the skilled workers. In fact, we have everything except the work. Why has the Maritime Administration chosen to follow the Navy's lead in abandoning the New York-New Jersey port to its fate? This, Mr. Speaker, is the question which we in the New York-New Jersey delegation demand to know.

I can only say, Mr. Speaker, that if this decision is not countermanded, the conclusion is inescapable. The administration has broken faith with us. We in the New York-New Jersey delegation have gone down the line with the administration on matters which are geographically remote from our part of the Nation. We have loyally supported farm programs and aid to Appalachia because we felt that these programs were good for the Nation even though they do not benefit directly the people of our area. But if we are asked to support programs to aid every part of the United States and then see a major industry in our area, which has long been in decline because of the shortsighted Navy policies, treated with contempt, then I say, Mr. Speaker, it is time that those who are responsible for making administration policy learn that charity begins at home.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I would like first of all to commend the gentleman for his interest in this very vital matter that is of great interest not only to the shipyards of New Jersey and New York but also to the entire country. The gentleman I know has had an abiding and continuing interest in the welfare of shipbuilding in New Jersey. I know that the gentleman has been most cooperative in the efforts I have tried to expend in bringing new work to the private shipbuilding yards in New Jersey.

I would like to say to the gentleman that I share his views. I believe that the time has come when the responsible Government agencies must recognize that if the private yards in the New York-New Jersey area are to continue in being they must receive their fair share of all Government contracts, whether it be in the form of new shipbuilding awards or, as the gentleman is pointing out, in major repair work.

I think the gentleman recognizes that one of the leading private yards in the country, the New York Shipbuilding Corp., is located in my district and employs a great many men who are residents of the district represented by the very distinguished and able gentleman from New Jersey [Mr. MCGRATH].

Mr. Speaker, I know that the gentleman from New Jersey [Mr. MCGRATH] has in the past and is now exerting a great deal of his personal effort in a cooperative effort with me in trying to aid this shipyard.

Mr. Speaker, for the information of our colleagues I would like to point out that the enrollment, the employment rolls, in that yard which have approximated 10,000 men for the past many years, have now been depleted to approximately 3,000. This has been occasioned by the inability of the yard to obtain any new contracts for the construction of ships or to be the recipients of any awards for major repair work. Therefore, I can recognize, as well as any Member of this House, the anxiety of the Member in the well for the yards in his area.

Mr. Speaker, I know that the men and management and labor who are dependent upon these yards for their sustenance, as well as the people of his district, should be very grateful to the gentleman for bringing this to the attention of the House.

In closing, Mr. Speaker, I would like to say to the gentleman I hope to bring to the House within the next few days legislation which will create a study commission for the purpose of investigating as to what we can do to aid the private shipbuilding industry in this country.

Once again, Mr. Speaker, I commend the gentleman and congratulate him and assure him of my continuing cooperation in his endeavors to aid the yards in the State of New Jersey.

Mr. DANIELS. I want to thank the gentleman for his contribution.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Speaker, I want to commend the distinguished gentleman from New Jersey [Mr. DANIELS] for the initiative which he has shown in this effort. Again, the gentleman demonstrates that he not only represents the people and the best interest of his constituency, but in doing so he serves the best interests of the Nation. He has called the attention of the House of Representatives to this matter, and I want to associate myself with him and offer him every cooperation and assistance that I possibly can put forth, along with, I know, the balance of the congressional delegation from New Jersey who join the gentleman in this effort.

Mr. DANIELS. I thank the gentleman.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Speaker, I should like to associate myself with the remarks of my colleague from New Jersey. The gentleman from Hudson County has made a very strong presentation. I am in full agreement with him that we in the New York-New Jersey area have not been getting proper consideration from the Navy Department and the Maritime Administration.

We are asked to go to bat for every other part of the United States. And let me say, Mr. Speaker, that I have no quarrel with these other sections of the United States. But once in a while, we would like a little consideration ourselves. It is nothing short of an outrage for the Maritime Administration to charge that our shipyards are not capable of doing the repair work on these ships that are being reactivated as a result of the Vietnamese crisis. There is no part of the United States where skilled labor is more readily available. As the gentleman from New Jersey just said so well, we proved what we could do in World War II and during the Korean crisis. We have serious unemployment situations in New Jersey and I cannot continue to support administration policies while the Navy Department and the Maritime Administration pursues policies which are designed to produce poverty in New Jersey.

Mr. McGRATH. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I would be pleased to yield to the gentleman from New Jersey.

Mr. McGRATH. Mr. Speaker and Members of the House, I also want to associate myself with the efforts of the gentleman from New Jersey now in the well.

Mr. Speaker, since coming to the Congress I have worked with the gentleman from New Jersey [Mr. CAHILL] in connection with similar problems with reference to the New York Shipbuilding Co. at Camden as many of the workers in that yard live in the Second Congressional District which I have the honor to represent.

Mr. Speaker, I want to commend the gentleman from New Jersey [Mr. DANIELS] for his efforts on behalf of the private shipbuilding industry in New Jersey and on behalf of the Nation for his efforts in this regard and I pledge my continued assistance in behalf of his great efforts.

Mr. MURPHY of New York. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I yield to the gentleman from New York.

Mr. MURPHY of New York. Mr. Speaker, I would like to join the gentleman's colleagues from the State of New Jersey in paying tribute to the gentleman from New Jersey [Mr. DANIELS] for his leadership in pointing out what may be an oversight but which actually is turning into a prejudicial situation insofar as the entire New York port area is concerned.

Mr. Speaker, the gentleman from New Jersey along with his colleagues and other colleagues of mine from the State of New York have met on several occasions over the past 3 years with the Secretary of the Department of the Navy. We have met with industry leaders. We have met with the labor union leaders in an effort to try and arrive at some concerted action to insure that the port of New York ship repair and shipbuilding industry is not discriminated against. Also, most recently I received communications from the presidents of the New York-New Jersey Drydock Associations.

His latest communication pinpointing the information so far as New York and New Jersey are concerned appears in this program addressed to Capt. Thomas A. King, Director, Atlantic Construction District, Maritime Administration, U.S. Department of Commerce, 45 Broadway, New York City, and reads as follows:

> Your statement appearing in the New York Times on August 26, 1965, concerning the possibility that work assigned to the port of New York by MARAD might be sent to another port because of "restricted drydock and other shipyard repair facilities in this port" has caused deep concern and protest among the members of the New York & New Jersey Drydock Association.
>
> In view of the already existing shortage of ship repair work in this port, partially attributable to Government policy, we would expect every opportunity be given to existing ship repair yards located here to repair ships currently or in the future being brought from the Hudson River reserve fleet or other reserve fleets.
>
> Allocation of ship repair work to the port of New York has long been sought and will aid the already stricken industry here as well as help to preserve the skilled manpower pool.
>
> Very truly yours,
>
> K. DEFOREST,
> *President, New York & New Jersey Drydock Association.*

The gentleman from New Jersey knows as well as I know we are losing the New York Naval Shipyard at Brooklyn. We know that facility employed at the beginning of this year almost 10,000 people. We know it is phased down to an employment level of about 6,000 at the present time. So we know there is ample skill in the port of New York to participate in this ship revitalization from the reserve fleet.

I think the Maritime Administration should compare their correspondence with the Department of the Navy. I would like to refer to some correspondence I had with the Navy as it affected the port of Philadelphia recently. I had written to the Bureau of Ships, Admiral Brockett, and knowing at one time there were about seven destroyers that were going to be put in the mothball fleet in the James River, Pa., I felt because of the shortage of work in the New York area they might be able to divert some of the work in the Philadelphia area to the New York yard. If they would let the New York yards bid on the mothball destroyers it might be that the New York yards could quote a figure, which would include the towing of the ship from Philadelphia to New York, and still win some work.

Admiral Brockett stated as follows:

> DEPARTMENT OF THE NAVY,
> BUREAU OF SHIPS,
> *Washington, D.C.*
>
> Hon. JOHN M. MURPHY,
> *House of Representatives,*
> *Washington, D.C.*
>
> MY DEAR MR. MURPHY: Your letter of August 14, 1964, mentioned that seven destroyers in the Philadelphia area are scheduled to be mothballed, and requested advice as to the possibility of New York private yards bidding for this work and absorbing the towing charges to and from New York in their bid prices.
>
> Five destroyer-type ships (three destroyers (DD) and two escort vessels (DE)) currently are scheduled for inactivation in the Philadelphia area. The usual practice is to have the major portion of such inactivations performed by the reserve fleet group located at the appropriate berthing site, with the assistance of ships' forces. In this case the Philadelphia group, Atlantic reserve fleet, is the group assigned. Some industrial assistance will be required, on an intermittent basis, during the period of inactivation. This assistance will be obtained by contracting with a private yard or yards. Ships' forces will be supervised and assisted by personnel of the Philadelphia reserve fleet group. Much of their work will be performed concurrently with the work performed by contractor employees.
>
> Performance of this work at a site far removed from the home station of personnel in the Philadelphia reserve fleet group would entail considerable expense and personal hardship. The foreseeable added costs of such an arrangement, including towing charges which you mentioned, would severely limit the ability of New York private yards to compete for this work. Also, award of this work to New York firms would, of course, constitute a significant drop in the very limited workload available for award to private yards in the Fourth Naval District.
>
> In view of the foregoing, it does not appear to be practical to invite New York private yards to bid for this work.
>
> Sincerely yours,
>
> W. A. BROCKETT.

I hope the Maritime Administration will take that same attitude that the

Navy took when we tried to activate some ships from the Hudson River reserve fleet.

Let us not send all of these ships down at once to the port of New York and say bid on them, lest we develop another situation which developed in the past, and that is when we had an emergency situation or some emergency developed where ships had to come out of the reserve fleet. There were some repair yards that were not repair yards. They were known as bicycle shops in the industry, or marginal yards that had not been doing work over a period of time. They actually took the work away from bona fide yards that were contributing to the economic and labor prosperity of the area throughout that period.

I would also like to include for the RECORD another letter I received from the Department of the Navy which is an answer to an inquiry I made to them as to the allocation of work in the New York area.

I asked them to break down the contract awards by shipyards and give me a total figure as to just how much work had come into the New York area, particularly in this period when the New York Naval Shipyard was being phased out.

As the letter reveals, the total awards amounted to $100,789. That total is broken down among the yards and I will name just a few of the yards here.

The award to the Tickle Yard was $2,245 to work on the *Parker*, the destroyer.

The Todd Shipyard had a $2,527 job for work on another destroyer, the *DeLong*.

The Brewer Dry Dock Co. received three shipyard awards for auxiliary ships—the *Allegheny*, the *Fulmer*, and the *Harris* which amounted to $4,780, $1,600, and $2,485 respectively.

Mr. Speaker, this is chickenfeed when we come to analyze the hundreds of millions of dollars that the Navy Department spends in the repair business as well as in the construction business.

We in the 3d Naval District think that is an inflated figure so far as the ship repair and new ship construction figures are concerned in comparison with other naval districts because we have virtually all of the nuclear submarine construction taking place in New London. That is a very expensive program. So that from the construction and repair dollar that is attributed to the 3d District we can actually take and eliminate that New London and nuclear business and see that there is not much left for the port of New York that has always been a preeminent and very busy and active Navy shipyard area.

The letter I have referred to is as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., August 11, 1965.

Hon. JOHN M. MURPHY,
House of Representatives,
Washington, D.C.

MY DEAR MR. CONGRESSMAN: Your letter of July 27, 1965 requested a breakdown of the amount of repair work awarded to the five yards in the New York City area mentioned in the Navy's letter of June 23, 1965 to you.

The repair awards in question covered work on four destroyers, a minesweeper, and an auxiliary ship, and work related to the overhaul of the aircraft carrier U.S.S. *Intrepid* (CVA-11).

In the overhaul of *Intrepid*, four New York area private repair yards received awards as follows: Coastal Dry Dock Co., $18,930; Hudson Engineering Co., $35,785; Tickle Engineering Co., $29,214; and Todd Shipyard Corp., Brooklyn, $16,860. The total value of these awards was $100,789.

Hudson, Tickle, and Todd also received one award each for repair work on destroyers. Hudson received the award for work on *Parker* (DD-369) in the amount of $2,245; Tickle, the award for *DeLong* (DD-684) amounting to $2,527; and Todd, the award for *Pierce* (DD-753) amounting to $23,800.

Finally, the Brewer Dry Dock Co. received three repair awards. These were for the auxiliary ship *Allegheny* (ATA-179) ($4,780), the minesweeper *Fulmer* (MSC(O)47), ($1,600), and the destroyer *Harris* (DD-447) ($2,485).

I trust this information will be of assistance to you.

Sincerely yours,
GRAEME C. BANNERMAN,
Assistant Secretary of the Navy.

I would also like to call attention to another situation that we have that I brought to the attention of the Navy in 1963 and that was with the advent of the *Savannah* nuclear powered merchant ship which went on the high seas at that time as a demonstration project. When we analyzed the impact that that had and the fact that it is now going into commercial use and also the fact that we had so many nuclear submarines, I think we now have about 30 nuclear submarines in active service, I wrote to the Navy asking them to train people in the New York Naval Shipyard. This correspondence of mine is dated in 1963 before any decision was made to close any shipyards. I asked the Navy in my letter to train personnel at the New York Naval Shipyard so that the yard would be capable of doing nuclear powered and reconversion work and also to include private industry or invite private industry to send certain technicans to become qualified for nuclear repair work.

My communication from the Navy Department said that the Navy had adequate facilities to repair nuclear vessels and that they were not going to expand their facilities at all.

Mr. Speaker, that letter is as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., November 6, 1965.

Hon. JOHN M. MURPHY,
House of Representatives,
Washington, D.C.

MY DEAR MR. CONGRESSMAN: This is in reply to your letter of October 23, 1963, in which you referred to our earlier correspondence concerning your proposal that personnel in the New York area be trained for work on nuclear-powered ships. You indicated that you would like to discuss this matter with me personally.

I appreciate your interest in maintaining a satisfactory ship construction and repair capability in the New York area. As indicated in my letter of July 8, 1963, to you, we consider we now have adequate nuclear ship construction and repair capability in being. However, I shall be pleased to discuss this matter with you. It is suggested that your office communicate with Capt. Douglas C. Plate, U.S. Navy, of my office (telephone: code 11, extension 63452) to arrange a mutually agreeable time.

Sincerely,
KENNETH E. BELIEU,
Assistant Secretary of the Navy.

Mr. Speaker, I think we know and can see the long-range trend in cheap commercial power on the high seas is going to be in the nuclear reactor field. I think that is shortsighted on the part of the Navy.

Mr. Speaker, I would also like to refer to a telegram sent by the Brooklyn Chamber of Commerce and signed by Mr. John C. Hilly, president, to Capt. Thomas A. King, director of the Atlantic Coast District, U.S. Maritime Administration.

He just begins to approach a point that was brought up recently by the Senate Appropriations Committee when they were going to amend the naval appropriations bill so that no vessels that would be combatant vessels or vessels belonging to the U.S. Navy could be built in any yard other than U.S. yards.

That telegram is as follows:

BROOKLYN, N.Y.,
August 26, 1965.

Capt. THOMAS A. KING,
Director, Atlantic Coast District, U.S. Maritime Administration, New York, N.Y.:

The Brooklyn Chamber of Commerce wishes to go on record as being unalterably opposed to any action by the Federal Government in diverting ship repair work from the port of New York on the spurious grounds that the port is lacking either the facilities or the skilled labor to handle such work.

There are few, if any, harbors in the United States with a more complete and diversified range of ship repair facilities than are available here. Further, we question the logic of any statement contending that there is a shortage of shipyard manpower when the current level of employment in the shipyards in this port is only a fraction of what it was at the time of the Suez crisis. It is true that many former shipyard workers have perforce found employment in other industries because of the uncertain nature of this business in recent years. But it is equally true that many of these skilled craftsmen would be willing to return to these yards if they had some assurance that their employment would not be subject to the vagaries of Federal policies seemingly bent upon favoring shipyards in other ports at the expense of the port of New York.

We join Brooklyn Borough President Abe Stark in decrying this diversion of work needed by our yards here, and make special note of the fact that the borough of Brooklyn, once a thriving shipbuilding and ship repairing center, has been reduced by this type of attrition to its present lowly state, and that even the few remaining yards here and their employees are threatened by continued diversion from the port of ship repair work essential not only to these yards but also to the national security.

JOHN C. HILLY,
President, Brooklyn Chamber of Commerce.

Mr. Speaker, of course, the Secretary of Defense made his reply to Senator HAYDEN and in essence he stated that about $9 billion of defense production for Great Britain was going to be purchased in American factories in the United States and would represent about $1 billion worth of profit to American industry and that to tie the hands of the executive department and not permit them to buy some things from Great

Britain would in effect cancel more than the like amount of business America was handling.

I should like to include at this point the statement of the Secretary of Defense to the Senate Appropriations Committee.

The statement is as follows:

THE SECRETARY OF DEFENSE,
Washington, August 17, 1965.

Hon. CARL HAYDEN,
Chairman, Committee on Appropriations, U.S. Senate

DEAR MR. CHAIRMAN: I am writing in connection with your consideration on Wednesday, August 18, of the proposed amendment to the defense appropriations bill which would impose an absolute prohibition on the purchase of ships abroad.

During the past 4 years, our Government has taken orders for the sale to foreign governments of over $9 billion of U.S.-manufactured defense products. These orders will provide over 1 million man-years of employment for U.S. labor and produce almost $1 billion in additional profits to U.S. industry. Of even greater importance to our Government, the sales will bring 9 billion in dollar payments as a partial offset to our adverse balance of payments. These are unsubsidized sales: They are the result of actions taken personally by Presidents Kennedy and Johnson and Secretaries Dillon, Fowler, McNamara, and Vance. They are good for U.S. labor, good for U.S. business, and essential to our Nation.

Recently Mr. Vance and I participated in negotiations with the British Government which led to firm orders for the sale of almost a billion dollars of U.S.-manufactured equipment and options for the sale of several hundred million more. Because these orders required the approval of the Prime Minister and the British Cabinet and because they resulted in the cancellation of the British TSR-2 fighter aircraft program and the elimination in that one program of over 22,000 jobs in the United Kingdom, the British asked that we agree to buy a small amount of defense products from their industries. I stated we could give no such assurance. They then modified their request and asked that we agree as a matter of principle to consider the procurement of certain defense items from British suppliers when such suppliers were fully competitive in terms of quality and costs with U.S. manufacturers. This we agreed to do. To date, under this arrangement, we have procured nothing from British firms and I do not anticipate that in the future we would procure from the United Kingdom as much as even 10 percent of our sales to them. For us to achieve those sales, however, it is absolutely essential that we have the right to make such procurements when these can be justified on the basis of competitive standards of quality and cost. Such procurements are entirely consistent with the Buy American Act which requires the Government to procure from U.S. manufacturers except where the national interest will be better served by buying abroad. At present, I am insisting that the Defense Department procure its equipment and services from U.S. manufacturers whenever this can be done at a price not in excess of 50 percent above the price offered by foreign manufacturers—I plan to continue that policy except in those isolated cases where the national interest requires other action. The proposed amendment to the defense appropriations bill would prohibit such exceptions in the national interest and almost surely would result in the cancellation of British orders from U.S. manufacturers.

I strongly urge you to vote against the amendment.

Sincerely,

ROBERT S. MCNAMARA.

Mr. MURPHY of New York. Mr. Speaker, again I commend Representative DANIELS for his leadership in trying to bring to the attention of the Maritime Administration, of the Department of the Navy, and of the entire executive department, the critical juncture faced by the ship repair and shipbuilding industry in the New York port area. This includes, of course, some of the great ports of New Jersey, such as Perth Amboy, Jersey City, Hoboken, and Weehawken. These are areas whose labor skills and economic lives depend upon, and have depended in great part upon, the shipbuilding and ship repair industry.

I certainly hope that an equitable and fair decision will be made by the executive not to exclude the port of New York from this vital industry.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DANIELS. I compliment the gentleman from New York for his contribution. I am personally aware of the great interest which he has displayed in this problem over the past few years while he has been a Member of Congress. He has worked with me in an effort to try to find some solution to the problems which face our shipyards. I am sure he will agree that we not only have the necessary capacity, the drydocks, but also have the necessary skilled workmen to do the job which the Navy and the Maritime Administration require at the present time on these ships which are presently being released from the mothball fleet.

I thank the gentleman from New York for his contribution in this matter today.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I am happy to yield to the gentleman from New Jersey.

Mr. GALLAGHER. I should like to join with the gentleman in spotlighting this critical problem for the New York and New Jersey port.

I listened to the remarks of the distinguished gentleman from New York [Mr. MURPHY], and I certainly concur with him.

I should like to compliment my distinguished colleague from New Jersey for the great leadership which he has given in the Congress by spotlighting this very serious problem. I know from personal experience of the work the gentleman has done in behalf of the ship repair and shipbuilding industry in the New York and New Jersey port. Once again, the gentleman is doing a great service for the district and for our State by pointing up a very serious oversight on the part of the Maritime Administration.

Mr. Speaker, the New York-New Jersey port area has always been recognized as one of the main and vital commercial and military ports of call in the world. Ships flying every flag and trucks from every State in the Union load and unload daily. The New York Port Authority area, which includes Bayonne, Jersey City, and Hoboken, contributes in a tremendous way to the great commerce operations which help to make our Nation the most affluent power in the world today.

But while remaining a prosperous port, the New York-New Jersey area has been sustaining a great decline in another vital and necessary area; namely, ship repair and refitting. In the years since World War II New York-New Jersey concerns dealing in repair and drydock services have been steadily operating at a loss. In 1944 at the peak of wartime production area ship repair businesses employed 46,000 persons. In 1949, the peacetime peak, New York-New Jersey port area concerns employed 6,000 men. This in itself was quite a drop. However, the trend has continued and in 1964 the figure had dropped to 2,500 men employed. I think these figures accurately reflect the drastic decline in ship repair and refitting in the area.

Of course, the reasons for this decline are many and varied. One reason could be that the United States has fallen from prominence in the shipping industry and much of our seagoing trade has been taken over by foreign operators. However, one of the main reasons that ship repair and refitting facilities in the New York-New Jersey area are declining results from the Federal Government's failure to distribute contracts to area concerns. In 1964, of the $9 billion allocated for ship repair and refitting by the Department of Defense, only $272 million in contracts went to yards in New York and New Jersey. This figure represents a little over 3 percent of the total.

It seems strange that one of the largest ports in the world and a port area contributing a great deal to our defense effort should receive 3 percent of the repair and refitting work. An example of the importance of this area is the Bayonne Navy Yard which is in the port authority area. This yard has been designated Military Ocean Terminal for the Eastern Area, Military Traffic Management and Terminal Service. Bayonne will become the focal point of troop and cargo operations for the entire 23 Eastern States.

The case which has been receiving the greatest publicity in the past week concerns the one ship from Jones Point which has been sent to Chester, Pa., to be recommissioned and this case is only an example of the Maritime Administration's neglect of the New York-New Jersey repair operations. This example points up the reason why these area concerns are declining.

I have been assured by representatives of the interested parties that the yards in Hoboken could easily complete the work of refitting these six mothball fleet ships, not just five of them. I see no logical reason for going to the expense and trouble of towing these ships away from the area when facilities exist close at hand to complete the job.

The present war which we are engaged in in Vietnam is only one example of the need for the United States to keep in full and efficient working order the ship repair and refitting facilities throughout the entire United States.

Besides helping to keep our defenses in good operational order, an increase in orders to the New York-New Jersey area would give many skilled workers in this area jobs and help to relieve the unemployment situation.

I feel it would be of great benefit to the Nation and to the area, if the decline of ship repair, refitting, and recommissioning facilities could be relieved and begun on the road to recovery.

Mr. DANIELS. I wish to thank my very able and distinguished colleague from the 13th Congressional District of New Jersey for his remarks.

Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAREY. Mr. Speaker, I commend my distinguished colleague, DOMINICK DANIELS, for taking this time to call the attention of the House to the deplorable situation involving ship repair allocations to the great port of New York. Unwise and unwarranted shutdown of defense installations, such as the Brooklyn Navy Yard and the Brooklyn Army Terminal, have created conditions severe enough in the employment of skilled workers. If anything, because of the effect of these projected shutdowns, there rests a real obligation on the appropriate agencies of our Government to channel and direct repair, overhaul, and construction work to the port area to offset these conditions. Instead, on the one hand we see the prospect that naval construction agreements may be made with Great Britain and on the other hand ships in the Reserve Fleet being made ready for active service are directed outside the port area without good reason. Recently I received the following telegram from the distinguished president of the Brooklyn Chamber of Commerce, John C. Hilly, concerning this diversion of ship repair work and I commend Mr. Hilly's very sound and timely message to the attention of my colleagues.

BROOKLYN, N.Y.,
August 26, 1965.

Capt. THOMAS A. KING,
Director, Atlantic Coast District,
U.S. Maritime Administration,
New York, N.Y.:

The Brooklyn Chamber of Commerce wishes to go on record as being unalterably opposed to any action by the Federal Government in diverting ship repair work from the port of New York on the spurious grounds that the port is lacking either the facilities or the skilled labor to handle such work.

There are few, if any, harbors in the United States with a more complete and diversified range of ship repair facilities than are available here. Further, we question the logic of any statement contending that there is a shortage of shipyard manpower when the current level of employment in the shipyards in this port is only a fraction of what it was at the time of the Suez crisis. It is true that many former shipyard workers have perforce found employment in other industries because of the uncertain nature of this business in recent years. But it is equally true that many of these skilled craftsmen would be willing to return to these yards if they had some assurance that their employment would not be subject to the vagaries of Federal policies seemingly bent upon favoring shipyards in other ports at the expense of the port of New York.

We join Brooklyn Borough President Abe Stark in decrying this diversion of work needed by our yards here, and make special note of the fact that the borough of Brooklyn, once a thriving shipbuilding and ship repairing center, has been reduced by this type of attrition to its present lowly state, and that even the few remaining yards here and their employees are threatened by continued diversion from the port of ship repair work essential not only to these yards but also to the national security.

JOHN C. HILLY,
President, Brooklyn Chamber
of Commerce.

Unless remedial action for the port of New York shipbuilding trade is forthcoming it is my suggestion that the interested members of the delegation from New York and New Jersey meet to determine the course of action that will arrest and correct this inappropriate governmental action by calling before a joint meeting of the delegation, the Federal officials responsible.

New York is, and has every right to continue as, the greatest port in the world. Its facilities, personnel, and skills merit the appreciation and recognition of our Government. We were good enough for the fleet of Lord Howe and Henry Hudson 200 years ago and we are more than good enough—we are the best and most efficient bargain for the U.S. Government today.

Mr. KEOGH. Mr. Speaker, I rise in total opposition to a recent announcement by the Maritime Administration, that repair work being done in connection with the restoration of certain federally owned ships will be transferred from the port of New York.

Just why the Navy Department and the Maritime Administration should treat the port of New York as stepchildren is hard to fathom. What have we in the New York area done to deserve such callous treatment at the hands of the Federal Government.

I should like to read into the RECORD a telegram received last week from John C. Hilly, president of the Brooklyn Chamber of Commerce, in reference to this shameful situation.

The telegram reads as follows:

AUGUST 26, 1965.

Capt. THOMAS A. KING,
Director, Atlantic Coast District, U.S. Maritime Administration, New York, N.Y.

The Brooklyn Chamber of Commerce wishes to go on record as being unalterably opposed to any action by the Federal Government in diverting ship repair work from the port of New York on the spurious grounds that the port is lacking either the facilities or the skilled labor to handle such work.

There are few, if any, harbors in the United States with a more complete and diversified range of ship repair facilities than are available here. Further, we question the logic of any statement contending that there is a shortage of shipyard manpower when the current level of employment in the shipyards in this port is only a fraction of what it was at the time of the Suez crisis. It is true that many former shipyard workers have perforce found employment in other industries because of the uncertain nature of this business in recent years. But it is equally true that many of these skilled craftsmen would be willing to return to these yards if they had some assurance that their employment would not be subject to the vagaries of Federal policies seemingly bent upon favoring shipyards in other ports at the expense of the port of New York.

We join Brooklyn Borough, president, Abe Stark in decrying this diversion of work needed by our yards here, and make special note of the fact that the borough of Brooklyn, once a thriving shipbuilding and ship repairing center, has been reduced by this type of attrition to its present lowly state, and that even the few remaining yards here and their employees are threatened by continued diversion from the port of ship repair work essential not only to these yards but also to the national security.

JOHN C. HILLY,
President, Brooklyn Chamber
of Commerce.

AGAINST WARM WATERS POLICY

Mr. FINO. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from New Jersey in his protest against the decision of the Maritime Administration to have repair and construction work on ships by shipyards outside the port of New York.

In January, I sent a letter to the President protesting both the proposed closing of the Brooklyn Navy Yard and the corollary failure to increase the amount of Navy repair work awarded to the port of New York as some compensation for the Navy yard phasing-out. As I said at the time, I am completely opposed to the policy of cutting corners on repair costs by transferring an undue portion of these repairs to the warm waters of the right-to-work States. I do not like the idea of transferring repair work to States which have built their economic attractiveness on unfair labor policies. Even though the right-to-work laws are now near the end of their existence, their influence persists in the low wage levels they have permitted. The warm waters policy is still living on the fruits of unfair labor policies, and will be for some time.

To me, the administration's position here reeks of hypocrisy. As far as I am concerned, I do not think that the President is simply getting the Navy into warm waters—I think he is getting his administration into hot water. I do not like to see him pat unfair labor practitioners on the back. These actions are an insult to the labor council membership in the Brooklyn Navy Yard and other installations, which are not even being decently treated by the Government. These actions are also an insult to the private shipyards of the North, whose noncompetitiveness, I am coming to feel, is mainly a product of their fair and equitable labor policies.

Mr. Speaker, at present the port of New York receives only 6 percent of the total Navy repair program in private shipyards. We can expect this problem to increase as the warm waters policy is further implemented. I would like to register my strong disagreement with any repair program that does not shift repair work to New York to make up for the closing of the Brooklyn Navy Yard. The whole shoddy handling of the Navy yard closing takes on an even darker coloration in the light of the seeming plans to also deemphasize repair work in New York, in order to profit from the wage scales of the South.

I urge the affected unions—and indeed the American labor movement in general—to take a long, searching look at the policies of this administration in penalizing northern unionists by shifting repair work to reward the cheap labor segregation bastions of Dixie. The maritime and ship repair workers are certainly getting the back of the hand from an administration that seeks out the cheap labor shipyards and also doublecrosses the American merchant marine and maritime workers so as to be able to peddle wheat to Russia more cheaply. This is to say nothing of the shoddy way the workers of the Brooklyn Navy Yard have been treated. I would suggest that the American labor movement look beyond the neat gift package of repeal of section 14(b) of Taft-Hartley and carefully analyze the multitude of mistakes that characterizes the administration's labor record.

Mr. Speaker, I agree with the gentleman from New Jersey in his vigorous protest and in his demands that something be done to alleviate this condition which has aggravated the unemployment problem in the port of New York. I hope that the administration will take note of these comments made here today.

GENERAL LEAVE TO EXTEND

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD on this subject.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

POST OFFICE DEPARTMENT HIRING PRACTICES

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, on various occasions during the past months I have brought to the attention of my colleagues certain abuses practiced by the Post Office Department in the hiring of youths under President Johnson's so-called youth opportunity campaign.

I have pointed out how political patronage was used in filling many of these jobs. The Post Office Department now admits that 3,380 of 8,577 jobs were filled through patronage appointments.

I have pointed out how many of these jobs went to young people who are in no way educationally or economically disadvantaged, although when he announced the youth opportunity campaign on May 23 the President said the jobs should go "so far as practicable" to needy youths. Many disclosures in the public press have shown that the intent of the President's message was often disregarded in political patronage hiring by the Post Office.

There have been many facets to this case—too many to fully explore at this time, although I shall present my colleagues with a fuller explanation of the facts that have come to my attention at a later date.

However, there is an issue which has developed out of this case that I believe must be dealt with promptly and judiciously. That is the issue of departmental secrecy regarding nonsecurity governmental information.

Mr. Speaker, a clammy, gray cloud of secrecy has descended to envelop all who would inquire or anyone who might question, the procedures of the Post Office Department.

For instance, I have requested the names of the people hired by the Post Office Department under the so-called youth opportunity campaign. My requests have been denied. I have introduced a resolution, pending before a committee of the House, which would require the Post Office Department to provide this information to Members of Congress.

I have written the President of the United States, pointing out to him that if Members of Congress cannot obtain the most innocent information from executive branch agencies and departments, that representative government is dead. I have respectfully requested him to require the new Postmaster General, the very able Mr. Lawrence O'Brien, to voluntarily provide this information to Members of Congress. I anxiously await the President's reply.

Representatives of various news media have repeatedly requested the names of these people and related information from the Post Office Department, both at the regional and national levels. They have been shrouded in the cloud of postal secrecy.

Mr. Speaker, I believe that all of this centers around a basic issue—the right of the people to know the operation of their Government. If elected Members of Congress can be denied this information—harmless to anyone who has nothing to hide—by appointive officials of the Post Office Department, I do not see how Congressmen can truly represent the people of their districts and their States.

If Congressmen are to work only with the information agencies or departments believe it expeditious for them to obtain, it means that Congressmen are being effectively propagandized by the executive branch.

If this occurs, the Congress of the United States will only be described in the term that every conscientious Member of Congress fears—as a rubberstamp.

To meekly bow to the withholding of nonsecurity information means that the Congress of the United States bows to a role as a secondary branch of the Federal Government which supposedly has three coequal branches.

By the same token, if the free press of this Nation is withheld nonsecurity information at the caprice of a department or agency, it is no longer a free press.

If the press is to work only with such information as the executive branch agencies or departments desire to release, it then is stripped of its role as the link between Government and people. The press then becomes a propagandizer of the people and the people are propagandized and no longer in a position to carry on their responsibilities of self-government.

Mr. Speaker, if the people see their elected Representatives turned into rubber stamps and their free press turned into propaganda by the secrecy of departments and agencies, the people's right to know is gone.

And if that is gone, democratic government is gone.

I ask my colleagues to picture in their minds the spectacle of a huge department of the executive branch, charged with grave responsibilities, using the distribution of 3,380 summer jobs for 16- to 21-year-olds as political patronage. And, picture in your minds the spectacle of this same supposedly responsible department, having distributed these jobs for partisan political purposes, adopting a fierce stance of defensiveness toward Members of Congress and representatives of the press, as they wrap this episode in a cloud of bureaucratic secrecy.

Mr. Speaker, if such unworthy actions are taken regarding a trivial matter, what of the important matters?

This is an issue of the gravest principle. If the Congress of the United States, and, ipso facto, the people of the United States, are to be denied a list of 8,577 names, what more serious matters are shrouded from our legitimate scrutiny?

And as though this were not serious enough, we come down to the sorry spectacle of a man removed from earning his means of livelihood for practicing his constitutional right of free speech. Now, I hear there is some question about the ability of this man to continue his job and I make no judgment on his competency. His name is John Cunavelis and he lives in Burlington, Vt. Until August 24, he was Director of the Youth Opportunity Center there.

Mr. Cunavelis spoke out about this political patronage hiring.

He called the way a part of the program had been run in Burlington, Vt., a "flagrant violation" of the intent of the program, as announced by the President on May 23.

Mr. Speaker, I ask the attention of my colleagues to the following newspaper article, which appeared in the August 21, 1965, edition of the Burlington Free Press of Burlington, Vt.:

PAIR GET WORK NOT INTENDED FOR AFFLUENT: POSTAL HIRINGS IGNORED JOBS-FOR-YOUTH CONCEPT

The director of the Youth Opportunity Center here declared Friday that the hiring of two youths for the summer in the Burlington post office was a flagrant violation of the terms of the President's summer work program for high school graduates.

Four youths are working in the post office for $2.28 an hour as part of the youth opportunity campaign, under which Government agencies and private industry are to provide summer jobs for 450,000 high school and college students.

John Cunavelis, who runs the war on poverty clearinghouse for the State department of employment security here, said he has no quarrel with the hiring of two of the four, but claimed that the other two are not economically disadvantaged.

Cunavelis also asserted that only the Post Office Department, through its regional office in Boston, insisted on selecting its own employees.

Many other youths are working in various Federal agencies in the Burlington Federal Building under the program, for $1.25 an hour, and the other agencies allowed the Youth Opportunity Center to select and refer youths for the jobs, Cunavelis said.

It became clear Friday that the Post Office Department had sought political recommendations—from both parties—for the summer post office jobs.

There were indications Friday that a storm may be brewing nationally on allegations that the post office jobs, which pay a high wage for youths, have been bestowed as political favors.

Donald Steele, Director of the Post Office Department's Boston region, sent a telegram to the department of employment security on June 10 in which he said the Post Office Department is participating in the program to make summer jobs available for deserving youngsters 16 through 21 who need employment.

After the youth opportunity campaign was announced, Cunavelis explained Friday, some 14 youths came to the St. Paul Street office with letters from Congressmen suggesting that the youths apply for the post office jobs.

Cunavelis said he does not refuse to allow anyone to apply through his office, regardless of whether they need work.

From files in the Youth Opportunity Center, names of 4 other youths were added, and the 18 applications were all sent in 1 envelope to Post Office regional headquarters in Boston, Cunavelis said.

Mr. Speaker, Mr. Cunavelis simply exercised his right of freedom of speech. I believe he also exercised a moral duty. He did not attack the program, which seems good in concept. He simply exercised his moral duty as a citizen in pointing out a very obvious abuse on the part of the Post Office Department.

Did he receive the thanks to which his responsibility as a citizen and a conscientious public servant entitle him?

Mr. Speaker, Mr. Cunavelis did not. He simply lost his job.

I commend the following article, from the August 25 edition of the Burlington Free Press, to your attention:

CUNAVELIS LOSES YOUTH OFFICE JOB

The director of the city's Youth Opportunity Center has been relieved of his duties.

Department of Employment Security Commissioner Mrs. Stella B. Hackel said Tuesday night that John Cunavelis has been offered a counseling job in the local Employment Security Office.

In an interview last Friday for Saturday's Free Press, Cunavelis spoke out against the hiring of two youths in the Burlington post office this summer, and called the hirings a "flagrant violation" of the terms of the President's youth opportunity campaign.

Cunavelis has been director of the YOC since it opened March 9.

"We feel that Mr. Cunavelis lacks the administrative experience it takes to run an office with 10 people in the best way."

She said she and Employment Security Director John White of Williamstown conferred before the decision was made.

"He is a very wonderful man and he'll make a very wonderful counselor, especially with young people," Mrs. Hackel said. She said her department feels the office should be run by someone with a "firm hand."

She said Cunavelis was hired in the first place because he was "on the list" in the DES office and they hoped he would gain the necessary administrative experience soon enough.

"We've been thinking about this for some time," Mrs. Hackel said, "we try to have our people in the best places in the department according to their abilities. We may even move him somewhere else."

She said Cunavelis had been offered the new job—three or four "steps down" in the department ratings—but she didn't know if he had accepted.

Cunavelis said Tuesday night, "I don't have any comment."

There was no hint of who Cunavelis' replacement would be, or when the change would be effective. "He's still at the office as far as I know," Mrs. Hackel said.

Mr. Speaker, there was, naturally, someone standing by to explain the situation.

I would not have you think that I believe there are not two sides to every story. But I do think it is worthy of note that the decision to sack Mr. Cunavelis just happened to be simultaneous with his expression of chagrin with the Youth Opportunity Campaign as conducted in Burlington.

It is also interesting to note that his immediate superior is quick to brand his remarks "less than perfect judgment" and a "mistake."

It is equally interesting to note that the Post Office Department's shroud of secrecy is amply extended by its Regional Director at Boston and by Mr. Cunavelis' immediate superior.

But perhaps the most telling point of all, is that his immediate superior calls Mr. Cunavelis "certainly a talented and able man" and adds that "we want to keep him."

Mr. Speaker, following is an article from the August 26 edition of the Burlington Free Press:

MRS. HACKEL, POSTAL OFFICIAL, EXPLAINS CUNAVELIS DEMOTION: NOT BECAUSE OF POLICY CRITICISM

Vermont's commissioner of employment security, Mrs. Stella B. Hackel, declared Wednesday that statements by John Cunavelis, published in Saturday's Free Press, had nothing to do with his removal as head of the Youth Opportunity Center in Burlington.

Mrs. Hackel said the matter had been under discussion for some time and the final decision was made last Friday, the day before the story appeared.

Cunavelis was critical of the hiring of two youths in the Burlington Post Office for the summer as part of the President's Youth Opportunity Campaign, a program for the Federal Government and private industry to provide summer jobs for high school and college students.

During an interview, Cunavelis said the President's directive initiating the program called for the hiring, so far as practicable, youths under economic and educational disadvantages.

Two of the four working in the post office are not under such disadvantages, Cunavelis said, and he called this a "flagrant violation" of the terms of the Youth Opportunity Campaign.

Mrs. Hackel said the statements in the article had been discussed with Cunavelis and she said it is not up to the Department of Employment Security to pass moral judgment.

The Youth Opportunity Center, a clearing house for Economic Opportunity Act programs, is operated here under the Department of Employment Security.

Mrs. Hackel said Cunavelis has accepted a position as counselor in the employment service office in Burlington, dropping from grade 18 to grade 15 in the Vermont civil service ratings.

(Grade 18 has a pay range of $110.50 to $140.50; grade 15 ranges from $94.50 to $121.50 a week.)

"Mr. Cunavelis is certainly a talented and able man and we want to keep him. We think he might do a fine job as a counselor," Mrs. Hackel said.

But she said he had virtually no administrative experience and his heading the Burlington office "hasn't worked out."

The commissioner said Cunavelis' term "flagrant violation" showed "less than perfect judgment."

"But, so what? We all make mistakes," she added.

The visit to her office last week of a Federal official who pointed out faulty administration in the Youth Opportunity Center here brought the matter to a head, she said.

As the Post Office Department was paying the four youths out of Post Office Department funds, rather than from poverty program funds, they were free to hire on a basis of competency, Mrs. Hackel said.

She said it would be illegal to divulge the names of the four youths working at the $2.29-an-hour jobs.

In Boston, the assistant regional commissioner for the Boston region, Daniel Day, also gave an "emphatic no" to a request for the names, saying postal workers' names are held in strict confidence, except for meritorious notices.

Day said youths working in post offices are being paid $2.29 an hour instead of the customary $1.25 an hour for most other youths working in the Federal agencies, because of the skilled nature of their work.

Recommendations from politicians in both parties were sought when the program was announced, solely to provide the Post Office Department with sufficient names, Day said.

He said regional headquarters did not actually hire the youths, but made recommendations to local postmasters.

Day said the Post Office Department usually gets names for summer job contacts through unemployment offices, but he said the President's announcement of the program came so suddenly that many youths did not know of it.

Therefore, he said, Members of Congress and party officials were asked for names as a matter of expediency.

Cunavelis said he sent 18 applications to the Post Office Department's regional headquarters in Boston, and he said he thought the four hired were from among the 14 who had recommendations.

Day also said he has had many commendations from postal patrons and parents of the youths for the program, and said his only inquiries have come from the news media.

In Vermont, 11 such youths are working in post offices under the Youth Opportunity Campaign, and Day said he expects all to leave shortly after Labor Day to go back to high school or college.

Mr. Speaker, having heard this explanation by Mr. Cunavelis' superior, I offer the following article, from the August 28 edition of the Burlington Free Press, with this comment: If the Post Office Department would be open and above board about this whole question of summer hiring, Mr. Cunavlis' removal from office could be considered only on his competency rather than the suspicion that he was removed because he spoke out:

Turns Down Demotion—Cunavelis Tells Why He's Sure Speaking Out Cost His Job

John Cunavelis, ousted Monday as director of the Youth Opportunity Center here, said Friday night he is quitting the Department of Employment Security job to which he was transferred "effective immediately."

He said he had worked Friday but would not be on the job Monday.

Asked if he thought his removal from the Youth Opportunity Center was connected with a statement published in last Saturday's Free Press, Cunavelis replied: "Definitely."

During an interview Cunavelis criticized the hiring of two youths from affluent families for summer jobs in the Burlington post office as part of the Youth Opportunity Campaign.

He called hiring the two, whom he said are not economically or educationally disadvantaged, a "flagrant violation" of the terms set by President Johnson when he initiated the summer work program.

Employment Security Director John White called Cunavelis that Saturday night and told him to be at the Department of Employment Security in Montpelier on Monday morning, Cunavelis said.

On Monday morning, Cunavelis was told that he was through as director of the Youth Opportunity Center.

Vermont's Commissioner of Employment Security, Mrs. Stella B. Hackel, said the story had no connection with Cunavelis' removal, and that he was transferred from the directorship because of his lack of administrative experience.

She said the matter had been under consideration for some time and the decision had been made Friday, the day before the story appeared.

Cunavelis, a former newspaperman and former employee of the U.S. Information Agency in Washington, D.C., said he doesn't have another job but will look for one and would like to remain in the Burlington area.

Cunavelis said on Monday morning White and Mrs. Hackel told him he was being transferred to the counselor job and wanted to know if he would go along with it.

He said he took the lower paying job (Mrs. Hackel estimated his pay cut at about $15 a week) because of the welfare of his family but he said his family has urged him to quit the employment service.

He said he is quitting directly because of the removal from the Youth Opportunity Center directorship.

Cunavelis said his contention that the post office jobs, which pay $2.29 an hour, should go to the youths who need work is based on the President's initial announcement.

When President Johnson announced the program early this summer, he directed Federal agencies to make every effort to find meaningful work for 1 youth for every 100 employees. He included this statement as part of the announcement:

"These jobs should go, so far as this is practicable, to boys and girls 16 through 21 who need them the most because of economic or educational disadvantages."

Cunavelis quoted this statement by the President earlier when he called hiring two of the four youths in the post office a "flagrant violation" of the youth opportunity campaign.

The Post Office Department has refused emphatically to divulge the names of youths in the summer program and a journalist for national publications in Washington said Friday that the names are not even available to Members of Congress.

Mr. Speaker, there is another Burlington, in Iowa. And there, in Burlington, Iowa, attempts to enforce secrecy were underway at the same time that events were transpiring in the Vermont city.

In Burlington, Iowa, postal inspectors were busy interrogating the staff of the local newspaper, in an attempt to find out how that scion of the free press had obtained its information.

The Des Moines Register of Des Moines, Iowa, reported on August 28 that postal inspectors from the St. Louis, Mo., regional office questioned an editor of the Burlington newspaper in an investigation to discover how the names became known.

Mr. Speaker, this is how the clammy, gray cloud of secrecy works, as administered by the Post Office Department, if we are to believe these reports. Fire a man for speaking. Interrogate members of the press for printing the facts.

Mr. Speaker, I, for one, object.

Mr. Speaker, I believe that it is obvious that there is bipartisan distaste for the manner in which the Post Office Department has conducted itself in this matter.

I respectfully urge my colleagues to avail themselves of any opportunity to aid in making public the names of youths hired by the Post Office Department under the so-called youth opportunity campaign. I believe that until the Post Office Department makes this information available to Members of Congress, we must doubt our ability to obtain any information necessary to our duties as the elected representatives of the people.

A SOUND BANKING SYSTEM: A TRIBUTE TO THE COMPTROLLER OF THE CURRENCY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN Mr. Speaker, I take this time today to reflect some observations I have made in my tenure as a member of the Committee on Banking and Currency. In this capacity, I have had the opportunity to view firsthand, and to study in depth, the banking industry and the manner in which it is regulated. Out of this experience has come a great confidence in our banking system, and a growing admiration for the man who has given new impetus and vitality to American banking, the Comptroller of the Currency, James Saxon.

In the brief time I have today, I would like to summarize my views on banking in America and bring to the attention of the American people, through this great forum, the historic contributions the Comptroller of the Currency is making in this complex and vital area of our economy.

Banking, along with certain other industries, is regulated by the Federal Government and by the authorities of the 50 States, not as some believe, because bankers need to be watched or protected, but to assure that banking is meeting the public's ever-changing needs for an ever-increasing variety of services. If less stringent regulation of banks will better fulfill the needs of the public and at the same time advance our Nation's economic goals, then it is in the interests of us all to see that artificial or outmoded restraints are relaxed. If we find evidence that bankers generally are derelict in their responsibilities to society, then we must reexamine our regulatory structure and the policies and procedures of the regulators. History has taught us, I hope, that we can never again tolerate the laxity and indolence which were responsible for our economic mistakes of the twenties. But history has made us aware, too, of the dangers of overregulation in an effort to compensate for some of the excesses of the past.

In recent years, it has become clear that banking has been hobbled unduly by crisis-oriented laws and rules and regulations. Codes under which enterprises operated and prospered three decades ago when the gross national product of our economy was at a level of $181 billion cannot be justified for businesses desiring to compete for their fair share of a $510 billion gross national product. Banking laws and rules and regulations have in recent years been reexamined in the light of changed and changing conditions. One of those most persistent and diligent in this reexamination has been our Comptroller of the Currency, Mr. James J. Saxon, who is responsible for the regulation of the national banking segment of our dual banking system. For 4 years, he and his colleagues in this oldest—and one of the smallest, in terms of personnel, of the Federal Government's regulatory agencies—have been engaged in an effort to broaden the opportunity for private initiative in the national banking system. They have kept their eye on a dual objective and a dual responsibility: Permit this private sector to make a viable contribution to our economy, while sustaining the public purpose. How can we test whether this objective has been achieved and how efficiently the agency has met its responsibility? There is ample statistical evidence to demonstrate that, under the stimulus of new powers granted to this industry, banking performance has reached a new high level—in deposits, loans, investments, and earnings. Banking and those who are served by banks have profited. There seems to be an eagerness on the part of bankers to explore fully the many new opportunities that lie ahead. And there certainly has been an appreciation and recognition by those served by banks—confirmed by the simple test of public acceptance of the services now open to all, where once—in the memory of many of us here—such services were available to only a relative few.

The Comptroller of the Currency has just sent up his annual report—the 102d since the establishment of this regulatory agency by Abraham Lincoln in 1863. He has prefaced his report to Congress with a document entitled "The Banking Structure in Evolution: A Response to Public Demand." It contains a statement of policy, an overview of the evolution of the banking structure in this century, and a look toward the future. I commend it to study by my colleagues, and I trust that those in both the public and the private sectors who ought to be concerned with the future of our private enterprise economy will read it. It is a useful addition to the bibliography of economic education.

Change is not always easy, and the proponents of change must be stouthearted men, invulnerable to attack from those who advocate the status quo. James Saxon is such a man. He has been resolute in his determination to bring needed reform to the national banking system. Almost 4 years ago James Saxon came to Washington equipped with the ability and the experience to do the job. He had been here before; in fact, it was here, before World War II, that he embarked upon a career that has combined public service, private business and the law. In his first Government job in the Insolvent Bank Division of the Comptroller's Office in the thirties, he witnessed at first hand the sad results of the near collapse of our private banking system. Later, as Treasury attaché to our High Commissioner in the Philippines, Francis B. Sayre, he encountered a different kind of problem. At the outbreak of war he was assigned as Treasury aid to Gen. Douglas MacArthur, and at age 26, his became the task of taking over the assets of Japanese-owned banks. As the fall of the Philippines neared, he went with MacArthur to Corregidor and handled the destruction of currency in the face of the enemy's advance. The day before MacArthur was directed by President Roosevelt to leave Corregidor, Jim Saxon, carrying the general's personal papers, boarded a submarine carrying U.S. gold bullion as ballast and went to Australia. Upon his return to the United States and delivery of the general's papers, he was given another assignment: Treasury aid to Robert Murphy to handle currency and monetary affairs for the U.S. invasion force landing in North Africa.

During and after the war came other foreign assignments for the Treasury. Back in the United States, he pursued studies at Georgetown for his law degree. He left Government to serve with counsel to the American Bankers Association, and after a few years in the Washington office he accepted a position as an attorney with the First National Bank of Chicago. There he was exposed to the full impact of the regulatory agencies upon the regulated industry. When the late President Kennedy called him to Washington to take over the administration of the national banking system, Jim Saxon came armed with the experience and knowledge of having seen at first hand the harmful effects of overrestrictive and outmoded banking legislation. It became apparent early that Jim Saxon was not destined for the bureaucratic mold. One of his first steps was to ask each national bank to suggest necessary changes to the laws, policies, and regulations which affect its operations. At the same time he appointed an advisory committee of top bankers and lawyers to review the banker's responses and to make specific recommendations.

Out of this came "National Banks and the Future," one of the most searching studies ever made of American banking. By giving the regulated a chance to participate in their own regulation, Saxon not only underlined his belief that a free enterprise system must place primary reliance on individual initiative, but made quite clear that as he read the National Banking Act, it was not a fixed, immutable code, but rather a framework within which national banks "may employ their inventiveness and capacity for change" in order to respond to the needs of a growing industry.

Moreover, by putting into effect some 80 percent of the recommendations advanced in "National Banks and the Future," he showed himself to be a regulatory official who recognized that governmental limitations should be imposed only where there is a clear public purpose to be served, and that precedent is no excuse for maintaining a useless or outmoded regulation. Inevitably, this clear eyed boldness rubbed some people the wrong way. But timidity was never Jim Saxon's long suit. With a principle at stake, he seldom balked at taking on even the most powerful and firmly entrenched opponents. In his philosophy of bank regulation, the present Comptroller of the Currency believes that the presumption should be in favor of freedom of initiative and innovation by the individual banker. The same policy, he feels, is incumbent upon the bank regulatory agencies. The bank regulatory authorities, State and Federal, as any other regulatory authority, have an affirmative responsibility to assure that the regulated industry has the tools and the capacity to carry out its role with maximum effectiveness.

He has said:

> Excessive reliance on the negative crutch of all-knowing government—whether at the State or Federal level—can lead only to stagnation and regression. Not all the financial know-how of this great country is lodged in the genius of the financial and monetary regulatory agencies in Washington. Hence, the banking authorities should set, as their goal, the broadest reliance upon the initiative of the individual banker consistent with the specific proscriptions of the banking statutes.

The process of innovation and adaptation that Jim Saxon brought to the national banking system has not been confined to the national banks alone. Although many of his critics are from the other side of the dual banking system, the State-chartered banks and the State officials who regulate them, Jim Saxon has never wavered in his conviction that the dual banking system is the great strength of our economy. He looks on it as an effective instrument for perceptive adaptation of banking to the Nation's needs. As the Comptroller points out in his latest report, this dispersion of banking controls among the States and the Federal Government enables either segment of the dual banking system to supplement the other where deficiencies arise in service to the public.

Yes, Mr. Speaker, Comptroller Saxon has been a courageous and able exponent of this philosophy, and in implementing it, he has rendered inestimable service to the banking community and to all Americans whose hope for a better future rests with a safe and sound banking system.

A GRAPHIC CONTRAST

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook], is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, while American soldiers are sacrificing their lives in support of this Nation's policy in Vietnam, some extreme elements protesting our Vietnam stand are straining the limits of the American people's patience. The New York Daily News of August 10 highlighted this contrast on page 6 with two provocative items. The first story was entitled: "A Gallant Captain Slain in Viet Gets Four Decorations," and told of the death of Capt. Christopher O'Sullivan in Vietnam on Memorial Day. The second headline read: "Scores Seized at District of Columbia Viet Protest," and can be best summarized by citing its opening sentence:

> Scores of biting, kicking, screaming pacifists, protesting U.S. policy in Vietnam, were arrested and tossed into paddy wagons on the Capitol grounds today.

The protesting demonstrators were associated with the so-called Assembly of Unrepresented People, which Congressman Edwin Willis, chairman of the House Committee on Un-American Activities and myself, as ranking minority member of that committee, commented on extensively in the Congressional Record of August 4. Chairman Willis noted:

> The chief movers of the assembly include leaders, key activists, and members of the following organizations: The Communist Party; the W. E. B. DuBois Clubs of America, the new national Communist youth group; the Progressive Labor Party, the ultra revolutionary Peiping-oriented Communist organization.

This is just a partial listing of participating organizations.

At the same time, I inserted in the Record three exhibits of the assembly's literature describing their plans for concerted action. One recommendation from exhibit 3 was most interesting:

> Students for a democratic society have tenative plans for mass burning of draft cards in Washington and elsewhere.

To show that Congress intends to make short shrift of extremist opposition to duly constituted authority, a bill calling for a 5-year prison term, a $10,000 fine or both for deliberately destroying selective service cards was made into law yesterday, less than a month after the destroying of draft cards was recommended.

A more vicious protest against our Vietnam policy has recently come to light in the form of abusive and threatening phone calls to survivors of American soldiers killed in Vietnam. The widow of the above-mentioned Captain O'Sullivan was one recipient of a cruel phone call mocking his death. One would be hard pressed to imagine a more revolting or extreme method of voicing opposition to our country's action in Vietnam.

In the hope that this harassment will be dealt with as expeditiously as the draft card business, I am introducing legislation calling for a penalty of 15 years imprisonment and/or a fine of $10,000 for this vicious practice. This is similar to legislation introduced in the Senate by Senator THOMAS DODD of Connecticut.

Following are the three news items from the New York Daily News along with a copy of the proposed legislation:

[From the New York (N.Y.) Daily News, Aug. 10, 1965]

A GALLANT CAPTAIN SLAIN IN VIETNAM GETS FOUR DECORATIONS

(By William Rice)

The Distinguished Service Cross, the Nation's second highest decoration, and three other medals, have been awarded posthumously to Captain Christopher J. O'Sullivan of Astoria, Queens, killed in Vietnam on Memorial Day.

They will be presented tomorrow to his widow and two sons, Michael, 4, and Stephen, 3, at a parade at 1st Army Headquarters, Governors Island.

In addition to the Distinguished Service Cross, for extraordinary heroism, the Silver Star, for gallantry in action, the Purple Heart, and the Army Commendation Medal will be given to Mrs. O'Sullivan.

SEARCH JUNGLE FOR YANK

O'Sullivan, 29, had led a 265-man Vietnamese ranger force into the jungle in a search for Lt. Donald Robinson of Tacoma, Wash., missing for 2 days. Robinson "has a young wife and a 3-year-old daughter" and O'Sullivan felt "responsible for him," he wrote his wife.

The Vietcong surrounded the search party and O'Sullivan, an Army sergeant and 100 of the rangers died before help arrived.

Robinson later walked out of the jungle, one of three survivors of another ambush.

What the captain died for was evident in a letter he wrote to his two sons just before he was killed:

"I cannot protect you from all the hurts of the world, but I can try to protect you from one of its major dangers.

"And that, my sons, is why, though we are thousands of miles apart, you are still before my eyes and I must try to protect you from this war."

O'Sullivan's parents, Mr. and Mrs. William J. O'Sullivan, and Mrs. O'Sullivan's parents, Mr. and Mrs. James Scott, will also attend tomorrow's ceremony.

[From the New York (N.Y.) Daily News, Aug. 10, 1965]

SCORES SEIZED AT DISTRICT OF COLUMBIA VIET PROTEST

WASHINGTON, August 9.—Scores of biting, kicking, screaming pacifists, protesting U.S. policy in Vietnam, were arrested and tossed into paddy wagons on the Capitol Grounds today.

Many of the 800 demonstrators calling themselves the "assembly of unrepresented people," looked more like beatnik Indians after two members of George Lincoln Rockwell's American Nazi Party tossed beer cans filled with red paint into their midst.

Newspaperman Andrew Glass was among those splattered with paint. He was later arrested with the demonstrators in the melee following an abortive charge through police lines, but was released this evening.

Yesterday 50 demonstrators were arrested while picketing the White House when they failed to keep moving past the entrance. Today they held a mass rally on the Mall before the Washington Monument, then marched on the Capitol, chanting: "L.B.J., L.B.J., how many children did you kill today?"

WARNED BY POLICE

An army of uniformed and plainclothes police bolstered by FBI agents, U.S. marshals and Capitol Police were ready when the marchers reached the Capitol. Before the statue of Ulysses S. Grant police used bullhorns to warn the disheveled sign-carrying group that they would face arrest if they marched on the Capitol's Grounds.

A sitdown and talkathon began at the base of the 88-foot Capitol Hill. While the leaders, under the command of paint-soaked Staugton Lynd, a Yale University professor, assailed the United States for intervening in Vietnam, others waved signs and taunted police.

LASTS 90 MINUTES

"Stop killing, end the dirty war," "Refuse to serve in Vietnam," and "War on Poverty, not people," read some of the signs.

The rally lasted 90 minutes under a broiling sun and tempers were frayed when the front rows suddenly charged the police line. The demonstrators were dumped to the sidewalk and arrest teams quickly began tossing them into the waiting paddy wagons.

There were about 300 demonstrators left when the arrests began, and almost all appeared willing to be arrested, despite biting and kicking.

One bearded youth stuck a booted leg out a paddy wagon window and tried to decapitate a nearby officer. A tattoo of night sticks finally forced prisoners to their seats.

As the bus pulled away to the chant of "We Shall Overcome," those still outside and not yet arrested cheered and waved.

[From the New York (N.Y.) Daily News, Aug. 19, 1965]

HERO'S DEATH IS MOCKED AS HE'S LAID TO REST

(By Gerald Kessler and John Cirri)

"I hope that the outcome in Vietnam will be a just one. I don't want the lives of my boy and others to have been sacrificed in vain."—Mrs. Josephine Devers, yesterday.

The Deverses and O'Sullivans of Queens are friends. That friendship was heightened yesterday by a common sorrow—both had lost men in Vietnam, both had received cruel phone calls mocking the deaths.

The O'Sullivan ordeal came after Army Capt. Christopher O'Sullivan, 29, was slain Memorial Day when an overwhelming force of Vietcong overran his patrol in a Vietnamese jungle.

On June 9, O'Sullivan was buried after a service in Long Island City attended by a 30-man police detail because of telephoned insults to his widow.

KILLED IN DEFENSE OF AIR BASE

Yesterday, a High Requiem Mass was offered for Marine Lance Cpl. Paul A. Devers, 21, of Jackson Heights, killed August 10 while on defense duty at Da Nang Air Base.

There was no uniformed police detail at the Devers rites in St. Joan of Arc Church, '83d Street and 35th Avenue, Jackson Heights. His death had not been widely publicized, as Captain O'Sullivan's had been, and his flag-draped casket had arrived here only Tuesday.

Even so, Dever's older brother, Peter, a Manhattan attorney and longtime friend of Captain O'Sullivan, got an anonymous call just before leaving for the funeral.

"I'm a card-carrying Communist," the caller phoned. "I've got a gun and I'm going to take care of all of you."

HANGS UP ON STREAM OF ABUSES

Devers, shocked, responded: "I'd like to meet you on the street and show you what Americanism is about."

When the caller burst into vicious abuse of his dead brother and the family, Devers hung up.

"I'd love to get my hands on him," the attorney later said. "But he did sound like a weakling or someone mentally sick."

Mrs. Eleanor O'Sullivan, widow of Captain O'Sullivan and mother of two young sons, visited the funeral home Tuesday night and offered her condolences to Mrs. Josephine Devers, mother of Corporal Devers.

Other sympathetic callers included Police Chief Inspector William McQuade and other brass. They had been friends of the corporal's father. A highly respected policeman, Detective Capt. Peter J. Devers was killed in a traffic accident while on duty on August 31, 1956.

MARINE HONOR GUARD AT SERVICE

An honor guard of nine marines from Fort Schuyler escorted the coffin to the church. About 200 mourners, including former schoolmates of Devers at St. Sebastian's parochial school, Jackson Heights, and Xavier High School, Manhattan, were present. Burial was at Pinelawn National Cemetery, Farmingdale, Long Island.

Paul Devers was a member of the 3d Marine Division and had served about 3 years.

"He enlisted to do his duty," his mother said. "And he did perform his duty. I hope all this will not be in vain."

H.R. 10818

A bill to protect the morale and efficiency of members of the Armed Forces by prohibiting the making of certain threatening and abusive communications to members of such forces or their families, and for other purposes

Whereas there have in recent months been repeated reports of telephone calls or other communications to wives and widows of members of the American Armed Forces serving in Vietnam, harassing and threatening them, and even threatening their children, specifically on account of their husbands' service in Vietnam; and

Whereas it is the natural expectation of all members of the American Armed Forces that the society they are serving will do its utmost to protect their families in their absence; and

Whereas the widespread publicity received by the threats and harassments directed against wives and widows of American servicemen in Vietnam has resulted in widespread indignation among our Armed Forces and an understandable anxiety over the safety and welfare of their families; and

Whereas this anxiety can only have an adverse effect on the morale of our servicemen in Vietnam and impair their ability to render efficient military service; and

Whereas the national security is threatened by such indirect assaults on the effectiveness of the Armed Forces of the United States; and

Whereas it is the power and duty of Congress to provide for the common defense and general welfare of the United States, to raise and support armies, and to make all laws necessary and proper for these purposes: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 115 of title 18, United States Code (relating to treason, sedition, and subversive activities), is amended by adding at the end thereof the following new section:

"§ 2392. Subversive communications to members of the Armed Forces or their families

"(a) Whoever, at any time at which the United States is at war or any of the Armed Forces of the United States are engaged in military operations abroad, knowingly makes, or knowingly conspires with any other person to cause to be made, an anonymous or pseudonymous communication by any means—

"(1) to any member of such forces whereby such member, or any member of his family, is threatened with physical harm or is subjected to abuse because of military service rendered or to be rendered by such member of the Armed Forces; or

"(2) to any member of the family of any member of such forces, or of any individual who died while rendering military service in such forces, whereby such member of the Armed Forces, or any member of his family, is threatened with physical harm or is subjected to abuse because of military service rendered or to be rendered by such member of the Armed Forces—

shall be fined not more than $10,000, or imprisoned not more than fifteen years, or both.

"(b) As used in this section—

"(1) The term 'Armed Forces' means the Army, Navy, Air Force, Marine Corps, and Coast Guard; and

"(2) The term 'family,' when used in relation to any member or deceased member of the Armed Forces, means the wife, widow, child, brother, sister, or parent of such member."

(c) The section analysis of chapter 115, title 18, United States Code, is amended by adding at the end thereof the following new item:

"2392. Subversive communications to members of the Armed Forces or their families."

IMMIGRATION STATUS OF CUBAN REFUGEES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN], is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, I have introduced today legislation which will permit refugees from the Communist domination in Cuba who have been living in the United States to adjust their immigration status to that of permanent residents.

The appropriation of money to the Department of Health, Education, and Welfare to assist Cuban refugees, while necessary, does not meet the real problem. Cuban refugees are forced to depend upon refugee relief programs because they are unable to secure permanent residence without which jobs, housing, educational, and other opportunities are closed. Adjustment of their immigration situation would permit many to obtain work and decent housing and to live independent lives. The refugees from Communist domination in Cuba are no more anxious to be on our welfare rolls than we are to have them there.

Adjustment of status for some refugees is possible through our consulates in Canada, but applicants must wait on long waiting lists, finally traveling to Canada to receive visas. This remedy is not available to thousands who under circumstances other than parole entered or became refugees after entry into the United States.

The immigration bill which the House passed on August 25 will not provide for the adjustment of status of Cuban refugees.

There are over 250,000 Cuban refugees in this country. It is estimated that 60,000 to 70,000 of them are living in New York City. In the interests of humanity we cannot ignore this problem any longer. It is one which money alone will not solve.

I have prepared this bill so that the adjustment of status will be voluntary; no one will be penalized if he does not wish to change his situation. But this bill says to each refugee, "You have come here as a refugee; whether you consider this stay temporary or permanent is a decision for you to make; as a country, the United States is prepared to help you in every way possible, whatever your decision."

This bill is addressed to an economic and social problem, not a political problem.

The bill contains special provisions for children in order that families may be kept together in case a child in a family applying for permanent residence might be found excludable under certain provisions of the Immigration and Nationality Act.

Mr. Speaker, I hope that this bill will receive prompt action by the Congress. The Cuban refugees deserve the opportunity to participate as permanent residents in the free society to which they with hope have fled.

WHY VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, one of the most comprehensive and thoughtful statements of this country's policy and this country's hopes for Vietnam is set forth in a recent publication of the administration entitled "Why Vietnam."

This document includes letters from President Eisenhower and President Kennedy which document the nature of our commitment. More important, it contains concise statements by President Johnson, Secretary of State Rusk, and Secretary of Defense McNamara which speak directly to the steps that have been taken to resist aggression, to our continuing efforts to achieve negotiations and a peaceful settlement, and to the "third face of the war"—the pressing requirement to deal with the deep and underlying problems confronting the people of Vietnam.

Mr. Speaker, I include this document and also a transcript of a CBS special news program broadcast last week called "Vietnam Perspective: Winning the Peace." I include them for they speak pointedly to so many of the questions that are asked by thoughtful and concerned Americans.

WHY VIETNAM?

FOREWORD

MY FELLOW AMERICANS: Once again in man's age-old struggle for a better life and a world of peace, the wisdom, courage, and compassion of the American people are being put to the test. This is the meaning of the tragic conflict in Vietnam.

In meeting the present challenge, it is essential that our people seek understanding and that our leaders speak with candor.

I have therefore directed that this report to the American people be compiled and widely distributed. In its pages you will find statements on Vietnam by three leaders of your Government—by your President, your Secretary of State, and your Secretary of Defense.

These statements were prepared for different audiences, and they reflect the differing responsibilities of each speaker. The congressional testimony has been edited to avoid undue repetition and to incorporate the sense of the discussions that ensued.

Together, they construct a clear definition of America's role in the Vietnam conflict: the dangers and hopes that Vietnam holds for all free men, the fullness and limits of our national objectives in a war we did not seek, the constant effort on our part to bring this war we do not desire to a quick and honorable end.

LYNDON B. JOHNSON.

AUGUST 20, 1965.

THE ROOTS OF COMMITMENT

In the historic documents that follow, two American Presidents define and affirm the commitment of the United States to the people of South Vietnam.

In letters to Prime Minister Churchill in 1954 and to President Diem in 1954 and 1960. President Eisenhower describes the issues at stake and pledges United States assistance to South Vietnam's resistance to subversion and aggression.

And in December 1961 President Kennedy reaffirms that pledge.

EXTRACTS FROM LETTER FROM PRESIDENT EISENHOWER TO PRIME MINISTER CHURCHILL, APRIL 4, 1954

(From Dwight D. Eisenhower, "Mandate for Change, 1953–56," New York, 1963)

DEAR WINSTON: I am sure * * * you are following with the deepest interest and anxiety the daily reports of the gallant fight being put up by the French at Dien Bien Phu. Today, the situation there does not seem hopeless.

But regardless of the outcome of this particular battle, I fear that the French cannot alone see the thing through, this despite the very substantial assistance in money and materiel that we are giving them. It is no solution simply to urge the French to intensify their efforts. And if they do not see it through and Indochina passes into the hands of the Communists the ultimate effect on our and your global strategic position with the consequent shift in the power ratios throughout Asia and the Pacific could be disastrous and, I know, unacceptable to you and me. * * * This has led us to the hard conclusion that the situation in southeast Asia requires us urgently to take serious and far-reaching decisions.

Geneva is less than 4 weeks away. There the possibility of the Communists driving a wedge between us will, given the state of mind in France, be infinitely greater than at Berlin. I can understand the very natural desire of the French to seek an end to this war which has been bleeding them for 8 years. But our painstaking search for a way out of the impasse has reluctantly forced us to the conclusion that there is no negotiated solution of the Indochina problem which in its essence would not be either a face-saving device to cover a French surrender or a face-saving device to cover a Communist retirement. The first alternative is too serious in its broad strategic implications for us and for you to be acceptable. * * *

Somehow we must contrive to bring about the second alternative. The preliminary lines of our thinking were sketched out by Foster [Dulles] in his speech last Monday night when he said that under the conditions to today the imposition on southeast Asia of the political system of Communist Russia and its Chinese Communists ally, by whatever means, would be a grave threat to the whole free community, and that in our view this possibility should now be met by united action and not passively accepted. * * *

I believe that the best way to put teeth in this concept and to bring greater moral and material resources to the support of the French effort is through the establishment of a new, ad hoc grouping or coalition composed of nations which have a vital concern in the checking of Communist expansion in the area. I have in mind, in addition to our two countries, France, the Associated States, Australia, New Zealand, Thailand, and the Philippines. The U.S. Government would expect to play its full part in such a coalition. * * *

The important thing is that the coalition must be strong and it must be willing to join the fight if necessary. I do not envisage the need of any appreciable ground forces on your or our part. * * *

If I may refer again to history; we failed to halt Hirohito, Mussolini, and Hitler by not acting in unity and in time. That marked the beginning of many years of stark tragedy and desperate peril. May it not be that our nations have learned something from that lesson? * * *

With warm regard,

IKE.

LETTER FROM PRESIDENT EISENHOWER TO PRESIDENT DIEM, OCTOBER 1, 1954

DEAR MR. PRESIDENT: I have been following with great interest the course of developments in Vietnam, particularly since the conclusion of the conference at Geneva. The implications of the agreement concerning Vietnam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

Your recent requests for aid to assist in the formidable project of the movement of several hundred thousand loyal Vietnamese citizens away from areas which are passing under a de facto rule and political ideology which they abhor, are being fulfilled. I am glad that the United States is able to assist in this humanitarian effort.

We have been exploring ways and means to permit our aid to Vietnam to be more effective and to make a greater contribution to the welfare and stability of the Government of Vietnam. I am, accordingly, instructing the American Ambassador to Vietnam to examine with you in your capacity as Chief of Government, how an intelligent program of American aid given directly to your government can serve to assist Vietnam in its present hour of trial, provided that your government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied.

The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people.

Sincerely,

DWIGHT D. EISENHOWER.

LETTER FROM PRESIDENT EISENHOWER TO PRESIDENT DIEM, OCTOBER 26, 1960

DEAR MR. PRESIDENT: My countrymen and I are proud to convey our good wishes to you and to the citizens of Vietnam on the fifth anniversary of the birth of the Republic of Vietnam.

We have watched the courage and daring with which you and the Vietnamese people attained independence in a situation so perilous that many thought it hopeless. We have admired the rapidity with which chaos yielded to order and progress replaced despair.

During the years of your independence it has been refreshing for us to observe how clearly the Government and the citizens of Vietnam have faced the fact that the greatest danger to their independence was communism. You and your countrymen have used your strength well in accepting the double challenge of building your country and resisting Communist imperialism. In 5 short years since the founding of the Republic, the Vietnamese people have developed their country in almost every sector. I was particularly impressed by one example. I am informed that last year over 1,200,000 Vietnamese children were able to go to elementary school; three times as many as were enrolled 5 years earlier. This is certainly a heartening development for Vietnam's future. At the same time Vietnam's ability to defend itself from the Communists has grown immeasurably since its successful struggle to become an independent republic.

Vietnam's very success as well as its potential wealth and its strategic location have led the Communists of Hanoi, goaded by the bitterness of their failure to enslave all Vietnam, to use increasing violence in their attempts to destroy your country's freedom.

This grave threat, added to the strains and fatigues of the long struggle to achieve and strengthen independence, must be a burden that would cause moments of tension and concern in almost any human heart. Yet from long observation I sense how deeply the Vietnamese value their country's independence and strength and I know how well you used your boldness when you led your countrymen in winning it. I also know that your determination has been a vital factor in guarding that independence while steadily advancing the economic development of your country. I am confident that these same qualities of determination and boldness will meet the renewed threat as well as the needs and desires of your countrymen for further progress on all fronts.

Although the main responsibility for guarding that independence will always, as it has in the past, belong to the Vietnamese people and their government, I want to assure you that for so long as our strength can be useful, the United States will continue to assist Vietnam in the difficult yet hopeful struggle ahead.

DWIGHT D. EISENHOWER.

LETTER FROM PRESIDENT KENNEDY TO PRESIDENT DIEM, DECEMBER 14, 1961

DEAR MR. PRESIDENT: I have received your recent letter in which you described so cogently the dangerous condition caused by North Vietnam's efforts to take over your country. The situation in your embattled country is well known to me and to the American people. We have been deeply disturbed by the assault on your country. Our indignation has mounted as the deliberate savagery of the Communist program of assassination, kidnaping, and wanton violence became clear.

Your letter underlines what our own information has convincingly shown—that the campaign of force and terror now being waged against your people and your Government is supported and directed from the outside by the authorities at Hanoi. They have thus violated the provisions of the Geneva accords designed to insure peace in Vietnam and to which they bound themselves in 1954.

At that time, the United States, although not a party to the accords, declared that it "would view any renewal of the aggression in violation of the agreements with grave concern and as seriously threatening international peace and security." We continue to maintain that view.

In accordance with that declaration, and in response to your request, we are prepared to help the Republic of Vietnam to protect its people and to preserve its independence. We shall promptly increase our assistance to your defense effort as well as help relieve the destruction of the floods which you describe. I have already given the orders to get these programs underway.

The United States, like the Republic of Vietnam, remains devoted to the cause of peace and our primary purpose is to help your people maintain their independence. If the Communist authorities in North Vietnam will stop their campaign to destroy the Republic of Vietnam, the measures we are taking to assist your defense efforts will no longer be necessary. We shall seek to persuade the Communists to give up their attempts of force and subversion. In any case, we are confident that the Vietnamese people will preserve their independence and gain the peace and prosperity for which they have sought so hard and so long.

JOHN F. KENNEDY.

TOWARD PEACE WITH HONOR

(Press conference statement by the President, the White House, July 28, 1965)

Not long ago I received a letter from a woman in the Midwest. She wrote:

"DEAR MR. PRESIDENT: In my humble way I am writing to you about the crisis in Vietnam. I have a son who is now in Vietnam. My husband served in World War II. Our country was at war, but now, this time, it is just something I don't understand. Why?"

I have tried to answer that question a dozen times and more in practically every State in this Union. I discussed it fully in Baltimore in April, in Washington in May, in San Francisco in June. Let me again, now, discuss it here in the East Room of the White House.

Why must young Americans, born into a land exultant with hope and golden with promise, toil and suffer and sometimes die in such a remote and distant place?

The answer, like the war itself, is not an easy one. But it echoes clearly from the painful lessons of half a century. Three times in my lifetime, in two world wars and in Korea, Americans have gone to far lands to fight for freedom. We have learned at a terrible and brutal cost that retreat does not bring safety, and weakness does not bring peace.

The nature of the war

It is this lesson that has brought us to Vietnam. This is a different kind of war. There are no marching armies or solemn declarations. Some citizens of South Vietnam, at times with understandable grievances, have joined in the attack on their own government. But we must not let this mask the central fact that this is really war. It is guided by North Vietnam and spurred by Communist China. Its goal is to conquer the South, to defeat American power, and to extend the Asiatic dominion of communism.

The stakes in Vietnam

And there are great stakes in the balance. Most of the non-Communist nations of Asia cannot, by themselves and alone, resist the growing might and grasping ambition of Asian communism. Our power, therefore, is a vital shield. If we are driven from the field in Vietnam, then no nation can ever again have the same confidence in American promise, or in American protection. In each land the forces of independence would be considerably weakened. And an Asia so threatened by Communist domination would imperil the security of the United States itself.

We did not choose to be the guardians at the gate, but there is no one else.

Nor would surrender in Vietnam bring peace. We learned from Hitler at Munich that success only feeds the appetite of aggression. The battle would be renewed in one country and then another, bringing with it perhaps even larger and crueler conflict.

Moreover, we are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years, have committed themselves and have promised to help defend the small and valiant nation.

Strengthened by that promise, the people of South Vietnam have fought for many long years. Thousands of them have died. Thousands more have been crippled and scarred by war. We cannot now dishonor our word or abandon our commitment or leave those who believed us and who trusted us to the terror and repression and murder that would follow.

This, then, my fellow Americans, is why we are in Vietnam.

Increased effort to halt aggression

What are our goals in that war-stained land?

First: We intend to convince the Communists that we cannot be defeated by force of arms or by superior power. They are not easily convinced. In recent months they have greatly increased their fighting forces, their attacks, and the number of incidents. I have asked the commanding general, General Westmoreland, what more he needs to meet this mounting aggression. He has told me. We will meet his needs.

I have today ordered to Vietnam the Air Mobile Division and certain other forces which will raise our fighting strength from 75,000 to 125,000 men almost immediately. Additional forces will be needed later, and they will be sent as requested. This will make it necessary to increase our active fighting forces by raising the monthly draft call from 17,000 over a period of time, to 35,000 per month, and stepping up our campaign for voluntary enlistments.

After this past week of deliberations, I have concluded that it is not essential to order Reserve units into service now. If that necessity should later be indicated, I will give the matter most careful consideration. And I will give the country adequate notice before taking such action, but only after full preparations.

We have also discussed with the Government of South Vietnam lately the steps that they will take to substantially increase their own effort—both on the battlefield and toward reform and progress in the villages. Ambassador Lodge is now formulating a new program to be tested upon his return to that area.

I have directed Secretary Rusk and Secretary McNamara to be available immediately to the Congress to review with the appropriate congressional committees our plan in these areas. I have asked them to be available to answer the questions of any Member of Congress.

Secretary McNamara, in addition, will ask the Senate Appropriations Committee to add a limited amount to present legislation to help meet part of his new cost until a supplemental measure is ready and hearings can be held when the Congress assembles in January.

In the meantime, we will use the authority contained in the present Defense appropriations bill now to transfer funds, in addition to the additional money that we will request.

These steps, like our actions in the past, are carefully measured to do what must be done to bring an end to aggression and a peaceful settlement. We do not want an expanding struggle with consequences that no one can foresee. Nor will we bluster or bully or flaunt our power.

But we will not surrender. And we will not retreat.

For behind our American pledge lies the determination and resources of all of the American Nation.

Toward a peaceful solution

Second, once the Communists know, as we know, that a violent solution is impossible, then a peaceful solution is inevitable. We are ready now, as we have always been, to move from the battlefield to the conference table. I have stated publicly, and many times, America's willingness to begin unconditional discussions with any government at any place at any time. Fifteen efforts have been made to start these discussions, with the help of 40 nations throughout the world. But there has been no answer.

But we are going to continue to persist, if persist we must, until death and desolation have led to the same conference table where others could now join us at a much smaller cost.

I have spoken many times of our objectives in Vietnam. So has the Government of South Vietnam. Hanoi has set forth its own proposal. We are ready to discuss their proposals and our proposals and any proposals of any government whose people may be affected. For we fear the meeting room no more than we fear the battlefield.

The United Nations

In this pursuit we welcome, and we ask for, the concern and the assistance of any nation and all nations. If the United Nations and its officials—or any one of its 114 members—can, by deed or word, private initiative or public action, bring us nearer an honorable peace, then they will have the support and the gratitude of the United States of America.

I have directed Ambassador Goldberg to go to New York today and to present immediately to Secretary General U Thant a letter from me requesting that all of the resources, energy, and immense prestige of the United Nations be employed to find ways to halt aggression and to bring peace in Vietnam. I made a similar request at San Francisco a few weeks ago.

Free choice for Vietnam

We do not seek the destruction of any government, nor do we covet a foot of any territory. But we insist, and we will always insist, that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the south, or throughout all Vietnam under international supervision. And they shall not have any government imposed upon them by force and terror so long as we can prevent it.

This was the purpose of the 1954 agreements which the Communists have now cruelly shattered. If the machinery of those agreements was tragically weak, its purposes still guide our action.

As battle rages, we will continue as best we can to help the good people of South Vietnam enrich the condition of their life—to feed the hungry, to tend the sick, teach the young, shelter the homeless, and help the farmer to increase his crops, and the worker to find a job.

Progress in human welfare

It is an ancient, but still terrible, irony that while many leaders of men create division in pursuit of grand ambitions, the children of man are united in the simple elusive desire for a life of fruitful and rewarding toil.

As I said at Johns Hopkins in Baltimore, I hope that one day we can help all the people of Asia toward that desire. Eugene Black has made great progress since my appearance in Baltimore in that direction, not as the price of peace—for we are ready always to bear a more painful cost—but rather as a part of our obligations of justice toward our fellow man.

The difficulty of decision

Let me also add a personal note. I do not find it easy to send the flower of our youth, our finest young men, into battle. I have spoken to you today of the divisions and the forces and the battalions and the units. But I know them all, every one. I have seen them in a thousand streets, in a hundred towns, in every State in this Union—working and laughing, building, and filled with hope and life. I think that I know, too, how their mothers weep and how their families sorrow. This is the most agonizing and the most painful duty of your President.

A nation which builds

There is something else, too. When I was young, poverty was so common that we didn't know it had a name. Education was something you had to fight for. And water was life itself. I have now been in public life 35 years, more than three decades, and in each of those 35 years I have seen good men, and wise leaders, struggle to bring the blessings of this land to all of our people. Now I am the President. It is now my opportunity to help every child get an education, to help every Negro and every American citizen have an equal opportunity, to help every family get a decent home and to help bring healing to the sick and dignity to the old.

As I have said before, that is what I have lived for. That is what I have wanted all my life. And I do not want to see all those hopes and all those dreams of so many people for so many years now drowned in the wasteful ravages of war. I am going to do all I can to see that that never happens.

But I also know, as a realistic public servant, that as long as there are men who hate and destroy we must have the courage to resist, or we will see it all, all that we have built, all that we hope to build, all of our dreams for freedom—all swept away on the flood of conquest.

So this too shall not happen; we will stand in Vietnam.

THE TASKS OF DIPLOMACY

(Statement by Secretary of State Dean Rusk, before the House Foreign Affairs Committee, August 3, 1965)

As the President has said, "there are great stakes in the balance" in Vietnam today.

Let us be clear about those stakes. With its archipelagos, southeast Asia contains rich natural resources and some 200 million people. Geographically, it has great strategic importance—it dominates the gateway between the Pacific and Indian Oceans and flanks the Indian subcontinent on one side, and Australia and New Zealand on the other.

The loss of southeast Asia to the Communists would constitute a serious shift in the balance of power against the interests of the free world. And the loss of South Vietnam would make the defense of the rest of southeast Asia much more costly and difficult. That is why the SEATO Council has said that the defeat of the aggression against South Vietnam is "essential" to the security of southeast Asia.

But much more is at stake than preserving the independence of the peoples of southeast Asia and preventing the vast resources of that area from being swallowed by those hostile to freedom.

The test

The war in Vietnam is a test of a technique of aggression; what the Communists, in their upside-down language, call wars of national liberation. They use the term to describe any effort by Communists short of large-scale war, to destroy by force any non-Communist government. Thus the leaders of the Communist terrorists in such an independent democracy as Venezuela are described as leaders of a fight for "national liberation." And a recent editorial in Pravda said that "the upsurge of the national liberation movement in Latin American countries has been to a great extent a result of the activities of Communist Parties."

Communist leaders know, as the rest of the world knows, that thermonuclear war would be ruinous. They know that large-scale invasions, such as that launched in Korea 15 years ago, would bring great risks and heavy penalties. So, they have resorted to semiconcealed aggression through the infiltration of arms and trained military personnel across national frontiers. And the Asian Communists themselves regard the war in Vietnam as a critical test of that technique. Recently General Giap, leader of North Vietnam's Army, said:

"If the special warfare that the U.S. imperialists are testing in South Vietnam is overcome, then it can be defeated everywhere in the world."

In southeast Asia, the Communists already have publicly designated Thailand as the next target. And if the aggression against South Vietnam were permitted to succeed, the forces of militant communism everywhere would be vastly heartened and we could expect to see a series of so-called wars of liberation in Asia, Latin America, and Africa.

International law does not restrict internal revolution. But it does restrict what third powers may lawfully do in sending arms and men to bring about insurrection. What North Vietnam is doing in South Vietnam flouts not only the Geneva accords of 1954 and 1962 but general international law.

The assault on the Republic of Vietnam is beyond question, an aggression. It was organized and has been directed by North Vietnam, with the backing of Communist China. The cadres of guerrilla fighters, saboteurs, and assassins who form the backbone of the Vietcong were specially trained in the north. Initially, many of them were men of South Vietnamese birth who had fought with the Viet Minh against the French and gone north in their military units after Vietnam was divided in 1954. But that reservoir was gradually exhausted. During 1964 and since, most of the military men infiltrated from the north have been natives of North Vietnam. And near the end of last year they began to include complete units of the regular North Vietnamese Army. In addition to trained men and political and military direction, the North has supplied arms and ammunition in increasing quantities—in considerable part of Chinese manufacture.

Between 1959 and the end of 1964, 40,000 trained military personnel came down from the north into South Vietnam, by conservative estimate. More have come this year. Had all these crossed the line at once—as the North Koreans did in invading South Korea 15 years ago—no body in the free world could have doubted that the assault on Vietnam was an aggression. That the dividing line between North and South Vietnam was intended to be temporary does not make the attack any less of an aggression. The dividing line in Korea also was intended to be temporary.

If there is ever to be peace in this world, aggression must cease. We as a nation are committed to peace and the rule of law. We recognize also the harsh reality that our security is involved.

We are committed to oppose aggression not only through the United Nations Charter but through many defensive alliances. We have 42 allies, not counting the Republic of Vietnam. And many other nations know that their security depends upon us. Our power and our readiness to use it to assist others to resist aggression, the integrity of our commitment, these are the bulwarks of peace in the world.

If we were to fail in Vietnam, serious consequences would ensue. Our adversaries would be encouraged to take greater risks elsewhere. At the same time, the confidence which our allies and other free nations now have in our commitments would be seriously impaired.

The commitment

Let us be clear about our commitment in Vietnam.

It began with the Southeast Asia Treaty, which was negotiated and signed after the Geneva agreements and the cease-fire in Indochina in 1954 and was approved by the U.S. Senate by a vote of 82 to 1 in February 1955. That treaty protects against Communist aggression not only its members but any of the three non-Communist states growing out of former French Indochina which asks for protection.

Late in 1954 President Eisenhower, with bipartisan support, decided to extend aid to South Vietnam, both economic aid and aid in training its armed forces. His purpose, as he said, was to "assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."

Vietnam became a republic in 1955, was recognized as an independent nation by 36 nations initially, and is so recognized by more than 50 today.

Beginning in 1955, the Congress has each year approved overall economic and military assistance programs in which the continuation of major aid to South Vietnam has been specifically considered.

During the next 5 years, South Vietnam made remarkable economic and social progress—what some observers described as a "miracle."

Nearly a million refugees from the north were settled. These were the stouthearted people of whom the late Dr. Tom Dooley wrote so eloquently in his first book, "Deliver Us From Evil," and who led him to devote the rest of his all-too-brief life to helping the people of Vietnam and Laos.

A land-reform program was launched. A comprehensive system of agricultural credit was set up. Thousands of new schools and more than 3,500 village health stations were built. Rail transportation was restored and roads were repaired and improved. South Vietnam not only fed itself but resumed rice exports. Production of rubber and sugar rose sharply. New industries were started. Per capita income rose by 20 percent.

By contrast, North Vietnam suffered a drop of 10 percent in food production and disappointments in industrial production.

In 1954, Hanoi almost certainly had expected to take over South Vietnam within a few years. But by 1959 its hopes had withered and the south was far outstripping the heralded "Communist paradise." These almost certainly were the factors which led Hanoi to organize and launch the assault on the south.

I beg leave to quote from a statement I made at a press conference on May 4, 1961:

"Since late in 1959 organized Communist activity in the form of guerrilla raids against army and security units of the Government of Vietnam, terrorist acts against local officials and civilians, and other subversive activities in the Republic of Vietnam have increased to levels unprecedented since the Geneva agreements of 1954. During this period the organized armed strength of the Vietcong, the Communist apparatus operating in the Republic of Vietnam, has grown from about 3,000 to over 12,000 personnel. This armed strength has been supplemented by an increase in the numbers of political and propaganda agents in the area.

"During 1960 alone, Communist armed units and terrorists assassinated or kidnaped over 3,000 local officials, military personnel, and civilians. Their activities took the form of armed attacks against isolated garrisons, attacks on newly established townships, ambushes on roads and canals, destruction of bridges, and well-planned sabotage against public works and communication lines. Because of Communist guerrilla activity 200 elementary schools had to be closed at various times, affecting over 25,000 students and 800 teachers.

"This upsurge of Communist guerrilla activity apparently stemmed from a decision made in May 1959 by the Central Committee of the Communist Party of North Vietnam which called for the reunification of Vietnam by all 'appropriate means.' In July of the same year the Central Committee was reorganized and charged with intelligence duties and the liberation of South Vietnam. In retrospect this decision to step up guerrilla activity was made to reverse the remarkable success which the Government of the Republic of Vietnam under President Ngo Dinh Diem had achieved in consolidating its political position and in attaining significant economic recovery in the 5 years between 1954 and 1959.

"Remarkably coincidental with the renewed Communist activity in Laos, the Communist Party of North Vietnam at its third congress on September 10, 1960, adopted a resolution which declared that the Vietnamese resolution has as a major strategic task the liberation of the south from the 'rule of U.S. imperialists and their henchmen.' This resolution called for the direct overthrow of the Government of the Republic of Vietnam."

Next door to South Vietnam, Laos was threatened by a similar Communist assault. The active agent of attack on both was Communist North Vietnam, with the backing of Peiping and Moscow. In the case of Laos, we were able to negotiate an agreement in 1962 that it should be neutral and that all foreign military personnel should be withdrawn. We complied with that agreement. But North Vietnam never did. In gross violation of its pledge, it left armed units in Laos and continued to use Laos as a corridor to infiltrate arms and trained men into South Vietnam.

There was no new agreement, even on paper, on Vietnam. Late in 1961, President Kennedy therefore increased our assistance to the Republic of Vietnam. During that year, the infiltration of arms and military personnel from the north continued to increase. To cope with that escalation, President Kennedy decided to send more American military personnel—to assist with logistics and transportation and communications as well as with training and as advisers to South Vietnamese forces in the field. Likewise, we expanded our economic assistance and technical advice, particularly with a view to improving living conditions in the villages.

During 1962 and 1963, Hanoi continued to increase its assistance to the Vietcong. In response, President Kennedy and later President Johnson increased our aid.

Hanoi kept on escalating the war throughout 1964. And the Vietcong intensified its drafting and training of men in the areas it controls.

Last August, you will recall, North Vietnamese forces attacked American destroyers in international waters. That attack was met by appropriate air response against North Vietnamese naval installations. And Congress, by a combined vote of 504 to 2, passed a resolution expressing its support for actions by the Executive "including the use of armed force" to meet aggression in southeast Asia, including specifically aggression against South Vietnam. The resolution and the congressional debate specifically envisaged that, subject to continuing congressional consultation, the Armed Forces of the United States might be committed in the defense of South Vietnam in any way that seemed necessary, including employment in combat.

In summary, our commitment in Vietnam has been set forth in the Southeast Asia Treaty, which was almost unanimously approved by the U.S. Senate; the pledges made with bipartisan support by three successive Presidents of the United States; the assistance programs approved annually, beginning in 1955, by bipartisan majorities in both Houses of Congress; the declarations which we joined our SEATO and ANZUS allies in making at their Ministerial Council meetings in 1964 and 1965; the joint congressional resolution of August 1964, which was approved by a combined vote of 504 to 2.

Our commitment is to assist the Government and people of South Vietnam to repel this aggression, thus preserving their freedom. This commitment is to the South Vietnamese as a nation and people. It has continued through various changes of government, just as our commitments to our NATO allies remain unaltered by changes in government.

Continued escalation of the aggression by the other side has required continued strengthening of the military defenses of South Vietnam. Whether still more American military personnel will be needed will depend on events, especially on whether the other side continues to escalate the aggression. As the President has made plain, we will provide the South Vietnamese with whatever assistance may be necessary to ensure that the aggression against them is effectively repelled—that is, to make good on our commitment.

The pursuit of a peaceful settlement

As President Johnson and his predecessors have repeatedly emphasized, our objective in southeast Asia is peace—a peace in which the various peoples of the area can manage their own affairs in their own ways and address themselves to economic and social progress.

We seek no bases or special position for the United States. We do not seek to destroy or overturn the Communist regimes in Hanoi and Peiping. We ask only that they cease their aggressions, that they leave their neighbors alone.

Repeatedly, we and others have sought to achieve a peaceful settlement of the war in Vietnam.

We have had many talks with the Soviet authorities over a period of more than 4 years. But their influence in Hanoi appears to be limited. Recently, when approached, their response has been, in substance: You have come to the wrong address—nobody has authorized us to negotiate. Talk to Hanoi.

We have had a long series of talks with the Chinese Communsts in Warsaw. Although Peiping is more cautious in action than in word, it is unbending in its hostility to us and plainly opposed to any negotiated settlement in Vietnam.

There have been repeated contacts with Hanoi. Many channels are open. And many have volunteered to use them. But so far there has been no indication that Hanoi is seriously interested in peace on any terms except those which would assure a Communist takeover of South Vietnam.

We and others have sought to open the way for conferences on the neighboring states of Laos and Cambodia, where progress toward peace might be reflected in Vietnam. These approaches have been blocked by Hanoi and Peiping.

The United Kingdom, as cochairman of the Geneva conferences, has repeatedly sought a path to a settlement—first by working toward a new Geneva conference, then by a visit by a senior British statesman. Both efforts were blocked by the Communists—and neither Hanoi nor Peiping would even receive the senior British statesman.

In April, President Johnson offered unconditional discussions with the governments concerned. Hanoi and Peiping called this offer a "hoax."

Seventeen nonalined nations appealed for a peaceful solution, by negotiations without preconditions. We accepted the proposal. Hanoi and Red China rejected it with scorn calling some of its authors "monsters and freaks."

The President of India made a constructive proposal for an end to hostilities and an Afro-Asian patrol force. We welcomed this proposal with interest and hope. Hanoi and Peiping rejected it as a betrayal.

In May, the United States and South Vietnam suspended air attacks on North Vietnam. This action was made known to the other side to see if there would be a response in kind. But Hanoi denounced the pause as "a wornout trick" and Peiping denounced it as a "swindle." Some say the pause was not long enough. But we knew the negative reaction from the other side before we resumed. And we had paused previously for more than 4 years while thousands of armed men invaded the south and killed thousands of South Vietnamese, including women and children, and deliberately destroyed schoolhouses and playgrounds and hospitals and health centers and other facilities that the South Vietnamese had built to improve their lives and give their children a chance for a better education and better health.

In late June, the Commonwealth Prime Ministers established a mission of four of their members to explore with all parties concerned the possibilities for a conference leading to a just and lasting peace. Hanoi and Peiping made it plain that they would not receive the mission.

Mr. Harold Davies, a Member of the British Parliament, went to Hanoi with the approval of Prime Minister Wilson. But the high officials there would not even talk with him. And the lower-ranking officials who did talk with him made it clear that Hanoi was not yet interested in negotiations, that it was intent on a total victory in South Vietnam. As Prime Minister Wilson reported to the House of Commons, Mr. Davies met with a conviction among the North Vietnamese that their prospects of victory were too imminent for them to forsake the battlefield for the conference table.

We and others have made repeated efforts at discussions through the United Nations. In the Security Council, after the August attacks in the Gulf of Tonkin, we supported a Soviet proposal that the Government of North Vietnam be invited to come to the Security Council. But Hanoi refused.

In April, Secretary General U Thant considered visits to Hanoi and Peiping to explore the possibilities of peace. But both those Communist regimes made it plain that they did not regard the United Nations as competent to deal with that matter.

The President's San Francisco speech in June requested help from the United Nations membership at large in getting peace talks started.

In late July the President sent our new Ambassador to the United Nations, Arthur J. Goldberg, to New York with a letter to Secretary General U Thant requesting that all the resources, energy and immense prestige of the United Nations be employed to find ways to halt aggression and to bring peace in Vietnam. The Secretary General has already accepted this assignment.

We sent a letter to the Security Council calling attention to the special responsibility in this regard of the Security Council and of the nations which happen to be members of the Council. We have considered from time to time placing the matter formally before the Security Council. But we have been advised by many nations—and by many individuals—who are trying to help to achieve a peaceful settlement that to force debate and a vote in the Security Council might tend to harden positions and make useful explorations and discussions even more difficult.

President Johnson has publicly invited any and all members of the United Nations to do all they can to bring about a peaceful settlement.

By these moves the United States has intended to engage the serious attention and efforts of the United Nations as an institution, and its members as signatories of its charter, in getting the Communists to talk rather than fight—while continuing with determination an increasing effort to demonstrate that Hanoi and the Vietcong cannot settle the issue on the battlefield.

We have not only placed the Vietnam issue before the United Nations, but believe that we have done so in the most constructive ways.

The conditions for peace

What are the essential conditions for peace in South Vietnam?

In late June, the Foreign Minister of South Vietnam set forth the fundamental principles of a "just and enduring peace." In summary, those principles are:

An end to aggression and subversion.

Freedom for South Vietnam to choose and shape for itself its own destiny "in conformity with democratic principles and without any foreign interference from whatever sources."

As soon as aggression has ceased, the ending of the military measures now necessary by the Government of South Vietnam and the nations that have come to its aid to defend South Vietnam; and the removal of foreign military forces from South Vietnam.

And effective guarantees for the freedom of the people of South Vietnam.

We endorse those principles. In essence, they would constitute a return to the basic purpose of the Geneva accords of 1954. Whether they require reaffirmation of those accords or new agreements embodying these essential points, but with provision in either case for more effective international machinery and guarantees, could be determined in discussions and negotiations.

Once the basic points set forth by South Vietnam's Foreign Minister were achieved, future relations between North Vietnam and South Vietnam could be worked out by peaceful means. And this would include the question of a free decision by the people of North and South Vietnam on the matter of reunification.

When the aggression has ceased and the freedom of South Vietnam is assured by other means, we will withdraw our forces. Three Presidents of the United States have said many times that we want no permanent bases and no special position there. Our military forces are there because of the North Vietnamese aggression against South Vietnam and for no other reason. When the men and arms infiltrated by the North are withdrawn and Hanoi ceases its support and guidance of the war in the South, whatever remains in the form of indigenous dissent is a matter for the South Vietnamese themselves. As for South Vietnamese fighting in the Vietcong or under its control or influence, they must in time be integrated into their national society. But that is a process which must be brought about by the people of South Vietnam, not by foreign diplomats.

Apart from the search for a solution in Vietnam itself, the U.S. Government has hoped that discussions could be held on the problems concerning Cambodia and Laos. We supported the proposal of Prince Sihanouk for a conference on Cambodia, to be attended by the governments that participated in the 1954 conference, and noted the joint statement of the Soviet Union and the Democratic Republic of Vietnam, in April, to the effect that both favored the convening of conferences on Cambodia and Laos. Subsequently, however, Hanoi appeared to draw back and to impose conditions at variance with the Cambodian proposal.

We look beyond a just and enduring peace for Vietnam and Laos and Cambodia, to the day when Peiping will be ready to join in a general settlement in the Far East—a general settlement that would remove the threat of aggression and make it possible for all the peoples of the area to devote themselves to economic and social progress.

Several of the nations of Asia are densely populated. And high rates of population growth make it difficult for them to increase per capita incomes. The solution to these problems cannot be found through external aggression. They must be achieved internally within each nation.

As President Johnson has said, the United States stands ready to assist and support cooperative programs for economic development in Asia. Already we are making available additional funds for the development of the Mekong Valley. And we are taking the lead in organizing an Asian Development Bank, which we hope will be supported by all the major industrialized nations, including the Soviet Union. We would welcome membership by North Vietnam, when it has ceased its aggression.

Those are our objectives—peace and a better life for all who are willing to live at peace with their neighbors.

The present path

I turn now to the specific actions we are taking to convince Hanoi that it will not succeed and that it must move toward a peaceful solution.

Secretary McNamara is appearing before the appropriate committees of the Congress to discuss the military situation within South Vietnam in detail. In essence, our present view is that it is crucial to turn the tide in the south, and that for this purpose it is necessary to send substantial numbers of additional American forces.

The primary responsibility for defeating the Vietcong will remain, however, with the South Vietnamese. They have some 545,000 men in military and paramilitary forces. Despite losses, every branch of the armed forces of South Vietnam has more men under arms than it had 6 months ago. And they are making systematic efforts to increase their forces still further. The primary missions of American ground forces are to secure the airbases used by the South Vietnamese and ourselves and to provide a strategic reserve, thus releasing South Vietnamese troops for offensive actions against the Vietcong. In securing the airbases and related military installations, American forces are pushing out into the countryside to prevent buildups for surprise attacks. And they may be used in emergencies to help the South Vietnamese in combat. But the main task of rooting out the Vietcong will continue to be the responsibility of the South Vietnamese. And we have seen no sign that they are about to try to shift that responsibility to us. On the contrary, the presence of increasing numbers of American combat troops seems to have stimulated greater efforts on the part of the fighting men of South Vietnam.

At the same time, on the military side, we shall maintain, with the South Vietnamese, our program of limited air attacks on military targets in North Vietnam. This program is a part of the total strategy. We had never expected that air attacks on North Vietnam alone would bring Hanoi to a quick decision to cease its aggression. Hanoi has been committed to its aggression too long and too deeply to turn around overnight. It must be convinced that it faces not only continuing, and perhaps increased, pressure on the north itself, but also that it simply cannot win in the south.

The air attacks on the North have also had specific military effects in reducing the scale of increased infiltration from the North. Finally, they are important as a warning to all concerned that there are no longer sanctuaries for aggression.

It has been suggested in some quarters that Hanoi would be more disposed to move to negotiations and to cease its aggression if we stopped bombing the North. We do not rule out the possibility of another and longer pause in bombing, but the question remains—and we have repeatedly asked it: What would happen from the North in response? Would Hanoi withdraw the 325th Division of the Regular Army, which is now deployed in South Vietnam and across the line in Laos? Would it take home the other men it has infiltrated into the South? Would it stop sending arms and ammunition into South Vietnam? Would the campaign of assassination and sabotage in the South cease? We have been trying to find out what would happen if we were to suspend our bombing of the North. We have not been able to get an answer or even a hint.

Those who complain about air attacks on military targets in North Vietnam would carry more weight if they had manifested, or would manifest now, appropriate concern about the infiltrations from the North, the high rate of military activity in the South, and the ruthless campaign of terror and assassination which is being conducted in the South under the direction of Hanoi and with its active support.

The situation in South Vietnam

Let me now underline just a few points about the political and economic situation in South Vietnam. For we know well that, while security is fundamental to turning the tide, it remains vital to do all we can on the political and economic fronts.

All of us have been concerned, of course, by the difficulties of the South Vietnamese in developing an effective and stable government. But this failure should not astonish us. South Vietnam is a highly plural society striving to find its political feet under very adverse conditions. Other nations—new and old—with fewer difficulties and unmolested by determined aggressors have done no better. South Vietnam emerged from the French Indochina war with many political factions, most of which were firmly anti-Communist. Despite several significant initial successes in establishing a degree of political harmony, the government of President Diem could not maintain a lasting unity among the many factions. The recent shifting and reshuffling of Vietnamese Governments is largely the continuing search for political unity and a viable regime which can overcome these long-evident political divisions.

And we should not forget that the destruction of the fabric of government at all levels has been a primary objective of the Vietcong. The Vietcong has assassinated thousands of local officals—and health workers and schoolteachers and others who were helping to improve the life of the people of the countryside. In the last year and a half, it has killed, wounded, or kidnaped 2,291 village officials and 22,146 other civilians—these on top of its thousands of earlier victims.

Despite the risks to themselves and their families, Vietnamese have continued to come forward to fill these posts. And in the last 6 years, no political dissenter of any consequence has gone over to the Vietcong. The Buddhists, the Catholics, the sects, the Cambodians (of which there are about a million in South Vietnam), the Montagnards—all the principal elements in South Vietnamese political life except the Vietcong itself, which is a very small minority—remain overwhelmingly anti-Communist.

The suggestion that Ho Chi Minh probably could win a free election in South Vietnam is directly contrary to all the evidence we have. And we have a great deal of evidence, for we have Americans—in twos and threes and fours and sixes—in the countryside in all parts of Vietnam. In years past Ho Chi Minh was a hero throughout Vietnam. For he had led the fight against the Japanese and then against the French. But his glamour began to fade when he set up a Communist police state in the North—and the South, by contrast, made great progress under a non-Communist nationalist government. Today the North Vietnamese regime is badly discredited. We find the South Vietnamese in the countryside ready to cooperate with their own government when they can do so with reasonable hope of not being assassinated by the Vietcong the next night.

At the present time, somewhat more than 50 percent of the people of Vietnam live in areas under control of their government. Another 25 percent live in areas under shifting control. And about 25 percent live in areas under varying degrees of Vietcong control. But even where it succeeds in imposing taxes, drafting recruits, and commandeering labor, the Vietcong has not usually been able to organize the area. We have a good deal of evidence that Vietcong tax exactions and terrorism have increasingly alienated the villagers. And one of the problems with which the South Vietnamese Government and we have to deal is the large scale exodus from the central highlands to the coastal areas of refugees from the Vietcong.

It is of the greatest significance that, despite many years of harsh war, despite the political instability of the central government, and despite division of their country since 1954, the people of South Vietnam fight on with uncommon determination. There is no evidence among politicians, the bureaucracy, the military, the major religious groups, the youth, or even the peasantry of a desire for peace at any price. They all oppose surrender or accommodation on a basis which would lead to a Communist takeover. The will to resist the aggression from the North has survived through periods of great stress and remains strong.

The central objective of our foreign policy is a peaceful community of nations, each free to choose its own institutions but cooperating with one another to promote their mutual welfare. It is the kind of world order envisaged in the opening sections of the United Nations Charter. But there have been and still are important forces in the world which seek a different goal—which deny the right of free choice, which seek to expand their influence and empires by every means including force.

The bulwark of peace

In defense of peace and freedom and the right of free choice:

We and others insisted that the Soviets withdraw their forces from Iran.

We went to the aid of Turkey and Greece.

We joined in organizing the European recovery program and in forming the North Atlantic Alliance.

We and our allies have defended the freedom of West Berlin.

We and 15 other nations joined in repelling the aggression in Korea.

We have joined defensive alliances with many other nations and have helped them to strengthen their defensive military forces.

We supported the United Nations in its efforts to preserve the independence of the Congo.

We insisted that the Soviet Union withdraw strategic weapons from Cuba.

Had we not done these things—and others—the enemies of freedom would now control much of the world and be in a position to destroy us or at least to sap our strength by economic strangulation.

For the same basic reasons that we took all those other measures to deter or to repel aggression, we are determined to assist the people of South Vietnam to defeat this aggression.

In his last public utterance, recorded only half an hour before his death, a great and beloved American, Adlai Stevenson, said:

"There has been a great deal of pressure on me in the United States from many sources to take a position—a public position—inconsistent with that of my Government. Actually, I don't agree with those protestants. My hope in Vietnam is that resistance there may establish the fact that changes in Asia are not to be precipitated by outside forces."

I believe, with the President, that "once the Communists know, as we know, that a violent solution is impossible, then a peaceful solution is inevitable."

The great bulwark of peace for all freemen—and therefore of peace for the millions ruled by the adversaries of freedom—has been, and is today, the power of the United States and our readiness to use that power, in cooperation with other free nations to deter or to defeat aggression, and to help other free nations to go forward economically, socially, and politically.

We have had to cope with a long series of dangerous crises caused by the aggressive appetites of others. But we are a great nation and people. I am confident that we will meet this test, as we have met others.

THE TASKS OF DEFENSE

(Statement by Secretary of Defense Robert S. McNamara, before the Defense Subcommittee of the Senate Appropriations Committee, August 4, 1965)

The issue in Vietnam is essentially the same as it was in 1954 when President Eisenhower said:

"I think it is no longer necessary to enter into a long argument or exposition to show the importance to the United States of Indochina and of the struggle going on there. No matter how the struggle may have started, it has long since become one of the testing places between a free form of government and dictatorship. Its outcome is going to have the greatest significance for us, and possibly for a long time into the future.

"We have here a sort of cork in the bottle, the bottle being the great area that includes Indonesia, Burma, Thailand, all of the surrounding areas of Asia with its hundreds of millions of people. * * *"

The nature of the conflict

What is at stake in Vietnam today is the ability of the free world to block Communist armed aggression and prevent the loss of all of southeast Asia, a loss which in its ultimate consequences could drastically alter the strategic situation in Asia and the Pacific to the grave detriment of our own security and that of our allies. While 15 years ago, in Korea, Communist aggression took the form of an overt armed attack, today in South Vietnam, it has taken the form of a large-scale intensive guerrilla operation.

The covert nature of this aggression, which characterized the earlier years of the struggle in South Vietnam, has now all but been stripped away. The control of the Vietcong effort by the regime in Hanoi, supported and incited by Communist China, has become increasingly apparent.

The struggle there has enormous implications for the security of the United States and the free world, and for that matter, the Soviet Union as well. The North Vietnamese and the Chinese Communists have chosen to make South Vietnam the test case for their particular version of the so-called wars of national liberation. The extent to which violence should be used in overthrowing non-Communist governments has been one of the most bitterly contested issues between the Chinese and the Soviet Communists.

Although the former Chairman, Mr. Khrushchev, fully endorsed wars of national liberation as the preferred means of extending the sway of communism, he cautioned that "this does not not necessarily mean that the transition to socialism will everywhere and in all cases be linked with armed uprising and civil war. * * * Revolution by peaceful means accords with the interests of the working class and the masses."

The Chinese Communists, however, insist that:

"Peaceful coexistence cannot replace the revolutionary struggles of the people. The transition from capitalism to socialism in any country can only be brought about through proletarian revolution and the dictatorship of the proletariat in that country. * * * The vanguard of the proletariat will remain unconquerable in all circumstances only if it masters all forms of struggle—peaceful and armed, open and secret, legal and illegal, parliamentary struggle and mass struggle, and so forth." (Letter to the Central Committee of the Communist Party of the Soviet Union, June 14, 1963.)

Their preference for violence was even more emphatically expressed in an article in the Peiping People's Daily of March 31, 1964:

"It is advantageous from the point of view of tactics to refer to the desire for peaceful transition, but it would be inappropriate to emphasize the possibility of peaceful transition. * * * the proletarian party must never substitute parliamentary struggle for proletarian revolution or entertain the illusion that the transition to socialism can be achieved through the parliamentary road. Violent revolution is a universal law of proletarian revolution. To realize the transition to socialism, the proletariat must wage armed struggle, smash the old state machine and establish the dictatorship of the proletariat. * * *"

"Political power," the article quotes Mao Tse-tung as saying, "grows out of the barrel of a gun."

Throughout the world we see the fruits of these policies and in Vietnam, particularly, we see the effects of the Chinese Communists' more militant stance and their hatred of the free world. They make no secret of the fact that Vietnam is the test case, and neither does the regime in Hanoi. General Giap, head of the North Vietnamese Army, recently said that "South Vietnam is the model of the national liberation movement of our time. * * * If the special warfare that the U.S. imperialists are testing in South Vietnam is overcome, then it can be defeated everywhere in the world." And, Pham Van Dong, Premier of North Vietnam, pointed out that "The experience of our compatriots in South Vietnam attracts the attention of the world, especially the peoples of South America."

It is clear that a Communist success in South Vietnam would be taken as proof that the Chinese Communists' position is correct and they will have made a giant step forward in their efforts to seize control of the world Communist movement.

Furthermore, such a success would greatly increase the prestige of Communist China among the nonalined nations and strengthen the position of their followers everywhere. In that event we would then have to be prepared to cope with the same kind of aggression in other parts of the world wherever the existing governments are weak and the social structures fragmented. If Communist armed aggression is not stopped in Vietnam, as it was in Korea, the confidence of small nations in America's pledges of support will be weakened and many of them, in widely separated areas of the world, will feel unsafe.

Thus, the stakes in South Vietnam are far greater than the loss of one small country to communism. Its loss would be a most serious setback to the cause of freedom and would greatly complicate the task of preventing the further spread of militant Asian communism. And, if that spread is not halted, our strategic position in the world will be weakened and our national security directly endangered.

Conditions leading to the present situation in South Vietnam

Essential to a proper understanding of the present situation in South Vietnam is a recognition of the fact that the so-called insurgency there is planned, directed, controlled, and supported from Hanoi.

True, there is a small dissident minority in South Vietnam, but the government could cope with it if it were not directed and supplied from the outside. As early as 1960, at the Third Congress of the North Vietnamese Communist Party, both Ho Chi Minh and General Giap spoke of the need to "step up" the "revolution in the South." In March 1963 the party organ Hoc Tap stated that the authorities in South Vietnam "are well aware that North Vietnam is the firm base for the southern revolution and the point on which it leans, and that our party is the steady and experienced vanguard unit of the working class and people and is the brain and factor that decides all victories of the revolution."

Through most of the past decade the North Vietnamese Government denied and went to great efforts to conceal the scale of its personnel and materiel support, in addition to direction and encouragement, to the Vietcong.

It had strong reasons to do so. The North Vietnamese regime had no wish to force upon the attention of the world its massive and persistent violations of its Geneva pledges of 1954 and 1962 regarding noninterference in South Vietnam and Laos.

However, in building up the Vietcong forces for a decisive challenge, the authorities in North Vietnam have increasingly dropped the disguises that gave their earlier support a clandestine character.

Through 1963, the bulk of the arms infiltrated from the North were old French and American models acquired prior to 1954 in Indochina and Korea.

Now, the flow of weapons from North Vietnam consist almost entirely of the latest arms acquired from Communist China; and the flow is large enough to have entirely reequipped the main force units, despite the capture this year by government forces of thousands of these weapons and millions of rounds of the new ammunition.

Likewise, through 1963, nearly all the personnel infiltrating through Laos, trained and equipped in the North and ordered South, were former southerners.

But in the last 18 months, the great majority of the infiltrators—more than 10,000 of them—have been ethnic northerners, mostly draftees ordered into the People's Army of Vietnam for duty in the South. And it now appears that, starting their journey through Laos last December, from one to three regiments of a North Vietnamese regular division, the 325th Division of the North Vietnamese Army, have deployed into the Central Highlands of South Vietnam for combat alongside the Vietcong.

Thus, despite all its reasons for secrecy, Hanoi's desire for decisive results this summer has forced it to reveal its hand even more openly.

The United States during the last 4 years has steadily increased its help to the people of South Vietnam in an effort to counter this ever-increasing scale of Communist aggression. These efforts achieved some measure of success during 1962. The South Vietnamese forces in that year made good progress in suppressing the Vietcong insurrection.

Although combat deaths suffered by these forces in 1962 rose by 11 percent over the 1961 level (from about 4,000 to 4,450), Vietcong combat deaths increased by 72 percent (from about 12,000 to 21,000). Weapons lost by the South Vietnamese fell from 5,900 in 1961 to 5,200 in 1962, while the number lost by the Vietcong rose from 2,750 to 4,050. The Government's new strategic hamlet program was just getting underway and was showing promise. The economy was growing and the Government seemed firmly in control. Therefore, in early 1963, I was able to say: "* * * victory over the Vietcong will most likely take many years. But now, as a result of the operations of the last year, there is a new feeling of confidence, not only on the part of the Government of South Vietnam but also among the populace, that victory is possible."

But at the same time I also cautioned:

"We are not unmindful of the fact that the pressure on South Vietnam may well continue through infiltration via the Laos corridor. Nor are we unmindful of the possibility that the Communists, sensing defeat in their covert efforts, might resort to overt aggression from North Vietnam. Obviously, this latter contingency could require a greater direct participation by the United States. The survival of an independent government in South Vietnam is so important to the security of all southeast Asia and to the free world that we must be prepared to take all necessary measures within our capability to prevent a Communist victory."

Unfortunately, the caution voiced in early 1963 proved to be well founded. Late in 1963, the Communists stepped up their efforts, and the military situation began to deteriorate. The Diem government came under increasing internal pressures, and in November it was overthrown. As I reported in February 1964:

"The Vietcong was quick to take advantage of the growing opposition to the Diem government and the period of uncertainty following its overthrow. Vietcong activities were already increasing in September and continued to increase at an accelerated rate in October and November, particularly in the delta area. And I must report that they have made considerable progress since the coup."

Following the coup, the lack of stability in the central government and the rapid turnover of key personnel, particularly senior military commanders, began to be reflected in combat operations and throughout the entire fabric of the political and economic structure. And, in 1964, the Communists greatly increased the scope and tempo of their subversive efforts. Larger scale attacks became more frequent and the flow of men and supplies from the north expanded. The incidence of terrorism and sabotage rose rapidly and the pressure on the civilan population was intensified.

The deteriorating military situation was clearly reflected in the statistics. South Vietnamese combat deaths rose from 5,650 in 1963 to 7,450 in 1964 and the number of weapons lost from 8,250, to 14,100. In contrast, Vietcong combat deaths dropped from 20,600 to 16,800 and, considering the stepped-up tempo of activity, they experienced only a very modest rise in the rate of weapons lost (from 5,400 to 5,900).

At various times in recent months, I have called attention to the continued buildup of Communist forces in South Vietnam. I pointed out that although these forces had not been committed to combat in any significant degree, they probably would be after the start of the monsoon season. It is now clear that these forces are being committed in increasing numbers and that the Communists have decided to make an all-out attempt to bring down the Government of South Vietnam.

The entire economic and social structure is under attack. Bridges, railroads, and highways are being destroyed and interdicted. Agricultural products are being barred from the cities. Electric powerplants and communication lines are being sabotaged. Whole villages are being burned and their population driven away, increasing the refugees burden on the South Vietnamese Government.

In addition to the continued infiltration of increasing numbers of individuals and the acceleration of the flow of modern equipment and supplies organized units of the North Vietnamese Army have been identified in South Vietnam. We now estimate the hard core Vietcong strength at some 70,000 men, including a recently reported increase in the number of combat battalions. In addition, they have some 90,000 to 100,000 irregulars and some 30,000 in their political cadres; i.e., tax collectors, propagandists, etc. We have also identified at least three battalions of the regular North Vietnamese Army, and there are probably considerably more.

At the same time the Government of South Vietnam has found it increasingly difficult to make a commensurate increase in the size of its own forces, which now stand at about 545,000 men, including the regional and local defense forces but excluding the national police.

Combat deaths on both sides have been mounting—for the South Vietnamese from an average of 143 men a week in 1964, to about 270 a week for the 4-week period ending July 24 this year. Vietcong losses have gone from 322 a week last year to about 680 a week for the 4-week period ending July 24

Most important, the ratio of South Vietnamese to Vietcong strength has seriously declined in the last 6 or 7 months from about 5 to 1 to about 3 or 3½ to 1; the ratio of combat battalions is substantially less. This is far too low a ratio for a guerrilla war even though the greater mobility and firepower provided to the South Vietnamese forces by the United States help to offset that disadvantage.

The South Vietnamese forces have to defend hundreds of cities, towns, and hamlets while the Vietcong are free to choose the time and place of their attack. As a result, the South Vietnamese are stretched thin in defensive positions, leaving only a small central reserve for offensive action against the Vietcong, while the latter are left free to concentrate their forces and throw them against selected targets. It is not surprising, therefore, that the Vietcong retains most of the initiative.

Even so, we may not as yet have seen the full weight of the Communist attack. Presently, the situation is particularly acute in the northern part of the country where the Communists have mobilized large military forces which pose a threat to the entire region and its major cities and towns. Our air attack may have helped to keep these forces off balance but the threat remains and it is very real.

Clearly, the time has come when the people of South Vietnam need more help from us and other nations if they are to retain their freedom and independence.

We have already responded to that need with some 75,000 U.S. military personnel, including some combat units. This number will be raised to 125,000 almost immediately with the deployment of the Air Mobile Division and certain other forces. But, more help will be needed in the months ahead and additional U.S. combat forces will be required to back up the hard-pressed Army of South Vietnam. Two other nations have provided combat forces—Australia and New Zealand. We hope that by the end of this year others will join them. In this regard, the Koreans have just recently approved a combat division for deployment to Vietnam, which is scheduled to arrive this fall.

Role of U.S. combat forces in South Vietnam

As I noted earlier, the central reserve of the South Vietnamese Army has been seriously depleted in recent months. The principal role of U.S. ground combat forces will be to supplement this reserve in support of the frontline forces of the South Vietnamese Army. The indigenous paramilitary forces will deal with the pacification of areas cleared of organized Vietcong and North Vietnamese units, a role more appropriate for them than for our forces.

The Government of South Vietnam's strategy, with which we concur, is to achieve the initiative, to expand gradually its area of control by breaking up major concentrations of enemy forces, using to the maximum our preponderance of airpower, both land and sea based. The number of fixed-wing attack sorties by U.S. aircraft in South Vietnam will increase manifold by the end of year.

Armed helicopter sorties will also increase dramatically over the same period, and extension use will be made of heavy artillery, both land based and sea based. At the same time our air and naval forces will continue to interdict the Vietcong supplies line from North Vietnam, both land and sea.

Although our tactics have changed, our objective remains the same.

We have no desire to widen the war. We have no desire to overthrow the North Vietnamese regime, seize its territory or achieve the unification of North and South Vietnam by force of arms. We have no need for permanent military bases in South Vietnam or for special privileges of any kind.

What we are seeking through the planned military buildup is to block the Vietcong offensive, to give the people of South Vietnam and their armed forces some relief from the unrelenting Communist pressures—to give them time to strengthen their government, to reestablish law and order, and to revive their economic life which has been seriously disrupted by Vietcong harassment and attack in recent months. We have no illusions that success will be achieved quickly, but we are confident that it will be achieved much more surely by the plan I have outlined.

Increases in U.S. military forces

Fortunately, we have greatly increased the strength and readiness of our Military Establishment since 1961, particularly in the kinds of forces which we now require in southeast Asia. The Active Army has been expanded from 11 to 16 combat ready divisions. Twenty thousand men have been added to the Marine Corps to allow them to fill out their combat structure and at the same time facilitate the mobilization of the Marine Corps Reserve. The tactical fighter squadrons of the Air Force have been increased by 51 percent. Our airlift capability has more than doubled. Special forces trained to deal with insurgency threats have been multiplied elevenfold. General ship construction and conversion has been doubled.

During this same period, procurement for the expanded force has been increased greatly: Air Force tactical aircraft—from $360 million in 1961 to about $1.1 billion in the original fiscal year 1966 budget; Navy aircraft—from $1.8 billion to $2.2 billion; Army helicopters—from 286 aircraft to over 1,000. Procurement of ordnance, vehicles and related equipment was increased about 150 percent in the fiscal years 1962–64 period, compared with the preceding 3 years. The tonnage of modern nonnuclear air-to-ground ordnance in stock tripled between fiscal year 1961 and fiscal year 1965. In brief, the Military Establishment of the United States, today, is in far better shape than it ever has been in peacetime to face whatever tasks may lie ahead.

Nevertheless, some further increases in forces, military personnel, production, and construction will be required if we are to deploy additional forces to southeast Asia and provide for combat consumption while at the same time, maintaining our capabilities to deal with crises elsewhere in the world.

To offset the deployments now planned to southeast Asia, and provide some additional forces for possible new deployments, we propose to increase the presently authorized force levels. These increases will be of three types: (1) Additional units for the Active Forces, over and above those reflected in the January budget; (2) military personnel augmentations for presently authorized units in the Active Forces to man new bases, to handle the larger logistics workload, etc.; and (3) additional personnel and extra training for selected Reserve component units to increase their readiness for quick deployment. We believe we can achieve this buildup without calling up the Reserves or ordering the involuntary extension of tours, except as already authorized by law for the Department of the Navy. Even here the extension of officer tours will be on a selective basis and extensions for enlisted men will be limited, in general, to not more than 4 months.

The program I have outlined here today and the $1.7 billion amendment to the fiscal year 1966 Defense appropriation bill now before the committee will, in the collective judgment of my principal military and civilian advisers and myself, provide the men, materiel, and facilities required to fulfill the President's pledge to meet the mounting aggression in South Vietnam, while at the same time maintaining the forces required to meet commitments elsewhere in the world.

THE CHALLENGE OF HUMAN NEED

(Address by the President to the Association of American Editorial Cartoonists, the White House, May 13, 1965)

The third face of the war

The war in Vietnam has many faces.

There is the face of armed conflict—of terror and gunfire—of bomb-heavy planes and campaign-weary soldiers. * * *

The second face of war in Vietnam is the quest for a political solution—the face of diplomacy and politics—of the ambitions and the interest of other nations. * * *

The third face of war in Vietnam is, at once, the most tragic and most hopeful. It is the face of human need. It is the untended sick, the hungry family, and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land.

It is the most important battle of all in which we are engaged.

For a nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past.

It is not enough to just fight against something. People must fight for something, and the people of South Vietnam must know that after the long, brutal journey through the dark tunnel of conflict there breaks the light of a happier day. And only if this is so can they be expected to sustain the enduring will for continued strife. Only in this way can longrun stability and peace come to their land.

And there is another, more profound reason. In Vietnam communism seeks to really impose its will by force of arms. But we would be deeply mistaken to think that this was the only weapon. Here, as other places in the world, they speak to restless people—people rising to shatter the old ways which have imprisoned hope—people fiercely and justly reaching for the material fruits from the tree of modern knowledge.

It is this desire, and not simply lust for conquest, which moves many of the individual fighting men that we must now, sadly, call the enemy.

It is, therefore, our task to show that freedom from the control of other nations offers the surest road to progress, that history and experience testify to this truth. But it is not enough to call upon reason or point to examples. We must show it through action and we must show it through accomplishment, and even were there no war—either hot or cold—we would always be active in humanity's search for progress.

This task is commanded to us by the moral values of our civilization, and it rests on the inescapable nature of the world that we have now entered. For in that world, as long as we can foresee, every threat to man's welfare will be a threat to the welfare of our own people. Those who live in the emerging community of nations will ignore the perils of their neighbors at the risk of their own prospects.

Cooperative development in southeast Asia

This is true not only for Vietnam but for every part of the developing world. This is why, on your behalf, I recently proposed a massive, cooperative development effort for all of southeast Asia. I named the respected leader, Eugene Black, as my personal representative to inaugurate our participation in these programs.

Since that time rapid progress has been made, I am glad to report. Mr. Black has met with the top officials of the United Nations on several occasions. He has talked to other interested parties. He has found increasing enthusiasm. The United Nations is already setting up new mechanisms to help carry forward the work of development.

In addition, the United States is now prepared to participate in, and to support, an Asian Development Bank, to carry out and help finance the economic progress in that area of the world and the development that we desire to see in that area of the world.

So this morning I call on every other industrialized nation, including the Soviet Union, to help create a better life for all of the people of southeast Asia.

Surely, surely, the works of peace can bring men together in a common effort to abandon forever the works of war.

But, as South Vietnam is the central place of conflict, it is also a principal focus for our work to increase the well-being of people.

It is that effort in South Vietnam, of which I think we are too little informed, which I want to relate to you this morning.

Strengthening Vietnam's economy

We began in 1954, when Vietnam became independent, before the war between the north and the south. Since that time we have spent more than $2 billion in economic help for the 16 million people of South Vietnam. And despite the ravages of war, we have made steady, continuing gains. We have concentrated on food and health and education and housing and industry.

Like most developing countries, South Vietnam's economy rests on agriculture. Unlike many, it has large uncrowded areas of very rich and very fertile land. Because of this, it is one of the great rice bowls of the entire world. With our help, since 1954, South Vietnam has already doubled its rice production, providing food for the people as well as providing a vital export for that nation.

We have put our American farm knowhow to work on other crops. This year, for instance, several hundred million cuttings of a new variety of sweet potato, that promises a sixfold increase in yield will be distributed to these Vietnamese farmers. Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966. Pig production has more than doubled since 1955. Many animal diseases have been eliminated entirely.

Disease and epidemic brood over every Vietnamese village. In a country of more than 16 million people with a life expectancy of only 35 years, there are only 200 civilian doctors. If the Vietnamese had doctors in the same ratio as the United States has doctors, they would have not the 200 that they do have but they would have more than 5,000 doctors.

We have helped vaccinate, already, over 7 million people against cholera, and millions more against other diseases. Hundreds of thousands of Vietnamese can now receive treatment in the more than 12,000 hamlet health stations that America has built and has stocked. New clinics and surgical suites are scattered throughout the entire country, and the medical school that we are now helping to build will graduate as many doctors in a single year as now serve the entire civilian population of South Vietnam.

Education is the keystone of future development in Vietnam. It takes trained people to man the factories, to conduct the administration, and to form the human foundation for an advancing nation. More than a quarter million young Vietnamese can now learn in more than 4,000 classrooms that America has helped to build in the last 3 years; and 2,000 more schools are going to be built by us in the next 12 months. The number of students in vocational schools has gone up four times. Enrollment was 300,000 in 1955, when we first entered there and started helping with our program. Today it is more than 1,500,000. The 8 million textbooks that we have supplied to Vietnamese children will rise to more than 15 million by 1967.

Agriculture is the foundation. Health, education, and housing are the urgent human needs. But industrial development is the great pathway to their future.

When Vietnam was divided, most of the industry was in the North. The South was barren of manufacturing and the foundations for industry. Today more than 700 new or rehabilitated factories—textile mills and cement plants, electronics and plastics—are changing the entire face of that nation. New roads and communications, railroad equipment, and electric generators are a spreading base on which the new industry can, and is, growing.

Progress in the midst of war

All this progress goes on, and it is going to continue to go on, under circumstances of staggering adversity.

Communist terrorists have made aid programs that we administer a very special target of their attack. They fear them, because agricultural stations are being destroyed and medical centers are being burned. More than 100 Vietnamese malaria fighters are dead. Our own AID officials have been wounded and kidnaped. These are not just the accidents of war. They are a part of a deliberate campaign, in the words of the Communists, "to cut the fingers off the hands of the Government."

We intend to continue, and we intend to increase our help to Vietnam.

Nor can anyone doubt the determination of the South Vietnamese themselves. They have lost more than 12,000 of their men since I became your President a little over a year ago.

But progress does not come from investment alone, or plans on a desk, or even the directives and the orders that we approve here in Washington. It takes men. Men must take the seed to the farmer. Men must teach the use of fertilizer. Men must help in harvest. Men must build the schools, and men must instruct the students. Men must carry medicine into the jungle, and treat the sick, and shelter the homeless. And men—brave, tireless, filled with love for their fellows—are doing this today. They are doing it through the long, hot, danger-filled Vietnamese days and the sultry nights.

The fullest glory must go, also, to those South Vietnamese that are laboring and dying for their own people and their own nation. In hospitals and schools, along the rice fields and the roads, they continue to labor, never knowing when death or terror may strike.

How incredible it is that there are a few who still say that the South Vietnamese do not want to continue the struggle. They are sacrificing and they are dying by the thousands. Their patient valor in the heavy presence of personal physical danger should be a helpful lesson to those of us who, here in America, only have to read about it, or hear about it on the television or radio.

We have our own heroes who labor at the works of peace in the midst of war. They toil unarmed and out of uniform. They know the humanity of their concern does not exempt them from the horrors of conflict, yet they go on from day to day. They bring food to the hungry over there. They supply the sick with necessary medicine. They help the farmer with his crops, families to find clean water, villages to receive the healing miracles of electricity. These are Americans who have joined our AID program, and we welcome others to their ranks.

A call for aid

For most Americans this an easy war. Men fight and men suffer and men die, as they always do in war. But the lives of most of us, at least those of us in this room and those listening to me this morning, are untroubled. Prosperity rises, abundance increases, the Nation flourishes.

I will report to the Cabinet when I leave this room that we are in the 51st month of continued prosperity, the longest peacetime prosperity for America since our country was founded. Yet our entire future is at stake.

What a difference it would make if we could only call upon a small fraction of our unmatched private resources—businesses and unions, agricultural groups and builders—if we could call them to the task of peaceful progress in Vietnam. With such a spirit of patriotic sacrifice we might well strike an irresistible blow for freedom there and for freedom throughout the world.

I therefore hope that every person within the sound of my voice in this country this morning will look for ways—and those citizens of other nations who believe in humanity as we do, I hope that they will find ways to help progress in South Vietnam.

This, then, is the third face of our struggle in Vietnam. It was there—the illiterate, the hungry, the sick—before this war began. It will be there when peace comes to us—and so will we—not with soldiers and planes, not with bombs and bullets, but with all the wondrous weapons of peace in the 20th century.

And then, perhaps, together all of the people of the world can share that gracious task with all the people of Vietnam, North and South alike.

VIETNAM PERSPECTIVE: "WINNING THE PEACE"

(CBS News Special Report as broadcast over the CBS television network, August 23, 1965)

Participants: Secretary of State Dean Rusk, U.N. Ambassador Arthur Goldberg, Presidential Assistant McGeorge Bundy.

Reporters: CBS News United Nations Correspondent Richard C. Hottelet, CBS News Diplomatic Correspondent Marvin Kalb, CBS News White House Correspondent Harry Reasoner.

ANNOUNCER. This is the third of four special 1-hour broadcasts by CBS News, Vietnam Perspective. In the past 2 weeks, the new decisions and the American military effort in Vietnam were examined. Tonight, "Winning the Peace."

The paths to a peaceful settlement in Vietnam will be discussed by three Government officials. Now here is CBS News White House Correspondent Harry Reasoner.

Mr. REASONER. Good evening. We're in the John Quincy Adams Room of the State Department in Washington for the third in our series of programs with the U.S. policymakers on Vietnam. Across from me are three distinguished officials whose task it is to pursue perhaps the most difficult and illusive of our objectives in Vietnam, the pursuit of peace.

We're happy to have back with us the Secretary of State, Dean Rusk, who with the President formulates our foreign policy and who heads our diplomatic offensive in southeast Asia.

This is our newly designated Ambassador to the United Nations, Arthur Goldberg, who is exploring the avenues of a peaceful settlement in Vietnam through U.N. channels.

And this is McGeorge Bundy, Special Assistant to the President, who has played a key role in the formulation of our policies in Vietnam and who, a few weeks ago on this network, defended the administration's position with some professors who disagree with it.

Seated with me are two CBS news colleagues, Diplomatic Correspondent Marvin Kalb, who regularly covers the State Department and who is just back from one of many trips to Russia. And U.N. Correspondent Richard C. Hottelet.

Gentlemen, I'd like to begin with a fairly basic question. It's been quite a weekend in Vietnam. We bombed close to China again. We bombed for the first time some targets that could be described as less directly military than before, and there is a kind of new optimism about how the ground fighting is going. Is this the moment? Is this the time for negotiations? I'd like each of you to reply to that briefly. Secretary Rusk?

Mr. RUSK. Well, that depends on the other side in their assessment of the situation. We have been ready for a long time to make peace in southeast Asia. Our problem is to get the other side to the conference table. We just don't know. The other side must make that decision.

Mr. REASONER. Ambassador Goldberg?

Mr. GOLDBERG. I think any time is a good time for negotiations. The only way to resolve conflict is to go to the bargaining table, to use a term that I am very well familiar with, and it seems to me that this is not determined by the calendar, or even by the course of military events. This is determined by the genuine desire of the parties to the conflict to remove the problem from the battlefield to the bargaining table. So for me, any time is a good time to negotiate.

Mr. REASONER. Mr. Bundy?

Mr. BUNDY. Well, it's certainly true that it is our position that now is a good time to negotiate. We have had that view for many months, have tried to make it clear in every way, public and private, at every level of discourse, from the President on down. It is also true that the response from Hanoi, still more from Peiping, has been consistently and powerfully negative. No later than a week ago, in an interview with the correspondent of the French newspaper Le Monde, Ho of Hanoi made it very plain that they were not prepared to negotiate except on terms of all power to the Communists. I believe it to be true that military success of the kind which we have seen in recent days does help us bring nearer the day when there will be effective negotiation.

Mr. HOTTELET. It also reinforces the question that some people have asked of whether you ought to negotiate at all, or whether, if you find the tables turning your way, if you are gaining any kind of military ascendancy, whether you shouldn't use that advantage, press it to checkmate Communist aggression, which is the U.S. professed aim, not only in Vietnam, but all through southeast Asia and Laos and in northeast Thailand and Malaysia as well. In other words, why should we negotiate, is the question.

Mr. BUNDY. I think all of us would agree, and I know this to be the position of President Johnson, that we are ready to negotiate and that we are not disposed to take the view that because the battle is going well we are unwilling to talk about it. In our view, the effort to end the aggression must continue, while the aggression continues, but we are prepared for discussion and for negotiation at any time.

Mr. KALB. There is in the air right now in Washington something which has not been here before, at least in the past couple of months, and that is a wispy kind of feeling that maybe there is some optimism here and some grounds for optimism. I'd like to ask you, Mr. Secretary, what are the grounds for optimism? What is the evidence that gives rise to this sense?

Mr. RUSK. Well, I think the fact that President Johnson has made it very clear that we are not going to be pushed out of South Vietnam and that we shall meet our commitments to South Vietnam has made a big difference to this situation. I think also the fact that international opinion is not supporting the effort of Hanoi to take over South Vietnam makes a difference, because I think they were hoping at one time that there would be a buildup of international opinion that might cause the United States to change its attitude toward our commitment.

Mr. GOLDBERG. Gentlemen, may I make an observation on the Secretary's statement? New to diplomacy, I have been reading in diplomacy. Talleyrand made a statement about the Vienna Congress in which he said that the great powers there assembled were too frightened to fight and too stupid to agree. And I think in a very simple measure, we can say of American foreign policy in this situation, that it is clear from what the President has said, from what the Secretary of State has said, Mr. Bundy said in his teach-ins, that the United States very definitely is not too frightened to fight. That has been demonstrated.

Mr. RUSK. Let me come back, Mr. Kalb, if I may, to Mr. Bundy's reference to the interview—in Le Monde—Ho Chi Minh on August 14. He seemed to be saying there that a precondition for peace is the withdrawal of American forces. Well, under the circumstances, this is quite an unrealistic point of view, because those forces are there solely because of the intervention of outside forces from Hanoi in South Vietnam. Now one would suppose that peace requires that there be a withdrawal of those North Vietnamese forces that have penetrated into South Vietnam. If you don't like the word "withdrawal," you can use the word "redeployment," but it is that infiltration which is solely responsible for the presence of American combat forces in South Vietnam.

Now, obviously, we and others have been giving a good deal of thought to the basis on which peace can be achieved. I think the entire record of the United States since 1945 shows that we want peace and not war and that all of our effort in this postwar period has been directed to that end. Well, now, in South Vietnam, the cessation of outside aggression, the cessation of this infiltration from the north is certainly fundamental because that would make it possible for American forces to come home. We should like to see full performance on all sides of the military clauses of the 1954 agreements. We have said repeatedly, time after time, that as far as the United States is concerned, we have no interest in military bases or a permanent military presence in southeast Asia. Well, now, that is in accord with the 1954 agreements and that should be one of the essential elements of a peaceful settlement.

Now as far as South Vietnam internally is concerned, we have a deep commitment to the simple notion of self-determination. In the 1954 agreements, it was anticipated that there would be elections, through secret elections—through secret ballot, and that the peoples of Vietnam, north and south, would have a chance to express their—their opinions, and we are prepared for elections in South Vietnam to determine what the people of that country want in terms of their own institutions.

And then the question of reunification which has been troublesome over the years. Again, it is instinctive with the United States to say, What do the people want? What do the people want? And there again, to find out in North Vietnam and South Vietnam what the people themselves really want on this matter is important. Now, this isn't very simple. And it doesn't mean that both are going to want reunification. The people in the north would want reunification only if there were a Communist regime throughout the country. The people in the south don't want reunification on that basis, but it is for the people of Vietnam to decide that at such time as they have a chance to express their views freely on that point. So what we are talking about here are the simple elements of a settlement which were reached basically in 1954, and again in 1962 in the Laotian agreements.

Mr. **Hottelet**. Mr. Goldberg, you sit at probably the most sensitive listening post in the world. Do you get any indication from the—your colleagues at the United Nations that the other side has gotten this message of—that we are not too frightened to fight, not too stupid to talk?

Mr. **Goldberg**. Not yet. Not yet in all candor. We have to persevere with patience, and experience, and hope. Our message is loud and clear. The signal that the Secretary has referred to on occasion, saying that negotiations will take place when you hear a signal, has been made by the United States. Our President has stated publicly to the world that we are prepared to sit down in unconditional negotiations, discussing the points that Hanoi has made, discussing the points we have made and to arrive at a durable settlement, a durable settlement. I am hopeful—I am hopeful—and I continue in this hope that we will get a similar signal from the other side. It's very simple to make that signal. The President did it at Baltimore. He did it on other occasions. He has done it since. He armed me with a letter to the Secretary General when we said very plainly that we are ready to negotiate unconditionally all problems and to negotiate on the basis of their position and our position, and I think we are looking for a signal from the other side.

Mr. **Reasoner**. Mr. Secretary, I think that there's some confusion in this country about these 1954 agreements which are mentioned so often. For instance, I don't know how many Americans realize it's an agreement that we didn't sign. Does—could you outline why we did not sign that and if we would sign a similar agreement now?

Mr. **Rusk**. Well, we did not formally sign those agreements, but Gen. Bedell Smith, who was then Under Secretary of State, made a statement at the time which in effect embraced those agreements on behalf of the United States, and said that any attempt to violate those agreements by force would be looked upon by the United States as a threat to the peace. So that we do believe that the 1954 agreements, in their essential principles, do provide a basis for peace in southeast Asia. What we do not believe is that the settlement of 1954 can be upset by force by any party.

Mr. **Reasoner**. Mr. Bundy, for reasons which you've explained, and the President has explained, the war in Vietnam has gotten bigger. Our participation in it has increased. How do we know that it won't continue to escalate until eventually we have World War III? Is there some kind of a tacit understanding on how far both sides go?

Mr. **Bundy**. I know of no tacit understanding, Mr. Reasoner, but I think it is fair to say that all parties—and all those concerned—are aware of the danger of enlargement of the conflict. We certainly are on our side. We have lived with crises large and small over a 20-year period now—in Berlin, in Greece, in Korea, in Cuba, and elsewhere—and I think Americans can be proud of the care and the prudence and the restraint which their Government has shown in this generation of effort. Under the leadership of President Johnson—a man of peace if there ever was one—we are conducting our affairs in that tradition and with that purpose of restraint. We believe that there is a similar recognition—although not always a similar recognition of the rights of others—there is a similar recognition of the hazards of any great enlargement of the conflict on the part of the parties interested on the other side. We cannot be sure of what they will do. We can be sure, and we must be accountable for what we do, and that is why our entire effort has been directed at things related specifically to what is being done to and in South Vietnam. That's what we are concerned with; not the fate of any other regime elsewhere; not the safety or security of any larger power nearby which we do not threaten. We are concerned with the fulfillment of our obligations in South Vietnam, a limited objective, and the nature of those limitations we've made just as clear as we know how.

Mr. **Kalb**. Mr. Bundy, could you convince us, and thereby provide us with the evidence that leads you to feel that the American bombing of North Vietnam is specifically related to acts of terrorism in South Vietnam, and that this will convince the Vietcong operations in South Vietnam that they must stop what they're doing?

Mr. **Bundy**. No, the bombing in North Vietnam is not—I would not relate it specifically and directly to any one action in South Vietnam, but to the campaign in South Vietnam and to the program pursued by Hanoi against South Vietnam it is related and related most directly. The targets are military targets: military lines of communication, military barracks, military depots. There has been no miscellaneous bombing of any old target in North Vietnam or anywhere so far as we can avoid it. The targets have been directly related to a campaign of infiltration, a campaign of military control, and a campaign of organized terror where the heartbeat of that campaign is in Hanoi.

Mr. **Hottelet**. Getting back to China, I've heard the assumption expressed that China will not intervene directly in Vietnam as long as the regime—the Communist regime of North Vietnam—is not in danger of being overthrown, and as long as there is no massive incursion of American power on the ground. Is this, in fact, an assumption that guides your policy?

Mr. **Rusk**. Well, I think we are at some hazard in trying to think like the members of the Politburo in Peiping. It is my impression that the Communist world does not want a general war over southeast Asia. Unfortunately, some of them want southeast Asia. Therefore, we cannot be completely sure at the end of the trail which desire on their part will predominate. But, the authorities in Peiping must know that they have undertaken to support an effort in South Vietnam right up against an American commitment of which they were fully informed. Therefore, they must recognize that there are very large hazards if they themselves elect to pursue this by direct intervention. Now we, therefore, have been acting with a combination of firmness and prudence in an effort to keep wide open the doors of peaceful settlement. This has characterized American policy in all of these postwar crises to which Mr. McGeorge Bundy referred, and we would hope very much that the time will come when it will be recognized on the other side that pushing this matter militarily is not worth the risk at the end of the trail, and therefore, that they will bring this to the conference table for settlement.

Mr. **Kalb**. Mr. Secretary, there are a number of people in Washington who study the China problem who believe that, on the contrary, it is precisely a war in southeast Asia that the Chinese want. It is precisely the bogging down of an enormous number of American troops in southeast Asia that the Chinese want, both for internal political reasons as well as a justification of their position in terms of their quarrel with the Russians. What evidence can you provide that, indeed, the Chinese—I'm not talking about the Russians now—do not really want this kind of—of a larger and deeper American involvement, even running the risk of war with America?

Mr. **Rusk**. Well, one can only judge by their actions thus far and by impressions one gets from those who have been in touch with Peiping. There is a comment going around in the Communist world these days that Peiping is prepared to fight to the last Vietnamese. There is a certain caution and prudence in their action, more so than in their words, but when you analyze these matters from the point of view of basic national interest, objectively in terms of what can be at the root of their thinking, I myself cannot believe that it is a rational idea that the principal powers involved in this business could look with favor upon the outbreak of a general war. It doesn't make sense from anyone's point of view.

Now, that means that it is important to do what we can, not to let events take control; to try to keep some sort of control over the situation so that contacts among the capitals might have a chance to find a way to a peaceful settlement. And that is one of the reasons why, one of the principal reasons why President Johnson has tried to act with the combination of the firmness and prudence that he believes the situation requires.

Mr. **Bundy**. Could I pick up from what the Secretary said for one moment and say that, in the first place, that nothing is more important than the maintenance of prudence and of effective control of our own operations by our own Government. That's the meaning of the insistent, direct surveillance which the President maintains over major military decisions, and specifically, over decisions which affect military action against North Vietnam. This is a matter which he keeps under his own control by the consent and with the support of the senior military commanders concerned.

And just one more point. Obviously, the Chinese would be delighted to have us mismanage our affairs in South Vietnam and in southeast Asia so that we got more and more engaged in something less and less successful. It is our object and our purpose and our responsibility to do a better job than that, and to do that job within the limits of prudence, restraint, and decency which we are trying to follow.

Mr. **Goldberg**. Could I summarize American policy in this area by quoting an ancient Greek wise man, Polybius, who said that "the purpose of war"—and I would describe it in terms of our attitude toward Hanoi—"is not to annihilate the enemy, but to get him to mend his ways." And this, in fact, is what we have been attempting to do, prevent aggression, and this has been made clear time and time again. We—the President said, my distinguished predecessor at the United Nations said, we don't covet any territory, we don't seek to establish any military bases; we are acting the way we do to stop aggression. And when you move only to stop aggression, not to promote aggression, I think the dangers of a general war are minimized.

Mr. **Kalb**. Mr. Ambassador, the—everything that you said is certainly true, and this is precisely what the administration is saying. At the same time, people said in the Chinese capital, who have to view it from the point of view of their national interest—you can say that we're not building bases around China, but when the Chinese leaders look out at the map, they can see the presence of American military forces from one end of the Chinese border to the other. When you bomb, as we did today, to within 31 miles of the Chinese border, people responsible for Chinese national security probably would look with some great concern about that. I am trying to understand what makes you feel that they're not that deeply concerned, or that they don't feel that bombing 31 miles on this side of the border might not lead to 31 miles on the other side of the border.

Mr. Goldberg. Mr. Kalb, for a very simple reason: because we have stated as a matter of direct public policy to the world, a commitment which America has made to everybody, that if aggression ceases from the north, our activities in South Vietnam will likewise cease. This is a pretty broad statement, quite different from statements that were made by other powers at other points in the history of South and North Vietnam.

Mr. Hottelet. There was a time in the Korean war after the cessation of fire, and before the armistice was signed, when—as President Eisenhower revealed not long ago—he got tired of waiting for the Chinese to sign the armistice and threatened or promised to use all American power, including nuclear power, against the Chinese. He said they got the message and they came to the conference table. Can you envisage any similar circumstances in Vietnam?

Mr. Rusk. Well, I think we'll have to let that question ride for the future. There already was a negotiation going on at that time, and the problem was to bring it to a final conclusion. In a major sense, the fighting had already been brought to a conclusion by the earlier discussions of the cease-fire. We may get to a point where a cease-fire gets to be the crucial element there in Vietnam.

Mr. Kalb, if I could return to your point just for a second. I don't believe that ideological differences are as profound as to cause Peiping to be concerned about what they see around their borders when they know that we would come home if Hanoi would leave South Vietnam alone, and that we would not have bases or troops in southeast Asia if these countries could live in peace. Now they can pretend, given their ideological commitments, that they somehow are afraid that we have in mind a major attack on China. There's nothing in the record to show that. Nothing in the conduct of the last 15 or 20 years to give any support to that idea.

Mr. Kalb. Mr. Secretary, you are suggesting then that the American confrontation—if I can use that large word—in southeast Asia is really the United States and North Vietnam and not the broader confrontation of the United States and Communist China?

Mr. Rusk. Well, I think, in the first instance, it is clear that what Hanoi is doing is our principal problem and explains why we're in South Vietnam with military forces, so that we're not involved in a confrontation, the purpose of which, on our side, is to destroy the regime in Peiping. We have two divisions in Korea because among other things, several hundred thousand Chinese came into the Korean war in 1950–51 and this posed a problem of the security of South Korea. But throughout this postwar period, force has been initiated by the other side. The free world has had to meet that force with determination, but the free world has also met it with the kind of prudence and restraint that keeps open the doors of peaceful settlement. And all I would say on that to our colleagues in Peiping, if they want to test whether or not the United States is aggressive, then let them live at peace with their neighbors and they would find out that the United States is not aggressive with respect to mainland China.

Mr. Kalb. We're talking in a kind of a shorthand, though, sir. Isn't it more direct in some way at this stage, given the dimension of the danger, to have a more direct link of communication with the Chinese Communists? I'm aware of the Warsaw conversations, but we've had enormous political differences with the Russians; we've been able to establish a hot line to Moscow. What about some kind of line directly to Peiping?

Mr. Rusk. Well, I think we've had more discussions with Peiping over the last 10 years on more important subjects than has any government that recognizes Peiping, with the possible exception of Moscow. Our problem with Peiping is not communication. Our problem is that when we have talks with them, they begin by saying that there can be no improvement in the situation until we are prepared to surrender Formosa to the mainland, and that means turning over 11 million people against their will to Peiping, and we make it clear that this is not possible, and I must confess, the conversation gets to be implacable and harsh and takes well-known lines as represented in the public statements of the two sides.

Mr. Bundy. Going by their own conversations, Mr. Kalb, and their own—what they say to journalists, the few and rare ones whom they receive, the Peiping government itself has said over and over again, framing the matter in its own terms, that what is at issue in Vietnam is fundamentally a matter for the Vietnamese people to decide. This is exactly what we think. We believe that the center of this question is in what is being done to and in South Vietnam. It is not in Peiping, except as they may be engaged in support and assistance to those who are attempting to destroy a given society and replace it with one fashioned in their own image. And I believe the people in Peiping know that, and I believe they understand clearly that it is only by their action and by their decision that there can be the kind of enlargement which would involve direct danger to them.

Mr. Reasoner. This question has come up several times about letting the people of Vietnam decide what they want to do. Is this, indeed, the case, or is it a case, as in other U.S. policy, where there are limitations, where there are certain options denied them? Suppose South Vietnam decided that it wished to make a separate peace. Would we accept it?

Mr. Bundy. Well, I think when you asked that question earlier to Ambassador Taylor he said that he just didn't think that was a realistic possibility. My own judgment is, on the basis of one short visit and innumerable reports and a great many discussions with others who have been there much longer, that there is no problem, from our side, of confidence in the ability of the people of South Vietnam, given a free choice and conditions of reasonable peace, to frame their own future in ways with which we would be happy to live; that it is an unreal question to suppose that they would freely choose to cast their lot with the Communists.

Mr. Reasoner. Nevertheless——

Mr. Bundy. There is a great deal of——

Mr. Reasoner. It is not an unreal question, to this extent: that some intelligence estimates this spring indicated this would be a possibility. Now, if—even if it is unlikely——

Mr. Bundy. I am not aware of those——

Mr. Reasoner. It must be something we consider.

Mr. Bundy. Intelligence estimates, Mr. Reasoner. Really not——

Mr. Reasoner. Well, then put it on a purely hypothetical basis. To think through the unthinkable, what would be our attitude? Would we accept it?

Mr. Bundy. Well, let me put it the other way around, and say that the United States is obviously not in a position to make the kind of effort and to make the kind of sacrifices which we are making if there were not effort and sacrifice by the people and Government of the country to which we are giving assistance. There is that kind of effort. There is that kind of sacrifice. Our attention focuses most naturally upon the battles in which Americans are heavily engaged, and we feel, most naturally, American casualties. But the rate of casualties and the rate of effort is running many times to one on the Vietnamese side as between us.

Mr. Hottelet. Are there any points on which the peace aims of the United States and the Government of South Vietnam do not coincide?

Mr. Bundy. Well, there's a constant problem of discussion over the exact ways in which we would state our peace aims, but the current situation is that—and the Secretary can speak to this better than I can—that the Foreign Minister of the Government of South Vietnam, and the Secretary himself, have made closely parallel statements about our peace aims.

Mr. Reasoner. I don't mean to be offensive, and I certainly recognize your right to decline to answer this question, but in Santo Domingo we retained a possibility of a veto over a government. This was clear. This denied certain options to people in the way of self-determination. Do we retain similar veto over possible decisions out of Vietnam?

Mr. Bundy. Mr. Reasoner, you're talking about an island I love. I was down there. And the point that I think needs to be made is rather that these two situations are closely parallel. Our action there, first to save lives, then to prevent a particular kind of Communist hazard, has developed into an action designed precisely to give a reasonable opportunity for the people of the Dominican Republic to make their own choice about the kind of government and the kind of society they want to have. Now, a small island in the Caribbean, and a newly independent country operating within international agreements which somewhat affect its international position on the other side of the world—these are two very different situations, but my own belief is that the fundamental purposes of the United States in both areas can be defined in the same broad terms.

Mr. Rusk. Mr. Reasoner, there's a very deep commitment of the American people to the simple notion that governments derive their just powers from the consent of the governed, and we have not seen a government, a Communist government, brought to power by the free election of its own people. Now, we have overwhelming evidence from all sections, sectors, areas, groups, in South Vietnam that they do not want what Hanoi is offering to them in South Vietnam. Therefore, I do not believe that we need fear, from the point of view of freedom, that we need to fear what the effect would be of genuinely free elections among the people of South Vietnam. I've heard some people who were not, I think, in a very good position to know the details, speculate that 80 percent of the people in South Vietnam would elect Ho Chi Minh or accept Hanoi if they had a free election. That just doesn't fit any of the evidence that we have about the attitude of these people.

Mr. Reasoner. I was thinking not so much of elections as of a coup which would put into power, without reference to the people—as essentially the present government is, without reference to a majority of the people; it's not established that way yet; they don't know how, Ambassador Lodge says—but if they had a government which wanted to make peace, do we retain veto power over that peace?

Mr. Bundy. Mr. Reasoner, the coupmaking power, to put it in those terms, does rest, as Ambassador Taylor was suggesting last week, primarily with the military. There's no hint of this in the military. The people underestimate the degree of the commitment of all factions, not the Communists, to a non-Communist solution in South Vietnam. One of the principal Buddhist leaders said to one of our people the other day on a point that comes up occasionally with respect to negotiation, that he hoped very much that we would not give any international diplomatic recognition to the Vietcong. The Vietcong did not represent the South Vietnamese people, but only an agency of the Communists in the north. This is a—there are divisions and difficulties, many, varied and fascinating, among the non-Communist forces in South Vietnam, but not on this issue.

Mr. Hottelet. The Vietcong has been treated as a monolithic force, which is really not human, because human beings are different and even if they are bound by a discipline or bemused by an ideology, they do have their own antecedents and they do have their own tastes. How much is being done now and what will be done more in the future to—to insert a wedge into the differences that must exist inside this theoretically monolithic Vietcong—the nationalists, the patriots, the people who are just peasants wanting to live a life of their own?

Mr. Rusk. Well, there are various elements in the National Liberation Front. I think it is true that not all of them are Communists, although the Communists have, in even recent weeks, declared that they are the dominant factor and they must themselves be the ones to give the orders. I think there may also be some tensions between some of the southerners and some of the northerners within the Liberation Front. But basically, they are united on the notion that the program of Liberation Front must be accepted as a solution for South Vietnam and that the Liberation Front itself must have a dominant role in the government there, regardless of the fact that this is not the wishes of the overwhelming majority of 14 million South Vietnamese.

Mr. Goldberg. May I add a word in this connection? I was looking at the Geneva agreement last night. The Geneva agreement, despite what is said in Hanoi, did not contemplate, nor does it say anything about a coalition government in which the Liberation Front would occupy the dominant role that Hanoi would like to accord it. The Geneva agreement says that "the Vietnamese people, north and south, should enjoy fundamental freedoms, guaranteed by democratic institutions"—I am reading—"established as a result of free, general elections by secret ballot." Now, it's very interesting to see the contrast in positions. When we talk about returning to the essentials of the Geneva agreement, which Hanoi says it wants and which we say we subscribe to, we rely upon the fact that there shall be self-determination. Hanoi relies upon the fact that they should take over the government in their image before there are free elections. Well, we all have had a bit of history in this since the war. I don't recall after that has been done elsewhere that there have been any free elections. Now, surely the acid test is whether you are willing to subscribe to the principle of free elections. That, we have said, we are ready to subscribe to. If we are ready to subscribe to it, it must reflect a considerable degree of confidence—confidence which is lacking on the other side.

Mr. Bundy. To put it another way, the Geneva Conference included as a participant the State of Vietnam. The current position from Hanoi is that there is no question of Saigon authorities. This is the very language of Ho Chi Minh, so what they wish to do is to foreclose the question of choice by the establishment as the only authentic representative, again his own language, their agent, controlled from within by a clearly Communist party, the Vietcong.

Mr. Rusk. And without elections.

Mr. Kalb. Mr. Secretary, you mentioned before that—or Mr. Bundy did actually—that you and the Foreign Minister of South Vietnam have come out with statements that are rather similar as to what both countries want in South Vietnam. We have yet to hear what the Prime Minister of South Vietnam actually wants and there have been stories that there are possible differences already even in this early period of Ambassador Lodge's return, of differences between the two; the Prime Minister was not there when the Ambassador arrived. Do you feel, sir, that negotiations as we have been discussing them is in any way realistic, or possible, given the possibility of continued political instability in South Vietnam or the continued absence of statements from the new South Vietnamese governments that aline themselves with us?

Mr. Rusk. Oh, I think the political instability in South Vietnam is itself directly related to violence in the countryside and the conditions of the war. During the Greek guerrilla operations, for example, there were some eight Greek governments in the period of some 15 months of guerrilla operations. It isn't easy to sustain an orderly government based upon elections throughout the countryside when thousands of local officials are being assassinated or kidnaped and when the normal processes of the economy are interrupted by sabotage of routes of communication, so that there is a connection between the political possibilities of what we would call a democratic and constitutional government and peace throughout the country. I have no doubt that—that the South Vietnamese themselves would move toward a government rooted in popular support and that this could be easily demonstrated if the conditions of peace made it possible for them to proceed on that basis. A few weeks ago, as you will recall, they did have provincial elections, for a large number of those who were eligible to vote did in fact register, over two thirds, and that some 73 percent of those who were registered did in fact vote, even though the Vietcong were opposing those provincial elections. There are multiple candidates. From our point of view, they were free elections and we can be—I think, take some confidence in the fact that if given a chance, if given some possibility of peace, these people in South Vietnam would know how to establish a government and base it upon popular support and get on with the main job which would be their first choice.

Mr. Kalb. And yet, sir, the Prime Minister of the country, the air commodore, has expressed his impatience publicly with the politicians in South Vietnam. He's even expressed a certain admiration for dictators of the past. Do we really have a sense that this is the kind of government that we can go to the conference table with?

Mr. Rusk. Oh, I think that we can go to the conference table with the Government of South Vietnam. I think that their war aims and our war aims are basically the same and that if the country can get some peace, then there can be a rapid development of their political, economic, and social institutions in the direction which would cause all of us to applaud them and give them full support.

Mr. Hottelet. You don't say, sir, that the war aims are identical. What are the points of difference?

Mr. Rusk. Well, perhaps I could say "identical" as far as my present knowledge is concerned. I'm not aware of any significant difference in the war aims of our two countries. The central thing, gentlemen, the central thing is that the aggression from the north, the infiltration of men and arms from the north, must be stopped and the South Vietnamese be allowed to work out their own problems themselves without the use of force from the outside. Now, this is the major, central, overriding point. The details are incidental to that central point and on that there's no difference between us and Saigon.

Mr. Goldberg. Can I phrase—rephrase the Secretary's remark in a simple way? I was writing it down as he said it. If we look at the public record, and the public record is not unimportant in this area, the goal of Hanoi policy as recently expressed is to wage a 20-year war to impose a Communist regime on South Vietnam. The goal of American and South Vietnamese policy is to determine their own destiny, by democratic means under conditions of peace.

Mr. Rusk. I think an examination of Hanoi's, Peiping's, broadcasts in the last several months will indicate that they were leaning rather heavily on three points: one, that they could score a military success in South Vietnam—we know that will be denied to them; second, that international opinion somehow will build up in such a way as to put sufficient pressure on the United States to cause us to change our commitment to South Vietnam—we know that that will not occur. And, third, that divisions inside the United States will cause us to change our view of this matter—we don't believe that will occur. Therefore, Hanoi, I think, must face the fact that three essential pillars in their policy are weak pillars and, therefore, we would hope very much that they would realize that this matter must be brought to some conclusion.

Now, I don't want to exaggerate the role of public discussion and public debate. You'll recall, for example, that the Greek guerrilla problem was not settled in debate. At a certain stage the guerrillas simply began to wither away. You'll recall that the Berlin blockade was not lifted through a debate in the Security Council. It was done through private contacts ahead of time by—between the Soviet Union and the United States. Similarly, the Korean war was not settled in a debate in the United Nations. It was settled by contacts among the parties. And, therefore, we believe that we're in a period where the real views of the various parties need to be explored by channels that are available, in order to see whether the basis for a peace exists. I've indicated myself earlier in this program what seemed to us to be the main lines of a peaceful settlement as far as we're concerned. There are many details which can't be elaborated, because we're not at a negotiating table. But I do believe that it is important for us to pursue the quiet diplomacy, whether in the United Nations or in other respects, because it is in that way that we shall, I think, get the key signals at some stage that might bring this to the conference table.

Mr. Hottelet. But can one not hasten this process somewhat? Can one not ripen the quiet diplomacy by creating circumstances in which the other side will find it necessary to come to the conference table, by, for instance, dramatizing a desire to return to Geneva, or perhaps some dramatic, substantive but dramatic, approach by President Johnson—a summit conference on this problem, which I think everyone recognizes is a most serious problem?

Mr. Goldberg. Mr. Hottelet, how more dramatic can the President of the United States be? He made a public declaration about this in Baltimore, "unconditional discussions," and then some critics said that the President did not mean "negotiations." So then in the letter that he sent down with me to the Secretary General of the United Nations, he used the word "negotiations" to put at rest this thing that people were talking about. Following which, we sent a letter to the Security Council, in which we said, "We call upon anyone, any member, not only of the Security Council, but of the

United Nations, to participate with us in this effort."

The 17 nonalined nations made a proposal. We said that they would form the basis for a negotiation. And then—I can't go through all of the 15 efforts that were made. Mr. Davies went to Hanoi. We said that we welcomed that initiative. The Commonwealth ministers made a declaration. We said we welcomed that initiative. Mr. Nkrumah has indicated some interest; we did not discourage it.

I personally feel that you never denigrate any party nor a great nation by indicating a desire for peaceful resolution of a conflict. The President has done this. He's gone all out for this purpose.

Mr. Hottelet. The purpose of my question, Mr. Goldberg, was to ask whether one could not do more than just indicate a willingness to accept, indicate acquiescence——

Mr. Bundy. Well, we have done that, Mr, Hottelet, in the specific case that you mentioned. It seems to me that the fact is, and it's very clear, really, and increasingly recognized around the world, we are unconditionally ready for negotiations; we are unconditionally ready to return to Geneva if others are; we are unconditionally ready for the good offices of the United Nations in any way that they can be made effective; we are unconditionally ready to meet with all interested governments and go to work on this problem, and we have said so in every sharp and flat, and the President is fond of saying, in every State of the Union. And I believe the message has been heard.

Mr. Kalb. Mr. Bundy, at one time there was an unadvertised pause in the bombing of North Vietnam. I wonder, sir, if the administration might not—in following up Dick's line of questioning—might not consider that an advertised or unadvertised effort along these same lines might not be contemplated, because the leaders in Hanoi—and you keep making reference to the other side—have certain things that they must go on, too——

Mr. Bundy. Well——

Mr. Kalb. In addition to public statements, they have the fact that they are being bombed.

Mr. Bundy. You talked about this matter in this series a couple of weeks ago, and I think the Secretary then made the point that at the time of the unannounced pause there was information about its existence, was, in fact, conveyed to the governments most concerned, and in the first instance, to the government in Hanoi. They were in no doubt that this was happening. They were in no doubt that we would be watching to see whether there was any response or any secondary action.

Anytime that we thought that there was a promise of action and response in terms of the reduction of the activities which had made this trouble, there would be no hesitation in the United States about making appropriate adjustments in our own military activity.

Mr. Rusk. Yes, I'd like to assure you that we have not been negligent in our business, and that hardly a week goes by that the other side doesn't have a chance to indicate what else would happen if the bombing ceased.

Now, I said in our earlier program that we would be willing to consider cessation of the bombing if it were a step toward peace. Now that remains open, that possibility. But what else would happen? Would the 325th North Vietnamese Division go home? Would there be a cessation of the bombing in South Vietnam, where it's occurring all the time among the South Vietnamese and against our own forces?

In other words, the target here is peace, and all of these incidental aspects of it ought to be fitted into a movement toward a genuine, permanent, peaceful settlement of this situation.

Mr. Reasoner. There's a question here I'd like to address to Mr. Bundy. If, as we seem to feel, that we have some years ahead of us, or some weeks or months or possibly years, making South Vietnam strong, waiting for a signal, what happens to the war in the meantime? It seems to get a little bigger all the time. Our participation seems to get stronger. Is there a limit to that?

Mr. Bundy. Well, our actions there—and this is a point which I think Secretary McNamara spelled out with some care a couple of weeks ago on this program—our actions there have been essentially actions in response and in reply, and what has enlarged the war has been the increasing commitment directed from, supplied by and coming from, very often and increasingly, coming from North Vietnam into South Vietnam. Our own forces are there because of actions which have been necessary in response. That is why we feel so strongly that the question here as to whether it's going to get worse or better, the question as to when it will come to the peace table, is one in which one has to think about more than just the U.S. position.

Our determination is to assist and support a people who are defending themselves against an effort to make them a Communist power—part of a Communist power. That effort has been the effort which seemed necessary and appropriate at each stage, and only that much. We are not in a position to say to our countrymen in this country when that will end. We think that the American people understand why they are there, why these sacrifices are necessary. We hope that it will not grow larger, the conflict in South Vietnam. We will do what we can to limit it. But we cannot be unwilling and unready to do our part.

Mr. Hottelet. Looking ahead to the permanent peace settlement, you have stressed your adherence to the essentials of the Geneva Agreement and you have stressed the need for self-determination. When the United States refrained from signing the Geneva Agreement, Bedell Smith also suggested that free elections should be supervised by the United Nations. Do you see a role for the United Nations in making certain that any future Geneva Agreement on Vietnam is actually honored by those recitals?

Mr. Rusk. Yes, I would hope that the United Nations could play an important part in connection with any settlement. But that would depend upon the attitude of all the parties, including Hanoi and Peiping, and thus far, both of those capitals have rather pushed aside and rejected participation by the United Nations. But if there could be organized an international inspection force, a police force, to supervise a peaceful settlement, if there could be a strong effort to build upon the capability of the United Nations to bring about economic and social development in the area, then I think there's a very important role for the United Nations in connection with the making and keeping of the peace, and I would hope very much that the other parties would make it possible for the United Nations to play that kind of role.

Mr. Goldberg. Before we leave this subject, may I make an observation on what Mr. Bundy just said. We are not the ones that are talking about a war that lasts 10 or 20 years. Ho Chi Minh has been talking about that. We are talking about a peace that should be negotiated here and now. Here and now.

Mr. Bundy. That's a very important point. I'd like to just make one comment in finishing up on that. We don't know when, but the sooner the better, and we are absolutely sure that it is the order to all of us from our President, from our Nation's President, that we shall never be second, never be slow, never be without energy and imagination in trying to find ways of bringing a peaceful and decent settlement to this contest.

Mr. Rusk. Mr. Reasoner, it seems to me that each citizen in the United States has a special obligation in thinking about such a problem as South Vietnam. I think it really isn't enough just to worry about it and be concerned about it and be anxious about the future. Of course, all of us are concerned about it and anxious about the future. But each citizen might consider what he would do if he were the President of the United States, facing the choices faced by the President of the United States, to enter into the full agony of the question, what does the United States do in this situation? And I have no doubt that if each one of us should look very hard at the nature of the aggression, at the nature of the American commitment, the importance of the integrity of the American commitment, at the many efforts made to find a peaceful settlement, that the citizen would, thinking of himself as President for the moment, would conclude that we have to make good on our commitment, but at the same time we have to explore every possibility for a peaceful settlement. And that is what President Johnson is doing.

Mr. Reasoner. Gentlemen, I'd like to thank you very much for coming, as we leave some millions of citizens considering what they would do if they were the President of the United States. You may have spoiled a lot of people's sleep, Mr. Secretary.

Thus far in our four-part series on Vietnam, we have examined the critical decisions that our country faces, the questions of how we can win the war there; and tonight, how we can win the peace. Two weeks from tonight, on September 6, in the conclusion of Vietnam Perspective, we shall take a close look at what kind of a war it is we're fighting there. Teams of CBS news correspondents and camera crews will film a single day of combat at different locations to bring you, in color, Vietnam Perspective: "A Day of War." This is Harry Reasoner. Good night.

SIX SEPARATE BILLS INTRODUCED TO RELIEVE SIX MERGED BANKS FROM LIABILITY UNDER OUR ANTITRUST LAWS IN CONNECTION WITH THEIR PREVIOUS MERGERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. Todd] is recognized for 30 minutes.

Mr. TODD. Mr. Speaker, I have today introduced six separate bills to relieve six merged banks from liability under our antitrust laws in connection with their previous mergers. The bill would dismiss the suits which the Attorney General has filed against four of these banks, and would void the decision which the Attorney General has already won against two of them.

My introduction of these bills does not mean that I am necessarily in favor of their passage. The equity of each bank's case must stand or fall on its own merits, through due consideration by the Congress. I am introducing these bills so that each case can be considered on its own merits.

But there is a wider purpose as well. I am introducing these six bills so that two important but clearly distinct issues may be fully examined on an individual basis. The matter of relief for the six merged banks has been brought up in connection with hearings on S. 1698, the Robertson bill with the Proxmire amendment, now being held in the Subcommittee on Domestic Finance of the House Committee on Banking and Currency.

As it now stands, S. 1698 addresses itself to two issues. The first concerns the general status of banks under our antitrust laws, and in particular, the effect of bank mergers and competitive influence in a given geographic area. The second concerns relief for six merged banks: The First National Bank & Trust Co. and Security Trust Co., Lexington, Ky.; the Continental-Illinois National Bank & Trust Co. and City National Bank & Trust Co., Chicago, Ill.; the Manufacturer's Trust Co. and the Hanover Bank, New York, N.Y.; the Crocker Anglo National Bank and Citizens National Bank, California; the Third National Bank and Nashville Bank & Trust Co., Nashville, Tenn.; and the Mercantile Trust Co. National Association and Security Trust Co., St. Louis, Mo.

The hearings currently being held on S. 1698 have clearly shown that relief for these six banks should not be confused and combined with a general bill clarifying the manner in which the Justice Department should act when it believes that the merger of two banks would result in a violation of the Sherman or Clayton Acts.

The question of relief for six merged banks is one thing. The question of general antitrust legislation for the banking industry is clearly another.

To leave legislation affecting these six banks in a general bill defining overall antitrust policy would allow—with justification—the charge of "special interest legislation" to be made against it. Special interest legislation, although it may be legitimate and needed in many cases. should be clearly recognized and dealt with as such. It definitely should not be camouflaged.

Let me try to explore the issues involved a little bit further.

The question of the status of the banking industry under our antitrust laws has been much vexed in recent years. The status of the industry, coming as it does under significant Federal supervision, is said to be unclear. Certain sections of legislation attempting to clarify this status have been the subject of a good deal of debate in the Congress, in the courts, and in the banking industry itself. It was this alleged confusion which called forth S. 1698.

This issue has been the concern of many learned and expert witnesses who have appeared before our Subcommittee on Domestic Finance. I expect it will be discussed by a good many other witnesses before our hearings are concluded. It would be premature of me to comment on the substance of this issue before the subcommittee has heard all the pertinent testimony on the matter. But, and let me make this clear once again, this issue is one of the overall U.S. antitrust policy with respect to the banking industry.

The problem of relief for six merged banks is not one of overall U.S. antitrust policy. Considering these specific problems with S. 1698 may, in fact, obstruct our ability to study the main issue with the care and consideration it deserves. For it brings up a number of problems which, although of considerable interest in themselves, are not the same thing as overall antitrust policy.

First, the theme and intent of the last sentence of S. 1698, without question, is to exempt from judicial review the cases of these six merged banks which the Attorney General has brought to the courts. Special exemption from judicial review is an important question, but it is not the same as overall antitrust policy.

Second, the suits instituted by the Attorney General are six separate suits, before six different courts, in six different States. The mergers in question took place over a 4-year period, all in differing circumstances. To try to arrive at a blanket decision in all six cases—which is what S. 1698 as presently written would do—would be to do violence to the equity considerations of each case. Each merger and the circumstances surrounding it should be studied separately.

The six banks merged in accordance with the requirements of the 1960 Bank Merger Act. In other words, their mergers were approved by the bank regulatory agencies which had jurisdiction over them. It should be noted that the regulatory agencies generally could not deny the mergers simply on grounds that they reduced competition or might result in a tendency toward monopoly. The mergers could be broken on antitrust grounds only on the basis of a suit by the Department of Justice in the courts. Such a suit was instituted in the cases of all six banks immediately before or upon consummation of the mergers.

Indeed, the Department of Justice attempted to restrain the banks from merging on the grounds that the banks, once merged, would have difficulty in demerging, and therefore, it was better for the banks to wait until after the mergers had been found free of antitrust violations until they were consummated.

Almost without exception, the banks argued that they were aware of the risks of future divestiture, that they accepted the extreme difficulty of such a move, and that they were willing to assume the future risks of a present merger.

This argument did have an impact on the issue at the time of the mergers. For example, in the case of the United States of America against the Third National Bank in Nashville and Nashville Bank & Trust Co., Judge William E. Miller, on August 17, 1964, in denying the request of the Justice Department to issue an injunction to prevent the two banks from merging, stated:

> The defendants are aware of the risks involved. They know that the final result in this case cannot be predicted with absolute certainty. They have indicated their willingness to assume the risks, aware that they may in the end have to undo what they have done. Such a willingness strengthens the belief that substantial restoration of the status quo could be fairly brought about by divestiture if the merger should finally receive judicial condemnation.

The argument has been given that the banks merged in good faith, believing that the Bank Merger Act of 1960 removed them from jurisdiction under the Sherman and Clayton Acts. But nothing in the 1960 act affected the jurisdiction of either the Sherman or Clayton Acts. The debate and reports on this bill in both the House and the Senate certainly have made it clear that the application of the Sherman and Clayton Acts remained unchanged.

Following the passage of the 1960 act, the Philadelphia National Bank and Girard Trust Co. were given permission to merge by the Comptroller of the Currency. The merger was challenged in the courts, and the banks did not press the merger pending outcome of the suit. On June 17, 1963, the Supreme Court held the proposed merger to be in violation of the Clayton Act, and the banks are, as a result, still separate.

Three banks which merged prior to the Philadelphia decision have argued that they thought the law was unclear and that the provisions of the Sherman and Clayton Acts did not apply to them. It should be noted that this was prior to the Philadelphia decision, which stated clearly that the Sherman and Clayton Acts did apply to bank mergers.

The three banks which merged after the Philadelphia case decision cannot make such an argument. They are: The Crocker-Anglo National Bank and the Citizens National Bank, California; the Third National Bank and the Nashville Bank & Trust Co., Nashville, Tenn.; and the Mercantile Trust Co. National Association and Security Trust Co., St. Louis, Mo. Their cases are still pending in the courts. Supporters of their exemptions from prosecution argue that these banks acted in good faith, not believing that the Clayton Act applied in their cases. However, I believe that it is plain, following the clear ruling on the Philadelphia case by the Supreme Court, that these banks cannot claim that their lawyers were uninformed of the law and that it might not apply to them. Further, since the Justice Department had attempted to restrain them from merging pending outcome of the antitrust suits, the banks knew that their mergers were being seriously questioned.

Therefore, I feel these banks have little equity in their case, and I cannot recommend that the bills providing them relief be seriously considered.

Two of the merged banks, the Manufacturer's Trust Co. with the Hanover Bank, New York, and the First National Bank & Trust Co. with the Security Trust Co., Lexington, Ky., have a better case. These mergers occurred before the Philadelphia decision, and the banks involved could not have known about the Supreme Court's ruling. However, in the Lexington case, the judge, in denying the restraining injunction sought by the Justice Department, requested the banks to keep their assets separate in the event that they should lose the antitrust suit brought against them which is now the case. Thus, the Lexington banks merged fully realizing that they might have to divest at a later date. The U.S. Supreme Court has upheld an order of divestiture in this case by a lower court.

Manufacturer's Hanover has scrambled its assets, but it has pled that it would assume the risks of divestiture when its attorneys argued against the restraining injunction. It, too, has been held in violation of the antitrust laws, and has worked out a settlement with the Justice Department.

The Continental-Illinois Bank merged prior to June 17, 1963, and, therefore, did not know the law as defined by the Supreme Court in the Philadelphia case. They did recognize the risk of merger, but, because of the branching laws of the State of Illinois, they, of all the merged banks, may have the best case in equity.

But better than the case of any of these six is the case of Philadelphia National and Girard Trust. They did not merge, but awaited the outcome of the antitrust suit. If they had merged, they, too, could plead that they were in good faith and should be relieved of the law. I would submit, Mr. Speaker, that they are entitled to special consideration, even though—or especially because—they have not asked for it. Whereas the other banks said they would assume their risk if they could merge, and now plead that they should not have to suffer the consequences of that assumption of risk, Philadelphia and Girard never placed themselves in such an ambiguous position.

Therefore, Mr. Speaker, to be logical and consistent, the introduction of a bill to permit Philadelphia National and Girard Trust to merge should be considered, even though the courts have held the proposed merger a violation of antitrust laws. Then the cases of all the banks affected can be reviewed by Congress on the basis of their individual merits.

By removing the issue of the six banks from S. 1698, I believe the relevant issues can be more clearly defined. I trust that this division of the issues—which are truly separate and unrelated—will be of assistance to the Congress in its study of the legislation.

A PROUD RECORD

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, the Members of this Congress and the President of this country can be proud of the record of the 1st session of the 89th Congress; we are not through yet, but what we have accomplished in the first 8 months of 1965 will long be remembered.

President Johnson well deserves the plaudits extended in the following birthday editorial which appeared in the August 27, 1965, edition of the New York Journal-American:

HAPPY DAY FOR L.B.J.

Doubtless there will be a cake and candles today as President Johnson observes his 57th birthday. It occurs to us that quite a large cake would be needed if each candle represented an achievement by L.B.J. in the not-quite 2 years he has been in office.

The President's domestic legislative accomplishments have astounded experts and fascinated the public, especially since many of them in the recent past were issues of fierce and seemingly insoluable controversy.

To name some of the big ones in this session of Congress alone:

Education, which extends benefits indirectly to pupils in Catholic and other nonprofit private schools.

Medicare.

Voting Rights Act.

Creating a new Cabinet-rank Department of Housing and Urban Development.

War on poverty bill and aid to Appalachia, related but legislatively separate.

Water pollution control.

Presidential continuity.

Omnibus housing bill.

Excise tax reductions.

On the international scene, the President's policy in Vietnam has the support of a great majority of the people and most leaders of both parties.

Mr. Johnson has every reason, when he blows out those candles, to blow with gusto and satisfaction. Many happy returns, Mr. President.

STATEMENT OF HON. ABRAHAM J. MULTER IN SUPPORT OF H.R. 1128, TO PROVIDE BENEFITS FOR VETERANS OF SERVICE AFTER JANUARY 31, 1955

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, on August 31, 1965, I submitted the following statement to the Committee on Veterans' Affairs in support of my bill H.R. 1128, which would provide educational and other benefits to those of our citizens who served in the Armed Forces after January 31, 1955:

STATEMENT OF HON. ABRAHAM J. MULTER TO THE HOUSE COMMITTEE ON VETERANS' AFFAIRS IN SUPPORT OF H.R. 1128, TO PROVIDE EDUCATION AND OTHER BENEFITS FOR VETERANS OF SERVICE AFTER JANUARY 31, 1965

Mr. Chairman, I appreciate the opportunity to make this statement to your committee in support of my bill, H.R. 1128, which would provide vocational rehabilitation, education and training, and loan guaranty benefits for veterans of service after January 31, 1955. The benefits provided by this bill are extended to veterans of what is frequently called the cold war and are made available without distinction to all who serve, whether or not they have volunteered or have been inducted.

There are those who oppose this legislation on the ground of its cost to the Government. This is a narrow view of the problem. Let them look at what happened to the income of World War II and Korean veterans as a result of the education benefits made available to them by law. It is estimated that their income levels have increased to the point where they pay $1 billion in additional income taxes annually to the Treasury of our Nation. At this rate the entire cost of GI benefits to them will be repaid by those veteran recipients within a reasonable time.

Others oppose this legislation on the ground that only a small number of veterans are actually drafted. They fail to realize that this threat induces many to enlist voluntarily. The hope of a choice assignment is another reason that comes to mind as a reason for voluntary enlistment. Our obligation is to every veteran regardless of the manner in which he entered military service or the reasons which prompted it.

The argument is made that this legislation would induce trained military personnel to leave the service to avail themselves of its benefits. Although this may be true, it is no valid reason to deny veterans these benefits. They make up an available pool of trained manpower for the security of our country. While they may not be in active service they can easily be converted to active service.

The history of democracy is the story of the citizen army and its defeat of the tyrant's army at crucial moments in history. The difference that spelled victory was the ability to think and the desire for freedom by the citizen soldier. It is shortsighted to believe that it is better for our country to retain its citizen soldier in service for longer periods than to encourage him to continue his education and his duties as a citizen while he remains available in a reserve status. Good citizens make better soldiers and certainly more dedicated ones. In my book the educated, responsible, self-motivated and trained citizen always makes a better fighting man than the tyrant's robot.

Objection is made that the bill's benefits that are made available to peacetime soldiers who faced no war hazards is a departure from past custom. The argument goes that the peacetime inductee can anticipate the draft and plan accordingly, while this is not possible for the wartime inductee, and that the peacetime inductee can postpone his induction by attending school or by enrolling in the 6-month training program.

This argument fails to consider those who for patriotic reasons or otherwise volunteer or are inducted without delay when called. Those veterans would be penalized. I think it is specious to draw the line on the basis of those who are, and those who are not able to arrange their affairs. At best, in most instances, the arrangements are makeshift and impose hardship on the citizen. His induction is a serious incursion into his life and affairs.

I know it is the duty of every citizen to serve his country, and rightly so. But it is not too much to expect that his country would want to assist him to regain what he may have lost as a result. The GI bill of World War II and the Korean conflict did not distinguish between those who were exposed to combat and those who "also" served. Benefits were made available indiscriminately to both. Our peacetime veterans should also be given the benefits of this legislation.

Then there are those who object to this legislation because its benefits are not related to need. I will support any measure that would raise our country's educational level. There is not yet any legislation on the books to provide educational opportunities for all our younger people. I believe my bill would encourage more volunteers to serve their country in return for their education. I think the quid is well worth the quo. My bill will tell our youth that service to our country is a two-way street and that they are not its forgotten citizens.

This bill affirms our faith in our youth.

I urge the committee to favorably report H.R. 1128.

TESTIMONY OF HON. ABRAHAM J. MULTER SUPPORTING HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MULTER. Mr. Speaker, on August 19, 1965, it was my privilege to appear before Subcommittee No. 5 of the Committee on the District of Columbia to testify in support of my bill H.R. 4644.

H.R. 4644 would provide home rule for the District of Columbia; on August 24 I placed on the Speaker's table a petition to discharge the home rule bill. I strongly urge our colleagues to sign that petition so that the House can work its will.

The following is a transcript of my testimony before Subcommittee No. 5 of the District Committee:

STATEMENT OF HON. ABRAHAM J. MULTER, A REPRESENTATIVE IN CONGRESS FROM THE 13TH CONGRESSIONAL DISTRICT OF NEW YORK

Mr. Whitener. The next witness is the Honorable Abraham J. Multer, Member of Congress from the State of New York. He is another valued member of the Committee on the District of Columbia. But from what I read in the paper, he does not like to serve here and wants to get rid of us.

Mr. Multer. Thank you, Mr. Chairman, I think that is a slightly inaccurate appraisal of my feelings. I have enjoyed working on this committee. What I want to do is lighten the burden of the committee. What I would like to do is put where it belongs the government of the people of the District of Columbia.

Mr. Whitener. May I interrupt you there, Mr. Multer, and ask if your bill which you are testifying on today is similar to the one that you testified on before the committee in 1963?

Mr. Multer. In large part; yes.

I had intended, Mr. Chairman, to simply talk about my bill, H.R. 4644, and S. 1118, which has already passed the Senate, which are the administration bills. S. 1118 was introduced as the administration bill in identical form to my H.R. 4644, and was amended in some minor details and then passed and is now before this committee.

In view of the shortness of time, if it is agreeable to the committee, I shall ask that that statement be made a part of the record in full.

Mr. Whitener. Without objection, we will make it a part of the record

(The statement referred to is as follows:)

"STATEMENT OF HON. ABRAHAM J. MULTER ON H.R. 4644

"Mr. Chairman, I appreciate the opportunity to come before this committee today. I do so to urge support of my bill, H.R. 4644, which would provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia.

"This is the same bill which was introduced in the Senate as S. 1118 and which has already been passed by the Senate with several amendments. Except for the amendments the bills are identical.

"I believe home rule can no longer be denied to the District of Columbia. The reasons therefor have been expounded by me and many others too frequently to require repetition today. I did elaborate on them before this committee during the 87th Congress.

"Because I am convinced that the 89th Congress will consider a home rule bill, I urge reporting to the House either H.R. 4644, the administration bill, or S. 1118 as passed by the other body.

"At this time I intend to address myself solely to differences betwen my bill and the Senate-passed version of the bill.

"The Senate bill provides for a 19-member council elected for 4 years, 1 from each of 14 wards and 5 elected at large. Of the five councilmen-at-large no more than three may be of the same political party. My bill provides for a 15-member council, 1 for each of the 15 wards, elected at large for a 2-year term.

"I prefer the House version. Majority rule means just that. When the majority of the electors indicate their choice the minority should abide by it until they can win over to their viewpoint enough of the majority.

"Proportional representation has never worked and I know of no place that has not abandoned it after having tried it. If the purpose of the Senate version is to assure Negro representation, this can and should be accomplished only by an apportionment of the city into districts of equal population. A majority within each district should then elect its representative. I prefer the 4-year-term for councilmen for the same reasons that I have advocated a 4-year term for Members of Congress.

"The Senate bill provides for a school board of 14 members elected for 4-year terms on a nonpartisan basis. My bill abolishes the Board of Education and transfers its functions to the council.

"I approve of the Senate provision calling for an elective Board of Education on a nonpolitical basis. I believe that this will bring about an improvement of the education system and facilities in the District. If it doesn't work out that way then either the local government or the Congress can change it after a fair period of experimentation.

"The Senate bill permits recall of 'any elected officer.' My bill permits recall of the mayor only.

"I believe the House version is better. The right of recall of legislators keeps a government in constant turmoil requiring a legislator to keep his ear attuned to the emotional reactions of the electorate rather than to their best interests.

"The Senate bill permits District voters to propose and enact legislation. Any act resulting from the exercise of such initiative is subject to Presidential disapproval in the same manner as any act passed by the council. My bill does not provide for initiative.

"The Senate provision for proposal of legislation by petition is a good one. It should serve to keep the people interested in what their city council does or fails to do.

"The Senate bill directs the Administrator of General Services to certify that the account computed under the formula and required for payment is 'based upon a reasonable and fair amendment of real and personal property factors,' which enter into the computation. My bill is intended to accomplish the same thing.

"The difference between my bill and the Senate bill calling for certification by the General Services Administrator, in my opinion, is a difference in language only.

"I can and am prepared to and will support either bill with or without any minor amendments.

"The important thing in my opinion is that we enact one of these bills and then learning from actual experience with home rule in full operation we can improve the basic statute from time to time. If the experiment should fail we can repeal the statute and go back to the present or a substitute method for governing the District.

"It is my firm conviction that the experiment will not fail. On the contrary, home rule government in the Nation's Capital can become a model for other municipalities."

Mr. Multer. I would like now, then, to comment upon some of the things that have been said here this morning which I think are possibly more important than the differences between the Senate version of the administration bill and my bill introduced.

To begin with, I would like to direct the attention of the committee to the fact that, since I have been on this committee, I have been introducing home rule bills and there has not been a session at which I have introduced such a bill that I have not asked for hearings on the bill and that I have not written to the chairman, the honorable, distinguished gentleman, Mr. McMillan, asking for hearings. I did that again in this session. Before the commencement of this session, when I was asked would I introduce a home rule bill again, I said, "Yes," I would, and I was then asked, "Will you file a discharge petition?" and I said not until the committee has had an opportunity to have hearings. And despite the pressures to introduce a discharge petition, I have withheld that, waiting for the committee to act on these bills.

Mr. McMillan. If the gentleman would yield, I would like to say he has written me concerning home rule bills. I think I have always advised him that it was my opinion, and I think you would agree with me, that we have had bills such as the crime bills, transit bill, minimum wage increases, that should have priority. I think you will agree with me.

Mr. Multer. Mr. Chairman, I have always deferred to your judgment as to when bills should be scheduled and as to which was the more important and the order in which they should be called up. At the same time, I would also like to direct attention, only because our distinguished colleague, Mr. Broyhill, has referred to the matter, that in more than one executive session, I have suggested action on home rule bills.

Why did we not make the motion formally before the committee? Very frankly, we do not have the votes. I think if there was a vote taken in the full committee, of the 25 members, I think the result would be 13 to 12 against reporting the bill. But that nevertheless does not relieve this committee of its duty to report a bill either favorably or unfavorably to the House, and then let the House work its will.

Now, I have heard comment to the effect that other bills than home rule bills were sham and that they are diversionary stratagems and dilatory tactics to delay action on the home rule bill. Without impugning the motives of any of the Members who have introduced those bills or their testimony, and giving them credit for only the highest sense of duty as Members of this Congress, I say the result has been to divert the attention of this committee from the issue before it and to delay action on it.

Now, in all good faith, I say, Mr. Chairman, and again I want to make it very clear that I have the utmost respect for you, Mr. Chairman, and every member of this committee. I have enjoyed serving with you. We have disagreed, but I think we have never been disagreeable, and I hope we never will be. But, we are now going to be put to the test as to whether or not 13 members, a majority of this committee of 25, are going to be able to withhold action from the Congress if the majority of the Congress desires action on the home rule bills. That is the issue before this committee, Mr. Chairman, and no amount of talk for or against the bills is going to delay that action. If I am right that a majority of the Members of the Congress want action on a home rule bill, we are going to get it. If I am wrong, we shall not get it. But I think it is the duty of this committee to report a bill or bills—maybe you should report them all to the House and let the House work its will on them—but short of that, nothing is going to delay our following the democratic process as provided in the rules of the House to bring before the

House any bill that a majority of the Congress wants to consider.

Now, no member has a right to take offense at the procedure that we are following, and it is being led by members of this committee—true, a minority of the members of this committee, but members of this committee who believe it is the right of the Congress to pass upon this issue as to whether or not the District shall have home rule. I have no pride of authorship in any of the bills. I think the record will show, and I think the chairman knows and members of the committee know, I have introduced every version of home rule for the District. I have done it knowingly, knowing that there were differences, but always taking the position that the Congress should ultimately decide what form this home rule should take, that the Congress should make that decision.

I think the time has now come, and I think it is fast running out, when this committee will have the opportunity to present to the House a bill. When the 7 legislative days have expired after the filing of my rule or resolution which is now before the Rules Committee, I will file a discharge petition, which will be on Tuesday, the 24th of August. At that time, we shall determine whether or not a majority of the House wants the Rules Committee discharged from the consideration of the resolution, and then we shall get a vote, if 218 members sign that petition, the House will vote whether or not they want to consider the home rule bill. If the majority so votes we shall then go to work on what kind of home rules we should get for the District.

Now, I say again that nobody has a right to deprecate the work that this committee has thus far done legislatively, whether in this session or prior sessions. It has done a good job; I am happy that I have been able to participate in bringing before the House good legislation, most of which passed unanimously, some of which passed by bare majorities. But we did our duty in that respect. I think we are failing in our duty to report a bill to the House for home rule.

Now, I have no doubt that much argument can be made on the constitutionality of the home rule approach. But just as much and just as vigorous and just as good argument can be made the other way, and this is a question that only the U.S. Supreme Court will properly finally determine if it is questioned. If there is any question in the minds of anybody as to whether or not the home rule bill can be tested for its constitutionality, I say let us write into it an amendment to that effect so there is no question that it can be reviewed as to its constitutionality.

I know that every Member has the right, and it is his conscientious duty to say, "I will not vote for this bill because I believe it to be unconstitutional," and nobody has the right to criticize him for doing that. My position as to constitutionality has been whenever there is a question as to constitutionality of a bill which gives somebody a right, pass the bill and let the Court determine whether or not it is constitutional.

On the other hand, I have always felt and so voted that when we pass a piece of legislation that seeks to deprive somebody of a right, then my oath requires me to vote against that if I conscientiously believe that it is unconstitutional. There we do not take the risk on what the Supreme Court will do eventually. But where we are granting a right, there is no real risk entailed, when we give the right and let the Court review and say this act is unconstitutional.

Now, I do hope that before the petition is ready for action by the House, this committee will report a bill or all of the bills, either favorably or unfavorably, and let the House work its will.

Thank you, Mr. Chairman, for the opportunity to be here this morning. [Applause.]

Mr. Whitener. Mr. McMillan?

Mr. McMillan. I have no questions. I have always had full confidence in the gentleman from New York. He has been a good member of this committee and he has been regular in attendance, more than a lot of other members I could mention. I am happy to have his explanation of his proposals. Thank you.

Mr. Whitener. Mr. Horton?

Mr. Horton. I have no questions. I just want to commend the gentleman on his statement and state that I subscribe to it 100 percent. I am very proud to be associated with him in the efforts to get a discharge petition on this matter of home rule.

Mr. Whitener. Mr. Grider?

Mr. Grider. I have no questions.

Mr. Whitener. Mr. Nelsen?

Mr. Nelsen. Only to thank Mr. Multer for his appearance and for his usual courteous, thorough presentation of his point of view, and I thank him for appearing before this committee.

Mr. Whitener. Mr. Broyhill?

Mr. Broyhill. No questions.

Mr. Whitener. I join in expressing appreciation to the gentleman. He and I have disagreed in the past on some things, which I felt were good for the District of Columbia. I suppose that if they had home rule and they had a local governing board, there would be conscientious differences as to what is the best course. I do thank the gentleman.

But I would point out to him as one of the advocates of the discharge procedure, to which I have never subscribed in connection with this or any other legislation, even though, as the gentleman knows, in my Committee on the Judiciary there are many bills that from time to time many of us would want to get out but have not been able to do so because those in control of the committee did not think that they were good legislative proposals. So I can understand the gentleman's sense of frustration. I am sure he will agree, though, that even if the accusation that is being made is correct; namely, that this committee has not been willing to face up to this particular issue, it is not the only instance of that kind of unsupported charge, that he has seen it in his long service here.

Mr. Multer. I am in complete agreement with the gentleman. The same thing has happened on other committees on which I am privileged to serve. This is part of the procedure of the House, where some persons who are opposed to a piece of legislation feel there is no need to consider it or it should not be considered, whereas others feel that good, bad, or indifferent, it should be considered.

Mr. Whitener. I am sure the gentleman will remember that some of us who may differ on some of the thoughts which he has were among those in the Congress and in the Judiciary Committee who pressed for the amendment to the Constitution which gave the people in the District of Columbia the right to vote in the presidential elections. So we have not been totally harsh in our attitude toward giving them that right.

Mr. Multer. I would repeat again, I have the utmost respect for every member of this committee, and I do not for 1 minute question their motives or their desires. They are legislating as their conscience dictates to them they should. I think this committee should be commended instead of being condemned as frequently as it is in the mass media. I think this committee has done a good job, and you and the chairman are among the leaders in bringing to the floor legislation that is needed for the District.

Mr. Whitener. Well, I appreciate that statement.

Since you have mentioned mass media, I am not sensitive to what the papers say if they just get my name right and if some way they could get circulation down in my district.

Mr. Multer. I think you should do as I do and ask only that they spell your name correctly, and that will increase the vote by which we are returned.

Mr. Horton. They spell my name "Morton" all the time.

Mr. Whitener. I noticed with interest this morning that in the mail we had an editorial which appeared on one of the television stations. It said that this committee started out by deliberately hearing the opponents of home rule, and that we were not fooling the other Members of the Congress and the public about what we were doing. I just made a mental tabulation that out of four witnesses we have had, we have had three proponents of home rule who took 3 hours, and the fourth, an opponent, had 5 minutes only. So the only thing I can deduct from the editorial is that the gentleman who wrote it either was not present or has not been present, or if he were present, he was doing what some of us might do at times and that is not pay the right amount of attention to what was going on around him.

Mr. Multer. If I were the editor of that newspaper, the editorial I would have written on the subject would have probably been along the line that being convinced that the majority of the Congress is for home rule, the committee is now hearing the opponents.

Mr. Whitener. I take it the gentleman does not consider himself an opponent except he opposes perhaps the Broyhill proposal or some other proposal.

Maybe since you have mentioned that, technically he is correct, that they were folks who were not supporting his particular view, and, therefore, they were opponents of home rule.

Mr. Horton. I might point out to the chairman that my reading of it was that they would hear opponents and Members of Congress, and we have not gotten to opponents yet; we are still on Members of Congress.

Mr. Multer. I am all for any procedure that you adopt which will avoid repetition of the testimony which has already been given to this committee on prior occasions and get on with the work and report out the bills.

Mr. Whitener. I would say to Mr. Horton, that I got here a little bit before he did, and one of the first things that I found when I got here was an unwritten rule that in all committees, Members of the House or Senate are heard from first. I did not make that rule. Sometimes I try to hear from somebody else.

They say we are all alike in two respects. One is that a Member of Congress loves nothing better than the sound of his own voice, and hates nothing more than the sound of a colleague's voice.

Mr. Multer. I hope the day will never come, though, that the procedure of the House and of the committees will prevent us from hearing anyone and everyone who wants to be heard.

Mr. Whitener. You are not objecting to the fact that we gave you priority because you are a Member of Congress?

Mr. Multer. I appreciate and thank you therefor.

Mr. McMillan. I would like to state on this procedure of hearing opponents, at the present time, I think some people have forgotten that in the last Congress we had 4 days of hearings and 500 pages of testimony of the proponents on practically the same bills. We thought in all fairness it was best to give the opponents an opportunity to give their testimony here.

Mr. Multer. Seriously, Mr. Chairman, I wish to give you and Mr. Whitener credit for trying to expedite the hearings rather than delay them.

Mr. MCMILLAN. That is what we are trying to do. If we hear the same group of people over again on the new proposals we would be here until Christmas.

Mr. WHITENER. I certainly thank the gentleman again for his good humor and his learned comments. Our time is now up. The bell has rung calling us to the House.

I wish to announce that our next witness will be Congressman SICKLES, if existing custom and usage is applied to hear Members of Congress. We shall have 3 days of hearings next week, the first day being Tuesday at 10:30, and we shall resume on Wednesday and Thursday at the same hour.

We shall now adjourn until next Tuesday.

(Whereupon, at 12:10 p.m., the hearing recessed until the following Tuesday, August 24, 1965, at 10:30 a.m.)

LEGISLATIVE PROGRAMS SHOULD BE PROPERLY IMPLEMENTED BY AGENCIES OF GOVERNMENT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HANNA. Mr. Speaker, we have in this Congress and in the session just passed contributed in the most dramatic way to the advancement of education in this country. We have made a record unparalleled in the entire history of this land and the Congress. However, I think we should be the first to be aware that all of the actions we take are not ideally implemented in the agencies of Government to whom the executing of legislative ideas are vested. So it is with the great Federal programs for education. It has been brought to my attention that these massive programs at the present time lack coordination, and this is understandable since new machinery has been placed into operation to carry out these programs. It is anticipated that many newly employed governmental officials perhaps lack understanding either of the work that they are specifically to do or are unappreciative of the interdependence of their responsibilities with those of other agencies, or even other offices within their own department. These things must be watched carefully by Members of Congress and certainly should have the overriding attention of the executive heads of the agencies responsible.

But what is most disappointing is that we are seeing an ambulant enthusiasm driving agency representatives directly to areas where they feel problems exist which the legislation has drafted to serve and bypassing the State agencies and local agencies which, on their own level, are themselves involved in these specific programs. This failure to communicate and clear with important persons and organizations is creating harsh reactions.

Mr. Speaker and Members of this House, I think we must direct our attention to this problem immediately. We must bring to bear our influence upon the agency heads and the Cabinet officers who may be involved to avoid the conflicts that can occur, the animosities and enmities which are already developing and the lack of results which, therefore, have been occurring. To have a good idea on how to solve a particular problem is not enough. We must be aware of the relevancy of the action that is being taken, the utilization of existing machinery and institutions through which the flow of effort must be directed and, above all, insure that intelligent consideration for cooperative effort for the appropriate balanced involvement of all levels of government be brought to bear on a problem which all are trying to serve in common.

I urge this Congress, through its appropriate committees, to make a prompt report in the year that lies ahead of us so that this Congress might follow up and gain for itself the assurance that the great works that they have accomplished in legislative programs are in fact becoming great works in the grassroots of America where the ultimate tests of the effectiveness of what we have wrought here in these halls will be measured.

U.S.S. "BENJAMIN FRANKLIN"—30TH POLARIS NUCLEAR SUBMARINE

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. TOLL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TOLL. Mr. Speaker, I was delighted to receive this morning a letter from the distinguished Assistant Chief of the Navy's Bureau of Ships for Nuclear Propulsion, Adm. H. G. Rickover, dated "At Sea—North Atlantic" on August 30, in which he notes the successful completion of the first sea trials of the U.S.S. *Benjamin Franklin,* our 30th Polaris nuclear submarine.

To Philadelphians the felicitous naming of this nuclear submarine for its most famous citizen is particularly gratifying. With the rest of the Nation, we never cease to marvel at the wisdom and the amazing achievements of this versatile and selfless man of humble origin, who accomplished so much for Philadelphia, for Pennsylvania, and for his country.

Franklin's inspiring philosophy as set forth in his autobiography and exemplified in his constructive life is as valuable a guide today as it was 200 years ago. Admiral Rickover's letter describing this great Founding Father and some of the basic, timeless lessons he has taught us is so fascinating that I take the liberty of quoting it in full below.

Congratulations to the Navy and best wishes to the captain and the crew of the 30th nuclear submarine. May the honored name it bears presage a successful future for the U.S.S. *Benjamin Franklin.*

The letter follows:

U.S.S. "BENJAMIN FRANKLIN"
(SSBN 640),
At sea, North Atlantic, August 30, 1965.

The Honorable HERMAN TOLL,
U.S. House of Representatives.

DEAR MR. TOLL: We have just successfully completed the first sea trials of the U.S.S. *Benjamin Franklin,* our 30th Polaris nuclear submarine. We also have in operation 22 attack-type nuclear submarines, making a total of 52. The *Benjamin Franklin* was built by the Electric Boat Division, General Dynamics Corp., Groton, Conn.

This ship is named for Benjamin Franklin (1706–90), one of the most illustrious of our Founding Fathers. A plain man of the people, his life was the American success story writ large. In his autobiography he speaks of his "lowly beginnings" and notes with quiet pride that he "emerged from the poverty and obscurity" of his birth to "a state of affluence and some degree of reputation in the world." He did so purely on merit for he was, in every sense of the world, a self-made man, owing little if anything to luck or the assistance of others, never pushing ahead at the expense of a fellow man.

Franklin was the youngest son of a poor tallow chandler who had migrated to Boston from England and married as his second wife the daughter of a former indentured serving maid. With 17 children to raise, he could give Benjamin only 2 to 3 years of schooling, but he encouraged him to study on his own, a habit which was to remain with Franklin all his life. At 10 the boy went to work in the family shop; at 12 he was apprenticed to his half brother to learn the printing trade, this being considered a suitable vocation for one whose love of books was already manifest.

In later life, Franklin often remarked that he could not remember a time when he did not read. Books were his teachers. Through them he made himself a well educated man. Taking the best authors as his models, he worked hard at perfecting his writing, eventually achieving a simple, lucid style. His thirst for knowledge never ceased. Since he wanted to read foreign books, he decided at 27—a busy young merchant—to teach himself to do so. "I soon made myself so much the master of the French," he remarked, "as to be able to read the books with ease. I then undertook the Italian." Later on, "with a little painstaking, acquired as much of the Spanish as to read their books also." He read not only for instruction but for enjoyment. His taste was catholic. All his life, men of learning and position, who would ordinarily not bother with an artisan, sought Franklin's company. He supposed it was because "reading had so improved my mind that my conversation was valued."

At 17 Franklin had learned all his brother could teach him and was ready to make his own way in the world. He went to New York but could find no work there, so continued on to Philadelphia. This is how he describes his arrival there after a long and uncomfortable trip—walking 50 miles, getting nearly shipwrecked, and helping to row a boat part of the way: "I was dirty from my journey; my pockets were stuffed out with shirts and stockings; I knew no soul, nor where to look for lodging. I was fatigued with traveling, rowing and want of rest. I was very hungry and my whole stock of cash consisted of a Dutch dollar. * * *" He bought three large bread rolls. Wandering about town, munching, he met a fellow traveler. He gave her and her child two of his rolls. Thus did Franklin enter the town that was to become his permanent home, where he would rise to wealth and fame.

Seven years later he owned his own printshop, a stationery store, and a newspaper. He had in the meantime perfected his art by working for 18 months in England and could do the most intricate and difficult print jobs. At 26 he began the highly profitable annual publication of Poor Richard's Almanac. He managed his affairs so ably that at 42 he retired with an income equivalent to that of a royal governor. Though he was good at it, moneymaking never interested him, except as a means to obtain leisure for the things he really enjoyed: reading, study, scientific experimentation, social discourse, and correspondence with men of similar interests.

While still a journeyman printer, he had founded a club for sociability and self-improvement, called the Junto, of which he later said that it was "the best school of philosophy, morals, and politics" then existing in Pennsylvania. Its membership of about 12 consisted of alert, intelligent young artisans, tradesmen, and clerks who liked to read and debate. They met Friday evenings to discuss history, ethics, poetry, travels, mechanic arts, and science (then called natural philosophy). It has been said of this group that it "brought the enlightenment in a leather apron to Philadelphia."

Franklin, who was full of ideas for improving life in Philadelphia and the Colonies in general, submitted all his proposals to the Junto where they were debated. Once accepted, members worked hard to get them put into effect. As a result, improvements were made in paving, lighting and policing the town; a volunteer fire department and militia were formed; a municipal hospital was established; the foundations were laid for what became the University of Pennsylvania and the American Philosophical Society. Of most lasting importance, perhaps, was Franklin's plan for a subscription library, the first in the Colonies. Access to books, he felt, meant that "the doors to wisdom were never shut." The idea caught on. He noted with satisfaction that the numerous libraries springing up everywhere "have improved the general conversation of Americans, made the common tradesmen and farmers as intelligent as most gentlemen from other countries, and perhaps have contributed in some degree to the stand so generally made throughout the Colonies in defense of their privileges." The value of knowledge to man and society has never been put more succinctly.

When he was 40, Franklin discovered electricity. It was then a sort of magic, a parlor trick. Franklin—ably supported by his Junto—threw himself into experimentations and developed a workable theory which he proved in his famous kite experiment. In the 6 years between 1746 and 1752 his contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings on electricity were compared with Newton's optics; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America. When he was sent to Paris, as America's first Ambassador to a major power, the admiration of France for Franklin's scientific achievement in catching lightning and putting it to man's use contributed not a little to the success of his mission: winning the help of France to the Revolutionary cause.

As a man of leisure, Franklin found himself more and more drawn into public service, this being expected of anyone who had the time and ability to serve. He became a member of the Pennsylvania Legislature, the Committee of Five charged with drafting the Declaration of Independence, the Second Continental Congress and the Constitutional Convention. In one way or another, he represented America abroad a total of 25 years, becoming an exceedingly skillful diplomat. His statement, in hearings before Parliament, of the case of the Colonies against the hated Stamp Act was masterly and helped bring about the repeal of this act. He was among the first to recognize that not merely "taxation" but "legislation in general" without representation could not be borne by Englishmen, whether they lived at home or abroad. The bond uniting England and its colonies, he argued, was the King, not Parliament. Had his "dominion status theory" been accepted, the war might have been prevented but, as he sadly remarked, "there was not enough wisdom."

At 65, Franklin began his autobiography, intending it for his son. When pressure of public duties interrupted work on the book, one of his friends pleaded with him to complete it. All that had happened to Franklin, he urged, was of great historic interest since it was "connected with the detail of the manners and situation of a rising people." Moreover, the way he had planned and conducted his life was "a sort of key and explained many things that all men ought to have once explained to them, to give them a chance of becoming wise by foresight."

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise and good man, who personified all that is best in America. "Merely by being himself," wrote Mark van Doren, "he dignified and glorified his country."

Respectfully,

H. G. Rickover.

POEM WRITTEN BY MISS LUCI BAINES JOHNSON AND PRESENTED TO HER FATHER, PRESIDENT LYNDON BAINES JOHNSON, ON THE OCCASION OF HIS 57TH BIRTHDAY

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks, I wish to insert in the Record the poem written by Miss Luci Baines Johnson and presented to her father, President Lyndon Baines Johnson, on the occasion of his 57th birthday. Apart from the illustration of Miss Johnson's talents, the poem is also evidence of the devoted family life which the Johnsons have been able to enjoy despite the great official demands all of them have met over many years. The family is the foundation of our society. It is embedded in love. The millions of Americans who find happiness and strength in family life rejoice that our first family, like the average American family, is bound together by genuine ties of love and devotion.

The poem follows:

Luci Turns Poet, Lauds L.B.J.'s 57th

Austin, Tex.—Luci Baines Johnson, younger of the two daughters of the President, revealed herself as a poet in observing the 57th birthday of her father on Friday.

She presented him with a white leather-bound volume of poems which had been written by her since she was 9. She is now 18.

Assistant White House Press Secretary Joseph Laitin read one of the poems to reporters here on Saturday. Entitled "On Becoming 57," it reads:

"There are problems I can't understand
That you must face each day
All the black and white in life is gone,
And the remainder purely gray,
Oh, I wish there'd be a problem
That a mortal man could solve
Once again to know the satisfaction
Black and white—hope and love,
Though all the world is shaking at your door
You stand erect and calm
Knowing panic is man's enemy, and control is balm.
Though the Presidency possess you,
Your private life you retain
Unending love for Mom, Sis and me
Always has—and will remain.
Him's love affairs are your concern
As the cattle and the land
They fill your heart, enrich your mind
Yes—you love—and understand.
You understand so much of life
Much more than I once believed
You've come from intelligent to wise
I know this and believe
That you are more to me than a
Father, President, or friend
You are hope and strength and diligence
Concern and wisdom.
  Admiration flows abundantly from
This pen of mine
  For the man who's giving
All he's got
To try to save mankind."

INCREASE IN ANNUITIES AND PENSIONS UNDER THE RAILROAD RETIREMENT ACT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I should like to make a brief statement concerning a bill I have introduced today to provide a 7-percent increase in annuities and pensions under the Railroad Retirement Act.

Railroad retirement benefits have not been increased since May of 1959. Yet the cost of living has increased by 9 percent since that time. Railroad retirement annuitants have not been treated as generously in their battle with the day-to-day cost of living as have the beneficiaries of other federally administered retirement systems.

During the post-World War II period, for example, social security benefits have been increased five times by percentage increases that total on the average, to over 140 percent, including the 7-percent increase enacted this year along with the medicare program. Civil service annuitants have received four increases totaling, in some cases, to over 70 percent, and the House has recently passed a bill granting these beneficiaries another increase ranging from 5 to 10 percent depending upon the date of retirement.

The railroad retirement annuitant has received only four increases during the last 20 years totaling but 55 percent. The retired railroad worker appears to be the forgotten man among those fighting the increased living costs on the limited income of a retired worker. Surely our obligation toward these retirees is as great as it is toward those on social security or civil service retirement.

Mr. Speaker, one of the most compelling reasons why the retired railroad workers need this additional money is to help them to take advantage of the supplemental medical insurance program under the medicare bill. As you know, the medicare bill provides two health insurance programs for those age 65 and over. The basic, or part A, program of hospital and other institutional care is financed out of social security and railroad retirement contributions for those covered under those two systems. The so-called supplemental, or part B, program to provide physicians benefits, however, is to be supported by $3 a month contributions by subscribers, matched by a like amount out of Federal general revenues. This latter program is to be voluntary, covering only those who wish to join. Part of the rationale for the 7-percent cash benefit increase for social security beneficiaries that was enacted as part of the same law that established the medicare programs, was to afford these beneficiaries additional funds in order that they might take advantage of the supplemental medical insurance program. But what about the railroad retiree? Where is he going to get the additional funds necessary to subscribe for these benefits? Unless we grant him an increase, he is going to have to cut into his limited funds for living expenses in order to take advantage of this program.

Mr. Speaker, Congress has always recognized its continuing responsibility to those on the rolls of federally administered retirement systems. It is not enough that these persons be paid only a stated amount per month as stipulated in advance. The purpose of a retirement plan is to afford an individual the means to retire with some assurance that his retirement income will provide the protection he expected it would when he was making contributions to it. The Government must maintain the annuities of retirees at a level that will afford them living standards they have every right to expect.

WE, THE MERCHANTS OF DREAMS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PEPPER. Mr. Speaker, it gives me great pleasure to call to the attention of my colleagues an address of Mr. Philip J. Goldberg before the Associations of Life Insurance Underwriters & Salesmen, at the convention of Hamilton Life Insurance Co. of New York this past June.

Mr. Goldberg is one of this country's dynamic and influential leaders in the American life insurance industry. He is now chairman of the board of Hamilton Life Insurance Co. of New York. He has built a complex of some half-dozen life insurance companies in various sections of the country.

Before his entry into the life insurance management field he was perhaps the country's most successful life insurance salesman. He now travels the country speaking before associations of life insurance underwriters and salesmen, carrying to them the message of the role of life insurance in building security. He refers to the members of his audience as "merchants of dreams" whose function it is to sell "security on the installment plan."

Mr. Speaker, I feel that this address typifies the fact that democratic capitalism remains a dynamic social and economic philosophy for our times.

I call this to the attention of my colleagues for their reading:

WE, THE MERCHANTS OF DREAMS

Esteemed colleagues and friends, ladies, and gentlemen, all members of the Hamilton Life family, welcome. There is work ahead these next few days.

I wish to point out just how important you are and to fully assess your posture and your importance not only to yourselves and your families, not only to Hamilton, but to our entire society. So indeed, if I have any text this evening, it is to persuade and prove to you your own importance.

I have learned early in my career that it is you that the insured buys and not a company. Be it the richest or the oldest. He buys the personal services of an agent. He buys you and he buys me.

It is pure coincidence, of course, but we meet in the shadow of history. I credit this past Sunday's New York Times Magazine for pointing this up to me. One hundred and fifty years ago tomorrow, Napoleon met his Waterloo—and with his defeat was ushered in what historians refer to as the hundred years of so-called peace—four generations of mankind's progress on earth, essentially dominated by Great Britain and brought to a harsh and crashing end with the onset of World War I. More pointed and cogent for all of us, this week also marks the 25th anniversary of the fall of France before the invasion of Hitler's hordes. And in the generation that has passed since those black days, the historians tell us, the world has undergone more physical, technological, and social change than in all prior recorded history.

I will not argue with history—or with the historians. Certainly, the world of 1965, as we know it today, was beyond our contemplation or comprehension 25 years ago. Perhaps the best gage is the fact that miracles attributed to Buck Rogers in the 25th century have come to pass in a short 25 years. And, yet, as great and unpredictable as have been the changes, I say to you that the fundamentals of man's passage on this earth remains the same today as they were 25 years ago, and as they were 150 years ago, and as they were 1,000 and 10,000 years ago.

From caveman to today's urbane and civilized middle class, the yearnings, the longings, the hopes, the aspirations are the same. First, to satisfy the basic physical needs—bread and shelter. Second, to achieve some measure of security, so that our children may have it a little bit better than we did—a better education, a bolder start in life. Third, to forge some personal identity so that when we depart this earth, someone will remember. It is true that it is the great leaders who make history. It is the scientists who have wrought the technological miracles. It is the thinkers and the geniuses who have forged new frontiers of law and social order. But it is the rank and file—the unnamed, unknown world's billions—who inch ahead generation by generation, repeating the cycle of hope, aspiration, despair, anxiety—and in the end, some measure of progress. In this sense, the world remains unchanged.

Each man continues as his own lonely island, tentatively groping for a kindred spirit, slow to advance, and quick to retreat. This has great significance for each of us in our chosen calling. For who, more than we, has the God-given opportunity to help our fellow man? Who, more than we, is able to build a bridge to that lonely island that is everyman? I feel that God tapped us on the shoulder when he directed our steps toward life insurance as a career. To me, we are all His financial ministers, doing for man's worldly needs what the priest, the rabbi and the minister do for his spiritual needs. Both contribute to man's security, his peace of mind, his dignity.

Yes, ours is a divine calling—a service—a duty—a way of life—an awesome responsibility. We are not doctors. Yet, I daresay that we have kept more souls and bodies together than many a doctor. We are not statesmen. But we have made, and continue to make, our contribution to the economic security that is at the root of American democracy. We are not soldiers. Yet, we guard the economic outposts of the democratic American way of life. We are not writers. But how many happy endings have we written to the very human story of struggle and conquest over a too-stern destiny. To all those to whom we have brought the salvation of life insurance, we are all these things—and more. For, unlike the great in so many walks of life, we are not aloof from the people. Rather, we are an intimate part of the lives of those whom we serve, always on call, always accessible.

In a day and age when anxiety reflects man's defenselessness against fate, it is we who give him the confidence to cope with at least some of life's fundamental problems. Consider, for a moment, what our society would be like if there was no life insurance.

Every man would at once be beaten by the fact that death may come to him before he has an opportunity to discharge his greatest social obligation, the support of his family.

He is at once beaten by the treachery of time. For the passing years which give him the opportunity of caring for his family today, are whittling away at his power to take care of them tomorrow.

He is at once beaten by the fact that it is impossible for him to reconcile his need for an estate today with his inability to pay for it today.

He is at once beaten by the fact that you have taken away from him the only plan of accumulation which enables him to be an indulgent father at the same time that he is a provident father.

He is at once beaten by the fact that you have taken away from him the only plan of property accumulation, which scientifically amortizes the debt youth owes to old age.

He is at once beaten by the fact that you have taken away from him the only method whereby the value of human life which is destroyed at his death, is automatically converted into indestructible dollars; gentlemen—were it not for life insurance, ours would be a society in which most people would be beaten before they were started, laboring, as in bygone days only to earn the peace and promise of the hereafter. Life insurance helps translate that promise to the heavenly kingdom on earth. Are we not indeed the financial ministers of God? There is nothing more powerful than the force of an idea whose time has come. This is that idea "There is only one real reason for buying life insurance—love." There is only one real method for selling life insurance—faith. A passionate—yes, religious—conviction that what we are doing is the most important and vital and necessary service that can be rendered to our fellow men. Only with this faith, can we be successful. It is this faith, and this creed that has always guided me to sell: first, as a life insurance agent, then, as a general agent, and even now, as chairman of the board of a life insurance company. I would make my prospect come to grips with fundamentals I was neither afraid nor embarrassed to be emotional; I know that typically the average prospect can't afford to die—and can't afford to live.

I come to him with answers to unspoken problems—protection against dying too soon—or living too long—or facing the living death of disability. In my days in active selling I would always ask my prospect this question—"If you were to lose your wife and your job on the same day which would be the more tragic loss for you?" The prospect does not answer—because there is no answer. I would quickly point out that this is precisely the situation that his wife will face on the day he dies. She will have lost a husband and a provider. Yes, I have never been fearful or uncomfortable about being emotional with my prospect. This is what he understands. I do not hesitate to bring to him the feel, the sight, the touch, yes, the very smell of premature death. Gentlemen, you and I know that what makes our business possible is that people die at all ages.

The Biblical "3 score and 10" is a hope, rather than an expectation. And a mortality table does nothing more than record statistical experience over thousands of people. Individually, the man of 40 has no more right to expect to live a day longer than the man of 70. The mortality rate for people in the United States is still one per person. So let us see what does really happen? "You died last Monday, they buried you yesterday; you were a good provider while you lived, but how will you stack up in death?" A man may be judged by his peers on the basis of his accomplishments in life but his family is forced to judge him by what he has done for them in death. This is a truth which every prospect must be made to face, for when the funeral is over and the guests have departed, and the flowers have withered and all that remains to the widow is the black of night and a bottomless well of loneliness, who and what will there be to bring her a glint of hope for the future? Only you will be there with the dollars to help her bear this tragic loss. It is only we who remain. It is only we who can come to her in the cold light of morning bearing the assurances of security for her and the children. It is only we who stand between a renewed and purposeful life and a scrap heap of dreams.

Yes, the mortality rate for people is still one per person.

Set in this context our calling emerges as the most humane, perhaps, even divine, in which a man can be engaged, we are indeed merchants of dreams. Because we make it possible for people to realize their life's dreams. For we bring dreams to a reality on the installment plan. How do I tell these things to a prospect? Easily, by not talking to him about premiums and cash values and dividends. These are the incidence of life insurance, but they are not the language of life insurance. To live and to die. To have and to have not. The brow of a wife, wrinkled with fear. The lined anxious faces of elderly parents. This is the language of life insurance; this is the language that any man can understand. Yet, how often do we reject this fundamental approach in favor of being too professional? We sell tax shelters and rate comparisons and 20-year net cost comparisons and dividends. Gentleman, may I ask this distinguished assemblage to tell me on what mortality table is the 50 megaton bomb? I ask you. What would it do to our projection of cash values and dividends and net costs?

Yes, the mortality rate is still one per person. We must speak the language of life insurance or else we must pass ourselves off as estate planners and financial planners and insurance consultants and, we, unconsciously compete with the lawyer and the accountant in selling a product for which there is no competition.

We tend to forget that we are selling the most basic product on earth—bringing security and dignity to human beings—in life and in death—enabling them to realize their most unattainable goals. How colorless, indeed, become the tricks of the trade when we size up our mission in life in these bold and dramatic terms. This is selling by faith—faith in the fact that ours is the only product ever created that can only help our prospect or his family; that ours is the only product ever created that is guaranteed to deliver what it promises; and promises a multiple of what is paid for it.

Widows ask, "How much insurance did my husband have?" Never in my career have I heard asked, "What kind did he have?" How fortunate we are to know that, whatever we sell a man, be it only overnight insurance, we can only do him good. But there is a second premise to my equation. There is only one reason for buying life insurance—love. Only a deep and constant love of his family moves a man to purchase financial security for them. It is a noble and selfless act.

You are needed to translate sentiment into action. And, the odd part of this business we're in is that whether the insurance is purchased or not purchased someone pays for it. Either with money—or with suffering.

Is not the insurance paid for by the man of 65 your prospect will be someday? Will it not be paid for with a loss of personal dignity? Is he still useful, and needed, even for an opinion, when he could not save enough money to exist on? Will it not be paid for with physical and mental denial—a pack of cigarettes less a week, a shabbier Christmas present, a poorer neighborhood to live in, a dingier cafeteria to have a lonely supper, yes, there are no raises in pay at retirement. Yes, one father can support eight children but how many times have you heard of eight children supporting one father? Is it not paid for by the prospect's wife who expects her husband to live to be an old man? Is not she paying for the premiums when in the autumn years of her life she has to work as a maid and helper in other people's homes? As a babysitter at a time when her mind cries out for protection from the playful shrieks of little children? Is not she paying for it when she shamefully accepts the worn handouts of clothing, the leftover gifts of food, the invitation to "join us all at Christmas dinner * * * and please, do not buy anything for the children * * * they have everything." Yes, everyone wants to go to Heaven, but no one wants to die.

Is not life insurance paid for by the young mother whose husband was taken away during the summer of life? Remember the question I asked in my opening remarks? "If you lost your wife and your job both on the same day how would you feel?" Well, she knows the answer. She lost her love and her economic existence at the same moment, yes she will pay. By working at a job she cannot risk losing, by worrying if Johnny ate his lunch or worse—is he playing in the playground or at the poolroom? She will pay, by smiling at the boss even though she is irritated at his attention. By worrying over unpaid bills and being a father-mother and breadwinner. Yes, the magazines show the picture of the brave young widow smiling confidently as she gazes toward the horizon, surrounded by her three children and white home with its white picket fence. That is a true picture if her husband bought insurance. If he did not, the horizon she is looking at is really whether the girls from the car pool are too early to take her to the plant, breakfast is not ready for the children, and the house is grey and mortgaged, and the picket fence is falling down.

If your prospect still doesn't want to buy insurance, ask him to write a letter to his wife and children to be left with his will. Ask him to explain to them why he didn't protect his family—for we wouldn't be able to. Yes, the man who doesn't buy enough life insurance for his wife and children doesn't die, he absconds.

Would you like to know who else pays for life insurance? Little Mary and Johnny do. In a future world, when the battle will be for mind power and not manpower, Johnny can't go to college, and he has to deliver papers * * * and that's cute, but sometimes it's raining. And sometimes the snow is wet and sometimes his fingers are numb from the cold. And sometimes he gets home late for supper—too late to study or help his mother. Yes, he, too, pays for insurance. And little Mary can be loved by her father. But only her father can buy her a blouse with a "W" on it, and only her father can determine whether the "W" is for Woolworth or Wellesley. Yes, everyone can cry, but how many people can cry for joy? Wouldn't you agree with me that the most beautiful, the most tender, the most endearing love letter a man can write to his beloved wife and children is a life insurance policy?

Wouldn't you agree with me that there is only one real reason for buying life insurance? Love. Yes, you have to love someone to buy life insurance. You have to have faith to sell life insurance. There is nothing more powerful than the force of an idea whose time has come. Love—faith—life insurance.

A fundamental equation to meet the fundamental needs of life. The Bible says we walk by faith and not by light. I have that faith. I believe, every time I see a business that has not closed down because a partner has died. I believe, every time I see a child go to college even though his father has passed away. I believe, every time I see a home where the mortgage has been paid, though the father is departed. I believe every time I see a widow cash a monthly life insurance check. I believe, when I see an old man who does not have to beg for a handout. Yes, then I know why I believe.

And how about believing and having faith in yourself? There are not triumphs without sacrifices, and the road to success is a torturous one. You have to put a fire in your heart. And work hard for success. We have to clean the cobwebs out of our brains—the fears, the frustrations, the anxieties, the insecurities. These are the chains which bind us to failure. We cannot look inside ourselves for success and outside ourselves for failure. We cannot let others set the standards for our behavior. Let us set impossible goals, and move ahead to achieve them. A man's reach should exceed his grasp, else what is heaven for?

I call upon you all to follow me to unlimited horizons. Join me in the arena. Ask no quarter and give none. There is no real competition for our product. Let us then get down to fundamentals in selling. Men buy when they are motivated. When we recognize that the heart knows reasons of which the mind knows nothing; we can speak and sell accordingly. We must bring to this business of ours clarity of judgment, and a genuine sense of urgency; personal magnetism, simple professional skill, strong devotion of duty, and unsquelchable honesty. Let us go out and truly work—and tell our story and spread the Gospel.

As evangelists, as revivalists, as fundamentalists. For we are the financial ministers of God. It is we whom He has sent to deliver the money for bread and milk and mortgage payments and dignity and security and college educations. Because of us, the postman rings twice. Once, for the bills, and the second time, with the check from the insurance company that will pay the bills—even though the breadwinner is no longer there. The life insurance company sends a love letter every month. We helped compose this letter. We, who sold him life insurance. It is we who talked long and hard into the small hours of the morning, so that his family could receive the check that spells life and hope. Isn't it truly a glorious calling that answers today's problems with the promise of tomorrow? Are we not indeed merchants of dreams?

SAVINGS AND LOAN PROGRESS IN VENEZUELA

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PEPPER. Mr. Speaker, the savings and loan industry which has been created within the last few years in Latin America is one of the bright spots in the Alliance for Progress. Only last week, it was reported that savings and loan associations organized in 11 Latin American and African countries have already attracted more than 318,000 savers and more than $85 million in savings. These funds have provided homes for more than 35,000 people.

One of the nations experiencing tremendous success with private thrift and home financing under the savings and loan concept is Venezuela. On July 11, the Daily Journal of Caracas, Venezuela's English-language newspaper, published an article in its Sunday magazine section on the savings and loan program in that nation. I am very proud to report that a fellow Floridian has played a major role in the development of the Venezuelan savings and loan system. He is Harry P. Greep, president of the Atlantic Federal Savings & Loan Association, of Fort Lauderdale, and the vice president of the National League of Insured Savings Associations, of Washington, D.C. Mr. Greep has spent much time in Venezuela working with the Agency for International Development on the savings and loan program.

According to the Caracas Daily Journal, the present homebuilding boom in Venezuela is due to the private home financing made available by the new savings and loan associations recently established in Latin America. In just a few short years, the introduction of savings and loan associations has had a major impact on Latin America. It is my hope that the Congress soon will take additional steps to accelerate this highly worthwhile program by enacting legislation to establish an International Home Loan Bank which would channel limited funds from savings associations in the United States in the form of "seed capital" investments in these newly organized, locally owned and managed savings institutions in the underdeveloped areas of the world.

The above-mentioned article follows:

Savings and Loans

(By Alvaro Arraiz)

Venezuela's construction industry is riding in the crest of a homebuilding boom.

Industry leaders say it surpasses even the gold dust days of the mid-1950's, when Venezuela leapt from its colonial structure to the futuristic skyline it has today. In the first 10 months of last year, investments in private construction totaled 530 million bolivars—the highest amount in any year except 1959—and experts were predicting an alltime record would be reached by December.

This year, the boom has, if anything, gained greater momentum, spilling from Caracas' narrow valleys to fill whole new areas with houses, buildings, and schools. A leading firm in the horizontal property field recently estimated 4,000 new apartments would go up by 1966.

THE ROLE OF SAVINGS AND LOAN

Builders say a major factor in producing this boom is the rapid growth of the savings and loans system. Thousands of Venezuelans who see in it an opportunity to build their own homes, have made the system the fastest growing financing plan in the country. According to builders, this is because it places a private home within the reach of many who could not afford it otherwise. And this, say the builders, is the reason homebuilding prospects are so encouraging.

While new in Venezuela, the savings and loans system's ancestry goes back to the industrial revolution days of England's 18th century. English immigrants brought the system to the United States in 1831, where it grew rapidly. By the turn of the century, the system's total assets in the United States reached $579 million. Thirty-one years later, this figure had grown to $6,400 million.

Today the savings and loan system in the United States consists of 6,000 private associations with capital assets above $100,000 million. Eloquent testimony of its importance to the American construction industry is the fact one of two homes built in the United States are financed through a savings and loans association.

ADOPTION IN 1961

Venezuela adopted the system in 1961 through two Presidential decrees. These decrees created the central savings and loans office and the savings and loans commission—the agencies which regulate the functioning of the system in Venezuela.

The savings and loans commission is in charge of establishing the norms of operation for savings and loans companies in Venezuela, as well as of approving creation of these companies. It is the highest authority on savings and loans in the country, and through its decisions the system is developed and expanded. It is made up of seven principal and seven alternate members, chosen by the President from leading figures in the construction industry and government.

The central savings and loans office is the technical and administrative body of the system. Its job is to carry out the decisions taken by the commission, to create new savings and loans companies, and to intervene in them whenever necessary. The central office also handles the legal work for the system.

AID LOAN

Savings and loans began in Venezuela with a Bs. 45 million fund provided by the Agency for International Development (AID) and Bs. 33 millions loaned by the Venezuelan Government. This capital was later expanded by another government loan of Bs. 35 millions to a total of Bs. 113 millions. In October 1962, the system consisted of only a few companies with total savings of Bs. 1.64 million, and that year loans approved by the system amounted to only Bs. 134,000.

Today, 21 savings and loans companies with nearly Bs. 80 millions operate in the country. As of March this year loans approved by these companies totaled Bs. 167 millions, and experts say real growth is just beginning.

GOVERNMENT BILL

In view of this extraordinary growth, the Government has started work on a law to "institutionalize" the savings and loans system. The bill—now being studied in Congress—aims to replace the central office and commission and the norms of operations with a solid legal structure.

The bill was introduced by Miraflores' planning and coordinating office (Cordiplan) with the plan of making a national autonomous institute of the savings and loans system. Its principle objective is to create national savings and loan banks to handle the work presently being done by the two government agencies.

But the bill has met with criticism from business circles, which claims nationalizing the system would greatly hinder its development. Constructions industry leaders argue that national institutes are inefficient and inoperative. They point to the success savings and loans have had under private control and say it would never have been possible if the system were in government hands.

The construction chamber and the Venezuelan Federation of Savings & Loans Associations have both announced their stand publicly on several occasions.

FEDECAMARAS STAND

Recently the Chambers Federation (Fedecamaras), Venezuela's most important business organization added its weight to this stand.

Fedecamaras President Concepcion Quijada said making the savings and loans system a national institute would deter savings since "people have built up confidence in private savings and loans bank, but only if this bank was a private corporation."

Quijada said capital for the bank should be mixed private-government, and not 100 percent government as planned in the bill. He also said the bank's board of directors should have at least two representatives of private savings and loans associations, and one representative of the construction industry.

According to the Government bill, all seven members of the board of directors will be appointed by the President of the Republic and of these, none may be a director of a savings and loans association.

COPEI PROPOSAL

While debate of these differences was still going on, a second savings and loans bill was introduced by the Social Christian Party (Copei).

The Copei bill follows closely the stand adopted by business leaders, inasmuch as it plans the savings and loans bank as a private corporation, but allows some representation of private savings and loans associations, and accord that capital for the bank will be 25 percent private.

Until now, neither Fedecamaras nor the construction chamber has announced that they will support Copei's bill. While the bill meets nearly all the requirements these bodies have asked for, Copei's congressional strength gives little hope that the bill might be passed over the three Amplia base parties, who support the Cordiplan bill.

Some observers have said private enterprise would rather seek a compromise with the Amplia base parties than support a bill introduced by the opposition.

What Fedecamaras and private business will decide is not easy to predict. But it is clear that this decision will vitally affect the future development of the savings and loans system and the construction industry, and through them, the nation's economy.

For this reason, the business world's attention is focused on the deliberations and negotiations Fedecamaras is holding on this matter, and also on the possible willingness of the Government to compromise with private enterprise in a joint effort to economically develop Venezuela.

A BILL TO PROVIDE INSURANCE PROTECTION FOR ACTIVE DUTY SERVICEMEN

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVERETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EVERETT. Mr. Speaker, the Insurance Subcommittee of the Committee on Veterans' Affairs has been working for several weeks on legislation which would provide insurance coverage for members of the Armed Forces who are on active duty.

Survivors of members of the Armed Forces who lose their lives on active duty are protected by the dependency and indemnity compensation program for service-connected death. This program became effective in 1957 and is designed to give continuing protection to the wife, children, and dependent parents of servicemen who lose their lives from service-connected causes.

The dependency and indemnity compensation program does not extend to single men whose parents are nondependent. It is the purpose of the bill which I am introducing to make available insurance coverage to single men with nondependent parents. This coverage would also be available to servicemen with wives, children, and dependent parents in addition to the protection which they now receive under the dependency and indemnity compensation program.

The bill which I am introducing is the result of conferences with officials of the Veterans' Administration and Defense Department, Veterans' Administration insurance experts and insurance experts from the private companies. This bill is patterned closely after the group insurance program now available to Federal employees. It would provide for a program of group life insurance which would be administered by the Veterans' Administration and underwritten by private insurance companies. The plan would be voluntary; however, members of the Armed Forces would be required to sign a statement in writing removing themselves from the program if they do not desire to participate. Members of the Armed Forces being separated would be given a period of 31 days after separation during which insurance could be converted and continued with one of the participating companies. The premiums would be established by the Administrator of Veterans' Affairs based on actuarial estimates. However, tentative estimates supplied the Insurance Subcommitte indicate that this insurance would be available at a rate of about 25 to 35 cents per thousand per month.

The U.S. Government would bear the extrahazardous cost of war deaths under this program just as it did in the U.S. Government life insurance and national service life insurance programs.

The Insurance Subcommittee has scheduled hearings on this legislation for September 8, 1965, with the hope that a satisfactory program can be developed and passed before the end of this session.

CONGRESSMAN STRATTON ANNOUNCES RESULTS OF 1965 CONGRESSIONAL QUESTIONNAIRE IN 35TH DISTRICT OF NEW YORK

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STRATTON. Mr. Speaker I am happy to bring to the attention of my colleagues the results of my 1965 congressional questionnaire. I should point out that this upstate New York district has a party enrollment which favors the Republican Party by a margin of nearly 2½ to 1 although President Johnson carried the district last year by more than 50,000 votes. It will be apparent from the figures below, the people I have the honor to represent, on the basis of their replies to this questionnaire, still strongly support the President, his handling of our foreign policy and in general his domestic legislative program. I believe these results will be of great interest to Members of the House. I might also add, Mr. Speaker, that basically this is the same congressional district which was represented prior to 1962 for a period of 40 years by our distinguished former colleague from Auburn, Hon. John Taber.

The question and answer results follow:

QUESTIONS AND ANSWERS

Do you favor:

1. Our actions and policies in Vietnam and Dominican Republic? Yes, 61 percent; no, 25 percent; undecided, 14 percent.

2. The two-price or class I base for dairy farmers, to allow them to cooperate voluntarily to bring milk supply into line with demand? Yes, 44 percent; no, 11 percent; undecided, 45 percent.

3. Extension of the Area Redevelopment Administration, to help communities with high unemployment to attract new business? Yes, 65 percent; no, 20 percent; undecided, 15 percent.

4. Continuation of the present wheat certificate plan for wheat farmers? Yes, 14 percent; no, 39 percent; undecided, 47 percent.

5. Federal help to local communities in constructing needed sewer lines or water systems? Yes, 67 percent; no, 24 percent; undecided, 9 percent.

6. President Johnson's proposal to combat crime by putting limitations on the importation and mail order shipment of firearms? Yes, 65 percent; no, 30 percent; undecided, 5 percent.

7. Adoption of a constitutional amendment allowing States with a two-house legislature to apportion one house on the basis of factors other than population, as is done with the U.S. Senate? Yes, 56 percent; no, 19 percent; undecided, 25 percent.

8. Spending some $30 million to construct two flood control dams at Davenport Center in Delaware County and on the Genegantslet Creek in Chenango County without waiting for the results of a comprehensive survey of up-to-date flood needs in the Susquehanna River basin? Yes, 11 percent; no, 75 percent; undecided, 14 percent.

9. The administration's voting rights bill, to enforce the 15th amendment in places like Selma, Ala., and elsewhere? Yes, 64 percent; no, 19 percent; undecided, 17 percent.

10. Federal funds for college scholarships for needy and deserving students? Yes, 72 percent; no, 21 percent; undecided, 7 percent.

11. Federal help in developing and distributing scarce water supplies to combat New York State's continuing drought? Yes, 67 percent; no, 22 percent; undecided 11 percent.

12. Amending our present immigration laws to base immigration quotas on education, skill, and family relationship rather than national origins? Yes, 67 percent; no, 17 percent; undecided, 16 percent.

13. Generally speaking, do you approve of President Johnson's handling of his job since taking office? Yes, 64 percent; no, 18 percent; undecided, 18 percent.

FOREIGN SHIPPERS REFUSE SAIGON-BOUND U.S. GOODS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Greek crew of the freighter *Stamatios S. Embiricos* has refused a $10,000 bonus in addition to wages to sail 10,000 tons of U.S. Army supplies from Long Beach, Calif. to South Vietnam.

The Army cargo was previously offered to a Mexican-flag ship, which also refused to transport the urgently needed war materiel.

The cargo is now scheduled to be shipped sometime around September 8 aboard the American-flag freighter *Bay State*.

Why should the Greek crew balk at doing this job for the United States? Greek-flag ships have received a total of $360,000 from the United States for hauling U.S. cargoes to South Vietnam since the beginning of January of this year.

Furthermore, in case there is any doubt as to the willingness of Greek ships to call in the Vietnam area, 15

Greek vessels have hauled goods into North Vietnam since the beginning of this year.

Mr. Speaker, this incident illustrates the vital need for a strong American merchant shipping industry. The U.S. Government must not depend on the whims and temperament of foreign shipping interests. We need our own ships to handle defense needs in time of national emergency.

If the American shipping industry declines any more, and it now handles less than 10 percent of the total traffic of goods flowing through U.S. ports, this Nation may one day find itself landlocked when it needs to sealift goods to a war zone.

I urge that the U.S. Government be first to "ship American."

OUR RELATIONSHIP WITH CANADA

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, in recent years the traditional tranquillity of our relationships with Canada has been seriously disturbed by Canadian concern over her heavy deficit with the United States in automotive trade. Some methods employed by Canada to reduce her automotive trade imbalance have threatened to trigger a retaliatory sequence that could have grown into a mutually disastrous trade war between the world's greatest commercial partners.

Thanks to imaginative leadership on both sides of the border, such folly has not been permitted to occur. Instead, calm and reasonable negotiations have resulted in the Automotive Products Trade Agreement we are considering here.

I support, without reservation, the bill before us which would implement the agreement and provide for effective assistance to those firms and workers who may find it necessary to make adjustments.

While some of the initial adjustments may be difficult, the longer range consequences of this trade agreement are stronger automotive industries, greater automotive employment, and more value for car customers in both countries.

Considering the tremendous impact the automotive industry has on the economy of our Nation—about one-sixth of the U.S. gross national product is derived from spending on automotive transportation—the direct benefits of expanding the total North American automotive market are in themselves of very major importance.

But what may prove to be the most important results of all are the further implications of this automotive trade agreement with Canada. The duty removals it provides for, and the improved spirit of cooperation it reflects, can be the pattern for an expanding trade between the two countries reaching far beyond the automotive products field.

While the agreement falls short of full free trade in automotive products, it is a significant start. The remaining restrictions imposed by Canada will become less important as the Canadian automotive industry makes the efficiency gains which the agreement would permit. In time, as the Canadian production costs approached U.S. levels, these remaining restrictions would serve no further purpose, and the North American automotive market could realize its full potential growth in employment, efficiency, and productivity.

Mr. Speaker, the reduction of artificial trade barriers between Canada and the United States is an essential step in promoting the economic development of both countries and in strengthening the bonds of friendship and understanding between them. The Automotive Products Trade Agreement represents a landmark on the road toward the freer trade that economic logic demands between the two nations whose peoples and cultures have so much in common.

Canada has already demonstrated her good faith in this imaginative and historic agreement. It would be unthinkable for us, in our turn, to pass up the great opportunity that has been opened. I urge that we implement the agreement by passage of H.R. 9042.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Roncalio (at the request of Mr. Rogers of Colorado), for September 2 through September 13, 1965, on account of official business.

Mr. Charles H. Wilson, for September 2, 1965, through September 13, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Morton), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook (at the request of Mr. Morton), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Bray (at the request of Mr. Morton), for 30 minutes, on Thursday, September 2, 1965; and to revise and extend his remarks and include extraneous matter.

Mr. Gross, for 20 minutes, on September 7.

Mr. Ryan (at the request of Mr. Clevenger), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Cohelan (at the request of Mr. Clevenger), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Todd (at the request of Mr. Clevenger), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Weltner (at the request of Mr. Clevenger), for 60 minutes, on September 2; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. King of Utah to include extraneous matter in connection with his remarks in Committee of the Whole on H.R. 3141.

Mr. Fino.

Mr. Roosevelt.

Mr. Rhodes of Arizona to extend his remarks during general debate on H.R. 3141 and to include extraneous matter.

The following Members (at the request of Mr. Morton) and to include extraneous matter:)

Mr. Ellsworth.

Mr. Horton.

Mr. Erlenborn.

Mr. Broyhill of Virginia.

Mr. Martin of Alabama in three instances.

Mr. Griffin.

Mr. Cunningham to include extraneous matter in his remarks in Committee today.

(The following Members (at the request of Mr. Clevenger) and to include extraneous matter:)

Mr. Carey.

Mr. Nix.

Mr. Multer.

Mr. Irwin.

Mr. McGrath.

Mr. Hamilton.

Mr. Roybal in two instances.

Mr. McVicker.

Mr. Zablocki.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 950. An act to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws so as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes; to the Committee on the Judiciary.

S. 2232. An act to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes; to the Committee on Education and Labor.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4905. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.;

H.R. 6927. An act to establish a Department of Housing and Urban Development, and for other purposes; and

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 4905. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.; and

H.R. 6927. An act to establish a Department of Housing and Urban Development, and for other purposes.

ADJOURNMENT

Mr. CLEVENGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Thursday, September 2, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1534. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of quartz crystals from the national stockpile and the supplemental stockpile, without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

1535. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal, without regard to the prescribed 6-month waiting period, of lump steatite talc from the national stockpile; to the Committee on Armed Services.

1536. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of graphite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

1537. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the joint resolution providing for membership of the United State in the Pan American Institute of Geography and History and to authorize appropriations therefor; to the Committee on Foreign Affairs.

1538. A letter from the Secretary of State, transmitting a draft of proposed legislation providing for acceptance by the United States of America of two instruments for the amendment of the constitution of the International Labor Organization; to the Committee on Foreign Affairs.

1539. A letter from the Acting Comptroller General of the United States, transmitting a report of examination of financial statements of the Government Printing Office, fiscal year 1964; to the Committee on Government Operations.

1540. A letter from the Acting Comproller General of the United States, transmitting a report of review of procedures and practices for terminating procurement of excess missile spare parts, U.S. Army Missile Command, Department of the Army; to the Committee on Government Operations.

1541. A letter from the Acting Comptroller General of the United States, transmitting a report of management of automatic data processing facilities in the Federal Government; to the Committee on Government Operations.

1542. A letter from the Secretary of State, transmitting a draft of proposed legislation to control the use of the design of the great seal of the United States and of the seal of the President of the United States; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 561 for the consideration of S. 2294, an act to amend section 2 of the International Wheat Agreement Act of 1949; without amendment (Rept. No. 945). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 562. Resolution for consideration of S. 1903, an act to amend the United Nations Participation Act, as amended (63 Stat. 734–736); without amendment (Rept. No. 946). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 563. Resolution for consideration of H.R. 6277, a bill to amend the Foreign Service Act of 1946, as amended, and for other purposes; without amendment (Rept. No. 947). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 10238. A bill to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes; with amendment (Rept. No. 948). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 1084. An act for the relief of Shu Hsien Chang; without amendment (Rept. No. 919). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon; without amendment (Rept. No. 920). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1931. A bill for the relief of Alexander Porzse; without amendment (Rept. No. 921). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on the Judiciary. H.R. 2926. A bill for the relief of Efstahia Giannos; with amendment (Rept. No. 922). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 3062. A bill for the relief of Son Chung Ja; without amendment (Rept. No. 923). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3079. A bill for the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine; without amendment (Rept. No. 924). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3765. A bill for the relief of Miss Rosa Basile DeSantis; without amendment (Rept. No. 925). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 4211. A bill for the relief of Mrs. Maria Finocchiaro; without amendment (Rept. No. 926). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 4464. A bill for the relief of Michael Hadjichristofas, Aphrodite Hadjichristofas and Paniote Hadjichristofas; without amendment (Rept. No. 927). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 4926. A bill for the relief of Enzo (Enzio) Perotti; without amendment (Rept. No. 928). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 4928. A bill for the relief of Chizuyo Hoshizaki; without amendment (Rept. No. 929). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 5006. A bill for the relief of Diosdado F. Almazan; without amendment (Rept. No. 930). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 5457. A bill for the relief of Maria del Rosario de Fatima Lopez Hayes; with amendment (Rept. No. 931). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 5554. A bill for the relief of Mary Francis Crabbs (Koh, Mi Sook); with amendment (Rept. No. 932). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 5904. A bill for the relief of Nam Ie Kim; without amendment (Rept. No. 933). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 6819. A bill for the relief of Dr. Orhan Metin Ozmat; with amendment (Rept. No. 934). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 10256. A bill for the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth; without amendment (Rept. No. 935). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 137. An act for the relief of Rosauro L. Lindogan; with amendment (Rept. No. 936). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 1311. A bill for the relief of Joseph J. McDevitt; with amendment (Rept. No. 937). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4203. A bill for the relief of Alton G. Edwards; with amendment (Rept. No. 938). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 5204. A bill for the relief of Joseph K. Bellek; without amendment (Rept. No. 939). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8085. A bill for the relief of Harvey E. Ward; with amendment (Rept. No. 940). Referred to the Committee of the Whole House.

Mr. McCLORY: Committee on the Judiciary. H.R. 8829. A bill for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired); without amendment (Rept. No. 941). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 10403. A bill for the relief of Edward F. Murzyn and Edward J. O'Brien; without amendment (Rept. No. 942). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 10404. A bill for the relief of Lt. Col. James E. Bailey, Jr., U.S. Air Force (retired); without amendment (Rept. No. 943). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 10405. A bill for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force; without amendment (Rept. No. 944). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMER:

H.R. 10799. A bill to amend the Merchant Marine Act, 1936, to provide that at least 75 percent of cargoes procured, furnished, or financed by the United States shall be transported in U.S.-flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. CUNNINGHAM:

H.R. 10800. A bill to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr.; to the Committee on Post Office and Civil Service.

By Mr. GOODELL:

H.R. 10801. A bill to establish the national water resources trust fund; to the Committee on Banking and Currency.

By Mrs. GRIFFITHS:

H.R. 10802. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers of certain employees who die in service; to the Committee on Post Office and Civil Service.

By Mr. GROVER:

H.R. 10803. A bill to authorize the Secretary of the Army to conduct a complete investigation and study of water utilization and control of the Great South Bay; to the Committee on Public Works.

By Mr. HARVEY of Indiana:

H.R. 10804. A bill to amend the Internal Revenue Code of 1954 to include the expenses incurred by employers in providing training and retraining programs for their employees and prospective employees as expenses which qualify for the investment credit under section 38; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 10805. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 10806. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 10807. A bill to provide that any alien otherwise qualified who has resided in the United States for a continuous period of 5 years (regardless of the nature of such residence) shall be eligible for health insurance benefits for the aged under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 10808. A bill to provide for the adjustment of the status of certain Cuban refugees to that of aliens lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 10809. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAHILL:

H.R. 10810. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

By Mr. CULVER:

H.R. 10811. A bill creating the Dubuque Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Dubuque, Iowa, Grant County, Wis., and Jo Daviess County, Ill.; to the Committee on Public Works.

By Mrs. DWYER:

H.R. 10812. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in employment against individuals on account of their age; to the Committee on Education and Labor.

H.R. 10813. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 10814. A bill to facilitate the obtaining of employment by older workers; to the Committee on Education and Labor.

H.R. 10815. A bill to establish a Bureau of Older Workers in the Department of Labor; to the Committee on Education and Labor.

H.R. 10816. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 10817. A bill to amend title 39, United States Code, to provide for the expeditious delivery in the mails by the Post Office Department of monthly benefit payments under the Social Security Act; to the Committee on Post Office and Civil Service.

By Mr. ASHBROOK:

H.R. 10818. A bill to protect the morale and efficiency of members of the Armed Forces by prohibiting the making of certain threatening and abusive communications to members of such forces or their families, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 10819. A bill to amend the Railroad Retirement Act of 1937 to provide a 7-percent increase in all annuities and pensions payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. DERWINSKI:

H.R. 10820. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

By Mr. EVERETT:

H.R. 10821. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty; to the Committee on Veterans' Affairs.

By Mr. GARMATZ:

H.R. 10822. A bill to improve and clarify certain laws of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. McMILLAN:

H.R. 10823. A bill relating to credit life insurance and credit health and accident insurance with respect to student loans; to the Committee on the District of Columbia.

By Mr. PEPPER:

H.R. 10824. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

By Mr. TUNNEY:

H.R. 10825. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 10826. A bill to provide that the battleship *Missouri* shall be maintained as a naval museum at Annapolis, Md., or near Washington, D.C.; to the Committee on Armed Services.

By Mr. BETTS:

H.R. 10827. A bill to provide for identification by the Comptroller General of individuals who fail to comply with certain prescribed procedures, to require approval of certain accounting systems by the Comptroller General, to require reporting by the Bureau of the Budget of action on recommendations made by the Comptroller General, and for other purposes; to the Committee on Government Operations.

By Mr. MULTER:

H.R. 10828. A bill to authorize the payment to local governments out of tax revenues; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 10829. A bill to authorize liens of value of secured equipment used solely for navigation or fishing on a vessel of the United States and to permit the recording of such liens; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 10830. A bill to provide for planning, coordination, and construction of facilities to assure an adequate supply of pure fresh water for the Northeastern United States; to the Committee on Interior and Insular Affairs.

By Mr. RYAN:

H.R. 10831. A bill to amend the Atomic Energy Act of 1954 to provide that hearings on applications for construction permits for certain facilities must be held at or near the places where such facilities are to be located; to the Joint Committee on Atomic Energy.

H.J. Res. 649. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. DERWINSKI:

H.J. Res. 650. Joint resolution authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs; to the Committee on House Administration.

By Mr. HAGEN of California:

H.J. Res. 651. Joint resolution to designate April 3 of each year as Pony Express Day; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Con. Res. 468. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. FRASER:

H. Con. Res. 469. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 470. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. HOSMER:

H. Res. 559. Resolution recognizing the 50th anniversary of the founding of the Junior Chamber International; to the Committee on the Judiciary.

By Mr. SELDEN:

H. Res. 560. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

365. By Mr. CUNNINGHAM: Memorial of the Nebraska State Legislature urging the opposition to the proposed diversion of Federal-aid secondary road funds for use on scenic highways while great needs continue to exist on the Federal-aid secondary road system; to the Committee on Public Works.

366. Also, memorial of the Nebraska State Legislature urging opposition to the adoption of the proposed policy of denying Federal-aid funds to those States which do not provide effective regulation of signs and displays along the Interstate Highway System and the primary highway system; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 10832. A bill for the relief of Gloria Alesna Relampagos; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 10833. A bill for the relief of Anica Nastasic; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 10834. A bill to provide for the free entry of a pipe organ and parts imported for the use of the Episcopal Church of the Advent of Christ the King, San Francisco, Calif.; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 10835. A bill for the relief of Francesco Corigliano; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 10836. A bill for the relief of Dr. Anselmo S. Alvarez-Gomez; to the Committee on the Judiciary.

H.R. 10837. A bill for the relief of Dr. Guillermo Rodriguez; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 10838. A bill for the relief of certain employees of the Post Office Department at Eau Gallie, Fla.; to the Committee on the Judiciary.

By Mr. MACKAY:

H.R. 10839. A bill for the relief of Lt. Col. Norman Dean Schanche; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 10840. A bill for the relief of Nicolae and Ana Spuza and their children, Diana, Maria and Decebal Spuza; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 10841. A bill for the relief of Ferrum Trading Co., Inc.; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10842. A bill for the relief of Sotirios Cataracharchias; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 10843. A bill for the relief of Estepan Evladian; to the Committee on the Judiciary.

H.R. 10844. A bill for the relief of Elma Eiola Tobitt; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 10845. A bill for the relief of Mrs. Shirley Norene Buckley; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 10846. A bill for the relief of Katherine Nabokoff, and others; to the Committee on the Judiciary.

By Mr. TODD:

H.R. 10847. A bill for the relief of First National Bank & Trust Co. of Lexington and Security Trust Co.; to the Committee on the Judiciary.

H.R. 10848. A bill for the relief of Continental-Illinois National Bank & Trust Co. of Chicago and City National Bank & Trust Co. of Chicago; to the Committee on the Judiciary.

H.R. 10849. A bill for the relief of the Merchantile Trust Co. National Association and the Security Trust Co.; to the Committee on the Judiciary.

H.R. 10850. A bill for the relief of the Third National Bank in Nashville and the Nashville Bank & Trust Co.; to the Committee on the Judiciary.

H.R. 10851. A bill for the relief of Manufacturers Trust Co. and the Hanover Bank; to the Committee on the Judiciary.

H.R. 10852. A bill for the relief of Crocker-Anglo National Bank, Citizens National Bank, and Transamerica Corp.; to the Committee on the Judiciary.

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SENATE

WEDNESDAY, SEPTEMBER 1, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Father, in changing and troubled days we pray for conceptions big enough, and spirits strong enough, to match the awesome time in which we live and serve.

We face the tasks here with minds startled by the swift march of world-shaking events. Hidden fires are flaming forth, consuming the old habitations of men. We hear angry voices that challenge all that men have counted fixed and final and sure. Men so long in chains are chanting a new song of expected freedom.

For social systems that have sentenced the masses to grinding poverty, for arrogant overlords of government and industry who have held human life more cheap than merchandise, the ax is at the root of the rotted tree, the judge is at the barred gate, as the shining sword of universal freedom is lifted against all that denies and enslaves.

As Thy emancipating truth goes marching on, may our souls be swift to answer Thee, and jubilant our feet.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 31, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 4905. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla; and

H.R. 6927. An act to establish a Department of Housing and Urban Development, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada, and for other purposes, was read twice by its title and referred to the Committee on Finance.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, excluding treaties and the nominations placed on the Secretary's desk, and continuing through the nominations in the Department of State, including the nomination of Phillips Talbot, of New York.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Lawrence Francis O'Brien, of Massachusetts, to be Postmaster General.

By Mr. MAGNUSON, from the Committee on Commerce:

Robert A. Bartley, of Texas, to be a member of the Federal Communications Commission;

Willard Deason, of Texas, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1965;

Willard Deason, of Texas, to be an Interstate Commerce Commissioner for a term of 7 years expiring December 31, 1972; and

William R. Curtis, and sundry other persons, for permanent appointment in the Environmental Science Services Administration.

The VICE PRESIDENT. If there be no further reports of committees, the nominations of the Executive Calendar will be stated.

DEPARTMENT OF STATE

The Chief Clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask that the nominations, through the nomination of Phillips Talbot, be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. JAVITS subsequently said: Mr. President, I wish to call attention to the confirmation by the Senate today of the nominations of two very distinguished sons of New York. I wish to speak of them separately, because they are deserving of separate statements.

The first is Mr. Harlan Cleveland, who came to Washington as an Assistant Secretary of State in charge of International Organization Affairs, including the United Nations. He did not surrender his idealism, but became a practical diplomat at the same time. He is now given the great responsibility of representing the United States at NATO, replacing another distinguished and highly respected New Yorker, Tom Finletter, where he will have an opportunity to buttress the heart of world security, which is the Atlantic Alliance. His services toward the orientation of the military aspects of the organization come at a historic moment. I am sure he will make a great contribution in that regard.

Mr. Phillips Talbot, of New York, who will succeed another distinguished American, Mr. Henry Labouisse, as Ambassador to Greece, has earned a remarkable reputation as a vigorous diplomat.

I happen to have a special interest in this matter, an international responsibility with respect to Greece, as Chairman of a Special Committee of the NATO Parliamentarians' Conference, which is presently engaged in an effort to encourage closer economic cooperation between Greece and Turkey.

Mr. Talbot can be assured of my vigorous support in his representation of the President in a country whose people, as the world has learned, have great courage and spirit, and which is one of the stanchest allies which the United States has anywhere in the world.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Plans for Works of Improvement in Various States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Blue Eye Creek, Ala.; Beardsley watershed, California; Revolon watershed, California; Mill Creek, Ind.; Mosquito of Harrison watershed, Iowa; Turkey Creek, Kans.; Little Delaware-Mission Creek and tributaries, Kansas; Lower Bayou Teche watershed, Louisiana; Back Swamp watershed, North Carolina.; Margaret Creek, Ohio; Escondido Creek, Tex.; and Williams Creek, Tex. (with accompanying papers); to the Committee on Agriculture and Forestry.

Plans for Works of Improvement in Various States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Upper Choptank River, Del. and Md.; Little Raccoon Creek, Ind.; Timber Creek, Kans.; Tamarac watershed, Minnesota; Quapaw watershed, Oklahoma; Duck Creek, Tex.; and Cherrystone watershed, Virginia (with accompanying papers); to the Committee on Public Works.

HIGHER EDUCATION ACT OF 1965—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS (S. REPT. NO. 673)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with an amendment, the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

I ask unanimous consent that the report be printed, together with supplemental and individual views.

I am proud to say, in making the report, that the bill comes to the floor of the Senate with the unanimous vote of the Committee on Labor and Public Welfare.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of July 1965. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the Record, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the Record, as follows:

Federal Personnel in Executive Branch, July 1965 and June 1965, and Pay, June 1965 and May 1965

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for July 1965 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In July numbered—	In June numbered	Increase (+) or decrease (−)	In June was—	In May was—	Increase (+) or decrease (−)
Total[1][2]	2,542,590	2,508,119	+34,471	$1,468,514	$1,405,816	+$62,698
Agencies exclusive of Department of Defense	1,497,003	1,474,323	+22,680	852,234	821,793	+30,441
Department of Defense	1,045,587	1,033,796	+11,791	616,280	584,023	+32,257
Inside the United States	2,386,976	2,353,804	+33,172			
Outside the United States	155,614	154,315	+1,299			
Industrial employment	558,437	546,068	+12,369			
Foreign nationals	130,119	130,451	−332	25,798	26,626	−828

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Includes employment under the President's Youth Opportunity Campaign.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during July 1965, and comparison with June 1965, and pay for June 1965, and comparison with May 1965*

Department or agency	Personnel				Pay (in thousands)			
	July	June	Increase	Decrease	June	May	Increase	Decrease
EXECUTIVE DEPARTMENTS (EXCEPT DEFENSE)								
Agriculture	117,481	113,027	4,454		$62,233	$55,872	$6,361	
Commerce	33,824	33,663	161		23,662	22,339	1,323	
Health, Education, and Welfare	90,311	87,316	2,995		51,198	47,148	4,050	
Interior	71,664	70,738	926		43,307	39,967	3,340	
Justice	33,452	33,222	230		24,465	22,946	1,519	
Labor	9,562	9,567		5	6,789	6,420	369	
Post Office	605,721	595,512	10,209		311,190	307,561	3,629	
State[1,2]	40,975	40,687	288		25,608	24,744	864	
Treasury	90,884	88,765	2,119		54,424	57,991		$3,567
EXECUTIVE OFFICE OF THE PRESIDENT								
White House Office	328	333		5	257	256	1	
Bureau of the Budget	548	524	24		528	486	42	
Council of Economic Advisers	58	45	13		47	41	6	
Executive Mansion and Grounds	71	71			54	44	10	
National Aeronautics and Space Council	27	29		2	34	33	1	
National Council on the Arts	3	26		23	4	4		
National Security Council	39	38	1		38	37	1	
Office of Economic Opportunity	1,338	1,263	75		1,314	761	553	
Office of Emergency Planning	388	380	8		363	344	19	
Office of Science and Technology	55	116		61	51	48	3	
Office of the Special Representative for Trade Negotiations	27	28		1	30	29	1	
President's Committee on Consumer Interests	18	25		7	11	9	2	
President's Committee on Equal Opportunity in Housing	12	12			10	9	1	
President's Council on Equal Opportunity	23	18	5		15	8	7	
INDEPENDENT AGENCIES								
Advisory Commission on Intergovernmental Relations	25	25			24	31		7
American Battle Monuments Commission	444	439	5		90	88	2	
Appalachian Regional Commission	7	6	1		14	10	4	
Atomic Energy Commission	7,430	7,330	100		6,377	5,866	511	
Battle of New Orleans Sesquicentennial Celebration Commission	1	1			(3)	(3)		
Board of Governors of the Federal Reserve System	672	667	5		486	458	28	
Civil Aeronautics Board	839	846		7	758	717	41	
Civil Service Commission	3,786	3,789		3	2,753	2,512	241	
Civil War Centennial Commission	3	3			9	4	5	
Commission of Fine Arts	6	6			5	5		
Commission on Civil Rights	116	109	7		74	66	8	
Delaware River Basin Commission	2	2			3	3		
Equal Employment Opportunity Commission	56	19	37		8		8	
Export-Import Bank of Washington	309	308	1		242	230	12	
Farm Credit Administration	233	235		2	190	180	10	
Federal Aviation Agency	45,332	45,286	46		36,108	34,701	1,407	
Federal Coal Mine Safety Board of Review	6	7		1	6	5	1	
Federal Communications Commission	1,550	1,541	9		1,226	1,162	64	
Federal Deposit Insurance Corporation	1,555	1,545	10		1,049	991	58	
Federal Field Committee for Development Planning in Alaska	3	3			5	4	1	
Federal Home Loan Bank Board	1,302	1,300	2		988	938	50	
Federal Maritime Commission	249	251		2	216	205	11	
Federal Mediation and Conciliation Service	422	422			438	412	26	
Federal Power Commission	1,179	1,163	16		935	898	37	
Federal Radiation Council	4	4			5	5		
Federal Trade Commission	1,158	1,157	1		970	925	45	
Foreign Claims Settlement Commission	182	186		4	114	127		13
General Accounting Office	4,283	4,274	9		3,199	3,013	186	
General Services Administration	36,471	36,527		56	19,809	18,303	1,506	
Government Printing Office	7,392	7,416		24	5,062	4,892	170	
Housing and Home Finance Agency	13,820	13,777	43		9,770	9,279	491	
Indians Claims Commission	19	19			23	31		8
Interstate Commerce Commission	2,423	2,433		10	1,920	1,833	87	
National Aeronautics and Space Administration	35,224	34,063	1,161		28,736	27,730	1,006	
National Capital Housing Authority	425	423	2		223	261		38
National Capital Planning Commission	64	67		3	53	44	9	
National Capital Transportation Agency	32	32			31	32		1
National Commission on Food Marketing	63	62	1		45	45		
National Commission on Technology, Automation, and Economic Progress	22	14	8		9	7	2	
National Gallery of Art	384	321	63		150	155		5
National Labor Relations Board	2,275	2,252	23		1,780	1,677	103	
National Mediation Board	141	135	6		132	115	17	
National Science Foundation	1,116	1,207		91	839	763	76	
Panama Canal	14,941	14,964		23	5,870	5,917		47
President's Advisory Committee on Labor-Management Policy	3	1	2		1	1		
President's Committee on Equal Employment Opportunity	60	61		1	46	44	2	
President's Review Committee for Development Planning in Alaska	1	1			1	(3)	1	
Railroad Retirement Board	1,753	1,767		14	1,146	1,082	64	
Renegotiation Board	185	184	1		182	189		7
St. Lawrence Seaway Development Corporation	163	164		1	112	109	3	
Securities and Exchange Commission	1,428	1,420	8		1,062	1,062		
Selective Service System	7,652	7,588	64		2,668	2,496	172	
Small Business Administration	3,787	3,754	33		2,744	2,597	147	
Smithsonian Institution	2,029	2,013	16		1,104	1,011	93	
Soldiers' Home	1,122	1,134		12	377	420		43
Subversive Activities Control Board	26	27		1	30	29	1	
Tariff Commission	298	298			237	221	16	
Tax Court of the United States	155	154	1		149	146	3	
Tennessee Valley Authority	17,076	16,797	279		11,319	10,747	572	
U.S. Arms Control and Disarmament Agency	179	175	4		168	157	11	
U.S. Information Agency	11,717	11,633	84		6,833	5,923	910	
United States-Puerto Rico Commission on the Status of Puerto Rico	28	30		2	18	12	6	
Veterans' Administration	166,543	167,059		516	87,623	83,602	4,021	
Virgin Islands Corporation	22	21	1		38	208		170
Woodrow Wilson Memorial Commission	1	1			(3)	(3)		
Total, excluding Department of Defense	1,497,003	1,474,323	23,557	877	852,234	821,793	34,347	3,906
Net increase, excluding Department of Defense			22,680				30,441	

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during July 1965, and comparison with June 1965, and pay for June 1965, and comparison with May 1965*—Continued

Department or agency	Personnel				Pay (in thousands)			
	July	June	Increase	Decrease	June	May	Increase	Decrease
DEPARTMENT OF DEFENSE								
Office of the Secretary of Defense	2,327	2,301	26		$2,219	$1,985	$234	
Department of the Army	[4] [5] 370,939	366,740	4,199		213,577	201,881	11,696	
Department of the Navy	[5] 336,634	333,273	3,361		204,913	194,419	10,494	
Department of the Air Force	[5] 295,819	291,500	4,319		169,821	162,718	7,103	
Defense Atomic Support Agency	2,104	2,080	24		1,174	1,098	76	
Defense Communications Agency	983	987		4	776	737	39	
Defense Contract Audit Agency [6]	92		92					
Defense Intelligence Agency	[5] 2,904	2,186	718		1,697	1,422	275	
Defense Supply Agency	[4] 33,272	34,203		931	21,753	19,436	2,317	
U.S. Court of Military Appeals	40	40			41	39	2	
Interdepartmental activities	9	9			6	6		
International military activities	59	57	2		52	45	7	
Armed Forces information and education activities	405	420		15	251	237	14	
Total, Department of Defense	1,045,587	1,033,796	12,741	950	616,280	584,023	32,257	
Net increase, Department of Defense			11,791				32,257	
Grand total, including Department of Defense [7] [8] [9]	2,542,590	2,508,119	36,298	1,827	1,468,514	1,405,816	66,604	$3,906
Net increase, including Department of Defense			34,471				62,698	

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[1] July figure includes 14,895 employees of the Agency for International Development as compared with 15,098 in June and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The July figure includes 3,916 of these trust fund employees, and the June figure includes 3,790.

[2] July figure includes 1,233 employees of the Peace Corps as compared with 1,104 in June and their pay.

[3] Less than $500.

[4] In July 973 employees were transferred to the Department of the Army from the Defense Supply Agency.

[5] In July 726 employees were transferred to the Defense Intelligence Agency as follows: 315 from the Department of the Army, 174 from the Department of the Navy, and 237 from the Department of the Air Force.

[6] New organizational entity established pursuant to Department of Defense directive 5105.36, June 9, 1965, issued by the Secretary of Defense under authority of sec. 3(a) of the Department of Defense Reorganization Act of 1958 (Public Law 85-599). In July 83 employees and their functions were transferred to the Defense Contract Audit Agency as follows: 35 from the Department of the Army, 19 from the Department of the Navy, and 29 from the Department of the Air Force.

[7] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

[8] Includes employment under the President's Youth Opportunity Campaign.

[9] Includes employment in the Job Corps by Federal agencies under the Economic Opportunity Act of 1965 (Public Law 88-452), as follows:

Agency	July	June	Change
Agriculture Department	1,253	960	+293
Interior Department	938	807	+131
Total	2,191	1,767	+424

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during July 1965, and comparison with June 1965*

Department or agency	July	June	Increase	Decrease
EXECUTIVE DEPARTMENTS (EXCEPT DEFENSE)				
Agriculture	116,190	111,734	4,456	
Commerce	33,206	33,042	164	
Health, Education, and Welfare	89,592	86,656	2,936	
Interior	71,034	70,118	916	
Justice	33,045	32,821	224	
Labor	9,495	9,496		1
Post Office	604,082	593,875	10,207	
State [1] [2]	11,795	11,486	309	
Treasury	90,161	88,055	2,106	
EXECUTIVE OFFICE OF THE PRESIDENT				
White House Office	328	333		5
Bureau of the Budget	548	524	24	
Council of Economic Advisers	58	45	13	
Executive Mansion and Grounds	71	71		
National Aeronautics and Space Council	27	29		2
National Council on the Arts	3	26		23
National Security Council	39	38	1	
Office of Economic Opportunity	1,338	1,263	75	
Office of Emergency Planning	388	380	8	
Office of Science and Technology	55	116		61
Office of the Special Representative for Trade Negotiations	27	28		1
President's Committee on Consumer Interests	18	25		7
President's Committee on Equal Opportunity in Housing	12	12		
President's Council on Equal Opportunity	23	18	5	
INDEPENDENT AGENCIES				
Advisory Commission on Intergovernmental Relations	25	25		
American Battle Monuments Commission	7	7		
Appalachian Regional Commission	7	6	1	
Atomic Energy Commission	7,392	7,296	96	
Battle of New Orleans Sesquicentennial Celebration Commission	1	1		
Board of Governors of the Federal Reserve System	672	667	5	
Civil Aeronautics Board	839	846		7
Civil Service Commission	3,783	3,786		3
Civil War Centennial Commission	3	3		
Commission of Fine Arts	6	6		
Commission on Civil Rights	116	109	7	
Delaware River Basin Commission	2	2		
Equal Employment Opportunity Commission	56	19	37	
Export-Import Bank of Washington	309	308	1	
Farm Credit Administration	233	235		2
Federal Aviation Agency	44,286	44,208	78	
Federal Coal Mine Safety Board of Review	6	7		1
Federal Communications Commission	1,545	1,536	9	
Federal Deposit Insurance Corporation	1,553	1,543	10	
Federal Field Committee for Development Planning in Alaska	3	3		
Federal Home Loan Bank Board	1,302	1,300	2	
INDEPENDENT AGENCIES—continued				
Federal Maritime Commission	249	251		2
Federal Mediation and Conciliation Service	422	422		
Federal Power Commission	1,179	1,163	16	
Federal Radiation Council	4	4		
Federal Trade Commission	1,158	1,157	1	
Foreign Claims Settlement Commission	172	175		3
General Accounting Office	4,230	4,218	12	
General Services Administration	36,441	36,497		56
Government Printing Office	7,392	7,416		24
Housing and Home Finance Agency	13,608	13,562	46	
Indian Claims Commission	19	19		
Interstate Commerce Commission	2,423	2,433		10
National Aeronautics and Space Administration	35,208	34,046	1,162	
National Capital Housing Authority	425	423	2	
National Capital Planning Commission	64	67		3
National Capital Transportation Agency	32	32		
National Commission on Food Marketing	63	62	1	
National Commission on Technology, Automation, and Economic Progress	22	14	8	
National Gallery of Art	384	321	63	
National Labor Relations Board	2,241	2,216	25	
National Mediation Board	141	135	6	
National Science Foundation	1,112	1,203		91
Panama Canal	157	156	1	
President's Advisory Committee on Labor-Management Policy	3	1	2	
President's Committee on Equal Employment Opportunity	60	61		1
President's Review Committee for Development Planning in Alaska	1	1		
Railroad Retirement Board	1,753	1,767		14
Renegotiation Board	185	184	1	
St. Lawrence Seaway Development Corporation	163	164		1
Securities and Exchange Commission	1,428	1,420	8	
Selective Service System	7,487	7,427	60	
Small Business Administration	3,714	3,681	33	
Smithsonian Institution	2,009	1,993	16	
Soldiers' Home	1,122	1,134		12
Subversive Activities Control Board	26	27		1
Tariff Commission	298	298		
Tax Court of the United States	155	154	1	
Tennessee Valley Authority	17,071	16,792	279	
U.S. Arms Control and Disarmament Agency	179	175	4	
United States Information Agency	3,526	3,524	2	
United States-Puerto Rico Commission on the Status of Puerto Rico	23	22	1	
Veterans' Administration	165,589	166,098		509
Woodrow Wilson Memorial Commission	1	1		
Total, excluding Department of Defense	1,435,620	1,413,020	23,440	840
Net increase, excluding Department of Defense			22,600	

See footnotes at end of table.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during July 1965, and comparison with June 1965*—Continued

Department or agency	July	June	Increase	Decrease
DEPARTMENT OF DEFENSE				
Office of the Secretary of Defense	2, 257	2, 250	7	--------
Department of the Army	[3] 324, 872	320, 822	4, 050	--------
Department of the Navy	312, 708	309, 298	3, 410	--------
Department of the Air Force	272, 468	268, 521	3 947	--------
Defense Atomic Support Agency	2, 104	2, 080	24	--------
Defense Communications Agency	930	933	--------	3
Defense Contract Audit Agency [4]	92	--------	92	--------
Defense Intelligence Agency	2, 177	2, 186	--------	9
Defense Supply Agency	[3] 33, 261	34, 192	--------	931
U.S. Court of Military Appeals	40	40	--------	--------
Interdepartmental activities	9	9	--------	--------
DEPARTMENT OF DEFENSE—continued				
International military activities	33	33	--------	--------
Armed Forces information and education activities	405	420	--------	15
Total, Department of Defense	951, 356	940, 784	11, 530	958
Net increase, Department of Defense	--------	--------	10, 572	
Grand total, including Department of Defense	2, 386, 976	2, 353, 804	34, 970	1, 79
Net increase, including Department of Defense	--------	--------	33, 172	

[1] July figure includes 3,341 employees of the Agency for International Development as compared with 3,270 in June.

[2] July figure includes 829 employees of the Peace Corps as compared with 715 in June.

[3] In July, 973 employees were transferred from the Department of the Army to the Defense Supply Agency.

[4] New organizational entity established pursuant to Department of Defense directive 5105.36, June 9, 1965, issued by the Secretary of Defense under authority of sec. 3(a) of the Department of Defense Reorganization Act of 1958 (Public Law 85-599). In July, 83 employees and their functions were transferred to the Defense Contract Audit Agency as follows: 35 from the Department of the Army, 19 from the Department of the Navy, and 29 from the Department of the Air Force.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during July 1965, and comparison with June 1965*

Department or agency	July	June	Increase	Decrease
EXECUTIVE DEPARTMENTS (EXCEPT DEFENSE)				
Agriculture	1, 291	1, 293	--------	2
Commerce	618	621	--------	3
Health, Education, and Welfare	719	660	59	--------
Interior	630	620	10	--------
Justice	407	401	6	--------
Labor	67	71	--------	4
Post Office	1, 639	1, 637	2	--------
State [1] [2]	29, 180	29, 201	--------	21
Treasury	723	710	13	--------
INDEPENDENT AGENCIES				
American Battle Monuments Commission	437	432	5	--------
Atomic Energy Commission	38	34	4	--------
Civil Service Commission	3	3	--------	--------
Federal Aviation Agency	1, 046	1, 078	--------	32
Federal Communications Commission	5	5	--------	--------
Federal Deposit Insurance Corporation	2	2	--------	--------
Foreign Claims Settlement Commission	10	11	--------	1
General Accounting Office	53	56	--------	3
General Services Administration	30	30	--------	--------
Housing and Home Finance Agency	212	215	--------	3
National Aeronautics and Space Administration	16	17	--------	1
National Labor Relations Board	34	36	--------	2
National Science Foundation	4	4	--------	--------
Panama Canal	17, 484	14, 808	--------	24
Selective Service System	165	161	4	--------
Small Business Administration	73	73	--------	--------
INDEPENDENT AGENCIES—continued				
Smithsonian Institution	20	20	--------	--------
Tennessee Valley Authority	5	5	--------	--------
U.S. Information Agency	8, 191	8, 109	82	--------
United States-Puerto Rico Commission on the Status of Puerto Rico	5	8	--------	3
Veterans' Administration	954	961	--------	7
Virgin Islands Corporation	22	21	1	--------
Total, excluding Department of Defense	61, 383	61, 303	186	106
Net increase, excluding Department of Defense	--------	--------	80	
DEPARTMENT OF DEFENSE				
Office of the Secretary of Defense	70	51	19	--------
Department of the Army	[3] 46, 067	45, 918	149	--------
Department of the Navy	[3] 23, 926	23, 975	--------	49
Department of the Air Force	[3] 23, 351	22, 979	372	--------
Defense Communications Agency	53	54	--------	1
Defense Intelligence Agency	[3] 727	--------	727	--------
Defense Supply Agency	11	11	--------	--------
International military activities	26	24	2	--------
Total, Department of Defense	94, 231	93, 012	1, 269	50
Net increase, Department of Defense	--------	--------	1, 219	
Grand total, including Department of Defense	155, 614	154, 315	1, 455	156
Net increase, including Department of Defense	--------	--------	1, 299	

[1] July figure includes 11,554 employees of the Agency for International Development as compared with 11,828 in July. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The July figure includes 3,916 of these trust fund employees, and the June figure includes 3,790.

[2] July figure includes 404 employees of the Peace Corps as compared with 389 in June.

[3] In July 726 employees were transferred to the Defense Intelligence Agency as follows: 315 from the Department of the Army, 174 from the Department of the Navy, and 237 from the Department of the Air Force.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during July 1965, and comparison with June 1965*

Department or agency	July	June	Increase	Decrease
EXECUTIVE DEPARTMENTS (EXCEPT DEFENSE)				
Agriculture	3, 739	3, 744	--------	5
Commerce	6, 195	6, 141	54	--------
Interior	10, 193	10, 237	--------	44
Post Office	280	270	10	--------
Treasury	5, 622	5, 608	14	--------
INDEPENDENT AGENCIES				
Atomic Energy Commission	278	273	5	--------
Federal Aviation Agency	2, 571	2, 581	--------	10
General Services Administration	2, 321	2, 178	143	--------
Government Printing Office	7, 392	7, 416	--------	24
National Aeronautics and Space Administration	35, 224	34, 063	1, 161	--------
Panama Canal	7, 066	7, 170	--------	104
St. Lawrence Seaway Development Corporation	162	163	--------	1
Tennessee Valley Authority	13, 562	13, 282	280	--------
Virgin Islands Corporation	22	21	1	--------
Total, excluding Department of Defense	94, 627	93, 147	1, 668	188
Net increase, excluding Department of Defense	--------	--------	1, 480	
DEPARTMENT OF DEFENSE				
Department of the Army:				
Inside the United States	[1] 138, 215	[2] 131, 234	6, 981	--------
Outside the United States	[1] 4, 170	[2] 4, 111	59	--------
Department of the Navy:				
Inside the United States	189, 597	187, 680	1, 917	--------
Outside the United States	1, 675	1, 638	37	--------
Department of the Air Force:				
Inside the United States	127, 433	125, 566	1, 867	--------
Outside the United States	1, 157	1, 119	38	--------
Defense Supply Agency:				
Inside the United States	1, 563	1, 573	--------	10
Total, Department of Defense	463, 810	452, 921	10, 899	10
Net increase, Department of Defense	--------	--------	10, 889	
Grand total, including Department of Defense	558, 437	546 068	12, 567	198
Net increase, including Department of Defense	--------	--------	12, 369	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of July 1965, and comparison with June 1965*

Country	Total		Army		Navy		Air Force	
	July	June	July	June	July	June	July	June
Crete	76	77					76	77
England	1,960	1,919	112	106	100	103	1,748	1,710
France	14,837	14,792	11,543	11,589	8	8	3,286	3,195
Germany	65,249	65,581	55,147	55,403	77	71	10,025	10,107
Greece	313	307			37	38	276	269
Japan	41,284	41,385	14,011	14,162	12,272	12,275	15,001	14,948
Korea	5,444	5,441	5,444	5,441				
Morocco	577	534			577	534		
Netherlands	51	51					51	51
Trinidad	328	364			328	364		
Total	130,119	130,451	86,257	86,701	13,399	13,393	30,463	30,357

STATEMENT BY SENATOR BYRD OF VIRGINIA

THE MONTH OF JULY 1965

Civilian employees

Executive agencies of the Federal Government reported civilian employment in the month of July totaling 2,542,590, compared with 2,508,119 in June. This was a net increase of 34,471.

This was the largest monthly increase in Federal civilian employment since June of 1962. Employment in July reached its highest point since June 1953.

Employment by civilian agencies for the month of July was 1,497,003, an increase of 22,680 as compared with the June total of 1,474,323. Total civilian employment in the military agencies in July was 1,045,587, an increase of 11,791 as compared with 1,033,796 in June.

Civilian agencies reporting the larger increases were Post Office Department with 10,209, Agriculture Department with 4,454, Department of Health, Education, and Welfare with 2,995, Treasury Department with 2,119 and National Aeronautics and Space Administration was 1,161.

In the Department of Defense the largest increases in civilian employment were reported by the Air Force with 4,319, Army with 4,199 and Navy with 3,361.

Total employment inside the United States in July was 2,386,976, an increase of 33,172 as compared with June. Total employment outside the United States in July was 155,614, an increase of 1,299 as compared with June. Industrial employment by Federal agencies in July totaled 558,437, an increase of 12,369.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

Foreign nationals

The total of 2,542,590 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 130,119 foreign nationals working for U.S. agencies overseas during July who were not counted in the usual personnel reports. The number in June was 130,451.

SUMMARY OF FEDERAL CIVILIAN EMPLOYMENT COSTS FOR FISCAL YEAR 1965 (ENDED JUNE 30, 1965)

For the past 9 years the committee, in its statement accompanying the monthly civilian payroll cost for June (the last month in the fiscal year) has compared the annual cost with the totals for previous years. The following comparison continues this practice.

The cost of civilian employment in the executive branch of the Federal Government in fiscal year 1965, ended June 30, totaled $17,242 million. This was $1,037 million higher than the preceding fiscal year 1964; and it was an all-time high. The 1965 payroll costs rose, while average employment for the full 12 months of the fiscal year decreased 8,876, compared with average employment in 1964.

The 1965 civilian agency payrolls totaled $10,137 million as compared with $9,387 million the year before; and payroll costs for civilian employment of the military agencies totaled $7,105 million as compared with $6,818 million in fiscal year 1964.

Figures by fiscal years since 1954 follow:

Annual Federal expenditures for civilian payroll, executive branch—Fiscal years 1954–65

[In millions of dollars]

Fiscal year	Civilian agencies	Defense Department (civilian employment) [1]	Total
1954	$4,865	$4,588	$9,453
1955	4,921	4,700	9,621
1956	5,359	5,167	10,526
1957	5,602	5,399	11,000
1958	6,040	5,415	11,455
1959	6,564	5,766	12,330
1960	6,877	5,760	12,637
1961	7,622	6,026	13,648
1962	7,978	6,318	14,296
1963	8,743	6,603	15,347
1964	9,387	6,818	16,205
1965	10,137	7,105	17,242

[1] Excludes U.S. pay for foreign nationals not on regular rolls (totaling $305,000,000 for fiscal year 1965).

Executive branch employment during fiscal year 1965 averaged 2,479,489 as compared with 2,488,365 in 1964. Civilian agency employment averaged 1,455,007, an increase of 9,194 over the previous year; civilian employment by military agencies averaged 1,024,482, a decrease of 18,070.

Average employment by fiscal years since 1954 follows:

Average civilian employment by Federal agencies, executive branch—Fiscal years 1954–65

Fiscal year	Civilian agencies	Defense Department (civilian employment) [1]	Total
1954	1,183,389	1,252,775	2,436,164
1955	1,182,663	1,184,627	2,367,290
1956	1,189,458	1,174,584	2,364,042
1957	1,219,836	1,174,263	2,394,099
1958	1,242,942	1,104,403	2,347,345
1959	1,266,566	1,085,676	2,352,242
1960	1,331,605	1,054,740	2,386,345
1961	1,335,089	1,037,356	2,372,445
1962	1,385,132	1,058,676	2,443,808
1963	1,429,654	1,063,720	2,493,374
1964	1,445,813	1,042,552	2,488,365
1965	1,455,007	1,024,482	2,479,489

[1] Excludes foreign nationals not on regular rolls (averaging 133,261 for fiscal year 1965).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SYMINGTON (for himself and Mr. Long of Missouri):

S. 2483. A bill to amend the General Bridge Act of 1946 for the purpose of maintaining existing bridge clearances on navigable rivers and waterways connecting with the sea; to the Committee on Public Works.

(See the remarks of Mr. Symington when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2484. A bill to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime; to the Committee on Foreign Relations.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 2485. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2486. A bill for the relief of Dr. Earl C. Chamberlayne; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 2487. A bill for the relief of Eleutheria Tsakalakis; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 2488. A bill for the relief of Santiago Ochoa Garcia; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

TO EXPRESS SENSE OF CONGRESS RELATIVE TO CERTAIN WATER PROBLEMS CONFRONTING THE UNITED STATES AND CANADA

Mr. MOSS submitted a concurrent resolution (S. Con. Res. 55) to express sense of Congress relative to certain water problems confronting the United States and Canada, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Moss, which appears under a separate heading.)

AMENDMENT TO GENERAL BRIDGE ACT OF 1946

Mr. SYMINGTON. Mr. President, the program for the river development of the Nation continues to advance at a rapid pace. We are controlling the depth and improving the navigable channels of our inland waterways to meet the demand for waterborne commerce.

Water transportation is encouraging industrial growth along our inland waterway system. Freight tonnage is setting new records annually.

In the light of these demands upon the capabilities of our rivers—especially the necessary movement of large structures—we should maintain presently available bridge clearances so that our navigable waters will be kept open.

To meet this need, therefore, on behalf of my colleague from Missouri [Mr. Long] and myself, I introduce, for appropriate reference, a bill to amend the General Bridge Act of 1946.

Mr. President, I ask unanimous consent that an editorial on this subject, published in the St. Louis Post Dispatch of August 17, 1965, be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the editorial will be printed in the Record.

The bill (S. 2483) to amend the General Bridge Act of 1946 for the purpose of maintaining existing bridge clearances on navigable rivers and waterways connecting with the sea, introduced by Mr. Symington (for himself and Mr. Long of Missouri), was received, read twice by its title, and referred to the Committee on Public Works.

The editorial presented by Mr. Symington is as follows:

[From the St. Louis (Mo.) Post-Dispatch, Aug. 17, 1965]

Bridges, Not Barriers

The war over bridge clearances on the Mississippi and Missouri Rivers has been going on for more than 8 years now and still it is being fought to a conclusion on a span-by-span basis. Currently under debate are one structure at Omaha which is being built and another at Kansas City for which a permit has been issued. Both would still further reduce the minimum clearances of 52 feet vertical and 400 feet horizontal in existence on bridges now in use.

As the Waterways Journal of St. Louis declares editorially, this procedure "not only is a needless expense for waterway interests, but there is always the danger that some proposals will not be discovered until it is too late." The result could be to foreclose the waterways to some types of important freight as has already been done on the highways and the railroads by inadequate clearances. Minimum clearances on these two principal rivers should not be further reduced unless for more compelling reasons than have yet been raised. The country must not sell its future short on the last transportation artery capable of carrying giant freight.

TO EXPAND THE JURISDICTION OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION TO INCLUDE THE CLAIMS OF U.S. CITIZENS AGAINST COMMUNIST CHINA

Mr. DODD. Mr. President, in 1954 Congress established the Foreign Claims Settlement Commission to adjudicate claims by U.S. citizens against foreign countries which have seized their property.

During the past 15 years, the Foreign Claims Settlement Commission and its predecessors have made awards to claimants from funds available as part of settlements with the United States by Yugoslavia, Poland, Rumania, and Bulgaria.

In other cases, where no settlement on claims has been reached between the United States and the expropriating nation, Congress has empowered the Commission to determine the validity and amount of U.S. citizens' claims against the expropriating country anyway, but payment of the claims has been made only from assets of the foreign government in the possession of the United States.

Where there have been no such assets, no payment has been made at all.

In this latter class of cases, in which no assets exist from which payment can be made, the Commission nonetheless determines the merits and the amounts of the claims in order to decide and record the facts of each case and in order to provide the Secretary of State with an intelligent basis upon which to negotiate with the expropriating power, should it be determined prudent to do so.

Last year Congress expanded the jurisdiction of the Foreign Claims Settlement Commission to include determination of the amount and the validity of claims by U.S. citizens against the Government of Cuba which have arisen as a result of the Castro Government's bad credit, expropriation, and lawlessness against U.S. citizens.

That legislation specifically provided that it could not be construed as authorizing an appropriation for the purpose of paying these Cuban claims.

I think the Cuban Claims Act was a wise piece of legislation.

But I think the jurisdiction of the Foreign Claims Settlement Commission should also be extended to include claims of U.S. citizens against the Chinese Communist Government for expropriation, unpaid debts, and other unlawful injuries. Therefore, I introduce, for appropriate reference, a bill to authorize the Foreign Claims Commission to hear, decide, and record these claims against the day when Communist China can be brought to the bar of international law and justice.

The bill I propose in no way changes the provisions of the Cuban Claims Act passed last year, except to allow the Commission to adjudicate claims of U.S. citizens against Communist China on the same basis as claims against Cuba.

This bill, like the Cuban Claims Act, will not involve or authorize any appropriation of funds to pay these claims.

But it will provide some remedy for those of our citizens who have been victimized by the outlawry of Communist China.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2484) to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime, introduced by Mr. Dodd, was received, read twice by its title, and referred to the Committee on Foreign Relations.

SANCTIONS AGAINST SHIPPING COMPANIES TRADING WITH NORTH VIETNAM

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill designed to discourage and bring sanctions against shipping companies throughout the free world which persist in trading with North Vietnam.

It is high time, Mr. President, that such companies realize the full extent and implications of the situation in which we are engaged in Vietnam.

The United States of America—this Nation's soldiers, sailors, and airmen—are fighting and dying in Vietnam to protect the free world from further Communist encroachment upon freedom and liberty.

Yet a number of ships of free world nations continue to carry supplies to North Vietnam. It may well be that supplies carried to North Vietnam by free world vessels are predominantly nonstrategic in nature. It may be that any loss of supplies from free world ships to North Vietnam could be replaced by Communist bloc vessels.

But I maintain, Mr. President, that any supplies of any kind to a nation making war on its neighbor contribute directly to the war effort and could result in the death of American and allied fighting men. I contend further, Mr. President, that the burden of furnishing such supplies to an aggressor nation should fall upon those in sympathy with the aggressor. No freedom-loving nation should seek to profit from trade which could result in the death of boys seeking to defend freedom.

In the 18-month period between January 1964 through June 1965 ships from the free world have carried 476 cargoes to North Vietnam. In the first half of this year, ships from six free world nations have visited North Vietnamese ports a total of 75 times. The six nations represented in this trade are the United Kingdom—which accounted for about 60 percent of this traffic—Japan, Greece, Norway, the Netherlands, and Lebanon.

Ironically, 24 of the very same vessels which have hauled cargoes to North Vietnam have put in to American ports no fewer than 75 times in the 18 months between January 1964 through June 1965.

It seems inconceivable to me that the United States should open its ports to vessels which may have earlier carried cargoes to North Vietnam or may be heading to North Vietnamese ports soon after putting in at American harbors.

It seems to me, Mr. President, that this Nation should not only prohibit those individual ships from utilizing American ports, but should similarly penalize any vessel owned by a private shipping interest which permits any ship under its control to carry cargoes to or from North Vietnam.

The bill I am introducing today would do just that. From the time it becomes law, the proposal would prohibit the use of American ports to the ships of any private interest which allowed any of its vessels to traffic with the North Vietnamese.

This, it seems to me, is the very least this Nation could do to punish those who continue to seek profits at the possible cost of spilling American blood on Vietnamese soil.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2485) to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the

United States aboard certain foreign vessels, and for other purposes, introduced by Mr. Bayh, was received, read twice by its title, and referred to the Committee on Commerce.

HIGHER EDUCATION ACT OF 1965—AMENDMENTS

AMENDMENT NO. 429

Mr. JAVITS. Mr. President, I submit an amendment to section VII of the Higher Education Act of 1965 (H.R. 9567), which is scheduled to be considered by the Senate tomorrow.

The Housing and Urban Development Act of 1965—Public Law 89-117—established an interest rate ceiling on college housing of 3 percent. My amendment applies the same formula to loans made under title III of the Higher Education Facilities Act of 1963—Public Law 88-204. The amendment is effective after enactment of the Higher Education Act. Presently loans are charged an interest rate of 3⅞ percent; $120 million was appropriated for these loans for the current fiscal year.

My amendment therefore would equalize the interest rate charged for construction of classrooms and other college facilities with that now charged for dormitory rooms and college housing. The Office of Education informs me that it has no objection to the amendment.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

AMENDMENT NO. 430

Mr. MILLER submitted an amendment, intended to be proposed by him, to House bill 9567, the Higher Education Act of 1965, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. MOSS. Mr. President, at their next printing, I ask unanimous consent that the names of the following Senators be added as cosponsors of the following bills and resolution:

S. 1883, Mr. Fannin.

S. 2430, Mr. Fong and Mr. Inouye.

S. 2435, Mr. Tydings.

Senate Resolution 121, Mr. Hartke and Mr. Miller.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of S. 2478, a bill to give consent to three additional States to enter into a compact for bus taxation proration and reciprocity, the name of the Senator from Connecticut [Mr. Ribicoff] be added as a sponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

CHANGE IN HEARING DATE ON CRITICAL WATER PROBLEM

Mr. JACKSON. Mr. President, previously I had announced that the Committee on Interior and Insular Affairs would hold a hearing on September 9 on the critical water problem in the Northeast.

The date has been changed to September 8 due to an unavoidable conflict in committee activity.

The hearing will be held in room 3110 of the New Senate Office Building, and it is our purpose to hear Secretary of the Interior Udall, serving in his capacity as Chairman of the Water Resources Council, who will inform the committee on the current scope of Federal activity in assisting the States which have suffered due to the drought in the Northeast.

NOTICE OF HEARINGS ON SENATE BILL 2049

Mr. TYDINGS. Mr. President, as chairman of the Subcommittee on Improvements in Judicial Machinery, I wish to announce that hearings will be held by the subcommittee on S. 2049, a measure to realine the counties comprising the territory of the U.S. district courts for the eastern and western districts of Oklahoma.

The hearings are scheduled for September 9 at 10 a.m. in room 6226 of the New Senate Office Building. Any person who wishes to testify or submit statements pertaining to this measure should contact the Subcommittee on Improvements in Judicial Machinery.

THE SALE OF WHEAT AND THE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, today the United States has a vast surplus stock of wheat.

Today the United States continues to lose its already heavily diminished stock of gold.

In that this Nation now has less than $24 billion of gold, and owes abroad, primarily to foreign central banks, over $28 billion of current liabilities redeemable in gold, the problem is obvious.

One way to help solve the said problem would be to follow the precedent set by many other countries of the free world—Argentina, Australia, Canada, France—and sell wheat for gold to customers behind the Iron Curtain.

In that connection, I ask unanimous consent to have printed at this point in the Record an editorial entitled "Russian Deals Brighten U.S. Wheat Outlook," published in the Kansas City Times of August 17, 1965.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Russian Deals Brighten U.S. Wheat Outlook

The wheat market outlook in the United States was made suddenly brighter by Canadian and Argentine sales to the Soviet Union. This is true even though the United States was not included in the deals. This country now stands as the only potential exporter of wheat with a large surplus for sale.

We have no way of knowing whether Russia or the satellites will want more wheat and might be forced to come to the United States for it. But if such should be the case, this country should be in a position to sell if it is considered expedient at the time. This would require the elimination of the provision that half of any wheat sold to the Soviet bloc must be carried in U.S. vessels which charge freight rates higher than foreign vessels. This single factor would cut the United States out of the Russian cash market. It does nothing whatever to prevent the Soviets from buying wheat elsewhere.

But whether a single bushel is sold to the Soviet bloc, the United States has a greater opportunity than before to supply markets any place else in the world.

It is axiomatic that any industry that has an ample supply of its product on hand, immediately available to be delivered to a customer at a competitive price, is in a position to do business. That is the U.S. position today. At this particular time we have an advantage over other exporting countries in the world.

Canada has a lot of wheat, or will have after this summer's harvest. But it apparently has sold or has commitments to sell all that it can deliver before next May. Australia has ceased exporting wheat until it determines what the winter harvest will be. Currently, that country's wheat prospects are not too promising. Argentina has apparently sold to its limits its winter harvest. The United States has harvested a big crop to add to a substantial carryover.

Even before the big Russian purchases, the dollar export market for U.S. wheat has been good this summer, but additional sales have been made to Western Europe and Japan in the last few days. Wheat exports are larger thus for this marketing year than the grain trade had expected and are larger than at this time last year. If demand from abroad continues strong, U.S. sales should continue to grow.

In 1963 the maritime unions and some ship owners were successful in getting the administration to invoke the rule requiring the use of American ships to haul grain to Russia. Only by extra subsidy gimmicks was it possible then for this country to make two important sales. We submit, however, that if a principle is involved in selling to Russia, the principle is not altered by charging higher freight rates. Actually, the effect is to leave the Russian market open to all other countries and the American vessels haul no wheat.

Looking to the rest of the world, U.S. dollar sales are handled by the private grain trade. These are firms in the business of trading to make money. The more they can sell, the greater the profits. We have no suggestion for a better system of stimulating trade. In fact, in support of the free enterprise system we might refer to the fact that Russia with its controlled economy must buy wheat—it was once an exporter. The United States still is an exporter and by exporting it not only strengthens its own economy but further relieves the balance-of-payments problem which has by no means been solved.

Mr. SYMINGTON. Mr. President, I also ask unanimous consent that an editorial entitled "Wheat Exports Lost," published in the Des Moines Register of August 25, 1965, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Wheat Exports Lost

The Soviet Union is in a bad way on grain production again. The wheat crop for 1965 is estimated at around 60 million tons, compared with last year's good crop of 74 million and the disastrous 1963 harvest of only 50 million. Once again the Soviet Government has been forced to buy wheat abroad to fill its home consumption needs. Already orders have been placed for upwards of 7.5 million tons, and it seems likely more will be placed.

Canada, Argentina, Australia, and France have sold wheat to Russia, with Canada the biggest seller. The United States, which got in on the Russian market after the 1963 crop failure, has not been able to compete this time. The reason is that the Russians will not consider an American wheat purchase so long as the United States attaches the condition that 50 percent of the grain be transported in American ships. U.S. shipping is far more expensive than that of other countries.

The 50-percent rule in shipping was applied to the 1963 wheat sale by President Kennedy as a means of appeasing the maritime unions. However, an adjustment in price was made which offset the extra shipping costs.

The Johnson administration could do this again and possibly obtain some of the wheat export business to Russia. But the administration seems to be afraid the maritime unions and the dock unions would strike if an effort to change the 50-percent rule were made. A large part of the U.S. shipping industry already is tied up in a dispute over automation. The 50-percent requirement does not help union labor if it results in the loss of all wheat exports to Russia; surely the unions can be made to see that.

The administration also may be sensitive to the protests against selling wheat to help the Russians, especially at a time when American boys are fighting Communists in Vietnam. This is a short-sighted, emotional point of view. It is a surface view which assumes that anything which is advantageous to the Russians is a disadvantage to America.

The truth is that the advantages, economic and political, to this country from selling wheat to the Russians are very substantial.

The Soviet Union is having to dig deep into its gold reserves to import wheat. The total value so far is probably over $600 million. This not only reduces the capacity of the Soviet Union to spend for other things overseas—including the making of mischief in Vietnam and other revolutionary countries—it also benefits the United States and the West by increasing the supply of gold in world trade. This indirectly helps the balance of payments problems of Britain and the United States.

It would directly help the U.S. balance if this country could sell a large supply of wheat for gold or dollars.

The benefit to the U.S. agricultural supply position is obvious. This country still has excess capacity for producing wheat. It is still necessary, despite the growth of population and foreign commercial demand, to checkrein wheat and other grain output by means of acreage restrictions. Also, it is necessary to subsidize the export of grain. A large sale of wheat to Russia would help to further reduce the surplus in this country and ease the load on the Government budget for agriculture.

Perhaps the biggest benefit of all, however, is political. The sale of wheat to Russia dramatizes the weakness of Soviet agriculture and its elaborate planning system. It shows the superiority of American and Canadian farm organization and enterprise.

Opponents of selling wheat to Russia ought to consider why it is that the Soviet Government in 1963 and now again is spending scarce foreign exchange to buy wheat from capitalist countries. One reason is that hunger no longer is an acceptable alternative in the Soviet Union. Stalin would have let the people suffer from lack of bread. The new regime dares not.

The rise of the consumer and the demand for a better life in Russia are powerful political factors. It is strongly in the interest of America that these forces be encouraged. Resources used for domestic improvement cannot be used for aggressive adventures in the world.

When Canada, Australia and other countries sell wheat to Russia and to China the United States derives indirect benefits. Their sales reduce the supply of wheat in the rest of the world market and tend to strengthen commercial demand for U.S. wheat elsewhere. However, direct selling to Russia would benefit America much more.

Mr. SYMINGTON. Mr. President, it is also interesting to note that one country, Canada, improved its balance of payments position some $1.8 billion by selling this one crop behind the Iron Curtain.

In this connection, I ask unanimous consent that an article entitled "Canada's No. 1 Wheat Salesman," written by John M. Lee, and published in the New York Times of Saturday, August 28, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANADA'S NO. 1 WHEAT SALESMAN: MCNAMARA MADE $1.8 BILLION IN SALES IN LAST 5 YEARS—RUMORS OF DEALS FLY WHEN OFFICIAL GOES TO OTTAWA

(By John M. Lee)

WINNIPEG, August 25.—W. C. McNamara is the sort of man who, just by flying to Ottawa for the day, can shake the grain market with rumors of an impending wheat sale to Red China.

"I suppose my movements are watched," Mr. McNamara remarked. The 61-year-old Canadian, looking husky and hearty, in a dark plaid sports jacket, bow tie and cigar, continued: "but I don't know how this report of another Chinese deal got started. I know nothing of it.

"I can tell you, if it had been a Chinese agreement, I would have to stay in Ottawa more than 1 day to negotiate it," he added.

Mr. McNamara's travels stimulate interest because in his position as chief commissioner of the Canadian Wheat Board, he has become the world's No. 1 wheat salesman.

He has traveled widely in Eastern Europe and he made his second trip to Peiping last fall.

SALES CULTIVATION

In the last 5 years of his administration, the Wheat Board, the Government sales agency for wheat, has cultivated relations with the Soviet Union, Communist China, and the satellites for almost $1.8 billion of business.

This is two and a half times the value of sales to Britain, formerly the largest purchaser of Canadian wheat.

Two weeks ago, Mr. McNamara announced another sale, under which the Soviet Union will take $450 million of Canada's $1.4 billion wheat crop before next July 31.

"We treat them all like customers, without regard to race, creed, or color," he smiled.

In return, the Soviet traders have become friendly enough to give Mr. McNamara a Russian-made camera for his birthday.

"It's quite intricate," he said. "My son is working on it. The instructions are in Russian."

The Wheat Board chairman has also interested the Russians in Canadian football. Mr. McNamara is a fan of the Saskatchewan Rough Riders and has played semiprofessional football.

William Craig McNamara was born in Winnipeg on August 8, 1904, and grew up in the heart of the prairie wheatlands in Regina, Saskatchewan. He worked for the bank, then joined the Saskatchewan Wheat Pool in 1924.

He left a job as manager of the pool's coarse grain department in 1932 to join the Wheat Board and was a special representative of the agency in Washington during the war.

He was named a commissioner of the board in 1945 and chief commissioner in 1958.

The Wheat Board was formed by Parliament in 1935 and is now the sole marketing agency for wheat, oats, and barley produced in western Canada.

It guarantees minimum prices to farmers, sets selling prices, negotiates sales and controls the flow of grain.

Mr. McNamara said he was optimistic on the future of international trade in wheat.

"We have raised our sights from what was normal a few years ago, and we are growing faster even than that expectation," he said.

"I don't think we'll ever go back to the surpluses of the 1950's when we had the supply and couldn't move it."

Mr. McNamara felt so exuberant in conversation at his offices today that he joked, "I think we'll be the first to sell with the man on the moon."

Some persons in the grain trade might bet that Bill McNamara would be there to close the deal.

LYNDON BAINES JOHNSON PRESIDENTIAL ARCHIVAL DEPOSITORY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 654, House Joint Resolution 632.

The VICE PRESIDENT. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 632) to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask that Senate Joint Resolution 105 be indefinitely postponed.

The VICE PRESIDENT. Without objection, Senate Joint Resolution 105 is indefinitely postponed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report on Senate Joint Resolution 105 (No. 651), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This resolution would waive the 60-day waiting period provided in section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended, as a condition precedent to the Administrator of General Services entering into an agreement for the protection, operation, and maintenance of the Lyndon Baines Johnson Presidential Archival Depository as a part of the National Archives system.

Enactment of Senate Joint Resolution 105 is necessary to enable the University of Texas and the Administrator of General Services to move forward immediately with this proposal.

The statutory waiting period was provided to assure the Congress an adequate opportunity to review such proposals and assure that they accorded with the purposes and objectives contemplated by the Congress in authorizing the establishment of Presidential libraries. In considering and taking affirmative action on this resolution, the Congress would be accomplishing the purposes intended by the 60-day waiting period.

With respect to the proposed Lyndon Baines Johnson Library, adjournment of Congress prior to the expiration of the 60-day period would require a new beginning of the running of the 60-day period upon the reconvening of the Congress.

This would result in an unnecessary delay of 6 months which could be utilized for selecting the specific site and the architects, and in getting started with the design of the project.

The board of regents of the University of Texas has extended an offer to the President of the United States to provide facilities within the academic environs of the university to be used as a Presidential Archival Depository to be known as the Lyndon Baines Johnson Library for the housing and display of President Johnson's papers and other historical materials. This offer is conditioned upon the Government's acceptance of the papers and its agreement to maintain, operate, and protect that portion of the building dedicated to library and museum purposes as well as the contents thereof as a Presidential Archival Depository.

The President has accepted the proposal of the University of Texas and, in compliance with the conditions of the offer, has himself offered as a gift to the United States his Presidential papers and other historical materials for deposit in a Presidential Archival Depository with a specific condition that they be deposited in the proposed Lyndon Baines Johnson Library.

As authorized by the Federal Property and Administrative Services Act of 1949, as amended, the Administrator of General Services has accepted, on behalf of the United States, the President's offer under the conditions and restrictions prescribed by the President.

The Administrator of General Services is further authorized in section 507(f) of the same act to enter into agreements with any university to utilize as a Presidential Archival Depository, land, buildings, and equipment of such university to be made available by it without transfer of title to the United States and to operate such depository as a part of the National Archives system. The Administrator has indicated his intention to accept the facilities offered by the University of Texas, thus fulfilling the conditions set forth in the respective offers of the President and the university. In accordance with the requirements for exercising this authority, the Administrator has submitted a report on the proposal to the President of the Senate and the Speaker of the House of Representatives including the necessary information for consideration by the Congress. The Administrator may not enter into such agreement until the expiration of the first period of continuous session of Congress. Such period is broken only by an adjournment sine die.

Having fully complied with the purposes of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397(f)(1)), enactment of this resolution would indicate the approval of the Congress for the Administrator of General Services to enter into the proposed agreement with the University of Texas for the Lyndon Baines Johnson Library and would authorize him to do so without regard to the provision requiring that such agreement not be entered into until the expiration of 60 calendar days of continuous session of Congress following submission of the report to the Speaker of the House and the President of the Senate.

BACKGROUND

On August 6, 1965, the board of regents of the University advised the President of the university's desire to provide a library for his papers and outlined the details of their proposal, essentially as follows. The university at its expense will provide an appropriate 14-acre site on the campus at Austin and construct thereon a building providing not less than 100,000 square feet of space dedicated for use as a Presidential archival depository to house and display Presidential papers and other historical materials relating to and contemporary with the President's life and works; upon completion of the space and facilities to be occupied by the Presidential Archival Depository, the university will "turn over, dedicate, and make available the same, including the furnishings and equipment therein, to the United States for its use in perpetuity as the Lyndon Baines Johnson Library, but without transfer of title, * * *" pursuant to Federal statutes relating to the establishment of Presidential Archival Depositories, the library will be available for occupancy within 2 years after final working drawings are completed but that this period shall not begin to run until the Administrator of General Services has agreed to "maintain, operate and protect the Library as part of the National Archives system."

In responding to Mr. W. W. Heath, chairman of the university board of regents, the President, on August 9, 1965, manifested his full commitment to the university's proposal and his awareness throughout the course of his public service of the value of this historical material to future generations.

The President, on August 13, 1965, wrote the Administrator of General Services of his wishes regarding the designation of the proposed Lyndon Baines Johnson Library at the University of Texas as a Presidential Archival Depository.

In his letter, the President stated that "* * * in furtherance of the public purposes which will thus be served, I hereby offer as a gift to the United States for the purpose of ultimate deposit in the said Presidential Library my Presidential and other papers, documents, historical materials, mementos, objects of art, and other memorabilia, including books, motion pictures, still pictures, and sound recordings, * * * belonging to me or in my possession which relate to my life and work, * * *."

The President's offer is conditioned upon the Government's acceptance of the university's proposal and the designation of the library to be constructed on the campus at Austin as a Presidential Archival Depository.

In his letter to the Administrator of General Services, the President emphasized that it is his purpose "to make the papers and other historical materials * * * available for the purpose of study and research as soon as possible and to the fullest possible extent," and specifically provided that "such material may be made available for display, inspection, and research purposes prior to the expiration of (his) tenure as President with (his) personal approval." The opportunity to use such materials while the President is still in the White House would be entirely new in our history.

The President on August 17, 1965, was advised by the Administrator of General Services of acceptance of his offer. Following acceptance of the President's offer of his papers and other historical materials, the Administrator of General Services, on August 19, 1965, submitted a report to the Speaker of the House of Representatives and the President of the Senate in accordance with section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended. This provision of law requires "* * * that the Administrator shall submit a report in writing on any such proposed Presidential Archival Depository to the President of the Senate and the Speaker of the House of Representatives, which report shall include a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title as aforesaid, a statement of the terms of the proposed agreement, if any, a general description of the types of papers, documents, or other historical materials which it is proposed to deposit in the Presidential Archival Depository so to be created, and of the terms of such proposed deposit, a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of such depository, together with an estimate of the cost thereof, and an estimate of the annual cost to the United States of maintaining, operating, and protecting such depository: *Provided further,* That the Administrator shall not take title to any such land, buildings, and equipment or enter into any such agreement, until the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which such report is transmitted, which 60-day period shall be computed as follows: Continuity of session shall be considered as broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded from the computation; * * *."

To his report, the Administrator attached the proposal of the University of Texas, the President's response to the university's proposal, and the President's offer of his papers and other materials of his public offices to the United States to be housed in the library to be constructed on the university campus, and the Administrator's acceptance. Copies of these documents are included in this report. Upon review of these proposals, the Administrator concluded that the conditions set forth in the aforesaid agreements are consistent with the law. He recommends acceptance of the offers in the public interest.

In his report, the Administrator has estimated the cost to the United States of maintaining this facility. As manifested in the correspondence between the President and the university, in addition to the space and facilities dedicated for use as the Presidential Archival Depository, the building to be constructed will also include space and facilities for University of Texas purposes to be used in furtherance of studies and research in history, government, economics, public administration, and related disciplines. The cost of administering, maintaining, operating, and protecting the site of the Presidential library and such portions of the building as is used for university purposes will be borne by the university. The estimated cost to the United States of maintaining, operating, and protecting that portion of the building dedicated to national archival depository use is estimated to range from approximately $190,000 during the early years to $225,000 after the library is in full operation.

NEED FOR LEGISLATION

The proposal which the University of Texas has submitted is consistent in every respect with the statutory requirements contained in section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended. The proposed Lyndon Baines Johnson Library on the campus of the university at Austin would be in furtherance of the objectives Congress sought to achieve in the approval of this enabling legislation. This new library would be a valuable addition to those which have previously been generously donated to the United States to house the papers of former Presidents. Inasmuch as the President has indicated his willingness to join with the University of Texas in this undertaking, the committee agrees with the Administrator of General Services that acceptance of the university's proposal would be in the best interest of the United States.

As evidenced in the offer of his papers to the people of the United States, the President seeks to make the benefits of his proposal available to the Nation as expeditiously as possible. If certain of the President's papers can become available during his tenure in office it would be of significant advantage to scholars and students concerned with the historical developments of the last three decades. Mindful of the value of this material to the broader evaluation of national and world affairs in which he has taken a leading role, there is an urgency in this proposal which warrants immediate action by the Congress. Any delay in acceptance of the university's offer will be translated directly into a delay in the availability of the President's papers and in the opportunity of the general public view items selected for exhibit from the President's historical collection.

There are other considerations which support prompt approval of this proposal. The fact of the personal interest of the President must be considered. The development of the Lyndon Baines Johnson Library to the level of excellence he will consider acceptable will require extensive personal effort by the President. Cognizant of the demands upon him, it would not be appropriate for Congress to needlessly delay approval of this project beyond the time required for appropriate review as provided in the resolution.

Also, the University of Texas must be considered. The university's generous proposal involves a considerable outlay in funds of the people of Texas. The university's proposal is based upon cost analyses and other criteria available at this time. Delays in construction often means increases in construction costs. They are also wasteful in the time and efforts of those responsible for and involved in the implementation of the project.

For these reasons, the committee believes that it would be in the best interest of the people of the United States and for the Congress, as an alternative of the mere passage of a statutory review period, to take affirmative action at this time to register its approval of this proposal, and, in so doing, waive the 60-day limitation which otherwise is imposed upon the Administrator of General Services.

AUTHORITY FOR HON. FRANCES P. BOLTON, OF OHIO, A MEMBER OF THE HOUSE OF REPRESENTATIVES, TO ACCEPT THE AWARD OF OFFICER IN THE FRENCH NATIONAL ORDER OF THE LEGION OF HONOR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 636, H.R. 10342.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 10342) to authorize the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, to accept the Award of Officer in the French National Order of the Legion of Honor.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 654), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The bill will authorize the Honorable Frances P. Bolton, of Ohio, Member of the House of Representatives, to accept the award of Officer in the French National Order of the Legion of Honor, tendered to her by the Government of France, together with any decorations and documents evidencing this award and will give the consent of the Congress to such acceptance as required by section 9, article 1 of the Constitution.

BACKGROUND

The Constitution provides in article 1, section 9, paragraph 8:

"No person holding any Office of Profit or Trust under [the United States] * * * shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State."

An Executive order of April 13, 1945, applicable to employees of the executive branch, further provides that no department is to request congressional approval for acceptance of such gifts by any employee until that employee has retired and that each agency transmit to the Secretary of State a list of its retired personnel for whom the department is holding decorations, etc., and directs the Secretary to compile an omnibus list of such retired persons for submission to every other Congress. This order does not apply to the legislative and judicial branches.

Since the end of World War II, Congress has authorized the following incumbent Members to accept foreign decorations: Speaker Sam Rayburn (1956), Senator William F. Knowland (1956), and Representatives John W. McCormack and John J. Rooney (1957). All of these bills were passed in the Senate without reference to the committee.

Since 1957 it has been the practice of the Committee on Foreign Relations not to act favorably on bills authorizing the acceptance of awards by incumbent Members of Congress. An exception to this policy of the committee was made recently when the committee recommended and the Senate passed a bill authorizing the Honorable Joseph W. Martin, Jr., to accept and wear a foreign decoration. On that occasion, the committee's report stressed "that its approval * * * does not constitute a precedent for future such approvals, but is recognition of the high and distinguished office of the Speaker of the House of Representatives * * *." Similarly, the committee's action on H.R. 10342 does not set a precedent but is recognition of the distinguished service of the senior lady of the House of Representatives who has earned the warm regard of all her colleagues.

RUSSIAN ECONOMIC STAGNATION MEANS A GREAT U.S. OPPORTUNITY

Mr. PROXMIRE. Mr. President, Marquis Childs writes a report on the Russian economy in this morning's Washington Post that should open many eyes and put our relations to the second most powerful nation in the world in a new and different light.

The Childs article shows that the Russian economy has seriously suffered in the past 5 years. It has not only fallen far below expectations and plans, it has after years of growth—after some recovery from the devastation of World War II—failed miserably. It is stagnating.

In the precise period when free world economies led by the United States are thriving as never before, giving the peoples of the free world by far the highest standard of living they have ever enjoyed, the Soviet Union is going nowhere economically.

Not only are its people suffering, but its military potential—which even in a police state is stringently limited by economic strength—has been relatively much reduced.

Mr. President, this relative gain of the United States of America and the free world should not be ignored in our dealing with Communist nations over Vietnam or in striving to stop nuclear proliferation at Geneva. Now we have the force and power. We are moving. Our great adversary is not. We should recognize that we operate from great basic strength not only in our capacity to defend the free world, but in our relative ability to build a peaceful world based on economic plenty and growing educational understanding.

I ask unanimous consent that the article entitled "Rates of Growth: A Russian Issue," written by Marquis Childs, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

RATES OF GROWTH: A RUSSIAN ISSUE

(By Marquis Childs)

Weighed in the troubled balance of war or peace, cold war or cold coexistence, is a factor thus far obscured by the comparative silence of the new regime in Moscow. The Kremlinologists believe a new power struggle is going on behind the massive walls of the Kremlin.

No one is predicting when it will surface in the kind of climax that shook the world when Nikita Khrushchev was forced out last October. Among veterans following the ups and downs of the Soviet cast of characters are those who take the clues to unrest and rivalry in the Supreme Soviet as "more of the same" inevitable in a totalitarian society.

Yet the big drop in the Soviet economy—one of the reasons Khrushchev was forced out—is such that the effort to reverse the downtrend is bound to affect personal power relationships. In this connection an extraordinary document has come out of the Soviet Union which paints the economic picture in somber colors.

In a private lecture to a Moscow publishing house a 33-year-old Soviet economist of Armenian origin, Abel Aganbegyan, put in cold facts and figures the deficits that have led to such developments as the Soviet purchase of Canada's surplus wheat crop. In the document, obtained by intelligence sources, he is quoted as saying:

"A significant part of our means is put into defense. It is very difficult for us to keep up with the United States of America, for we have about the same expenditures on defense as the United States of America. But our economic potential is half that of the United States of America. Out of 100 million workers in the U.S.S.R. 30 to 40 million are employed in the defense industries."

This obviously has a bearing on the rising demand on Moscow for more aid from countries dependent on the Soviet Union or which Moscow hopes to draw into the Soviet orbit. It could help to explain reports of the growing irritation with Fidel Castro and his clamor for more and more assistance. President Gamal Abdel Nasser of Egypt, now on a state visit to Moscow, would like to get a larger share of Soviet aid so that he could spurn the United States.

In the past 6 years, according to Aganbegyan, the rate of growth of the Soviet economy decreased approximately three times. The rate of growth in agriculture dropped 10 times from 8 percent to 0.8 percent. The real per capita income, "extraordinarily low in any case," declined sharply.

"Since 1958, according to a series of indices, the absolute growth has also decreased," to quote further the Soviet economist. "Most surprising of all was that this decrease was completely unexpected. The 7-year plan is a wreck. Moreover, after the completion of the first 10 years of the 20-year plan we are not close to the control figures according to any indicator. In working out this plan we have made enormous mistakes.

In 1959, our economists projected that in the United States and in other capitalist countries there would be an economic decline very soon. Our economists said that the annual rate of growth in the United States would be not more than 2.5 percent but in fact it turned out that the early rate of growth of the United States beginning from 1958 has been 5 percent and we must also take into account that the economic potential of the United States is twice as much as ours.

"In these years we have had a decrease of effective productive reserves. All this time the growth of industrial production has decreased. There has been a strengthening of the split between the possibilities of technical progress and the realization of these possibilities. The structure of our production is the most backward of all the developed countries and is the worst. Our plans for new technology, by the way, are not so good and do not reach more than 70 percent of fulfillment."

Although he is only 33 years old, Aganbegyan is a member of the Soviet Academy of Sciences and a leading economist of Novosibirsk, a developing industrial center in Siberia. It was in the new lands in Siberia that Khrushchev initiated his disastrous agricultural experiment that was overwhelmed by various natural calamities.

Aganbegyan is understood to have given his report first to the Central Committee last December. Later he delivered a more comprehensive lecture to the publishing house and excerpts, or a digest of this lecture are the basis for the document being analyzed here. It was never reported in the Soviet Union.

What fascinates Kremlinologists studying the Aganbegyan document is that conclusions tally so closely with those of Western observers. The latter, of course, have had only the published Soviet statistics to work on. And, as Aganbegyan makes plain, they mean little.

A GREAT L.B.J. CONTRIBUTION TO PEACE: SPACE COOPERATION WITH U.S.S.R.

Mr. PROXMIRE. Mr. President, the President of the United States, Lyndon B. Johnson, has been quietly building the groundwork for cooperation with the Soviet Union in space exploration.

In view of the immense military threat of space, the miraculous technological advances that could lead to great adventures for mankind or a spatial basis for nuclear annihilation, space rapport with the Soviet Union may turn out to be one of the great and enduring contributions of President Johnson to peace on earth.

A moment ago I placed in the RECORD an analysis of the Soviet economy that showed its startling stagnation in recent years. Space effort makes a heavy demand on the U.S. economy. The burden on the smaller and weaker Soviet economy must be enormous. The time may be propitious for the Soviets to agree to pool resources with us in outer space and to work together.

Mr. President, an effective agreement with the Soviet Union would not only save us billions; it could lead, through mutual cooperation, to greatly improved relations between the world's two superpowers. It could sharply advance the prospect for peace.

I ask unanimous consent that the article entitled "Peace in Space: A Time for Overtures," written by Roscoe Drummond and published in today's Washington Post be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACE IN SPACE: A TIME FOR OVERTURES

(By Roscoe Drummond)

This is the ideal time for President Johnson to do everything in his power to encourage the Soviet Union to join with the United States in the manned flight to the moon.

It is the ideal time because the American and Soviet space achievements are about even. No one can be sure who's ahead. Moscow is becoming more modest in its claims. With astronauts Cooper and Conrad safely back from their 8-day record flight, the U.S. target date of 1969 for putting a man on the moon is realistic.

Moscow has no reason to feel that our willingness to make the exploration of outer space a joint enterprise reflects backwardness in our own program. There was nothing backward about Gemini 5.

There is another huge dividend which would come to both sides if the Kremlin could be persuaded to make outer space the forum of total cooperation rather than total competition. That would be to end the perilous extension of the arms race into space. Both sides are doing it because there is no assurance that the other isn't. There can be no stopping until each side can know everything the other is doing. There is no better way of knowing than to do it together.

This is why President Johnson is acting wisely in doing three things:

In inviting observers from the Soviet Academy of Sciences to come to the United States to be present at the flight of Gemini 6 in October.

In assuring the Soviets that, while the Air Force will launch a manned orbiting laboratory, the United States will not put nuclear weapons into outer space. (But at this stage there is no way for either Russia or America to establish that the other side is not orbiting nuclear weapons. This would require a degree of mutual inspection which Moscow has never come near to accepting.)

And finally, the President is again demonstrating that he is more than willing to pool our resources in outer space. "I would repeat and renew," he said, "this country's invitation to all nations to join together to make this adventure a joint adventure."

The Soviets may never accept any of these invitations for cooperation. But it is good that the United States is making the offers and is keeping them open. It shows the whole world that it is our deep desire not to extend the conflicts of the cold war to outer space.

Obviously, the easiest gesture by which the Soviets could signal some interest in "joint adventure" would be to come to see Gemini 6. But acceptance, while welcome, is improbable. It would come as a surprise. Two reasons: they don't want to have to admit so openly that they would not extend a reciprocal invitation to U.S. observers; they don't want the outside world to see at first hand how deeply the military is embedded into their space program.

The United States has made tremendous gains in its outer space exploits in the last 4 years. As Mr. Johnson pointed out in his Texas press conference, "Only 7 years ago we were neither first nor second in space—we were not in space at all."

Not until 1961, when Congress approved President Kennedy's proposal that we make a manned lunar flight a national commitment, did the United States start to do what was needed to make sure that the Soviet Union would not dominate outer space. It has been a crash program and a costly program—but necessary.

Space is a resource to be kept open and to be kept free. Our objective is not to deny outer space to any nation, but to make sure that no nation can deny it to the United States.

Outer space ought to belong to all mankind and nothing would insure it more than for the United States of America and the U.S.S.R. to make it the "joint adventure" the President envisions.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to proceed for 10 minutes at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations for the Department of Justice on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

VIETNAM: NARROWING THE ISSUES

Mr. MANSFIELD. Mr. President, the fighting in Vietnam is unabated. Military engagements intensify. Casualties on all sides increase. The streams of refugees rise. The extent of the devastation wrought is not known but it is obviously immense. Indeed, the costs of the heightened conflict in Vietnam already dwarf the billion-dollar development program for the Mekong project in southeast Asia which was suggested by

President Johnson in a speech in April at Johns Hopkins University.

The President did not want it that way. At Johns Hopkins, he stated emphatically his preference for peace. He has since emphasized it at every opportunity. He offered then, and he has offered again and again, to enter into "unconditional discussions," in an effort to bring the war to an end. These appeals for negotiation, unfortunately, have either been ignored, dismissed with derision, or otherwise rejected. The efforts of various intermediary nations to initiate negotiations—efforts which have been endorsed by the United States—have met a similar fate. These attempts, in short, have all drawn a blank.

It might be concluded, therefore, that Hanoi and the Vietcong have no interest whatsoever in negotiating peace. As if to reinforce this conclusion, Ho Chi Minh has talked in terms of a 20-year war. It would appear, then, that Hanoi is determined to continue the military struggle until the United States is driven into the sea. But the President has made clear that we will not permit that to happen and it will not happen.

There the matter stands. Hanoi and the Southern Liberation Front insist that they will not desist from the struggle and we will not yield. Is there, then, no alternative but a trial by arms in the 3-, 5-, or 10-year conflict which is projected by some of our own officials or the 20-year war which was mentioned by Ho Chi Minh?

Hanoi has indeed talked of a 20-year war. But from that same city there has also come talk of the conditions on which the war might end. Hanoi stated these conditions for peace in a radio broadcast on April 12, 1965, in response to the President's Johns Hopkins speech. The conditions were underscored subsequently by Peiping and by Moscow. From these announcements, it would appear that negotiations to end the conflict are feasible, insofar as Hanoi is concerned, on the basis of these four conditions.

Mr. President, I ask unanimous consent that these conditions be printed in the RECORD.

There being no objection, the conditions were ordered to be printed in the RECORD, as follows:

> 1. That the rights of the Vietnamese people—peace, independence, sovereignty, unity, territorial integrity—on the basis of the Geneva agreements are recognized;
>
> 2. That the division of Vietnam into two zones will continue, pending peaceful reunification and that there will be no foreign military alliances, bases, or troop personnel in connection with either zone;
>
> 3. That the internal affairs of South Vietnam will be determined by the South Vietnamese people themselves alone in accordance with the National Liberation Front program and without any foreign interference;
>
> 4. That the peaceful reunification of Vietnam will be settled eventually by the Vietnamese people themselves in both zones and without foreign interference.

Mr. MANSFIELD. Mr. President, I cite these conditions which have been set forth by Hanoi because it is important that we do not assume that we are engaged in Vietnam against a group or a government which has no objective except warfare for the sake of warfare. On the contrary, it would appear that the leaders in Hanoi and the Southern Liberation Front and their allies in Peiping and their supporters in Moscow have a very clear idea of why they fight and, in the four points to which I have referred, of the conditions on which they will cease fighting.

In a similar fashion, while some U.S. officials have suggested, as noted, that we are engaged in a 3-, 5-, or 10-year war, the President has also spoken of peace and the great desirability of restoring it as quickly as possible in Vietnam. There are conditions on which we, too, would be prepared to see this conflict terminated, although there may still be confusion both at home and abroad as to what these conditions may be.

To be sure, there have been pronouncements from various sources and in general terms, about ending aggression from the north. There has been talk of aiding the South Vietnamese Government as long as our aid is sought. There have been individual views of why we fight expressed in the press, in Congress, and in the departments of the Government. But with all due respect there could be set forth, cohesively, even now, the basic conditions which U.S. policy regards as essential to peace in Vietnam. Such conditions do exist. They can be distilled from President Johnson's many statements on Vietnam and other official pronouncements. And it may be useful at this time to set them forth, once again, in cohesive form. A clarification on this point may not only be helpful to public understanding; it may also be a spur to the initiation of negotiations.

In any event, the Communists have not alone set forth the conditions for peace in Vietnam. We have also done so even though they may not be fully understood. Given the degree of American involvement and sacrifice, we, too, have the right and responsibility to define again and again as concisely and as clearly as possible, the basic conditions for peace in that nation, as we see them.

Indeed, it may be—and certainly, it is to be hoped—that the clear juxtaposition of the two sets of conditions for peace may lead to the "unconditional discussions" which are properly and urgently sought as a means of bringing this bitter and brutal struggle to an end.

When the official statements of the policy of the United States of the past few months are examined, it would appear to me that these conditions for peace in Vietnam have already been identified by the President and his principal spokesman during the past few months:

First. There must be a verified choice by the people of South Vietnam of their own government—a choice free of terrorism, violence, and coercion from any quarter. In this connection, the President clearly stated at Johns Hopkins:

> We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way.

Second. There can be a future for South Vietnam either in independence or as a part of a unified Vietnam on the basis of a peaceful, free, and verified expression of the wish of the people in each segment of that region and in general accord with the Geneva agreements. In a press conference on July 28, the President gave emphasis to this point when he said:

> We insist and we will always insist that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all Vietnam under international supervision.

Third. There shall be a withdrawal of all foreign forces and bases throughout Vietnam, north and south, provided peace can be reestablished and provided the arrangements for peace include adequate international guarantees of noninterference, not only for Vietnam, but for Laos and for Cambodia as well. This point was underscored by Secretary McNamara on June 16 when he said:

> The United States has no designs whatsoever on the territory or the resources of southeast Asia or any country in it. Our national interests do not require that we introduce military bases for our forces in southeast Asia. They don't require that the states of southeast Asia become members of Western military alliances. The ultimate goal of our country, therefore, in southeast Asia is to help maintain free and independent nations there in which the people can develop politically, economically, and socially, according to patterns of their own choosing, and with the objective of becoming responsible members of the world family of nations.

Further, we are parties to the Geneva accord of 1962 which is designed to achieve essentially these ends in Laos and we have expressed our willingness to join in a resumption of a Geneva conference for the purpose of considering international guarantees of the independence, integrity, and borders of the Kingdom of Cambodia.

To these three basic conditions of peace, I would add two corollaries which all of us must realize are obviously essential if peace in Vietnam is to be reached via the operations of negotiation rather than through the exhaustion of war.

I can say, on the basis of my conferences with the President on this matter, that the following two points have always reflected his viewpoint, and do so now:

First. There needs to be provision for a secure amnesty for those involved in the struggle on all sides in Vietnam as an essential block to an extension of the barbarism and atrocities of the struggle into the subsequent peace and, indeed, as an essential of that peace.

Second. There needs to be a willingness to accept, on all sides, a cease-fire and standfast throughout all Vietnam, which might well coincide with the initiation of negotiations.

President Johnson has made it clear, time and again, that we seek no larger war. He has made it clear, time and again, that we do not have any territorial, or military, or other claim whatsoever in Vietnam. He has said, time and again, that our only purpose is to help the South Vietnamese people to secure their own future, free from coercion. He has said, time and again, that we are prepared for unconditional discussions with anyone, anywhere, to bring about peace. From that policy, as it has been enunciated and as it is quoted, it would seem to me entirely valid to distill American conditions for peace along the lines which have been enumerated.

To be sure, others may brush aside these conditions, even as we tend to do the same with respect to the conditions which they have set forth. Hanoi may reach, via an automatic reflex, the conclusion that these conditions, since they originate in the United States, can only mean domination of South Vietnam by ourselves and those whom we support. And, in all frankness, we are prone to a converse conclusion, via the same reflex, with respect to the conditions which are suggested from Hanoi. The reflex of mistrust and disbelief is understandable. But unless the military conflict is to expand and to continue into the indefinite future, whether it be 3, 5, 10, or 20 years of war, the degree of accuracy of these automatic reflexes must be tested in negotiations.

The high purpose of negotiations, if they can be initiated, should be to see to it that the conditions of peace wherever they may originate come to mean in fact and in detail the domination of the Vietnamese people themselves over their future. Beyond other considerations, this conflict involves primarily their country, their lives, their children. It is the Vietnamese people, north and south, who suffer most from its devastating and tragic consequences. And in the end it is they who should have the right to determine the shape of the Nation in which they live. That is where negotiations can lead. That is where the President wants them to lead. That is where they must lead, if there is ever to be a valid peace in Vietnam.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, the Senator has just made an historic and most vital pronouncement.

I wish that every one of the Senators entitled to sit in the Chamber had been here to hear it. We should constantly reiterate, in terms that cannot conceivably be misunderstood anywhere on earth, not only our willingness to negotiate, but also our willingness to negotiate on fair conditions and the fact that we are not opinionated.

The best thing that the Senator said, and I know that he speaks most authoritatively, is that we will look with an unprejudiced eye on suggestions and ideas, no matter where they come from, once we are at the table of peace—which is the negotiating table.

I welcome the statement of the Senator warmly. I think it should mean a great deal to the millions of people in our country who thoroughly back what is being done in that part of the world, but who, at the same time, are unhappy about the fact that we have to do it with the resulting casualties in a time of relative peace in the world. This situation is a tragic thing in the hearts of all Americans.

I am grateful to the majority leader. I hope that he will speak out again and again and make it crystal clear, in the highest forum of the land, in the hope that America will remain not only strong and unhampered by anything that has occurred, but that we will also intelligently and reasonably work toward and implement a solution of the problem in the way in which the majority leader has just suggested.

Mr. MANSFIELD. Mr. President, I thank the senior Senator from New York.

Mr. PELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PELL. Mr. President, I congratulate the majority leader on his speech, which so clearly defines the issues that exist between us and the Communists in southeast Asia.

I find myself nearly always in agreement with the views, wisdom, and estimates of the future expressed by our majority leader.

I call the attention of the Senate to the service which the Senator from Montana rendered in delivering his speech sometime back when the talk of negotiation was not quite as much in vogue as it is now, and in which he suggested that we ought to give thought to reconvening of the Geneva Conference under the leadership of the cochairmen, the British and the Soviets.

I believe that the speech which the Senator made then has had a real impact in determining our course. One may use the phrase that it was an effort to deescalate the conflict.

In this connection, I am among those who completely support President Johnson in the thrust of his present foreign policy in the Far East and, specifically, in South Vietnam. However, I am also among those who would oppose unilateral escalation into the north, and indeed have some concern and doubt as to the effect of our course there. In general, I find that President Johnson's policies reflect completely, to my mind, the requirements of the situation and the objectives of our foreign policy, which are peace and freedom. I find myself in full, 100-percent support of those objectives.

We must realize, in the sense of history, that the Chinese and Vietnamese under Communist leadership have used time as the fourth dimension in the practice of warfare. They used it very successfully in their struggle against the French in Vietnam in the past. It is only when we accept the reality of time as the fourth dimension of warfare and are willing to face the prospects of a long war and a long holding position that we find the ground suddenly becomes more fertile to talk of negotiations. Until we reach that stage of willingness to accept time as the fourth dimension in warfare, our efforts to reach the conference table may lack success as seen from the framework of history.

Our majority leader has knowledge of the Far East and a sense of history there, both beyond parallel in the Senate today.

Mr. MANSFIELD. Mr. President, I express my deepest thanks to the distinguished Senator from Rhode Island, with whom I had an opportunity to visit South Vietnam and other areas of southeast Asia a few years ago, as a result of which visit, we were able, along with the Senator from Delaware [Mr. BOGGS], to issue a report which I think would stand up even today.

May I say, speaking for the President, that no one is more interested concerning what is happening in Vietnam than is the man in the White House.

I do have conferences with him one way or the other almost every day. This is the main topic of conversation. I know how he feels about it. I know of the many avenues that he has traveled in his attempts to seek a way out of the impasse in which we find ourselves.

Not only does it take up every waking moment of his time, but a good bit of his sleeping time as well. I think we are extremely fortunate to have in the White House a man who has this forward view, a man who is interested in trying to bring about a just settlement, a man who has the welfare of the people at heart, a man who has this responsibility to shoulder and who is doing the best he can, with all the wisdom he has, to bring about a just and lasting conclusion to the struggle in which we are engaged.

Mr. JAVITS. Mr. President, I wish to add to the splendid colloquy which has just taken place with respect to Vietnam that I share that solicitude and concern, and I share what the Senator from Rhode Island has had to say about escalation and the concern of the American people with respect to that. I have urged speaking to the people through Congress by means of a resolution similar to the resolution adopted in August of last year, which is now obsolete. These are manifestations of a dynamic freedom and do not represent one with a lessening of American determination to proceed solidly.

It is very important that people in Asia, and everywhere in the world, should not misunderstand our country because of its many representations that it desires peace. The determination of this country stands unimpaired because of our soul searching to find a means for peace, in which the President has been leading us. It should be understood that nothing will stop us in our efforts to arrive at a fair and just conclusion, but that it is conditioned by the President's determination. I hope very much that these efforts are not misunderstood as indicating an irresolution on our part. It would be most unfortunate if those who do not understand us made that implication.

So I welcome this historic statement by the Senator from Montana [Mr. MANSFIELD]. It seems to me that what the Senator has said should be said often. Our willingness to negotiate should be known and we should welcome efforts and suggestions, no matter where they come from, as to how this grave struggle may be brought to an end.

THE IMPORTANCE OF BACKING AMERICA'S STAND IN VIETNAM

Mr. SPARKMAN. Mr. President, the national commander in chief of the Veterans of Foreign Wars of the United

States, Mr. John A. Jenkins, is a distinguished attorney in Birmingham, Ala. He is also a close friend of many Members of this Senate, including myself.

During his year as commander in chief of the VFW, "Buck" Jenkins has worked tirelessly in the interests of our Nation's security. One of the reasons his opinions are so eagerly sought on defense matters is that he has personally visited many of the trouble spots of the world.

"Buck" Jenkins was recently in South Vietnam, where he visited our troops in the forested highlands, the base at Da Nang, and the beachhead at Chu Lai.

Commander Jenkins reported to his fellow citizens in Birmingham a few days ago when he addressed the Birmingham Rotary Club.

Because he is so knowledgeable in the matter, his observations as to why our policy in Vietnam is correct are particularly noteworthy. His address before the Birmingham Rotary Club was the subject of a fine editorial in the Birmingham News on July 26, 1965.

In view of the importance of what VFW Commander in Chief Jenkins said, I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Birmingham (Ala.) News]

Battle's Fought at Home, Too

The importance of firm backing by the American people of this country's stand in Vietnam has been stated many times by many people. Few have stated it more eloquently than John A. "Buck" Jenkins of Birmingham, who is the national commander in chief of the Veterans of Foreign Wars.

Addressing the Birmingham Rotary Club last week, Jenkins did not indulge in empty oratory for oratory's sake. He spoke directly to the point: As leaders of the free world, Americans cannot turn their backs on "the problems and worries of the world," can't "abrogate and forget these obligations and responsibilities."

The fact is that if the United States of America is not willing and able to stand in defense of freedom—however onerous the burden seems—then the precarious thread by which freedom hangs may be strained to the breaking point by those who seek to replace human liberty with state tyranny.

The U.S. Government recognizes this obligation and in Vietnam is acting upon it. For the United States to back out now, Jenkins said, would be like "a general walking off and leaving his troops in the field." For America to stay and do what is necessary is impossible without the full backing, in full understanding of what is involved, of the American people.

The organization Jenkins heads is composed of men who have a most direct stake in freedom's preservation: Those who have gone abroad to fight this country's battles in its behalf.

There is a war being fought in Vietnam by soldiers who are asked to bleed and die if necessary. The war also must be fought on the homefront through commitment of the American people and readiness on their part to make the kind of sacrifices which Buck Jenkins reminded Rotarians are a concomitant to preservation of freedom. The sacrifices we at home might be asked to make are small in comparison with those asked of our men in freedom's frontlines, but they are not insignificant. They are just as important to ultimate victory.

REPORT ON THE U.S. PARTICIPATION IN THE XXXII VENICE BIENNALE 1964

Mr. JAVITS. Mr. President, the Venice Biennale has for 60 years been an important international exhibition of modern art. The 32d Venice Biennale of 1964 was particularly significant. For, in the past, American artists had been only sparsely represented, but at this exhibition, the U.S. Government, acting through the U.S. Information Agency, sponsored and greatly enlarged the American selection. Permission was enthusiastically granted by the directors of the festival to have created an annex devoted exclusively to the works of American artists. This had never before been done; yet, the American collection was widely felt to be the highlight of the entire show. Perhaps the most significant occurrence was the awarding of the International Grand Prize in painting to an American, Robert Rauschenberg; no American had ever been so honored.

I have received a report from Alan F. Solomon, the U.S. Commissioner to the 32d Venice Biennale. Mr. Solomon chose the American selection and also directed its presentation. His report presents his views as U.S. Commissioner as to the significance of the festival as well as its implications for the future.

I ask unanimous consent that the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report on the American Participation in the 32d Venice Biennale 1964

It was without a doubt a happy historical accident that the American Government, through the USIA, took over the official sponsorship of the American representation for the Venice Biennale at precisely the moment when Europe was ready to turn with enthusiasm and sympathy to American art, and to accept it as a major international cultural force.

In the 60-year history of the Biennale no American painter had ever won the first International Prize; through most of this period art had been dominated by the School of Paris, and its ascendency was habitually acknowledged in Venice and elsewhere.

When I was given the chance to select this exhibition I accepted with great excitement because of the opportunity it clearly provided for introducing on a broad scale to an already anticipatory European audience the vitality and creative energy marking the American generation which has grown up since the Second World War.

Those of us who were familiar with the history of modern art and involved in contemporary developments already knew that the School of Paris had declined since 1945, after 150 years of predominance in world art, and we knew that the only new progressive impulse had come out of Americans, commencing at about the same time. For the first time in history, we had not one, but two consecutive generations of artists who were genuine innovators, and did not derive indirectly from European precedents.

Even in more recent years, when American art has been less provincial, our representation in Venice was limited by the small size of the American Pavilion, originally built under private auspices, and more recently the property of the Museum of Modern Art in New York.

In the light of the possibilities of an imposing American representation at the Biennale, I went to Venice in November 1963, with Lois Bingham of USIA and Michael Barjansky of USIS Rome. From the first, we were greeted with a spirit of great enthusiasm and cooperation by the officials of the Biennale, both because of the new fact of U.S. Government participation, and because of the prospect of an exciting and pathfinding American exhibition. (It should be pointed out that the recent decline of European art had been reflected in the Venice Biennale, which was losing its traditional reputation as a rallying point for modern art, and about which there had already been predictions of decline and actual demise. This also accounted to a certain degree for the official enthusiasm toward us.)

We asked the biennale for additional space for our exhibition, but there was none available on the grounds. They accepted in principle the idea of a precedent setting annex outside the grounds to make a larger American exhibition possible, and showed us a number of potential sites, including abandoned churches, the prison of the Doges, and the gambling casino, which is empty during the summer. For various reasons, none of these was appropriate, and we finally arranged to use the empty American Consulate.

The preview week made the effect of the American exhibition and its success abundantly clear. We gave two preview parties, partly under the auspices of the sponsoring Jewish Museum, the first for the press and the artists, and the second, under the auspices of the Ambassador and Mrs. Reinhardt, for local officials and other guests. In everyone's account, these occasions were the high point of the week, in terms of public enthusiasm and response.

Meanwhile the jury (two Italians, an American for the first time, a Brazilian, a Pole, a Swiss, and a Dutch representative) met, and as we were subsequently informed, from the first felt the clear superiority of the American contingent. They voted to give the International Grand Prize in painting to an American, Robert Rauschenberg.

The effect of the prize was extraordinary, not only because it had gone to an American for the first time, but also because it had gone to an artist in his late thirties, and not, as it usually did, to a much older man. Furthermore, Rauschenberg was in midcareer, and the prize implied an acknowledgement of youth and not achievement in the past, as it had previously. Young artists were profoundly moved by this acknowledgement of youth and fresh new directions. To others, the prize (this one and the others granted were, it seemed to me, closer to the consensus of the international art audience gathered in Venice at the time than any previous awards within recent memory) seemed to mark the revitalization of the Venice Biennale, and the restoration of its prestige as an accurate mirror of present conditions.

There were, of course, others who were displeased with the result. These included the critics from the popular press, and the members of the art community more committed to the old than to the new. Another intense reaction came from the French critics; it was triggered by a public statement I made to the effect that "it is acknowledged on every hand that New York has replaced Paris as the world art capital." Although this is a generally understood fact, the remark upset the French in the context of the critical and official indifference to their own pavilion. After the biennale, the Paris press was full of indignation, hysteria, and later, soul searching about the situation in French art. To me the high point of this hysteria was the allegation in the newspaper Arts that the Americans and the Communists had conspired together against the French. Quite without our intending it, the American exhibition had the effect of making dramatically apparent the end (temporarily at least) of 150 years of French dominance of art.

In the Italian and other European press there was an extraordinary response to the American show, and it received about 90 percent of the biennale press coverage (the biennale officials good naturedly objected about this to me). There were extensive color spreads in five or six major magazines, and hundreds of columns of text and pictures in the papers.

For the most part, the exhibition, while it generated all this excitement, was misunderstood by the press, which described the biennale as a takeover of Europe by American pop art, despite the fact that neither I nor any of the artists participating consider their work to be pop art (I had made a point of this in the selection of the exhibition). This kind of reaction is understandable and predictable, since new developments in art have experienced similar problems for the past 150 years, because it takes time for the public to understand the unfamiliar new objectives of artists.

Since our exhibition was arranged to show the major new indigenous tendencies, the peculiarly American spirit of the art is wholly unfamiliar to the European audience, and it therefore requires exposure to completely new experiences and modes of understanding, toward which I feel we took an important step on this occasion. The intense press response and the public reaction of bewilderment bring to mind what happened in America just 50 years ago, when we were shocked out of our provincial isolation by the 1913 armory show in New York, which opened our eyes to the 20th century art of Europe and Paris in particular. I do not feel that it would be immodest to assert that we have done for Europe in the 32d biennale what the armory show did for us.

On the other hand, the response of the informed public, the professional critics and artists was touching and impressive. Many of them sought us out during the preview week and later during the summer to express their astonishment at the vitality and authority of the young Americans. For example, Werner Haftmann, a distinguished German scholar, told me it was the most impressive biennale exhibition he had ever seen. Antonioni, the prizewinning Italian filmmaker, became so enthusiastic that he asked about working with several of our artists, and subsequently invited Oldenburg to design sets for a projected film.

Santomaso, one of the best known of the older Italian painters, who lives in Venice, spent the summer proselytizing among visitors for the new American art, which he feels shows Europe the way out of its present cultural dilemma. Music, a mature painter from Yugoslavia, who was regarded as one of the most important world artists in the fifties, told me that his whole vision as an artist had been altered in 30 seconds when he first saw our exhibition. He had wintered in Paris for 15 years, but his life there no longer interested him; this year he is coming to New York.

The individuals I have mentioned all have some direct experience of the United States, which partly explains their rapport with our art. On the other hand, both in Venice and elsewhere in Europe where I visited during the summer, Paris, London, Holland, I was always approached by young artists who awesomely asked personal questions about our artists, and then intensely pursued their major preoccupation: How to get to New York.

A number of individuals in government played important parts in the project. One employee of USIS in Rome, an Italian named Giordano Falzoni, made invaluable contributions to our success, as sympatheic liaison with the Italians, and as someone with understanding and experience of the American situation. I would like to point out that the energy and resourcefulness of USIS London, which had nothing to do with the exhibition, was most impressive; Francis Mason took advantage of the presence of the exhibition in Europe to arrange an important show in London for one of the artists, Jasper Johns.

One other individual requires special mention, Geoffry Groff-Smith, of USIS Trieste, who was enormously helpful with local arrangements in Venice. Intelligent, dedicated to his job, efficient and reliable, he is a man whose value to us in Italy cannot be overestimated.

Apart from these Government people, I am deeply obliged to the staff of the Jewish Museum, New York, and to Mrs. Alice M. Denney, of Washington, D.C., for her important contributions as assistant director of the American exhibition.

If Government support of the biennale continues, and I earnestly believe it should, since there is no more effective and dramatic way of communicating to the Europeans the level of our artistic activity, the problem of an adequate pavilion must be confronted. I believe it would be a serious error to become involved in an annex again in Venice, as the details of our experience make quite clear.

We need a new pavilion, not simply because it would be desirable to have more space, but also in the interest of our national image, and our concern for cultural matters, since many smaller countries have far more imposing structures. Beyond this, the present space simply cannot serve to do the job properly, considering the trouble and expense involved.

On my own initiative I began exploring the problem of a new pavilion a year ago. I would be happy to communicate the information I have gathered, about local site problems, local regulations, building conditions, etc., to anyone interested in pursuing it. I would like to point out that Philip Johnson, one of America's most celebrated architects, and an ardent advocate of the new American art, has expressed to me his willingness to volunteer his services for the design of a new pavilion under appropriate circumstances.

By the measure of direct political expediency or the measure of popular antagonism toward new developments in the arts it would be easy to discount the importance and the impact of the American exhibition in the 32d Venice Biennale, apart from the important evidence of the Rauschenberg prize and the other less tangible effects I have attempted to define. However, I feel that the exhibition was one of the most important enterprises undertaken on the cultural level by our Government in Europe since the war.

I would like to say most emphatically that I attribute this success not to my own involvement, but to the courage and foresight of Robert Sivard and Lois Bingham of the Exhibits Division of USIA. Setting aside their own personal prejudices, and fully aware of the risks they might run, they understood, with a great deal of comprehension of the present cultural situation, the importance of taking a bold and decisive position. By giving me complete esthetic freedom in the exhibition, they have made possible an affirmation of America's new leadership in world art, the positive ramifications of which will be felt for a long time to come.

ALAN R. SOLOMON,
U.S. Commissioner.

EXECUTIVE SESSION

Mr. MONRONEY. Mr. President, as in executive session, I report, from the Committee on Post Office and Civil Service, the nomination of Lawrence Francis O'Brien to be Postmaster General.

I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Is there objection?

There being no objection, the Senate proceeded to consider executive business.

Mr. MONRONEY. Mr. President, the Committee on Post Office and Civil Service, by unanimous vote of those present and those voting by proxy, this morning voted to recommend the immediate confirmation of the nomination of Lawrence F. O'Brien, of Massachusetts, to be Postmaster General.

Mr. O'Brien is well known to many Members of the Senate. His nomination was approved without any opposition. No witness testified in opposition to it. The committee was unanimous in its decision that the confirmation of the nomination should go forward forthwith.

Mr. O'Brien's dedication and public service and knowledge of public affairs are known to many of us.

POSTMASTER GENERAL

The PRESIDING OFFICER. The nomination will be stated by the clerk.

The legislative clerk read the nomination of Lawrence Francis O'Brien, of Massachusetts, to be Postmaster General.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

Mr. CARLSON. Mr. President, reserving the right to object—and I shall not object—as has been stated by the distinguished chairman of the Committee on Post Office and Civil Service, Mr. O'Brien appeared before the committee, and after hearing and interrogation by members of the committee, his nomination unanimously approved.

As ranking minority member of the committee, I am not only pleased by the nomination, but I am most pleased that the President submitted his nomination.

I have one more thing to mention. I hope the nomination of Mr. Gronouski will be before the Senate for confirmation, in order that the nomination may be cleared without too much of a lapse between the time he was named and action on his nomination.

Mr. MANSFIELD. Mr. President, I wish to join the chairman of the committee and the ranking minority member of the committee. There is not much I can add, except to say that in my opinion Larry O'Brien, is a worthy successor to Benjamin Franklin.

Mr. DOMINICK. Mr. President, reserving the right to object, and I shall not object, I have known Mr. O'Brien since he has been serving in the White House. He is a very fine person.

I would commend to him that he do something about the postal service in the country. Just the other day I sent a small tape airmail special delivery from Washington to my State. It left on Thursday and finally arrived on Sunday afternoon. It could have gone faster by automobile.

I have been informed of letters taking as long as a week to go from Denver, Colo., to Englewood, Colo., which is 12 miles away. We have had a series of problems of this kind. Not only have there been delays, but service is not rendered at all in new subdivisions.

I believe a good deal of administrative assistance and help can be given in this Department, which is the closest form of government to the people.

Mr. MONRONEY. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I join the Senator from Oklahoma and others in expressing my enthusiasm for the appointment of Mr. O'Brien as Postmaster General of the United States.

I have worked with him, as have many other Senators, in many ways over the years.

Mr. O'Brien has performed his duties with dignity for the people of the country.

I believe it is an excellent nomination and I enthusiastically support it.

Mr. MONRONEY. I thank the Senator from Oregon.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Utah.

Mr. MOSS. I join the Senator from Oklahoma in expressing my support and my pleasure on the appointment of Lawrence O'Brien to be Postmaster General.

Not only has he shown himself to be a man of devotion and skill in the legislative field, but he has a rare quality for administration. I am sure he will be of great benefit in the Post Office Department, which is one of the keystone departments of the Government with its vast number of employees and responsibility placed on the postal service.

The appointment of Mr. O'Brien represents one of the finest appointments made by the President, and I give it my support.

Mr. MONRONEY. I thank the Senator.

Mr. President, I ask for an immediate vote on the nomination.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Without objection, the Senate will return to legislative session.

The Senator from Colorado [Mr. DOMINICK] is recognized.

DIMINISHING GOLD RESERVES

Mr. DOMINICK. Mr. President, in February of this year the Senate considered, in an extended debate, the problem of our diminishing gold reserves. It was my contention at that time, and is still my contention, that an adequate gold reserve behind the dollar is necessary in order to assure the stability of our dollar. I, along with several of my colleagues, argued that to diminish the gold reserve behind our currency is an obvious first step toward a managed monetary system which must ultimately lead to a crippling inflationary trend.

A related problem is our seemingly perennial inability to balance the Federal budget. We are in an era where the concept of a balanced budget is passe; an era where big government spending, which staggers the imagination, is in vogue. The value of our dollar has greatly suffered through our unwillingness to face fiscal responsibility by balancing our Federal budget.

The consequences of our continued deficit spending and related diminishing gold reserves are brought into focus in an excellent article by Felix Morley entitled "Nobody Can Pay Bills With Bottle Caps," which appeared in the July issue of Nation's Business. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Nation's Business, July 1965]

NOBODY CAN PAY BILLS WITH BOTTLE CAPS

(By Felix Morley)

With the close of the fiscal year on June 30, the Federal Government recorded its fifth straight year of deficit financing.

Much is made of the fact that we went in the hole less deeply than was anticipated when the budget for fiscal 1965 was drafted. But this pleasant circumstance is overshadowed by the general acceptance of ever-mounting debt as something normal and officially unperturbing even during a stretch of unprecedented prosperity.

Of the 20 years since the close of World War II only 6 have seen us in the black and that mostly by relatively small amounts. Another heavy deficit is anticipated for the fiscal year now opening. It will further inflate a national debt which is already over $316 billion. So Congress has been instructed by the Treasury to raise again the highly elastic debt ceiling. This is now only a reminder that the American people once really held the power of the purse.

No private business with a similar financial record could expect to survive, let alone pay dividends to its stockholders. But Washington poses as an exception to the rule of covering expenditures with receipts. For all its monstrous debt, which will take $11.5 billion in interest alone during fiscal 1966, wholly unearned dividends, in the form of countless subsidies, are constantly increased.

To the uninformed it must seem as though Uncle Sam had rediscovered the secret of fabulous King Midas, to whom the gods temporarily gave the gift of turning everything he touched to gold. Yet there is actually no mystery about the ability of modern governments, whether of Soviet Russia, the United States, or hybrid socialisms in between, to spend continuously more than they take in.

It is not done with mirrors but by a device essentially similar to the trick of the emperors in the time of Rome's decadence, when they clipped the coinage in order to provide the popular circuses which the Senate refused to sanction. The managed currencies which are the space-age form of coin clipping have all been more or less legalized. The result, however, in the form of consequent depreciation in the value of money, is much the same.

One might even surmise that the managed currency racket, for a racket it essentially is, traces back to the Midas myth. At a time when gold was the universal measure of value, some imaginative Greek dreamed of a ruler who could create purchasing power at will. Now we achieve the same end by putting the fable in reverse. Rulers dispense with gold by telling their subjects that pieces of paper nicely engraved and printed, are all that we need for money.

Thus the $10 Federal Reserve note states on its face that the United States of America "will pay to the bearer on demand ten dollars." Try to secure this redemption, and probably you will receive a duplicate note, perhaps a little cleaner but otherwise identical. Conceivably two $5 bills might be substituted.

Alongside this hocus-pocus the fable of King Midas seems quite contemporary, not less so for the snapper with which it ends. Because his food turned to inedible metal as it reached his lips, the monarch starved. In other words, there is no way in which real value can be created by governmental fiat. The moral is one on which the Keynesian economists might profitably brood.

Since the United States turned to irredeemable currency in 1933, the paper dollar has lost so much of its value that an annual income of $12,000 is now needed to equal the purchasing power of one of $4,000 then. This is coin clipping as extreme as anything practiced in ancient times. Nevertheless, those who have been able to up their incomes in proportion have not been injured. Some less appreciated results of managed currencies are more universally damaging. A loss affecting every citizen is that power of the purse which our forefathers strove so valiantly to achive. Subordination of the monarch to elected representatives of the people, in determining the amount and direction of governmental expenditure, was one of the great landmarks on the road to freedom. It is embodied in our Constitution by the provision that: "No money shall be drawn from the Treasury, but in consequence of appropriations made by law."

While technically observed, this prohibition actually became a dead letter when the dollar ceased to be redeemable. That now discarded safeguard provided an almost automatic check on governmental extravagance. The mere possibility of redemption meant that money would not be created, whether by printing press or in the more refined form of monetized debt, beyond the limitation of the gold reserve and the anticipated demands for redemption.

The clever but fundamentally immoral device of irredeemable currency has changed all this. It has again placed the power of the purse in the hands of nonelected officials, just as it was when the *Mayflower* sailed. There is certainly irony in the effort to guarantee votes for everybody, after the vote has become worthless as a control over any form of Federal extravagance.

It cannot be said that any Communist genius planned the substitution of irredeemable currency with the clear purpose of making centralized dictatorship easy. During the lifetime of Karl Marx, indeed, all the more important nations adhered scrupulously to the gold standard, the more so for the record of disaster that in the long run has always ruined countries that failed to protect the value of their money.

But Lenin publicly welcomed the change when the staggering costs of the first World War undermined the gold standard in all of Europe, Russia included. And there was further Communist approval in 1933 when President Roosevelt "made the manipulation of the value of the currency an open and admitted instrument of public policy." The quotation is attributed to Secretary of the Treasury Morgenthau, in his famous "Diaries."

There are, of course, many effective criticisms that can be made of the old gold standard, though it is noteworthy that most of them have been thought up since redeemable currencies were abandoned. Undeniably, however, the age of modern dictatorships began when this great change was made.

This is no mere coincidence, even though the connection is concealed by the well advertised social purposes to which the usurped power of the purse is put. From Moscow to Washington, traveling either east or west, it is argued in almost every capital that the great virtue of unlimited government is its alleged ability to improve the lot of the people. Undoubtedly this official claim is often sincerely made. But it is disconcerting to see both "slave" and "free" worlds in such complete agreement on the importance of irredeemable managed currencies for the creation of great societies.

Indeed there is now only one outstanding chief of state who argues without equivocation that civilization would be in better shape if the great trading nations would restore the time-tested gold standard, which perhaps shoud be done in concert if it is done at all. President de Gaulle of France is often accused of having dictatorial leanings. But the charge is blunted by his demonstrated willingness to subject the spending of his government to wholly nonpolitical controls. That is the practice of democracy, as contrasted with mere lipservice.

The manipulated currency systems of the principal trading nations have now been coordinated and fairly well stabilized by a whole network of intricate intergovernmental arrangements. One serious difficulty, however, remains essentially unsolved and, for our own country, is perceptibly moving toward crisis proportions.

It is not difficult for a powerful government to declare anything legal tender in the territory which it controls. Instead of irredeemable paper it could decree the use of bottle caps, as was suggested in a science fiction story not long since. All that is needed is complete governmental control of what passes for money.

The hitch comes when traders under another sovereignty are asked to accept dubious payment for the goods they sell abroad. Compensation in international transactions must be acceptable to the seller, or he will simply decline to sell. The bottle cap currency worked, in a very readable story, only because it was used in a community having no contact with the outside world.

In the last analysis gold remains, as it has always been, the one enduringly acceptable form of settlement for international balances. Appreciation of this forced the United States to continue to redeem paper dollars in gold when demanded by foreign central banks, even though identical dollars became irredeemable when held by American citizens at home.

With our continuous deficit financing now seemingly settled policy, foreign doubts as to the future worth of the dollar have naturally increased. They are reflected in the persistent drain on what has now become a very emaciated gold reserve. It is a highly unwelcome situation, which half measures may not suffice to meet. And those who regret the passing of the old gold standard are entitled to draw the obvious moral:

Gold still stands up, when faith in irredeemable paper currency grows as thin as the paper on which government can so easily stamp arbitrary values for domestic purposes.

AUTHORIZATION OF APPROPRIATIONS FOR SUPPORT OF THE GORGAS MEMORIAL LABORATORY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory, which was, on page 1, line 9, strike out "$500,000" and insert "not to exceed $500,000".

Mr. HILL. Mr. President, the Senate provided an authorization of appropriation of $500,000. The amendment of the House of Representatives simply provides an authorization of appropriation not to exceed $500,000. There may be a distinction but there is no difference.

I move that the Senate concur in the House amendment.

The motion was agreed to.

ESTABLISHMENT OF A DEPARTMENT OF NATURAL RESOURCES

Mr. MOSS. Mr. President, the proposal I introduced last month to bring all of our natural resource activities into one department under one head has been the subject of a great deal of comment. I am pleased that it is stimulating debate and thought, because that was my principal purpose in introducing it. It will take time to reach a meeting of minds on this important undertaking.

One of the more interesting analyses of my bill I have seen appeared in the Deseret News, a distinguished afternoon newspaper published in Salt Lake City, Utah. I ask unanimous consent that the editorial entitled "Make Our Resources Count," be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Deseret News, Aug. 25, 1965]

MAKE OUR RESOURCES COUNT

Meeting the long-range needs of America, as population pressures push ever harder against available resources, is one of America's greatest challenges. So there is much to say for Senator FRANK MOSS' proposal to bring all Federal agencies dealing with natural resources under the same roof.

Senator Moss would create a national Department of Natural Resources. Basically, this would absorb the present Department of Interior—but would also include a number of resource-related agencies and exclude a number of present Interior functions that don't belong in that category.

For instance, it would transfer the Bureau of Indian Affairs to the Department of Health, Education, and Welfare; the Office of Territories to the same agency, and the Alaska Railroad to the Department of Commerce.

But it would bring under the Department of Natural Resources such agencies as the Tennessee Valley Authority, the Federal Power Commission, the civil function of the Corps of Engineers, and present functions of HEW in water pollution control.

Most significantly, it would transfer the U.S. Forest Service from the Department of Agriculture to the Department of Natural Resources.

There would, of course, be a Secretary and Deputy Secretary in charge of the department. There would also be an Under Secretary for Water and Power and one for Lands and Forests.

Below this level one assistant secretary would handle water, another power. One assistant secretary would handle affairs of the Forest Service and Bureau of Land Management; another would handle the National Park Service, Fish and Wildlife, and Bureau of Outdoor Recreation; a third the Bureau of Mines, Geological Survey, and other agencies dealing with minerals and fuels.

On paper, this seems to be a clean, clear division of responsibility. It could go far toward eliminating rivalry and confusion that have jeopardized efforts in reclamation and power development. It could eliminate much of the friction and rivalry between the Forest Service and Park Service.

On paper, all this would seem to be accomplished without further proliferating of Federal agencies or of Federal redtape.

But most careful study is needed to be sure that in seeking these goals other great values are not lost.

For example, the Forest Service has done a tremendous job of conservation, watershed protection, and recreation development in these Western States. Nothing should be allowed to make its work less effective.

Care should be taken that the stimulus of competition is not replaced by bureaucracy so monolithic that it is hard to move and unresponsive to needs of the public.

But what Senator Moss and others are proposing is certainly worth careful and critical study. The task of wise management of our natural resources for the long-range future is one of the most important we face as a nation. We must be certain it is being done in the most efficient possible manner.

Mr. MOSS. Mr. President, I was well aware that such a proposal was controversial in the extreme, and that although it had been considered and reconsidered many times, no one had ever had the temerity before to actually reduce it to legislative terms and introduce it.

Since I introduced this measure, many individuals and groups have approached me to tell me of extensive studies they have made in this field in the past, and of proposals they have drawn up.

One of the most comprehensive plans which has come to my attention was published in the Natural Resources Journal of the University of New Mexico School of Law in November 1961. Evidently, because of fear of stepping on bureaucratic toes, the author chose to remain anonymous, and identified himself only as "Mr. Z." There is nothing mysterious, however, about his proposal, or of the value of his recommendations in the field.

Two other position papers on the reorganization of the water resource development activities of the Federal Government have also come my way. The department or agency from which they came shall be nameless, but the papers both move in the same direction as the bill I have introduced.

Mr. President, I ask unanimous consent that these three proposals be placed in the CONGRESSIONAL RECORD as background and discussion material for the bill I have introduced.

There being no objection, the proposals were ordered to be printed in the RECORD, as follows:

THE CASE FOR A DEPARTMENT OF NATURAL RESOURCES

(NOTE.—The following article is offered to stimulate discussion of a controversial subject, and does not necessarily represent the views of the Journal or its councils. To guarantee that attention will be focused on the issues, and not on personalities, the author prefers to remain anonymous.)

MISTER Z

Our growing population, our industrial demands for raw materials and our commitments abroad all put pressure on our natural resource base. Our ability to maintain the productive capacity of our soils, forests, water, mineral, and energy sources is in question. Yet U.S. public policy toward natural resources is developed and administered by a complex, confusing, and conflicting array of agencies, offices, and departments. Large amounts of money, talent, ideas, and ability are directed toward protecting the national interest in developing and conserving our resources. The concrete results of all this effort have been few. An important obstacle to forward planning is the lack of unifying coordination. A symphony orchestra composed of outstanding musicians each dedicated to producing beautiful music will produce only discordant noise in the absence of a conductor. This analogy applies perfectly to current natural resource policy in the United States.

I. THE PROBLEM

Present divisions and duplications of authority restrict true comprehensive development. They pit agency against agency in jurisdictional disputes and in contention for executive and legislative approval. Consider some random examples. There is a running battle between the Forest Service (Department of Agriculture) and the Park Service (Department of the Interior) over the role of recreation on public lands. The Forest Service advocates the multiple-use of forests with recreation just one of many commodities produced. The Park Service argues that such management destroys many of the values of recreation. The result is that much of the administrative energy needed to develop recreational facilities is dissipated in internecine strife. The classic example of the wastes of duplication is in the water resources development field. Four Departments are involved: Interior; Defense (Army Corps of Engineers); Health, Education, and Welfare; and Agriculture. Each Department uses different methods of computing expected costs and benefits from projects; each Department stresses different aspects of water development; each Department views the others' activities with a suspicion that borders on the paranoid.

This list of conflicts could be extended indefinitely. The Soil Conservation Service (Agriculture) is promoting the draining of wetlands in the northern midwest while the Fish and Wildlife Service (Interior) is trying to maintain wetlands for waterfowl. The Corps of Engineers is advocating the development of the Potomac River in conflict with the plans of the Park Service for a national park in the area. Undoubtedly the reader can add many more examples to this dreary account of intramural feuds.

The good will and devotion of the agencies concerned is not to be questioned. There are no heroes or villains in this story. The major troubles with present resource policies stem from the administrative organization of Federal activities.

The form in which resource conservation and development planning takes place affects the substance of the programs. Irrevocable decisions are made on major natural resource matters within the framework of laws which restrict the developing agency to certain purposes, on the basis of agency traditions, and on the basis of artificially generated political support. Rarely, if ever, are these decisions based on informed judgment about overall national needs and goals. The result is that present public policy toward resources is indefensible if evaluated by economic, political, or social criteria.

The present situation can be summarized in 10 propositions. They are:

1. In nature, the resources of soil, water, forests, wildlife, and minerals are all a closely interrelated whole. Conservation practices designed for their protection, management, and development are similarly related; e.g., water and watershed management, forestry, soil conservation and wildlife, recreational uses of national parks and national forests, mineral development as well as reclamation water developments, flood control, and pollution abatement.

As an illustration, consider a national forest. It will usually be the case that in addition to timber, the forest will provide protection for municipal water supplies. The forest will also be an important factor in any program of water pollution control. There may be extensive campsites, picnic areas, and perhaps wilderness trails. Wildlife management will be practiced. A program of soil conservation will likely be undertaken. This latter program will affect downstream navigation, power production, and flood control. Mineral exploration and production may take place on the forest. All of these uses of the forest are interrelated parts of the forest management. Many of these may take place simultaneously on the same land area. Each of them is related to the programs of some other agency in a different department. Despite administrative divisions, resource management cannot be separated.

2. Natural resource programs of the Federal Government are dispersed and scattered among separate departments and agencies, although primarily concentrated in Interior. Consider the following list:

Interior

Bureau of Land Management, National Park Service, Geological Survey, Bureau of Mines, Bureau of Reclamation, Bureau of Indian Affairs, Bureau of Sport Fisheries and Wildlife, Bureau of Commercial Fisheries, Bonneville Power Administration, Southwestern Power Administration, Southeastern Power Administration.

Agriculture

Forest Service, Soil Conservation Service, Agricultural conservation program, Rural Electrification Administration.

Defense (Army)

Corps of Engineers (water development and flood control).

Health, Education, and Welfare

Water supply and pollution control.

Federal Power Commission

Staff develops positions on pending applications, and also provides statistics and economics surveillance—concerning both gas and electric power.

In addition, a number of independent offices or commissions have, or have had, a role in policy formation and management. Examples are: Outdoor Recreation Resources Review Commission, President's Materials Policy Commission, the President's Water Resources Review Commission, and the Tennessee Valley Authority.

3. The scattering of program responsibility among departments has resulted in a welter of confusion and cross-purposes. This applies both to the development of consistent legislative policy and to program administration. This is especially important at the local level. This situation is spectacularly inefficient and actually dangerous to the public interest in our divided water programs. The present responsibilities of the Federal Government put great strains on the budget. Yet competition among agencies "to get business" contributes to inefficient water resource development and waste of public funds. Water resource development, instead of taking place within a framework of consideration of national objectives and resources, takes place as a result of "logrolling" and "pork-barrel" politics. This is tragic when one considers the expanding demands for water-derived products as well as for all other natural resources.

4. Many conflicts arise because of the special interests of the various agencies. A typical situation in water resource development would find the Corps of Engineers (Defense) concerned with river basin planning and flood control; Soil Conservation Service (Agriculture) concerned with watersheds; Bureau of Sport Fisheries and Wildlife (Interior) concerned with fish habitat and recreation.

Attempts to resolve these conflicts have been made. One popular device has been the establishment of interagency coordinating committees in Washington and on local levels. Nevertheless, lacking any central authority short of the President, the member Bureau and Department representatives on these permissive committees are unable to resolve basic conflicts of interest. Line-operating authority disputes cannot be reconciled by discussion.

This proposition holds even when the coordinating committee is composed of Cabinet-level officials. Even here, integration requires Presidential directives for each and every issue which arises.

5. For many years efforts have been made to reorganize Federal resource development and conservation responsibilities. Secretary Harold Ickes in 1938 desired to change Interior into a Department of Conservation. In 1949 some of the task forces of the first Hoover Commission suggested a Department of Natural Resources,[1] the establishment of which President Truman tried to obtain up until 1951. In his last budget message, President Eisenhower suggested that the Army Corps of Engineers' water functions be transferred to interior.[2]

President Kennedy's explanation of his decision to offer a special message of natural resources revealed his concern with the problem of coordination. He said: "This statement is designed to bring together in one message the widely scattered resource policies of the Federal Government. In the past, these policies have overlapped and often conflicted. Funds were wasted on competing efforts. Widely differing standards were applied to measure the Federal contribution to similar projects. Funds and attention devoted to annual appropriations or immediate pressures diverted energies away from long-range planning for national economic growth. Fees and user charges wholly inconsistent with each other, with value received and with public policy have been imposed at some Federal developments." [3]

The President pledged action in his special message to redefine resource responsibilities within the Executive Office, strengthen the Council of Economic Advisers for this purpose, and establish a Presidential Advisory Committee on Natural Resources under the Council of Economic Advisers.

6. Present divisions have no logical justification. With respect to the land resource agencies now in the Department of Agriculture, the Forest Service and the Soil Conservation Service, the supposed justification for the former agency is that "trees are crops," and for the latter that farmlands suffer the most from erosion. Neither claim has validity in fact.

Most Forest Service activity is centered on the management of 180 million acres of public lands, the national forests; that which is directed toward private forestry assistance is kept completely separate from all regular farm crop programs and is not even integrated with soil conservation plans on the same ownership. At least half of the private forest lands on which assistance is given are held by nonfarm landowners. Even the Forest Service research function is separate from the Agricultural Research Service.

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[1] Hoover Commission—Report on Organization of the Executive Branch of the Government, 267 (1949).

[2] H.R. Doc. No. 255, 86th Congress, 2d session (1960).

[3] Address on natural resources, New York Times, February 24, 1961, p. 12, col. 1.

The Soil Conservation Service program is also unrelated to other Agriculture Department efforts. It is concerned with practices for the protection of the basic soil resource, regardless of ownership. It is not integrated with other farm programs concerned primarily with production, marketing, price, and supply regulation. Some of the most serious erosion problems are connected with new highways and suburban developments and have no relationship to farmland.

The Soil Conservation Service program conflicts at many points with programs of the Interior Department, particularly those concerned with fish and wildlife and with reclamation. The conflict over draining of the northern Midwest wetlands has already been mentioned. Conciliation of competing soil and water programs is far away.

The division of water agencies among four Departments (Agriculture with SCS and small watershed programs; Interior with Reclamation, Saline Water, Geological Survey, etc.; Defense with Army Corps of Engineers; and HEW with pollution control and water supply programs) has reached the proportions of a national crisis. No real justification has ever been offered for a continuation of the present situation except that it is "politically impossible" to remedy. The rapidly developing water problem is forcing the issue to the point where continued inaction will result in embarrassment to the administration.

7. Lacking any central responsibility at the Cabinet level for resources policy and management, the Bureau of the Budget is forced into the role of coordinator and arbiter between the various agencies. Probably in no other area of Federal responsibility does the Budget Bureau exercise so strong an influence and leverage over programing.

The present role of the Budget Bureau exceeds its normal responsibilities. Given the present structure of Federal natural resource activities, it has been the only agency which has any interest in, or capability for, developing a truly national resource program. This is particularly important for the development of new programs. New needs require new activities. The evaluation of goals and means to meet these goals require specialized attention and expertise that cannot be provided by fiscal specialists in the Bureau of the Budget.

8. Natural resource agency appropriations are developed as a group by the Bureau of the Budget and (since 1954) the House and Senate Appropriations Subcommittees, regardless of the fact that functional agencies are scattered among many Departments. The legislative committees in the Congress continue to divide responsibilities along older but less consistent lines.

9. Federal organization of resource activities is in sharp contrast to the organization of those States with the most successful conservation programs. These States, e.g., Michigan, New York, Wisconsin and Minnesota, have single departments which embrace all phases of resource management under central direction.

10. Federal organization of resource activities is also in sharp contrast to the organization of other major Federal programs. Every other sector of Federal responsibility, e.g., labor, agriculture, health, foreign affairs, is assigned to a single governmental department, which is publicly understood to have central responsibility. Unified centers of authority give citizens a sense of involvement in public activity and a concern for the results.

II. WHAT IS NEEDED

Some order must be made out of the present chaos of resource policy. A centralized responsibility under a Department of Natural Resources is a necessity. This is not the only possible change in present organization, but other suggested solutions do not hold much promise.

The most popular alternative suggestion is to create coordinating and advisory committees. The Congress recognizes the need for developing policy and programs related to national needs rather than to the traditions and prejudices of competing agencies. A distinguished group of Democratic Senators in both the 86th and 87th Congresses have sponsored legislation to establish a Council of Resource and Conservation Advisers in the Executive Office of the President in order to coordinate resource conservation on the basis of national goals.[4]

This change would go only part of the way toward providing the necessary coordination. The past history of trying to obtain unity through committees and advisory groups illustrates the futility of expecting much from these proposals. At present, only if the President himself operates as his own Secretary of Natural Resources (to the near exclusion of many other important matters) can the problem of divided authority be resolved. Adding more councils and advisory agencies will merely provide more organizations to coordinate—regardless of the value of the specific contributions the new organizations could make. Present problems cannot be solved by grafting still more decisionmaking or policy-advising units onto the present structure. We need fewer and more responsible centers of authority. Measures such as interagency committees, Cabinet-level coordinating committees, and other forms of direction through consensus have resulted, and will continue to result, in divided responsibility and failure to face up to the need to center authority. The basic problem will remain unremedied and more time, effort, and money will be wasted on efforts to coordinate programs rather than being devoted to the development and execution of programs.

At this juncture of American history it is imperative that our resource management programs be accelerated to provide for the increased productivity needed by an expanding population. A broad resource program involving the application of specialized techniques and investments of billions of dollars can be carried out only by a well-designed and coordinated Federal organization. It is clear that the present clumsy operation of the Government in the natural resources field will not only result in wasteful duplication, but fail to meet the goals set forth. Public disillusion will be inevitable. Nor are the alternatives thus far discussed adequate. A Department of Natural Resources is vital if the Federal Government is to meet its responsibilities for the conservation and development of natural resources.

Because of the present concentration of resource activities in the Department of the Interior, the easiest way to obtain a Department of Natural Resources would be to transfer other resource agencies to Interior. The major obstacle in the past to such a transfer has been the organized special interest clientele of the agencies involved. These groups fear that their relationships to the Government would be affected.

The most adamant group blocking the way to reorganization of Federal water functions is the Rivers and Harbors Conference, backed by water development contractors who strongly support certain congressional relations of the Army Corps of Engineers. This, however, is only one example of a general condition. Many other agencies have special interest clientele groups which do not want their interests disturbed. Few agencies or clientele groups have a direct interest in the improved efficiency which could result from a reorganization.

On the other hand, public citizens' organizations such as the wildlife, park, forestry, and similar groups, the League of Women Voters, organized labor, and the several farm organizations are strong backers of an integrated resource program and would probably support unification through reorganization. Business groups sincerely interested in government efficiency would find resistance difficult. Efforts of these groups could be organized to offset the pressures resisting change. The support of these citizens' organizations will be essential.

The time to take this action is during the first year or so of the President's new term before resistances and pressure group policies harden. The President can evoke great public support for this move if he will go directly to the people for support. The present crisis in foreign affairs provides a further reason for taking civil water programs from the Department of Defense.

It is of central importance that a distinction be made between Federal programs for protection, management, and development of basic land, water, and mineral resources, including primary extraction (except agricultural crops) and those which deal with product processing, economics, etc. It is the first phase with which a Department of Natural Resources would be primarily concerned.

On the other hand, resource programs which affect privately owned resources and those which affect publicly owned resources should be combined in one department. For example, direct investment and management, as in the national forests, should be combined with programs designed to aid private owners, such as technical assistance, cost sharing, etc., for private forest owners. While there are distinct differences between programs for publicly owned resources and those applied to privately owned resources, the techniques and practices followed are so similar in application as to more easily lend themselves to central direction than to split authority. Further, the goals and objectives of the public and private programs are so intertwined that the programs should not be separated administratively.

III. HOW IT SHOULD BE DONE

How should reorganization of the Federal natural resource agencies take place? Three possible choices present themselves for centralizing natural resources responsibilities:

1. Minimum: Minimum transfer of principal resource agencies and programs now in other departments to the Department of the Interior with the exception of the construction functions of the Army Corps of Engineers. (The planning and water research functions would, however, be transferred to a water development bureau in the Interior.)

This approach would be simply a recognition of the political power of the Corps of Engineers and a means of avoiding their bare-knuckled pressures. It would leave unresolved the problem of coordination of water management and development programs. Although the planning function would be transferred, the corps would soon find a way to revive this power. In any case the division of responsibilities between the two departments would continue to result in waste and friction, and inhibit realistic programing in this vital field.

2. Coordinating committees: Another possibility is to have a Council of Resource Advisers and a River Basin Coordinating Council. These are attempts to obtain unification through compromise by establishing another "coordinating" layer between the President and his executive action agencies. Presumably, planning, research, and reconciliation of conflicts would be assigned to river basin groups. The resource advisers would be similar to the Council of Economic Advisers in makeup and duty and therefore largely advisory and without live authority.

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[4] S. 2549, 86th Cong., 1st sess. (1959); S. 239, 87th Cong., 1st sess. (1960); S. 1415, 87th Cong., 1st sess. (1961).

Efforts to coordinate through committees have failed in the past because there has been no central Cabinet responsibility for program development and execution. The greatest good will is no substitute for authority and responsibility in one Cabinet officer. This is particularly important in the formulation of new programs.

3. Complete: A complete reorganization would require transfer by Executive order of all resource agencies from other departments to Interior, including the Army Corps of Engineers, and a request to the Congress to create a Department of Natural Resources.[5]

The cleanest and most effective procedure would be to transfer all resource functions to Interior and then to concentrate all efforts to gain congressional acceptance. Offsetting the pressure groups opposed to this transfer will be several hundreds of conservation and other organizations which will support complete reorganization. This will take generalship, strategy, and an effective information effort during the 60-day period of grace during which Congress may deny the President's action.[6]

The attached organization chart sets forth the "model" of organization of the new Department of Natural Resources.[7]

The Reorganization Act of 1949[8] gives the President power to transfer outside agencies to Interior by Executive order. Legislative authority would be needed to change the name of Interior to Department of Natural Resources.

The organization of resource activities resulting from these proposed changes would centralize all responsibility for development and management of natural resource programs (except for the TVA) in a Secretary of Natural Resources. The Secretary would have an Under Secretary and staff assistants for program coordination, public affairs, and so forth. There would also be an advisory board on natural resource policy with the Secretary as chairman. Regional or river basin planning committees in the field would report directly to the advisory board.

Resource activities would be divided into six groups, each supervised by an Assistant Secretary. This grouping would be basically along resource lines; minerals, electric power, water, parks and wildlife, land, and Indian affairs. Bureau responsibilities and organization also would be redefined with the objective of eliminating duplication of effort.

Primary responsibility for program development and management would remain, as at present, with the various bureaus. However, there would be two, and only two, coordinating levels below the President's level. These would be at the Assistant Secretaries' level and at the Secretary's level.

An organization such as this one would not automatically solve all natural resource policy problems. It would, nevertheless, simplify authority and focus responsibility. It would provide the possibility—now lacking—to develop consistent and coherent resource policies and programs. In the absence of such a change, we can expect nothing better than the present inconsistency, confusion, and deadlock. Change is never easy, but considering the challenge to public policy presented by our future needs for natural resources it is essential. The time is past due for acceptance by the Federal Government of its responsibility to provide clear and decisive leadership in the conservation and development of natural resources. The first and most vital step is to organize a Department of Natural Resources.

A Basic Reorganization for Both Efficiency and Improved Resources Conservation: Consolidation of Agricultural, Natural Resource and Rural Program Agencies

NEED

World War II showed up the great inefficiency of two defense agencies—War and Navy, and was followed by a practical consolidation into a Department of Defense. Today our mounting population with rapidly increasing requirements for natural resources—timber, water, power, minerals, open space and recreation—forces reconsideration of the very scattered and inefficient Federal organization of natural resource agencies. The initial thrust for greater inefficiency in Government under the Johnson administration provides the first opportunity for long overdue reorganization in this generation to accomplish in natural resources what has already been accomplished in Defense.

BACKGROUND OF THE PROBLEM

The first Hoover Commission 14 years ago called for a Department of Natural Resources (Acheson-Pollock-Rowe Task Force) which would combine into Interior (and reestablish it as a Department of Natural Resources) the fragmented resource agencies in other Departments—water, forests, soil conservation, etc. Lacking a single Cabinet Secretary responsible for conservation programs has resulted in fragmentation of effort, lack of central policy direction, bureaucratic competition when coordination is needed, and an inability to obtain clear public understanding and support for programs where the public interest is paramount. Much costly duplication exists which cannot be eliminated under existing organizations.

Under present conditions we have four separate Departments (Interior, Agriculture, Health, Education, and Welfare, and Army, plus Housing and Home Finance Agency)—one with central, and the rest with peripheral resource responsibilities. The public interest in resource decisions is often submerged to that of private interest commodity groups which tend to dominate individual bureaus scattered in a number of agencies.

The proposed consolidation never took place because the combined pressures of the Corps of Army Engineers and the Forest Service of USDA were too strong for President Truman. Neither Eisenhower nor Kennedy attempted reorganization in this area.

TWO RURAL DEPARTMENTS BUT NO DEPARTMENT OF URBAN AFFAIRS

The need for consolidation of natural resource conservation agencies is greater than ever, but a new approach is required. Realinement of existing agencies along Hoover task force lines may be as difficult as ever, but combining of Interior and Agriculture into a Department of Agriculture and Natural Resources is well within political reality. Substantial efficiencies can be accomplished and much greater coordination attained.

The political climate is as favorable to this move now as the consolidation of War and Navy into Defense was in 1946. Support from the conservation movement and the economy bloc would be anticipated. Resistance from the corps would not be expected since it will not be included. The Forest Service would be strengthened, and hence not resist. By consolidating the two rural affairs departments, room could be made for a new Urban Affairs Department. Substantial support should be derived from labor, urban, and other groups seeking a Department of Urban Affairs.

A DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES

There are so many overlapping, intermingled, and conflicting relationships between the USDA and Interior that several years of persistent effort at untangling and reformulation will be required once the overall consolidation is accomplished. However, the initial procedure is basically simple. A Department of Agriculture and Natural Resources would have an overall Secretary and Secretaries for each of the two major categories. These would be as shown on the following chart:

Organization chart—Department of Agriculture and Natural Resources

Secretary.

Secretary for Natural Resources: Department of Interior agencies plus Forest Service, Soil Conservation Service, Rural Electrical, HEW—water and air pollution, HHFA—open space program

Secretary for Agriculture: Department of Agriculture agencies; marketing, credit, economics, crop reporting, extension, regulations, etc.

SUGGESTED ACTION

In his forthcoming message on natural resources the President could indicate that he is appointing a special Conservation Task Force to study organization of Federal resource agencies. Qualified members might be James Rowe, Abe Fortas, former Interior Under Secretary, Dean Acheson, Samuel T. Dana and Horace Albright, most of whom served on the original Hoover Commission Task Force on Natural Resources. Report of such a commission could be set for January 1965.

CAUTION

Immediate opposition will come from key personnel in the Bureau of the Budget whose power derives from division of agencies, timid "realists" afraid of old ghosts and some self-appointed political experts who don't feel it on important issues.

AREAS OF OVERLAP AND CONFLICT IN NEED OF COORDINATION

Reclamation versus agricultural policy.

USDA watershed projects: BLM, reclamation and Indians.

Forest Service versus Interior—BLM on land administration; fire protection; insect control; land exchange.

Soil Conservation Service/BLM: Intermingled private and public lands.

Forest Service: Park Service.

Forest Service Research: Fish and Wildlife Service.

Soil Conservation Service versus Bureau of Outdoor Recreation.

Position Paper—Subject: Reorganization of Federal Natural Resource Agencies

Background: The President's several directives to attain greater efficiency in the use of manpower is running into major roadblocks in the numerous, scattered, uncoordinated natural resource agencies. Duplication, conflicts in policy and procedure, and lack of central cabinet responsibility make further improvement impossible until structural changes are made. Past and current efforts to obtain coordination through recreation, water, pesticide, and other committees ad infinitum has and will continue to be ineffective in reconciling differences among agencies. Because of the scatteration, these agencies are more dominated by pressure groups and congressional committees than they are managed and controlled by the White House. If Presidential and Cabinet Office direction is to be effective, the public interest served, and public support obtained, a structural revision in organization of national resource agencies is essential to meet the mounting demands to be placed upon them in the decades ahead.

Previous proposals: The first Hoover Commission 14 years ago called for a Department of Natural Resources (Acheson-Pollock-Rows task force) which would combine into Interior (and reestablish it as a Department of Natural Resources) the scattered resource agencies in other Departments—open space, power, water development, forests, soil conservation, etc. Lacking a single Cabinet Secretary responsible for conservation programs has resulted in fragmentation of effort, lack of central policy direction, bureaucratic competition when coordination is needed, and an inability to obtain clear public understanding and support for programs where the public interest is paramount.

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[5] Reorganization Act of 1949, 1 U.S.C., sec. 133z (1949).

[6] Note 5 supra, sec. 133z-4.

[7] See chart appended.

[8] Note 5 supra.

Under present conditions we have four separate Departments (Interior, Agriculture, Health, Education, and Welfare, and Army, plus Housing and Home Finance Agency)—one with central, and the rest with peripheral resource responsibilities. The public interest in resource decisions is often submerged to that of private interest commodity groups which tend to dominate individual bureaus—lacking regular White House or single Cabinet direction.

The proposed consolidation never took place because the combined pressures of two agencies—Corps of Army Engineers and the Forest Service of USDA—were too strong for President Truman. Neither Presidents Eisenhower nor Kennedy attempted reorganization in this area. Today we still have two rural Departments—Agriculture and Interior—but no Department of Urban Affairs.

Suggested proposal: The need for coordination of natural resource conservation agencies is greater than ever, but a new approach is required. Realinement of existing agencies along Hoover task force lines may be as difficult as ever, but combining of Interior and Agriculture into a Department of Agriculture and Natural Resources is well within political reality. Substantial efficiencies can be accomplished and much greater coordination attained.

The political climate would be more favorable to this move now than the consolidation of War and Navy into Defense in 1946. Support from the conservation movement and the economy bloc would be anticipated. Resistance from the corps would not be expected, since it will not be included. The Forest Service would be strengthened, and hence resist less. By consolidating two rural affairs departments, room could be made for the Urban Affairs Department. Substantial support should be derived from labor, urban, and other groups seeking a Department of Urban Affairs.

Specific moves and strategy: There are so many overlapping, intermingled and conflicting relationships between the USDA and Interior that several years of persistent effort at untangling and reformulation will be required once the overall consolidation is accomplished. However, the initial procedure is basically simple. A Department of Agriculture and Natural Resources would have an overall Secretary and two Under Secretaries for each of the two major categories. These would be as shown on the following chart:

ORGANIZATION CHART: DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES

Secretary.

Under Secretary (Natural Resources): Department of Interior agencies plus Forest Service Soil Conservation Service, rural electrical.

Under Secretary (Agriculture): Department of Agriculture agencies, marketing, credit, economics, crop reporting, extension, regulations, etc.

Mr. MOSS. The proposals differ in some degree with the recommendations in my bill, but that is all to the good. In introducing S. 2435, I made it clear that I did not consider it to be the last word in the field. It is intended only as a vehicle for study of the question—as a starting point for an undertaking on which I feel we must embark if we are to assure comprehensive and efficient development of our water resources. The three proposals are:

"The Case for a Department of Natural Resources," University of New Mexico School of Law, November 1961; position paper, "Reorganization of Federal Natural Resource Agencies"; and "A Basic Reorganization for Both Efficiency and Improved Resource Conservation: Consolidation of Agricultural, Natural Resource and Rural Program Agencies."

RESPECT FOR THE LAW

Mr. MORSE. Mr. President, this morning the Washington Post carried an editorial entitled "Respect for the Law," which I believe is the clearest, most concise, and best objective analysis of the omnibus crime bill which the Senate passed yesterday that I have read, in any editorial, on the subject.

I highly commend the editors of the Washington Post for this penetrating and, I believe, unanswerable editorial in opposition to the omnibus crime bill that the Senate unfortunately passed yesterday.

Out of consideration for those of us who formed the minority in opposition to the omnibus crime bill, I wish to say that there is not a single major argument set forth in the editorial that was not made over and over again during the course of the hearings, on the bill and in our minority report in opposition to the bill. In my major speeches against the bill which I gave the day before yesterday and yesterday in the Senate I covered the same objections as are set out in the editorial.

Mr. President, I am highly pleased that the editors of the Washington Post share the views of those of us in the Senate who voted against the bill. The omnibus crime bill yesterday jeopardizes basic civil rights, liberties, and freedoms of the American people. The Senate yesterday trampled on what I consider to be basic constitutional guarantees, the protection of which the American people are entitled to be assured of at all times.

I also take note of the fact that the Washington Post recognizes the sensitivity that exists in the District on the racial issue. I wish to say again on the floor of the Senate, as I said in my major speech against the omnibus crime bill, that in my judgment the Senate and the House will have to assume their fair share of responsibility for any racial problems that grow out of this bill. I fear that its administration will prove it to be a law that permits the Washington, D.C. Police Force to discriminate against Americans on the basis of the color of their skins. I fear that the administrative procedures available to the police as written into the law can be used to browbeat arrested persons who can be held for 3 hours or longer under the pretext of questioning them when in fact the arrest is for police investigation without having probable cause justifying the arrest. Many Negroes fear and I think with justification that it will be used against them all out of proportion to its use against white people.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RESPECT FOR THE LAW

In the name of combating crime, the Senate yesterday passed a bill that undermines the administration of justice. It is by no means so reckless and irrational as the omnibus crime bill for the District of Columbia passed by the House of Representatives. Nevertheless, it has its fair share of irrationality. It would strengthen the police by weakening those procedural safeguards that are the bulwarks of American freedom. In the name of law enforcement, it would authorize disregard of the Constitution that is the foundation for all law in the United States.

This bill would authorize the police in the District of Columbia to detain suspects in a police station and question them for as long as 3 hours (exclusive of interruption) without judicial approval and without assuring them the assistance of counsel. This shortcut would enable the police to get around the fourth amendment's ban on arbitrary arrests; it would enable the police to circumvent the fifth amendment's privilege against self-incrimination; it would enable the police to deprive defendants at the most crucial time of the sixth amendment's assurance of a lawyer's advice.

What is the essence of the argument for giving the police such power? The argument is that it will help the police to investigate crime. The same argument can be made in behalf of the rubber hose, the thumbscrew and the rack. They are all valuable aids to investigation. Yet it is one of the great glories of life in the United States that such techniques and instruments of investigation are forbidden here.

There are those who regard the renunciation of such investigative methods as sentimentality. They go about saying that restrictions on police and prosecutors imply more concern for the rights of criminals than for the rights of their innocent victims. Yet the whole of history teaches the grim lesson that restraints on the police are an indispensable condition of freedom. Even the best of policemen—and those in Washington are among them—need to be restrained in their zeal, despite the admittedly great dangers and difficulties of their job.

The men who wrote the restraints of the fourth, fifth and sixth amendments into the Bill of Rights were not sentimentalists. They were practical men who understood that the rights of the best of men can be secure only so long as the rights of the worst of men are respected.

It is beguiling to seek law enforcement by sacrificing freedom. It is easy—especially if one is educated and knows his rights and has ready access to a lawyer—to let the police push the poor and ignorant and the helpless around as they please. It is easy, and it has the additional virtue of being inexpensive—far less costly than providing extra policemen or giving the police better equipment and training or correcting the conditions of squalor and inadequate education and joblessness that breed crime.

There are just two things wrong with this cheap and easy approach to the crime problem. One is that it will not work; it will not only leave the causes of crime to fester but it will breed disrespect for the law because of the inequality of its application to the rich and to the poor and because of the disrespect for law it countenances on the part of law enforcement officers. The other thing wrong with it is that it will diminish the freedom which is the real source of American safety.

THE ROAD TO JUSTICE

Mr. DOUGLAS. Mr. President, 100 years ago, a great American President, Abraham Lincoln, signed the Emancipation Proclamation and freed the slaves. The bonds of physical servitude were swept away, but the shackles of ignorance, poverty, and political impotence remained. And the American Negro, hobbled by these dreadful chains, made little progress until almost a century later another outstanding leader took up the challenge.

In 1957, Lyndon Baines Johnson, then majority leader of the U.S. Senate, helped to lead the fight for equal rights for all our citizens. Under his leadership the 1957 and 1960 Civil Rights Acts were passed.

By the Civil Rights Act of 1964 and the Voting Rights Act of 1965 President Lyndon Johnson set in motion the machinery which generated the securing and insuring for the American Negro the full fruits of citizenship.

The President would not and does not claim for himself credit for the enactment of these historic measures—the only four bills of their kind since Lincoln's day. He is the first to admit that these measures were possible because of unprecedented bipartisan concert in the Congress.

But none has articulated the cause of equal rights for all our citizens with the eloquence of President Johnson. In a triad of addresses beginning on March 15, 1965, before a joint session of the Congress he expressed in unforgettable language the despair of the American Negro and the obligation of the Government to right an ancient wrong.

He pleaded for tools which would insure the Negro his right to vote. On June 4 at Howard University, he pleaded for equal opportunity in every aspect of American life. At the Capitol on August 6 he reasserted the importance of the legislation he signed that day—legislation establishing procedures to guarantee the franchise to all Americans.

These historic addresses deserve the widest possible distribution, and I therefore ask unanimous consent to insert them in the RECORD at this time. They are inspired demonstrations of the sincerity and devotion with which the President is striving to extend the equal rights of citizenship to all.

There being no objection, the addresses ordered to be printed in the RECORD, follow:

THE AMERICAN PROMISE

(Remarks of the President to a joint session of the Congress, March 15, 1965)

Mr. Speaker, Mr. President, Members of the Congress, I speak tonight for the dignity of man and the destiny of democracy.

I urge every Member of both parties, Americans of all religions, and all colors, from every section of this country, to join me in that cause.

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Ala.

There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man, a man of God, was killed.

There is no cause for pride in what has happened in Selma. There is no cause for self-satisfaction in the long denial of equal rights to millions of Americans. But there is cause for hope and for faith in our democracy in what is happening here tonight.

For the cries of pain and the hymns and protests of oppressed people have summoned into convocation all the majesty of this great Government of the greatest Nation on earth.

Our mission is at once the oldest and the most basic of this country: to right wrong, to do justice, to serve man.

In our time we have come to live with moments of great crisis. Our lives have been marked with debate about great issues; issues of war and peace, of prosperity and depression. But rarely in any time does an issue lay bare the secret heart of America itself. Rarely are we met with a challenge, not to our growth or abundance, our welfare, or our security, but rather to the values and the purposes and the meaning of our beloved Nation.

The issue of equal rights for American Negroes is such an issue. And should we defeat every enemy, should we double our wealth and conquer the stars, and still be unequal to this issue, then we will have failed as a people and as a nation.

For with a country as with a person, "What is a man profited, if he shall gain the whole world, and lose his own soul?"

There is no Negro problem. There is no southern problem. There is no northern problem. There is only an American problem. And we are met here tonight as Americans to solve that problem.

This was the first Nation in the history of the world to be founded with a purpose. The great phrases of that purpose still sound in every American heart, north and south: "All men are created equal"—"government by consent of the governed"—"give me liberty or give me death." Those are not just clever words. Those are not just empty theories. In their name Americans have fought and died for two centuries, and tonight around the world they stand there as guardians of our liberty, risking their lives.

Those words are a promise to every citizen that he shall share in the dignity of man. This dignity cannot be found in a man's possessions, his power, or his position. It rests on his right to be treated as a man equal in opportunity to all others. It says that he shall share in freedom, choose his leaders, educate his children, and provide for his family according to his ability and his merits as a human being.

To apply any other test—to deny a man his hopes because of his color or race, his religion or the place of his birth—is not only to do injustice, it is to deny America and to dishonor the dead who gave their lives for American freedom.

THE RIGHT TO VOTE

Our fathers believed that, if this noble view of the rights of man was to flourish, it must be rooted in democracy. The most basic right of all was the right to choose your own leaders. The history of this country, in large measure, is the history of the expansion of that right to all of our people.

Many of the issues of civil rights are very complex and most difficult. But about this there can and should be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to insure that right.

Yet the harsh fact is that in many places in this country men and women are kept from voting simply because they are Negroes.

Every device of which human ingenuity is capable has been used to deny this right. The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent. And if he persists, and if he manages to present himself to the registrar, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application.

And if he manages to fill out an application he is given a test. The registrar is the sole judge of whether he passes this test. He may be asked to recite the entire Constitution, or explain the most complex provisions of State laws. And even a college degree cannot be used to prove that he can read and write.

For the fact is that the only way to pass these barriers is to show a white skin.

Experience has clearly shown that the existing process of law cannot overcome systematic and ingenious discrimination. No law that we now have on the books—and I have helped to put three of them there—can insure the right to vote when local officials are determined to deny it.

In such a case our duty must be clear to all of us. The Constitution says that no person shall be kept from voting because of his race or his color. We have all sworn an oath before God to support and to defend that Constitution. We must now act in obedience to that oath.

GUARANTEEING THE RIGHT TO VOTE

Wednesday I will send to Congress a law designed to eliminate illegal barriers to the right to vote.

The broad principle of that bill will be in the hands of the Democratic and Republican leaders tomorrow. After they have reviewed it, it will come here formally as a bill. I am grateful for this opportunity to come here tonight at the invitation of the leadership to reason with my friends, to give them my views, and to visit with my former colleagues.

I have had prepared a more comprehensive analysis of the legislation which I intended to transmit tomorrow but which I will submit to the clerks tonight. But I want to discuss with you now briefly the main proposals of this legislation.

This bill will strike down restrictions to voting in all elections—Federal, State, and local—which have been used to deny Negroes the right to vote.

This bill will establish a simple, uniform standard which cannot be used, however ingenious the effort, to flout our Constitution.

It will provide for citizens to be registered by officials of the U.S. Government if the State officials refuse to register them.

It will eliminate tedious, unnecessary lawsuits which delay the right to vote.

Finally, this legislation will insure that properly registered individuals are not prohibited from voting.

I will welcome suggestions from all of the Members of Congress—and I have no doubt that I will get some—on ways and means to strengthen this law and to make it effective. But experience has plainly shown that this is the only path to carry out the command of the Constitution.

To those who seek to avoid action by their National Government in their own communities; who seek to maintain purely local control over elections, the answer is simple:

Open your polling places to all your people.

Allow men and women to register and vote whatever the color of their skin.

Extend the rights of citizenship to every citizen of this land.

THE NEED FOR ACTION

There is no constitutional issue here. The command of the Constitution is plain.

There is no moral issue. It is wrong to deny any of our fellow Americans the right to vote.

There is no issue of States rights or national rights. There is only the struggle for human rights.

I have not the slightest doubt what will be your answer.

The last time a President sent a civil rights bill to the Congress it contained a provision to protect voting rights in Federal elections. That civil rights bill was passed after 8 long months of debate. And when that bill came to my desk from the Congress, the heart of the voting provision has been eliminated.

This time, on this issue, there must be no delay, no hesitation, and no compromise with our purpose.

We cannot, we must not, refuse to protect the right of every American to vote in every election that he may desire to participate in. We ought not, we must not, wait another 8 months before we get a bill. We have already waited a hundred years and more, and the time for waiting is gone.

I ask you to join me in working long hours, nights, and weekends if necessary, to pass this bill. And I don't make that request lightly. For from the window where I sit with the problems of our country I am aware that outside this chamber is the outraged conscience of a nation, the grave concern of many nations, and the harsh judgment of history on our acts.

WE SHALL OVERCOME

But even if we pass this bill, the battle will not be over. What happened in Selma is part of a far larger movement which reaches into every section and State of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

Their cause must be our cause, too. It is not just Negroes, but it is all of us, who must overcome the crippling legacy of bigotry and injustice.

And we shall overcome.

As a man whose roots go deeply in southern soil I know how agonizing racial feelings are. I know how difficult it is to reshape the attitudes and the structure of our society.

But a century has passed, more than a hundred years, since the Negro was freed. And he is not fully free tonight.

It was more than a hundred years ago that Abraham Lincoln, a great President of the Republican party, signed the Emancipation Proclamation, but emancipation is a proclamation and not a fact.

A century has passed, more than a hundred years, since equality was promised. And yet the Negro is not equal.

A century has passed since the day of promise. And the promise is still unkept.

The time of justice has now come. I tell you I believe sincerely that no force can hold it back. It is right in the eyes of man and God that it should come. And when it does, I think that day will brighten the lives of every American.

For Negroes are not the only victims. How many white children have gone uneducated, how many white families have lived in stark poverty, how many white lives have been scarred by fear, because we wasted our energy and our substance to maintain the barriers of hatred and terror?

So I say to all of you here, and to all in the Nation tonight, that those who appeal to you to hold on to the past do so at the cost of denying you your future.

This great, rich, restless country can offer opportunity and education and hope to all: black and white, North and South, sharecropper and city dweller. These are the enemies: poverty, ignorance, disease. They are the enemies and not our fellow man, not our neighbor. And these enemies too, poverty, disease and ignorance, we shall overcome.

AN AMERICAN PROBLEM

Let none of us look with prideful righteousness on the troubles in another section, or on the problems of our neighbors. There is no part of America where the promise of equality has been fully kept. In Buffalo as well as in Birmingham, in Philadelphia as well as in Selma, Americans are struggling for the fruits of freedom.

This is one nation. What happens in Selma or in Cincinnati is a matter of legitimate concern to every American. But let each of us look within our own hearts and our own communities, and let each of us put our shoulder to the wheel to root out injustice wherever it exists.

As we meet here in this historic chamber tonight, men from the South, some of whom were at Iwo Jima—men from the North who have carried Old Glory to far corners of the world and brought it back without a stain on it—men from the East and West, are all fighting together in Vietnam without regard to religion, or color, or region. Men from every region fought for us across the world 20 years ago. And in these common dangers and these common sacrifices the South made its contribution of honor and gallantry no less than any other region of the great Republic.

And I have not the slightest doubt that good men from everywhere in this country, from the Great Lakes to the Gulf of Mexico, from the Golden Gate to the harbors along the Atlantic, will rally together now in this cause to vindicate the freedom of all Americans. For all of us owe this duty; and I believe all of us will respond to it.

Your President makes that request of every American.

PROGRESS THROUGH THE DEMOCRATIC PROCESS

The real hero of this struggle is the American Negro. His actions and protests, his courage to risk safety and even to risk his life, have awakened the conscience of this Nation. His demonstrations have been designed to call attention to injustice, to provoke change, and to stir reform. He has called upon us to make good the promise of America. And who among us can say that we would have made the same progress were it not for his persistent bravery, and his faith in American democracy.

For at the real heart of battle for equality is a deep-seated belief in the democratic process. Equality depends not on the force of arms or tear gas but upon the force of moral right; not on recourse to violence but on respect for law and order.

There have been many pressures upon your President and there will be others as the days come and go. But I pledge you tonight that we intend to fight this battle where it should be fought: in the courts, and in Congress, and in the hearts of men.

We must preserve the right of free speech and the right of free assembly. But the right of free speech does not carry with it, as has been said, the right to holler fire in a crowded theater. We must preserve the right to free assembly, but free assembly does not carry with it the right to block public thoroughfares to traffic.

We do have a right to protest, and a right to march under conditions that do not infringe the constitutional rights of our neighbors. And I intend to protect all those rights as long as I am permitted to serve in this office.

We will guard against violence, knowing it strikes from our hands the very weapons with which we seek progress—obedience to law and belief in American values.

In Selma as elsewhere we seek and pray for peace. We seek order. We seek unity. But we will not accept the peace of suppressed rights, or the order imposed by fear, or the unity that stifles protest. For peace cannot be purchased at the cost of liberty.

In Selma tonight, as in every city, we are working for just and peaceful settlement. We must all remember that after this speech I am making tonight, after the police and the FBI and the marshals have all gone, and after you have promptly passed this bill, the people of Selma and the other cities of the Nation must still live and work together. And when the attention of the Nation has gone elsewhere they must try to heal the wounds and to build a new community. This cannot be easily done on a battleground of violence, as the history of the South itself shows. It is in recognition of this that men of both races have shown such an outstandingly impressive responsibility in recent days.

RIGHTS MUST BE OPPORTUNITIES

The bill that I am presenting to you will be known as a civil rights bill. But, in a larger sense, most of the program I am recommending is a civil rights program. Its object is to open the city of hope to all people of all races.

All Americans must have the right to vote. And we are going to give them that right.

All Americans must have the privileges of citizenship regardless of race. And they are going to have those privileges of citizenship regardless of race.

But I would like to remind you that to exercise these privileges takes much more than just legal right. It requires a trained mind and a healthy body. It requires a decent home, and the chance to find a job, and the opportunity to escape from the clutches of poverty.

Of course, people cannot contribute to the Nation if they are never taught to read or write, if their bodies are stunted from hunger, if their sickness goes untended, if their life is spent in hopeless poverty just drawing a welfare check.

So we want to open the gates to opportunity. But we are also going to give all our people, black and white, the help they need to walk through those gates.

THE PURPOSE OF THIS GOVERNMENT

My first job after college was as a teacher in Cotulla, Tex., in a small Mexican-American school. Few of them could speak English, and I could not speak much Spanish. My students were poor and they often came to class without breakfast, hungry. They knew even in their youth the pain of prejudice. They never seemed to know why people disliked them. But they knew it was so, because I saw it in their eyes. I often walked home late in the afternoon, after the classes were finished, wishing there was more that I could do. But all I knew was to teach them the little that I knew, hoping that it might help them against the hardships that lay ahead.

Somehow you never forget what poverty and hatred can do when you see its scars on the hopeful face of a young child.

I never thought then, in 1928, that I would be standing here in 1965. It never occurred to me in my fondest dreams that I might have the chance to help the sons and daughters of those students and to help people like them all over this country.

But now I do have that chance and I will let you in on a secret—I mean to use. And I hope that you will use it with me.

This is the richest and most powerful country which ever occupied the globe. The might of past empires is little compared to ours. But I do not want to be the President who built empires, or sought grandeur, or extended dominion. I want to be the President who educated young children to the wonders of their world. I want to be the President who helped to feed the hungry and to prepare them to be taxpayers instead of tax-eaters. I want to be the President who helped the poor to find their own way and who protected the right of every citizen to vote in every election. I want to be the President who helped to end hatred among his fellow men and who promoted love among the peoples of all races and all regions and all parties. I want to be the President who helped to end war among the brothers of this earth.

And so at the request of your beloved Speaker and Senator from Montana, the Majority Leader; the Senator from Illinois, the Minority Leader; Mr. McCULLOCH, and other leaders of both parties, I came here tonight—not as President Roosevelt came down one time in person to veto a bonus bill; not as President Truman came down one time to urge the passage of a railroad bill—I came here to ask you to share this task with me and to share it with the people that we both work for. I want this to be the Congress, Republicans and Democrats alike, which did all these things for all these people.

Beyond this great chamber are the people we serve. Who can tell what deep and unspoken hopes are in their hearts tonight as they sit there and listen. We all can guess, from our own lives, how difficult they often find their own pursuit of happiness, how many problems each little family has. They look most of all to themselves for their futures. But I think that they also look to each of us.

Above the pyramid on the great seal of the United States it says—in Latin—"God has favored our undertaking."

God will not favor everything that we do. It is rather our duty to divine His will. But I cannot help believing that He truly understands and that He really favors the undertaking that we begin here tonight.

TO FULFILL THESE RIGHTS

(Remarks of the President, at Howard University, Washington, D.C., June 4, 1965)

Our earth is the home of revolution.

In every corner of every continent men charged with hope contend with ancient ways in the pursuit of justice. They reach for the newest of weapons to realize the oldest of dreams; that each may walk in freedom and pride, stretching his talents, enjoying the fruits of the earth.

Our enemies may occasionally seize the day of change. But it is the banner of our revolution they take. And our own future is linked to this process of swift and turbulent change in many lands in the world. But nothing in any country touches us more profoundly, nothing is more freighted with meaning for our own destiny, than the revolution of the Negro American.

In far too many ways American Negroes have been another nation: deprived of freedom, crippled by hatred, the doors of opportunity closed to hope.

In our time change has come to this Nation, too. The American Negro, acting with impressive restraint, has peacefully protested and marched, entered the courtrooms and the seats of government, demanding a justice that has long been denied. The voice of the Negro was the call to action. But it is a tribute to America that, once aroused, the courts and the Congress, the President and most of the people, have been the allies of progress.

LEGAL PROTECTION FOR HUMAN RIGHTS

Thus we have seen the High Court of the country declare that discrimination based on race was repugnant to the Constitution, and therefore void. We have seen in 1957, 1960, and again in 1964, the first civil rights legislation in this Nation in almost an entire century.

As majority leader of the U.S. Senate, I helped to guide two of these bills through the Senate. As your President, I was proud to sign the third. And now very soon we will have the fourth—a new law guaranteeing every American the right to vote.

No act of my entire administration will give me greater satisfaction than the day when my signature makes this bill, too, the law of this land.

The voting rights bill will be the latest, and among the most important, in a long series of victories. But this victory—as Winston Churchill said of another triumph for freedom—"is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning."

That beginning is freedom. And the barriers to that freedom are tumbling down. Freedom is the right to share fully and equally in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

FREEDOM IS NOT ENOUGH

But freedom is not enough. You do not wipe away the scars of centuries by saying: "Now you are free to go where you want, do as you desire, and choose the leaders you please."

You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "You are free to compete with all the others," and still justly believe that you have been completely fair.

Thus it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates.

This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result.

For the task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental, and spiritual, and to pursue their individual happiness.

To this end equal opportunity is essential, but not enough. Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. Ability is stretched or stunted by the family you live with, and the neighborhood you live in, by the school you go to, and the poverty or the richness of your surroundings. It is the product of a hundred unseen forces playing upon the infant, the child, and the man.

PROGRESS FOR SOME

This graduating class at Howard University is witness to the indomitable determination of the Negro American to win his way in American life.

The number of Negroes in schools of higher learning has almost doubled in 15 years. The number of nonwhite professional workers has more than doubled in 10 years. The median income of Negro college women exceeds that of white college women. And there are also the enormous accomplishments of distinguished individual Negroes, many of them graduates of this institution, and one of them the first lady Ambassador in the history of the United States.

These are proud and impressive achievements. But they tell only the story of a growing middle-class minority, steadily narrowing the gap between them and their white counterparts.

A WIDENING GULF

But for the great majority of Negro Americans—the poor, the unemployed, the uprooted * * * and the dispossessed—there is a much grimmer story. They still are another nation. Despite the court orders and the laws, despite the legislative victories and the speeches, for them the walls are rising and the gulf is widening.

Here are some of the facts of this American failure.

Thirty-five years ago the rate of unemployment for Negroes and whites was about the same. Today the Negro rate is twice as high.

In 1948 the 8-percent unemployment rate for Negro teenage boys was actually less than that of whites. By last year that rate had grown to 23 percent, as against 13 percent for whites.

Between 1949 and 1959, the income of Negro men relative to white men declined in every section of this country. From 1952 to 1963 the median income of Negro families compared to white actually dropped from 57 to 53 percent.

In the years 1955 through 1957, 22 percent of experienced Negro workers were out of work at some time during the year. In 1961 through 1963 that proportion had soared to 29 percent.

Since 1947 the number of white families living in poverty has decreased 27 percent, while the number of poor nonwhite families decreased only 3 percent.

The infant mortality of nonwhites in 1940 was 70 percent greater than whites. Twenty-two years later it was 90 percent greater.

Moreover, the isolation of Negro from white communities is increasing, rather than decreasing, as Negroes crowd into the central cities and become a city within a city.

Of course, Negro Americans as well as white Americans have shared in our rising national abundance. But the harsh fact of the matter is that in the battle for true equality too many are losing ground every day.

THE CAUSES OF INEQUALITY

We are not completely sure why this is. The causes are complex and subtle. But we do know the two broad basic reasons. And we do know that we have to act.

First, Negroes are trapped—as many whites are trapped—in inherited, gateless poverty. They lack training and skills. They are shut in slums, without decent medical care. Private and public poverty combine to cripple their capacities.

We are trying to attack these evils through our poverty program, through our education program, through our medical care and our other health programs and a dozen more of the Great Society programs that are aimed at the root causes of this poverty.

We will increase, and accelerate, and broaden this attack in years to come until this most enduring of foes finally yields to our unyielding will. But there is a second cause—much more difficult to explain, more deeply grounded, more desperate in its force. It is the devastating heritage of long years of slavery; and a century of oppression, hatred, and injustice.

SPECIAL NATURE OF NEGRO POVERTY

For Negro poverty is not white poverty. Many of its causes and many of its cures are the same. But there are differences—deep, corrosive, obstinate differences—radiating painfully roots into the community, the family, and the nature of the individual.

These differences are not racial differences. They are solely and simply the consequence of ancient brutality, past injustice, and present prejudice. They are anguishing to observe. For the Negro they are a constant reminder of oppression. For the white they are a constant reminder of guilt. But they must be faced and dealt with and overcome, if we are ever to reach the time when the only difference between Negroes and whites is the color of their skin.

Nor can we find a complete answer in the experience of other American minorities. They made a valiant and a largely successful effort to emerge from poverty and prejudice. The Negro, like these others, will have to rely mostly on his own efforts. But he just cannot do it alone. For they did not have the heritage of centuries to overcome. They did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness. Nor were they excluded because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society.

Nor can these differences be understood as isolated infirmities. They are a seamless web. They cause each other. They result from each other. They reinforce each other. Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner of that blanket. We must stand on all sides and raise the entire cover if we are to liberate our fellow citizens.

THE ROOTS OF INJUSTICE

One of the differences is the increased concentration of Negroes in our cities. More than 73 percent of all Negroes live in urban areas compared with less than 70 percent of the whites. Most of these Negroes live in slums. Most of them live together—a separated people. Men are shaped by their world. When it is a world of decay, ringed by an invisible wall—when escape is arduous and uncertain, and the saving pressures of a more hopeful society are unknown—it can cripple the youth and desolate the man.

There is also the burden that a dark skin can add to the search for a productive place in society. Unemployment strikes most swiftly and broadly at the Negro. This burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair, coupled with indifference, is often the source of destructive rebellion against the fabric of society.

There is also the lacerating hurt of early collision with white hatred or prejudice, distaste, or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin. I have seen this uncomprehending pain in the eyes of the little Mexican-American schoolchildren that I taught many years ago. It can be overcome. But, for many, the wounds are always open.

FAMILY BREAKDOWN

Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from long years of degradation and discrimination, which have attacked his dignity and assaulted his ability to provide for his family.

This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans.

Only a minority—less than half—of all Negro children reach the age of 18 having lived all their lives with both of their parents. At this moment little less than two-thirds are living with both of their parents. Probably a majority of all Negro children receive federally aided public assistance sometime during their childhood.

The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the values of the child. When the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled.

So, unless we work to strengthen the family, to create conditions under which most parents will stay together—all the rest: schools and playgrounds, public assistance and private concern, will never be enough to cut completely the circle of despair and deprivation.

TO FULFILL THESE RIGHTS

There is no single easy answer to all of these problems.

Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings, and a chance to learn—an equal chance to learn—are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care of the sick is part of the answer.

An understanding heart by all Americans is also a large part of the answer.

To all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson administration.

But there are other answers still to be found. Nor do we fully understand all of the problems. Therefore, I want to announce tonight that this fall I intend to call a White House conference of scholars, and experts, and outstanding Negro leaders—men of both races—and officials of Government at every level.

This White House conference's theme and title will be "To Fulfill These Rights."

Its object will be to help the American Negro fulfill the rights which, after the long time of injustice, he is finally about to secure.

To move beyond opportunity to achievement.

To shatter forever not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin.

To dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong—great wrong—to the children of God.

I pledge you tonight this will be a chief goal of my administration, and of my program next year, and in years to come. And I hope, and I pray, and I believe, it will be a part of the program of all America.

WHAT IS JUSTICE?

For what is justice?

It is to fulfill the fair expectations of man.

Thus, American justice is a very special thing. For, from the first, this has been a land of towering expectations. It was to be a nation where each man could be ruled by the common consent of all—enshrined in law, given life by institutions, guided by men themselves subject to its rule. And all—all of every station and origin—would be touched equally in obligation and in liberty.

Beyond the law lay the land. It was a rich land, glowing with more abundant promise than man had ever seen. Here, unlike any place yet known, all were to share the harvest.

And beyond this was the dignity of man. Each could become whatever his qualities of mind and spirit would permit—to strive, to seek, and, if he could, to find his happiness.

This is American justice. We have pursued it faithfully to the edge of our imperfections. And we have failed to find it for the American Negro.

It is the glorious opportunity of this generation to end the one huge wrong of the American Nation and, in so doing, to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom.

All it will take is for all of us to understand what this country is and what this country must become.

The Scripture promises: "I shall light a candle of understanding in thine heart, which shall not be put out."

Together, and with millions more, we can light that candle of understanding in the heart of all America.

And, once lit, it will never again go out.

The Doors Open

(Remarks of the President at the signing ceremony at the Capitol, of the voting rights bill, Aug. 6, 1965)

The Vice President, Mr. Speaker, Members of Congress, members of the Cabinet, distinguished guests, my fellow Americans: Today is a triumph for freedom as huge as any victory that has ever been won on any battlefield. Yet, to seize the meaning of this day, we must recall darker times.

Three and a half centuries ago the first Negroes arrived at Jamestown. They did not arrive in brave ships in search of a home for freedom. They did not mingle fear and joy, in expectation that in this new world anything would be possible to a man strong enough to reach for it.

They came in darkness and in chains.

And today we strike away the last major shackle of those fierce and ancient bonds. Today the Negro story and the American story fuse and blend.

Let us remember that it was not always so. The stories of our Nation and the American Negro are like two great rivers. Welling up from that tiny Jamestown spring they flow through the centuries along divided channels. When pioneers subdued a continent to the need of man, they did not tame it for the Negro. When the liberty bell rang out in Philadelphia, it did not toll for the Negro. When Andrew Jackson threw open the doors of democracy, they did not open for the Negro. It was only at Appomattox, a century ago, that an American victory was also a Negro victory. And the two rivers—one shining with promise, the other dark-stained with oppression—began to move toward one another.

THE PROMISE KEPT

Yet, for almost a century the promise of that day was not fulfilled. Today is a towering and certain mark that, in this generation, that promise will be kept. In our time the two currents will finally mingle and rush as one great stream across the uncertain and marvelous years of the America that is yet to come.

This act flows from a clear and simple wrong. Its only purpose is to right that wrong. Millions of Americans are denied the right to vote because of their color. This law will insure them the right to vote. The wrong is one which no American, in his heart, can justify. The right is one which no American true to our principles can deny.

In 1957, as the leader of the majority in the U.S. Senate, speaking in supporting legislation to guarantee to the right of all men a right to vote, I said: "This right to vote is the basic right without which all others are meaningless. It gives people, people as individuals, control over their own destinies."

Last year I said: "Until every qualified person—regardless of * * * the color of his skin—has the right, unquestioned and unrestrained, to go in and cast his ballot in every precinct in this great land of ours, I am not going to be satisfied."

Immediately after the election I directed the Attorney General to explore, as rapidly as possible, the ways to insure the right to vote.

And then last March—with the outrage of Selma still fresh—I came down to this Capitol one evening and asked the Congress and the people for swift and for sweeping action to guarantee to every man and woman the right to vote. In less than 48 hours I sent the Voting Rights Act of 1965 to the Congress. In little more than 4 months the Congress, with overwhelming majorities, enacted one of the most monumental laws in the entire history of American freedom.

THE WAITING IS GONE

The Members of the Congress, and the many private citizens, who worked to shape and pass this bill will share a place of honor in our history for this one act alone.

There were those who said this is an old injustice, and there is no need to hurry. But 95 years have passed since the 15th amendment gave all Negroes the right to vote.

And the time for waiting is gone.

There were those who said smaller and more gradual measures should be tried. But they had been tried. For years and years they had been tried, and tried, and tried, and they had failed, and failed, and failed.

And the time for failure is gone.

There were those who said that this is a many-sided and very complex problem. But, however viewed, the denial of the right to vote is still a deadly wrong.

And the time for injustice has gone.

This law covers many pages. But the heart of the act is plain. Wherever—by clear and objective standards—States and counties are using regulations, or laws, or tests to deny the right to vote, then they will be struck down. If it is clear that State officials still intend to discriminate, then Federal examiners will be sent in to register all eligible voters. When the prospect of discrimination is gone, the examiners will be immediately withdrawn.

And, under this act, if any county anywhere in this Nation does not want Federal intervention it need only open its polling places to all of its people.

THE GOVERNMENT ACTS

This good Congress—the 89th Congress—acted swiftly in passing this act. I intend to act with equal dispatch in enforcing this act.

And tomorrow, at 1 p.m., the Attorney General has been directed to file lawsuits challenging the constitutionality of the poll tax in the State of Mississippi. This will begin the legal process which, I confidently believe, will very soon prohibit any State from requiring the payment of money in order to exercise the right to vote.

And also by tomorrow the Justice Department—through publication in the Federal Register—will have officially certified the States where discrimination exists.

I have, in addition, requested the Department of Justice to work all through this weekend so that, on Monday morning next, they can designate many counties where past experience clearly shows that Federal action is necessary and required. And, by Tuesday morning, trained Federal examiners will be at work registering eligible men and women in 10 to 15 counties.

And on that same day, next Tuesday, additional poll tax suits will be filed in the States of Texas, Alabama, and Virginia.

And I pledge you that we will not delay, or we will not hesitate, or we will not turn aside, until Americans of every race and color and origin in this country have the same right as all others to share in the process of democracy.

So, through this act, and its enforcement, an important instrument of freedom passes into the hands of millions of our citizens. But that instrument must be used.

Presidents and Congresses, laws and lawsuits, can open the doors to the polling places, and open the doors to the wondrous rewards which await the wise use of the ballot.

THE VOTE BECOMES JUSTICE

But only the individual Negro, and all others who have been denied the right to vote, can really walk through those doors and can use that right and can transform the vote into an instrument of justice and fulfillment.

So, let me now say to every Negro in this country: You must register. You must vote. You must learn, so your choice advances your interest and the interest of our beloved Nation. Your future, and your children's future, depend upon it, and I don't believe that you are going to let them down.

This act is not only a victory for Negro leadership. This act is a great challenge to that leadership. It is a challenge which cannot be met simply by protests and demonstrations. It means that dedicated leaders must work around the clock to teach people their responsibilities and to lead them to exercise those rights and to fulfill those responsibilities and those duties to their country.

If you do this, then you will find, as others have found before you, that the vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

LAST OF THE BARRIERS TUMBLE

Today what is perhaps the last of the legal barriers is tumbling. There will be many actions and many difficulties before the rights woven into law are also woven into the fabric of our Nation. But the struggle for equality must now move toward a different battlefield.

It is nothing less than granting every American Negro his freedom to enter the mainstream of American life: not the conformity that blurs enriching differences of culture and tradition, but rather the opportunity that gives each a chance to choose.

For centuries of oppression and hatred have already taken their painful toll. It can be seen throughout our land in men without skills, in children without fathers, in families that are imprisoned in slums and in poverty.

RIGHTS ARE NOT ENOUGH

For it is not enough just to give men rights. They must be able to use those rights in their personal pursuit of happiness. The wounds and the weaknesses, the outward walls and the inward scars—which diminish achievement—are the work of American society. We must all now help to end them—help to end them through expanding programs already devised and through new ones to search out and forever end the special handicaps of those who are black in a nation that happens to be mostly white.

So, it is for this purpose—to fulfill the rights that we now secure—that I have already called a White House conference in the Nation's Capital this fall.

So, we will move step by step—often painfully but, I think, with clear vision—along the path toward American freedom.

It is difficult to fight for freedom. But I also know how difficult it can be to bend long years of habit and custom to grant it. There is no room for injustice anywhere in the American mansion. But there is always room for understanding toward those who see the old ways crumbling. And to them I say simply this: It must come. It is right that it should come. And when it has, you will find a burden that has been lifted from your shoulders, too.

It is not just a question of guilt, although there is that. It is that men cannot live with a lie and not be stained by it.

DIGNITY IS NOT JUST A WORD

The central fact of American civilization—one so hard for others to understand—is that freedom and justice and the dignity of man are not just words to us. We believe in them. Under all the growth and the tumult and abundance, we believe. And so, as long as some among us are oppressed—and we are part of that oppression—it must blunt our faith and sap the strength of our high purpose.

Thus, this is a victory for the freedom of the American Negro. But it is also a victory for the freedom of the American nation. And every family—across this great, entire searching land—will live stronger in liberty, will live more splendid in expectation, and will be prouder to be American because of the act that you have passed that I will sign today.

Thank you.

PROPOSED REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD an article in today's Evening Star by my friend and valued constituent James J. Kilpatrick, of Richmond, Va., concerning the bill to repeal section 14(b) of the Taft-Hartley Act.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECTION 14(b)

(By James J. Kilpatrick)

A small bipartisan band of dedicated Senators will be laying plans this week for a fight that could be as historic in terms of American liberties as the fight of John Peter Zenger 230 years ago. Out of Andrew Hamilton's defense of Zenger emerged the concept, much later to be nailed in our Bill of Rights, that in a free society, man has a right to freedom of the press.

These Senators are equally concerned with the concept, in our free society, that man has a right to work.

They may not win. The administration's bill to repeal section 14(b) of the Taft-Hartley Act, which sanctions the State right-to-work laws, sailed through the House on July 28 with 18 votes to spare. Since then, spokesmen for organized labor have been turning on a powerful pressure. The President has been prodded into further statements in support of repeal. If a full Senate got to a rollcall, the prospect now is that right-to-work would die by a half dozen votes.

The freedom-loving Senators have available to them, however, the Senate's great parliamentary weapon. This is known to its friends as "extended debate," and to its foes as the unbreakable filibuster. This past Thursday and Friday, leaders of the group were making a careful canvass of their forces. If a team of 24 Senators can be welded together, pledged to accept the harsh demands of service on the floor in relays around the clock, the word will be sent to MIKE MANSFIELD: Bring in the cots. You have a war on your hands.

Senators ROBERTSON and HOLLAND, on the Democratic side, and Senators DIRKSEN and CURTIS, on the Republican side, are captains of the crew. They suffer from some tactical disadvantages at this late date in the session. Presumably, the majority will have no difficulty in stalling a floor fight on 14(b) until the Senate has cleared other legislation labeled as "must." This would include the appropriations bills, an air pollution bill, a national arts foundation, an expanded program for higher education, the immigration bill, the omnibus farm bill, and perhaps minimum wages and highway beautification. Not all of these measures are shoo-ins, even with the overwhelming Democratic majority, but the President's persuasive combination of sweet talk and half nelsons should produce the necessary compromises on most of them by the end of September.

Then what? There can be no compromise on 14(b). Either the permissive section stays in or it goes out. By taking care of the other legislation first, the majority leadership may be in a position to hold over the heads of rebellious Senators the threat of a siege—of staying in session till Thanksgiving, or even till Christmas, in order to deliver on the Democratic platform promise to organized labor. It would require great dedication, indeed, for the friends of right to work to keep their team together for so long an ordeal.

Yet the group headed by ROBERTSON, HOLLAND, DIRKSEN, and CURTIS have some tactical advantages on their side, too. Their debating squad, if it can be organized, will include a number of veteran Senators of surpassing parliamentary skill. "I use whatever weapons are in the rulebook," Mr. DIRKSEN remarked softly a few weeks ago, when he was fighting for his reapportionment amendment. "I have had that rulebook under my arm, and the House rulebook also, for the past 32 years." The wonderful usefulness of the well-timed quorum call, the inspiration to be drawn from Senate precedents, the armor of a hundred parliamentary protections—all these can be mobilized.

More than anything, the team will have going for it a sense of flaming rightness. Theirs is the popular side of the issue, as public opinion polls repeatedly have shown. In standing for voluntary unionism, as opposed to compulsion, the bipartisan group will be fighting for freedom. It is an old concept, once dearly loved in this country, and perhaps it is not wholly forgotten. The opposition votes that would be required for cloture cannot possibly be obtained, and MIKE MANSFIELD knows it. With sufficient dedication, and with eternal vigilance on the floor, the friends of right to work can win this war. It will be a great day for liberty if they do.

THE INTERNATIONAL GIRL SCOUT SENIOR ROUNDUP IN IDAHO

Mr. JORDAN of Idaho. Mr. President, recently Idaho had the privilege of being host to the 1965 International Girl Scout senior roundup, at Farragut State Park in Idaho. This was a most rewarding experience for the people of my State. It was a happy two-way communication: A greeting between two friends or two groups of friends. In meeting the thousands of Girl Scouts and their leaders who just completed their big roundup at Farragut State Park on the shores of Lake Pend Oreille, I can say the visitors certainly looked happy and we folks of Idaho had the feeling that we were exchanging greetings with the whole United States.

People not familiar with Girl Scout roundups—there have been only four of these big events—can have a difficult time visualizing the size and impact. A gathering of teenage girls may not sound momentous. But here are 9,000 of them with 2,000 administrative personnel. That is enough to outnumber hundreds of famous towns and villages in the United States. And the event attracted nearly 65,000 visitors, too. We often think of the cavalcade that came through the Pacific Northwest on the Oregon Trail. We have heard full tales of the roaring mining camps of Idaho's great gold rush. Let us look at a picture of those days and at one of our own times.

Idaho's population at the time Abraham Lincoln's signature made it a territory was 32,342. The gold rush had made Idaho's biggest mining camp the biggest city in the Pacific Northwest. And despite the great overland rush on the Oregon Trail, the population of Oregon at that time was only 9,083. The State of Washington had only 3,695 people. The Girl Scouts plus their leaders just about equaled these two populations combined.

So the Girl Scout roundup brought in more people than the gold rush and the early Oregon Trail combined. The impact was felt in a circle of many miles extending far beyond Idaho's borders, requiring extra living quarters for people as far away as Spokane, Wash.—hotels, motels, camps, and private homes were pressed to capacity to play host to the throng that came in.

We enjoyed visitors from a fine cross section of the ideal of good American homes. They came to make their homes in Idaho for a couple of weeks. It gave us the feeling we were playing host to America. It gave us the chance to tell a splendid section of America about Idaho and let them see and know Idaho for themselves.

The Girl Scouts did great things for Idaho, and it was an especially timely year for it all, too. Idaho's birth year is 1965 as a State and our Governor Smylie said in welcoming the Scout roundup:

> You have given us the best and biggest of birthday presents.

Out of the preparations for the roundup, and its establishment as a physical reality on a peninsula extending into one of the world's loveliest lakes, Idaho has created a State park. The park can stand as a perpetual memorial to the occasion. And in the park now are growing hundreds and hundreds of trees planted by the Scout patrols to commemorate their visit.

These things will remain with us and we hope they serve to invite back, yes to urge back again as visitors all those who came to see us this summer.

Certainly, too, there will remain with us the warmth of many new friendships and the everlasting spiritual inspiration of seeing a great ideal of living made a part of everyday life by young womanhood as dedicated, so charming, and so American.

THE REVITALIZATION CORPS

Mr. DODD. Mr. President, on June 22, 1964, in Hartford, Conn., 7 months to the day after the death of President Kennedy, an organization was founded in his honor: The Revitalization Corps.

The corps, started by local citizens, considers itself America's first citizen-sponsored, domestic Peace Corps. Designed to encourage Americans of all ages, races, and creeds to help their fellow countrymen, the corps seeks to perpetuate the spirit of John Kennedy's New Frontier. The corps' strategy is to recruit the man on the street for service to his fellow man, without leaving his career or his community.

On that June day, this small group of citizens realized that they were embarking on a momentous project. They realized, too, that they were beginning with very little capital, without governmental support of any kind, and with no specific program in mind. But they knew that they had a greater force behind them—the belief in our democratic way of life, a belief which provides freemen with the opportunity to blend constructive ideas and ideals into a dynamic, unique, and challenging movement.

A year has now passed since the corps' inception, and I can report with pleasure that it has succeeded.

The corps asked Connecticut citizens to ask what they could do for their country, and the results have been extraordinary. A tremendous blow has been dealt to the menacing forces of apathy, lethargy, and negativism.

The corps has established educational projects, which include free tutoring centers, seminars, book drives, career guidance for youth, dropout prevention programs, lecture series, the teaching of English to the foreign born, and an extensive summer leadership training program entitled "Operation Hank," named in memory of a slain Hartford police officer, Henry Jennings.

Humane activities have ranged from painting homes for the needy and assisting disabled veterans to having corpsmen serve throughout Connecticut in the fields of mental retardation, prison rehabilitation, and youth counseling.

Physical fitness and recreational programs have involved thousands of youngsters and have included a football league, an adult basketball league, hikes, picnics, and over 100 hootenannies at veterans' hospitals, convalescent homes, mental health centers, jails, public gatherings, and alcoholic wards.

The 500 volunteers in the corps, ranging from doctors to high school dropouts, have also delved deeply into civic problems, assisting in voter registration drives, promoting a lecture series on Government, and establishing a speakers' bureau consisting of outstanding professional business and civic leaders.

In a time when great cries are levied against police enforcement agencies throughout the Nation, the corps publicly recognized the great challenges and demands that have been brought upon the police profession by holding a public picnic, with the support of numerous merchants, in honor of Hartford policemen and their families.

Yes, Mr. President, the Revitalization Corps has been successful, for the corps is not only spreading all over Connecticut, it is also establishing a chapter in New York City. Its programs, which have received national press coverage, have also been taped by Radio Free Europe and will be beamed as a living example of American democracy in action to the millions of enslaved men and women behind the Iron Curtain.

In a time of great materialism and even greater cynicism, the corps' programs are a symbol of hope and vitality. The corps serves to remind us that the Great Society must not only come from the Halls of Congress, but it must also come from the hearts of all of our people. It has shown that a maximum of dedication and imagination, and a minimum of funds, can produce spectacular results.

Mr. President, it is with the greatest of pleasure that I take this opportunity to salute the Revitalization Corps, both for what they have done for Connecticut, and for what they hope to be able to do for the whole country. As an editorial in the Hartford Courant of August 20 said:

> The Revitalization Corps is an endeavor of idealism and commonsense. And the combination is something any community can use.

SEPTEMBER 1, 1965—ANNIVERSARY OF THE INVASION OF POLAND

Mr. ALLOTT. Mr. President, I welcome the opportunity to pay tribute to an oppressed but courageous people, who, time and time again, have been in the forefront of the fight for freedom. The Polish people's heroic defense of their homeland's freedom and dignity against the ferocious onslaught of Communist and Nazi totalitarianism must never be forgotten by the people of the free world. Particularly we Americans must never forget a tragedy that engulfed a nation, which by blood and common ideals, has always been close to America. While many more powerful nations sought to appease Hitler and Stalin, it was Poland who recognized the threat to peace and was first to stand up and be counted in the battleline for freedom.

On September 1, 1939, Nazi divebombers rained destruction on Polish cities famed for their beauty and culture. Yet, as tanks plowed through the quiet farms and villages, these heroic people, outmanned in everything but courage, fought with pitchforks against submachineguns; with horses against tanks; and with kitchen knives against cannon. They fought, they bled, and they died. Almost one-quarter of the whole population perished. Yet, after the planes and tanks had decimated their cities, ruined their farms, they continued to fight for the next 6 years in a powerful resistance movement.

However, the tragedy of Poland was compounded, rather than alleviated, with the end of the war. The freedom which should have come with victory was denied the people of Poland. Poland, like other betrayed captive nations, was not permitted to share the fruits of the Allied victory. Her lands were divided, her industry confiscated, and an alien regime rang down the Iron Curtain, thus guillotining her fervent hopes for freedom and independence and the preservation of human choice and dignity. Yet, despite the cruel treachery that denied these heroic and freedom-loving people the sweet air of freedom and the light of liberty, they are still inexorably dedicated to the cause of freedom and their unconquerable spirit, in the face of totalitarian adversity, is an inspiration for all the peoples of the free and captive world.

The citizens of the United States of Polish descent have good reason to be proud of their country and their countrymen. The great leadership of such great Polish military strategists as Casimir Pulaski and Thaddeus Kosciuskzo helped to insure the triumph of our own Revolution against tyranny. Our gratitude to these patriots is not only a result of courageous actions of such men as Pulaski in time of war, but also for the contributions of many lesser known "Pulaskis" who, in time of peace, came into our Nation at critical times and infused new strength and life with their abilities, resourcefulness, and daring.

But let us not become so engrossed in cataloging the contributions of our Polish-Americans that we lose sight of the fact that the motherland is still enslaved. Let us invigorate and accelerate our efforts until the freedom-loving people of Poland can share the fruits of freedom and self-determination to which all men aspire.

DECLINE OF OYSTER PRODUCTION IN THE CHESAPEAKE BAY

Mr. TYDINGS. Mr. President, 75 years ago the Chesapeake Bay produced more oysters than all the rest of the world. Today it ranks second in U.S. oyster production. Where once the bay produced between 10 and 15 million bushels of oysters a year, production has plummeted by nearly 90 percent, to about 1.5 million bushels today.

The story of the bay's decline and the efforts of the State of Maryland to restore its place in oyster production is told in an article by Leonard Downie, Jr., in the August 15 edition of the Washington Post entitled "Maryland Better Clam Up About Her Oysters." Mr. Downie's article tells of the natural and manmade problems—mud erosion, hurricanes, and premature harvesting—which have beset the bay for many years.

The sad story of the decline of oyster production in the bay holds lessons for Maryland and for the Nation. If we are to protect and preserve our natural resources, we must redouble our efforts with respect to conservation programs. We must, for example, clean up our rivers and bays, regulate overproduction, eliminate soil erosion, and take measures to restore some of the damage that ours and earlier generations have inflicted on our water resources. I am pleased to note that Maryland, through its department of Chesapeake Bay affairs, is now spending about $1.4 million annually to try to check this decline.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Aug. 15, 1965]

MARYLAND BETTER CLAM UP ABOUT HER OYSTERS

(By Leonard Downie, Jr.)

Ask almost anyone who lives between Washington and the Eastern Shore, Baltimore and Crisfield, which State in the Union produces more oysters than any other. Then tell them no, it is no longer Maryland.

The Free State's share of the harvest from the Chesapeake Bay and its tributaries, which produced more oysters 75 years ago than all the rest of the world, now ranks second, behind Louisiana, in U.S. oyster production.

Maryland entered its new rivalry with the Gulf State under a severe handicap. Oysters, which stop growing when the water temperature drops below 41 degrees, lie dormant for 3 months every year in the bay and take 3 to 4 years to mature. In the warmer Gulf of Mexico, Louisiana oysters thrive the year round and grow to marketable size in 2 to 3 years.

A 9-month growing season once was good enough for the bay, during the good years of the past, when Maryland's share of the oysters produced was 10 to 15 million bushels a season, but oyster fishermen picked Maryland's best bars clean, naively believing that "nature would always provide." Left with too few "breathing" oysters on them to circulate the silt-filled water, and thus prevent the silt from settling on them, the depleted bars soon were covered over, their few remaining oysters smothered, by mud eroded from land in the upper bay. Maryland's share of the crop has been down to less than 1.5 million bushels each of the last 4 years.

This steady erosion, another of the bay's problems, has raised some of the bay bottom by as much as 8 feet, and has also pushed fresh water farther toward the sea. Where oysters once flourished far north of the Patapsco River and Sparrow's Point, none grow now because the water is no longer salty enough. Oysters need a certain amount of salt to live.

Hurricane Hazel, which hit the bay head-on in 1954, and other storms, have been blamed for creating underwater currents that devastated other bars, particularly on the western shore, and covered their ruins with shifted sand and mud. Surveys of the bay show that nearly 100,000 acres of its bottom, which once produced oysters in great quantities, now are barren.

WATERMEN A HANDICAP

Maryland, through its department of Chesapeake Bay affairs, is spending about $1.4 million annually—about $1 for every bushel of oysters harvested from its waters—to try to turn back the clock.

Old oyster shells, dredged up from bay bottom graves, are dumped onto the State's bars so that the young oysters can cling to them as they grow. The best bars are carefully farmed as seed areas where good crops of young oysters are grown in ideal environments and then transplanted to State-owned commercial bars where licensed shellfishermen can harvest them at maturity. State biologists delve into the secrets of oyster reproduction to improve their growth and battle diseases that attack them.

But even in this far-reaching attempt to revise oystering on the bay, Maryland is handicapped by a lack of enthusiasm on the part of the program's intended beneficiaries, the long-independent watermen themselves. Many of them, who long ago got out of oystering and now fish for crabs or clams, either are indifferent to the oyster program or are unhappy because they believe the dredging for old shells disturbs crab and clam beds.

Many oyster fishermen, too, are dissatisfied with the State's efforts, although they are paid much of the $1.4 million in State aid each year to plant old shells and transplant seed oysters. They are disappointed with the small size of the oysters they caught this past season and with the year-after-year absence of a dramatic upsurge in production.

Frederick Seiling, chief of natural resources with the Department of Chesapeake Bay affairs, believes it is still too early to judge the real effectiveness of the oyster development he supervises. Pointing out that State aid "in its present form and amount" was not begun until 4 years ago, he said he expects better returns during the season that starts next month.

Overanxious watermen took up too many oysters that were just over the legal minimum of 3 inches long last year, Seiling said, and then found that they did not sell in competition with larger shellfish from the South.

"The watermen should have waited another year to take them up," he said. "Those that were left for a fourth year of growth should reach a real good size this season. The consumer will like them and that will help business."

Seiling added that seed oyster growth has been improving, but, again, progress cannot be measured in production until 3 or 4 years from now. "We are definitely on the road back," Seiling said, "but it takes time."

WHO WILL SHUCK?

Yet even if production should suddenly spurt upward, many watermen, and Seiling, fear that another problem—processing the catch—will arise. They doubt that there are enough people left who can shuck the oysters from their shells before they are packed for market.

A veteran Chesapeake Bay boat captain from Crisfield, Major C. Todd, remembers that during the peak years of the past there were huge packinghouses in the bigger towns and cities along the bay. Now, most of them, especially those in Baltimore and Cambridge, are gone.

"Small shucking operations have grown up all over," Todd said, "but altogether they don't employ as many people or handle as much volume as just one or two of the big ones in years gone by.

"Shucking is an art handed down from generation to generation," Todd said. "All the shuckers are growing old now, and most of the young ones left the business to do something else during the decline. If we get more oysters, who will shuck them?"

AUTOMATION NEEDED

Seiling suggests automation of some kind, if shucking can ever be accomplished by machine. The various sizes and shapes of oyster shells and the difficulty involved in opening them quickly has thus far defied mechanization.

Automation on the catching end of the industry has stirred discussion of a different kind. By law, oysters may be caught on the bay only with manually operated long-handled tongs or underwater dredges dragged by sailboats. Some watermen would like to use readily available motor-powered boats and machine-operated dredges to scoop up the oysters. But others fear that not only would some watermen be unable to afford this equipment and be driven out of business, but that too-efficient dredging might again deplete the bars.

There is debate, too, about whether Maryland's commercial bars should remain State-owned or be sold or leased to private developers as they are in Louisiana. The only private bars in Maryland waters are those leased by the State after they have become too barren for steady commercial fishing.

Private ownership works well, Seiling said, when each bar owner can be content to wait to harvest his oysters until they have grown to the largest possible market size. He does not have to race anyone else to them. He can bring them up any way he pleases, and it probably would be conducive to conservation, because the bar he is dredging is his own.

Louisiana also benefits from a large natural seed area in the gulf which produces more than enough young oysters for the State's private developers, Seiling added. This seed project and other State aid are financed by oyster shell and oil royalties rather than taxes, as is the case in Maryland.

"They have a lot of painlessly accumulated money at their disposal," Seiling pointed out, "and that helps make their program quite attractive to the watermen and the taxpayers."

He did not say it in so many words, but it was apparent that Seiling would like to have it that way in Maryland. But then he must try harder, because Maryland is only No. 2.

BIG BROTHER: DESICCATED LIVER

Mr. LONG of Missouri: Mr. President, in connection with the investigation by the Subcommittee on Administrative Practice and Procedure into unwarranted invasions of privacy by Federal agencies, I have had much correspondence on the subject of the Federal Trade Commission's attack on the advertising for a book entitled "The Health Finder," published by Rodale Press.

In the Washington Star on Monday, August 23, 1965, there was an article by James J. Kilpatrick on this subject. The article sets forth very clearly the obtuse manner in which our great bureaucracy works.

I might say that in our investigation of invasions of privacy, the FTC has come out with one of the cleanest records of any of the Federal agencies. With the exception of the use of mail covers, the FTC apparently has not used any of the more objectionable investigative methods, electronic or otherwise. However, the case with respect to Rodale Press indicates that even the best of the agencies from time to time become involved in a needless invasion of privacy.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FTC AND DESICCATED LIVER

(By James L. Kilpatrick)

One of the most notable enterprises in the small town of Emmaus, Pa. (population 10,262), is a steady little business known as the Rodale Press, of which Jerome I. Rodale is the president and prime mover. He is fighting a lonesome and exhausting battle that merits the support of freemen everywhere.

Editors across the country know Rodale as the publisher of a brisk and informative little newsletter, the "Health Bulletin." The giants of the American Medical Association know him rather differently; they view him as some kind of nut.

It is the sin of Rodale that he believes that nature, left alone, will produce healthy fruits and vegetables.

In 1954, Rodale brought forth a thick book called "The Health Finder." Perhaps 95 percent of the material contained in this "encyclopedia of health information" was beyond reproach. But here and there, the publisher had put forward certain ideas and suggestions of his own, running contrary to conventional medical theory.

One of his ideas, for example, is that vitamin A supplements will help prevent colds. Another of his ideas is that certain fresh fruits and vegetables, plus certain vitamins and minerals, will prevent constipation.

He believes that desiccated liver will prevent fatigue. He advocates garlic and a salt-free diet for high blood pressure. He recommends vitamin E for something else.

To promote his book, Rodale got out an advertising brochure that accurately described the ideas and suggestions contained in the volume. After 5 or 6 years, he abandoned that brochure and brought out a slightly less aggressive flier in the book's behalf.

By mid-1963, he had sold 137,000 copies; he had stopped advertising it; and he had only a few copies left in stock. For all practical purposes, "The Health Finder" had gone out of print.

It was therefore bewildering when the Federal Trade Commission, on April 3, 1964, filed a thundering cease-and-desist proceeding against Jerome I. Rodale, the Rodale Press, et al., based primarily upon an advertising brochure he had not used for at least 5 years.

The FTC's complaint set forth, in censorious words and phrases, that the "ideas and suggestions" contained in "The Health Finder" were not ideas and suggestions that could be advocated through advertising in a free society, vintage 1964.

The case came on for a hearing before Examiner John Lewis, who delivered his verdict on April 16, 1965. Dozens of witnesses had been heard on each side. From their testimony, Lewis concluded that "the greater weight of credible medical evidence" holds that vitamin A will not prevent a cold.

In a significant number of cases, no dietary regimen will prevent constipation. The greater weight of credible medical evidence holds that fatigue is caused by many factors. Rodale was ordered to cease and desist advertising any book that expounded any heretical ideas to the contrary.

From this extraordinary and ominous order, Rodale has appealed to the full FTC. The case comes up for argument September 21. It is not too much to suggest that every person who is concerned with freedom of the press has a stake in its outcome, for the authority claimed by the FTC examiner is perilously close to an authority to suppress any ideas and suggestions that challenge the greater weight of credible evidence in many fields of consumer interest.

Seventeen months of litigation already cost this small apostle of nonconformity some $50,000. Further heavy expenses lie ahead. He also has suffered from the examiner's fantastic finding, apparently drawn from the examiner's own vivid imagination, that persons who relied upon Rodale's ideas and suggestions might die for want of competent medical attention. In point of fact, the FTC's own witnesses conceded that the book contained much sound and helpful information.

It is irrelevant that the FTC's prospective order is concerned not with the book, but with advertising for the book. If the publisher of unconventional ideas cannot advertise his unconventional ideas, his freedom assuredly is abridged. And if the first amendment fails to protect an advocate of desiccated liver, whatever that is, the first amendment is suffering a fatigue that demands better doctors.

A TEENAGER MEETS THE CHALLENGE TO YOUTH WITH THOUGHT AND ENTHUSIASM

Mr. JORDAN of Idaho. Mr. President, youth in America today is faced by problems of a complex society. The issues posed by our Nation's growth and change do incite concern in our young people. Sometimes the reaction of elements in this age group has been defiance toward fundamental, timeless American values. However, there are many young people who accept the civil responsibility demanded by these problems, and who answer the challenge of a progressing America with action.

Recently it was my pleasure to talk with a teenager who meets the challenge to youth today with thought and enthusiasm. Miss Linda Fleming of Bonners Ferry, Idaho, was visting the Nation's Capital as Idaho's representative to the Teen Forum. Mr. President, I ask unanimous consent to insert her essay on "My Responsibility to America" in the CONGRESSIONAL RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

MY RESPONSIBILITY TO AMERICA

An American teenager's responsibility to her country is far from being small. By the time this age is reached, responsibility to parents only has been outgrown and the challenge for responsibility to America is being accepted. I, as an American teenager, am proud of being able to share this challenge.

It is my responsibility, along with all other teenagers, to seek the best from my high school education in order that I will be able to fulfill my respective position in American society and be able to uphold the hard-sought reputation which our country's forefathers achieved and upheld from generation to generation until it is now in our hands to deal with. For me, this means going to college; for someone else it may mean entering a branch of the Armed Forces.

Now that I am a teenager, I feel that it is more important than ever to conduct myself in a manner which our Nation will be proud of and other nations will look to with respect. In this responsibility lies part of America's diplomatic relations with the rest of the free world.

These are two of the many ways in which I try to accept responsibility. Some of them are subconsciously fulfilled while I greet others with a definite purpose in mind. The challenge does not end here, but increases with the acquisition of greater knowledge. For me, the acceptance of responsibility comes not out of conformity, but out of love for this country.

THE STAMP ACT CONGRESS

Mr. ROBERTSON. Mr. President, next October will be the 200th anniversary of what was known as the Stamp Act Congress which, meeting in New York from October 7 to 25, 1765, served to consolidate the movement for resistance among the American Colonies to the infringements of their rights as English citizens by the German-born English King, George III.

That Congress adopted a Declaration of Rights in opposition to taxation without representation and trial by admiralty courts without a jury—two fundamental principles of British democracy subsequently incorporated in our Constitution of 1787. That New York Congress was a milestone in our fight for independence, but is not so well known as the events of some 10 years later which included the Boston Tea Party; the Battle of Concord Bridge; the Virginia Bill of Rights of June 1776; and the Declaration of Independence of July 4, 1776.

My distinguished successor in the House, the Honorable John O. Marsh, Jr., has sponsored a resolution—House Joint Resolution 598—to authorize the President to issue a proclamation commemorating the 200th anniversary of the Stamp Act Congress of October 1765. That resolution was passed by the House on August 26 and I hope it will be promptly reported by the Senate committee to which it has been referred and passed by the Senate before adjournment.

Mr. President, to remind my colleagues of a significant event in the oldest colony which preceded the Stamp Act Congress, I ask unanimous consent to have printed at this point in the Record the Virginia Resolves of 1765.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

[From the Journal of the House of Burgesses of Virginia, 1761–65, p. 360, May 30, 1765]

On May 29 the Virginia House of Burgesses resolved itself into a committee of the whole to consider the Stamp Act. Patrick Henry, a new member from Louisa County, introduced seven resolutions; these were bitterly opposed by many of the tidewater leaders, but, after "torrents of sublime eloquence" from Henry, were passed. The following day, however, the House adopted the first five only, and rejected the last two. After Henry's departure, the House expunged the fifth resolution from the record. The entire series of resolutions, however, was published in the newspapers. It is in connection with the debate on these resolutions that Henry made his "Caesar had his Brutus" speech, the actual context of which is apparently very different from that generally given. (See, S. E. Morison, "Sources and Documents Illustrating the American Revolution," p. 14 ff.; M. C. Tyler, "Patrick Henry," p. 61 ff.; G. E. Howard, "Preliminaries of the Revolution," ch. viii; R. Frothingham, "Rise of the Republic," ch. v.)

The Resolves

Resolved, That the first adventurers and settlers of this His Majesty's Colony and Dominion of Virgina brought with them, and transmitted to their posterity, and all other His Majesty's subjects since inhabiting in this His Majesty's said Colony, all the liberties, privileges, franchises, and immunities, that have at any time been held, enjoyed, and possessed, by the people of Great Britain.

Resolved, That by two royal charters, granted by King James the First, the colonists aforesaid are declared entitled to all liberties, privileges, and immunities of denizens and natural subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

Resolved, That the taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people are able to bear, or the easiest method of raising them, and must themselves be affected by every tax laid on the people, is the only security against a burthensome taxation, and the distinguishing characteristick of British freedom, without which the ancient constitution cannot exist.

Resolved, That His Majesty's liege people of this his most ancient and loyal Colony have without interruption enjoyed the inestimable right of being governed by such laws, respecting their internal polity and taxation, as are derived from their own consent, with the approbation of their sovereign, or his substitute; and that the same hath never been forfeited or yielded up, but hath been constantly recognized by the kings and people of Great Britain.

Resolved therefore, That the General Assembly of this Colony have the only and sole exclusive right and power to lay taxes and impositions upon the inhabitants of this Colony, and that every attempt to vest such power in any person or persons whatsoever other than the General Assembly aforesaid has a manifest tendency to destroy British as well as American freedom.

Resolved, That His Majesty's liege people, the inhabitants of this Colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws or ordinances of the General Assembly aforesaid.

Resolved, That any person who shall, by speaking or writing, assert or maintain that any person or persons other than the General Assembly of this Colony, have any right or power to impose or lay any taxation on the people here, shall be deemed an enemy to His Majesty's Colony.

WEST TEXAS PRESS ASSOCIATION ENDORSES GUADALUPE MOUNTAIN NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, the West Texas Press Association held their annual convention in El Paso, Tex., on August 13 and 14, 1965. At this 35th annual convention they passed a resolution endorsing the creation of Guadalupe National Park, which I have urged for several years.

I ask unanimous consent that the text of this resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 3

(Resolution by West Texas Press Association in 35th annual convention in El Paso, Tex.)

Whereas the site for the proposed Guadalupe National Park is outstanding in the United States: Be it

Resolved, That the West Texas Press Association endorse the creation of a national park in this area; and be it further

Resolved, That copies of this resolution be sent to the Texas delegation in Congress.

Mrs. R. F. Mahood,
Secretary-Treasurer.

TRIBUTE TO LT. FRANK REASONER, OF THE MARINE CORPS

Mr. JORDAN of Idaho. Mr. President, I should like to call the attention of the Congress to the courageous patriotism of Lt. Frank Reasoner who sacrificed his life to save a fellow marine near Anmy in the Danang sector of Vietnam on July 12. Yesterday—August 30, 1965—the 3d Reconnaissance Battalion of the 3d Marine Division dedicated Camp Reasoner at Kaneohe Marine Corps Air Station in his honor.

Frank Reasoner's loyalty to the Marine Corps has a long history. Upon his graduation from Kellogg High School in Kellogg, Idaho, in 1955, he enlisted in the Marine Corps. In 1958, at the time Reasoner was a sergeant in the Marine Corps, he was appointed to West Point by Senator Henry Dworshak. Reasoner insisted that in the event he would be graduated from West Point, he would be commissioned in the Marine Corps.

At West Point Frank Reasoner made an outstanding record in athletics. The first 2 years he was at the Academy he was the outstanding wrestler, but having received an injury to his knee, he took up boxing. Upon graduation in 1962 from the Military Academy, he was awarded the Colonel David Marcus Memorial Award, a silver tray, given annually to the outstanding boxer.

As a commissioned officer in the Marine Corps, Lieutenant Reasoner was commanding officer of Company A at Danang on July 12. He was leading a patrol through Vietcong territory when they were hit by automatic weapon fire. Fearlessly going to rescue a fellow marine, Lance Cpl. James Shockley, who was wounded, Reasoner was shot down.

Idahoans will remember his valor with pride. His compassion and leadership are unforgettable to the marines who dedicated Camp Reasoner.

Mr. President, I ask unanimous consent to reprint in the Congressional Record an article from the Washington Post, August 30, 1965, on the dedication of Camp Reasoner.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAMP IN SOUTH VIETNAM HONORS DEAD MARINE

DANANG, SOUTH VIETNAM, August 29.—"Don't worry, I'll get you out," Lt. Frank Reasoner called to the wounded marine.

"Don't come, the fire is heavy," yelled back Lance Cpl. James Shockley of Scott Air Force Base, Ill.

That was July 12 and Reasoner, of Kellogg, Idaho, was leading a Marine patrol deep in Vietcong territory near the village of Anmy outside this coastal city.

Reasoner, 27, called to a couple of men on his right and told them to cover him.

"I'm going after Shockley," he said.

The lieutenant got up to move and was struck in the neck by Vietcong machinegun fire.

"Greater love hath no man," the Marines said in commemorating Reasoner. And they wanted everyone to remember that and to remember Reasoner.

So today the 3d Reconnaissance Battalion of the 3d Marine Division dedicated Camp Reasoner and hung up a high sign in front of the tent.

In a scarlet background with gold letters—the colors of the Marine Corps—the sign read: "Camp Reasoner."

And in smaller print below it says:

"This camp is dedicated in honor of First Lieutenant Frank S. Reasoner, U.S.M.C., whose courage, honor and devotion were displayed above and beyond the call of duty during his valiant action at Anmy in the Danang sector of Vietnam on July 12, 1965, while serving as commanding officer of Company A. First Lieutenant Reasoner sacrificed his life to save one of his wounded Marines. Greater love hath no man."

AN INTERVIEW WITH PRESIDENT CHIANG KAI-SHEK OF NATIONALIST CHINA

Mr. SIMPSON. Mr. President, recently a reporter on the international staff of U.S. News & World Report, Mr. Robert P. Martin, was granted an interview with President Chiang Kai-shek of Nationalist China. The interview was quite lengthy and covered a broad range of subjects.

As U.S. involvement in the war in Vietnam deepens and as talk that Red China may be admitted to the United Nations "within 2 years" increases, I feel that the comments of the President of Free China are particularly relevant and I request that the interview from the August 9 U.S. News & World Report be printed in the body of the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

INTERVIEW WITH CHIANG KAI-SHEK—TASK OF UNITED STATES: TO REGAIN VICTORY FROM A LOST PEACE

(Could the United States have nailed down its World War II victory in Asia 20 years ago? Yes, says President Chiang Kai-shek of Nationalist China—and at a fraction of the cost and effort now going into South Vietnam. To Chiang, victorious China was the real victim of the war in the Pacific. U.S. miscalculations, he feels, opened the door to the Reds, resulted in the loss of China, war in Korea and chaos in southeast Asia. President Chiang, on Formosa, breaks a long silence in this exclusive interview granted to Robert P. Martin of the international staff of U.S. News & World Report.)

Question. Mr. President, in your opinion, why has there been no real peace in Asia since Japan's surrender 20 years ago?

Answer. As is commony known, the Japanese attack on Mukden on September 18, 1931, marked the beginning of the Sino-Japanese War which later on led to World War II. Following the Mukden incident, the Chinese Communists became more militant and extended the scope of their armed insurrection in the Yangtze Valley in co-ordination with steady Japanese encroachments in the North.

Thus, the Government of the Republic of China was caught in a giant pincer movement and had to fight on two fronts.

Our war of resistance against Japanese aggression following the Marco Polo Bridge incident on July 7, 1937, lasted for 8 long years.

After Japan's unconditional surrender, Soviet troops quickly poured into our Northeast Provinces, and Stalin lost no time in arming the Chinese Communists with captured Japanese arms.

This enabled the Chinese Communists to start their all-out insurrection against the Chinese Goverment.

In fighting Japan following the Mukden incident, China's objective was to insure her sovereignty and territorial and administrative integrity. This, too, was the common objective of the Allied nations that fought the Axis Powers in World War II.

So long as this objective remains unattained, all the sacrifices which China made in lives and property during World War II were in vain.

Though the Axis powers surrendered unconditionally at the end of World War II, China was cheated out of her rights. Stalin's puppet, the Chinese Communists, replaced Japan as the predatory force against China's legal Government.

Since their seizure of the China mainland, the Chinese Communists have carried out infiltration, subversion, and aggression in many places on an ever-expanding scale, and these activities culminated in the Korean war and in the war now raging in Vietnam.

Today the Chinese Communists definitely constitute a threat to peace and security in Asia and in other parts of the world.

So long as this source of war and aggression is not eliminated, there will be no way to establish genuine peace in Asia and throughout the world. So long as the objectives of the declaration of Washington, signed by the United States, Great Britain, Soviet Russia, and the Republic of China at the beginning of World War II, remain unfulfilled, the obligations and responsibilities these four powers assumed under the World War II alliance are not terminated.

Therefore, World War II in fact has not yet ended.

This has made it impossible to maintain international law and order. This is the sole reason why there has been no real peace in Asia since Japan's surrender 20 years ago.

Question. Is it correct to say that the United States is now losing the war it once thought it had won out here in Asia?

Answer. Toward the end of World War II, statesmen in various Allied countries were afraid that the peace might be lost although the war was being won.

Unfortunately postwar developments have proved that their apprehension was well founded. Though the United States fought side by side with China to win the war in east Asia and the Pacific, China was betrayed at Yalta, and her sacrifices lasting over a period of 14 years came to naught.

The United States closed her eyes to the Chinese Government's efforts to suppress the Communist insurrection in order to preserve China's national unity and to maintain world peace.

The United States even withheld promised military supplies from the Chinese Government. When the Chinese Communists succeeded in seizing the China mainland, the free world lost the rampart for peace throughout east Asia.

Today the Chinese Communists are using the China mainland as a base for subversion and aggression against the whole free world. They regard the United States as their prime enemy and are defiantly moving against Asia, Africa, and America by encirclement from two directions, east and west.

Right now, the international Communists and their fellow travelers are working overtime among the American people, spreading insidious propaganda and creating political pressures, all for the purpose of inducing the United States to repeat her postwar mistake through abandoning the stand she has hitherto maintained in Asia by gradually withdrawing from the Orient.

The American people should be aware of this danger and be vigilant.

The firm stand of the United States in the Vietnam war provides a ray of hope for safeguarding Asian freedom and world peace. American prestige is rising proportionately to President Johnson's firmness. To regain victory from a lost peace, and to reestablish a genuine peace so as to make amends for the deficiencies left by World War II, is the unshirkable responsibility of the United States since she is the acknowledged leader of the free world both morally and politically.

Question. Looking back at the past two decades, do you feel the United States made important mistakes that contributed to the present instability in Asia?

Answer. One great mistake is that, at the end of World War II, the United States failed to realize the disasters that would follow should the Communists seize the China mainland.

Instead of helping the Government of the Republic of China in our campaign to eliminate the Communist menace, the United States hamstrung us and thereby, in effect, helped and bolstered the Chinese Communists.

Had those occupying key political and military positions in the United States at the time realized the strategic value of mainland China to the United States on the other side of the Pacific, Asian history for the past 20 years would not have been written on bloodstained pages, and the 600 million Chinese on the mainland would have remained friends instead of becoming, under duress, enemies of the United States.

All these have come to pass because of the shameful secret Treaty of Yalta. Had there been no Yalta, the China mainland today would not pose a military threat to the free world, and Stalin would not have had an opportunity to arm the Chinese Communists with military supplies surrendered by the Japanese.

Another grave mistake the United States committed was her insistence on broadening the base of Chinese Government by including the Chinese Communists in it.

Our peace talks with the Chinese Communists only served to weaken the morale of the Government forces which were then winning, and gave the enemy time to regroup their units.

At the conference table, a Communist never negotiates to seek solutions; he talks only to gain time or to wring recognition for his plunder.

Question. Can anything be done now to rectify these mistakes?

Answer. Recently some American friends said to me that, if 16 years ago the United States had supported the Republic of China's military campaign against the Communist insurgents with but one-tenth of what she is now pouring into the Republic of Vietnam, American casualties in Korea and Vietnam could have been spared.

I could not agree with them more, but I would like to add that one-tenth would have been sufficient, and that chiefly moral and logistic, for even then there was no need of direct participation by American Armed Forces.

Late as it is, there is still time to salvage the situation. The following steps, in my opinion, must be taken by the United States with all seriousness and speed:

First, promote the formation of an effective alliance of the Asian nations that have been victimized or are endangered by Communist aggression, so that whenever any one of them should be attacked, the rest would be dutybound to aid it. The United States, being the arsenal of democracy, should contribute weapons and logistic support, but American ground forces need not take part in any fighting in East Asia.

Second, provide logistic support to the Government of the Republic of China in its action to recover the mainland and restore her territorial sovereignty.

Third, destroy the Chinese Communists' nuclear installations before they can amass a stockpile of atomic weapons and develop a system of delivery.

Fourth, pay serious attention to Mao Tse-tung's program for world revolution after World War II, a document read into the U.S. Senate records on April 29, 1954. The timetable has been delayed, but the program is otherwise being carried out.

UNITED STATES IN ASIA'S HOT SPOTS

Question. Do you see any possibility the United States will be driven out of Asia and the western Pacific?

Answer. No, I do not see such a possibility. The temptation for the United States to quit Asia is understandable, for, with the best of intentions and at tremendous self-sacrifice, American efforts to retrieve Asia from the clutches of Communist enslavement, Moscow or Peiping, have so far been mostly disappointments and frustrations.

But the world is now so closely knit that the United States is no more able to disengage herself from Asia than from Europe.

Forces that breached the ramparts of the Monroe Doctrine and propelled the United States into the hottest spots in two world wars remain as active as ever.

As it was then, so it is now—the continued existence of the United States as a free and sovereign nation is contingent upon the maintenance of world peace. For her to disengage herself from Europe and Asia would be to allow her enemies to prepare, in safety, ways and means for her eventual burial.

The United States may wish to leave the rest of the world alone, but the Communists will not leave her alone.

Unless she subscribes to the belief that a leopard can change its spots, she cannot disengaged herself from Asia as long as the Peiping regimes continues to exist.

The United States must not allow herself to be driven out of Asia. I remember Gen. Douglas MacArthur telling me during a visit in 1950 that "the pivot of the world for the next few centuries will be in the Pacific, not in the Atlantic." And the United States cannot quit the Pacific.

Question. Can any single country, even one with the enormous military powers of the United States, keep the peace in Asia?

Answer. My answer is "No." The day of Pax Romana is gone. And even Rome failed to keep real peace for long.

But no one is calling upon the United States to shoulder alone the responsibility of keeping the peace in Asia. There are at least a billion Asians ready and anxious to share this burden with her. One thing is certain, Asian nationalism cannot survive where Red imperialism flourishes.

In our struggle for survival, we are confident that Asian manpower coordinated with American technology and supplies will result in the greatest politicomilitary power in history for the maintenance of peace.

We should not be downhearted, much less feel isolated.

A NEW ALLIANCE NEEDED

Question. Is it possible for the countries confronted by Communist power—the Republic of China, for example, and South Korea and South Vietnam—to be close allies and fight side by side when one is attacked?

Answer. For years I have been advocating this kind of alliance. So far, the greatest single factor preventing its formation is the "no-win" policy of the United States as demonstrated in her not supporting such an alliance. For, in order to be really effective, the alliance needs American participation.

As of now, the United States has bilateral defense agreements with each of these nations and is actually providing them individually with political and military assistance.

This assistance has indeed enabled them to carry on resistance separately, but not enough to insure security and victory. Of course, some of these nations, by making use of the popular hatred for the Communist tyranny, by relying on their own wealth of experience in combating communism and by drawing upon the vast potential of their age-old national culture and traditional ethical concept, can successfully muster their own armed forces and civilian population against the Communists in their own countries without the participation of any foreign troops, provided they are given adequate weapons and logistic supplies.

But, in the absence of such an alliance, none of them can do much to immunize itself from the threat to its own security so long as Communist forces remain entrenched in adjacent countries, because it has no treaty obligations to help its neighbors to solve their Communist problems.

To date, America's most active anti-Communist Asian allies have met with nothing but partition—and at the whim of others.

The Republic of Korea is now broken into two, the Republic of Vietnam is likewise partitioned, and the Republic of China has been only maintaining the status quo here.

These nations eagerly hope that from America they can obtain encouragement and help to form an alliance so that their respective sovereignty and territorial integrity may be regained.

The role America needs to take in this alliance is principally that of providing moral and material support.

Thus, at most, her military participation would be limited to only a small portion of her naval and air forces. Her ground forces will not be involved. The Chinese Communists being weak both in the air and on the sea, are certainly in no position to challenge, the U.S. Naval and Air Force.

Question. Will there ever be peace in Asia as long as the Communists control China?

Answer. Communism, not nationalism, is the cause of turmoil in Asia today.

In the case of the newly independent Asian nations, most of them realize that they need economic development and political stability, but they lack experience and sophistication.

Neither do they have foundations for political and social organizations comparable to those that exist in better-developed nations.

Most of them are, therefore, highly vulnerable to Communist infiltration, seduction, and agitation, and their people can be easily incited to create disturbances.

If their governments should decide to proceed with plans for political and economic reconstruction, the Communists will sabotage them by all wicked means at their disposal.

These will include rumor-mongering, malicious fabrication, and distortion of facts, and so on, until the people can no longer distinguish truth from falsehood, right from wrong.

In the end, the governments will lose prestige in the people's eyes and find themselves unable to carry out the various reconstruction plans. The Communists will take advantage of the situation to move a step closer to attaining their goal, which will be nothing less than seizure of political power.

The Communists instituted strikes in factories and in schools, organized demonstrations, riots, revolts, and bloodshed on the China mainland some 16 years ago, and today they are resorting to the same tactics in other Asian nations.

Communism is, therefore, the source of trouble in all Asia.

In some of the newly independent nations in Asia, as in some of the newly emerging nations in Africa and other parts of the world, the Communists have skillfully camouflaged themselves as nationalists in carrying out infiltration and subversion, in fostering revolts and in supplanting real nationalism.

Their final aim is the complete domination and control of these nations. Once they succeed, they discard their mask of nationalism and reveal their true identity.

I am convinced that there can be neither peace nor security in Asia and in other parts of the world as long as the China mainland remains in the Communist grasp.

PRESSURES FOR WAR

Question. Is there any chance that China under the Communists could develop along the lines of the Soviet Union, so that "competition" with the West would be relatively peaceful?

Answer. This is a kind of wishful thinking completely contrary to facts.

Mao Tse-tung and his cohorts are all Stalinists. They have occupied the China mainland for 16 years. Though they have exploded two nuclear devices since last October, their economy is worsening, while the people are destitute, downtrodden, and have no freedom to speak of.

Therefore, unless the Communists continue their external aggression and expansion, and force the people into wars, they will find it difficult to control the people's anti-Communist movements.

Furthermore, indisputably, the Chinese Communists are much more aggressive-minded than the Bolsheviks in the initial period of the Soviet Revolution.

Even if one should concede that the Chinese Communists might in due course become more moderate along the lines of the Soviet Union, how long does the free world have to wait for this miracle?

We Asians believe that the Peiping regime is totally irresponsible, and that if it can produce in the next year or two a very small number of, say, 10 atomic bombs, however crude they may be, it will not hesitate to use them on its anti-Communist Asia neighbors.

There is even the possibility that within the coming 5 or, at most 10 years, Peiping may be able to develop a long-range delivery system.

What if the so-called miracle does not happen?

Is the free world to stand still and thus condone the fall of Asia into Communist hands?

Must we wait for Peiping's atomic weapons to upset the world's nuclear balance and plunge mankind into a global nuclear holocaust?

RACE HATRED: A RED WEAPON

Question. Is there any possibility of the world's dividing into two contending blocs: the heavily populated, underdeveloped countries against the less populated, more advanced countries—or, as some call it, the colored world against the white world?

Answer. In my opinion, this is a problem which deserves the serious study of people with foresight.

Following the rise of nationalism and the fall of old colonialism, the problem of population has assumed greater importance in world politics with particular reference to international wars in the future.

Owing to the general concept prevalent in the twentieth century, it is no longer possible to deny any people their human rights.

As Asia is the home of the majority of the world's population, its weight on the scale of world events is increasing daily.

But this has nothing to do with the question of races. It is due more to differences in cultural levels, stages of economic development, and standards of living, rather than the amount of melanin produced in the epidermis.

Had it not been for the exaggeration of the Communists, who for nefarious reasons of their own are deliberately exploiting racial differences into controversies, it would be obvious that whatever differences exist between nations and races stem from cultural levels, stages of economic development, and standards of living.

These will gradually vanish as the more advanced nations give the less fortunate emerging nations economic aid and technological assistance.

Thus, in due course, any animosities felt by peoples in underdeveloped countries toward those of the better developed countries will lend themselves to reasonable solutions.

Therefore, it is not inevitable that the world should be divided into two hostile blocs.

Moreover, in the context of current world developments, the question of freedom versus slavery is much more important than that of ethnic origins.

We should, therefore, recognize that multiple races exist as a fact of life, and live together in harmony.

The international Communists, especially those in Peiping, however, are utilizing every means to stir up racial hatred in some of the newly independent nations in Asia and Africa.

The Chinese Communists are wasting no time in using this as a powerful weapon in carrying out their studied schemes for aggression and agitation and as a means to wrest leadership of the Communist world from the Soviet Union.

Developments in Africa and in southeast Asia show that the Chinese Communists are trying to foment war among the races as a further step toward dominating the world and enslaving mankind. I wonder if the Western nations are aware of this Communist conspiracy and, if so, what precautionary measures are they taking?

How to prevent the Chinese Communists from further fostering and exploiting racial differences and how to remove racial hatred and avert catastrophe are problems demanding the collective wisdom of free nations.

Question. Do you see a possibility of future good relations and a strengthening of the alliance between the Soviet Union and Communist China?

Answer. I do not see any possibility of a rapproachment between Soviet Russia and the Chinese Communists in the foreseeable future. This is so because their conflicts, clashes, contradictions, and power interests are too deep to leave room for a fundamental readjustment.

A case in point, the war in Vietnam, has not served to mend the rift between Moscow and Peiping.

However, to suppose that the two are headed for a quick military conflict is incorrect.

As to the question about Soviet Russia's policy in the event of a war between the United States and Peiping, this will depend on developments within the Communist bloc as well as in the world situation at the time.

In the Vietnam war, Russia started to give Hanoi assistance only after the Chinese Communists had vociferously accused her of total lack of concern for the "life and death struggle" of a brother "socialist nation." In the face of this accusation, had Russia done nothing, it would have threatened her leadership of the Communist bloc, while bolstering Mao's prestige and strengthening his claim to leadership of the international Communist movement.

When our troops land on the mainland, it is highly improbable that the Chinese Communists would turn to the Soviet Union for assistance or ask for the participation of Soviet troops.

It is equally improbable that the Kremlin would send troops to China and become involved in a purely Chinese war. At any rate, Soviet Russia would scarcely help a regime that is already a formidable contender for the leadership of the Communist world.

JAPAN'S ROLE IN ASIA

Question. Could Japan play a greater role in solving Asia's problems?

Answer. By virtue of her industrial potential, Japan could play a greater role in finding solutions to some of Asia's problems.

But, first of all, she needs to realize once and for all that her basic interests can be effectively safeguarded only if she follows an overall policy of consistent opposition to communism.

This warning is offered because leftist propaganda in Japan is loudly voicing the view that sooner or later there will be a coming together of Japan and the China mainland in answer to economic pressure.

Moreover, there is in Japan a latent anti-Americanism that tempts Communist exploitation.

Fortunately, by weaving Japanese trade interests into some pattern of Asian-Pacific Common Market, it should be possible to detach Japan from Peiping. There is also latent anti-Russianism in Japan to offset the anti-Americanism.

The **PRESIDING OFFICER** (Mr. Moss in the chair). Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF ADDITIONAL GS-16, GS-17, AND GS-18 POSITIONS IN CERTAIN AGENCIES

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 634, S. 2393.

The **PRESIDING OFFICER**. The bill will be stated by title for the information of the Senate.

The bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies for functions created as substantially expanded after June 30, 1965.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105 (b)), relating to the maximum number of positions authorized at any one time for grades 16, 17, and 18 of the General Schedule of such Act and the authority of the President to provide a limited number of such positions for new agencies and functions, is amended by striking out "twenty-four hundred" and inserting in lieu thereof "twenty-five hundred", and by adding after "subparagraph" in paragraph (2) a comma and the following: "and one hundred of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965".

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 652), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

STATEMENT

S. 2393 would amend section 505(b) of the Classification Act by increasing the Government-wide quota of positions which may be placed in grades 16, 17, and 18 of the General Schedule from 2,400 to 2,500.

The bill further provides that the additional 100 positions so created would be available for use only upon the approval of the President and only for agencies or functions created or substantially expanded after June 30, 1965.

Although the need for these additional supergrade positions emanated from congressional discussions of the necessity for highly qualified persons and high-level positions to man the greatly expanded operations of the Social Security Administration under the Social Security Amendments of 1965, it is felt that a number of other agencies or functions either created or substantially expanded by congressional action since June 30, 1965, will request allotment of additional GS-16, GS-17, and GS-18 positions.

Among recent legislation which either created or substantially expanded agencies or functions are the Water Resources Planning Act; the Voting Rights Act of 1965; the Drug Abuse Control Amendments of 1965; and the Older Americans Act of 1965. There is also a substantial amount of legislation presently receiving congressional consideration which, if enacted, will either create or substantially expand agencies or functions.

Congress made provision for a similar reserve of 50 such positions available only for allocation with approval of the President in 1961, but that allocation has now been exhausted.

The 2,400 supergrade positions allotted within the Classification Act presently are subject to percentage limitation, with no more than 12 percent of the total being allotted as GS-18 positions, a maximum of 25 percent to GS-17 positions, and with the remaining percentage of the total allotted as GS-16 positions. The 100 additional supergrade positions provided for under this bill will likewise be subjected to these percentage limitations.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The **PRESIDING OFFICER**. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 3157.

The Senate resumed the consideration of the bill (H.R. 3157) amending the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act.

Mr. **PELL**. Mr. President——

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. MANSFIELD. Mr. President, if the Senator will yield without losing his right to the floor, I suggest the absence of a quorum.

Mr. PELL. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I feel it necessary to make the point of order that the pending Senate amendment is a tax amendment on a nonrevenue bill. Since the Constitution requires that all revenue measures must originate in the House of Representatives, and since Senators by their oaths are sworn to uphold the Constitution, the Senate is clearly forbidden to originate a tax measure.

As the ranking majority member of the Committee on Finance, I am well aware—and it has been the experience of the committee—that the House of Representatives has consistently refused even to consider a tax measure that originated in this body, so much so that I do not recall an instance, during the period of my membership, when the Senate has even made an effort to originate a tax bill.

The pending measure is a House bill, but is not a revenue bill.

Mr. PELL. The bill is not yet before the Senate.

Mr. LONG of Louisiana. I am sorry; I thought the bill was before the Senate.

Mr. President, I ask that the bill be laid before the Senate.

The PRESIDING OFFICER. The bill is before the Senate.

Mr. PELL. The bill is before the Senate? I misspoke.

Mr. LONG of Louisiana. Then, Mr. President, I wish to make the point of order that the bill came to the Senate as a bill which was not a tax bill. The pending Senate amendment to the bill is a major tax amendment, and it is clearly unconstitutional for the Senate to attach a tax provision to a bill which is not a tax bill. To do so would be in violation of our oaths.

Mr. President, this question has been considered before in both the House of Representatives and the Senate. From my study of the precedents, it is clear—and I have discussed the question with the Parliamentarians of both the House of Representatives and the Senate—that inasmuch as revenue bills must originate in the House of Representatives, a bill providing for a tax must be a revenue bill when it comes to the Senate, and the Senate cannot convert a nonrevenue bill to a revenue bill. For the Senate to attach a tax provision to simple legislation that has nothing to do with revenue when it comes from the House of Representatives is not condoned.

Therefore, I am constrained to make the point of order that this amendment is unconstitutional.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is the point of order subject to discussion?

The PRESIDING OFFICER. Under the uniform practices of the Senate for more than 100 years, the Chair has no authority to pass upon points of order as to the constitutionality of a proposal. Those are questions for the Senate to determine. Therefore, the Chair submits to the Senate the question whether or not, under the Constitution, the Senate has a right to consider this amendment, or whether the point of order is well taken. The question, of course, is debatable.

Mr. PELL. Mr. President, first I ask unanimous consent that during the consideration of H.R. 3157, Mr. David Schrieber and Mr. Charles McLaughlin, of the office of the General Counsel of the Railroad Retirement Board, be granted the privilege of the floor, as has been the custom in previous years.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PELL. Mr. President, I recognize, as the Senator from Louisiana [Mr. Long] has pointed out, that article I, section 7, of the Constitution of the United States provides:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

First, I submit that the amendment to H.R. 3157, which would raise the taxable wage base under the Railroad Retirement Act from $450 to $550 a month, is incidental to the main purpose of the bill, which is to grant benefits to the spouses of railroad retirees.

In fact, in the annotated copy of the Constitution, which all Senators have, and which was prepared by the legislative reference service, I note the statement that only bills to levy taxes in the strict sense of the word are comprehended by the phrase "all bills raising revenue." Bills for other purposes which incidentally create revenues are not included. As an example, a case is cited wherein a bill which provided that the District of Columbia should raise by taxation and pay to designated railroad companies a specific sum for the elimination of grade crossings and the construction of the union railroad station did not have to originate in the House of Representatives.

Other cases decided by the Supreme Court are in point: In Twin City Bank against Nebeker, a case dealing with a tax on bonds used to secure the national currency, the Court held that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.

The purpose of this amendment is corollary to the purpose of the bill, and my principle objective is to provide some method for maintaining the deficit in the Railroad Retirement Fund at a tolerable level. Without this amendment, the deficit will rise to approximately $62 million per year; with it, we can reduce the deficit to about $24 million.

Mr. President, at this point, I ask unanimous consent to have printed in the Record a brief concerning the case I have already cited, Twin City Bank against Nebeker. Another case, too, is cited; that of Millard against Roberts.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Excerpt From the Decision of the U.S. Supreme Court in the Case of Twin City Bank *v.* Nebeker, 167 U.S. 196

The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that "all bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills" (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, "bills for raising revenue." What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word and are not bills for other purposes which may incidentally create revenue. (P. 202.)

Excerpt From the Decision of the U.S. Supreme Court in the Case of Millard *v.* Roberts, 202 U.S. 429

The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention the case of *Twin City Bank* v. *Nebeker,* 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bill shall be said to be "bills for raising revenue" within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, "that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not

> bills for other purposes, which may incidentally create revenue." (1 Story on Constitution, sec. 880.) And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:
>
> "The tax was a means of effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government."
>
> This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act (pp. 436–437).

Mr. PELL. Mr. President, a further point I wish to raise is that any money raised by this amendment does not go into the General Treasury, but rather goes to a special railroad retirement fund. Revenue is defined in Webster's New International Dictionary as:

> The annual or periodical yield of taxes, excise, customs, duties, rents, etc., which a nation, State, or municipality collects and receives into the treasury for public use; public income of whatever kind.

Insofar as the funds that would be raised by this amendment are for a private pension fund, I do not see any constitutional prohibition against its origination in the Senate.

Finally, I submit that from the viewpoint of precedent, we have already passed legislation similar to this; that in 1959 the Senate originated a raise in the base of the taxable income, passed it, and sent it to the House, which changed it to a House number but passed a bill in identical form, including a misplaced comma, and sent it back to the Senate.

At that point, various Senators rose to deplore the action of the House, and to defend the constitutionality of the original action of the Senate, including the then majority leader, Senator Johnson, of Texas, and including the present majority whip, the Senator from Louisiana [Mr. Long], and other Senators.

For these reasons, Mr. President, I submit that we are within our rights in passing this amendment as a method to keep the system fiscally sound, which it certainly is not at this time.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. Jordan of Idaho in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, in view of the fact that the chairman of the Subcommittee on Railroad Retirement—on which I am privileged to be a member—has made reference to the action in this body of May 5, 1959, in regard to the railroad retirement bill of that year, S. 226, I wish to discuss that precedent briefly.

Enactment by the Senate on May 5, 1959, of S. 226, provided for increases in tax rates under the Railroad Retirement Tax Act to cover the additional benefits provided by the bill. A House companion bill had been reported to, but not enacted by the House. The House reported bill was approved by the House Committee on Interstate and Foreign Commerce, but was unacceptable to railroad labor because the House approved bill failed to provide sufficient revenue and contained other unacceptable provisions. When the satisfactory Senate bill S. 226 reached the House floor, it was adopted by the House in substitution for the House reported bill. No constitutional question was raised by the House, at that time.

It was known, however, that President Eisenhower would veto the bill; and it was also known that if the bill were vetoed on its merits, the veto would be overridden by both Houses of Congress—at least, that was the belief.

It was feared, however, that if the President were to veto the bill because it had a Senate number, some Members of the House might be inclined into following the position of accepting the veto. To avoid this, a Member of the House moved, a few days later, to vacate the previous House action, and then moved to strike from the House-reported bill all after the enacting clause and insert in lieu thereof the Senate provision. This was done, and the enacted bill with a House number was reenacted by the Senate on May 5, 1959.

At that time I was chairman of the subcommittee of the Senate on railroad retirement, occupying the same position which the Senator from Rhode Island [Mr. Pell] occupies today.

The majority leader was the Senator from Texas, Mr. Johnson. The majority leader and I thought that the whole procedure was unnecessary from the standpoint of parliamentary requirement. Nevertheless, we agreed to go along with it, because our objective was to get the bill passed.

I believe it is important that there be read into the record at this time—because I believe it is of controlling and precedential value—the discussion which took place at that time, because in my judgment, if S. 226 on May 5, 1959, was not unconstitutional, the bill before us today is not unconstitutional.

For all intents and purposes, the substantive objectives are the same.

I read from Congressional Record, volume 105, part 6, p. 7472:

> AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937
>
> Mr. Johnson of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 5610, to amend the Railroad Retirement Act.
>
> The Presiding Officer. The bill will be stated by title, for the information of the Senate.
>
> The Legislative Clerk. A bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.
>
> The Presiding Officer. The question is on agreeing to the motion of the Senator from Texas.
>
> The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which was read the first time by title and the second time at length.
>
> Mr. Johnson of Texas. Mr. President, if I may have the attention of the Senator from Oregon [Mr. Morse], let me say that the House passed, on May 4, H.R. 5610, which amends the Railroad Retirement Act. H.R. 5610 is identical with Senate bill 226, which was passed by the Senate on April 29, and which had been reported by the Senator from Oregon [Mr. Morse].
>
> The House adopted every line, every word, every punctuation mark in the Senate bill—including a misplaced quotation mark.
>
> I am informed that the House took that action because the bill contained a revenue feature, inasmuch as the bill increases the rate of tax on employers and employees under the railroad retirement system. However, the tax-increase provision is only one of many changes effected by the bill in the railroad retirement law.
>
> Senate bill 226, as passed by the Senate, is not primarily a tax measure. The increase in tax is only part of a bill which is designed to provide much-needed increases in the benefits under the act. In my mind, there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision. The case of *Millard* v. *Roberts*, decided in 1906, is specific on this point. The annotated constitution, compiled by Professor Corwin, contains numerous citations in support of this view.
>
> I have conferred with the distinguished chairman of the subcommittee who handled the bill, the Senator from Oregon [Mr. Morse]. It is our conclusion that we do not wish to quibble over the matter; we are primarily concerned with sending this proposed legislation to the President at an early date. In our judgment, the power of the Senate to initiate and to dispose of proposed legislation such as Senate bill 226 is clear and beyond any doubt; and we do not intend to delay the taking of final action on this matter by arguing the procedural question. It is far more important to the railroad workers that such a bill be passed and go to the President and be signed by him into law, rather than that there be long argument over the question of whether the bill bear a House bill number or a Senate bill number.
>
> So, Mr. President, after conferring with the Senator from Oregon and other members of the committee, I urge immediate Senate consideration of House bill 5610, which is identical in every respect with Senate bill 226, which was passed by the Senate on April 29, I believe, by unanimous vote.
>
> Mr. President, I yield now to the Senator from Oregon, so that he may make whatever comments he desires to make, and that then the Senate may perhaps take action on the bill.
>
> Mr. Morse. Mr. President, the majority leader has explained the reason why there has been some confusion in regard to railroad retirement legislation. In my judgment, he has stated the law accurately. There is no question about the fact that it was within the province of the Senate to initiate such proposed legislation and to pass it. I quite agree with the Senator from Texas that we should proceed to repass the bill, this time in the form of House bill 5610.
>
> In making legislative history on the bill, our obligation is to make sure that no question at all in regard to the legislative process can be raised successfully by anyone in any future litigation.
>
> Mr. President, until yesterday we had thought a conference would be necessary in

order to resolve a difference between the bill which was passed by the Senate—Senate bill 226, the Morse bill—and the bill which was passed last Wednesday by the House—House bill 5610.

Yesterday, however, the House passed a new bill, numbered H.R. 5610, with language identical to that of the Morse bill, Senate bill 226, as passed by the Senate.

It is much to be desired that the Senate now pass House bill 5610, and thus permit a railroad retirement bill to reach the White House as soon as possible. In urging that the Senate take this action, I assure this body that such action by it will merely reaffirm the action the Senate took last week in passing Senate bill 226.

Mr. JOHNSON of Texas. Mr. President, I yield to the minority leader first. Then I shall yield to the Senator from Louisiana [Mr. LONG].

Mr. DIRKSEN. Mr. President, I think we had some discussion of this matter when the bill first came up in the Committee on Labor and Public Welfare. I did not feel there was any doubt whatsoever that the Senate had authority to consider this bill originally and send it to the House. I do indeed concur in the opinion expressed by the majority leader; but, in the interest of felicity as between the two Houses, if this is what it takes in order to expedite action, certainly I have no objection.

Mr. LONG. Mr. President——

Mr. JOHNSON of Texas. I yield now to my friend from Louisiana.

Mr. LONG. Mr. President, as one of those who greatly admire the majority leader, I hope he is not going to permit the House, in matters of this sort, continually to downgrade the Senate. This type of procedure can hardly be more than an excuse for the House to claim to be the author of legislation by acting first. If the House had proceeded expeditiously, it could have acted first on this measure, rather than second, as it has. Then the Senate might properly be denied credit for being the body of Congress to act first on this bill. The Senate is already bound in a number of ways when the House insists, unreasonably in some instances, on having its way. For example, the Senator from Louisiana has several times sponsored legislation involving veterans insurance, which the House has failed to consider because of objection on the part of a single Member of the House.

I urge the majority leader to see that the responsibilities, duties, and powers of the Senate are maintained. I hope he will try to do something about it, as time goes on, so that the House will act reasonably in such matters.

Mr. JOHNSON of Texas. I appreciate the remarks of the Senator from Louisiana. I shall do all I can, in a constructive manner, to see that the responsibilities of the Senate are recognized. In this instance I do not agree with the way the House has acted, but I do not see that there is any good purpose to be served by further quibbling and delay, and I certainly do not want to emulate the action of the House in this instance.

Mr. President, if we can get action on this bill——

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

That is chapter No. 1 in my argument, Mr. President. I now turn to chapter No. 2.

We now deal directly with the constitutional question raised in 1959 and raised today, in 1965. The chairman of the subcommittee has already referred to the short legal brief that has been prepared in support of the position that the bill before the Senate is constitutional, and that it does not violate the Constitution in the sense that it violates the provision that requires that revenue-raising measures must originate in the House.

The chairman of the subcommittee, in citing this brief, calls attention to the U.S. Supreme Court case of *Twin City Bank* v. *Nebeker*, 167 U.S. 196. I read these excerpts from the decision of the Supreme Court. The Court said:

> The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that "all bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills," (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.
>
> The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, "bills for raising revenue." What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.

Continuing, Mr. President, I call the attention of the Senate to an excerpt from the decision of the U.S. Supreme Court in the case of *Millard* v. *Roberts*, 202 U.S. 429. It is a case that the majority leader of the Senate in 1959, Mr. Johnson, alluded to. The Court said:

> The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention, the case of *Twin City Bank* v. *Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bills shall be said to "bills for raising revenue" within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, "that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue" (1 Story on Constitution, sec. 880). And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of the notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:
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> "The tax was a means for effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government."
>
> This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act.

Without taking the time to read the memorandum, I ask unanimous consent that another memorandum be inserted in the RECORD which discusses this constitutional question, citing additional cases, not only the Nebeker case and the Roberts case, but citing also the House of Representatives in regard to this matter.

There is a series of precedents, even from the House, which recognize that in a situation such as this, it is not a revenue bill, because the so-called tax or revenue features are not controlling, but incidental thereto.

I have no doubt that the Senator from Rhode Island is right when, as chairman of the subcommittee, he asks the Senate to sustain the bill on constitutional grounds.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM: THE SENATE COMMITTEE'S AMENDMENT TO H.R. 3157 DOES NOT INFRINGE ON THE PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE MEASURES

It is well established by both judicial and legislative precedents that measures originating in the Senate whose general purpose is within the jurisdiction of the Senate do not violate the prerogative of the House if they incidentally raise revenue, especially if the revenue raised is not for the general support of the Government but for a specific purpose related to the general purpose of the measure.

Article I, section 7 of the Constitution provides: "All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

Justice Story, in his "Commentaries on the Constitution," traced the origin of article I, section 7 to the British parliamentary system where tax revenue measures, there known as "money bills," could originate only in the House of Commons. The House of Lords could only oppose or concur with tax legislation initiated in the House of Commons.

In defining the term "bills for raising revenue," Justice Story states: "* * * the practical construction of the Constitution * * * [a]nd, indeed the history of the origin of the power already suggested abundantly proves that it has been confined to bills to levy taxes in the strict sense of the words, and has not been understood to extend to bills for other purposes, which may incidentally create revenue" (1 Story on the Constitution, sec. 880).

PRECEDENTS OF THE SUPREME COURT

Justice Story's definition of a "bill for raising revenue" under article I, section 7 of the Constitution has been adopted by the Supreme Court and has been used by it as the measuring stick in each of the cases coming before the Court involving an interpretation of that constitutional provision.

For example, in *United States* v. *Norton*, 91 U.S. 569, 23 L. ed. 454 (1876), the issue arose as to whether the act creating the postal money order system was a bill to raise revenue, under article I, section 7. The contention was made that it was a bill to raise revenue since it provided that the Postmaster General was authorized to use a part of the moneys collected to pay post office employees.

The Supreme Court, however, applying Justice Story's definition of what constituted a bill for raising revenue, rejected the contention. The Court reasoned that since the primary purpose of the act was not to raise revenue, indeed Congress showed "a willingness to sink money, if necessary, to accomplish that purpose," the act was not "made for the direct and avowed purpose of creating revenue or public funds for the service of the Government," and was, therefore, not a bill to raise revenue within the meaning of article I, section 7.

In *Twin City National Bank* v. *Nebeker*, 167 U.S. 196, 42 L. ed. 134 (1897), a contention was made that the act providing for a national currency was unconstitutional since that part of the act which imposed a tax upon the amount of notes held by a national banking association was originated in the Senate and the tax amounted to a bill to raise revenue under article I, section 7.

The Court, however, after setting forth Justice Story's definition of a revenue bill, found that the act in question was not a bill to raise revenue despite the provision for the levying of a tax. The Court stated (167 U.S. at 202):

"The main purpose that Congress had in view was to provide a national currency based upon U.S. bonds, and to that end it was deemed wise to impose the tax in question. The tax was a means of effectually accomplishing the great object of giving the people a currency that would rest, primarily, upon the honor of the United States, and be available to every part of the country. There was no purpose by the act or by any part of its provisions to raise revenue to be applied in meeting expenses or obligations of the Government."

In *Millard* v. *Roberts*, 202 U.S. 429, 50 L. ed. 1090 (1906), the Senate initiated an act which required certain railroads to eliminate grade crossings and to construct a railroad depot. A sum of money was to be paid to the railroads to be raised by the levy of a tax on the property of area residents. The Court, relying on its decision in *Twin City National Bank* v. *Nebeker, supra,* held that the tax did not convert the act into a bill to raise revenue. The Court concluded, "Whatever taxes are imposed are but means to the purposes provided by the act" (202 U.S. at 437).

PRECEDENTS OF THE HOUSE OF REPRESENTATIVES

1. On March 29, 1922, a motion was made on the floor of the House that a bill authorizing the extension of time for payment of a debt incurred by Austria be sent to the Ways and Means Committee on the ground that it was a bill to raise revenue.

The Speaker decided that the bill was not one to raise revenue as defined in article I, section 7, and stated:

"The best definition the Chair has seen is in the 13th of Blatchford, where the court says:

"'Certain legislative measures are unmistakably bills for raising revenue. These impose taxes upon the people either directly or indirecIty, or lay duties, imports, or excise for the use of the Government, and to give to the persons from whom the money is exacted no equivalent in return, unless in the enjoyment in common with the rest of the citizens of the benefit of good government'" (8 Cannon's Precedents of the House of Representatives, sec. 2278 (1936)).

2. On May 4, 1922, the Speaker was called upon to decide whether a bill banning the importation of narcotics was a revenue bill since it also had provision for the raising of revenue. The Speaker decided that the bill was not a revenue bill stating:

"The Chair concludes that it is not privileged; that while [the bill] relates to revenues, yet that that is incidental; that the main purpose of the bill is not to raise revenue; and that therefore it is not privileged" (8 Cannon's Precedents of the House of Representatives, sec. 2279 (1936)).

3. On December 18, 1920, the Speaker was called upon to decide whether a Senate resolution reviving the activities of the War Finance Corporation constituted a revenue bill. During the ensuing debate a member of the House stated:

"[Article I, section 7 of the Constitution] provides that bills for the purpose of raising revenue shall originate in the House of Representatives. It does not provide that laws which take the effect and which will have the effect either of raising revenue or producing a deficit shall originate in the House * * * No one can tell whether the passage of this resolution, if it shall be carried out in the spirit of the resolution, will produce revenue or produce a deficit. But everyone knows that the purpose of the law is not to produce revenue" (6 Cannon's Precedents of the House of Representatives, sec. 315 (1936)).

The Speaker decided that such questions were for the House rather than the Speaker, and the House voted that the bill was one which the Senate could originate.

Applying these precedents specifically to the Senate committee's amendment to H.R. 3157, it would appear that no serious question arises concerning the infringement of the House prerogative to originate revenue measures.

Although the Railroad Retirement Tax Act is a part of the Internal Revenue Code, the proceeds derived from it are devoted exclusively to the payment of benefits under and the expenses of administering the Railroad Retirement Act; no part of the proceeds is devoted to general revenue purposes.

In the early years of the railroad retirement system it was the practice to appropriate annually to the railroad retirement account the estimated proceeds of the Railroad Retirement Tax Act, and to make adjustments in subsequent appropriations to correct any inaccuracy in the estimates.

However, by title V of Public Law 452, 82d Congress, 2d session, 1952, it was provided that there is appropriated:

"For annual premiums after June 30, 1952, to provide for the payment of all annuities, pensions, and death benefits, in accordance with the provisions of the Railroad Retirement Acts of 1935 and 1937, as amended (45 U.S.C. 228–228s), and for expenses necessary for the Railroad Retirement Board in the administration of said acts as may be specifically authorized annually in appropriation acts, for crediting to the railroad retirement account, an amount equal to amounts covered into the Treasury (minus refunds) during each fiscal year under the Railroad Retirement Tax Act (28 U.S.C. 1500–1538)."

This is a standing appropriation to the railroad retirement account that operates in each subsequent fiscal year; annual appropriations are then made from the account (not from general funds) for administrative expenses.

Thus it has been established by law that the Railroad Retirement Act and the Railroad Retirement Tax Act are integral parts of a single insurance system. They are as closely related as the premium clauses and the benefit clauses of an insurance policy. When the House passes a bill that enlarges the insurance protection it necessarily opens up for consideration the question of the adequacy of the premium to cover the insurance benefits as so enlarged. In this instance the House chose to enlarge the deficit by enlarging the benefits without enlarging the premium. It would be indefensibly restrtictive of the jurisdiction of the Senate to say that it is foreclosed from giving consideration to and possibly making amendments of the premium provisions to deal with the deficit in a different way.

The indefensibility of such a restriction upon the Senate is well illustrated by the facts before the Senate Committee on Labor and Public Welfare in its consideration of H.R. 3157. That these facts motivated the amendment adopted by the committee appears clearly from the committee report (S. Rept. 645, 89th Cong., 1st sess.). These facts are:

1. The enlargement of benefits provided by the bill introduced an additional cost estimated at $14 million per year without any premium to cover these costs;

2. The railroad retirement system was already currently incurring an actuarial deficit equivalent to a level of about $20 million per year;

3. After the passage of H.R. 3157 by the House and before its consideration by the Senate committee, Congress had enacted the social security amendments of 1965 (Public Law 89–97). The social security amendments had a far-reaching effect on the financing of the railroad retirement system:

a. By reason of certain minimum and maximum provisions in the Railroad Retirement Act that are contingent upon the provisions of the Social Security Act, many railroad retirement benefits were automatically increased;

b. By reason of the railroad retirement tax rates being contingent upon the social security tax rates the scheduled railroad retirement tax rates prior to 1973 were reduced with a consequent reduction in income;

c. By reason of the increase in the social security maximum taxable wage base to $6,600 per year the railroad retirement account would be adversely affected in the interchange of funds between the two systems so long as the railroad retirement maximum taxable wage base remained at $450 per month ($5,400 per year);

d. Congress made provision for the administration of the medicare program so far as railroad employees are concerned by the Railroad Retirement Board, but to become effective only if and when the railroad retirement monthly tax base should be the equivalent of one-twelfth of the social security annual tax base.

Financially, the effect of the social security amendments was to enlarge the pre-existing deficit and the additional deficit to be created by H.R. 3157 by an additional $28 million per year.

To deny to the Senate the jurisdiction to consider and legislate in light of these events, largely supervening House passage of the bill, is to deny to the Senate jurisdiction to legislate intelligently.

Under any such restrictive jurisdiction the only courses open to the Senate in its consideration of H.R. 3157 would be to accept the enlargement of the deficit, even though it might consider the enlargement of the deficit unwise, or to reject the enlargement of benefits because it was unwilling to enlarge the deficit.

Furthermore, it is inherent in the structure of the railroad retirement system that the maximum limit of taxable compensation is also the maximum limit of creditable compensation for benefit purposes. Certainly no one can deny that the Senate has jurisdiction to originate increases in the maximum compensation creditable for benefit purposes. But that jurisdiction would as a practical matter be also effectively negated if it lacked jurisdiction to increase the corresponding base in the Railroad Retirement Tax Act.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD another memorandum dealing with the facts of the bill itself.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM: COMPARISON OF CARRIERS' INCREASED RAILROAD RETIREMENT TAX LIABILITIES UNDER H.R. 3157, AS AMENDED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, WITH SCHEDULED INCREASES IN TAX LIABILITY PRIOR TO 1965 LEGISLATION

Under the present maximum taxable and creditable compensation base of $450 per month ($5,400 per year) in the railroad retirement system the level projected taxable payroll is $4.3 billion per year. If the monthly maximum base is increased to $550 ($6,600 per year), as proposed in H.R. 3157 as amended by the Senate committee, the level projected taxable payroll becomes $4.775 billion per year, an increase of $475 million.

Under present provisions of the Railroad Retirement Taxing Act scheduled increases in the tax rate are contingent upon increases in the social security tax rate. By reason of scheduled increases in the social security tax rate in effect prior to the 1965 amendments of the Social Security Act (Public Law 89–97) the railroad retirement tax rate was scheduled to increase by one-half of 1 percent each on carriers and employees on January 1, 1966, and by another one-half of 1 percent on each beginning January 1, 1968. These scheduled increases in tax rates would have increased the carrier tax obligations, based on a $4.3 billion taxable payroll, by $21.5 million per year in 1966 and another $21.5 million in 1968, or a total of $43 million.

However, the Social Security Amendments of 1965 have reduced the 1966 and 1968 scheduled increases in the social security tax rate, and thereby automatically reduced the increases in the scheduled railroad retirement tax rate, with the consequence that the railroad retirement tax rate in 1966 will be 8.35 percent each on carriers and employees as compared with the previously scheduled 8.625 percent, and in 1967 and 1968 will be 8.4 percent as compared with the previously scheduled 9.125 percent in 1968.

If the tax rate increases scheduled under the law as it stood at the beginning of this year had not been changed by the social security amendments, and the present $450 monthly base were also retained the carrier tax liability for 1968 would be $392.375 million. The carriers, by seeking to retain the present base despite the reduction in scheduled rates are trying to reduce that liability to $361.2 million, and thus pay $31.175 million less than they had been scheduled to pay.

By contrast, if the new reduced rate is applied to the increased taxable payroll that would result from increasing the base to $550 per month their liability in 1968 would be $401.1 million, i.e., only $8.725 million over the $392.375 million they were already scheduled to pay.

The decrease in scheduled social security tax rates, and the consequent decrease in scheduled railroad retirement tax rates, was made possible only by the fact that the social security tax base was increased to $6,600 per year. In objecting to an increase in the railroad retirement tax base to the same level as the social security base, the carriers are seeking to avail themselves of the lower rate made possible by an increased base without paying on the increased base.

The foregoing figures are exclusive of the cost of medicare. In this connection it should be observed that during the last preceding Congress, and without change of position during the present Congress, the railroad managements agreed with the railway labor organizations that railroad employees should participate equally with other employees in the benefits of whatever medicare program might be enacted. At the time of this agreement it was generally believed that the medicare program would cost employers and employees each one-half to three-quarters of 1 percent of taxable payroll. The actual scheduled cost under Public Law 89–97 is 0.35 percent of payroll in 1966 and will not exceed three-quarters of 1 percent until 1987. This reduction below anticipated rates is likewise made possible by increasing the taxable wage base to $6,600 per year.

Mr. MORSE. Mr. President, one who has those memoranda has all that is needed to support my argument that we are dealing with a matter which, under the precedents of the Supreme Court and the precedents of the House itself, raises no constitutional question.

Mr. LONG of Louisiana. Mr. President, the Senator from Oregon made reference to arguments I made myself involving this general problem. I made that argument after hearing the statement by the then majority leader, Mr. Johnson, in the very case the Senator from Oregon is citing as a precedent, but said that where the Senate originated a bill inserting a tax, the House declined to send the bill back to the Senate, but, instead, passed its own bill, sent that bill to the Senate, and the Senate passed that bill. The very case the Senator from Oregon cites, including my statement, shows that the House should act first.

If the Senator from Oregon is right in what he says, the Finance Committee would have had a right to originate the social security bill and the medicare bill. The Senate Finance Committee agreed so strongly to the contrary that our chairman and the committee declined to hold hearings on that bill until the House acted and sent the Senate a bill.

This year, in this session, the Senate sent to the House a bill, S. 1734, to conserve and protect domestic fisheries. In connection with that bill the Senate imposed a 50 percent tax to protect fisheries.

The House sent the Senate back a blue sheet, which in polite language stated that the bill "in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States, and is an infringement of the privileges of this House, and that the said bill be respectfully returned to the Senate." That is what happened.

The Senate sent back a polite message to the effect that this was not correct procedure and "here is your bill back." The House returned the bill, which it had a perfect right to do.

This particular measure imposes a tax of about $90 million. In my opinion, that involves much more than incidental revenue.

I am not arguing about the necessity of the tax. It may well be necessary to have it, and that we will do it in due course.

When revenues are to be raised, those measures should originate in the House. The Senate Committee on Finance sometimes has to wait 3 months for the House to send to the Senate revenue bills so the Senate may act on them. Religiously and respectfully, the Finance Committee respects the House of Representatives in respect to the Constitution; and circumspect as we are, we feel we should show the same consideration and insist on the same consideration for others who have the same responsibility we have.

Mr. President, this matter was discussed with the policy committee. After we discussed it, it was agreed that a point of order would be made by the policy committee on this side of the aisle.

This Senator, as a ranking member of the Finance Committee, as well as being a member of the policy committee, believes it to be his responsibility and duty to do so, but I do not stand alone.

I hope the Senate will stand with those of us who take this view on revenue bills, in connection with a bill which is not a revenue bill, both in connection with the precedents laid down, which have already been mentioned—and even the Senator's case which he cites as a precedent sustains that position—and will consider the House's point of view that this is a tax on a nonrevenue bill.

Mr. MORSE. Mr. President, I wish to reply briefly to the point made by my friend the Senator from Louisiana. I am completely lost in his maze of comments concerning the action taken on May 5, 1959, as being a precedent for his present position. I read every word spoken on the floor of the Senate on May 5, 1959. It was perfectly obvious that the Senate did not take the position that the House had a constitutional right to originate this particular measure. The language of the Senator from Louisiana makes it crystal clear that that was not the position he took on May 5, 1959. On the contrary, the Senator was for leaving the Senate bill. He suggested to the majority leader that we should not go along with the objections because, in the view of the Senator from Louisiana, that would be downgrading the Senate.

On May 5, 1959, the Senator from Louisiana thought the railroad retirement bill was set out in the proper framework of a Senate bill and he was for passing the Senate bill, not the House bill.

The point was raised in that debate very clearly that the Senate did not recognize any constitutional right of the House to originate all those bills in the first instance. It was perfectly clear from the statements of the then majority leader, Mr. Johnson, the chairman of the subcommittee which handled the railroad retirement bill, the senior Senator from Oregon, and the minority leader, that we were not going to take the

House bill on any constitutional right of the House, but because we recognized the parliamentary realities that confronted the Senate, and that we had a better chance of getting the bill on the books. But there is no precedent, by the slightest stretch of the imagination, in the May 5, 1959, case, that there was any admission on the part of the Senate that the House had the constitutional right to originate the bill. This was what we call accommodation between the two Houses. There was no waiver of the right of the Senate to originate the legislation. That is perfectly clear.

Let me say if that action is a precedent—it does not have the slightest relevancy, but if the Senate did agree in May 1959, to do that—it does not rewrite the Constitution of the United States.

We cannot amend the Constitution of the United States by decreeing on the floor of the Senate that a bill is a revenue bill. That is a question of law.

All the Senate did was to parliamentarily accommodate the House of Representatives on May 5, 1959, in order to have a railroad retirement bill passed. The Chairman of the Railroad Retirement Committee and Mr. Johnson, the then-majority leader of the Senate, and Mr. Dirksen, as the minority leader of the Senate, agreed among themselves that that would be an appropriate parliamentary procedure to follow.

Let the senior Senator from Oregon state again for the Record, because it will be read 10, 15, 20 years from now, that not a word can be found in the May 5, 1959, Record of any admission on the part of the Senate that it had encroached upon the power of the House of Representatives in that it had initiated a revenue bill.

To the contrary, it was our position that it was not a revenue bill within the meaning of article I, section 7 of the Constitution of the United States, referred to by Justice Story in the Nebeker case, from which I have already quoted at length.

There is before the Senate the clear issue of whether or not the Senate is going to send the bill back to committee, or to some other committee, or refuse to take action on it because of a point of order, because we have said once again, acting as "Justices of the U.S. Supreme Court" that article I, section 7 of the Constitution of the United States would be violated thereby.

Let us face up to the issue. If there is any real question about the constitutionality of the bill, let us pass it and let the Supreme Court decide it. I tell Senators, in my judgment, the decision that will be rendered. There will be an even briefer decision than Justice Story rendered in the Nebeker case. The Court will dismiss it in a paragraph or two, unless it recites the Nebeker case and also the Roberts case, at the time the leader of the Senate referred to when the position was taken on May 5, 1959, that a constitutional question was not involved.

It is my opinion—and every Senator is entitled to his opinion—that this adds up to a parliamentary maneuver to avoid a decision on the substantive merits of the amendment. I am ready to vote on the substantive merits of the amendment. I am perfectly willing to vote on the substantive merits because I am satisfied the bill is constitutional.

I have great respect for my colleagues in the Senate, but I prefer to walk a few steps from the Senate of the United States to that great cathedral of justice, the U.S. Supreme Court Building, for constitutional rulings.

I am satisfied what that ruling would be if the bill were passed, and whether or not the Senate, in passing it, acted constitutionally.

The Supreme Court will render a decision that the so-called tax features of the bill are incidental thereto and do not constitute a revenue measure in the sense that a revenue measure must originate in the House.

Mr. LONG of Louisiana. I do not quarrel with the Senator on this matter.

If he has a different interpretation of the Constitution than I hold, when it says revenue bills shall originate in the House, so far as I am concerned, that applies to the $90 million tax. He is entitled to his opinion, and I am entitled to my opinion. A Senator should vote to uphold the Constitution of the United States. I do not have to vote for something I think is unconstitutional and rely upon the Supreme Court to tell me I did an unconstitutional act and save me from my own mischief.

If I believe it is wrong I should abide by my oath. That is my judgment.

The Senator said that it did not create a precedent for what we are doing here. I heard the majority leader say that we had not done an unconstitutional act. The House took the attitude that we had. Having proceeded to say that we had not done anything unconstitutional, we then proceeded to act as though we had. We passed the House bill. The House bill was enacted into law and signed by the President. We went along with the argument of the House on the House contention that we had done something unconstitutional. We said, in effect, that we had not done something unconstitutional, but said to the House, in effect, "Even so, we will do it your way."

So far as the merits of the amendment are concerned, what we are talking about here is a matter of increasing the tax base and increasing the tax on the working people and on the railroads. It means that the average workingman would have to pay $10 a month more to get the benefits of the medicare proposal that we added to the Social Security bill, which was passed recently. Am I stating the situation correctly?

Mr. PELL. That is not completely correct. The tax would be paid half and half by the railroad industry and by those workers who earn more than $450 a month. It would not cover hospital care through railroad retirement or social security. There would be, however, other benefits.

Mr. LONG of Louisiana. Would it cover medical benefits?

Mr. PELL. It would not.

Mr. LONG of Louisiana. In any event, this is a major tax increase. It is something that we can take care of later in the session or next year. It ought to be considered in connection with a revenue bill. The bill before us is not a revenue bill. I hold in my hand another bill, which the House in all propriety, in my judgment, based on the precedents that have been in effect in the time that I have been a Senator, declined to consider. The bill concerns fisheries. We imposed a tax, and the House politely sent the bill back to us.

I am sure the Senator would not say that the House took the wrong attitude. The House of Representatives has consistently acted in this fashion, at least while I have been a Member of the Senate. There is that precedent even in the 1959 debate, to which reference has been made. The House sent S. 1734 back to us with a polite note, rejecting it.

Mr. PELL. In this connection there should be printed in the Record a letter from the Executive Office of the President, Bureau of the Budget, addressed to the committee which says:

> We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee.

I ask unanimous consent to have printed in the Record at this point the entire letter from the Bureau of the Budget.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Executive Office of
the President,
Bureau of the Budget,
Washington, D.C., August 31, 1965.

Hon. Claiborne Pell,
Chairman, Subcommittee on Railroad Retirement, Committee on Labor and Public Welfare, U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Mr. Chairman: Your committee has under consideration H.R. 3157, a bill "To amend the Railroad Retirement Act of 1937, to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits."

We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee.

Sincerely yours,
Phillip S. Hughes,
Assistant Director for Legislative Reference.

Mr. PELL. That is the administration's views on the merits. Why would it not be appropriate to let the bill be passed, without our being the judge of its constitutionality, and let the House politely decide the question?

Mr. LONG of Louisiana. We ought to pass on the question ourselves. We ought to exercise our own best judgment. We have a responsibility, just as the House has its responsibility. We should discharge our own responsibility.

The PRESIDING OFFICER. The Chair submits the question to the Senate as to whether the Senate, under the Constitution, has the right to consider this amendment, or whether the point of order is well taken on H.R. 3157, an act to amend the Railroad Retirement Act.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. The pending question, as I understand, is the point of order raised by the Senator from Louisiana [Mr. Long], that the pending legislation is unconstitutional because of the allegation that it violates article I, section 7 of the Constitution, which prescribes that revenue measures shall originate in the House.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Therefore, a vote of "nay" against the point of order will be a vote to sustain the constitutionality of the pending proposal offered by the Senator from Rhode Island [Mr. Pell]. Is that correct?

The PRESIDING OFFICER. A vote of "nay" would dispose of the point of order, and the amendment would continue to be before the Senate for action. A vote of "yea" would sustain the point of order, and the proposal would be removed from the Senate.

Mr. MORSE. I respect the Chair's language, but I respectfully say it means the same thing that I said.

Mr. MILLER. I point out that in the committee report on page 2, the committee states:

> There is now an actuarial deficit in the financing of the railroad retirement system of about $20 million a year, and Public Law 89-97 (approved July 30, 1965) will add about $28 million to the deficit, bringing it to a total of about $48 million a year on a level basis. The enactment of the bill H.R. 3157 would add to this deficit about $14 million a year, bringing the total deficit to about $62 million a year on a level basis.

On page 3 of the committee report this statement appears:

> By reason of such increase in the taxable compensation base, the railroad retirement taxable payroll would be about $4.8 billion a year, and the additional tax income to the system would be about $87 million a year. About $39 million of this amount would be applied to reducing the $62 million deficit to about $23 million.

Mr. President, in view of that language, it seems to me that to say the financing features or the tax features of the bill are incidental is not being realistic at all. They are very substantial. I shall support the point of order made by the distinguished Senator from Louisiana [Mr. Long].

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Ohio [Mr. Lausche], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Robertson], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from Minnesota [Mr. McCarthy], the Senator from Virginia [Mr. Byrd], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], and the Senator from New York [Mr. Kennedy] are necessarily absent.

On this vote, the Senator from Maryland [Mr. Brewster] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Ohio [Mr. Young]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Ohio would vote "nay."

On this vote, the Senator from Ohio [Mr. Lausche] is paired with the Senator from New York [Mr. Kennedy]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Virginia [Mr. Robertson] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Wyoming would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Morton] and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The Senator from Utah [Mr. Bennett] and the Senator from Nebraska [Mr. Hruska] are detained on official business.

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Kentucky [Mr. Morton]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Kentucky would vote "nay."

The yeas and nays resulted—yeas 41, nays 44, as follows:

[No. 246 Leg.]

YEAS—41

Allott
Bartlett
Bass
Byrd, W. Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Hickenlooper
Hill
Holland
Inouye
Jordan, N.C.
Jordan, Idaho
Long, La.
Mansfield
McClellan
Miller
Mundt
Murphy
Pearson
Prouty
Randolph
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Williams, Del.

NAYS—44

Aiken
Anderson
Bayh
Bible
Boggs
Burdick
Cannon
Case
Clark
Cooper
Dodd
Douglas
Gruening
Harris
Hart
Hartke
Hayden
Jackson
Javits
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—15

Bennett
Brewster
Byrd, Va.
Church
Fulbright
Gore
Hruska
Kennedy, N.Y.
Lausche
McCarthy
McGee
Morton
Robertson
Saltonstall
Young, Ohio

The PRESIDING OFFICER (Mr. Moss in the chair). The point of order is not well taken and is dismissed.

Mr. PELL. Mr. President, I move that the vote by which the point of order was not well taken and was dismissed be reconsidered.

Mr. PASTORE and Mr. MANSFIELD moved that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Prouty, and by unanimous consent, the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD TAX ACT

The Senate resumed consideration of the bill (H.R. 3157) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, to amend the railroad retirement tax, and for other purposes.

Mr. PELL. Mr. President——

The PRESIDING OFFICER (Mr. Tydings in the chair). The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, the bill H.R. 3157, now under consideration by this body, would change the Railroad Retirement Act so that payment of an annuity to a spouse of a retired railroad employee could be made in the full amount even though she is at the same time entitled to monthly benefits under the Railroad

Retirement Act or Social Security Act derived from her own employment. The present law requires a reduction in the spouse's annuity by the amount of benefits derived from her own employment, as well as by the amount of certain other benefits to which she may be entitled. The spouses' annuity is the only benefit under the Railroad Retirement Act which cannot now be paid in full concurrently with other benefits under the Social Security and Railroad Retirement Acts, although in the past there were others. The discriminatory provisions against spouses should be removed.

The change in the law as to spouse's annuities would, of course, increase the costs of the railroad retirement system. It is estimated that the added costs of this change would be about $14 million a year on a level basis. When H.R. 3157 passed the House in June of this year, there was a deficit on a long-range actuarial basis in the financing of the system of about $20 million a year. A deficit in this amount is considered to be within the range of actuarial tolerance, and the system was regarded as being in a satisfactory financial condition. Since that time, Public Law 89-97, the Social Security Amendments of 1965, has been enacted. The changes in the Social Security Act will have the effect of increasing certain direct financial benefits under the Railroad Retirement Act and will add an estimated $28 million a year to the costs of the system, increasing the deficit to about $48 million a year.

With a deficit of this amount, the railroad retirement system is now in an unsatisfactory financial condition and the additional costs of the effect of this bill on spouses' annuities would cause the financial conditions to be considerably worse. The deficit would then be approximately $62 million a year. The system cannot, of course, endure in an unsatisfactory financial condition.

The committee is cognizant of the fact the situation cannot be corrected unless additional revenue is obtained. It, therefore, amended the bill to change the limit on creditable and taxable compensation for the railroad retirement system from the present flat $450 a month to an amount equal to one-twelfth of the limit on annual taxable wages for the social security system. As we know, the annual taxable wage base for social security has been raised to $6,600 from $4,800, an increase of $1,800 a year. The effect of the amendment would be to raise the base for the railroad retirement system to $550 a month from the present $450, an increase of the equivalent of only $1,200 a year.

The increase in the base will provide additional benefits for those railroad employees whose earnings exceed $450 a month and who will have to pay additional tax amounts. Those employees who do not earn over $450 a month will pay no additional taxes and will gain no credits toward higher benefits.

The increase in the compensation base will reduce the deficit from the projected $62 million a year to approximately $24 million a year. The railroad retirement system would then be in a satisfactory financial condition. It is estimated that the change in base would produce an additional $87 million a year in the tax income. Over one-half of this amount, $48 million, would be required to pay the additional benefit amounts and the remainder, $39 million, would apply to the reduction of the deficit.

As I have indicated, the problem cannot be solved without legislative action. Tax revenue to the system can be increased only by increasing the taxable wage base, or by raising tax rates. A rate increase would have a harsh impact, particularly on employees with low earnings. Their tax amounts would be increased and they would get no additional benefits; Congress, to my knowledge, has never increased social insurance taxes without an accompanying increase in benefit amounts.

In the financing of the recent improvement of social security benefits, the Congress has relied principally on an increase in the wage base for the increase in tax rates was relatively slight.

Tax rates for the railroad retirement system are, under existing law, automatically geared to the tax rates for the social security system, although the railroad rates are approximately twice as large. Therefore, the increases in the social security tax rates will be reflected in the railroad retirement rates. There is not now a coordination as to the earnings base. Historically, the railroad retirement base has always, except for a few months in the late 1950's, equaled or exceeded the social security base. It is also significant that even with the change, a substantially lower percentage of gross railroad earnings would be taxable than was the case when the system was first established, and the monthly base was only $300.

The increase in the railroad retirement tax base will, of course, add to the taxes of railroad companies, but the larger increase in the social security tax base will also add to the taxes for companies in industry covered by the social security system.

Finally, it is to be noted that if there is a difference in the taxable wage law, those under railroad retirement or compared with those under social security, then the hospital insurance program would be administered by the Social Security Administration rather than by the Railroad Retirement Board as would be the case if this amendment were adopted.

In reporting this bill, it is recognized that benefits will accrue to those workers who pay the additional tax. Under the heading of "Conclusion," on page 5 of the report, it is stated:

> It is further recognized, because of the matching contribution of industry and labor, that those workers earning more than $450 per month and living more than 5 years after retirement will receive more than they have paid into the railroad retirement fund. This will naturally be a factor bearing on any future decisions in labor-management negotiations.

Mr. DOMINICK. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Rhode Island in yielding to me. As he well knows, the original bill on this proposal was introduced by me, so far as the Senate is concerned. It was a companion bill to one introduced by Representative Harris, of Arkansas, in the House of Representatives, which passed without this amendment.

My interest, at the time I introduced the bill, was to try to do something about the existing inequities so far as a specific class of railroad employees' spouses are concerned, in that they have their railroad retirement reduced by social security while their spouse is still alive, and yet they get both amounts when one of them has died.

It seems to me that this is wrong. This is the reason we included it in the bill. The bill passed the House, as I recall, almost unanimously, in a form without any taxation being added to it at all.

Mr. President, I suggest that the action which has just been taken by the Senate may easily result in the defeat of the entire bill, because I am positive that the House will not absorb this degree of autonomy by the Senate over what the House considers to be its private reserve.

Therefore, I believe that serious trouble lies ahead, so far as the future of the bill is concerned.

I intend to vote for it, because this was my original bill. I voted against the Pell amendment in subcommittee. I voted against it again on the floor. I am still going to vote for the bill, in the hope that we can get something out of conference. Perhaps, if the House remains adamant, we can show the Senate that if it is going to do anything for the spouses, it had better take the bill in the original draft as it was first introduced.

Mr. President, we are dealing with economic benefits which will accrue to 41,000 persons. Many of them will disappear as time goes on, which is inevitable to all of life, so that the drain on the retirement fund, which has been mentioned over and over again, will progressively decrease as time goes on.

It has already been stated that it would be 4 years before we really had to worry about retirement funds in any way whatsoever. Therefore, it seems to me, for us to take the position that we must move now, so far as railroad retirement funds are concerned, is quite premature.

This assumes that Congress would not do anything after full hearings before the proper committee, in order to take care of the problem, if we presented it to them.

Thus, we are taking an action with the wrong committee, insofar as revenues are concerned, even within the Senate, not speaking of the fact that it comes from the wrong House.

I appreciate the Senator from Rhode Island yielding to me so that I may make these points, which I believe are important. They should be included in the Record. All Senators should know that the action taken in the Senate today may easily result in the inevitable defeat of the bill, if the Senate is refusing to move, and if the House will refuse to move—as I am sure it will.

AMENDMENT NO. 388

Mr. HARTKE. Mr. President, I call up my amendment No. 388, and ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment is as follows:

On page 1, line 8, strike out "SEC. 2. This Act" and insert "(b) This section".

At the end of the bill, add the following:

"TITLE III COVERAGE OF TIPS

"SEC. 301. (a) (1) Subsection (a) of section 3202 of the Internal Revenue Code of 1954 (relating to deduction of tax from compensation) is amended by adding at the end thereof the following new sentence: 'An employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (3) (B) of section 3231 (e) is applicable may deduct an amount equivalent to such tax with respect to such tips from any compensation of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20.'

"(2) Such section 3202 is amended by adding at the end thereof the following new subsection:

"'SPECIAL RULE FOR TIPS.—

"'(1) In the case of tips which constitute compensation, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such compensation of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2) as are under control of the employer.

"'(2) If the tax imposed by section 3201, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the compensation of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter) an amount of money equal to the amount of the excess.

"'(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"'(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

"'(B) to determine the amount to be deducted upon each payment of compensation (exclusive of tips) during such quarter as if the tips so estimated constituted actual tips so reported, and

"'(C) to deduct upon any payment of compensation (other than tips, but including funds turned over by the employee to the employer pursuant to paragraph (2) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such compensation of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

"'(4) If the tax imposed by section 3201 with respect to tips which constitute compensation exceeds the portion of such tax which can be collected by the employer from the compensation of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee.'

"(b) (1) The second sentence of subsection (e) (1) of section 3231 of the Internal Revenue Code of 1954 (relating to definition of compensation for purposes of the Railroad Retirement Tax Act) is amended by inserting '(except as is provided under paragraph (3))' after 'tips'.

"(2) Subsection (e) of such section 3231 is further amended by adding at the end thereof the following new paragraph:

"'(3) Solely for purposes of the tax imposed by section 3201 and other provisions of this chapter insofar as they relate to such tax, the term "compensation" also includes cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.'

"(3) Such section 3231 is further amended by adding at the end thereof the following new subsection:

"'(h) TIPS CONSTITUTING COMPENSATION, TIME DEEMED PAID.—For purposes of this chapter, tips which constitute compensation for purposes of the tax imposed under section 3201 shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received.'

"(c) Section 3402(k) of such Code is amended (A) by inserting 'or section 3202(c) (2)' after 'section 3102(c) (2)' wherever it appears therein and (B) by inserting 'or section 3202(a)' after 'section 3102(a)' wherever it appears therein.

"(d) Section 6053(b) of such Code (relating to reporting of tips) is amended (1) by inserting 'or section 3201 (as the case may be)' after 'section 3101', and (2) by inserting 'or section 3202 (as the case may be)' after 'section 3102'.

"(e) Section 6652(c) of such Code (relating to failure to report tips) is amended (1) by inserting 'or which are compensation (as defined in section 3231(e))' after 'which are wages (as defined in section 3121(a))', and (2) by inserting 'or section 3201 (as the case may be)' after 'section 3101'.

"(f) (1) Subsection (h) of section 1 of the Railroad Retirement Act of 1937 is amended (A) by inserting '(1)' after '(h)', (B) by inserting in the second sentence thereof '(except as is provided under paragraph (2))' after 'tips', and (C) by adding at the end thereof the following new paragraphs:

"'(2) Solely for purposes of determining amounts to be included in the compensation of an individual who is an employee (as defined in subsection (b)) the term "compensation" shall (subject to section 3(c)) also include cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.

"'(3) Tips included as compensation by reason of the provisions of paragraph (2) shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received.'

"302. The amendments made by this title shall apply only with respect to tips received by employees after 1965."

Mr. HARTKE. Mr. President, this amendment is one which came to my attention as a need in order to maintain the parallels between social security and railroad retirement. It came to my attention too late for consideration by the committee in connection with H.R. 3157, but I believe it is a worthy change and one which is needed in the light of action taken in the Social Security Amendments Act. It does just one thing, namely, secures for tip employees of the railroads the same treatment of their tips for retirement purposes as that which is now accorded tip employees in the social security law. That is, it allows dining car employees, porters, and those relatively few employees of the railroads who receive tips to furnish the employer with a statement of those sums thus received in a calendar month. The employer then deducts the tax required, and the employee receives credit in his payments for the additional earnings represented by the tips. As in the case of the social security law, there is no payment made by the employer.

The numbers of persons thus affected is small in relation to total railroad employment, but for each of them the opportunity to count tips as wages for retirement purposes should be extended just as we have done to hotel and restaurant workers and others under social security.

I have talked with the Associate General Counsel of the Railroad Retirement Board, and he informs me that the Board has no objections. Neither do the railroad unions as represented by the Railway Labor Executives Association, and since the employers do not under this bill acquire additional financial obligations, I do not believe they have objections.

Consequently, Mr. President, I would like to ask that the committee accept this amendment, so that equity may be maintained in this small area of employment where tips are received.

Mr. PELL. Mr. President, I congratulate the Senator from Indiana on his amendment. It is excellent. I accept the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

The committee amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The bill having been read the third time the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Ohio [Mr. Lausche], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Robertson], the Senator from Mississippi [Mr. Stennis], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New York [Mr. Kennedy], and the Senator from Minnesota [Mr. McCarthy] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Robertson], the Senator from Mississippi [Mr. Stennis], and the Senator from Ohio [Mr. Young] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. Morton] and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. Morton] and the Senator from Massachusetts [Mr. Saltonstall] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 247 Leg.]

YEAS—88

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smathers
Smith
Sparkman
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—12

Church
Fulbright
Gore
Kennedy, N.Y.
Lausche
McCarthy
McGee
Morton
Robertson
Saltonstall
Stennis
Young, Ohio

So the bill (H.R. 3157) was passed.

The title was amended, so as to read: "An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, to amend the Railroad Retirement Tax Act and for other purposes."

Mr. PELL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I voted for the bill which was just passed because, in common with all Senators, I believe it should have been passed, and I am in sympathy with the humanitarian objectives of the bill; but I want to make it very clear that if the amendment which was attached to this bill that would tend to make the Railroad Retirement Fund solvent is eliminated from the bill by the House and it comes back in that form without the revenue provisions which would allow the Railroad Retirement Fund to remain solvent, I shall vote against it.

Mr. PELL. I quite understand. I sympathize with the view of the Senator.

Mr. MANSFIELD. Mr. President, we have just completed action on H.R. 3157, a bill to amend the Railroad Retirement Act of 1937. The main and most spirited issue involved was the constitutional question raised by the junior Senator from Louisiana [Mr. Long] by his point of order. I want to commend him and the junior Senator from Rhode Island [Mr. Pell] and the senior Senator from Oregon [Mr. Morse] for the articulate presentations of their respective points of view. The junior Senator from Rhode Island [Mr. Pell] demonstrated not only his persuasiveness, but also his mastery of the constitutional questions involved and the parliamentary precedents as was evidenced by the vote sustaining his position.

Again the Senate has demonstrated that a thorough presentation of legislation can be accomplished in a relatively short period of time when a genuine spirit of cooperation exists.

For this I thank every Member of the Senate.

HIGHER EDUCATION ACT OF 1965

Mr. MOSS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of H.R. 9567, the higher education bill.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Higher Education Act of 1965".

TITLE I—COLLEGE AND UNIVERSITY EXTENSION AND CONTINUING EDUCATION

Appropriations Authorized

Sec. 101. For the purpose of assisting the people of the United States in the solution of community problems such as housing, poverty, government, recreation, employment, youth opportunities, transportation, health, and land use by enabling the Commissioner to make grants and contracts under this title to strengthen continuing education and extension methods and teaching, and the public service resources, of colleges and universities, there are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1966, and $50,000,000 for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years.

Allotments to States

Sec. 102. (a)(1) From 80 per centum of the sums appropriated pursuant to section 101 for each fiscal year, the Commissioner shall allot $25,000 each to Guam, American Samoa, and the Virgin Islands and $100,000 to each of the other States, and he shall allot to each State an amount which bears the same ratio to the remainder of such 80 per centum of such sums as the population of the State bears to the population of all States.

(2) Twenty per centum of the sums appropriated pursuant to section 101 shall be reserved by the Commissioner for grants and contracts for experimental projects and for supplemental grants pursuant to section 106.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State plan (if any) approved under this title shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year for carrying out the State plan; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year from funds appropriated pursuant to section 101 shall be deemed part of its allotment under subsection (a) for such year.

(c) In accordance with regulations of the Commissioner, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of providing extension or continuing education services or activities under this title. If it is found by the Commissioner that the services or activities with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title to be used for the purpose referred to above.

(d) The population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

Uses of Allotted Funds

Sec. 103. A State's allotment under section 102 may be used, in accordance with its State plan approved under section 104(b), to provide new, expanded, or improved extension and continuing education activities and services designed to assist particularly through new and advanced approaches, in the solution of rural and urban community problems.

State Plans

SEC. 104. (a) Any State desiring to receive its allotment of Federal funds under this title shall designate or create a State agency or institution which has special qualifications with respect to solving community problems and which is broadly representative of institutions of higher education in the State which are competent to offer extension or continuing education activities and services, and shall submit to the Commissioner through the agency or institution so designated a State plan. If a State desires to designate for the purposes of this section an existing State agency or institution which does not meet these requirements, it may do so if the agency or institution takes such action as may be necessary to acquire such qualifications and assure participation of such institutions, or if it designates or creates a State advisory council which meets the requirements not met by the designated agency or institution to consult with the dseignated agency or institution in the preparation of the State plan. A State plan submitted under this title shall be in such detail as the Commissioner deems necessary and shall—

(1) provide that the agency or institution so designated or created shall be the sole agency for administration of the plan or for supervision of the administration of the plan; and provide that such agency or institution shall consult with any State advisory council required to be created by this section with respect to policy matters arising in the administration of such plan;

(2) set forth a comprehensive, coordinated, and statewide program of extension and continuing education activities and services under which funds paid to the State (including funds paid to an institution pursuant to section 105(c)) under its allotments under section 102 will be expended solely for activities and services which meet the requirements of section 103 and which have been approved by the agency or institution administering the plan;

(3) set forth the policies and procedures to be followed in allocating Federal funds to institutions of higher education in the State, which policies and procedures shall insure that due consideration will be given—

(A) to the relative capacity and willingness of particular institutions of higher education (whether public or private) to provide effective extension or continuing education activities and services designed to assist communities in solving community problems;

(B) to the availability of and need for extension and continuing education activities and services among the population within the State; and

(C) to the results of periodic evaluations of the activities and services carried out under this title in the light of information regarding current and anticipated community problems in the State;

(4) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, or funds of institutions of higher education, but supplement them, and, to the extent practicable, increase the amounts of such funds that would in the absence of such Federal funds be made available for activities and services which meet the requirements of section 103;

(5) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State (including such funds paid by the State or by the Commissioner to institutions of higher education) under this title; and

(6) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

Payments

SEC. 105. (a) Except as provided in subsection (b), payment under this title shall be made to those State agencies and institutions which administer plans approved under section 104(b). Payments under this title from a State's allotment with respect to the cost of developing and carrying out its State plan shall equal 75 per centum of such costs for the fiscal year ending June 30, 1966, 75 per centum of such costs for the fiscal year ending June 30, 1967, and 50 per centum of such costs for each of the three succeeding fiscal years, except that no payments for any fiscal year shall be made to any State with respect to expenditures for developing and administering the State plan which exceed 5 per centum of the costs for that year for which payment under this subsection may be made to that State, or $25,000, whichever is the greater.

(b) No payments shall be made to any State from its allotments for any fiscal year unless and until the Commissioner finds that the institutions of higher education which will participate in carrying out the State plan for that year will together have available during that year for expenditure from non-Federal sources for college and university extension and continuing education programs not less than the total amount actually expended by those institutions for university extension and continuing education programs from such sources during the fiscal year ending June 30, 1965, plus an amount equal to not less than the non-Federal share of the costs with respect to which payment pursuant to subsection (a) is sought. In determining the cost for any fiscal year of carrying out a university extension and continuing education program set forth in a State plan approved under section 104(b), and the amounts available for expenditure, or expended, therefor from State or other non-Federal sources, there shall be excluded any amounts the Commissioner determines have been or will be realized during that year by participating institutions from fees or other charges to persons benefiting from that program.

(c) Payments to a State under this title may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments, and they may be paid directly to the State or to one or more participating institutions of higher education designated for this purpose by the State, or to both.

Experimental Approaches and Supplemental Grants

SEC. 106. Twenty per centum of the sums appropriated pursuant to section 101 for each fiscal year shall be used by the Commissioner to make grants to or contracts with institutions of higher education to pay part of the cost of experimental approaches to extension and continuing education related to the solution of community problems as set forth in section 103, or, as may be determined by the Commissioner, for such augmentation of grants awarded under this title from allotted funds as may be desirable to advance the purposes of this title.

Administration of State Plans

SEC. 107. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency or institution submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency or institution administering a State plan approved under section 104(b), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 104(a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify the State agency or institution that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

Judicial Review

SEC. 108. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 104(a) or with his final action under section 107(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

National Advisory Council on Extension and Continuing Education

SEC. 109. (a) The President shall, within ninety days of enactment of this title, appoint a National Advisory Council on Extension and Continuing Education (hereafter referred to as the "Advisory Council"), consisting of the Commissioner, who shall be Chairman, one representative each of the Departments of Agriculture, Commerce, Defense, Labor, Interior, and State, of the Housing and Home Finance Agency, and the Office of Economic Opportunity, and of such other Federal agencies having extension education responsibilities as the President may designate, and twelve members appointed, for staggered terms and without regard to the civil service laws, by the President. Such twelve members shall, to the extent possible, include persons knowledgeable in the fields of extension and continuing education, State and local officials, and other persons having special knowledge, experience, or qualification with respect to community problems, and persons representative of the general public. The Advisory Council shall meet at the call of the Chairman but not less often than twice a year.

(b) The Advisory Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 104(b), the approval of projects and activities under section 106, and policies to eliminate duplication and to effectuate the coordination of programs under this title and other programs offering extension or continuing education activities and services.

(c) The Advisory Council shall review the administration and effectiveness of all federally supported extension and continuing education programs, make recommendations with respect thereto, and make annual reports commencing on March 31, 1967, of its findings and recommendations (including recommendations for changes in the provisions of Federal laws relating to extension and continuing education activities) to the Secretary and to the President. The President shall transmit each such report to the Congress, together with his comments and recommendations.

(d) Members of the Advisory Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Secretary shall engage such technical assistance as may be required to carry out the functions of the Advisory Council, and the Secretary shall, in addition, make available to the Advisory Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(f) In carrying out its functions pursuant to this section, the Advisory Council may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary and the head of such agency.

SEC. 110. Nothing in this title shall modify authorities under the Act of the February 23, 1917 (Smith-Hughes Vocational Education Act), as amended (20 U.S.C. 11–15, 16–28); the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, and 15aaa–15ggg); the Vocational Education Act of 1963 (20 U.S.C. 35–35n); title VIII of the Housing Act of 1964 (Public Law 88–560); of the Act of May 8, 1914 (Smith-Lever Act), as amended (7 U.S.C. 341–348).

Limitation

SEC. 111. No grant may be made under this title for any education activities or services related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specificially for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

TITLE II—COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

Part A—College library resources

Appropriations Authorized

SEC. 201. There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, to enable the Commissioner to make grants under this part to institutions of higher education to assist and encourage such institutions in the acquisition for library purposes of books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding).

Basic Grants

SEC. 202. From 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, the Commissioner is authorized to make basic grants for the purposes set forth in that section to institutions of higher education and combinations of such institutions. The amount of a basic grant shall not exceed $5,000 for each such institution of higher education and each branch of such institution which is located in a community different from that in which its parent institution is located, and a basic grant under this subsection may be made only if the application therefor is approved by the Commissioner upon his determination that the application (whether by an individual institution or a combination of institutions)—

(a) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes (exclusive of construction) (1) an amount not less than the average annual amount it expended for such purposes during the two-year period ending June 30, 1965, and (2) an amount (from such other sources) equal to not less than the amount of such grant;

(b) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related materials (including necessary binding) for library purposes an amount not less than the average annual amount it expended for such materials during the two-year period ending June 30, 1965;

(c) provides for joint use of library facilities with other institutions where feasible;

(d) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(c) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Supplemental Grants

SEC. 203. (a) From the remainder of such 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, plus any part of such sums as the Commissioner determines will not be needed for making grants under section 204, the Commissioner is authorized to make supplemental grants for the purposes set forth in section 201 to institutions of higher education and combinations of such institutions. The amount of a supplemental grant shall not exceed $10 for each full-time student (including the full-time equivalent of the number of part-time students) enrolled in each such institution, as determined pursuant to regulations of the Commissioner. A supplemental grant may be made only upon application therefor, in such form and containing such information as the Commissioner may require, which application shall—

(1) meet the application requirements set forth in section 202 except for the matching requirement set forth in paragraph (a)(2) of that section;

(2) describe the size and quality of the library resources of the applicant in relation to its present enrollment and any expected increase in its enrollment;

(3) set forth any special circumstances which are impeding or will impede the proper development of its library resources; and

(4) provide a general description of how a supplemental grant would be used to improve the size or quality of its library resources.

(b) The Commissioner shall approve applications for supplemental grants on the basis of basic criteria prescribed in regulations and developed after consultation with the Council created under section 205. Such basic criteria shall be such as will best tend to achieve the objectives of this part and they (1) may take into consideration factors such as the size and age of the library collection and student enrollment, and (2) shall give priority to institutions in need of financial assistance for library purposes.

Special Purpose Grants

SEC. 204. (a) Twenty-five per centum of the sums appropriated pursuant to section 201 for each fiscal year shall be used by the Commissioner to make special grants (1) to institutions of higher education which demonstrate a special need for additional library resources and which demonstrate that such additional library resources will make a substantial contribution to the quality of their educational resources, (2) to institutions of higher education to meet special national or regional needs in the library and information sciences, including those in the physical and social science fields, and (3) to combinations of institutions of higher education which need special assistance in establishing and strengthening joint-use facilities. Grants under this section may be used only for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding).

(b) Grants pursuant to this section shall be made upon application providing satisfactory assurance that (1) the applicant (or applicants jointly in the case of a combination of institutions) will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for the same purposes as such grant an amount from such other sources equal to 33⅓ per centum of such grant, and (2) each such applicant will expend (from such other sources) for all library purposes (exclusive of construction) an amount not less than the average annual amount it expended for such purposes during the two-year period ending June 30, 1965.

Advisory Council on College Library Resources

SEC. 205. (a) The Commissioner shall establish in the Office of Education an Advisory Council on College Library Resources consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

(b) The Advisory Council shall advise the Commissioner with respect to establishing criteria for the making of supplemental grants under section 203 and the making of special purpose grants under section 204. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Council.

(c) Members of the Advisory Council, while serving on business of the Advisory Council, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Accreditation Requirement for Purposes of This Part

SEC. 206. For the purposes of this part, an educational institution shall be deemed to have been accredited by a nationally recognized accrediting agency or association if the Commissioner determines that there is satisfactory assurance that upon acquisition of the library resources with respect to which assistance under this part is sought, or upon acquisition of those resources and other library resources planned to be acquired within a reasonable time, the institution will meet the accreditation standards of such agency or association.

Limitation

Sec. 207. No grant may be made under this part for books, periodicals, documents, or other related materials to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Part B—Library training and research

Appropriations Authorized

Sec. 221. There are authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1966, and $15,000,000 for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years, for the purpose of carrying out this part.

Definition of "Librarianship"

Sec. 222. For the purposes of this part the term "librarianship" means the principles and practices of the library and information sciences, including the acquisition, organization, storage, retrieval, and dissemination of information, and reference and research use of library and other information resources.

Grants for Training in Librarianship

Sec. 223. (a) The Commissioner is authorized to make grants to institutions of higher education to assist them in training persons in librarianship, including the training of specialists in the communication of information in the physical and social sciences. Such grants may be used by such institutions to assist in covering the cost of courses of training or study for such persons, and for establishing and maintaining fellowships or traineeships with stipends (including allowances for traveling, subsistence, and other expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner.

(b) The Commissioner may make a grant to an institution of higher education only upon application by the institution and only upon his finding that such program will substantially further the objective of increasing the opportunities throughout the Nation for training in librarianship.

Research and Demonstrations Relating to Libraries and the Training of Library Personnel

Sec. 224. (a) The Commissioner is authorized to make grants to institutions of higher education and other public or private agencies, institutions, and organizations and to individuals, for research and demonstration projects relating to the improvement of libraries or the improvement of training in librarianship, including the development of new techniques, systems, and equipment for processing, storing, and distributing information, and for the dissemination of information derived from such research and demonstrations, and, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to provide by contracts with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

(b) The Commissioner is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy concerning research and demonstration projects relating to the improvement of libraries and the improvement of training in librarianship, or concerning special services necessary thereto or special problems involved therein.

(c) The Commissioner shall also from time to time appoint panels of experts competent to evaluate various types of research and demonstration projects under this section, and shall obtain the advice and recommendations of such a panel before making each grant under this section.

(d) Members of any committee or panel appointed under this section who are not regular full-time emloyees of the United States shall, while serving on the business of such a committee or panel, be entitled to receive compensation at rates fixed by the Commissioner, but not in excess of $100 per diem, including travel time; and they may, while so serving away from their homes or regular places of business, be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Part C—Cataloging of Library Materials

Authorization

Sec. 241. There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, $6,315,000 for the fiscal year ending June 30, 1967, and $7,770,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years to enable the Commissioner to transfer funds to the Librarian of Congress for the purpose of—

(1) insuring, so far as possible, the acquisition by the Library of Congress of all library materials currently published throughout the world of value to scholarship; and

(2) providing catalog information for these materials promptly after receipt, and distributing bibliographic information by printing catalog cards and by other means, and authorizing the Library of Congress to use for exchange and other purposes such of these materials not needed for its own collections.

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

Statement of Purpose and Appropriations Authorized

Sec. 301. (a) The purpose of this title is to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life, and to do so by enabling the Commissioner to establish a national teaching fellow program and to encourage and assist in the establishment of cooperative arrangements under which these colleges may draw on the talent and experience of our finest colleges and universities, and on the educational resources of business and industry, in their effort to improve their academic quality.

(b) There are authorized to be appropriated—

(1) $25,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, for carrying out the provisions of this title with respect to developing institutions which plan to award one or more bachelors degrees during such year;

(2) $25,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, for carrying out the provisions of this title with respect to developing institutions which do not plan to award such a degree during such year; and

(3) $5,000,000 for the fiscal year ending June 30, 1966, and $10,000,000 for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years, to be used for the same purpose as amounts appropriated pursuant to clause (1) or (2), or both, as determined by the Commissioner.

Definition of "Developing Institution"

Sec. 302. As used in this title the term "developing institution" means a public or nonprofit educational institution which—

(a) admits as regular students only persons having a certificate of graduation from a high school, or the recognized equivalent of such certificate;

(b) is legally authorized to provide, and provides within the State, an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles of knowledge;

(c) is accredited by a nationally recognized accrediting agency or association determined by the Commissioner to be reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation;

(d) has met the requirements of clauses (a), (b), and (c) during the two academic years preceding the academic year for which it seeks assistance under this title;

(e) is making a reasonable effort to improve the quality of its teaching and administrative staffs and of its student services;

(f) is seriously handicapped in its efforts to improve such staffs and services by lack of financial resources and a shortage of qualified professional personnel;

(g) meets such other requirements as the Commissioner may prescribe by regulation; and

(h) is not an institution, or department, or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

Advisory Council on Developing Institutions

Sec. 303. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Developing Institutions (hereinafter in this title referred to as the "Council"), consisting of the Commissioner who shall be Chairman, one representative each of such Federal agencies having responsibilities with respect to developing institutions as the Commissioner may designate, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

(b) The Council shall advise the Commissioner with respect to policy matters arising in the administration of this title and in particular shall assist the Commissioner in identifying those developing institutions through which the purposes of this title can best be achieved and in establishing priorities for use in approving applications under this title. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Council.

(c) Members of the Council who are not otherwise full-time employees of the United States shall, while serving on business of the Council, receive compensation at a rate to be fixed by the Secretary, but not exceeding

$100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Grants for Cooperative Agreements To Strengthen Developing Institutions

SEC. 304. (a) The Commissioner is authorized to make grants to developing institutions and other colleges and universities to pay part of the cost of planning, developing, and carrying out cooperative arrangements which show promise as effective measures for strengthening the academic programs and the administration of developing institutions. Such cooperative arrangements may be between developing institutions, between developing institutions and other colleges and universities, and between developing institutions and organizations, agencies, and business entites. Grants under this section may be used for projects and activities such as—

(1) exchange of faculty or students, including arrangements for bringing visiting scholars to developing institutions;

(2) faculty and administration improvement programs utilizing training, education (including fellowships leading to advanced degrees), internships, research participation, and other means;

(3) introduction of new curriculums and curricular materials;

(4) development and operation of cooperative education programs involving alternate periods of academic study and business or public employment;

(5) joint use of facilities such as libraries or laboratories, including necessary books, materials, and equipment; and

(6) other arrangements which offer promise of strengthening the academic programs and the administration of developing institutions.

(b) A grant may be made under this section only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities which meet the requirements of subsection (a) and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;

(3) provides for such fiscal control and fund accounting procedures as my be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(c) The Commissioner shall, after consultation with the Council, establish criteria as to eligible expenditures for which grants made under this section may be used, which criteria shall be so designed as to prevent the use of such grants for expenditures not necessary to the achievement of the purposes of this title.

National Teaching Fellowships

SEC. 305. (a) The Commissioner is authorized to award fellowships under this section to highly qualified graduate students and junior members of the faculty of colleges and universities, to encourage such individuals to teach at developing institutions. The Commissioner shall award fellowships to individuals for teaching at developing institutions only upon application by an institution approved for this purpose by the Commissioner and only upon a finding by the Commissioner that the program of teaching set forth in the application is reasonable in the light of the qualifications of the teaching fellow and of the educational needs of the applicant.

(b) Fellowships may be awarded under this section for such period of teaching as the Commissioner may determine, but such period shall not exceed two academic years or extend beyond June 30, 1970. Each person awarded a fellowship under the provisions of this section shall receive a stipend for each academic year of teaching of not more than $6,500 as determined by the Commissioner upon the advice of the Council, plus an additional amount of $400 for each such year on account of each of his dependents.

TITLE IV—STUDENT ASSISTANCE

Part A—Undergraduate scholarships

Statement of Purpose and Appropriations Authorized

SEC. 401. (a) It is the purpose of this part to provide, through institutions of higher education and State programs, scholarships to assist in making available the benefits of higher education to qualified high school graduates from low-income families, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid. It is further the purpose of the Congress to encourage such institutions to use work-study and loan programs and any other means of student aid available to them to combine with or supplement scholarship aid under this part, as may be appropriate in any case.

(b) There are hereby authorized to be appropriated $70,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, to enable the Commissioner to make payments to (1) institutions of higher education that have agreements with him entered into under section 407, for use by such institutions (A) for payments to undergraduate students for the initial academic year of scholarships awarded to them under this part and (B) for defraying (within the limits specified in section 407(b)) eligible costs of administration, by such institutions, of the cooperative motivational program for high school students described in section 407(a)(5), and (2) States to be used in their scholarship programs pursuant to section 406(b). There are further authorized to be appropriated, for the fiscal year ending June 30, 1967, and each of the six succeeding fiscal years, such sums as may be necessary for payment to such institutions for use by them for making scholarship payments under this part to undergraduate students for academic years other than the initial year of their scholarship. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated. For the purposes of this subsection, payment for the first year of a scholarship shall not be considered as an initial-year payment if the scholarship was awarded for the continuing education of a student who had been previously awarded a scholarship under this part (whether by another institution or otherwise) and had received payment for any year of that scholarship.

Amount of Scholarship—Annual Determination

SEC. 402. From the funds received by it for such purpose under this part, an institution of higher education which awards a scholarship to a student under this part shall, for the duration of the scholarship, pay to that student for each academic year during which he is in need of scholarship aid to pursue a course of study at the institution, an amount determined by the institution for such student with respect to that year, which amount shall not exceed $800, or $1,000 in the case of a student who during the preceding academic year of college work received grades in the upper half of his class, or, if less, the amount deemed by the institution to be required by such student to pursue the educational program involved at the institution; except that if the amount of the payment so determined for that year is less than $200 no payment shall be made under this part to that student for that year. The Commissioner shall, subject to the foregoing limitations, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such scholarship, taking into account the objective of limiting scholarship aid under this part to students from low-income families and such other factors, including the number of dependents in the family, as the Commissioner may deem relevant.

Duration of Scholarship

SEC. 403. The duration of a scholarship awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study at the institution of higher education from which he received the scholarship award, except that such period shall not exceed four academic years less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior scholarship award (whether made by the same or another institution). A scholarship awarded under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he received the award, and (2) is devoting essentially full time to that course of study, during the academic year, in attendance at that institution. Failure to be in attendance at the institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments), shall not be deemed contrary to clause (2).

Selection of Recipients of Scholarships

SEC. 404. (a) An individual shall be eligible for a scholarship award under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereinafter in this part referred to as an "eligible institution"), if the individual (1) is from a low-income family (as determined in accordance with the criteria or schedules prescribed pursuant to section 402), and (2) makes application at the time and in the manner prescribed by that institution.

(b) From among those eligible for scholarship awards from an institution of higher education for each fiscal year, the institution shall, in accordance with the provisions of its agreement with the Commissioner under section 407 and within the amount allocated to the institution for that purpose for that year under section 406, select individuals who are to be awarded such scholarships and determine, pursuant to section 402, the amounts to be paid to them. An institution shall not award a scholarship to an individual unless it determines that—

(1) he is in need of the scholarship to pursue a course of study at such institution;

(2) he is capable, in the opinion of the institution, of maintaining good standing in such course of study; and

(3) he has been accepted for enrollment as a full-time student at such institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance there as an under-graduate student.

Apportionment of Scholarship Funds Among States

SEC. 405. (a)(1) From the sums appropriated pursuant to the first sentence of section 401(b) for any fiscal year, the Commissioner shall apportion an amount equal to not more than 2 per centum of such sums among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of the sums so appropriated shall be apportioned among the States as provided in paragraph (2).

(2) Of the sums being apportioned under this subsection—

(A) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States,

(B) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of secondary school graduates of such State bears to the total number of such secondary school graduates of all the States, and

(C) one-third shall be allotted by him among the States so that the appointment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in such State bears to the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in all the States.

(3) For purposes of paragraphs (1) and (2) of this subsection—

(A) the term "State" does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands,

(B) the term "secondary school graduate" means a person who has received formal recognition (by diploma, certificate, or similar means) from an approved school for successful completion of four years of education beyond the first eight years of schoolwork, and

(C) the number of persons enrolled on a full-time basis in institutions of higher education and the number of secondary school graduates shall each be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Health, Education, and Welfare, and the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

(4) If the total of the sums determined by the Commissioner to be required under section 406 for any fiscal year for eligible institutions in a State is less than the amount of the apportionment to that State under paragraph (1) or (2) for that year, the Commissioner may reapportion the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

(b) Sums appropriated pursuant to the second sentence of section 401(b) for any fiscal year shall be apportioned or reapportioned among the States in such manner as the Commissioner determines to be necessary to carry out the purposes for which such sums are appropriated.

Allocation of Apportioned Funds to Institutions and for State Scholarship Plans

SEC. 406. (a)(1) The Commissioner shall from time to time set dates by which eligible institutions in any State must file applications for allocation, to such institutions, of student scholarship funds from the apportionment to that State (and of any reapportionment thereto) for any fiscal year pursuant to section 405(a), to be used for the purposes specified in the first sentence of section 401(b). Such allocations shall be made in accordance with equitable criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

(2) The Commissioner shall further, in accordance with regulations, allot to eligible institutions, in any State, from funds apportioned or reapportioned pursuant to section 405 (b), funds to be used for the scholarship payments specified in the second sentence of section 401(b).

(3) Payment shall be made from allotments under this section to institutions as needed.

(b) Upon request from the Governor of any State, not to exceed 15 per centum of such State's apportionment (not including any reapportionments) for any fiscal year shall be paid to such State for use during such year in granting scholarships to students in higher education if—

(1) such State provides an equal amount to be used for the same purpose;

(2) such amount provided by such State represents an increase in expenditures for such purpose by such State over the amount expended by such State for the previous fiscal year; and

(3) such scholarships are granted on the same basis of need, and are substantially the same in other respects, as scholarships granted by institutions of higher education pursuant to this part.

Requests for the purpose of this subsection shall be filed prior to such times as are established by the Commissioner, and shall be accompanied by such information with respect to the State's scholarship program under which the Federal payment is to be used as may be required by the Commissioner for the purposes of the part.

Agreements With Institutions—Conditions

SEC. 407. (a) An institution of higher education which desires to obtain funds for scholarships under this part, shall enter into an agreement with the Commissioner. Such agreement shall—

(1) provide that funds received by the institution under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

(2) provide that in determining whether an individual is an eligible student from a low-income family the institution will (A) consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

(3) provide that in the selection of students to receive scholarships under this part preference shall be given to (A) students who are beginning their first year of undergraduate study and (B) students who are transferring from an institution of higher education which customarily offers only a two-year program of study to an institution which offers four or more years of higher education;

(4) provide that the institution will, where appropriate, combine financial assistance in the form of loans under title II of the National Defense Education Act of 1958 or under a State or private plan, work-study opportunities under part C of title I of the Economic Opportunity Act of 1964 (as amended by part C of this title) or as may be offered otherwise, and scholarships under this part, in an effort to meet the financial needs of students from low-income families;

(5) provide that the institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths from low-income families and to encourage them to continue their education beyond secondary school through programs and activities such as—

(A) establishing or strengthening close working relationships with secondary-school principals and guidance and counseling personnel with a view toward motivating students to complete secondary school and pursue post-secondary-school educational opportunities, and

(B) making, to the extent feasible, tentative commitments for scholarships to qualified students enrolled in grade 11 and lower grades or to secondary-school dropouts who have a demonstrated aptitude for college study;

(6) provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

(7) include provisions designed to make scholarships under this part reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

(8) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

(b) An institution may spend up to 5 per centum of the funds paid to it for any fiscal year ending prior to July 1, 1970, for the administration of the program described in paragraph (5) of subsection (a).

Contracts To Encourage Full Utilization of Educational Talent

SEC. 408. (a) To assist in achieving the purposes of this title the Commissioner is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), to enter into contracts, not to exceed $100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

(1) identifying qualified youths from low-income families and encouraging them to complete secondary school and undertake postsecondary educational training,

(2) publicizing existing forms of student financial aid, including aid furnished under this part, and

(3) encouraging secondary-school dropouts of demonstrated aptitude to reenter educational programs, including post-secondary-school programs.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

Definition of "Academic Year"

SEC. 409. As used in this part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Commissioner.

Part B—Federal, State, and private programs of low-interest insured loans to students in institutions of higher education

Statement of Purpose and Appropriations Authorized

SEC. 421. (a) The purpose of this part is to enable the Commissioner (1) to encourage States and nonprofit private institutions and organizations to establish adequate loan insurance programs for students in eligible institutions (as defined in section 435), (2) to provide a Federal program of student loan insurance for students who do not have reasonable access to a State or private nonprofit program of student loan insurance covered by an agreement under section 428(b), and (3) to pay a portion of the interest on loans to qualified students which are insured under this part or under a program of a State or of a nonprofit private institution or organization which meets the requirements of section 428(a)(1)(A).

(b) For the purpose of carrying out this part—

(1) there are authorized to be appropriated to the student loan insurance fund (established by section 431) (A) the sum of $1,000,000, and (B) such further sums, if any, as may become necessary for the adequacy of the student loan insurance fund,

(2) there are authorized to be appropriated, for payments under section 428 with respect to interest on insured loans, such sums for the fiscal year ending June 30, 1966, and succeeding fiscal years, as may be required therefor, and

(3) there are authorized to be appropriated the sum of $17,500,000 for making advances pursuant to section 422 for the reserve funds of State and nonprofit private student loan insurance programs.

Sums appropriated under clauses (1) and (2) of this subsection shall remain available until expended, and sums appropriated under clause (3) of this subsection shall remain available for advances under section 422 until the close of the fiscal year ending June 30, 1968.

Advances for Reserve Funds of State and Nonprofit Private Loan Insurance Programs

SEC. 422. (a)(1) From the sums appropriated pursuant to clause (3) of section 421 (b), the Commissioner is authorized to make advances to any State with which he has made an agreement pursuant to section 428 (b) for the purpose of helping to establish or strengthen the reserve fund of the student loan insurance program covered by that agreement. If for any of the fiscal years ending June 30, 1966, June 30, 1967, or June 30, 1968, a State does not have a student loan insurance program covered by an agreement pursuant to section 428(b), and the Commissioner determines after consultation with the chief executive officer of that State that there is no reasonable likelihood that the State will have such student loan insurance program for such year, the Commissioner may make advances for such year for the same purpose to one or more nonprofit private institutions or organizations with which he has made an agreement pursuant to section 428(b) in order to enable students in that State to participate in a program of student loan insurance covered by such an agreement. The Commissioner may make advances under this subsection both to a State program with which he has such an agreement and to one or more nonprofit private institutions or organizations with which he has such an agreement in that State if he determines that such advances are necessary in order that students in each eligible institution have access through such institution to a student loan insurance program which meets the requirements of section 428(b)(1).

(2) Advances pursuant to this subsection shall be upon such terms and conditions (including conditions relating to the time or times of payment) consistent with the requirements of section 428(b) as the Commissioner determines will best carry out the purposes of this section. Advances made by the Commissioner under this subsection shall be repaid within such period as the Commissioner may deem to be appropriate in each case in the light of the maturity and solvency of the reserve fund for which the advance was made.

(b) The total of the advances to any State pursuant to subsection (a) may not exceed an amount which bears the same ratio to 2½ per centum of $700,000,000 as the population of that State aged eighteen to twenty-two, inclusive, bears to the total population of all the States aged eighteen to twenty-two, inclusive. If the amount so determined for any State, however, is less than $25,000, it shall be increased to $25,000 and the total of the increases thereby required shall be derived by proportionately reducing (but not below $25,000) the amount so determined for each of the remaining States. Advances to nonprofit private institutions and organizations pursuant to subsection (a) may be in such amounts as the Commissioner determines will best achieve the purposes for which they are made, except that the sum of (1) advances to such institutions and organizations for the benefit of students in any State plus (2) the amounts advanced to such State, may not exceed the maximum amount which may be advanced to that State pursuant to the first two sentences of this subsection. For the purposes of this subsection, the population aged eighteen to twenty-two, inclusive, of each State and of all the States shall be determined by the Commissioner on the basis of the most satisfactory data available to him.

Effect of Adequate Non-Federal Programs

SEC. 423. The Commissioner shall not issue certificates of insurance under section 429 to lenders in a State if he determines that every eligible institution has reasonable access in that State to a State or private nonprofit student loan insurance program which is covered by an agreement under section 428(b).

Scope and Duration of Loan Insurance Program

SEC. 424. (a) The total principal amount of new loans made and installments paid pursuant to lines of credit (as defined in section 435) to students covered by insurance under this part shall not exceed $700,000,000 in the fiscal year ending June 30, 1966, $1,000,000,000 in the fiscal year ending June 30, 1967, and $1,400,000,000 in the fiscal year ending June 30, 1968. Thereafter, insurance pursuant to this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit) to enable students, who have obtained prior loans insured under this part, to continue or complete their educational programs; but no insurance may be granted for any loan made or installment paid after June 30, 1972.

(b) The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this part, assign, within the maximum amounts specified in subsection (a), insurance quotas applicable to eligible lenders, or to States or areas, and may from time to time reassign unused portions of these quotas.

Limitations on Individual Loans and on Insurance

SEC. 425. (a) The total of the loans made to a student in any academic year or its equivalent (as determined under regulations of the Commissioner) which may be covered by insurance under this part may not exceed $1,500 in the case of a graduate or professional student (as defined in regulations of the Commissioner), or $1,000 in the case of any other student. The aggregate insured unpaid principal amount of all such insured loans made to any student shall not at any time exceed $7,500 in the case of any graduate or professional student (as defined in regulations of the Commissioner, and including any such insured loans made to such person before he became a graduate or professional student), or $5,000 in the case of any other student. The annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any year in excess of the annual limit.

(b) The insurance liability on any loan insured under this part shall be 100 per centum of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

Sources of Funds

SEC. 426. Loans made by eligible lenders in accordance with this part shall be insurable whether made from funds fully owned by the lender or from funds held by the lender in a trust or similar capacity and available for such loans.

Eligibility of Student Borrowers and Terms of Student Loans

SEC. 427. (a) A loan by an eligible lender shall be insurable under the provisions of this part only if—

(1) made to a student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and (C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

(2) evidenced by a note or other written agreement which—

(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required,

(B) provides for repayment (except as provided in subsection (c)) of the principal amount of the loan in installments over a period of not less than five years (unless sooner repaid) nor more than ten years beginning not earlier than nine months nor later than one year after the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution, except that (i) the period of the loan may not exceed fifteen years from the execution of the note or written agreement evidencing it and (ii) the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in the payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made,

(C) provides for interest on the unpaid principal balance of the loan at a yearly rate, not exceeding the applicable maximum rate prescribed and defined by the Secretary (within the limits set forth in subsection (b)) on a national, regional, or other appropriate basis, which interest shall be payable in installments over the period of the loan except that, if provided in the note or other written agreement, any interest payable by the student may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has so accrued during that period may be added on that date to the principal (but without thereby increasing the insurance liability under this part),

(D) provides that the lender will not collect or attempt to collect from the borrower any portion of the interest on the note which is payable by the Commissioner under this part,

(E) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan, and

(F) contains such other terms and conditions, consistent with the provisions of this part and with the regulations issued by the Commissioner pursuant to this part, as may be agreed upon by the parties to such loan, including, if agreed upon, a provision requiring the borrower to pay to the lender, in addition to principal and interest, amounts equal to the insurance premiums payable by the lender to the Commissioner with respect to such loan.

(b) No maximum rate of interest prescribed and defined by the Secretary for the purposes of clause 2(C) of subsection (a) may exceed 6 per centum per annum on the unpaid principal balance of the loan, except that under circumstances which threaten to impede the carrying out of the purposes of this part, one or more of such maximum rates of interest may be as high as 7 per centum per annum on the unpaid principal balance of the loan.

(c) The total of the payments by a borrower during any year of any repayment period with respect to the aggregate amount of all loans to that borrower which are insured under this part shall not be less than $360 or the balance of all of such loans (together with interest thereon), whichever amount is less.

Federal Payments To Reduce Student Interest Costs

SEC. 428. (a)(1) Each student who has received a loan which is insured under this part or a loan, for study at an eligible institution, which—

(A) is insured under a State program, or under a program of a nonprofit private institution or organization, (i) which, in the case of loans insured prior to July 1, 1967, meets the requirements of subparagraph (E) of subsection (b)(1) and provides that repayment of such loans shall be installments beginning not earlier than 60 days after the student ceases to pursue a course of study (as described in subparagraph (D) of subsection (b)(1)) at an eligible institution, or (ii) which, in the case of loans insured after June 30, 1967, is covered by an agreement made pursuant to subsection (b), and

(B) was contracted for after the date of enactment of this Act and was paid to the student either (i) prior to July 1, 1968, or (ii) prior to July 1, 1972, in the case of a loan made (or a loan installment paid pursuant to a line of credit) to enable a student who has obtained a prior loan insured under such program to continue or complete his educational program,

and whose adjusted family income is less than $15,000 at the time of execution of the note or written agreement evidencing such loan, shall be entitled to have paid on his behalf and for his account to the holder of the loan, over the period of the loan, a portion of the interest on the loan. For the purposes of this paragraph, the adjusted family income of a student shall be determined pursuant to regulations of the Commissioner in effect at the time of the execution of the note or written agreement evidencing the loan. Such regulations shall provide for taking into account such factors, including family size, as the Commissioner deems appropriate. In the absence of fraud by the lender, such determination of the adjusted family income of a student shall be final so far as the obligation of the Commissioner to pay a portion of the interest on a loan is concerned.

(2) The portion of the interest on a loan which a student is entitled to have paid on his behalf and for his account to the holder of the loan pursuant to paragraph (1) shall be equal to the total amount of the interest on the unpaid principal amount of the loan which accrues prior to the beginning of the repayment period of the loan, and 3 per centum per annum of the unpaid principal amount of the loan (excluding interest which has been added to principal) thereafter; but such portion of the interest on a loan shall not exceed, for any period, the amount of the interest on that loan which is payable by the student after taking into consideration the amount of any interest on that loan which the student is entitled to have paid on his behalf for that period under any State or private loan insurance program. The holder of an insured loan shall be deemed to have a contractual right, as against the United States, to receive from the Commissioner the portion of interest which has been so determined. The Commissioner shall pay this portion of the interest to the holder of the insured loan on behalf of and for the account of the borrower at such times as may be specified in regulations in force when the applicable agreement entered into pursuant to subsection (b) was made, or if the loan is insured under a program which is not covered by such an agreement, at such times as may be specified in regulations in force at the time the loan was paid to the student.

(3) Each holder of a loan with respect to which payments of interest are required to be made by the Commissioner shall submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan.

(b)(1) Any State or any nonprofit private institution or organization may enter into an agreement with the Commissioner for the purpose of entitling students who receive loans which are insured under a student loan insurance program of that State, institution, or organization to have made on their behalf payments equal to those provided for in subsection (a) if the Commissioner determines that the student loan insurance program—

(A) authorizes the insurance of not less than $1,000 nor more than $1,500 in loans to any individual student in any academic year or its equivalent (as determined under regulations of the Commissioner);

(B) authorizes the insurance of loans to any individual student for at least six academic years of study or their equivalent (as determined under regulations of the Commissioner);

(C) provides that (i) the student borrower shall be entitled to accelerate without penalty the whole or any part of an insured loan, (ii) the period of any insured loan may not exceed fifteen years from the date of execution of the note or other written evidence of the loan, and (iii) the note or other written evidence of any loan may contain such provisions relating to repayment in the event of default by the borrower as may be authorized by regulations of the Commissioner in effect at the time such note or written evidence was executed;

(D) subject to subparagraph (C), provides that, where the total of the insured loans to any student which are held by any one person exceeds $2,000, repayment of such loans shall be in installments over a period of not less than five years nor more than ten years beginning not earlier than nine months nor later than one year after the student ceases to pursue a full-time course of study at an eligible institution, except that if the program provides for the insurance of loans for part-time study at eligible institutions the program shall provide that such repayment period shall begin not earlier than nine months nor later than one year after the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution;

(E) authorizes interest on the unpaid balance of the loan at a yearly rate not in excess of 6 per centum per annum on the unpaid principal balance of the loan (exclusive of any premium for insurance which may be passed on to the borrower);

(F) insures not less than 90 per centum of the unpaid principal of loans insured under the program;

(G) does not provide for collection of an excessive insurance premium;

(H) provides that the benefits of the loan insurance program will not be denied any student because of his family income or lack of need if his adjusted family income at the time the note or written agreement is executed is less than $15,000 (as determined pursuant to the regulations of the Commissioner prescribed under section 428(a)(1));

(I) provides that a student may obtain insurance under the program for a loan for any year of study at an eligible institution; and

(J) in the case of a State program, provides that such State program is administered by a single State agency, or by one or more nonprofit private institutions or organizations under the supervision of a single State agency.

(2) Such an agreement shall—

(A) provide that the holder of any such loan will be required to submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan;

(B) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the State or the nonprofit private institution or organization, as the case may be; and

(C) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his function under this part and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Certificates of Insurance—Effective Date of Insurance

SEC. 429. (a)(1) If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provisions of this part, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance.

(2) Insurance evidenced by a certificate of insurance pursuant to subsection (a)(1) shall become effective upon the date of issuance of the certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans, or with respect to lines (or proposed lines) of credit, submitted by eligible lenders, and in that event, upon compliance with subsection (a)(1) by the lender, the certificate of insurance may be

issued effective as of the date when any loan, or any payment by the lender pursuant to a line of credit, to be covered by such insurance was made. Such insurance shall cease to be effective upon sixty days' default by the lender in the payment of any installment of the premiums payable pursuant to subsection (c).

(3) An application submitted pursuant to subsection (a)(1) shall contain (A) an agreement by the applicant to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (c), and (B) an agreement by the applicant that if the loan is covered by insurance the applicant will submit such supplementary reports and statements during the effective period of the loan agreement, upon such forms, at such times, and containing such information as the Commissioner may prescribe by or pursuant to regulation.

(b)(1) In lieu of requiring a separate insurance application and issuing a separate certificate of insurance for each student loan made by an eligible lender as provided in subsection (a), the Commissioner may, in accordance with regulations consistent with section 424, issue to any eligible lender applying therefor a certificate of comprehensive insurance coverage which shall, without further action by the Commissioner, insure all insurable loans made by that lender, on or after the date of the certificate and before a specified cutoff date, within the limits of an aggregate maximum amount stated in the certificate. Such regulations may provide for conditioning such insurance, with respect to any loan, upon compliance by the lender with such requirements (to be stated or incorporated by reference in the certificate) as in the Commissioner's judgment will best achieve the purpose of this subsection while protecting the financial interest of the United States and promoting the objectives of this part, including (but not limited to) provisions as to the reporting of such loans and information relevant thereto to the Commissioner and as to the payment of initial and other premiums and the effect of default therein, and including provision for confirmation by the Commissioner from time to time (through endorsement of the certificate) of the coverage of specific new loans by such certificate, which confirmation shall be incontestable by the Commissioner in the absence of fraud or misrepresentation of fact or patent error.

(2) If the holder of a certificate of comprehensive insurance issued under this subsection grants to a student a line of credit extending beyond the cutoff date specified in that certificate, loans or payments thereon made by the holder after that date pursuant to the line of credit shall not be deemed to be included in the coverage of that certificate except as may be specifically provided therein; but, subject to the limitations of section 424, the Commissioner may, in accordance with regulations, make commitments to insure such future loans or payments, and such commitments may be honored either as provided in subsection (a) or by inclusion of such insurance in comprehensive coverage under this subsection for the period or periods in which such future loans or payments are made.

(c) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this part a premium in an amount not to exceed one-fourth of 1 per centum per year of the unpaid principal amount of such loan (excluding interest added to principal), payable in advance, at such time and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest or after the borrower has died or become totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 430(a).

(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned as security by such lender only to another eligible lender, and subject to regulation by the Commissioner.

(e) The consolidation of the obligations of two or more insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. If the loans thus consolidated are covered by separate certificates of insurance issued under subsection (a), the Commissioner may upon surrender of the original certificates issue a new certificate of insurance in accordance with that subsection upon the consolidated obligation; if they are covered by a single comprehensive certificate issued under subsection (b), the Commissioner may amend that certificate accordingly.

Procedure on Default, Death, or Disability of Student

SEC. 430. (a) Upon default by the student borrower on any loan covered by insurance pursuant to this part, or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon security for that loan, the insurance beneficiary shall promptly notify the Commissioner, and the Commissioner shall if requested (at that time or after further collection efforts) by the beneficiary, or may on his own motion, if the insurance is still in effect, pay to the beneficiary the amount of the loss sustained by the insured upon that loan as soon as that amount has been determined. The "amount of the loss" on any loan shall, for the purposes of this subsection and subsection (b), be deemed to be an amount equal to the unpaid balance of the principal amount of the loan.

(b) Upon payment by the Commissioner of the insured portion of the loss pursuant to subsection (a), the United States shall be subrogated to all of the rights of the holder of the obligation upon the insured loan and shall be entitled to an assignment of the note or other evidence of the insured loan by the insurance beneficiary. If the net recovery made by the Commissioner on a loan after deduction of the cost of that recovery (including reasonable administrative costs) exceeds the amount of the loss, the excess shall be paid over to the insured.

(c) Nothing in this section or in this part shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner in the enforcement of the insured obligation after payment on that insurance, or to require collection of the amount of any loan by the insurance beneficiary or by the Commissioner from the estate of a deceased borrower or from a borrower found by the insurance beneficiary to have become permanently and totally disabled.

(d) Nothing in this section or in this part shall be construed to excuse the holder of a loan from exercising reasonable care and diligence in the making and collection of loans under the provisions of this part. If the Commissioner, after reasonable notice and opportunity for hearing to an eligible lender, finds that it has substantially failed to exercise such care and diligence or to make the reports and statements required under section 428(a)(3) and section 429(a)(3), or to pay the required insurance premiums, he shall disqualify that lender for further insurance on loans granted pursuant to this part until he is satisfied that its failure has ceased and finds that there is reasonable assurance that the lender will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

(e) As used in this section—

(1) the term "insurance beneficiary" means the insured or its authorized assignee in accordance with section 429(d); and

(2) the term "default" includes only such defaults as have existed for (A) one hundred and twenty days in the case of a loan which is repayable in monthly installments, or (B) one hundred and eighty days in the case of a loan which is repayable in less frequent installments.

Insurance Fund

SEC. 431. (a) There is hereby established a student loan insurance fund (hereinafter in this section called the "fund") which shall be available without fiscal year limitation to the Commissioner for making payments in connection with the default of loans insured under this part. All amounts received by the Commissioner as premium charges for insurance and as receipts, earnings, or proceeds derived from any claim or other assets acquired by the Commissioner in connection with his operations under this part, and any other moneys, property, or assets derived by the Commissioner from his operations in connection with this section, shall be deposited in the fund. All payments in connection with the default of loans insured under this part shall be paid from the fund. Moneys in the fund not needed for current operations under this section may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

(b) If at any time the moneys in the fund are insufficient to make payments in connection with the default of any loan insured under this part, the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Commissioner from such fund.

Legal Powers and Responsibilities

SEC. 432. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this part, the Commissioner may—

(1) prescribe such regulations as may be necessary to carry out the purposes of this part;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this part without regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive nothwithstanding any change in the person occupying the office of Commissioner or any vacancy in that office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this part from the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

(3) include in any contract for insurance such terms, conditions, and covenants relating to repayment of principal and payment of interest, relating to his obligations and rights and to those of eligible lenders, and borrowers in case of default, and relating to such other matters as the Commissioner determines to be necessary to assure that the purposes of this part will be achieved; and any term, condition, and covenant made pursuant to this clause or any other provisions of this part may be modified by the Commissioner if he determines that modification is necessary to protect the financial interest of the United States;

(4) subject to the specific limitations in this part, consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest or any portion thereof, or any other provision of any note or other instrument evidencing a loan which has been insured under this part;

(5) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(6) enforce, pay compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right or redemption.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this part—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act; and

(2) maintain with respect to insurance under this part an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 428, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.

Advisory Council on Insured Loans to Students

SEC. 433. (a) The Secretary shall establish in the Office of Education an Advisory Council on Insured Loans to Students, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Secretary. The membership of the Council shall include persons representing State loan insurance programs, private nonprofit loan insurance programs, financial and credit institutions, and institutions of higher education.

(b) The Advisory Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this part, including policies and procedures governing the making of advances under section 422 and the Federal payments to reduce student interest costs under section 428.

(c) Members of the Advisory Council, while serving on the business of the Advisory Council away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2), for persons in the Government service employed intermittently.

Participation by Federal Credit Unions in Federal, State, and Private Student Loan Insurance Programs.

SEC. 434. Notwithstanding any other provision of law, Federal credit unions shall, pursuant to regulations of the Director of the Bureau of Federal Credit Unions, have power to make insured loans up to 10 per centum of their assets, to student members in accordance with the provisions of this part or in accordance with the provisions of any State or nonprofit private student loan insurance program which meets the requirements of section 428(a)(1)(A).

Definitions for Reduced-Interest Student Loan Insurance Program

SEC. 435. As used in this part:

(a) The term "eligible institution" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any public or other nonprofit collegiate or associate degree school of nursing and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), and (5). If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (5) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (i) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the program pursuant to this part, and (ii) determine whether particular schools not meeting the requirements of clause (5) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies which he determines to be reliable authority as to the quality of training offered.

(b) The term "collegiate school of nursing" means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

(c) The term "associate degree school of nursing" means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

(d) The term "accredited" when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education.

(e) The term "eligible lender" means an eligible institution, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

(f) The term "line of credit" means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years.

Part C—College work-study program extension and amendments

Transfer of Authority and Other Amendments

SEC. 441. Parts C and D of title I of the Economic Opportunity Act of 1964 (Public Law 88–452) are amended as follows:

(1) By striking out "Director" in the first sentence of section 122(a) and inserting in lieu thereof "Commissioner of Education (hereinafter in this part referred to as the 'Commissioner')", and by striking out "Director" wherever that word appears in the other provisions of such part C and inserting in lieu thereof "Commissioner";

(2) By amending that part of section 121 that follows the section designation to read as follows: "The purpose of this part is to stimulate and promote the part-time employment of students, particularly students from low-income families, in institutions of higher education who are in need of the earnings from such employment to pursue courses of study at such institution.";

(3) By striking out section 123 and inserting in lieu thereof the following:

"Grants for Work-Study Programs

"SEC. 123. (a) The Commissioner is authorized to enter into agreements with institutions of higher education under which the Commissioner will make grants to such institutions to assist in the operation of work-study programs as hereinafter provided.

"(b) For the purposes of this part—

"(1) The term 'institution of higher education' means an educational institution in any State which (A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (B) is legally authorized within such State to provide a program of education beyond secondary education, (C) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (D) is a public or other nonprofit institution, and (E) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (i) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (ii) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any public or other nonprofit collegiate or associate degree school of nursing and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (A), (B), (D), and (E). If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (E) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (I) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the program pursuant to this part, and (II) determine whether particular schools not meeting the requirements of clause (E) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies which he determines to be reliable authority as to the quality of training offered.

"(2) The term 'collegiate school of nursing' means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(3) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(4) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner.";

(4) By striking out section 124(a) and inserting in lieu thereof the following:

"(a) provide for the operation by the institution of a program for the part-time employment of its students in work for the institution itself or work in the public interest for a public or private nonprofit organization under an arrangement between the institution and such organization, and such work—

"(1) would not otherwise be performed by nonstudents,

"(2) will not result in the displacement of employed workers or impair existing contracts and services, and

"(3) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee: *Provided*, That no such work shall involve the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;";

(5) By redesignating clauses (2), (3), and (4), of paragraph (c) of section 124 as clauses (1), (2), and (3), and by striking out so much of such paragraph as precedes such redesignated clauses and inserting in lieu thereof the following: "(c) provide that in the selection of students for employment under such work-study program preference shall be given to students from low-income families and that employment under such work-study program shall be furnished only to a student who";

(6) By inserting before the period at the end of section 125 a comma and the following: "and such share may be paid to such student in the form of services and equipment (including tuition, room, board, and books) furnished by such institution"; and

(7) By striking out "provided for in" in section 131 and inserting in lieu thereof "for which he is responsible under".

Appropriations Authorized

SEC. 442. There are authorized to be appropriated $129,000,000 for the fiscal year ending June 30, 1966, $165,000,000 for the fiscal year ending June 30, 1967, $200,000,000 for the fiscal year ending June 30, 1968, and $235,000,000 for the fiscal year ending June 30, 1969, and for the succeeding fiscal year, to carry out the purposes of part C of title I of the Economic Opportunity Act of 1964 (Public Law 88-452). Any sums which are appropriated for the fiscal year ending June 30, 1966, for the purpose of such part C pursuant to an authorization in the Economic Opportunity Act of 1964, or are allocated for such purpose from any appropriation for such year, shall be made available, to the extent unexpended on the date of enactment of this Act, to the Commissioner for carrying out such part C, and the total of such sums (including amounts expended prior to such date) shall be deducted from the authorization in this section for such year. Sixty million dollars of the authorization for title I of the Economic Opportunity Act of 1964 for the fiscal year ending June 30, 1966, as contained in section 131 of such Act, shall be only for the purpose of part C of such title. No provision in the Economic Opportunity Act of 1964 which authorizes the appropriation of funds to carry out that Act shall apply to such part C after June 30, 1966.

Part D—Amendments to National Defense Education Act of 1958

Definition of Institution of Higher Education

SEC. 461. Section 103(b) of the National Defense Education Act of 1958 is amended to read as follows:

"(b) The term 'institution of higher education' means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of title II, such term includes any school of nursing as defined in subsection (1) of this section, and also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses, (1), (2), (4), and (5). If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (5) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (i) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the student loan program under title II, and (ii) determine whether particular schools not meeting the requirements of clause (5) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered."

Conditions of Agreements; Administrative Costs

SEC. 462. Clause (3) of section 204 of the National Defense Education Act of 1958 is amended to read as follows:

"(3) provide that such student loan fund shall be used only for (A) loans to students in accordance with such agreement, (B) capital distributions as provided in this title, (C) routine expenses incurred by the institution in administering the student loan fund, except that the amount used for these expenses by an institution in any fiscal year may not exceed either (i) one-half of such expenses as estimated for that year by the Commissioner with the advice of an advisory committee which the Commissioner is hereby authorized to appoint on an annual or such other basis as he may deem appropriate, or (ii) 1 per centum of the aggregate of the outstanding loans made from that fund as of the close of that year, whichever is the lesser, and (D) costs of litigation, and other collection costs agreed to by the Commissioner, arising in connection with the collection of any loan from the fund, interest on such loan, or charge assessed with respect to that loan pursuant to section 205(c);".

Technical Amendment for Part-time Students

SEC. 463. (a) The portion of section 205(b) (2) of the National Defense Education Act of 1958 which precedes clause (A)(ii) thereof is amended to read as follows:

"(2) such a loan shall be evidenced by a note or other written agreement which provides for repayment of the principal amount, together with interest thereon, in equal (or, if the borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Commissioner) quarterly, bimonthly, or monthly installments (at the option of the institution) over a period beginning nine months after the date on which the borrower ceases to carry, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by that institution, and ending ten years and nine months after such date, except that (A) interest shall not accrue on any such loan, and installments need not be paid during any period (1) during which the borrower is carrying, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by the institution,".

(b) Clause (D) of such section 205(b)(2) is amended by striking out "periodic", and by striking out "part-time" and inserting in lieu thereof "less than half-time".

(c) The amendments made by this section shall apply to a loan outstanding on the date of enactment of this Act only with the consent of the borrower and the institution which made the loan.

Minimum Rate of Repayment

SEC. 464. (a) Section 205(b)(2) of the National Defense Education Act of 1958 is further amended by striking out "and" before "(E)" and by inserting at the end thereof before the semicolon ", and (F) the institution may provide, in accordance with regulations of the Commissioner, that during the repayment period of the loan payments of principal and interest by the borrower with respect to all the outstanding loans made to him from loan funds established pursuant to this title shall be at a rate equal to not less than $15 per month".

(b) The amendment made by this section shall be applicable only with respect to loans made after the date of enactment of this Act.

Cancellation of Loans for Teachers

SEC. 465. (a) Section 205(b)(3) of the National Defense Education Act of 1958 is amended—

(1) by inserting "total" before "amount" and by striking out ", which was unpaid on the first day of such service";

(2) by inserting "or its equivalent (as determined under regulations of the Commissioner)" after "academic year"; and

(3) by inserting before the semicolon at the end thereof a comma and the following: "except that (A) such rate shall be 15 per centum for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title II of Public Law 874, Eighty-first Congress, as amended, and which for purposes of this clause and for that year has been determined by the Commissioner, pursuant to regulations and after consultation with the State educational agency of the State in which the school is located, to be a school in which there is a high concentration of students from low-income families, except that the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, and (B) for the purposes of any cancellation pursuant to clause (A), an additional 50 per centum of any such loan (plus interest) may be cancelled".

(b) The amendments made by clauses (1) and (3) of subsection (a) shall apply with respect to service performed during academic years beginning after the date of enactment of this Act, whether the loan was made before or after such enactment. The amendment made by clause (2) of subsection (a) shall apply with respect to service performed during academic years beginning after the enactment of the National Defense Education Act Amendments, 1964, Public Law 88-665, whether or not the loan was made before or after such enactment.

Charges

SEC. 466. (a) Section 205 of the National Defense Education Act of 1958 is further amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Pursuant to regulations of the Commissioner, an institution may assess a charge with respect to a loan from the loan fund established by the institution pursuant to this title for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment benefits under section 205(b)(2) or cancellation benefits under section 205(b)(3), for any failure to file timely and satisfactory evidence of such entitlement. The amount of any such charge may not exceed—

"(1) in the case of a loan which is repayable in monthly installments, $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter; and

"(2) in the case of a loan which has a bimonthly or quarterly repayment interval, $3 and $6, respectively, for each such interval or part thereof by which such installment or evidence is late.

The institution may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the institution not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge."

(b) Clause (2) of section 204 of such Act is amended by striking out "and (D)" and inserting in lieu thereof "(D) charges collected pursuant to section 205(c), and (E)".

(c) The amendment made by subsection (a) shall be applicable only with respect to loans made after the date of enactment of this Act.

Economics, Civics, and Industrial Arts

SEC. 467. (a)(1) Clauses (1) and (5) of section 303(a) of the National Defense Education Act of 1958 are each amended by inserting "economics," after "geography,".

(2) Section 301 of such Act is amended by striking out "and $90,000,000 for the fiscal year ending June 30, 1965, and for each of the three succeeding fiscal years" and inserting in lieu thereof "$90,000,000" for the fiscal year ending June 30, 1965, and $100,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years".

(b) Section 1101 of such Act is amended—

(1) by striking out "each of the three succeeding fiscal years" and inserting in lieu thereof "$50,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years"; and

(2) by inserting "economics, civics, industrial arts," after "geography,".

TITLE V—TEACHER PROGRAMS

Part A—General provisions

Advisory Council on Teacher Preparation

SEC. 501. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Teacher Preparation for the purpose of reviewing the administration and operation of the programs carried out under this title and of all other Federal programs for complementary purposes. This review shall pay particular attention to the effectiveness of these programs in attracting, preparing, and retaining highly qualified elementary and secondary school teachers, and it shall include recommendations for the improvement of these programs. The Council shall consist of the Commissioner, who shall be Chairman, and twelve members appointed for staggering terms and without regard to the civil service laws, by the Commissioner with the approval of the Secretary. Such twelve members shall include persons knowledgeable with respect to teacher preparation and the needs of urban and rural schools, and representatives of the general public.

(b) Members of such Advisory Council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(c) The Council may appoint an Executive Secretary and such other employees as the Council deems necessary to carry out its functions under this part.

Limitation

SEC. 502. Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

Statement of Purpose and Authorization of Appropriations

Part B—National Teacher Corps

SEC. 511. (a) The purpose of this part is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—

(1) attracting and training qualified teachers who will be made available to local educational agencies for teaching in such areas; and

(2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

(b) For the purpose of carrying out this part, there are authorized to be appropriated $36,100,000 for the fiscal year ending June 30, 1966, and $64,715,000 for the fiscal year ending June 30, 1967, and for each of the four succeeding fiscal years.

Establishment of National Teacher Corps

SEC. 512. In order to carry out the purposes of this part, there is hereby established in the Office of Education a National Teacher Corps (hereinafter referred to as the "Teacher Corps"). The Teacher Corps shall be headed by a Director who shall be compensated at the rate prescribed for grade 17 of the General Schedule of the Classification Act of 1949, and a Deputy Director who shall be compensated at the rate prescribed for grade 16 of such General Schedule. The Director and the Deputy Director shall perform such duties as are delegated to them by the Commissioner.

Teacher Corps Program

Sec. 513. (a) For the purpose of carrying out this part, the Commissioner is authorized to—

(1) recruit, select, and enroll experienced teachers, and inexperienced teacher-interns who have a bachelor's degree or its equivalent, in the Teacher Corps for periods of up to two years;

(2) enter into arrangements, through grants or contracts, with institutions of

higher education or State or local educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purposes of this part, including not more than three months of training for members before they undertake their teaching duties under this part;

(3) enter into arrangements (including the payment of the cost of such arrangements) with local educational agencies, after consultation in appropriate cases with State educational agencies and institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, (A) experienced teachers, and (B) teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program developed according to criteria established by the Commissioner and carried out under the guidance of the experienced teacher in cooperation with an institution of higher education;

(4) pay to local educational agencies the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding clause; and

(5) employ experts and consultants or organizations thereof to assist the Commissioner in carrying out his functions under this part, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), and to compensate such individuals while so employed at rates not in excess of $100 per diem, including traveltime, and to allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(b) Arrangements with institutions of higher education to provide training for teacher-interns while teaching in schools for local educational agencies under the provisions of this part shall provide, wherever possible, for training leading to a graduate degree.

(c) Whenever the Commissioner determines that the demand for the services of experienced teachers or of teaching teams furnished pursuant to clause (3) of subsection (a) exceeds the number of experienced teachers or teaching teams available from the Teacher Corps, the Commissioner shall, to the extent practicable, allocate experienced teachers or teaching teams, as the case may be from the Teacher Corps among the States in proportion to the number of children in each State counted for making basic grants under title II of Public Law 874, Eighty-first Congress, as amended, for the fiscal year for which the allocation is made.

(d) A local educational agency may utilize members of the Teacher Corps assigned to it in providing, in the manner described in section 205(a)(2) of Public Law 874, Eighty-first Congress, as amended, educational services in which children enrolled in private elementary and secondary schools can participate.

Compensation

SEC. 514. (a) An arrangement made with a local educational agency pursuant to paragraph (3) of section 513(a) shall provide for compensation by such agency of Teacher Corps members during the period of their assignment to it at the following rates:

(1) an experienced teacher who is not leading a teaching team shall be compensated at a rate which is equal to the rate paid by such agency for a teacher with similar training and experience who has been assigned similar teaching duties;

(2) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

(3) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned.

(b) For any period of training under this part the Commissioner shall pay to members of the Teacher Corps such stipends (including allowances for subsistence and other expenses for such members and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported training programs.

(c) The Commissioner shall pay the necessary travel expenses of members of the Teacher Corps and their dependents and necessary expenses for the transportation of the household goods and personal effects of such members and their dependents, and such other necessary expenses of members as are directly related to their service in the Corps, including readjustment allowances proportionate to service.

(d) The Commissioner is authorized to make such arrangements as may be possible, including the payment of any costs incident thereto, to protect the tenure, retirement rights, participation in a medical insurance program, and such other similar employee benefits as the Commissioner deems appropriate, of a member of the Teacher Corps who participates in any program under this part and who indicates his intention to return to the local educational agency or institution of higher education by which he was employed immediately prior to his service under this part.

Application of Provisions of Federal Law

SEC. 515. (a) Except as otherwise specifically provided in this section, a member of the Teacher Corps shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b)(1) Such members shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this subsection:

(A) the term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of a member of the Teacher Corps—

(i) while on authorized leave; or

(ii) while absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner; and

(B) in computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of a member of the Teacher Corps shall be deemed to be his actual pay or that received under the entrance salary for grade 6 of the General Schedule of the Classification Act of 1949, whichever is greater.

(c) Such members shall be deemed to be employees of the Government for the purposes of the Federal tort claims provisions of title 28, United States Code.

Local Control Preserved

SEC. 516. Members of the Teacher Corps shall be under the direct supervision of the appropriate officials of the local educational agencies to which they are assigned. Except as otherwise provided in clause (3) of section 513(a), such agencies shall retain the authority to—

(1) assign such members within their systems;

(2) make transfers within their systems;

(3) determine the subject matter to be taught;

(4) determine the terms and continuance of the assignment of such members within their systems.

Maintenance of Effort

SEC. 517. No member of the Teacher Corps shall be furnished to any local educational agency under the provisions of this part if such agency will use such member to replace any teacher who is or would otherwise be employed by such agency.

Part C—Fellowships for teachers

Statement of Purpose

SEC. 521. It is the purpose of this part to provide opportunities for advanced training, giving major emphasis to preparation in high quality substantive courses, to teachers in elementary, secondary, and postsecondary vocational schools and personnel serving in fields ancillary to teaching in such schools.

Fellowships Authorized

SEC. 522. (a) The Commissioner is authorized to award under the provisions of this part not to exceed four thousand five hundred fellowships for the fiscal year ending June 30, 1966, ten thousand fellowships for the fiscal year ending June 30, 1967, and fifteen thousand fellowships for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years. Fellowships awarded under the provisions of this part shall be for graduate study (leading to a masters or equivalent degree in the field of education) for the purpose of teaching in elementary, secondary, or postsecondary vocational schools, or for graduate study (leading to a similar degree) in the subject matter which the person awarded such fellowship is or will be teaching in such schools. Such fellowships may also be awarded in fields ancillary to elementary, secondary, and postsecondary vocational education such as library science, educational media, school social work, guidance and counseling, special education for handicapped children, vocational education, and other fields having the purpose of assisting or improving elementary or secondary, or postsecondary vocational education. Such fellowships shall be awarded for such periods as the Commissioner may determine but not to exceed two academic years.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this part but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

Fellowships for Recent Graduates

SEC. 523. Forty per centum of the number of fellowships under the provisions of this part for any fiscal year shall be awarded by the Commissioner to persons recommended to the Commissioner for such fellowships by institutions of higher education. An institution of higher education may for the purposes of this section recommend any individual who has received a bachelor's degree with high standing from such institution, except that such recommendation shall be made not later than six months after the awarding of such degree.

Fellowships for Experienced Teachers

SEC. 524. The remaining 60 per centum of the number of fellowships awarded under the provisions of this part for any fiscal year shall be awarded by the Commissioner to persons with at least five academic years of professional experience serving in an elementary, secondary, or postsecondary vocational school, who are recommended to the Commissioner for such a fellowship by a local educational agency or a private school authority. Such an agency or authority may, for the purposes of this section, recommend any such person who is serving in its elementary, secondary, or postsecondary vocational school or schools upon condition that it agree to rehire such individual upon his completing the course of study under such fellowship.

Fellowships in Ancillary Fields

SEC. 525. Not less than 20 per centum nor more than 25 per centum of the fellowships awarded under sections 523 and 524 shall be awarded to persons for graduate work in fields ancillary to elementary, secondary, or postsecondary vocational education, as defined in section 522.

Fellowships for Displaced Experienced Teachers

SEC. 526. Not to exceed 20 per centum of the fellowships awarded under section 524 may be awarded to persons who have been displaced in their employment as professional employees of local educational agencies as a result of changes of school populations brought about by the enforcement of the Civil Rights Act of 1964, or the carrying out of the purpose of such Act. Fellowships pursuant to this section shall be awarded by the Commissioner without regard to the requirements of section 524 with respect to recommendations and agreements to rehire.

Distribution of Fellowships

SEC. 527. In awarding fellowships under the provisions of this part the Commissioner shall endeavor to provide an equitable distribution of such fellowships throughout the Nation, except that to the extent he deems proper in the national interest, the Commissioner shall give preference in such awards to persons already serving, or who intend to serve, in elementary or secondary schools in low-income rural or metropolitan areas.

Stipends

SEC. 528. (a) Each person awarded a fellowship under the provisions of section 523 shall receive a stipend of $2,000 for the first academic year of study and $2,200 for the second such year. Each person awarded a fellowship under the provisions of section 524 shall receive a stipend of $4,800 for each academic year of study. In both cases an additional amount of $400 for each such academic year of study shall be paid to each such person on account of each of his dependents.

(b) In addition to the amount paid to persons pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study, $3,000 per academic year. Amounts paid pursuant to this subsection shall be less any amount charged any such person for tuition.

(c) The Commissioner shall reimburse any person awarded a fellowship pursuant to this part for actual and necessary traveling expenses of such person and his dependents from his ordinary place of residence to the institution of higher education where he will pursue his studies under such fellowship, and to return to such residence.

Limitation

SEC. 529. No fellowship shall be awarded under this part for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

Fellowship Conditions

SEC. 530. A person awarded a fellowship under the provisions of this part shall continue to receive the payments provided in section 528(a) only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

Appropriations

SEC. 531. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this part.

Part D—Grants to institutions of higher education for improved teacher education

Appropriations Authorized

SEC. 541. There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, for the purpose of carrying out this part.

Grants for Improved Teacher Education

SEC. 542. (a) For the purpose of obtaining an appropriate geographical distribution of high-quality programs for the training of personnel for elementary, secondary, and postsecondary vocational education, the Commissioner is authorized, on such terms and conditions as he may deem appropriate, to make grants to and contracts with institutions of higher education to pay part of the cost of developing or strengthening graduate programs which meet the requirements of subsection (b) and of developing or strengthening high-quality undergraduate programs for the training of such personnel. The Commissioner shall set forth in regulations the standards and priorities which will be utilized in approving such grants and contracts. The Commissioner may employ experts and consultants, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), to advise him with respect to the making of grants and contracts under this part and in carrying out the provisions of part C. Experts and consultants employed pursuant to this subsection may be compensated while so employed at rates not in excess of $100 per diem, including traveltime, and may be allowed, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(b) The Commissioner shall approve a graduate program of an institution of higher education for assistance under this part only upon application by the institution and only upon his finding—

(1) that such program will substantially further the objective of improving the quality of education of persons who are pursuing or intend to pursue a career in elementary, secondary, or postsecondary vocational education,

(2) that such program gives major emphasis to high-quality substantive courses,

(3) that such program is of high quality and either is in effect or will be attainable as a result of assistance received under this part, and

(4) that only persons who demonstrate a serious intent to pursue or to continue to pursue a career in elementary, secondary, or postsecondary vocational education will be accepted for study in the program.

TITLE VI—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

Part A—Equipment

Statement of Purpose and Authorization of Appropriations

SEC. 601. (a) The purpose of this part is to improve the quality of classroom instruction in selected subject areas in institutions of higher education.

(b) There are hereby authorized to be appropriated $35,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years, to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of equipment and for minor remodeling described in section 603(2)(A).

(c) There are also authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1966, and $10,000,000 for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years, to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of television equipment and for minor remodeling described in section 603(2)(B)

(d) There is also authorized to be appropriated a sum not exceeding $1,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, to enable the Commissioner to make grants in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this part including expenses which he determines are necessary for the preparation of such plans.

Allotments to States

SEC. 602. (a)(1) Of the funds appropriated pursuant to subsections (b) and (c) of section 601 for any fiscal year one-half shall be allotted by the Commissioner among the States so that the allotment to each State will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and the remaining one-half shall be allotted by him among the States in accordance with paragraph (2) of this subsection. For the purposes of this subsection, (A) the number of students enrolled in institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

(2) For the purposes of this paragraph the Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the funds being allotted pursuant to this paragraph as the product of—

(A) the number of students enrolled in institutions of higher education in such State, and

(B) the State's allotment ratio

bears to the sum of the corresponding products for all the States. For the purposes of this paragraph the allotment ratio for any State shall be 1.00 less the product of (i) 0.50 and (ii) the quotient obtained by dividing the income per person for the State by the income per person for all the States (not including Puerto Rico, the Virgin Islands, American Samoa, and Guam), except that the allotment ratio shall in no case be less than 0.33⅓ or more than 0.66⅔, and the allotment ratio for Puerto Rico, the Virgin Islands, American Samoa, and Guam shall be 0.66⅔. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act, and annually thereafter, on the basis of the average of the incomes per person of the States and of all the States for the three most recent consecutive calendar years for which satisfactory data are available from the Department of Commerce.

(b)(1) A State's allotment under subsection (a) from funds appropriated pursuant to section 601(b) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 604) of the cost of equipment and minor remodeling described in section 603(2)(A).

(2) A State's allotment under subsection (a) from funds appropriated pursuant to section 601(c) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 604) of the cost of television equipment and minor remodeling described in section 603(2)(B).

(c) Sums allotted to a State for the fiscal year ending June 30, 1966, shall remain available for reservation as provided in section 606 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year. Sums allotted to a State for the fiscal year ending June 30, 1967, or for any succeeding fiscal year, which are not reserved as provided in section 606 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner, on the basis of such factors as he determines to be equitable and reasonable, among the States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted. Amounts reallotted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

State Commissions and Plans

Sec. 603. Any State desiring to participate in the program under this part shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education in the State, or, if no such State agency exists, shall establish such a State agency, and submit to the Commissioner through the agency so designated or established (hereafter in this part referred to as the "State commission"), a State plan for such participation. The Commissioner shall approve any such plan which—

(1) provides that it shall be administered by the State commission;

(2) sets forth, consistently with basic criteria prescribed by regulation pursuant to section 604, objective standards and methods (A) for determining the relative priorities of eligible projects for the acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment for classrooms or audiovisual centers, and printed and published materials (other than textbooks) for classrooms or libraries, suitable for use in providing education in science, mathematics, foreign languages, history, geography, government, English, other humanities, the arts, or education at the undergraduate level in institutions of higher education, and minor remodeling of classroom or other space used for such materials or equipment; (B) for determining relative priorities of eligible projects for (i) the acquisition of television equipment for closed-circuit direct instruction in such fields in such institutions (including equipment for fixed-service instructional television, as defined by the Federal Communications Commission, but not including broadcast transmission equipment), (ii) the acquisition of necessary instructional materials for use in such television instruction, and (iii) minor remodeling necessary for such television equipment; and (C) for determining the Federal share of the cost of each such project;

(3) provides (A) for assigning priorities solely on the basis of such criteria, standards, and methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisoions of this part; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the cost of the project involved;

(4) provides for affording to every applicant, which has submitted to the State commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant; and

(5) provides (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State commission under this part, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this part.

Basic Criteria for Determining Priorities, Federal Share, and Maintenance of Effort

Sec. 604. (a) As soon as practicable after the enactment of this Act the Commissioner shall by regulation prescribe basic criteria to which the provisions of State plans setting forth standards and methods for determining relative priorities of eligible projects, and the application of such standards and methods to such projects under such plans, shall be subject. Such basic criteria (1) shall be such as will best tend to achieve the objectives of this part while leaving opportunity and flexibility for the development of State plan standards and methods that will best accommodate the varied needs of institutions in the several States, and (2) shall give special consideration to the financial need of the institution. Subject to the foregoing requirements, such regulations may establish additional and appropriate basic criteria, including provision for considering the degree to which applicant institutions are effectively utilizing existing facilities and equipment, provision for allowing State plans to group or provide for grouping in a reasonable manner, facilities or institutions according to functional or educational type for priority purposes, and, in view of the national objectives of this Act, provision for considering the degree to which the institution serves students from two or more States or from outside the United States; and in no event shall an institution's readiness to admit such out-of-State students be considered as a priority factor adverse to such institution.

(b) The Federal share for the purposes of this part shall be 50 per centum of the cost of the project, except that a State commission may increase such share to not to exceed 80 per centum of such cost in the case of any institution proving insufficient resources to participate in the program under this part and inability to acquire such resources. An institution of higher education shall be eligible for a grant for a project pursuant to this part in any fiscal year only if such institution will expend during such year for the same purposes as, but not pursuant to, this part an amount at least equal to the amount expended by such institution for such purposes during the previous fiscal year. The Commissioner shall establish basic criteria for making determinations under this subsection.

Applications for Grants and Conditions for Approval

Sec. 605. (a) Institutional of higher education which desire to obtain grants under this part shall submit applications therefor at such time or times and in such manner as may be prescribed by the Commissioner, and such applications shall contain such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to make the determinations required to be made by him under this part.

(b) The Commissioner shall approve an application covering a project under this part and meeting the requirements prescribed pursuant to subsection (a) if—

(1) the project has been approved and recommended by the appropriate State commission;

(2) the State commission has certified to the Commissioner, in accordance with the State plan, the Federal share of the cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State (including any applicable reallotment to the State);

(3) the project has, pursuant to the State plan, been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meet all the requirements of this section (other than this clause) and for which Federal funds have not yet been reserved;

(4) the Commissioner determines that the project will be undertaken in an economical manner and will not be overly elaborate or extravagant; and

(5) the Commissioner determines that the application contains or is supported by satisfactory assurances—

(A) that Federal funds received by the applicant will be used solely for defraying the cost of the project covered by such application,

(B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the equipment upon completion, and

(C) that the institution will meet the maintenance of effort requirement in section 604(b).

(b) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

Amount of Grant—Payment

Sec. 606. Upon his approval of any application for a grant under this part, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such grant, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share of the cost of the project covered by such application. The Commissioner shall pay such reserve amount, in advance or by way of reimbursement, and in such installments as he may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application covering such project or upon revision of the estimated cost of a project with respect to which such reservation was made, and in the event of an upward revision of such estimated cost approved by him he may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

Administration of State Plans

Sec. 607. (a) The Commissioner shall not finally disapprove any State plan submitted under this part, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this part, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 603, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this part until he is satisfied that there is no longer any such failure to comply.

Judicial Review

SEC. 608. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this part or with his final action under section 607, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

Limitation on Payments

SEC. 609. Nothing contained in this part shall be construed to authorize the making of any payment under this part for any equipment or materials for religious worship or instruction.

Part B—Faculty development programs

Institutes Authorized

SEC. 621. There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by them of short-term workshops or short-term or regular-session institutes for individuals (1) who are engaged in, or preparing to engage in, the use of educational media equipment in teaching in institutions of higher education, or (2) who are, or are preparing to be, in institutions of higher education, specialists in educational media or librarians or other specialists using such media.

Stipends

SEC. 622. Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each dependent. No stipends shall be paid for attendance at workshops.

TITLE VII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

Expansion of Grant Purposes

SEC. 701. (a) Section 106 of the Higher Education Facilities Act of 1963 is amended to read as follows:

“Eligibility for Grants

“SEC. 106. An institution of higher education shall be eligible for a grant for construction of an academic facility under this title only if such construction will, either alone or together with other construction to be undertaken within a reasonable time, (1) result in an urgently needed substantial expansion of the institution's student enrollment capacity or capacity to carry out extension and continuing education programs, or (2) in the case of a new institution of higher education, result in creating urgently needed enrollment capacity or capacity to carry out extension and continuing education programs."

(b) The first sentence of section 101(b) of the Higher Education Facilities Act of 1963 is amended by striking out “and each of the two succeeding fiscal years" and inserting in lieu thereof “and for the succeeding fiscal year, and the sum of $330,000,000 for the fiscal year ending June 30, 1966".

(c) The second sentence of section 201 of such Act is amended by striking out “and the sum of $60,000,000 each for the fiscal year ending June 30, 1965, and the succeeding fiscal year" and inserting in lieu thereof “the sum of $60,000,000 for the fiscal year ending June 30, 1965, and the sum of $120,000,000 for the fiscal year ending June 30, 1966".

Technical amendments

Making Section 103 Allotments Available for Section 104 Institutions Under Certain Circumstances

SEC. 702. (a)(1) Section 103(b) of the Higher Education Facilities Act of 1963 is amended by inserting “(1)" immediately after “(b)" in such section and by adding at the end thereof:

“(2) Notwithstanding other provisions of this title to the contrary, a State's allotment for any fiscal year pursuant to this section shall, at the request of the Governor of such State, be available, in accordance with the provisions of this title, for payment of the Federal share (as determined under sections 108(b)(3) and 401(d)) of the development cost of approved projects for the construction of academic facilities within such State for public institutions of higher education other than public community colleges and public technical institutes."

(2) The first sentence of section 103(c) is amended by striking out “for providing academic facilities for public community colleges or public technical institutes" and inserting in lieu thereof “for the purposes set forth in subsection (b) of this section".

(3) Clause (3) of section 105(a) is amended by inserting “(except as provided in section 103(b)(2))" after “section 103 will be available".

Making Section 104 Allotments Available for Section 103 Institutions Under Certain Circumstances

(b)(1) Section 104(b) of the Higher Education Facilities Act of 1963 is amended by inserting “(1)" immediately after “(b)" in such section and by adding at the end thereof:

“(2) Notwithstanding other provisions of this title to the contrary, a State's allotment for any fiscal year pursuant to this section shall, at the request of the Governor of such State, be available, in accordance with the provisions of this title, for payment of the Federal share (as determined under sections 108(b)(3) and 401(d)) of the development cost of approved projects for the construction of academic facilities within such State for public community colleges and public technical institutes."

(2) The first sentence of section 104(c) is amended by striking out “for providing academic facilities for institutions of higher education other than public community colleges and public technical institutes" and inserting in lieu thereof “for the purposes set forth in subsection (b) of this section".

(3) Clause (3) of section 105(a) is amended by inserting “(except as provided in section 104(b)(2))" after “section 104 will be available".

Revising Federal Share for Public Community Colleges and Public Technical Institutes

(c)(1) Section 105(a)(2) of the Higher Education Facilities Act of 1963 is amended by striking out “other than a project for a public community college or public technical institute".

(2) Section 107(b) of such Act is amended (1) by striking out “other than a project for a public community college or public technical institute", and (2) by striking out “shall be 40 per centum" and inserting in lieu thereof “shall in no event exceed 40 per centum".

(3) Section 401(d) of such Act is amended by inserting immediately before “40 per centum" the following: “a percentage (as determined under the applicable State plan) not in excess of".

Indefinite Availability of Sums Appropriated Under Section 201

(d) The last sentence of section 201 of the Higher Education Facilities Act of 1963 is amended to read as follows: “Sums so appropriated shall remain available until expended for grants under this title."

Two-Year Availability of Title III Funds

(e) Section 303(c) of the Higher Education Facilities Act of 1963 is amended by adding at the end the following new sentence: “Sums appropriated pursuant to this subsection for any fiscal year shall remain available for loans under this title until the end of the next succeeding fiscal year."

Coordination With Part A (Grants for Expansion and Improvement of Nurse Training) of Title VIII of the Public Health Service Act

(f) Effective with respect to applications for grants and loans submitted after the date of enactment of this Act, clause (E) of section 401(a)(2) of the Higher Education Facilities Act of 1963 is amended to read as follows: “(E) any facility used or to be used by a school of medicine, school of dentistry, school of osteopathy, school of pharmacy, school of optometry, school of podiatry, or school of public health as these terms are defined in section 724 of the Public Health Service Act, or a school of nursing as defined in section 843 of that Act."

TITLE VIII—GENERAL PROVISIONS

Definitions

SEC. 801. As used in this Act—

(a) The term “institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

Such term also includes any business school or technical institution which meets the provisions of clauses (1), (2), (4), and (5). For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

(c) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) The term "secondary school" means a school which provides secondary education as determined under State law except that it does not include any education provided beyond grade 12.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "Commissioner" means the Commissioner of Education.

(g) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary, secondary, or postsecondary vocational schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary, secondary, or postsecondary vocational schools. Such terms also includes any other public institution or agency having administrative control and direction of a public elementary, secondary, or postsecondary vocational school.

(h) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(i) The term "elementary school" means a school which provides elementary education including education below grade 1, as determined under State law.

Method of Payment

SEC. 802. Payments under this Act to any individual or to any State or Federal agency, institution of higher education, or any other organization, pursuant to a grant, loan, or contract, may be made in installments, and in advance or by way of reimbursement, and, in the case of grants or loans, with necessary adjustments on account of overpayments or underpayments.

Federal Administration

SEC. 803. (a) The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the titles of this Act for which he is responsible, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

(c) In carrying out his functions under this or any other Act, the Commissioner is authorized to contract for the publication of educational and related information so as to further the full dissemination of information of eduactional value consistent with the national interest, without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

Federal Control of Education Prohibited

SEC. 804. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise and direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution.

Mr. MANSFIELD. Mr. President, if the Senator from Utah will yield further, there will be no further legislation, to my knowledge, considered in the Senate this afternoon. Therefore, there will be no votes.

Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 12 o'clock tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. And that at the conclusion of the prayer, rather than having a morning hour, the Senate resume consideration of the higher education bill.

The VICE PRESIDENT. That request is not necessary. Since the Senate will recess when it concludes its business today, there will be no morning hour tomorrow.

NORTH AMERICAN WATER AND POWER ALLIANCE—RESOLUTION

Mr. MOSS. Mr. President, 1965 might be called the year of the great water paradox. Almost the entire Nation has had unusual weather.

In the Northeast, where people serenely assumed water would always be bountiful, there is a record-shattering drought from New Hampshire to West Virginia. Some of our densest areas of population and heaviest concentrations of industry face the fearful possibility that they will be out of water by midwinter.

Near-record snows and heavy spring rains in the upper Mississippi Valley spread devastating floods all the way from Minnesota to Missouri. Midwestern plains which are often tinder dry were inundated, and city streets awash. It seemed for a time there in April that the rains would never stop.

In the Rocky Mountain area, and other parts of the arid and semiarid West, we have had one of the best water seasons in years. There has been persistent, above-normal rainfall on a broad front extending from Arizona and southern California northeastward to the northern Rockies. Cool, clear water for our farms and our homes has filled our reservoirs to their highest levels in years. Even the Great Salt Lake, which has been steadily receding for a number of years, has done an about-face, and its salty waters are lapping at lands which have not been submerged for more than a decade.

The Pacific Northwest, an area normally blessed with heavy rainfall, had an unusually dry and sunny spring season, and rain was on the low side on the gulf coast and in Florida, where precipitation is usually plentiful.

How can a Nation deal with such paradoxes—with such audacious whims of nature? There is only one way—by careful, long-range planning which takes into consideration total resources and total needs.

This year's water paradoxes have moved America swiftly toward its day of water reckoning. When the Senate Subcommittee on National Water Resources warned in 1961 that some sections of the United States would be out of water in 20 years if heroic measures were not taken, people in water bountiful areas had a tendency to shrug and say, "never here, thank goodness," and go on about their business. Now they are aroused. With taps running dry in big metropolitan areas where water has not even been metered, with little or no water for suburban lawns and swimming pools, with air conditioning endangered and with industrial plants hard put to keep their wheels turning, even the most indifferent citizen is ready to take another look at our water needs and uses. Our "unusual" weather has been good for more than conversation to pass the time of day.

It would be frustrating enough in this summer of 1965 if America's water problems were all due to the vagaries of nature alone, but the truth is that they have been vastly complicated by the vagaries of man. Perhaps now it will be possible to make more of our citizens in more of our communities along our rivers and lakes rise up in their wrath about the human vagary which has filled our rivers and streams with pollution. Not enough people in America are angry about pollution. More people must put on battle array if we are to conquer this massive problem.

Cities and industries, all too often centered on their own problems, have in too many instances been lethargic about the long-range interest of their own or adjacent areas. For years it mattered little to city councilmen or plant managers that by filling our lakes and streams with human and industrial waste they were turning them into open sewers.

As a result, many of our greatest rivers and lakes now suffer chronic pollution. The water of the Great Lakes—one-quarter of the world's fresh liquid water—are badly polluted.

Lake Erie is critically ill, its once-white beaches covered with smelly greenish slime, and its priceless walleyes, blue pike, and yellow perch, all but lost, along with its prosperous fishing industry.

Here in Washington, the Capital City of the most powerful and progressive nation in the world, we view not the model Potomac, but the polluted Potomac. The waters of the Ohio are no longer beautiful, but are turgid with waste, and even in the mighty Mississippi there is not enough water to flush out the waste and sewage poured into it.

We have used, and misused, our water for years as though there were no tomorrow. Now tomorrow is here and we must face it.

Let it be written that this summer of 1965 was the summer when the people of America finally fully understood the magnitude of the Nation's water problems, and took the bold and courageous steps necessary to meet them. Let us profit by the discussion and concern about water; by the newspaper headlines snatched away from crime and murder and war to announce drought and more drought, pollution and more pollution, floods and more floods. Let us take the momentum which these disasters have given us and profit by it. Let us take our leadtime and make the most of it.

We must begin now to put our imagination and skills together and do what has to be done to assure that the entire Nation—the usually water bountiful Northeast, South and Northwest, the uncertain Midwest, the arid and semiarid West and Southwest, will always have enough water, no matter what pranks nature pulls, to allow each State and each section to achieve its share of our national growth now and in the years to come.

We must use every tool at our command. We must expand water storage facilities, purify brackish and salt water, increase streamflow by eradication of worthless vegetation, control snowmelt, and expand all phases of water research.

We must achieve optimum development of what water we have underground and above ground. We must improve coordination between Federal, State, and local activities. We must work hard—and work together.

Congress took a giant step this session in improving cooperation between areas and States in water development when we passed a measure to provide for water resource development and planning in the United States on river basin bases.

It is manifest that State and regional lines must be disregarded if water resource planning is to be fully efficient. Water flows downward by gravity, sweeping over man-designated boundaries at will. The fact that we have drawn arbitrary lines to set one State apart from another, or one county apart from another, is of no concern to a river or stream rushing to the sea, or a lake which spreads out in nature's valley. Nor is it of any concern to our great continental waterways that more than a hundred years ago the United States and Canada established the 49th parallel, and the middle of the Great Lakes and the St. Lawrence, as the boundary between our two nations. These are manset confines which nature ignores.

With water resource development now launched on a basinwide basis in the United States, the next logical step is importation of water from water surplus areas to water short areas. This is a bold concept, and one which will require more imagination and will and cooperation than has been displayed so far.

There has been stiff resistance to exporting water in water surplus areas. This is natural and understandable. No one wants to give up something which he holds valuable. On the other hand it is hard to justify wasting away a valuable resource which belongs to all the people when others desperately need it.

Therefore, water importation is now becoming a topic of discussion at water parleys all through the West. We are beginning to feel our way on it. A close examination of all the signs and portents indicate that some of the objections to water importation are dissolving.

For example, western governors meeting in Portland, Oreg., earlier this year unanimously adopted a resolution establishing a Western States water council to effect cooperation in water resource development. This resolution recognized the fact that water problems in one water basin of the West are water problems of all Western States and basins, and that full integration may require the removal of water from areas of water surplus to areas of water deficiency.

At recent resource development discussion meetings held in Lake Tahoe, Calif., and Corvallis, Oreg., it was the apparent consensus of the broad representation of experts and citizens there that Western States must reach agreement among themselves on large-scale interstate transbasin water development programs.

In keynoting the Oregon conference, Gov. Mark Hatfield, much of whose State lies in an abundant rainfall belt, stressed the growing seriousness of the water problems of the cities. He stated:

> It is one of the ironies of our age, there are cities where we cannot water the lawns, wash the automobiles, or fill the swimming pools our productive economy have permitted. Even the enjoyment of our new leisure is threatened by the pollution of our lakes and rivers.

I was most interested to read an interview with my good friend and colleague, Senator JORDAN of Idaho, in the Salt Lake Tribune, in which the Senator recognized the rights of people in water-parched areas to water which was wasting away in water surplus areas. Senator JORDAN dealt specifically with the situation in southern California, and concluded that when all potential California water supplies had been fully developed, and other possibilities such as desalinization exhausted, the people of that area had the right to look to the large surplus supplies which exist in the Lower Columbia Basin.

"We in the Northwest cannot defend our right to waste water in the Columbia into the ocean," the Senator stated. How could anyone disagree?

The concept of "waste not, want not" on water was carried a step farther in a meeting of representatives of the lower and upper Colorado River Basin held this month here in Washington. At this meeting representatives from my own State of Utah expressed a willingness to share temporarily a portion of our precious share of Colorado River waters with lower basin States until completion of our own water development projects allows us to make full use of our share. We asked, of course, for strong guarantees that the water will be returned to us when we are ready to use it, but there was general recognition of the fact that if the lower basin does not find more water for its rapidly expanding population soon, the problem will become insoluble. So you can see, dividing up water is not always an activity where all of the giving is all on one side.

But dividing up available water—importing it from where it is to where it is not—is much wider than just a western problem, or even a nationwide problem. It is a continentwide problem. The most imaginative approach to the water shortages in the United States, and our greatest hope of solving our water problems from the Great Lakes to the Pacific Ocean, and from Canada to Mexico, lies, in a bold new concept which has been called the North American Water and Power Alliance. This concept is being actively advanced by the Ralph M. Parsons Co., of Los Angeles, one of the outstanding engineering and construction firms in the Nation.

I was so deeply impressed with the Parsons concept that I asked the distinguished chairman of the Senate Public Works Committee [Mr. MCNAMARA] to establish a special subcommittee to study it and decide how it could be implemented. This he did—the Special Subcommittee on Western Water Development—and I was honored with the appointment as chairman.

Since that time the subcommittee has compiled and published an inventory of all water resource projects authorized or contemplated by the Federal Government and compared them with the projects in the Parsons concept.

NAWAPA, as the program has become known, would trap the wasted water of Alaska, the Yukon Territory, and British Columbia, and channel it to the Canadian Plains, the Great Lakes, and Western United States and Mexico.

It would be history's biggest public works program. It would cost $100 billion and it would take 30 years to build. It would provide a vast complex of canals, trenches, reservoirs, aqueducts, lift-pump stations, and other water works. There would be a 500-mile-long Rocky Mountain trench in the upper reaches of Columbia, Fraser and Kootenay Rivers which would bring water to Idaho, Oregon, Utah, Nevada, California, Arizona, New Mexico and several places in old Mexico. A Rocky Mountain eastern slope project would put more water into New Mexico, and into Texas, Colorado, Kansas, Nebraska, and Oklahoma. Water would be transported to the Great Lakes, now at drastically low levels because of water diversion, channel improvement and low precipitation through a giant Canadian-Great Lakes canal system.

In all, 33 States in the United States would directly benefit from NAWAPA, with the entire country sharing in the economic impact. In Canada, direct benefits would accrue to seven Provinces and one territory.

During the months after the concept was advanced, I made an effort to have it considered by the Canadian Government, and the Premiers of the Canadian Provinces which would be most intensely involved. I informed Secretary Rusk of the formation of the special subcommittee to consider the NAWAPA concept and requested that the Government of Canada be asked to join with the United States in conducting a detailed engineering survey of the projects. The Canadians indicated they did not wish to enter into such a study. The Premier of British Columbia, a key Province in the program, was outspoken in his opposition to it.

Since that time, however, there have been some signs of a softening of attitude on the general question of transporting water from water-surplus areas in Canada to the United States.

As an example, the Governments of Canada and Ontario have now agreed to a northern river water survey to find out whether waters now flowing wastefully into the Hudson Bay might be diverted southward.

Both Prime Minister Lester B. Pearson and Premier John Robards have stressed that water should not be exported to relieve acute U.S. shortages until after Canada's needs are met—a most reasonable attitude, of course. The implication is that it should be exported when Canada's present and future needs have been guaranteed, in order to sustain life in water-short areas.

This is one more step in the recognition of the mutuality of interest in water between the United States and Canada, which began in 1909 when the boundary water treaty between the two countries was signed to establish a procedure for settling questions on our boundary waters. This was followed in 1912 by the establishment of the International Joint Commission. Since that time there have been a series of agreements dealing with matters ranging from tolls in boundary waters, to Great Lakes pilotage, to Lake of the Woods boundary levels to the Niagara diversion.

Some time ago we concluded the basic agreements which make possible the development of the mighty St. Lawrence Seaway. More recently we have seen our common interest served in the Canadian-United States Columbia River Treaty, signed last year by President Johnson and Prime Minister Pearson at the Peace Arch on the border between Washington State and British Columbia. Even though there are still some problems to be ironed out, the signing of the treaty assures us that the water and energy resources of western Canada and western United States will be utilized for all time to come for the common good of both countries.

Now the drastic decline in the water level of the Great Lakes has brought our two countries together again in negotiations to consider our rights, obligations, and interests. The lake level problem has been referred to the International Joint Commission to find a solution—if one is within man's reach.

It was my privilege recently to speak at the third International Conference on Water Conservation in Montreal, Canada, in June of this year. It is significant, I believe, that representatives of the Parsons Co. were also invited to the conference and given time to explain in detail the Nawapa plan, with special emphasis on the facets of it which would bring more water into the Great Lakes.

Most of the conference was devoted to the deterioration of water levels in the Great Lakes-St. Lawrence system, and to the steps it will be necessary to take to head off disaster.

By resolution, the conference recommended the establishment of a single continuing national authority to achieve a real and efficient coordination of all competent Government and private agencies to work out a comprehensive water management policy.

By resolution, the conference also urged the International Joint Commission to proceed with all dispatch into the already authorized studies on the Great Lakes.

And finally, by resolution, the conference urged that studies be undertaken on the feasibility of utilizing additional northern Canadian waters to augment the receding waters of the Great Lakes.

Mr. President, I am greatly heartened by the fact that both here in the United States, and in Canada, we are beginning to consider the feasibility of importing water from areas where it is wasting away, to areas which are water short. Discussion is the father of action.

I am encouraged, also, by the fact that this willingness to discuss mass transportation of water from one area to another comes in the country of our neighbor to the north with whom we have a well established mutuality of interest, and a long history of the fair and just recognition of the valid rights of each.

I am likewise pleased that these developments have matured in a year when the United States as a whole has suffered from a reversal of its weather cycle, and citizens throughout the country are aware, as never before, of the importance of managing our water resources on a continent wide and long-range basis.

I feel, therefore, that this is an auspicious time to submit a concurrent resolution which provides it to be the sense of Congress that the Government of the United States refer to the International Joint Commission the subject of the North American Water and Power Alliance with instructions that it be fully studied and that a detailed engineering survey be conducted on it. I am submitting such a concurrent resolution today. It is my hope that the Parliament of Canada pass a like resolution directed toward the Government of the Dominion of Canada. I shall call this hope to the attention of my friends in the Canadian Parliament.

I also hope that some of my Senate colleagues will join with me in sponsoring this NAWAPA resolution and I ask unanimous consent that it lie on the desk for 1 week for cosponsors. I feel that this is the first step on what may be a long quest to provide the most realistic and complete solution yet offered to the water crisis on the North American Continent.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested.

The concurrent resolution (S. Con. Res. 55) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 55

Whereas there is a drought which has created a water shortage of unprecedented proportions for the City of New York, and has created serious water problems for the States of New York and Pennsylvania and the entire northeastern regions of the United States;

Whereas most of the Nation's rivers are contaminated with human sewage and industrial wastes;

Whereas the water supply for large areas of western Canada and Western United States is inadequate to provide for present and future needs;

Whereas the Congress has enacted the Water Resources Planning Act, under which river basin planning authorities will be established, and through which maximum development of existing resources within basins will be achieved;

Whereas more water is necessary to solve the Nation's problems of water supply and pollution abatement;

Whereas large quantities of Arctic water flow unused into the sea;

Whereas it has been proposed that the nations of Canada and the United States consider diversion of the surplus portions of this water to meet the needs of water-short areas in Canada and the United States;

Whereas water problems of mutual interest to Canada and the United States have previously been referred to the International Joint Commission;

Whereas the International Joint Commission is now considering the crisis arising from lowered water levels of the Great Lakes; and

Whereas the diversion of surplus Arctic water could make a major contribution to the solution of the water problems of the Great Lakes as well as those of other areas of Canada and the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the President of the United States should refer the matter of the diversion of surplus Arctic water to the International Joint Commission with the request that an economic and engineering feasibility study be made and that the respective governments be informed of the results of such study by December 31, 1966; and

(2) the President of the United States should invite the government of Canada to join in such referral.

REDUCTION OF DUTY-FREE ALLOWANCE ON FOREIGN GOODS

Mr. SMATHERS. Mr. President, on June 29 the Senate took what I have called a "shotgun approach" to our balance-of-payments problem by voting to reduce the duty-free allowance on foreign goods which may be brought home by American tourists.

As I said in the Senate debate, that portion of the bill which reduced 1 gallon to 1 quart the amount of alcoholic beverages allowed to a returning tourist would prove unduly damaging to some of our stanchest allies in the Caribbean and areas immediately adjacent to the United States.

In particular, the Bahamas—which rely entirely on a tourist economy—reported that the reduced quota on liquor purchases would reduce their gross national product by 12 percent. All this would take place in a country with which the United States has long had a favorable trade position.

Mr. President, I could not understand then and I certainly cannot understand now why, in our efforts to achieve a better balance-of-payments position, we would take a line of action which actually worsens our balance-of-payments position, because it cuts off trade with several countries with which we have a favorable balance of trade. In other words, it increases the deficit.

If we make money in our trade relations with the Bahama Islands, with Bermuda, and with other countries, certainly to prohibit them from getting dollars which they, in turn, spend with us—not only do they spend, but for every $1 our tourists leave there, they, in turn, spend $2 with us—to stop that kind of business does not make sense arithmetically or logically, because it hurts our balance-of-payments position instead of helping it.

I am hopeful that the Secretary of the Treasury, the distinguished Henry H. Fowler, from Virginia, will take another look at this approach to improving our balance-of-payments position, and will see fit to make a recommendation to Congress at the beginning of the next session which will permit the removal of such limitations upon those countries which now yield us a favorable balance of trade, because to do so will have the net effect of improving our net balance-of-payments position.

Mr. President, William Tucker of the Miami News, a reporter who does a thorough job, went to the Bahamas recently to do an on-the-spot survey of the effect this ruling will have on one of our friendly neighbors.

His reports confirm the position I took in the Senate some weeks ago and which I shall continue to take until this body acts to redress the economic injury which this "shotgun measure" will cause.

I ask unanimous consent to have printed in the Record at this point articles by William Tucker published in the August 26, 27, and 29 editions of the Miami News.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Tourist Import Ban Backfires on United States

(In a move calculated to help restore the U.S. balance of payments with foreign countries, Congress enacted a law limiting the amount of goods a citizen can bring home duty free. The merchants of Bay Street, Nassau, immediately screamed "foul" and fired off indignant protests to the White House. Miami News Reporter William Tucker visited the Bahamas and discovered the new law will have far-reaching effects here in Florida and in all of the islands of the Caribbean. They're described in this first of a two-part series.)

(By William Tucker)

Nassau.—The U.S. customs inspector at Nassau Airport surveyed the mountain of colorful hats, beach bags and purses and joked, "starting your own straw market, eh?"

He waived the family group through the gate because the bulky collection of straw goods easily fell within the $10 a person limit of purchases they could take home from the Bahamas after only a day's visit.

The next traveler also carried a straw bag—but with a difference. This citizen had been away from the United States for at least 48 hours and his bag contained five bottles of liquor—equivalent to a gallon.

Bahamas officials contend that for every visitor who buys a straw hat or beach bag in Nassau on a day's outing, two others will stay long enough to lug away a gallon of booze.

This $5 million annual traffic will come to a crashing end Oct. 1 under a new U.S. law limiting the amount of liquor a citizen can bring home duty free from abroad to a quart, no matter how long he stays. And Nassau, while visitors throng its picturesque shops and native straw markets at a rates that will topple all its tourist records this year, is undergoing quiet agony on Bay Street.

The liquor shops are as numerous as gift shops and banks, and 90 percent of their business, they estimate, is in "five-pack" gallons for stateside consumption. The liquor merchants hop from one shop to another wringing their hands and muttering imprecations against the United States and Lyndon B. Johnson.

They feel betrayed. They claim and government figures back them up that the Bahamas spent in the last 6 years $135 million more in the United States than was spent there by American tourists.

The Bahamas import liquor from Europe and other islands, and such favorite foreign bargains as Swiss watches and German cameras. But in other ways they are as dependent upon the United States for their basic needs as Miami Beach.

Lying so close to Florida, it would be foolish economics to go to any other market for building materials, furnishings, and even food stores. But their proximity and stateside buying practices won no exception for the Bahamas in the law enacted at President Johnson's suggestion to help restore the U.S. balance of payments.

The law also cuts the amount of nonliquor goods a U.S. citizen can take home duty free after 48 hours to $100 retail. The old figure, still in effect until October 1, was $100 wholesale, which would allow about $160 worth retail through Customs.

This cutback is expected to hurt the perfume, camera, china, watch, and cashmere sweater shops, all thronged by Americans, and the merchants are making a last big sales pitch.

"U.S. Customs will discount your purchases by 40 percent," says a sign in some of the shops, giving away the markup then and there. All purchases must be carried home—they can't be mailed—under the new law. This will hit dealers in bulky items like sets of china.

But the liquor shops are the ones really hurting. Each has a red-lettered sign noting that 1 gallon may be taken home duty free until October 1, so "buy now." One shop had a calendar pad with a page ripped off daily noting "only 36 more days" in which to buy a gallon, and the next day it would read only 35 days. After that, said the sign, "you can only take out 1 quart (if you are 21.)"

The merchants don't want to go on record as cussing the U.S. President and have agreed to present a solid front of protest behind David Lightbourn, a perfumer and former president of the Nassau Chamber of Commerce. Lightbourn said the merchants are stunned by the U.S. action. He predicted a sharp drop in the colony's revenue, which comes mainly from the booze and other goodies sold to American tourists.

Three years ago the calypso bands struck up ballads in tribute to President Kennedy when he visited here. They sang another tune about his fellow conferee at the big-two meeting, Prime Minister Harold Macmillan.

They called that one "Mac the Knife," and the colony went on to win semiautonomy from London, happy to fall within the U.S. economic sphere. Now the native balladiers are stringing up Mr. Johnson in song the way they did the Prime Minister.

The native Progressive Liberal Party may argue that the calypso singers in the hotels are under control of the "Bay Street boys," the big merchants in the majority party, but even the Progressive Liberal Party admits that the entire Bahamas economy is wrapped up in tourism.

What are the liquor merchants doing in the face of the oncoming cutback? They are reducing imports and rapidly clearing inventories because swarms of tourists are having a last fling with the duty-free gallon.

They are adjusting prices—going up on some types and brands in a bid to get a solid profit per bottle, whether or not it is for taking back to Florida. There is also discussion of cutting prices on some liquors such as rum, which are imported cheaply from other islands.

For a gallon package, the merchants will argue, it will still be cheaper to buy it in the islands than at home, with the duty (including the Internal Revenue levy) tacked on. A five-pack that costs $15 will run to $25 with the duty, but a tourist might pay $30 to $40 for the same brands at home.

Arrangements also are being made for the duty to be paid in the liquor store and have the whisky packets stamped for clearance so the buyer won't have the customs worry.

A big headache is the limitation of one U.S. quart. The Bay Street dealers import their stock in fifths for the five-packs and in imperial quarts, which contain 40 ounces. The U.S. quart is 32 ounces. And while they are sweating out the bottle size, the merchants find themselves suddenly disinclined to import any more American bourbon.

Spirit of '76 Not Enough for Bahamas

(The islands of the Bahamas, like others in the Caribbean, face very real economic consequences as a result of the new law limiting the amount of goods a citizen can bring home duty-free. Miami News Reporter William Tucker, who visited the islands, points up the claims of Bay Street merchants and others, who have steadily increased United States-Caribbean trade to a point favoring the mainland.)

(By William Tucker)

Nassau.—With repeal of prohibition in the United States, the rum-running Bahamians decided, since they could no longer profit by taking liquor to the Americans, their best bet was to bring the Americans to where the liquor was cheaper.

Thus simply did the Bahamas begin the American tourist trade that has since become the lifeblood of the farflung islands, stretching almost from Cuba to Palm Beach.

World War II interrupted the tourist traffic, but when it resumed it leaped from 32,000 in 1949 to 605,000 last year. This season may bring 800,000 and the goal of a million by 1970 should easily be reached before then.

But, Bahamian leaders point out, what's good for the Bahamas has been a great deal better for the United States.

Sir Stafford Sands, who as chairman of the Bahamas Development Board has done more than any one man to make the islands a tourist paradise, spells it out in figures.

"In 1964 we took in $53 million from tourist expenditures, but during that year we spent $93.5 million in the United States for the purchase of good and services," Sands said.

"In other words, we spent 76 percent more in the United States than we received from U.S. tourist expenditures in the colony.

"Over the 6-year period ending last year, we as a colony spent $358 million in the United States but we only took in $221 million from the tourist trade. Therefore, every tourist dollar spent in the Bahamas over the last 6 years by American tourists earned 62 percent interest for the United States."

Other sources estimated Bahamas expenditures last year reached $25 million in the Miami area.

Bay Street merchants and the Government feel doubly hurt by the new U.S. law limiting the amount of liquor a citizen can take home, tax-free, to one quart, compared with a gallon (usually five fifths) under the law expiring October 1.

First, they are wounded because they feel, as Sands stated, the Bahamas have helped, instead of hurt, the U.S. efforts to achieve a balance of payments with foreign nations.

Second, they feel the United States, which has poured billions into backward or impoverished nations, is only giving a stab in the back to a neighbor who has built up a thriving economy on its own efforts.

The Bahamas' business-like Government is called something else by its opponents—business in government. Leaders of the Progressive Liberal Party, who have even gone to the United Nations seeking insular reapportionment, claim the "Bay Street Boys" not only run the Government, but barter with it.

The Bahamas handbook for 1963 lists Symonette as president of two real estate firms and of Robertson Ltd., one of the biggest Bay Street liquor firms.

And the chairman of Burns House Ltd. liquor firm is listed as none other than Stafford L. Sands, the Government's No. 1 tourist-hunter.

Such interest would seem to put the Government very much into the Bay Street merchants' concern over the new U.S. import restrictions.

But Sir Stafford emphasizes two points in stating his case for a fair shake from the United States:

The new Bahamas Constitution, written when the colony gained semi-autonomy from the British Crown, is devoted entirely to basic human rights for all citizens, whatever color or creed, in its first section.

The standard of living of every man, woman, and child in the entire Bahamas has been substantially raised in the tourist boom of the last 15 years.

SENATOR SMATHERS PLEDGES BAHAMAS DUTY-FREE HELP

(By William Tucker)

Senator GEORGE SMATHERS pledged a continuing fight yesterday to lift the new restriction against bringing liquor back from Nassau despite a fresh setback over the issue in Congress.

"We'll get a new bill concerning the ballance-of-payments situation next year and I'll try to tack on an amendment then to exclude the Bahamas and Bermuda," SMATHERS said.

SMATHERS asked that a series in the Miami News showing how the Bahamas would suffer under the new law be sent to him so he could insert it in the CONGRESSIONAL RECORD with appropriate remarks.

Since the balance-of-payments crisis developed in Congress early this year SMATHERS has fought to exclude the nearby islands from emergency measures restricting tourist purchases.

He did manage to delay the effective date for 3 months. But starting October 1, American adults will be allowed to bring back only one U.S. quart of spirits from the Bahamas or any other foreign territory without payment of duty, which includes Internal Revenue taxes.

The expiring law allows any citizen to bring back 1 gallon—usually in "five-packs" of fifths—if he has been abroad 48 hours. This is the staple market of Bay Street liquor merchants in Nassau.

The merchants, backed by SMATHERS, argue that the Bahamas spend considerably more money in the United States for the basic needs of the islands' population than tourists spend for gifts, services and accommodations in the islands.

SMATHERS had argued all along that countries or territories that had such a balance favorable to the United States should be excluded from the new laws.

He thought he saw a chance last week to get through an amendment on a new bill dealing with the balance-of-payments program. This one would impose a tax on investments and loans made abroad.

Senator JACOB JAVITS, of New York, opposed the investment tax and prepared an amendment to give the authority to exclude individual countries when the President decided their payment balance was favorable to the United States.

SMATHERS' amendment would lift restrictions to what tourists could bring back home when the same favorable balance was reached, at the President's discretion.

But JAVITS' amendment was routed at a finance committee hearing by opponents who protested that it would grant taxing powers to the President without congressional approval.

When he saw that, SMATHERS said, he didn't offer his own amendment because it was certain to bring the same reaction.

"But I did mention in the discussion that I had prepared an amendment," SMATHERS said. "I am all for restoring the balance of payments, which would correct a very bad situation, but I don't like the shotgun approach."

SMATHERS said he and other opponents of the first balance-of-payments legislation did manage to get the limit on nonalcoholic goods that could be brought back raised from $50 to $100 retail.

"We lost the head and shoulders and the belly but we saved the rear part of the cow," he said.

He blamed the failure to exclude the Bahamas from the liquor limitation on a bloc led by Senator THRUSTON MORTON, Republican, of Kentucky who comes from a big bourbon-producing State.

"Senators from the dry States like Kansas and Nebraska thought I was defending the liquor lobby when Senator MORTON spoke about 6-month-old infants bringing whisky back from Nassau," SMATHERS said.

"It was a case of whose whisky you were trying to sell."

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. SMATHERS. Mr. President, in the last 2 days, events in the battered Dominican Republic have taken a hopeful turn. The resignation on August 30 of the military-civilian junta headed by Gen. Antonio Imbert Barreras at last paved the way to the announcement yesterday that a provisional government, to be led by Hector Garcia Godoy, will be installed Friday in Santo Domingo.

To paraphrase the late President Kennedy, this development is but a single step in a journey of a thousand miles—a journey toward freedom and justice in a nation that has known little of either in its tragic history. Nevertheless, it is a significant and welcome step. It is the first tread on a long staircase to peace and democracy and has been brought about by the untiring efforts of President Johnson and such skilled and distinguished negotiators as Ellsworth Bunker and W. Tapley Bennett.

But, even as we applaud what has just taken place in the Dominican Republic, we and Dominicans must remain alert to the dangers that still abound. These are dangers that can be quickly identified by a close study of some of the roots of the uprising that began a little over 4 months ago.

Mr. President, on April 24 of this year, the city of Santo Domingo erupted in chaotic and uncontrolled bloodletting. With the war cry that "constitutional forces are on the move against usurpers," rebel military forces and frenzied mobs raced through the streets, toppling the government of Donald Reid Cabral. For at least the 26th time in the 121 years of its independence, the Dominican Republic was plunged into a full-scale revolt.

On April 28, 4 days after the outbreak of violence, President Johnson, having calmly and carefully assessed the situation, ordered a contingent of several hundred U.S. Marines into Santo Domingo to protect the lives of Americans and aid in their evacuation. Subsequently, as events continued to whirl hopelessly out of control, the American troop commitment was increased manyfold to a total of more than 23,000 by mid-May.

During the 4 months since April 24, often unreasoning debate has raged in the pages of the daily press, in academic circles, even in the Halls of Congress over the propriety of American involvement in the Dominican crisis.

Many normally strong supporters of the present administration have deplored the President's decisions in this instance, and, relying on reports from a certain segment of the press, they have accused the United States of misusing its might to thwart a legitimate democratic revolution.

It is unfortunate that the tone of this debate has tended to obscure the actual substantive issues at stake. Liberal spokesmen who, in the past, have counseled—and wisely, I believe—against viewing domestic events in simple, absolute terms of black and white have themselves been guilty of this same folly when speaking of Latin America. Able to discern existing evils in the nations of the hemisphere, they have fallen prey to a fatal attraction for any movement, regardless of its roots, which promises an end to old injustices and the establishment of a better society.

With careless ease, these individuals divide Latins into two groups, the reactionary military and rich on one hand, and the masses of poor and their allies, the intellectuals, on the other. Whenever a revolutionary figure rises from this latter group bearing the banner of liberation and calling on his followers to throw off their shackles, his cause is embraced without question by many Americans who proclaim him a new Bolivar. His opposition, automatically wrong, is branded worthy of destruction.

There can be no doubt that grave wrongs are today perpetuated in many of the lands south of our borders; that hunger is a fact of everyday life for far too large a number of our neighbors; that for some Latin Americans, democracy is only a vague, seemingly unattainable dream; and that the rule of law is sometimes replaced by the rule of decree. But, nevertheless, if we are to effect improvements, we must learn to distinguish between the widely varying factions that compete for political power in every part of the hemisphere. We must recognize, bad as existing evils may be, their proposed remedies can be even worse.

Mr. President, it is a tragic fact that the failure of an unquestioning majority of Americans to make these distinctions in 1959 aided Fidel Castro in the consolidation of his power in Cuba. By cunningly covering his basic motives with a cloud of rhetoric designed to appeal to the democratic sensibilities of liberal North Americans, Castro was able to hasten the replacement of the tyranny of Batista with the tyranny of communism.

Therefore, although overt Communist influences were carefully submerged at first, when revolt spilled into the streets of Santo Domingo on April 24, responsible Americans were especially wary and were concerned that a second Cuba could be in the making.

The prevention of a Communist coup, however, was not the motive behind President Johnson's initial decision to land U.S. marines. Rather, after the short-lived provisional government of Raphael Molina Ureña collapsed on April 27, the situation in Santo Domingo quickly degenerated into a state of anarchy. Leaderless mobs roamed everywhere sacking, burning, and killing without reason. After repeated attempts by our distinguished Ambassador W. Tapley Bennett to bring key Dominican leaders of both sides together to restore order failed, the Ambassador put through an urgent request for American troops.

President Johnson, acting upon this request, and appeals from individual American citizens and foreign nationals stranded in the midst of a frighteningly violent civil war, responded in precisely the correct manner.

On April 28, he announced:

> I have ordered the Secretary of Defense to put the necessary American troops ashore in order to give protection to hundreds of Americans who are still in the Dominican Republic and to escort them safely back to this country. The same assistance will be available to the nationals of other countries, some of whom have already asked for our help.

Shepherded by U.S. marines and paratroopers, over 5,000 people, Americans and citizens of 45 other countries, left the violence of Santo Domingo for safety during the early days of the Dominican revolt.

We can all be proud of this accomplishment. In the face of a complete breakdown of law and order, rifle fire from snipers, acts of terrorism, growing violence on the part of undisciplined gangs of marauders, and indiscriminate killings taking place throughout the city, the evacuation mission was successfully carried out. Not one of the thousands of Americans, nor any of the other foreign citizens who turned to us for safety and evacuation, was physically harmed. A few heroic marines, however, gave their lives to carry out their mission of mercy.

The fact that the President ordered the marines to land solely in order to protect innocent lives does not, of course, mean that our Government was unaware of the growing Communist strength and influence on the rebel side. We were well acquainted with the personnel and tactics of the Dominican Communist Parties long before the revolt began. We knew that many leading Communists had secretly returned to Santo Domingo from exile late in 1964 and in the early months of 1965, after training in subversion and guerrilla tactics in Cuba and other Communist countries.

Mr. President, there are today three Communist parties active in the Dominican Republic. One of these, the Dominican Popular Movement—the MPD—was an underground party prior to the April 24 revolt, consisting of about 500 hard-core members, and following the Chinese Communist line of violent change through open insurrection.

The second of these parties was known as the Popular Socialist Party—PSP—and was also an underground organization before April, with between 700 and 1,000 dedicated members. This party has followed the Moscow line, preferring to attain its ends by subversion and penetration rather than by the more violent methods advocated by the MPD. Just 2 weeks ago, emboldened enough to openly proclaim its true identity, this party discarded its popular-Socialist name and declared itself as the Dominican Communist Party—PCD.

The third party, called the 14th of June Popular Movement, is an especially illuminating example of Communist tactics. It takes its name from the landing in the Dominican Republic on June 14, 1959, of a group of young Dominicans who were opposed to the then dictator, Trujillo. It is because of its anti-Trujillo activities that this movement was long regarded, and still is by some people, as a democratic, patriotic Dominican organization. The group that landed in the Dominican Republic in 1959, however, came from Cuba and was thoroughly trained by Cuban Communists. Castro's government supported and equipped this band of guerrillas, and the movement has always openly identified itself as pro-Castro.

In late 1963, the 14th of June movement resumed its guerrilla tactics, this time against the triumvirate which succeeded Juan Bosch. Again, the guerrilla fighters were led by Dominicans indoctrinated and specially trained in Communist Cuba. Despite the fact that many of the members of the 14th of June movement were—and a large number still are—non-Communist, the fact is that Communists hold its key leadership positions and that it has consistently served Communist ends.

It was the 14th of June movement that took the leadership in rallying popular support for the rebel side from the very beginning of the current upheaval.

Joining with their other comrades, these Castrolike fighters sought to even the sides by aiding in the large-scale distribution of arms, including automatic weapons and grenades, to civilians. Soon the Communists completely took over control of this activity in order to make sure that their own followers and sympathizers had guns.

From their point of view, this was a necessary measure, because at the height of rebel strength, there were no more than 1,000 trained Dominican soldiers who had defected to their cause. By arming more than 1,500 hard-core Communists and as many as 4,000 other civilians, the rebels greatly increased their prospects for success.

In addition, they moved quickly to organize street demonstrations, seize newspaper plants, take control of rebel propaganda over radio and television, organize paramilitary units, and establish commando units and command posts.

Skillfully adapting the tried and proven model of Cuba, Dominican Communists hid behind and manipulated scores of non-Communist rebels.

For instance, there were several thousand armed civilians who were not Communists, ranging from patriotic Dominicans who sincerely believed in what they were doing to youngsters—some only 12 years old—who were in the fight for the thrill, and hoodlums who were out to kill policemen and to loot. Although many of these civilians probably never came under direct Communist control and discipline, they were dependent in varying degree on the Communists for leadership and for arms and ammunition.

Borrowing yet another page from the Castro manual, the Dominican Communists attempted to create that aura of legitimacy so necessary to gaining sympathy from certain liberal quarters in the United States. On the 25th of April, they propelled a well-known supporter of ex-President Juan Bosch, Raphael Molina Urena, into a provisional presidency. Molina Urena declared that the Constitution of 1963, suspended with the fall of Bosch, was again in effect, and that he was only holding the reins of power until Bosch could return from Puerto Rico. But, within 2 days, the Molina Urena government toppled and its key political and military leaders fled to asylum in foreign embassies, leaving behind them a leadership vacuum into which well-trained, well-prepared Communists moved swiftly.

All signs of moderation disappeared and the violent extremists took charge.

Mr. President, this then was the scene on April 30, when President Johnson ordered additional American troops into Santo Domingo.

It was not an ambition for territorial or material gain, or the desire to impose our will on other peoples that prompted the President to send more young American men to a small and troubled island. Rather, after careful, prudent calculation, President Johnson decided to seek several specific and altogether proper goals. Uppermost was the continued protection of large numbers of American citizens still remaining in Santo Domingo.

Second, the activities of such well-known Communists as Luis Gomez Perez; Jose Cuello Hernandez, who was trained in Cuba in 1964; Moises Blanco Gerano, a leader of the 14th of June movement: Daniel Ozuna Hernandez, a leader of the Cuban-inspired 14th of June invasion in 1963; Antonio Isa Conde, who received instruction in Cuba in 1963; his brother, Narciso, a member of the Central Committee of the Dominican Communist Party; and many, many others caused increased concern here in Washington over the ultimate direction the growing anarchy in Santo Domingo—given impetus by the lack of unity among antirebels—might take.

There were well-founded fears that the lawlessness and bloodshed, hitherto confined to the capital city, was about to spread to the countryside.

Most important for the long-range prospects for peace, the President was convinced that the U.S. military presence in the Dominican Republic, by impartially enforcing a cease-fire, would give the Organization of American States the necessary time to take collective peacekeeping action.

Mr. President, we saw the President's judgment on this last point vindicated with the formal creation of the inter-American force in Santo Domingo on May 23. The presence of this hemispheric army, composed of units from the United States, Brazil, Costa Rica, Honduras, Nicaragua, and Paraguay, has allowed us to cut our own troop commitment by over 50 percent. Under the command of the distinguished Brazilian, Gen. Hugo Penasco Alvim, the inter-American force undertook the difficult task of halting violence while OAS negotiators effected a political settlement.

But, Mr. President, the dangers of the Dominican crisis, though sharply reduced by the latest developments, are still apparent.

The Communists continue to play an important role in the rebel movement. Their paramilitary strength still comprises the major elements of the rebels under arms. Some Dominican officers who are not Communists have defected in recent weeks from the rebel movement, telling officials of our Government that the growing intransigence of the Communists has led to Communist threats against the lives of non-Communist rebel leaders. Others have declared that the influence of the Communists is increasing, and that at least 75 percent of the military command posts in the rebel area are under the direct control of the Communists.

There is evidence that the Communists are actively making preparations for longer term subversion. Some of their leaders, furnished with false identities, are ready to go underground to direct future violence. The Communists have acquired large numbers of rifles and automatic weapons during the course of the revolt; and many of these are already hidden away for future use—not only in Santo Domingo itself but also in secret caches in many parts of the country.

The Dominican Communist Party continues to adhere to the Moscow line, and is attempting to sponsor a so-called Popular Front in which all the Communist parties can join with reputable and much larger political factions and thus attain their objectives through subversion and deceit.

One of the leaders of this party, Juan Ducoudray, who worked for Radio Havana in 1962, and who has traveled widely in the Soviet Union, Poland, and Communist China, declared on August 17 that his group will actively oppose a negotiated settlement on the lines proposed by the OAS. Instead, the Dominican Communist Party will attempt to continue its course of armed insurrection.

The 14th of June movement has also come out openly in favor of violent action against any provisional government. Its Cuban-trained Communist leaders and its hard-core extremist faction of Castro sympathizers are guiding the 14th of June movement ever closer to an alliance with the other two Communist parties. The movement has been very active in the past 2 months in enlisting new members, conducting Communist indoctrination course, and giving guerrilla warfare training to hundreds of young people. Many of these are brought in from other parts of the country and returned to their home towns after training so that they may become the guerrilla fighters of future Communist moves in the Dominican Republic.

The MPD—Dominican Popular Movement—the Communist Party which follows the Peiping line of violence to attain its objectives, also began 2 months ago to conduct guerrilla warfare training courses in the rebel zone of Santo Domingo. It, too, has publicly called for terrorism throughout the country in order to oppose any provisional government. This party, a hard-core underground movement before the April 24 revolt, is now operating openly and has just held a widely publicized meeting in Santo Domingo. It has declared that present conditions provide a good opportunity in the near future for a nationwide Communist uprising. It is laboring actively to create a common front with workers' and farmers' groups and organizations and has called for a "united front" among the reputable political parties and the Communists for open, concerted action in the political field. But it is also working to establish a "liberation front," a clandestine alliance among all the Communists and their sympathizers for direct, violent action against the proposed provisional government.

The very term "liberation front" extends a cruel and false promise to the Dominican people. For, like the Vietcong in South Vietnam, its means would be terror and repression, its aims the very antithesis of liberty.

The Dominican Communist Party's central committee has admitted, in the August 16 edition of the party's official publication, El Popular, that it attempted to capitalize on a popular uprising at the outset of the April 24 revolt. The party claims credit for the slogan "Arms for the People," and for giving a popular keynote to what it alleges would otherwise have been a cut-and-dried military coup by rebellious army officers. The party has engaged in the Communist version of self-criticism, analyzing the reasons for failure in April, and calling on all its members to prepare, in its own words, "for victory in the next popular insurrection."

Mr. President, this solid evidence of the determination of some rebels to undo the patient, painstaking efforts of the administration, and the OAS, gives added weight to the impression that the new provisional government could become a sand castle at the edge of the sea that could be kicked over by the Communists.

I am confident, however, that the Garcia Godoy government will be aware of the threats to peace, and that it will strive to be responsive to the needs of the Dominican people by constructing a framework of freedom in which Dominicans can achieve their goals without fear of domination by an alien ideology.

Even when that framework is established, Dominicans and the nations of the hemisphere will still have to remain vigilant, for the Communists have served notice of their true intentions. Though they have been foiled for the present, they will not bow to that great force they pretend to honor, the popular will.

Mr. President, I yield the floor.

HIGHER EDUCATION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

STUDENT ASSISTANCE IN THE HIGHER EDUCATION BILL

Mr. HARTKE. Mr. President, I express my appreciation to the members of the Labor and Public Welfare Committee, and particularly to the members of the Education Subcommittee, for their long and tireless efforts in preparing the Higher Education Act of 1965. They have dealt with a complex of problems, they have considered the needs and the ways in which we can meet them, and they have reported a most excellent bill. I congratulate them for their efforts and their success, under the leadership of our distinguished colleague, Senator MORSE, as chairman of the subcommittee and Senator HILL as chairman of the full committee.

Title IV is the section dealing with student assistance. It is this area which has for a long time particularly concerned me, and I am particularly gratified by the "package" of proposals embodied in this title. They follow the outlines of my own bill, S. 5, very closely, a bill which I introduced at the start of this Congress as a successor to S. 2490 of last year. The combination of, first, Federal scholarships or student grants with, second, a federally guaranteed loan program, and, third, work-study funds comprises a comprehensive package in three parts, by the use of which we should be able to aid a great number of those who cannot now attend college for financial reasons.

As I noted in testimony before the subcommittee last year on S. 2490, we are deprived of services to the Nation at their full potential which we might have from at least 100,000 youth who would like to attend college and who are well qualified to benefit from college, if only they had the financial aid they need. This loss is the Nation's loss. Investment in education by the Federal Government will be far more repaid, even if the cost is viewed in strictly economic terms. The college graduate's lifetime earning power is at least $100,000 in excess of that of the high school graduate. The additional revenue from taxes on these higher incomes far exceeds the Federal assistance costs we have ever given, or those which this bill would provide.

A measure of the support which may be expected for title IV lies in the fact that S. 5, whose provisions are in essential the same, received the support and cosponsorship of 26 Members of this body. S. 5 called for $75 million in student grants, and S. 600 authorizes $70 million in the first year, a sum which will make the vital difference to about 140,000 students. Like S. 5, the guaranteed student loan program will make possible the borrowing by students, with partial Government payment of interest, some $700 million from lending institutions. The rapidly growing need for student loans is shown in figures of the Office of Education, recently released, which show that in the past 10 years borrowing for college education has shot up from $14 million a year to $350 million. But there are still roadblocks for many students in the path of borrowing, obstacles which this bill will help to relieve.

The activities of the States which have set up loan programs have been a great benefit to students. I am glad that the arrangements being presented to us in this bill allow for the strengthening and encouragement of these additional sources of loan funds. The need is so great that we can use the continuing and expanding resources of such plans, gearing them in as the bill now reported does, to meet the need far more fully than has been possible in the past.

While the work-study funds proposed in title IV are not as extensive as those which my bill would have authorized, the $129 million provided in the first year of operation is estimated by the committee to be sufficient to aid at least 225,000 students. I believe it is wise to make the work-study funds which are already available through the Office of Economic Opportunity a part of the responsibility of the Office of Education. S. 600 makes that transfer, and thus puts the entire program in the place where it belongs, related to education rather than to poverty.

The problem we are facing in the education explosion confronting our colleges is at least in part one of affording opportunities for the student from the middle level of family income. The resources of the upper income groups pose no financial obstacle, and frequently the student from a poor family with demonstrated ability can locate the help he needs for college. But now, in this bill, we are moving toward assistance for the average student from the average family background. Many of these will need some of the work-study assistance the bill will make available. But their need may not be such as to warrant the grant of the direct assistance part A will give. Now they will be more easily able to turn to loans as a source of funds for their college work.

The guaranteed college loan idea is one which I have pursued over the past several years, even preceding the package approach of S. 2490 last year. I consider it one of the most important tools we will have available for great numbers of students. They will be able to borrow on their own signatures, even though they may not be of legal age. They will be eligible so long as they are in good standing in their schools, so this source will not be confined only to A students, but can meet the needs of the average—who have often turned out in later life to be much more exceptional than college records would imply. They will borrow from regular lending institutions, not from the Government, but the Government will back the loan as if it were a cosigner, as we now do with housing loans. The interest rate of 3 percent to the student and the privilege of repayment beginning after leaving school makes the terms a genuine encouragement for many who would otherwise become college dropouts.

I believe fully in the principle espoused by our late President Kennedy and reaffirmed by President Johnson, that no boy or girl who can benefit from a college education should be denied the opportunity because of financial disability. When we pass this bill we will be helping them, it is true, but we shall be helping ourselves as a nation fully as much. Our young people are our future, and the Nation a generation hence will be dependent upon them. This is seed money, and the fruit it bears will become apparent only later, when the student generation now in our colleges has become the adult leadership generation of the future.

I shall not comment on the other portions of the bill which I also support, except to say that this will be another great landmark of achievement by the 89th Congress. As a cosponsor of S. 600, I am hopeful that it will receive the full support and prompt passage which it deserves.

Mr. INOUYE. Mr. President, great Congresses of the past have often been the offspring of domestic or international crises: war, depression, and foreign instability have often fostered qualities of fortitude, tolerance, and farsightedness. Only in a few instances of our Nation's history, however, has there been a Congress like the present. The 89th Congress has forged a progressive record that is breathtaking in its scope and encouraging in its wisdom without the usual situations which have accompanied great Congresses of the past. This Congress has addressed itself to the future, and I believe that history will be kind to us.

One of the keys to this outstanding record of legislative accomplishments has been our profound and unshakable commitment to education. Prior to this session, the 88th Congress had been called the Education Congress because of its record in this field. Today, there are few who will contest the 89th receiving this title, for it has far overshadowed the achievements of its predecessor and added luster to American history.

When we seek to analyze the mainsprings of the Great Society, we find education to be the generating force. The war on poverty, with Operation Head Start as one of its features, essentially is an educational program. Its success has spawned a number of local plans with great promises of success. The battle against dropouts has taken a number of forms, and despite the opposition of many, it has enlisted the services of many private citizens who have been stirred by the call to service.

Aid to colleges for housing has been made available through the Housing and Urban Development Act. Funds have been made available to upgrade our health research facilities. Bills to improve our medical schools and libraries through grants and scholarships have been introduced. Nor can anyone fail to mention the Elementary and Secondary Education Act, one of the most significant pieces of legislation in the history of education and a pioneer measure in the struggle to improve our schools.

Yesterday, S. 600 was reported out of committee. Commonly called the higher education bill, it is complementary to the legislation providing Federal assistance to elementary and secondary schools. It is a vital bill if we are sincere in our professions of commitment to excellence in our universities and colleges. It strikes out new and imaginative paths in the support of higher education and will provide the framework on which those who follow us can build.

S. 600 is a broad bill, but it does address itself to specific needs and demands of modern America. We are all informed about the great "education boom." Some of us have even been affected personally by deficiencies in our educational system caused by unprecedented enrollments and requirements. "War baby," "college crisis," "classroom shortage," and similar terms have all worked their way into our vocabulary and reflect areas of increasing concern. Translated into specific terms, it means that there will be 1.4 million in our freshmen classes alone on our college campuses next autumn. In 1954 there were 2.4 million college students overall. Ten years later there were 4.8 million. Five years from now there will be 6.9 million, and by 1973 the number will reach 8 million. A less publicized, though in some ways equally dramatic, figure shows a rise in the number of institutions since the war from 866 to 2,300. To those of us who have left our college years behind us, these figures may mean little, but to parents of college students and to the student himself, these figures mean fiercely competitive entrance examinations cramped dormitory facilities, crowded classrooms, and inadequate library facilities.

S. 600 takes an important step in trying to remedy these ills. Title I encourages extension programs administered by institutions of higher education and with the cooperation of the State. These programs will be specifically designed to attack crucial urban and metropolitan problems such as the lack of city planning, public health, and so forth.

The bill would also try to assist our college libraries through grants for the purchase of equipment. It would also encourage the training of more and better librarians. The problem of the struggling, small college is a perplexing one, and yet I believe that we are making a significant step in helping to solve some of the difficulties facing them. Grants for personnel and services would be made available for schools struggling for survival.

It is my personal opinion that the most important title of the entire measure is that which provides for student assistance. Financial difficulties have proved an insurmountable obstacle for tens of thousands of able students who have had to forego a college education. Today, a college education is not a luxury but a vital necessity. In these trying times when we must cope with not only the Communists but also urban decay and international instability, we cannot afford to misuse our human resources. Moreover, through the insured loan and subsidized interest program, the needs of many middle-income families will finally be met.

Furthermore, provision for a National Teachers Corps has been made. I believe the teacher's desire to serve his fellow man is just as strong as the idealism which motivates thousands of our youth in the Peace Corps. The establishment of the Teachers Corps will, I know, prove of inestimable value to our poverty stricken areas. Likewise S. 600 would amend the Higher Education Facilities Act of 1963 to provide additional funds for construction of classrooms and labs and for the purchase of equipment.

A modern, industrialized democracy cannot fulfill its potential when its universities and colleges are only half used and understaffed. Beyond the need to match the Russians is our need to mobilize our resources in the war against social and economic injustice. Human beings are too valuable to be cast aside and their talents wasted. This is a great Nation but it can be even greater; it is affluent but it could be wealthier. We must realize that we can no longer neglect our colleges or our students. S. 600 is a vitally significant measure which will help to alleviate the burdens which now plague our educational system. I urge that the Senate give its full support to this bill.

BALANCE OF PAYMENTS

Mr. HARTKE. Mr. President, a few days ago one of the correspondents for a Washington newspaper purported to report on a conversation between the President and the Vice President of the United States. He made some comments about the Senator from Minnesota [Mr. McCARTHY] and the senior Senator from Indiana [Mr. HARTKE].

The conversation is supposed to have concerned comment about the constant advocacy by the Senator from Minnesota and the Senator from Indiana of a deficit.

In that conversation something was mentioned about having a little deficit was like being a little bit pregnant.

The article then went on to say that the senior Senator from Indiana was following in the footsteps of the Vice President of the United States in becoming somewhat of a difficulty for the business community. I am really pleased that this article was published in the paper.

The article points out a very significant fact. That fact is that there seems to be a common misunderstanding today of exactly what the real problem is in relation to the international payments deficit as compared to the budgetary deficit.

I am one who believes that we should have a balanced budget. I have been a constant advocate of that proposal. I made such a recommendation to Under Secretary of the Treasury, Mr. Fowler, when he was in that position under Secretary Dillon, and before he retired from the Treasury, before assuming his position as Secretary of the Treasury. I told Mr. Fowler at that time that I thought it would be appropriate for the budget of the United States not to exceed $100 billion.

However, I now want to point out that it seems that some of these bureaucratic experts in the executive branch still have not understood that there can be a deficit in our international balance-of-payments situation as well as a deficit in the Federal budgetary situation. They still believe that we are talking about a budgetary deficit when we, in fact, have been talking about a balance-of-payments deficit that has existed in the United States.

The truth is that we have been discussing this matter since about 1958. We have had a balance-of-payments deficit. Starting early this year, the President instituted a voluntary program of restraint on investment and also on extension of credit overseas. The result of this program has been fantastically successful; so successful, in fact, that perhaps it will cause us some difficulty.

In connection with that matter, I call to the attention of the Senate something which we have not seen in America for a long time. I have in my hand the Economist, under date of August 28 to September 3, 1965. Ordinarily, the Economist, which is a well-regarded publication in England, has some kind of drawing or illustration on the front page. However, in this issue, the front of the cover, in bold red type, states "The Purpose of Recession." Then they report the notice of the Ford Motor Co., Ltd., under date of August 19, 1965, which is a cutback in employment, as follows:

> The company regrets to advise employees that despite exceptional efforts that are being made it will be necessary to introduce 4-day working in certain departments as from next week.

The article points out that they are in the throes of beginning to cut back employment. We do not see such a situation in America today. We are in the midst of prosperity. This administration is continuing to bring us higher profits, increased employment, and decreased unemployment.

The truth is that, in England, however, they are suffering at this moment, from whatever cause, from the throes of a beginning recession. They are cutting back on employment. This threat is serving notice on the United States and the world and should not be taken lightly.

This threat demonstrates quite conclusively what I said earlier this week. So far as we are concerned, consideration must be given to relaxing or exempting from the interest equalization tax the provisions which apply to England. We are not called upon to solve England's problems, but we must recognize them. If there is a cutback in employment in the Ford Motor Co. in England, it means a cutback in the amount of steel that will be used there. We are now in the midst of trying to have a steel strike settled, but there is a backup in inventory of steel.

We know, further, that if steel-producing countries cannot sell steel to England, that steel will be dumped in the United States. Dumping is one of the subjects involved in the dispute.

Mr. President, if this matter is not of concern to us, there is something wrong in our thinking. We do not live on an economic island. We have had prosperity for a long time, but let us not be so foolish as to say that foreign countries did not have prosperity for that long a time.

I do not want to see this type of headline, or the other types of headlines which we saw in the 1930's. I do not even say that is probable, but there is general concern in Europe. There is a slowing down of the British economy. So I think it is incumbent upon the administration to be concerned. That is why I think we should have the administration and the President give consideration to this matter before something happens and someone says, "What happened? How could it happen?" That is the concern I am talking about.

I want to thank the columnist for pointing out in this article that the bureaucrats who are advising the administration do not understand the difference between a deficit in the international balance of payments and a deficit in the Federal budget. I strongly suggest that they should go back and do their homework, and they should not give misleading advice to the President.

RECESS

Mr. HARTKE. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 31 minutes p.m.), in accordance with the previous order, the Senate took a recess until tomorrow, Thursday, September 2, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 1, 1965:

U.S. ATTORNEY

Donald M. Statton, of Iowa, to be U.S. attorney for the southern district of Iowa for the term of 4 years vice Donald A. Wine, resigned.

Theodore L. Richling, of Nebraska, to be U.S. attorney for the district of Nebraska for the term of 4 years. (Reappointment.)

Bernard J. Brown, of Pennsylvania, to be U.S. attorney for the middle district of Pennsylvania for the term of 4 years. (Reappointment.)

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney for the southern district of Alabama for the term of 4 years. (Reappointment.)

Macon L. Weaver, of Alabama, to be U.S. attorney for the northern district of Alabama for the term of 4 years. (Reappointment.)

U.S. Marshal

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia for the term of 4 years. (Reappointment.)

Casimir J. Pajakowski, of Indiana, to be U.S. marshal for the northern district of Indiana for the term of 4 years. (Reappointment.)

Beverly W. Perkins, of Nevada, to be U.S. marshal for the district of Nevada for the term of 4 years. (Reappointment.)

John G. Chernenko, of West Virginia, to be U.S. marshal for the northern district of West Virginia for the term of 4 years. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 1, 1965:

Post Office Department

Lawrence Francis O'Brien, of Massachusetts, to be Postmaster General.

Department of State

Joseph John Sisco, of Maryland, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

Harlan Cleveland, of New York, to be the U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Wilson T. M. Beale, Jr., of Connecticut, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Raymond L. Thurston, of Missouri, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic.

John Gordon Mein, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala.

Phillips Talbot, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Department of Justice

Orville H. Trotter, of Michigan, to be U.S. marshal for the eastern district of Michigan for the term of 4 years.

Richard P. Stein, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years.

EXTENSIONS OF REMARKS

National Lotteries of Africa and the Middle East

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. FINO. Mr. Speaker, today I would like to bring to the attention of the Members of this House the lotteries of Africa and the Middle East. Most of these are thriving institutions which bring in considerable revenues to serve varied purposes, often school and hospital construction. Africa's lotteries brought in gross receipts of about $14 million last year, while net profits came to about $4 million. The Middle Eastern lotteries brought in gross receipts of nearly $62 million in 1964, with net profits coming to more than $21 million.

In North Africa, the Moroccan and Libyan lotteries brought in $3.6 million in gross receipts. Profits came to almost $1 million. Ghana's lottery grossed $3 million in 1964, with net profits coming to $1.5 million, these profits being applied to the treasury. Southern Rhodesia's lottery took in better than $4.5 million, of which a $745,000 profit supported social services. The lotteries of Ethiopia, Nigeria, Cameroon, Sierra Leone, Tanzania and Congo—Brazzaville—took in gross receipts of some $2.8 million, with net profits coming to about $675,000. Most of these profits went for welfare, medical, and school expenditures. Gabon and Tanzania have also recently established lotteries, and Uganda is now using the lottery device in the form of a premium bond lottery, whereby prizes are awarded in lieu of part of the interest in government bonds.

In the Middle East, lotteries are a popular fundraiser for hospitals and schools. The biggest lottery is that of Israel, which grossed $26.7 million last year, retaining a net profit of $8 million, which profit went for school and hospital construction. Iran's lottery took in $19.1 million in 1964. The net profit, spent for the same objectives as Israeli profits, was almost $7 million. Turkey's lottery reaped $9.4 million last year, of which $4.3 was net income to the Government, being allocated to the general treasury fund. Syria, Iraq, and Lebanon operated lotteries bringing in a total of $6.5 million in 1964. The three lotteries achieved a profit of $2 million, most of which was spent on health services, schools, and social development, except for Syria's profit, which was spent on trade promotion.

The lotteries of Africa and the Middle East are not fat with revenue like the rich lotteries of Europe, yet even these poor nations have the sense to realize that so long as gambling is ineradicable, it is wise to make sure that its profits work for the people, not for those criminals who would prey on their fellow man. If we were wise enough to establish a national lottery in America, that lottery would attract receipts which would dwarf the revenues of the European lotteries, just as those receipts dwarf the African and Middle Eastern lottery revenues. We in America need a lottery—and need it now.

An American Success Story

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. MULTER. Mr. Speaker, 25 years ago a man named Henry Federman sold his watch to help obtain passage from England to the United States. This was the first of over a million watch and clock sales that Mr. Federman has made in the last 25 years.

Henry Federman was born in Germany. In 1938, with the solidifying of nazism in his native country, Federman moved to England. After 2 years there working in a bank he came to New York and founded the Pan-American Barter Co.—the parent of the now world-renowned Sheffield Watch Co., of which he is chairman of the board.

America has produced many Horatio Alger success stories and Henry Federman's is merely another in the great tradition of American enterprise. His initiative and business acumen have built that first watch sale into a multimillion-dollar organization.

I am pleased to join with his many friends in wishing him continued success.

Near East Speech

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. ROOSEVELT. Mr. Speaker, my attention has been drawn to a statement by my distinguished colleague, the gentleman from New York [Mr. Halpern], in which he states that I linked German reparation to the Jews with my call for greater response by Israel to Arab refugee claims. I made no such link whatsoever, which the gentleman seems to appreciate when he says:

> I realize that by no stretch of the imagination did the gentleman infer there could possibly be a connection.

In the next sentence, he makes such a connection. I regret, of course, that he should have done so and I only repeat, as I said in my own remarks, that because Israel has collected substantial reparation for German injuries to Jewish people, it is fitting and just, as Israel herself has constantly recognized, that there be a just settlement of claims of Arab refugees. I merely urge a stronger initiative, in order to commence the dialog necessary to achieve peace in the Near East.

A Beautiful Scholarship Program

EXTENSION OF REMARKS

OF

HON. THOMAS C. McGRATH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. McGRATH. Mr. Speaker, each year in the United States we hear of the crowning of myriad beauty queens whose titles run the gamut from "Miss Dill Pickle" to the galactic eminence of "Miss Universe."

The formalization of the great American pastime of visual appreciation of feminine beauty developed in Atlantic City, largest city in the second district of New Jersey, which I have the honor to represent, in 1914.

In that year, a young lady named Viola Walsh was crowned Queen of the Carnival, an event designed to open the famed resort's summer season. Miss Walsh thus became the forerunner of a dynasty of queens now known as Miss Americas.

World War I intervened, and it was 1920 before the carnival idea was renewed in Atlantic City. That year, a "Fall Pageant" was held, with its central attraction a parade of decorated floats and folding chairs entered by various nearby cities. However, it was the young ladies who graced the floats which proved the most popular attraction and in 1921, the first of the Atlantic City beauty pageants was held.

Eight young ladies were entered in that contest and the winner was a 16-year-old blond representing Washington, D.C., Miss Margaret Gorman, who was chosen fairest of the eight and crowned "Miss America." The title has become a byword.

From 1921 through 1927 the beauty contest was held in Atlantic City, with contestants sponsored by newspapers in various cities. Prizes for the beauty queens ranged from huge trophies to motion picture contracts, and an American tradition was well underway.

Financial difficulties eliminated the annual pageant from the Atlantic City schedule of attractions from 1928 through 1933, and the 1933 pageant was a financial flop, too. But in 1935, the current unbroken series of beauty pageants began and attained growing success through the years to such a point that the Miss America pageant is now flattered by dozens of imitations across our Nation and throughout the world.

In the early forties, Miss America pageant secured as its assistant director Miss Lenora Slaughter of St. Petersburg, Fla. When she became its director shortly after, she embarked on bringing to fruition a pet dream—the awarding of scholarships as prizes for Miss America contestants.

This dynamic woman, who was herself denied a college education, succeeded in securing a $5,000 scholarship for the winner of the 1945 Miss America title.

Bess Myerson, who competed as Miss New York City, became the first scholarship recipient.

The idea gained in popular acceptance and soon the Miss America Scholarship Foundation was created and is still growing. Miss Slaughter's ultimate goal was reached in 1952 when every contestant in the national finals at Atlantic City received a scholarship prize, ranging from $100 to the top award—to Miss America—of $10,000.

This year, on September 11, every contestant in the Atlantic City pageant will win at least a $300 scholarship, a dozen or more will receive scholarships of between $1,000 and $3,000, and Miss America will go home with a $10,000 scholarship prize. Furthermore, each of the 50 contestants in the national finals will come to Atlantic City on Labor Day with scholarships of at least $1,000 already won along with their State titles.

Today, scholarships are awarded as prizes in not only each of the 50 State pageants, but also in many of the 3,500 preliminary contests held throughout the length and breadth of the United States.

It is estimated that 70,000 young women have taken part in Miss America competition at some level this year, and some 700 of them will attend college this fall with Miss America scholarship prizes.

Also of interest is the fact that since 1945, 341 national finalists who competed in Atlantic City have received a total of $675,957 and have entered 212 different colleges and universities, in addition to those scholarship awards used for private instruction of a variety of types. A total of $6 million in scholarships has been presented at all levels of Miss America competition since 1945.

As the United States views with growing concern the overcrowding of our institutions of higher learning and the increasing costs of obtaining that learning, I feel we can be proud of this example of American ingenuity which has combined the appreciation of feminine beauty with practical necessity and devised the most durable of all beauty pageants in combination with the most worthwhile rewards for which an American youngster can wish.

Samuel F. Pryor, Jr.

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. IRWIN. Mr. Speaker, I note that my good friend, Samuel F. Pryor, Jr., vice president of public relations and governmental affairs at Pan American World Airways, is retiring after 25 years of service.

Mr. Pryor has had a distinguished career with Pan Am. He has established a worldwide reputation in his field.

He holds a Medal of Merit presented to him by President Truman for skillfully and successfully directing the World War II airport development program that led to the construction of 50 strategic airbases in Latin America and Africa.

Mr. Pryor's friends are legion; so is a listing of the many civic, charitable, and fraternal organizations to which he has contributed his time and talents.

We in Connecticut are confident that he will continue to play an active, vigorous, and skillful role in the affairs of his community.

My one regret is that we will have to share him with Hawaii. He is planning to divide his time between his permanent home in Field Point Park, Greenwich, and his ranch on the island of Maui, Hawaii.

The Franking Privilege Outside Congress

EXTENSION OF REMARKS

OF

HON. ROBERT F. ELLSWORTH

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. ELLSWORTH. Mr. Speaker, this morning the Subcommittee on Postal Rates of the Post Office and Civil Service Committee, of which I am a member, met to hold hearings on H.R. 9058, a bill introduced by the gentleman from Texas [Mr. POOL] to allow free use of the mails to report dividend and interest payments as required for income tax purposes. The bill further provides for the Internal Revenue Service to reimburse the Post Office for the costs of such free use of the mails.

I support this bill, which charges to the Treasury Department the cost of collecting tax information which is extremely beneficial to the Internal Revenue Service in the carrying out of their duties. It would provide free use of the mails for the purpose of supplying information on interest and dividend payments required by title 26 of the United States Code, sections 6042, 6044, and 6049. This law was enacted in the Revenue Act of 1962.

The Treasury Department has estimated that since the enactment of this law, the Federal Government has collected billions of additional tax dollars. The latest estimate is that an additional income of one-half billion dollars annually is reported from those receiving interest and dividends because of the filing of these form 1099 information returns.

The major cost of these returns is in the form of labor and the time it takes to compute the information required and to transfer this information to the form 1099. This cost is borne by the private individuals and companies who have to send in forms 1099 as well as sending in all other tax information required of every taxpayer: this bill will relieve those individuals and companies that have to file these forms from having to absorb the mailing costs as well. The total cost of this service to the Government will be only between $3 and $4 million per year.

It seems the least we could do for these people is to pay the postage cost of mailing these returns to the individual taxpayer and to the Treasury Department. I urge my colleagues on both sides of the aisle to give support to this measure—at better than a 100 to 1 return, it is a real bargain.

Water Resources Problems

EXTENSION OF REMARKS
OF
HON. FRANK HORTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. HORTON. Mr. Speaker, the problem of maximum use of our water resources is growing more important each day, especially in sections of the Northeast where water shortages are reaching crisis proportions. Public understanding of the problems is imperative to their efficient and effective solution.

Hon. ROBERT E. JONES, of Alabama chairman of the Natural Resources and Power Subcommittee of the Government Operations Committee, on which I am honored to serve, provided some concise observations on the water problem, especially in regard to the need for pollution abatement, in a letter published in the New York Times this week.

I am pleased to insert his remarks in the RECORD:

FIGHT FOR CLEAN WATER

To the EDITOR:

The New York Times is performing a valuable public service in keeping its readers informed of problems relating to our Nation's water resources. Your extensive and comprehensive coverage of this vital area—such as the articles on the recent U.S. Public Health Service tristate conference on Lake Erie pollution—has been in the best tradition of responsible journalism.

The urgency of developing methods to provide for the optimum reuse of water and of cleaning up our Nation's rivers and streams was stressed continually in the many hearings on water pollution control and abatement held by the Natural Resources and Power Subcommittee of the House Committee on Government Operations during the 88th Congress. Our hearings also brought out the fact that water would be this country's major resources problem within one decade.

If the present situation is any indication, we may well beat that prediction by several years.

The current drought has had a dramatic impact on the lives of millions of Americans; polluted waters have affected the lives of millions more. But I suspect that to still other millions these are remote problems which affect only "the other fellow." This is not a sectional problem. Its ramifications will affect every American.

If this country is to continue to prosper, all of us—individuals, industry, conservation organizations, and Government at all levels—must work together to insure that the present water crisis will not recur and that the waters of our country will be returned to their original state of purity with all practicable speed.

In the final analysis, it is only through an alert and informed citizenry that the fight for clean water will be won.

ROBERT E. JONES,
Chairman, Natural Resources and Power Subcommittee.
WASHINGTON, *August 20, 1965.*

Colorado Poll Results

EXTENSION OF REMARKS
OF
HON. ROY H. McVICKER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. McVICKER. Mr. Speaker, at the beginning of this session of the Congress, I gave high priority to the preparation and distribution of a questionnaire to the people of the Second District of Colorado, whom I have the honor to represent.

The questions were carefully constructed to permit the widest possible range of opinions in order to inform me of the thinking of the citizens of the second district.

Mr. Speaker, the Second District of Colorado consists of the four metropolitan counties surrounding Denver—Adams, Arapahoe, Boulder, and Jefferson—plus the two mountain counties of Gilpin and Clear Creek. We have one of the highest average educational and economic levels of any congressional district in the country. The proof of these statistical facts was shown by the response I received. Almost 17,000 individuals, couples, and even whole families took the time and the effort to discuss and answer the questionnaire, providing their own stamp and envelope and returning it to my office.

It is amazing to note that we are still receiving a trickle of answers daily, even though the huge task of tabulation has been completed.

As the replies started returning to my office, I faced the choice of immediately sending them out for tabulation or of first studying and analyzing them myself. I chose the latter course—reading and noting each completed questionnaire. A great number not only checked the answers but also added personal comments to further clarify their views.

As a result, I feel that I am much better acquainted with the people I represent. Their insights have given me guidance and clarification as I pondered the complex and controversial issues before this Congress.

Frankly, I am proud of the men and women I represent. They are well read and well informed.

I now have the final tabulations available. I know the results will be of interest to the Congress.

In reporting the tabulations, I wish to stress that during the last campaign and continuing through this Congress, I have never attempted to conceal my own opinion on any issue, or to cease being outspoken on my philosophy of government.

Equally important, I have maintained to the best of my ability an open and inquiring mind, willing to admit that I could be wrong and soliciting new answers to troubling questions.

Mr. Speaker, it is the primary duty of a Congressman to represent, as best he knows how, all the people of his district. He alone must make the final decision on issues facing the Congress based on what is best for his district and for the country. No poll can tell him how to vote. No poll should tell him how to vote. However, a poll honestly and intelligently taken of the people in his district—as mine was, thanks to the long, hard work of a veritable army of volunteers plus my own staff—can strongly indicate how the people view and interpret what is happening in the country in terms of their own best judgment and interest.

If the results of a questionnaire indicate that the Congressman and the people he represents are thinking differently about various issues, then one of two things has happened: either the Congressman is badly out of step with his district, or else the people of his district have not been given sufficient information and opportunity to understand the issues.

Happily, Mr. Speaker, most of the people of the Second District of Colorado appear to be in accord with my own voting record thus far in Congress and with a great majority of the overall policies of this administration, based upon their answers to my questionnaire. The results show that the people I represent desire a progressive, but prudent and cost-conscious Federal Government, as I do.

The quality of the responses cannot be conveyed with mere numbers or percentages, so I am taking this opportunity to paint a substantive picture with this verbal report.

On both foreign and domestic issues, the majority of the people who answered are in favor of the administration's present course. They believe that we should hold to our present policy in Vietnam, that we must maintain and strengthen the United Nations and that we must continue our present Cuban policy of isolating Castro economically and diplomatically. They believe that the foreign aid program must be constantly reexamined and kept in step with the changing international scene.

On problems at home, I am particularly impressed by their support of President Johnson's policies. More than three-fourths believe in some form of Government health care, about two-thirds believe strongly in some form of Federal assistance to education and more than half are firmly behind the President's outlines for his long-range goals.

On the local Colorado scene, Mr. Speaker, my constituents appear to view high property taxes and the industrial growth rate as the two most pressing problems. More than one out of four indicated property taxes as the greatest problem, and nearly one out of five marked the poor industrial growth rate as most serious. Unemployment appeared as the greatest problem to only five percent of those answering, and inadequate community services and facilities was the concern of less than five percent.

I especially want to call attention to the fact that only one-third favor the so-called Dirksen amendment, 54 percent oppose it and the rest indicated no choice.

On the question of the repeal of section 14(b) of the Taft-Hartley law, a small majority—52 percent—of my answering constituents favored its retention, as opposed to its repeal, which I myself favored.

An interesting split of opinion developed from the question relating to the tax reduction program before Congress. Nearly one-third thought it more important to reduce income taxes, an almost equal number favored lowering excise taxes and the remainder thought it better to defer any more tax reductions. The only tax cut measure before this Congress was the major excise tax cut of over $4.7 billion, which I voted for.

The response on the agricultural program illuminates the perplexity of so many of us attempting to grapple with this problem. Well over one-fourth left this section blank, while about one-fifth favored abolition of price supports and one-third expressed their desire to gradually reduce supports. The remainder of answers related to specific measures in this complicated area.

The most gratifying response of all came in answer to the question "Do you favor having your Congressman poll you on your views?" Ninety-nine percent said yes.

I am grateful to those who participated in this survey. The results and many extended remarks of those who answered have been such a helpful guide and a useful indicator of the opinion of the people I represent that I am planning to use this immensely valuable method of polling my constituents again during the next session of Congress.

Farewell Carl Rowan

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. ZABLOCKI. Mr. Speaker, today one of America's outstanding public officials returned to private life. He is Carl Rowan, former Director of the U.S. Information Agency and U.S. Ambassador to Poland.

The position of USIA Director is, in my estimation, one of the most difficult Federal posts. He is constantly the target of criticism, both domestic and foreign, for the actions and omissions of the Agency.

Despite these difficulties, Mr. Rowan carried out his duties with distinction and success. He and his associates have made America better understood by peoples around the world by their publications, broadcasts, and other activities.

In past months I have had several opportunities to work with Mr. Rowan and his staff. They have been unfailingly courteous and helpful.

Mr. Rowan returns to private life to pursue the occupation he left to come to Washington, that of writer and journalist. Although his formal ties with the National Government are dissolved, I am certain that our Nation will be able to count on his continuing counsel and advice in the days ahead.

Nor would it surprise me if Mr. Rowan were to return someday to Government and once again give of his ability and experience.

As Mr. Rowan leaves Government, he may justly carry with him a sense of pride in a good job well done. I am sure my colleagues join me in commending him for his fine efforts and accomplishments in the service of the United States. We wish him well in all of his future endeavors.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my newsletter to the people of the Seventh District of Alabama of February 4:

WASHINGTON REPORT: HOUSE VOTES AGAINST AID TO NASSER

(By Congressman JIM MARTIN, Seventh District, Alabama)

By a vote of 204 to 177 the House of Representatives turned down a proposal to continue giving aid to Nasser who has insulted the United States and belittled the millions we have already given to his country. On a bill for supplemental appropriations for the Agriculture Department, the House approved a Republican resolution to prohibit any of the money being used to give American surplus wheat to Nasser. Thus we have served notice that Congress and the American people are fed up with socialist-minded dictators who accept our help and then insult the United States, condone the burning of our libraries, attacks upon our Embassies, and the desecration of our flag. By this vote the House has reasserted the kind of strong leadership the free world needs and which it is seeking from us.

The vote was a defeat for the administration. In spite of Nasser's outburst last month when he told us we could go jump in the lake, the administration announced 5 days later that it was going ahead with plans to provide the Egyptian dictator with $17 million worth of surplus wheat. We have been supplying Nasser with about $140 million in food yearly under a 3-year agreement which expires next June 30.

In addition to taking a strong stand against aiding our enemies and those who side with our enemies, the House debate on this bill pointed out the phoniness of the administration's budget so loudly hailed as being kept under $100 billion. Before the ink was dry on the budget message, here they were asking for $1.6 billion additional funds, for the Agriculture Department alone.

The vote also pointed up the basic difference between the two parties; 128 of the 141 Republican Members of the House voted to deny aid to Nasser. No Republicans were recorded in opposition to the amendment. On the other hand 177 Democrats voted with the administration against the amendment. Only 76 Democrats joined the Republicans to pass the measure.

MEETING WITH SECRETARY OF THE NAVY

This week I had a meeting with the Secretary of the Navy, Paul Nitze. The Secretary briefed several Members of Congress on problems concerning the Navy. Among the topics discussed was the necessity for a raise in the pay scales for military personnel. I agree with Secretary Nitze that an adequate increase is necessary to attract the highest type personnel to the military services and to give them the incentive to stay in the service. In this technical age, we need trained and skilled people, and we can't keep those with the necessary skills unless we are willing to pay them reasonable wages.

BRIEFS OF THE WEEK

Our international monetary position has reached a new record low. In the last decade our short-term liabilities to foreigners, which are callable in gold, increased from $13.6 to $25.9 billion. In the same period our gold stocks diminished from $21.8 to $15.6 billion. Meanwhile, our international balance-of-payments deficit continues at the rate of about $3 billion per year.

Our formal debt continues down the primrose path. The formal debt of the National Government has reached nearly $313 billion. The informal debt, including future liabilities, has reached $1.25 trillion. Last year's deficit was a resounding $8.3 billion, and prospects look no better this year.

Crime rates, particularly crimes of violence and crimes against property, continue to surge. The threat of violence and disorder hangs ominously over numerous communities. Washington continues as the crime capital. Yet the administration is pushing for home rule, which would accentuate the tragic situation. In addition the administration is calling for legislation to open the door to thousands of immigrants from the undereducated and unskilled areas of Asia and Africa to add untold millions to our already teeming cities.

HISTORY PAUSES

The whole world stood in hushed silence this week to mark the passing of the greatest personality this century has produced. Indeed, the march of history paused for an instant in eternity to pay tribute to the life and accomplishments of Winston Churchill. No person living today has been unmarked by the life of this man, and generations yet unborn will be the beneficiaries of his courage, his inspiration, and his stirring words in defense of freedom and human dignity.

My wife, Pat, and I joined other Members of Congress in a memorial service to Winston Churchill in the Washington Cathedral, an inspiring and momentous occasion.

The Meaning of Honor

EXTENSION OF REMARKS

OF

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. HAMILTON. Mr. Speaker, one of the most revealing and fascinating of the recent journalistic analyses of the President's policy in Vietnam appeared in the New York Herald Tribune of August 30 under the distinguished byline of Roscoe Drummond.

Quoting President Johnson directly, Mr. Drummond offered an impressive catalog of defenses of our position in South Vietnam. Mr. Drummond's excellent commentary has long been familiar to newspaper readers. In presenting these words of the President, he has again made a distinguished contribution to the national dialog on Vietnam.

I offer this excellent article "The Meaning of Honor" for entry in today's RECORD:

[From the New York Herald Tribune, Aug. 30, 1965]

THE MEANING OF HONOR: THE PRESIDENT TELLS WHY WE ARE FIGHTING IN VIETNAM

(By Roscoe Drummond)

WASHINGTON.—There are some questions only the President of the United States can answer. It is his constitutional duty to conduct foreign relations. He alone is Commander in Chief.

Many Americans still have nagging questions about why we are in Vietnam. The President's most effective answers often come when he is speaking informally and spontaneously—rather than in his set speeches.

This column reports the President speaking informally and spontaneously on questions which concern the safety of the United States and the peace of the world—and gives his candid and innermost thinking.

Question: Was there no other choice but to defend South Vietnam?

President Johnson: "You know the major alternatives as well as I do and I won't take time to repeat them. You can think of a thousand problems, a thousand complications, about this ball of wax out there in southeast Asia. We had to confront this utter complexity and find a few simple, fundamental propositions on which this Nation moves.

"And what are those simple propositions? One, the fact of aggression. Can the thousands of armed men and large quantities of arms sent down from North Vietnam to South Vietnam take over that country by force? If you don't believe this is really aggression, go see Bob McNamara or Dean Rusk and let them show you the complete evidence."

Question: Do we really have a commitment to South Vietnam?

President Johnson: "I'm not going to take the case to the Supreme Court as to whether we were legally compelled to come to her defense. Our commitment was voluntarily and deliberately entered into on the basis of the SEATO Treaty, on the basis of the bilateral arrangements made by President Eisenhower with the Government of South Vietnam, on the basis of annual appropriations throughly discussed with the Congress for aid in both the economic and political affairs of South Vietnam for 10 years, on the basis of the commitment of three Presidents—we have a commitment.

"We know we have it. The South Vietnamese know we have it. The Communists know we have it. So, if anyone doubts we have a commitment, let them look at the facts."

Question: What does that commitment mean?

President Johnson: "What does it mean? If I can leave you with one thought, I would say that you must understand that the integrity of the American commitment is the principal pillar of peace in the world today. If anything happens to the integrity of that commitment, we are lost.

"I have used the word 'honor' with respect to Vietnam. When I have done so, some have tended to say, 'Oh, dear me.' As if this were an expression out of 18th century diplomacy—for a king who had become offended because his daughter was refused in marriage to the son of another king."

Question: What do you mean by "honor"?

President Johnson: "Let me tell you what honor means—concretely. Toward the end of President Eisenhower's administration, he was presented by Chairman Khrushchev with an ultimatum: 6 months in Berlin and out. And President Eisenhower said to Chairman Khrushchev: 'No, Mr. Chairman, you can't do that to the United States.' And Khrushchev had to believe it.

"In the summer of 1961, Khrushchev said to President Kennedy: 'Out of Berlin, or there will be war.' This was at the Vienna talks in June 1961. President Kennedy looked him straight in the eye and said, 'Mr. Chairman, if that is what you want, that is what you will have. It will be a cold winter.' And it was utterly to the life of this Nation that Mr. Khrushchev believed that.

"When the Russian missiles entered Cuba, President Kennedy had to say to Mr. Khrushchev, 'Mr. Chairman, these missiles have to go. Period. Paragraph. They have got to go. And you have a chance to get them out peacefully, but they have got to go.' The life of this Nation depended at that moment on Mr. Khrushchev believing him.

"We are now saying to Hanoi and Peiping, 'Gentlemen, you are not going to take over South Vietnam. You're not going to do it.'

"If you were a Berliner, if you were a Thai, you would be living on the basis of the American commitment. If Moscow or Peiping or Hanoi ever thought that commitment was not worth anything, then no one is in more danger than you and I in this room. The entire Nation is in danger.

"That is what honor means in this situation. It takes guts. You have the life of nations wrapped up in this word."

This is what the integrity of America's commitment to South Vietnam means to the President of the United States.

Braidwood's Centennial

EXTENSION OF REMARKS

OF

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. ERLENBORN. Mr. Speaker, 100 years ago, when coal was king, the city of Braidwood, Ill., was born. With the birth of the atom, many of Braidwood's coal mines have been played out and abandoned, but the city of Braidwood—small in size and in population compared to other great cities of our Nation, but strong in spirit and typical of American legend—lives on.

It was my privilege and pleasure to play a small part in Braidwood's centennial celebration on Sunday, August 22; and I would like to bring the good people of Braidwood to my colleagues' attention by reprinting herewith the speech which I delivered on this very special occasion:

BRAIDWOOD'S CENTENNIAL: A HUNDRED YEARS

You who are townspeople are proud, as well you should be; and we who are your neighbors seek in some small measure to share in your pride, whether we are deserving or not.

As time is gaged in this country, 100 years is a long time, for it is not yet five centuries since Christopher Columbus set forth to sail around the world in a westerly direction. It is less than three and a half centuries since the Pilgrims dropped anchor at Plymouth.

Three hundred years ago, English soldiers seized New Netherlands from the Dutch and renamed it New York.

The English passed the Stamp Act in 1765—200 years ago this year.

And a century ago—what happened in this year when Braidwood was born?

Charleston, S.C., the city from which the Civil War was started, was evacuated by the Confederate Army in February.

Brig. Gen. George Custer defeated Confederate Jubal Early at Waynesboro, Va., in March.

Gen. Robert E. Lee surrendered his army of 28,000 men to Gen. Ulysses S. Grant on April 9; and Gen. Joseph E. Johnston surrendered 31,000 confederates to Gen. William T. Sherman at Durham Station, N.C., 9 days later.

The Confederacy was dead.

While the war was being concluded, other great events were occurring.

On February 1, Abraham Lincoln approved the resolution submitting the 13th amendment to the States, a symbolic but unnecessary step—unnecessary because a constitutional amendment does not require a Presidential signature.

This was the amendment abolishing slavery, however, and now Abe Lincoln wanted none to doubt his sentiments about the buying and selling of human beings.

A month later, on March 4, Lincoln delivered one of his greatest speeches—his second inaugural address—"With malice toward none, with charity for all," he said; and we have been a hundred years trying to live up to his noble words.

And 40 days afterwards, tragedy struck and a joyful nation was saddened by the senseless murder of our great President. That happened 100 years and 4 months ago.

On April 19, 1865, the funeral service for Abraham Lincoln was held at the White House, and soon the funeral train began its meandering journey—to Baltimore, and Harrisburg, and Philadelphia; to New York, and Albany, and Buffalo; to Cleveland, and Columbus, and Indianapolis.

Then north to Chicago on May 1, 16 days after the assassination and south to Springfield, where the train arrived at 9 o'clock in the morning of May 3.

Yes, that last leg of the journey went over the Gulf, Mobile & Ohio tracks, and the train passed through Braidwood early in the morning of May 3.

Just about a century ago, Abe Lincoln was back home in Illinois. The Union had been saved. Slavery ended before the year was out, with ratification of the 13th amendment.

"Neither slavery nor involuntary servitude * * * shall exist within the United States," the amendment said.

Section 2 is just one sentence long: "Congress shall have power to enforce this article by appropriate legislation."

It would be wonderful if Braidwood and this 13th amendment, which were launched at about the same time, had needed only an auspicious start to be assured of success. But things just don't work out that way.

Braidwood was started in a day when coal was king—when it was needed to heat the Nation's homes, to fire the railroad's boilers, and as coke to help make the Nation's steel. A few years after Braidwood's start, another use was added: its heat was used to generate the Nation's electricity.

Many of Braidwood's coal mines have played out and the abandoned diggings, once unsightly scars, have been put to man's use—as places where he can have a good time.

Always, when the town has seemed about ready to die, there have been people who have said, "No."

"We don't want our town to die," they have said. It's a good town, and they have worked to make it a better one—worked sometimes cheerfully, sometimes desperately, but above all, they have worked.

We have had to do some work to keep the 13th amendment alive, too; and we still have some more work to do.

When men were deprived of the legal right to hold other men in slavery, they invented other forms of bondage; so that, although they could no longer buy and sell other human beings, they could and did still seek to assert their ownership of them in other, more subtle ways.

First, the effort was made to contend that former slaves were not citizens of the Southern States, but Congress sent to the States the 14th amendment.

Listen to what it said:

"All persons born or naturalized in the United States * * * are citizens of the United States and of the State wherein they reside. * * * No State shall deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

Several States rejected this concept of liberty, and it was necessary for Congress to do some persuading to get the legislatures in North Carolina and South Carolina to reverse themselves and ratify the amendment.

In order to make certain the rights of citizens, Congress went too far, in the opinion of some people in the North, as well as in the South. In that connection, it is interesting to note that Congress permitted the Carolinas and Georgia to reverse their ratification from "No" to "Yes," but it refused to recognize the attempted withdrawals of Ohio and New Jersey.

Some of us today, nearly a hundred years later, are inclined to agree with the people in those two States who believed they had found a defect in the amendment—people who thought it went too far.

The Supreme Court used this 14th amendment as a basis for its recent one-man, one-vote decisions; and as a result, Senator DIRKSEN has within recent days led an effort to amend the 14th amendment. It should be noted here, parenthetically, that, while some lovers of liberty dissent from the decisions, some others wholeheartedly agree with the High Court; and Senator DOUGLAS is a leader in this latter group.

But I digress.

Congress and the States subsequently found it necessary to adopt another amendment giving Negroes the right to vote.

Again, the second section of that amendment gave to Congress the power to enforce the article by appropriate legislation; and one such piece of legislation was passed by both Houses of Congress early this month—the voting rights bill.

Since the end of World War II nearly every Congress has broadened civil rights in some manner—most recently with the Civil Rights Act passed in 1964 with bipartisan support.

Each time one of these pieces of legislation comes to us, we are reminded that we are having to fight the Civil War all over again. This, of course, is an exaggeration, but it does draw attention to the fact that liberty is not assured to us, any more than is the continued existence of Braidwood. In our dynamic society, we must everlastingly reassert our goals; and we must everlastingly work for the betterment of our towns.

Braidwood would not have survived these past 100 years without the determination and the faith of the people who have lived here.

Liberty will not survive either, unless freemen strive ceaselessly to extend its blessings to all men of good will.

One of our greatest glories as Americans lies in our belief in this truth, and in the firmness of our conviction. We have held fast to our conviction, even when it hurts.

As an example, we occupied Cuba at the conclusion of the Spanish-American War; but we had promised to set her free, and we did; and I have heard no criticism in recent years of that act, even though all of us hope for and work for a diffierent government in Cuba.

For we do not seek to own Cuba.

Had we desired, we obviously could have had Cuba in our hip pocket long ago. No, we don't seek to own Cuba, but we do want to see the Cuban people free. We do want them to enjoy the liberties which we enjoy.

We showed our love of liberty at the end of World War II, when we sent Gen. Douglas MacArthur into Japan. He commanded an army of occupation, but he also established a representative government—and he did it within the framework of Japanese traditions and experience.

After nearly half a century of education and preparation for self-government, we set the Philippines free. They have embarked upon nationhood in the knowledge that we are standing by to help, perhaps to counsel, but not to dominate.

We have done much to spread freedom—much to extend liberty abroad, even while it has been imperfectly enjoyed here at home.

It is true that we still must work to extend freedom here at home—still must work a hundred years after we had fought a long and bloody war to assure it—still must work a hundred years after we had adopted a constitutional amendment to require our citizens to grant it.

It is also true that the people of Braidwood still must work to make their town a better place in which to live—must strive even though the goal will never be completely attained.

I think it is interesting that Braidwood, born in the age of coal may one day soon rise to a new plateau of eminence in the age of atom.

To Mayor Bohac and to the people of Braidwood, I extend my congratulations on this centennial of your town; and with my own felicitations, I bring the good wishes of the people throughout our 14th Congressional District.

God bless you, and God bless Braidwood.

The Decline of Personnel Security

EXTENSION OF REMARKS

OF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. BROYHILL of Virginia. Mr. Speaker, several Members of Congress have expressed sincere and grave concern about the manner in which Otto Otepka and his associates were treated by the Department of State. It is almost impossible to amply depict in a short statement all of the important highlights of what happened, and the complex array of events are meaningful only when read in full detail.

While a complete account of these events would easily fill a good sized book, I have a chronology which in summary reveals at least from 1960 to the present time the fact that there was calculated design to purge Otepka and his supporters if not by specious, unfounded, and disgraceful accusations, then by frustration, economic sanctions, and the psychology of fear.

Beginning in 1960, organization changes, deliberate and accidental, contributed to the downgrading of personnel security. Since that year the Department of State has had four different Deputy Under Secretaries for Administration, three different full-time Administrators of the Bureau of Security and Consular Affairs—plus two full-time Acting Administrators owing to vacancies—three different full-time Directors of the Office of Security—plus one full-time Acting Director due to a vacancy. Each has had a forum in advancing and implementing his ideas of organizational realinements in security. In the final analysis the chief result was the loss of continuity and stability.

Those who have the opportunity to read the chronology I present here, may draw their own conclusions and prepare their own condensations from it as to what may be the most significant appropriate presentation. I welcome the opportunity, however, to offer it here for those who seek to help this dedicated group of career employees who have been so treated by their Government.

The chronology follows:

THE DECLINE OF PERSONNEL SECURITY—DEPARTMENT OF STATE 1959–65

In July 1953 the State Department established a personnel security program that embraced the qualities of loyalty, security, efficiency, economy and integrity. Despite strong resistance from entrenched cliques and factions, screening procedures were thorough and reasonably employed though not completely successful in weeding out undesirable employees. Organizational changes and purges of competent security officers began in 1960 resulting in congressional investigation and criticism. Continuity and stability were lost by frequent shifts in top managerial jobs. The deterioration of sound security practices may be noted in the following events:

JUNE 1959

William O. Boswell, a career Foreign Service officer, was appointed as Director of the State Department's Office of Security. The Deputy Director was Otto F. Otepka, a career civil service employee (Otepka was designated to that post in April 1957, having come to the Department in June 1953 under Scott McLeod).

Boswell vowed to his associates he would eradicate the McLeod image in the Office of Security. He promised that his plans for reorganization would be carried out after he "got his feet wet."

OCTOBER 1960

Boswell requested Otepka voluntarily to relinquish his post of Deputy Director in order to personally supervise, full time for 2 years, a Boswell-conceived project involving the review and reconsideration of security records on all State Department personnel at the officer level. The need for the project had the full concurrence of John W. Hanes, Jr., then Administrator, Bureau of Security and Consular Affairs (SCA).

Boswell told Otepka he would not abolish the post of Deputy Director; that Elmer Hipsley, Chief, Division of Physical Security, would be designated as Otepka's successor. Otepka then questioned Hipsley who insisted he had no designs on Otepka's job. Hipsley ascertained it was not Hanes' intention to remove and replace Otepka as Deputy Director but only to have him organize and direct a vitally important mission. Otepka himself endorsed the special project but demanded he should retain his Deputy Director job. Boswell agreed.

NOVEMBER 1960–FEBRUARY 1961

Otepka formally detailed to project and continued as Deputy Director. He drew up plans to implement the project. He obtained the temporary detail of security evaluators Harry M. Hite and Billy N. Hughes to conduct preliminary studies.

Hanes resigned soon after the national election of November. Harris Huston temporarily was designated as Hanes' successor.

Roger Jones appointed as Deputy Under Secretary for Administration (January 1961).

MAY 1961

Otepka completed and submitted detailed background studies and plans to carry out the project. His plans were approved by Boswell and Roger Jones.

JULY 1961

Otepka was authorized to staff the special project. In addition to Hite and Hughes, he obtained as evaluators, Raymond Loughton from the Department of Defense, and John R. Norpel, Jr., and Francis V. Gardner both former FBI agents. Otepka and his staff were physically transferred from the Office of the Director on Boswell's orders.

Salvatore Bontempo was appointed as Administrator, SCA.

AUGUST 1961

Otepka completed his evaluation of the William Wieland case. He submitted an adverse recommendation on suitability directly to Jones. Otepka reserved judgment on security factors pending the decision on suitability factors. Boswell refused to review Otepka's evaluation. He ordered Otepka to bypass Bontempo.

OCTOBER 1961

A member of the Evaluations Division previously chosen by Boswell, informed Boswell that the Evaluations Division which he said had been dominated over the past several years by old guard, ultraconservatives, had gradually gotten rid of such persons and there was now a new vanguard of a more progressive approach—persons of a liberal bent.

NOVEMBER–DECEMBER 1961

Boswell informed Otepka that his position of Deputy Director and 24 other security jobs were to be abolished on Boswell's recommendation through a reduction in force.

Department officials, including Jones, pacified public and congressional reaction by explaining Otepka's services would be utilized in a senior position where he would continue to supervise the special project.

Reduction in force retention register arranged by Department so that Otepka bumped Hipsley from his job as Chief, Division of Physical Security. Hipsley, by formal paper transfer, would be reduced to a lower grade position. Hipsley and Otepka strongly protested this arrangement.

Otepka and Hipsley testified before Senate Internal Security Subcommittee regarding the planned personnel reductions and security officer shifts.

JANUARY 1962

Reduction in force implemented. Otepka was reassigned as chief, division of evaluations. His special project staff was transferred with him. Hipsley's authority reduced. He was reassigned as chief, division of domestic operations, one of three new divisions created from the organization he formerly headed.

After 5 months' consideration by Jones, Otepka finally was notified in writing that Wieland had been cleared on loyalty, security and suitability. Case became a cause celebre when President Kennedy berated a newspaper correspondent for calling Wieland a security risk.

Bontempo resigned after a controversial 6 months in his job.

FEBRUARY 1962

Otepka orally informed Boswell that after reviewing accomplishments of evaluation division over past year (during Otekpa's detail to special project) he had discovered numerous cases where security clearances for high ranking appointees had been antedated in contravention of security regulations. Boswell rebuffed him.

MARCH 1962

Jones, Boswell, and Hipsley testified before Internal Security Subcommittee.

APRIL 1962

Boswell began dismemberment of evaluations division (April 5) by transferring various evaluative functions to his executive office.

Otepka testified (April 12) before the Senate subcommittee in contradiction to testimony of Boswell and Jones and in support of Hipsley. Otepka pinpointed high level irregularities in handling Wieland case and described the inordinate number of waivers of investigations granted in cases of applicants for highly sensitive positions. He disclosed that many security clearances had been antedated with Boswell's and Jones' apparent knowledge.

John F. Reilly succeeded Boswell (April 16).

MAY 1962

Reilly informed Otepka he had been chosen to attend the National War College (for 10 months beginning August 1962), normally a high honor and desirable placement for future progress. Otepka stated willingness to attend but delayed formal acceptance pending his own inquiry into the late selection.

In response to the Internal Security Subcommittees' written inquiries, Jones admitted 152 waivers of investigation had been granted and 44 security clearances had been backdated, all involving high-ranking officers.

JUNE 1962

Jones reappeared before Senate subcommittee (June 7). He explained that Otepka had been selected for the War College because he was a "tired and worried man who needed a break." He said he was not displeased with the testimony of Otepka on April 12 but he "did not think it was appropriate."

Otepka declined his War College selection (June 17) after ascertaining there was no intention to return him to security work.

JULY 1962

David Belisle appointed as special assistant to Reilly and given powers of a Deputy Director, including supervision over Otepka's evaluations division.

William Orrick, a Justice Department official, replaced Roger Jones who resigned.

James Devine, a Justice Department official, reported for duty and swearing in as a replacement for Bontempo. By a last minute shuffle, Devine was sent to Geneva, Switzerland, as a U.S. representative to United Nations specialized agencies.

AUGUST–OCTOBER 1962

Reilly and Belisle instituted various organizational changes affecting evaluative functions; additional functions transferred from Otepka's jurisdiction. Otepka and qualified and conscientious members of his staff were hindered and harassed. They were frequently criticized for alleged mistakes. Staff promotions were held up.

Elmer Hipsley assigned (August) to Geneva, Switzerland on Reilly's request after constant frustrations with Reilly.

Office of Security removed (September) from SCA complex and placed directly under Deputy Under Secretary for Administration.

Abba Schwartz appointed as Administrator, SCA (September 14).

NOVEMBER 1962

Senate Internal Security Subcommittee issued a report covering its 1961 and 1962 hearings on State Department security. Otepka was fully supported. Other officials were criticized for lax security practices. The report detailed numerous deficiencies and recommended their correction.

DECEMBER 1962

Civil Service Commission submitted additional information on the Wieland case to Department for investigation and evaluation. Reilly sought to have Otepka disqualify himself from the evaluation. Otepka insisted it was his responsibility to review any security case as Chief of the Division. Reilly agreed to let Hite evaluate it, but he first ordered complete file sent to Robert McCarthy, not a qualified evaluator, in another Division, to tell Reilly what was in it. Otepka said he could do that himself since he was intimately knowledgeable of the case. Reilly demurred.

By the end of the year the special project started in July 1961 which Jones said would continue under Otepka had been virtually abandoned due to backlogs of other work created by the Reilly-Belisle abortive reorganizations.

FEBRUARY 1963

Reilly authorized transfer of intelligence reporting function from the Office of Security. The transfer had been recommended by J. Clayton Miller while Miller was engaged on a management study of paper flow. Miller at the time shared office space and a safe with Wieland. They had complemented each other's studies.

Otepka recalled (February 21) to testify before Internal Security Subcommittee. He described the abortive reorganizations and the failures by his superiors to give him efficiency reports for rating periods ending in 1961 and 1962.

MARCH 1963

Otepka testified before the Subcommittee on March 6, 11, and 19. He furnished information about attempts by Harlan Cleveland, condoned by Reilly and Belisle, to appoint without proper security clearance and investigation, individuals whom Cleveland wanted on a committee to study and recommend to him the elimination of preappointment investigations of Americans employed in the United Nations and other international agencies.

On Reilly's instructions, a tap was placed on Otepka's telephone by security technician Elmer Hill. Otepka's safe was surreptitiously opened by a professional "safecracker" and its contents examined and copied. A young female secretary, pursuant to prearranged plans, began to carry away Otepka's trash bag at periodical intervals for delivery to Reilly's office where its torn contents were pieced together and examined for clues that Otepka might be furnishing information privately to the subcommittee.

APRIL 1963

William J. Crockett replaced Orrick who resigned.

Reilly testified before Internal Security Subcommittee (April 25 and 30). His statements were in material conflict with Otepka's. After testifying on April 25, Reilly personally asked Otepka to get him "off the hook" with Senator Dodd who had criticized him for not allowing Otepka to re-evaluate the Wieland case.

Otepka complained to members of Reilly's staff that there was interference on his telephone.

Otepka assigned Norpel to make a confidential survey for him on security processing operations in evaluations division. On learning this, Reilly derided Norpel, who defended Otepka.

MAY 1963

Hite finally was successful in obtaining Wieland file from McCarthy. File included no entry to show what McCarthy had done with it.

Otepka continued to detect interference on his telephone. Otepka was informed by knowledgeable witness that there was a concealed listening device in his office as well as the telephone tap, and that Frederick Traband, Otepka's immediate assistant, was surveilling Otepka in his office. Otepka confronted Traband, who vehemently denied it.

Reilly testified before Internal Security Subcommittee (May 21, 22, and 23). Subcommittee counsel J. G. Sourwine told Otepka either he or Reilly was lying and suggested that Otepka prepare written statement, offering documentary proof to substantiate his testimony. Otepka dictated 39-page statement in his office. Typewriter ribbons containing partial impressions of the typed statement were retrieved by Reilly from Otepka's trash bag and transcribed.

JUNE 1963

Internal Security Subcommittee questioned (June 19) Traband, Joseph Rosetti, and Terence Shea, three of Reilly's cohorts who were monitoring and inspecting Otepka's trash bags. Each admitted his role. Rosetti denied knowledge of any tap on Otepka's phone. He admitted that Reilly surreptitiously had broken into Otepka's safe.

Otepka discovered (June 25) a member of his staff, Joseph Sabin, was secretly working on a case not assigned to him by Otepka. A portion of the file was taken by Otepka to his desk. Sabin left his office, and 5 minutes later Reilly burst into Otepka's office and in a livid rage seized the file and shook a pointing finger in Otepka's face. In the next 15 minutes Reilly removed a copying machine from Otepka's suite of offices.

On June 27, Reilly, Belisle, and six security officers entered Otepka's office and in the presence of his subordinates changed the locks on his safes and impounded all of his files. Otepka was banished from his office to a small cubbyhole and instructed to "write a handbook on security operations."

Simultaneously, Reilly ordered evaluators Norpel and Hughes to routine investigative duties pounding the bricks. Otepka's secretary, Mrs. Eunice Powers, was banished to another office and assigned to transcribing machine dictation.

JULY 1963

Hughes sent to New Orleans on detail.

Belisle ordered Otepka not to enter the Evaluations Division. Employees instructed not to furnish any information to Otepka.

Elmer Hill testified (July 9) before Internal Security Subcommittee. He denied any knowledge of tap on Otepka's telephone.

Belisle appeared July 29. He also denied any knowledge of tap.

Department of Justice rule on basis of Department's request for an opinion that no grounds existed to prosecute Wieland for alleged false testimony before Internal Security Subcommittee. Belisle immediately had McCarthy prepare a statement (July 19) that Wieland had been fully recleared and instructed Loughton to issue a formal clearance. This abortive action was rescinded when Crockett learned of it. Belisle then tore up the record copy of the memorandum drafted for his signature in the presence of Hite and Loughton.

AUGUST 1963

Reilly appeared before subcommittee (Aug. 6). Denied any knowledge of tap.

Otepka appeared August 12. Stated he had information his telephone had been tapped. Testified with aid of his 39-page statement and appended documents which were formally admitted into the committee record.

Crockett issued instructions August 13 and 14 forbidding further testimony by Department employees without his express permission.

Otepka questioned by FBI agents on August 14, 15, and 16 regarding furnishing information to an unauthorized person (i.e. chief counsel of a U.S. Senate committee). Otepka was satisfied there was no case against him at Department of Justice.

Unaware of Crockett's instructions Otepka testified before subcommittee again on August 16 and supplemented his testimony thus further contradicting his security bosses.

SEPTEMBER 1963

Hite completed the new evaluation of the Wieland case. He recommended that Wieland be dismissed as a security risk.

The Department filed formal charges against Otepka seeking his dismissal for conduct unbecoming an officer in furnishing information to the Subcommittee and for allegedly mutilating certain documents, portions of which allegedly were found in his trash bag.

Otepka was confidentially and reliably warned by Stanley Holden that the cubbyhole to which Otepka had been banished was under telephone and other surveillance. Holden also informed him that he had found a tap on his own phone which he traced to Elmer Hill's office.

Rosetti and McCarthy visited Holden at his home during working hours where Holden was recuperating from mysterious injuries to his face and tongue. Holden was threatened with reprisals if he did not tell Rosetti and Reilly whether he had informed Otepka through another source that Otepka's phone had been bugged.

OCTOBER 1963

Senator DODD, accompanied by Sourwine, on October 4 delivered a strongly worded 10-page memorandum to Rusk highly critical of State Department security practices.

Otepka appealed the charges against him. He admitted furnishing information to the subcommittee explaining he was obligated morally and legally to tell the truth and rebut the falsehoods of Reilly and others. He denied mutilating any documents and denied he knew who did.

Rusk appeared before the subcommittee and detailed the charges against Otepka. He was strongly challenged for his stand on Otepka by nearly all of the Senators present who backed Otepka. Rusk lifted the ban against further testimony by his subordinates.

NOVEMBER 1963

The State Department rejected Otepka's appeal and ordered his dismissal but deferred the date of his separation if he appealed initially to the Department rather than to the Civil Service Commission.

Senator DODD denounced the order of dismissal on the Senate floor (November 6) and accused State officials of perjury in denying the telephone tap.

Reilly, Belisle, and Hill quickly submitted explanatory letters to the subcommittee on Rusk's instructions, partially recanting their previous testimonies. They now admitted a tap was "attempted" but it was unsuccessful. The subcommittee released their recanting statements and their prior testimony to show their contradictions. Enraged, DODD said the three officers should be charged, not Otepka.

Belisle was recalled to testify on November 14. He stuck to the story in his recanting letter that he was out of town when the tap was placed and therefore had no knowledge.

Reilly reappeared on November 15. He maintained that the tap had been attempted but did not succeed.

On November 18, Hill blew the whistle on Reilly and Belisle. He not only said the tap was successful but he delivered two reels of Otepka's taped conversations to an unidentified person at Reilly's instructions. He said Reilly knew the contents of at least one of the conversations. Reilly and Hill resigned on that day. Belisle, incredibly, was retained and assigned to review Hite's evaluation of Wieland and prepare his findings for Crockett.

Otepka appealed to the Department asking that the charges be dismissed because he had acted properly and the whole case was vitiated and tainted by Reilly and Belisle's perjury. Otepka asked for a hearing.

Raymond Laugel, a career Foreign Service officer, became the acting head of the Office of Security.

DECEMBER 1963

Crockett appointed George W. French, a retired Army colonel, and Wilson Flake, a retired Ambassador, to conduct an investigation into the disclosure of wiretapping and the deficiencies in security practices as set forth in the 10-page Dodd memorandum.

Flake and French twice attempted to question Otepka in detail about wiretapping and lax security practices. On advice of his attorney Otepka demurred saying he would stand on his testimony before Congress which he felt he should not now discuss because the State Department had made him an adversary and he preferred to air out the case in the forthcoming administrative hearing that he had requested.

JANUARY 1964

The Department gave Otepka a list of six employees from which it requested that Otepka select one as a hearing officer. Otepka objected to the entire roster on the grounds that these persons were all employees subject to Rusk's commands and jurisdiction. Otepka asked for an independent hearing officer unconnected with the Department.

Flake and French interviewed evaluators Norpel, Hite, and Edwin A. Burkhardt. They entirely supported Otepka and criticized practices of the Office of Security that were initiated and implemented by Reilly and Belisle.

Otepka sent two memorandums to Laugel listing all the impediments imposed on him since June 1963 by Reilly and Belisle asking that they be lifted (no answer ever received).

Norpel testified before Internal Security Subcommittee in support of Otepka.

Norpel was returned to the evaluations division after a protest to the legal office about the nature of his duties. He had in the meantime been compelled to discharge firearms over his objection. This aggravated a hearing loss about which he had informed the Department at the time of his appointment.

Hughes permanently transferred to Memphis, Tenn.

FEBRUARY 1964

Crockett directed Otepka to review and segregate all the files which had been impounded in Otepka's office by Reilly in June 1963.

Reilly officially went off State Department payroll after having the date of his resignation extended due to his hospitalization.

MARCH 1964

G. Marvin Gentile succeeded Reilly as the head of the Office of Security (March 2).

Otepka commenced (March 2) the review of the files as ordered by Crockett. The files were moved for this purpose to an office adjacent to Otepka's cubbyhole. On advice of his attorney, Otepka began to prepare a written inventory of each document reviewed. Upon learning this Gentile promptly terminated this assignment and removed the files to an unknown location.

Hite testified before the Internal Security Subcommittee (March 3) in support of Otepka.

Loughton, Norpel, Hite, and Gardner, all originally selected by Otepka for the special project ordered by Boswell, together with Howard Shea (investigations division) and Edwin Burkhardt (evaluations division) were removed from their security officer designations and transferred (March 16) to the Bureau of Inter-American Affairs as administrative officers for the ostensible purpose of reviewing "cases" of certain foreign nationals. All received instructions not to discuss their assignment due to its sensitive nature.

APRIL 1964

Norpel, Hite, Burkhardt, and Howard Shea appealed to the Civil Service Commission their removal from security officer classifications.

The four appellants plus Gardner and Loughton who did not appeal, unanimously voiced their complaints officially to their superiors about the "make work" nature of their assignment, complaining that they were idle for inordinate periods of time and that the assignment was far beneath their experiences and capabilities.

Crockett instructed Otepka (April 30) to hold in abeyance the assignment given him by Reilly in June 1963 (preparing a handbook) and to undertake instead the cataloging and indexing of the CONGRESSIONAL RECORD and other public documents containing data on security problems.

MAY 1964

Crockett restored Otepka's secretary (Mrs. Powers) to him. He avoided Otepka's other requests for removal of the various impediments imposed on him by saying he was not aware of them and would look into them (no followup ever received by Otepka).

JUNE 1964

Traband, formerly Burkhardt's supervisor, submitted a derogatory report on him saying that Burkhardt's "emotional displays of temper and cutting remarks to coworkers when obviously upset adversely affected the serenity of the office and the ability of his coworkers to concentrate." Traband's comments were an implied and unfair reference to the fact that Burkhardt had defended Otepka firmly to his associates.

After continuing frustrations stemming from the undesired idleness and the demeaning nature of their assignment to which they had been ordered on March 16, Loughton and Gardner at their persistent request were transferred elsewhere—Gardner to a management analyst and Loughton to training for consular work. Norpel was designated as officer in charge over Hite, Burkhardt, and Shea.

JULY 1964

Department finally informed Otepka of its decision on Otepka's request for an independent hearing officer. The request was rejected and Otepka was required to choose one of the six persons offered by the Department.

The Civil Service Commission ordered the Department to restore Hite's, Norpel's, Shea's, and Burkhardt's security officer classifications but rejected their other claims that the reassignment was a reduction in rank.

AUGUST 1964–AUGUST 1965

Otepka's isolation and impediments remained unchanged. He testified before the Internal Security Subcommittee in August. He was followed by Crockett and other Department officials, including security officers who were involved in the surveillance of Otepka and others who supported him. It became imperative therefore, from time to time, to postpone by mutual agreement with the Department, Otepka's hearing in the Department which was originally scheduled for November 1964 until Otepka could obtain the published hearings before the subcommittee.

During this period Hite, Norpel, Shea, and Burkhardt continued to perform insignificant tasks akin to clerical work. Their justifiable complaints to their superiors were unavailing.

In April Crockett ordered Norpel to El Paso, Tex., for permanent duty as an investigator which was not only demeaning but based on past experience with misrepresentations of his Department superiors would in his estimation again expose him to gunfire that would be injurious to his health. At the same time Shea was ordered to Denver, Colo., an assignment in the terms of his experience also demeaning to him. When the Department failed to give them adequate reasons for their removal from their established residences in Washington, D.C., they did not report to the respective posts and are delaying their decisions until such actions are rescinded or sufficient reasons are given.

As a consequence, the Department has removed Norpel and Shea from the payroll. Both have appealed to the Civil Service Commission on several grounds, including their primary claims that the actions were in reprisal for their defense of Otepka.

Hite and Burkhardt continue in their assignment in the Bureau of Inter-American Affairs isolated from contact with their superiors and coworkers.

Otepka was deprived in June 1965 of a normal salary increase due to a decision made by French, concurred in by Crockett, that Otepka's work in carding the CONGRESSIONAL RECORD is "not of an acceptable level of competence." Otepka has consistently informed Crockett and French that owing to the fact that he was made an adversary by the Department he must devote as much of his time as possible to preparing his defense against the charges. This has become a monumental task for Otepka because of the notoriety he has obtained and the interest and support he has received from so many Members of Congress.

Otepka's hearing date is now set for October 11, 1965. It is hoped by then all of the pertinent testimony of important Department witnesses before the Internal Security Subcommittee shall be published.

John J. Shaughnessy, a Patriotic American

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. CAREY. Mr. Speaker, it would be a sad oversight if the recent passing of an obscure citizen from Brooklyn, a onetime minor Government civil service employee, but without doubt a most dedicated patriot, were not to receive due recognition in the Congress of the United States. More than any other single man, John Shaughnessy carried on a tireless campaign to make certain that all American exports were clearly and unmistakably labeled "Made in the United States of America." A resolution (S. Con. Res. 40) to this effect was passed by the Congress in 1953 but for many long years was almost ignored. No one pressed for its implementation harder than John J. Shaughnessy. No one was more aware of the way in which countries, such as the U.S.S.R., could take advantage of our exports, particularly under the foreign aid program, by claiming them as their own, unless they were properly labeled.

John Shaughnessy expressed himself most clearly, for example, in an open letter he wrote to the late President Kennedy, published in the Manchester Union Leader on March 14, 1963. On that occasion he wrote:

> Since we have a law compelling foreign importers to identify goods shipped here with the full name of their country—spelled out—why then can't American merchants and governmental entities do likewise and show American origin with the proper legal name of our country, "United States of America" on every item and every container unit—intermediate and master—for foreign or domestic use or consumption?
>
> We have nothing to be ashamed of in this line of human endeavor because the material which emanates here is the best obtainable anywhere on earth.
>
> My longtime efforts for "Mark American" have been purely altruistic. I never had anything to gain personally nor any other motive except to enhance the prestige and thereby promote the welfare of my country and yours.

Fortunately, the work of this fearless and indomitable citizen has in large measure been rewarded with success. As I stated over 3 years ago—February 15, 1962:

> I am pleased to note that with the assistance of the present administration, a substantial improvement has now been attained and Mr. Shaughnessy's quest is not in vain.

The Department of Commerce found at that time that 75 percent of all the goods being shipped from 8 major ports were then "properly identified by use or predominant markings to indicate U.S. origin."

But vigilance in the continued execution of this policy is essential. It is up to us in the Congress to make certain that the efforts of Mr. Shaughnessy will continue to bear fruit to the benefit of our country in the years ahead.

National Crime Commission

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. ROYBAL. Mr. Speaker, I want to take this opportunity to congratulate President Johnson on his recent demonstration of outstanding leadership in establishing a National Commission on Law Enforcement and Administration of Justice to study crime in the United States and to recommend ways to reduce and prevent it.

Later this week the Commission will have its first organizational meetings here in Washington to officially launch its intensive 18-month survey.

The Commission's work will be to seek out "comprehensive national answers" to the mounting problem of crime in America, by conducting "the first systematic, nationwide study ever made of the entire spectrum of crime problems, ranging from its causes at one extreme, to arrests and rehabilitation at the other."

Among the distinguished citizens named by the President to serve on the Commission are three prominent Californians: State Attorney General Thomas Lynch; Otis Chandler, publisher of the Los Angeles Times, and Thomas Cahill, San Francisco police chief.

In announcing his approval of Executive Order 11236, which created the new Commission, the President declared:

> I hope 1965 will be regarded as the year when this country began in earnest a thorough, intelligent, and effective war against crime.

He gave the Commission a twofold task of determining "the causes of crime and delinquency, measures for their prevention, the adequacy of law enforcement, and administration of justice, and the factors encouraging respect or disrespect for law at the national, State, and local levels," and, from these inquiries, "to develop standards and make recommendations" for action by government at all levels and by private individuals and groups to "prevent, reduce, and control crime and increase respect for law."

The President continued:

> The present wave of violence and the staggering property losses inflicted upon the Nation by crime must be arrested * * *. We must come to grips with the problems of punishment versus rehabilitation, of protecting society from criminals while, at the same time, working to prevent the development of potential criminals * * *. The Commission obviously cannot solve all the problems related to crime. But I do ask it to commit wisdom, energy, and experience to the central need of this and any civilized society: the safety of its citizens.

Certainly, Mr. Speaker, few could deny that the problem exists and is growing worse. The recent report of the Federal Bureau of Investigation showed the trend of serious crime continued upward in 1964, recording some 2.6 million serious crimes across the Nation last year—for a 1-year increase of 13 percent over 1963.

Since 1940 the crime rate in this country has doubled. And since 1958, it has increased at a rate five times as fast as our population growth.

Of special urgency and concern is the growing problem of juvenile delinquency and youth crime. For instance, young persons under 18 were responsible for 37 percent of the serious crimes solved by police last year, and arrests in this age group for offenses of all types, except traffic violations, increased 17 percent—with the greatest incidence occurring in suburban areas.

In view of this alarming situation, the task of President Johnson's new National Crime Commission will be, as he stated in his message to Congress last March "one of consummate difficulty and complexity."

I agree with the President that the Commission's job could scarcely be more important, and I join him in the hope and expectation "that its work will be a landmark to follow for many years to come."

However, Mr. Speaker, because of the great personal importance I attach to the President's effort to analyze the nature of crime in America, and to launch a comprehensive and successful attack on its causes, I would be less than candid if I did not express my deep disappointment at the lack of wider representation from America's various minority communities on the National Crime Commission.

Certainly, the announced membership of the President's Commission constitutes an outstanding list of distinguished citizens who can be expected to make a significant contribution to the drive on crime.

But it is most regrettable that additional members of minority groups have not so far been selected to participate in the work of the Commission.

I am confident such men and women would be extremely valuable in researching and investigating the causes of our rising crime, and in developing useful recommendations to reduce and prevent it. Minority persons have a unique contribution to make in this effort because of their special knowledge and personal understanding of many aspects of these problems, particularly in the areas of juvenile delinquency, youth crime, narcotics, correction and rehabilitation.

For this reason, I would strongly urge the Attorney General, in his capacity as Chairman of the Commission on Law Enforcement and the Administration of Justice, to request the President to appoint a broader spectrum of minority group representation to membership on the Commission, so that their special talents and valuable contributions can be made available in this vital work.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my Washington Report to my constituents for May 13, 1965:

WASHINGTON REPORT

(From Congressman JIM MARTIN)

FEDERAL AID AND FEDERAL CONTROL

When Congress was discussing the Federal aid to education bill we were solemnly assured by the administration and proponents of the bill that no Federal controls over our schools would ever follow the enactment of Federal aid to education. The people were told that those of us who suggested such a thing were just trying to scare them. What happened?

The very first order issued by the Commissioner of Education, Francis Keppel, following passage of the school aid bill, cracked down on school districts in the South. The Commissioner ordered desegregation under rules he laid down by a target date he determined and failure to meet his demands would result in withdrawal of Federal funds.

The desegregation plans of the Commissioner would represent a surrender by local and State authorities to Washington dictatorship in the operation of the schools. Yet, many school districts are struggling to comply in order to obtain the Federal funds. This should be a warning in accepting the promises of those who advocate turning local responsibilities over to the Federal Government.

If there are those who don't believe the extent to which Federal bureaucrats will go in establishing Federal controls, take a look at some of these quotes from the letter sent by Commissioner of Education Francis Keppel to school districts that have not submitted a plan of desegregation that meets his demands:

"The plan for desegregation submitted by your school district to comply with title VI of the Civil Rights Act of 1964 has been reviewed by the staff of the Office of Education. * * * On the basis of our review, the plan submitted lacks the provisions which would be necessary to find it adequate under this regulation. * * * The law and the regulations require school authorities to take the necessary action to end the dual system of schools for white and Negro students as quickly as possible if the district is to participate in federally assisted programs. * * * I am enclosing a document which sets forth the guidelines by which I will be governed in determining the adequacy of desegregation plans * * *."

These quotes from the Commissioner's letter point up the dictatorial attitude of the Federal official who will have the power over local and State school boards. I intend to develop this matter and will address the House of Representatives on it as soon as my research is complete. In the meantime, I would be interested in receiving from local school districts, their comments on the orders of the Commissioner of Education for desegregation and copies of any correspondence they may have had with the Office of Education.

SUPPORT POLICY AGAINST COMMUNIST AGGRESSION

Congress approved the President's request for a vote of confidence in his Vietnam and Dominican Republic policies by passing a supplemental appropriation of $700 million to finance these military operations. I voted for the proposal. It would have been more proper for the President to use funds he has available for this purpose or to include the request in a regular appropriation, but the special request did have merit in showing to the world, especially the Communist world, that Americans are united in opposition to Communist aggression.

Approval of the President's action in Vietnam and the Dominican Republic by all Republicans (his only opposition came from a handful of Democrats) does not mean we are happy with the overall foreign policy of this administration. The Dominican Republic is but one of the danger spots in Latin America. Castro Communists are carrying on a wide range of subversive activities in several other Latin American nations, including Guatemala, Venezuela, and Colombia. Since last November Communist guerrilla forces infiltrated those three nations and have been engaging in violence looking toward the seizure of power. In a meeting with State Department officials, I asked about Cuba's role in training Communists and was told that in Havana thousands of hard-core Communists are being trained, equipped, and sent out to subvert neighboring countries.

Therefore, we cannot stop with the restoration of order in the Dominican Republic. The source of the disease, Communist aggression in the Western Hemisphere supported and encouraged by Soviet Russia and Red China, must be eliminated. We should return to the determination of the Cuban resolution passed by Congress October 3, 1962, which stated we must "prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending its subversive activities." It is far past time for our State Department to support a strong, militant force of Cubans in exile in their determination to free their homeland. There must be no more Bay of Pigs, no more backing down when we impose a blockade of Cuba. Until the Castro regime has been eliminated and the influence of Soviet Russia and Red China removed from Cuba, we will continue to have Communist subversion and revolution in Latin American countries, and the United States itself will be in peril from the missiles aimed at us from this Communist fortress only 90 miles away. It should be made clear that determined action in Vietnam and the Dominican Republic to stop Communist aggression are not isolated incidents, but a renewal of U.S. policy to support our allies and all those nations who are determined to remain free.

MDTA Extends a Helping Hand to Muskegon Youth

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. GRIFFIN. Mr. Speaker, the Nation's problem of unemployment would be largely solved if only the jobless were trained and qualified to fill the thousands and thousands of jobs that are available. Newspaper help-wanted ads are crammed with job opportunities. American industry needs and wants qualified workers.

The Nation's economy, now generating a gross national product in excess of $665 billion a year, is soaring as never before. Yet the rate of unemployment in our country stubbornly refuses to budge below 4½ percent.

Long before President Johnson launched his much-heralded war on poverty, Congress had already enacted, with bipartisan support, the Manpower Development and Training Act. The success of this measure, which provides training for men and women in skills that are needed, has been gratifying.

Unlike some of the less realistic programs which are now springing up as part of the "war on poverty" MDTA seeks to match skills with an actual demand for skills.

As one who supported MDTA, which was truly the product of bipartisan cooperation, I wish to call the attention of my colleagues on both sides of the aisle to a significant application of the law in Muskegon, Mich., a city that I have the honor to represent.

The program there, which is referred to as the multiyouth project of the Muskegon public schools, was established earlier this year and centers its activities in the Muskegon Area Skill Training Center at 1183 Laketon Avenue, Muskegon.

I wish each Member could have the opportunity, as I did recently, to visit this exceptional center.

The project was started through the cooperation of such civic groups as the Muskegon Area Development Council, the Muskegon County Youth Commission, the Muskegon County Drop-Out Committee, the local chapters of the National Association for the Advancement of Colored People and the Urban League, the Michigan Department of Parole, United Youth, the Michigan Department of Probation, Muskegon Community College and Muskegon High School.

These agencies combined their efforts to study the scope and extent of the dropout problem in the Muskegon area. Facts they obtained were presented to the Muskegon office of the Michigan Employment Security Commission, and plans were laid out for a multiyouth program in the Muskegon area.

A $450,000 budget for a 72-week project was approved by the Michigan Office of Vocational Education, and the Muskegon public schools was designated the administrative agency for the project.

The program, which began June 1 in an unused factory, is not aimed simply at "keeping kids off the streets." Its realistic purpose, as required by the Manpower and Training Act, is to train youths in skills that the local branch of the Michigan Employment Security Commission knows are in demand. There are plenty of indications that its graduates will be in demand by industries that are located in the Muskegon area.

Training dropouts is no easy task, and the director of the Skill Training Center, Harry D. Moulton, knows it. As Moulton explained in a recent report, the project is divided "into two distinct and separate phases: one which we call basic education, and the other occupational training."

He outlined the program as follows:

> Basic education: Job sampling, an exploratory shop experience, is designed to determine the youngster's wants and needs, as well as finding what his abilities are in particular job areas. The boys, as an example, will spend approximately 7 weeks in the welding area and rotate to the woodshop area for a 7-week period, rotate then to the machine shop area for 7 weeks, and finally move into the auto service station mechanic program for 7 weeks. During this period of time, through evaluation on the part of the instructor and the counselor, and through a student evaluation of his wants and needs, a particular occupational area is determined where the trainee could best perform when he went out into industry to become a member of the labor force.
>
> Another phase of basic education is classroom instruction. This deals with communications (English), computations (math), job orientation, personal health, and personality development.
>
> Occupational training: The occupational training offered at the Skill Center was authorized by the local MESC office. The local office determined the areas where unemployment existed, and the occupations were cited by them as those needing more trained persons. The occupational areas scheduled for training at the Skill Center are auto service station mechanics, clerical skills, food service, metal machine operators, nurse aid orderly, combination welder and woodworking machine operator. The length of the various occupational courses varies because of the time needed to teach the necessary skills. The auto service station mechanics program is 20 weeks long, clerical 21 weeks long, food service 20 weeks, metal machine operators 20 weeks, nurse aid orderly 4 weeks, combination welder 35 weeks, and woodworking machine operator 20 weeks long.

Some 187 youngsters 16 to 21 years old, who have been out of school at least a year and have been declared unemployable by the MESC, were enrolled in the program at mid-August. The project is authorized to train 200 youths.

The youths are paid $20 a week while attending the program unless they qualify as an adult because of 2 years of work experience. For those who qualify as adults, payments are based on a formula that takes Michigan unemployment compensation and family responsibilities into account.

The trainees put in five 8-hour days each week at the center. Instructors and specialists who have been or will soon be working with them under Moulton include:

Joe Miller, assistant director; John Dorris, Terry O'Connell, Mrs. Adele Jardine and Donald Sommerfeld, counselors; Fred Roys and Clark Twinning, mathematics, Jim Price, Delore Crane and Mrs. Alice Hundley, communications; Mrs. Ada Jaeger, R.N., personal health; Mrs. Virginia Dressen, R.N., health occupations; Mrs. Kay Coleman, clerical; Mrs. Bonnie VanRagenmorter, food service; Herbert Mills, woodworking; Lyman Gauld, welding; Ted Ohler, machine shop; Fred Smith and Jim Young, auto shop.

On the basis of my visit, I would say that those associated with the multiyouth program of the Muskegon public schools are doing an excellent job. They deserve commendation and encouragement for their energetic, imaginative and realistic approach to one of the basic problems of our day.

In addition, I believe that Members of Congress who recognized this need and extended a helping hand through the MDTA can be proud of their role in showing the way to many who had lost it.

Equal Opportunity for Americans of Mexican Descent

EXTENSION OF REMARKS
OF
HON. EDWARD R. ROYBAL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 1, 1965

Mr. ROYBAL. Mr. Speaker, on June 1, of this year, approximately 150 Americans of Mexican descent came to Washington, at their own expense, to be briefed by members of the Cabinet, as well as by various department and bureau heads.

Every administration speaker, upon questioning, admitted that the vast resources of the Spanish-speaking people were not being fully utilized by our Government. They promised to do better in the near future.

The Mexican-American group argued that legislation such as the Civil Rights Act and the war on poverty was designed to combat inequality wherever it existed. In fact all laws, they maintained, are passed by Congress to be applied equally to all Americans.

This same group which left the Capital full of hope and confidence now points to the fact that no improvement has been made and the Spanish-speaking community continues to be ignored by almost all departments of the Federal Government.

While we compliment the progress that is being made in making available employment for Negro Americans, we cannot help but point to the obvious lack of Latin American personnel in those same offices, bureaus, and departments. We are pleased with the creation of an Equal Employment Opportunities Commission with two Negro members, but we view with great disappointment the inequality of establishing the Commission's structure without any representation from the Spanish-speaking community of the United States. This despite the fact that Spanish-speaking Americans face the same economic problems, and have suffered the ravages of discrimination in housing, education, and employment for generations.

Even in the allocation of antipoverty projects sponsored by the new Economic Opportunity program, there is substantial evidence of discrimination against the Spanish-speaking community.

For instance, in Los Angeles County where the Mexican-American is the largest minority group, approximately three-fourths of the antipoverty funds are being spent in the Negro community, and the Mexican-American community and other minorities are getting only token attention.

According to the latest available statistics, the Office of Economic Opportunity employed 227 Negroes while only 8 Mexican-Americans had been employed up to that time. It is my understanding that the same proportion exists today.

It is to the credit of top officials of the Federal Government that they are making a sincere and highly commendable effort to go out in a positive way and actively recruit qualified Negro-Americans. The Mexican-American and other minority groups also want to be considered in the imaginative new programs of the Great Society in an impartial manner that will help relieve the burdens of all disadvantaged Americans regardless of ethnic background.

Mr. Speaker, as one of the legislative sponsors of President Johnson's war on poverty, as a strong supporter of full civil rights and equal employment opportunities for all, I have a deep concern that poverty should be fought without favoritism, that civil rights not be denied to a single person and that equal employment opportunities be within the reach of all Americans.

But, I am equally concerned, if not much more, with the growing feeling of rejection on the part of the Spanish-speaking community, especially in the Los Angeles area. They feel left out, ignored and forgotten.

As they witness the establishment of crash programs for redevelopment, housing, job training, special education and employment, all oriented toward reform in the Negro riot areas, an explosive situation is developing in the Mexican-American community. Some are asking: "Must we riot before we can get equal treatment?"

The answer is a resounding "No." We must not riot. What we must do, however, is intensify, with great dignity and in a forceful way, our efforts to make it known to the President of the United States and the Members of Congress that all we ask in that the Anti-Poverty Act, the Civil Rights Act, and all other laws passed by Congress be applied equally to all Americans regardless of race, color, or creed.

Mr. Speaker, it is my hope that all officials of our Federal Government review their employment policies specifically to be sure that recruitment policies are equally applied.

The direction that programs of the Great Society are taking must be carefully examined to be sure that the riot priority philosophy does not prevail as a substitute for need.

And we must also make sure that no group of Americans is made to feel unwanted by the denial of equal treatment, but instead is made to understand by our actions and not merely words that they are an important part of America, of its future, and of President Johnson's Great Society in which all Americans have such a vital stake.

Ambassador Goldberg's Stand in the U.N.

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. NIX. Mr. Speaker, as a member of the Foreign Affairs Committee, I have followed with closest scrutiny the policy statements which have been enunciated by our new Ambassador to the United Nations, the Honorable Arthur J. Goldberg.

My practice of law over the past 35 years has sharpened my cognizance of the bluntly precise aspects as well as of the legal subtleties of the critical issue he had to face immediately upon assuming office. My own knowledge of the facts, based upon my participation in many Foreign Affairs Committee sessions, together with our discussions with Ambassador Goldberg, has convinced me that he deserves our commendation and support for the statesmanship and legal skill he has displayed in his first crucial assignment.

We are all aware that the United Nations has been in serious financial trouble because the Soviet bloc, plus France and some of the Arab countries have refused to pay their share of U.N. peacekeeping operations. What all of us were not aware of was that in spite of clear provisions of the U.N. Charter, an advisory opinion of the World Court, and the earlier acceptance of that World Court ruling by the General Assembly, it had become evident that a majority of the United Nations would refuse to apply the loss-of-vote sanction of article 19 of the charter to those members who persisted in refusing to pay.

I have seen the charge that in stating the U.S. position in the light of these circumstances, Ambassador Goldberg has been guilty of abject surrender. This is just not so. I have read the carefully worded statement which Ambassador Goldberg regretfully made to the U.N. Special Committee on Peacekeeping Operations on August 16. In my considered judgment, it represents a judicious, mature, and pragmatic facing of the facts of life.

Before discussing Ambassador Goldberg's statement in detail, it is pertinent to examine the basic premises. Article 17 of the charter gives to the General Assembly budget authority and specifies that "the expenses of the organization shall be borne by the members as apportioned by the General Assembly."

To enforce payment of such apportioned expenses, article 19 specifies that:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years. The General Assembly may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

Early U.N. peacekeeping missions were authorized by the Security Council. As a result of the peacekeeping operations in Korea, the General Assembly, in 1950, passed the Uniting for Peace resolution to circumvent the problem of the Soviet veto in the Security Council. A Soviet veto had been avoided only because the Soviet delegate had seen fit to absent himself from the meetings of the Council. The Uniting for Peace resolution provides that whenever Security Council action on a threat to the peace is thwarted by a veto, the General Assembly can be called to act by the vote of any seven members of the Security Council or a majority of the U.N. membership.

The significance of this resolution in strengthening the General Assembly's responsibility on issues of peace and security became evident at the time of the Suez crisis. The Security Council was deadlocked by British and French vetoes. The General Assembly met in emergency session and took steps which led to the creation of the United Nations Emergency Force in the Middle East.

The financial problems of the United Nations began with these peacekeeping operations in the Middle East in 1956 and with those in the Congo in 1960—which had been initiated by the Security Council without objection by the Soviet. The Soviet bloc refused to pay assessments for these operations, in addition to their regular budget amounts. France refused for the Congo, and certain of the Arab States refused for the Middle East peacekeeping operations. Their refusal was not based on inability to pay, but on the ground that the assessments were illegal and therefore not binding.

At the request of the General Assembly, the International Court of Justice examined the question and in July 1962 by a vote of 9 to 5, held that the expenditures authorized in the General Assembly resolutions on the Congo and the Middle East operations were expenses of the organization within the meaning of article 17 of the United Nations Charter. In this opinion, the majority also rejected an argument that had been made that all peace and security operations must be financed through agreements pursuant to provisions of article 43 of the U.N. Charter. This is the article, never effectuated because of Soviet intransigence, which provides for member countries, subject to their constitutional processes, to make armed forces available to the Security Council for peacekeeping purposes.

The advisory opinion of the World Court was accepted by the General Assembly in December 1962, by a vote of 76 to 17, with 8 abstentions. In spite of the Court decision, France, the Soviet bloc, and a few others continued their refusal to pay their peacekeeping assessments.

Although the World Court decision had been accepted 3 years ago by a very substantial majority in the General Assembly, it became evident that many were extremely reluctant to impose the loss-of-vote penalty of article 19 of the charter. This reluctance grew to outright opposition and when Ambassador Goldberg assumed his new duties he found himself confronted with clear and unmistakable evidence that if he insisted on a vote to enforce the penalty the United States would find its position overwhelmingly rejected by the majority of members of the General Assembly.

The penalty provisions are not discretionary where nations are able to pay. To push for what could only be an adverse vote would be tantamount to pushing the Assembly into a repudiation of the clear provisions of article 19 as well as its own earlier approval of the Court decision. We must not forget that the United Nations had its birth a scant 20 years ago. It has rendered great service to mankind in this short span in spite of the intransigence of a few of its member states, whose unwillingness to abide by the rule of law has led the Organization into this state of affairs.

In his statement to the U.N. Special Committee on Peacekeeping Operations, Ambassador Goldberg made it abundantly clear that, without prejudice to our position on the applicability of the penalty to those who refuse to pay, we recognize the opposition of the majority of the Assembly and will not seek to "frustrate that consensus, since it is not in the world interest to have the work of the General Assembly immobilized in these troubled days."

Ambassador Goldberg emphasized at the same time in permitting any member to evade the principle of collective financial responsibility, the United States "reserves the same option to make exceptions if, in our view, strong and compelling reasons exist for doing so."

Like most who have had an opportunity to study the United Nations and give serious reflection to its potentials, Ambassador Goldberg's action was designed to preserve the indispensable peacekeeping capacity of the United Nations.

I feel one can do no better than to use the significant words of Ambassador Goldberg when he said:

> The world needs a strengthened—not a weakened—United Nations peacekeeping capacity. Those who are prepared to help strengthen it—the overwhelming majority—must be in a position to do so with or without the support of the reluctant few until they learn, as they surely will, that a workable and reliable international peace system is in the national interest of all members.

To those words I subscribe most fully. When he uttered them, Ambassador Goldberg was voicing the deepest wish of all who genuinely strive and hope for a world in which sovereign nations will settle their differences by rule of law, a world in which the horrors of aggression and conflict will become a thing of the past. In his dedicated efforts to work for these goals, distant as they may now seem, Ambassador Goldberg deserves our best support.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 1, 1965

Mr. MARTIN of Alabama. Mr. Speaker, I include, under permission to extend my remarks in the RECORD, my newsletter to my constituents of January 28:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

APPOINTED TO COMMITTEE ON PUBLIC WORKS

At my request I was appointed to the House Committee on Public Works. I sought this committee appointment because the areas of legislation for which the Public Works Committee is responsible are most important to our Seventh District and the whole State of Alabama.

The committee has functions relating to the development of rivers and harbors, flood control, public buildings and grounds, public works, and water power. After I was named to the committee, I was appointed to the Subcommittees on Rivers and Harbors, Flood Control, Watershed Development, and Public Buildings. The Seventh District of Alabama is especially involved with the work of all these endeavors. The Tennessee River, the Warrior, the Coosa, the Alabama, and the Tombigbee have important work to be done before they are to reach their full potential, contributing to the prosperity and progress of our State.

Watershed development is most vital and when I think of such projects as the proposed Bear Creek watershed in the western part of the district, I am convinced that in the months ahead I can serve the people I represent to the best advantage as a member of the Public Works Committee.

REMARKS ON FOREIGN AID

Last week I was privileged to make my first speech to the House of Representatives. The administration's budget request for foreign aid funds was publicized as the lowest since the inception of foreign aid in 1948. I took the floor of the House to point out some facts, and said in part, as follows:

"The President was quoted as saying his foreign aid request is the smallest in the history of the foreign aid program. What are the real facts?

"Fact No. 1 is that the President's request for foreign aid funds for fiscal 1966 is $130 million more than last year's appropriation and $380 million more than the appropriation for fiscal 1964.

"Fact 2: He inserted in his message a separate request for an additional $750 million for aid to Latin America.

"Fact 3: There is already on hand $6.5 billion in unexpended funds, money previously appropriated by Congress, but not yet spent.

"It is not fair to the people of the United States to present budget requests in terms of juggled figures and statements which make us believe we are spending less money when the fact is we are spending more. Let the administration present to Congress legitimate budget requests, stated in plain language, so we, and the people we represent, may have the opportunity to judge all proposed programs on their merits and in their true light."

INAUGURATION

My wife, Pat, my staff, and all of us enjoyed the inauguration ceremonies. I was especially proud of the Alabama float and was pleased to note the burst of applause which greeted our Governor, George Wallace, when his car passed the reviewing stand in front of the White House.

Among those enjoying the week's activities with us were Mayor and Mrs. Les Gilliland, of Gadsden, and my newly appointed research assistant, Morgan Smith, and Mrs. Smith of Birmingham.

CONGRESSIONAL STAFF COMPLETE

I am pleased to announce that my office staff in Washington, Gadsden, and Jasper is now busily at work. It is highly gratifying to have Ralph Marlatt as my administrative assistant. He is a man of broad governmental background and knows Washington as few other men do. He has served 16 years with such outstanding Members of Congress as Walter Judd, of Minnesota, and Bruce Alger, of Texas. So I am fortunate, indeed, to have Mr. Marlatt with me. Also with us in Washington is Mrs. Louise Van Allen, of Fort Payne, Miss Susan Hamilton, of Gadsden, and Miss Pat Connelly, of Washington. Mrs. Ann Carlton, of Gadsden, will direct activities in that office at 107 Federal Building. Mrs. Gale Schlitt will have charge of the Jasper office located in the Post Office Building. Mr. Kenneth Holland, of Horton, will be my field man working through both the Gadsden and Jasper offices. Our entire operation is designed to give the best kind of service to all the people of the Seventh District who have any business whatsoever with the Federal Government.

SENATE

THURSDAY, SEPTEMBER 2, 1965

(Legislative day of Wednesday, September 1, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the heat and burden of days which drain our strength and demand our utmost, we turn at noontide to the springs that flow from the healing silence of the most high; for as the hart panteth after the water brooks, so thirsteth our souls after Thee, O God!

No matter what else our seeking may bring to us, may we not miss the wells of living water whose elixir alone can refresh and restore our bodies and our spirits, saving us from physical exhaustion, from spiritual impoverishment, from the numbness of routine, and from all corroding bitterness of heart.

Set our feet on lofty places. May the sparkling dew of morning freshness glisten upon the common tasks and the trivial rounds of daily duties. Through the sincere expression of differing appraisals may the final wisdom that charts the Nation's course be higher than our own as Thou dost override the errors of our faulty judgments.

So may Thy kingdom come and Thy will be done in all the earth. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, while recognizing the unanimous-consent agreement made yesterday, I nevertheless ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 1, 1965, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

S. 511. An act to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory; and

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 3141) to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes, was read twice by its title and referred to the Committee on Labor and Public Welfare.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 637, H.R. 5024.

The VICE PRESIDENT. Without objection, it is so ordered. The clerk will state the first bill.

AMENDMENT OF MILITARY AND CIVILIAN CLAIMS ACT OF 1964

The bill (H.R. 5024) to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 655), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to increase the present authority for the settlement of claims for personnel of the military departments and Coast Guard for personal property losses incident to their service from $6,500 to $10,000 and to provide that the authority for the settlement of such claims by other agencies of the Government up to $6,500 be exercised subject to uniform policies prescribed by the President.

STATEMENT

The bill was introduced at the request of the Department of Defense. A companion Senate bill, S. 2340, was introduced by Senator SAM J. ERVIN, JR.

In introducing the Senate bill Senator ERVIN commented on the Senate floor on July 28, 1965:

"Mr. ERVIN. Mr. President, I introduce, for appropriate reference, a bill to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964 with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of personal property incident to their service, and for other purposes.

"The purpose of this legislation is to, first, amend 10 U.S.C. 2732(a), 14 U.S.C. 490(a) and section 3(a) of the Military Personnel and Civilian Employees' Claims Act of 1964 (78 Stat. 767), respectively, by substituting a $10,000 limitation for the present limitation of $6,500 that may be paid for by the appropriate Secretary or the head of the Federal agency, or the designee of either, in settling claims of members of the uniformed services and civilian employees of Government agencies; second, permit reconsideration, retroactive to July 2, 1952, of any claim heretofore settled and paid in the amount of $6,500 solely because that was the maximum amount authorized under existing law; third, repeal 10 U.S.C. 2732(f) and 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964, which require the Secretary of Defense, the Secretary of each military department, and the heads of all Federal agencies to report annually to Congress on the payment of claims by persons under their respective jurisdictions for damage to, or loss of, their personal property. The limitation of $6,500 was enacted in 1956 and has not been changed since that date.

"A monetary limitation of $6,500 is unrealistic, imposes a great hardship on certain claimants who are victims of catastrophes and disasters, and leads to an increase in the number of private relief bills sponsored in Congress. Although the usual claim can be settled for approximately $300, less than 1 percent of the total number arises from events of catastrophic proportions—such as fire, flood, and airplane crashes—results in meritorious claims for more than $6,500, and involves total losses of household furnishings and personal possessions of the unfortunate individuals concerned.

"As to the retroactive feature of this bill, the potential cost of a reconsideration of claims has been ascertained by the military services to be a total of $327,126.86. There is a potential of about 195 claimants who might file for reconsideration. The provision for retroactive application is required to extend equal treatment to those who have sustained heavy losses prior to the effective date to the amendments added by this bill. In order to resolve the question of presentation of potential claims within a reasonable time, only claims where a request would be filed within a statutory 1-year period would be reconsidered.

"It has been found that the detailed reports required by the present acts are not only expensive to prepare but are considered unnecessary. Reports may be required by the Congress from time to time as needed.

"As a result of my inquiry into this matter, I am convinced that the amendments provided for in the bill are necessary for a proper administration of the law.

"I hope this matter can be acted upon in the near future and I call upon my colleagues in the Senate to lend their support for this legislation."

The bill, as introduced, was amended by the Committee on the Judiciary of the House of Representatives in several respects. In its favorable report on the bill, the Committee on Judiciary of the House of Representatives set forth the purpose of the committee amendments as follows:

"PURPOSE OF THE AMENDMENTS MADE BY THE COMMITTEE ON THE JUDICIARY OF THE HOUSE OF REPRESENTATIVES

"The bill as introduced would have provided for a repeal of subsection (f) of section 2732 of title 10 and of subsection (e) of section 3 of the Military Personnel and Civilian Employees' Claims Act of 1964. The committee has recommended amendments to strike the provisions of the bill providing for the repeal of these sections which provide for a reporting of the settlement of claims to the Congress. This is accomplished by striking language on line 7 of page 1 and the language of line 9 on page 2. The committee feels that in view of the changes made to the law and the importance attached to the administration of these provisions as reflected in this report that the present provisions concerning reporting to the Congress should be retained at least for the time being. The basic changes to the bill are those reflected in the committee amendment to lines 4 through 8 of page 2 of the bill. The committee amendment provides for an increase of claims settlement authority up to $10,000 for personal property losses suffered by personnel of the military departments and the Coast Guard. This is provided in a new subsection (a) of the Military and Civilian Personnel Claims Act along with the bill's original provisions for similar amendment of section 2732 of title 10 and section 490 of title 14. At the same time, separate authority is provided for the settlement of the claims of the personnel of the other agencies of Government in subsection (b) with a limit of $6,500.

"The testimony and evidence presented to this committee, as well as the experience of the committee in the adjudication of claims bills, has established the need for an increase in behalf of the military departments. Further the committee, as is discussed in this report, has determined that the military departments have the necessary experience and personnel for the proper administration of such increased authority. The civilian agencies on the other hand were granted the authority for this type of claims settlement on August 31, 1964, with the enactment of the Military Personnel and Civilian Employees' Claims Act of 1964. The committee finds that the need for increased authority has not been fully established and further that the civilian agencies require a period of time to evolve procedures and experience in the administration of this authority for the settlement of claims.

"In view of the distinct claims settlement authority provided in both subsections (a) and (b) of section 3 as described above, the committee amendment has changed the reference to 'subsection (a)' in the first sentence of subsection (c) to read 'this section' so that the general provisions of subsection (c) will apply to both subsection (a) and subsection (b). It should also be noted that other than this change the provisions of present subsection (c) as well as those of subsections (d) and (e) are not changed by the committee amendment."

In addition to the amendments made by the Committee on the Judiciary of the House of Representatives, two amendments were made to the bill on the floor of the House of Representatives.

The first floor amendment in the House of Representatives is a technical one to make it clear that Public Law 558, 88th Congress, is included in the retroactive aspect of the bill.

The second floor amendment in the House of Representatives is to provide a limitation that not more than 10 percent of the amount paid in settlement of a claim may be paid to an agent or attorney on account of services rendered in connection with the claim.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The bill, H.R. 5024, was introduced in accordance with the recommendations of an executive communication submitted to the Speaker of the House of Representatives by the Department of the Air Force in behalf of the Department of Defense.

"The bill was the subject of a subcommittee hearing on March 10, 1965. The testimony at that hearing further emphasized the fact noted in the executive communication that the monetary limitation of $6,500 is an unrealistic and arbitrary limit in those cases where personnel suffer the loss of property as a result of catastrophes and disasters. It must be recognized that the usual claim submitted under the statutory provisions referred to in this bill can be settled for approximately $300. The severe losses which occur in disaster situations are less than 1 percent of the total number of claims. These losses are suffered as a result of fire, flood, or airplane crashes which often cause the total loss of the property involved. These are the cases that result in adjudicated claims which are found to be meritorious for amounts which exceed $6,500.

"As is noted in the executive communication of the Department of the Air Force, military personnel whose claims exceed $6,500 have sought relief from the Congress. This committee, since it has jurisdiction of the private claim bills providing for such relief, has had an excellent opportunity to study the cases referred to by the Air Force. The losses suffered by servicemen and employees of the United States incident to their service have long been a matter of concern to this committee. In many instances, the committee has recognized the fact that the only recourse open to the unfortunate individuals who have suffered these heavy losses is through private relief legislation. This committee has repeatedly recognized that the United States owes a moral duty to compensate individuals who have suffered such heavy personal losses, because of their service to the Government. In this connection, it is pertinent to observe that the statautory provisions referred to in this bill require as a prerequisite for payment for the losses that the personal property damaged or lost incident to the individual's Government service must be determined to be reasonable, useful, or proper under the circumstances. In this respect the introduction of private relief bills has served to focus attention on the fact that there is a serious lack in the existing law to cope with these losses.

"In connection with some of the cases considered by the committee, it has seemed that there is a lack of understanding of the responsibility of the United States regarding the losses which give rise to claims cognizable under the statutes referred to in this bill. The provisions, which originated as the Military Personnel Claims Act of 1945 (59 Stat. 225), were prompted by a recognition that the United States had a moral responsibility of protect its servicemen from losses suffered incident to their service. A large number of the claims settled under these provisions arise from losses suffered in the transfer of personal property in connection with a serviceman's change of a duty station from one place to another. A career in the Armed Forces entails many such moves on the part of the serviceman. A man who selects such a career must expect this periodic dislocation as a part of his obligation as a military man. It is clearly unfair to impose the additional burden of personal loss when in truth the loss is suffered as a result of the man's service obligations in a move directed and controlled by the Government. The same considerations apply to losses suffered by civilian employees incident to their service. It is only just that the Government assume this responsibility of paying for losses while the property is being sent under Government contract to a new place of duty.

"In the consideration of private bills concerning the castrophic type of loss referred to in the executive communication, inquiry has been made so the committee as to why the individual was not required to pay for insurance from his own funds. The committee has conducted a study on this matter and has questioned witnesses at several hearings concerning it. It is somewhat inconsistent to require a man to insure his property when the Government has provided authority for the same loss. If this rationale were to be applied, the Government would be absolved of paying the claims which are the subject of the provisions referred to in this bill. There appear to be no insurance policies which provide for a $6,500 deduction so as to permit the coverage of losses over and above the statutory limitation for a claim. The committee has found that full insurance coverage of the "floater type" on certain large and valuable items is very expensive and is actually beyond the means of the lower ranks of military personnel. Further, it is simply not available during movements to some oversea areas. This committee further recognizes that a requirement for the purchase of insurance has the practical effect of imposing additional costs and hardships on personnel incident to their repeated service-directed moves. It must also be recognized that the cheap "trip transit" policies offer very little if any protection. Where such policies provide for partial insurance coverage, personnel have at times discovered that they were, in effect, coinsuror of a part of their loss, since partial insurance was taken as stating their property at less than its value.

"In its study of the claims settlement authority proposed in this bill, the committee has been concerned with a number of aspects in the administration of that authority. On repeated occasions, representatives of the military services have appeared before this committee's Subcommittee on Claims to explain procedures in given cases and to describe the procedures followed by each service in settling such claims. The 20-year period of the exercise of this authority by the military provides a firm basis for reguations and procedures which insure a competent administration of the statutory authority for claims settlement. As is the case in the administrative settlement of most claims, the most vital part of the process is the initial investigation and adjudication of the claim. It is at this point that the experience and personnel of the military departments and the Coast Guard have proved their competency in this area. This committee is confident that the increase of settlement authority to $10,000 is clearly required as to the military departments and the Coast Guard and that these departments have the personnel, the experience, and the well-defined procedures necessary for the most efficient use of such increased authority. This committee is also reassured by the fact that the military services provide for a review of such claims by legally trained personnel.

"As can be seen from the foregoing discussion, the primary need for increased claims settlement authority is to be found in the military services. Furthermore, there must be a frank recognition that claims settlement in the military services in many cases is to be distinguished from the civilian analogy. Among these considerations is the morale of the individual service member and the requirement for a prompt settlement of the loss or damage that he may suffer. The committee has found that the procedures of the military service may be different than those ultimately evolved for the civilian agencies. In reporting the bill, H.R. 6910, which ultimately was enacted into law, as the Military Personnel and Civilian Employees' Claims Act of 1964, this committee stated in House Report No. 460 of the 88th Congress that:

"'[I]t is also relevant to observe that the experience of the military departments and the Coast Guard in administering the present military personnel claims provisions and the regulations promulgated by those departments to implement those provisions have served to establish guidelines and standards which will aid in the application of the extended coverage of the provisions as contained in this bill.'

"However, it now appears that the civilian agencies have recommended procedures which are at variance with those previously followed by the military departments and the Coast Guard. The committee, therefore, has recommended amendments which would provide for separate authority for the military departments in subsection (a) of the Military Personnel and Civilian Employees' Claims Act of 1964 and the civilian agencies in subsection (b) of that act. In order to provide for a uniformity of policy concerning the civilian agencies the committee has further recommended that the regulations promulgated to implement the authority granted the civilian agencies be made subject to uniform policies prescribed by the President. The civilian agencies were first granted the authority to settle claims for losses of personal property on August 31, 1964, the date of approval of the Military Personnel and Civilian Employees' Claims Act of 1964. The committee has concluded that in view of this fact it would be a wiser course to keep the statutory limitation of $6,500 in force as to the civilian agencies. Due to the short history of the exercise of this authority by the various civilian agencies of the Government, it is felt that any question of increase of existing authority should be deferred until the various agencies have developed their procedures and have had a longer period of experience in administration of this claims settlement authority.

"At the March 10, 1965, hearing, the retroactive feature of this bill was also discussed. Section 4 of the bill provides that the additional claims settlement authority created by amendments to section 2732 of title 10, section 490 of title 14, and the Military Personnel and Civilian Employees' Claims Act is to be available for the reconsideration and settlement of claims which were timely filed and settled under those statutes on and after July 2, 1952. This means that the retroactive application would only apply to claims that were fully investigated and adjudicated by the services. Any person seeking a reconsideration of a claim which was not fully paid because of the limitation as to amount would be required to make a written request for such reconsideration within 1 year of the effective date of the act. This committee recognizes that this provision for retroactive application is required to extend equal treatment to those who may have suffered heavy losses prior to the effective date of the amendments added by this bill. However, it is also well to limit the period for the reconsideration of claims of this nature so that the whole question of previous claims can be resolved in a reasonable time.

"The testimony presented at the hearing and the information included in the executive communication establish the fact that the potential cost of a reconsideration of claims has been ascertained by the military services. This is the top figure and, as has been noted, only claims where a request would be filed within a statutory 1-year period would be reconsidered, so that it could be anticipated that not all potential claims would be reconsidered. However that might be, military records show the outstanding unpaid balances, the figures have been collected and result in a total of $327,126.86. There is a potential of about 195 claimants who might file for reconsideration.

"On the basis of the considerations outlined in the executive communication of the Department of the Air Force, the testimony presented in connection with this bill and bills dealing with the same problem over the years, this committee feels that the amendments provided for in the bill are necessary for a proper administration of the law. This bill has been the subject of careful review and study by the subcommittee to which it was assigned and the committee amendments have been drafted to meet the problems presently being encountered in this area of claims administration. It is, therefore, recommended that the bill with the amendments recommended by the committee be considered favorably."

The committee believes that the bill, as recommended by the Department of Defense and as amended by the House of Representatives, is meritorious and recommends it favorably.

CHING ZAI YEN

The bill (S. 803) for the relief of Ching Zai Yen and his wife, Faung Hwa Yen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ching Zai Yen and his wife, Faung Hwa Yen, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 656), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Ching Zai Yen and his wife, Faung Hwa Yen. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

TIMOTHY WILLIAM O'KANE

The bill (S. 1168) for the relief of Timothy William O'Kane was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, the provisions of sections 201(a), 202 (a)(5) and 202(b)(4) of that Act shall not be applicable in the case of Timothy William O'Kane.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 657), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary who is of Chinese descent, to qualify for an immigrant visa as a native of Canada, the country of his birth.

DR. JORGE ROSENDO BARAHONA

The bill (H.R. 1402) for the relief of Dr. Jorge Rosendo Barahona was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 658), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jorge Rosendo Barahona as of October 3, 1960, the date on which he was admitted as a nonimmigrant.

MRS. OLGA BERNICE BRAMSON GILFILLAN

The bill (H.R. 1443) for the relief of Mrs. Olga Bernice Bramson Gilfillan was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 659), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for restoration of U.S. citizenship in behalf of Mrs. Olga Bernice Bramson Gilfillan, which was lost by her failure to return to the United States prior to her 23d birthday.

ESTERINA RICUPERO

The bill (H.R. 1627) for the relief of Esterina Ricupero was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 660), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who is feebleminded in behalf of the daughter of a U.S. citizen father and a lawful resident alien mother. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

WINSOME ELAINE GORDON

The bill (H.R. 1820) for the relief of Winsome Elaine Gordon was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 661), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill also provides that the beneficiary may adjust her status in the United States notwithstanding the fact that she is a native of an adjacent island.

JOO YUL KIM

The bill (H.R. 2678) for the relief of Joo Yul Kim was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 662), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill also provides that the provision of law limiting to two the number of alien children to be adopted shall not be applicable in this case.

DOROTA ZYTKA

The bill (H.R. 2871) for the relief of Dorota Zytka was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 663), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission to the United States in a nonquota status of an alien child to be adopted by citizens of the United States.

CONSUELO ALVARADO DE CORPUS

The bill (H.R. 3292) for the relief of Consuelo Alvarado de Corpus was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 664), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to an alien who has assisted other aliens to enter the United States in violation of the law in behalf of the wife of a U.S. citizen.

MRS. KAZUYO WATANABE RIDGELY

The bill (H.R. 6719) for the relief of Mrs. Kazuyo Watanabe Ridgely was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 665), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of a violation of narcotic laws in behalf of the wife of a U.S. citizen serviceman.

BILL PASSED OVER

The bill (H.R. 9570) to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest and that the applicant would not be likely to conduct his operations in an unlawful manner, was announced as next in order.

Mr. MORSE. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

WINNIFRED EVADNE NEWMAN

The Senate proceeded to consider the bill (S. 481) for the relief of Winnifred Evadne Newman which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "States", to insert a colon and "*Provided*, That the natural mother of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Winnifred Evadne Newman shall be held and considered to be the alien minor child of Cedric S. Newman, a citizen of the United States: *Provided*, That the natural mother of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 667), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the illegitimate daughter of a U.S. citizen to enter the United States as a nonquota immigrant, which is the status normally enjoyed by the alien minor children of U.S. citizens. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization to provide that the natural mother of the beneficiary shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.

HENRYKA LYSKA

The Senate proceeded to consider the bill (S. 779) for the relief of Henryka Lyska which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Henryka Lyska may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Henryka Lyska by Mr. and Mrs. Stanley Lyska, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 668), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States. The bill has been amended in accordance with established precedents.

ANGELO IANNUZZI

The Senate proceeded to consider the bill (H.R. 3128) for the relief of Angelo Iannuzzi which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Angelo Iannuzzi shall be held and considered to be within the purview of section 101(b)(1)(B) of that Act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 669), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the stepson of a U.S. citizen to qualify for nonquota status, not withstanding the fact that he was over the age of 18 years at the time the marriage creating the status of stepchild occurred. The purpose of the amendment is to conform the language of the bill to established precedents.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 504) to facilitate the admission into the United States of certain aliens which had been reported from the Committee on the Judiciary with amendments on page 7, line 1, after the name "Naranjo", to strike out "a citizen of the United States and a lawfully resident alien of the United States, respectively," and insert "citizens of the United States,"; on page 8, after line 10, to strike out:

SEC. 22. In the administration of the Immigration and Nationality Act, Mirjana Tomas may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Mark A. Tomas, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

After line 18, to strike out:

SEC. 23. In the administration of the Immigration and Nationality Act, Maria Stella Pezzo Calafato may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George Calafato, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

And, on page 9, at the beginning of line 3, to change the section number from "24" to "22".

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 670), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to facilitate the entry into the United States, or the adjustment of status, of 26 alien children adopted or to be adopted by citizens of the United States. Two cases have been deleted from the resolution. In one of the cases an administrative remedy appears to be available. In the second case, the beneficiary has married and may not be considered under this legislation as an eligible orphan.

APPOINTMENT OF NEW TRUSTEES IN DEEDS OF TRUST IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H.R. 647) to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties which had been reported from the Committee on the District of Columbia with amendments on page 2, at the beginning of line 18, to insert "(b)"; and, on page 3, after line 6, to strike out:

"(c) Notwithstanding any provision of a deed of trust to the contrary, the owner of the debt secured by such deed of trust may, by a written designation signed, sealed, and acknowledged by him, appoint substitute trustees, and such designation shall be effective from and after the tenth day following the filing of such designation in the United States District Court for the District of Columbia and the service of a copy thereof upon the debtor in the manner provided for the service of a petition by section 534 of this subchapter, unless within such ten day period the debtor shall file in said court an objection to the appointment of any such substitute trustee. In the event any such objection is filed in said court, further proceedings shall be in accordance with section 534 or 537 of this subchapter, or subsection (a) of this section, whichever is appropriate. The clerk of the court shall maintain a separate docket in which there shall be kept a record of designations of substitute trustees filed under this subsection."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 671), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill, as amended, is to provide for the substitution of trustees under deeds of trust in the District of Columbia by means of a written instrument entered into by the grantors named in the deed and the parties secured by the deed (or their successors in interest), notwithstanding any provision in the deed of the trust to the contrary.

The written instrument by which the trustee is substituted does not become effective as to any person not having actual notice of the instrument, until a signed, sealed, and acknowledged notice of appointment is filed with the Recorder of Deeds.

The committee was informed that of the some 200 cases per year in the District of Columbia involving questions of trustee substitution, nearly 80 percent involve the issue of obtaining a deed of release from a trustee who has disappeared, become disabled, or is deceased. A great number of these cases involve a homeowner of limited means who, under existing law, might have to undertake expensive litigation to obtain a deed of release on property that he has already paid for in full.

This bill, as amended, will avoid any such needless expense and litigation by establishing a simple procedure through which the parties to the deed can consent in a written document to the substitution of a trustee.

As the bill (H.R. 647) passed the House of Representatives, it contained an additional method for substitution of trustees under deeds of trusts; namely, a unilateral substitution by the owner of the debt secured by the deed. This committee, in favorably reporting H.R. 647, did not include such provision in the reported bill, for reasons set forth hereafter.

Under the proposed unilateral substitution provision, as included in the House passed bill, the owner of the debt would appoint in writing a substitute trustee and file such designation in the U.S. District Court for the District of Columbia. Ten days after the designation was served on the debtor, it would become effective unless the debtor filed an objection in such court to the appointment of the substitute trustee. The court would then resolve the dispute in accordance with procedures set out in existing law.

On June 9, 1965, the Judiciary Subcommittee held public hearings on H.R. 647 and received testimony from the District of Columbia Board of Commissioners, the Recorder of Deeds, the administrative assistant to the chief judge of the U.S. District Court for the District of Columbia and the District of Columbia Bar Association.

Representatives of the District of Columbia Bar Association testified that the proposed unilateral substitution provision of the House passed bill needed substantial modification in order to assure the debtor being adequately protected. The representatives of the bar association further advised the committee that when such safeguards for the debtor are combined with the language of the House bill, no material simplification of existing law and procedures results. Accordingly, it was their view that the bill in large measure would be nothing more than a duplication of existing law. District of Columbia Code (sec. 45–611, 45–614, and 45–619) provides procedures for substituting trustees upon the death of the original trustee, or the refusal or inability of the trustee to act, or for enforcing the release of property secured by a deed of trust when the trustee is dead, disabled, or has disappeared.

Additionally, the right and power to unilaterally substitute a trustee in a deed of trust can be, and, the committee was informed, is being extensively reserved by parties to deeds of trust executed in the District, obviating, in those cases, the need for supporting legislation.

In view of the testimony presented by the various witnesses who appeared at the public hearings and testified on H.R. 647, it was the considered opinion of the committee that proposed legislation, providing for unilateral substitution of trustees, should be held in abeyance until the next session of the Congress when further study can be given to such procedure. The committee was also of the view that concurrently with such study an extensive study should be given to the concept of a public trustee as a possible alternative solution to obtaining an inexpensive, as well as an effective procedure for the substitution of trustees in the District of Columbia.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar at this time.

HIGHER EDUCATION ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, beginning with the nomination to the Federal Communications Commission.

The VICE PRESIDENT. Without objection, the Senate will proceed to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

By Mr. McNAMARA, from the Committee on Public Works:

Eugene P. Foley, of Minnesota, to be an Assistant Secretary of Commerce.

By Mr. BYRD of Virginia, from the Committee on Finance:

Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. EASTLAND, from the Committee on the Judiciary:

Keith Hardie, of Wisconsin, to be U.S. marshal for the western district of Wisconsin;

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana; and

Robert Nelson Chaffin, of Wyoming, to be U.S. attorney for the district of Wyoming.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. JACKSON. Mr. President, from the Committee on Armed Services, I report favorably the nomination of Rear Adm. Alexander C. Husband for appointment as Chief of the Bureau of Yards and Docks in the Department of the Navy, and the nominations of Brig. Gen. Richard C. Kendall and Brig. Gen. Howard S. McGee for appointment as major generals in the Army Reserve. I ask that these names be printed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Rear Adm. Alexander C. Husband, for appointment as Chief of the Bureau of Yards and Docks; and

Brig. Gen. Richard Kendall, and Brig. Gen. Howard Samuel McGee, Army National Guard of the United States officers, for appointment as Reserves commissioned officers of the Army.

Mr. JACKSON. Mr. President, in addition, I report favorably the nominations of 123 Marine Corps officers for temporary promotion to the grade of colonel. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follow:

William L. Atwater, Jr., and sundry other officers, for temporary appointment in the Marine Corps.

The VICE PRESIDENT. If there be no further reports of committees, the nominations of the Executive Calendar will be stated.

FEDERAL COMMUNICATIONS COMMISSION

The Chief Clerk read the nomination of Robert T. Bartley, of Texas, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1965.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

INTERSTATE COMMERCE COMMISSION

The Chief Clerk read the nomination of Willard Deason, of Texas, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1965.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Willard Deason, of Texas, to be an Interstate Commerce Commissioner for a term of 7 years expiring December 31, 1972.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The Chief Clerk proceeded to read sundry nominations in the Environmental Science Services Administration.

Mr. MANSFIELD. Mr. President, I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Without objection, it is so ordered.

The Senate resumed the consideration of legislative business.

OUR GREAT EDUCATIONAL SYSTEM WILL SET NEW RECORDS

Mr. MONRONEY. Mr. President, school bells are beginning to ring again across the length and breadth of America. The greatest educational system in human history once more gains full momentum.

In coming months, our schools, colleges, and universities will set new records of the ever-increasing demand for knowledge and learning that has long been a basic factor in our way of life.

I am confident that our educational processes in this country gain each year, not only in volume—in quantity, but also in quality. It is the purpose of these remarks, Mr. President, to acquaint Senators with a unique, imaginative, and promising new aspect of our tremendous educational growth.

Many of the Americans who are returning to school in the coming days and weeks will be men and women who finished their basic education years and years, even decades, ago. Many of our adults will be returning to school on a part-time basis, and thousands of them will renew their educational activities without actually heading back to the classroom. Instead, these older people will be enrolling in adult education courses involving night classes or correspondence studies.

In my opinion, it is this surge in adult education, or continuing education, on the part of our adult citizens, that is of particular significance to the Nation at this time.

I am pleased to point out that continuing education is a phase of educational growth and development which is receiving particular emphasis and impetus at the University of Oklahoma. New programs in adult education which are being initiated by the University of Oklahoma, hold particular significance for Government officials and all public servants, whether they are employed or active at the local, State, or Federal level.

It is particularly significant that the University of Oklahoma has launched an advanced program in governmental studies just as the 1st session of the 89th Congress enters its climatic weeks of activity. I believe that the legislation which has been passed in this session points clearly to the ever-growing need for more highly trained administrative employees, at all levels of government.

Congress has enacted more new and far-reaching legislation than any session within my memory. This is a new Bill of Rights in education, insurance and health, public works, urban and regional development, in housing, against pollution, for civil rights, to strengthen economic controls, refine taxation, and to promote the arts, the humanities, space activities, transportation, and to deal with immigration, crime, delinquencies, and numerous other problems too voluminous to mention. All of this makes for a better nation.

We all await with great interest, and some concern, the successful implementation of the various programs which are so important to the continued well-being of our political democracy and the long-range and economic and military strength of the Nation.

In addition to skillful administration on the part of Federal, State, and local officials, the full benefits of the legislation passed by this Congress cannot be realized without the enlightened cooperation and assistance of many, many thousands of equally well-educated private citizens. A program is no better than its prosecution by the people.

The blueprints of the Great Society will be more quickly transformed into reality as more and more of our people gain skill in the mechanics and science of public administration. This is the goal to which the University of Oklahoma has addressed itself in connection with the advanced program in governmental studies.

Years ago, Congress recognized that our civil servants must have greater opportunities to continue their formal education while gaining experience in their special fields of endeavor. The Government Employees Training Act of 1958 asserted that self-education, self-improvement, and self-training by Federal employees should be encouraged, supplemented, and extended by continuous Government-sponsored career development programs.

Since the passage of the 1958 law, there have been made available to the Federal service, many good, short-term interagency and intra-agency training programs. But up until this time, the Government worker has not had available to him a format so adaptable to his individual academic need as is the concept which is now being advanced by the University of Oklahoma in the advanced program in governmental studies.

This plan was developed after several years of careful study by University of Oklahoma officials, working closely with training and personnel officers of key Government agencies.

This courageous departure from stereotyped concepts of educational techniques and the learning process is designed to develop executive talent at all levels; intern, midcareer, and senior staff. It is entirely consistent with the Government Employees Training Act enabling qualified employees to receive tuition support and other expenses from agency budgetary funds.

Oklahoma University's advanced program in governmental studies offers members of the Federal service, as well as all other qualified applicants, a fully accredited graduate degree, the master of arts in public administration.

This fresh approach to continuing career education offers, through independent study at home, and relatively brief on-campus intensive study sessions, the opportunity to derive maximum educational fulfillment with minimum time lost from the job.

For instance, an employee with a bachelor's degree can plan his studies at home in such a way as to qualify for the master's degree over a period of 5 years, spending 1 week on campus in intensive study for each 3 hours of credit.

A modern approach to course content, unique methodology, outstanding faculty and facilities combine to give this program special appeal for the employee who is unable to afford a semester-long break from his career.

I am proud to report that this program has been developed by the University of Oklahoma over a period of years through close cooperation with the U.S. Civil Service Commission and an interagency committee on improved educational opportunities for Federal employees. I consider it to be a most significant breakthrough in employee career development consistent with the Government Employees Training Act of 1958.

The intensive study programs connected with this advanced program format will be conducted at the Oklahoma Center for Continuing Education, which is part of the university's campus at Norman, Okla. This has frequently been described as one of the Nation's finest adult education facilities, located on a 20-acre site in a $4 million building complex adjacent to the main Sooner campus.

I should like to make one other point in bringing this advanced program to the attention of the Senate. As a result of the excellent cooperation between agency officials and the university, this program can result in substantial savings in Federal funds of those agencies whose employees are enrolled.

I congratulate the agency people and the leaders of the University of Oklahoma, including its distinguished president, Dr. George L. Cross, upon the inauguration of this new adventure in scholarships.

NEW YORK TIMES APPRAISAL OF MIKE MANSFIELD, A REMARKABLE MAJORITY LEADER

Mr. PROXMIRE. Mr. President——

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, Theodore White, in his "Making of the President, 1964," makes an observation that strikes at the sensitivity of almost all of us who are active in political life. He points out that if a news account praises a political figure greatly, but mentions some slight human fault, that political figure is likely to be deeply offended. All we tend to see is the critical word or phrase, the rest of the statement, the remainder of the statement, the intent of the statement, we tend to ignore.

This is true of most of us in Congress. I am sure that it is not true of our majority leader. A more modest, self-effacing, gentler soul I have never met.

The Senator from Montana [Mr. MANSFIELD] is a man who has been criticized often and vigorously, as have all majority leaders, but he has never, to my knowledge, showed petty, mean, or vindictive resentment of such criticism. He has become increasingly recognized for the highly effective leader that he is.

In this connection, the New York Times this morning publishes a detailed appraisal of Senator MIKE MANSFIELD. This is not a puff or a laudatory elegy. It is a dispassionate and accurate analysis of this unusual Senator.

This appraisal is so thoughtful and perceptive that I ask unanimous consent to have it printed in the RECORD.

OUTSPOKEN SENATE CHIEF: MIKE MANSFIELD

WASHINGTON, September 1.—At the conclusion of his remarks at the opening Senate Democratic caucus last January 4, Majority Leader MIKE MANSFIELD dealt with the delicate question of what Members owed to the President and to their own conscience in the field of foreign policy.

"I would hope that Democratic Members, indeed all Senators," he said, "would bear in mind at all times the great burdens which the President carries for all of us in these decisions of foreign policy. I would hope and expect that we will give him every support, by word and vote, which can, in good conscience, be given.

"And I would hope that Members qualified in questions of foreign policy would not hesitate, after careful study, to speak out on them.

"Contributions have been made, from time to time, by Members of the Senate to the more effective formulation and conduct of our foreign relations. And clearly, we are at a stage now in world developments when prudent contributions of thought and idea can be very useful."

It was in this spirit that Mr. MANSFIELD made his speech today pointing out that both sides in Vietnam were setting certain conditions on a negotiated settlement. It so happened that Mr. MANSFIELD's idea coincided with those of the President and therefore the President welcomed the speech.

HIS IDEA OF HIS TASK

But Mr. MANSFIELD would have made the speech whether or not it had the President's approval. He has always believed it was possible, though admittedly difficult, for him to function as the administration's leader, to represent the President's views to the Senate and still to be able to voice his own views as Senator from Montana.

Those views have not always been welcomed at the White House. For example, Mr. MANSFIELD aroused considerable dismay there when, on June 14, 1961, he suggested that all Berlin be made a free city under international guarantees and protection—the guarantees to be given by both the North Atlantic Treaty Organization and Warsaw Pact countries and access to be assured by international peace teams.

Again Mr. MANSFIELD believed the Kennedy administration had blundered badly in withdrawing support for the regime of Premeir Ngo Dinh Diem, in Vietnam. He said so at the time and has continued to say so.

The Senator freely conceded the mistakes and deficiencies of Premier Diem and he deplored the influence exerted on him by his brother and sister-in-law, Ngo Dinh Nhu, and his wife. Nevertheless, he maintained that the Diem regime offered the only hope of a reasonably viable, dependable government.

Whether or not Mr. MANSFIELD's ideas on Vietnam have found acceptance at the White House, he has earned his credentials as a commentator worthy of respect.

For 10 years before election to the House of Representatives in 1942, he was a professor of far eastern affairs at Montana State University. Beginning in 1953, he has made five trips to Vietnam. He was in Hanoi in the final days of the French evacuation of the French forces. In 1959 he conducted a study of United States foreign aid in South Vietnam.

HE CONFERS ALMOST DAILY

Mr. MANSFIELD said today that he conferred almost daily with President Johnson on Vietnam. It is generally believed here that he has had some influence on the President's thinking.

For example, there is reason to believe that the President's speech at Johns Hopkins University last April in which he offered unconditional negotiations was partly the result of conversations with Senator MANSFIELD and Senator J. W. FULBRIGHT, of Arkansas, chairman of the Foreign Relations

Committee, in which they expressed their fears of expansion of the war.

It is also believed that Mr. MANSFIELD's cautionary views reinforced the President's reluctance to call up reserves.

The rise of MIKE MANSFIELD is a remarkable story. He was born March 16, 1903, at 98 Perry Street in Greenwich Village, N.Y. When he was 3, his parents moved to Montana. At 14 he left home and enlisted—after some dissembling about his age—in the Navy in World War I. He served in the Navy for 2 years, then shifted to the Army in 1919–20, and finally served as a marine in China from 1920 to 1922.

Returning home, he worked in the mines from 1922 to 1930, earning the money to support himself while he went to high school. In 1931 he married Maureen Hayes, of Butte, a schoolteacher, who was determined that he was going to have an education. He spent a year in the Montana School of Mines and 4 years at Montana State, where he took his bachelor's degree in 1933.

OUT OF WORK IN DEPRESSION

His master's degree from Montana State in 1934 was a matter of necessity. He applied for a high school teaching position in two small Montana towns and was turned down because he was a Roman Catholic. He was out of a job in the height of the depression.

A professor at Montana State offered him a trifling stipend as an assistant. It was the only thing available. His wife cashed in her insurance and went to work, and he got his master's degree.

From 1933 to 1943 he taught Latin American and Far Eastern studies at Montana University. In 1942 he was elected to Congress. After five terms in the House, he was elected to the Senate in 1952. He was reelected with ease in 1958 and 1964.

In 1957 Lyndon B. Johnson, then the majority leader, made Mr. MANSFIELD his whip, or assistant leader. When Mr. Johnson became Vice President, the Democratic Senate conference elevated Mr. MANSFIELD to the leadership. He was the one man acceptable to the southerners and the northern liberals.

A REMARKABLE CONTRAST

No two men could be more different in character, in style, and in conduct than the ebullient, flamboyant Texan and the quiet ascetic-looking scholar from Montana.

Lyndon Johnson dominated the Senate. He cajoled and flattered, browbeat and insinuated, wheeled and dealed. He would let days go by without trying to press the Senate's business and then suddenly keep the Senate in grueling night sessions until weary Senators were prepared to do his will. He rarely confided his strategy to his colleagues, even to his assistant leader.

Mr. MANSFIELD has no such talents and does not aspire to them. He is entirely without wile or guile. He has no strategy and he has no secrets.

During the long struggle over the civil rights bill last year, he gave Senator RICHARD B. RUSSELL, of Georgia, leader of the southern opposition, advance notice of every move he would make.

Mr. MANSFIELD is also selfless to the point of shunning credit. He even gladly assigned it to Senator EVERETT M. DIRKSEN, of Illinois, the Republican leader, as he did on the passage of the treaty limiting nuclear tests, the Civil Rights Act of 1964, and the voting rights bill this year.

BANK MERGERS: HOW THEY CONTRIBUTE TO CONCENTRATION AND COMPETITION

Mr. PROXMIRE. Mr. President, the Congress is now dealing with bank merger legislation that may have historic significance. Earlier this year the Senate passed and sent to the House a bill that would be in my judgment significantly improve and clarify the present bank merger situation. In doing so it would strengthen the hand of the Department of Justice to stop mergers that have a substantially adverse effect on competition while removing the overhanding, confidence undermining effect of threatened legal action against hundreds of banks throughout the country. The measure has another very salutory consequence. It would prevent the necessity in the future of de-merging banks. It would make it unnecessary to unscramble banks and in doing so prevent the agony to borrowers, depositors, trust accounts and business and the public generally that such a process is likely to involve.

Mr. President, one of the most revealing analyses of bank mergers and why they are sometimes necessary and desirable in the public interest as well as sometimes destructive of the public interest was made by Governor George Mitchell of the Federal Reserve Board. Governor Mitchell appeared before the House Banking Committee on August 26.

In the course of his remarks, Mitchell showed just where and how and to what extent banks are actually in competition. He based his analysis on years of study by the Federal Reserve Board. This statement by Mitchell reveals so much about this highly important field in which Congress is legislating this year that I call it to the attention of the Senate.

Incidentally, I disagree in part—though in small part—with some of the conclusions of Mr. Mitchell with regard to the pending bill as expressed in this statement.

I ask unanimous consent that the Mitchell statement I have just described be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GEORGE W. MITCHELL, MEMBER, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, BEFORE THE SUBCOMMITTEE ON DOMESTIC FINANCE OF THE COMMITTEE ON BANKING AND CURRENCY OF THE HOUSE OF REPRESENTATIVES ON S. 1698 AND RELATED BILLS, AUGUST 26, 1965

Mr. Chairman, I thought it might be helpful to your deliberations if I offered a brief summary of my views on the substantive issues involved in commercial bank mergers. I will do this by reference to the cases considered by the Federal Reserve Board in the past 3½ years—roughly the period of my service on the Board.

As both this statement and my voting record will testify, I regard the competitive impact of mergers the most difficult and complex question posed in bank merger cases; but I also believe that, when properly analyzed, competition turns out to be significantly affected in only a minority of bank merger proposals. When competition is significantly reduced I favor denial unless the bank to be acquired is an unsound operation or woefully inadequate to meet its community's needs.

Let me explain the reasoning that underlies this conclusion. The Bank Merger Act of 1960, under which the Board operates, requires the supervisory authorities to consider a set of seven factors in each merger case. The first five are called banking factors. They cover such considerations as the financial history and condition, the adequacy of capital, the quality of management, and the earning prospects of the institutions involved. The relevant supervisory agency is to judge such questions as whether the status of the surviving bank is strong enough to support a merger or if the position of the bank to be merged is so weak as to impel one. Since banks involved in mergers usually are operating institutions and have their performance recorded in the form of statistical, examination, and field contact reports, supervisory authorities, with such differences in judgment as reasonable men exhibit, have little difficulty in sorting out and evaluating the banking factors.

During the past 3½ years the Board of Governors has considered 107 merger cases. It has approved 97 applications and denied 10.[1] Banking factors were the major or a significant consideration in 44 approvals and 4 denials. The banking factor that most frequently represented a basis for approval was a needed improvement in management. In every case of approval except three where banking factors were of significance, the competitive factor was judged to be neutral or, on occasion, slightly adverse. In the three approved mergers where there was significant competition between the merging institutions, the acquired bank faced management, capital, or earnings problems that the Board felt were sufficiently pressing to warrant their resolution by merger. On the other hand, in each of our 10 denials of merger applications during this period, the banking factors, even though of concern in 4 cases, were finally judged of lesser importance than the competitive factors in every instance.

The record makes clear that there are very, very few cases in which the competitive factor is significantly adverse but in which banking factors are nonetheless judged to provide an overriding reason for approval. Such fortunately rare cases typically involve a serious management breakdown, self-dealing or evident incompetence.

As compared with the banking factors, the other two factors that supervisors are required to consider under the Bank Merger Act pose much knottier problems, both of information and analysis. The statute specifically refers to these factors as (1) "the convenience and needs of the community to be served" and (2) "the effects of the transaction upon competition, including any tendency toward monopoly."

How does one go about judging whether the convenience and needs of the community will be benefited by a change in banking ownership and management? This involves determining the actual breadth and intensity of community demands for various banking services, as distinct from the quantity and quality of services that the existing and proposed new combinations of banks intend supplying. To do this one needs to survey community opinion on the status quo, to find out how both business and household customers appraise the quantity and quality of the banking services available to them.

But it is hard for bank customers to compare services they are accustomed to with those they have never had the opportunity to try out. Such survey results, therefore, must be supplemented by a more knowledgeable appraisal. In this appraisal, the broad experience of examiners in the qualitative and quantitative aspects of banking services can usually be helpful.

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[1] I might add I have not seen eye to eye with the majority in all of these cases. I would have turned down 11 applications that were approved and approved 1 application that was denied.

Another aspect of the impact of bank mergers upon the "convenience and needs of the community" concerns the contribution that banks can make to economic growth and stability in their own communities. A bank that is investing heavily in out-of-State business loans, tax-exempt securities, or mortgages contributes less to its community than one that is playing an active role in satisfying the credit needs of local businessmen, farmers, consumers, and governments. Clearly, so far as the community's convenience and needs are concerned, a merger involving the first bank would be far less objectionable from the public point of view than would a merger involving the second. Accordingly, a careful inventory of the extent of local and nonlocal credits in the bank's loan and investment portfolio is called for in order to clarify its role in community financing.

In these ways—through surveys of community views, informed professional judgments, and a review of the record of the bank's participation in financing its community—reasonable bases for judgment can be established as to what the "convenience and needs" of the community are and how well the existing institutions have met them. Against this must be weighed the record and assurances of the merging bank as to what it can and will supply. The final balancing of these considerations remains a matter of judgment but, with evidence before them of the type I have outlined, supervisory authorities can judge with a fair degree of assurance how well a proposed merger meets the "convenience and needs" test. In the 97 approvals noted above, the convenience and need factor was the major or a significant consideration in 53 cases. It was not a significant consideration in any denials. In my judgment, the "convenience and need" factor should ordinarily be accorded more weight than the "banking factors."

The hardest criterion of all to apply, however, is the effect of the proposed merger on competition. At the outset it should be clear that the competitive factor cannot be disassociated from consideration of "convenience and needs," inasmuch as the overall objective is to provide the banking services desired by the customers on reasonable terms and at fair prices. Indeed, the most conclusive way of assuring that a community's convenience and needs will be met is by the maintenance of so many alternative banking choices that the resulting competition among them will give customers all the opportunity they could wish to move from one bank to another in order to obtain whatever mix of services they desire. But this is rarely a practical criterion. There is a limit to the number of practicable banking alternatives that it is possible to make available to any given community.

In dealing with a change in the status quo there is a popular presumption that any decrease in the number of independent banking units in a given market area will, of itself, decrease competition and increase the tendency toward monopoly. It is my own feeling that this presumption is too harsh a standard to apply without corroborating evidence. Such evidence is to be found in the extent of any unfilled needs of business and household customers in the market areas affected by the proposed merger. And it is to be found in an analysis of the markets involved in the merger—the alternative sources of banking services, the extent of market power exercised by the banks in these markets, and the role in these markets of the particular banks to be merged and the merging bank.

In contrast to the concept adopted in the Philadelphia National Bank case that "the cluster of products and services denoted by the term 'commercial bank' composes a distinct line of commerce," I am of the view that the great variety of unrelated services that banks offer are far more significant than their related services. The corrolaries of this view are that banks compete with other businesses fully as much as they do among themselves and that for each service they offer there is ordinarily a different market area and a different competitive situation.

Thus, in order to evaluate the competitive factor, a reasonably accurate delineation of the areas that the merger candidates serve must be developed. From the approximate boundaries of the various service areas for each type of bank activity it is possible to identify the markets that might be affected by the merger, as they are revealed in the overlap of respective service areas.

Among all the services that banks provide, only one of major importance is truly unique and not vulnerable to nonbank competition—the checking account. In all other activities commercial banks face varying degrees of competition from other financial intermediaries or the money and capital markets. As lenders, banks compete with each other and other financial intermediaries or with capital markets in extensions of credit to business (large and small), to consumers, and to governments (Federal, State, and local).

It is quite evident that in many of these markets the merging of any but the very largest banks is unlikely to have significant anticompetitive effects. Nonbank and nonlocal bank competition are major factors insuring competitive performance in the Government securities market, in lending to large businesses, and in the market for most tax-exempt State and local bonds. Nonbank competition is typically vigorous in the consumer credit markets, where hard goods suppliers have their own sources of credit independent of local banks. The same is true of mortgage markets, where other specialized financial intermediaries are dominant. In whatever markets banks face substantial nonbank or nonlocal-bank competition, it is a fair presumption that the impact on competition of any bank merger will be negligible.

What, then, are the remaining markets in which competitive considerations must be weighed particularly carefully? The most important single market in this category is the market for demand deposit services to local business and individuals. These are services that can be provided only by a bank, and for most such customers only by a local bank. Another important local market is that for savings accounts; in this instance, however, local offices of other financial intermediaries usually offer a similar service. Lately some rate-conscious savers have escaped the orbit of local alternatives altogether and exported their savings from one end of the country to the other.

The small business borrower is another bank customer that may suffer from the removal of an alternative source of bank credit by merger. Even though such borrowers can often obtain trade or supplier credit, the price of such financing may be high and the attendant conditions can be confining. Small businessmen usually find their local banks to be their cheapest, most accessible, and most flexible source of external financing.

In considering the definition of the service area of the bank, then, particular attention should be paid to the potential service areas for small business borrowers and individual and small business depositors—these are the markets most likely to be significantly affected one way or the other by merger.

When chief concern about the possible competitive impact of bank mergers is narrowed down to these two or three market sectors, a great many merger proposals can be said not to raise the competitive issue at all. This is because the banks involved have little or no overlap in their service areas for small business and personal customers. Such is the case when the major objective of the acquiring bank is to extend its activities into another geographical market or into another service field. For example, in Virginia, a State where there has been a great deal of merger activity in the past 3 years, the preponderance of cases have involved the extension of service areas for banking institutions that are, under a recent State statute, becoming statewide in their operation. The competitive effect in these cases is not that of the withdrawal of an alternative source of banking service, but typically the substitution of a branch of a larger institution for a community bank.

It is sometimes said or implied that branches of large banks in small communities are unfair competition for local banks. But there are too many instances in which local banks have held their ground in growth and profitability to support a broad generalization along that line. As a practical matter, it may well be that the communities that are most blessed with banking facilities are those that possess a mixture of local banks and branches of larger institutions.

This brings us down to what might be called the hard core of merger proposals—those that turn out, upon examination, to involve two or more banks with overlapping service areas for small business and individual customers. In such circumstances, consummation of the merger undeniably will eliminate one competing bank from the relevant markets. The loss of one alternative for customers in choosing their banking connections in these market areas is almost certain to lead to denial unless the number of actively competing banks is already large, or the bank to be acquired is so small or ineffective a competitor as not to create any appreciable gap in bank alternatives by its disappearance as an independent entity.

Let me turn to the record to give you some indication of how these principles have worked out in practice. The Board's 10 denials in the past 3½ years have, without exception, been base primarily on the judgment that the proposed merger would appreciably lessen competition in one form or another. Bank management factors have significantly weighed for the merger in some of these cases, but in each instance they have been relegated to a secondary consideration.

In the 97 Board approvals of mergers during this same period, the effect on competition was, in the Board's judgment, negligible in 70 cases, favorable in 16, slightly adverse in 23 and in only 4 cases there was significant competition between the merging banks.

You will note that I mentioned 16 cases in which it was judged that the effect of the proposed merger would be to increase competition. The favorable effect that a merger can have on competition, while not common is, in my opinion, often overlooked by critics of mergers. This favorable effect may arise when the consummated merger puts an end to the monopolistic policy of "home office protection." It usually accompanies the merging of small banks in an area where a dominant competitor holding a very large proportion of the local deposits can only be effectively challenged by a larger institution.

Occasionally merger applications pose a confrontation of an adverse effect on competition, on the one hand, and a favorable effect on serving the community's convenience and needs. For example, the bank proposed to be merged may have exhibited a very limited interest in serving the credit needs of its community—then the only competition lost by merger would be the potential of a new management with a different philosophy. In these circumstances the better alternative may well be a merger.

In an isolated community, to take another example, it is possible that neither of two banks can meet the credit needs of local businesses and farms in the surrounding area but that their combined resources and higher lending limit would enable them to do so. In such cases, the proposed merger might eliminate substantial competition between the merging institutions for some types of banking services but at the same time the resultant bank could do a markedly better job at serving the area's convenience and needs.

My work and experience with the Bank Merger Act in the past 3½ years persuades me that even among the most sophisticated experts in law and economics, the understanding of what it takes to make a competitive market is still quite imperfect. Progress in deepening such understanding comes slowly, and it depends partly upon improvements in analytical techniques designed to define the markets affected by mergers and to appraise the possible impact of mergers upon these markets. I have tried to outline some of the complexities of this task and to indicate my own predilections.

I believe that all concerned with the regulation of bank mergers are sincerely concerned with promotion of the public welfare. It seems to me that the differences in our conclusions rest not on any lack of faith in the efficacy of competition but essentially on differing views as to the relevant markets and evaluation of the impacts of mergers on these markets. The Board is devoting considerable professional resources to solution of these problems in hopes of improving the basis for its judgments. As these efforts progress, I hope they can lay the foundation for a more widespread consensus among all authorities as to where the public interest in bank mergers lies.

Turning now to S. 1698, while I share many of Governor Robertson's reservations concerning the immunity it would grant to past mergers, I strongly support the prospective features of the bill. Even though I regard more seriously than many the troublesome problems of divestiture that have arisen, or may arise, in a few cases, I still do not conclude that the situation warrants general immunity from the antitrust laws for all bank mergers that took place before the enactment of this bill.

Clearly these difficult situations should be avoided in the future. Fortunately, cases in which a bank supervisory agency approved a merger but the Attorney General brought suit to prevent it have been infrequent. In fact, none of the 97 mergers approved by the Board in the past 3½ years has been contested under the antitrust laws and I understand the Attorney General has said he has no intention of doing so. Nevertheless, the difficulties of undoing a merger are great enough that I believe a procedure should be established by statute to prevent such cases from arising.

One of my reasons for being concerned about the problems of divestiture is that I see no practical device for spinning off depositors in nonbranching States. A bank can spin off assets in the form of securities and loans without difficulty; it is the very essence of banking that it be in a position to do so. A bank can, neglecting the human problems of its staff and officials, spin off personnel and operating know-how. A bank can, with considerable disruption to customer relationships and convenience, sell or spin off branches and with them the propensity of local residents and business to patronize that branch. But how can a unit bank sell or spin off its depositors, assigning them to a new bank or existing institution? And how can it organize a new institution without owning it or controlling it indirectly? While spinning off assets, operating personnel, and branches involves difficulties and hardships, spinning off depositors in a nonbranching State may defy solution. S. 1698 offers an effective preventive remedy for this problem.

U.S. BALANCE-OF-PAYMENTS PROBLEM STILL SERIOUS: EQUILIBRIUM AND LIQUIDITY PROBLEMS FAR FROM SOLVED

Mr. PROXMIRE. Mr. President, the Joint Economic Committee's Subcommittee on International Exchange and Payments, chaired by Representative REUSS, held hearings last month to develop guidelines for international monetary reform. Its report, which is to be released shortly, will make an important contribution to the preparations now underway for an international monetary conference.

The reason that international monetary reform has become more urgent is that the very success of our own efforts to end our balance-of-payments deficit—on the official settlements definition recommended by the Bernstein committee—threatens to lead to a shortage of international liquidity.

Former Secretary of the Treasury Dillon focused on this problem in a much publicized commencement address at Middlebury College, which may have been a factor in the administration's decision to move now toward an international monetary conference. Mr. Dillon said:

> The end of our payments deficits will mean that the United States—which has financed an $18.5 billion rise in official and private foreign holdings of dollars since World War II—will no longer be contributing anything at all to those holdings. International trade and investment cannot continue to expand at anywhere near an adequate rate if forced to rely on newly mined gold as the sole source of new reserves. The free world, therefore, is rapidly approaching a financial crossroads. There is an urgent need to strengthen the international monetary system, so as to insure that the needed increases in reserves will be forthcoming. For inadequate growth in international liquidity would hamper world trade, slow up the economic growth of individual countries, and threaten a world-wide recession.

I strongly favor our efforts to secure an improved international monetary system. We must forestall a competitive scramble for reserves, brought on by an overall insufficiency, with disastrous consequences for economic and political stability in the free world.

At the same time, I feel equally strongly that we must not look to international monetary reforms for the answer to our own balance-of-payments problem. For one thing, increasing liquidity does not in itself promote adjustment to imbalance. So our balance-of-payments deficit must be corrected regardless of what is done with international liquidity. Second, we would doom our hopes of achieving international monetary reform if other countries believed that we were only trying to find new ways of financing our deficits instead of trying to correct them.

I believe that it was wise of Treasury Secretary Fowler to emphasize the need for correcting our deficits at the same time that he announced that the United States is now ready to participate in an international monetary conference. Mr. Fowler said:

> It is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.
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> If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting, instead of supplementing, world financial resources.
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> To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must reach and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.

Preliminary balance-of-payments statistics released 2 weeks ago indicate that we have achieved a significant improvement in our international accounts during the second quarter. Seasonally adjusted, we had a surplus of nearly $300 million, according to the Commerce Department's "liquidity" definition, as compared with a deficit of $640 million in the first quarter. The favorable shift between the first and the second quarters was therefore almost $1 billion. However, we benefited from some exceptional circumstances in the second quarter, and we cannot count on the third and fourth quarters being as good as the second quarter was.

The most important of the special influences was undoubtedly the impact of the President's new program for limiting capital outflows. This program extended the interest equalization tax to commercial bank loans abroad with more than 1 year's maturity and enlisted the cooperation of banks and businesses in the task of curtailing capital exports. Although the program went into effect during the first quarter, its full impact was not realized until the second quarter.

The Department of Commerce said the following about the favorable shift in capital movements:

> During the first quarter, long- and short-term claims on foreigners reported by banks (including claims reported for their domestic customers) increased by about $440 million, but in the second quarter they declined by about $380 million, a total shift of over $800 million. (Seasonally adjusted figures indicate the same change.) The net increase during the 6-month period as a whole was about $60 million, compared with about $1.2 billion in the first half of 1964 and $1.4 billion in the second half.

Undoubtedly, the freshness, publicity, and enthusiasm for the new program was a major factor in its big impact during the second quarter. However, many of the things which banks and businesses did were of a "one shot" variety—shifts in funds which have a large effect on the balance of payments but which, once executed, will have no further large impact. Moreover, while I am sure that banks and businesses will continue to cooperate in the program, we cannot count indefinitely on such a program for the answer to our balance-of-payments problem. It may well be that the program will not have as much impact in the third and fourth quarters as it had in the second.

Another specially favorable influence in the second quarter was the effect of the shipping strike, which caused exports to be abnormally low in the first quarter and shifted shipments into the second quarter. In addition, we received unusually large payments for military equipment in excess of current deliveries.

The Department of Commerce press release on the balance of payments stated:

> Because the shipping strike and other developments caused substantial but compensating shifts between the first and second quarters, the balance for the second quarter alone is not as useful in evaluating the current state of the balance of payments as the balance for the first half of 1965 as a whole. During that period the comparable balance was negative by about $390 million. This compares with negative balances of about $840 million in the first half, and $1,940 million in the second half of 1964.

It is clear, therefore, that while we have made progress, we cannot relax our efforts to achieve equilibrium in our balance of payments. This task may be made more difficult as economic growth abroad slows down, and as other countries become more competitive in international markets. The Department of Commerce noted that our exports have been on a relatively flat trend since mid-1964. The press release stated:

> After allowing for the effect of the strike, merchandise exports are seen to have been relatively stable since the middle of 1964. The interruption of the upward trend at that time was in part, at least, related to a slowdown in the rate of foreign business expansion which seems likely to continue for a time in several countries.

Moreover, a Wall Street Journal columnist, Alfred L. Malabre, Jr., wrote on August 23, 1965, that our export surplus is endangered by some increase in U.S. export prices in the face of declining export prices for other countries. His article was disturbing and persuasive, I thought. I received unanimous consent to have that article printed in the RECORD at that time.

In conclusion, I firmly believe that we are right, indeed late, in calling for a new international conference. But at the same time I believe that we must sharply distinguish our own balance-of-payment problem from the problem of international liquidity, and continue to press vigorously for an end to our deficits on the official settlements definition.

ORDER OF BUSINESS

Mr. MORSE obtained the floor.

Mr. MORSE. Mr. President, I shall yield to the Senator from Michigan and the Senator from New York.

I have the sincere hope that we can shortly proceed to the consideration of the higher education bill. I have some good hopes that we might be able to finish that bill this afternoon, and, if we can finish it this afternoon, it is my understanding that any session that we have tomorrow will be only a pro forma session and that the Senate will adjourn until Tuesday. That would be called a "carrot."

I yield to the Senator from New York.

THE HELLER PLAN

Mr. JAVITS. Mr. President, much attention and energy has been directed in recent years toward efforts to strengthen the fiscal capacity of State and local governments to deal with significant problems of primary concern to them. The increasing need of local governments to remain financially viable and able to meet their fiscal responsibilities within the context of Federal-State matching grant programs has highlighted the importance of insuring that local governments maintain sufficient sources of revenue. The so-called Heller plan which calls for the redistribution of a certain percentage of Federal tax revenues to the States according to a predetermined formula is one very interesting method of strengthening the States and local governments capacity to handle their own financial problems. I have been working on the outlines of such a formula and have been giving serious study to the question of the extent of the Federal supervisory role. Such a formula for redistribution of Federal funds to the States ought, I believe, to take into consideration both the needs of the State, the size of the State's own efforts to meet these needs, and the relationship of the State's revenues to its overall needs.

In its 1965 report, the Advisory Commission on Intergovernmental Relations concluded:

> The division of revenue sources among Federal, State, and local governments does not match their relative revenue requirements. The States, and more particularly local governments, are disadvantaged in comparison with the National Government. The disparity between their relative resources and revenue requirements, moreover, is not likely to decline.

The effect of State tax and expenditure policy has many ramifications varying from its capacity to deal with necessary social services to the location of industry and economic development within its State. The stimulation of new fiscal capacity on the part of the States by use of the Heller plan is, I believe, deserving of new and intensified efforts.

I ask unanimous consent to include in the RECORD at this point an article on the Heller plan entitled a "Republican Opportunity" appearing in today's New York Herald Tribune.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A REPUBLICAN OPPORTUNITY

(By Raymond K. Price, Jr.)

One of the Republican Party's chief problems in these days of the Great Society is the simple one of identity. In terms of social goals the Johnsonian "consensus" leaves precious little room for any one else. Yet the GOP has to establish a distinct image; its problem is one of building a distinct image within the broad range of consensus which in fact does exist, across party lines, on the evolving nature of our society.

But if there is a consensus on ends, there is none on means, and here the Republican Party has a golden opportunity quite specifically in line with its present needs: to present itself as the party that can make State and local government work, because it believes in State and local government.

The Goldwater debacle last year cost the GOP heavily in those offices at State, county, town and district level on which political organizations are based. The recovery of these is an essential element of the from-the-ground-up rebuilding of the party now being attempted.

For as long as most present-day voters can remember, Republicans have been the guardians of individual, local and State prerogatives against Federal encroachment. Though on any given issue the lines might get smudged, the Democratic orientation has been toward greater centralization of power, the Republican toward decentralization.

This has been more than a campaign stance. It represents a philosophic commitment to the ideals of diversity and plurality, a concern for the manageability of the Federal colossus—and also a greater measure of faith than the Democratic Party has shown in the capacity of States and localities to govern themselves.

There is, of course, another side to the coin of this faith. As Governor Rockefeller put it in his Godkin lectures at Harvard in 1962:

"The essential political truth is that—today more than ever—the preservation of States rights depends upon the exercise of States responsibilities. We stand, in fact, upon the threshold of a new test of leadership at the State level. For—so great and urgent are the demands of national defense and foreign policy upon all resources of the National Government—that, now as never in our history, State governments are challenged to face and meet the pressing domestic concerns of our society.

"This, then, can prove to be a historic moment in the long evolution of our Federal idea. For it summons us to remember and to apply a basic fact of American political history—the fact that our States are designed to be our great centers for political experiment. This—as Lord Bryce discerned long ago—is perhaps the key role of the State: to be the proving ground for ever-new ventures in free government. * * *

"The time is upon us now to * * * call upon our States to be active where they have been passive—progressive where they have been timid—creative where they have been merely cautious. In a word, it is time for the States to lead."

Or, as the Ripon Society put it recently:

"The United States is entering upon a period of political turbulence, in which a new and much younger population will confront issues which are different in kind and in scope from those of the past generation. They are the sort of problems which convince us that the exciting new area of political action, the great new opportunity for boldness and creativity and innovation, will be found more and more at the State and local level."

The plain fact is that the very size and complexity of the existing Central Government and its programs argue persuasively for a shift of the political pendulum toward initiatives at the State and local level. In any human organization, there comes a point at which the limits of comprehension set the limits of manageability. And the Republican Party is ideally situated to capitalize on this shift.

Nor would the GOP, by pitching its claim to State and local offices on its faith in State and local government, be compromising its own claim to national office. For the party could then argue, plausibly and legitimately, that to make the entire national structure of government work requires making the

Federal system work—that it requires a respect for the separate responsibilities of governments at all levels.

Currently, the question of faith in State and local government finds its sharpest focus in the debate on the so-called Heller plan—the proposal that a given percentage of Federal revenues be earmarked for redistribution among the States according to a fixed ratio (for example, by population), with no Federal controls over use of the money.

The relevance of the Heller plan to the GOP opportunity is simple and direct. To function, the States need money. Washington has pre-empted the best tax sources. States now are heavily dependent on Federal grants-in-aid for specific programs, which also involve Federal supervision and control. The question is whether these should be expanded—with a consequent further erosion of State authority—or whether tax sharing should be instituted, by which the States would get money without controls. Those who distrust local and State government insist on extending the controls.

The tax-sharing plan offers those who believe in State government a chance to prove their faith and put it into practice.

And that faith, in turn, offers the GOP a convincing argument to take to the voters when it asks their support for a return to power in the State houses, and for a chance at running the cities.

Mr. **MORSE**. Mr. President, I yield to the Senator from Michigan.

TERCENTENARY COMMISSION TO COMMEMORATE THE ADVENT AND HISTORY OF FATHER JACQUES MARQUETTE IN NORTH AMERICA

The **PRESIDING OFFICER** laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 53) to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes, which were, on page 2, line 22, strike out all after "World" down through and including "thereon" in line 24, and insert "The Secretary of the Interior shall submit a report of such investigation to the President for transmittal to the Congress, together with any recommendations which the President may deem appropriate.", and on page 5, strike out lines 1 through 3, inclusive.

Mr. **HART**. Mr. President, Senate Joint Resolution 53 would establish a tercentenary commission to commemorate the arrival in this land in 1966 of Father Jacques Marquette and the significant contributions he made to our history. The Committee on the Judiciary is agreeable to the House amendments. I move that the Senate concur in the House amendments.

The motion was agreed to.

THE MAYOR WHO WOKE UP A CITY

Mr. **HART**. Mr. President, Look magazine this month devotes seven pages to a study of a remarkable young man who is beginning to impress the entire Nation with his energy and intelligence.

I recommend to my colleagues in Congress an article entitled "The Mayor Woke Up a City," a piece that speaks with justifiable admiration of Detroit's 37-year-old mayor, Jerome P. Cavanagh.

Jerry Cavanagh has been the city's mayor for only 4 years. It was the first political office he ever ran for and it is clear now that Detroit's voters have good reason for self-congratulation.

Long years before national attention came to Jerry Cavanagh, I was one of his admirers, admiration based on the very qualities described in the Look article.

He has been no respecter of conventional wisdom. He has a rare ability to search out the root of a problem, meanwhile discarding irrelevancies. Consequently, he puts a high premium on what he terms "social renewal."

> There isn't a large city in America that doesn't have a physical master plan—

He says:

> What we don't know so well is how to live in a large American city, how to get on with each other, how to renew our human and social values.

The article details how Jerry Cavanagh is working to renew those social values. I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DETROIT'S JERRY CAVANAGH: THE MAYOR WHO WOKE UP A CITY

In 1961, when 33-year-old attorney Jerome P. Cavanagh decided to run for mayor of Detroit, the city was noted for three things: automobiles, bad race relations, and civic sloth. Against the odds and without the support of labor or business, independent Democrat Cavanagh, who had never held elective office, bulled his way to an upset victory. Detroit has not been the same since. This city that wallowed in the trough of urban chaos has come to know Cavanagh as a driver with vigor, imagination and competence. To wake Detroit, Cavanagh cleaned out a swarm of city hall drones, brought in a bright young cadre of high-geared executives and plunged feet first into an administrative swamp that had mired many of his predecessors. To help solve the city's problems, he persuaded automobile industry bigwigs that Detroit's health was essential to theirs, got the labor unions to back his reforms and convinced the Negro third of the city's population that they were, at last, part of its concern.

Jerry Cavanagh's day begins at 9 in the morning and sometimes ends at midnight. From breakfast to late-night drinks, it is entirely political. Every chance encounter is a source of information, an opportunity to try out a new idea. Cavanagh wants results, and by now, everybody in city hall is keenly sensitive to that demand. "We have the 'strong mayor' type of government here," he says, "and I intend to use every moral and legal power the office possesses." Cavanagh replies to each piece of mail that comes into his office. He farms out complaints to his subordinates and insists on answers. If a department head is slow in following up, a fast blast issues from the mayor's office. "I guess I'm a little abrasive at times," Cavanagh says disarmingly, "but in this job, you have to push a little bit." His "pushing" is driving wheel town to a new pride in itself.

Jerry Cavanagh is a man who wears success like one of his well-tailored suits. He works hard to get it, and he expects it. Four years ago, Cavanagh, then 33 and a prosperous member of a Detroit law firm, scanned the political horizon in his native city and decided it was time to make his move. Detroit's problems were those of other large American cities: burgeoning blight downtown, the white flight to the suburbs, a dwindling tax base, a high crime rate, rising unemployment, and a big budget deficit. A bog of civic lethargy discouraged potential industrial newcomers and alienated the automotive giants already there. Detroit had another special problem: inflammable tensions between its police department and the one-third of the citys 1.7 million citizens with black skins. After several murders of white women in Negro areas, Cavanagh's predecessor, Louis Miriani, had ordered a police crackdown. In the ensuing police drive, Negroes were indiscriminately frisked on the street, dragged into police stations, held on vague charges. The black ghetto boiled.

Cavanagh, 7 years out of the University of Detroit's Law School and a political amateur who had never held an elective office, decided to run against Miriani. His reason: "I thought I could win." Almost nobody else did, including many of Cavanagh's friends and ex-schoolmates who volunteered to work in his campaign. Detroit's newspapers, business and labor leaders backed the incumbent against the upstart, while Cavanagh's team relied on "nickels and novenas," a gut-busting campaign and the Cavanagh instinct that Detroit was ready for something new. Negroes voted overwhelmingly for the young Irishman, and white voters swung to him, too, if not as heavily. He won by 42,000 votes, and Detroit's engine got itself a spark plug.

"The first 6 months were crucial," he explains. "We were out to establish our attitude. Since we didn't owe anything to anybody, we could swing from the floor." Amid the anguished wails of commuters, he successfully sponsored an income tax on everyone who worked in Detroit. By the end of this year, the tax revenue will have erased the $34.5-million budget deficit he inherited when he took office. Cavanagh also cut the city's property tax. "I think these things have helped give the conservative element in the business community greater confidence in our administration," he now says, adding wryly, "when I was elected, I think they thought I was going to blow up the city-county building." Cavanagh has issued an executive order against racial bias in hiring and promoting city employees, appointed Negroes to important positions in his administration, recruited a police commissioner who shared his ideas about enlightened police procedures. (Until Cavanagh named a Negro police inspector, there had never been a Negro above lieutenant on Detroit's force. Negroes comprise over 30 percent of the city's population, but only 3 percent of its police force.) While Cavanagh made it plain that "If you want to be paid like pros, you've got to act like pros," he has raised police salaries 25 percent during his 4 years in office. He has also upped the salaries of other city employees.

In one of the first encounters, he locked bumpers with labor unions whose featherbedding and excessive charges had discouraged industrial exhibitors from using Detroit's $55-milion convention center, Cobo Hall. After he threatened to do the work with city employees, the unions relented, and conventions are again filling Cobo Hall, bringing the city much-needed revenue. To provide the drive for the Cavanagh crusade, the young mayor has shaken up bureaus and departments, axed some of the deadwood and installed his own men, many of them young shakers cut to the hustling Cavanagh pattern. "He's an easy guy to work for," says one of his small band of idea men, "as long as you do a superb job."

Part of Detroit's problem was that most of its automobile executives lived, not in the city, but in its comfortable suburbs and felt the city's headaches were not theirs. Cavanagh campaigned tirelessly to alter this view. "The slums of Bloomfield Hills (a sleek suburban community) are right down here in Detroit," he told one group. To widen the pool of talent available to the city administration, he has persuaded industry and labor chiefs to lend some of their best men as consultants to the city. Even more important to a city with a chronically large unemployment roll, Cavanagh has helped convince auto firms that had been building plants in other parts of the country to build or expand in metropolitan Detroit. General Motors is putting up a $100-million factory in the area, and Ford has almost completed a new stamping plant that will provide work for thousands.

Attracting new industry to Detroit is high on the Cavanagh priority list. But even higher is what he calls "social renewal," a concerted attack by city agencies on the causes of poverty, disease, slum housing and other social ills. "There isn't a city in America that doesn't have a physical master plan," he explains. "What we don't know so well is how to live in a large American city, how to get on with each other, how to renew our human and social values."

To get his social-renewal program swinging, Jerry Cavanagh has relied heavily on Federal money. As the only elected official on President Lyndon B. Johnson's Metropolitan and Urban Problems Advisory Committee, he was well-placed to anticipate the Government's specifications for its antipoverty programs. It is no accident that Detroit officials were first in line with plans that dovetailed with ideas the committee had suggested, or that Detroit get more Federal aid than any city except New York and Chicago. Detroit now has 21 urban-renewal projects underway, for which the U.S. will give $36 million: an umbrella-like and well-coordinated antipoverty program, an accelerated public works scheme, an outsized highway program and a host of other plans largely reliant in Federal funds. Cavanagh's opponents have criticized him for relying on U.S. aid, but the mayor gives them short shrift. "We send billions to Washington," he says, "and we're entitled to some sort of return." His programs have recently brought the city awards for their comprehensive planning and architecture.

Cavanagh has not hesitated to take unpopular stands. "I'd like my epitaph to be 'We knew where he stood,'" he says. Against the advice of political experts, he endorsed "open occupancy" housing in a city whose voters passed a so-called homeowners law, which in effect gave home sellers the right to refuse Negro buyers. A Catholic and the father of eight, he ordered "rethinking" in the city's health and welfare departments, which spurred them to come up with a birth-control program more radical than that of any other large U.S. city. He has rebuffed Negro leaders seeking a civilian police review board and a Catholic organization that wanted the city to fly a "one Nation under God" pennant beneath the American flag on the city-county building. Some old-line policemen grumble that he has tied their hands by insisting that they use more tact in tense neighborhoods.

One of Cavanagh's biggest jobs has been to impart his sense of commitment to city employees, who have seen mayors come and go.

"I have had to recognize that, philosophically, not all these people are marching under my banner," he says, "and for them, it is quite a change." How does he solve the problem? Richard Strichartz, an on-leave Wayne State University professor and ex-Cavanagh neighbor who is now city controller, says, "We try to identify the fulcrum of change—the people who can make a government stop or go. And we work to change their attitudes. We realize this is going to take time."

Jerry Cavanagh is a gregarious, informal mayor. He chats with city employees, local politicos and passersby as he moves around trying out ideas and feeling the pulse of the large metropolis at the same time. "The response of the people is tremendous," he exclaims. "They say 'Somebody finally cares about us.'"

Detroit is a vibrant city these days. Not everybody has gotten what he wants, but most concede there is forward motion. The Reverend James Wadsworth, head of the 22,000-member Detroit National Association for the Advancement of Colored People branch (the association's largest), says "While Negroes have not deluded themselves that the Messiah has come, they know that we now have a mayor who at least recognizes that they are part of the city." At a $50-a-plate testimonial dinner for Cavanagh given by business and labor leaders, Leonard Woodcock, vice president of the United Auto Workers, said, "We are glad to have these nice things to say about the mayor now, because we didn't during the campaign. Fortunately, the people of Detroit were wiser than we were."

Jerry Cavanagh is not resting on his press clippings. "In this business," he says, "the field is strewn with the bodies of might-have-beens." But the newspapers, industry and labor leaders who opposed him in 1961 are now supporting his reelection this fall. It's obvious that the mayor of Detroit is on the way up—and so is Detroit.

HIGHER EDUCATION ACT OF 1965

The Senate resumed the consideration of the bill—H.R. 9567—to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

Mr. MORSE. Mr. President, I yield to the Senator from Connecticut. When I yield to the Senator from Connecticut, I am yielding to one of my great teachers on educational legislation.

Mr. RIBICOFF. Mr. President, I have always admired the distinguished senior Senator from Oregon for his leadership, knowledge, and inspiration on legislation pertaining to education.

As I have said before on this floor, and I repeat today, this country, this generation, and all future generations will always owe a debt of gratitude to the senior Senator from Oregon. Because of his leadership, a long list of educational proposals has become a reality. That is the reason why I have asked the Senator to yield to me. I want to make sure that nothing is done during the next few days to jeopardize this landmark piece of legislation. I shall make a brief statement to indicate my reasons for this action.

Mr. MORSE. Mr. President, I thank the Senator for his flattering generosity.

Mr. RIBICOFF. Mr. President, the 89th Congress will soon add another impressive achievement to an already long list of important legislation. The Higher Education Act of 1965 represents the culmination of years of effort by two administrations, by a great number of concerned Americans, by the Senate Committees on Labor and Public Welfare, and by many Senators, who, like me, are convinced that education is the key to the development of a great society.

To me, the most significant breakthrough in the higher education bill is its student aid provisions—especially the scholarship program. I fought for such a program as Secretary of Health, Education, and Welfare in 1961. I am a cosponsor of the Higher Education Act of 1965, and I am proud that, like so many other forward-looking programs, Federal scholarships will become a reality during this 89th Congress.

There is, of course, much more to the Higher Education Act than student scholarships. There are guaranteed loan programs, work-study programs, and programs for strengthening college libraries and extension services. The bill includes a National Teacher Corps and there are provisions for additional funds for the construction of classrooms and the facilities, and for the purchase of equipment. Through the program for developing institutions, we will be able to give small colleges the support they need to develop into important institutions of learning so desperately needed if all Americans are to receive the education they deserve.

All of these programs are important ones. And all are combined in a magnificient bill. I am proud to be a cosponsor and I am sure that the bill will receive the overwhelming support of the Senate.

I have been asked by many cosponsors and others whether I would raise my bill to give tax credits for higher education expenses, S. 12, as an amendment to the higher education bill. My answer, Mr. President, is no.

I believe the higher education bill is so important that I will do nothing to jeopardize its passage or slow its consideration. I have long maintained that scholarships and loans are necessary programs, and I have also maintained that they are not substitutes for tax relief for higher education expenses.

The tax credit for higher education stands on its own feet, Mr. President, as a measure of relief to the millions of average American taxpayers who each year put their children through college at their own expense. Those Americans, the average family, invest millions of dollars in America's future. I believe the tax laws should recognize the investment as surely as they recognize the wisdom of investing in machinery or facilities for industrial expansion, or as they recognize the need for tax relief for medical expenses and capital loses. The greatest single expense faced by most American families—greater than a house or a car—is the education of their children. No other investment is so vital to our Nation—no other investment is so necessary to assure our country's strength.

So I am still fully convinced of the basic need of tax credits for higher education expenses. And next year I shall ask the Senate to face the issue squarely and decide whether this vitally important measure of relief for the average American family should finally be granted. I put the Senate on notice, Mr. President, that I shall bring S. 12 to the floor next year, but I shall do nothing to endanger the Higher Education Act of 1965, a bill of crucial importance to the future of the Nation.

Mr. MORSE. Mr. President, once again, as I have been so justified in doing many times in the past, I pay tribute to the educational statesmanship of the former Secretary of the Department of Health, Education, and Welfare, now the Senator from Connecticut.

On behalf of the subcommittee and, I know, the full committee, I thank the Senator from Connecticut for the important announcement that he has just made that he does not intend to commingle with our discussion of this higher education bill, the Ribicoff bill which deals with the question of tax credits.

I want the Senator to know also that I join him in his suggestion that his bill be brought up for further hearings and consideration early in the next session of this Congress.

I shall work with the Senator to that end. As he knows, I have not agreed with him as to the merits of the bill to date, but I am open to conviction. I want the hearings on the bill to be held so that the bill will receive full consideration.

I thank the Senator for his renewed pledge of complete cooperation with our committee so that we may get the higher education bill passed without its having been subjected to any amendment which might endanger it.

Also this RECORD should show that the Senator from Connecticut, because of his former position as Secretary of the Department of Health, Education, and Welfare, has made one contribution after another to my Subcommittee on Education. We have gone to him time and time again for sage advice, and he has given it to us. I again express my sincere thanks to him.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, we in the United States have thought we had the best education system in the world. Perhaps we have, but in the past few years, much to our surprise and shock, we have discovered serious lacks—lacks which can only be corrected, it appears, by the helping hand of the Federal Government.

This year will go down in history as a landmark year in the field of education. A good part of what has occurred, and which is occurring, has occurred, in my judgment, because of the able leadership, and wise leadership, and the effective leadership of the Senator from Oregon.

I would not want the debate on this measure to close without having had an opportunity to thank the Senator on behalf of all the people of the United States.

Mr. MORSE. The Senator from Alaska is very kind. Whatever has been accomplished in education legislation in this body in the last several years, and will be accomplished this year, is due to the work of my committee, and each member of the committee is deserving of an equal share of credit.

I planned to say this, also, at the conclusion of the consideration of this legislation, but let me say it now—I would not be standing before the Senate today, presenting a bill which represents a unanimous vote of the Committee on Labor and Public Welfare, if it were not for the cooperation I have received from the distinguished Senator from Alabama [Mr. HILL] chairman of the full committee, and the distinguished majority leader of the Senate [Mr. MANSFIELD], and also the cooperation I have always received from the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

This is a composite program that is being presented today, which represents the cooperative effort of a large number of Members of the Senate.

I see sitting in a back row a Senator who is not a member of the committee, the Senator from Montana [Mr. METCALF], but when he was in the House of Representatives he came to have a label attached to him, "Mr. Education." The Senator from Montana has consulted with me and with other members of the subcommittee time and time again on bill after bill as we have taken the legislation through the committee.

As to the Senator from Alaska [Mr. BARTLETT], the record is perfectly clear as to the contributions he has made to the work of the committee. His suggestions have improved not only this legislation, but the primary-secondary education bill. On behalf of the committee, I offer him our sincere thanks.

Mr. President, for the record, a parliamentary inquiry. Am I correct in my understanding that the pending business is Calendar No. 656, H.R. 9567, the higher education bill?

The PRESIDING OFFICER. The Senator is correct.

AUTHORIZATION FOR STAFF MEMBERS TO HAVE RIGHT OF FLOOR OF SENATE

Mr. MORSE. Mr. President, I ask unanimous consent that all members of the staff of the Committee on Labor and Public Welfare who have worked on the higher education bill be permitted to be on the floor to be of assistance to both the majority and minority members of the committee.

Mr. President, I ask that all members of the committee staff, have permission to be in the Chamber.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I shall proceed for the record to make a statement in behalf of the committee on the bill, giving our views as to why we hope the Senate will support the bill that has been brought to the floor of the Senate by unanimous vote of the Senate committee. But let me make clear that members of the committee reserved the right, as we always do, to offer amendments to the bill. Although the bill comes to the floor of the Senate with a unanimous vote, in our discussions there were differences of opinion as to possible choices. Some of the amendments which may be offered on the floor were not adopted in committee, but Senators reserved the right to offer them on the floor of the Senate, which they have the right to do.

Mr. President, it is with a sense of humility and yet a sense of fulfillment of an obligation that I assumed in the 88th Congress that I open this morning debate on H.R. 9567 as amended by the Senate Committee on Labor and Public Welfare.

I am humble because of the generous spirit of cooperation which I have received from all of my colleagues on the committee irrespective of party as we jointly, in the best interests of the youngsters of this country, strove to perfect a higher education bill which, in my judgment, will rank as a major advance in this area.

No chairman could ever have received finer cooperation, and I wish to express publicly at this time my deepest appreciation to the distinguished Senator from Alabama [Mr. HILL], who time after time at a cost, I am sure, of inconvenience to himself in terms of his manifold responsibilities, accommodated the schedule of the committee so that this work could proceed with dispatch.

To my colleagues on the subcommittee on the majority side who participated each and every one in our subcommittee work through long hearings and through long executive sessions with diligence and faithfulness, I can only inadequately say that I thank them; and to my colleagues on the subcommittee on the minority side the same tribute is due in equal measure.

The bill we bring before the Senate today bears in every title and almost in every section or part, the hallmark of able and dedicated Senators. Each has imprinted upon the bill suggestions through amendment which, in my judgment, have strengthened and improved the measure as introduced.

It is with a sense of fulfillment that I present this bill since it enables me to redeem a part of the obligation I undertook when in the 88th Congress, hearings were opened on the omnibus education bill, S. 850. Bill by bill, the titles of S. 580 have become statute law. H.R. 9567, I trust, will soon reach the same destination, because in it are the pledges and earnest of the American people to young students that their educational needs can be given recognition through action on the part of the Government.

In all candor, I must confess that H.R. 9567 in many of its titles goes far beyond the original vision which inspired the work. Title I of H.R. 9567 is concerned with college and university continuing education, cast in a broader vein than S. 3477 which passed the Senate in the 87th Congress, and which appeared in S. 580 as a part of title V in the 88th Congress.

I use this title as an example because I think it illustrates well the growth of an idea over time and the benefit to be attained in many cases, which is to be derived from permitting ideas to mature. The services to Americans of all ages which the college and university continuing education and extension title of H.R. 9567 will bring into being were contained in seed but not the developed form in the earlier versions of the legislation. As title I of the bill we are now debating, it is my judgment that a proved method of past years in limited context can be adapted and will be adapted to serve communities of every size in our Nation. Programs long established in continuing education show, as in my own State of Oregon, great benefit from this title when it becomes fully operative. Not only through the expansion of the existing programs now being ably carried out in every corner of the State but, as in the grafting of a new variety of apple upon a sturdy root system of the parent stock, it can be expected that the harvest of human attainment through increased knowledge to be derived from this title will be bountiful.

I mentioned a moment ago the omnibus education bill, S. 580. S. 580 was a bill that envisioned the ideals, hopes, and aspirations of the late President John Fitzgerald Kennedy in the field of educational legislation.

How well I recall now, as I think back to those times when my subcommittee met with President Kennedy, the objectives he had in mind, and the hopes and aspirations he had for advancing the educational opportunities of the youth of this country by way of the provisions of S. 580.

As Senators know, S. 580 was offered as an omnibus bill. Hearings were held on it as an omnibus bill. It soon became clear that as an omnibus bill it could not pass the 88th Congress, and would have to be considered in segmentized form.

In conference with the then President of the United States, I advised, and he accepted the recommendation, that the measure be considered point by point. We proceeded to break the bill up into a series of segments. At the very beginning, I announced a pledge on the floor of the Senate, as the CONGRESSIONAL RECORD will show, that I would do the best I could to see to it that every single section of what was then known as the Kennedy bill, S. 580 would eventually be brought to the floor of the Senate for a vote.

We are fulfilling that pledge today, because we have already covered most of the sections of S. 580 in Public Law 88–204, Public Law 88–210 of the last session and when we enacted Public Law 89–10, the Elementary and Secondary Education Act of 1965, earlier this session.

I believe the record will show that, with the previously enacted laws, when Public Law 89–10 was signed it brought into legislative being 20 of the 24 provisions or segments of the original Kennedy S. 580 bill.

When we pass this bill, if my optimism is justified—and I am very optimistic—we shall have kept the pledge in full.

That does not mean that S. 580 will be in law or on the statute books of this country in the identical form in which it was introduced. That is rarely the case with legislation. But it means—and I am proud to say this with deep solemnity because I know what this program meant to the late President Kennedy—that if the bill is passed in the form in which it is being presented, or without any scuttling changes in it, we shall have adopted the major underlying principles of all sections of the historic omnibus education bill known as S. 580, and we shall have added to that illustrious record new programs which promise much for the education of Americans of all ages, through new approaches in method and technique which bear the brand and stamp of President Johnson who has given education legislation his unstinting support. And, I might add, his continuing support. One title in the present bill contains concepts and programs sent to the Congress as recently as July 17 some short 6 weeks ago.

Mr. President, I do not propose to detain the Senate for long in this introductory presentation. On the desk of each Senator are the three volumes of our hearings which are packed with factual justifications for the actions we have taken in each title of the bill. The 1,529 pages comprising that record speak far more eloquently than I can of the needs and problems which H.R. 9567 is designed to meet. I shall, therefore, refer Senators to the report upon the bill which in detail in title after title, section after section, sets forth the various provisions of the measure. Mr. President, I ask unanimous consent that the short summary which appears in the first pages of the report be printed at this point in my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SHORT SUMMARY OF H.R. 9567, AS AMENDED

If enacted as amended, H.R. 9567 would:

(1) In title I, provide for fiscal year 1966 $25 million, and $50 million for each of the 4 following fiscal years to finance college and university extension and continuing education programs designed to assist in the solution of community problems and to strengthen and expand programs of continuing education through extension methods.

The funds provided would be used by the Commissioner of Education to make grants to colleges and universities providing such college and university extension services.

For the purpose of developing State plans through which the programs would be administered, 5 percent of the costs of the program or $25,000, whichever is greater, is authorized. Eighty percent of the money in each year would be allotted to the States upon a formula based upon population. Twenty percent of the sums appropriated under the authorization are reserved to the Commissioner for grants and contracts to finance experimental projects.

The President of the United States is authorized under this title to appoint a National Advisory Council on Extension and Continuing Education consisting of representatives of executive departments and 12 members appointed without regard to civil service laws from among persons knowledgeable in the field who, in addition to advising the Commissioner on the regulations established pursuant to the title, have the duty of reviewing the administration and effectiveness of all federally supported extension and continuing programs, and upon the basis of their findings to make recommendations to the President for transmittal to the Congress in annual reports commencing March 31, 1967, for the effectuation of their findings.

(2) Three types of programs to improve college and university libraries are authorized under title II of the proposed act.

(a) The first part of the act authorizes $50 million a year for 5 years to expand and to improve college library resources through provision of basic, supplemental, and special-purpose grants. Library resources include books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials and other related materials (including necessary binding). Seventy-five percent of the funds appropriated will be reserved for basic and supplemental grants. A basic grant which will not exceed $5,000 will be made to each eligible institution of higher education and to each branch of such institution which is located in a community different from that in which its parent institution is located. These basic grants will be matched on a 50–50 basis. Joint use of library facilities with other institutions is required where feasible. The supplemental grants which are not matched shall not exceed $10 for each full-time student. In making these grants the Commissioner of Education may take into consideration factors such as the size and age of the library collection and student enrollment and give priority to institutions in need of financial assistance for library purposes. Special-purpose grants which will be funded from the remaining 25 percent of the appropriation are reserved to meet special national or regional needs for additional library resources. Moreover, these grants may also be made to institutions which demonstrate a special need for additional library resources and which demonstrate that such financial assistance will make a substantial contribution to the quality of their educational resources. Special-purpose grants are matched at a rate of three Federal dollars for each institutional dollar. An Advisory Council on College Library Resources shall establish criteria for the making of supplemental grants and special-purpose grants.

(b) The second part of the title authorizes for the fiscal year ending June 30, 1966, $7,500,000 and $15 million for each of the 4 succeeding fiscal years to make grants to institutions of higher education to assist them in training persons in librarianship. In addition, the Commissioner is authorized to make grants to institutions of higher education and other public or private agencies and to individuals for research and demonstration projects relating to the improvement of libraries and the improvement of training in librarianship.

(c) Part C of the title provides $5 million for the fiscal year 1966, $6,315,000 for fiscal year 1967, and $7,700,000 for each of the 3 following fiscal years to enable the Commissioner of Education to transfer funds to the Librarian of Congress. Such funds will be expended to provide cataloging information promptly after receipt of library materials and to aid the Library of Congress in the acquisition of library materials currently published throughout the world of value to scholarships.

(3) In title III of the proposed act, for fiscal year 1966 the Commissioner of Education is empowered to grant $55 million and for fiscal year 1967 and the 3 succeeding fiscal years $60 million each year, for strengthening 4-year and 2-year developing institutions of higher education through making grants for payment of part of the cost of financing cooperative agreements between developing institutions and other colleges and universities. Such grants, upon a project basis, could be used for programs and activities such as (a) the exchange of faculty or students by the cooperating institutions; (b) training programs for developing institutional faculties and college administration; (c) introduction of new curriculums; (d) cooperative education programs; (e) joint use of facilities such as libraries or laboratories, and (f) other arrangements which offer promise of strengthening the academic programs and administration of developing institutions.

A further section of this title provides national teaching fellowships under which qualified graduate students and junior members of the faculties of developed institutions would be encouraged to teach at the developing institutions. Such fellowships would carry stipends of not more than $6,500 per year plus $400 for each dependent accompanying the fellow.

(4) Title IV, the student assistance title of the act, is composed of four parts:

Part A established undergraduate scholarships, funded at $70 million for the first year, will afford educational opportunities to 140,000 students. These scholarships, under committee amendments adopted, may range from $200 to $800 a year, dependent upon need. For those students having need in excess of $800 who are in the upper half of their college class, a maximum of $1,000 could be provided. These scholarships will be awarded by institutions of higher education within a State. Under the amendment adopted by the committee, however, 15 percent of a State's total allotment may be used by a State scholarship program for scholarships meeting the terms of the act, to supplement, upon a matching basis, its existing program or to initiate such a program. Such supplementation, however, would require an expansion of an existing program. The scholarship program provides $70 million for each of 5 years for initial scholarships. Scholarships could not exceed 4 years. Appropriations are also authorized to finance scholarships previously awarded.

Part B is the insured loan program. The committee here adopted an amendment to the original bill which parallels almost exactly the language adopted by the House when the companion measure passed on August 26. It places the Federal loan insurance program on a standby basis, to become operational only in the event that at any institution of higher education, State and/or private nonprofit loan insurance programs should fail to meet the demands for insured loans at that institution. This program is designed to assure that colleges and students attending colleges will have reasonable access to low-interest-rate loans. In order to accomplish this, the loans will be interest free to the student while he is attending school and at an interest rate paralleling the National Defense Education Act direct loans when he has completed his education. The difference between the interest charged to the student and the cost of the money through State or private nonprofit organizations will be paid by the Federal Government.

Part C of title IV transfers the college work-study program from the Office of Economic Opportunity to the Commissioner of Education—$129 million is authorized for this purpose for fiscal year 1966, and should provide on- and off-campus employment for 225,000 to 285,000 students. The final year of the program under administration estimates would be $235 million.

Part D of title IV consists of amendments made by the committee to the National Defense Education Act title II student loan program. These amendments were designed to provide participating colleges with procedures which would enable them to loan and collect more efficiently advances under this program. In addition, the committee adopted an amendment which forgives completely a National Defense Education Act loan at the rate of 15 percent per year for a teacher who elects to teach in a school in receipt of funds under title I of Public Law 89-10. The 100-percent forgiveness, however, would apply only in the case of teachers employed by 25 percent of the schools in the State.

The committee finally, also adopted amendments to include within title III of the National Defense Education Act the subject matter area of economics, and to provide in title XI, the institute title, provision for teachers in the fields of economics and civics. Increased funds for title III and title XI of the National Defense Education Act would come to $27,250,000 each year.

(5) Title V, which is concerned with teacher preparation programs, consists of four parts. Part A establishes in the Office of Education a 12-member Council on Teacher Preparation under the chairmanship of the Commissioner of Education. It is charged with the responsibility of reviewing the administration and operation not only of the programs carried out under title V but of all other Federal programs for complementary purposes. Part B makes provision for a National Teacher Corps funded at $36,100,000 for fiscal year 1966 and at $64,715,000 for each of the 4 following years. This program in its first year would permit approximately 6,000 individuals either alone or as members of a teaching team, in conjunction with local school districts, to provide teaching services in such districts. An additional part of the new title would provide 4,500 fellowships for the first year, rising to 15,000 in the fifth year, leading to a master's degree designed to attract recent graduates into the teaching field and to provide advanced training for experienced teachers. Forty percent of the fellowships are for recent graduates, 60 percent are for teachers with 5 or more years of experience. The master's may be taken either in education or in a subject matter discipline. Stipends for recent graduates are established at $2,000 for the first year and $2,200 the second year as in title IV of National Defense Education Act. Stipends for experienced teachers are set at $4,800 per year. For both recent graduates and experienced teachers provision is made for dependents at the rate of $400 per year and the necessary travel to the institution at which training is taken is also allowed. Each institution of higher education accepting such a fellow under the terms of the bill would receive a cost-of-education allowance of $3,000 per annum. Between 20 and 25 percent of the fellowships in each category would be reserved for ancillary fields such as special education, school social work, school library work, and vocational education. A further provision of this part would permit the Commissioner of Education to award up to 20 percent of the experienced teacher fellowships to professional employees of school systems who have been displaced as the result of school population changes resulting from the enforcement of the Civil Rights Act or the purposes of that act.

The final part of this new title would provide the Commissioner of Education with $5 million a year for grants to pay part of the costs of improving graduate and undergraduate teacher training programs in institutions of higher education.

(6) In title VI of the proposed act, a new program is established which brings to higher education in a manner similar to title III of the National Defense Education Act, a matching equipment grant program which for the first year is funded at $35 million and which will rise to $60 million at the end of the fifth year. There is also constituted a faculty development program funded at $5 million a year which is the counterpart of title XI of the National Defense Education Act at the elementary and secondary level. A further section provides $2.5 million for fiscal year 1966 and $10 million for the following 4 years for acquisition of TV equipment.

(7) Title VII amends the Higher Education Facilities Act of 1963 by incorporating amendments which increase for 1966 by $100 million funds authorized for inadequate academic facilities and by $60 million funds authorized for graduate academic facilities. Other amendments in this area would change matching requirements from the present fixed 40-60 formula in the case of junior and community colleges to an "up to 40 percent" Federal share, thus placing the junior and community college segment on a parity with similar language, applying to 4-year schools. The committee further broadened the categories of construction permissible under the Higher Education Facilities Act by removing previous limitations. Prohibition against construction for religious purposes or for structures for which admissions charges are made or gymnasia still apply. A third change in this area permits an interchange between funds for 4- and 2-year public schools where the State authorities determine this to be necessary.

(8) Title VIII contains general provisions and definitions as used in the act.

Mr. MORSE. Mr. President, I ask unanimous consent that there further appear at this point in my remarks a section-by-section analysis of the reported bill and a table of State allotments.

There being no objection, the analysis and table was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1: This section provides that this act may be cited as the "Higher Education Act of 1965."

TITLE I—COLLEGE AND UNIVERSITY EXTENSION AND CONTINUING EDUCATION

Section 101. Appropriations authorized: This section authorizes the appropriation of $25 million for making grants under this title for the first year of a 5-year program, and $50 million for each of the last 4 years. The grants would be made by the Commissioner of Education to strengthen continuing education and extension methods and teaching, and the public service resources of colleges and universities so as to assist in the solution of community problems such as housing, poverty, government, recreation, employment, youth opportunities, transportation, health, and land use.

Section 102. Allotments to States: Paragraph (1) of subsection (a) provides for the allotment among the States of 80 percent of the sums appropriated for each fiscal year pursuant to section 101. Guam, American Samoa, and the Virgin Islands are each allotted $25,000, and the other States (including the District of Columbia) are each allotted $100,000. The remainder of the 80 percent of the appropriation is allotted among the States in proportion to their population.

Paragraph (2) of subsection (a) provides that the Commissioner shall reserve 20 percent of the sums appropriated for each fiscal year pursuant to section 101 for grants and contracts for experimental projects and for supplemental grants pursuant to section 106.

Subsection (b) provides for reallotment among the States of the unused portion of any State's allotment.

Subsection (c) permits States to combine their allotments.

Subsection (d) provides that the Commissioner shall determine the population of States on the basis of the most recent satisfactory data available from the Department of Commerce.

Section 103. Uses of allotted funds: A State's allotment may be used in accordance with its State plan to provide new, expanded, or improved extension and continuing education programs designed to assist in the solution of rural and urban community problems.

Section 104. State plan: In order for a State to receive its allotment it must either (1) designate an agency qualified to solve community problems which is broadly representative of institutions of higher education competent to offer community service programs in the State or (2) designate an agency which does not meet all of these qualifications but which is required to consult with an advisory council in the State which meets the qualifications which the agency lacks. The agency must submit a State plan which sets forth a comprehensive, coordinated, and statewide system of extension and continuing education programs (administered by or under the agency) for which funds allotted to the State will be spent. The plan must provide for allocating Federal funds to institutions of higher education according to each institution's capacity and willingness to provide extension and continuing education programs, the need for such programs in the State, and the results of periodic evaluations of need for, and effectiveness in carrying out of, such programs within the State. The plan must assure that Federal funds will supplement and to the extent practicable increase funds otherwise available for community service programs, and must provide for certain reports and accounting procedures. The Commissioner of Education is directed to approve any plan meeting the requirements of this section.

Section 105. Payments: This section provides that payments from a State's allotment will be made to the State agency to carry out the State plan. The Federal share of the cost of carrying out the State plan will equal 75 percent in the fiscal years ending in 1966 and 1967, and 50 percent in each of the 3 succeeding years. This section also prescribes the manner of payment and certain limitations on the extent to which funds under this title will be available to pay administrative costs and costs with respect to which payments have been received under other Federal programs.

Section 106. Experimental approaches and supplemental grants: This section provides that the Commissioner shall use 20 percent of the sums appropriated for each year pursuant to section 101 to make grants to and contracts with institutions of higher education to pay part of the cost of experimental approaches to extension and continuing education related to the solution of community problems, or to augment grants awarded under this title from funds allotted under section 103.

Section 107. Administration of State plan: This section requires a hearing before the Commissioner of Education before he finally disapproves a State plan and before he determines a State has become ineligible to participate further under this title. A State with an approved plan may become ineligible if its plan is so changed or administered that the plan or its administration does not comply with the requirements of section 105.

Section 108. Judicial review: A State dissatisfied with the Commissioner's action in disapproving its plan or in determining that the State is ineligible to participate further under this title may obtain review of such action by a United States court of appeals.

Section 109. National Advisory Council on Extension and Continuing Education: This section directs the President to establish a National Advisory Council on Extension and Continuing Education to advise the Commissioner on the preparation of general regulations and on policy matters arising in the administration of this title, including the approval of State plans and the approval of projects and activities under section 106. The Council would also advise the Commissioner with respect to policies designed to eliminate duplication and to coordinate the programs under this title with other extension and continuing education programs, and it would review the administration and effectiveness of all such programs. The Council would consist of the Commissioner, at least 8 persons representing Federal agencies having extension and continuing education responsibilities, and at least 12 members appointed by the President.

Section 110. Relationship to other extension programs: This section states that title I does not modify authorities under certain other Federal extension and vocational education programs.

Section 111. Limitation: This section provides that no grant may be made under this title for any education activities and services related to sectarian instruction or religious worship, or provided by a school or department of divinity.

TITLE II—COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

Part A—College library resources

Section 201. Appropriations authorized: This section authorizes the appropriation of $50 million for the fiscal year ending on June 30, 1966, and for each of the 4 succeeding fiscal years, to enable the Commissioner to make grants to institutions of higher education. The grants will be for the purpose of assisting and encouraging such institutions to acquire for library purposes books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including whatever binding may be necessary).

Section 202. Basic grants: Under this section, the Commissioner may make basic grants (for the purposes set forth in sec. 201) to institutions of higher education and combinations of such institutions from 75 percent of the sums appropriated for any fiscal year pursuant to section 201. The maximum basic grant shall be $5,000 for each institution and branch thereof which is located in a different community. Applications may be made by an individual institution or by a combination of institutions. A basic grant may only be made if the Commissioner approves the application therefor. Before approving an application, he must determine that it—

(a) Provides satisfactory assurance that during the fiscal year for which the grant is requested the applicant will spend, for all library purposes (except construction) and from funds other than funds received under the part, (1) an amount equal to not less than the annual average of the amounts it spent for such purposes during the 2-year period ending June 30, 1965, and (2) an amount from such other sources at least equal to the amount of such grant;

(b) Provides satisfactory assurance that the applicant will spend, for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related materials, including whatever binding is necessary, from funds other than funds under the part, during the fiscal year for which the grant is requested, an amount at least equal to the average annual amount it spent for such materials during the 2-year period ending June 30, 1965;

(c) Provides for joint use of library facilities where feasible;

(d) Provides for necessary fiscal control and fund accounting procedures; and

(e) Provides for making reports needed by the Commissioner to carry out his functions under this section.

Section 203. Supplemental grants: Under subsection (a), the Commissioner is authorized to make supplemental grants for library resources to institutions of higher education and to combinations of such institutions. Supplemental grants would be made from whatever remains (after basic grants have been made) of the 75 percent of the sums appropriated for any fiscal year, plus, any sums the Commissioner determines will not be needed for making grants under section 204. A supplemental grant shall not exceed $10 for each full-time student enrolled in each such institution (including the full-time equivalent of the number of part-time students). The number of full-time students and their equivalent shall be determined by the Commissioner for each institution in accordance with regulations to be promulgated by him. A supplemental grant may be made only upon application therefor. An application must be in such form and must contain such information as the Commissioner may require. The application shall—

1. Meet the application requirements set forth in section 202 (except for the matching requirement in sec. 202(a)(2));
2. Describe the size and quality of the applicant's library resources in relation to its present enrollment and to any expected increase in its enrollment;
3. Set forth any special circumstances which are impeding, or which are expected to impede, the proper development of its library resources; and
4. Explain how a supplemental grant would be used to improve the size or quality of its library resources.

Subsection (b) provides that the Commissioner shall approve applications for supplemental grants in accordance with basic criteria developed after consultation with an Advisory Council established under section 205 and prescribed in regulations. The criteria will be those that will tend to best achieve the objectives of part A. They may take into consideration such factors as the age and size of the library collection, student enrollment, and financial resources and endowment, and they would be required to give priority to needy institutions.

Section 204. Special purpose grants: Subsection (a) provides that 25 percent of the sums appropriated for part A for each fiscal year shall be used to make special grants. These special grants shall be made (a) to institutions of higher education which demonstrate a special need for additional library resources and which demonstrate that the additional resources will make a substantial contribution to the quality of their educational resources; (b) to institutions of higher education to meet special national or regional needs in the library and information sciences, including those in the physical and social science fields; and (c) to combinations of institutions of higher education which need special assistance in establishing and strengthening joint use facilities. Grants under this section, however, may only be used for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including neecssary binding).

Subsection (b) provides that in order to obtain a special purpose grant for any year, an applicant would have to provide satisfactory assurance that it would expend during that year from other sources and for the same purposes for which the grant was made an amount equal to at least one-third of the amount of the grant, and that it would expend during that year for all library purposes (exclusive of construction) not less than the average annual amount it had expended for those purposes during the 2-year period which ended June 30, 1965.

Section 205. Advisory Council on College Library Resources: Under subsection (a), the Commissioner of Education must establish an Advisory Council on college library resources in the Office of Education. The Council will consist of the Commissioner, as chairman, and eight members appointed by the Commissioner with the approval of the Secretary and without regard to the civil service laws.

Subsection (b) provides that the Advisory Council will advise the Commissioner in establishing criteria for the making of supplemental grants under section 203 and special purpose grants under section 204. The Commissioner may appoint special advisory and technical experts and consultants who may be useful in carrying out the functions of the Council.

Under subsection (c), members of the Council, while serving on its business, will receive compensation at a rate to be fixed by the Secretary (but not to exceed $100 per day, including travel time). While serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence.

Section 206. Accreditation requirement for purposes of this part: This section provides that, for the purposes of part A, if the Commissioner determines that there is satisfactory assurance that upon acquisition of the library resources with respect to which assistance under this part is sought, or upon acquisition of those resources and other library resources planned to be acquired within a reasonable time, an educational institution will meet the accrediting standards of a nationally recognized accrediting agency or association, the institution shall be deemed to have been accredited by such agency or association.

Section 207. Limitation: This section provides that no grant may be made by the Commissioner under part A for the acquisition of books, periodicals, documents, or other related materials to be used in sectarian instruction or religious worship, or primarily in connection with any part of the program of a school or department of divinity. For purpose of this section, the term "school or department of divinity" means an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other specifically religious vocation, or to prepare them to teach theological subjects.

Part B—Library training and research

Section 221. Appropriation authorized: This section authorizes the appropriation of $7.5 million for the fiscal year ending June 30, 1966, and $15 million for each of the 4 succeeding fiscal years, for carrying out the purposes of part B.

Section 222. Definition of "librarianship": For the purposes of part B, this section defines the term "librarianship" to mean the principles and practices of the library and information science (including acquisition, organization, storage, retrieval, and dissemination of information) and reference and research use of library and other information resources.

Section 223. Grants for training in librarianship: Subsection (a) authorizes the Commissioner to make grants to institutions of higher education to assist them in training persons in librarianship, including the training of specialists in the communication of information in the physical and social sciences. Grants made under this section may be used by such institutions to cover all or part of the cost of courses of training or study for such persons, and for establishing and maintaining fellowships or traineeships. Fellows and others undergoing training and their dependents will receive stipends (including allowances for traveling, subsistence, and other expenses) not in excess of such maximum amounts as may be prescribed by the Commissioner.

Subsection (b) provides that the Commissioner may make a grant under the section only upon application by an institution of higher education and only upon his finding that such program will substantially further the objective of increasing the opportunity, throughout the Nation, for training in librarianship.

Section 224. Research and demonstrations relating to libraries and the training of library personnel: Subsection (a) authorizes the Commissioner to make grants to institutions of higher education and other public or private nonprofit agencies, institutions, and organizations and to individuals, for research and demonstration projects relating to the improvement of libraries or of training in librarianship, and for the dissemination of information derived from such research and demonstrations. The Commissioner is also authorized to provide by contracts with public or private profit or nonprofit agencies, organizations, or institutions, or with individuals, for the conduct of such activities.

Subsection (b) authorizes the Commissioner to appoint special or technical advisory committees to advise him on matters of general policy concerning research and demonstration projects relating to the improvement of libraries and of training in librarianship.

Subsection (c) provides that the Commissioner shall appoint, from time to time, panels of experts competent to evaluate various types of research and demonstration projects under this section. The Commissioner shall obtain the advice and recommendations of such a panel before making a grant under this section.

Subsection (d) provides that members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall be entitled to receive compensation at rates fixed by the Commissioner (but not to exceed $100 per diem, including travel time) while serving on the business of such a committee or panel. They may, while serving away from their homes or regular places of business, also be allowed travel expenses (including per diem in lieu of subsistence).

Part C—Cataloging of library materials

Section 241. Authorization: This section authorizes appropriations to enable the Commissioner of Education to transfer funds to the Librarian of Congress for the purpose of insuring that the Library acquires all library materials which are of value to scholarship and of providing and distributing catalog and bibliographic information. Authorized to be appropriated for these purposes are $5 million for fiscal year 1966, $6.315 million for fiscal year 1967, and $7.77 million for fiscal years 1968, 1969, and 1970.

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

Section 301. Statement of purpose and appropriations authorized: Subsection (a) states that the purpose of title III is to assist in raising the academic quality of colleges which have both the desire and the potential to make a substantial contribution to our national resources in higher education, but which because of a lack of finances (and for other reasons) are struggling to survive and are isolated from the main currents of academic life. Title III seeks to raise the academic quality of these colleges by enabling the Commissioner to establish a national teaching fellow program and to assist in establishing cooperative arrangements under which these developing institutions may draw on the talent and experience of America's finest colleges and universities, and on the educational resources of business and industry.

Subsection (b) authorizes the appropriation of $55 million for the fiscal year ending June 30, 1966, and $60 million for each of the 4 succeeding fiscal years, to carry out the provisions of title III. Fifty million dollars of the sums authorized for each fiscal year would be divided equally between institutions which do intend and institutions which do not intend to award a bachelor's degree during that year, and the remaining $5 million ($10 million after 1966) would be allocated among these classes of institutions by the Commissioner.

Section 302. Definition of "developing institution": For the purposes of title III, this section defines the term "developing institution" to mean a public or nonprofit educational institution which—

(a) Admits as regular students only persons having a certificate of graduation from high school, or the recognized equivalent of such a certificate;

(b) Is legally authorized to provide and provides within the State an educational program for which it awards a bachelor's degree, or a 2-year program which is acceptable for full credit toward a bachelor's degree, or a 2-year program in engineering, mathematics, or the physical or biological sciences;

(c) Is accredited by a nationally recognized accrediting agency or association determined by the Commissioner to be reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation;

(d) Has met the requirements of (a), (b), and (c) during the 2 academic years preceding the academic year for which it seeks assistance;

(e) Is making a reasonable effort to improve the quality of its teaching and administrative staffs and of its student services;

(f) Is seriously handicapped in its efforts to improve such staffs and services by lack of financial resources and a shortage of qualified professional personnel;

(g) Meets such other requirements as the Commissioner may prescribe by regulation; and

(h) Is not an institution, or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Section 303. Advisory Council on Developing Institutions: Under subsection (a) the Commissioner must establish an Advisory Council on Developing Institutions in the Office of Education. The Council will consist of the Commissioner (who will be Chairman), a representative from each Federal agency which has responsibility with respect to developing institutions and which may be designated by the Commissioner, and eight other members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

Subsection (b) provides that the Council will advise the Commissioner on policy matters arising in the administration of title III, and shall particularly assist the Commissioner in identifying those developing institutions through which the purposes of title III can best be achieved, and in the establishment of priorities to be used in approving applications under title III. The Commissioner may appoint special advisory and technical experts and consultant to assist the Council in discharging its functions.

Subsection (c) provides that those members of the Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $100 per day, including travel time. While serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence.

Section 304. Grants for cooperative agreements to strengthen developing institutions: Subsection (a) authorizes the Commissioner to make grants to developing institutions as well as to other colleges and universities to pay for a part of the cost of planning, developing, and carrying out cooperative arragements which promise to be effective as measures for strengthening the academic programs and the administration of developing institutions. The cooperative arrangements themselves may be between developing institutions or between developing institutions and other colleges and universities or organizations, agencies and business entities. This subsection further suggests, as types of projects and activities for which such grants may be used—

1. Exchange of faculty or students, including arrangements for bringing visiting scholars to developing institutions;

2. Faculty and administration improvement programs utilizing training, education (including fellowships leading to advanced degrees), internships, research participation, and other means;

3. Introduction of new curriculums and curricular materials;

4. Development and operation of cooperative education programs involving alternate periods of academic study and business or public employment;

5. Joint use of facilities such as libraries or laboratories, including necessary books, materials, and equipment; and

6. Other arrangements which offer promise of strengthening the academic programs and the administration of developing institutions.

Subsection (b) provides that a grant under this section may be made only upon application to the Commissioner submitted at such time or times and containing such information as the Commissioner deems necessary. The Commissioner shall not approve an application unless it—

1. Sets forth a program for carrying out one or more projects or activities which meet the requirements of subsection (a) and provides for proper and efficient methods of administration ;

2. Sets forth policies and procedures which assure that Federal funds granted under the section in any fiscal year will be used, not to supplant, but to supplement and (to the extent practical) increase the funds that would in the absence of such Federal funds be made available for the purposes of subsection (a);

3. Provides for necessary fiscal control and fund accounting procedures; and

4. Provides for such reports as the Commissioner may require to carry out his functions under the title.

Subsection (c) requires the Commissioner to consult with the Advisory Council and then to establish criteria for eligible expenditures for which grants made under the section may be used. These criteria shall be designed to prevent the use of such grants for expenditures unnecessary to achieve the purposes of the part.

Section 305. National teaching fellowships: Under subsection (a), the Commissioner is authorized to award fellowships to encourage highly qualified graduate students and junior members of the faculty of colleges and universities to teach at developing institutions. The Commissioner shall award such fellowships only upon application by an institution approved by him for this purpose, and only upon a finding by him that the program of teaching set forth in the application is reasonable in the light of the qualifications of the teaching fellow and of the educational needs of the applicant.

Subsection (b) provides that these fellowships may be awarded for such period of teaching, not to exceed 2 academic years or extend beyond June 30, 1970, as the Commissioner may determine. A fellowship under the provisions of this section shall consist of a stipend for each academic year of teaching of $6,500 or less, as determined by the Commissioner upon the advice of the Council, plus $400 for each year on account of each of his dependents.

TITLE IV—STUDENT ASSISTANCE

Part A—Undergraduate scholarships

Section 401. Statement of purpose and appropriations authorized: Subsection (a) states that the purpose of the part is to provide scholarships, through institutions of higher education and State scholarship programs to qualified high school graduates from low-income families who for lack of financial means would be unable to obtain the benefits of higher education without such aid. Subsection (a) also states that it is the purpose of Congress to encourage educational institutions to use work-study and loan programs and any other means of student aid available to them to supplement scholarship aid under the part.

Subsection (b) authorizes $70 million to be appropriated for the fiscal year ending June 30, 1966, and such sums as may be necessary for each of the 4 succeeding fiscal years, to enable the Commissioner to make payments to institutions for use by them in making payments to students for the initial year of scholarships awarded to them, and for defraying part of the cost of the cooperative motivational program for high-school students described in section 407(a)(5), and to make payments to States for State scholarship programs. Also authorized to be appropriated, for the year ending June 30, 1967, and each of the 6 succeeding fiscal years, are such sums as may be necessary for institutions to make scholarship payments under the part to students for years other than the initial year of their scholarship. Appropriated funds will be available for payment until the close of the fiscal year succeeding the fiscal year for which they were appropriated.

Section 402. Amount of scholarship—annual determinations: An institution which awards a scholarship to a student under the part will, for the duration of the scholarship, pay to the student for each academic year during which he is in need of scholarship aid, an amount (not in excess of $800, or $1,000 for a student in the upper half of his college class) determined by the institution to be required by the student to pursue his educational program during that year. If the amount so determined is less than $200, no payment shall be made to the student for that year. To guide participating institutions, the Commissioner will prescribe basic criteria or schedules for the determination of the scholarship amounts. These criteria or schedules will take into account the objective of limiting scholarship aid under the part to students from low-income families, and other factors that the Commissioner deems relevant.

Section 403. Duration of scholarship: The duration of a scholarship will be the period, not in excess of 4 years, required by the recipient to complete his undergraduate course of study at the institution awarding the scholarship. A scholarship will entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of study which he is pursuing, and (2) is devoting essentially full time to that course of study.

Section 404. Selection of recipients of scholarships: Subsection (a) provides that an individual will be eligible for a scholarship if he is from a low-income family and applies to an eligible institution at the time and in the manner prescribed by it.

Subsection (b) provides that the institution will select individuals who are to be awarded scholarships and determine, pursuant to section 402, the amounts to be paid to them. No institution will award a scholarship to an individual unless it determines that (1) he is in need of the scholarship to pursue a course of study at the institution, (2) he is capable of maintaining good standing in such course of study, and (3) he has been accepted for enrollment as a full-time student at the institution or, in the case of a student already attending the institution, is in good standing and full-time attendance there as an undergraduate student.

Section 405. Apportionment of scholarship funds among States: Subsection (a) provides for the apportionment of funds appropriated for making initial year payments to scholarship recipients and for the cooperative motivational program described in section 407 (a)(5). The Commissioner will apportion an amount equal to not more than 2 percent of these funds among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of such funds will be apportioned among the States of the Union and the District of Columbia as follows:

(a) One-third will be apportioned on the basis of the number of students in institutions of higher education in each State and the District of Columbia;

(b) One-third will be apportioned on the basis of the number of secondary school graduates in each State and the District of Columbia; and

(c) One-third will be apportioned on the basis of the number of related children in each State and in the District of Columbia who are under 18 years of age and are living in families with annual incomes of less than $3,000.

The Commissioner could reapportion any part of a State's apportionment not required by that State.

Subsection (b) provides that sums appropriated for making other than initial year payments to scholarship recipients will be apportioned among the States in such manner as the Commissioner determines to be necessary to carry out the purposes for which these sums were appropriated.

Section 406. Allocation of apportioned funds to institutions and for State scholarship plans: Subsection (a) provides that the Commissioner will allocate funds among institutions within a State in accordance with criteria established by the Commissioner to achieve an equitable distribution of the funds among these institutions.

Subsection (b) provides that upon request from the Governor of any State, up to 15 percent of that State's apportionment for any fiscal year shall be paid to that State for use in granting scholarships to students in institutions of higher education. The State would have to contribute an equal amount of new money for the same purpose, and the scholarships provided with the Federal funds and the State matching funds would have to be granted on the same basis of need, and on substantially the same basis in other respects, as applies to scholarships granted by institutions of higher education under this part.

Section 407. Agreements with institutions—conditions: Subsection (a) states that an institution of higher education which desires to obtain scholarship funds under the part must enter into an agreement with the Commissioner under this part. This agreement must (1) provide that funds received by the institution under the part will be used by it only in accordance with the provisions of this part; (2) provide that in determining whether an individual is an eligible student from a low-income family the institution will make an appropriate review of the financial status of that individual and of any individual upon whom the student relies primarily for his support; (3) provide that in the selection of students to receive scholarships under this part preference will be given to students who are beginning their first year of undergraduate study, and to students who are transferring from a 2- to a 4-year institution of higher education; (4) provide that the institution will, where appropriate, combine financial assistance in the form of loans, work-study opportunities, and scholarships under this part, in an effort to meet the full financial needs of students from low-income families; (5) provide that the institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths from low-income families and to encourage them to continue their education beyond secondary school through activities such as establishing or strengthening close working relationships with secondary school principals and guidance personnel and making, to the extent feasible, tentative commitments for scholarships to qualified students enrolled in grade 11 and lower grades and to secondary school dropouts who have a demonstrated aptitude for college study; (6) provide assurance that the institution will not reduce its own scholarship efforts, and will continue to spend in its own scholarship and student aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of 3 fiscal years preceding the effective date of the agreement; (7) include provisions designed to make scholarships available (to the extent of available funds) to all eligible students in the institution in need thereof; and (8) include such other provisions as may be necesary to protect the financial interest of the United States and promote the purposes of the part.

Subsection (b) provides that an institution may spend for the administration of the program described in paragraph (5) of subsection (a) up to 5 percent of the funds appropriated pursuant to the first sentence of section 401(b) and paid to it for any fiscal year ending prior to July 1, 1970.

Section 408. Contracts to encourage full utilization of education talent: This section authorizes the Commissioner to enter into contracts, not to exceed $100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of (a) identifying qualified youths from low-income families and encouraging them to complete secondary school and undertake post-secondary educational training, (b) publicizing existing forms of student financial aid, including scholarship aid furnished under the part, and (c) encouraging secondary-school dropouts of demonstrated aptitude to reenter educational programs, including postsecondary school programs. This section also authorizes appropriations of such sums as may be necessary to carry out these objectives.

Section 409. Definition of "academic year": This section states that as used in the part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Commissioner.

Part B—Federal, State, and private programs of low-interest insured loans to students in institutions of higher education

Section 421. Statement of purpose and appropriations authorized: Subsection (a) of this section states that it is the purpose of this part to enable the Commissioner (1) to encourage States and nonprofit institutions and organizations to establish adequate insurance programs for students in eligible institutions, (2) to provide a Federal program of student loan insurance for students who do not have reasonable access to a State or private nonprofit student loan insurance program, and (3) to pay a portion of the interest on certain student loans insured under this part or under certain State or private loan insurance programs. "Eligible institution" is defined in section 435.

Subsection (b) of this section authorizes the appropriation (1) of $1 million, plus such further sums as may be necessary, for the establishment of a student loan fund, (2) of such sums as may be necessary to make interest payments on insured loans under section 428, and (3) of $17.5 million to make advances under section 422 to State and nonprofit private student loan insurance reserve funds.

Section 422. Advances for reserve funds of State and nonprofit private loan insurance programs: Subsection (a) of this section authorizes the Commissioner to make repayable advances to any State with which he has made an agreement pursuant to section 428(b), for the purpose of helping to establish or strengthen the reserve fund of the student loan insurance program covered by that agreement. If a State will not have a student loan insurance program covered by an agreement under section 428(b)—as determined for each of the fiscal years 1966, 1967, and 1968—then for any such year advances could be made to one or more nonprofit private programs to cover students in that State. Advances could be made to both State and private funds if necessary in order to assure that students at every eligible institution have access through such institution to a student loan insurance program. Advances and repayments under this subsection will be upon terms and conditions prescribed by the Commissioner.

The $17.5 million authorized for advances to State and nonprofit private programs under subsection (a) is to be allocated among the States in proportion to their population aged 18 to 22, inclusive, but with no State receiving less than $25,000.

Section 423. Effect of adequate non-Federal programs: This section prohibits the Commissioner from issuing insurance certificates to lenders in a State when he determines that every eligible institution has reasonable access in that State to either a State or private nonprofit student loan insurance program covered by an agreement under section 428(b).

Section 424. Scope and duration of loan insurance program: Subsection (a) limits the total principal amount of new loans made (and installments paid pursuant to lines of credit) to students covered by insurance under this part to $700 million in the fiscal year ending in 1966, $1 billion in the fiscal year ending in 1967, and $1.400 million in the fiscal year ending in 1968. Thereafter, insurance under this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit) to enable students, who have obtained prior loans insured under this part, to continue or complete their educational program; but no insurance may be granted for any loan made or installment paid after June 30, 1972.

Subsection (b) permits the Commissioner to assign insurance quotas to States, areas, or eligible lenders.

Section 425. Limitations on individual loans and on insurance: Subsection (a) of this section limits the amount of insured loans made to a student to $1,500 per year in the case of a graduate or professional student, and to $1,000 per year in the case of any other student. The overall amount of insurance on the unpaid principal of loans may not at any time exceed $7,500 in the case of a graduate or professional student, or $5,000 for any other student. Under subsection (b) the liability of the United States on an insured loan is limited to the amount of unpaid principal and does not extend to accrued interest.

Section 426. Sources of funds: This section permits insurance of loans made from funds held in trust or a similar capacity.

Section 427. Eligibility of student borrowers and terms of student loans: Subsection (a) of this section provides that loans are insurable only if they meet the following conditions: The borrower must be accepted for enrollment or be in good standing at an eligible institution, must carry at least half of the normal full-time workload, and must provide the lender with the institutions statement of tuition, fees, and estimated room and board.

The loan must be evidenced by an unsecured note, which may be required to be endorsed only if necessary to create a binding obligation. The note must provide for repayment within 15 years of its execution in installments during a period of 5 to 10 years beginning between 9 months and 1 year after the student ceases to carry half of the normal full-time workload at an eligible institution. Interest on the loan cannot exceed the rate prescribed by the Commissioner for the geographic area, and is payable over the period of the loan unless the note provides for deferral of interest not paid under section 428 until the first payment of principal. The lender must agree not to try to collect from the borrower interest payable by the Commissioner under section 428. The note must permit the borrower to accelerate repayment.

Subsection (b) limits the interest rate on insured loans to 6 percent, except that under certain exceptional circumstances the rate may be as high as 7 percent.

Subsection (c) requires a minimum annual repayment by a borrower on all of his loans insured by the Commissioner under this part of $360 or his outstanding balance, whichever is less.

Section 428. Federal payments to reduce student interest costs: This section directs the Commissioner to make payments to holders of insured student loans to reduce student interest costs. Each student whose adjusted family income is less than $15,000, and who has received a loan insured under this part, or under a State or nonprofit private program meeting required standards, will be entitled to have paid on his behalf to the holder of the loan, over the period of the loan, a portion of the interest on the loan. In order to entitle student borrowers to the benefit of the interest subsidy with respect to loans insured by any State or private nonprofit program, such program must, after June 30, 1967, have an agreement meeting all of the requirements provided in section 428(b) concerning the terms of the loan insurance program. During the transitional period prior to July 1, 1967, such program must only meet the standards limiting the interest rate to no higher than 6 percent yearly on the unpaid principal balance of the loan and the provision that repayment of the insured loans shall not be required to begin earlier than 60 days after the student ceases to pursue his course of study at an eligible institution. (Adjusted family income will be determined as of the time of execution of the loan note and will be determined under regulations of the Commissioner which will take into account appropriate factors such as family size.)

The payment a student is entitled to have made on his behalf under this section will, during the period which precedes the repayment period of the loan, be equal to the total amount of the interest which accrues prior to the beginning of the repayment period, and will, during the repayment period, be equal to 3 percent per annum of the unpaid principal amount of the loan. However, the payment may not exceed, for any period, the amount of the interest, which (but for such payment) would be actually payable by the student, taking into consideration interest payments on his behalf for that period under any State or private loan insurance program. The holder of an insured loan will have a contractual right, as against the United States, to be paid by the Commissioner the portion of interest which has been determined under this section. The Commissioner will prescribe the manner of payment and the form of certain reports to be made by the holder of the loan.

Subsection (b) of this section sets forth the conditions under which students whose loans are insured under State or private programs will receive payments to reduce their interest costs under this section. Any State or any nonprofit private institution or organization which has a student loan insurance program may enter into an agreement with the Commissioner to permit students who receive loans which are insured under its program to have made on their behalf payments under subsection (a), if the Commissioner determines that the insurance program—

(A) Authorizes the insurance of up to $1,000 but not more than $1,500 in loans per student per academic year;

(B) Authorizes the insurance of loans to any individual student for at least 6 academic years of study;

(C) Provides that (i) the student borrower may accelerate without penalty the whole or any part of an insured loan, (ii) the period of any insured loan may not exceed 15 years from the date of execution of the note evidencing of the loan, and (iii) the note contain certain default provisions prescribed by the Commissioner's regulations;

(D) Subject to the preceding subparagraph, provides that, if a student's insured loans held by any one person exceed $2,000, then repayment of such loans will be in installments over a period of not less than 5 years nor more than 10 years beginning between 9 months and 1 year after the student ceases to pursue a full-time course of study at an eligible institution (except that if the program provides for the insurance of loans for part-time study at eligible institutions, the repayment period will begin between 9 months and 1 year after the student ceases to carry at least one-half the normal full-time academic workload);

(E) Limits interest (exclusive of the insurance premium) to 6 percent per annum on the unpaid principal balance of the loan;

(F) Insures at least 90 percent of the unpaid principal of loans insured under the program;

(G) Does not provide for collection of an excessive insurance premium;

(H) Provides that the benefits of the loan insurance program will not be denied any student because of his family income or lack of need, if his adjusted family income is less than $15,000;

(I) Provides that a student may obtain insurance under the program for a loan for any year of study at an eligible institution; and

(J) Provides, in the case of a State program, that the program will be administered by a single State agency, or by one or more nonprofit private institutions or organizations under the supervision of such an agency.

Agreements under this subsection will require reports and have certain other provisions necessary to carry out this part.

Section 429. Certificates of insurance—effective date of insurance: This section details the method by which an eligible lender obtains insurance on a student loan. Subsection (a) provides that loans which meet the requirements of the act may be insured after they are made, on application by the lender, but that the Commissioner on application may make an advance commitment to insure a proposed loan or line of credit. Subsection (b) prescribes another alternative under which the Commissioner may issue to eligible lenders certificates of comprehensive insurance coverage which would insure all insurable loans made by a lender during a period and up to an amount specified in the certificate. Subsection (c) authorizes the Commissioner to charge a yearly insurance premium of up to one-fourth of 1 percent of the unpaid balance of the principal of an insured loan.

Subsections (d) and (e) relate to assignment and consolidation of insured obligations.

Section 430. Procedure on default, death, or disability of student: This section sets out the procedure by which eligible lenders (and their assignees) collect any amounts for which the United States is liable by reason of the default, death, or disability of the borrower. The Commissioner may forbear his collection rights (under the subrogation provisions of the section) in the case of deceased or disabled borrowers.

Section 431. Insurance fund: This section establishes a student loan insurance fund into which will be deposited amounts appropriated under the authority of section 421 (b)(1), insurance premiums, and amounts recovered by the Commissioner from defaulted borrowers. All payments in connection with the default of loans insured under the act will be paid from the fund, and in the event that the moneys in the fund are not sufficient to make such payments the Commissioner may obtain additional moneys by issuing to the Secretary of the Treasury notes or other obligations as a public debt transaction.

Section 432. Legal powers and responsibilities: This section authorizes the Commisisoner, in carrying out the act, to make regulations, sue and be sued, prescribe and modify the terms of insurance contracts, permit the modification of student loan agreements, and to settle insurance claims. The Commissioner's financial operations are subject to the Government Corporation Control Act.

Section 433. Advisory Council on Insured Loans to Students: This section requires the Secretary of Health, Education, and Welfare to establish in the Office of Education an Advisory Concil on Insured Loans to Students. The Council would consist of the Commissioner, who would be chairman, and eight other members, including persons representing State and private nonprofit loan insurance programs, financial and credit institutions, and institutions of higher education. The Council would advise the Commissioner in the preparation of general regulations, and with respect to policy matters arising in the administration of this part.

Section 434. Participation by Federal credit unions in Federal, State, and private student loan insurance programs: This section permits Federal credit unions to use up to 10 percent of their assets for making to their members student loans insured under this part or under certain State or private loan insurance programs.

Section 435. Definitions for reduced-interest student loan insurance program: This section defines, for purposes of this part, the term "eligible institution," "eligible lender," and "line of credit."

Part C—College work-study program extension and amendments

Section 441. Transfer of authority and other amendments: Section 441 amends parts C and D of title I of the Economic Opportunity Act of 1964 and (1) transfers authority to administer the work-study program under part C from the Director of the Office of Economic Opportunity to the Commissioner of Education; (2) restates the statement of purpose pertaining to the work-study program (sec. 121) to provide that the purpose of the program is to stimulate and promote the part-time employment of students, particularly from low-income families, in institutions of higher education who are in need of the earnings from such employment to pursue courses of study at such institutions (the present program is solely for students from low-income families); (3) revises section 123 of the act to adopt the definition of "institution of higher education" which is proposed in section 461 of the bill for the National Defense Education Act of 1958 (the present work-study program adopts the definition used in the Higher Education Facilities Act of 1963); (4) revises section 124(a) of the act to apply, in substance, the same requirements to work for an institution of higher education as are applied to work for a public or private nonprofit organization; (5) revises clause (c) of section 124 to require that agreements provide that, in the selection of students for employment, preference is to be given to students from low-income families; (6) adds to section 125 (which permits institutions to draw from any source other than Federal work-study payments for paying their share of the compensation of students under work-study programs) authority for institutions to pay their share to students in the form of services and equipment (including tuition, room, board, and books) furnished by such institutions; and (7) makes a clarifying change, necessitated by the transfer of the work-study program, with respect to the authorization of appropriations provided for in section 131 (part D) of the Economic Opportunity Act of 1964.

Section 442. Appropriations authorized: Section 442 authorizes the appropriation of $129 million for the fiscal year 1966, $165 million for fiscal year 1967, $200 million for fiscal year 1968, and $235 million each for fiscal years 1969 and 1970, to carry out college work-study programs. This section also contains certain technical provisions necessitated by the transfer of responsibility for the program to the Office of Education.

Part D—Amendments to National Defense Education Act of 1958

Section 461. Definition of institution of higher education: Section 461 amends section 103(b) of the National Defense Education Act with respect to the definition of "institution of higher education." In the case of an institution which is not accredited by a nationally recognized accrediting agency approved by the Commissioner for this purpose, a new provision states that the institution may meet the accreditation standards of the act if the Commissioner has determined that there is satisfactory assurance that it will meet the standards of such an agency or association within a reasonable time. Section 103(b) is also amended to provide that, for purposes of title II, certain nonprofit schools which provide not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation are to be treated as institutions of higher education. Section 103(b), as amended by this section, also confers additional authority upon the Commissioner, in cases where he has determined that a particular category of schools does not meet the accreditation requirements because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, to appoint advisory committees to (i) prescribe standards to be met in order to qualify such schools to participate in the student loan program under title II, and (ii) to determine whether these schools meet those standards.

Section 462. Conditions of agreements; administrative costs: Section 462 amends clause (3) of section 204 of the National Defense Education Act to require that agreements between the Commissioner and institutions participating in the loan program provide that student loan funds may be used for routine expenses (within specfied limits) incurred by the institution in administering the student loan fund, and for collection costs (in addition to costs of litigation) agreed to by the Commissioner.

Section 463. Technical amendment for part-time students: Subsection (a) of this section amends section 205(b)(2) of the National Defense Education Act to authorize institutions to determine whether loans shall be repaid in equal (or if the borrower requests, in graduated periodic installments determined in accordance with schedules approved by the Commissioner) quarterly, bimonthly, or monthly installments. It also amends section 205(b)(2) to provide that repayment of principal, together with interest, is to commence 9 months after the date on which the borrower ceases to carry at least half the normal full-time academic workload, and end 10 years and 9 months after such date except that interest shall not accrue and no installment need be paid while the borrower is carrying (at an institution of higher education or comparable institution outside the States, approved for this purpose by the Commissioner) at least one-half the normal full-time academic workload, as determined by the institution.

Subsection (b) of this section makes minor conforming amendments to clause (D) of section 205(b)(2).

Subsection (c) of this section provides that the amendments made by section 463 shall apply to loans outstanding on the date of enactment only with the consent of the borrower and the lending institution.

Section 464. Minimum rate of repayment: Subsection (a) of this section amends section 205(b)(2) of the National Defense Education Act to authorize institutions to require that the rate of repayment by a borrower on all title II loans extended him must be not less than $15 per month.

Subsection (b) provides that the amendment made by section 464 shall be applicable only with respect to loans made after the date of enactment.

Section 465. Cancellation of loans for teachers: Subsection (a) of this section amends section 205(b)(3) of the National Defense Education Act in three respects: First, to provide that the portion of the loans to be forgiven teachers is to be calculated as a percentage of the original total of the loans in question rather than, as the law now provides, of the amount of the loan remaining unpaid on the first day of service as a teacher; second, to provide that the prescribed portions of the loan to be forgiven shall be forgiven for each academic year "or its equivalent"; and third, to provide that the cancellation rate for teachers shall be 15 percent for each complete academic year, or its equivalent, of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency eligible in such year for assistance under title II (financial assistance to local educational agencies for the education of children of low-income families) of Public Law 874, 81st Congress, and which has been determined to be a school in which there is a high concentration of students from low-income families. For purposes of such cancellation, an additional 50 percent of any loan (plus interest) may be canceled.

Subsection (b) sets forth the effective dates of the three amendments made by subsection (a).

Section 466. Charges: Subsection (a) of section 466 amends section 205 of the National Defense Education Act by adding a new subsection (c) to authorize institutions to assess charges against borrowers who fail to pay all or any part of an installment when due, and against borrowers who are entitled to deferment benefits or cancellation benefits but who fail to file timely and satisfactory evidence of such entitlement. Such charges may amount to $1 for the first month of delinquency and $2 each month thereafter, except that for bimonthly or quarterly repayment intervals, the charge may be $3 and $6, respectively. Institutions would be authorized to elect whether to add these charges to the principal amount of loans as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the institution not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

Subsection (b) of the section amends section 204(2) of the National Defense Education Act to conform to the amendment.

Subsection (c) provides that the amendment made by subsection (a) is applicable only with respect to loans made after the date of enactment.

Section 467. Economics, civics, and industrial arts: Subsection (a) of this section amends clauses (1) and (5) of section 303(a) of the National Defense Education Act pertaining to State plans under which financial assistance is extended for strengthening instruction in science, mathematics, modern foreign languages and other critical subjects to include "economics" among subjects which may be included in programs by State educational agencies. Subsection (a) also authorizes increased appropriations (from $90 to $100 million) for fiscal years 1966, 1967, and 1968 for carrying out title III of the National Defense Education Act.

Subsection (b) of section 467 amends section 1101 of the National Defense Education Act (authorizing short-term or regular session institutes for advanced study) to provide for the authorization of $50 million (rather than $32,750,000) for fiscal 1966 and for each of the 2 succeeding years. It also amends section 1101 to expand the categories of eligible support to include institutes to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or the supervising or training of teachers, of economics, civics, and industrial arts.

TITLE V—TEACHER PROGRAMS

Part A—General provisions

Section 501. Advisory Council on Teacher Preparation: Subsection (a) of this section provides that the Commissioner shall establish an Advisory Council on Teacher Preparation in the Office of Education. The Commissioner will be Chairman of the Council, and he will appoint (with the approval of the Secretary) the 12 members of the Council. Such 12 members shall include persons knowledgeable with respect to teacher preparation and the needs of urban and rural schools. The purpose of the Council will be to review the administration and operation of the programs carried out under this title and under all other Federal programs for complementary purposes.

Subsection (b) provides for compensation of Council members who are not regular full-time employees of the United States.

Subsection (c) allows the Council to appoint an Executive Secretary and such other employees as it deems necessary to carry out its functions under this part.

Section 502. Limitation: This section provides that nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

Part B—National Teacher Corps

Section 511. Statement of purpose and authorization of appropriations: Subsection (a) states that it is the purpose of this part to improve the educational opportunities available to children in areas having a concentration of low-income families, and at the same time to encourage the development of broader programs of teacher preparation in colleges and universities, by attracting and training both qualified teachers and inexperienced teacher-interns who will be made available to local educational agencies in low-income areas.

Subsection (b), for the purpose of carrying out this part, authorizes the appropriation of $36,100,000 for the fiscal year ending June 30, 1966, and $64,715,000 for the fiscal year ending June 30, 1967, and for each of the 4 succeeding fiscal years.

Section 512. Establishment of National Teachers Corps: A National Teacher Corps, to be headed by a Director who shall be compensated at the rate prescribed for grade 17 of the General Schedule of the Classification Act of 1949, and a Deputy Director who shall be compensated at the rate prescribed for grade 16, is established in the Office of Education in order to carry out the purposes of this part.

Section 513. Teacher Corps program: Subsection (a) authorizes the Commissioner to (1) recruit, select, and enroll both experienced teachers and inexperienced teacher-interns (who have a bachelor's degree or its equivalent) in the Teacher Corps for periods of up to 2 years; (2) enter into arrangements with institutions of higher education or State or local educational agencies to provide members of the Teacher Corps with appropriate training, including a maximum of 3 months training before undertaking their teaching duties; (3) enter into arrangements (including the payment of cost of such arrangements) with local educational agencies to furnish experienced teachers and teaching teams (consisting of one experienced teacher and a number of teacher-interns) for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, and under which arrangements teacher-interns shall be afforded time by the local educational agency for a teacher-intern training program carried out under the guidance of the experienced teacher in cooperation with an institution of higher education; (4) pay to local educational agencies the amount of compensation which such agencies pay to members of the Teacher Corps assigned to them; and (5) employ experts and consultants or organizations thereof to assist the Commissioner in carrying out his functions under this part.

Subsection (b) provides that, wherever possible, arrangements with institutions of higher education to furnish training to teacher-interns while such interns are teaching, shall provide for training leading to a graduate degree.

Subsection (c) provides that when the demand for the services of Teacher Corps members exceeds the supply, the Commissioner shall, to the extent practicable, allocate those members available among the States in proportion to the number of children counted in each State for the purpose of making basic grants under title II of Public Law 874, 81st Congress, as amended, for the fiscal year for which such allocation is made.

Subsection (d) provides that Teacher Corps members may be utilized by a local educational agency to provide educational services available to children enrolled in private elementary and secondary schools, in the manner described in section 205(a)(2) of Public Law 874, 81st Congress, as amended.

Section 514. Compensation: Subsection (a) requires that an arrangement with a local educational agency shall provide that Teacher Corps members shall be compensated by that agency at the following rates: (1) Experienced teachers shall receive pay equivalent to that received by teachers with similar training experience and duties who are employed by the local educational agency, (2) experienced teachers leading teaching teams are to be compensated at a rate agreed upon by the Commissioner and the agency, and (3) teacher-interns will be compensated at the lowest rate paid by such agency for full-time teaching in the school system and grade to which the intern is assigned.

Subsection (b) authorizes the Commissioner to pay stipends to Teacher Corps members while such members are in training. Such payments may include allowances for subsistence and other expenses for such members and their dependents, and are to be consistent with prevailing practices under comparable federally supported training programs.

Subsection (c) authorizes the Commissioner to pay certain necessary expenses of Teacher Corps members, including travel, transportation of household goods, and readjustment allowances proportionate to service.

Subsection (d) authorizes the Commissioner to arrange to protect the tenure, retirement rights, and similar employee benefis of any Teacher Corps member who wishes to return to the local educational agency or institution of higher education by which he was employed immediately prior to his service in the Corps.

Section 515. Application of provisions of Federal law: Subsection (a). A Teacher Corps member is not to be deemed a Federal employee, except as is otherwise specifically provided in this section, and is not subject to those provisions of law relating to Federal employment.

Subsection (b) provides, however, that Teacher Corps members shall be deemed to be Federal civil employees within the meaning of section 40 of the Federal Employees' Compensation Act (5 U.S.C. 790) for the purposes of the administration of that act, and the provisions of that act shall apply except as hereinafter provided. For purposes of this subsection the term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of a member of the Teacher Corps while on authorized leave, or while absent from his assigned post of duty, except while participating in an activity authorized by the Commissioner. In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of a member of the Teachers Corps shall be deemed to be his actual pay or that received under the entrance salary for GS-6, whichever is greater.

Subsection (c) provides that members of the Teacher Corps shall be deemed to be employees of the Government for the purposes of the Federal Tort Claims Act.

Section 516. Local control preserved: Members of the Teacher Corps shall be under the direct supervision of the local educational agencies to which they are assigned, and such agencies shall retain the authority to assign such members within their systems, make transfers within their systems, determine the subject matter to be taught, and determine the terms and continuance of the assignment of such members within their systems.

Section 517. Maintenance of effort: No member of the Teacher Corps may be used by any local educational agency to replace any teacher who is or would otherwise be employed by such agency.

Part C—Fellowships for teachers

Section 521. Statement of purpose: The purpose of this part is to provide opportunities for advanced training, particularly in substantive field areas, for teachers and personnel serving in ancillary fields.

Section 522. Fellowships authorized: Subsection (a) authorizes the Commissioner to award fellowships for graduate study leading to a masters or equivalent degree, either in education or in the subject matter which the recipient is or will be teaching in elementary, secondary, or postsecondary vocational schools. Such fellowships may also be awarded in fields ancillary to elementary, secondary, and postsecondary vocational education. These fellowships may be for a period not exceeding 2 academic years. The Commissioner is authorized to award 4,500 fellowships for fiscal year 1966, 10,000 fellowships for fiscal year 1967, and 15,000 fellowships for fiscal year 1968 and each of the 2 succeeding fiscal years.

Subsection (b) further authorizes the Commissioner to award, in addition to the number of fellowships authorized for any particular fiscal year, a number of fellowships equal to those previously awarded but vacated. Each such fellowship shall be for a period of study equal to that remaining in the fellowship which it replaces.

Section 523. Fellowships for recent graduates: An institution of higher education may recommend for a fellowship any of its graduates who has received a bachelor's degree with high standing within 6 months preceding such recommendation. The Commissioner shall award 40 percent of the fellowships authorized by this part to such persons.

Section 524. Fellowships for experienced teachers: The remaining 60 percent of the fellowships authorized under this part are to go to persons who have had 5 years or more of professional experience. Such persons must be recommended by a local educational agency or a private school authority, and the agency or authority must agree to rehire the individual upon completion of the course of study under the fellowship.

Section 525. Fellowships in ancillary fields: This section requires that between 20 and 25 percent of the fellowships awarded under sections 523 and 524 will be given to persons who wish to do graduate work in fields ancillary to elementary, secondary, or postsecondary vocational education, such as library science or school social work.

Section 526. Fellowships for displaced experienced teachers: This section provides that the Commission may award, without regard to the requirements with respect to recommendations and agreements to rehire, up to 20 percent of the fellowships awarded under section 524 to persons who have been displaced in their employment as professional employees of local educational agencies as a result of changes of school populations brought about by the enforcement of the Civil Rights Act of 1964, or by any other action, whether voluntary or under court order, which helps to achieve the purpose of that act.

Section 527. Distribution of fellowships: The Commissioner shall endeavor to distribute these fellowships equitably throughout the Nation, and he shall give preference in such awards to persons already serving, or intending to serve, in low-income areas.

Section 528. Stipends: Subsection (a) provides that a fellowship awarded under section 523 (for recent graduates) carries a stipend of $2,000 for the first academic year and $2,200 for the second year. A section 524 fellowship (for experienced teachers) carries a stipend of $4,800 for each academic year of study. An additional $400 per year shall be paid to each fellowship recipient for each of his dependents.

Subsection (b) authorizes the payment of $3,000 per academic year to the institution of higher education where a recipient of a fellowship is studying. This amount will be less any amount charged any such recipient for tuition.

Under subsection (c) the Commissioner is authorized to reimburse a fellowship recipient for necessary traveling expenses of the recipient and his dependents.

Section 529. Limitation: This section provides that no fellowship shall be awarded for study at a school or department of divinity, which means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to enter upon some religious vocation.

Section 530. Fellowship conditions: In order to remain eligible for his fellowship payments, a recipient must maintain satisfactory proficiency in, and devote essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and must not engage in gainful employment other than part-time employment which has been approved by the Commissioner.

Section 531. Appropriations: This section authorizes the appropriation of such amounts as may be necessary to carry out the provisions of this part.

Part D—Grants to institutions of higher education for improved teacher education

Section 541. Appropriations authorized: For the purpose of carrying out this part, this section authorizes the appropriation of $5 million for the fiscal year ending June 30, 1966, and for each of the four succeeding fiscal years.

Section 542. Grants for improved teacher education: Subsection (a) authorizes the Commissioner to make grants to and contracts with institutions of higher education to pay part of the cost of developing or strengthening graduate programs for the training of teachers and of developing or strenghtening high-quality undergraduate programs for the training of such personnel. The Commissioner may employ experts and consultants to advise him with respect to the making of grants and contracts under this part and in carrying out the provisions of part C. The Commissioner shall set forth in regulations the standards and priorities which will be utilized in approving such grants and contracts.

Subsection (b) sets out the standards which the Commissioner will use in determining whether or not a graduate program of an institution of higher education qualifies for assistance under this part. Such a program must (1) improve the quality of teacher education, (2) give major emphasis to high-quality substantive courses, (3) either be in effect or be attainable as a result of assistance received under this part, and (4) be open only to those with a serious intent to pursue a career in education.

TITLE VI—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

Part A—Equipment

Section 601. Statement of purpose and authorization of appropriations: Subsection (a) states that the purpose of this part is to improve the quality of classroom instruction in selected subject areas in institutions of higher education.

Subsection (b) authorizes the appropriation of $35 million for fiscal year 1966, $50 million for fiscal year 1967, and $60 million for fiscal years 1968, 1969, and 1970, to enable the Commissioner to make grants to institutions of higher education for the acquisition of equipment and for minor remodeling.

Subsection (c) authorizes the appropriation of $2,500,000 for fiscal year 1966, and $10 million for fiscal years 1967, 1968, 1969, and 1970, to enable the Commissioner to make grants to institutions of higher education for the acquisition of television equipment and for minor remodeling.

Subsection (d) authorizes the appropriation of not more than $1 million for fiscal year 1966 and for each of the 4 succeeding fiscal years, to enable the Commissioner to make grants for the proper and efficient administration of State plans approved under this part, including expenses which he determines are necessary for the preparation of such plans.

Section 602. Allotments to States: Subsection (a) provides that of the funds appropriated pursuant to subsections (b) and (c) of section 601 for any fiscal year, one-half shall be allotted by the Commissioner among the States on the basis of the number of students enrolled in institutions of higher education in each State. The remaining one-half would be allotted by the Commissioner among the States in accordance with a formula which would take into account the college enrollment of each State and its relative per capita income.

Subsection (b) provides that a State's allotment under subsection (a) from funds appropriated pursuant to sections 601(b) and 601(c) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 604) of the cost of equipment and minor remodeling described in sections 603 (2)(A) and 603(2)(B), respectively.

Subsection (c) provides that sums allotted to a State for fiscal year 1966 shall remain available for reservation until the close of the next fiscal year. Sums allotted to a State for fiscal year 1967, or for any succeeding fiscal year, which are not reserved by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner among the States which are able to use without delay any amounts so reallotted. Amounts so reallotted would be available for reservation until the close of the next fiscal year.

Section 603. State commissions and plans: Section 603 provides that any State desiring to participate in the program under this part shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education in the State. If no such State agency exists, the State may establish such an agency. The agency so designated or established (hereafter referred to as the "State commission") must submit to the Commissioner a State plan for participation. The Commissioner must approve any such plan which meets the following requirements. The plan must provide that it shall be administered by the State commission. It must set forth, consistently with basic criteria prescribed by regulation pursuant to section 604, (A) objective standards and methods for determining the relative priorities of eligible projects for the acquisition of specified laboratory and other special equipment, including minor remodeling of classroom or other space used for such materials or equipment; (B) objective standards and methods for determining relative priorities of eligible projects for (i) the acquisition of television equipment for closed-circuit direct instruction in specified fields (but not broadcast transmission equipment), (i) the acquisition of necessary instructional materials for use in such television instruction, and (iii) minor remodeling necessary for such television equipment; and (C) objective standards and methods for determining the Federal share of the cost of each such project.

The plan must also provide (A) for assigning priorities solely on the basis of such criteria, standards, methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisions of this part; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the cost of the project involved. The plan must provide for affording to every applicant, which has submitted to the State commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to the project or as to any other determination of the commission adversely affecting the applicant. Finally, the plan provide for adequate fiscal control and fund accounting procedures and for the making of such reports as may be reasonably necessary to enable the Commissioner to perform his functions under this part.

Section 604. Basic criteria for determining priorities, Federal share, and maintenance of effort: Subsection (a) provides that as soon as practicable after the enactment of this act, the Commissioner shall by regulation prescribe basic criteria governing the provisions of State plans setting forth standards and methods for determining relative priorities of eligible projects, and governing the application of these standards and methods to eligible projects. These basic criteria must be such as will best tend to achieve the objectives of this part while leaving adequate flexibility for the development of State plan standards and methods. The basic criteria must give special consideration to the financial need of the institution. Subject to the foregoing requirements, these regulations may establish additional and appropriate basic criteria.

Subsection (b) provides that the Federal share for the purposes of this part shall be 50 percent of the cost of the project, except that a State commission may increase this share to not more than 80 percent of that cost in the case of any institution proving insufficient resources to participate in the program under this part and inability to acquire such resources. An institution of higher education which obtains a grant for a project pursuant to this part in any fiscal year must agree to expend during that year for the same purpose an amount at least equal to the amount expended by such institution for that purpose during the previous fiscal year.

Section 605. Applications for grants and conditions for approval: Subsection (a) provides that institutions of higher education which desire to obtain grants under this part shall submit applications at such times and in such manner as may be prescribed by the Commissioner.

Subsection (b) provides that the Commissioner must approve an application covering a project under this part and meeting the requirements prescribed pursuant to subsection (a) if the following conditions have been met: (1) The project has been approved and recommended by the appropriate State commission; (2) the State commission has certified to the Commissioner the Federal share of the cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State; (3) the project has been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meet all the requirements of this section and for which Federal funds have not yet been reserved; (4) the Commissioner determines that the project will be undertaken in an economical manner and will not be overly elaborate or extravagant; and (5) the Commissioner determines that the application contains or is supported by satisfactory assurances (A) that Federal funds received by the applicant will be used solely for the project covered by such application, (B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the equipment upon completion and (C) that the institution will meet the maintenance of effort requirement in section 604(b).

Subsection (b) provides that amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

Section 606. Amount of grant, payment: This section provides that upon his approval of any applications for a grant under this part, the Commissioner shall reserve from the applicable allotment the Federal share of the cost of the project covered by such application. The Commissioner's reservation of any amount under this section may later be amended by him.

Section 607. Administration of State plans: This section provides that the Commissioner shall not finally disapprove any State plan without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing. It also provides for terminating the eligibility of a State whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering the State plan, finds that the State plan has been so changed that it no longer complies with the provisions of section 603, or that in the administration of the plan there is a failure to comply substantially with any such provision.

Section 608. Judicial review: This section provides for judicial review if any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this part or with his final action under section 607.

Section 609. Limitation on payments: This section provides that nothing contained in this part shall be construed to authorize the making of any payment under this part for any equipment or materials for religious worship or instruction.

Part B—Faculty development programs

Section 621. Institutes authorized: This section authorizes the appropriation of $5 million for fiscal year 1966 and for each of the 4 succeeding fiscal years to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation of them by short-term workshops or short-term or regular session institutes. These workshops and institutes would be for individuals who are engaged in (or preparing to engage in) the use of educational media equipment in teaching in institutions of higher education, or who are (or are preparing to be), in institutions of higher education, specialists in educational media or librarians or other specialists using such media.

Section 622. Stipends: This section provides that each individual who attends an institute operated under the provisions of this part shall be eligible to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, plus an additional stipend at the rate of $15 per week for each dependent. No stipends shall be paid for attendance at workshops.

TITLE VII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

Section 701. Expansion of grant purposes: Subsection (a) amends section 106 of the Higher Education Facilities Act of 1963 to remove the restriction which prohibited institutions of higher education (other than public community colleges and public technical institutes) from receiving grants for undergraduate academic facilities other than those especially designed for instruction or research in the natural or physical sciences, mathematics, modern foreign languages, or engineering, or for use as a library. The amendment does not affect the provisions of section 401(a) of the act, which in effect prohibit the giving of assistance under the act for the construction of gymnasiums, facilities to be used for sectarian instruction, or as a place for religious worship, and other designated facilities.

Subsection (b) increases the fiscal year 1966 authorization for title I of the Higher Education Facilities Act of 1963 (grants for construction of undergraduate academic facilities) from $230 to $330 million.

Subsection (c) increases the fiscal year 1966 authorization for title II of the Facilities Act (grants for construction of graduate academic facilities) from $60 to $120 million.

Section 702. Technical amendments:

Subsection (a). Making section 103 allotments available for section 104 institutions under certain circumstances: Under title I of the Higher Education Facilities Act of 1963, 22 percent of the sums appropriated are allotted among the States for use in providing facilities for public community colleges and public technical institutes, and the remainder of the appropriated sums are allotted among the States for use in providing facilities for other institutions of higher education. This subsection would permit funds allotted to a State for public community colleges and public technical institutes to be used, at the request of the Governor of the State, for other institutions of higher education.

Subsection (b). Making section 104 allotments available for section 103 institutions under certain circumstances: This amendment is the converse of the amendment made by subsection (a). It would permit funds allotted to a State for institutions of higher education other than public community colleges and public technical institutes to be used, at the request of the Governor of the State, for public community colleges and public technical institutes.

Subsection (c). Revising Federal share for public community colleges and public technical institutes: Under title I of the higher

Education Facilities Act of 1963, the Federal share of the cost of a project for a public community college or a public technical institute is 40 percent, whereas the Federal share of the cost of a project for any other institution may be any amount up to 33⅓ percent. This subsection would amend title I so that the Federal share for a project for a public community college or a public technical institute could be any amount up to 40 percent, rather than simply an inflexible 40 percent.

Subsection (d). Indefinite availability of sums appropriated under section 201: Title II of the Higher Education Facilities Act of 1963 authorizes grants for the construction of graduate academic facilities. Under section 201, sums appropriated for this purpose are available for grants only during the year for which they are appropriated. Subsection (d) of the bill would amend section 201 so that sums appropriated pursuant to it would remain available indefinitely until expended for grants under title II.

Subsection (e). Two-year availability of title III funds: Title III of the Higher Education Facilities Act of 1963 authorizes loans for the construction of academic facilities. Under section 303(c), sums appropriated for this purpose are available for loans only during the year for which they are appropriated. Subsection (e) of the bill would amend section 303(c) so that sums appropriated pursuant to it would remain available for an additional fiscal year for making loans under title III.

Subsection (f). Coordinating with part A (grants for expansion and improvement of nurse training) of title VIII of the Public Health Service Act: Section 401 of the Higher Education Facilities Act of 1963, defines the term "academic facilities" so as to exclude facilities to be used by a school of nursing, a school of medicine, and other schools for which construction assistance is provided under other acts of Congress. Schools of nursing formerly received construction assistance under part B of title VII of the Public Health Service Act, but since June 30, 1965, this assistance has been provided under part A of the recently enacted title VIII of the Public Health Service Act. Subsection (f) would amend section 401 of the Higher Education Facilities Act of 1963, so as to reflect this change and thereby continue the policy of the Congress that particular classes of schools should receive particular types of assistance under only one act of Congress.

TITLE VIII—GENERAL PROVISIONS

Section 801. Definitions: This section sets out the definition of various terms used in this act.

Section 802. Method of payment: This section provides that payments made under this act may be made in installments, and in advance or by way of reimbursement, and, in the case of grants or loans, with necessary adjustments on account of overpayments or underpayments.

Section 803. Federal administration: Subsection (a) authorizes the Commissioner to delegate any of his functions under this act, except the making of regulations, to any officer or employee of the Office of Education.

Subsection (b) authorizes the Commissioner to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head thereof.

Subsection (c) authorizes the Commissioner of Education, in carrying out his functions under this or any other act, to contract for the publication of educational and related information so as to further the full dissemination of information of educational value consistent with the national interest, without regard to the provisions of 44 U.S.C. 111. These provisions require that all printing for departments and agencies of the Federal Government be done at the Government Printing Office. Subsection (c) is patterned after section 11(g) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(g)) and it is intended to extend to the Commissioner of Education the same publication authority as is now possessed by the National Science Foundation.

Section 804. Federal control of education prohibited: This section provides that no department, agency, officer, or employee of the United States is authorized by this act to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution. This section provides explicitly that this act is not to be construed as conferring any such authority.

Distribution of Payments Governed by Formulas

The following table sets forth the distribution of funds on a State-by-State basis:

Estimated Federal payments under S. 600, the Higher Education Act of 1965

	Title I—University extension and continuing education [1]	Title IV				Title VI—Improvement of undergraduate instruction [5]		Title VII—Amendment to title I, Public Law 88-204	
		A. Scholarships [2]	C. College work-study [2]	D. Amendment to NDEA		A. Equipment and minor remodeling	B. TV equipment and minor remodeling	A. Public community colleges and public technical institutes [6]	B. Institutions of higher education other than public community colleges and public technical institutes [6]
				Grants to public schools [3]	Loans to private schools [4]				
United States and outlying areas	$20,000,000	$70,000,000	$129,000,000	$8,800,000	$1,200,000	$35,000,000	$2,500,000	$22,000,000	$78,000,000
50 States and District of Columbia	19,626,115	68,600,000	126,420,000	8,640,000	1,185,534	34,707,565	2,479,112	21,730,816	77,290,752
Alabama	$360,004	$1,643,951	$3,029,566	$225,583	$5,893	$491,672	$35,119	$479,821	$1,162,338
Alaska	118,869	53,051	97,765	10,764	413	18,199	1,300	15,466	59,917
Arizona	216,755	619,135	1,140,977	88,087	6,220	415,680	29,692	179,304	759,006
Arkansas	246,483	1,016,907	1,874,014	119,766	2,405	325,725	23,266	299,221	702,640
California	1,450,697	5,665,025	10,439,829	574,835	77,129	3,982,867	284,491	1,694,955	8,562,558
Colorado	247,716	729,520	1,344,400	90,774	8,522	455,607	32,543	220,687	926,299
Connecticut	309,097	734,630	1,353,818	78,990	21,769	391,616	27,973	231,481	1,043,627
Delaware	136,967	141,896	261,495	15,231	3,780	62,734	4,481	36,902	180,772
Florida	525,972	1,820,776	3,355,431	257,293	17,095	869,972	62,141	615,930	1,916,473
Georgia	424,774	1,849,080	3,407,591	272,340	5,189	588,326	42,024	541,000	1,412,113
Hawaii	152,756	237,813	438,256	36,224	6,048	109,269	7,805	95,373	272,675
Idaho	152,910	270,690	498,841	44,361	1,752	144,753	10,339	108,189	307,555
Illinois	899,574	3,126,080	5,760,921	337,903	103,107	1,606,929	114,780	919,975	4,052,356
Indiana	468,057	1,644,476	3,030,536	231,112	25,136	916,944	65,496	571,952	2,024,024
Iowa	312,178	1,185,614	2,184,918	137,104	19,089	608,577	43,469	384,601	1,259,740
Kansas	270,743	920,246	1,695,883	107,839	10,120	545,024	38,930	301,910	1,043,745
Kentucky	340,750	1,430,189	2,535,634	196,912	17,267	540,351	38,597	429,455	1,141,104
Louisiana	363,008	1,692,334	3,118,731	232,316	27,800	697,290	49,807	501,009	1,381,443
Maine	175,927	336,189	619,550	53,374	7,062	143,613	10,259	136,452	356,057
Maryland	358,156	1,006,128	1,854,151	143,069	26,872	495,367	35,383	332,709	1,268,369
Massachusetts	507,874	1,811,729	3,338,757	170,172	51,494	1,179,636	84,260	552,653	2,473,731
Michigan	718,511	2,688,570	4,954,651	402,361	66,098	1,522,821	108,773	937,864	3,492,842
Minnesota	368,938	1,436,010	2,646,360	183,133	33,023	792,584	56,613	524,275	1,660,516
Mississippi	276,057	1,415,355	2,608,297	159,446	3,746	435,762	31,126	312,723	865,415
Missouri	437,636	1,711,985	3,154,942	177,670	32,680	822,606	57,762	469,962	1,802,114
Montana	153,988	275,943	508,523	40,030	4,089	146,853	10,490	97,128	310,948
Nebraska	213,059	605,519	1,115,886	69,292	11,134	315,603	22,543	185,845	650,015
Nevada	129,959	77,226	142,314	11,422	791	33,817	2,415	24,697	123,183
New Hampshire	149,598	210,284	387,522	30,260	6,942	131,689	9,407	85,075	280,562
New Jersey	604,759	1,517,264	2,796,100	199,287	58,263	641,177	45,799	617,303	2,038,712
New Mexico	175,937	411,733	758,766	69,750	5,326	193,365	13,812	132,943	425,107
New York	1,462,865	5,012,917	9,238,091	485,361	164,858	2,884,365	206,026	1,519,275	6,869,899
North Carolina	468,673	2,430,546	4,479,148	312,666	3,814	874,232	62,445	657,924	1,867,697
North Dakota	149,675	336,194	619,559	40,330	4,055	169,309	12,093	108,742	316,036
Ohio	870,155	3,101,355	5,715,356	465,958	74,826	1,658,946	118,496	1,153,383	4,000,090
Oklahoma	287,995	1,091,921	2,012,255	128,163	4,227	605,642	43,261	349,625	1,139,604
Oregon	242,633	689,180	1,270,059	87,512	6,907	432,915	30,922	245,346	913,693
Pennsylvania	979,901	3,633,569	6,696,149	471,322	120,375	1,786,082	127,577	1,476,156	4,362.585

See footnotes at end of table.

Estimated Federal payments under S. 600, the Higher Education Act of 1965—Continued

	Title I—University extension and continuing education [1]	Title IV				Title VI—Improvement of undergraduate instruction [5]		Title VII—Amendment to title I, Public Law 88-204	
		A. Scholarships [2]	C. College work-study [2]	D. Amendment to NDEA		A. Equipment and minor remodeling	B. TV equipment and minor remodeling	A. Public community colleges and public technical institutes [6]	B. Institutions of higher education other than public community colleges and public technical institutes [6]
				Grants to public schools [3]	Loans to private schools [4]				
Rhode Island	$168,698	$287,089	$529,065	$34,890	$10,360	$186,937	$13,353	$101,419	$366,879
South Carolina	292,847	1,301,604	2,398,671	175,319	3,127	356,617	25,472	363,604	848,594
South Dakota	154,527	351,698	648,128	43,136	4,588	163,092	11,649	111,068	319,922
Tennessee	388,577	1,806,992	3,330,027	230,556	6,185	733,538	52,396	519,298	1,433,910
Texas	887,714	4,162,430	7,670,763	585,466	29,432	1,941,857	138,704	1,115,794	3,986,698
Utah	174,782	476,681	878,458	65,259	1,220	399,888	28,563	141,543	648,810
Vermont	131,191	178,728	329,370	22,047	3,539	109,919	7,851	56,717	200,700
Virginia	429,780	1,577,666	2,907,412	237,289	11,013	606,243	43,303	472,994	1,421,741
Washington	328,043	1,069,233	1,970,444	134,416	11,374	667,081	47,649	379,509	1,433,444
West Virginia	239,629	855,236	1,576,076	114,607	3,436	322,343	23,024	289,724	727,224
Wisconsin	413,145	1,477,453	2,722,735	201,808	50,188	826,789	59,056	557,115	1,815,717
Wyoming	126,108	122,845	226,387	17,728	756	67,522	4,823	38,199	150,221
District of Columbia	161,458	351,315	647,422	19,477	5,000	287,760	20,554	36,521	511,329
Outlying areas	373,885	1,400,000	2,580,000	160,000	14,466	292,435	20,888	269,184	709,248
American Samoa	26,625				257			3,013	5,524
Canal Zone					138				
Guam	30,114				996	6,862	490	9,192	23,121
Puerto Rico	289,458				12,457	284,825	20,344	253,241	672,965
Virgin Islands	27,688				618	748	54	3,738	7,638

[1] Estimated distribution of 80 percent of $25,000,000, with a basic amount of $100,000 to the 50 States, District of Columbia, and Puerto Rico; $25,000 to American Samoa, Guam, and the Virgin Islands; and the remainder distributed on the basis of the total resident population, July 1, 1963 (P-25, No. 294, Nov. 5, 1964).

[2] Estimated distribution of $70,000,000 and $129,000,000 (2 percent reserved for distribution to the outlying areas) with ⅓ distributed on the basis of 1962-63 total high school graduates (table, rev. Mar. 31, 1964); ⅓ on the basis of fall 1964 full-time degree-credit enrollment in institutions of higher education; ⅓ on the basis of the estimated "related children under 18" in families with incomes of less than $3,000 per annum (PC (1) D series, 1960 census, table 140).

[3] Estimated distribution of additional amount of $10,000,000 with 1.6 percent reserved for allotment to the outlying areas and 12 percent reserved for loans to nonprofit private schools; the balance ($8,640,000) distributed on the basis of the products of the NDEA allotment ratios for fiscal year 1966 and 1967 and the 5-17 population, July 1, 1963.

[4] Estimated distribution of 12 percent of $10,000,000 on the basis of nonpublic schoo enrollment.

[5] Estimated distribution of $35,000,000 and $2,500,000 with ½ distributed on the basis of the total full-time and full-time equivalent degree-credit and nondegree-credit enrollment in institutions of higher education, fall 1964 and ½ on the basis of State products of fiscal year 1966 allotment ratios (Public Law 88-204) and this fall 1964 enrollment.

[6] Estimated distribution of additional amount of $100,000,000 under title I, Public Law 88-204. 22 percent distributed on the basis of the fiscal year 1966 allotment ratios and the total high school graduates for public community colleges and public technical institutes; 78 percent distributed with ½ distributed on the basis of enrollment as in footnote 5, and ½ distributed on the basis of the total public and nonpublic grade 9-12 enrollment, fall 1964.

Mr. MORSE. Mr. President, turning now to each of the titles, I wish to call to the attention of my colleagues quite briefly the major changes which were made in the bill and, to the best of my ability, the reasons why the committee was persuaded to support these changes.

The general principle which the committee followed was that we should fund each year of each title with a dollar amount. This was done in deference to the opinion of the majority that ceiling amounts for each of the titles would enable us to bring to the Senate a more accurate picture of the costs of the legislation. These are admittedly high when considered over a 5-year period, but I cannot imagine a better investment than the pledge of these funds for the purposes of H.R. 9567.

It is an investment in our most precious national resource, the young people and the teachers at all levels of this country. It is an investment which I am truly convinced will be repaid over and over and over again.

We also took into consideration the fact that the current fiscal year is one-sixth advanced and that by the time funds are appropriated, regulations written, and disbursements made, there may be a period yet of some few months before the programs can become operative.

In title I we reduced to $25 million the amounts we recommended for the first fiscal year. It is our judgment, however, that the sum of $50 million which we authorized for each of the succeeding years can be considered, and properly, a very prudent amount for the program.

In title I as introduced, there were some nine illustrative programs which could be funded under the proposal. The committee received many suggestions for additional proposals which had much merit, and it was therefore decided to couch the authority in generic language reserving the illustrative examples for the committee report.

Mr. President, I ask unanimous consent that the portion of the committee report relating to title I which sets forth the types of activities which can be conducted under the authorities of that title be printed at this point in my remarks.

There being no objection, the portion of the committee report referred to was ordered to be printed in the RECORD, as follows:

COLLEGE AND UNIVERSITY EXTENSION AND CONTINUING EDUCATION PROGRAM

In keeping with the intent of President Johnson to extend the role of the university "far beyond the ordinary extension-type operation," the committee is proposing a program of Federal assistance for institutions of higher education to enable them to maintain extension and continuing education programs while pioneering in a broadened field of responsibility.

It is the intent of the committee that the States, institutions, and the communities paricipating in this program be allowed considerable latitude with respect to programs under this title. The committee points out that the following types of projects and activities would, among others, be eligible for funding.

1. Studies of employment problems and economic growth possibilities in both urban and rural areas;
2. Courses to train subprofessional personnel as aids in the health services and in social work in order to help alleviate shortages of professional personnel;
3. Courses for professional people such as doctors, lawyers, educators, and high school and college administrators to relate the findings of recent research, the significance of current events, and new techniques and information to their responsibilities to the public.
4. Seminars for community leaders to examine new health, welfare, and education laws and the significance of those laws in their community;
5. Conferences and seminars on the problems extending health services to isolated communities; and
6. Conferences on the problems associated with intergroup relations and social unrest.
7. Professional retraining and refresher programs for persons in professions such as architecture, engineering, landscape architecture, law, law enforcement, medicine, pharmacy, public administration, public health, science, social science, social work, economics, teaching, and urban and regional planning (including environmental health planning);
8. Training and consultative services to local, State, and Federal governments;
9. Training in leadership and in program planning for nonprofit voluntary associations and civic groups;
10. Special educational programs for adults with a view to increasing their opportunities for more productive employment and making them better able to meet their adult responsibilities;
11. Training and educational services relating to aging;

12. Training services related to labor education, management education, and employment opportunities;

13. Special educational programs for culturally disadvantaged adults;

14. Educational programs for women preparing to enter or reenter the labor market; and

15. Other training, demonstration, and public service programs.

Mr. MORSE. Mr. President, the committee took note of the excellent testimony presented to it during our hearings from witness after witness who advised us on the basis of their collective experience of the benefits which this program could derive were it to be soundly based upon the land-grant college extension concept. On pages 632 through 777 of the hearings record before you can be found the oral testimony and the written statements of such recognized authorities as Dr. Fred H. Harrington, president of the University of Wisconsin; Lowell Watts, director of the Cooperative Extension Service of Colorado State University; R. P. Davison, director of the Cooperative Extension Service at the University of Vermont; A. A. Johnson of the Cooperative Extension Service at Cornell University; and I am proud to say, Dr. Ralph Steetle, director of divisional relationships, Oregon State system of higher education.

These men and the many who wrote to us from State after State, or who testified on behalf of public interest organizations at other times—among whom I would note particularly Dr. Blue Carstenson of the National Farmers Union—were most persuasive in convincing us that we ought not narrowly to regard potentialities of title I. We therefore agreed that the services contemplated should be made available to committees of all sizes in all States.

We were also persuaded that every institution of higher education which demonstrated its competence to participate in this program should be permitted to do so, but in view of the limited amounts of money we felt we could provide, we incorporated carefully maintenance of effort language and reduced from 90 to 75 percent the Federal matching share in the first year of the program. Ultimately, in the third year the matching requirement will be reduced to a 50–50 ratio.

At this point I wish to pay tribute to a relative newcomer to the Senate Subcommittee on Education, the distinguished junior Senator from New York [Mr. KENNEDY]. He applied himself with diligence to the study of the proposed legislation in this title and developed most ably a critique of many operations in parallel fields which had the result of adding to the bill as introduced, a National Advisory Council on Extension and Continuing Education which may very well be one of the major achievements of this title when its report is received and analyzed in March 1967, because this National Council, consisting of Presidentially appointed members from both the executive departments and prominent knowledgeable persons in the fields of extension and continuing education has been given a mandate to review the entire field and to forward in its report recommendations for changes in the provisions of all Federal laws relating to extension and continuing education activities. This report should reach us in time to permit us to make highly desirable changes in our various statutes which are now involved in this area.

Mr. President, I turn now to title II, the college library assistance and library training and research area. Fifty million dollars a year is provided for 5 years under the provisions of this title to strengthen our college library resources through grant programs and to make provision for the training of librarians. This title additionally, contains an amendment which was unanimously adopted by the subcommittee at the hearing table to strengthen through the provision of $5 million the first year and somewhat larger sums in the next 2 fiscal years, the operations of our own Library of Congress in the cataloging area.

Title II, College Library Assistance and Library Training and Research, is a very important segment of the bill. The college library is a key factor helping the some 2,200 institutions of higher education achieve their goals. As has often been said: "The heart of every college and university is its library." The degree of excellence that a college or university achieves is conditioned in large measure by the quality of its library, as regards books and journals, staff, and building facilities. A deficiency in any one of the factors affects the adequate functioning of the library.

How are the libraries in our institutions of higher education doing? What is the financial support currently being given to libraries by colleges and universities? How are their book and periodical collections as regards numbers and quality? In answering these questions, the committee owes much to the factual material presented to it by a most distinguished panel of experts chaired by the Librarian of Congress, which can be found on pages 553–630 of the hearings.

The best opinion is that to maintain a library adequate to the needs of students and faculty today, 5 percent of the total educational and general budget of the institution should be devoted to the operation of the library. As a matter of fact, the statistics show that the average expenditure in the United States is only 3.5 percent instead of the recommended 5 percent. Moreover, a number of the institutions unfortunately spend less than 1.5 percent. It is all a clear indication that, as a whole, not enough money is being devoted to library purposes.

Who suffers? The students who attend the institution. Unless they are provided with adequate working libraries, we are denying them the full opportunity that institutions should offer them to become educated men and women.

On the question of book collections, recent data from the U.S. Office of Education show that 50 percent of the colleges fall below the minimum national standards for the 4-year institutions, and 80 percent of the 2-year institutions are below the standards.

To assist in closing the gaps in books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials and other related materials, the bill H.R. 9567 provides three kinds of grants: basic, supplemental, and special purpose. Of the proposed authorization of $50 million, 75 percent is reserved for basic and supplemental; 25 percent for special purpose grants.

In the case of the basic grant, up to $5,000 for books and related materials would be allotted to each applying institution which shows that it will not reduce during the fiscal year its expenditures for library purposes and furthermore will match the sum granted by the Federal Government with an equal amount for books and related materials. Moreover, the basic grant will be allowed to each branch of the institution which maintains a library located in a community different from that in which its parent institution is located. This grant also provides for joint use of library facilities with other institutions where feasible.

A supplemental grant of not to exceed $10 per full-time student also will be available to institutions of higher education, to be used for the purchase of additional books, periodicals, and other library materials. In the application, the college must show that it is being prevented from rendering adequate library service to its clientele by the lack of library resources. For this grant, no matching is required.

Then there are the special purpose grants which may be allotted to institutions which demonstrate a special need for additional library resources or information and have a special national or regional need for library sciences resources, or which plan further cooperation between libraries. This interlibrary cooperation, already underway to some degree, would help make every sorely needed dollar of library expenditure go as far as possible. These grants will encourage a trend in cooperation among libraries in the matter of acquisition, cataloging, lending, and references. Examples are seen in such cases as the New England Depository, the Center for Research Libraries in Chicago, the Honnold Library covering five colleges in the California area, the New York Metropolitan Reference and Research Library Agency, and others.

A maintenance of effort requirement is included for the special purpose grants.

It should be noted, moreover, that the Federal Government is forbidden to have any control over the selection of the library resources which will be acquired under title II.

An important provision of the bill is the authorization of $7.5 million for the fiscal year ending June 30, 1966, and $15 million for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years for the training of librarians—college, university, school, and public librarians. This need is urgent, for library resources and buildings by themselves do not constitute adequate library service. It takes a staff competent to acquire materials, store them properly for consultation, and make them available quickly to students, faculty, and researchers.

The current shortage of trained librarians is serious and appalling. Estimates place the gap at 125,000 to fill needed positions in college, university, school, and public libraries. To fill this deficiency, the 33 accredited library schools have annual enrollments of around 5,000 of which less than half are full-time students. In addition, there were 245 nonaccredited programs of library science. In 1964, fewer than 2,800 persons in the United States were granted degrees in library science, according to a report published by the U.S. Department of Labor. It is quite evident that the output must be drastically increased to meet the greatly enlarged demands for library service in colleges, universities, schools, and public libraries.

This bill meets this need in part by authorizing funds for the training of professional librarians and for performing research in librarianship.

Mr. President, I turn now to title III in which it is proposed to provide the Commissioner of Education with authority to expend in this fiscal year $55 million and for each of the 4 succeeding fiscal years $60 million for the purpose of strengthening and developing institutions of higher education. As introduced, the bill called for a $30 million authorization which would have been expended only to aid economically distressed 4-year institutions. The testimony given on this part of the bill convinced the committee that there should be added to this title funds to give an equivalent amount of assistance to a rapidly growing segment of higher education—junior and community colleges. In part, this decision was based on the material presented to the committee by the president of Vincennes University, who represented the American Association of Junior Colleges. About 25 percent of all students entering college, according to Dr. Beckes, whose statement may be found on page 1115 of the hearings record, enroll in institutions of this type. It varies across the country. In California, such schools start 84 of every 100 freshmen and sophomores on their way to achievement through postsecondary training. In Florida, 55 percent of all students attend these institutions. By the early 1970's, it is estimated that at least one-half of all lower division students will receive their training in these decentralized schools. Such rapid growth brings problems in its wake. The teacher recruitment problem, according to the testimony, is particularly acute. During the next decade, between 90,000 and 100,000 new junior college teachers will be required and an equal number of part-time instructors should also be employed. Low tuition institutions, such as the majority of these schools, place higher education within the economic and geographic reach of thousands and thousands of our young and adult students many of whom could not otherwise attend college. President Johnson recognized this in his education message when he cited the statistics which show that a high school graduate's likelihood of going to college is 50 percent greater if he lives within 20 or 25 miles of a college.

In my opinion, President Johnson's great message on education, when he gave support to the program now being presented to the Senate, is all the brief that the American people really need to read in order to have them rally behind the President in support of the great program he has outlined for education in this country.

Mr. President, although it is running ahead in my presentation, the testimony given by this witness strongly moved me to expand the coverage of a part of title V, which I shall later discuss in more detail, of the fellowship program to include, in the category of teachers to receive the benefits of that title, those who were employed in postsecondary vocational education. In our committee deliberations, that program became known as the Morse fellowship amendment. It is certainly my intent that all who teach in this segment of American education, which partakes both of the vocational and the traditional academic training, have an opportunity to strengthen and improve their teaching skills through graduate preparation under the fellowship program, both of this title and title V, part C of H.R. 9567.

Mr. President, I commend to Senators the portion of the committee report which deals with title III. I shall not attempt to expand upon it, but in order that those who may not have access to the report may have an understanding of the need which created it and the solution which is offered by this legislation to that need, I ask unanimous consent that the appropriate portions of the committee report dealing with these subjects be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

The need

To meet the rapidly increasing demand for higher education, a grave problem has developed. Faced with a chronic shortage of good teachers and adequate facilities, educators have been forced to stretch existing resources in too many instances beyond their necessary limits. Too high a proportion of the Nation's colleges and universities are not offering education of an adequately high standard. Evidence presented to the committee showed that fully 10 percent of the 2,300 institutions of higher learning in the United States have not met the minimum standards of academic quality required for accreditation. Many others constantly face the threat of losing their accreditation because of borderline performance. So poor, in fact, are some institutions that, as the Commissioner of Education reported:

"Many students are now finishing high school with more advanced information than is taught in some of our small colleges."

This low quality on the part of assignment of American higher education must not be lightly regarded. Building hundreds of colleges and developing thousands of teachers could be a futile exercise if this new quantity is not accompanied by the standard of quality we wish to see for our citizens. The whole purpose of encouraging young people to study further is vitiated if the colleges which they attend are not of sufficient caliber to offer them a higher education. Commissioner of Education Keppel warns:

"Perhaps if we did not need all our institutions we might turn our backs and allow only the fittest of our colleges to survive. This is a step we cannot afford. We must instead regard developing institutions as among our greatest challenges."

Title III of this legislation represents an important step in meeting this challenge.

Smaller and inferior colleges are beset with a series of problems which must often appear insoluble. They are generally plagued by limited financial support, high dropout and transfer rates, a narrow span of course offerings, and insufficient library, laboratory, and instructional equipment. But it is these chronic inadequacies that make it difficult for developing institutions to attract the sort of assistance they need to overcome their failures. The problem is circular. The colleges are poor, so they cannot become better.

The difficulty of developing a strong faculty exemplifies well the general dilemma of the developing institution. In the first place, they cannot compete for highly qualified personnel with established universities, either in salary or in prestige or in research facilities. Moreover, because of lack of staff, they must demand excessive teaching loads of their own faculty. This means that the faculty members have little chance for the research and other scholarly activity necessary for their personal development. Even in subject areas where these colleges have strengths, it is difficult to maintain them because of the high turnover rate of their faculty and because of the school's loss of contact with the most recent advances in the various academic fields.

A solution

An unusually effective method of maximizing the strength of our limited national resources for education is the interinstitutional cooperative program. A limited number of such programs have been developed in recent years. These arrangements enable institutions to share their strengths and, at the same time, to compensate for their weaknesses. They are of special assistance to the smaller colleges which are most crippled by lack of resources.

Cooperative programs take many forms; exchange of faculty and students, faculty improvement programs, programs involving alternate periods of academic study and business or public employment, and joint use of facilities. Under these arrangements, libraries can be shared for their more esoteric fields, wider ranges of classes can be offered, and administrative knowledge and skill can be developed. The possibilities for cooperative work are seemingly as broad as is the range of university endeavor. However, these possibilities are severely limited by lack of financial resources.

The committee found that particularly interesting among the cooperative programs which have been developed are the sister-relationships between larger universities and smaller colleges. An example of such a sister-relationship is the cooperative program between Brown University and Tougaloo College, a small predominantly Negro college in Mississippi. The committee feels that these associations are among the most encouraging developments in contemporary higher education. Such programs promote the mutual growth of both associated schools. The smaller colleges benefit from the expertise and the greater resources of the major universities. The large research universities, in turn, can benefit from the humanizing influence and certain special teaching skills of the smaller struggling institutions.

There are presently seven formal sister-relationships in the country. There are many other informal exchanges and there are several such programs now at the discussion stage. The main obstruction in the further development of these programs is lack of financial resources; yet, one of the great virtues of cooperative programs is that they require a minimum of financial support. They are in no way as costly as outright grants to cover the needs of the smaller colleges, and in many ways they are more effective. At the present time giving each of these schools large grants would not solve their problems because there just are not enough good teachers to go around. As long as there are not sufficient numbers of qualified teachers and sufficient educational resources for students and teachers, cooperative programs offer a method for spreading knowledge to as many students as possible today.

The program

Title III represents a significant step in the direction of upgrading the smaller less fortunate colleges of the country. This title provides a 5-year program of grants to institutions of higher education and to teaching fellows to assist in raising the quality of developing institutions. For each fiscal year from 1966 through 1970, the bill authorizes appropriations of $25 million for developing institutions awarding bachelor's degrees, and another $25 million for 2-year institutions. The bill would authorize appropriations for an additional $5 million for fiscal year 1966, and $10 million for each of the next 4 fiscal years, to be used for either 4-year or 2-year institutions, in the Commissioner's discretion.

The bill as introduced limited participation under title III to degree-granting 4-year colleges. While the committee recognizes the need for substantial assistance to 4-year colleges which are struggling to maintain and develop their own quality, it was felt that the similar needs of our smaller junior colleges and technical institutions should be given equal emphasis. The committee is keenly aware of the progress which junior colleges and technical institutions are making to provide educational opportunity to an ever-larger number of our Nation's youth. Some of these 2-year institutions are making remarkable efforts to improve their programs, and it would, in the committee's view, be unfair to exclude such institutions from eligibility for financial assistance under title III.

In order to assure that adequate funds are available for both 4-year and 2-year institutions, the bill, as reported, authorizes equal sums for each category. Instead of taking away from the requested authorization for 4-year colleges, the committee recommends an authorization for title III nearly double the original request, but the total authorized for this title is only a modest investment in terms of the return which the Nation can expect in improved educational quality.

In order to be eligible for assistance under title III, an institution must be a public or nonprofit educational institution which: (a) Admits as regular students only high school graduates or the equivalent, (b) provides an educational program for which it awards a bachelor's degree, or provides not less than a 2-year program creditable toward such a degree or provides a 2-year technical program, and (c) is accredited or making reasonable progress toward accreditation, and such institution must have met these requirements for the 2 academic years preceding the year for which it seeks assistance.

The further prerequisite for assistance under this bill is, of course, that the school aided be a developing institution. Certain general requirements are specified in the bill. For example, the college must be "seriously handicapped in its efforts to improve staffs and services by lack of financial resources and a shortage of qualified personnel."

The school must be making a reasonable effort to improve its teaching and administrative staffs and its student services.

The committee, recognized however, that no hard-and-fast line separates developing from established institutions and that in the end final determination is a matter of interpretation. The main intent of the committee in judging whether a college qualifies as a developing institution is stated in the first sentence of the title. The bill is to assist institutions which "for financial and other reasons are struggling for survival and are isolated from the main currents of academic life."

It is intended that identification of eligible colleges will be made according to the sense of this clause. The title stipulates that the Commissioner of Education shall be assisted in this determination by an Advisory Council on Developing Institutions.

Cooperative programs

Two general mechanisms are provided for strengthening developing institutions. The first is the appropriation of funds for use as grants to support cooperative arrangements aimed at building up these colleges. According to the bill "such cooperative arrangements may be between developing institutions; between developing institutions and other colleges and universities; and between developing institutions and organizations, agencies, and business entities."

As pointed out above, cooperative arrangements may take an almost limitless variety of specific forms. The committee did not want to limit the flexibility of these programs so it left open a wide range of possibilities for cooperative programs. However, the legislation provides that proposals for which grants are requested must set forth procedures designed to guarantee that the Federal funds made available will supplement rather than supplant State and local funds, establish fiscal control procedures, and provide for periodic reports to the Commissioner.

It should be noted that developing institutions are not distributed equally among the States nor are they related directly to any single factor or group of factors within a State. Therefore, in order to best distribute the appropriations to the colleges most deserving of them, the committee felt that allocations should be made directly to the selected institutions. In sister relationships a grant may be given either to the developing college or to the established university for cooperative use.

The committee adopted language to emphasize that the improvement of the administration of developing colleges would be an appropriate part of programs assisted under such cooperative arrangements. The introduction of modern and adequate management techniques and processes are essential to support new and strengthened academic programs. The development of a strong institutional planning and development program is a cornerstone in the development of sound academic programs.

The committee thought it desirable to emphasize that faculty improvement programs of developing colleges might desirably include fellowship programs to enable faculty members of developing colleges to study toward advanced degrees at other institutions. This is the other side of the coin to the program described below under which national teaching fellowships would bring highly qualified graduate students and junior faculty members from stronger institutions to teach at the developing college for periods up to 2 years. As the table below indicates, developing colleges have not been able to secure their fair share of teachers with advanced degrees, and fellowships making it possible for junior faculty members of developing colleges to work toward higher degrees would help to improve the ratio.

Levels of highest earned degrees of full-time teaching faculty, 1962–63

[In percent]

	Doctorate	Master's	Bachelor's
Institutions having fewer than 200 faculty members	40	41	19
Universities	58	25	17
All 4-year institutions	51	33	16

Fellowships

The other mechanism provided by title III for strengthening the smaller colleges of this country is the establishment of a program of national teaching fellowships to be awarded by the Commissioner to highly qualified graduate students and junior faculty members of stronger institutions to encourage them to teach at developing institutions. Such fellowships may not exceed 2 academic years nor may a fellowship extend beyond June 30, 1970. Stipends will not exceed $6,500 per year plus $400 for each dependent. The finding of such fellowships, the committee understands, will be included in the project awards for both 2- and 4-year institutions.

Some private groups, recognizing the need in smaller colleges for good teaching, have developed programs designed to encourage young teachers to spend a year or two at developing institutions. The Woodrow Wilson Interns and the Southern Teaching Program, Inc., have both had some success in this area. The main limitation of these programs has been a lack of financial support. It appears that the same sort of idealism that has motivated countless Peace Corps volunteers exists also among some of these young teachers. But it is not enough for them to want to volunteer. It must be made possible for them to volunteer. The national teaching fellowships can open this possibility to them.

These fellowships can promote higher quality teaching and revitalization of faculties and academic programs in the developing colleges. They can at the same time provide an outlet for the idealism of young teachers and give these academicians a broader range of personal experience which should strengthen their teaching abilities wherever they might be.

Mr. MORSE. Mr. President, I turn now to title IV, of the bill, the student assistance title.

Part A, undergraduate scholarships, is funded at $70 million for the first year, and will afford educational opportunities to 140,000 students. These scholarships, under the amendments the committee adopted, may range from $200 a year to $800 a year, dependent upon need. For those students having need in excess of $800 and who are in the upper one-half of their college class, a maximum of $1,000 could be provided. These scholarships will be awarded by institutions of higher education within a State.

Let me digress, while my friend the Senator from New York [Mr. Javits] is in the Chamber, to say that I received great assistance from him on this matter. I also see that the Senator from Vermont [Mr. Prouty] is present. He, too, on the minority side, gave me assistance, as did the members on my side of the table.

It is strongly urged that the institutions of higher learning of the States administer these scholarships. The chairman of the subcommittee which is presenting the bill to the Senate today argued at some length on the administrative problem of scholarship programs.

We have every reason to place our confidence and faith in those who teach in and administer the educational institutions themselves. We have no reason to worry about the care that they exercise in administering a scholarship program. I served for many years as a faculty member on a scholarship committee, and I know how careful college faculties are in carrying out their obligations to the students, to see that complete fairness is observed in awarding scholarships. Therefore, I believe that this administrative load should be taken over in each State by the institutions of higher education themselves. Under the amendment adopted by the committee, however, 15 percent of a State's total allotment may be used by a State scholarship program for scholarships meeting the terms of the act, to supplement, upon a matching basis, its existing program or to initiate such a program.

When that amendment was proposed by the Senator from New York [Mr. JAVITS], after discussion, I said that the essence of the amendment was retained, and I thanked him; and I thank him now on the floor of the Senate, for what I think is a very important contribution to the strengthening of the scholarship program as set forth in title IV of the bill.

Such supplementation, however, would require an expansion of an existing program. The scholarship program provides $70 million for each of the 5 years for initial scholarships. Scholarships could not exceed 4 years. Appropriations are also authorized to finance scholarships previously awarded.

Part B is the insured loan program. We labored long and hard on this section of the bill, because there was a variety of views and proposals. We hammered the various proposals into what I think is a sound compromise of all points of view. The program we submit is sound and in the best interests of the recipients of the loans; namely, the students.

The committee adopted an amendment to the original bill which parallels almost exactly the language adopted by the House when the companion measure passed on August 26. This program is designed to assure that colleges and students attending colleges will have reasonable access to low-interest rate loans. In order to accomplish this, the loans will be interest free to the student while he is attending school and at an interest rate paralleling the National Defense Education Act direct loans when he has completed his education. The difference between the interest charged to the student and the cost of the money through State or private nonprofit organizations will be met by a subsidy which is estimated to be in the first year of the program $15 million. In the fifth year of the program, the cost is estimated to be $42 million. This will, however, enable over $700 million to be advanced to students for this purpose on a loan basis.

Part C of title IV transfers the college work-study program from the Office of Economic Opportunity to the Commissioner of Education. One hundred and twenty-nine million dollars is authorized for this purpose for fiscal year 1966, and should provide on- and off-campus employment for 225,000 to 285,000 students. The final year of the program under administration estimates would be $235 million.

Part D of title IV consists of amendments made by the committee to the National Defense Education Act title II student loan program. These amendments were designed to provide participating colleges with procedures which would enable them to loan and collect more efficiently advances under this program. In addition, the committee adopted an amendment which forgives completely a National Defense Education Act loan at the rate of 15 percent per year for a teacher who elects to teach in a school in receipt of funds under title I of Public Law 89–10. The 100-percent forgiveness, however, would apply only in the case of teachers employed by 25 percent of the schools in the State.

What we are dealing with is a proposal which seeks to induce teachers to go into what we know are impoverished school districts where there are serious problems with standards and economic problems which confront the families of the students who go to those schools. Testimony shows that there is a problem in teacher placement in some of those schools. Let us face it.

We wish to encourage teachers to go into those schools, and this would be somewhat of an inducement in the 100-percent loan forgiveness proposal under the National Defense Education Act program to persuade those teachers to sign up, so to speak, to teach in such schools.

Mr. President, with respect to the first of the new titles added to the bill, title V, teacher programs, I shall be quite brief, since two distinguished Members of the full committee who joined in sponsoring the Teacher Corps as part of this measure, will speak more fully to it later in debate.

Title V has three major sections: Teacher Corps provision, fellowship provisions, and institutional grants for strengthening graduate and undergraduate education. All of these components of the title evolved from recommendations made by Senators or proposed by the administration.

The Teacher Corps programs are proposals which were made, in the first instance, by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Wisconsin [Mr. NELSON]. As I have said, they will explain the programs if questions are raised during the course of debate.

However, at this time, I wish to highly commend the Senator from Massachusetts and the Senator from Wisconsin for the significant strengthening of title V of the bill. This is a dramatic proposal, if we will stop to reflect upon its future implications, to make teachers available through this far-seeing program, who will go into the so-called substandard schools, or schools in which we need to raise the standards, so that they will come closer to meeting the standards of the better schools in the State.

I believe that an amendment which affords that kind of inducement is a great public service. There are many other things in the bill of which I am proud. I am not going to start listing them in order of how I evaluate them, but I am exceedingly proud of the Teacher Training Corps program offered by the Senator from Massachusetts and the Senator from Wisconsin.

Great support was given to the concepts contained in this title by the President of the United States, who spoke movingly, early in July, before an audience of teachers from every part of the country. That was the President's great speech made in Madison Square Garden in New York City, at the convention of the National Educational Association. At that time, it was my privilege and honor to accompany the President and to sit on the platform and watch the impact of the President's proposal upon this convention of teachers. I could not possibly have been more proud of the educational statesmanship of the President than I was at that historic moment.

The thrust and support of the administration to these concepts was again amply displayed in the Presidential message which resulted in the introduction on July 19 of S. 2302.

I shall content myself at this time with referring Senators to the committee report on title V and to the following brief description of the fellowship provisions which are part C of the title:

Part C would provide 4,500 fellowships for the first year, rising to 15,000 in the fifth year, leading to a master's degree designed to attract recent graduates into the teaching field and to provide advanced training for experienced teachers.

I introduced that fellowship amendment, in the first instance, and then, as the RECORD will show, I combined that amendment in a joint amendment offered by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Wisconsin [Mr. NELSON]. We combined the fellowship proposal and the Teacher Corps proposal in one bill. We introduced it and handled it as an amendment in our committee deliberations. We ended with two topics being adopted as separate amendments to the bill, and modified somewhat the Teachers Corps proposal of the two Senators. We also modified somewhat the fellowship proposal I introduced, but we did not modify either proposal in any significant way so as to affect the basic purpose of the two proposals.

We added to these components the grant program for improvement of college and university graduate and undergraduate teacher education which was a part of the administration, July 19, 1965 bill.

Forty percent of the fellowships are for recent graduates, 60 percent are for teachers with 5 or more years of experience. The master's may be taken either in education or in a subject matter discipline. Stipends for recent graduates are $2,000 for the first year and $2,200 the second year as in title IV of NDEA. Stipends for experienced teachers are set at $4,800 per year. For both recent graduates and experienced teachers, provision is made for dependents at the rate of $400 per year and the necessary travel to the institution at which training is taken. Each institution of higher education accepting such a fellow upon the terms of the bill would receive a cost-of-education allowance of $3,000 per annum. Between 20 and 25 percent of the fellowships in each category would be reserved for ancillary fields such as special education, school social work, librarians, and vocational educators. A further provision of this part would permit the Commissioner of Education to award up to 20 percent of the experienced teacher fellowships to individuals who have been professional employees of school systems who have been displaced as the result of school population changes resulting from the enforcement of the Civil Rights Act for the purposes of that act.

The second new title added to this bill was title VI, Financial Assistance for the Improvement of Undergraduate Instruction. Since this title was proposed and argued for most persuasively in committee by my very distinguished colleague, the able senior Senator from Texas [Mr. YARBOROUGH] I shall defer to him in the presentation of this major portion of the higher education bill.

Briefly, Mr. President, title VI, if enacted, as I trust it will be and I strongly support it, will do the following:

It will bring to higher education in a manner similar to title III of NDEA a matching equipment grant program which for the first year is funded at $35 million and which will rise to $60 million at the end of the fifth year. There is a faculty development program funded at $5 million a year, which is the counterpart of title XI of NDEA at the elementary and secondary level. A further section provides $2.5 million for fiscal 1966 and $10 million for the following 4 years for acquisition of TV equipment.

Title VII of the bill leads us into amendments to the Higher Education Facilities Act of 1963. These amendments were adopted by the committee in response to the persuasive appeals from Senators on both sides of the aisle, both on the committee and off, who pointed out to us the necessity for their enactment. I ask unanimous consent, Mr. President, that the materials in the committee report relating to title VII of H.R. 9567 be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Title VII—Amendments to Higher Education Facilities Act of 1963

ACCOMPLISHMENTS UNDER THE HIGHER EDUCATION FACILITIES ACT OF 1963

Funds for the implementation of the Higher Education Facilities Act of 1963 were first appropriated for fiscal year 1965. During the year program regulations and procedures were defined; staff was assembled in Washington and the nine regional headquarters; and contractual arrangements were negotiated with the Community Facilities Administration for engineering reviews and administration of construction. Of the $463 million appropriated for the year about $400 million will be allocated to institutions. This will make possible construction which, in view of the matching, non-Federal funds involved, may well exceed a half billion dollars in value.

Under title I of the act broadly representative higher education commissions to formulate and administer State plans were formed in 50 States and 5 territories. Fifty-three plans were submitted and approved by the Commissioner of Education. Grant agreements were executed for all of the 516 projects submitted to the Office under these plans on behalf of 451 institutions during the year. Under these agreements $224.4 million were obligated out of $230 million appropriated under this title. Of these funds $47.4 million are obligated to public community colleges and public technical institutes and $177 million to colleges and universities offering a 4-year course of study.

Eighty-five grants for graduate academic facilities under title II of the act were approved by the Commissioner during the year. These were approved on the recommendation to the Advisory Committee established by the act after site visits of the projects proposed. These grants amounted to $60 million, the full amount appropriated for the year under this title. Grants were made for the following types of facilities: Libraries (41.47 percent), social sciences and related areas (22.59 percent), physical and earth sciences and mathematics (18.35 percent), engineering and environmental fields (8.41 percent), humanities and fine arts (5.25 percent), life sciences and agriculture (3.43 percent). Grants range in size from $25,000 to $3,303,940.

Under title III of the act a Federal loan program of an entirely new kind was launched; under it colleges and universities could for the first time borrow for the construction of facilities which do not produce revenue. During the year 133 loans amounting to $107.7 million were approved, of which 122 are to private colleges and universities. A total of 143 loan applications from 127 institutions were received and reviewed—the great majority of them in the last half of the fiscal year.

BROADENING THE SCOPE OF ELIGIBILITY FOR UNDERGRADUATE FACILITY CONSTRUCTION

Title I of the Higher Education Facilities Act of 1963 restricts the use of grants for undergraduate facilities to facilities designed for use in the fields of science, mathematics, modern foreign languages, engineering, or for use as library. The bill reported by the committee would broaden the scope of eligibility for projects which may be assisted under title I by eliminating the above-mentioned categorical restrictions. In addition, the requirement that the construction of a facility assisted under title I must result in creating or expanding urgently needed enrollment capacity would be amended to permit creation or expansion of the institution's capacity to carry out extension and continuing education programs to qualify as an alternative basis for assistance under the title. The bill would not change the definition of "academic facilities," which excludes facilities intended primarily for events for which admission is charged, facilities for athletic or recreational activities when not a part of the academic program, facilities for sectarian classroom instruction or worship, and facilities connected with a divinity school.

INCREASED APPROPRIATIONS AUTHORIZATION FOR TITLE I OF THE HIGHER EDUCATION FACILITIES ACT

In broadening the scope of eligibilty for grants under title I of the Higher Education Facilities Act of 1963, and particularly in view of the stimulus which this bill provides for new and expanded extension and continuing education centers, the committee considers it reasonable to increase the appropriations authorization for fiscal year 1966 by an additional $100 million, making a total authorization under title I for fiscal year 1966 of $330 million.

INCREASED APPROPRIATIONS AUTHORIZATION FOR TITLE II OF THE HIGHER EDUCATION FACILITIES ACT

The committee has also recommended a doubling of the authorizations for title II of the Higher Education Facilities Act. This will result in providing $120 million in fiscal year 1966 for the program of grants for the construction of graduate academic facilities.

The status of the program as of May 14, 1965, can be summarized as follows:

Federal funds granted in 23 approved applications	$21, 220, 434
Federal funds requested in 89 applications on hand	60, 832, 445
Federal funds requested in 42 applications in preparation	33, 137, 332
Total Federal funds granted and requested	116, 323, 019

In summary, 124 applications had been received by the Office of Education and 76 applications were in preparation, with a total development cost of $490 million, the Federal share of which would be $116 million.

Under title II and title III of the Higher Education Act of 1965 assistance is provided for institutional cooperative programs primarily at the undergraduate level. In doubling the authorization for title II of the Higher Education Facilities Act, under which grants may be provided for the construction of cooperative graduate centers, the committee wishes to encourage a more extensive development of cooperative arrangements at the graduate level.

TRANSFER OF ALLOTMENTS FOR PUBLIC COMMUNITY COLLEGES AND TECHNICAL INSTITUTES TO OTHER PUBLIC INSTITUTIONS OF HIGHER EDUCATION

Under section 102 of the Higher Education Facilities Act, 22 percent of the sums appropriated for grants for undergraduate academic facilities under title I is reserved exclusively for construction of facilities for public community colleges and public technical institutes.

The bill would amend the act to provide that a State's allotment for the construction of facilities for public community colleges and public technical institutes may be used instead for the construction of academic facilities for other kinds of institutions of higher education at the request of the Governor of the State. The purpose of the amendment is to avoid penalizing very sparsely populated States in which there are no public community colleges or public technical institutes and the need is to strengthen and broaden education offered in established institutions of higher education.

Since Congress required in the Higher Education Facilities Act of 1963 that the purposes set forth under section 103 of the act be carried out by public institutions, the committee feels that the availability of section 103 funds to 4-year institutions for the construction of academic facilities should be limited to 4-year institutions which are under public supervision and control.

TRANSFER OF ALLOTMENTS FOR OTHER INSTITUTIONS OF HIGHER EDUCATION TO PUBLIC COMMUNITY COLLEGES AND TECHNICAL INSTITUTES

The Higher Education Facilities Act would further be amended to make allotments under section 104 available for the payment of the Federal share under section 103 of the cost of constructing academic facilities for public community colleges and public technical institutions. While the amendment described above would provide for making allotments under section 103 available under certain conditions for the benefit of institutions for which provision is made under section 104 of the act, flexibility should, conversely, be provided to make allotments under section 104 available for the benefit of institutions for which section 103 provides. This additional flexibility is especially needed for American Samoa, Guam, and the Virgin Islands since these territories have no institutions of higher education other than public community colleges and public technical institutions. Guam and the Virgin Islands each has only one institution at the present time, in both cases a public community college, and in these cases there is a greater need, and it is more economical, to improve the existing institutions than to establish new ones. The fiscal year 1965 allotments for Guam and the Virgin Islands are comparatively small and are heavily weighted in favor of a kind of institution which does not exist and is not needed, thus:

Guam:	
Section 103	$19,049
Section 104	50,215
Virgin Islands:	
Section 103	8,724
Section 104	14,669

PUBLIC COMMUNITY COLLEGES AND TECHNICAL INSTITUTES

Under title I of the Higher Education Facilities Act there is a variable matching requirement for Federal grants with respect to construction of facilities in 4-year institutions. That is, the State commission fixes the amount of the Federal share, which cannot exceed one-third of the cost of a project. However, in the case of public community colleges and public technical institutes the Federal share must equal 40 percent of the cost of a project.

The committee has observed that this inflexible provision has resulted in a use of Federal grants which is inconsistent with the objectives of the act. In order to insure that situations do not arise in which an entire State's allotment is obligated to just one project, and to provide for greater flexibility of grant funds for public community colleges and public technical institutes, the committee has recommended that the provision requiring a flat 40 percent be revised along the lines of the variable matching requirement provision for the 4-year institution segment of the program. Thus, the State commission will be provided with the flexibility to fix the amount of the Federal share which cannot exceed 40 percent for projects involving the construction of the public community college and public technical institutes.

INDEFINITE AVAILABILITY OF SUMS APPROPRIATED UNDER SECTION 201

Section 201 of the Higher Education Facilities Act would be amended so that funds appropriated under this section shall remain available for reservation in fiscal years succeeding the fiscal year for which they were appropriated. At the present time appropriations for the establishment and improvement of graduate schools and cooperative graduate centers are, under the provisions of section 201, available for obligation only during the fiscal year for which the appropriation is made. As a consequence, campaigns to stimulate private and corporate contributions to make up non-Federal matching funds labor under a serious disadvantage. Such campaigns often require several years to reach their objective. It is not now possible for institutions, in soliciting contributions for very worthy but highly specialized projects, to expand graduate education to enjoy for more than a fraction of 1 year the fund-raising advantages of a durable obligation of Federal funds in the amount needed. The committee believes that the use of Federal funds under this title would be fairer, more effective, and result in a much more powerful stimulus to private and corporate giving with this amendment.

TWO-YEAR AVAILABILITY OF TITLE III FUNDS

Section 303(c) of the Higher Education Facilities Act would be amended so that funds appropriated under that section shall remain available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were appropriated. With this amendment, funds appropriated would be available for obligation under both titles I and III of the act on comparable terms. Applications for funds out of appropriations for fiscal year 1965 are being received at an accelerating rate. However, many institutions need additional time to develop sources of matching funds and also to secure enabling legislation to permit them to borrow for non-self-liquidating facilities. For both these reasons, the availability of funds for obligation for 2 years, rather than for the single year to which we are presently limited, would strengthen this program and augment the amount of non-Federal capital which could be mobilized under it.

TECHNICAL AMENDMENT TO CONFORM TO NURSE TRAINING ACT

Clause E of section 401(a)(2) of the Higher Education Facilities Act would be amended so that the definition of schools of nursing established therein (by reference to sec. 724 of the Public Health Service Act) will conform to the definition set forth in section 843 of the Public Health Service Act as amended by the Nurse Training Act of 1964. Without such amendment, the former definition would remain more narrow than the latter and in consequence some kinds of schools of nursing, after June 30, 1965, have the option of applying for financial assistance for the construction of facilities under the Higher Education Facilities Act of 1963. This would, however, be contrary to the intent of Congress in framing the Nurse Training Act of 1964, which was to concentrate programs of Federal financial assistance for the construction of facilities for the training of health personnel under legislation for that special purpose.

Mr. MORSE. Finally, Mr. President, title VIII of the bill contains general provisions relating to the various titles, and I shall not dwell further upon them at this time.

To conclude, Mr. President, I urge passage of the bill as reported to the Senate. It is a carefully considered piece of legislation. In my judgment, it is a necessary piece of legislation, and an overdue piece of legislation. It is necessary because we live in an era of promise and danger. It offers promise because science, technology, business, and general understanding of life have made such rapid and striking advances that man has within his grasp the greatest opportunities ever known. At the same time, it presents grave dangers because man must learn how and know how to utilize the electrons, the mechanical devices, the new way of life, and the altered view of the universe, or else he is overwhelmed and demolished by them.

The call is clear and distinct for a better and expanded program of higher education which will train and equip men and women to meet the challenges and responsibilities of the modern age.

Therefore, I am highly honored at this time to offer this bill to the Senate for passage because its passage, in my judgment, and its signature eventually by the President, would give mankind, as well as the young people of America, hope that we shall come to grips successfully with the great challenges that face us in this age of electronics.

Mr. JAVITS. Mr. President, I intend to speak for only a minute and then yield to my colleague the senior Senator from West Virginia. However, I wish to say at this time that tributes are generally paid after a bill is passed. I hope that we shall be able to do that today.

The work of the senior Senator from Oregon in bringing this bill to the floor with the unanimous support of the Committee on Labor and Public Welfare is of such an extraordinary quality that I feel that that alone, whatever else ensues, deserves the highest encomium of which not only I am capable but also the entire world of education.

It is extraordinary that a man of so many abilities in so many fields becomes the most adroit, intelligent, wise judge, conciliator, and friend when he is in charge of a bill that any committee could ever have.

It is most extraordinary. I say to the Senator that I am not given to banalities. Therefore, I make this special point because we know the Senator as a man who stands alone in many things. However, when it comes to his handling this legislation, it is extraordinary to witness the gifted performance which he has given. This is but one of a series of examples.

I believe that the country should be very proud of WAYNE MORSE in his handling of a bill in such a sensitive and highly important field.

The pending measure is probably as vital to the future of the Nation as any other legislation we have had or will have.

It is somewhat difficult to realize the fact that the committee agreed upon the report by a unanimous vote.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I really should not have asked the Senator to yield because I do not know what to say except to tell the Senator of the great help that he has been to me and of my great appreciation for the warm friendship which has existed between us.

I want the RECORD to show—as I have said in committee, as the Senator knows—so that the American people may know, that this bill would not be before the Senate today if it were not for the cooperation, the help, and the contributions made to the bill by the Republicans on my subcommittee, the senior Senator from New York [Mr. JAVITS], the junior Senator from Vermont [Mr. PROUTY], and the junior Senator from Colorado [Mr. DOMINICK].

Every Republican on the subcommittee and on the full committee made contributions to this bill and made it possible for us to bring the bill, unanimously voted for by the committee, to the Senate

What more can I say except to say to the Senator again that it is a great honor to serve with him on the committee. I shall always appreciate the kind words he has just uttered.

I warn him that I would not be a bit surprised if his statement did not creep into my campaign literature in 1968.

Mr. JAVITS. Mr. President, I shall have to run that risk. I am sure that the opponent of the senior Senator from Oregon at that time will find many things to counterbalance my statement.

Like every first-rate captain, the Senator thanks his team. We are all very grateful to him.

Mr. President, I now yield to the Senator from West Virginia.

HIGHER EDUCATION ACT OF 1965 IS RESPONSIVE AND COMPREHENSIVE APPROACH TO NATIONAL NEEDS—WEST VIRGINIA TO RECEIVE SIGNIFICANT BENEFITS

Mr. RANDOLPH. Mr. President, it is a privilege at this time to voice my support for H.R. 9567. I am a cosponsor of the original bill, S. 600. It was my responsibility to work closely with other Senators on this measure and to have participated in its consideration in both subcommittee and full committee.

As a member of the Committee on Labor and Public Welfare, it has often been my duty to review programs which aid in the education of our Nation's young people. With due respect for the work of past Congresses on higher education legislation, I state with emphasis that the Higher Education Act of 1965, when enacted, will be the most significant law in the field of higher education since the enactment of the Land-Grant College Act.

This is true because the bill recognizes and underscores the fact that support for higher education must be both varied in approach and coordinated in effort. Two years ago, when we enacted the Higher Education Facilities Act of 1963, we gave assistance in a specific area of need—facilities. However, experience has demonstrated that the need is as immediate, if not more so, in other areas.

The need for university extension and continuing education programs in urban and rural areas, for books, for training and research in college libraries, for a comprehensive student assistance program, for strengthening underdeveloped colleges, for highly qualified teachers, and for adequate educational media has been pointed out by persons knowledgeable in education. Now we have the opportunity to take action in satisfying these needs. In evaluating this legislation carefully I have come to the conclusion that it is the best higher education bill to be offered in the Senate since I became a Member of this body.

As the Senator from New York [Mr. JAVITS] has so effectively stated, much of the credit for assembling and refining this comprehensive measure must go to my cherished friend and colleague from Oregon, Senator WAYNE MORSE. As chairman of the Subcommittee on Education he has maintained the closest contact with citizens and groups throughout the Nation who are vitally concerned with strengthening higher education. Throughout the Senate hearings, and during lengthy executive sessions of the subcommittee, Senator MORSE sought to steer a course of responsibility and responsiveness. He listened with patience to the witnesses and the arguments, and he endeavored to sift from each the ideas which would make this a more effective law.

Mr. President, I join in applauding the productive efforts of Senator MORSE in bringing to the Senate the higher education bill of 1965. I congratulate him, and assure him that it was a rewarding experience for me personally to have labored at his side during the preparation of this significant and complex legislation.

Mr. President, the Higher Education Act of 1965 will combat some of the major problems that have plagued colleges and universities in our Nation in recent years.

The principal provisions of the bill will:

First, assist institutions of higher education in establishing extension and continuing education programs designed to help solve some of the problems of urban and suburban areas;

Second, upgrade the quality of college libraries by grants for the purchase of library materials for research and training in librarianship, and for expanding the services of the Library of Congress to other libraries;

Third, improve the quality of higher education by assisting intercollegiate cooperative arrangements and by establishing a national teaching fellowship program to attract outstanding young scholars to teach in developing institutions;

Fourth, extend the benefits of college education to more students by providing undergraduate scholarships to needy students; by establishing, assisting, and stimulating programs of insured reduced-interest loans for college students; by extending and expanding the college work-study program; and by expanding the National Defense Education Act of 1958;

Fifth, establish a National Teachers Corps to strengthen the educational opportunities available to children in areas having high concentrations of low-income families and encourage colleges and universities to broaden their programs of teacher preparation;

Sixth, improve the quality of undergraduate classroom instruction in selected subject areas by authorizing funds for equipment purchases and for faculty development programs; and

Seventh, increase the number and capacity of academic facilities by raising the appropriations of titles I and II of the Higher Education Facilities Act of 1963, Public Law 88-204.

The benefits of the Higher Education Act of 1965 to the institutions, students, and residents of West Virginia are both significant and varied. Certain aspects of these benefits can be given in detail, others must be estimated, and still others depend on the desires and actions of the people and the institutions of higher education in the State.

TITLE I—COLLEGE AND UNIVERSITY EXTENSION AND CONTINUING EDUCATION

This title would authorize the Commissioner of Education to make grants to institutions of higher education in States which have designated a State institution or agency to submit a plan outlining its program to strengthen extension and continuing education. The plan would set forth:

First, if an institution of higher education administers the program, the establishment of an advisory council representative of institutions in the State which are competent to participate in the program;

Second, a comprehensive coordinated statewide program of projects assisted under this title;

Third, policies and procedures for the allocation of funds to insure that effective programs are available where the specific need exists; and

Fourth, periodic evaluation of projects and programs in relation to the needs and problems within the State.

The types of projects and activities possible under this title include: studies of employment problems and of economic growth possibilities; appraisals of welfare administration and effectiveness; seminars on antipoverty projects; courses to train subprofessional personnel as aids in the health services and social work; conferences and siminars on the problems associated with segregation and with measures taken to promote desegregation; and courses for professional people such as doctors, lawyers, and administrators to relate the findings of research, the significance of current events, and new techniques to their responsibilities to the public. Of the $25 million authorized under title I for 1966 fiscal year, $239,629 would be allocated for grants in West Virginia.

TITLE II—COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

Title II provides for four types of grants to institutions of higher education which are designed to improve the quality of library services in colleges and universities: First, basic grants of $5,000 to each institution for the purchase of library materials; second, supplemental grants of up to $10 per full-time student to institutions whose lack of adequate library resources hinders the development of the institutions; third, special purpose grants to institutions demonstrating special needs for additional resources in order to meet national or regional needs in the library and information sciences; and fourth, grants to assist in the development, expansion, and improvement of programs to train persons in librarianship, to assist trainees with stipends and allowances, and to assist in the conducting of research in the field of the library and information sciences.

In West Virginia there are approximately 19 institutions which would be eligible to receive basic grants under this title. This means that up to $95,000 could be granted to colleges in West Virginia. It is possible that as much as $320,000 would be granted to West

Virginia institutions as supplemental grants.

There is no way to give an adequate estimate of what the amounts of special purpose grants and research and training grants to institutions in West Virginia would be. This is entirely dependent on the desires of the colleges and universities and on their qualifications. However, representatives of West Virginia institutions have indicated an interest in both types of grants.

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

Title III provides a 5-year program of grants to institutions of higher education and to teaching fellows to assist in raising the quality of developing institutions. Fiscal year 1966 authorizations would be $55 million.

West Virginia is fortunate in that none of its many 4-year colleges and universities, according to the 1964–65 Education Directory, lack accreditation and that, in general, the institutions are of high quality. However, participation in this program would not be limited by this high quality.

Three of its four junior colleges listed in the directory lack accreditation by the regional accreditation association and should be able to take full advantage of this title.

Grants could be used to assist West Virginia institutions in making cooperative arrangements to aid such developing institutions in the State as well as such institutions in other States.

TITLE IV—STUDENT ASSISTANCE

The various parts of the title offer aid in all of the major forms of student assistance now available in the United States. It is a major step toward providing all our youth the opportunity to attend college regardless of their financial situation.

Part A would establish a program of undergraduate scholarships for students from families with incomes which do not permit significant family contributions toward the student's college education.

Part B is designed to establish and improve insured student loan programs with Federal interest subsidies on the loans. Each State would receive a grant to assist in establishing or strengthening reserve funds for student loan programs. Until the States establish comprehensive programs, the Federal Government would insure student loans. The Federal Government would also subsidize interest payments on all loans made under this part for families with adjusted annual incomes of less than $15,000.

West Virginia would receive $177,411 for a reserve fund to insure loans.

Part C would extend and broaden the college work-study program which was established by the Economic Opportunity Act of 1964. The eligibility criteria would be based on need rather than the original requirement that participants be from low-income families.

Part D would allot an increased authorization for West Virginia of $114,000 under title III of the National Defense Education Act for grants to public schools and of $3,400 for loans to private schools for the purchase of laboratory equipment.

The subject areas of titles III and XI would be expanded and the loan forgiveness provision would be expanded to permit persons who teach in areas of high concentration of low-income families to cancel their entire obligation at the rate of 15 percent per year. The benefits under title XI to West Virginia cannot be determined.

Estimated benefits of title IV to the students of West Virginia are as follows: All calculations are based on estimated averages.

Part	Number of participants	Amount of grants or loans to be used or available in West Virginia
Part A (scholarships)	1,710	$855,236
Part B (insured loans· does not include amount of interest subsidy)	7,500–8,500	5,600,000
Reserve fund		177,411
Part C	3,500	1,579,000
Part D (grants and loans)		118,000
Total	12,700–13,700	8,329,647

TITLE V—TEACHER PROGRAMS

Title V will establish an Advisory Council on Teacher Preparation, a National Teachers Corps, a fellowship program for teachers, and provide grants to institutions of higher education for improved teacher education.

The Advisory Council, under part A, would be established in the Office of Education to review the fellowship and Teacher Corps programs and other teacher preparation programs.

Part B provides that the Teacher Corps would be funded at $36,100,000 for fiscal year 1966. This program in its first year would permit approximately 6,000 individuals either alone or as members of a teaching team to provide teaching services in local school districts. Teacher corpsmen would be available for those areas of West Virginia with high concentrations of low-income families.

Part C would authorize the Commissioner of Education to support fellowship programs for graduate study leading to a master's or equivalent degree for the purpose of serving in elementary, secondary, or postsecondary vocational schools. Of the total number of fellowships, 40 percent would be awarded to recent recipients of a bachelor's degree graduating with high standing who are recommended by institutions of higher education.

The remaining 60 percent would be awarded to persons with at least 5 academic years of experience teaching in an elementary, secondary, or postsecondary vocational school. Four thousand five hundred fellowships would be authorized in 1966; 10,000 in 1967; and 15,000 in each of the 3 succeeding years.

Part D would provide the Commissioner of Education with $5 million for fiscal year 1966 and each of the 4 succeeding fiscal years for grants to pay part of the costs of improving graduate and undergraduate teacher training programs in institutions of higher education.

The exact benefits for West Virginia under this title cannot be determined but the people of the State have expressed an interest in this program.

TITLE VI—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

Part A of this title would make available to institutions of higher education $35 million for fiscal year 1966 for the acquisition of laboratory and other special equipment. It would also authorize $2.5 million for fiscal year 1966 to be used by institutions of higher education for the acquisition of television equipment and materials and to pay for minor remodeling necessary for the use of such equipment.

Part B would authorize $5 million for fiscal year 1966 for the operation of short-term workshops or short-term or regular session institutes for individuals preparing to use educational media equipment in teaching in institutions of higher education or individuals preparing to become specialists in educational media or librarians or other specialists using such media.

West Virginia would be eligible for $345,000 under part A but there is no State allocation under part B.

TITLE VII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

Title VII increases the authorization in titles I and II of the Higher Education Facilities Act of 1963. The existing authorization for title I would be amended to provide $100 million more than the original $230 million for grants to colleges and universities for construction of undergraduate facilities. Title II authorizations for construction of graduate facilities would be increased from $60 to $120 million.

Three million, four hundred and fifty-five thousand, nine hundred and twenty-eight dollars would be allocated to institutions in West Virginia under the provisions of title I. There is no State allocation under title II.

Estimated total benefits of the bill (H.R. 9567) to West Virginia

	Amount
Title I	$239,629
Title II (does not include special grants or research and training grants)	415,000
Title III (estimates not available).	
Title IV	8,329,647
Title V (estimates not available).	
Title VI (does not include part B)	345,000
Title VII (does not include grants for graduate facilities)	3,455,928
Total	12,785,204

This total should not be construed to be the total benefit of the bill to West Virginia. It does not include all of the benefits of titles II, VI, or VII nor does it include any of the benefits in title III or V.

Mr. President, I am certain of the potential benefits of the Higher Education Act of 1965 which will accrue to the citizens of West Virginia and the Nation.

Mr. MORSE. Mr. President, the Senator makes it as difficult for me to reply as did the Senator from New York. I say good naturedly that I am more interested in getting the bill passed than in being buried, but I would be less than human if I did not take note of the eulogies. I would also be derelict if I did not let the record show my appreciation of the contributions the Senator from West Virginia has made to the bill. The people of the country and the people of his State should know of my belief, for whatever it may be worth, that in my judgment there is no Senator who is a better authority or has a broader knowledge of the problems of the smaller colleges of America than does the Senator from West Virginia [Mr. RANDOLPH].

The record is replete with the contributions of the Senator from West Virginia. Almost automatically we turned our eyes to the Senator from West Virginia to hear his views on such problems. But his knowledge is not limited to small colleges. He is versed in all aspects of this problem.

I do not know the attendance record—I do not pay attention to those statistics—but I know there was fine attendance by all my colleagues. There was a particularly fine attendance record by the Senator from West Virginia, and fine assistance in questioning witnesses and recommending witnesses. The record will show his contributions time and time again. As I did the Senator from New York, I thank the Senator from West Virginia. But I plead that the Senate get on with its job of passing the bill and considering it section by section.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana [Mr. METCALF] without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I shall offer an amendment on behalf of myself and Senators MOSS, BIBLE, BARTLETT, GRUENING, CHURCH, BURDICK, INOUYE, MCGOVERN, BOGGS, FONG, and MCINTYRE to this bill. This amendment would provide——

Mr. JAVITS. Mr. President, may we have the amendment offered?

Mr. METCALF. I am not going to offer it at the present time.

The amendment would have provided a $75,000 minimum by providing that local educational agencies of each State administer title I of the Secondary-Elementary Educational Act.

Title I now provides that each State agency should have 1 percent of the amount allocated. The 1-percent provision is ample in many States, but in many more sparsely populated States, where there are many school districts, it would not be adequate or sufficient.

I ask unanimous consent to have printed in the RECORD at this point a breakdown of the amount that would be provided under present law and under my amendment.

There being no objection, the breakdown was ordered to be printed in the RECORD, as follows:

Additional Federal funds required under title I of the Elementary and Secondary Education Act of 1965 to establish a $75,000 minimum State allotment for administration costs

	Present maximum administration costs allowable	Additional Federal funds required to establish a $75,000 minimum State allotment for administration costs	Revised maximum administration costs allowable
Alabama	$346, 345. 67		$346, 345. 67
Alaska	15, 517. 98	$59, 482. 02	75, 000. 00
Arizona	103, 600. 05		103, 600. 05
Arkansas	226, 000. 21		226, 000. 21
California	778, 862. 86		778, 862. 86
Colorado	95, 885. 86		95, 885. 86
Connecticut	71, 965. 04	3, 034. 96	75, 000. 00
Delaware	19, 752. 17	55, 247. 83	75, 000. 00
District of Columbia	53, 819. 27	21, 180. 73	75, 000. 00
Florida	274, 789. 37		274, 789. 37
Georgia	373, 423. 41		373, 423. 41
Hawaii	23, 749. 44	51, 250. 56	75, 000. 00
Idaho	24, 466. 30	50, 533. 70	75, 000. 00
Illinois	391, 767. 88		391, 767. 88
Indiana	183, 780. 29		183, 780. 29
Iowa	186, 529. 57		186, 529. 57
Kansas	104, 829. 63		104, 829. 63
Kentucky	301, 313. 30		301, 313. 30
Louisiana	383, 442. 21		383, 442. 21
Maine	40, 142. 13	34, 857. 87	75, 000. 00
Maryland	152, 492. 38		152, 492. 38
Massachusetts	165, 396. 89		165, 396. 89
Michigan	347, 275. 68		347, 275. 68
Minnesota	245, 092. 12		245, 092. 12
Mississippi	308, 942. 44		308, 942. 44
Missouri	298, 579. 37		298, 579. 37
Montana	36, 316. 45	38, 683. 55	75, 000. 00
Nebraska	69, 201. 91	5, 798. 09	75, 000. 00
Nevada	9, 499. 69	65, 500. 31	75, 000. 00
New Hampshire	14, 522. 53	60, 477. 47	75, 000. 00
New Jersey	245, 602. 86		245, 602. 86
New Mexico	97, 898. 95		97, 898. 95
New York	1, 096, 393. 48		1, 096, 393. 48
North Carolina	528, 260. 63		528, 260. 63
North Dakota	52, 198. 93	22, 801. 07	75, 000. 00
Ohio	391, 856. 91		391, 856. 91
Oklahoma	173, 759. 21		173, 759. 21
Oregon	81, 668. 14		81, 668. 14
Pennsylvania	559, 414. 28		559, 414. 28
Rhode Island	40, 395. 55	34, 604. 45	75, 000. 00
South Carolina	274, 787. 21		274, 787. 21
South Dakota	68, 930. 29	6, 069. 71	75, 000. 00
Tennessee	322, 062. 25		322, 062. 25
Texas	781, 970. 18		781, 970. 18
Utah	28, 208. 24	46, 791. 76	75, 000. 00
Vermont	17, 313. 78	57, 686. 22	75, 000. 00
Virginia	306, 192. 94		306, 192. 94
Washington	107, 463. 03		107, 463. 03
West Virginia	169, 912. 25		169, 912. 25
Wisconsin	177, 014. 78		177, 014. 78
Wyoming	14, 636. 60	60, 363. 40	75, 000. 00
Total	[1] 11, 183, 242. 59	674, 363. 70	11, 857, 606. 29

[1] Figure based on 1 percent of maximum amounts authorized to States as of Aug. 20, 1965, IBM figures (Alaska figure revised as of Aug. 27, 1965). Rounding to nearest whole cent results in $0.01 discrepancy between figure total here and IBM figure of $11,183,242.58.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. As the Senator knows, I am favorably inclined to his amendment. We shall be considering in committee and, we hope, on the Senate floor next week or in the next few days thereafter, a House bill which is an appropriate vehicle for the adoption of the proposal of the Senator from Montana in my judgment. I ask the Senator, if he could not agree with me that his amendment would be more appropriately included in the House bill to which I have reference, than the bill before us this afternoon?

That is my understanding of the parliamentary situation. I want the Senator to know that when the subcommittee takes up the House bill in executive session within the next week or the week thereafter, he will find me giving him support in connection with that bill.

If that is satisfactory to him, I would prefer not to have the amendment offered this afternoon, but offered to the House bill we shall soon be reviewing.

Mr. METCALF. That is the reason I did not offer it. I expected the Senator from Oregon to make that response.

I agree that the amendment should go in the appropriate place in the House bill rather than the bill now before the Senate. My amendment is an important amendment which should be adopted before Congress adjourns. I am delighted to have the assurance of the Senator from Oregon that it will be offered to the House bill.

If the Senator from New York will yield to me for one more minute, I, too, wish to pay tribute to the Senator from Oregon.

In all the history of the United States there has never been an educational program enacted such as the one under the leadership of the Senator from Oregon. Not since the leadership of Senator Morrill a hundred years ago have we had the kind of leadership we have had since the Senator from Oregon assumed the leadership of the subcommittee.

The boys and girls of America and the families of America for another 100 years will praise the distinguished Senator from Oregon just as they praised Senator Morrill and other great leaders of education.

This is a culmination of one of the finest educational programs that has ever been put together. This is the culmination of a drive of two decades for Federal support of education; and under the leadership of the Senator from Oregon we have been able to achieve it and bring it to the floor.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MORSE. I thank the Senator from Montana very much. He has always been one one of those who have made contribution after contribution to legislation.

On behalf of my committee I want the Senator to know that we always consider him a special consultant to the committee and thank him for his help.

Mr. METCALF. I thank the Senator. I am glad.

Mr. JAVITS. Mr. President, I believe the Senator from Montana used excellent judgment in withdrawing his amendment. I am the ranking minority member of the committee, and, like the Senator from Oregon, I have the greatest sympathy for this amendment. I understand its nature, and I will do my utmost to cooperate in obtaining some results from the amendment.

Mr. METCALF. I thank the Senator.

Mr. JAVITS. I shall not reiterate anything said by my colleague, the Senator from Oregon, but I wish to make certain points briefly that I consider significant in this connection.

It has been properly said that this is probably the leading proposal in education and will stand beside the Morrill Act and the National Defense Education Act as the principal pillar supporting the structure of college and university training in the United States.

I believe it is fair to say that Congress, by passing the bill today, will be legislating for today and tomorrow. Happy indeed are the legislators who can pass a measure which looks forward to tomorrow or takes care of the needs as adequately and effectively as I find this measure does.

Second, this is a measure in which the highest degree of partisanship within bipartisanship was exercised; the rivalry between Republicans and Democrats on the committee was to find which could contribute the most constructive means to achieve the goals we seek. Hence, it is a legislative achievement of the first rank.

As has already been said, the bill had the unanimous support of the minority members of the committee. This is consistent with the historic sponsorship and support in the Congress of education legislation on a bipartisan basis.

We confront a critical problem. College costs are rising 5 percent annually; 5.2 million students are now enrolled in higher education; by 1970 there will be 7 million; and by 1973 there will be 8 million. More colleges are coming into being every year. We now have about 2,300 colleges, but about 10 percent of the baccalaureate-granting institutions are not accredited, indicating the critical need for title III of this bill which seeks to develop colleges which have not reached an adequate stage of attainment in terms of the education they can offer young people. The bill recognizes the population explosion in the United States. It also recognizes the knowledge explosion which has made college libraries inadequate, which requires more trained teachers, which requires teachers with advanced degrees to a greater degree than ever; which requires special help to developing institutions; which requires more complex and advanced laboratory equipment, new concepts of teaching, and continuing college level education for those who have completed their schooling and have embarked upon life careers.

All of this is covered by the bill.

Then—and this point always arises in matters of this character, and I say it advisedly, considering its objectives—the bill is not costly. On the contrary, failure to enact the bill will be far more costly to the people of the United States and especially to the future of the United States.

The bill is distinguished, in my judgment, by its loan features, in which it has made a very impressive breakthrough. We know that a college graduate earns upward of $100,000 more during his lifetime than the individual who lacks this training. This is shown by many surveys. Those with advanced degrees earn still more. A recent survey by the College Placement Council, for example, shows that the monthly starting pay for the holder of a bachelor's degree in chemistry is $593; with a master's degree his monthly salary is $703; and with a doctor's degree his monthly starting salary would be $998.

We are doing something to contribute greatly to the economic strength as well as to the scientific vitality of the country.

I said a moment ago that one of the most outstanding aspects of the whole measure is in the loan title. In the bill we are authoring a new program which, in my judgment, is the most imaginative kind of program since the National Defense Education Act provisions.

Under part B of title IV, an insured interest loan program is provided, under which the student may borrow from banks and other non-Federal loan funds up to $1,000 annually to finance his studies. This introduces private enterprise into the effort in a most effective way, and utilizes all of its resources. At the same time it gives that degree of government assistance which makes feasible the entry of private enterprise into the bill.

As I have said, under the bill the student could borrow from banks and other non-Federal loan funds up to $1,000 annually to finance his study. The loan is to be guaranteed by State or private nonprofit loan guarantee funds, or by the Federal Government when private funds are not available. The student is not obliged to commence repayment until 9 months after he has completed his studies. In that respect it is like the National Defense Education Act loan program. In addition, provision is made for Federal payment of the interest on his loan during his college years and a subvention of up to 3 percent annually thereafter, so that the effective interest the student pays on his loan is not greater than what he would pay under a National Defense Education Act loan direct from the university or college.

By doing this, we release hundreds of millions of dollars in credit, which will service the needs for loans of hundreds of thousands of students.

This is quite remarkable, in view of the relatively small amount of appropriations required for this purpose. We authorize only $17,500,000 in appropriations through fiscal 1968 to assist in establishing or strengthening the State and private nonprofit student loan programs.

Let us understand that, as is true of FHA—and FHA has, indeed, operated at a profit—we have every right to look to this guaranteed loan plan to cost us very little. Ninteen States already have active student loan insurance programs and three more have plans which will be operative shortly. I am proud to say that includes the State of New York, which I and the present occupant of the Chair represent. The United Student Aid Fund, the Nation's largest nonprofit student loan guaranty organization, is operating in cooperation with 685 colleges and 5,522 banks in 49 States—in all but one State. It is guaranteeing loans at the rate of $30 million annually, and the rate is growing every year as more and more young people seek to advance themselves through a college education.

In short, this is an extraordinarily gifted program, requiring relatively little in order to carry it through, and it will have enormous repercussions on the opportunity afforded to our youth of the country who are entitled to a college education to attain it.

The authorization for advances to States and nonprofit private funds and the authorization to insure up to $700 million annually for fiscal year 1966 and more thereafter is sufficient to cover all projected needs, even if students seek to borrow the full amount authorized, which is unlikely. Experience has shown that young people do not tend to overborrow for their education. Indeed, the experience of the United Student Aid Fund, the largest private nonprofit loan program in the Nation, reveals a delinquency rate of only about 1 percent. Incidentally, that is one of the big commendations for the private enterprise program, because the National Defense Education Act experience shows a delinquency of up to 16 percent.

With private enterprise administering the loan program, it is much more likely to be lower in cost than when the Federal Government administers it. I am sure that will be the actuarial record which we shall see as a result of this history-making program of guaranteed private loans for college education.

Another point which I believe to be worthy of note is the scholarship portion of the bill. Let us not be deceived by the word "scholarship." This is a scholarship for needy students. The scholarships would range from $200 to $800 a year, with a special provision—of which I am proud to be the author, incidentally—adding $200 to that scholarship, making a maximum of a thousand dollars, to students from low-income families, who place in the upper half of their classes. This is the first time that we have recognized scholastic excellence while the student is going to college. In connection with scholarships we have generally recognized the student's preceding record. Here is a provision by which we give a bonus to the student who maintains a high level of scholarship while he is attending college.

Senator MORSE has spoken of the amendment, of which I am proud to have been the author, providing for 15 percent of the allocation of scholarship aid to colleges and universities within a State to go directly to the State's own scholarship fund on an even-matching basis, to be used for needy but meritorious students. This offers a kind of "carrot" to the State to increase its scholarship fund for needy students.

There are many other amendments which are worthy of note. I shall mention only a few. I am proud that the minority has been responsible for so many. They are all detailed in the additional views, carried in the committee report. I hope they will have the attention of every Senator.

I should like to point to a provision sponsored by the Senator from New Jersey [Mr. CASE], as well as by the Senator from Texas [Mr. TOWER], making more flexible the use of funds for construction grants to public community colleges and public technical institutes under the Higher Education Facilities Act. This has helped in materially improving the amounts which will effectively be made available for this kind of help.

I should also like to take special note of the provision in title II to help improve library services. There are great deficiencies in the library services, even in such big and relatively wealthy States as my own State of New York. There are many institutions with inadequate libraries in the 134 4-year institutions with libraries in the State of New York. Notwithstanding, despite the great munificence of alumni, it is almost impossible to obtain from private sources necessary contributions to support the libraries.

The great incentive which will be given by the aid contained in this bill will be of extraordinary help in that regard, and is one of the most commendable aspects of this very commendable measure.

The Senator from Vermont [Mr. PROUTY] is in the Chamber, and I should like to say a word especially about him, as he is the ranking minority member on the Education Subcommittee and led the minority side on the key work of the subcommittee in this field. A little research demonstrates that Senator PROUTY represents the same State that was represented by Senator Justin S. Morrill, of Vermont, the author of the pioneering Morrill Act of 1862, which allotted substantial land grants to the States for the establishment of agricultural and mechanical colleges. It is therefore entirely in this great tradition that Senator PROUTY was responsible for so many constructive amendments to the bill, among them extending National Defense Education Act loan forgiveness to teachers in poverty impacted areas, broadening the Higher Education Facilities Act to include arts and humanities, broadening the title V fellowship program to include nonpublic school teachers, adding industrial arts to title IX of the National Defense Education Act, and adding economics to titles III and IX of the National Defense Education Act, to name a few.

Those are some of the enormous contributions the Senator from Vermont has made.

I should like also to note the extraordinarily fine contribution made by the Senator from Colorado [Mr. DOMINICK], a new Senator, who has already proved his great worth, especially in the area of library services, in which he rendered extraordinary service in his amendment postponing the cutoff of the National Defense Education Act Institutes for School Libraries, for example, and in many other respects improved the bill.

Finally, Mr. President, a word of commendation on behalf of the minority for the constructive and helpful cooperation received from the Office of Education and its representatives, Dr. Samuel Halperin, Director of the Office of Legislation, and Chester Relyea of the Office of the General Counsel.

There has been great praise, and quite properly, for the majority staff, which did such a fine job. I should like to say a word for the minority staff. Roy Millenson, minority clerk, and Stephen Kurzman, minority counsel, have done a service of inestimable benefit to the bill and to the Nation, as well as to the minority. Without these dedicated staff members, and without the brilliant efforts of Charles Lee and Jack Forsythe of the majority staff, I do not believe we would be here today in such an effective posture for a historic advance in meeting the Nation's obligations to its own future in the higher education field.

Mr. President, I yield the floor.

Mr. RANDOLPH subsequently said: Mr. President, as stated earlier in the debate, I enthusiastically support H.R. 9567, a bill designed to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education. It was my responsibility to be a cosponsor of this measure approved unanimously by our Subcommittee on Education of the Senate Committee on Labor and Public Welfare, and the full committee.

In his educational message to the Congress, President Johnson clearly described the status of higher education in the United States and recommended remedies for alleviating some of its deficiencies. Unparalleled change and expansion in science and technology, cultural achievement, and in enhancing the lives of all citizens has placed a heavy responsibility on colleges and universities. They must train men and women to cope with the serious problems confronting this Nation and the world. Our institutions must do this in the face of rapidly expanding enrollments, enlarged faculties, the mounting number and complexity of courses, and increased cost.

An essential bulwark in the higher educational program is the library. As one authoritative statement stresses it:

> The library should be the most important intellectual resource of the academic community. Its services, given by a competent staff of adequate size, should be geared to implement the purposes of the college's general program and to meet the specific educational objectives of the institution * * *. Beyond supporting the instructional program to the fullest extent, the library should endeavor to meet the legitimate demands of all its patrons, from the senior professor engaged in advanced research to the freshman just entering upon the threshold of higher learning.

Mr. President, the effectiveness of the library in fulfilling its functions to the college program may be measured in terms of books and journals, personnel, buildings, and finances.

From the national viewpoint, when we look at some of these factors, we discover serious deficiencies. For instance, when the national standards are applied with respect to the 4-year institutions, approximately 50 percent fall below the minimum, as do 80 percent of the 2-year institutions.

The State of West Virginia has been making splendid progress in strengthening its libraries in institutions of higher education, but we continue to face serious problems.

In the United States, only 129 libraries in institutions of higher education contain 300,000 or more volumes. One of these, I am gratified to state, is West Virginia University, with over half a million volumes. However, of the sixteen 4-year institutions in our State with libraries of under 300,000 volumes, 15 do not meet standards. In the case of the 2-year institutions, three in number, none meet the standards for books. It is evident, therefore, that prompt attention must be given to ways of increasing these sorely needed library resources.

Libraries must have adequate financial support. After careful consideration of the matter, competent authorities have decided that 5 percent is the reasonable proportion of the total educational and general budget to be devoted to the adequate operation of the library. Actually, the present average expenditure for all colleges in the United States is only 3.5

percent, instead of the recommended 5 percent.

In West Virginia, of the seventeen 4-year institutions of higher education, 14 do not meet the national support standard for their libraries. Of the three 2-year institutions in my State, two spend less than the recommended 5 percent of the total operating budget of the college.

These shortcomings will be remedied in part by the three types of grants provided in S. 600: Basic, supplemental, and special purpose.

Of special satisfaction to me are the provisions in S. 600 for training and research in the field of librarianship. The shortage of 125,000 trained librarians, which was repeatedly called to our attention while considering this bill, is not just another statistic to be taken lightly. To ignore the lack of librarians means we are crippling our Nation's forward stride toward quality education to meet the national needs and to utilize the ability of every citizen.

President Johnson stressed in his message that higher education was a necessity, not a luxury. By passing the Higher Education Act of 1965, we are making a progressive step toward providing increased opportunity and excellence in education for our people.

Mr. **DIRKSEN**. Mr. President, I offer an amendment and ask that it be read.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

> On page 212, line 15, insert "or any other Act" after the word "Act".
>
> On page 212, line 21, immediately before the period, insert a semicolon and the following:
>
> "or the membership practices or internal operations of any fraternal organization, fraternity or sorority, any private club or any religious organization of any institution of higher education".

Mr. **TOWER**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield to the Senator from Texas.

Mr. **TOWER**. With the permission of the Senator from Illinois, I should like my name to be added as a cosponsor of the amendment.

Mr. **DIRKSEN**. I am pleased to have the Senator from Texas as a cosponsor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **ERVIN**. Mr. President, will the Senator yield further?

Mr. **DIRKSEN**. I yield to the Senator from North Carolina.

Mr. **ERVIN**. Mr. President, the Senator from Oklahoma [Mr. MONRONEY], the Senator from Mississippi [Mr. STENNIS] and I had prepared an amendment we intended to offer to this bill, which is substantially similar to the amendment offered by the Senator from Illinois.

For that reason, we shall withhold the submission of the amendment which we prepared, and I ask the Senator from Illinois if he would be so gracious as to permit the Senator from Oklahoma, the Senator from Mississippi, and myself to become cosponsors of his amendment.

Mr. **DIRKSEN**. I should be delighted to have them do so.

Mr. **ERVIN**. Will the Senator from Illinois yield for a unanimous-consent request, with the understanding that by so doing he will not lose his right to the floor?

Mr. **DIRKSEN**. I yield.

Mr. **ERVIN**. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of all the remarks made by the Senator from Illinois in support of his amendment the text of an amendment prepared by the Senator from Oklahoma, the Senator from Mississippi, and myself, and the text of a statement prepared by me in support of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **ERVIN**. I thank the distinguished Senator from Illinois.

Mr. **DIRKSEN**. Mr. President, when the Senate was considering the Civil Rights Act of 1964, there was considerable discussion on enlarging and amplifying the powers of the Civil Rights Commission, over the matter of certain exclusions and exemptions of private clubs, fraternities, sororities, and religious groups. The exclusion was finally included in title VI of the Civil Rights Act; and when the instant bill was under consideration in the House of Representatives, language identical with that in the Civil Rights Act was incorporated in the higher education bill.

It had general support. Among others, the chairman of the House Committee on Education and Labor, Representative ADAM CLAYTON POWELL, as recorded on page 21947 of the RECORD, said:

> We discussed that amendment and I hesitate to say something complimentary concerning the gentleman from Louisiana which may get back to his constituents but I would like to say that we accept this amendment because I was the author, as my colleagues know, of the Powell amendment in 1954, which at that time was very unpopular, the withholding of funds from any educational institution that did not comply with the decision of the Supreme Court. As the years came and went, this became a part of the Civil Rights Act. But in my original view then, and I hold that view now, I do not believe that there should be any withholding of funds from any institution of higher education because of discriminatory practices on the campus by private clubs and, therefore, I agree with the gentleman from Louisiana.

The amendment, incidentally, was offered by the Representative from Louisiana, Mr. WAGGONNER, and in the remarks by the chairman of the committee is his concurrence in the amendment.

The amendment, in my opinion, is necessary to insure the independence and freedom of our fraternal and social organizations. It is unfortunate that the Civil Rights Act of 1964 is apparently being used against the express intent of the Congress.

I ask unanimous consent, at this point, that there be printed at the end of my remarks various articles and other items that have a bearing upon this point.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **DIRKSEN**. I have read the language of the 1964 act. The language that I now propose is identical with that act, and it is identical with the language that was adopted by the House of Representatives. There can be no doubt that the meaning behind H.R. 10486 was to clarify the congressional intent that the Civil Rights Act was not to be construed in such manner as to interfere with membership and internal practices of social and fraternal organizations.

It is my belief that the provision merely gave recognition to the announced proposition of the Supreme Court that the right of our citizens to associate privately for a lawful purpose without interference is a right protected by the Constitution under the 1st and 14th amendments.

Apparently because title VII of the Civil Rights Act fails to contain a protective provision under title V, the power and might of the Federal Government has been brought to bear against our colleges and universities by the threat of withholding from them any form of Federal assistance. This has been clearly shown through correspondence with the Commissioner of Education, Mr. Francis Keppel. I ask unanimous consent that certain correspondence bearing upon this point be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 3.)

Mr. **DIRKSEN**. Mr. President, it is clear that the Congress must act now to insure the continuation of our fraternity system. It is interesting to note that 69 percent of the membership of the Senate and approximately 35 percent of the membership of the House of Representatives serving in the 89th Congress are members of college social fraternities and sororities.

I ask unanimous consent that an article from the Shield & Diamond of the Pi Kappa Alpha Fraternity entitled "Fraternity Folks in the 89th Congress," be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 4.)

Mr. **DIRKSEN**. I think my distinguished friend, the Senator from Oregon [Mr. MORSE] is a ΠΚΑ, if I remember correctly as is also the distinguished Senator from Alabama [Mr. SPARKMAN]. The minority leader, too, is a member of ΠΚΑ.

Mr. **JAVITS**. Mr. President, will the Senator yield so that we may ask for clarification of what he is trying to accomplish?

Mr. **DIRKSEN**. Let me clarify the point.

Mr. President, bearing on this point, the Senator from Montana [Mr. METCALF], on the 7th of June, wrote a letter to the Commissioner of Education with respect to this matter, which is exhibit 3.

I read one paragraph of the Commissioner's letter wherein he says:

> This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible to the Civil Rights

> Act requirements for assuring that discrimination is not practiced by the fraternities in the system.

Commissioner Keppel uses the word "maintains." As I understand the national constitutions and bylaws of our fraternities, the schools actually do not maintain them; the fraternities maintain themselves. They are national in scope. Some of them have chapters in virtually every leading college and university in the country.

Mr. METCALF. Mr. President, will the distinguished Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. METCALF. The reason why I wrote the letter, as is apparent from the letter itself, which is to be printed in the RECORD at the request of the Senator from Illinois, was that the Stanford University chapter of Sigma Chi pledged a Negro.

As a result of that action, the National Chapter of Sigma Chi expelled the local chapter. I am fortunate and proud to be a member of the Stanford Chapter of Sigma Chi.

This Negro was an outstanding individual. It is difficult to get into a Stanford University fraternity, in any event. The blackball system is in operation there. Many fraternal associations have such a rule, so that any member can blackball an individual.

On the Stanford campus, all the fraternity houses are located on university land. All the fraternity houses are owned by the university. Many other fraternity houses are a part of the dormitory system. They are financed by loans from the Federal Government.

I am sure that is what Commissioner Keppel meant when he said, "maintained as a part of the activities and the overall program." That was the specific question I asked Mr. Keppel. I said:

> When you have a fraternity that is located on university land, or when you have a fraternity house which is owned by a university and the fraternity house premises are maintained by the university, does the Civil Rights Act apply?

Mr. Keppel specifically and carefully answered that question and stated that it did apply.

I would assume from his answer that it would not apply to premises located off campus owned by building corporations, or by local fraternities. I wish to make that distinction crystal clear.

I hope to speak on the amendment later.

Mr. DIRKSEN. I was about to get to that point.

Mr. ERVIN. Mr. President, will the Senator from Illinois yield for an observation in response to this point?

Mr. DIRKSEN. I am glad to yield.

Mr. ERVIN. On August 17, 1965, I wrote to Mr. Keppel, Commissioner of Education, a letter in which I stated:

> In your letter to Senator METCALF, you justify the action of your office by stating that fraternities are maintained by universities and institutions as a part of its activities and overall programs. If the college fraternities were financed and maintained as a part of the educational purposes of a particular institution, a case might be made for your requirement that discrimination be prohibited. However, it is my impression that college fraternities and sororities are tolerated rather than maintained at the various institutions. These private social organizations are financed by private contributions subject only to certain general college restrictions that are placed upon all students.

Thus far, I have been unable to get a reply to this letter, in which I raised the point that most college fraternities and sororities are financed privately, and, thus, are constituted as private organizations, and that they are not maintained in any respect by the university or college authority. Most fraternities in North Carolina own their own fraternity houses which are not connected with the colleges or universities.

I invited the attention of the Commissioner to the case of *Gibson* v. *Florida*, 372 U.S. 539, 83 S. Ct. 889, March 25, 1965, in which the Supreme Court of the United States held that Government is powerless to legislate with respect to membership in a lawful organization.

I cannot get a reply from the Commissioner on the subject, but it seems to me that if the Government is powerless to legislate in respect to membership in a lawful organization, then an agency of the executive branch cannot legally go beyond the law as passed by Congress and legislate on its own behalf in respect to the membership requirements of private organizations which are perfectly lawful.

I thank the Senator from Illinois for yielding to me.

Mr. DIRKSEN. Let me say to my friend the Senator from North Carolina that we have had a long discussion on this matter, when title VI, dealing with the authority and powers of the Civil Rights Commission, came before the Senate in 1964. I have the language before me. Paragraph 6, section 104 reads as follows:

> Nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization.

That was approved by the Senate and the House and that has been on the statute books for more than a year.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. One more observation and then I shall be glad to yield.

With respect to the question raised by my friend the Senator from Montana [Mr. METCALF] as to the expulsion of a person from Sigma Chi, there was an answer to it, as I understand, that that was not the reason for suspending the Stanford chapter at all. They had investigated the language and the conduct of that chapter and it showed real contempt for the national organization. That was the basis for the suspension.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am glad to yield to the Senator from New York.

Mr. JAVITS. In the first place, I am sure that the Senator is aware of the fact that if the amendment is adopted, the matter will not be in conference.

Mr. DIRKSEN. The Senator is correct.

Mr. JAVITS. It will be locked into the final bill as it is now in the House bill.

However, let me ask the Senator this question: Is what the Senator is seeking to correct the fact that the Commissioner of Education has, in the Senator's judgment, not complied with title V of the Civil Rights Act? That is what the Senator has just read from and it appears to relate to the powers and duties of the Civil Rights Commission, whereas the substantive authority to deny Federal funds to a program or activity is contained in title VI. Is it the Senator's contention here that the law is inadequate, or that the administration runs counter to the law which we already have; namely, the Civil Rights Act of 1964?

Mr. DIRKSEN. The answer is simple. First, the language I recited is from title VI of the Civil Rights Act and does not involve the question of Federal assistance and what might happen thereafter.

The distinguished Senator from Texas, I am informed, was advised by telephone by the Assistant Commissioner of Education, that they intended to make that general principle apply with respect to Federal funds to an institution where there were sororities and fraternities over which, actually, they had no control; because, after all, they are national nonprofit corporations, strictly private in nature. It is only that they are identified with the schools that they would undertake to make that a basis for withholding Federal funds.

I cannot, for one moment, conceive or contemplate that that was ever in the minds of Congress at any time, in view of the interdiction that we placed upon the Civil Rights Commission.

I wish to be sure, where Federal assistance to a school is involved, that they do not come in and say, "Sorry, you can have no scholarship money. You can have no grant. You can have no loan. You can have no project. You cannot have anything, because of the internal operation and the rule under which sororities and fraternities, strictly private, may operate."

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JAVITS. I wish to express my opposition to any sorority or fraternity which discriminates against Negroes, Jews, or anybody else. However, leaving that aside, I am a lawyer, and I realize that this is private activity, and that Congress has no power to regulate it unless it is assisted by Federal or State funds.

Does the Senator wish, by this amendment, to achieve a situation in which, if a fraternity or sorority operates dormitories or lodgings or an eating establishment which is a part of a program or activity financed by Federal funds, title VI of the Civil Rights Act of 1964 cannot reach it?

Mr. DIRKSEN. That is not what the amendment provides. And that is not what title VI of the Civil Rights Act provides. The language there is, "to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university, fraternity, or sorority, any private club, or any religious organization."

Mr. JAVITS. Mr. President, the Senator is under a misapprehension of fact. The Senator is not reading title VI. The Senator is reading paragraph 6 of section 104 of the Civil Rights Act of 1957 as amended by the 1964 act.

Mr. DIRKSEN. Of title VI.

Mr. JAVITS. No.

Mr. DIRKSEN. Of title V.

Mr. JAVITS. That is different.

Mr. DIRKSEN. The Senator is correct.

Mr. JAVITS. Title VI provides something very different. Reading from section 602.

> Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guarantee, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity.

In short, it is only when a Federal department or agency is helping a program or activity that it has any authority in this field. That is the reason why I asked the Senator what the reach of his amendment was, whether he was correcting the Commissioner because he was administering title VI of the Civil Rights Act wrongly, or whether the Senator intended to change the substantive law.

I say to the Senator that if he can demonstrate that the Commissioner is wrongly administering a section, I would want to do everything I could to see that he correctly administered it. However, I certainly will not be a party to changing title VI of the Civil Rights Act when it comes to allowing Federal money to go to any fraternity or sorority—I do not care how private it is—which would use that Federal money to deny rights to a Negro or to somebody else that that fraternity or sorority does not like because of race, color, or national origin.

Mr. DIRKSEN. Mr. President, the money might go to a school and an alleged act of discrimination on the part of a fraternity or sorority might be discovered. Is the school to be punished? It would be punished if that were the case.

I want to be sure that we are clear on that point.

I believe that the Senator from Texas, who is on the committee, has had some conversation that will clear that matter up.

Mr. JAVITS. Mr. President, one other point, so that we do not pass each other like ships in the night. If sorority A conducts a dormitory and that dormitory is helped by Federal funds, that sorority may not, if it is going to continue to conduct that dormitory, discriminate against Negroes. It can remain as a sorority on that campus for 150 years, but it has to give up conducting its dormitory with the aid of Federal funds. That is all that I say, and nothing else.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. TOWER. Mr. President, I believe that the thrust of the argument by the distinguished junior Senator from Illinois is that the Government agency would be prohibited from denying funds to be used by a college or university merely because, in connection with the college or university, there is a fraternity or sorority that exercises some discriminatory practices in its membership.

My observation is that this would affect very few situations in which the housing for the fraternity or sorority is provided by the college or university. In most instances, the houses are off campuses, and are operated by householding corporations. Usually the property on which the houses are located is owned by such a corporation. In some cases, it is a leasehold that the fraternity or sorority enjoys for a period of 99 years. I do not believe that this would put restrictions on such practices from that point of view merely because the university leases property to them and receives a stipend for it.

This would not be a part of the university operation. The fraternities and sororities supplement the housing that is currently provided by many colleges and universities.

The fraternities and sororities help to keep up with the housing demands on the campus. I believe that, in that sense, they make a general contribution to the field of education. I can think of many other things other than the provision read by the Senator that would refer to civil rights activities. I believe that the same opportunity would carry over into other titles of the act.

I supported title VI of the act. I opposed, I believe, every attempt to weaken title VI of the Civil Rights Act. I do not believe that Federal money should be used to finance any college or university in which discrimination is practiced. However, I believe that we need to preserve the right of private, social, fraternal, and religious organizations to determine their own membership.

To carry this to its logical extension, this could mean that Federal funds could be denied to a college which, let us say, allowed the Westminister Club, the Norman Club, or the Baptist Student Movement, or any other club with a religious affiliation, to use the rooms and facilities of the college.

There could be complaints of violations of the Civil Rights Act. I point out that if this amendment were not agreed to, it could mean that many universities would be harmed. They want to preserve the fraternities and sororities. Money comes to fraternities and sororities from the contributions of the alumni to a college or university. It would in effect remove university supervision from fraternities and sorority housing and activities to the extent that there would be no supervision of affairs, whereas currently we do have the affairs supervised by responsible national organizations.

If we were to do away with this system, we would still have private clubs world without end. Youngsters will choose their own associates. They will have less supervision, control, and direction.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. METCALF. Mr. President, this amendment would apply to any fraternal organization. It would apply to a fraternal organization that has quarters and dormitories. It would apply to a fraternal organization such as that which I suggested at Stanford University where they borrow money from the Federal Government and build a fraternity house and lease it to the fraternity. It would apply to a fraternity whether they are living in dormitories off campus, or wherever it is.

It is my interpretation of Mr. Keppel's letter, and I am sure that the Senator from Illinois can read the pertinent part of the letter and interpret it in the same way, that it refers only to those fraternities in which the university maintains the facilities that are covered by title VI, and only such a situation.

My letter specifically said that what I spoke of was a situation such as exists at Stanford University, where the university maintains a fraternity system. It owns the land. It owns the houses. It borrows money from the Federal Government to build the houses under the Dormitory Act.

What happens then, when there is discrimination? Mr. Keppel answered that question on the narrow issue. He said that when there is discrimination in that situation, in which there is the maintenance of the fraternity, title VI of the Civil Rights Act would apply.

I agree with the Senator from Texas that the fraternities and sororities located off campus, owned by a building corporation, by the fraternity house, or privately owned, are not under title VI. However, as I understand the amendment offered by the Senator from Illinois, he covers the whole waterfront, all fraternities, sororities, and fraternal organizations.

Mr. DIRKSEN. Mr. President, I just read the language of the amendment. It is as clear as crystal. It is identical with what was in the House bill. It reads:

> Any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization of any institution of higher learning——

Mr. METCALF. There is no equivocation. It covers the whole waterfront.

Mr. DIRKSEN. Yes; it covers everything which concerns internal operations and practices. It is wholly that and nothing more. As the Senator from North Carolina [Mr. ERVIN] pointed out, all that is involved is the right of freedom of association, as passed upon by the Supreme Court on many occasions.

Mr. JAVITS. Mr. President, I may suggest a way out of this problem. I urge the Senator from Texas to think about this during a short quorum call to see if we cannot add to the amendment which the Senator has submitted the following language: "Except in the conduct of any program of activity receiving Federal assistance referred to in section 602 of Public Law 88-352."

I am making an effort to separate what is valid from what is not. I do not like discrimination in any form, but that is another matter. At least let us reach any practice which comes within the flow of Federal funds assisting activities of higher education. I believe this suggestion will do it. I submit it to the mover of the amendment only as a suggestion, and as a way of expressing in law what we are trying to express in discussion and in an area in which there is no material disagreement.

Mr. DIRKSEN. The distinguished Senator from North Carolina had some language he wished to submit. Perhaps he would be interested in doing it at the present time.

Mr. ERVIN. I did not intend to submit this——

Mr. DIRKSEN. I have not seen the actual language he has in mind.

Mr. ERVIN. I believe the amendment would meet the objection raised by the Senator from Montana [Mr. METCALF] and the Senator from New York [Mr. JAVITS], if it were agreed to add this language at the end of the amendment: "whose facilities are not owned by the institution of higher education and whose activities are financed by funds derived from private sources."

Mr. DIRKSEN. In other words, no private money would be involved.

Mr. ERVIN. There would be no Government property used and no Government money involved. I believe in the greatest amount of liberty for people. I would accord the Senator the right to form an organization discriminating against me——

Mr. JAVITS. I would not do it.

Mr. ERVIN. People should have the right to do it if it is a private organization. One of the greatest rights of the people is the right to select their own associates.

For that reason, if the Senator from Illinois will modify his amendment by adding those words, it would meet the objection raised.

Mr. DIRKSEN. Mr. President, without losing my right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois, by unanimous consent, has the floor.

EXHIBIT 1

On page 212, line 15, after the word "Act" insert the words "or any other Act", and on page 212, line 21, strike out the period, insert a semicolon, and add the following language: "or the membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization at any institution of higher education."

STATEMENT OF SENATOR ERVIN

As Senators may know, Commissioner of Education Keppel recently decided that educational institutions which have fraternities or sororities are not eligible for Federal funds if those fraternities and sororities practice what is in the Commissioner's opinion discrimination, even if the constitution and bylaws of these organizations do not contain a clause which excludes members on the grounds of race or color. In other words, if it is found that one of the small private fraternal organizations which is located on the campus of one of our great universities has excluded an individual, allegedly because of his race, then Federal funds are cut off from the entire university.

However, the action of the Office of Education not only exceeds the authority granted to it under section 601 of the Civil Rights Act of 1964, but also violates the very spirit of that act as embodied in section 504(a) (6) which states:

"(6) Nothing in this or any other act shall be construed as authorizing the Commission, its advisory committee, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club, or any religious organization."

Commissioner Keppel justifies the action of his Office by stating that fraternities are maintained by universities and institutions as a part of their "activities and overall program." If the college fraternities were financed and maintained as a part of the educational purposes of a particular institution, a case might be made for the requirement that discrimination be prohibited. However, it is my impression that college fraternities and sororities are tolerated rather than maintained at the various institutions. These private social organizations are financed by private contributions subject only to certain general college restrictions that are placed upon all students.

The action of the Office of Education is also in direct violation of the decision in *Gibson* v. *Florida*, 372 U.S. 539 (1965), holding that government is "powerless to * * * legislate with respect to membership in a lawful organization." I know of no decision that has come down in the 6 months since this opinion was announced that overrules the case.

This amendment only restates the traditional American principle of freedom of association that has time and again been sustained by the Supreme Court and has never, as far as I know, until now, been challenged by the Federal Government.

Mr. President, when the day comes when we no longer have the freedom to choose our associates in purely private social organizations, we have reached the day when we have no freedom at all.

EXHIBIT 2

[From the New York Times, June 18, 1965]

COLLEGES FACE U.S. AID CUTOFF IF THEY PERMIT FRATERNITY BIAS

(By Wallace Turner)

DENVER, June 17.—The terms of the Civil Rights Act of 1964 require individual colleges to make certain that fraternities do not discriminate on racial grounds, Francis Keppel, Commissioner of Education, declared today.

His statement was in a letter to Senator LEE METCALF, Democrat, of Montana, who had asked about the situation involved in the suspension last April of the Sigma Chi Chapter at Stanford University.

The suspension came in a letter from the national fraternity dated 4 days after a Negro student had accepted a bid to pledge the Stanford chapter.

The issue touches on the entire system of Federal grants to colleges and universities.

If Mr. Keppel found that a fraternity was practicing racial discrimination, he would then question the "assurances of compliance" filed by the schools under title VI of the Civil Rights Act.

The schools would be required to end the discrimination, either by changing the practices of the fraternity or by removing the offending chapter from the campus.

The alternative would be a procedure initiated by Mr. Keppel under which all Federal grants could be shut off to the colleges where the fraternity operated chapters.

Harry V. Wade, national president of Sigma Chi, has denied that the pledging of Kenneth M. Washington, a Negro freshman who is the son of a Denver physician, was the reason for the suspension of the Stanford chapter.

He said recently that "the reason we suspended the chapter was because of its contemptuous attitude toward the fraternity and the other Sigma Chi chapters in its area."

Mr. Wade is an executive of the Standard Life Insurance Co. of Indiana.

After the national Sigma Chi fraternity acted against the Stanford chapter, the Board of Regents at the University of Colorado voted to place the Sigma Chi chapter at Boulder on probation.

Sigma Chi's national convention opened here last night. A delegation from the Stanford chapter is in attendance, accompanied by legal advisers.

The Stanford students refused today to discuss their situation. They have made it clear, however, that they believe the chapter was suspended because it pledged Mr. Washington.

Senator METCALF recently called Mr. Keppel's attention to the dispute between the national fraternity and its Stanford chapter of which the Senator is an alumnus.

It was pointed out that while the fraternity has no discriminatory clause in its constitution, it does have a clause that forbids a chapter to propose for membership anyone "who for any reason is likely to be considered personally unacceptable as a brother by any chapter or any member anywhere."

Senator METCALF said the national fraternity's action "may endanger Sigma Chi on every campus in America."

Mr. Keppel's letter appeared to bear this out. He pointed out that regulations issued under the Civil Rights Act of 1964 require schools to give assurances that there is no racial discrimination "in admission practices or any other practices of the institution relating to the treatment of students."

[From the Washington (D.C.) Star, June 20, 1965]

COLLEGES GET U.S. WARNING ABOUT BIAS IN FRATERNITIES

The Nation's colleges must make certain that fraternities on their campuses do not practice racial discrimination if they want to continue receiving Federal grants, according to the Office of Education.

This interpretation of Civil Rights Act requirements was made by Commissioner of Education Francis Keppel in connection with a report that Sigma Chi national fraternity had suspended its Stanford University chapter shortly after the group pledged a Negro member.

Keppel said: "An institution which maintains a fraternity system as part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by fraternities in the system."

An HEW spokesman added that regardless of the formalities between a local chapter and its parent organization, the terms of the act make it necessary for individual colleges to be sure that racial discrimination is not practiced.

He said a finding that a fraternity practices racial discrimination could result in requirements that most colleges end the discrimination either by changing the practices of the fraternity or ousting the chapters. Or Keppel could start action to shut off all Federal grants to colleges where the fraternity operated chapters.

The Stanford chapter, the Associated Press reported, is fighting its suspension at the fraternity's national convention closing today in Denver. Sigma Chi has no racially discriminatory clause in its constitution but does have a so-called social acceptability clause requiring that no chapter propose for membership anyone "who for any reason is likely to be considered personally unacceptable as a brother by any chapter anywhere."

George Washington University and the University of Maryland both have Sigma Chi chapters, but both campuses also have antidiscriminatory regulations for recognized student organizations.

George Washington's Interfraternity Council has a bylaw saying it will not recognize any local fraternity which in its own bylaws or through affiliation with a national fraternity in a national constitution discriminates on the basis of race, color, creed or national origin, whether in a written manner or by agreement.

Maryland has a regulation that no recognized student organization may in its bylaws automatically exclude members for any reason. The university has checked all charters to make sure no such exclusions exist, a spokesman said.

American and Howard Universities have regulations prohibiting discriminaton by fraternities or sororities. Catholic University said all of its fraternities and sororities have or have had Negro members, and Georgetown has no social college fraternities, just some professional fraternities which a campus spokesman said he believed to be integrated.

FRATERNITIES, DISCRIMINATION, AND THE CIVIL RIGHTS LAW

(By Paul Cole Beach, Jr.)

"The choosing of one's own friends and associates cannot be confused with civil rights and, therefore, is not subject or amenable to edicts, regulations, laws, and legislative fiats abridging that social right." So declared a 1957 resolution of the National Interfraternity Conference, responding to a rising chorus of protest against the discriminatory membership practices of several fraternities.

Freedom of association is crucial to a free and individualistic society. But the National Interfraternity Conference's position seems unduly optimistic in that a fraternity's right of selectivity is at present, and will be increasingly, subject to external regulations—not the least of which may be Public Law 88–352, the Civil Rights Act of 1964.

"The new Civil Rights Act of 1964," states U.S. Assistant Civil Rights Division Attorney Arthur Caldwell, "is unusually broad in scope and complex in its provisions. It will take time and perhaps many court tests to determine its exact scope and limitations." [1] "Few persons," elaborates the Virginia Commission on Constitutional Government, "fully understand the bill's thrust into the private lives of Americans everywhere." [2]

The Civil Rights Act creates new rights, and makes others meaningful, say its proponents.[3] Yet it can only restrict those possessed by fraternities. Of concern to fraternities are those provisions of the act conferring jurisdiction upon U.S. district courts to enjoin discrimination in public accommodations, authorizing the Attorney General to institute suits to end ethnic problems in public education, enabling Federal departments to prevent discrimination in federally assisted programs, and empowering various U.S. agencies to investigate complaints of discrimination. Thus, fraternities which select members on bases other than personal merit may well feel the act's thrust in due course.

I—FEDERAL INVESTIGATIONS

There has been a plethora of investigations of fraternities by private antidiscrimination groups. Recently, Ohio Congressman JOHN ASHBROOK received word of investigations by governmental agencies. He found that the Utah Advisory Committee of the U.S. Civil Rights Commission had begun "questioning policies of fraternities and sororities." [4] The Commission, which is directed to study and collect "information concerning legal developments which constitute a denial of equal protection of the laws," [5] had begun a preliminary survey "to ascertain," according to Civil Rights Commission Chairman John Hannah, "whether fraternities and sororities located at the State university engaged in practices of racial discrimination, and, of so, whether the university is so involved in the conduct of these societies as to bring them within the purview of the equal protection clause of the 14th amendment." [6]

The resulting furor led directly to a section being written into the Civil Rights Act prohibiting "the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority." [7]

This limitation does not extend, however, to the Community Relations Service, the Commissioner of Education, or the FBI. The Community Relations Service is empowered to investigate and hold hearings on public accommodations complaints.[8] The Commissioner of Education is instructed by the Act to survey the "lack of availability of equal educational opportunities" in "public educational institutions at all levels" by 1966.[9] And, complaints of act violations will be routed through the FBI to the Department of Justice.[10] Investigation to determine jurisdiction can also be made, and it is certain that, if a protest is filed against a fraternity, investigations will be made.

Public accommodations and Federal assistance

In the public accommodations title, the Congress has created a new right. "It is," comments Arthur Caldwell, "the right of all persons to be free from discrimination or segregation on the ground of race, color, religion or national origin, in the operation of certain listed places of public accommodation which operate in or affect interstate commerce" [11]—that is, rooming houses renting more than five rooms and all place principally engaged in selling food.[12] The Congress has also limited a previously held right by establishing for entrepreneurs a requirement to serve, a radical departure from the existing meaning of the interstate commerce clause.

Unless a fraternity makes its room and board services open to nonmembers, the public accommodations section has little relevance. But those fraternities which do serve nonmembers fall within the public accommodations class, and must make the "full and equal enjoyment of the goods, services, facilities, privileges, advantages" of their room and board activities available "without discrimination or segregation." [13] Creating a private club solely designed to serve nonfraternity members would exempt the fraternity's room and board facilities, however.[14]

Title IV of the Act, on the other hand, has greater relevance. It requires that no person shall "be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." [15] Fraternities receiving support from FHA home loans or occupying college lands or buildings being financed through Federal funds may find their assistance or occupancy terminated.

All that would be required for such termination would be "an express finding" of failure to comply with the appropriate agency's antidiscrimination rule, regulation, or order of general applicability.[16] That suffices. No rules are laid down for due process of law, for the presentation of evidence, for hearings before impartial examiners, for any of the protections normally provided in matters of far less importance. And under the feeble provisions for judicial review, such "express findings" would be entitled to great weight in appellate Federal courts.

The public education title of the act, finally, augurs the most problems. As one fraternity critic proclaimed: "The unconstitutionality of the recognition by State universities of fraternities which discriminate" seems clear. "Recognition of this conclusion will be a further step toward achieving truly democratic education in State educational institutions." [17]

II. FRATERNITIES, DISCRIMINATION, AND PUBLIC EDUCATION

There are less than 10 national fraternities that today have written, blanket interdictions against particular ethnologic groups. There may be more, on the other hand, which maintain a pattern of discrimination through "gentlemen's agreements" or similiar devices reflecting regional or cultural biases. Whatever their wisdom, both types of selection are constitutional within the current interpretation of the 14th amendment.

The Civil Rights cases, decided by the Supreme Court in 1883, made it abundantly clear that: "It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment." [18] Even *Shelley* v. *Kraemer*, decided in 1948, and one of the most extreme cases in advancing the State action principle, reiterated this view: "the principle has become firmly embedded in our constitutional law that the action inhibited by the 1st section of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful." [19]

State action and private groups

Discriminatory State action, then, is the target of the "equal protection" clause. But the State is so closely allied in all acts of private discrimination—enforcing trespass laws on strictly private property for example—that the pertinent questions have become, not whether State action is involved, but how much State involvement exists, whether its action simply maintains an important personal freedom outweighing the public interest, and whether a constitutional right is violated. No precise formula for the recognition of State responsibility has been established, however. In fact, the Supreme Court has declared this "an impossible task" which the "Court has never attempted." [20]

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[1] Arthur B. Caldwell, "The Civil Rights Act of 1964—Its Implications for Law Enforcement," Department of Justice News Release. Aug. 7, 1964, p. 1.

[2] Virginia Commission on Constitutional Government, Civil Rights and Federal Powers, (Richmond: 1964), p. 4. Official agency of State of Virginia.

[3] Caldwell, op. cit., pp. 1, 3.

[4] U.S. Congress, daily CONGRESSIONAL RECORD, vol. 110, p. A3318, June 17, 1964, 88th Cong., 2d sess.

[5] Ibid., p. A3317.

[6] Ibid., p. A3318.

[7] Public Law 88–352, title V, sec. 104(a) (6), 78 Stat. 251.

[8] Ibid., title II, sec. 205, 78 Stat. 244.

[9] Ibid., title IV, sec. 402, 78 Stat. 247.

[10] Caldwell, op. cit., p. 8.

[11] Ibid., p. 3.

[12] Public Law 88–352, title II, sec. 201(b) (1) (2), 78 Stat. 243.

[13] Ibid., title II, sec. 201 (a).

[14] Ibid., title II, sec. 201(c).

[15] Ibid., title VI, sec. 601, 78 Stat. 252.

[16] Ibid., title VI, sec. 602.

[17] Harold W. Horowitz, "Discriminatory Fraternities at State Universities—A Violation of the 14th Amendment?" 25 Southern California Law Review, 289, 296, 1952.

[18] 109 U.S. 3.

[19] 334 U.S. 1.

Yet, State action concepts in two areas are of significance to fraternities. These are where individuals or groups are so regulated, enfranchised, or sanctioned by the State, that they assume a public character. They become State instrumentalities by fulfilling a function to some extent governmental, or by being controlled—the more control, the greater public nature—by the State, or by receiving benefits from it. And, if the State or its instrumentality refuses or fails to meet an obligation, this may also qualify negatively as State action.[21]

Fraternities as State instrumentalities

These State action precepts have become flexible enough so that there is speculation fraternities can be included in the discriminatory prohibition. An attempt may be made, for instance, to declare fraternities at State universities instrumentalities of the State, because of their close involvement in the State's educational process. It would then be incumbent upon university officials, say antifraternity pundits, to enjoin or eliminate any discriminatory activity.

It has been suggested that private colleges are not entirely immune from this approach; but, according to one Government attorney, State colleges or institutions deriving a major part of their funds or property from a governmental source are where "it is most likely that a determination of State action could be made."

The attorney general of California, as an example, said in 1959 that, while the constitutionality of discriminatory membership practices depended on the specific relation of fraternities to a State university, in certain cases fraternities could be termed State instrumentalities.[22] He failed to elaborate and, as yet, the Federal courts have not substantiated any such position.

Argument for 14th amendment violation

Federal court inaction, though, is hardly a guarantee that there will not be a future change in policy—particularly considering the ease with which Federal suits may be brought under the new act. It is necessary, consequently, to explore the antifraternity argument fully.

A "public college" is defined by the 1964 Civil Rights Act as a college "operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source." [23] These schools are charged with desegregation of their facilities—which means "the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin." [24] The public education sphere, then, is where the most anti fraternity action will be taken.

Since fraternities are recognized and allowed to operate on State campuses, the first relationship alleged as evidence of State action will be governmental sanction. Fraternities are also under State control, in that university officials set various requirements for membership affiliation and social activities; they supervise housing programs and make house rules, provide faculty advisors, set scholastic standards, and administer discipline. It will be argued, additionally, that there are large mutual benefits in the fraternity-college relationship. The college provides funds for Interfraternity Council activities, provides free office space, secretaries, and budget services, and administrative advisors; and, in turn, the fraternities make available room and board services and a social and educational outlet for a large portion of the student body.

Moreover, the State college often rents land and buildings to discriminatory fraternities, and it is well recognized that the "leasing arrangement is one of the most tangible and publicly conspicuous relationships existing between the State and private parties. Consequently it has frequently been the basis upon which the court have constructed an agency relationship between the State and the lessee, with the finding that the acts of the lessee are State action." [25] The 1961 case of *Burton* v. *Wilmington Parking Authority* is cited as the best indication that a leasing arrangement between a State college and a discriminatory fraternity is unconstitutional.[26] For the Court determined that a number of indirect benefits and involvements, including leasing, between the State and a discriminatory private party had "so far insinuated (the State) into a position of interdependence" that "it must be recognized as a joint participant in the challenged activity, which, on that account, can not be considered to have been so 'purely private' as to fall without the scope of the 14th amendment." [27]

Other cases would be offered to show that State universities can prohibit the operation of any fraternity, as well as prevent fraternity members from graduating or receiving class honors; indeed, can go so far as requiring transfer students to disavow previous fraternity membership at another college before admitting them.[28] Not only does this demonstrate an extremely close control over fraternities, but, the argument runs, it signifies that a State university, by its failure to penalize the discriminatory fraternity, has elected to put its power, property, and prestige behind the admitted discrimination, thus violating the 14th amendment.

One commentator adds that the affirmative act of a university official in segregating a student within a school so as to prevent intellectual commingling and equal educational opportunities—action invalidated by the Supreme Court in 1950—is analogous to the positive stand taken by university officials in recognizing discriminatory fraternities and permitting their continued existence.[29]

Assuming that ethnic discrimination by fraternities at public colleges does violate constitutional standards, the fraternity antagonists suggest that a complaint be filed. The 1964 Civil Rights Act authorizes the Attorney General, "after giving notice of such complaint to the appropriate" college "authority and after certifying that he is satisfied that" such "authority has had a reasonable time to adjust the conditions alleged," to "institute a civil action in any appropriate district court" against "such parties and for such relief as may be appropriate." [30] Or, under the act, a private person may sue, as well.[31]

An opposing view

A State university undoubtedly sanctions—at least tacitly—a fraternity when it recognizes it, permits it to operate on campus, and allows it to use the university name. Nor can there be any question that a State university exercises great control over the fraternity system. And there is obviously enough mutual benefit involved to suggest that fraternities are an important—though not necessarily integral—part of the educational process. While admitting the manifest, does it necessarily follow that fraternities are State instrumentalities? No.

As to the argument advanced from the 1950 intraschool segregation case, it is absurd to maintain that the existence of one or several discriminatory fraternities on a campus prevents "intellectual commingling" among the majority of students, who are non-Greek. It is equally obscure how a minority—whose essential purpose is social—can deny "equal educational opportunities" to a larger body of students in their academic pursuits. No less faulty is the analogy between positive discrimination originating on the part of a State official, and the standards of selectivity, however, wrongheaded, made by private persons in national conference. The facts of the case, in addition, are not sufficiently similar to sustain the same general rule.

Yet, "constitutional restraints explicitly applicable only to State action might be reasonably applied to activities ostensibly private," notes GWU Law Professor Henry Manne, "if the State for some reason has a constitutional duty affirmatively to perform the function in question. If such a positive duty exists for the State, then its nonaction or failure to remove a private interference is the logical equivalent of State action."

The benefits derived from the fraternity system may make it an important part of university life. Even this is challenged by some. But the social experiences a fraternity provides are hardly vital to the fundamental government activity carried on by a State university: that is, providing a classical or technical education. Certainly, a State university has no constitutional duty to operate a fraternity system. It would seem, therefore, that because a State university has the power to prohibit fraternities does not, at the same time, force it to do so, nor imply that it is defaulting in its responsibility or failing to meet an obligation. Neither does its inaction necessarily commit its power and prestige to a policy of discrimination. In any case, a State cannot yet be compelled to deny a license or incorporation to a private organization which does discriminate.[32]

A mere lessor-lessee agreement, moreover, does not guarantee a State action finding. The lessor-lessee arrangement must be accompanied by some typical government activity—some public function must be performed by the lessee, in other words.[33] And a fraternity, even one which rents from a State college, disposes of the rented property in a clearly private fashion. The Burton case mentioned previously is too restricted and vague to be applied in a fraternity-college situation. Burton is a public accommodations case, and, as Mr. Justice Clark stated in the majority opinion, "the conclusions drawn from the facts and circumstances of this record are by no means declared as universal truths on the basis of which every State leasing agreement is to be tested." He continued, "Specifically defining the limits of our inquiry, what we hold today is that when a State leases public property in the manner and for the purpose shown to be the case here, the proscriptions of the 14th amendment must be complied with by the lessee." [34] Mr. Justice Harlan whom Justices Whittaker and Frankfurter joined in dissent, noted trenchantly: "The Court's opinion, by a process of first undiscriminatingly throwing together various factual bits and pieces and then undermining the resulting structure by an equally vague disclaimer, seems to me to leave completely at sea just what is in this record that satisfies the requirement of 'State action.'" [35]

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[20] *Kotch* v. *Board of River Port Pilots Com'rs,* 330 U.S. 552, 556.

[21] Jerre S. Williams, "The Twilight of State Action," 41 Texas Law Review 350, 351, 352, 355. February 1963.

[22] 32 Opinions Attorney General California 264, 1959.

[23] Public Law 88–352, title IV, sec. 401(c), 78 Stat. 247.

[24] Ibid., title IV, sec. 401(b).

[25] George P. Shenas, "Comment," 8 UCLA Law Review, 172, 173, 1961.

[26] 365 U.S. 715, 1961.

[27] Ibid.

[28] *Waugh* v. *Board of Trustees of the University of Mississippi,* 237 U.S. 589, 1915; *Webb* v. *State of New York,* 125 Federal Supplement 910, 1954; *Hughes* v. *Caddo Parish School Board,* 57 Federal Supplement 508, affirmed 65 Supreme Court 562.

[29] Horowitz, op. cit., p. 290; *McLaurin* v. *Oklahoma State Board of Regents,* 339 U.S. 629, 1950.

[30] Public Law 88–352, title IV, sec. 407 (a) (2), 78 Stat. 248.

[31] Ibid., title IV, sec. 410, 78 Stat. 249.

[32] *Williams* v. *Howard Johnson's Restaurant,* 268 F. 2d 845 (4th Circuit 1959).

[33] Shenas, op cit., p. 174.

Nor does State control over fraternities seem sufficient grounds for a State action finding, since the group's ends are private, social, and nongovernmental. More, State action concepts have been largely confined in their application to groups of the highest societal importance and public purpose: labor unions, political parties, public utilities, and businesses which affect interstate commerce.[36] A fraternity, in sum, is not open to the public. It is not a government creation, and it performs no essential government function. On the contrary, its purposes are private and social. And, most important, there is no constitutional right to membership in a strictly private organization.

While suits may be filed, then, it should be understood that those fraternities which select their members on bases other than personal merit do so constitutionally; and there is at least a presumption that they may continue to do so within the Civil Rights Act of 1964.

The fraternity which has blanket interdictions defeats its own ends. For it restricts the rich interpenetration of personal relationships that form a fraternity's basic goal. However, "The issue of social discrimination is one which goes directly to the inner beliefs of each person," said Thomas Carroll, the late president of the George Washington University. "It cannot be dealt with once and for all by an official broadside, by a rule, by threats to ban fraternities and sororities which have constitutionally restrictive clauses. It is changed attitudes which accomplish the end of removing old prejudices. We must not lift the principal burden of this problem from the shoulders of the sororities and fraternities themselves where I believe it belongs." [37]

EXHIBIT 3

JUNE 7, 1965.

Hon. FRANCIS KEPPEL,
Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR COMMISSIONER KEPPEL: Recent events involving my college chapter of Sigma Chi prompt me to ask what position your office would take on the continued distribution of Federal funds to educational institutions recognizing any national fraternity shown to practice de facto racial or religious discrimination.

This question arises from title VI of the Civil Rights Act of 1964 and the administrative regulations pursuant to it, issued by the Department of Health, Education, and Welfare with the approval of the White House. In particular, it relates to questions eight and nine, as stated in the explanation of HEW form 441, which reads in part as follows:

"Question. What effect will the regulation have on a college or university's admission practices or other practices related to the treatment of students?

Answer. An institution of higher education which applies for any Federal financial assistance of any kind must agree that it will make no distinction on the ground of race, color, or national origin in the admission practices or any other practices of the institution relating to the treatment of students.

"(c) 'Other practices relating to the treatment of students' include the affording to students of opportunities to participate in any educational, research, cultural, athletic, recreational, social, or other program or activity; * * * making available to students any housing, eating, health, or recreational service; * * * and making available for the use of students any building, room, space, materials, equipment, or other facility or property.

"Question. Does the assurance of nondiscrimination apply to the entire operation of any institution?

"Answer. Insofar as the assurance given by the applicant relates to the admission or other treatment of individuals as students, patients * * * or to the opportunity to participate in the provision of services, financial aid, or other benefits to such individuals, the assurance applies to the entire institution."

As you no doubt are aware, several national fraternities have removed racial and religious clauses from their constitution, ritual and other published materials. Some, however, have substituted so-called social acceptability clauses which may be used to continue de facto discrimination in the selection of their members.

Recognizing the difficulty of establishing the fact that any fraternity does, in effect, practice racial or religious discrimination, and understanding that the precise relationship of national fraternities to educational institutions may vary from one campus to another, I would appreciate your comments on whether your office would recommend the continued allocation of funds to institutions receiving aid under the National Defense Education Act, for example, where these institutions officially recognized or in any way supported fraternities or other organizations shown to practice de facto racial or religious discrimination.

Very truly yours,

LEE METCALF.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., June 17, 1965.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: Thank you for your letter inquiring about the impact of title VI of the Civil Rights Act of 1964 on educational institutions recognizing any national organization practicing racial or religious discrimination.

As you know, title VI, section 601, reads very clearly:

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

As you note in your letter, the explanation or the assurance of compliance issued pursuant to title VI by the Department of Health, Education, and Welfare is quite explicit, reading in part as follows:

"An institution of higher education which applies for any Federal financial assistance of any kind must agree that it will make no distinction on the ground of race, color, or national origin in the admission practices or any other practices of the institution relating to the treatment of students. * * *

"Other practices * * * include the affording to students of opportunities to participate in any educational, research, cultural, athletic, recreational, social, or other program or activity * * * making available to students any housing, eating, health, or recreational service * * * and making available for the use of students any building, room, space, materials, equipment, or other facility or property."

This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system.

To my knowledge, the suspension of Sigma Chi at Stanford by the fraternity's national executive committee is the first major test involving de facto discrimination within a national fraternity to develop since passage of the Civil Rights Act of 1964. As such, it seems certain to attract wide public interest.

Of prime importance to me, however, is the fact that the chapter, the university, and prominent fraternity alumni like yourself have united in an effort to eliminate any discriminatory practices from within the national organization on a wholly voluntary basis.

This kind of enlightened leadership not only hastens the day when all Americans will enjoy equality of opportunity, it also enhances the best long-term interests of all our voluntary organizations.

Sincerely yours,

FRANCIS KEPPEL,
U.S. Commissioner of Education.

EXHIBIT 4

(By Carroll L. Lurding, Delta Upsilon, Stewart Howe Services, Inc.)

FRATERNITY FOLK IN 89TH CONGRESS: PI KAPPA ALPHA HAS THE LARGEST NUMBER OF SENATORS, PHI DELTA THETA THE MOST REPRESENTATIVES

Sixty-nine percent of the Senators and approximately 35 percent of the Representatives in the 89th Congress are members of college social fraternities and sororities.

The Democratic landslide in last fall's elections, resulting in a large number of new faces in Congress, had little effect on the number of fraternity members in that body. This year's figures compare with 70 percent in the Senate and 40 percent in the House in the 88th Congress.

Twenty-four of the 32 Republicans in the Senate, and 69 of the 140 Representatives are members of fraternities. On the Democratic side, 45 of the 68 Senators and 84 of the 295 Representatives have fraternity affiliations.

Among the fraternities represented, Pi Kappa Alpha still has the largest delegation in the Senate with 8, and Phi Delta Theta leads in the House with 14. The only other fraternities with three or more Senators are Alpha Tau Omega with six, Delta Kappa Epsilon with four, and Delta Upsilon and Sigma Phi Epsilon with four. In addition to Phi Delta, a dozen other fraternities also have five or more members in the House.

In total representation in both Houses, the 10 fraternities with the largest delegations are: Phi Delta Theta, 19; Pi Kappa Alpha, 18; Alpha Tau Omega, Beta Theta Pi, and Sigma Chi, 11; Kappa Alpha Order, Sigma Alpha Epsilon, 11; Delta Kappa Epsilon and Sigma Phi Epsilon, 9; and Alpha Chi Alpha, 8. Sigma Chi took the heaviest toll in last fall's elections, losing two Representatives and two Senators, including Goldwater.

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[34] Burton case, op. cit., p. 717.

[35] Ibid., p. 719.

[36] Williams, op. cit., p. 355.

[37] Thomas H. Carroll, "Remarks to GWU Faculty Assembly Meeting," 19 February 1964, p. 3.

Acacia (two Senators, three Representatives)—Senate: Frank Carlson, Republican, of Kansas; Ralph Yarborough, Democrat, of Texas; House: William Bray, Republican, of Indiana; Edward Hutchinson, Republican, of Michigan; O. C. Fisher, Democrat, of Texas.

Alpha Chi Omega (one Representative)—House: Catherine May, Republican, of Washington.

Alpha Chi Rho (two Senators, one Representative)—Senate: John C. Stennis, Democrat, of Virginia; Hugh Scott, Republican, of Pennsylvania; House: David Martin, Republican, of Nebraska.

Alpha Delta Gamma (one Representative)—House: Edward Derwinski, Republican, of Illinois.

Alpha Delta Phi (one Senator, one Representative)—Senate; Thruston B. Morton, Republican, of Kentucky; House: Donald M. Fraser, Democrat, of Minnesota.

Alpha Epsilon Pi (two Representatives)—House: Herman Toll, Democrat, of Pennsylvania; Leonard Farbstein, Democrat, of New York.

Alpha Gamma Rho (two Representatives)—House: Robert Sikes, Democrat, of Florida; Ralph Harvey, Republican, of Indiana.

Alpha Phi Alpha (one Representative)—House: Adam Clayton Powell, Democrat, of New York.

Alpha Sigma Phi (one Represnetative)—House: Horace Kornegay, Democrat, of North Carolina.

Alpha Tau Omega (six Senators, five Representatives)—Senate: Spessard Holland, Democrat, of Florida; Len Jordan, Republican, of Idaho; Birch Bayh, Democrat, of Indiana; James Eastland, Democrat, of Mississippi; Mike Mansfield, Democrat, of Montana; Milward Simpson, Republican, of Wyoming; House: H. Allen Smith, Republican, of California; Sam Gibbons, Democrat, of Florida; Edward Gurney, Republican, of Florida; Frank Stubblefield, Democrat, of Kentucky; Clarence D. Long, Democrat, of Maryland.

Beta Sigma Rho (one Representative)—Charles Joelson, Democrat, of New Jersey.

Beta Theta Pi (two Senators, nine Representatives)—Senate: John Sherman Cooper, Republican, of Kentucky; Norris Cotton, Republican, of New Hampshire; House: John J. Rhodes, Republican, of Arizona; Charles M. Teague, Republican, of California; Wayne Aspinall, Democrat, of Colorado; Charles Halleck; Republican, of Indiana; Robert Ellsworth, Republican, of Kansas; Hale Boggs, Democrat, of Louisiana; Jamie L. Whitten, Democrat, of Mississippi; Al Ullman, Democrat, of Oregon; Arch A. Moore, Republican, of West Virginia.

Chi Phi (four Representatives)—House: Charles Jones, Republican, of North Carolina; William Marshall, Republican, of Ohio; John Saylor, Republican, of Pennsylvania; Vernon W. Thomson, Republican, of Wisconsin.

Chi Psi (one Senator, one Representative)—Senate: William Proxmire, Democrat, of Wisconsin; House: Henry S. Reuss, Democrat, of Wisconsin.

Delta Chi (one Senator, five Representatives)—Senate; Henry L. Jackson, Democrat, of Washington; House: James W. Trimble, Democrat, of Arkansas; J. Edward Roush, Democrat, of Indiana; Wayne L. Hays, Democrat, of Ohio; William J. Green, Democrat, of Pennsylvania; Wright Patman, Democrat, of Texas.

Delta Kappa Epsilon (four Senators, five Representatives)—Senate: Lister Hill, Democrat, of Alabama; Russell Long, Democrat, of Louisiana; Stuart Symington, Democrat, of Missouri; Stephen Young, Democrat, of Ohio; House: Don Edwards, Democrat, of California; Stanley R. Tupper, Republican, of Maine; Rogers C. Morton, Republican, of Maryland; Gerald Ford, Republican, of Michigan; James C. Cleveland, Republican, of New Hampshire.

Delta Phi (one Senator)—Senate: Daniel Brewster, Democrat, of Maryland.

Delta Psi (one Senator)—Senate: Joseph Clark, Democrat of Pennsylvania.

Delta Sigma Phi (three Representatives)—House: E. Ross Adair, Republican of Indiana; F. Edward Hébert, Democrat of Louisiana; Hervey G. Machen, Democrat of Maryland.

Delta Tau Delta (two Representatives) House: James H. Morrison, Democrat of Louisiana; Jackson E. Betts, Republican of Ohio.

Delta Upsilon (three Senators, three Representatives)—Senate: Paul Douglas, Democrat of Illinois; Clifford Case, Republican of New Jersey; Winston Prouty, Republican of Vermont; House: J. Arthur Younger, Republican of California; Charles P. Farnsley, Democrat of Kentucky; Robert Stafford, Republican of Vermont.

Delta Zeta (one Senator)—Senate: Maurine Neuberger, Democrat of Oregon.

Kappa Alpha Order (one Senator; 10 Representatives)—Senate: Caleb Boggs, Republican of Delaware; House: Robert E. Jones, Democrat of Alabama; Charles S. Gubser, Republican of California; Bob Wilson, Republican of California; Claude Pepper, Democrat of Florida; Robert G. Stephens, Democrat of Georgia; Carl Albert, Democrat of Oklahoma; Tom S. Gettys, Democrat of South Carolina; Porter Hardy, Democrat of Virginia; Joel T. Broyhill, Republican of Virginia.

Kappa Sigma (two Senators, 5 Representatives)—Senate: Paul Fannin, Republican of Arizona; John Tower, Republican of Texas; House: Dante B. Fascell, Democrat of Florida; Robert Dole, Republican of Kansas; Joe D. Waggonner, Democrat of Louisiana; Frank J. Horton, Republican of New York; Albert W. Watson, Democrat of South Carolina.

Lambda Chi Alpha (two Senators, seven Representatives)—Senate: Vance Hartke, Democrat of Indiana; Alan Bible, Democrat of Nevada; House: Harold T. Johnson, Democrat of California; Richard T. Hanna, Democrat of California; Durward G. Hall, Republican of Missouri; E. Y. Berry, Republican of South Dakota; Thomas G. Abernethy, Democrat of Mississippi; Neiman Craley, Democrat of Pennsylvania; Omar Burleson, Democrat of Texas.

Omega Psi Phi (one Representative)—House: Robert Nix, Democrat, of Pennsylvania.

Phi Delta Theta (18 Representatives)—House; Paul G. Rogers, Democrat, of Florida; Howard H. Callaway, Republican, of Georgia; William L. Springer, Republican, of Illinois; Garner E. Shriver, Republican of Kansas; Frank Chelf, Democrat, of Kentucky; Richard Bolling, Democrat, of Missouri; William B. Widnall, Republican, of New Jersey; Charles E. Goodell, Republican of New York; Harold D. Cooley, Democrat, of North Carolina; James T. Broyhill, Republican, of North Carolina; John Jarman, Democrat, of Oklahoma; Robert J. Corbett, Republican, of Pennsylvania; James G. Fulton, Republican, of Pennsylvania; Clark W. Thompson, Democrat, of Texas; Chester L. Mize, Republican, of Kansas; Robert McEwen, Republican, of New York; Barber Conable, Republican, of New York; and Brock Adams, Democrat, of Washington.

Phi Epsilon Pi (one Representative)—House: John V. Lindsay, Republican, of New York.

Phi Gamma Delta (two Senators, five Representatives)—Senate: Gordon Allott, Republican, of Colorado; Mike Monroney, Democrat, of Oklahoma; House: Alphonzo Bell, Republican, of California; Compton I. White, Democrat, of Idaho; Barrett O'Hara, Democrat, of Illinois; Ogden R. Reid, Republican, of New York; Ed Edmondson, Democrat, of Oklahoma; David E. Satterfield, Democrat, of Virginia.

Phi Kappa Psi (one Senator, four Representatives)—Senate: Thomas Kuchel, Republican, of California; House: Craig Hosmer, Republican, of California; Winfield K. Denton, Democrat, of Indiana; William J. Randall, Democrat, of Missouri; John O. Marsh, Democrat, of Virginia.

Phi Kappa Sigma (one Senator, three Representatives)—Senate: Joseph D. Tydings, Democrat of Maryland; House: Howard W. Robison, Republican of New York; Richard S. Schweiker, Republican of Pennsylvania; Joe L. Evins, Democrat of Tennessee.

Phi Kappa Theta (one Senator)—Senate: Eugene McCarthy, Democrat of Minnesota.

Phi Sigma Kappa (one Senator, one Representative)—Senate: Frank Lausche, Democrat of Ohio; House: Thomas Curtis, Republican of Missouri.

Pi Kappa Alpha (8 Senators, 10 Representatives)—Senate: John Sparkman, Democrat of Alabama; Everett Dirksen, Republican of Illinois; Allen Ellender, Democrat of Louisiana; Wayne Morse, Democrat of Oregon; Strom Thurmond, Republican of South Carolina; Frank Moss, Democrat of Utah; Willis Robertson, Democrat of Virginia; John R. Williams, Republican of Delaware; House: John Buchanan, Republican of Alabama; E. C. Gathings, Democrat of Arkansas; Maston O'Neal, Democrat of Georgia; Leslie C. Arends, Republican of Illinois; William M. Colmer, Democrat of Mississippi; Paul C. Jones, Democrat of Missouri; Glenn Cunningham, Republican of Nebraska; Alexander Pirnie, Republican of New York; David N. Henderson, Democrat of North Carolina; Joe R. Pool, Democrat of Texas.

Pi Kappa Phi (one Senator, one Representative)—Senate: Olin Johnson, Democrat of South Carolina; House: A. Sydney Herlong, Democrat of Florida.

Psi Upsilon (two Representatives)—House: Clark MacGregor, Republican of Minnesota; Samuel S. Stratton, Democrat of New York.

Sigma Alpha Epsilon (two Senators, nine Representatives)—Senate: George Smathers, Democrat, of Florida; Richard Russell, Democrat, of Georgia; House: Armistead I. Selden, Democrat, of Alabama; Oren Harris, Democrat, of Arkansas; Lionel Van Deerlin, Democrat, of California; John J. Flynt, Democrat, of Georgia; F. Bradford Morse, Democrat, of Massachusetts; Daniel J. Flood, Democrat, of Pennsylvania; W. E. Brock, Republican, of Tennessee; Tom Murray, Democrat, of Tennessee; Walter S. Baring, Democrat, of Nevada.

Sigma Chi (two Senators, nine Representatives—Senate: J. William Fulbright, Democrat, of Arkansas; Lee Metcalf, Democrat, of Montana; House: Ralph J. Rivers, Democrat, of Alaska; Burt L. Talcott, Republican, of California; William C. Cramer, Republican, of Florida; Richard L. Roudebush, Republican, of Indiana; Thomas G. Morris, Democrat, of New Mexico; John W. Wydler, Republican, of New York; Robert B. Duncan, Democrat, of Oregon; Willard S. Curtin, Republican, of Pennsylvania; Mark Andrews, Republican, of North Dakota.

Sigma Kappa (one Senator)—Senate: Margaret Chase Smith, Republican, of Maine.

Sigma Nu (two Senators, three Representatives)—Senate: Herman Talmadge, Democrat, of Georgia; Quentin N. Burdick, Democrat, of North Dakota; House: George Andrews, Democrat, of Alabama; Robert M. Michel, Republican, of Illinois; Samuel L. Devine, Republican, of Ohio.

Sigma Phi (one Representative)—House: Hastings Keith, Republican, of Massachusetts.

Sigma Phi Epsilon (three Senators, six Representatives)—Senate: Carl Hayden, Democrat, of Arizona; Bourke Hickenlooper, Republican, of Iowa; Harry Byrd, Democrat, of Virginia; House: D. R. Matthews, Democrat, of Florida; BASIL L. WHITENER, Democrat, of North Carolina; PAGE BELCHER, Republican, of Oklahoma; WALTER ROGERS, Democrat, of Texas; WILLIAM M. TUCK, Democrat, of Virginia; W. PAT JENNINGS, Democrat, of Virginia.

Sigma Pi (one Representative)—House: FRANK BOW, Republican, of Ohio.

Tau Kappa Epsilon (one Senator)—Senate: ROBERT BYRD, Democrat, of West Virginia.

Theta Chi (two Senators, one Representative)—Senate: WARREN G. MAGNUSON, Democrat, of Washington; CARL CURTIS, Republican, of Nebraska; House: EUGENE C. KEOGH, Democrat, of New York.

Theta Delta Chi (one Representative)—House: HERMAN SCHNEEBELI, Republican, of Pennsylvania.

Theta Xi (one Senator)—Senate: FRANK CHURCH, Democrat, of Idaho.

Zeta Beta Tau (one Senator, one Representative)—Senate: ABRAHAM RIBICOFF, Democrat, of Connecticut; House: RICHARD L. OTTINGER, Democrat, of New York.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. ERVIN. I suggest to the Senator from Illinois that he modify his amendment by adding the word "any" between the word "organization" and the word "fraternity" and, by changing the period at the end of the amendment to a comma and adding these words at the end of the amendment, "whose facilities are not owned by the institution of higher education and whose activities are financed by funds derived from private sources."

I believe that amendment would take care of every objection raised.

Mr. DIRKSEN. I believe the amendment deals only with facilities and ownership of property and does not touch the question of the internal conduct of these organizations.

Mr. ERVIN. That is correct.

Mr. DIRKSEN. I have no objection.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. TOWER. This would still have the effect of not proscribing college or university facilities, that is, religious organizations on campus such as the Newman Club, the Wesleyan Club, the Canterbury Club, and other similar organizations.

Mr. ERVIN. That is true, because title VI of the Civil Rights Act of 1964 permits discrimination on religious grounds but not on the basis of race, and national origin.

Mr. TOWER. I join the Senator from North Carolina in urging the Senate minority leader to accept the suggested modification.

Mr. JAVITS. The modification does not use the word "only" or "exclusively." But is is understood that the word "financing" means total financing that comes from private sources.

I wish to make it clear that we are not talking about loose words.

Mr. DIRKSEN. I believe that is correct.

Mr. JAVITS. And when the modification uses the word "own," it is not being tautological and authorizing tricks in which mortgages may be given. But when it says "own", "seized of" in the law, it covers fraternities or sororities which are using a facility under the usual arrangements in higher education.

Mr. DIRKSEN. Ownership has a precise meaning in law, and I am sure the Senator from North Carolina had that in mind.

Mr. ERVIN. That is what I had in mind.

I do not know whether the amendment offered by the Senator from Illinois has the words "of any" institution institution of higher learning."

If so, it should be stricken.

Mr. JAVITS. I am sorry, but I did not hear what the Senator just said.

Mr. ERVIN. The way I propose that the amendment be changed is by deleting the word "of" and insert in lieu thereof the word "at" just before the words "any institution of higher learning.

Mr. JAVITS. Yes.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. TOWER. As to the term "ownership," would that include land leased from the university for, say, 99 years?

Mr. ERVIN. I think it would.

Mr. TOWER. Involving a reversionary interest?

Mr. ERVIN. The amendment would apply to fraternities, sororities, and other private clubs whose facilities are not owned by the institution of higher learning, and whose activities are financed by funds from private sources.

Mr. DIRKSEN. That is correct.

Mr. JAVITS. I gather that ownership means effective ownership.

Mr. ERVIN. Or control.

Mr. JAVITS. We are attempting to legislate on the floor. It is very hurried. I do not associate myself with the policy at all. That is neither here nor there. We are attempting to write law consistent with existing law.

I understand that the Senator from Illinois accepted the concept explained by the Senator from Montana. We are trying now to make the amendment cover only activities which are truly private and are not affected directly or indirectly by Federal funds. He wants observed the particular limitation which was placed on the power of the Federal Civil Rights Commission in the 1964 act, and that is what he is trying to carry out by this amendment.

Mr. DIRKSEN. The protection most fundamental of all freedoms is the freedom of association, and that is involved here. That is the reason we were rather extensive in the Civil Rights Act of 1964.

Mr. JAVITS. We are also not seeking to repeal or change section 602 of the Civil Rights Act.

Mr. DIRKSEN. I had no such intent.

Mr. ERVIN. Mr. President, the Congress dealt with this subject in subsection (e) of section 201 of the Civil Rights Act of 1964, which related to public accommodations. We expressly stated that:

> The provisions of this title shall not apply to a private club or other establishments not in fact open to the public, except to the extent that the facilities of such establishment are made available to the customers or patrons of an establishment within the scope of subsection (b).

We stated expressly, as the Senator from Illinois has read from section 104, paragraph 6, in connection with the authority of the Commission on Civil Rights:

> Nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization.

This amendment is in harmony with the spirit of the two provisions. The Vice President of the United States was the floor manager of the Civil Rights Act of 1964 when it was adopted. He said:

> Title VI does not confer "shotgun" authority to cut off all Federal aid to a State. Any nondiscrimination requirement an agency adopts must be supportable as tending to end racial discrimination with respect to the particular program or activity to which it applies.

I believe that one can search title VI of the Civil Rights Act of 1964 without finding that the Federal Government was embarking on any program which contemplated that persons should be denied the right to select their own associates in private organizations.

The PRESIDING OFFICER. Does the Senator from Illinois modify his amendment accordingly?

Mr. DIRKSEN. In view of the general concurrence, I trust that the Senator in charge of the bill will be willing to accept the amendment in the modified form.

The PRESIDING OFFICER. The amendment is so modified.

Mr. DIRKSEN. Yes.

Mr. METCALF. Mr. President, I believe the RECORD should show that the statement of the Senator from Illinois about the Negro pledge at Stanford University being expelled from the fraternity is correct. There has not been any question about the pledge's character.

Mr. DIRKSEN. I did not say there was.

Mr. METCALF. The Negro was pledged by the local. The local is wholeheartedly and unequivocally behind him. The chapter was expelled by the national fraternity.

Mr. DIRKSEN. I was referring to the point made by the national headquarters of Sigma Chi. They assigned a wholly different reason for the suspension of the Stanford chapter. I know nothing about the other matter.

Mr. METCALF. I thank the Senator.

Mr. MORSE. Mr. President, I wish to discuss this matter for a few minutes uninterruptedly, and then I shall be glad to yield.

I thank the Senator from Illinois for raising this point at the beginning of our consideration of the bill. It is a very difficult issue, and probably the most difficult issue that we shall have to meet in connection with the bill. I wish it were not before the Senate.

It is a mistake for us to take action on this matter. It is in conference. I point out to the Senate that we have held no hearings on this subject. It was never raised during the hearings. No witnesses testified on it. When we finally got to the markup in the full committee—not in the subcommittee, but in the full committee—the House had taken action on the Waggonner amendment. It was called to our attention in the full committee.

I should say to the Senate very candidly that between the time of the meeting of the full committee and the action taken by the House the matter was brought up, and it was the decision of the committee, based in part on procedural grounds, that we should not accept the amendment in full committee, that we should oppose it on the floor, and also that the matter should go to conference.

I am not saying that this was the unanimous position of all members of the committee. However, I do not recall of any member taking a different view. No roll call vote was had, but this was the consensus of opinion.

I will tell the Senate what some of the fears are. I wish to express these fears, and of course I shall abide by what the Senate wishes to do. I hope that in the next few minutes members of both the full committee and the subcommittee will advise the chairman of the subcommittee what their position is. I wish to call attention to these facets. Of course, if we had taken the amendment as proposed by the Senator from Illinois in the first instance, it would have been locked into the bill, and it would not have been a matter for conference.

I will tell the Senate where I believe the problem should be handled. It should not be handled in connection with the higher education bill in the absence of hearings on it. It should be handled as an amendment to the Civil Rights Act. That is where it belongs. When all is said and done, this is pregnant with civil rights problems. I shall not take the time to go into details, as I told the Senator from Illinois, but I can give a long list of hypothetical situations which would create civil rights problems.

It was suggested in one conversation a few minutes ago—and this suggestion was made by my colleague from Oregon [Mrs. NEUBERGER]—that the handling of fraternities and sororities varies from campus to campus. On some campuses a wing of a men's dormitory or a wing of a women's dormitory is set aside for fraternity or sorority use. They pay rent to the institution. In some instances some student fees go to build some of the dormitories. There are housing programs, as the Senator from Alabama must know, in connection with his great work as chairman of the Housing Subcommittee. On some campuses a dormitory does not have a dime of State money in it, save and except for certain subsidies, such as land and certain services, such as janitorial services, and so forth, but students construct their buildings out of student fees. What we need to be agreed on is that we are moving, no matter how true our intention to the contrary may be, to a breakthrough in the application of the Civil Rights Act, particularly with respect to title VI of the act.

This is the first breakthrough on title VI of the Civil Rights Act.

My own preference would be not to take any action on the amendment. It will be in conference. We have the time between now and the conference to talk among ourselves on the committee. I would prefer to have the committee itself get together and advise the chairman as to what its views are with respect to the amendment.

From the best that I can learn, there is this history about the amendment: The Senator from Illinois, with his usual fairness, implied clearly that there may be some change of point of view on the part of certain Members of the House, and perhaps some change of view on the part of some of the conferees on the part of the House. There is no doubt about it, because in representations that have been made to me since this discussion started—and we have only been at it for an hour—I have been advised that there has been a considerable change of heart and great concern among some of the Members of the House, who say they misunderstood the amendment. The amendment apparently meant what they did not know it meant, and they have cautioned me not to adopt the amendment, at least not in the House form.

The Senate is entitled to know this, and, of course, I shall not conceal from the Senate any information, any more than I would conceal it from the members of my committee.

I believe the Senate is playing with something that may have some serious repercussions far beyond the education bill, which will cause a great deal of confusion and concern in the country as to whether or not we hold true to the provisions of the Civil Rights Act.

Further, for legislative history, on August 26, 1965, immediately before the passage of H.R. 9567, the proposed Higher Education Act of 1965, Mr. WAGGONNER proposed an amendment to subsection 704, as reported by the Committee on Education, which was accepted by Mr. POWELL, the committee chairman, and agreed to by the House. The section is as the Senator from Illinois [Mr. DIRKSEN] reported it to the Senate.

Mr. WAGGONNER stated that Congress did not intend the Civil Rights Act to be applied in such a manner as to interfere with the membership practices or internal operations of fraternal or special organizations or to authorize their withholding of Federal assistance at any time on such basis.

The Senator from New York [Mr. JAVITS] has said he does not intend, and I do not intend, to interfere with the private rights of social fraternities. I say most respectfully, as I have said to members of my own fraternity, that social fraternities and sororities in this country ought to face the fact that they are living in a new era and are connected inseparably with an educational institution in its educational processes.

It is not true any more that a social fraternity or sorority is 100 percent a private institution on a campus. It is a part of the campus. I consider it a quasi-public institution, within the campus, in carrying out the educational purposes of the campus. Although we refer to them as social fraternities and sororities, if that were their only purpose, I would seriously question their right to exist on a campus. But that is not for me to determine. It is because they are designed to contribute to the educational process of the student that they are basically justified, through developing the social and cultural side of the student's life. That is their main function. But I am not proposing to interfere in any way with the privacy of a social fraternity.

I yield to the Senator from Rhode Island.

Mr. PASTORE. In view of what the Senator from Oregon has said, I wonder, if the Dirksen amendment with the modification suggested by the Senator from North Carolina is adopted, how much of this problem will be in conference, in view of the action taken by the House of Representatives.

Mr. MORSE. In my opinion, the whole proposal will be in conference, and I think that understanding ought to be of legislative record.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. If we adopt the Dirksen amendment as modified, will not the entire issue then be in conference?

The PRESIDING OFFICER. That is true.

Mr. MORSE. Mr. President, as I have stated, I prefer no amendment at all. The language of the printed section appears to go far beyond Representative WAGGONNER'S intention. I do not question the sincerity of his intention. He says:

> Nothing contained in this Act or any other Act shall be construed to authorize any department, agency, officer or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

That is what the amended language literally states. It can presumably be argued that all educational institutions, from kindergartens to universities, are exempt from all Federal legislation and Executive orders of general applicability affecting their operations, such as, for example, those involving wage and hour requirements and those involving nondiscrimination in employment practices under Federal contracts.

Whatever else may be said, the sponsor's remarks make it clear that the insertion of the words, in the Waggonner amendment, "or any other act," was specifically intended to refer to title VI of the Civil Rights Act. If all of the amendment had followed the original section 704, so as to read, "neither this act nor any other act shall be construed to exercise any control over the membership, practices, or internal operations of any fraternal organization," then only the sponsor's intention, as announced in the debate, would have been carried out. But the words "or any other act" are inserted in the first line, so the section reads in full:

> Nothing contained in this Act or the Civil Rights Act of 1964 shall be construed to authorize any department to exercise any direction, supervision, or control over the curriculum, program of instruction, or per-

> sonnel of any educational institution or administration.

Mr. President, the plain language would seem to exempt all educational institutions as well as fraternities from title I coverage. Even fraternities are ostensibly the object of protection. The Waggonner amendment seems capable of misinterpretation. Chairman WAGGONNER states:

> I do not believe there should be any withdrawing of funds from any institution of higher education because of discriminatory practices on the campus by private clubs. I don't think we would have any right to impose that restriction.

Mr. President, that is what the Senator from Rhode Island and others, in our private conversations, have stressed. All we seek to make certain is that we will not misguidedly accept an amendment that will have the effect of plowing taxpayers' money into the facilities of a fraternity or a sorority that follows a discriminatory policy, based upon race, color, or creed.

I want to be absolutely certain that we are guaranteeing that protection to the people of this country. If we are not, no matter how nicely we phrase it, we are pulling the rug out from under the Civil Rights Act. We will start, in my opinion, an avalanche that will finally cause the Civil Rights Act to slide into an abyss of violation.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PASTORE. Neither do we want money that belongs to all the taxpayers to be granted to a university that supports, aids, or abets in any way a private organization that discriminates against people.

Mr. MORSE. The Senator is correct.

Mr. HOLLAND. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. HOLLAND. I strongly differ with the statement just made by the distinguished Senator from Rhode Island. I do not recall anything in the Civil Rights Act that for a moment indicates that the Federal Government cannot support a university which permits fraternities to exist at that university on private property outside the university, if the fraternity houses are constructed with private money, and as to which no public money is involved in any way.

It is not my view that merely by permitting fraternities to exist at universities under such conditions, the universities are cut off from any right to be considered American and to have access to American programs that are conducted with Federal Government money.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PASTORE. I did not use the word "exist." I referred to any university that supports, directly or indirectly, an organization on its campus that discriminates against people. There is a big distinction.

Federal money, money that belongs to all the people, cannot be used to support any organization that discriminates in violation of the Constitution. That is the point we are discussing today. If we can separate these viewpoints, I have no cause for complaint. I do not wish any university to become involved in the internal affairs of a fraternity. I am not talking about that. But if a university begins to turn over its facilities to a fraternity, or begins to allow a fraternity the use of its land, or begins to allow a fraternity to use a dormitory and says, "You do not own these facilities; you merely rent them," we shall be doing indirectly what title VI prohibits us from doing. That is what I am talking about today. I am speaking about supporting, directly or indirectly, any organization, even privately conducted, that discriminates against people, because that is in violation of the Constitution. The Supreme Court has said so, and Congress said so in title VI when it passed the Civil Rights Act.

Mr. HOLLAND. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield.

Mr. HOLLAND. The Senator from Rhode Island and I are not so far apart. Apparently he meant his earlier remarks to apply only in a case in which the university was supporting, by its material means, a fraternity which, as he says, practices discrimination. I understood his original remarks to mean that he referred to a university which permitted fraternities to exist, no matter how private they were or how fully they were privately supported, but yet had access to Federal financial programs. I understand now that he did not mean that.

Mr. PASTORE. I did not say that. It is not what I meant; it is what I said.

Mr. HOLLAND. I appreciate the explanation of the distinguished Senator from Rhode Island.

Mr. PASTORE. I know what I meant.

Mr. HOLLAND. We are not far apart. If the Senator from Oregon will permit me to continue, I believe that the amendment should be adopted in the modified form in which it now exists. Then the result of its adoption would be to leave in conference a discussion of the matters lying between the minimum application which would be made by the amendment in its present form and the much larger application of this question which would be made by the so-called Wagner amendment adopted by the House.

It seems to me that the committee of conference will have a real job on its hands, because in that middle ground are problems which will, somehow, have to be and should be considered and settled, so far as the final conference report upon the bill and its passage will permit.

One of the problems is this: Suppose a fraternity had, under earlier law, prior to the passage of the Civil Rights Act, borrowed Federal funds for the construction of a fraternity house, belonging to it, on lands belonging to the fraternity, but outside the university campus, and without any knowledge that such a law as the Civil Rights Act of 1964 would ever be enacted.

There is a question as to whether the fact that that loan was made in the past—perhaps in the remote past—would bring that fraternity house, and therefore the organization which used it as a headquarters, within the proscribed area of title VI of the 1964 Civil Rights Act. There are many other matters which would come—if I may say so—in the gray stage of this question. It seems to me that the amendment of the Senator from Illinois as now modified by the additional words placed in it at the suggestion of the Senator from North Carolina, and accepted by the Senator from Illinois, states the minimum which should be enacted by the Senate. In effect, it would provide that when there is a fraternity house existing on private land, owned for and paid for by the fraternity and its members and alumni, and upon which a house has been constructed, paid for by the members and alumni of that fraternity, with no public money in it, with no Federal money in it, and the fraternity members live or meet in that house off the campus, by no means is it to be affected, and by no means is the university to be affected by reason of the fact that it recognizes such a fraternity as a lawful part of its entire university complex.

Mr. MORSE. As to last example the Senator cites, there is no difference among us. That is the clear right of the fraternity. The trouble is that we get into cases in which there are mixed funds and a fraternity is the beneficiary of the taxpayers of the United States to some degree—and, to me, it makes no difference to what degree, so long as it is to some degree. In my judgment, we should not be adopting an amendment in the Senate today that could, by any stretch of the imagination, result in Federal support for its discriminatory policy; and if Federal money is involved, to any degree whatsoever, we are supporting discriminatory policies with Federal aid.

Mr. HOLLAND. Does that mean if any Federal money goes in from the date of enactment of that act, or does it mean that a loan made, let us say, for the construction of a chapter house years before, upon a lot owned by the fraternity off campus, would bring it within the purview of this prohibition?

Mr. ERVIN. Mr. President, will the Senator from Oregon yield on that point?

Mr. MORSE. I yield.

Mr. ERVIN. I believe that the point raised by the Senator from Florida is covered by section 602 of title VI of the Civil Rights Act of 1964. The distinguished junior Senator from Alabama secured an amendment, when the act was being considered, which exempted from the provisions of title VI any contracts executed by the Federal Government whereby the Federal Government merely guaranteed the payment of a deed trust or mortgage; and a guaranty expressly excluded from the provisions of title VI.

Mr. HOLLAND. I thank the distinguished Senator from North Carolina for calling attention to that very fine provision in the act. However, I do not believe that it covers the entire situation, but it does cover the situation concerning Federal insurance or indemnities.

Mr. President, if the Senator will yield to me further——

Mr. MORSE. I was about to answer that question.

Mr. HOLLAND. I am deeply disturbed about this question, because I have already received numerous complaints from members of the fraternity to which I happen to belong, that it is being threatened with expulsion from certain university campuses throughout the country in spite of the fact that in most cases it owns its own fraternity houses and owns them off the campus. I cannot understand why this sort of threat should be applied to it. Yet, I am told that there are numerous cases.

If the Senator will yield to me further, I apologize for mentioning a personal situation, but when I was a law student at the University of Florida, I was assigned by my fraternity to travel the length and breadth of the State of Florida to obtain enough funds to build the first little house upon a lot which we had purchased the year before, without any public funds.

That fraternity house has been replaced from time to time by more expensive edifices, but always at the expense of the members, alumni, and families of the members of the fraternity.

I believe that there is no possible rationale by which the existence of that fraternity, or the fact that the university recognizes that fraternity, could make any trouble for either under the civil rights law. I also happen to be a graduate of another university, Emory University, at which the practice is for the chapter houses to be erected on long-lease lots on the university campus. I am assuming that some loans may have come from Federal sources, but I am not even sure about that. I know that loans have been made, and that the university as such does receive rather large Federal grants for research and various other activities there.

I realize that in that set of facts there is a quite different situation from the one at the first institution which I have mentioned. Therefore, I would very much like to see the Senate adopt the amendment in the form in which it is at present, because I believe that it is in the minimal form. I have understood the distinguished Senator from Oregon to say that in such cases as those which would be covered by the amendment in its present form—and I have stated one such in the RECORD—there could not be any difference of opinion. Then, in conference, there will be a rather wide variety of cases lying between that minimal statement of security—if I may call it that in the pending amendment—and the much larger coverage of the House language.

I am quite willing to leave it to the able conferees to handle the problem on the basis of equity to all concerned. I am not willing to vote down an amendment which certainly recognizes and preserves the precious right of individual association with persons of our own choice such as those who gather in the chapter house which I have mentioned at the University of Florida.

Mr. President, it so happens that our near neighbor there is a Jewish fraternity. We are good friends of theirs, and they are good friends of ours. We visit each other back and forth. I do not know whether they discriminate against us by not asking us to join their fraternity, or whether we are discriminating against them. I will leave it to others to say whether there is any discrimination and, if so, by whom. But the fact is that people do choose to associate with other people of their own kind. That has been the rule during all of history, and I believe that it will continue to be the rule right along.

I just do not wish to see us avoid the opportunity to go on record as recognizing the right of association with people of our own choice and preference as being a fundamental right under our American system.

I thank the Senator from Oregon for yielding to me.

Mr. DIRKSEN. Mr. President, let me make it plain that I did not initiate this amendment. The last section of the 80-page House bill, section 604, is under the caption of "Federal Control of Education Prohibited." It prohibits supervision, direction, and control over curriculums, and that sort of things, as they appertain to schools. The Representative from Louisiana added to that only one clause; namely, as to supervision of programs, practices, and internal operations of fraternal organizations, sororities, and so forth.

That is in the House bill. The Senate committee did not put it in the Senate version.

It is before the Senate at the present time in modified form. I believe that is a pretty good form in which to take it to the conference. If further modification is necessary, that can be done. I believe that it should be agreed to.

The bill was passed in the House by a vote of 367 to 22 with that provision in the bill. The chairman of the House committee, Representative ADAM CLAYTON POWELL, stood on the floor of the House and supported that amendment. If pressure is put on that there ought to be a modification and the Senate does not protect itself, then what?

I believe that the Senate ought to accept this proposal and refine it further if necessary. I did not initiate it. It started on the House side and was then laid in my lap.

Mr. MORSE. Mr. President, I know exactly what the situation of the Senator from Illinois is. He did not initiate it. I know how this came about. The Senator has made a statement as to what happened. He has a responsibility to the Senate, just as I have a responsibility, although I dislike to take this amount of time to make this legislative history. I am almost through. I shall summarize it and then ask to have a part of the statement printed in the RECORD.

I yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, did I correctly understand that the Parliamentarian held that this entire matter, regardless of what our record shows at this point, will be in conference?

Mr. MORSE. The Senator is correct. All issues will be in conference.

If the Senate will hear me for a moment or two longer, I want to say that discrimination by fraternities is not the only issue.

Mr. President, I would hope that we would not adopt this amendment now. It will be incomplete. No testimony for the proposed amendment was presented at the hearings held for the bill and the committee itself has had no opportunity to act upon it.

We have no evidence to indicate that there is even a need for the proposed amendment, no facts to show that the problem has actually arisen.

This is not the place nor the time to debate the question of the relationship of fraternities and other private organizations to institutions of higher education. The question arises from the application of the Civil Rights Act of 1964 to the practices of discrimination based on race and color by some college fraternities.

Institutions of higher education are required to file with the Office of Education an assurance of compliance with the Civil Rights Act in order to participate in all Federal assistance programs. Section 601 of the Civil Rights Act of 1964 states:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The assurance of nondiscrimination given by the university applies to the entire institution and the practices under its jurisdiction relating to the treatment of students. This means any facilities affording to students the opportunity to participate in any educational, cultural, athletic, recreational, social, or other program of activity. The university also declares it will make available to students any "housing, eating, or health service" and for the use of students "any building, room, space, materials, equipment, or other property."

This language, which appears in the formal explanation of the assurance of compliance makes it clear that a fraternity or other private organization on campus and under the jurisdiction of the university may not engage in practices which discriminate on the basis of race, color, or national origin.

This is a policy which many universities adopted years ago on their own initiative. We do not here have to reopen the question of a university's responsibilities under the Civil Rights Act of 1964, which is now the law of the land.

Mr. President, I ask unanimous consent that the explanation of form No. 441 I referred to, be printed at this point in my remarks.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF HEW FORM NO. 441, ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE REGULATION UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Section 80.4 of the Department of Health, Education, and Welfare's regulation effectuating title VI of the Civil Rights Act of 1964 requires that every application to the Department for Federal financial assistance shall contain or be accompanied by an assurance that the program or facility to be assisted will be conducted or operated in compliance with title VI of the Civil Rights Act and with all requirements imposed by or pursuant to the Department's regulation.

Section 80.4 further provides that "the form of the foregoing assurance and the extent to which like assurances will be required of subgrantees, contractors, transferees, successors in interest, and other participants," shall be specified by the responsible Department official. Under this authority, HEW form No. 441 has been specified as the form of assurance which shall apply to all applications for Federal financial assistance (except for continuing State programs which must meet the requirements of section 80.4 (b) and school districts availing themselves of section 80.4(c) of the regulation) submitted to the Department after January 3, 1965; also the circumstances have been specified under which an applicant shall obtain comparable written assurances of compliance from its subgrantees, contractors, and transferees. (See answers to questions 11 and 12 below in this regard.)

HEW form No. 441 constitutes a legally enforceable agreement to comply with title VI of the Civil Rights Act of 1964, and with all requirements imposed by or pursuant to the regulation of the Department of Health, Education, and Welfare issued thereunder. Applicants are urged to read the Department's regulation before executing the assurance.

The following explanation of the requirements of the Department's regulation and the examples of the kinds of discriminatory practices prohibited by them are for the guidance of the applicants.

1. By executing the assurance (HEW form No. 441), what does an applicant agree to do?

A. The applicant agrees to make no distinction on the ground of race, color, or national origin in providing to individuals any service, financial aid, or other benefit under any program receiving Federal financial assistance extended to the applicant by the Department.

2. What is meant by "distinction on the ground of race, color, or national origin"?

A. "Distinction on the ground of race, color, or national origin" includes (1) any type of segregation, separate or different treatment, or other discrimination on that ground; (2) the imposition of any admission, enrollment quota, eligibility, or other requirement or condition which individuals must meet in order to be provided any service, financial aid, or other benefit under a program or to be afforded an opportunity to participate in a program, if the race, color, or national origin of individuals is considered in determining whether they meet any such requirement or condition; (3) the use of membership in a group as a basis for the selection of individuals for any purpose, if in selecting members of the group there is discrimination on the ground of race, color, or national origin; and (4) the assignment of personnel to provide services, or the assignment of times or places for the provision of services, on the basis of the race, color, or national origin of the individuals to be served. It does not, however, include distinctions on the ground of race, color, or national origin determined by the responsible Department official to be necessary to the conduct of research or experimental programs having as their primary objective the discovery of new knowledge concerning special characteristics of particular racial or other ethnic groups.

3. What is meant by "service, financial aid, or other benefit"?

A. "Service, financial aid, or other benefit" under a program receiving Federal financial assistance includes any education or training, any evaluation, guidance, counseling, or placement service, any health, welfare, rehabilitation, housing, or recreational service, any referral of individuals for any of the foregoing services, any scholarship, fellowship or traineeship stipend or allowance, and any loan or other financial assistance or benefit (whether in cash or in kind), which is made available to individuals (1) with the aid of Federal financial assistance, or (2) with the aid of the applicant's or of other non-Federal funds required to be made available for the program as a condition to the receipt of Federal financial assistance, or (3) in or through a facility provided with the aid of Federal financial assistance or the non-Federal matching funds referred to in (2).

4. What requirements are placed on the use of facilities?

A. The applicant agrees to make no distinction on the ground of race, color, or national origin in making available to individuals the use of any land, building, equipment, or other facility leased, acquired, constructed, improved, or equipped with the aid of Federal financial assistance extended to the applicant by the Department, including (a) the use of any room, dormitory, ward, or other space in the facility; (b) the use of any equipment in the facility; (c) the use of any office, waiting room, restroom, eating, recreational, concession, or other accommodation or convenience provided in the facility; (d) the use of any facility not provided with the aid of Federal financial "assistance" if the availability of such facility is required as a condition to the receipt of Federal financial assistance for the federally assisted facility.

5. What requirements are placed on the opportunities to participate in a program receiving Federal assistance?

A. The applicant agrees to make no distinction on the ground of race, color, or national origin in affording opportunities to individuals to participate (other than as employees) in any program receiving Federal financial assistance extended by the Department to the applicant, including opportunities to participate (a) as providers of any service, financial aid, or other benefit to individuals under the program (e.g., as physicians, surgeons, dentists, or other professional practitioners seeking the privilege of practicing in a federally aided hospital or other facility); (b) as conferees, observers, consultants, or advisers, or as members of advisory or planning groups; or (c) as volunteers (e.g., as voluntary workers, or as patients or other subjects of study or experimentation in research, survey, demonstration, or like programs).

6. Does that mean that an applicant who signs the Department's assurance may nevertheless make distinctions among his employees on the basis of race, color, or national origin?

A. Title VI of the Civil Rights Act does not concern itself with employment practices except where a primary objective of the Federal financial assistance is to provide employment. Thus, where a basic objective of the program is to provide employment, the applicant's employment practices are subject to the Department's regulation. However, even where this is not the case an applicant may be precluded from engaging in any discriminatory employment practices under the provisions of title VII of the Civil Rights Act, Executive Orders Nos. 10925 and 11114, and the merit system regulations.

7. When an applicant's employment practices are covered by the Department's regulation, what requirements must be met?

A. The applicant agrees to make no distinction on the ground of race, color, or national origin in its employment practices (including recruitment or recruitment advertising, hiring, layoff or termination, upgrading, demotion, or transfer, rates of pay or other forms of compensation, and use of facilities) with respect to individuals seeking employment or employed under any program receiving Federal financial assistance extended to the applicant by the Department, in those programs where a primary objective of the Federal financial assistance is to provide employment to such individuals. This includes programs under which the employment is provided—(a) as a means of extending financial assistance to students or to needy persons; (b) to students, fellows, interns, residents, or others in training for related employment (including research associates or assistants in training for research work); or (c) to reduce unemployment or to provide remunerative activity to individuals who because of severe handicaps cannot be readily absorbed in the competitive labor market.

8. What effect will the regulation have on a college or university's admission practices or other practices related to the treatment of students?

A. An institution of higher education which applies for any Federal financial assistance of any kind must agree that it will make no distinction on the ground of race, color, or national origin in the admission practices or any other practices of the institution relating to the treatment of students.

(a) "Student" includes any undergraduate, graduate, professional, or postgraduate student, fellow, intern, student, or other trainee receiving education or training from the institution.

(b) "Admission practices" include recruiting and promotional activities, application requirements, eligibility conditions, qualifications, preferences, or quotas used in selecting individuals for admission to the institution, or any program of the institution, as students.

(c) "Other practices relating to the treatment of students" include the affording to students of opportunities to participate in any educational, research, cultural, athletic, recreational, social, or other program or activity; the performance evaluation, discipline, counseling of students; making available to students any housing, eating, health, or recreational service; affording work opportunities, or scholarship, loans or other financial assistance to students; and making available for the use of students any building, room, space, materials, equipment, or other facility or property.

9. Does the assurance of nondiscrimination apply to the entire operation of an institution?

A. Insofar as the assurance given by the applicant relates to the admission or other treatment of individuals as students, patients, or clients of an institution of higher education, a school, hospital, nursing home, center, or other institution owned or operated by the applicant, or to the opportunity to participate in the provision of services, financial aid, or other benefits to such individuals, the assurance applies to the entire institution. In the case of a public school system the assurance would be applicable to all of the elementary or secondary schools operated by the applicant.

10. What about a university which operates several campuses?

A. Section 80.4(d)(2) of the regulation provides for a more limited assurance only where an institution can demonstrate that the practices in part of its operation in no way affect its practice in the program for which it seeks Federal funds. This would be a rare case.

11. If an applicant intends to make use of other individuals to help carry out the federally assisted program, does the requirement not to discriminate apply to such subgrantee or contractor?

A. It does. The applicant must require any individual, organization, or other entity which it utilizes, to which it subgrants, or with which it contracts or otherwise arranges to provide services, financial aid, or other benefits under, or to assist it in the conduct of, any program receiving Federal financial assistance extended to the applicant by the Department, or with which it contracts or otherwise arranges for the use of any facility provided with the aid of Federal financial assistance for a purpose for which the Federal financial assistance was extended, to comply fully with title VI of the Civil Rights Act of 1964 and the regulation of the Department of Health, Education, and Welfare issued thereunder.

12. Must this assurance of nondiscrimination by the subgrantee, etc., be in writing?

A. In the case (1) of any contractual or other arrangement with another such individual or entity which will continue for an indefinite period or for a period of more than 3 months, (2) of any subgrant, or (3) of any conveyance, lease, or other transfer of any real property or structures thereon provided with the aid of Federal financial assistance extended to the applicant by the Department, the applicant shall obtain from such other person, subgrantee, or transferee, an agreement, in writing, enforceable by the applicant and by the United States, that such other individual or entity, subgrantee, or transferee will carry out its functions under such subgrant, or contractual or other arrangement, or will use the transferred property, as the case may be, in accordance with title VI of the act and the regulation will otherwise comply herewith.

13. What obligations does the applicant have to inform beneficiaries, participants, and others of the provisions of the regulation?

A. The applicant must make available to beneficiaries, participants, and other interested persons information regarding the provisions of the regulation and protections against discrimination provided under title VI of the Civil Rights Act. The Department will issue shortly more detailed instructions on carrying out this phase of the regulation.

14. What obligations does the applicant have to keep records and to make them available to the Department?

A. From time to time, applicants may be required to submit reports to the Department, and the regulation provides that the facilities of the applicant and all records, books, accounts, and other sources of information pertinent to the applicant's compliance with the regulation be made available for inspection during normal business hours on request of an officer or employee of the Department specifically authorized to make such inspections. More detailed instructions in this regard will also be forthcoming from the Department in the near future.

15. Must separate assurance forms be filed with each application?

A. As a general rule once a valid assurance is given it will apply to any further application as long as there is no indication of a failure to comply.

Mr. MORSE. Mr. President, the Waggonner amendment has caused grave concern to many. I read the following telegram I have received as indicative of that concern:

PALO ALTO, CALIF.,
August 30, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DEAR SENATOR MORSE: According to New York Times dispatch in the San Jose Mercury, the higher education bill as passed by the House includes an amendment by Representative JOE WAGGONNER, Louisiana Democrat, exempting college fraternities from title 6 of the Civil Rights Act of 1964.

The Mercury quotes Representative ADAM CLAYTON POWELL indirectly as saying he has no official concern with discrimination of private groups, especially when they receive no public funds; the facts are: (1) several colleges and universities now allocate Federal loan funds for student housing to construction of college-owned fraternity facilities; (2) fraternities receive tangible and intangible benefits in varying degrees from the moment they are recognized by a college or a university; (3) this amendment would be the first real break in the type ban against discrimination on campus provided by the Health, Education, and Welfare regulations issued under title 6 with White House approval.

Passage of the Waggonner amendment would seriously undermine current efforts to end racial discrimination by fraternities through joint action of undergraduates and their universities. It is specifically designed to nullify the strong, straightforward stand taken by Education Commissioner Francis Keppel in response to the suspension of the Stanford chapter of Sigma Chi by its national fraternity, as described on page 15458 of the CONGRESSIONAL RECORD for July 1, 1965.

As a life member of Sigma Chi, I hope you and your fellow committee members will block passage of the Waggonner amendment and then kill it in conference with the House it would be the height of irony and shame for the Federal Government to condone racial discrimination in any form on college campuses when students, civil rights workers, and other citizens risk their lives every day for the cause of equality.

ROBERT W. BEYERS.

PORTOLA VALLEY, CALIF.

I have some other material which raises questions as to the danger of the proposed amendment that I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EFFECT OF WAGGONNER AMENDMENT TO H.R. 9567 ON TITLE VI OF CIVIL RIGHTS ACT

On August 26, 1965, immediately before passage of H.R. 9567, the proposed Higher Education Act of 1965, Mr. WAGGONNER proposed an amendment to section 604 (sec. 704 in the bill as reported by the Committee on Education and Labor), which was accepted by Mr. POWELL, the committee chairman, and agreed to by the House. The section, as amended, reads as follows (new material in italics):

"SEC. 604. Nothing contained in this Act *or any other Act* shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution; *or the membership practices or internal operations of any fraternal organization, fraternity, or sorority, any private club or any religious organization of any institution of higher education.*"

Mr. WAGGONNER stated that the purpose of the amendment is to make clear that Congress did not intend the Civil Rights Act to be applied in such a manner as to interfere with the membership practices or internal operations of fraternal or social organizations or to authorize withholding of Federal assistance of any kind on such basis (CONGRESSIONAL RECORD, Aug. 26, 1965, p. 21947).

The language of the amended section, however, appears to go far beyond Mr. WAGGONNER's announced intention. If nothing contained in any act of Congress shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, which is what the amended language literally states, it can plausibly be argued that all educational institutions, from kindergartens to universities, are exempted from all Federal legislation and Executive orders of general applicability affecting their operations, such as, for example, those imposing wage-and-hours requirements and nondiscrimination in employment under Federal contracts.

Whatever may be said as to such other acts, the sponsor's remarks make it clear that the insertion of the words "or any other Act" was specifically intended to refer to title VI of the Civil Rights Act. If all of the amendment had followed the original section 704, so as to read: "Neither this Act nor any other Act shall be construed to authorize * * * any control over the membership practices or internal operations of any fraternal organization * * *," then only the sponsor's intention, as announced in the debate, would have been carried out. But the words "or any other Act" are inserted in the first line, so that the section reads, in effect:

"Nothing contained in this Act or the Civil Rights Act of 1964 shall be construed to authorize any department * * * to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution."

The plain language would seem to exempt all educational institutions as well as fraternities from title VI coverage.

Even with respect to fraternities, its ostensible object of protection, the Waggonner amendment seems based on a misapprehension. In accepting it, Chairman POWELL stated:

"I do not believe that there should be any withholding of funds from any institution of higher education because of discriminatory practices on the campus by private clubs" (CONGRESSIONAL RECORD, Aug. 26, 1965, p. 21947).

Discrimination by fraternities might constitute a violation of title VI of the Civil Rights Act requirements. This opinion is based on research showing, among other things, that at least half of all colleges with fraternities have a significant connection with fraternity housing, in many cases owning the fraternity buildings. In some cases Federal funds themselves have been used to build fraternity housing. In such instances the Waggonner amendment would authorize reinstatement of the separate-but-equal doctrine, by permitting universities to assign all dormitory space to fraternities with various racially restrictive admission policies.

Mr. MORSE. Mr. President, I call the attention of the Senator from Illinois [Mr. DIRKSEN] and the Senator from New York [Mr. JAVITS] to the fact that, although this bill passed in the House with the Waggonner amendment in it by an overwhelming majority, let us face it. A great many Members of the House did not know anything about the Waggonner amendment. We are all familiar with that in the legislative process. The amendment is in the bill and many Members are now waking up to the surprise that it is in there.

The Senator from Illinois implied—and I believe correctly so—that there may be some change in views in the House. Since the debate started, I received a note from a member of the House committee, who undoubtedly will be a conferee, and who is very much concerned about what we do in the Senate on this amendment.

I read a part of it without disclosing any identity:

Attached you will find the amendment offered by Mr. WAGGONNER. We have been advised that several adjustments will have to

> be made in conference to bring the language in line with the intent of the amendment and the Civil Rights Act. We have been advised that the proponents of the amendment are willing to consider such suggestion.
>
> It appears to me that if you do nothing, then it would be possible in conference to rewrite the amendment since it would be a more restrictive provision than in the present House bill, and thus between our version and any version offered by the Senate, we would be able to work out an acceptable provision. As I said to you last night, "If you have to have an amendment, don't take the Waggonner amendment."

It is very easy to give the chairman of the committee such gratuitous instructions. However, I want the Senate to know this afternoon, before we come to a decision, that I shall not conceal anything from the Senate. Some Senators have already received telegrams, and know of the agitation that this is already stirring up among civil rights groups in the country.

I shall put the telegram in the RECORD. I shall not keep it from any Senator or from the public.

This is from Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People.

It reads:

> WASHINGTON, D.C.,
> *September 2, 1965.*
>
> Hon. WAYNE MORSE,
> *U.S. Senate,*
> *Washington, D.C.:*
>
> We urge that the Senate defeat the Waggonner amendment if it is offered to the higher education bill. This amendment was accepted by the House in what appears to be a complete misunderstanding of the built-in mischief it contains. We have received calls from important universities pointing out that under the Waggonner amendment it would be possible to use U.S. Government funds to build and operate racially segregated facilities on university-owned grounds at institutions that do not now and never have tolerated racial discrimination in any form. It appears that the real intention of its sponsor is to whittle down the effect of title VI of the 1964 Civil Rights Act. It is reported that the amendment will be offered in the Senate by Senator RUSSELL LONG of Louisiana. We hope it will be defeated whether offered by him or anyone else.
>
> CLARENCE MITCHELL,
> *Director,*
> *Washington Bureau, NAACP.*

There has been some talk about the relationship of universities to fraternities and sororities. Each one to his own view. I would not want my statement to close this afternoon if I did not point out that I think there is a place for social fraternities and sororities on campus, but there is not a place for social fraternities and sororities on campuses based upon a public policy inconsistent with the Civil Rights Act.

That is my personal opinion. I want the record to show that. I believe that fraternities and sororities do not have to comply with what is considered to be the policy set forth in the Civil Rights Act. However, I do not want to be a party to any amendment that would permit a single cent from Federal taxpayers' money to be spent in furthering a social fraternity or sorority that discriminates because of race, color, or creed. I believe that we are pretty much in agreement on that point in the Senate.

The former Attorney General of the United States and now a member of my subcommittee, the junior Senator from New York [Mr. KENNEDY], on whom I have leaned very heavily throughout the discussion and consideration of this higher education bill, makes a suggestion that I would like to have considered. It is to the effect that, instead of the language proposed by way of an addendum by the Senator from North Carolina, this language be woven into the amendment:

> And whose activities are not financed directly or indirectly by public funds.

Has the Senator from North Carolina had that called to his attention as a substitute for that part of the amendment which relates to private funds?

Mr. ERVIN. That is what the amendment does now.

Mr. MORSE. That is what the Senator from Rhode Island [Mr. PASTORE] and I have said. However, the reply of the junior Senator from New York is that if it means that, what objection would we have to putting it in the negative, rather than to refer to private funds?

Mr. ERVIN. I fear the proposed change would create confusion because if I am drawing a salary from the Federal Government, and have a son in a fraternity, and pay his expenses or his fraternity dues out of the salary which I receive from the Federal Government, those funds may be covered because indirectly Federal funds are used.

Mr. MORSE. If the amendment means this, we ought to be willing to say it. If the activities are not financed directly or indirectly by public funds, we ought to say it.

Mr. ERVIN. Mr. President, I am a Senator. I draw Federal funds.

If my son has entered a college and joined a fraternity and I pay his fraternity dues, that fraternity would, indirectly, perhaps, be getting Federal funds.

Mr. MORSE. I think my friend, great jurist that he is, knows that would not follow at all. This language deals with funds being spent by the Federal Government in the facilities of a fraternal sorority or fraternity on a given campus.

I call attention to the fact that the Senator from New York [Mr. JAVITS], a Member of my committee—and I am going to oblige members of my committee—suggested a short quorum call for a quick conference on the matter. After that quorum call I will tell the Senate what I propose.

What I would like to see done first is have a record made. I would prefer to have the Senator withdraw his amendment. The issue will be in conference, anyway. We can modify the language in any way that we want and modify it in conference, and merely go to conference on the basis of the decision made at the committee level, and in that way not take action on the matter here but go to conference. I would prefer to have the Senator withdraw his amendment. This matter will be in conference.

Mr. DIRKSEN. Mr. President, the amendment will not be withdrawn. I do not think it needs further refinement. Frankly, I am prepared to vote.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF THE SECRETARY OF THE TREASURY TO RELIEVE APPLICANTS FROM CERTAIN PROVISIONS OF THE FEDERAL FIREARMS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside for a minute or two, and that the Senate turn to the consideration of Calendar No. 648, H.R. 9570.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R 9570) to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the Act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an explanation of the bill may be printed in the RECORD prior to passage of the bill.

There being no objection, the extract (Rept. No. 666) was ordered to be printed in the RECORD, as follows:

> PURPOSE
>
> The purpose of the bill is to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to public interest and that the applicant would not be likely to conduct his operations in an unlawful manner.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAVITS AND CARLSON RESOLUTION URGES STRENGTHENING OF INTER-AMERICAN SYSTEM

Mr. JAVITS. Mr. President, in the wake of the crisis in the Dominican Republic—a country we now hope is on the road to democratic stabilization—one fact has become painfully clear: The interest of the nations of the Americas is in collective responsibility and collective action for the accelerated development of the hemisphere in a progressive democratic framework. Therefore, I am introducing today, on behalf of myself and Senator CARLSON, of Kansas, a concurrent resolution which, if passed, will put the Congress on record for this policy.

We consider our neighbors to the south to be our partners—the era of the "good neighbor" or F.D.R.'s day has been succeeded by the era of the "good partner," or "buen socio." Yet, it is felt in many quarters in Latin America that when the United States moved into the Dominican Republic, we breached that policy and entered upon a new policy which Latin America is now trying to fathom. And there has been considerable talk in Latin America recently about the need for "independence" from the United States. President Frei, of Chile, and other leaders who agree with him do not speak to unresponsive ears in the United States when they assert that the inter-American system cannot be based upon U.S. hegemony—with which I feel the American people agree—or when they suggest that Western Europe become, as it has already, particularly through ADELA, which I initiated, more interested in Latin American development—which I feel the people of the United States also believe to be desirable. But Latin America cannot at the same moment look to us for the main resources needed for its accelerated development and for its security without recognizing our mutual importance to each other; just as the nations of Latin America are to be equal partners with us, so we are to be equal partners with them too.

Latin Americans must be offered a choice which is attractive to them, as well as to the United States and Canada. This choice must be increasing participation in the great decisions of the hemisphere—political, economic and social, and military.

And, it is also high time to bring actively into the inter-American family of nations our great partner to the north, Canada. In trade, national power and world responsibility, Canada belongs in the inter-American system, which is not complete without it. A prime objective of the diplomacy of the United States and every other country of the Americas should be to invite Canada to take the seat awaiting it in the Organization of American States.

In many ways we have recognized that, over the long term, the economic development and social progress of Latin America will enrich the lives, increase the security, and contribute to the political stability of the people of the Americas. Whatever its problems, the Alliance for Progress committed the nations of the Americas to a nonviolent, but accelerated economic and social revolution in Latin America. Great strides have already been made and, with renewed dedication, still greater economic and social gains are ahead.

But, the military and political aspects of American life have not kept pace with the social and economic aspects. The evolution of concept and philosophy that characterized the Alliance have not been matched by similar concepts designed to provide for military security and political stability in the hemisphere.

The resolution which is introduced today, in addition to declaring once again the determination of the United States to encourage and support accelerated economic development and social progress in the Americas, in accordance with the principles of the Alliance for Progress, seeks to focus attention on problems we shall have to face up to even before the results of the Alliance are fully visible—problems of military security and political stability which Santo Domingo laid bare.

The two basic problems are these:

First. How can the inter-American system best deal with subversion, whether Communist or ultrarightist?

Second. How can the American States counter political instability resulting from the overthrow of Democratic governments by the Communists or the ultraright?

The problem of Communist subversion on a large scale is relatively new to this hemisphere, whereas a rapid turnover of governments and the seizure of power by dictators have been features of the Latin American scene for decades. But, it is the concurrence of these two factors, in the current economic and social atmosphere of present day Latin America, which now threatens Central and South America with massive and violent governmental upheavals.

The American States have tried for years to cope with this danger, and thought they had made great progress. But it was Santo Domingo which revealed how inadequate still remain the instruments of the American system at our command. It was Santo Domingo which demonstrated that the inter-American system is not yet fully prepared to deal with the kind of situation it faced in early April.

I

One significant development which could result from Santo Domingo is a heightened realization on the part of the nations of this hemisphere that the inter-American security system needs strengthening. The United States moved into the Dominican Republic—initially to save lives and subsequently to prevent a Communist takeover—alone. On the basis of evidence gathered by U.S. sources, the U.S. Government made the decision to use U.S. forces in Santo Domingo. Whether the evidence warranted the U.S. action will be argued for a long time. The fact remains that we did go in. This is no reason to believe the United States moved unilaterally with any special enthusiasm—we are long past the days of gunboat diplomacy, which is as unpopular in the United States as in the rest of the Western Hemisphere. The United States had no interest in sharpening either domestic divisions or international criticisms relating to the conduct of our foreign policy. Yet, however reluctantly, the United States did act to fill what was considered to be a power vacuum into which the OAS was not prepared to move in time.

There is no question that once it was seized of the issue, the OAS moved with great diligence within the limits of its authority and possibilities under the circumstances. By its handling of the Cuban missile crisis, the OAS has also shown with what remarkable speed it can make decisions when the danger is perceived as clear and present. But it just did not have at its disposal the means to take immediate and effective action in Santo Domingo.

The concern now is not so much whether there was or was not a substantial and significant danger of a Communist takeover in Santo Domingo. The fact is that other situations are likely to occur in Latin America in which conclusions will be hard to draw from incomplete and contradictory evidence. The real question is how to handle these problems in the future. Rather than simply to protest the unilateral nature of the initial U.S. involvement in the Dominican Republic, it is now more constructive for the nations of this hemisphere to decide on a means to deal together with the growing problem of subversion in the Americas. Collective responsibility and collective action for the security of the hemisphere is the only alternative to unilateral U.S. action.

Attempting to create a realization of the need to face the facts of contemporary life in the Americas and to provide a multilateral system with the means to react in time in a crisis is not just a matter of persuading others to do our job with us or take the onus of intervention off our shoulders. The American Republics have time and time again declared their devotion to the ideals of self-determination and democratic government and recognized that it is in the interest of all to prevent the emergence of regimes allied with extra-hemispheric powers hostile to the proclaimed goals of the inter-American system or based on military takeover. The stake of Latin America is as great as, and more direct than, the stake of the United States in the fulfillment of these goals.

The task is now to develop the means of dealing with the problem of hemispheric security both effectively and collectively.

Agreement on the methods and procedures of collective action for hemispheric security against subversion will not be easy to arrive at. The establishment of any properly functioning and truly multilateral security system would have to overcome a variety of sizable obstacles. But something of this nature must be done; together the American states must begin now to work for a solution. I propose that they do so and that high on the agenda for discussion, for example at the forthcoming Foreign Ministers' Conference, be a project for a defense alliance of the Americas with a multilateral organization having the means readily available to preserve freedom and self-determination in this hemisphere.

II

An aspect of the status of democracy in Latin America which was vividly brought home by Santo Domingo is the number of Latin American countries that still lack constitutional, democratic governments.

Nine military coups have occurred in Latin America since the beginning of 1962. It may be argued very convincingly that not all of these takeovers were necessarily undesirable. But it may be argued with equal persuasiveness that, however, transitional may be the entry of the military into the political affairs of some Latin countries, in their totality these coups are a manifestation of continued political instability which has become increasingly damaging to Latin America's development and should therefore inspire great hemispheric concern.

While military takeovers are just one symptom of the political instability which afflicts so much of Latin America, they are so important and, in a sense, so historic a symptom that in some countries they have tended to become a cause, as well as a result, of the underlying political problems. In some cases they seem to perpetuate those problems to such a degree that a succession of military juntas turns into a form of government—even a form of government having the passive consent of the people.

The short-run consequences of a military takeover in a particular country may not always be wholly undesirable. To an important extent, the immediate advantages or disadvantages of any specific coup to the country in which it takes place must be measured with an eye to what went before and what is likely to follow. Even so, the uncertainty which frequently follows the overthrow of an established government may be slow to dissipate, and in many instances the momentum of a development program tends to be seriously slowed down by the mere disruption of normal procedures and relationships following an abrupt political shift.

But the real danger is in the continued erosion of the hope and faith of the people in the viability of democratic government; in the comparative ease with which successive coups can follow the path broken by prior ones; and in the frequent or prolonged absence of the democratic experience.

There are those who have already abandoned hope in democratic development in Latin America as a whole, preferring to place their reliance instead on the young, progressive brand of military government which has emerged in some places in the hemisphere in recent years. The economic and social goals of the Alliance for Progress, it is said, may more quickly and easily be reached by the methods available to such governments than by the trials and errors of democracy. But while some significant reforms have undoubtedly been pushed through by military regimes in certain Latin American countries, and while a progressive military regime is of course preferable to a reactionary one, the promotion and encouragement of Latin American military regimes in politics is not a policy goal for which many civilians in the Americas could feel much enthusiasm.

The question is what can be done—a question which, incidentally, has taxed some of the best minds of the hemisphere for decades. The resolution suggests that we encourage common efforts to come to grips with the issue, and it also tries to attack the problem at its most pernicious point—the unconstitutional overthrow of freely elected, constitutional, democratic governments which have not become dictatorships or jeopardized their countries' security.

There is no specific effort in this resolution to spell out measures against existing takeover governments, though the possibility of adjusting the hemispheric attitude toward such regimes should be the basis of discussion among the American States. But it does attempt to declare our opposition to the crushing of truly democratic governments in Latin America. It does suggest a procedure whereby, in consultation with the other OAS members and with Canada, this opposition might be of some effect in protecting democratic governments from overhasty takeover by military regimes, and in restoring democratic government where it has fallen.

There is no question that a matter of such complexity and individual variation must be dealt with with great flexibility. The resolution, therefore, merely expresses the sense of Congress that the United States should encourage and support consultations among the members of the inter-American system and with Canada to consider together the advisability of withholding the immediate establishment of diplomatic relations and extension of aid to regimes which come to power by crushing truly democratic governments. But more than anything else, I believe it is necessary to put the United States on record as judging it wise to take a hard look—together with Canada and the Latin American States—at these regimes, before deciding how to treat with them.

It may under certain circumstances seem necessary, after the consultations provided for by this resolution, to provide support for regimes of this kind; the terms of the resolution would not prevent this. It may also, on other occasions, be believed to be in the interest of the United States to provide immediate aid to such regimes. Nevertheless, I believe it is ultimately in the interest of the United States and the hemisphere to retain whatever influence we and the other OAS members have had in the nation concerned, not merely by keeping our foot in the door, but by taking action on the basis of collective consultation to encourage a more rapid return to constitutional and democratic government.

The experience of Santo Domingo suggests that common efforts to deal with this problem require immediate consideration at the highest level.

Like the economic and social aspects of Latin America, the military and political aspects which I have discussed must be dealt with increasingly on a multilateral basis. Not only will collective action in all these areas be more effective, but collective responsibility will tend to obviate the need for unilateral United States action in matters of great hemispheric concern.

United States interest cannot be gainsaid—the United States affects Latin America enormously. The United States is a most enduring fact of life in Latin America—and we are just not going to fade away. But the United States does not want to or need to exercise hegemony over Latin America.

Collective responsibility, collective decision, and collective action are the only sensible courses for the Americas. Only in this way can we recapture the pre-Santo Domingo spirit—and move on beyond Santo Domingo to a new and evermore satisfying level of cooperation and alliance, for dignity, self-determination, friendship, true progress, and peace.

Mr. CARLSON. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from New York in regard to political instability that we have observed from time to time in Latin American countries as a result of military juntas and military dictatorships taking over democratic government.

The Senator from New York has made a timely suggestion. I wish to associate myself with him and sincerely hope that we can be of some assistance as we deal with the problems of Latin America. Those countries are our neighbors. They are countries in which we are greatly concerned.

I commend the Senator from New York on offering the resolution. I appreciate the opportunity of cosponsoring it.

Mr. JAVITS. I am honored to be associated with the Senator from Kansas. We hope that we may obtain early hearings on the resolution by the Committee on Foreign Relations.

I ask unanimous consent that the text of the resolution may be printed in the RECORD at this point.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 56) was referred to the Committee on Foreign Relations, as follows:

CONCURRENT RESOLUTION

Whereas recent events in the Dominican Republic have suggested the desirability of strengthening the inter-American system to facilitate the taking of prompt and effective multilateral action when required to maintain the peace, security, and freedom of the Americas; and

Whereas a prime objective of the Organization of American States and of the United States is to strengthen freedom in the Americas by upholding the right of the people to self-determination and by encouraging confidence in and respect for constitutional and democratic governments, and to foster conditions to insure against subversion and infiltration by the forces of international communism or ultrarightist forces which pose a constant danger to the freedom of the people of the Americas; and

Whereas the Organization of American States and the United States are committed to accelerated economic development and social progress in the Americas, as the right road toward freedom, dignity, security, and peace for all the people of the Americas, and to prevent infiltration or subversion by Communist or ultra-rightist forces: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

1. The United States again pledges its faith in the oldest of the regional security systems established in accordance with the United Nations Charter, the collective security system of the Americas under the Inter-American Treaty of Reciprocal Assistance and the Charter of the Organization of American States, and again pledges its efforts to preserve and strengthen free democratic institutions and to encourage and contribute to accelerated economic development and social progress in the Americas, as set forth in the Act of Bogotá of 1960 and the Charter of Punta del Este of 1961.

2. The United States, while continuing to reserve the inherent right of self-defense, consonant with its treaty obligations under the inter-American system and the United Nations Charter, joins in the determination of the member states of the Organization of American States to maintain a common defense against aggression and subversion within the Americas, including efforts to subvert free institutions by infiltration and other forms of interference in the internal affairs of any nation in the Americas.

3. The United States should seek to improve the authority and capability of the Organization of American States to take timely action in emergencies affecting the peace and security of any nation in the Americas in accordance with the requirements of a common defense set forth in the preceding paragraph of this Resolution, by standing ready to support and assist in the establishment of means to undertake peacekeeping efforts under the auspices of the Organization of American States, and by such other procedures as the President may deem appropriate, consonant with the Constitution, the inter-American system, and the United Nations Charter.

4. The United States should encourage and support collective consultation among the members of the inter-American system and with Canada with a view to refraining from the establishment of diplomatic relations with, and denying military and economic aid to, any regime brought into power in a member state by the unconstitutional overthrow of a freely-elected, constitutional, democratic government ruling in accordance with its constitutional mandate, and to requiring, as a precondition to the establishment of diplomatic relations and the extension of military and economic aid, prior commitments for the restoration of constitutional government, for the holding of free elections, and for the application of human and civil rights and liberties, within a reasonable time, and a sincere dedication to accelerated economic development and social progress within the framework of personal dignity and political liberty; and should encourage and support other common efforts to strengthen constitutional, democratic, and progressive government in the Americas.

5. The United States should continue its active support of the Alliance for Progress with emphasis on self-help and mutual cooperation; economic integration of the Americas through common markets, free trade areas, or other appropriate means; the encouragement of other developed nations to maintain an appropriate level of development aid in the Americas; and the encouragement of the growth of the private enterprise system and of conditions to enhance its capability for accelerating economic development and social progress in the Americas.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, notified the Senate that, pursuant to the provisions of section 3, Senate Concurrent Resolution 36, 89th Congress, the Speaker had appointed Mr. Fascell, of Florida; Mr. Fraser, of Minnesota; Mr. Resnick, of New York; Mr. Lipscomb, of California; Mr. Quie, of Minnesota; and Mr. Martin of Alabama as members of the congressional delegation to participate in the White House Conference on International Cooperation, on the part of the House.

The message also notified the Senate that, pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Speaker had appointed Mr. Hays, of Ohio; Mr. Rodino, of New Jersey; Mr. Denton, of Indiana; Mr. Rivers of South Carolina; Mr. Clark, of Pennsylvania; Mr. Arends, of Illinois; Mr. Chamberlain, of Michigan; Mr. Bates, of Massachusetts; and Mr. Findley, of Illinois, as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference on the part of the House.

The message announced that the House had agreed to the amendment of the Senate numbered 1 to the bill (H.R. 948) to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia, and that the House had disagreed to the amendments of the Senate numbered 2 and 3 to the bill.

The message also announced that the House had passed the bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands; and

H.R. 10342. An act to authorize the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, to accept the award of Officer in the French National Order of the Legion of Honor.

HIGHER EDUCATION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment offered by the Senator from Illinois, as modified.

Mr. MORSE. Mr. President, may we have the amendment read?

The PRESIDING OFFICER. The amendment will be read.

The Legislative Clerk. On page 212, line 15, insert "or any other Act" after the word "Act."

On page 212, line 21, immediately before the period insert a semicolon and the following:

> or the membership practices or internal operations of any fraternal organization, any fraternity or sorority, any private club or any religious organization at any institution of higher education, whose facilities are not owned by the institution of higher education and whose activities are financed by funds derived from private sources.

Mr. MORSE. Mr. President, I ask the minority leader to follow me, if he will, while I direct two or three parliamentary inquiries to the Chair. I desire to have the Record show beyond a question of doubt what the Senate is doing parliamentarily.

My first question is, If the Dirksen amendment, as modified by the suggestion of the Senator from North Carolina [Mr. Ervin] is substituted—a modification accepted by the Senator from Illinois—will we in fact be replacing the Waggonner amendment in the House bill, as it came to us, with a new amendment in the nature of a substitute?

The PRESIDING OFFICER. The Chair could not properly state what the amendment would do, in comparison with what another amendment would do, but as previously stated, if the question is asked as to a conference, if the amendment were adopted, this whole matter would be in conference.

Mr. JAVITS. May I ask the Senator whether he is submitting an amendment in the nature of a substitute for the committee substitute? That is, insofar as it affects the language of the committee bill as reported, is it an amendment in the nature of a substitute?

Mr. DIRKSEN. That can hardly be said, Mr. President, because section 604, dealing with direct supervision and control of school curriculums, was retained, by the Senate committee, and this is nothing more than an amendment to that section of the bill. I doubt very much whether it can be properly characterized as a substitute.

If I had stricken out everything in section 604, and then replaced it with my language and the earlier language, it might then be readily called a substitute.

Mr. JAVITS. Will the Senator do that? The Senator is perfectly at liberty to replace the whole of section 604 with the same section as amended by him.

Mr. DIRKSEN. But I am advised by the Parliamentarian that the amendment as amended now pending, if adopted, would place the matter in conference.

The PRESIDING OFFICER. The Chair may state further, in response to the parliamentary inquiry of the Senator from Oregon, that if the amendment of the Senator from Illinois is adopted to the committee substitute for H.R. 9567, and then the committee substitute is adopted, and that goes to conference, the entire matter will be in conference; the only limitation on the conferees being that any matter adopted or agreed to in conference would have to be germane either to the House-passed version or the Senate-passed version of the bill.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. That applies only to the Senate rules; it does not bind the House.

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. Now I ask the Senator from Illinois whether he will submit an amendment including the language which is contained in section 804 as a complete substitute for the committee amendment, or an amendment in the nature of a substitute. Is that not a proper parliamentary move for the Senator from Illinois?

The PRESIDING OFFICER. I do not believe the Chair would be able to answer that inquiry unless the Senator were to restate it.

Mr. JAVITS. It is at page 212, lines 15 to 21, inclusive.

The PRESIDING OFFICER. The Senator will restate the inquiry.

Mr. JAVITS. I ask whether it is possible, as a parliamentary matter, for the Senator from Illinois to submit his amendment by repeating the language now contained in section 804, adding what he proposes to add to it, as an amendment in the nature of a substitute?

The PRESIDING OFFICER. Does the Senator mean for section 804?

Mr. JAVITS. Exactly.

The PRESIDING OFFICER. Section 804 is in the committee amendment in the nature of a substitute for the bill which is now before the Senate. It could be offered in the nature of a motion to strike out section 804 and substitute new language therefor.

Mr. JAVITS. Exactly. The Senator from Illinois is at liberty to do that, is he not?

The PRESIDING OFFICER. The Chair assumes so.

Mr. DIRKSEN. Yes, Mr. President; but a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. I address it to the Parliamentarian. I do not know that it would improve the matter, conference-wise, from where we stand.

The PRESIDING OFFICER. That is exactly correct. As the Chair stated, this entire bill will be in conference.

Mr. DIRKSEN. Exactly. There is no purpose in striking out section 804, replacing two-thirds of the same language, and reoffering the amendment as modified.

Mr. MORSE. If the Senator will permit me to state, the Senator from Montana, the majority leader [Mr. MANSFIELD] and I went to the telephone and called Mr. Deschler, the Parliamentarian of the House. I explained to Mr. Deschler the parliamentary situation that confronts us in the Senate. I told him about the amendment of the Senator from Illinois [Mr. DIRKSEN], and the modification of it suggested by the Senator from North Carolina [Mr. ERVIN], and the acceptance of the modification by the Senator from Illinois; and I asked him if in his opinion the whole matter would be in conference.

His first response was that the whole matter would be in conference. But then—and I quote him to the best of my recollection; I do not bind him but bind myself to my recollection—the majority leader can either verify or modify what I now say.

He said that it would be better, so far as any doubt was concerned about it all being in conference, if the Senate struck the Waggonner language and substituted the Dirksen language as modified by the Ervin language.

I again said, "But if the Dirksen language as modified by the Ervin language were put in the bill, would the entire matter be in conference?"

He said he thought the issue would be in conference, and he said the conference would then be limited to a narrowing of the Ervin language.

I said, "Does that mean that then the Waggonner language would be considered to be locked into the bill?" And he left with me the impression that he thought it would be.

Mr. MANSFIELD. That is approximately my recollection.

Mr. MORSE. That leaves me very much perplexed. We do not control the rules of the House; and when we get a ruling here from the Chair that it would be in conference under the rules of the Senate, I do not find that satisfactory. I need to know whether or not it would be in conference under the rules of both Houses.

Mr. TOWER. Will the Senator yield?

Mr. MORSE. Because we are in conference now. I do not like to run any risks, to be frank with the Senate; we are in conference now. If we do not do anything we are in complete conference, and we can modify the Waggonner language in conference by adopting the Dirksen-Ervin language in conference. We do not pass anything in the Senate, and as I remember, I said a few moments ago, I wish we would not take any action on this at all in the Senate, because we are now in conference, and I say to the Senator from Illinois and the Senator from North Carolina that so far as the chairman of the subcommittee is concerned, I would see to it that their language was suggested in conference.

The PRESIDING OFFICER. The Chair will respond again by saying to the Senator from Oregon that the question now before the Senate is the Dirksen amendment, as modified, to the committee amendment in the nature of a complete substitute. So if a committee amendment in the nature of a substitute were adopted, it would, in effect, strike all the present House language from the bill.

Mr. DIRKSEN. Exactly.

The PRESIDING OFFICER. So the effect would be to put all of the bill in conference, the only restriction being that amendments agreed to by the conferees be germane either to the House-passed bill or to the Senate-passed bill.

Mr. MORSE. That is what I believe, and that has been my position. But I am somewhat concerned as to whether or not the House rules could in any way cause us to wake up and discover that all we have got in conference is the language offered by the Senator from North Carolina.

Mr. MANSFIELD. If the Senator will yield, I would say he has his answers to the questions which were on his mind.

Mr. MORSE. I am satisfied if the Senator from New York is satisfied.

Mr. JAVITS. The Senator from New York is now satisfied that if the Dirksen amendment to the committee amendment is adopted as modified, notwithstanding the unanimous consent by which the Senate accepted the committee amendment in its original text, the whole provision would be a substitute for the House provision.

Mr. MORSE. Mr. President, does the Chair make the ruling that the whole provision will be a substitute for the House provision?

The VICE PRESIDENT. The Senator is correct.

Mr. MORSE. Mr. President, on the basis of that ruling and understanding of the legislative record, and as chairman of the subcommittee and Senator in charge of the bill, I am willing to accept and take to conference the Dirksen amendment, as modified.

Mr. HART. Mr. President, I share the concerns and reservations voiced by the able Senator in charge of the bill, the Senator from Oregon [Mr. MORSE]. Public money—money required to be paid by all our citizens—should not be used to finance directly or indirectly, any activity which denies participation to some of our citizens because of race, religion, or national origin. The amendment added by the House would violate this principle, and I am sure that the amendment was accepted without a full understanding of its consequences. I would defend with equal force the right of persons privately to associate for any social purpose, the financing of which they bear. With the Senator from Oregon and others I wish to be sure that when the bill comes back to us from conference both principles will remain secure.

Title VI of the 1964 Civil Rights Act must not be diluted. It established after too many years of hauling and tugging the first principle—use of the public's money only for things in which all of the public are permitted equally to share. The House amendment would dilute this principle. But, in correcting this situation let us not attempt to assert independent Federal limitations on private, independent associations, financed completely from private sources.

Mr. HOLLAND. Mr. President, I hope there will be a yea and nay vote on the amendment, which will uphold the hands of the conferees in knowing that the Senate has gone on record as being in favor of the Dirksen amendment as modified.

Mr. MORSE. I have no objection.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the yeas and nays be taken on the Dirksen amendment as modified, and that there be a suggestion of the absence of a quorum, and that the vote take place 1 minute from now.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. CARLSON. Mr. President, reserving the right to object, I would hope that we would not need to have a vote on the amendment, but that we would take it through the regular procedure.

Mr. MANSFIELD. It will be done properly.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Is there a sufficient second to the demand for the yeas and nays?

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggested the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The question is on agreeing to the amendment, as modified, of the Senator from Illinois [Mr. Dirksen].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Wyoming [Mr. McGee], and the Senator from Florida [Mr. Smathers] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from Arkansas [Mr. Fulbright], the Senator from Minnesota [Mr. McCarthy], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], and the Senator from Florida [Mr. Smathers] would each vote "yea."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Maryland [Mr. Tydings]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Maryland would vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs], the Senator from Iowa [Mr. Hickenlooper], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. Boggs] would vote "yea."

The result was announced—yeas 60, nays 28, as follows:

[No. 248 Leg.]

YEAS—60

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Burdick
Byrd, W. Va.
Cannon
Carlson
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Harris
Hayden
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, Mo.
Long, La.
Mansfield
McClellan
McIntyre
Miller
Monroney
Morse
Morton
Moss
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—28

Brewster
Case
Dodd
Douglas
Gruening
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Magnuson
McGovern
McNamara
Metcalf
Mondale
Montoya
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Williams, N.J.
Young, Ohio

NOT VOTING—12

Boggs
Byrd, Va.
Church
Fulbright
Gore
Hickenlooper
Lausche
McCarthy
McGee
Saltonstall
Smathers
Tydings

So Mr. Dirksen's amendment, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ERVIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 430

Mr. MILLER. Mr. President, I send to the desk my amendment, No. 430, and ask that it be stated.

The VICE PRESIDENT. The amendment will be stated.

The Legislative Clerk. The Senator from Iowa [Mr. Miller] proposes amendment No. 430——

Mr. MILLER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that the amendment be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment ordered to be printed in the Record is to strike from said bill all of the provisions of title IV, part A, "Undergraduate Scholarships," and by inserting a new title IV, part A, as follows:

TITLE IV—STUDENT ASSISTANCE

Part A—Student loans

Statement of Purpose and Appropriations Authorized

Sec. 401. (a) It is the purpose of this part to provide, through institutions of higher education, loans to assist in making available the benefits of higher education to qualified high school graduates from lower and middle income families, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid. It is further the purpose of the Congress to encourage such institutions to use work-study and other loan programs and any other means of student aid available to them to combine with or supplement loans under this part, as may be appropriate in any case.

(b) There are hereby authorized to be appropriated $250,000,000 for the fiscal year ending June 30, 1966, $260,000,000 for the fiscal year ending June 30, 1967, $265,000,000 each for the fiscal year ending June 30, 1968, for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, to enable the Commissioner to make payments to institutions of higher education that have agreements with him entered into under section 407, for use by such institutions (1) for payments to students for the initial academic year of loans awarded to them under this part and (2) for defraying (within the limits specified in section 407(b)) eligible costs of administration, by such institutions, of the cooperative motivational program for high school students described in section 407(a)(5). There are further authorized to be appropriated, for the fiscal year ending June 30, 1967, and each of the six succeeding fiscal years, such sums as may be necessary for payment to such institutions for use by them for making loan payments under this part to students for academic years other than the initial year of their loan. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated. For the purposes of this subsection, payment for the first year of a loan shall not be considered as an initial-year payment if the loan was awarded for the continuing education of a student who had been previously awarded a loan under this part (whether by another institution or otherwise) and had received payment for any year of that loan.

Amount of Loan—Annual Determination

Sec. 402. From the funds received by it for such purposes under this part, an institution of higher education which awards a loan to a student under this part shall, for the duration of the loan, pay to that student for each academic year during which he is in need of a loan to pursue a course of study at the institution, such amount as is determined by the institution to be necessary for tuition, books, room and board, for such student with respect to that year, which amount shall not exceed $1,500 or, if less, the amount deemed by the institution to be required by such student for tuition, books, room and board. In the case of any graduate or professional student (as defined in regulations of the Commissioner), said amount shall not exceed $2,500. The Commissioner shall, subject to the foregoing limitations, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such loan, taking into account the objective of limiting loan aid under this part to students from lower and middle income families and such other factors including the number of dependents in the family, as the Commissioner may deem relevant.

Duration of Loan

SEC. 403. The duration of a loan awarded under this part shall be the period required for completion by the recipient of his course of study at the institution of higher education from which he received the loan, except that such period shall not exceed four academic years (six years in the case of a part-time student) during which the student is a candidate for an undergraduate degree nor more than three academic years during which the student is a candidate for a recognized graduate degree, less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior loan (whether made by the same or another institution). A loan under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he received the award, and, except in the case of a part-time student, (2) is devoting essentially full time to that course of study, during the academic year, in attendance at that institution. Failure to be in attendance at the institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments), shall not be deemed contrary to clause (2).

Selection of Recipients of Loans

SEC. 404. (a) An individual shall be eligible for a loan under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereinafter in this part referred to as an "eligible institution"), if the individual (1) is from a lower or middle income family (as determined in accordance with the criteria or schedules prescribed pursuant to section 402), and (2) makes application at the time and in the manner prescribed by that institution.

(b) From among those eligible for loans from an institution of higher education for each fiscal year, the institution shall, in accordance with the provisions of its agreement with the Commissioner under section 407 and within the amount allocated to the institution for that purpose for that year under section 406, select upon criteria established by the institution, which shall include relative academic ability, individuals who are to be awarded such loans and determine, pursuant to section 402, the amounts to be paid to them. An institution shall not award a loan to an individual unless it determines that—

(1) he is in need of the loan to pursue a course of study at such institution;

(2) he is capable, in the opinion of the institution, of maintaining good standing in such course of study; and

(3) he has been accepted for enrollment for at least one-half the normal full-time academic workload at such institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance.

Apportionment of Loan Funds Among States

SEC. 405. (a)(1) From the sums apropriated pursuant to the first sentence of section 401(b) for any fiscal year, the Commissioner shall apportion an amount equal to not more than 2 per centum of such sums among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of the sums so appropriated shall be apportioned among the States as provided in paragraph (2).

(2) Of the sums being apportioned under this subsection—

(A) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States,

(B) one-third shall be apportioned by the Commissioner among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of secondary-school graduates of such State bears to the total number of such secondary-school graduates of all the States, and

(C) one-third shall be allotted by him among the States so that the apportionment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in such State bears to the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in all the States.

(3) For purposes of paragraphs (1) and (2) of this subsection—

(A) the term "State" does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands,

(B) the term "secondary school graduate" means a person who has received formal recognition (by diploma, certificate, or similar means) from an approved school for successful completion of four years of education beyond the first eight years of schoolwork, and

(C) the number of persons enrolled on a full-time basis in institutions of higher education and the number of secondary school graduates shall each be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Health, Education, and Welfare, and the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

(4) If the total of the sums determined by the Commissioner to be required under section 406 for any fiscal year for eligible institutions in a State is less than the amount of the apportionment to that State under paragraph (1) or (2) for that year, the Commissioner may reapportion the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

(b) Sums appropriated pursuant to the second sentence of section 401(b) for any fiscal year shall be apportioned or reapportioned among the States in such manner as the Commissioner determines to be necessary to carry out the purposes for which such sums are appropriated.

Allocation of Apportioned Funds to Institutions

SEC. 406. (a)(1) The Commissioner shall from time to time set dates by which eligible institutions in any State must file applications for allocation, to such institutions, of student loan funds from the apportionment to that State (and of any reapportionment thereto) for any fiscal year pursuant to section 405(a), to be used for the purposes specified in the first sentence of section 401(b). Such allocations shall be made in accordance with equitable criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

(2) The Commissioner shall further, in accordance with regulations, allot to eligible institutions, in any State, from funds apportioned or reapportioned pursuant to section 405(b), funds to be used for the loan payments specified in the second sentence of section 401(b).

(3) Payments shall be made from allotments under this section to institutions as needed.

Agreements With Institutions—Conditions

SEC. 407. (a) An institution of higher education which desires to obtain funds for loans under this part, shall enter into an agreement with the Commissioner. Such agreement shall in part—

(1) provide that funds received by the institution under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

(2) provide that in determining whether an individual is an eligible student from a lower or middle income family the institution will (A) consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

(3) provide that in the selection of first-time applicants to receive loans under this part preference shall be given to (A) students who are beginning their first year of undergraduate study, and (B) students who are transferring from an institution of higher education which customarily offers only a two-year program of study to an institution which offers four or more years of higher education;

(4) provide that the institution will, where appropriate, combine financial assistance in the form of loans under a State or private plan, work-study opportunities under part C of title I of the Economic Opportunity Act of 1964 (as amended by part C of this title) or as may be offered otherwise, and loans under this part, in an effort to meet the financial needs of students from lower or middle income families;

(5) provide that the institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths from low-income families and to encourage them to continue their education beyond secondary school through programs and activities such as—

(A) establishing or strengthening close working relationships with secondary school principals and guidance and counseling personnel with a view toward motivating students to complete secondary school and pursue postsecondary school educational opportunities; and

(B) making, to the extent feasible, tentative commitments for loans to qualified students enrolled in grade 11 and lower grades or to secondary school dropouts who have a demonstrated aptitude for college study;

(6) provide assurance that the institution will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement, but not including sums expended and attributable to Federal funds under title II of the National Defense Education Act of 1958, as amended.

(7) include provisions designed to make loans under this part reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

(8) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

(b) An institution may spend up to 5 per centum of the funds paid to it for any fiscal year ending prior to July 1, 1970, for the administration of the program described in paragraph (b) of subsection (a).

Repayment of Loans

Sec. 408. (a) Loans made pursuant to this part shall be evidenced by a note or other written agreement which provides for repayment of the principal amount in annual installments, with a right in the borrower to make repayments upon such terms as the Secretary of the Treasury may prescribe. Said annual installments are to be made at the time the borrower files his annual Federal income tax return but no later than April 15 of each year, and over a period of ten years commencing on the first annual income tax filing date after the date on which the borrower ceases to pursue at least one-half the full-time academic course of study at an institution of higher education. The annual installment shall be paid as a part of the income tax due and shall be reported upon such forms and in accordance with such regulations as shall be promulgated by the Secretary of the Treasury. The amount of the annual installment shall be 25 per centum of the higher education investment profit which shall be computed as the excess of the borrower's income from wages, salaries, profits, commissions, and the net income from a business or profession over the average income from said items of high school graduates without higher education for the most recent year for which statistics are available. If the full loan is not repaid by the end of the tenth annual installment, the full balance remaining shall then be fully due and payable and any amounts not then paid shall draw interest at 5 per centum per annum and shall be a Federal lien against the borrower's property not dischargeable in bankruptcy.

(b) Annual installments as above provided need not be paid during any period (i) during which the borrower is pursuing a full-time course of study at an institution of higher education or at a compatible institution outside the States approved for this purpose by the Commissioner, (ii) not in excess of three years during which the borrower is a member of the Armed Forces of the United States on active duty, or (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act: *Provided,* That any such periods shall not be included in determining the ten-year period during which the repayment must be completed.

(c) Not to exceed 50 per centum of any such loan shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States, at the rate of 10 per centum of the amount of such loan which was unpaid on the first day of such service for each complete academic year of such service, except that (A) such rate shall be 15 per centum for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title II of Public Law 874, Eighty-first Congress, as amended, and which for purposes of this clause and for that year has been determined by the Commissioner, pursuant to regulations and after consultation with the State educational agency of the State in which the school is located, to be a school in which there is a high concentration of students from low-income families, except that the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, and (B) for the purposes of any cancellation pursuant to clause (A), an additional 50 per centum of any such loan (plus interest) may be canceled".

(d) The liability to repay any remaining amount shall be canceled upon the death of the borrower, or if he becomes permanently and totally disabled as determined in accordance with regulations of the Commissioner.

Contracts To Encourage Full Utilization of Educational Talent

Sec. 409. (a) To assist in achieving the purposes of this title the Commissioner is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)), to enter into contracts, not to exceed $100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

(1) identifying qualified youths from lower and middle income families and encouraging them to complete secondary school and undertake postsecondary educational training.

(2) publicizing existing forms of student financial aid, including aid furnished under this part, and

(3) encouraging secondary-school dropouts of demonstrated aptitude to reenter educational programs, including postsecondary programs.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

Definition of "Academic Year"

Sec. 410. As used in this part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Commissioner.

Repeal of Title II of the National Defense Education Act

Sec. 411. Title II of the National Defense Education Act of 1958, as amended, is hereby repealed.

And to strike sections 462 through 466 of the bill.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 25 minutes on the pending amendment, 20 minutes to be under the control of the distinguished Senator from Iowa [Mr. Miller], and 5 minutes to be under the control of the Senator in charge of the bill, the distinguished senior Senator from Oregon [Mr. Morse].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I yield to the Senator from Texas.

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, it is particularly interesting to note the growth of the American college population. From 1954 to 1964, the number of our college and university students increased from approximately 2.4 million to approximately 4.8 million. Thus we have an increase of 100 percent in just 10 years. It is now apparent that this tremendously accelerated growth will continue into the next decade as well. Expert analysis indicates we will have an enrollment of some 6.9 million students in 1970 and some 8 million in 1973.

It is also interesting to note the increased number of colleges and universities, from 866 in World War II to about 2,300 today.

This accelerated increase has, of course, created certain difficulties and problems. Institutions have become overcrowded, there has been a dire need for additional qualified teachers, and a need for more adequate library facilities.

The purpose of the Higher Education Act is to help with these problems. It is my opinion however, that the Federal Government, and the Federal Government alone, cannot solve these problems. We must exercise extreme caution lest we deter individual initiative and responsibility.

Mr. President, I am, of course, particularly pleased that the committee has incorporated into the higher education bill the text of S. 2026, to increase the utilization of Federal funds by community colleges, which I proposed in May of this year.

However, I wish to make clear that I regard the Federal Government's participation in support of education to be more than that of a junior partner, whose senior partner is local and State governments. I wish to make it clear that I regard the preservation of local control to be of primary importance. In my opinion, this bill in most respects, does just this.

Education, it is true, must be available to all our citizenry. But to the meaningful and fruitful, such education must always take cognizance of the lasting worth and value of the individual. We must always be on guard against our educational systems and institutions being administered and controlled from afar, administered and controlled by bureaucracy, who feels it and not local people, must guide our educational system.

Since coming to the Senate, I have, of course, championed this cause of local control of education. I have always felt that our local school boards, and our State education agencies are far better able to direct the progress of our education than are those far removed from our children, our problems, and our needs and desires.

I am proud of the manner through which my State has met the education needs of our citizenry. There is hardly a single Texas community which in this last year, that has not supported an educational bond issue, or constructed new facilities, or hired additional teachers, or in some other way demonstrated their desire to improve their educational program. In the field of higher education, with which we are concerned today, the State of Texas and its college communities have a fine record indeed.

College attendance, as we have noted here today will increase substantially over last year. The increased need must be met, and that is what we are doing today. Local, State, and Federal must spend, but spend judiciously what is necessary to assure educational opportunities to all of our children. I feel confident that local, State, and Federal governments can and will constructively carry forth in the field of education.

Mr. President, while I will vote for this bill today, I hope interest in the tax credit approach to provide assistance for education will continue to receive serious consideration.

As a former college professor, I have for years supported the granting of an income tax credit for education expenses on all levels—college, high school, and elementary. Such approach, I believe, would offer us the opportunity to effectively provide vastly increased funds for education.

Mr. President, I ask unanimous consent that tax credit legislation I have previously introduced, along with accompanying remarks, be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

At the proper place in the bill add the following new section:

"Sec. —. Deduction for Expenses Incurred in Providing Higher Education.

"(a) In General.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering the section designated as section 219 by section 213 of this Act as section 220, and by inserting after section 218 (added by section 213 of this Act) the following new section:

"'Sec. 219. Expenses for Higher Education.

"'(a) Allowance of Deduction.—In the case of an individual, there shall be allowed as a deduction the expenses for higher education paid by the taxpayer during the taxable year which are incurred by him, by his spouse, or by a dependent (as defined in section 152(a)).

"'(b) Definitions.—For purposes of this section—

"'(1) Expenses for higher education.—The term "expenses for higher education" means amounts paid for—

"'(A) tuition and fees required by an institution of higher education for attendance at such institution;

"'(B) fees required by an institution of higher education for a course of instruction at such institution;

"'(C) books, supplies, and equipment certified by an institution of higher education as necessary for a course of instruction at such institution; and

"'(D) meals and lodging while attending an institution of higher education, but only if the individual for whom such amounts are paid is, at the time such expenses for meals and lodging are incurred, a full-time student at such institution or is enrolled in courses having at least one-half of the number of hours required to qualify as a full-time student.

"'(2) Institution of higher education.—The term "institution of higher education" means an educational institution (as defined in section 151(e)(4))—

"'(A) which is accredited by a recognized national or regional accrediting agency, and

"'(B)(i) which is authorized to confer any baccalaureate or higher degree, or (ii) whose curriculum consists of courses at least two-thirds of which are courses of instruction within the meaning of this section.

"'(3) Course of instruction.—The term "course of instruction" means a course of instruction for the successful completion of which credit is allowed toward a baccalaureate or higher degree by an institution of higher education authorized to confer such degree, or which is required for graduation by the institution of higher education offering such course.

"'(c) Limitations.—

"'(1) Expenses of each individual.—Deduction shall be allowed under subsection (2) for the expenses for higher education of any one individual paid during the taxable year only to the extent that such expenses do not exceed $2,000.

"'(2) Spouse.—Deduction shall be allowed under subsection (a) for the expenses for higher education of the spouse of the taxpayer paid during the taxable year only if—

"'(A) the taxpayer is entitled to an exemption for his spouse under section 151(b) for the taxable year, or

"'(B) the taxpayer files a joint return with his spouse under section 6013 for the taxable year.

"'(3) Meals and lodging.—

"'(A) Full-time students.—Deduction shall be allowed under subsection (a) for the expenses for higher education described in subsection (b)(1)(D) paid during the taxable year which are incurred by any individual who at the time such expenses are incurred is a full-time student only to the extent that such expenses do not exceed—

"'(i) in the case of such expenses incurred while the individual is attending an educational institution away from home, $90, multiplied by the number of months during the taxable year in which the individual attends an educational institution away from home, or if greater, by the number of months for which payment is made during the taxable year for meals and lodging for the individual while he is attending an educational institution away from home; or

"'(ii) in the case of such expenses incurred while the individual is attending an educational institution not away from home, $45, multiplied by the number of months during the taxable year in which the individual attends an institution of higher education not away from home, or, if greater, by the number of months for which payment is made during the taxable year for meals and lodging for the individual while he is attending an educational institution not away from home.

"'(B) Less than full-time students.—Deduction shall be allowed under subsection (a) for the expenses of higher education described in subsection (b)(1)(D) paid during the taxable year which are incurred by any individual who at the time such expenses are incurred is not a full-time student but who is enrolled in courses having at least one-half of the number of hours required to qualify as a full-time student only to the extent that such expenses do not exceed an amount determined under subparagraph (A) (i) or (ii), whichever is applicable, except that, for purposes of this subparagraph, there shall be substituted for $90 in subparagraph (A)(i), and for $45 in subparagraph (A)(ii), an amount which bears the same ratio to $90 or $45, as the case may be, as the number of hours in which such individual is enrolled bears to the number of hours required to qualify as a full-time student.

"'(C) Special rules.—For purposes of subparagraphs (A) and (B), a month during which an individual attends an institution of higher education for less than 10 days shall be disregarded; and an individual who is attending an institution of higher education not away from home, but who is required by such institution to accept meals and lodging furnished by such institution, shall be treated as if he is attending an institution of higher education away from home. For purposes of this section, the amounts paid for meals and lodging of an individual while he is attending an institution of higher education not away from home shall, in the case of meals and lodging furnished to such individual by the taxpayer, be determined under regulations prescribed by the Secretary or his delegate.

"'(4) Other personal and living expenses.—Except as provided in paragraph (3), deduction shall not be allowed under subsection (a) for any amount paid, directly or indirectly, for any personal or living expenses. In the event an amount paid as tuition or fees includes an amount for any personal or living expense (including meals or lodging) which is not separately stated, the portion of such amount paid which is attributable to such personal or living expense shall be determined under regulations prescribed by the Secretary or his delegate.

"'(5) Taxpayers having substantial taxable income.—The amount which (but for this paragraph) would be allowable as a deduction under subsection (a) shall be reduced by the amount by which the taxable income of the taxpayer (computed without regard to this section) exceeds—

"'(A) $10,000, if the taxpayer is unmarried and is not a head of a household (as defined in section 1(b)(2)) for the taxable year, or is married and files a separate return for the taxable year, or

"'(B) $20,000, if the taxpayer is married and files a joint return with his spouse for the taxable year, or is a head of a household or surviving spouse for the taxable year.

"'(d) Reduction for Certain Scholarships, Fellowships, and Veterans' Benefits.—The expenses for higher education paid by the taxpayer with respect to any individual which (but for this subsection) would be taken into account under subsection (a) shall, under regulations prescribed by the Secretary or his delegate, be reduced by any amounts received by or for such individual during the taxable year as—

"'(1) a scholarship or fellowship grant (within the meaning of section 117(a)(1) which, under section 117, is not includible in gross income, or

"'(2) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"'(e) Exception.—Subsection (a) shall not apply to any amount paid which is allowable as a deduction under section 162 (relating to trade or business expenses).'

"(b) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 1962.

"On page 86, between lines 5 and 6, strike out—

"'Sec. 219. Cross references.'

and insert in lieu thereof the following:

"'Sec. 219. Expenses for higher education.

"'Sec. 220. Cross references.'"

Statement by Senator Tower

I introduce, for appropriate reference, a bill designed to provide income tax credits and income tax deductions for education expenses on all levels. This is essentially the same bill I sponsored last session.

May I say that in addition to the bill I now propose, I am an active cosponsor of S. 12 by the Senator from Connecticut [Mr. Ribicoff]. I hope S. 12 will receive favorable action here this session along with the measure I now propose.

My bill has three main provisions:

1. It provides a tax credit for homeowners for that portion of their real property tax which is used for maintenance, operation and construction of public elementary and secondary schools. Every such taxpayer would obtain this education assistance whether or not his children attend public school.

2. It provides a tax credit for individuals and corporations for gifts and contributions made to nonprofit institutions of higher education. This contribution credit could not exceed $100 for an individual and $1,000 for a corporation.

3. It provides a tax deduction for taxpayers who are themselves students or whose spouses or children are attending college. College expenses covered by this bill would include tuition and fees; books, supplies and

equipment; and room and board. Total deductions would be limited to $2,000 for each student attending college, and the coverage for room and board would be limited to no more than $90 per month. A progressive limitation feature would curtail the amount of deduction granted to taxpayers with higher incomes.

Mr. President, as a former college professor, I am fully aware of the worries of many American families about the adequacy of our schools and their curricula. I am equally aware of the worries of many families that the costs of college education for their children are far beyond their means.

This is a pressing problem in which the very future of our Nation is at stake. Additional American resources must be applied to the needs of education.

It is my belief that the tax credit and deduction approach is the best way to apply those needed resources. Although other plans have been put forward, this approach has, it seems to me, two key advantages contained in no other plan now being discussed.

First, the tax credit approach preserves local and State control and supervision for education.

Second, the tax credit approach eliminates the troublesome question about separation of church and state.

Under the tax credit and tax deduction plan for aid to education, the taxpayers' money never leaves his control; that money never is sent to Washington and partially sent back to local schools and colleges. Thus, there are no Federal strings attached. No control strings, and no strings that can tangle in the constitutional briarpatch surrounding private and religious-backed schools.

Under the tax credit plan, such as I now propose again, the taxpayer applies his money wherever and whenever he wants. He decides how best to educate his children and then does it. And under this legislation he will have a choice of greatly expanded and improved educational institutions from the first grade through the university.

May I emphasize again that this tax relief approach offers an acceptable means of channeling greatly increased new funds into education, tax-supported or privately supported, State-controlled or independent, secular or religious. And, this is accomplished within the framework of a policy long acknowledged by the Congress—a policy of giving incentive to taxpayers to make voluntary contributions to programs benefiting both individuals and the entire society.

I believe these bills would help preserve the diversity and flexibility of the whole American educational system, a diversity of vital importance in maintenance of the freedoms and pluralism so cherished in our national life.

Mr. MILLER. Mr. President, my amendment No. 430—and I might point out that I have modified the amendment slightly—has not been read, but, for all practical purposes, I do not believe that it is too important to call attention to the modifications except to point out that the senior Senator from Iowa has a copy of the modified amendment.

I should like to explain my amendment very briefly. It would strike from the bill title IV, part A, which provides for undergraduate scholarships, and then strike title IV, part D, which provides for an extension of the National Defense Education Act, and supersede the present title 2 of the National Defense Education Act pertaining to student loans.

The purpose of my amendment is to provide one Federal loan program, instead of having two loan programs, and to abolish the idea of Federal grants based purely upon economic status in favor of an equitable loan program.

Among other things, the amendment would provide substantially what the bill would provide for insofar as loan totals are concerned, and insofar as the National Defense Education Act now provides. It provides for a maximum of $1,500 a year loan for 4 years of undergraduate and up to $2,500 a year for further graduate work, with a maximum of 3 years.

It is my understanding that, under the present bill, with regard to the scholarship and loan provisions, the intention is to put a ceiling of approximately $1,500 on the combination. My provision for $1,500 loan would correspond with that policy.

High school graduation is required, but there is no particular class standing requirement on an initial loan. Recipients would have to maintain satisfactory progress for renewal of the loan.

The administration of the loan would be exactly the same as under the present National Defense Education Act and under title IV, part A, of the bill. It applies to an institution where the applicant is accepted and desires to enroll.

The amendment contains the same provisions as the National Defense Education Act for postponing repayment while the borrower continues his education or is in the armed services or in the Peace Corps. It has the same provisions for loan forgiveness arising from employment as a teacher and provides for cancellation upon death or total disability.

Turning to the specific sections of my amendment, section 401 is the same with the exception that the authorization contained in my amendment combines the totals of the loan and scholarship provisions of the bill. In other words, we are seeking to obtain the same total student coverage, and therefore, I have set forth the total loan and scholarship totals as provided in the bill.

In section 402 I have provided a maximum annual loan of $1,500 for undergraduate students and $2,500 for graduate students.

Section 403 pertains to duration of the loans. It is exactly the same as in the committee bill except that it provides for graduate students as well as undergraduate students.

Section 404, pertaining to selection of recipients of loans, is the same as the committee bill, with the exception that subsection 404(b) provides in addition that relative academic ability shall be used as one criterion in selecting the students to be awarded loans from among those who are qualified based on need. I think it is a desirable provision to insure that when there are more applicants than there are loans available, all based on need, academic ability will be determinative as to who shall receive the loan.

Section 405 relates to apportionment of loan funds among the States, and is the same as in the bill.

Section 406, relating to allocation of apportioned funds to institution, is the same as the provision in the bill.

Section 407, relating to agreements with institutions and conditions, is the same as in the bill, with a slight technical amendment.

Section 409 of my amendment is the same as section 408 of the bill.

Section 410 of my amendment is the same as section 409 of the bill.

We come now to the heart of my amendment, which relates to the repayment-of-loans procedure.

Under my proposal, a student recipient of a loan would start repaying his loan under the same provisions as the bill; namely, after he completes his academic work, but his repayment would occur simultaneously with the filing of his income tax return. The amount of the repayment would be 25 percent of what is called the higher education investment profit.

I refer my colleagues to page 13 of my amendment. This is how that higher education investment profit is determined: Those persons would take the total income shown on the income tax returns from wages, salaries, profits, commissions, and the net income from a business or profession to the extent that that income exceeds the average income from similar items in the case of high school graduates who have not had an opportunity to have higher education. That excess will be the so-called higher education investment profit.

For example, let us assume that the college graduate received $8,000 in income, and the average high school income would be $6,000. This difference of $2,000, which would be called the higher education investment profit, would be the 25-percent repayment, or $500 over the regular income tax payment, until the loan was paid up.

So the amount of the payment would fluctuate depending on how much better such a student did than his contemporaries who had not had the opportunity to go beyond high school.

It is a new approach. To me it has a great deal of merit. I ask the Senator from Oregon if he would care to comment.

Mr. MORSE. Mr. President, I have a brief comment. I urge the Senate to defeat the amendment, if it comes to a vote, but I hope, better still, on the basis of an assurance I will give the Senator from Iowa, that he will withdraw the amendment. Before I give those assurances to the Senator, let me state the reasons why the amendment should be rejected. It should be rejected for three reasons:

First. It substitutes a loan program for a scholarship program and therefore does not meet the need which was intended to be met through the scholarship program.

Second. It has not been considered by the Labor and Public Welfare Committee and neither that committee nor any other interested party has had an opportunity to evaluate it.

Third. The program proposed by the amendment is little more than a variation of the National Defense Education Act loan program.

Mr. President, I could not take the amendment to conference because I know that my committee, by an overwhelming vote, would be opposed to the amendment in its present form.

We shall have in the next session of this Congress legislation in regard to revisions of the National Defense Education Act program. I recommend that the Senator offer his amendment to that bill. I assure him that if he offers it to that bill, I will set hearings on the amendment, hear whomever he wishes to bring before the committee to testify, and he will have a full opportunity to convince the subcommittee of the merits of it, although our present prejudgment of it is that it should not be a part of this bill. We will consider it in committee hearings, and change our minds if we are convinced they should be changed.

Mr. MILLER. I appreciate the Senator's statement. As I understand the situation, if the bill passes in its present form, this entire area will be in conference.

Mr. MORSE. That is correct.

Mr. MILLER. All the loan provisions will be in conference.

Mr. MORSE. That is correct.

Mr. MILLER. So this particular proposal, so far as loans are concerned, would be something that could be in conference with other proposals that have to do with loans.

Mr. MORSE. Yes, if someone proposed it in conference, but I would be less than honest if I did not say I do not know of anyone who would propose it, and I could not agree to take it to conference. If someone raised the point in conference, because of the fact that the loan provisions would be in conference, that, too, would be in conference.

Mr. MILLER. I am not asking the Senator to take it to conference. I understand how he feels about it, and his assurance that hearings will be held if it is introduced, as it will be, at the next session. But on negotiation of differences between the conferees, I would hope that members of the Senator's committee would be open to other alternatives that might be suggested. This is one that I think could be considered, assuming that the Senate committee's position cannot be worked out in conference.

Mr. MORSE. The trust and obligation we owe to the Senate is to do the best we can to bring out a higher education bill that will meet to the greatest extent possible the needs of higher education.

Mr. MILLER. The committee unanimously approved the scholarship approach to the extent it is in the bill, and since this amendment represents strictly a loan approach, I can well understand why the Senator has had to say what he said. With respect to the loan provision, this is a loan repayment approach which, so far as the loans in the bill are concerned, I hope would be given consideration.

Mr. MORSE. There are loan provisions in the bill. That is the loan procedure we like. I am going to support our loan procedures. But if we should encounter opposition and objection, that matter would be under consideration, because the loan provisions would be in conference.

Mr. MILLER. I appreciate what the Senator has said.

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, has the pending amendment been disposed of?

The PRESIDING OFFICER. The pending amendment was withdrawn.

HIGHER EDUCATION BILL GOES TO THE HEART OF THE EDUCATION PROCESS: STUDENTS, TEACHERS, AND FACILITIES

Mr. YARBOROUGH. Mr. President, as a member of the Senate Education Subcommittee since 1958, and a coauthor of the National Defense Education Act of 1958, I have worked on and strongly supported every education measure that has been before the Senate in the past 7 years. During those years, the expenditures of the Federal Government on education have increased manifold. More important education legislation has been enacted in the recent past than throughout all the rest of our history. The higher education bill of 1965 is a worthy addition to this record.

The process of education always involves three necessary components: students, teachers, and facilities. This higher education bill goes to the heart of the educational problems facing us today because it comes to grips with each of these parts of the educational process.

The Senate Education Subcommittee spent countless hours on this bill, which in my estimation is one of the most comprehensive higher education bills ever to come before this body. Twelve days of hearings were held. The educators heard were among the most outstanding in the Nation. The subcommittee met in executive session 10 times. Forty-eight printed amendments were considered. The bill has been greatly expanded and, I feel, improved by the subcommittee. I wish to praise members from both sides of the aisle for the expertise and hard work which they brought to the task. Most of all, I wish to praise the distinguished chairman of the subcommittee, the senior Senator from Oregon, for the almost infinite patience and unfailing courtesy which he has shown at all times. He has always exhibited great leadership in improving American education, but never more than during the development of this bill.

THE STUDENT

There is one part of this bill which has been promised longer than any other. It has been promised for so long because it is a necessary part of the American way of life. It says that a man's background need not matter; it is his ability and will to get ahead that count. We will judge a man on what he is able to do and can do, not on his financial background.

Today, implementation of this creed demands that a boy or girl have access to as much and as high a quality education as his or her ability allow. Up until now this has been an unrealized promise. Figures developed by project talent show that in terms of aptitude, of the top 50 percent of boys graduating from high school, 37.9 percent of those from families with less than $3,000 annual income did not enroll in college. As the Senate committee report points out, the relationship between family income and college attendance is clear:

> In 1960, for example, 78 percent of all high school graduates whose families had incomes of $12,000 or more per year attended college. By contrast, only 33 percent of students in the $3,000 or less family income bracket went on to higher education.

We are therefore providing $70 million during fiscal year 1966 for a program of scholarships so that, through a combination of this grant aid, loan money, and part-time work, a needy student can go to college if he has the will and the ability. One hundred and forty thousand students will be able to go to college under the scholarship provision.

I emphasize that this grant is not a dole. Far from it, it is a small bit of aid which will mean the difference between a needy boy or girl going to college or not going to college. An average award will be about $500. When we consider that the average cost of attending college is above $1,600 in public institutions and over $2,500 in private institutions, we see just how small the grant is.

I ask unanimous consent to insert at this point in the RECORD a table from the committee report showing how needy students in different types of institutions will go about financing their educations through the use of NDEA loans, college work-study funds, summer work, and other sources in addition to the scholarships authorized under part A of title IV.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PACKAGING OF STUDENT ASSISTANCE IN 6 TYPES OF INSTITUTIONS OF HIGHER EDUCATION

TABLE A.—*Composition of assistance to a needy student with no parental support, by type*

	High-cost, private university	High-cost, private liberal arts college	State university	State college (commuters)	Public junior college (commuters)	Private technical institute (commuters)
NDEA loans	$800	$800	$350	$100		$300
Federal scholarship	500	500	500	500	$500	500
College work-study	600	600	600			
Student summer work (freshman and sophomore)	250	250	250	250	250	250
Institutional grants-in-aid	800	800				150
Other	400	150				
Total assistance	3,350	3,100	1,700	850	750	1,200

TABLE B.—*Expenses of the typical student, by category, in the same institutions*

	High-cost, private university	High-cost, private liberal arts college	State university	State college (commuters)	Public junior college (commuters)	Private technical institute (commuters)
Total expenses	$3,350	$3,100	$1,700	$850	$750	$1,200
Tuition and fees	1,750	1,500	250	150	50	500
Room and board	800	800	800	----------	----------	----------
Books and supplies	100	100	100	100	100	100
Transportation	300	300	150	200	200	200
Personal expenses and miscellaneous	400	400	400	400	400	400

Mr. YARBOROUGH. Mr. President, the promise of equal opportunity is further kept by the expansion of the college work-study program first authorized under the Equal Opportunity Act of 1964. Under this program, a needy student works part of the day so that he may go to school the rest of the day; $129 million is authorized for fiscal year 1966. Up to 285,000 students are expected to be able to work under this program this year.

With the ever-increasing cost of education, the financial burden of educating children has come to bear increasingly heavily upon middle income families. Because of their ability to pay, people from these groups should finance their own educations. However, since it is frequently very difficult for them to finance college study out of annual income, and since commercial credit is frequently available only at high interest rates and must be repaid in the same year in which it is borrowed, it seems advisable to have a program in which loans can be secured at a reasonable rate of interest and be paid back over a longer period of time than is now possible. The bill authorizes a program in which Federal payments will be made to State or nonprofit private loan insurance programs. In addition, the Government will pay 3 percent of the interest rate on these loans so long as the student comes from a family making less than $15,000 per year. The maximum interest rate allowed is 6 percent. With the enactment of this program, every college student in the Nation will have access to low interest loans with a reasonable period of repayment.

I am glad the distinguished chairman of the subcommitte is on the floor because the conference on the antipoverty bill in the House of Representatives begins in 15 minutes. I realize he will be required to leave and I wanted to ask him at this point about the effect of the guaranteed private loan provision of the bill.

Since its establishment in 1958 the NDEA student loan program has become an integral part of the institutional student aid program in more than 1,600 colleges and universities across the Nation.

Since then 750,000 students have gone to college under NDEA. The number of colleges has increased during that time from 1,600 to 2,100. At the time NDEA was passed less than 200 colleges had private loans. Today, about 1,600 colleges in America have loan programs for students; as many colleges as there were in 1958.

NDEA includes loans to students and repayment for students who go into teaching as well as suspension of payments for 3 years for those students who enter the Armed Forces, the Peace Corps, or who go to graduate school.

The need is going up rapidly, with 5,200,000 college students now, and an estimated 10 million in the next 10 years.

In my judgment the NDEA program is the best program this country has ever seen and better than the private loan program in this bill.

My question to the distinguished chairman of the subcommittee is this: Is it intended that these guaranteed loans by banks will in any degree slow down or lessen the National Defense Education Act program?

Mr. MORSE. No one on my committee has been a more able advocate of the strengthening of the national defense education program than the Senator from Texas [Mr. YARBOROUGH].

My answer to the question is the insured loan program set forth in the bill does not in any way signal either an elimination of the NDEA loan program under title II or amend it by weakening it in any respect.

For the legislative history, let me say this.

Since its establishment in 1958, the NDEA student loan program has become an integral part of the institutional student aid program in more than 1,600 colleges and universities across the Nation. The cancellation provisions for teaching service continue to be a significant factor in recruiting teachers not only for elementary and secondary schools, but now for our colleges and universities as well. Other aspects, including loans to part-time students, deferment of repayment for students who serve in the Armed Forces and the Peace Corps, suspension of payments for students continuing in graduate study—distinguish this from all other student loan programs, both State and private.

As we have stated in the committee report, the requirement for student assistance is so vast and is mounting so rapidly, that measures must be taken to stimulate and broaden the State efforts which in turn involve the private sector, that is, guaranteed loans from commercial sources. To this end, we propose in part B, title IV of the bill, a program of interest reduction in State and private guaranteed loan programs as a companion to the NDEA student loan program. Efforts of the institutions through the NDEA, efforts of the States through guaranteed programs, and efforts in the private sector through such organizations as United Student Aid Funds must all be continued and assisted if we are to make good on the promise that no student will be denied the opportunity for postsecondary education.

The Senator has nothing to worry about so far as continuation of the NDEA loan program is concerned.

Mr. YARBOROUGH. I thank the Senator. I hope that the NDEA fund will be increased this year. That is needed, with the rapidly growing enrollment. There is another point.

The bill was supposed to provide that in the case of a man being inducted into the armed services, the interest on his loan will continue to accrue, but that he as the borrower would be spared from repaying the installments of the loan. I am informed that that provision is not in the bill. We have had an amendment prepared by the Legislative Reference Service to provide for the deferment of the repayment of the principal for 3 years while the borrower is a member of the armed services or a volunteer in the Peace Corps. I ask that the amendment be stated. The amendment does not stop the interest payment, but it provides that the borrower will not have to pay the principal while he is in the service.

Mr. MORSE. I should first like to yield at this point to the Senator from Tennessee.

Mr. BASS. My remarks are not directed to the consideration of the amendment the Senator is offering. I wish to say that I support the proposed legislation as strongly as possible. As a result of a longstanding engagement, it now appears that I shall have to depart and will not be able to be present for the final vote.

I wish the RECORD to show that I support the legislation. I have been assured by the leadership and the manager of the bill that my vote will not be necessary to pass the bill. If that were not true, I would remain here. I wish to commend the distinguished Senator from Oregon for the work he has done in bringing this legislation to the floor. I give him all the support I can.

Mr. MORSE. I thank the Senator for his remarks. I wish to thank him for the great help he has been to me as we progressed with the bill through the various stages in committee. All of us on the committee deeply appreciate his support of Federal aid to education.

May I have the attention of the Senator from Texas for a moment? Will the Senator permit me to have 5 or 10 minutes to consider his amendment? I did not hear of his amendment until he announced it. I could not agree to take it to conference until I have studied it. In the meantime, unless the Senator from North Carolina has some remarks to make——

Mr. YARBOROUGH. I have not finished my remarks. I shall withhold my request for action on the amendment. I have remarks to make on other parts of the bill while the distinguished Senator from Oregon is waiting for a clarification of the amendment.

Mr. MORSE. Will the Senator yield briefly to the Senator from Connecticut?

Mr. YARBOROUGH. I shall be glad to yield briefly without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. I have an amendment that I wished to offer. I do not intend to press it to a vote, but I wish to speak briefly and make a record on it. I do not believe the Senator from Oregon can accept the amendment this year. Perhaps it will be accepted next year or at some later date. May I offer the amendment?

Mr. MORSE. Mr. President, under the circumstances, I believe it would be better if the Senator were to withhold it for the present until we conclude consideration of the amendment the Senator from Texas is offering.

THE TEACHER

Mr. YARBOROUGH. The second necessary component of education is the teacher. This bill will help provide more and better teachers. Part C of title V provides funds for 4,500 fellowships for this fiscal year. These will go both to young people just graduated from college, and to older teachers who have had some years of experience and who wish to go back and get their master's degrees. I again commend the distinguished Senator from Oregon, [Mr. MORSE] for the work which he has done on this program, which he has inspired from its inception.

Two distinguished members of the Senate Labor Committee, the distinguished Senator from Wisconsin [Mr. NELSON] and the distinguished Senator from Massachusetts [Mr. KENNEDY] have pointed the way into an imaginative new program for training new teachers and utilizing their skills in areas of great need at the same time. The National Teacher Corps will bring teaching teams comprised of an experienced teacher together with several younger, inexperienced teachers, to teach in areas that are marked by large concentrations of low income families, $36,100,000 is earmarked for this program during fiscal year 1966.

FACILITIES

Mr. President, an amendment which I had the honor to introduce and to cosponsor with Senators CLARK, LONG of Missouri, MCCARTHY, MORSE, PROUTY, and RANDOLPH, belongs really both to the categories of the teacher and of facilities. Its purpose is to upgrade the quality of teaching in American colleges and universities by authorizing matching grants for the purchase of special classroom and laboratory equipment. This is equipment similar to that now authorized for elementary and secondary schools under title III of NDEA.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mrs. NEUBERGER. I have been particularly interested in title III, and in the comment in the report that these colleges are poor and cannot become better. I hope that the bill will help that a great deal. I am interested in the audio visual program, and I should like to know what it includes. For instance, there is a long list of motion picture films that are being produced commercially. I believe Indiana University is noted for its production of educational material. I see the Senator from Indiana on the floor, and he is nodding his head. I can remember from my teaching days using that kind of material.

Is it the intent of the committee that matching funds under the use of audio visual material would be available for even professional motion picture films?

Mr. YARBOROUGH. There are two parts of the question of the distinguished Senator from Oregon. The first is, What does this equipment consist of? The second is, Is it to be used on a professional level?

Educators have testified—and their testimony is included in these three volumes on my desk—that we are at the beginning of a revolution in teaching in America. They showed us pictures of a science laboratory, showing a scene in which the teacher, instead of teaching in the old-fashioned way, has the students go to a booth or a table. There he puts on headphones and turns on his own TV. The teacher goes around from student to student, giving aid where needed. It has been found that in this way a student can learn 40 percent more in a given time than with the old method using the table or laboratory method.

We are at the beginning of a revolution in the techniques of teaching. New methods of imparting knowledge and stimulating inquiry, of sharpening minds, of exercising reasoning ability, of giving vent to the creative energies of students, of making education more meaningful and more efficient, are the fruits of tremendous and imaginative effort being carried on by our Nation's educators. Much of this requires equipment of one kind or another, such as films, language and listening laboratories, closed circuit television, video tapes, self-instruction equipment, and many other types of equipment. Completely new classrooms have been designed so that even in a fairly large class, a student can have a sense of participating by responding to questions and by participating in experiments and exercises of various kinds, rather than passively listening to a lecture.

These new techniques of learning are intended to make of education a more vivid experience. They are intended to enhance the effectiveness of the teacher. They are also aimed at freeing the teacher from many of the details of teaching, so that he can devote more individual time to the students. One of the student's major complaints is that he has too little contact with his teachers. The new media can give the teacher more time to devote to individual contact with students.

But the new media are expensive to purchase. Therefore this amendment has been adopted, so that poorer colleges can get assistance in raising the quality of their teaching. Title VI authorizes $35 million for fiscal year 1965 for matching grants to colleges for this purpose. For the most needy colleges, grants of up to 80 percent are authorized.

Also authorized in title VI are funds for the purchase of closed circuit TV, for a faculty development program which is the college-level counterpoint of title XI of NDEA, and for administration of State plans.

Through this amendment colleges all across America, regardless of their financial resources, will be able to invigorate their teaching.

Mr. President, I ask unanimous consent that the explanation of title VI appearing in the committee report and the remarks which I made when introducing this amendment on July 6, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TITLE VI

Title VI has been added to the bill by the committee. This title deals directly and specifically with improving the quality of instruction in our college classrooms. It helps meet what the President has described, in his initial education message, as one of the most pressing needs in creating an adequate educational system: "techniques of instructions that are modern."

The bill as introduced did not deal, in exact terms, with this most important problem. However, the committee heard testimony from informed educators which revealed that, although in the past Congress has enacted various programs providing substantial sums of money to build college classrooms and facilities and to aid individual students, the questions of quality and excellence in college teaching techniques themselves and the adequacy of college materials and equipment to permit such quality instructions have been left unattended. This has been a particularly serious problem in small schools which have inadequate budgets to purchase modern teaching materials.

This title is aimed at those colleges and universities—both public and private—which are trying to improve themselves but which, because of lack of financial resources, are unable to participate in the educational revolution which is being brought about through the use of the new techniques for learning.

Our more affluent colleges and universities have found ways of increasing the quality and quantity of their educational offerings through the use of such things as closed circuit television, films and filmstrips, modern science, language and listening laboratories, and self-instructional laboratories. In the process, these institutions have found it possible to free teachers from the more mechanical aspects of imparting information, and to make possible more effective teacher-student relationships. However, these opportunities have been denied to many small and less well-financed institutions.

Moreover, title III of the National Defense Education Act of 1958 has had a most laudatory effect on the use of new instructional media in the elementary and secondary schools. However, it has created an imbalance in our educational system. Today's college freshmen were sixth graders when the NDEA became law. Because of NDEA, many of them have graduated from high schools that are relatively well equipped with these new teaching devices and materials. But today, these students often find themselves in colleges that have not benefited from similar legislation. Thus, many of today's college freshmen face a regression in instruction, instructional media, and instructional techniques.

Another significant aspect of this imbalance was also pointed out in testimony before our subcommittee. For 7 years our colleges have been training teachers for positions in schools whose instructional programs have been improved with NDEA funds. But in most cases these colleges themselves have been providing instruction by the use of instructional techniques that have changed very little since long before 1958—and teachers tend to teach not as they were taught to teach, but as they were taught.

Clearly, there are vast added responsibilities facing all institutions of higher education. College enrollments in this country have increased from 2.4 million students 10 years ago to 4.8 million in 1964, and by 1973 there will be an estimated 8 million students in institutions of higher education. Numerical expansion has spread the limited materials and equipment to the point where the quality of educational content has suffered severely. Recent and rapid advances in our knowledge of science threaten to render many existing teaching materials and equipment obsolete.

As noted, this "quality gap" is occurring, ironically, at a time of significant breakthrough in the development of new techniques of instruction. The use of the audiovisual materials, closed circuit television, and other teaching aids has been shown to aid the teacher greatly in instructing students in a meaningful fashion.

Further, we have seen that the availability of adequate laboratory and other equipment in our classrooms can transform an otherwise abstract subject into interesting and beneficial learning experiences. These new media of instruction can enhance the effectiveness of a teacher and give him more time to devote to his students.

To meet these needs, title VI has been added to S. 600 to improve the quality of college classroom instruction in selected subject areas.

The title is divided into two parts.

Part A authorizes the Commissioner of Education to make matching grants to institutions of higher education for the acquisition of laboratory and other special equipment, including audiovisual materials and equipment for classrooms or audiovisual centers, and of printed and published materials—other than textbooks—for classrooms or libraries. Such equipment and materials are to be suitable for providing education at the undergraduate level in the following subjects: Science, mathematics, foreign languages, history, geography, government, education, the arts, English, and other humanities.

Equipment and materials to be acquired under this program are generally similar to those now being acquired under title III of the National Defense Education Act as amended. They would include equipment for science, language, mathematics, and other laboratories; audio visual equipment, such as projectors, screens, recorders, and the like; specialized equipment for audiovisual centers; and audiovisual materials, including films, filmstrips, transparencies, slides, tape and disk recordings, and other materials now existing or to be developed. Necessary minor remodeling of classrooms or other space is authorized.

It is specifically not the intention of this title to provide funds for basic scientific research, for graduate studies, or for advanced professional research. The purchase of electronic computers would not be authorized. Nor would television equipment be included under section 601(b) since it is provided for separately in section 601(c). Printed and published instructional materials, such as maps, charts, encyclopedias, and similar materials (other than textbooks) would be included. The printed and published materials to be provided here are to be specialized materials for classroom instructional purposes, although they may be housed in the library or instructional materials center of the institution. This title will also permit the acquisition of materials to be used in education courses for demonstration purposes.

Expenditures authorized for the acquisition of this equipment would be $35 million for the fiscal year ending June 30, 1966; $50 million for the year ending June 30, 1967; and $60 million for each of the 3 following fiscal years.

This part also authorizes matching funds for the acquisition of closed-circuit television equipment for use in instruction in the above subject fields. These funds can be used for necessary engineering studies, equipment acquisition, and acquisition (including purchase, lease, or rental) of instructional materials for use on such equipment, and minor remodeling necessary for such television equipment. Equipment would include that which is designed for fixed-service instructional television, as defined by the Federal Communications Commission, but it would not include regular broadcast television equipment.

The expenditures authorized for such closed-circuit TV equipment and materials would be $2.5 million for the fiscal year ending June 30, 1966, and $10 million for the fiscal year ending June 30, 1967, and for each of the following 3 fiscal years.

The allotment formula is intended to reflect both the relative numbers of students enrolled in institutions of higher education in the various States and the relative per capita incomes in the various States. There is a direct relationship between the number of students enrolled in institutions of higher education in a State and the size of the State's allotment. There is an inverse relationship between a State's relative per capita income and the size of the State's allotment.

Half of the funds appropriated for any fiscal year shall be allotted among the States so that the allotment to each each State will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in that State bears to the total number of students enrolled in such institutions in all the States.

The remaining one-half of the funds shall be allotted so that the amount of this one-half which each State receives shall be an amount which bears the same relationship to this one-half as the product of (a) the number of students enrolled in institutions of higher education in that State and (b) the State's allotment ratio bears to the sum of the corresponding products for all the States. The allotment ratio for any State shall be 1 less the product of (i) 0.50 and (ii) the quotient obtained by dividing the income per person for the State by the income per person for all the States (not including Puerto Rico, the Virgin Islands, American Samoa, and Guam), except that the allotment ratio shall in no case be less than 0.33⅓ or more than 0.66⅔. This second part of the formula is the same as that of title I of Public Law 88–204.

Administration of part A at the State level would be by State commissions, presumably by the same agency which administers the Higher Education Facilities Act at the State level, but it can be another agency. Federal grants will normally be available on a 50–50 matching basis. However, in order to permit institutions of limited means to participate, a State commission may increase the Federal share up to 80 percent of such cost for a particular institution proving need. This will give the States the means to plan their programs of higher education with sufficient flexibility so that they can encourage developing institutions, placing emphasis on excellence, quality of classroom instruction, and strengthening of substance in specific subject areas. The purpose of assigning administration to a State agency is to authorize and encourage long-range State plans for the development and coordination of activity in these areas.

The sum of $1 million per year is authorized for the fiscal year ending June 30, 1966, and for each of the 4 succeeding fiscal years, for the purpose of assisting the States in financing expenditures incurred in the proper and efficient administration of the State plans.

FACULTY DEVELOPMENT PROGRAMS

Part B of this title authorizes the Commissioner of Education to arrange, by means of grants or contracts, for institutions of higher education to operate short-term workshops, or short-term or regular session institutes for individuals who are engaged in, or are preparing to engage in, the use of educational media equipment in teaching in institutions of higher education, or who are, or are preparing to be, specialists in educational media in higher education, or librarians or other specialists using such media in institutions of higher education.

This part would provide for workshops and institutes to train faculty personnel, educational media specialists, librarians, and others, in the utilization of the new educational media for the improvement of instruction. Activities conducted under this part might include workshops of only a few days' duration, or short-term or regular session institutes.

An authorization of $5 million would be provided for the fiscal year ending June 30, 1966, and for each of the 4 following fiscal years, to carry out the provisions of this part.

IMPROVING THE QUALITY OF INSTRUCTION IN HIGHER EDUCATION: AN AMENDMENT TO THE HIGHER EDUCATION BILL

AMENDMENT NO. 311

Mr. YARBOROUGH. Mr. President, one thing which the hearings on the higher education bill made very clear is the need for higher quality instruction in our institutions of higher education. Simply educating larger numbers of people is not enough. We must educate larger numbers of our young people and improve the quality of their education at the same time.

The situation in the colleges has been graphically described by Sidney Hook in a recent article in the New York Times magazine:

"The irony of the situation is that students in our mass institutions of learning suffer today far more from the failure of faculties to attend to the students' individual educational needs than from alleged suppressions of their freedom of speech. The students' freedom to learn is frustrated by crowding, inferior staffing, and by the indifference of many faculties to the best methods of classroom teaching. Colleges still operate on the absurd assumption that anyone who knows anything can teach it properly. It is an open scandal that the worst teaching in the American system of education takes place at the college level. In some universities, large introductory courses where skillful teaching is of critical importance in arousing student interest are turned over to young, inexperienced graduate assistants at the outset of their careers who stumble along by trial and error and groping imitation of the models of teaching they vaguely remember." ("Academic Freedom and the Rights of Students," by Sidney Hook, New York Times, Jan. 3, 1965.)

Increasing opportunities for education and at the same time improving the quality of education is obviously a very large order. Fortunately many of our outstanding educators have been hard at work on the problem. They have investigated the learning process. They have studied conventional methods of teaching to find where the weak points lie. They have experimented with new methods of instruction. Out of this research have come some of the most significant advances in the theory and practice of education in the entire history of education. These advances are truly a product of the 20th century. They draw upon recent discoveries in the psychology of learning. To these they apply many of the resources available through modern technology—closed circuit television, radio, films, languages, and listening laboratories, programed instruction, self-instruction laboratories, and video tapes—to create new approaches to education which have advantages not found in more conventional methods and which can meet many of the problems created by the need to improve quality at the same time that we are increasing quantity.

One of the major problems facing higher education today is a shortage of good teachers. Intelligent use of the new media of communication can enhance the effectiveness of a good teacher. For instance, experience has shown that if courses are organized so that one or two meetings per week are held in large groups and one or two in small groups, an experienced professor can conduct the large group courses and reach many more students than if he taught only small courses. Use of the new media can make the large group lecture a very effective method of instruction. This phase of the course serves both to impart information to the student and to provide incentive for further study by the student on his own. Films and demonstrations employing the new media can further this purpose admirably. In the small group sessions, and especially in science courses, self-instruction laboratories, programed instruction, and other forms of the new media can free teachers from much mechanical and unimportant work so that he can spend more time with individual students. In this way the teacher can give closer attention to the varying needs and abilities of his students on a more personal basis. This is of vital importance in education today. The complaint most frequently voiced by college students is that they never get to know their teachers and that they feel like faceless cogs in one of the gears of an impersonal educational factory. These new media of communcation are not intended to replace the teacher but rather to enhance his effectiveness and to give him more time to devote to his students.

Many of our more affluent universities are making intensive use of the new media. The U.S. Air Force Academy has a magnificent instruction-centered closed circuit TV center. Many of our richer colleges have language laboratories. The University of Illinois has a computer-controlled teaching system. However, while our top universities are going ahead, many of our less affluent institutions do not have sufficient financial resources to make use of the new media.

A study conducted by the University of North Carolina found the following major deterernts to the use of new media:

First. Limited financial support for purchase or rental of materials.

Second. Suitable materals not available for college use.

Third. Lack of information on college materials.

Fourth. Lack of technical assistance for preparing materials.

Fifth. Lack of time to locate good materials.

Sixth. Lack of adequate facilities for showing materials.

Seventh. Films, equipment, or operators unavailable when needed. New Media in Higher Education, page 140.

THE ECONOMICS OF INSTRUCTIONAL MEDIA IN HIGHER EDUCATION

Media is expensive to purchase. This much is clear. In the few large institutions with fully equipped media resources, expenditures average $12 to $15 per student.

Purdue University has one of the outstanding example of effective use of new media to be found anywhere in the country. It is a biology course taught by Prof. Samuel Postlethwait, who testified before our subcommittee in the hearings on the higher education bill. His audio tutorial system, involving a variety of equipment, specimens, self-instruction, laboratory experiments, and self-teaching sequences of study, experimentation, and testing, required the purchase of $25,000 of equipment. With this expenditure, however, Dr. Postlethwait was able to reduce overall instructional costs from $15 to $12 per student credit hour, to accommodate 120 more students per year, to teach 50 percent more content, and to achieve significantly higher levels of student achievement. At this point it is important to keep in mind that the primary factor in the success of this course was Dr. Postlethwait's outstanding skills as a teacher, not the media itself. The teacher remains the most important factor. The use of the new media of communication are only adjuncts to enable the teacher to be more effective. * * *

Mr. Yarborough. Mr. President, Congress has seen the wisdom of aiding elementary and secondary schools to strengthen instruction by purchasing equipment of the type here discussed. Title III of the National Defense Education Act authorized matching grants for this purpose. This provision has had a salutary effect upon elementary and secondary education. A report on the National Defense Education Act issued in November 1964, by the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, describes the experience under title III in the following terms:

"The second largest single amount—27 percent of total National Defense Education Act expenditures—has gone to strengthen subject areas of critical importance in today's rapidly changing scientific and technological climate. More than $290 million went to States and territories on a 50–50 matching basis to improve instruction in science, mathematics, and modern foreign languages in public elementary and secondary schools. For the same purpose, private elementary and secondary schools received loans for approximately $3.6 million. In 1958, there were 46 language laboratories; today there are almost 7,000. Some 280,000 local public school projects have been approved for acquisition or remodeling of equipment and materials for instruction in these subjects. Before the National Defense Education Act, States employed at the State agency level only 33 specialist supervisors; now they employ 227."

The Elementary and Secondary Education Act places renewed emphasis upon modern techniques of instruction. The Senate committee report acknowledges that, in meeting the needs of culturally deprived children, "new techniques of instruction and educational innovations offer promise of increasing the educational opportunity of elementary and secondary students." The committee noted:

"Hopefully their use will broaden as a result of this legislation."

Thus, we are caught in a paradox. We are providing for increased use of new media of communication in teaching at the elementary and secondary level, but we have taken no such action with regard to higher education. The Senate recognized this inconsistency in the 87th Congress, when this body passed S. 2345, a bill to make applicable title III of the National Defense Education Act to colleges. Unfortunately, the House Rules Committee refused to grant a rule; this blocked a conference and the measure died. Nevertheless, the Senate legislative record provides clear justification for such a program.

Senate Report No. 652, 87th Congress, 1st session, described the terms of this proposal:

"To provide assistance to colleges and universities comparable with that now available to elementary and secondary schools; i.e., matching grants for publicly controlled institutions and loans for other nonprofit institutions for the purchase of teaching materials, and for minor remodeling of space therefor, equipment in the fields of mathematics, science, and modern foreign languages, technical courses, and physical fitness."

In its report, the Senate committee recognized the relationship between educational improvement and the availability of instructional techniques that are modern. It sought to apply this experience to higher education.

"Hearings on the National Defense Education Act held in 1958 brought out clearly the needs of the colleges and universities for teaching equipment in selected fields. A more recent survey conducted by professional societies for the National Science Foundation confirms the inadequacies of college and university laboratories. Clearly, recent and rapid advances in our knowledge of science threaten to render many existing teaching materials and equipment obsolete. Through activities undertaken under the authority of title VI of this act, major changes are taking place in the teaching of modern foreign languages. The availability of Federal funds for the purchase of teaching equipment would do much to remedy a situation which is already unsatisfactory and promises to deteriorate further."

Now that Congress is considering a higher education bill, the opportunity is before us once again to end this curious disparity. Pursuant to this purpose, I am introducing an amendment for myself and Senator Clark, Senator Morse, Senator Prouty, and Senator Randolph.

All the cosponsors of this amendment are members of the Education Subcommittee, who, having heard testimony from distinguished educators as to the need for aid to higher education for the purchase of equipment, and who, having devoted considerable time to studying the feasibility of such a provision, are convinced that the higher education bill should be amended to include such authorization.

Part A of my amendment authorizes the Commissioner of Education to make matching grants to institutions of higher education for the acquisition of laboratory and other special equipment, including audiovisual materials and equipment for classrooms or audiovisual centers, and printed and published materials—other than textbooks—for classrooms or libraries suitable for use in providing education in science, mathematics, foreign languages, history, geography, government, English, or education at the undergraduate level in institutions of higher education. This part also authorizes funds for planning studies related to the use of closed circuit television in the above fields in institutions of higher education.

Administration at the State level would be by State commissions. Presumably this commission would be the same agency which administers the Higher Education Facilities Construction Act at the State level, but it can be another agency. The purpose of assigning administration to a State agency is to authorize and encourage long-range State plans for the development and coordination activity in this area.

Part B of the amendment authorizes funds to support short-term or regular session workshops for individuals who are engaged in or preparing to engage in, the use of educational media equipment in teaching in institutions of higher education. This is an integral part of the proposal, since the equipment by itself is worthless. It is merely an aid to the teacher. There is precedent for this provision in title XI of the National Defense Education Act. However, workshops in that act are limited to teachers of teachers and of disadvantaged youth, library personnel, and media specialists all at the elementary and secondary level. The provision in my amendment covers all teachers and media specialists in institutions of higher education.

Mr. YARBOROUGH. The second question is about——

Mrs. NEUBERGER. About the curriculum material, but I think the Senator has answered it. I was afraid that somebody might decide that curriculum materials meant only books, but the Senator from Texas has explained very well to me that he understands that all the teaching tools of modern teaching will be included.

Mr. YARBOROUGH. It is the intent of the committee to provide funds for equipment to help the faculty members within a college or a unversity do a better job of teaching their students. The schools will be supplied with the equipment necessary to teach the students.

To the extent that a university needs the equipment necessary to produce the materials required to meet the needs of its faculty, these funds could be used for production equipment. It is not intended that a school should become a professional film company, filming motion pictures to compete with the private sector of the motion picture industry. The intent is to provide the simpler and less elaborate types of equipment needed to produce transparencies, slides, and similar items. Other equipment for instructional materials, such as equipment needed to store, maintain, and circulate instructional materials would also be included. Generally, professional type motion picture equipment would not be included.

The committee had a demonstration by representatives from the school district of San Diego, Calif., one of the most advanced in the country, on the use of these materials. They have a central laboratory for the storing of films. They have motion picture projectors, slide projectors, and different kinds of machines assigned to classes on a rotating basis, and the various teachers are themselves trained to use multiple types of equipment to teach.

The whole thrust of the proposed legislation is toward the less affluent, needy colleges which cannot now buy the equipment. They need it both for everyday classroom instruction and to teach the students how to use it.

Mr. MORSE. Has the Senator called up his amendment?

Mr. YARBOROUGH. Mr. President, I call up my amendment.

I ask unanimous consent that the amendment not be read, but that it be printed in the Record. Then I shall make an explanatory statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 132, lines 16 and 17, strike out "except that (i)" and insert in lieu thereof "except (i) as provided in clause (C) below, (ii) that".

On page 132, line 19, strike out "(ii)" and insert in lieu thereof "(iii) that".

On page 133, between lines 2 and 3, insert the following:

"(C) provides that periodic installments of principal need not be paid, but interest shall accrue and be paid, during any period (i) during which the borrower is pursuing a full-time course of study at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, (ii) not in excess of three years, during which the borrower is a member of the Armed Forces of the United States, or (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, and any such period shall not be included in determining the ten year period or the fifteen year period provided in clause (B) above."

On page 133, line 3, strike out "(C)" and insert in lieu thereof "(D)".

On page 133, line 18, strike out "(D)" and insert in lieu thereof "(E)".

On page 133, line 22, strike out "(E)" and insert in lieu thereof "(F)".

On page 134, line 1, strike out "(F)" and insert in lieu thereof "(G)".

Mr. YARBOROUGH. Mr. President, the amendment provides that when a student has secured a loan through the private sector of our economy, from a private bank or other institution, the Government will advance funds, normally to a State or private nonprofit institution, to insure the loan and interest thereon to a maximum allowable interest of 6 percent. If he can borrow the money at less interest, well and good, but the maximum allowable will be 6 percent, 3 percent to be paid by the Government and 3 percent by the student.

Without this amendment, if a student is called to the armed services while he is in school, he will have to pay the installments on his loan while he is in the armed service. The amendment provides that during the first 3 years, the principal of the loan is not collectible, but that the installments will be payable during his military service.

Mr. MORSE. Can the Senator assure me that there is no provision in the House version of the bill that covers the Senator's amendment?

Mr. YARBOROUGH. Staff members who have been investigating that question assure us that the House bill contains no such provision now. The bill contains 214 pages. The question raised by the Senator from Oregon was called to my attention, for the first time this afternoon on the floor of the Senate. Frankly, although I have glanced through the report, I have not been able to read all of it in that period of time.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. YARBOROUGH. I yield to the Senator from New York.

Mr. JAVITS. The Senator's amendment sounds to me like an amendment we ought to consider.

Mr. YARBOROUGH. It was intended to have been included in the bill.

Mr. MORSE. I will take it to conference, unless I am getting locked in. I want to be sure it is a conference matter, not a settled matter. With the understanding that is a conference matter, I am willing to agree to take it to conference.

Mr. YARBOROUGH. I shall appreciate such action by the distinguished Senator from Oregon.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

LIBRARY PROGRAM

Mr. YARBOROUGH. The facilities of the Nation's colleges are further upgraded by other parts of the bill. The Higher Education Facilities Act is improved by a broadening of the categories of construction permissible. For fiscal year 1966, the authorization for 4-year colleges is increased by $100 million and the authorization for graduate schools by $60 million.

One of the most necessary parts of the bill is the library program, title II. In terms of the number of volumes, adequacy of staff, and operating expenditures, the 4-year and 2-year colleges of America have a total dollar deficiency in their libraries of $620,394,074. The bill provides for a 5-year expenditure of $50 million a year to buy books for colleges, and to train librarians both in library usage and in research.

The Nation's developing institutions, those colleges which are making efforts at improvement, but are too poor for good instruction, are given help. For fiscal year 1966 we provide $25 million for 4-year colleges, an equal amount for 2-year colleges, and $5 million to be placed in either category at the discretion of the Commissioner of Education. This is to aid weak colleges in improving their teaching and their service.

The Higher Education Act reaches into almost every facet of American higher education. This is education for the sake of education, not for the sake of some governmental need, such as has been the case sometimes in the past.

EXTENSION SERVICES

One other noteworthy section of the bill deserves mention. Title I authorizes $25 million for fiscal year 1966 for college and university extension and continuing education. This title extends university extension services, tried and proven in the area of urban problems. This new program offers great promise.

During the 1930's, a great battle of ideas stirred American higher education. John Dewey was the chief spokesman for the side that said higher education should be involved in the real world. As applied to American higher education, his philosophy stressed the empirical and the experimental.

On the other side was Robert Hutchins of the University of Chicago. He stressed intellectual excellence, which he felt could best be gained by studying the wisdom of the ages; metaphysics was at the heart of his philosophy.

There is something of both philosophies in this bill. The extension title extends American higher education into what should come to be a great involvement in the problems of urban America. Other parts of the bill, such as the library title, increase the opportunities for our students to learn of the wisdom of the ages. This is as it should be. There is a place in education for involvement with the everyday world. But there should be opportunity for detachment and reflection also.

And finally, Mr. President, to illustrate what this bill will actually mean for the people of a State, I would like to indicate the benefits which the higher educational system of my State will receive. Needy Texas students will receive $4,162,430 in scholarship funds. To further finance their education, they will benefit from $7,670,763 in college work-study funds, by which they can get a part-time job while they attend school. For the purchase of equipment to improve the quality of instruction in Texas schools, $3,986,698 is provided.

Mr. PROUTY obtained the floor.

Mr. JAVITS. Mr. President, I ask unanimous consent that the Senator from Vermont may yield to me for the purpose of proposing an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I call up amendment No. 429, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

CHANGE IN INTEREST RATE FOR TITLE III LOANS

Sec. 703. (a) Subsection (b) of section 303 of the Higher Education Facilities Act of 1963 is amended by inserting "(1)" after "shall bear interest at", and by inserting before the period at the end thereof a comma and the following: "or (2) the rate of 3 per centum per annum, whichever is the lesser".

(b) The amendment made by this section shall be applicable only with respect to loans made after the date of enactment of this Act.

Mr. JAVITS. Mr. President, I call up my amendment No. 429. The purpose of this amendment is to bring the interest rate on loans for academic facilities under title III of the Higher Education Facilities Act—Public Law 88-204—in line with that which now obtains under the parallel program of college housing loans. As you know, in the Housing Act of 1965—Public Law 89-117—we reduced the rate on college housing loans from $3\frac{7}{8}$ to 3 percent. It is even more important that the rate on loans for classrooms, libraries, and laboratories be similarly reduced. Academic facilities are not self-liquidating as are dormitories and dining halls for which board and room charges are made. To liquidate a classroom loan the repayment must come from operating funds, tuition increases, or special fees, and thus, ultimately from the students themselves. This makes it mandatory that the interest rate be as low as possible.

The first 7 months of operation under title III of the academic facilities program, during which loans in the amount of $107 million were made to 133 institutions, indicated that the great majority of the loans went to private institutions and that our public institutions found it of little value because of the relatively high interest rate. Some States have passed enabling legislation to permit their State institutions to borrow under the program but have been hampered in developing economically feasible loans because of the interest rate.

In some cases there are combined projects in which the lower floors are financed under the academic facilities program at $3\frac{7}{8}$ percent and the upper floors for dormitory purposes are financed under the college housing program, at 3 percent. Obviously, the same rate should apply to both parts of the facility.

The difference between 3 and $3\frac{7}{8}$ percent, small as it may appear to be, can easily make the difference between an economically feasible loan and one which can be a heavy burden on a hard-pressed college or university. For example, on a loan of $800,000, which is the average size of a classroom loan, the annual repayments of principal and interest over a 30-year period amount to $40,816 at 3 percent, whereas at $3\frac{7}{8}$ percent they amount to $45,568. You can well imagine that most of our colleges and universities have many places where they could use $4,752 annually, or $142,560 over the 30-year period, rather than to expend it in interest payments.

If the academic facilities loan program under title III is to be of maximum usefulness which we intended it to be, and as the college housing program has been over the years, these loans should carry the same interest rate.

The bill as it came from the House of Representatives does not have a similar provision. The only purpose of my amendment is to equalize the 3-percent interest rate now provided for college housing loans, to wit, on dormitories, with the interest rate on college classrooms. If anything, the case is stronger for college classrooms than it is for dormitories. The amendment will not be locked into the bill; I just want to get it before the conference.

Mr. MORSE. I am willing to take the amendment to conference. I ask that the Senate adopt it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. PROUTY. Mr. President——

Mr. MORSE. Will the Senator from Vermont yield for a moment, so that the manager of the bill may explain the situation in which he finds himself? I had promised, some 20 minutes ago, to let the Senator from Connecticut [Mr. Dodd] make a statement. I understand that he does not wish to offer his amendment, but desires to make a statement about it, and that he will take only a minute or two.

Mr. PROUTY. May I inquire how long the Senator from Connecticut will speak?

Mr. DODD. Three minutes.

Mr. PROUTY. I am missing a conference on the poverty bill now.

Mr. DODD. My remarks will not take 3 minutes.

Mr. President, I urgently ask the Senator from Oregon to read my amendment, although I do not propose to offer it. Neither shall I ask for a vote upon it. Although I shall withdraw it, I wish to have it appeared in the Record. It has to do with tax relief for parents of children in college.

I have offered a similar amendment for 11 years, both in the House and in the Senate. It contains a special feature which makes it different from that offered by the Senator from Indiana or my colleague from Connecticut [Mr. Ribicoff], and it is this part, I think, which is the most important. It has to do with the giving of relief to students who have had to borrow money and who, in the years after graduation, should have some consideration.

I ask the Senator from Oregon to examine the amendment, and I know he will. I know that it cannot be adopted this year; but understanding the compassionate nature and the interest of the Senator in the advancement of education, I know he will take a good and serious look at it.

The purpose of this amendment is to provide a tax deduction for the higher education expenses of a taxpayer or his dependents up to a maximum amount of $1,200 per student per year.

My amendment also provides a special relief provision for those who must borrow funds to pay their higher education expenses.

To the taxpayer who must borrow funds to pay higher education expenses, my amendment offers the option of deducting the amount of such expenses either in the year they are paid or in the year the loan is repaid. A parent or student will thus have the benefit of an income tax deduction during the years he needs it most—during the years the loan must be repaid.

I think it very appropriate to offer this amendment to the Higher Education Act. This bill emphasizes assistance to college students from low- and middle-income families. It provides scholarship grants, loan guarantees and subsidies to defray the interest payments on college-expense loans.

These provisions are laudable and necessary if every American child is to have the chance for the education his talents merit.

But this help does not go far enough. It only partially recognizes and alleviates the tremendous and increasing cost of college education for every American family. That rapidly spiraling cost is imposing an extraordinary burden on American families.

Between 1952 and 1964, the average cost of room, board, and tuition at private colleges increased by 86 percent, to $2,049 a year.

The cost of attending State colleges rose by 50 percent to $1,044 a year, during the same period. And comparable increases are projected for the next decade.

For over 10 years, as a Member of the House and of the Senate, I have tried to focus attention on the need for fairer tax treatment of those who are paying these high costs of education.

And during each Congress in which I have served, I have introduced legislation of my own to extend tax relief to parents and to students who are putting themselves through school.

Congress has long recognized that the expenses of doing business, the expenses of producing income, and certain expenses necessarily connected with employment should be deductible from one's gross income. Recently we extended such tax relief to the expenses of moving to a new locality for employment. But we have yet to give fair treatment to the expenses required to prepare a person through a higher education to earn an income.

And tax relief for higher education which does not deal with the borrowed debt aspect of education costs will fall short of helping many who need help most.

It is little or no help to a student who pays his own way but has little taxable income that his tuition is tax deductible. But he will need tax relief when he graduates with a burden of debt on his shoulders which he must pay back during his first and perhaps lowest earning years.

Likewise, parents who sacrifice throughout the youth of their children to finance their higher education should not have to face both the loss of income tax exemptions and the unrelieved repayment of educational loans when those children finally graduate.

The need for higher education tax relief containing such a provision is urgent. More and more families are being forced to invade their life savings and even to mortgage their future by borrowing more than $200 million from Federal, State, and commercial institutions this year alone.

Mr. President, I have no illusions about the possibility of my amendment being accepted by the Senate today.

Many other Senators, most prominent among whom has been my distinguished colleague from Connecticut, Senator RIBICOFF, have introduced legislation to grant tax relief for college expenses and I have joined in these efforts.

Time after time we have offered bills and amendments like the one I offer today only to be put off with the promise that hearings will be held on the question next session. And time after time such hearings have not been held.

Whether or not the amendment is accepted by the Senate today, I intend to continue to seek tax relief for the expenses of college education until the Congress finally enacts this just and necessary legislation.

Mr. President, I shall not ask for a rollcall vote on this amendment.

As I indicated to my able colleague from Connecticut [Mr. RIBICOFF] earlier today, we are in agreement that the orderly progress of the higher education bill should not be put in jeopardy.

But we should continue to focus attention on this problem of spiraling education costs and this tax deduction or tax credit approach to helping lower- and middle-income families meet these expenses.

It is for this reason that I have brought up my amendment today. I expect to continue to do so in the future, until some satisfactory steps are taken.

Mr. MORSE. I appreciate very much the parliamentary situation in which the Senator from Connecticut finds himself. I spoke with the Senator's colleague [Mr. RIBICOFF] earlier this afternoon about this amendment, and it is my understanding that the Senators from Connecticut are not going to press for passage of this bill, but they do intend to press for it at the beginning of the next term of this Congress.

As the Senator knows, to date I have remained unconvinced. I am unconvinced today, and I would have to urge that the Senate reject this amendment. My views are pretty well set forth in a memorandum I have from the Department of the Treasury, and I ask unanimous consent that that memorandum be set forth at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., September 2, 1965.

Hon. LISTER HILL,
Chairman, Labor and Public Welfare Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the attitude of the Treasury Department to the bill, S. 12, introduced by Senators RIBICOFF and DOMINICK as well as others. It is my understanding that this bill will be introduced as a possible amendment to the higher education bill.

The Treasury Department is strongly opposed to this legislation.

At levels of college enrollment and tuition expected for the school year 1965–66, this amendment would involve a revenue loss of $1 billion. This money would go almost exclusively to those families who have sufficient resources in the first place to send their children to college, and thus it makes a negligible contribution to getting more children to college.

Briefly, the bill S. 12 provides a graduated credit for college tuition, fees, books, and supplies. The credit is 75 percent on the first $200, 25 percent on the next $300, and 10 percent on the next $1,000, with a maximum credit of $325. The credit is reduced by $1 for each $100 of income in excess of $25,000. No credit is allowed for taxpayers with income in excess of $57,500.

The credit is available with respect to payments for education above the 12th grade for the taxpayer or for any other individual whether or not a dependent.

The expenses of education used in determining the credit are reduced by amounts received as a scholarship, fellowship, or as an education or training allowance. The credit applies to expenses for higher education for degree candidates for credit courses, and for nondegree candidates, the courses must be necessary to meet the requirements of an identified educational, professional, or vocational objective. If the credit exceeds the amount of tax liability, no refund is allowed.

The most serious problem in higher education today is the large percentage of capable students who do not enter college or are forced to leave college because of inadequate financial resources. If a child graduating from high school is in the top quarter of his class with respect to ability, his chances of not going on to college are four times greater if his family's income is under $3,000 than it would be if his family's income is over $12,000. This is the real problem of college costs—the tragic waste of talent.

Among families that do send their children to college, the credit works unfairly. No credit is allowed if the family or the student has no tax liability. In any case the credit is limited to the size of the tax liability. For a family with two children in college, the tax liability is too low to use the full potential credit for incomes up to $7,000.

The credit is also larger for families that can send their children to high tuition colleges. The maximum credit of $325 for a single child is enjoyed only when the cost of tuition, fees, books, and supplies comes to $1,500. True, the credit is cut back for some very high income-tax payers over $25,000 but this represents only 2 percent of taxable joint returns. Even at $50,000, the credit is $75 per student, which is the same as the maximum credit available to a married couple with two children and $3,500 of income.

The assistance given to students in public institutions (which students of lower-income families generally attend) is limited by the lower tuition charges of these institutions, and the maximum credit would not be available. The credit for a student in a median-cost private institution at 1963–64 tuition levels would be 50 percent greater than that for a student at a median cost public institution.

For these reasons a tax credit approach to aiding college students may aptly be described as an upside-down scholarship. The alternative approach to higher education assistance embodied in the bills adopted by the House and by the Senate Committees on Education and Labor, both bills fully supported by the administration, emphasizes higher education aid through assistance to low-income students, appropriately supplemented to the assistance to institutions to help meet the costs of increased enrollments.

Some proponents of the credit have argued that the real purpose is to aid colleges since they will raise tuition by about the amount of the credit. If this occurs, and it would seem most likely, the consequences of this increased tuition should be recognized. If tuition increases resulting from the credit, then, to this extent, the credit doesn't relieve parents. Further, parents whose income is too low to benefit from the credit, because of inadequate tax liability, would find it even harder to meet tuition costs. Finally, the tuition increases would be related to the size of the credit and would thus be of most benefit to schools with presently high tuition charges.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this statement and that enactment of S. 12 would be inconsistent with the administration's objectives.

Sincerely yours,

JOSEPH W. BARR,
Acting Secretary.

Mr. MORSE. If the Senator from Connecticut would be so kind as not to offer his amendment at this time, but serve notice of his plans to do so in the next session of Congress, it would be very much appreciated.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 172, between lines 9 and 10, insert the following:

"Part E—Tax deduction for higher education expenses

"Section 462. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as 219 and by inserting after section 217 the following new section:

" 'SEC. 218. EXPENSES OF HIGHER EDUCATION.

" '(a) ALLOWANCE OF DEDUCTION.—

" '(1) IN GENERAL.—At the election of the taxpayer, there shall be allowed as a deduction the expenses of higher education paid by him during the taxable year for himself, his spouse, or any dependent with respect to whom he is entitled to an exemption under section 151(e).

" '(2) LIMITATION.—The deduction under paragraph (1) for any taxable year for expenses of higher education of any one individual shall not exceed $1,200.

" '(b) REPAYMENT OF LOANS.—

" '(1) IN GENERAL.—At the election of the taxpayer, there shall be allowed as a deduction the amounts paid by him during the taxable year in repayment of one or more higher education loans which were used by him to pay during any prior taxable year expenses of higher education for himself, his spouse, or any dependent with respect to whom he was entitled to an exemption under section 151(e) for the taxable year in which such expenses were paid.

"'(2) Limitation.—The deduction under paragraph (1) for any taxable year for repayment of higher education loans used to pay expenses of higher education of any one individual shall not exceed—

"'(A) $1,200, reduced by

"'(B) the amount (if any) allowed as a deduction under subsection (a) for expenses of higher education of such individual for the taxable year in which such expenses were paid.

"'(c) Definitions.—For purposes of this section—

"'(1) Institution of higher education.—The term "institution of higher education" has the meaning assigned to it by section 103(b) of the National Defense Education Act of 1958 (20 U.S.C. 403(b)).

"'(2) Expenses of higher education.—The term "expenses of higher education" means only amounts paid for—

"'(A) tuition and fees required for enrollment or attendance at an institution of higher education,

"'(B) books, periodicals, supplies, and equipment required for courses of instruction at an institution of higher education, and

"'(C) meals and lodging while attending an institution of higher education away from home, but only to the extent the amounts paid exceed the cost of meals and lodging at home as determined under regulations prescribed by the Secretary or his delegate (which may include formulas or other methods for determining the cost of meals and lodging at home).

"'(3) Higher education loans.—The term "higher education loan" means a loan made to the taxpayer by—

"'(A) an institution of higher education,

"'(B) a bank (as defined in section 581),

"'(C) the United States, or an agency or instrumentality thereof,

"'(D) a State or political subdivision of a State, or an agency or instrumentality thereof, or

"'(E) an organization described in section 501(c) which is exempt from taxation under section 501(a),

but only to the extent the proceeds of such loan were used by the taxpayer to pay expenses if higher education for himself, his spouse, or a dependent with respect to whom he is entitled to an exemption under section 151(e).

"'(d) Special Rules.—

"'(1) Allocation among taxpayers.—If expenses of higher education of an individual are paid by more than one taxpayer, the deductions under subsections (a) and (b) shall be allowed to such taxpayers on a pro rata basis under regulations prescribed by the Secretary or his delegate.

"'(2) Spouse.—Deduction shall be allowed under subsections (a) and (b) for expenses of higher education of the taxpayer's spouse only if the taxpayer—

"'(A) is entitled to an exemption for his spouse under section 151(b), or

"'(B) files a joint return with his spouse under section 6013.

"'(3) Scholarships and veterans' benefits.—The expenses of higher education of an individual during any period shall, for purposes of subsections (a) and (b), be reduced by any amounts received in cash by such individual during such period as—

"'(A) a scholarship or fellowship grant within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, or

"'(B) educational assistance allowance under chapter 35 of title 38 of the United States Code.

"'(e) Trade of Business Expenses.—This section shall not apply to any expense which is allowable as a deduction under section 162.

"'(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section.'

"(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof the following:

"'Sec. 218. Expenses of higher education

"'Sec. 219. Cross references'.

"Sec. 2. Section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by inserting under paragraph (8) the folowing new paragraph:

"'(9) Expenses of higher education.—The deduction allowed by section 218.'

"Sec. 3. The amendments made by this Act shall apply to taxable years beginning after the date of the enactment of this Act."

Mr. DODD. Let me say that I believe the Senator from Oregon has handled the arduous work on this bill in a masterly way.

The Senator from Oregon is one of the great Members of this body. He deserves great credit for his work on this bill.

Mr. MORSE. We were able to get this proposed legislation before the Senate only because of the cooperation I received from such men as the Senator from Connecticut [Mr. Dodd].

Mr. PROUTY. Mr. President, I yield to the Senator from North Dakota [Mr. Young].

Mr. YOUNG of North Dakota. Mr. President, inasmuch as it may not be possible for me to be in the Chamber to vote on the pending bill, I should like the Record to show if I could be here at that time I would vote for the bill on passage.

Mr. PROUTY. Mr. President, I am glad to yield to the Senator from Colorado [Mr. Dominick].

Mr. DOMINICK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by the Senator from Colorado [Mr. Dominick] is as follows:

On page 123, between lines 23 and 24, insert the following:

"(b)(1) An institution, which has in effect an agreement for Federal capital contributions for a student loan fund pursuant to title II of the National Defense Education Act of 1958, may use, as an additional Federal capital contribution for the purposes of such loan fund, not to exceed 25 per centum of the funds paid to it for any fiscal year ending prior to July 1, 1970, for the purpose set forth in section 401(b)(1)(A). The requirement in section 204(2)(B) of such Act shall not apply to such a Federal capital contribution.

"(2) For the purpose of making payments from amounts appropriated pursuant to the second sentence of section 401(b), any institution electing for any fiscal year to use an amount of its payment as a Federal capital contribution pursuant to paragraph (1) shall be paid an equal amount for each of the succeeding three fiscal years from such amounts appropriated pursuant to such second sentence, if such amount paid to the institution is used by such institution as such a Federal capital contribution."

On page 123, line 24, strike out "(b)" and insert in lieu thereof "(c)".

Mr. DOMINICK. Mr. President, I believe that my amendment has been explained to the Senator in charge of the bill. What it would do would be to maintain the same scholarship authorization and the same loan authorization, but give the individual institution which would get the scholarship funds the right to take up to 25 percent of the scholarship funds and use it in their loan program, if they so desired. This would give flexibility to the institution for differing requirements, which would be helpful.

I hope, therefore, that the Senator in charge of the bill will accept the amendment.

Mr. MORSE. Let me say to the Senator from Colorado that if we agree to take his amendment to conference—and I wish to take it to conference—it will be in conference because there is no corresponding language in the House bill, so that the amendment would be locked in the bill.

Mr. DOMINICK. So far as I know, there is no such language in the House bill. It is not intended to be locked in.

Mr. MORSE. Mr. President, I am agreeable to taking the amendment to conference, and I therefore hope that the Senate will adopt it.

Mr. DOMINICK. Mr. President, H.R. 9567, the proposed Higher Education Act of 1965, is a prime example of what bipartisan effort on an important piece of legislation can achieve. The Education Subcommittee of the Senate Committee on Labor and Public Welfare, on which I serve, has spent many, many days listening to testimony and in executive session hammering out a useful and workable bill. The bill which is before us has come a long way and has undergone many major changes since we first started working on it. I am pleased to recommend it to the Senate.

H.R. 9567 provides a striking contrast to the other major piece of education legislation, the Primary, and Secondary Education Act, which we debated on the floor just a few short months ago. My colleagues will recall in connection with the latter bill we were not allowed to change a title, section, subsection, period or comma. We were told that we had to swallow it just as it was presented to us. No constructive changes were entertained or allowed. As a result, many of us felt that we could not in good conscience vote for the bill. We were not surprised when, immediately after passage, the House Education and Labor Committee began hearings in order to take care of the defects, shortcomings, and oversights contained in the Primary and Secondary Education Act.

Many constructive and useful changes have been made in H.R. 9567. The Republicans on the committee formulated many of these. In the supplemental views to the committee report we have listed many of these changes. For instance, we were able to incorporate language to streamline and reform National Defense Education Act loans' procedures and to provide a program for recognition of outstanding students by making available an additional scholarship grant for those students who rank in the upper half of their class. At the urging of the Republicans we were able to incorporate provisions to preserve and encourage the role of State and private, nonprofit organizations in guaranteeing low-interest student loans. This is a key title in the bill and was quite unacceptable and unworkable in its original form.

Although this bill will be a great step forward in strengthening higher education, we still must move forward in providing tax credits for the expenses of higher education. In a sense the approach taken by this bill is only a half step insolving the vexing problems facing our young people who wish to obtain a college education. I think that we will be able to move forward next year with S. 12, the tax credit legislation. It has wide bipartisan support and will provide the necessary complement to H.R. 9567.

In conclusion, Mr. President, I again wish to emphasize that we are seeing the Senate in its proper constitutional and legislative role today in passing this bill. We have been able to work our legislative will and the wide, bipartisan support for the bill has resulted. I hope that this will set the pattern for education legislation in the future.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

Mr. PROUTY. Mr. President, I yield to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. I thank the Senator from Vermont for his courtesy in yielding to me.

Mr. President, I send to the desk a noncontroversial amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Pennsylvania proposes an amendment, on page 156, line 23, immediately after the comma insert the following: "an agency or instrumentality of a State,".

Mr. CLARK. Mr. President, the purpose of the amendment is to qualify State agencies which are not themselves educational institutions for Federal insurance certificates when they make a direct loan, as distinct from guaranteeing a loan, for educational purposes.

The Pennsylvania Higher Education Assistance Agency is empowered by law to make such direct loans and several other States—New Hampshire, North Carolina, North Dakota, Virginia, Wisconsin, and Wyoming—also have programs of direct loans to students by State agencies.

This amendment would conform the Senate bill to the definition in the bill as passed by the House.

Mr. President, I ask my friend the distinguished Senator from Oregon [Mr. MORSE] whether he would be willing to accept this amendment.

Mr. MORSE. Mr. President, I believe that the Senator from Pennsylvania will agree with me that it was our understanding that that was the definition, anyway.

However, I am perfectly willing to take the amendment to conference, and to make it perfectly clear that that is what we intended.

I ask the Senate to adopt the amendment of the Senator from Pennsylvania.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. CLARK. I thank the Senator from Oregon [Mr. MORSE], and also the Senator from Vermont [Mr. PROUTY] for his unfailing courtesy in yielding to me.

Mr. PROUTY. Mr. President, one of the most heartening things I have witnessed in my 15 years in Washington has been the increasingly active and bipartisan congressional interest in matters pertaining to our Nation's schools.

This interest and the enactments which have sprung from it, offer, in my opinion, eloquent testimony to the discerning leadership of the distinguished senior Senator from Oregon who serves as chairman of the Senate Education Subcommittee.

He has delved beneath the surface of every day trivia and he has grasped the great truth that, to a republic, no issue can be of greater concern that the education of its people. No one has done more in this field than my distinguished friend, the Senator from Oregon [Mr. MORSE].

As ranking Republican on the Education Subcommittee, I have joined with the Senator from Oregon in a spirit devoid of partisanship, and out of an atmosphere of cooperation has come useful and constructive Federal legislation that will contribute to the improvement of American education without destroying its vitality by heavyhanded Federal domination.

We have been guided by the truth voiced by Justin Morrill nearly a century ago, when he said:

> In other lands and under other forms of government education may be optional, with us, it is indispensable. Untaught and unprincipled men may be governed, but they cannot govern.

The Labor and Public Welfare Committee then, has mantained a growing interest in American education. It has exercised a just Federal prerogative in establishing Federal assistance for the furtherance of American learning, with the help of each and every member of the committee, including particularly the chairman, the Senator from Alabama [Mr. HILL], and the ranking Republican, the Senator from New York [Mr. JAVITS].

The distinguished Senator from New York [Mr. JAVITS] has used his talents objectively to contribute mightily to the excellence of the bill now before the Senate. Educators and parents alike are deeply in his debt.

I should also like to pay tribute to the distinguished Senator from Colorado [Mr. DOMINICK], who is serving for the first time on the Subcommitte on Education. He has rendered yeoman service to all of us. His abilities, his conscientious attendance, and his knowledge of the subject have been of inestimable value to all of us on the committee.

Mr. President, looking backward, one wonders why, for so long, education was buried in the bog of partisan politics.

As a member of the minority, I shall always reserve the right to modify, amend, or oppose a given proposal. Yet even in opposing, one seeks not to destroy but to create new avenues toward common goals.

During my 6 years in the Senate, we have erected many landmarks on the road to universal enlightenment. Among these I would include: the Mental Retardation Act, the Manpower Development and Training Act, the Vocational Education Act, the National Defense Education Act amendments, the Higher Education Facilities Act, the Health Professions Educational Assistance Act, the Library Services Act amendments, and the Elementary and Secondary Education Act of 1965.

In addition, I have from time to time brought forth bills and amendments of my own, some of which have been adopted and others of which I believe will yet be enacted into law.

Today, the American educational system is the finest and strongest in the world. Congress has done a commendable job but not a finished one.

Our colleges and universities are caught up in a whirlpool of problems they did not create but are bravely attempting to solve.

In the last decade, college enrollment has jumped from 2.4 to 4.8 million. The expected enrollment in 1970 is nearly 6.9 million students. It is anticipated that by 1973 this figure will climb to 8 million.

Since the end of World War II, the number of colleges and universities has increased from 866 to about 2,300.

Not too long ago, one could attend an institution of higher learning for a few hundred dollars a year. Those days are gone forever.

It now costs $1,560 a year to attend the average public institution and $2,370 to attend the average private college.

At these prices, college attendance is beyond the financial reach of the average family. Therefore, it is the purpose of the Higher Education Act of 1965—S. 600—the bill considered in committee, to make it possible for more youngsters to get in college and to improve the colleges they are to attend.

Leaving abstract ideas and philosophy aside, the college or university may be said to consist essentially of physical facilities, teachers, students, and books. These tangibles can be brought together and set into action only by aid of a fifth concrete product—money, creatively authorized and creatively used.

At present, the supply of students is great and growing—the supply of facilities, teachers, books, and money for student aid is short.

With the passage of the Higher Education Facilities Act of 1963, Congress moved to aid the Nation's institutions of higher education in making up one of these shortages. I am pleased to have been associated with the enactment of that measure. I am gratified by its results after but a single year of operation. During that year, a total of 601 grants and 133 loans were made to colleges and universities across the country for use in their building programs. I believe that we can look for continued progress under this act in the years ahead.

But there are still shortages of teachers, books, and money. S. 600, the Higher Education Act of 1965, would attack these problems in a variety of ways. Let us look for a moment at these problems and examine the ways in which the provisions of this bill would attempt to ease this.

COLLEGE AND UNIVERSITY EXTENSION AND CONTINUING EDUCATION PROGRAMS

The first title of S. 600 will bolster college and university extension and continuing education programs.

Given the complex state of life today, particularly in America, the university must teach us not only how to make a living but how to live as well.

There is a need for more university extension and for fuller college and university participation in curing the ills to which an urban and rural America is heir.

To say that institutions of higher learning can do more in these areas is not to say that they have been doing nothing. Many institutions have had programs of adult extension education since the turn of the century.

Already there has been a great deal of research done under the Morrill Act in areas related to agriculture, such as irrigation, animal husbandry, and conservation.

The extension and continuing education programs now existing at our colleges and universities will be strengthened and broadened by title I of the bill so as to assist the people of each State in the solution of community problems such as poverty, housing, recreation, employment, youth opportunities, and health.

To further extension and continuing education the bill authorizes the appropriation of $25 million for the present fiscal year and $50 million for each of the next 4 fiscal years.

There are thousands of ways in which this new money can be used. With it, universities can be more responsive "to the popular demands and views of the society they serve."

If an adult wishes to go to school for professional retraining or refresher courses, institutions of higher learning will have funds to set up the program he needs.

The widow who must prepare to reenter the labor market will find new vistas of opportunity through the strengthening of continuing education made possible by the bill.

In a word, title I is based on the premise that the university is dedicated not simply to serve young men and women but to nourish, educate and, yes, to inspire society at large.

In my own State, the University of Vermont has, for some time, been actively engaged in a program of adult education. For those who could not come to the university, in many cases the university has come to them through courses taught in remote corners of the State.

This program has resulted from the Vermonter's traditional faith in and concern for education. For, despite the relative smallness of our number, we have ever held education in high regard and look to it as the chief guarantee of our cherished freedom.

As a great scholar once said:

> If the State wishes to know how to beneficiate certain ores, how to eradicate wheat rust, * * * how to build roads, how to eliminate the white pine blister, it will apply to the university for assistance.

Now, for "how to beneficiate certain ores," add "how to train civic leaders;" for "how to eradicate wheat rust," include "how to eradicate blighted housing"; beside of "how to build roads," put in "how to build effective job-training programs"; for "how to eliminate the white pine blister," join "how to eliminate youth crime." Then we will be getting some idea of the directions the programs under this title could take. Through this program, our Federal Government, our State governments, our colleges and our universities will join forces in a joint attempt to solve problems that are beyond the powers of any of those organs taken singly.

STRENGTHENING AND IMPROVING THE LIBRARIES OF OUR COLLEGES AND UNIVERSITIES

Title II of the bill is the title which would strengthen and improve the libraries of our colleges and universities.

When we think of libraries, I suppose most of us think first of books, then, perhaps, of buildings, and finally of librarians. Of course, the library is a combination of all three. It is a sad commentary, but the great majority of our college and university libraries are deficient in all three of these areas.

The funds authorized by the Higher Education Facilities Act of 1963 have already been put to work on campuses across the land in an attempt to bring the physical facilities facet of libraries up to standard. In fiscal 1965, 212 of 601 grants and 56 of 133 loans made under that act were used in library construction or remodeling projects.

But even if—fond hope—every college acquires the requisite library facilities, there will remain the material and personnel shortages. Many colleges and universities simply do not have the fiscal wherewithal to remedy the situation, though they are making a valiant effort.

During the school year 1963–64, institutions of higher learning made a 35-percent increase in library spending over the amount of money used for the 1961–62 school year.

Yet, in spite of this large increase, at least $226 million is needed to provide our institutions of higher learning with the books required for present enrollments.

S. 600 begins to meet this deficiency by authorizing $50 million for the purchase of books, periodicals, documents, magnetic tapes, phonograph records, and other related library material.

If the average library book cost $5 in 1948, it would cost $9.10 today—a rise of 82 percent. The average cost of a periodical subscription has increased 56 percent over the same period, and costs for cataloging and care of books have risen as well.

It is clear, then, in the light of these factors, that college and university libraries must have aid and increase their own spending radically just to keep from falling further behind.

Deficiencies in librarian training are as serious as those in library collections. The American Library Association states that the libraries of the Nation need 100,000 more professionally trained librarians to staff them adequately. But in 1963–64, only 3,240 library science degrees were awarded on all levels. Twenty-seven States have not a single accredited graduate school of library science.

Looking ahead to the future, S. 600 allows the Commissioner of Education to make grants to colleges and universities to assist them in training persons in librarianship; $7.5 million is designated for this purpose in the current fiscal year and $15 million for each of the next 4 fiscal years.

The Library of Congress which serves all institutions of higher learning is having a difficult time cataloging books. Pursuant to the provisions of the bill, there will be a centralized cataloging facility in the Library of Congress which will aid all libraries in bringing about a modern, efficient catalog card service.

STRENGTHENING DEVELOPING INSTITUTIONS

Title III of the proposed Higher Education Act of 1965 is concerned with strengthening developing institutions of higher learning through a number of possible programs, most of which are based on interinstitutional cooperation.

At the end of World War II, 22 percent of all the Americans aged 18 to 22 were enrolled in colleges. In 1964, 43 percent of the same group were so enrolled. This percentage, like the absolute number of college students, is increasing annually.

This great proliferation of people engaged in seeking higher education is, of course, most heartening, but it has also given rise to some problems. Many of the institutions that were operating when the great postwar tide began to rise were virtually inundated with students; their resources—physical and fiscal—were stretched to the snapping point. Rather than receding, that tide has ever continued to rise. Again, a great many new colleges have opened during the years since the war—146 in the last 3 years alone—and many of these, too, have found that their desire to serve was far greater than their resources.

We need every one of our 2,100 plus institutions of higher education and then some. But we also must do everything within our power as a people to see that these institutions are strong. It is plain that if 10 percent of our institutions are not accredited, and if 15 percent of the total number of new college teachers in a given year hold less than a master's degree, and 75 percent less than a doctorate, to take an actual example, then many of our institutions stand in dire need of strengthening.

Title III of the proposal under consideration would throw the fiscal resources of the National Government into the fray on the side of the hard-pressed, developing institutions. It would authorize $50 million for fiscal 1966. The funds would be used to help the 4-year institutions and the junior and community colleges finance the planning, development, and carrying out of cooperative ventures between a developing institution and a more firmly established one, or between the developing institution and some other organization or agency.

These cooperative arrangements could take a variety of forms. They might involve faculty—and student—exchange between the fledgling and the established institution; joint use of facilities, such as libraries and research laboratories; expanded programs of "cooperative education," featuring alternate periods of academic study and actual job experience; and so on.

There is ample evidence that such arrangements work, and also that many other types of effective sharing arrangements could be developed. There is also clear evidence that many of the colleges which would profit most from these arrangements are unable to attract better developed partners simply because the developing institutions cannot pay their share of expenses. Prompt passage of the bill before us would do much to remedy this unfortunate situation.

Finally, title III includes a provision which would authorize the Commissioner to institute a program of teaching fellowships designed to encourage promising graduate students and young faculty members to teach at developing institutions. In conjunction with the cooperative programs that could be carried out between institutions, this system of teaching fellowships would move in a direct manner toward strengthening the faculties of our neediest institutions.

STUDENT ASSISTANCE

The fourth title of the proposed act deals with the very heart and core of our entire system of higher education: the college and university student. I have a particularly keen interest in this title of the bill, for the finest libraries, laboratories, classrooms, faculties, and administrations imaginable cannot fulfill their functions if, for any reason, students are denied access to them. It is a patent matter of fact that many of our youth who want and need postsecondary education, and who could derive great benefits therefrom, are denied opportunities to pursue it.

They are denied those opportunities, for the most part, for a simple economic reason: their families do not have enough money. One hundred and forty years ago, Daniel Webster cautioned his fellow Americans: "Let no man have the excuse of poverty for not educating his children." We have heeded that warning admirably regarding the lower schools. Today, for the good of our Nation, we must extend it to higher ones as well.

Costs at private colleges have increased 40 percent in the last decade, and costs at public colleges and universities have increased 30 percent since 1954. Indeed, it is estimated that during the next 10 years there will be an increase of 50 percent in college expenses.

It is small wonder that 40 percent of our families who want to send their children to college feel that they cannot afford to do so.

STUDENT ASSISTANCE, PART A—UNDERGRADUATE SCHOLARSHIPS

After surveying all existing programs, the Labor and Public Welfare Committee came to one firm conclusion: the demand for student aid far exceeds its supply.

If we are to develop the potential of hundreds of thousands of young Americans, the supply of student aid must be rapidly and radically increased. A broad program, including stepped-up programs for grants and loans, must be provided.

It is such a program that title IV of this bill would attempt to establish.

S. 600 authorizes $70 million for the first year to afford undergraduate scholarships to 140,000 students.

These scholarships may vary from $200 to $800 a year, according to need. To encourage academic excellence, an extra $200 or a maximum of $1,000 would be allowed to students who rank in the upper half of their college class.

Scholarships would be awarded by those most familiar with the needs of young men and women, the institutions of higher learning themselves.

While the scholarship program authorizes but $70 million for each of 5 years for first-year scholarships, appropriations are also authorized to continue scholarships previously awarded.

STUDENT ASSISTANCE, PART B—GUARANTEED REDUCED INTEREST EDUCATION LOANS

The committee was very much aware that college costs represent a real problem for middle-income families as well.

To aid the latter, we have devised a Federal insurance program of commercial loans to bring about a tremendous expansion of the loan funds available from commercial lenders to American college students.

The guaranteed loans will have a low interest rate and will be interest-free to the students while they are attending school. The difference between the interest charged to the student and the cost of the money through State or private organizations will be met by a subsidy which is estimated to be $15 million in the first year of the program. By the fifth year the cost will be an estimated $42 million.

It should be noted, however, that this will make possible loans to students valued at over $700 million.

If a State already has a student insurance fund, it can secure a Federal grant to match new sums of State money it is able to allocate for that fund. If a State does not have a student insurance fund, it can receive up to $25,000 to be used in establishing one.

In short, the loan insurance program bears the hallmark of the best type of Federal aid to education: it supplements, rather than supplants, efforts initiated by the States and private organizations.

STUDENT ASSISTANCE, PART C—COLLEGE WORK STUDY PROGRAM

Those youngsters who are willing and eager to work their way through college are the most deserving of all. Their industry and ambition did not go unnoticed by the committee.

In part C of title IV, the committee authorized additional funds for the college work study program and during the present fiscal year there will be on and off campus jobs for 225,000 to 285,000 students.

There is an old saying "Work while you learn, and learn while you work." This saying captures very well indeed the theme of the college work-study program.

STUDENT ASSISTANCE, PART D, INCREASED NATIONAL DEFENSE EDUCATION ACT LOAN CANCELLATION FOR THOSE WHO TEACH IN POVERTY-IMPACTED AREAS

The other new provision of title IV which I wish to mention is the amendment I proposed to the National Defense Education Act of 1958, as amended. This would provide for increased cancellation of the indebtedness of National Defense Education Act borrowers who serve as teachers in certain schools in what may be called poverty-impacted areas.

Many Senators in this Chamber today played active roles 7 years ago in the original enactment of this milestone of educational legislation. Others who have come here since that time have become thoroughly familiar with the act by participating in the consideration of the several amendments which Congress has subsequently passed. Thus, I need hardly remind the Senate that one of the main purposes Congress had in enacting title I of the National Defense Education Act was to encourage and assist more of our qualified young people to choose teaching as a career.

To this end, special consideration was given to prospective teachers in granting loans, and, more importantly, borrowers who went on to become teachers in public schools were to be allowed a partial cancellation of their debt. This forgiveness was set at 10 percent of the total amount of the debt each year for up to 5 years of teaching. In effect, then, public school teachers have been required to repay only one-half the amount of National Defense Education Act loans they have secured. By the close of fiscal 1964, some 63,000 National Defense Education Act borrowers had applied for partial cancellation under the teacher forgiveness provision. If each of them receives the full 50-percent cancellation, $8.1 million in loans will have been forgiven.

In 1964, as a result of a proposal of mine, the cancellation privilege was extended to borrowers who had become or were to become teachers in private elementary and secondary schools, and in institutions of higher education. As a result, 9,000 more former borrowers serving as teachers in such schools were made eligible to apply for loan forgiveness at once.

While we have figures on how many borrowers are benefiting from the cancellation privilege as rewarding for teaching, I have not seen figures indicating the number of graduates who have become teachers because they could get partial forgiveness, but, who, without this reward, would not have entered teaching. I like to believe that this figure would be a sizable one.

Consider a new graduate who is interested in teaching, but who has a $4,000 debt hanging over him from National Defense Education Act loans. This graduate knows that other fields pay better than teaching, and he might well be pressured into entering a higher paying field to pay off his debt more quickly. But, with the forgiveness provision in effect, he knows that he can go ahead with his teaching plans, for, although he will make less money, he will have to repay only one-half of his indebtedness.

My proposal to title II of National Defense Education Act attempts to reinforce the graduate's desire to teach by increasing the percentage of loan cancellation he could qualify for. It is based on the realization that while nearly all of our lower schools need more and better teachers, the schools which serve large concentrations of poor families stand in most desperate need for such teachers, and that these very schools have the most difficult time in attracting the superior teachers they require.

Under my amendment, a National Defense Education Act borrower who teaches in a poverty-impacted school is allowed loan forgiveness of 15 percent per year for up to 7 years, resulting in 100-percent cancellation of his indebtedness in just under that period of time.

The definition of poverty-impacted schools is tied in with the provisions of title I of Public Law 89–10, the Elementary and Secondary Education Act of 1965. For a National Defense Education Act borrower to qualify for 100-percent forgiveness, he must teach in a school in the area of a local educational agency which is receiving aid under that title for the year in question. Further, the Commissioner of Education must have found that the school enrolls a high concentration of children from low-income families. Finally, the Commissioner shall not make such a finding in more than 25 percent of the schools of any one State.

I firmly believe that the amendment would have the effect of encouraging larger numbers of service-minded graduates to lend their efforts in the great struggle to break the vicious circle of poverty and ignorance.

FUNDING AND IMPROVING THE HIGHER EDUCATION FACILITIES ACT OF 1963

Recognizing that rapidly rising enrollments call for more classroom construction on college campuses, the Labor and Public Welfare Committee voted to increase for 1966 by $100 million the construction aid previously authorized for 4-year undergraduate schools and voted to increase by $60 million the construction money available for graduate schools.

Up to now, under the Higher Education Facilities Act, colleges and universities could receive grants for the construction of buildings designed only for use as a library or for use in the fields of science, mathematics, modern foreign languages, and engineering.

When the original act was before Congress, I fought in committee, on the Senate floor, and in conference to broaden the scope of this program to include construction aid for the arts, humanities, and other curriculums.

At long last, my views on this question have prevailed, because the committee adopted my amendment to broaden the categories of construction eligible for assistance under the Higher Education Facilities Act.

The facilities statute requires that 22 percent of the grant money be reserved for public community colleges and technical institutes. Because some States have few or none of this type of institution, I proposed in committee that each State have the right to transfer funds reserved for 2-year colleges to the regular 4-year colleges and universities where such action is in the public interest.

The committee accepted this amendment to make the Higher Education Facilities Act more flexible.

MATCHING EQUIPMENT GRANT PROGRAM

Under the National Defense Education Act, Federal equipment grants can be made to elementary and secondary schools on a matching basis. This program has worked so successfully that the committee is now establishing, for the first time, a program of Federal grants to institutions of higher learning for the purchase of educational equipment.

As originally drafted, the equipment proposal did not cover the whole range of studies. At my request, the committee revised it to make possible the purchase of equipment to aid the arts and humanities.

The matching equipment grant program is funded at $35 million for the first year. This will rise to $60 million at the end of the fifth year.

NATIONAL TEACHER CORPS

S. 600 would also establish a National Teacher Corps which will enable 6,000 individuals either alone or as members of a teaching team, in conjunction with local school districts, to provide teaching services in such districts.

The object of the program is to beef up teaching in areas where there are high concentrations of low-income families.

TEACHING FELLOWSHIP PROGRAM

The Labor and Public Welfare Committee, recognizing the fact that more and better teachers will be needed in the dynamic era ahead, adopted a new program to facilitate graduate study for those entering or continuing in the teaching profession.

A total of 4,500 fellowships will be awarded the first year, and this will rise to 15,000 in the fifth year. The fellowships will be used to allow recent graduates to attain master's degrees and to provide advanced training for experienced teachers.

As originally drafted, the fellowship assistance was available only to teachers in the public school systems of the country. At my request, the program was revised so as to make eligible for fellowships teachers who teach in private schools as well.

It has always been my view that we need good teachers in not a few, in not some, but in all our schools, and my amendment is based on that principle.

CONCLUSION

Mr. President, day after day, the members of the Education Subcommittee labored in long sessions to bring forth a bill which would foster the growth and improve the character of our institutions of higher learning, and which would extend a helping hand to the thousands of young men and women who so desperately want to attend them.

That we have done a job and done it well is evidenced by the fact that every single member of the Committee on Labor and Public Welfare—Republican and Democrat—voted to bring this legislation before the full Senate.

S. 600 is of necessity a complex bill, seeking as it does to solve complex problems. Behind all of its provisions, however, lies a single purpose. Though spoken in 1872, in relation to another act of Congress, the following words of Justin Morrill express that purpose admirably:

> The paramount object is to place higher and more appropriate education within reach of all, the poor as well as the rich, without regard to ancestry or race, and of that sort which will engender a perpetual appetite for more.

I believe that the proposed Higher Education Act of 1965 can help to accomplish that object. I support this measure, and I urge my friends and colleagues in this Chamber to do the same.

I could not close these remarks without a word or two about the committee staff members who have worked so tirelessly to make this bill a bill of which the Senate can be proud.

To Jack Forsythe and Charlie Lee, to Roy Millenson and Steve Kurzman, goes my deepest appreciation. If the public could know what they have done, they would receive, as well, the everlasting thanks of the American people.

Mr. President, I yield the floor.

Mr. **HARTKE**. Mr. President, I call up my amendment and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. **HARTKE**. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. HARTKE is as follows:

On page 130, line 11, strike out "$1,500" and insert in lieu thereof "$2,000".

On page 130, line 13, strike out "$1,000" and insert in lieu thereof "$1,500".

On page 130, line 16, strike out "$7,500" and insert in lieu thereof "$10,000".

On page 130, line 20, strike out "$5,000" and insert in lieu thereof "$7,500".

Mr. HARTKE. Mr. President, this amendment merely deals with the guaranteed loans provision of the bill which I introduced as Senate bill S. 5. At that time, 26 Senators introduced a bill which deals with the problem of guaranteed loans to student grant and work study programs, all of which are basically in the present program.

I compliment the Senator from Oregon [Mr. MORSE] for his fine work in bringing this bill to the floor for consideration at this time. However, I think there are certain deficiencies. One of them is the amount of the loan.

I talked with the Senator from Oregon. He said, "Thank goodness that we have as much as we have." However, I make the point that what can be borrowed under the bill, under the student guarantee loan program is still $1,000 for an undergraduate student, and $1,500 for a graduate student, on the maximum level.

Senate bill 5 had provision for $2,000 for an undergraduate student and $2,500 for a graduate student, which would more nearly approach the expenses of a person who is really in need of a loan for the purpose of going through school. The total amount of the loan would not necessarily be required for any individual student.

I point out that my amendment calls for an increase of from $1,000 to $1,500 for an undergraduate student, the maximum amount of the loan, and for an increase in the maximum amount of the loan to a graduate student from the present $1,500 under the bill to $2,000.

The point I wish to make is that quite simply, if the guaranteed loan program is to mean anything to the student, it should mean something to someone who really wants to go to college.

I think that it is a sad state of affairs when we place a test on a person who asks for a loan which should not belong on that person. I refer to an economic test. The test should not be whether he or his parents have the ability to finance his education. The test should be whether he has the brainpower and the desire to go ahead and better himself and make himself a better person in the society in which we live. However, the economic test runs throughout the program.

I am not condemning the bill. I shall vote for the bill. However, I believe that the economic test is a test which this committee has placed in the bill. I think this is unfortunate. If such a test were incorporated in the bill, I believe that it would establish a pattern for years to come. I am sad to see that happen.

I should like to ask the Senator from Oregon if there is any way that a boy or girl who wants to go to college this fall, who does not have the money and is in a State which does not have the loan program today, could obtain a loan.

Mr. MORSE. Mr. President, I would not say the chances are not small, but there will be a chance once the bill gets into operation. That would not be immediately.

Mr. President, I urge the Senate not to agree to the amendment. The amendment is being offered by one who is as interested as or more interested in this field than anyone else. The Senator has worked hard on the loan program on my committee. We had the Hartke bill 2 years ago and also last year.

I have worked very closely with the Senator.

We have the loan program, the scholarship program, the fellowship program, and the NEDA loan program. I am very grateful that we have made that much progress.

Let me say why I do not want the Senate to disrupt the situation in which the Senator in charge of the bill finds himself. The loan program that we have worked out in this bill is the result of prolonged conferences with the representatives of financial institutions of this country, the banks and the loaning agencies, the Treasury, the Bureau of the Budget, and with the Department of Health, Education, and Welfare.

This is a remarkable agreement that we have reached. I plead with the Senate not to disrupt this agreement. It does so much more than anyone had the slightest idea we would be able to do. I want to have this bill enacted into law.

My friend is wrong if he thinks it is not going to last. For many years, we shall have education legislation from year to year. There will always be plenty of opportunity, after we see how it works out, to consider the request of the Senator from Indiana.

I urge the Senator to withdraw the amendment.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HARTKE. Mr. President, if the pending bill were enacted into law, how long would a boy or girl who wanted to go to college and needed to borrow the money and make his own way—there are some of those who do not want to be dependent on their parents but would like to do it on their own—have to wait in a State which does not have the program today?

Mr. MORSE. The bill makes it possible for a State to adopt a program.

I cannot guarantee that a student in a State which does not have the program today will receive a loan. I would rather say that the people in that State should get busy and adopt the program.

Mr. HARTKE. If they do not do so, a boy in such a State would be denied that opportunity.

Mr. MORSE. We are talking about two different things. If a State does not have a program—which they should have—this bill would provide a guarantee by the Federal Government. The student could make his application for a loan in a bank in Indianapolis or in a loan association in Indianapolis and that loan association has the right to call upon the Federal Government under the terms of this bill to guarantee that loan.

Mr. HARTKE. That is the point that I wanted to come to. How long after this bill is passed would it be before the triggering device would occur by which the Federal Government would guarantee that loan?

Mr. MORSE. It would not be in operation for this semester or quarter, but once the bill is passed and signed into law, it will be in operation for the next quarter.

Mr. HARTKE. As I read the bill, I do not understand it in that way. I understand that the State must first fail to provide its own program.

Mr. MORSE. If an investigation revealed that X State has no program, the procedures of the law would go into operation. That will not happen overnight. However, it will be done within a very short time.

Mr. HARTKE. Would there be any assurance that it would be done in sufficient time for the college year next fall?

Mr. MORSE. I believe that it would be done by then. I cannot give assurance, but I am perfectly satisfied that it will be long before next fall.

Mr. HARTKE. Knowing of the sincere dedication of the senior Senator from Oregon to the field of education, if there were a State which did not have a program and none had been instituted, and the State had not taken advantage of the provision for matching funds, would it be the position of the senior Senator from Oregon that he would be willing to insist that the Commissioner of Education make funds available for boys and girls who want to go to school next year?

Mr. MORSE. The law places the duty on the Department to work out the procedure by which that boy or girl could go to the bank in Indianapolis and get a Federal guaranteed loan if he met the requirements.

Mr. HARTKE. I understand that. However, I see nothing in the bill which would trigger this operation if the State were to refuse or neglect to take care of its own people. I see nothing which would trigger that action. It would be left to the discretion of the Commissioner.

Mr. MORSE. The Senator is correct, but that would be automatic, because that is the purpose of the bill. The Senator is not implying that the administrator of the law would not apply the law.

Mr. HARTKE. Is it the impression of the Senator from Oregon that this program will be in operation by next fall? In other words, I want a boy or girl who wants to go to college next year to have a chance to make a loan and borrow some money if he or she wants to do so, either through the State or Federal Government.

Mr. MORSE. Speaking as manager of the bill, I think it clearly will be in operation by next fall, and I think that it will be in operation before next fall.

Mr. HARTKE. That is the kind of statement I want. In regard to the interest charges that are to be made under the bill, they would begin immediately; is that correct?

Mr. MORSE. They would begin, but they would not pay it while in college.

Mr. HARTKE. Is there no requirement for the payment of interest charges? I thought the payment of principal was deferred.

Mr. MORSE. There are no requirements for the payment of interest charges while in college if the boy were to come from a family having an annual income of less than $15,000. It would not be arbitrary. If it were a family with an annual income of $15,000 and nine children, and four of them in college—and I use that hypothetically—then the administrator would have the authority to exercise discretion to make some loans even to that family.

Mr. HARTKE. Let me make perfectly clear that I am opposed to that part of the bill. I am not going to support any philosophy that depends on how much the Government subsidizes a certain part of education. It should be universal. I think the time has come to extend aid for our whole educational system as much as we have to certain parts of it. The time has come when we should take away the economic tests for our boys and girls who need an education.

Mr. MORSE. I agree with the Senator.

Mr. YARBOROUGH. Mr. President, will the Senator yield on that point?

Mr. MORSE. The Senator from Indiana has the floor.

Mr. HARTKE. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I sympathize with the statement the Senator from Indiana has just made. I find myself in agreement with much of what has been said. This is a forward step. Under the scholarship provisions, there will be 140,000 students. There will be 285,000 students under the work-study provision. I do not believe that we ought to hang the insignia of the pawnshop, three balls, over a student, and have him start in life with a mortgage hanging over his head.

Until a democracy, or any government, for that matter, has an educational system that will develop to the maximum the resources of their children, it will not fully be able to face its problems. A government should be able to educate its children through mature adulthood, ages 21, 22, 23, or 24, depending on intellectual capacity. The country that does that first is going to be No. 1 in this world, make no mistake.

The United States and Germany were the first nations to have relatively universal free education through high school. Frederick the Great, by imperial decree, provided for free education in his country, because he knew that without education the soldiers in his army would not be able to use the munitions of the army. As a result of her educational institutions, Prussia survived.

The step in this bill is a forward step. But we should not be hanging an FHA-type mortgage over the heads of students. It is the duty of a Great Society to educate its children, just as much as it is one of the duties of that society to provide a social security system and medicare for its elderly people.

Mr. HARTKE. Mr. President, I shall respect the admonition of the Senator from Oregon that I withdraw the amendment. I thank him for his suggestion and statement. I think the bill is a forward step. I compliment him for his leadership on the bill.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The **PRESIDING OFFICER.** The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. MONDALE. Mr. President, I rise in support of H.R. 9567, the Higher Education Act of 1965. I have long favored the enactment of this vitally needed legislation. And I am confident that the Senate will pass this bill by an overwhelming vote.

In his education message this year, President Johnson stated:

> Higher education is no longer a luxury, but a necessity.

We are finding that more and more of today's jobs require the background and the skills that only college can provide.

Our young people recognize this. From 1954 to 1964, enrollment in institutions of higher learning doubled. It is expected to go up at least 50 percent more in the next decade. And our junior colleges have expanded even faster.

To provide all these young people with the quality education they will need will require the combined efforts of governments at all levels, and of the many dedicated teachers and administrators in universities and colleges throughout our land.

To meet this unprecedented challenge, there is overwhelming agreement that the Federal Government must play an increased role in supporting higher education. Thus we find that the bill before us this afternoon was reported out unanimously by the Senate Labor and Public Welfare Committee.

H.R. 9567 provides many advances in our Federal higher education policy, so many that I could not hope to mention all of them this afternoon. Surely one of its greatest contributions will be the increased assistance it gives to students in meeting the increased financial burdens which college education imposes. Already, in the year 1965, it costs a student an average of $1,560 for 1 year in a public college; for private colleges, the figure is even higher—$2,370. And in the next 5 years, this figure is expected to rise to $1,840 for public colleges, and 2,730 for private colleges.

This bill takes major steps to help students meet this burden.

It provides a program of general undergraduate scholarships, with the amounts in each case tailored to the need of the recipient.

It inaugurates a low-interest, insured loan program to meet educational expenses, and it encourages States and private agencies to carry out similar programs.

To meet the growing need for buildings and needed facilities, this bill amends the Higher Education Facilities Act of 1963 to provide increased grants to educational institutions.

In recognition of the vital need for improved library resources, the bill provides grants for the purchase of books, periodicals, documents, and other materials, as well as funds for the training of library personnel.

To help our colleges and universities make a greater contribution to the solution of community problems, we are providing funds for a bold new program of university extension and continuing education.

To help institutions facing particular academic and financial difficulties, the Higher Education Act of 1965 will inaugurate a special program of grants to developing higher education institutions to assist in raising the quality of the teaching they provide.

To improve the quality of undergraduate instruction in the broad range of our colleges, the bill will authorize grants for the purchase of special teaching equipment, and for setting up workshops and institutes to train faculty personnel in the use of new educational media.

To improve the quality of teacher education, and to make this teacher education have an impact in the schools of our low-income areas, title V of this bill provides fellowships to prospective teachers, and grants to universities for the improvement of teacher education, and it establishes a new National Teacher Corps for service in schools with a high proportion of poor children.

And even after mentioning all of these provisions, I feel that I have only scratched the surface in my description of what this bill will provide.

I would, however, like to say some special words on behalf of the work-study program inaugurated by the Economic Opportunity Act of 1964. This program has made it possible for needy students to earn essential funds to support their college education. I believe that this program is in our best American tradition, of helping our young men and women to help themselves.

Yet, despite its unquestioned value, this program has suffered from a serious flaw, a flaw which has prevented many needy students from benefiting from its provisions. Participation in the program is restricted to students from very low income families, because of the laudable desire to help those at the very bottom of our economic ladder. But as the report of the Labor and Public Welfare Committee states:

> The rigid limitation of the original bill severely handicapped many universities which have large numbers of students requiring assistance, yet few who are technically from low-income families.

A considerable number of presidents and deans from colleges and universities in Minnesota have written me about this matter. They point out that higher education is a very expensive proposition, and that it is not only the very poor who need the benefit of this type of program.

So I have made efforts to secure a modification of this provision.

I believe that the bill as reported by the committee provides an excellent solution to the problem. It insists—and rightly so—that preference should be given to students from the lowest income families. But it eliminates the rigid income ceiling, and leaves it to universities and colleges to determine who among their students are in need.

I believe that this change will permit the work-study program to help many more students, without changing its basic purpose.

The bill also gives the Office of Education sole responsibility for the administration of this program at the Federal level.

Because of the interest which Minnesota institutions of higher education have shown in this matter, I would like to place in the Record a number of letters which I have received from them discussing this question. I believe that they demonstrate strong support for the bill as reported by the committee, and that they are evidence of a continuing desire among leaders of higher education in Minnesota to make the benefits of their institutions available to all able students, regardless of their financial condition.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Mankato State College,
Mankato, Minn., August 30, 1965.

Senator Walter F. Mondale,
U.S. Senate,
U.S. Capitol,
Washington, D.C.

Dear Senator Mondale: Your letter of August 18, addressed to President C. L. Crawford, has been turned over to me for reply since I am handling this program at Mankato State College.

We, too, find that the low $3,000 (recently changed to $3,200) level of income makes the program very restrictive. We would be able to help many needy students if this low limit could be changed to $3,700.

There are still many students who could remain in college or possibly attend college if some sort of loan program could be established with low interest rates to help these young men and women. This could be in addition to the work-study program.

It is quite difficult, in many instances, to establish need. This is especially true of students who come from farms. Farmers usually have assets ranging from $13,000 to $50,000, but these are definitely related to stock and equipment needed to operate the farm. It does not seem justified to have farmers mortgage their stock and equipment in order to send their sons and daughters to college. Has any special provision been made in the work-study or national defense student loan programs to take care of this?

You may have noted that President Crawford is leaving Mankato State College. He has accepted a position in one of the Florida colleges. A short time ago, Dr. Budd, president of St. Cloud State College, also resigned. It will be very difficult to find replacements for these two men and I feel that Minnesota State colleges have lost very fine leadership. I trust that in the very near future the situation in Minnesota may change in order that we may hold and attract high-caliber administrators and teachers for our State institutions.

Sincerely yours,

G. M. Wissink,
Administrative Dean.

Bemidji State College,
Bemidji, Minn., August 25, 1965.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: With reference to your letter of August 18, be assured that we heartily support your effort to liberalize the eligibility requirements for participation in the college work-study program and to have it transferred from the Economic Opportunity Act to the Office of Education.

As we mentioned to you when you were in Bemidji several months ago, the exclusive emphasis on students from poverty families is not realistic; and many students need the program who do not qualify under the terms of the original legislation. We keep a close touch on our students and would be in a good position to ascertain their need as far as financial aid is concerned.

In this connection, you may be interested in knowing that we will have perhaps $2 million or more in loan funds on the books this coming year (we are getting about $600,000 in National Defense Education Act student loans for the coming year) and our defaulting rate on National Defense Education Act loans is between 4 and 6 percent compared with a national average, which is from 19 to 25 percent. This speaks well for the character of the students from northern Minnesota and Minnesota in general who are attending Bemidji State College and for the way in which student personnel services at the college have handled implementation of the National Defense Education Act loan program.

Again, your interest in this matter is greatly appreciated by all of us.

Sincerely yours,

Harry F. Bangsberg,
President.

University of Minnesota,
Duluth, Minn., August 23, 1965.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Your efforts to make the requirements for participation in the college work-study program more realistic are appreciated by all of us working with the program.

We have an excellent program of off-campus and on-campus work here at University of Minnesota, Duluth. These young people are earning funds to keep them in school; however, there are many others with real need who do not qualify at present.

Sincerely,

R. W. Darland,
Provost.

Hibbing Junior College,
Hibbing, Minn., August 26, 1965.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Sir: We are actively participating in the work-study program under the Economic Opportunity Act. We find the requirements for participation in the program most restrictive. Many deserving students cannot make use of the program because of limiting factors. The family income restriction is particularly severe.

The program could be much more effective and could accomplish the purpose for which it was established if determination of need could be made by college administrators on the local level. With such a provision, many students in the Hibbing area who need the program could remain in or attend college. We heartily endorse such a change. It would be a big factor in making the program at Hibbing Junior College much more effective for and beneficial to students in the area.

Very truly yours,

Ove C. Nordvold,
Dean.

University of Minnesota,
Morris, Minn., August 25, 1965.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Thank you so much for your letter of August 18 concerning the proposed Higher Education Act of 1965, S. 600. It is my belief that the work-study program is unnecessarily restrictive in many instances, and that there are a number of students which do not qualify under the present work-study program which exhibit a real need for gainful employment in order that they might remain in college or to attend college. I would support this kind of proposal with one major exception. What may be the need for a student to attend a college that has a very high tuition might not exhibit itself as a need in a public institution with a relatively low tuition. Therefore, the provision that the determination of need be made by college administrators on the local level might in effect be highly supportive of the high-cost colleges, and in many instances, these are the private institutions. There needs to be, in my estimation, some safeguards put into such a bill which will insure that these funds do not become recruiting devices to a specific college, but recruiting devices that will allow students to attend college.

We have a very vigorous work-study program presently operating on our campus, and have been very satisfied with the development of it. However, there are a number of categories of students who do exhibit needs that do not qualify under the program, and which could be materially assisted by broadening the restrictive nature of the present work-study program. I remember the working of the NYA projects in the thirties, and would be highly supportive of such a program updated to meet the kinds of needs as present in 1965.

Thank you so much for your letter.

Sincerely,

Rodney A. Briggs,
Dean.

Brainerd Junior College,
Brainerd, Minn., August 24, 1965.

Senator Walter F. Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: We have had a dozen or more students employed under the Economic Opportunity Act and could very well have had more if we had not interpreted the "need" provision of the program as closely as we had been advised we should interpret it. I am confident we turned away a number of prospective students whose "need" was considerable in order to stay in college, but whose family income was such that it was impossible to give them employment.

I have understood that this has been interpreted in a variety of ways in other localities and that, in actual fact, we perhaps need not have interpreted the ruling as rigidly as we have. I am certain if the need rule were to be relaxed, many more students might have been employed.

Sincerely,

J. E. CHALBERG,
Dean, Brainerd Junior College.

ST. CLOUD STATE COLLEGE,
St. Cloud, Minn., August 24, 1965.

Hon. WALTER P. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: Your letter addressed to President Budd concerning changes in eligibility requirements for participation in the college work-study program was referred to me for consideration.

I have conferred with our local officials who administer this program at our college, and they agree that transferring the work-study program to the jurisdiction of the Office of Education is wise and practicable. Furthermore, they believe that the emphasis on students from poverty-line families should be broadened to include such students as may need the program to remain in college.

Many thanks for your efforts in improving the work-study program.

Sincerely yours,

ROBERT H. WICK,
Acting President.

MACALESTER COLLEGE,
Saint Paul, Minn., August 30, 1965.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR FRITZ: Thank you so very, very much for your letter of August 18, 1965 and for your efforts to make it possible for students in financial need to obtain assistance in order that they may attend college.

Here at Macalester we have identified approximately 40 students who qualify under the antipoverty bill, and about 30 of these students are taking advantage of the work-study program. It is going to be of untold value and assistance to them.

One of the unfortunate problems involved in the work-study program is that so often the young people who qualify, economically, for this program are from such deprived backgrounds that they have great difficulty in achieving a satisfactory level of academic success while, at the same time, spending a great deal of time at work and, as a consequence, away from their studies.

We shall be glad to cooperate with and assist in any way that we can to broaden the opportunities for more young people to obtain a greater amount of education, for only along this path can a continuing success of our society and of our world be achieved.

With warm personal regards, I remain,

Very sincerely yours,

HARVEY M. RICE,
President.

Mr. KENNEDY of Massachusetts. Mr. President, before us today is the second major education bill in this session. This bill is concerned with the quality of our higher educational institutions and seeks to bring the benefits of higher education to a greater number of our citizens and their communities.

Earlier, we enacted an Elementary and Secondary Education Act. The thrust of that bill was directed at bettering our public educational institutions in those areas of greatest need. The successful implementation of that measure can only lead in the future to a greater reliance on our institutions of higher education by more and better prepared students.

I consider myself fortunate to be a Member of this Congress, for I am convinced that we are doing more to affect the quality of American life than at any comparable time in our history. Our efforts here, especially in the area of education, will redound to the national good for decades to come—for when a Congress acts again and again with the express purpose of bettering and assisting the basic institutions that form the supports of our society, the results are reflected in each generation, and in each individual whose life is uplifted.

The senior Senator from Oregon has given each of us an opportunity to be involved in such changes that will so affect the level of our society. It would be most difficult for me or my colleagues to fully express our admiration for his work in the area of education. The passage of this measure today, so much the result of his tireless efforts and so filled with his own ideas and hopes, must be ample to record the gratitude of this body.

Mr. President, any higher education measure carried with it the assumption that there is a natural progression in the lives and development of our citizens. It assumes that our children travel a path in the growth of their minds that leads to the ultimate in formal training, and then to a continuing desire to further their knowledge over a lifetime. For the fortunate in our society this is a normal expectation. But there are many, too many, whose introduction to education creates no such hope, and no such desire for more. To these children, education is a meaningless experience encountered between learning to walk and going to work. Most often their parents have fared no better and usually their relations and neighbors offer no contrast. These children are poor; they live in poor communities that can afford only the bare minimum in educational plant and equipment. But more than that, these communities cannot afford to attract the best, or enough of the best, in teaching talent produced by our colleges and universities. It is not the dull surroundings that are controlling in stunting the mental growth of these children, it is the lack of exposure to the bright and dedicated teacher, who can bring to the classroom—any classroom—the excitement of learning.

The examples of teachers who affected the lives of great men in our history, but in the poorest possible surroundings, are endless. But a more graphic and recent experience can be found in the past 3 years in Prince Edward County, Va. There the public schools were closed in defiance of a Supreme Court order. There the most disadvantaged in our society went totally without education for a period of 4 years. When a program to establish a substitute school system was inaugurated in 1963 a nationwide call for teachers produced over 100 in 3 weeks or less. The physical surroundings remained the same, the social inequities were not changed, but these children began to receive the benefit of the work of skilled teachers who were leaders in their profession. After 4 years of no schooling these children quickly began to read and write. They were fast to respond to the teaching stimulus. Many who had been considered average students before were found to be exceptional in tests of intelligence, others developed from illiterates to average readers for their age in a far shorter period of time than could ever have been reasonably expected. The teacher was the key, the teacher was the pivotal point in lives that will some day prove to be fruitful and productive. There is no doubt that in a decade many of these Prince Edward children who had been marked for social oblivion, will be the recipients of the benefits found in this very bill we are considering today.

It was on the basis of this experience, Mr. President, that the idea of a National Teacher Corps was proposed. The amendment that I proposed was directed toward a reallocation of experienced teaching talent on a national basis from the most fortunate to the most deprived school districts. I was pleased to join my concept with that of the junior Senator from Wisconsin, and to work with him to advance what is now a major part of this bill. While this concept of attracting and transferring experienced teachers is distinct from the idea of making student teaching teams available to disadvantaged school districts, they are compatible and will function well together.

Mr. President, on past occasions both Senator NELSON and I have set forth our impression as to how the Teacher Corps will function. Moreover, the report accompanying this bill is designed to clearly state our specific hopes for the administration of the program. I think it important, however, to restate a few general points of particular interest to me.

First. It is crucial to the successful implementation of this program that the recruitment, selection, and enrollment of Teacher Corps members be undertaken at the national level to the fullest extent practicable. The Teacher Corps is akin to the Peace Corps in this respect. If we are to attract the best teaching talent from among our experienced educators we must allow them to be involved in a nationally directed program against poverty and deprivation. I am convinced that there are many citizens who wish to contribute to the current campaign to raise the level of American life, but who find themselves in a situation where personal responsibilities are heavy. The Teacher Corps, while asking some sacrifice, will allow them and their families to be involved. But they must be assured of association with a truly national program. Only a federally directed effort can accomplish this.

Second. The bill was written in such a manner as to provide the Commissioner of Education with the greatest possible flexibility in its administration. This is important because of the diversity that will be encountered in school districts and university and college training programs across the country. We did not seek the hard and fast criteria or administrative arrangements. If the program is to grow and broaden over time, experimentation in administration must be the rule.

Third. While the local school district is given complete control over the teachers assigned to it, it is my expectation that the district will allow, and indeed expect, these teachers to innovate in the classroom for the benefit of the students and their fellow teachers. There is no doubt that the greatest amount of innovation in teaching is developed in those more fortunate school districts where affluence and sufficient personnel create the favorable environment for new approaches. It is my hope, then, that members of the corps will, while being treated as any other teacher in the receiving school system, be given some latitude to bring their experiences to bear in the new teaching environment. I hope that the Office of Education will be able to express this thought to the applying school districts. The bill does, of course, make it clear that members of the corps are not to be considered as substitutes, but as supplementary personnel in the receiving district.

Fourth. The bill is also designed to attract corps members who may wish to enroll for less than a period of 2 years. What we contemplate here are the special advantages that children may receive in summer remedial programs. All too often, the child who falls behind in reading comprehension, for example, goes undetected until the learning process becomes so painful that education loses its excitement and rewards. This situation is often magnified in the poorer school district where class size alone tends to camouflage such problems. Remedial reading courses during the summer months can be of great importance in such situations. But beyond that, remedial programs for the generally slow learner, the hard of hearing, the nearly blind, or the retarded, may be made available in the poorer school districts as a direct result of the corps. The highly specialized teachers in these subject areas may not be able to leave their responsibilities during the school year, but would be most willing to join the corps for such summer programs.

Finally, the Senate version of the corps carries its own authorizations. The House version, as accepted in committee in the form of a separate bill, would call for the corps to be funded under title I funds of the Elementary and Secondary Education Act. It is my hope that in conference the House will accept the Senate version. It would be most unfortunate for unique and unusual program such as this to be placed in direct competition for the limited funds allocated to local school districts by title I of the Elementary Act.

Mr. President, the passage of the Higher Education Act today will complete the major education work of this session. It is my hope that this legislation, coupled with the earlier elementary and secondary education bill will provide us with a firm basis for even greater assistance to education in the future.

Mr. CANNON. Mr. President, the legislation before the Senate is deserving of the most prompt and thorough action. It is our duty as representatives of the people to do all in our power to advance the cause of learning within our Nation. Our action on the bill before us will serve as an index to how well we are carrying out that duty.

I am convinced that the administration of education is the rightful province of the States and local educational agencies. This has been the pattern ever since the beginning of public education in America. I am equally convinced that the time has come when the old system of financing education primarily from taxes on property is no longer sufficient. In today's rapidly changing world, limited progress in education is little better than standing still; and limited progress is the natural result of limited finances.

In order for our educators to use their abilities to the fullest extent and for our young men and women to develop their skills fully, we must shore up the fiscal underpinnings of our educational system wherever they are shaky. We must search untiringly for new ways to improve the dissemination of knowledge, and we must implement the findings of this search.

Many students and many educational agencies simply do not have the resources to repair deficiencies and to undertake new and necessary programs. The students have few means of obtaining funds necessary to obtain a higher education, and many local educational institutions have no means of independently acquiring the resources they need.

But the effect of the education, good or poor, transcends local and State boundaries and makes itself apparent in every facet of our national life. Therefore, if we move to grant funds for aid to education, we will but act in the national interest.

We will be well within the limits of Federal prerogative as defined by President Lincoln: "We will be doing for the people what they cannot do for themselves."

And yet, there are arguments that the Federal Government has no place in American education. Proponents of this view maintain that if the Federal Government once makes financial grants to individuals and universities, then it must follow that the Federal Government will attempt to control education. Such is simply not the case.

At present, the Federal Government shares in the financing of vocational education, school construction, education in federally impacted areas which means so much to my State, and other education programs. In all these various programs there has been no indication whatever of moves toward Federal control of education. I must make it clear that I would vigorously oppose any effort to extend Federal controls over the educational process. It is clear to me that this bill, if enacted, would grant the Government the power to assist individuals and unversities financially, and only that power. Control of education would remain solely in the hands of State and local authorities.

It is equally clear to me that this bill must be regarded as an adjunct in the effort of local and State officials to improve and expand higher education. I am hopeful that they will expend the effort and resources necessary to make our colleges and universities models of academic excellence.

Mr. President, the Congress of the United States stands close to striking another meaningful and necessary blow for the betterment of American education, and through that, for the improvement of American life.

I favor the proposal before us and I compliment the committee for its action on this legislation and hope my colleagues will join with me in support of the bill.

Mr. McGOVERN. Mr. President, as a former college history professor and Senate sponsor of the Higher Education Act of 1965 I rise to express my wholehearted support for H.R. 9567, to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

At this point when colleges and universities are faced with mushrooming enrollments, when needy students wishing to obtain a higher education are faced with rising tuition costs, and when institutions of higher learning all across the Nation are faced with the need for better, more adequate libraries, dormitories, and other academic facilities, this bill represents an impressive step forward to improve higher education in the United States.

I am particularly pleased that this legislation provides for low-interest insured loans and undergraduate scholarships. I have long believed that such programs are essential to provide thousands of needy and deserving students with the opportunity to obtain the higher education they so earnestly desire.

As Senator from a State which does not have public community colleges or public technical institutes, I am gratified by the provisions of section 702, subsection (a) of this legislation, amending the Higher Education Facilities Act of 1963. The language in the bill now before us provides that a State's allotment for the construction of facilities for public community colleges and public technical institutes may be used instead for the construction of academic facilities for other kinds of institutions of higher education of the request of the Governor of the State. The critical need in my State of

South Dakota is to assure adequate support for the schools now in existence.

Early in the current session of Congress I introduced legislation to provide for this transfer of Higher Education Facilities Act funds. For this reason, I am delighted that the Senate version of the Higher Education Act follows the approach which I have been urging in this regard for many months. I earnestly hope that in the House-Senate conference on this bill, this Senate amendment will be retained intact.

Mr. President, I urge my colleagues in the Senate to overwhelmingly approve H.R. 9567.

Mr. ROBERTSON. Mr. President, no one endorses more wholeheartedly than I the Jeffersonian maxim:

> Any nation that expects to be both ignorant and free, expects what never has been and never will be.

One of the reasons that a large part of our more than $100 billion of foreign aid has been largely wasted with respect to the establishment in the recipient countries of a democracy modeled after ours, has been the ignorance in those countries and the consequent lack of capacity for self government. For instance, we have donated billions of dollars, primarily in food, to India but only about 5 percent of that country is literate and we are not making any headway. The same general conditions apply in Brazil, the largest and potentially the richest country of South America. And so far as the 18 or 19 new nations of darkest Africa are concerned, they boast when they can claim that 1 percent of the population is literate.

Fortunately, what we call literacy, namely, the basic ability to read and write simple English, is high in this country, but we are rapidly moving into what is called a period of automation which demands skills, and skills demand education. At the present time, the largest percentage of those unemployed are high school students who lack the ambition to get an education and lack the skills to get a job. Fundamentally, therefore, I would be glad to support a program to stimulate education at all levels and especially at the college level as is proposed by the pending bill. But I think that the Senate committee overreached itself in sending us a 5-year program to subsidize college education when the President recommended only a 1-year program, and a bill to cost $4,700 million when the President recommended only $364 million. This bill should have been cut back to what the President recommended, for two reasons: First, a majority of colleges are now unable to accept the students who are applying without this Federal aid; and second, while we continually talk peace we are still at war in South Vietnam and no one knows how long that war will last or how much the cost of it will increase within the next 12 months. For those reasons I cannot vote for the bill.

Mr. SMATHERS. Mr. President, it is a privilege to have this opportunity to voice my support for the Higher Education Act of 1965.

In the 14 years I have been in the Senate, I have studied numerous education bills. A number of these have had some good features; and there have been others which I felt I could not support. However, after carefully studying this bill, I find that I can give this measure my whole-hearted support.

I want to commend my colleague from Alabama and the distinguished Senator from Oregon as well as the other members of the committee for their fine work in bringing a landmark piece of legislation to the floor.

I might point out that the committee has not accepted the bill without amendment. The bill has been considerably improved since it was introduced. The many months of work on this bill has resulted in a good bill which merits the support of each one of us.

When the Higher Education Act of 1965 was first introduced I was concerned about the fact that 2-year institutions were specifically excluded from participation in the title III program. This was an unwarranted limitation which was inconsistent with the rest of the bill.

I want to congratulate the committee for eliminating this gross inequity.

As a whole, H.R. 9567 now offers us a well coordinated balanced program of financial assistance in the field of education.

The Higher Education Act of 1965 will go far in eliminating some of the major problems which our colleges and universities have faced in recent years.

The principal provisions of the bill will—

First, assist in the establishment of extension and continuing education programs;

Second, expand college libraries and encourage research and training in librarianship;

Third, assist intercollegiate cooperation arrangements and establish a national teaching fellowship program to attract outstanding scholars to teach in underdeveloped institutions;

Fourth, extend the benefits of college education to more students by providing undergraduate scholarships to needy students; by establishing, assisting, and stimulating programs of insured reduced-interest loans for college students; by extending and expanding the college work-study program; and by expanding the National Defense Education Act of 1958;

Fifth, establish a National Teachers Corps to strengthen the educational opportunities available to children in areas having high concentrations of low-income families and encourage colleges and universities to broaden their programs of teacher preparation;

Sixth, improve the quality of undergraduate classroom instruction in selected subject areas by authorizing funds for equipment purchases and for faculty development programs; and

Seventh, increase the number and capacity of academic facilities by increasing the authorization of title I of the Higher Education Facilities Act of 1963—Public Law 88–204—by $100 million and by doubling the authorization in title II of that act.

The benefits of the Higher Education Act of 1965 to the institutions, students and residents of Florida are especially significant with regard to title III. At this time, I would like to address myself specifically to that title.

The State of Florida has been exerting itself to the limit in order to meet the rapidly increasing demand for higher education. One of the methods we have used to meet the need has been the establishment of a comprehensive system of 2-year colleges which offer 2 years of the least expensive higher education available in the Nation. At the present time, we have more than 30 2-year colleges in the State—counting both public and private schools.

We have not been satisfied with just establishing 2-year colleges. We have also done everything possible to make these schools strong. However, there have been some difficulties.

The 2-year college at the present time has not been able to develop the prestige necessary to hold highly qualified professors.

Further, since 2-year colleges generally offer many introductory courses and 2-year professional courses, highly qualified professors feel that they do not have the opportunity to teach in specialized fields or to do specialized research.

I think that title III will offer many outstanding scholars the opportunity to experience some of the advantages of teaching in 2-year institutions which are making an all-out effort to give quality higher education. These professors are going to find that close contact with students and the relief from the "publish or perish" pressure are an aid to quality in education not an evidence of lack of quality. Personally, I think some of the emphasis placed on publishing at the so-called prestige universities is the result of more interest in reputation than in education.

I am delighted to see that the Committee on Labor and Public Welfare has amended the bill to give junior colleges an equal opportunity to participate in this program.

Title III represents a most significant step in the direction of upgrading and strengthening the smaller colleges of the country. This title provides for a 5-year program of grants to institutions of higher education and to teaching fellows to assist in raising the quality of education available in underdeveloped institutions. For the present fiscal year and the succeeding 4 fiscal years, it authorizes $25 million for 4-year schools and $25 million for junior colleges.

It also authorizes $5 million for fiscal year 1966 to be granted at the discretion of the Commissioner of Education. It is my hope that the Commissioner will not overlook the opportunity to expand the capabilities of 2-year institutions in the granting of the funds to be used at his discretion.

In our modern industrialized Republic, where nothing is any longer simple, the people must make intelligent citizens. There was a time when an elementary or a secondary level education was considered enough education to provide a citizen with the tools necessary to make wise decisions. Today more formal education is necessary. It is time that we realize that the need exists to provide a low cost, if not free, higher education to all able young people.

Let me cite some of the reasons why the Higher Education Act of 1965 should be adopted. Among them is the fact that it recognizes clearly the importance of higher education to the continued progress of the Nation, and proposes some specific measures for the improvement of the program of our colleges and universities.

These institutions have vastly enlarged responsibilities, for they must train their students for situations in which the fields of knowledge are expanding and diversifying, new techniques of industry and business are coming daily to the fore, and ways of life and living are being altered immeasurably.

Students are coming in ever-greater numbers to the campus. Faculties must be enlarged and be better educated and equipped for the instruction they render and for the research they pursue.

No program for raising the quality of instruction and research in an institution of higher education can proceed very far or very successfully unless it has an adequate library to buttress the endeavor. Educators have, therefore, taken a close look at the library, as regards book collections, personnel, building, and finance.

In the "National Inventory of Library Needs," published in 1965 and based heavily on U.S. Office of Education statistics, the following observations are well to keep in mind in considering libraries.

First. Stress has been given to independent study, honor programs, and new teaching methods in institutions of higher education. They add responsibilities to the library.

Second. The tremendous increase of recorded knowledge, which makes it difficult for libraries to cover the fields adequately and satisfactorily.

Third. With the sheer increase in the number of students and faculty has come the steady rise in graduate study, particularly study leading to a doctorate. It is estimated that U.S. colleges and universities will turn out twice as many Ph. D.'s in 1966 as in 1962. This trend affects libraries.

Fourth. Tremendous need has arisen for information about the non-Western civilizations and countries, resource materials for which are difficult to get, expensive, and require special language knowledge—a problem for the large libraries, at least.

Fifth. The expanding role of junior colleges has made a change in the basic nature of higher education.

These facts are some that underlie the problem of college libraries. A study of statistics shows some of the current shortcomings at the national level.

Fifty percent of the 4-year institutions fail to meet the standards for size and quality of book collections.

Eighty percent of the 2-year institutions fail. In the case of the percentage of the total educational and general budget which should be devoted to library purposes, instead of 5 percent, 3.5 percent is being spent. The staff lacking in college and university libraries is some 4,000.

The colleges and universities in my own State of Florida have been making remarkable progress, but in view of the demands made upon them because of rapidly increasing enrollments and faculty, rising prices, and other factors, they still face many gaps.

For example, of the 17 4-year institutions of higher education, 10 do not meet the national support standard for their libraries. Of the 25 2-year institutions, 8 spend less than the recommended 5 percent of the total operating budget of the college.

There are a total of 129 libraries in institutions of higher education in the United States containing 300,000 or more volumes. Three are in my State. However, of the 14 4-year institutions with libraries of under 300,000 volumes in Florida, none meet the standards. Of the 2-year institutions, 25 in number, none meet the standards for numbers of volumes.

The pending measure proposes various kinds of grants, on a matching and maintenance of effort basis in the case of the basic and special purpose grants, to help especially the small and medium colleges build up book collections.

It authorizes funds for the training of library personnel of all types and for research in librarianship, and for centralized cataloging.

The proposals included in the measure before us mean improved libraries. This in turn means a better program of higher education in this Nation.

I urge my colleagues to give their wholehearted support to this measure.

Mr. KENNEDY of New York. Mr. President, I am pleased to see incorporated in the committee report on H.R. 9567, my amendment designed to coordinate the educational activities supported by the Federal Government and to eliminate possible duplication found in our current Federal program.

The hearings before the committee showed clearly that the host of Federal and State programs designed to serve different educational purposes overlap one another. Federal programs support vocational training at one level and visiting scientists on another. I ask unanimous consent that a list of the educational programs which overlap one another and which I compiled be printed at the end of my comments to indicate the scope of the programs involved.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of New York. Mr. President, we cannot delay in providing the additional assistance contained in this bill, but similarly we cannot delay in eliminating unnecessary duplication and changing programs that do not serve the purpose for which they were designed.

Therefore, in order to coordinate the many Federal and State programs and to recommend ways in which our higher educational system can be improved, this bill establishes a Presidential Advisory Council on Extension and Continuing Education. This Council will review and evaluate the operation of the extension and continuing education activities of the Federal Government. It will recommend to the President for transmission to the Congress an annual report specifying ways in which these educational programs can be better coordinated.

I believe that the reports of this Advisory Council can go a long way in improving the fabric of our system of higher education. But we must also have the cooperation of the Federal agencies and the State agencies involved in higher education, if this is to be accomplished. We cannot have a situation in which each segment of the system acts as if it were a completely independent entity. I think that we can achieve effective cooperation through this Council.

On another aspect of this bill, a part of the funds that would be available under this bill would be used for the construction of classrooms, laboratories, and other educational facilities.

It is important that these buildings and facilities and the surrounding grounds be constructed with attention to their architectural beauty as well as efficiency in education.

My colleague, Congressman JAMES H. SCHEUER, of New York State, has recommended that H.R. 9567 be amended to provide that 1 percent of the funds available for construction be used for artistic or esthetic amenities such as architectural design, landscaping, paintings, sculpture, or ornamentation.

This amendment would follow the precedent set in our legislation for highway construction that provides that 3 percent of the funds made available to the States for this purpose can be used for landscaping to make our highways more attractive. It would also be in keeping with the administrative regulations established by the Housing and Home Finance Agency in construction of their buildings.

I have discussed this matter here on the floor with my distinguished colleague, Senator MORSE, and it is his desire that this point be taken up in conference.

So I am not offering an amendment to H.R. 9567 for this purpose, but rather am urging that the House and Senate committees stress the desirability of using 1 percent of the funds available for the esthetic design and embellishment of the educational facilities constructed.

EXHIBIT 1

Following are a list of federally supported training programs and three memorandums describing Federal programs, actual and pending, which are related and supplementary to title I of S. 600.

Federal support of training and related activities, estimated obligations by level, fiscal years 1965 and 1966 [1]

[Amounts in thousands]

Academic level and type of support	1965	1966
Total [2]	$3.775,147	$6,081,104
Elementary-secondary education [3]	706,019	1,960,507
Support of local schools	613,105	1,636,006
Public land revenue for schools, Agriculture	16.900	17,200
Federally impacted areas, Office of Education	397,820	402,010
Grants for equipment and remodeling, National Defense Education Act, Office of Education	70,400	79,200
Counseling and guidance grants to States, National Defense Education Act, Office of Education	20.485	24,496
Loans to nonprofit, private schools, National Defense Education Act, Office of Education	1,000	1,500
Education of children of low-income families, Office of Education	----------	1,000,000
Indian education, Interior	69,000	75,000
Public land revenue for schools, Interior	37,500	36,600
Support of related school services	10,300	238,050
School library resources, Office of Education	----------	100,000
Supplementary education centers, Office of Education	----------	100,000
Grants to State departments of education, Office of Education	----------	25,000
Grants for State supervisory services, National Defense Education Act, Office of Education	5,200	7,500
Grants to States for statistical services, National Defense Education Act, Office of Education	2,100	2,250
Civil rights grants to school boards, Office of Education	3,000	3,300
Support of special areas	77,749	80,540
Education of dependents of Federal personnel overseas, Department of Defense	72,000	75,000
Cuban refugee payments, Office of Education	5,280	5,097
Kendall School, Gallaudet College, Health, Education, and Welfare	206	221
Schools in national parks, Interior	89	94
Menominee Indian grants, Interior	88	44
Education of pages, District of Columbia	86	86
Other	4,865	5,909
American Printing House for the Blind, Health, Education, and Welfare	865	909
Science education for secondary students, National Science Foundation	3,800	4,600
Visiting scientist program, National Science Foundation	200	400
Higher education	1,904,797	2,542,099
Student support	749,666	1,023,047
(Fellowships and traineeships)	(202,041)	(257,500)
Graduate fellowships, National Defense Education Act, Office of Education	32,740	58,108
Fellowships in foreign languages and area studies, Office of Education	1,500	2,000
Language fellowships, National Defense Education Act, Office of Education	5,620	6,120
Fellowships—Educational improvement for handicapped, Office of Education	8,915	12,818
Traineeships—Educational improvement for handicapped, Office of Education	2,646	3,658
Short-term traineeships—Educational improvement for handicapped, Office of Education	2,621	2,866
Injury control fellowships, Public Health Service	0	50
Community health fellowships, Public Health Service	0	100
National Institutes of Health fellowships and traineeships, Public Health Service	48,172	54,580
Nursing services fellowships, Public Health Service	362	412
Air pollution fellowships, Public Health Service	252	378
Water supply and water pollution fellowships, Public Health Service	617	710
Neurological and sensory disease traineeships, Public Health Service	228	228
Professional nurse traineeships, Public Health Service	8,000	9,000
Public health traineeships, Public Health Service	4,500	7,000
Senior clinical traineeships, Public Health Service	1,000	1,000
Rehabilitation fellowships, Vocational Rehabilitation Administration	160	160
Rehabilitation research traineeships, Vocational Rehabilitation Administration	11,420	12,622
Fellowships—Bureau of Commercial Fisheries, Interior	200	200
Fellowships—East-West Center, State	3,485	4,000
Nuclear traineeships, Atomic Energy Commission	300	300
Nuclear science fellowships, Atomic Energy Commission	2,029	2,100
Fellowships, planning and urban studies, Housing and Home Finance Agency	515	530
International fellowships, National Aeronautics and Space Administration	258	260
Resident research associateships, National Aeronautics and Space Administration	1,300	1,300
Predoctoral traineeships, National Aeronautics and Space Administration	25,000	30,000
Graduate fellowships, National Science Foundation	9,617	9,617
Cooperative graduate fellowships, National Science Foundation	6,135	6,135
Student support—Continued		
Graduate traineeships, National Science Foundation	$15,120	$22,285
Summer fellowships for graduate teaching assistants, National Science Foundation	961	961
Postdoctoral fellowships, National Science Foundation	1,632	1,632
Senior postdoctoral fellowships, National Science Foundation	1,115	1,200
Science faculty fellowships, National Science Foundation	4,125	4,395
Summer fellowships for secondary schoolteachers, National Science Foundation	855	0
Senior foreign scientist fellowships, National Science Foundation	641	755
(Training grants)	(289,175)	(318,247)
Institutes for counseling personnel, National Defense Education Act, Office of Education	7,250	7,250
Institutes, National Defense Education Act, Office of Education	29,750	32,750
Institutes on civil rights for school personnel, Office of Education	3,000	3,000
National Institutes of Health training grants, Public Health Service	180,527	193,396
Injury control training grants, Public Health Service	0	100
Chronic disease of aged training grants, Public Health Service	100	200
Dental services training grants, Public Health Service	2,269	2,549
Environmental health training grants, Public Health Service	2,262	3,578
Air pollution training grants, Public Health Service	998	1,309
Radiological health training grants, Public Health Service	2,500	2,500
Water supply and water pollution, Public Health Service	2,000	2,500
Cancer control training grants, Public Health Service	600	700
Community health practice training grants, Public Health Service	100	200
Neurological and sensory disease training grants, Public Health Service	1,090	1,100
Nurse research training grants, Public Health Service	364	480
Institutes for environmental health, Public Health Service	0	1,500
Training personnel—Juvenile delinquency program, Welfare Administration	2,000	2,000
Child welfare training grants, Welfare Administration	3,575	5,000
Faculty-student participation, Atomic Energy Commission	1,130	1,130
Summer student training, Atomic Energy Commission	70	70
Faculty training institutes, Atomic Energy Commission	790	790
Federal-State training, community development, Housing and Home Finance Agency	5,050	10,145
Academic year institutes for college teachers, National Science Foundation	1,530	1,800
Summer institutes for college teachers, National Science Foundation	3,000	3,350
Conferences for college teachers, National Science Foundation	670	800
Academic year institutes for secondary school teachers, National Science Foundation	10,500	10,600
Summer institutes for secondary school teachers, National Science Foundation	23,200	23,500
Inservice institutes for secondary school teachers, National Science Foundation	3,000	3,200
Summer institutes for elementary school personnel, National Science Foundation	1,400	1,950
Inservice institutes for elementary school personnel, National Science Foundation	450	800
(Other student assistance)	(258,450)	(447,300)
Student loans, National Defense Education Act, Office of Education	146,700	181,550
Work study, Economic Opportunity Act, Office of Education	56,000	84,000
Cuban refugee loans, Office of Education	2,300	2,500
Undergraduate scholarships, Office of Education	----------	70,000
Insured loans, Office of Education	----------	15,000
Additional college—Work study, Office of Education	----------	45,000
Health professions student loans, Public Health Service	17,900	15,400
Nursing student loans, Public Health Service	7,550	12,850
Indian education, Interior	1,000	1,000
Veterans education, Veterans' Administration	27,000	20,000
Institutional support	983,064	1,311,908
(Construction)	(842,327)	(1,047,528)
Higher education facilities, Office of Education	463,150	641,750
Howard University construction, Health, Education, and Welfare	1,810	2,920
Gallaudet College construction, Health, Education, and Welfare	367	308
Health educational facilities, Public Health Service	100,000	90,000
East-West Center construction, State	0	250
College housing loans, Housing and Home Finance Agency	277,000	312,300
(Other institutional assistance)	(140,737)	(264,380)
State merchant marines schools, Commerce	1,725	1,600
Medical education for national defense, Department of Defense	1,000	1,000
College library assistance, Office of Education	----------	65,000
Grants to developing institutions, Office of Education	----------	30,000
Language and area centers, National Defense Education Act, Office of Education	4,830	5,080

See footnotes at end of table.

Federal support of training and related activities, estimated obligations by level, fiscal years 1965 and 1966[1]—Continued

[Amounts in thousands]

Academic level and type of support	1965	1966
Institutional support—Continued		
Stimulation grants—Educational improvement for handicapped, Office of Education	$318	$159
Instruction in land-grant colleges, Office of Education	14,500	14,500
Howard University, Health, Education, and Welfare	9,660	10,982
Gallaudet College, Health, Education, and Welfare	1,926	2,277
Freedmen's Hospital training program, Health, Education, and Welfare	868	1,114
Project grants for improving nurses training, Public Health Service	2,000	3,000
Payments to diploma schools of nursing, Public Health Service	4,000	4,000
Formula grants to schools of public health, Public Health Service	2,500	2,500
Project grants for public health training, Public Health Service	2,500	4,000
Teaching grants, Vocational Rehabilitation Administration	8,230	9,518
East-West Center, State	1,840	2,250
Equipment and materials grants, Atomic Energy Commission	2,000	2,000
Instructional equipment for undergraduate, National Science Foundation	8,000	8,000
Graduate science facilities, National Science Foundation	28,000	28,000
Institutional grants for science, National Science Foundation	11,000	19,000
Science development program, National Science Foundation	28,000	40,000
Science education for undergraduates, National Science Foundation	6,000	7,500
Science education improvement grants, National Science Foundation	1,450	2,500
Visiting scientists, National Science Foundation	390	400
Training of Federal personnel	172,067	207,144
Merchant Marine Academy, Commerce	3,567	3,644
Military academies, Department of Defense	105,000	129,000
Coast Guard Academy, Treasury	6,500	6,500
Outservice training of Federal personnel, ALL	57,000	68,000
Vocational-technical and adult education	1,076,153	1,488,831
Vocational-technical training	$979,586	$1,352,357
Vocational education, act of 1963, Office of Education	106,650	159,750
Grants to States for vocational education, Office of Education	34,796	34,991
Promotion of vocational education, Office of Education	7,161	7,161
Area vocational education, NDEA, Office of Education	15,000	15,000
Work-study programs, vocational education, Office of Education	5,000	25,000
Residential vocational schools, Office of Education	0	5,000
Cuban refugee training, Office of Education	1,443	1,443
Vocational education—Appalachia grants, Office of Education	8,000	8,000
Work experience, Welfare Administration	117,000	150,000
Indian training, Interior	12,205	14,427
Manpower Development and Training Act training and subsistence, Labor	342,640	386,361
Area Redevelopment Act training and subsistence, Labor	8,229	0
Work training, Labor	132,500	245,000
Promotion of apprenticeship and training, Labor	5,762	5,724
Job Corps, Office of Economic Opportunity	165,200	280,500
Veterans education, Veterans' Administration	18,000	14,000
Continuing education	77,567	103,474
Agricultural extension service, Agriculture	73,561	74,468
State technical services program, Commerce		(4)
Civil defense training, Office of Education	4,006	4,006
Urban extension and continuing education, Office of Education		25,000
Basic adult education	19,000	33,000
Adult literacy program, Office of Education	19,000	33,000
Other education	88,178	89,967
Library services	74,036	76,505
National Agricultural Library, Agriculture	1,599	1,865
Grants for library services, Office of Education	55,000	55,000
National Library of Medicine, Public Health Service	3,958	5,010
Library of Congress, Legislative	13,479	14,630
Other	14,142	13,462
Educational TV facilities grants, Health, Education, and Welfare	13,742	13,062
Public understanding of science, National Science Foundation	400	400

[1] Based on U.S. and agency budget documents. Excludes research and development, research facilities, international education, intramural training programs, value of commodities and property transferred to educational institutions, and payments in support of general Government services in territories and dependencies some of which support education.

[2] Includes grants and loans.

[3] Excludes funds for vocational education which are included under "Vocational-technical and adult education."

[4] It is estimated that $5,000,000 to $10,000,000 will be required to finance this program.

Mr. PELL. Mr. President, I am highly pleased to add my support to this landmark legislation, which I believe will add significant dimensions to our efforts in the field of higher education.

It is particularly gratifying to me that the Senate Subcommittee on Education, under the very capable leadership of my friend and colleague from Oregon [Mr. Morse], saw fit to accept my recommendation that funds be added to provide for a major effort in the field of continuing education. This will now enable facilities to be constructed through the use of which our universities and colleges can respond to the needs of the communities they serve. As is stated in the report by the Committee on Labor and Public Welfare, on which I serve:

> In their bearing on adult life, knowledge and change in every part of our lives have at last brought us to the point where the old expressions of lifelong learning and continuing education become meaningful decriptions of what is required of man.

The overall effect of this higher education legislation enables greater efforts in the areas of university extension and continuing education, scholarship and loan programs, work-study, grants to public schools, loans to private schools, new and modern equipment, library assistance, aid to community colleges and technical institutes, and other institutions of higher education.

In my own State of Rhode Island, as much as $1,696,000 will be available for such efforts. I know this will be extremely helpful to the institutions and communities in my State, and I intend to encourage the broadest possible participation in this program.

Senator Morse has done a remarkable job of leadership in piloting this bill over the many shoals that faced it and he and his committee deserve every congratulation for what they have done.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Maryland [Mr. Tydings], I ask unanimous consent that his statement on the pending bill be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Mr. Tydings

It is my privilege to support this bill, the product of so much effort, and patient consideration by the members of the Education Subcommittee and the entire Labor and Public Welfare Committee. The chairman, the distinguished senior Senator from Oregon [Mr. Morse], and the members of the subcommittee and the full committee have performed invaluable service for our Nation. I wish to especially commend the junior Senator from Wisconsin [Mr. Nelson] and the junior Senator from Massachusetts [Mr. Kennedy] for their vision in devising and their effort in advancing the National Teachers' Corps for disadvantaged school districts which is embodied in this bill. Thousands of our young people will receive the benefits of a better education, because of the provisions of this bill, and a good education will enable these young Americans to lead richer, fuller, more productive lives.

Money spent to improve the quality of our educational facilities, to broaden and strength our educational resources, is an investment and not an expenditure. It is an investment in the future of our young people. This is the most meaningful investment which any society can make.

Several months ago, the Congress passed a monumental bill to provide over $1 billion per year in Federal assistance to elementary and secondary schools. That law will provide much-needed assistance to the school districts of our Nation, so that they may better educate our young people through elementary and high school.

But today a high school diploma is often not enough. Our expanding economy will need increasing numbers of highly skilled professional and technical workers. And individuals who are not so trained will find it most difficult to provide for themselves and their families. It is thus imperative that higher education be made available to increasing numbers of our citizens, for their individual benefit and for the good of us all. Allowing increased flexibility in the allocation of assistance to public junior colleges and technical institutes is especially important in this regard.

The Office of Education reports that in 1960 over a million high school graduates did not attend college. Of this number, 42 percent were influenced by financial reasons in their decision. Nearly half of this number said that they simply could not afford to consider going to college.

In my own State of Maryland, a recent survey of the 44,000 June high school graduates disclosed that more than half planned to continue their education. And approximately a third of the high school graduates who were not planning to continue their education indicated that they would go to college if they could secure a scholarship or a student job, or a long-term student loan.

We live in a complex and ever-changing world, where the useful skills of yesterday can become obsolete by tomorrow. By maintaining a strong and vital educational system we insure that our society will have the trained and skilled manpower which our complicated patterns of living require. By maintaining a strong and vital educational system we insure that our young people will have the opportunity to equip themselves to lead fruitful and meaningful lives.

The key to this bill, I think, is that word, "opportunity." This bill is aimed at broadening the opportunity of the young people of our country to play a fuller role in the workings of our society.

There will be opportunity for the children of lower- and middle-income families to earn scholarships or to take out low-interest student loans, or to engage in work-study programs.

There will be opportunity for smaller colleges to improve their programs, and to augment their faculties.

There will be opportunity for our educational institutions to proceed with the programs of expansion which are so vitally necessary, so that they may adequately serve our expanding school age population.

There will be opportunity for students to avail themselves of expanded stores of books and scholarly material in their college libraries.

And there will be opportunity for our colleges and universities to concern themselves more directly with the problems of center city, problems of poverty and rootlessness, and the possibilities of community service and community development.

We do not seek to subsidize an isolated class of students and scholars. Rather, we seek to open the doors to educational opportunity to all of those who have the ability and the ambition to walk through those doors. And we must provide the educated with the opportunity to apply their skills to the task of finding solutions to the problems which face us as individuals, and as a nation.

THE NATIONAL TEACHER CORPS

Mr. NELSON. Mr. President, it is a pleasure to speak in support of H.R. 9567, the Higher Education Assistance Act of 1965. This bill will, I believe, prove a landmark in the history of American education.

I want in particular to compliment the senior Senator from Oregon [Mr. MORSE] on the intelligence, wisdom, and patience with which he conducted the long and exhaustive course of hearings on this bill and congratulate him on the excellent bill he has reported out.

This afternoon I wish to speak about that part of title V of H.R. 9567 that related to the National Teacher Corps.

The national shortage of teachers—estimated last September by the National Education Association at 118,000—is nowhere so acute as those schools where excellent teaching is most crucial, the schools teaching the children of poverty.

Not only are we short of teachers, but last fall fully 85,700 full-time public school teachers—5 percent of the total—did not fulfill State certification requirement, usually the equivalent of a college degree.

And you may be sure that these teachers were concentrated in those school districts with the least in financial resources and the most in educational problems, the schools serving rural and urban areas of poverty.

The schools in these areas bear a great responsibility. For particularly in cities, the local school is the only community institution within walking distance of every adult and child. It is the one institution to which all children must come, and one to which they come with high hopes and great expectations. It is our best hope for changing their lives.

The Corps will provide a magnificent opportunity to bring into the teaching profession, our most important profession, dedicated and promising college graduates, while at the same time providing desperately needed aid for these embattled schools.

If another generation is not to be lost beneath that destructive wheel of ignorance, anger, and apathy we call the cycle of poverty, we must now make good our ancient pledge of genuine educational opportunity to all.

Teaching is our most important profession, as education is our first responsibility in a free society where the dignity and individuality of man is our creed.

The importance of teaching is such that we must make every effort to attract, train, and keep in the teaching profession our very best young people.

The purpose of the National Teacher Corps, then, is to attract into the teaching profession, and to train by the latest tested techniques for service in the schools of poverty areas the very best of our young people, the kind of practical, idealistic college graduates that made the Peace Corps a success;

To provide an opportunity for dedicated experienced teachers to devote part of their careers to the schools that need their services most critically;

To provide an opportunity to experienced teachers of unusual professional ability to advance in their profession by becoming training teachers leading a Teacher Corps team.

The Teacher Corps is expected to provide approximately 6,000 teachers during its first full year of operation. The bill authorizes $36,100,000 for the Teacher Corps in this fiscal year, $64,715,000 for fiscal year 1967 and for each of the 3 following years.

The great appeal of the Teacher Corps to the young college graduate, like that of the Peace Corps, is the challenge it offers of doing a difficult, useful job.

After a 3 months' intensive training period at a university, the young Teacher Corps interns would go in teams of about five into schools requesting them, led by an experienced teacher. All the Teacher Corps members—interns and experienced teachers alike—would teach part time. Time would be set aside for seminars in curriculum, teaching method, and other teacher-training subjects, led by the experienced teacher.

The interns would be paid a salary by the school equivalent to the beginning salary of a full-time teacher in the school system. The experienced teachers leading teams would be paid a salary in keeping with their added responsibilities. Costs to the schools would be covered by a Federal grant. Let me emphasize, Teacher Corps members would be employees of the local school.

When it comes to selecting teachers to lead intern teams the first place to look is in the schools serving disadvantaged areas themselves. It will be extremely helpful to the success of the training program if the team leaders are already experienced in the problems that the interns will be learning to solve. It is also the purpose of the bill, in part, to provide for the excellent teachers who have given selfless service in difficult situations the opportunity for recognition and advancement that leading a teaching team would provide.

Crucial to the success of the Corps would be a close relationship between the school and the cooperating university. The university would continue to take part in the training program in the school. Additional course work at the university would make it possible for the interns to earn an advanced degree by the end of the 2-year program.

It is most important to make clear that while the Teacher Corps is a new program, it does not contain untried ideas. Rather it brings together the practical idealism of American young people and the best ideas for the training of teachers for the disadvantaged.

Dean Lindley J. Stiles, of the University of Wisconsin School of Education, said in testimony before the Education Subcommittee:

> You have patterned your bill after proven successful practice.

Intern teacher training programs are now in operation at some 40 universities including Wisconsin and Harvard.

The specific pattern outlined in this bill has had 2 years of practical testing at Cardozo High School here in the District of Columbia. There returned Peace Corps volunteers served in intern-teams, teaching part time while studying in the school under the direction of experienced teachers who were also teaching themselves. Fully 80 percent of the program's graduates have chosen to remain in the field of education for the disadvantaged.

The practicality of setting up Teacher Corps intern teams in rural areas was testified to before the committee by Dr. Pat Wear, of Berea College, Berea, Ky.

> We have explored the internship method (at Berea) and it worked most effectively.

Dr. Wear said:

> I speak on behalf of the institution and we heartily endorse the development of the National Teachers Corps and feel perhaps it is long overdue.

In his testimony, Dr. Wear emphasized the importance of the provisions in the bill that assure local control and initiative.

The Office of Education itself would conduct a nationwide recruiting effort and make arrangements with local universities, public school agencies, and State departments of education where appropriate for the operation of the program.

But the language of the bill is written so that maximum flexibility, maximum opportunity for local initiative is maintained. Strong local leadership is crucial to the success of the program.

Teacher Corps teachers would, of course, be under the direct control of the local school authorities.

There is no reason to set up an elaborate screening system in Washington for applicants when that could be handled better by the participating universities.

Training teachers to work in poverty areas requires more than knowledge of teaching technique. Broad understanding of the sociology of urban and rural development is needed, and also a close acquaintance with the work and problems of social agencies in the community.

The Teacher Corps training program at the universities would utilize community resources, and public school resources, as well as university faculty.

Educators have welcomed the commitment of Congress to action against the poverty that blights so many American lives. Particularly those who must deal with the dilemmas of urban and rural education in areas of poverty have long been struggling with the problem. New programs and ideas have been developed, but a chronic shortage of cash has hampered putting them into action.

This Congress has, at long last, begun to put up the money needed to redeem our ancient pledge of equal educational opportunity for all.

Young Americans are eager to help in this effort. This National Teacher Corps can also provide the funds and the framework to take a great leap forward in teacher education.

By shifting the training locale from the college to the disadvantaged school, by providing a situation in which disadvantaged schools and universities can get to know and learn from each other, and by providing a sizable group of new young teachers to the profession, the Teacher Corps could provide a vital spark to the reform of teacher education in the country.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW AND THEN TO TUESDAY, SEPTEMBER 7, 1965

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader whether there will be any business for the remainder of today and tomorrow, and what will come at the end of the Labor Day recess.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock tomorrow, Friday, September 3, 1965, and that immediately after convening on that day the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned until noon, Tuesday, September 7, 1965.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. In other words, when we are through with the pending bill, which is a bill of major importance, there will be no further business today, none tomorrow, except a pro forma session, and on next Tuesday we shall take up H.R. 10586, the Labor-HEW supplemental appropriation bill; following that will be H.R. 9811, the omnibus agriculture bill; H.R. 8072, Calendar No. 655, the bill to provide assistance in training State and local law enforcement officers; the immigration bill; and miscellaneous other bills as they are reported out of committees.

There is one correction in that statement. They will not necessarily be taken up in that order all the way through, but in general that will be the schedule.

HIGHER EDUCATION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, as the Senator from Oregon knows, I am a firm believer in education and have supported bills authorizing Federal aid to education when they specified there would be no Federal control of education.

As the Senator from Oregon also knows, I have been concerned when certain education bills have been passed which I believed might violate the establishment of religion clause of the first amendment. The courts have held that it is a violation of the establishment of religion clause of the first amendment for tax moneys, either Federal or State, to be used to finance the teaching of any religious doctrine.

I ask the Senator from Oregon what provision this bill contains with respect to aid to private colleges and universities.

Mr. MORSE. Mr. President, I want to make legislative history on this point. I shall be brief.

I share the concern of the Senator from North Carolina about separation of church and state. I am the author of a judicial review bill, of which the Senator from North Carolina is a cosponsor, as is the Senator from Pennsylvania [Mr. CLARK], and several others. As the Senator also knows, I have been urging that we have hearings on the bill. The Senator from Oregon is hopeful that at an early date, although it may not be until the next session, the Judiciary Committee will schedule hearings on the bill.

For the legislative record on this bill, let me direct the Senator's attention to page 114 of the committee report. I read, starting in the second paragraph:

> The term "academic facilities" shall not—

I emphasize "shall not"—

> include (a) any facility intended primarily for events for which admission is to be charged to the general public, or (b) any gymnasium or other facility specially designed for athletic or recreational activities, other than for an academic course in physical education or where the Commissioner finds that the physical integration of such facilities with other academic facilities included under this act is required to carry out the objectives of this act—

This is the heart of the matter—

> or (c) any facility used or to be used for sectarian instruction or as a place for religious worship, or (d) any facility which (although not a facility described in the preceding clause) is used or to be used primarily in connection with any part of the program of a school or department of divinity.

Dropping to the bottom of that paragraph:

> For the purposes of this subparagraph, the term "school or department of divinity" means an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

Honeycombed throughout the bill, these guarantees are contained in section after section. I insisted on them as chairman of the subcommittee.

I ask unanimous consent at this point to insert in the RECORD, for the purpose of legislative history, reference by way of restrictions in this bill that bears upon the Senator's question which will leave no room for doubt that money provided for by this bill cannot be spent for religious purposes.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> The following sections of the bill bear upon the point raised:
>
> "LIMITATION
>
> "SEC. 111. No grant may be made under this title for any education activities or services related to sectarian instruction or religicus worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to perpare them to teach theological subjects.
>
> "LIMITATION
>
> "SEC. 207. No grant may be made under this part for books, periodicals, documents, or other related materials to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

"DEFINITION OF 'DEVELOPING INSTITUTION'

"SEC 302. As used in this title the term 'developing institution' means a public or nonprofit educational institution which—

"(a) admits as regular students only persons having a certificate of graduation from a high school, or the recognized equivalent of such certificate;

* * * * *

"(h) is not an institution, or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

Title IV is concerned with programs assisting students to receive higher education training.

"LIMITATION

"SEC. 502. Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

"TEACHER CORPS PROGRAM

"SEC. 513. (a) * * *.

"(d) A local educational agency may utilize members of the Teacher Corps assigned to it in providing, in the manner described in section 205(a)(2) of Public Law 874, Eighty-first Congress, as amended, educational services in which children enrolled in private elementary and secondary schools can participate.

"LIMITATION

"SEC. 529. No fellowship shall be awarded under this part for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"LIMITATION ON PAYMENTS

"SEC. 609. Nothing contained in this part shall be construed to authorize the making of any payment under this part for any equipment or materials for religious worship or instruction."

Mr. ERVIN. So the only question that could arise as to religion is whether or not a mere furnishing of the grants to sectarian schools for construction of facilities for nonsectarian purposes and the furnishing of grants for the acquisition of materials used in courses of instruction for nonsectarian purposes meet the mandate of the first amendment.

Mr. MORSE. That is the view of the manager of the bill. The Supreme Court is the place to get that finally decided. The judicial review probably would be the vehicle to take it to the Supreme Court.

Mr. ERVIN. The Senator from Oregon agrees with me that although the Supreme Court holds very clearly that tax moneys can not be used for the teaching of any religious doctrine, it has made no decision on this specific point as yet.

Mr. MORSE. We have no decision. The Senator and I discussed that this afternoon. We hope the Maryland case will go to the Supreme Court and raise the issue. No one knows with certainty because, as we know, the Supreme Court tries to avoid constitutional issues if they can be determined on other grounds.

Our bill would be one which I do not see how determination of the question could be avoided.

Mr. ERVIN. Does not our bill spell out clearly that any taxpayer can bring a suit to test the constitutionality of the 5th amendment of any provision of this bill as well as all of the provisions of all bills providing aid to education at any level.

Mr. MORSE. That is clearly my opinion.

Mr. ERVIN. And any Federal taxpayer could bring such a suit and the Court would have jurisdiction regardless of the amount of the tax in dispute.

Mr. MORSE. That is the provision of the bill which I offered and the Senator cosponsored.

Mr. ERVIN. I appreciate the replies of the Senator from Oregon to my questions. The bill has been referred to the Subcommittee on Constitutional Rights of the Committee on the Judiciary. I propose, as the chairman of that subcommittee, to hold hearings on the bill early next session. I trust we shall be able to report the bill favorably and obtain action on it before anything can be done under this bill.

Mr. MORSE. I now invite myself, through my friend from North Carolina, as an early witness to those hearings.

Mr. ERVIN. I thank the Senator.

Mr. KENNEDY of New York. I wish to take only a minute. I know that Senators are prepared to leave the city.

I do not want the occasion to go by without making a comment, having served on the full committee and the subcommittee, and without paying tribute to the Senator from Oregon.

I heard the Senator say he is not preparing himself to be buried, when some of the other Senators were singing his praises.

I wish to say what an experience it has been for me to serve with the Senator from Oregon on this important piece of legislation.

We are all interested in the coordination of the Federal program. There are approximately 200 different Federal programs on education. There should be some coordination between all of those programs. I believe that aim is accepted in most cities.

I also have had some discussions with the chairman and the manager of the bill in regard to the possibility of some funds being used for beautification of school buildings. I have discussed an amendment to a bill in the House of Representatives for 1 percent for the beautification of school buildings. I defer to the judgment of the chairman on that matter.

Before I take my seat I will reiterate my praise for the chairman and for the Republican Senators, Senator PROUTY, Senator DOMINICK, and Senator JAVITS, as well as the Democratic Senators, for their contribution in this important piece of legislation.

Mr. MORSE. I wish to state furthermore for the RECORD that the contributions of the Senator from New York [Mr. KENNEDY], are printed on page after page of this bill. He has been of great help to me in bringing the bill to fruition on the floor of the Senate.

In regard to the language which I assume to be in the House bill, which deals with trying to beautify our school buildings, to give 1 percent of funds for the architectural aspects of them, I am in complete agreement with the objective of that proposal. It can be discussed in conference. I wish to state to the Senator that I shall support it in conference.

Mr. CASE. Mr. President, the bill before us today, the Higher Education Act of 1965, reflects the labors and judgments of many persons, but of no one more dedicated and persevering than our colleague, the senior Senator from Oregon. As one who has observed closely his efforts as chairman of the Senate Education Subcommittee, and who served for a time as a member of that subcommittee under his leadership, I want to pay special tribute to his understanding and his accomplishment in bringing forth this long-awaited legislation.

I am particularly pleased that the bill incorporates a number of proposals that I have advanced over the past year. Three relate in particular to community or junior colleges—a type of institution that I have long felt should be given a larger share of our educational resources. Congress made a start in this direction when, 2 years ago, it adopted in the Higher Education Facilities Act a large part of the community college program I had been advocating for years.

Thus, title III of the pending bill would open up to 2-year colleges, as well as 4-year colleges, the assistance to be provided for developing institutions. Grants under this title would meet part of the cost of financing cooperative agreements between developing institutions and other colleges and universities—a technique well designed to upgrade the qualifications of junior colleges.

In addition, title VII amends the Higher Education Facilities Act of 1963 in two important respects, so far as junior colleges are concerned.

The first change removes the arbitrary requirement that construction grants to public community colleges and technical institutes amount to 40 percent of costs—no more, no less. This formula has forced several States, including New Jersey, to assign their entire allocation to one institution, leaving no funds for other worthy applicants. Today's bill revises this formula to make 40 percent the ceiling on the Federal contribution, leaving it up to the States to distribute the funds more widely as they see fit.

Title VII also increases the authorizations provided in the Higher Education Facilities Act of 1963 for fiscal year 1966. The amount authorized for grants for the construction of undergraduate facilities is increased by $100 million, from $230 to $330 million. For graduate facilities, the authorization is doubled, from $60 to $120 million. I had proposed that both authorizations be doubled, but the amounts now provided in the bill will allow for a significant expansion of these programs.

Finally, Mr. President, part C of title V authorizes fellowships for the advanced training of teachers in both elementary and secondary schools. Forty percent of the fellowships would be available to persons just graduating from college who desire to pursue a teaching career, while the remaining 60 percent would go to persons with 5 or more years of professional experience. The total number of fellowships authorized by the bill would rise from 4,500 for fiscal 1966 to 10,000 next year and to 15,000 for each of the 3 succeeding years.

When I introduced my own fellowship bill—S. 1192—on February 18 of this year, I was hopeful that this concept would find wide support in the Senate. I could not anticipate, of course, that 5 months later the President would urge us to authorize a program of fellowships for elementary and secondary school teachers seeking to improve their skills. In his statement of July 17, the President graciously acknowledged that the proposal owed much to the efforts of the Senator from Oregon and of myself.

I was delighted, of course, to learn that consensus can be a two-way street. I am even more delighted, however, to see this bill—a milestone of education progress which I am proud to have had a part in developing—moving toward early enactment.

Mr. MORSE. Mr. President, I find it most difficult to express to the Senate my very deep appreciation to all of my colleagues who have spoken on the bill. I wish to repeat again that without the help, the advice and counsel I have received at every stage in the Senate, consideration of this measure since it was first introduced last January, we could not now be at the point of final passage.

I hesitate even to try to enumerate the contributions each has made. I have already thanked those who worked with me on the subcommittee. They had to carry the heavy load of hearings and executive sessions and floor debate. They worked hard and long, and I am truly indebted to them. Members of the full committee were equally involved, I have already mentioned several, but I want to take the opportunity particularly to thank the distinguished junior Senator from New Jersey [Mr. WILLIAMS] whose interest in helping the community college and in finding solutions to the accreditation problem was early made manifest to me. His senior colleague from the same great State, Senator CASE is an old and valued friend of mine. He too, was early knocking at the committee door with constructive solutions to these problems. I thank him for it and for his great help even before this session in working out what became the fellowship provisions of title V of the bill. He and I were engaged in a friendly rivalry as to which could produce a better teacher fellowship draft. Title V, part C bears many of his contributions. My very able colleague and valued friend, Senator GRUENING saw to it very early in the process that the Federal credit unions would not be overlooked. The junior Senator from South Dakota [Mr. McGOVERN] reminded us of the need to provide greater flexibility in the funding of college construction, and he, too, was most interested in solving the accreditation problem. There are many, many more, and to each and every one I can only say that I thank them with sincerity.

But, Mr. President, I would be greatly derelict if I did not point out that these bills are not exclusively the product of senatorial work. In each of the offices of the Senators I have named at one time and another today, there are hardworking men and women who serve the people of the United States with selfless dedication, and who in advising us, in preparing the factual backup material which permits us to function, and who work literally day and night in the interest of the people of our States, deserve high commendation. To them I express my deep personal appreciation. I know that I cannot know of all each has done, but in symbolic appreciation to them I wish to name on the floor of the Senate tonight those who serve in a liaison capacity with our subcommittee. They include Mr. Robert Perrin and Mr. Edwin Winge, of Senator McNAMARA's staff; Mr. Richard Yarborough and Mr. Alan Mandel, aids to Senator YARBOROUGH; Dr. Richard Schier, who advises Senator CLARK; Mr. William Stover, research assistant to Senator RANDOLPH; and Mr. Adam Walinski, legislative assistant to Senator ROBERT KENNEDY. Mr. Thomas Hayes, administrative assistant to Senator PROUTY is an old and trusted friend of every one on the subcommittee and I wish to pay special tribute to the help that he and Mr. Arthur Rufresne have given us. Mr. Roy Millenson, minority clerk, and Mr. Steve Kurzman, minority counsel shared with the majority staff, Mr. John Forsythe, committee counsel, Mr. Stewart McClure and Mr. Charles Lee, a truly tremendous task in making clear the alternatives and options with which we were faced in every section and title of the bill. I am deeply and truly grateful to each of them and to those who worked with them early and late, our printer, Mr. Steve Coffey and our staff secretaries in particular Miss Helen Eagle, Miss Marjorie Whittaker, Miss Margaret Porcher and Mrs. Eleanor Forsythe, who with Mrs. Thelma Blankenship and Mrs. Bobbie Paradise of the minority staff constantly performed the impossible.

In conclusion, however, I would be greatly remiss if I did not pay public tribute to the men and women of the White House, the Department of Health, Education, and Welfare, and of the Office of Education. I thank them in the names of Mike Manatos and Doug Cater, each of whom provided me, and all who worked with me, with very valued counsel.

The Nation owes a great debt to the leadership provided by former Secretaries of the Department of Health, Education, and Welfare, but none is deserving of higher tribute than Judge Celebreeze, under whose guidance many programs came of age, not the least those relating to education. I salute ex-Secretary Celebreeze and his capable associates Under Secretary Wilbur Cohen and Commissioner Keppel for their wisdom and for their willingness at every turn to make our role easier. I thank their immediate associates Mr. Phillip Des Mairais, Mrs. Patria Winalski, Mr. Chester Rilyea, and Dr. Samuel Halperin, for every bit of the help each gave to us. I am most appreciative of their personal contributions to the success of this bill, and I hope that each will commend to everyone in the agency who did the charts, who prepared the tables, who crafted the testimony in draft form, and who did each of the indispensible jobs, my thanks and those of my associates.

Mr. President, I have left till the last Senate Legislative Counsel because it is fitting. They are with us before the bill is introduced, they are with us in committee markup, their work is with us on the floor and they write our conference reports. They are the craftsmen of the law and so I wish to close this portion of my remarks with my tribute to them. On this bill we were privileged to have available the services of Mr. Peter W. LeRoux, and Mr. Blair Crownover and we are indebted to them to a great degree. I thank them and all who worked with them.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND (when his name was called). On this vote I have a pair with the junior Senator from California [Mr. MURPHY]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. McGEE], and the Senator from Illinois [Mr. DOUGLAS] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

On this vote, the Senator from Maryland [Mr. TYDINGS] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Virginia would vote "nay."

I further announce that if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Idaho [Mr. CHURCH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Wyoming [Mr. McGEE], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the

Senator from Iowa [Mr. Hickenlooper], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The Senator from California [Mr. Murphy] and the Senator from Wyoming [Mr. Simpson], and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Delaware [Mr. Boggs], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Wyoming [Mr. Simpson], and the Senator from North Dakota [Mr. Young] would each vote "yea."

The pair of the Senator from California [Mr. Murphy] has been previously announced.

The result was announced—yeas 79, nays 3, as follows:

[No. 249 Leg.]

YEAS—79

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Scott
Smathers
Smith
Sparkman
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—3

Eastland
Robertson
Stennis

NOT VOTING—18

Anderson
Bass
Boggs
Byrd, Va.
Church
Douglas
Fulbright
Gore
Hickenlooper
Lausche
McCarthy
McGee
Murphy
Saltonstall
Simpson
Thurmond
Tydings
Young, N. Dak.

So the bill (H.R. 9567) was passed.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I move that the Senate insist upon its amendment and request a conference with the House of Representatives thereon; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Morse, Mr. Hill, Mr. McNamara, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Kennedy of New York, Mr. Prouty, Mr. Javits, and Mr. Dominick conferees on the part of the Senate.

Mr. JAVITS. Mr. President, I compliment the distinguished Senator from Oregon. With his usual skill and with the sure touch that he always shows when he is in charge of a bill, he has piloted the bill through the Senate to a happy conclusion.

As so many of us said when the debate began, the whole Nation will be grateful to Senator Morse for his fine leadership in respect of this critically important measure.

Mr. DIRKSEN. Mr. President, one of the great attributes of the distinguished senior Senator from Oregon is that he does his homework, and he knows the score when he brings a bill to the floor of the Senate.

Second, when an amendment is submitted, he shows the utmost caution, before he ever approves of it or is willing even to take it to conference. That was demonstrated today, when he thought he ought to examine every implication of the sorority-fraternity amendment. He has managed the bill skillfully and has brought it through Senate deliberation in record time. I congratulate him.

Mr. MORSE. Mr. President, I can only respond to the most gracious words of Senators Dirksen and Javits, which are overgenerous to the point of making my ears tingle, that this bill bears throughout, in the form of words, phrases, sections, parts and titles, incontrovertible evidence of the legislative result of the diligence, the application, and the insight of both of my distinguished colleagues.

I thank each of them for their courtesy, and I assure each of them that where we have differed, the fact that work on the bill was completed tonight bears witness to the resolution in conscionable compromise of the difficulties we jointly faced in our endeavor to bring forth a sound bill and one oriented to the public interest.

I think that we have done this, thanks in great measure to the spirit of accommodation shown by all Senators today.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 2, 1965, he presented to the President of the United States the enrolled bill (S. 511) to increase the authorization of appropriation for the support of the Gorgas Memorial Laboratory.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Disposal of Certain Materials From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of quartz crystals from the national stockpile and the supplemental stockpile, without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (with an accompanying paper); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal, without regard to the prescribed 6-month waiting period, of lump steatite talc from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Report of Export-Import Bank of Washington

A letter from the President and Chairman, Export-Import Bank of Washington, Washington, D.C., transmitting, pursuant to law, a report of that Bank, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Banking and Currency.

Amendment of Joint Resolution Providing for Membership of the United States in the Pan American Institute of Geography and History

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor (with accompanying papers); to the Committee on Foreign Relations.

Acceptance of Two Instruments for Amendment of the Constitution of the International Labor Organization

A letter from the Secretary of State, transmitting a draft of proposed legislation providing for acceptance by the United States of America of two instruments for the amendment of the constitution of the International Labor Organization (with accompanying papers); to the Committee on Foreign Relations.

Reports of Acting Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of Government Printing Office, fiscal year 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on review of procedures and practices for terminating procurement of excess missile spare parts, U.S. Army Missile Command, Department of the Army, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on management of automatic data processing facilities in the Federal Government, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

Proposed Control of Use of the Design of the Great Seal of the United States and of the Seal of the President of the United States

A letter from the Secretary of State, transmitting a draft of proposed legislation to control the use of the design of the Great Seal of the United States and of the Seal of the President of the United States (with an accompanying paper); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by Rainbow Post 2065, Veterans of Foreign Wars, San Francisco, Calif., relative to the creation of a conclusive presumption that all prisoners of war suffer service-connected deaths; to the Committee on Armed Services.

Two petitions signed by J. Urtans, and A. Urtans, both of Vernon, Conn., favoring liberation of the Baltic States; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 906. A bill to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes (Rept. No. 674);

S. 1349. A bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length (Rept. No. 675); and

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883) (Rept. No. 676).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 2118. A bill to clarify sections 9 and 37 of the Shipping Act, 1916, and subsection 0(d) of the Ship Mortgage Act 1920, and for other purposes (Rept. No. 686); and

S. 2142. A bill to simplify the admeasurement of small vessels (Rept. No. 677).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations (Rept. No. 678).

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 3039. An act to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due (Rept. No. 685).

By Mr. NELSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 897. A bill to provide for the establishment of the Saint Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes (Rept. No. 679).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with amendments:

S. 1674. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes (Rept. No. 683).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty (Rept. No. 681).

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 10586. An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 680).

By Mr. SPARKMAN, from the Committee on Foreign Relations, without amendment:

S. 2064. A bill to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests (Rept. No. 684).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with an amendment:

S. 1935. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes (Rept. No. 682).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 2489. A bill for the relief of Assenka Tzvetanova Stoyanova; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 2490. A bill to authorize the payment of pension under section 541 of title 38, United States Code, to the widow of a veteran of World War I, World War II, or the Korean conflict without regard to the period of time such widow was married to the veteran, if the veteran committed suicide; to the Committee on Finance.

By Mr. HOLLAND:

S. 2491. A bill for the relief of Dr. Juan Federico Antonio Lamas y Parra; to the Committee on the Judiciary.

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 2492. A bill for the relief of Seng Un Wu; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2493. A bill to provide for the establishment of the Hudson National Scenic Riverway in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 2494. A bill for the relief of Shui Lee Wong; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2495. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

(See the remarks of Mr. McINTYRE when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

TO EXPRESS THE SENSE OF CONGRESS WITH RESPECT TO STRENGTHENING THE INTER-AMERICAN SYSTEM

Mr. JAVITS (for himself and Mr. CARLSON) submitted a concurrent resolution (S. Con. Res. 56) to express the sense of Congress with respect to strengthening the inter-American system, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RECOGNITION OF WORLD LAW DAY

Mr. McGOVERN (for himself, Mr. JAVITS, and Mr. MORSE) submitted a concurrent resolution (S. Con. Res. 57) to recognize the World Law Day, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. McGOVERN, which appears under a separate heading.)

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE CONDEMNING THE RUMANIAN PERSECUTION OF HUNGARIAN MINORITIES

Mr. WILLIAMS of New Jersey (for himself, Mr. McINTYRE, Mr. SYMINGTON, Mr. CASE, Mr. SIMPSON, and Mr. RIBICOFF) submitted a resolution (S. Res. 143) expressing the sense of the Senate condemning the Rumanian persecution of Hungarian minorities, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. WILLIAMS of New Jersey, which appears under a separate heading.)

HUDSON RIVER SCENIC RIVERWAY

Mr. WILLIAMS of New Jersey. Mr. President, I have introduced a bill that seeks to preserve the splendor of one of the world's great rivers, the Hudson. From the inception of this great country the Hudson River has been the focal point for many of the major developments in our history. The settlement of New York, mementos of naval and land battles, and the creation of the world's greatest metropolitan area are just a few of the highlights. But we are in danger of losing the heritage and beauty of this river basin to its most magnificent creation, the metropolitan area.

It is a tragic commentary on the growth of this Nation that we have allowed the majestic Hudson to fall into such a shabby state. Unsightly buildings, pollution, and simple disinterest mark its flow to the sea. Moreover, it is evident that these conditions will become even worse in the future unless we act. As industry expands, as the urban areas continue to sprawl, the scenic beauty will continue to suffer.

This bill seeks not only to beautify this area but to coordinate many of the efforts that are already underway. At the present time, five governmental agencies are directly involved in the care and planning of Hudson River Basin projects. The Atomic Energy Commission, the Coast Guard, the Corps of Engineers, the Federal Power Commission, and the General Services Administration are all involved in the regulation of programs affecting the Hudson River Basin.

My proposal would establish the Hudson National Scenic Riverway and set up a 15-member commission including representatives from New York, New

Jersey, and those designated by the Secretary of the Interior. They would act as an advisory body for the Secretary in determining the best and most effective means of preserving the river and surrounding areas.

The establishment of this commission will not encroach upon further development of the region. Because of its proximity to metropolitan New York and New Jersey it would be unrealistic to believe that we could preserve the river and its banks in their natural condition. This is not the thrust of this bill. What I am attempting to do is to construct a workable plan whereby local, State, and Federal programs will proceed toward a common goal—that of preserving the inherent beauty of the Hudson.

Let me emphasize again that this is not the establishment of a national park. The provisions which enable the Secretary of the Interior to acquire land are strictly limited. Its purpose is to provide access to recreational areas, not to obtain land vitally needed for industrial and residential uses. Moreover, this is the first piece of progressive legislation geared to our urban areas. It will actually encourage appropriate industrial and commercial development of the river basin.

Under this bill the Secretary is directed to work out plans for expansion and development with State and local governments. No lands presently under State control may be affected without their specific consent. What is envisioned is Federal assistance in areas where coordination is needed or where lack of resources have made further action impossible. In addition, the Secretary would protect this section from intrusion by other Federal agencies. Acting as coordinator, he would bring the expertise of his office to State planning.

Industrial areas already in existence would not be directly affected by the program. Further commercial use would be encouraged along the guidelines set up by the commission. Their primary objective is to provide a well balanced plan for expansion with emphasis on preserving the natural beauty of this historic region.

Up until this time, the individual States have worked alone in the areas of zoning and other community activities. What is proposed here is a partnership which will provide the technical assistance of the Federal Government for State planning operations. The States will be responsible for the initiation of all programs and will call upon the committee for recommendations.

Such an advisory committee will serve as an example to be followed by other States in dealing with similar problems. I am sure that other areas suffer from the same growing pains and would welcome experienced guidance.

Because this is the first attempt to encourage every aspect of urban development I think that it is essential that we understand the necessity for this program. Many of our other great cities are faced with similar problems. They have reached the point where further expansion can only take place when vital natural landmarks are sacrificed. The demands of our expanding metropolitan areas cannot be ignored. But, we can ill afford the destruction of natural and esthetic resources to serve these needs.

Senators KENNEDY and JAVITS have introduced legislation designed to implement these policies as have Congressmen DANIELS and OTTINGER on the House side. I believe that because the Hudson borders New Jersey on its journey to the sea a more comprehensive proposal must include both New York and New Jersey. In New Jersey we are already taking steps to beautify the metropolitan Hudson by the establishment of a State park across from Ellis Island. With this as a starting point, I believe that, working on both sides of this great river, we will be able to combine urban utility with unspoiled beauty.

We must concentrate on the gifts that nature has provided for us. The Hudson gave birth to our great metropolis. As her offspring we are duty bound to preserve her noble heritage.

Such an effort will call upon the resourcefulness of the States of New Jersey and New York. In the past we have shown that by working together as neighbors we are able to solve many of our common problems. The creative thinking that has marked our successes in the past will be applied to maintain the beauty of our common boundary, the Hudson.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The bill will be received and appropriately referred.

The bill (S. 2493) to provide for the establishment of the Hudson National Scenic Riverway in the States of New York and New Jersey, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CAREER INCENTIVES FOR CERTAIN PROFESSIONALLY TRAINED OFFICERS OF THE ARMED FORCES

Mr. McINTYRE. Mr. President, I introduce, for appropriate reference, a bill to provide career incentives for certain professionally trained officers of the Armed Forces. I ask unanimous consent that this bill may lie on the table for 10 days, so that those of my colleagues who wish to be associated with this bill as cosponsors may have that opportunity.

Mr. President, the background for this bill is very simple. As the needs of national defense have become more and more complex, a large number of skilled professionals have been needed to fulfill the mission of the Armed Forces. Among these professionals I would include lawyers, physicians, optometrists, podiatrists, veterinarians, pharmacists, and psychologists. All of these men need further training beyond the 4 years of college leading to a bachelor's degree before they are able to perform their military assignments.

Many of these professionals receive their graduate training at their own expense. Some of them are career military personnel who are trained at the Government's expense. All of them, once trained, make a considerable financial sacrifice if they choose to remain in the armed services for their career.

What my bill would do, quite simply, is to provide a minimum recognition, in terms of rank and pay, of the graduate education which is required of these men before they are able to carry out their jobs.

Mr. President, this bill is needed. It is needed to provide fair treatment to many professionals in the armed services who are presently undergoing severe discrimination in the determination of their rank and pay. It is needed to make professional careers in the Armed Forces more attractive, so that our Nation will no longer have to bear the financial burden of constantly training new replacements for professional military jobs.

I have been informally informed that the net effect of enactment of this bill will be to result in a gain to the Department of Defense, that the increased cost of pay will be more than matched by the lessened need for in-service training and the benefits in terms of professional experience. Although I have not yet been able to obtain detailed figures on this point, I do believe that any cost would be minimal.

Mr. President, in discussing this bill I feel that full credit should be given to the continued efforts of the American Optometric Association to bring corrective legislation of this sort before the Congress. Without the able work of "Tony" Mahlman of the Washington office of the American Optometric Association, I would not have been able to introduce this bill at this early date.

Similar legislation, H.R. 9731, has been introduced in the House by Congressman LEGGETT and other Members. This bill has been endorsed by the Commissioned Officers Association of the U.S. Public Health Service, the American Podiatry Association, the American Veterinary Medical Association, the American Pharmaceutical Association, the American Psychological Association, and, of course, the American Optometric Association.

Mr. President, I ask unanimous consent that a copy of the bill, as introduced, be printed at this point in the RECORD together with a sectional analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and sectional analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from New Hampshire.

The bill (S. 2495) to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces, introduced by Mr. McINTYRE, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1405(2) of title 10, United States Code, is amended by striking out "205(a) (7) and (8)" and inserting "205(a) (7)-(11)".

Sec. 2. Section 3287 of title 10, United States Code, is amended by adding the following new subsection after subsection (D):

"(E) Up to three years if he is appointed in a speciality which requires training beyond the four-year-college level as a precondition to his appointment, one year for each academic year so required."

Section 5600 of title 10, United States Code, is amended by adding the following new subsection after subsection (3):

"(4) A person appointed in the Naval Reserve whose appointment is conditional upon his possessing training beyond the four-year-college level shall be credited with up to three years service in an active status, one year for each academic year so required."

Section 3353 of title 10, United States Code, is amended by adding the following new subsection after subsection (c):

"(d) A person covered by subsection (a) and whose appointment is conditional upon his possessing training beyond the four-year-college level shall be credited upon his appointment for the purposes of subsection (a) with up to three years service in an active commissioned status, one year for each academic year so required."

Section 8287 of title 10, United States Code, is amended by adding the following new subsection after subsection (5):

"(6) Up to three years, if he is appointed in a specialty which requires training beyond the four-year-college level as a precondition to this appointment, one year for each academic year so required."

Section 8353 of title 10, United States Code, is amended by adding the following new subsection after subsection (c):

"(d) A person covered by subsection (a) and whose appointment is conditional upon his possessing training beyond the four-year-college level shall be credited upon his appointment and for the purposes of subsection (a) with up to three years service in an active commisioned status, one year for each academic year so required."

Sec. 3. Section 205 of title 37, United States Code, is amended as follows:

(1) Subsection (a) is amended—

(A) by inserting "and (f)" after "(b)-(d)" in the introductory language;

(B) by striking out "and" at the end of clause (8);

(C) be redesignating clause "(9)" as "(12)";

(D) by inserting the following new clauses:

"(9) for an officer credited with service under—

"(A) section 3287(a)(2) (A), (B), or (E) of title 10;

"(B) section 3353(b) (3), (4), or (5), (c) or (d) of title 10;

"(C) section 5600(b)(1)(C), (2), (3), or (4) of title 10;

"(D) section 8287(a) (2), (3), or (6) of title 10;

"(E) section 8353(b) (3), (4), or (5), (c) or (d) of title 10;

the service so credited to him, but not more more than three years;

"(10) for an officer whose appointment is conditional upon his possessing a doctor of philosophy degree—three years;

"(11) for an officer whose appointment is conditional upon his possessing training beyond the four-year-college level—up to three years, one year for each academic year so required; and"; and

(E) by striking out "(9)" in the last sentence and inserting in place thereof "(12)".

(2) Subsection (b) is amended by striking out "clause (7) or (8)" and inserting in place thereof "clause (7), (8), (9), (10), or (11)".

(3) The following new subsection is added after subsection "(e)":

"(f) Notwithstanding any other law, servive credited under clauses (9), (10), or (11) of subsection (a) of this section may not—

"(1) be included in establishing eligibility for voluntary retirement or separation from a uniformed service; or

"(2) increase the retired or retirement pay of a person who became entitled to that pay before the effective date of the Act enacting this subsection."

The sectional analysis presented by Mr. McIntyre is as follows:

Sectional Analysis of a Bill

Section 1 of the bill would amend title 10, United States Code, section 1405, to authorize the "years of service" that would be credited to a member of a uniformed service for basic pay purposes under section 3 of the bill to be used as a multiplier in computing his retired pay.

Section 2 of the bill would amend title 10, United States Code, sections 3287, 5600, 3353, 8287, and 8353, so as to provide authorization of up to 3 years' constructive service credit for rank and lineal precedence to those officers of the uniformed services who are required to have advanced training beyond the 4-year college level as precondition to their appointment, 1 year for each academic year so required.

Section 3 of the bill would amend title 37, United States Code, section 205, to authorize certain professional officers, and those assigned to duties requiring advanced training beyond the 4-year college level as a precondition to their appointment, to be credited with additional years of service for the purpose of computing basic pay.

This section of the bill would extend this privilege to all categories, of officers credited with constructive service for grade, promotion, and seniority purposes.

PURPOSE OF THE BILL

The purpose of the proposed legislation is to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces.

Under the proposed amendments, the constructive service so credited would be generally equivalent to the years of college education over the normal 4 years obtained by officers at their own expense before entering military service.

An officer who has obtained his professional training and licensure at his own expense would be placed in a position comparable to that of his college contemporary who entered the service with only a basic baccalaureate degree and received his additional training and education at Government expense while on active duty without loss of rank or precedence. Under current regulations, the penalty imposed on an individual who obtains advanced education at his personal expense is sufficiently severe to deter such highly qualified individuals from entering the service.

The proposed legislation would eliminate this penalty and thereby encourage a greater number of professionally trained officers to enter the Armed Forces and remain on a career basis.

WORLD LAW DAY

Mr. McGOVERN. Mr. President, on behalf of myself, the Senator from New York [Mr. Javits], and the Senator from Oregon [Mr. Morse], my colleagues on the steering committee of Members of Congress for world peace through the rule of law, I submit a concurrent resolution expressing the support of Congress for the World Conference on World Peace Through Law being held September 13 to 18 in Washington, D.C.

This resolution was submitted yesterday in the House by Mr. Fraser, Mr. Fulton of Pennsylvania, and Mr. Fascell.

The highest judicial and legal officials of 120 nations will be the special honored invitees at this conference and more than 2,000 of the world's leading lawyers are expected to attend and participate in the proceedings. Former Presidents Eisenhower and Truman will serve as honorary cochairmen of the sponsors committee, and Earl Warren, Chief Justice of the United States, is the honorary Chairman of the Conference. It will be perhaps the most important, representative and influential international assembly of the legal profession in history.

I believe that this resolution would be a fine welcome to the hundreds of visiting supreme court justices, parliamentarians and members of the legal profession from all over the world. Its adoption will once again demonstrate the strong faith of the U.S. Government in a world ruled by law.

Mr. President, this resolution is simple and self-explanatory. I ask unanimous consent that it may be printed at this point in the Record.

In order that my colleagues in the Senate may have a chance to cosponsor this resolution, I ask unanimous consent that it be held at the desk until the close of business, Tuesday, September 7. I hope that it will be speedily approved by both Houses of Congress.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be held at the desk, as requested by the Senator from South Dakota.

The concurrent resolution (S. Con. Res. 57) was referred to the Committee on Foreign Relations, as follows:

S. Con. Res. 57

Whereas 1965 is International Cooperation Year as proclaimed by the U.N. General Assembly and the President of the United States; and

Whereas this Congress has enacted S. Con. Res. 36 to encourage international cooperation within the framework of law and order; and

Whereas the President has designated September 13, 1965, as World Law Day, a special day for emphasizing the need to strengthen international cooperation through law and legal institutions; and

Whereas September 13, 1965, marks the opening of the Washington World Conference on World Peace Through Law with leading jurists, lawyers, and legal scholars from 120 nations meeting in Washington to discuss the development of legal rules and judicial systems for the maintenance of world peace: Now, therefore, be it

Resolved, That it is the sense of the Congress that the people of the United States welcome to their shores the jurists and members of the legal profession of these many nations and will join with them in this important effort to build world peace.

Mr. JAVITS. Mr. President, I join with my colleague from South Dakota as a cosponsor of the concurrent resolution welcoming to the United States the distinguished participants in the Washington World Conference on World Peace Through Law. This Conference will be the second World Conference on World Peace Through Law—the first was appropriately held in Athens in 1963.

The Washington Conference is a truly momentous event. It will bring together the greatest assemblage of the most eminent members of the legal profession from more than 100 countries, and will be a most apt observance of the first World Law Day proclaimed by the United Nations in this International Cooperation Year.

Our Nation's Capital is indeed fortunate to be honored by the presence here of this historic gathering of esteemed jurists, lawyers, and legal scholars, who have, singly and together, contributed so much to moving the world toward mankind's great dream of peace.

Mr. President, I ask unanimous consent to have printed in the RECORD the introduction from World Law Day, a publication of the World Peace Through Law Center, which is sponsoring the Washington Conference under the able guidance of its Chairman, Charles S. Rhyne.

There being no objection the introduction was ordered to be printed in the RECORD, as follows:

INTRODUCTION

(By Charles S. Rhyne)

The first World Law Day will be proclaimed throughout the world on September 13, 1965, to focus the attention of people everywhere on the importance of the role of the law to individual freedom and mankind's hope for a peaceful and orderly universe.

It will also mark the opening day of the Washington World Conference on World Peace Through Law at which the highest judicial officials and the leaders of the international legal profession will explore ways in which law and legal institutions may aid in the resolution of international disputes and the maintenance of world peace.

World Law Day will be an important international event during International Cooperation Year as proclaimed by the United Nations and governments throughout the world. Its observance will provide an outstanding opportunity for international cooperation to make a substantial contribution to the cause of peace.

Appropriate observances will take place in almost every country of the world to demonstrate that the maintenance of law and order is essential to peaceful relations between men and states. Ceremonies at the local, State, and National levels, as well as appropriate international events, will dramatize the necessity for justice under the law for the preservation of liberty for the individual as well as for national freedom and independence.

It is an opportunity for members of the legal profession to join with their fellow citizens to organize programs of educational and inspirational merit worthy of the cooperative support of the entire community. It fosters an increased respect for the law. It encourages responsible citizenship by emphasizing the individual's responsibilities to the community, and it provides every citizen the opportunity to make a personal contribution toward the development of mankind's most practical hope for peace—world peace under the rule of law.

September 13, 1965, is the day on which appropriate observations everywhere will demonstrate a public appreciation of and dedication to the ideals of justice and equality under the law for all men everywhere. World Law Day is International Cooperation Year in action. It is a joint enterprise of the legal profession, governmental and other leaders of nations to focus attention of all peoples upon the rule of law as the true path to world peace. Peace and order can be achieved and maintained in the world community only when law rules and legal institutions are strong enough to prevent war.

World Law Day will remind mankind of the promise and potential of a world ruled by law and of the cooperative projects now under way to accomplish that great ideal. No more meaningful project to save humanity from nuclear holocaust could take place as a part of International Cooperation Year. With such a great objective before us, let us do our task well.

A world legal system including a world court system and a world law code must be based upon the foundation of national law and court systems. Thus the international legal profession should focus its attention upon building stronger domestic foundations for the concentrated effort to create a rule of law for the world community.

Law must replace force as the controlling factor in the fate of humanity. World Law Day will cause man to think and act to build through international cooperation a peaceful world which can only mean a world where the rule of law has replaced the rule of force.

CONDEMNATION OF THE RUMANIAN PERSECUTION OF HUNGARIAN MINORITIES

Mr. WILLIAMS of New Jersey. Mr. President, as many of my colleagues are aware, there are presently about 2 million Hungarians living in Rumania who are being systematically persecuted. The present generation of Hungarians are in grave danger of losing a heritage that stretches back over 1,000 years. The resolution I am submitting today expresses the deep concern of the Senate over the plight of these brave people.

We, as a Nation, should be particularly sympathetic to the strains of nationalism. Our history shows that the spirit of American freedom and independence gave birth to this country and has made it grow and prosper. Let us assist these people in their effort to retain those tenets of daily life that are so necessary to an honorable existence.

Hungarians first moved to Transylvania during the 10th century. They provided the driving force for political and economic developments in this area until the end of World War I. Transylvania became part of Rumania in 1920 under the Peace Treaty of Trianon. The Second Vienna Award of 1940 returned the northern part of this territory to Hungary. But, in 1947, the Paris Peace Treaty annulled the award and returned northern Transylvania to Rumania. This treaty stipulated that the Rumanian Government would extend equal rights to all citizens without regard to sex, religion, or language.

It is the violation of these terms of the Paris treaty that I find most offensive. The people were given a solemn promise which has been continually circumvented so that all that remains is the hollow shell.

Oppression has been the key word since 1946. The particular targets were the middle income farmers and businessmen who were persecuted and relocated to prevent the rise of a strong nationalistic class.

In spite of these efforts the Hungarians in Transylvania boldly supported the efforts of their kin in the tragic Hungarian revolution of 1956. Once this uprising was suppressed, the Rumanian authorities committed themselves to a policy of sterilization to insure that the nationalistic feelings which sparked the Hungarian uprising would not spread to Transylvania.

The form of these reprisals have changed after the initial harsh measures produced the expected results. In 1957 and 1958 mock trials were held at Kolozxvar for the leaders of the Hungarian minority. The usual death sentences were imposed for crimes against the state. Numerous secret trials were also held to purge the Hungarians of their natural leaders. In addition, many other officials succumbed to official pressure and confessed to the sins of bourgeoisie nationalism and policies of cultural isolation for Hungarians.

Because of these harsh penalties, the necessity for public trials and mass arrests are no longer necessary. The memory of what can happen to those who speak out against the state is sufficient to silence the public voice of nationalism.

Efforts are now underway to force Hungarians out of Transylvania on a voluntary basis. This is being done by making this once productive area one that is incapable of supporting the millions of Hungarians who are now living within its confines. An example of this policy may be found in the rich natural gas deposits around Kisarmas. These supplies were tapped but the industrial complexes that would normally form in this area were officially situated outside Transylvania. The Government built a chemical industrial complex 40 miles from the source of this power. To do so it had to construct a pipeline over mountains and establish an entire new city to house the workers. All this when the natural location of these products could have easily been built right on the site in Transylvania.

The end result of such policies is to force the Hungarians into other sections of Rumania to be assimilated by the predominately Rumanian populations. But, the fate of those remaining in Transylvania is equally distressing. Hungarians who refuse to leave their homeland are denied access to their historical rights. The Hungarian language is slowly disappearing from both school and marketplace. Religious freedom is a mockery. National cultural organizations are virtually nonexistent.

The great contributions of Hungarians to the arts and sciences are either not taught or are presented through the Rumanian institutions. The Hungarian Bolyai University has been merged with the Rumanian Babes University; courses formerly taught in Hungarian are now presented only in Rumanian. The official language of districts that once spoke Hungarian almost exclusively are now forced to converse in Rumanian. Hungarian workers employed in shops must speak Rumanian to their fellow Hungarians.

Finally, the Hungarian areas are being politically subdivided so that any hope of cultural survival is impossible. The Rumanian government paid lip service to the Paris treaty by establishing the

Magyar Autonomous Province to provide a center for Hungarian activities. At the outset it was apparent that this was more a symbol than a reality, with only 29 percent Hungarian population. However, by 1961 this figure had risen to almost 80 percent. To cope with this increased stronghold the Rumanian Government changed the boundaries of this area decreasing the Hungarian population to less than 65 percent and adding a commensurate number of Rumanians to the area.

Even in regions that are almost exclusively Hungarian, both officials and police are Rumanian. If the Hungarian language is used at all it is in a purely secondary capacity.

So it is seen that despite the efforts of the Hungarians to preserve their culture they are slowly being made a forgotten ethnic group. They have shown a willingness to adapt to most any political divisions so long as they are allowed to relocate and form their natural communities. But the Rumanian Government has shown a repeated unwillingness to allow this to happen. They are determined to drive these people from their nationalism. If the younger generation is not permitted to participate in ethnic functions and find education in their own language their individuality will surely perish.

The Hungarians are asking no special dispensation, no Rumanian subsidy to carry on their activities. In reality, all they want is to be left to their own devices to perpetuate a life of ageless custom. Surely there can be no heresy in speaking one's native language. Revolution is not taught in church and school. They seek only the right to be themselves.

I hope that the adoption of this resolution will serve notice on the Rumanian Government that we abhor the practices of suppression presently being employed in Transylvania. The freedom to live one's life in the shadow of a historic culture is a right given by God to his people. He has vested the world with different customs that we might learn from each other. In essence, this is all that these brave people ask, a chance to be themselves, a chance to live.

Mr. President, I would like now to introduce in the RECORD, affidavits from individuals who are particularly knowledgeable in this area. Because many of the individuals providing the affidavits have relatives in Rumania, their names have been deleted from their statements for the protection of their families.

AFFIDAVIT

In the spring of 1965 I traveled extensively in Rumania, mostly in Transylvania, but also in the provinces of Muntenia and Moldavia. Observing certain conditions which prevail especially with regard to the 1.75 million Hungarian minority, I would like to submit the following testimony to the European Subcommittee of the House Foreign Affairs Committee in Washington, D.C., with special reference to the forthcoming hearings on recent developments in Central and Eastern Europe and in support of House Resolutions 290 and 291 and its companion resolutions:

The Rumanian Communist Government discriminates against its citizens in general. Communist dogma rules its actions, and political freedom even of the very limited kind noticeable in Hungary and Poland is absent, not to mention any general regard for individual human rights to which we are accustomed in Western countries. "Liberalization" in internal affairs has hardly begun and the fear of the Securitate (secret police) is prevalent. But over and beyond the general oppression of the populace, the Government discriminates even more against its citizens of Hungarian origin in order to "solve the Transylvanian question" by a forced assimilation of the Hungarian ethnic elements into the Rumanian national community.

This discrimination and persecution has two major phases. The first one is economical, the second one educational, and all the grievances relate directly or indirectly to these phases.

I. ECONOMIC DISCRIMINATION AGAINST TRANSYLVANIAN HUNGARIANS

There is a conscious and officially abetted drive to force Hungarian Transylvanians to divest themselves of Hungarian culture and language if they want to earn a decent living or get promoted in their particular fields.

This policy is underpinned by a complete colonial exploitation of Transylvanian raw material resources for the benefit of the Rumanian economy outside of Transylvania. In the Communist blueprint Transylvania forms the raw material base and the other provinces the industrial heart of Rumania. This policy also necessitates the migration of individual Hungarians or small groups of Hungarians into purely Rumanian regions as workers thereby rendering their assimilation almost inevitable. The only new plants I observed in Transylvania were bakeries, flour mills and lumber processing plants while there were numerous and modern industrial complexes built in other areas of Rumania.

Roads and transportation means show the same picture. While four-lane highways are no rarities in the Rumanian provinces, often reaching to the Carpathian passes separating Transylvania from the other Rumanian provinces, only the few military roads of interwar vintage are in good shape in Transylvania. Besides inadequate maintenance work on existing roads, they seem to have never been rolled flat, because one- and two-inch rock bits prevail, a deadly danger to any car tire.

A specific example of economic colonization is the use made of the natural gas resources of Transylvania. Already in the 1930's, methane gas was found in large quantities around Kissarmas (Sarmasu) and was exploited with German technical economic help. German interest in keeping control was so strong that in 1940 at the time of the Second Vienna Award that restored northern Transylvania to Hungary, the Germans had Rumania retain the gas wells, though it had meant cutting into two the only connecting railway line between western Transylvania and the southeasterly Szekely counties.

In the 1950's and 1960's new wells were discovered in the area northwest of Marosvásárhely (Turgu Mures) in the "Mures-Magyar Autonomous Province." The exploitation of the wells combined with the erection of half- and full-processing chemical plants would have made economic progress in the southeast Transylvanian Hungarian areas possible and would have eliminated the manpower surplus. Such an economic policy would have been advantageous for the Rumanian Communist Government, too, as all the raw materials (natural gas and potassium salts) were to be found within a 25- to 30-mile radius. Instead, the regime undertook to build a more than 200-mile long pipeline from the Marosvásárhely (Turgu Mures) area into Moldavia (outside of Transylvania) and erected the processing plants in purely Rumanian areas. The name of the new town is Onesti with 60,000 inhabitants, good sanitation, nice-looking five- to six-story apartment houses, well-kept roads, and relatively plenty food supplies.

To realize fully the waste that was accepted as a price of pleasing Rumanian chauvinist predelictions, the terrain through which the pipeline was laid must be visualized. Though following the valleys and the lowest Carpathian Pass (Békás) the pipeline runs through an area ranging from 600 to 2,500 feet altitude and cuts through numerous forests and mountains. Its erection, maintenance and operational costs must make the gas received in Onesti uneconomical. Whatever the efficiency and cost rating of the complex, the processing plants look impressive and the front length of the plants is about 3.2 miles. The plants were built in part with funds from British Imperial Chemical Ltd. Rumanian Communists maintain that Onesti was selected because of the availability of saline mines, but this makes little sense as the regions richest in salt in Transylvania are located close to the natural gas (methane) wells.

This example shows the tendency of the Rumanian Communists to avoid the creation of new industries in Hungarian areas even at a high economic cost.

Even last year new wells were discovered and the planned sale of the methane booster station with 4,850 horsepower already licensed by the Commerce Department of the United States would probably be used to establish secondary pipeline arteries in the Marosvásárhely (Turgu Mures) area toward the main pipeline northeast of the city. This assumption is borne out by the fact that the main pipeline measured from the outside is about 26 inches (we do not know the thickness of the insulating ring inside), and that secondary arteries would be about 20 inches in diameter, the figure quoted in the export license.

A second example is the use made of the discovered caolin mines in the Hargitta Mountains in the "Mures-Magyar Autonomous Province." The mines are located around 30–35 miles from Székelyudvarhely (Odorhei) which is still a sleepy 11,000-people town in the "Mures-Magyar Autonomous Region" that has hardly grown since 1920. This was the perfect occasion to create new industries in the town, especially as skilled earthenware artisans were present both there and at a nearby town, Korond. The decision made was to create the earthenware and china factory in Segesvár (Sigisiora), about 100–110 miles from the mines, which town was never Hungarian, but formerly Saxon, now mainly Rumanian. While in the case of Onesti, few Hungarians benefited even by moving there, the migration of Hungarians into Segesvár (Sigisiora) was not discouraged, as it meant their assimilation into a Rumanian town within Transylvania. Again the economic cost of the chauvinistic decision is high, indeed. The roads are very bad between the mines and Székelyudvarhely (Odorhei) and also between that town and Segesvár (Sigisiora). The trucking, therefore, causes both manpower, material, and wage losses to the plant.

A third example is the creation of the artificial lake and dam at the Bistrica River about 20 miles east of the Békás Pass in Moldavia, obviously to supply the Onesti complex with strong electric current. Here, too, the dam was created on the Moldavian side. A case in point is the fact that the pipeline through the Békás Pass does not even supply the fuel needs of the Hungarian towns and cities in the "Mures-Magyar Autonomous Region." Also the pipeline-laying workers, who earn a good salary in comparison to the agricultural workers who in Rumania do not even receive starvation wages, in the Hungarian area in 1965 were Rumanians.

In general, people are better dressed in Rumanian areas especially outside of Transylvania and technical progress is greater, industrialization more adequate. Even the store windows display more and better goods as there is more purchasing power in the Rumanian cities.

In many cities I have looked at the list of graduating students of engineering schools and technical and vocational high schools. Only 5 to 10 percent of the students, even in Transylvania, had Hungarian-sounding names, some of them already using the Rumanian spelling of his or her name. At the same time, the instructional staff is almost completely Hungarian. Friends explain that Hungarians are not welcome in technical high schools.

II. THE ONSLAUGHT AGAINST HUNGARIAN LANGUAGE EDUCATION IN TRANSYLVANIA

Language and cultural traditions are the mainsprings of national consciousness and the Communist Rumanian Government in attacking "bourgeois nationalism" does realize this fact well. Therefore, it has begun since 1957 a systematic attack to eliminate the Hungarian-language schools in Transylvania altogether. By 1965 there are no more Hungarian schools left in Transylvania. There are only Rumanian schools with one Rumanian and one Hungarian section in Hungarian areas and the cities (as they have had a large percentage of Hungarians) with the Hungarian sections being decreased year by year and their curriculum being taught increasingly in Rumanian. We know of the case of the "voluntary merger" of the Bolyai University at Kolozsvar (Cluj) with the Rumanian Babes University "in order to avoid cultural isolation." But as of September 1, 1965, new changes are going into effect which will render for Hungarian youth to attend Hungarian-language instruction well nigh impossible.

At Kolozsvar where over 40 percent of the population is still Hungarian (it was 78 percent in 1945), e.g., one high school had per grade four Hungarian sections (A, B, C, D) in 1964. As of September 1 it will only have one Hungarian section. It had one Rumanian section per grade before; from September 1 it will have five per grade. As classes were roughly seating 40 students, there were about 160 Hungarian students per grade in the school. Now, even that number was insufficient, as this year in one of the grades there were 316 applicants, and only 40 places for them. In practice it means that even the 160 places available in 1964–65 would have been inadequate to handle all applicants for the Hungarian section, but now they reduced the number of places to 40. The other 276 pupils will either have to attend a Rumanian school or no school at all. In practice, children with 94 average in the Hungarian section will often not be able to continue in the Hungarian section, while in the Rumanian section even pupils with 55 average are passing so as to fill up the new Rumanian sections. This is the Communist equality of rights in education in Rumania. In other schools the situation is similar, and the number of Hungarian sections is being drastically cut with the new school year. As such a process cannot be continued without notice by even foreign visitors, the Government built one Potemkin village in the school jungle. At Nagyenyed (Aiud) the number of Hungarian sections was expanded from four to six, creating thereby a "living antithesis" to the repeated criticism of reducing Hungarian sections all over the country. The foreign visitor is usually shown the school at Nagyenyed (Aiud) and thereby receives authentic information that all the other stories must be the invention of Hungarian chauvinists or Fascist warmongers.

But the grade and high schools are not the only target. There is only one teachers college in Transylvania which until 1964 continued to turn out mostly Hungarian teachers. It is located at Szekelyudvarhely (Odorhei) and is 1 out of 21 teachers colleges in Rumania. In 1964 the students were already mixed, both Rumanians and Hungarians, and in the coming school year only 25 Hungarian and 40 Rumanian teacher applicants were admitted in a 98-percent Hungarian area. The 40 Rumanian students were either given lodgings in the town or are being bused in.

Additional difficulties for Transylvanian Hungarians consist of the attitude of the Rumanian educational authorities toward scholarships. Hardly any Hungarians ever receives any of them, both because they are often of artisan or middle-class background and because there is a discrimination against them on ethnic grounds.

The final examinations in the high schools, matura, is usually handled leniently for all. The verbal instruction given by the Ministry of Culture is that about 98 percent should pass. The fly in the ointment is the entrance examination to universities. Here it is officially demanded that 60 percent of the admitted students must be of peasant origin and only 40 percent of other background. This renders the position of Hungarian students difficult as the ratio of Hungarians in agriculture is smaller than those of the Rumanians, though lately because of increased discrimination more and more Hungarians are forced back into agriculture among the youth. The most flagrant case was that of a student with Hungarian ethnic background who won a regional competition in his favorite subject and was still not admitted because he was of the wrong political and ethnic background.

Those who pass the hurdle and finish their university studies are sent to areas in the old Rumanian provinces both by the fiat of authorities and because they are promised better living conditions and higher wages there. Of course, it must be realized that in Rumania there is only one employer—the state. If it does not take you, you simply do not have a job, and therefore, you must follow the prescription of the Government.

III. IS THERE RELIGIOUS FREEDOM IN RUMANIA?

During my travels I had a chance to talk to priests and ministers and churchgoers, to some of them even confidentially. Generally, the churches are free to teach their creed, but so is the dissemination of atheistic propaganda. The only difference consists of the fact that the atheists have the power of the state and its authorities behind them, and as a result the churches are losing ground day by day.

Those participating in religious rites on Sunday are almost exclusively people over 45 and 50 years of age. In a church seating 1,200 people only 180 people were attending the Sunday I visited, and there were only 3 children among them, 2 of them girls. Friends of mine who are believers refused my invitation to attend services with me for the fear that this fact would be reported by informers to their employer and the police. One friend told the story that when he had buried his father by a priest, the Securiate questioned him the next day and warned him to desist from any further religious activities if he would like to retain his job and stay out of trouble. The term used was "in that case you must carry all the consequences of your actions."

Many children of my friends were never in a church yet. In one case the child was secretly baptized, in another case the marriage ceremony took place during the night in a cellar room. Faith is still strong among the people and many still regard the churches as the last bulwark against communism, but the terror is so strong that church attendance has fallen off greatly.

In the Protestant denominations, where the election of a bishop does not have to be approved by any authorities outside the Iron Curtain like in the case of the Roman Catholics, Communist Party members, or fellow travelers have often infiltrated even the high echelons. In the case of the election of the Calvinist (reformed) bishop of Kolozsvár (Cluj) which denomination has an almost purely Hungarian membership, government interference and pressure was the decisive factor. Julius Nagy, the present bishop, had only the support of his own congregation out of approximately 200 congregations throughout Transylvania and there were 3 other candidates each with more than 50 congregations' backing but the Communist government sent a letter that it would only accept Julius Nagy as a bishop among the candidates.

As far as Bishop Aron Martyn, the only surviving Roman Catholic bishop in Transylvania is concerned (Roman Catholics are another denomination almost purely Catholic), I know from personal experience that he is not at liberty to receive anybody except priests of his diocese and that he is very closely watched by the agents of the Securitate. One cannot approach his residence even for 1,500 feet before some agent does not tail you and offers you to become his "guide."

IV. THE GOVERNMENT'S DRIVE TO ASSIMILATE HUNGARIANS INTO RUMANIANS

The drive to Rumanianize the 1.75 million Hungarian minority is a general one and extends to positive as well as negative measures. First, mixed marriages (Hungarian and Rumanian) receive the blessing and help of the Communist government. They are given an apartment (at a premium in Transylvania) and often a better job in a purely Rumanian area and sometimes even economic help at the beginning of the marriage is given. Of course the children usually speak Rumanian only as they are educated in Rumanian schools and live in Rumanian areas. Second, if any scientist or artist wants to get nationwide reputation or promotion, he must change his name into a Rumanian-sounding one, or he remains forgotten no matter what his talents are. I can recall the following cases myself. The world champion in women's high jump, Jolán Baláss, had to change her name into a more Rumanian-sounding one; i.e., Yolanda Balas. The famous soloist István Ruha appears on the notices as Stephan Ruhe, the actor István Kabán as Stephen Caban. Third, the folkloric museums are offering no more Hungarian and German folklore and embroidery. Szekely embroidery was world-famous as is earthenware. As the Folkloric Museum at Kolozsvár (Cluj) I could not find one piece of these embroideries and earthenware, and the material exhibited was not even Transylvanian Rumanian, but mostly Rumanian from the other provinces. Hungarian earthenware and dolls can no longer be produced in the "Mures-Magyar Autonomous Region" not to speak about the folk styles at Kalotaszeg, southwest of Kolozsvár (Cluj). Fourth, there is a conscious tendency to do away with all the historical monuments as they emphasize the Hungarian history of the region. The old fortresses and castles are generally closed to the public and exposed to the eroding influence of natural forces. Many are now in ruins and all of them neglected. Statues and historic buildings also fall in the neglected category, except where the buildings can be adapted for governmental use. Fifth, a new rule governs the street names in the cities and the "Mures-Magyar Autonomous Province." By ordinance, the street names were supposed to be in Rumanian and Hungarian. Since 1961 no street plates are made in Rumanian and Hungarian, but only in Rumanian. A few old street plates still can be found in half-rusted or erased condition in Kolozsvár (Cluj) and in the suburban parts of some cities and towns in the "Mures-Magyar Autonomous Province," but they soon will be replaced by Rumanian ones. The old Hungarian cemeteries are neglected and often used for construction purposes. They will also soon disappear in all areas except where compact Hungarian districts exist. This is in sharp contrast with the care of cemeteries in other provinces of Rumania, which are exceedingly well kept with flowers and small monuments to the heroes who died in the two world wars.

Finally, the language of administration even in the "Mures-Magyar Autonomous Province" is being changed exclusively into Rumanian and the police and other officials are Rumanians who do not speak or do not want to speak Hungarian. As Szekelyudvarhely (Odorhei) I went to the local police station allegedly with the excuse that I have to register as a tourist. I addressed the officer on duty in Hungarian, he answered in Rumanian. When I maintained that I do not speak Rumanian, he brought an interpreter and asked me to sign the blank form of registration. When I refused he offered that they will fill out the form in Rumanian. When I still refused that I do not know Rumanian and would not know what I was signing, he got angry. Finally I told him that I do not have to sign as my visum specifies that I will be visiting the town. This made him increasingly irritated and he asked me why did I come then at all? I answered that I wanted to know whether in one or the major cities of the Autonomous Province the police speaks Hungarian at all, and pointed to some older people who did not know any Rumanian and had to sign forms and statements in Rumanian. He finally admitted that indeed he does speak Hungarian (though he was an ethnic Rumanian) but he prefers not to speak it and tried to withhold my hotel reservation with little success. This is how "Hungarian self-government" looks in the "Mures-Magyar Autonomous Province." I talked to several traffic policemen in Marosvásárhely (Turgu Mures) and other towns of the "Mures-Magyar Autonomous Province" and they all replied to me in Rumanian. Generally the police in the Autonomous Province is armed with tommyguns and looks suspiciously around while the police in the other areas is usually lightly armed with sticks and does not seem to be nervous.

Unrest is not high but ever present under the surface. It includes not only members of the persecuted and oppressed Hungarian minority but, Rumanians as well, among whom the policies of the Communist Government are also heartily disliked. The tension between Transylvanian Rumanians and Rumanians from the other provinces so characteristic of the interwar period has also not disappeared. Rumanian friends, including one of the participants, told me that in 1956 70 Rumanian youth swore in the night in an Orthodox church to devote their lives to fighting communism in Transylvania and to fight for a Transylvanian state independent both from Rumania and Hungary. Of course they were discovered and sentenced to long prison terms, only released under the 1964 amnesty. But their sentiments are often shared by Rumanians and Hungarians alike.

AFFIDAVIT

NEW YORK,
June 24, 1965.

I, the undersigned Mr. K. fully depose and state:

Until the end of February 1965, I was a resident of the Peoples Republic of Rumania in the Marmaros (Maramures) section of Transylvania which until 1918 and between 1940–45 belonged to Hungary. As such I have direct and intimate knowledge of the situation in Transylvania, with particular emphasis upon the situation of the Hungarian minority thereof.

There are no more Hungarian schools in Transylvania, though there were over 3,000 Rumanian schools in Transylvania even under Hungarian rule before 1918. All schools have Rumanian principals and directors, and there exists only a Hungarian section. In the Rumanian section not even the Hungarian language is taught in the grade schools, even if the city or village is overwhelmingly Hungarian. In the Hungarian section, Rumanian language and literature is taught, and in many instances other subjects in Rumanian as well. However, in Nagybánya (Baia Mare) at least in the Hungarian section most subjects are still taught in Hungarian.

However, those who attend the Hungarian sections are both discriminated against and are finding themselves at a disadvantage when entering college and university. In most cases they fail the entrance examination both because of the lack of proper knowledge of the Rumanian curriculum on which the examination is based and because of open bias against those who have attended Hungarian section instruction.

There is also considerable pressure upon white collar workers and engineers to send their children into the Rumanian sections. Also for members of the Hungarian minority it is almost impossible to get more than one child accepted to college or university regardless of the scholastic achievements of the children.

There is discrimination in job opportunities against Hungarians in Transylvania as well. In my case, my trade license as drycleaner and clothes dyer was revoked 2 years before the licenses were revoked from my Rumanian colleagues, even though according to the statutes I would have been entitled to remain in the business as I was a disabled war veteran, had two children under 12 years of age and was under the age of 50.

Also if you want to enter state business enterprises or cooperative stores, Hungarians are required to have a gimnazium graduation, lately preferably of Rumanian schools (section). In the case of Rumanians, this requirement is often waived, as I know from cases known to me at Nagybánya (Baia Mare). This was not the case before 1957, the discrimination in employment opportunities regardless of the class cadre consideration is something recent in Transylvania.

In case of Hungarian families with several children, the no-college rule for all but one results in personal tragedies. The son and daughter of a medical doctor who works for a cooperative hospital are; i.e., need to select who will continue their studies, and seldom is it advisable for anyone to send more than one child to the Hungarian section of the school if he wants to get promoted in his job.

The housing situation is desperate in the towns. There are many new apartment buildings erected but Hungarians only get a flat in them if they can prove that they are of Rumanian origin or are loyal members of the Rumanian Communist Party. Everybody in the offices is speaking Rumanian only for the past 8 to 10 years, even if he or she happen to speak fluent Hungarian. In the case of Nagybánya (Baia Mare) settlement permit is only given to Hungarians if they are drivers, miners or skilled steel industrial workers, otherwise they do not receive permits. These three categories are i.e. shortage professions in Transylvania. In the case of Nagybánya (Baia Mare) the ethnic balance of the city has changed greatly since 1948 by forced Rumanization. While some of the newcomers hail from the mountain villages of Marmaros (Maramures), most of them have come from Rumanian provinces outside of Transylvania, especially from the areas around Ploesti and Bucharest.

In 1956 there were numerous demonstrations against the regime both by Hungarians and Rumanians. The telephone network at Nagybánya (Baia Mare) was damaged by the demonstrators. The demonstrators were mostly students of the technical college and were immediately arrested by the army and police and were held incommunicado for long years and released only in 1964. Most of those released needed long hospital care and rehabilitation. The other element demonstrating consisted of foundry workers and they were dealt with similarly.

In general, arrests and convictions were used arbitrarily and overseverely. One student who told his friends at a Varna vacation that "Let save money so that we can escape to Turkey," was convicted and received a 17-year sentence. He was only released in 1964, and is a nervous wreck. Despite the promise of the Government that all prisoners released will be given jobs, he is still without steady employment a year after his release. A well-know Transylvanian Hungarian artist painter, F. K., was several times in prison, altogether served about 5 to 6 years and was just recently released. Eight women, among them musicians and writers were arrested at Nagybánya after 1956 and only now released. Their crime was to write Hungarian poetry which the regime disliked.

There were many police atrocities. At Nagybánya we know of two instances where people arrested were beaten to death by the political police, one was a clerk named Takacs and another an engineer. These events happened in the wake of the Hungarian Revolution of 1956. Undoubtedly there were others.

As to the amnesty, according to my personal estimate about 30 percent of those in prison were released, mostly those whose health condition deteriorated. The promises of job placement were not kept in many instances by the State, even in those cases where the released prisoner had a trade. One tailors' apprentice is also without a job for over a year.

There is absolutely no freedom of speech. Someone was fired from his office job and sent to the mines just for stating at a meeting where higher norms and plans were explained that "Bah, this is all humbug."

Many clergymen also shared the fate of arrest and imprisonment. One, Reverend Szabó was recently released and transferred into a village where there are only 34 Hungarian families. As a Roman Catholic priest, his parishioners would come only from the ranks of Transylvanian Hungarians as the Rumanians are Greek Orthodox. Other priests and ministers are only released if in bad health or mental condition.

There were several rumors, especially in 1964 that Russian pressure will force the return of the western frontier strip to Hungary as it has an 80-percent Hungarian population. This caused great excitement among the Hungarians and uneasiness among the Rumanian authorities in the summer of 1964. At Kolto, a Hungarian village the population wanted to demonstrate with Hungarian flags on August 23, 1964, the anniversary of Rumanian turn to the Allies from the Axis Powers in 1944. Not only were heavily armed Rumanian units sent to the village, provoking incidents and executing arrests, but even at Nagybánya (Baia Mare) several battalions of infantry and light artillery was sent from the Russian border. The Rumanians were afraid of a possible Hungarian uprising which they feared would be followed by a Hungarian and Russian intervention.

Upon the improvement of American-Rumanian relations there was absolutely no improvement in the situation of the Hungarian minority, rather it has grown somewhat worse.

As to my personal case, I was immediately heard by the security police upon visiting the American Legation in 1960 for getting my passport, I was almost compelled to work for the security police and spy upon my fellow Hungarians at Nagybánya (Baia Mare), and failed to receive my exit permit until February 25, 1965. Up to the last moment, a war of nerves was conducted against me by the various authorities, locally and nationally. Finally, 2 days before the departure, I was forced to sign over my house which was not yet nationalized to the Rumanian state, otherwise I would not receive any exit permit.

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AFFIDAVIT

NEW YORK,
June 21, 1965.

I, the undersigned, fully depose and state:

Until 1964 I resided in the town of Halmi, Transylvania, which belongs, since 1945, again to Rumania. Therefore, I have first-hand knowledge of the situation in my own area and indirectly in Rumania's western provinces, formerly Transylvania.

First, the amnesty failed to release all the political prisoners of Hungarian ethnic origin in Rumania. I know of several cases myself where the persons are still in prison. In Szatmarnemeti (Satmar) a minister of the Hungarian (D. Szabó) Reformed Church was arrested and sentenced to 20 years in prison in 1949 after having been beaten by the political police for alleged antistate activities. He has not yet been released. His wife is working at the Photographers' Cooperatives at Szatmarnemeti in order to support his family and we were personally acquainted with him. The Vlicsak family gave several priests to the Uniate (Greek Catholic) Church. The old Ulicsak, a monsignor, had to leave his ecclesiastical functions in the late 1940's, receives no pension from the state to this day. Out of his three sons, two were arrested in 1949 and sentenced to long prison terms. They have not yet been released either. There are several other cases where I have indirect knowledge in my area of people who have been sentenced for political reasons and are still in prison despite the amnesty.

Second, incidents have often occurred about the use of Hungarian language in public. In Arad, a major city of Transylvania, especially in 1950, there were bloody incidents when Hungarians were beaten up for using their language on the street. The general term for Hungarians by the Communist Rumanians is bandina which is stateless, homeless bums.

Third, there is a definite pattern in sending Hungarians with diplomas (earlier they were usually not even allowed to study at the universities except for a small pro-Communist percentage) to purely Rumanian areas in order to further assimilation. I know of several cases in my area. Mr. X, a construction engineer, has received his first job at Bucharest where he is still working; Mr. Y, a medical doctor was transferred upon completion of his studies to Craiova in Muntenia; Mr. Z, a medical doctor, now working in Constanza at the Black Sea; Mr. A, an electrical engineer, transferred to Dorohoi, just to mention a few actual cases among my acquaintances. Of course, having been transferred at a young age to purely Rumanian areas, they usually marry Rumanian girls and their children lose their Hungarian ethnic consciousness thereby depriving the Hungarian minority from their natural leaders.

Fourth, in 1950 at the Rumanian-Serb frontier in the Banat which is also an ethnically mixed area which formerly belonged to Hungary, 32 villages were evacuated which had either Hungarian or German population. From the Rumanians only those were deported who had relatives in the Western countries or who were wealthy farmers (kulaks). Many of the deportees are still living in the inhospitable climate of Dobrudja. They were housed in mud huts and camps and they have to make a living at a land which was always infertile for agriculture. They are still not allowed to travel west of Bucharest or north of Bucharest. They were deported by the military and police with only a small amount of personal goods and their homes and land were given to Rumanian settlers, mostly Communists.

Fifth, a second deportation wave was in 1949 for the construction of the Danube canal south of the Iron Gate. Again, the same elements were deported. Hungarians, Germans who belonged to the middle classes, and some middle-class Rumanians. They were selected from all over Transylvania, usually 8 to 10 people per village or small towns, in order to intimidate the people. They were usually again middle sized and wealthy farmers who were proven guilty of not fulfilling the delivery quotas (arbitrarily high) and taxes (ruinously high). About 80,000 people were deported, over half of them died of diseases and the cold during the winter of 1949–50. Because of the high mortality, the youth of these people were sent in 1950 to finish the canal as labor servicemen, but finally the project was abandoned in 1951 without ever having been completed. Those who survived could come back to their former domiciles, but there were very few.

Sixth, there were many executions in the wake of the Hungarian Revolution in 1956 in Transylvania which produced demonstrations in most cities in Transylvania. Martial law was ordered on Kolozsvár (Cluj) and most parts of the "Magyar Autonomous Province" and dozens of people executed under martial law without any trial among the demonstrators.

Seventh, the ethnic distribution of the province is changing. After nationalizing and collectivizing the estates, this was used for promoting Rumanization of certain areas. Rumanian settlers were settled at the former big estates either from the mountain villages or from areas outside of Transylvania and the new villages thus created was given the central administrative organs of the area like the county people's council, school board council, etc.

Eighth, it is true that Hungarian sections in Rumanian schools still exist, but no Hungarian schools as such. Moreover, because of the stringent Rumanian requirements, hardly any student studying in the Hungarian section can compete with the graduates of Rumania schools in entering the universities, thus more and more Hungarians, too, attend the Rumanian schools. In case of people working for the state, sending their children to Rumanian schools remains a silent requirement.

Ninth, there is great poverty. This is, of course, true both for Hungarians and Rumanians, except that Hungarians have little chance to move into the cities and become industrial workers whose position is relatively better than those in the agriculture as small trade has been eliminated. The average income of an agriculture collective member, unless he is a Stakhauovite, is about 5 pounds of wheat or 2 quarts of milk in lei equivalent.

Tenth, fear of the secret police is not gone and their methods remain insidious.

There was a case in which a student from Nagyvarad (Oradea) visited Hungary just at the eve of the Hungarian freedom fight of 1956 and subsequently did not return but fled to the West. His friend was pressured by the political police to write to him and try to lure him home so that he could be arrested. When he resisted, he was beaten, lost his job, was transferred in a lower position to Constanza, kept under police surveillance and it took him 6 years to return to his job.

Eleventh, religious life exists insofar as the churches are still open. But the Sundays and holidays are not kept for workers. State employees of white-collar positions cannot really go to church unless they want to lose their jobs, and intellectuals and holders of doctorates, especially teachers, are not only expected to stay away from the churches, but they must exercise antireligious propaganda in order to keep their work.

Attest:

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AFFIDAVIT

I, the undersigned, Mr. X, fully depose and state:

I lived in Transylvania until the second part of 1964 in the city of Brasov (Brasso) all my life and am well acquainted with the conditions existing in the city and the province both in former times and under the present Communist regime. As a small artisan, I was allowed to function despite many harassments, and never joined the Communist Party.

Since the detachment of the districts of Haromszek (Trei Scaune) from the "Autonomous Province" there is practically no possibility for the Hungarians to move from these districts into the Mures-Magyar Autonomous Province. In the latter, local administration remains Hungarian only in purely Hungarian villages where hardly anyone speaks Rumanian. However, the police in the towns and cities and much of the local administration is Rumanian, only a minority Hungarian and even those belong to the Communist Party and promote the aims of the Rumanian Communists. In the Autonomous Region economic progress is minimal. The industrial planning of the Communist Rumanian Government consciously avoids the creation of new plants in that province. Therefore, there is a considerable manpower surplus which is lured both by the promises of better wages and housing into the other provinces and outside Transylvania, where the population is Rumanian. Even in the Autonomous Province, but especially in the province of Brasov, there were fights between Hungarians and Rumanians. In 1963 such bloody fights occurred in three villages, Csikszentkiraly (A.P.), Madaras, and Vereben (P. Brasov). Of these I have personal knowledge from people who were friends of mine and lived in these villages. In one case the casualties among the Hungarian population amounted to half of the population in the village. Despite Communist rule, illegal arms are present.

While there is little religious freedom, the position of the Orthodox Church is definitely better than those of the Catholics or Protestants. The Orthodox Church remains strongly Rumanian nationalist. It still has contact with the youth mostly by visits to the home on the pretext of "collecting the tithe."

Even the Communist decrees and papers in the Autonomous Province are regarded as invalid in other provinces if written in Hungarian despite the constitutional guarantees. One specific example I have seen myself in the employment office where I had to go in 1963 as my artisan shop was closed down by the state. A Hungarian lad came from one of the villages of the Mures-Magyar Autonomous Province bringing a statement from the local council secretary that the collective farm does not need him he may go and take a job somewhere else. The employment office wanted to throw him out just because the paper was in Hungarian.

Once Hungarians have moved to territories outside of Transylvania (Bucharest, Moldavia, Muntenia) there is no possibility to receive permission to return to Transylvania. My sister tried to get back from Bucharest to Brasov after divorcing her husband, but despite appeals to high levels, even including Gheorghiu-Dej, she got nowhere. Rather I received a visit by the militia in my shop and they "proved" that I do not have the housing for her, though I had 2 room, kitchen apartment, not small under Russian housing conditions. Finally she was given an apartment and good position, but in Bucharest. Bucharest has grown tremendously, including the suburbs, it has 1.8 million people, of which about 200,000 to 250,000 must be Hungarian.

Hungarians who want to move from the villages into the cities in Transylvania experience grave difficulties in getting residency permits. In most cases they are turned down unless they have some special skill in industry that is badly needed. There is one exception, however. The nationalized warehouses, restaurants, department stores they all need workers for loading stuff and dishwashing. In these positions Hungarians are hired. However, they do not receive full residency permit, but only a temporary one for 3 months. Of course, they are allowed to stay informally sometimes for years, but once in awhile a new ordinance forces them to leave, like one in 1963. The hospitals of the Autonomous Province and of Province Brasov are full with Moldavian mothers who come to the hospitals to have their babies born in Transylvania, claiming to be native Transylvanians later on. Next to warehouseworkers, dishwashers and servants, Hungarian girls are still often used as maids, but not in industry where Rumanians from Moldavia (the least cultured of all Rumanians) are preferred. The number of Moldavian Rumanians in southeastern Transylvania is so numerous and their share in management so high that many Transylvanian Rumanians also resent their coming and taking over together with the Hungarians of Transylvania.

Community relations between Hungarians and Rumanians in Brassó (Brasov) are inadequate. Incidents are numerous, especially as the Hungarian workers also like alcohol (wine). On June 14, 1964, at one of the favorite walks Rumanians tried to trample over some Hungarians by sheer numerical strength, but the Hungarians drew knives, and finally were arrested by the police.

According to prevalent rumors, Prime Minister Groza did not die a natural death but was shot to death by Minister Stephan Bodnaras in 1957. He was the last one to defend the Hungarian minority in the Communist regime as he was educated in Hungary and spoke the language though he was Rumanian.

In 1956 there was considerable unrest in the area during the Hungarian revolution. There was still some illegal arms in the hands of the population especially among Rumanians. The regime was actively arming its officials fearing full-scale revolt (example of Kovaszna). Retaliation against any signs of unrest is still very strict. In Sepsiszentgyorgy formely Mures-Magyar Autnomous Province, now Province of Brasov) there is a statue depicting a Rumanian shepherd as a war hero. Some teenagers brought some corn bread to the statue during the night. The police officer sent to investigate the affair was a Hungarian and finally he had to arrest among others his own son. All the juveniles were sent to long term prison.

The amnesty did not cover everyone. The Catholic priest at Vasvar has already been arrested seven times, usually released for a while because he is very fragile and sick. His chaplain, Gabor Borbely, is still in prison. At the Catholic rectory in Brasov there are only five priests working, two of them are over 80 years of age. Four others are still in prison. One of the chaplains was arrested while traveling to Hosszufalu to substitute for another priest and only the people who found his motorcycle told the parish priest that he had been arrested; the police did not even inform him. The high school professors who were arrested have not been released by the amnesty either.

In 1959, after the forced merger of the Bolyai University at Kolozsvar (Cluj) with the Rumanian Babes University, the chief Communist personnel officer of the University (a Hungarian) secretly composed a memorandum which was to be sent to the United Nations and another was to be sent to the Rumanian Communists Government. The affair was betrayed and the police moved in and the process involved 40 professors and several hundred students. Among those arrested was an acquaintance of mine, Professor Ivanescu, Rumanian by name, Hungarian by language and feeling. In 1961, after being released, he again tried to bring a group together to protest; he was arrested again. He was sentenced to 18 years in prision. An interesting sideline is that if you want to attend a process of criminal character, you have to pay 2000 lei for an invitation, even if you are the wife or parent of the defendant.

As to Hungarian representation in the Rumanian Communist Party, Moghioros is a Hungarian gypsy, and he did not get in because he speaks Hungarian, but because he worked with Gheorghiu-Dej in the interwar period as an illegal Communist. There is only one important deputy, Farkas, in the Grand National Assembly.

Generally, the number of gypsies from Moldavia increased greatly in Transylvania. There were brought in originally between 1949–51 when the middle-class people and richer farmers were deported to the Dobrudja area. But they sold the animals, did not grow anything and some of them were deported back to Moldavia as the Saxons were allowed to return to their land. There is a steady influx of Rumanians from provinces outside of Transylvania into Brasso (Brasov). According to information received by a police officer who had access to the vital statistics of the city, only between 1962–64 30,000 people moved to Brasov from these areas. Brasso (Brasov) still had a large Hungarian population, but the growth of the Rumanian part is very quick. I believe, however, that there are still about 40 percent Hungarians in the city, though the official statistics only show 14 percent.

The city has been progressing industrially at a fast rate. There are not less than 2,700 factories and plants in the city, and its population amounts, inclusive of the suburbs, to 150,000. But even from Brasso (Brasov) many important plants were transferred into Muntenia.

Educationally, in the Hungarian sections the instruction is mostly in Hungarian, but every day there is instruction in Rumanian as well which includes also composition. Many Hungarians are sending their children into Rumanian sections, both because of the paucity of places in the Hungarian sections and in order to qualify them for college entrance examination. It is very hard for Hungarian students to enter universities. One friend thought that it would be easier to register at the Moldavian University of Iasy where there were less applicants. He asked that he should pass the entrance test in Hungarian language as the law permits him to do so, if he went to the Hungarian section of the high school. Despite some support from Rumanian fellow students the administration refused his admission or to administer the test in Hungarian.

After the Hungarian revolution. Hungarian freedom fighters were transported by the Red army through Transylvania and Muntenia into the U.S.S.R. A Rumanian customs official with the railroad, Mr. A, who himself was a member of the Communist Party, heard the cries for help of Hungarian freedom fighters who were transported in oil tanks near Brasso (Brasov). He was shooed away by the Russian guards.

Generally, the population is fed up with the regime, and the Hungarian minority is both afraid and bitter. Even the Transylvanian Rumanians are opposed to the regime, though they might like some of its actions. The regime is actively fanning the flames of hatred between Hungarians and Rumanians so as to divide the opposition. Hungarian youth are hired by the police and given residency permits if they volunteer to quell fights and unrest among Rumanians in the city. At least such is the case in Brasso (Brasov). In several instances, instead of the police, they were used to clear up fights at dances and drinking bouts, not endearing the Hungarians to the Rumanians. The regime is following a divide et impera policy toward the Rumanians and Hungarians. By suppressing the Hungarian minority it tries to appeal to Rumanian chauvinism, while using Hungarian youth for restoring order against Rumanians, it fans the flames of nationality hatred.

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AFFIDAVIT

I, the undersigned, Mr. D. fully depose and say:

In the spring of 1965, I visited my relatives in Kolozsvar (Cluj) in Transylvania, now part of the People's Republic of Rumania and traveled in other areas (Brasov, Bucarest) as well. My observations based on my own experiences and on information received from relatives and close friends is as follows:

First, there is considerable feeling of dispair among the Hungarians in Transylvania, especially the younger generation which feels that it is deprived from the better positions in society by both Communist and Rumanian pressures. They complain about constant discrimination in the field of wages, not even the rates set by the Communist trade union councils are paid in full to Hungarians (in one case someone has been promised in writing 2,000 lei a month, and he receives only 800 lei, and when he protested to his immediate boss he was told to keep quiet or he will be fired and not receive any comparable job anywhere). Not too long ago, in the construction business one Hungarian worker, at a trade union meeting agitated for higher wages, he was arrested and sentenced to 6 years in prison.

Second, the situation of Hungarians in the cities is steadily deteriorating. Kolozsvar (Cluj) was a basically Hungarian city even as late as 1945. Today, the city's population has grown by leaps and bounds and the newcomers are Rumanians from the neighboring countryside. The former agricultural areas where vegetable gardens were maintained by Hungarians on the outskirts of the city, have been built up with new apartment houses and college dormitories and schools. The impression one gets from the city during the day that it is a city of pupils and students. Now, there is a new move to bring into the new apartment developments 17,000 Rumanian and Serb families (there are practically no Serbs in the city, at this time) from the Danube island of Adakale south of the Iron Gate. At the same time, the Hungarian areas in the city are not even given repair material and the houses are becoming more and more slumlike for lack of repair. It is impossible for young Hungarians who are getting married to get any housing in the city. In one instance this happened with my family, and among friends I have seen several instances with my own eyes, not to speak about the cases I heard. And these are people who work for state enterprises. There is also considerable waste in the new city planning. Junkyards and dumps are in many instances where vegetable gardens run by Hungarians were a decade ago. The housing situation creates many individual tragedies. In one case a woman (middle-class) who owned a large house before and was left only with one room after the brutal beating of the police killed her husband in the fifties, had to threaten murder in order to keep even that one room for her and her son, and the stories could be multiplied in innumerable cases.

To my knowledge, there are no Hungarian high schools and elementary schools in Kolozsvar (Cluj) or other cities which I have visited. Anyone working for state enterprises in any white collar capacity, does not dare send his children to the Hungarian section lest he loses his job as a disloyal person to "Greater Rumania" as the People's Republic is again called in the vernacular. Even in the Hungarian section, this I know from children of friends, the instruction is 50 percent in Rumanian and 50 percent in Hungarian, while it is all Rumanian in the Rumanian section. As to the libraries, I have not visited any, but information given by people whom I know states that in many cases, Hungarian school and college libraries were closed down and the books either destroyed or are stored in cellars.

As to the use of the Hungarian language, there were many cases of discrimination which I noticed. That is, in the train between Bucharest and Brasov, a Hungarian family conversed in the compartment in Hungarian. After a few minutes, one Rumanian protested, called the conductor and the family had to leave. At a Transylvanian city, I had to send a telegram to Hungary and wrote out the text in Hungarian. The telegram office refused to accept it. I had to pay 10 lei for having it translated into Rumanian, and the addressee in Hungary had to find someone who understands Rumanian to decipher my telegram announcing my arrival at a certain time. At Csikszereda, in the so-called Mures-Magyar Autonomous Province all train and railroad personnel insisted on talking Rumanian to me, despite the fact that they all spoke fluent Hungarian and refused to answer my questions why they speak Rumanian when they are Hungarians. There seems to be a percentage limit for employing Hungarians, too, roughly 20 percent in state enterprises which works a hardship especially in the cities and the "Autonomous Province."

The cities are special targets of Rumanization. Young people who have some diploma are sent to the countryside, for their job assignment and the new factories are filled with Rumanians immigrating to the cities. In the autonomous province there is practically no industrial development. Finally, a lumber combinat was to be established in the former county of Csik (Ciuc) and everyone assumed that the lumber yard and furniture factories will also be located in some city within the autonomous province as economic geography would have demanded it. No, finally these factories were to be located in the mixed town of Segesvar (Sigisoara) in the province of Brasov, which is mostly Rumanian, in order to encourage the Szekelys to emigrate from the autonomous province. Outside the autonomous province, the pressure on Hungarians is even greater, as I could notice during my stay in Brasso (Brasov). There is also a ban on more than two people standing on the street talking (like it would be if martial law were to be declared). In one case, two Hungarians met a third one in Kolozsvar a few years ago going to work in the morning, and the third one greeted them and added, "I'm doing well, I hope that this will not last long." (He meant the regime.) He was arrested and sentenced for 8 years in prison. Sometimes even Rumanians are victims of the capriciousness of Communist rule. A former Rumanian police officer was arrested in the early fifties, he still does not know really why, and served 6 years in prison.

As to the deportees, even those who survived are not allowed back to their former domiciles. Usually, they are allowed to remain in the eastern provinces of Rumania outside Transylvania. This is often due with young veterans who served their stay in the army. They are assigned for work outside of Transylvania. Much of the construction gangs still consist of prisoners. I have seen personally several construction gangs in Kolozsvar (Cluj) which were working while guards were guarding them.

Religious life is still present, the churches are relatively full, though older people predominate. However, even the alms given at the church must be counted and turned over to the state on the grounds that the state is paying the salaries of the priests and ministers. I have seen in one church after the service this process to take place with my own eyes. The sermons are held in a way that nothing could be misinterpreted by informers as being against the regime and in most cases peace priests are in charge of ecclesiastical positions. There has been great pressure upon the priests and ministers in the various localities to join the cooperatives (kolhozes). According to reliable information received, 228 priests and ministers have been arrested in the last 2 years on the ground that they refused to join the cooperatives and are still kept in prison at Dezs (Dej) and Szamosujvar in the province of Kolozsvar (Cluj). The ministers and priests argued that they were only salaried employees of their churches and could not by themselves decide on this question.

The introduction of the Communist cooperatives were executed both for Hungarians and Rumanians with utmost Communist brutality. Many instances were recounted, but I am sure that they are known as they follow the same pattern as in other Communist states.

Even emigration remains a game of the state. Normal procedure takes long years; the only way of getting passport for emigration is possible through bribes to a certain black-market gang in Kolozsvar, Bucharest, or in Budapest itself. The charge is about $3,000 per person. Needless to say that the people who want to emigrate cannot afford this, so their relatives in the free world, particularly the United States or Western Europe, are blackmailed this way, which is a good means of getting both personal profit and hard currency for the state.

The Rumanization of the cities is not restricted to Kolozsvar (Cluj) and Brasou (Brasov), but takes place also in Nagyaarad (Oradaea) and Temesyar (Timisoara) and other cities in Transylvania according to people with whom I talked from these cities. The patterns are the same: new apartment houses built on the outskirts, thereby eliminating the Hungarian vegetable and fruit gardeners, importation of Rumanian workers and engineers and civil servants from the countryside, refusal to allow Hungarians to receive flats in the new housing projects, dispersion of the Hungarian youth, especially the professionals from the cities.

Rumania is still a police state; there are few personal freedoms for anyone. However, there exists, in addition, an economic, linguistic, and residential discrimination against the Hungarians in employment, schools, religion, and other fields. This is the only conclusion to be drawn from my visit. Rumanian nationalism is growing stronger, mainly expressed in renewed pressure against the Hungarian minority. The use of the term "Greater Rumania" and the incidents to which the use of Hungarian at public transportation, and on the street can lead are clear evidence, not counting the official, largely centrally directed discrimination.

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AFFIDAVIT

I, the undersigned, fully depose and state:

Housing conditions are very difficult. Lack of repair material and financial resources make repairs on older homes almost impossible. Suburbs are being built up at the outskirts, new apartment buildings. However, only Rumanians are given homes and flats in them. Even good class cadres of Hungarian nationality are not permitted to settle in the cities, thus proving that national rather than political considerations are given precedence. There is not one street sign in any of the cities in Hungarian. This is very strange as even in the Soviet Union (Subcarpathian Ruthenia) street signs are printed in Hungarian areas in Ukranian and Hungarian. The cities in Transylvania, Szekelyudvarhely (Odorhei), Nagyvarad (Oradea) and Kolozsvar (Cluj) are showing an increasingly Rumanian character, as a result of forced Rumanization. Even in the so-called Magyar Autonomous Region, officials of the area are afraid to talk Hungarian, even if they are of Hungarian nationality. Thus, purely Hungarian areas look like they would be inhabited by Rumanians. This is, of course, more true from those cities where importation of Rumanian workers and engineers have changed the ethnic balance. Also in all the cities civil servants and police officials were brought in the 1950's and 1960's from non-Hungarian areas and, of course, they are of Rumanian nationality.

There is an industrial and economic discrimination against the Hungarian areas in Transylvania in the course of Rumanian Communist industrialization. At Szekelyudvarhely (Odorhei) there are no new plants and factories, and the same is true for Csikszereda, both in the Mures-Magyar Autonomous Region. Therefore, people are often compelled to move outside of the Autonomous Region to find jobs. They settle either in the former Old Kingdom (Muntenia) or in the Rumanian areas like Brassó (Brasov) and Segesvar (Sigisoara). As a result, an increasing number of Szekely-Magyar people live now in completely Rumanian areas. To aggravate the situation, in 1961 several purely Hungarian districts of the Autonomous Region were attached to the overwhelmingly Rumanian Province of Brassó (Brasov).

For professionals and often even for skilled workers who have no opportunity to work in Hungarian areas, jobs are promised and offered in purely Rumanian areas outside of Transylvania. They are even offered bonuses and once they take advantage of the offer, they are bound under Communist labor law, to remain in their new positions outside of Transylvania. This promotes assimilation into the Rumanian majority and deprives the creation of an educated leadership for the Hungarian minority in Transylvania. I have seen many individual instances of workers recruited into Rumanian areas and talked to them when they were leaving from their villages and towns for the Rumanian areas outside of Transylvania.

There is very little Hungarian cultural life. There is no nationwide Hungarian cultural organization. At Kolozsvár (Cluj) the Hungarian National Theater which also housed the Opera House was requisitioned by the Rumanian authorities and now serves as the Rumanian Opera House. At a side street, at a culture hall, there still exists a small Hungarian theater. There are no daily performances, only twice a week or sometimes only twice a month. The plays performed are mostly Hungarian translations of Rumanian playwrights, therefore they serve no Hungarian cultural purpose, but only a further dissemination of Rumanian culture among the Hungarians of Transylvania. At Turgu Mures (Marosvásárhely) capital of the autonomous region, the Hungarian Theater, which until 1960 had only performances in Hungarian now, now serves as a merged Rumanian-Hungarian theater where only twice a week are still plays in Hungarian performed, on the other days only in Rumanian. There is no Actors Academy in Transylvania in Hungarian language, and therefore there is no supply for Hungarian artists. There is practically no Hungarian literature, only translations of Communist Rumanian authors and classics. Even Petőfi is disliked among the Rumanian authorities.

There were many arrests in the wake of the Hungarian Revolution in Transylvania, and some were shot right at the demonstrations which took place in the first days of November 1956 in Hungarian areas of Transylvania. Martial law was introduced and large military units were sent into the Hungarian areas. Close friends of mine reported of executions and also of deportations to prisons of large numbers of people. Some of them died in prison, others showed up after the amnesty, but nobody knew in the meantime whether they were imprisoned or dead. They were held incommunicado.

In Nagyvárad (Oradea) and Szatmárnéti (Satmar) areas, in the state teachers college even in the Hungarian sections only the Hungarian language is being taught in Hungarian.

These conclusions are based upon my recent trip to Rumania where I have visited several Transylvania cities, including Kolozsvár (Cluj), Nagyvárad (Oradea), Székelyudvarhely (Odorhei), Szekelykeresztur, Turgu Mures (Marosvásárhely).

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AFFIDAVIT

I, the undersigned, Mr. Q., hereby fully depose and state:

1. During 1964, I visited my birthplace, Transylvania, now part of the so-called People's Republic of Rumania. As we arrived at the border, we found a fortified guardhouse on the Rumanian side and another one was being built by about two dozen Hungarian prisoners under the watchful eyes of a Rumania armed guard who had a mounted bayonet on his gun. As we were held up for 3½ hours before being allowed to proceed, we tried to talk to the workmen but the guard drove them away from us shouting insults (scat, damn Hungarians) in Rumanian.

2. At Nagyvarad (Oradea), a good sized city with a predominantly Hungarian population (near the Hungarian-Rumanian border), we purchased a roadmap in order to know our way to Kolozsvar (Cluj) the capital of Transylvania. Several towns on the way were not listed on the map, and they all turned out to be the Hungarian-inhabited localities, while a small Rumanian town was listed on it. I still do not know for what purpose the three towns with Hungarian population were not listed on such a neutral means as a roadmap.

3. At Kolozsvar (Cluj) we had difficulty at the hotel. The manager pretended not to have our reservation that we cabled from Budapest. Finally we had to make the rounds at other hotels and only a call from the tourist bureau secured us the original reservation. Apparently, we were told, the manager of the hotel wanted an extra bribe for refreshing his memory. As our car stopped in front of the hotel, scores of Hungarian people surrounded our car with floods of questions about America. Finally Rumanian police arrived and drove the questioners away.

4. The next day we took to the road again. The road was in good condition until we arrived at Gyulafehervar (Alba Julia) from there the road became impossible for 50 miles. Our car was used as a road roller as 2-inch rocks were spread on the road and never rolled down by any machine. Our new tires looked like rags when we had arrived at Arad. From here the road was good again until Temesvar (Timisoara). There we had no trouble with the hotel. In the streets we talked to Hungarian people. They first looked around whether anyone is watching them and talked in hushed voices and were definitely surprised that we dare to talk Hungarian clear and loud. The people were predominantly Hungarian and German. The following day the authorities planted a guide into our car for whom we had to pay $9 a day. During our rides in the city we have seen many queues standing in front of bakeries and butcher shops for bread and meat.

We also visited Resica in southwestern part of Transylvania. Here an industrial complex is located as the region is rich in mineral resources. Within a few square miles there are iron ore, gold, and coal veins and plenty of water usable for hydroelectric energy. The Rumanians boasted of their new apartment project consisting of about forty 4- to 5-story-high buildings, the flats usually had one or two bedrooms in them. We even visited the project and went to the roof garden via a rickety elevator as the project is used for attracting tourists. After leaving the project we talked to several local people who insisted that we listen to them. They told us that the Rumanian People's Army used Hungarian and German inductees with a few Rumanian admixtures (anti-Communists) for building the project. The men were put in tents and handed the tools for construction. They worked in all seasons sleeping in their tents most of the time with their clothes on, living on a meager diet of dried salted fish, cornmeal and dry beans. When the project was completed they were discharged without any pay whatsoever, even though they worked for nearly a year. How can the free world close its eyes to such inhuman acts when negotiating with the Bucharest government? The veracity of the Resica story may be easily established. The project was completed in 1962 and the American Legation could find out the details without difficulty.

It is tragically unfortunate that I dare not to use my name in signing this affidavit, as my relatives would be hunted down and persecuted by the Rumanians in Transylvania. But I am willing, if necessary to confirm under oath the above statements in absolute secrecy and without showing my face.

Subscribed and sworn to before me this 21st day of July, 1965.

LILLIAN L. BRINKLEY,
Notary Public in and for the County of Los Angeles, State of California.

AFFIDAVIT

I, the undersigned, Miss L, fully depose and state:

1. During 1963, I visited Rumania, particularly southeastern Transylvania, where I had at that time, my aunt living. During my trip, I resided mostly in areas with substantial Hungarian and German population.

2. My experience was that no political and linguistic freedoms were granted to Hungarians. Even the use of the language was a risky business in public and people were afraid of secret police agents and agent provocateurs who would denounce both the fact that they talked in Hungarian and also the contents of the conversations, if by any chance unfriendly toward the regime. Looking over your shoulder before starting to talk, while talking and after finishing the conversation, was commonplace in the villages and towns I have visited.

3. In the schools, Rumanian sections were introduced even in overwhelmingly Hungarian areas in the usually Rumanian-administered schools. In one village, Szilagynagyfalu (Nasfalau), the parents were told that they are uncorrigible chauvinists who should be punished because they asked the teacher to teach Hungarian spelling to their sons and daughters in the Rumanian section. Not alone the parents had to fear repressalia, but the still Hungarian nationality principal was immediately removed and replaced by the Rumanian teacher who had refused to let the children learn Hungarian spelling.

4. Oppression of the Hungarian minority follows the fight against "bourgeouise nationalism" of which the Hungarians are accused. Yet, whatever nationalist protests they occasionally make, these are preceded by individual or organized Rumanian Communist measures against the rights and life of the Hungarian minority. For example, they do not have any organizations left which could any more protest, even the pro-Communist Hungarian Workers' Front was dissolved as early as 1951 and there is not even a statewide cultural organization. The depression of the Hungarian minority is an undeniable fact. I met a professor of languages at Kolozsvar who would have liked to emigrate to Communist Hungary "even as a member of a farm collective" only to escape the slow, but inevitable elimination of Hungarian culture and the oppression of his brethren by the Rumanian Communists.

5. The deportations of 1948–49 were recounted to me by many friends of my family, even the fact that in some cases the younger sons and daughters were not even allowed to finish their elementary and high school studies, but had to live in mountain villages from the generosity of Rumanian and Hungarian peasants, and cannot return even today to any city, or their former abodes. They were often Rumanized, but in any case are working in the lowest paid jobs.

6. I had several acquaintances and friends of the family who managed to complete their studies and entered either civil service or a technical career.

All of these except one was assigned to areas outside of Transylvania, or in one case to a purely Rumanian area within the region. Mr. X, a medical doctor is working in Sinaia in a hospital, Mr. Y, a civil engineer lives in Braila which is overwhelmingly Rumanian, but still in Transylvania, Mr. A, a mechanical engineer to Bucharest as was Mr. B also a medical doctor.

7. The situation of the churches was very dismal. Except for old women and old men, the region still discourages actively attendance of religious services, especially among the youth and those working for the state in better positions. The pressure upon ministers to send their children to Rumania sections of the schools was increasing and they are threatened with processes on the basis of their sermons if they fail to take the warning and act accordingly. My relatives told me that many priests and ministers, including the ones in the town where my aunt lived (Lutheran) is still in prison. In another town, even the Hungarian Calvinist (Reformed) minister is sending his child to Rumanian section (area of Kolozsvar (Cluj)).

In general, the people were feeling let down both by the West and by the Communist Hungarian Government. This feeling depressed them just as much as the discriminatory actions of the Rumanian Communist Government. Relations between Hungarians and Rumanians on an individual basis varied from very good to hostile, but on the official level there was outspoken hostility by the officials against the Hungarian minority.

NEW YORK, July 11, 1965.

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P.S.—As I still have relatives living in Transylvania, please do not use my name in the publication of this testimony, but refer to me as Miss X.

AFFIDAVIT

I, the undersigned, Mr. Z., fully depose and state:

1. In 1964, I had the opportunity to visit Rumania, particularly Transylvania which earlier belonged fully or in part to Hungary. Among the cities and towns I visited in 1964 were Nagyvarad (Oradea), Szatmarnemeti (Satu Mare), Kolozsvar (Cluj), the capital of Transylvania, Csikszereda (Mercuria Ciuc) in the Mures-Magyar Autonomous Province and several smaller towns in the same.

2. My most obvious observation was the presence of an increasing number of Rumanian residents and officials in the Mures-Magyar Autonomous Province as compared to my last visit in 1960. The village of Batot could be selected as a prime example, but the observation holds true in other villages and towns as well. The incoming Rumanians were usually not from the neighboring counties and mountains, but many

of them were originally residents of Bessarabia which now belongs to the U.S.S.R. and even of Dobrudja. Evidently both the Szatmarnemeti (Satu Mare) and the Autonomous Province are being used as new settlement areas for these groups of Rumanians. There is also a prevalence of gypsies from the old Rumanian Provinces.

In 1960, in the Autonomous Province and at Kolozsvar (Cluj) the street signs and highway signs for the places were still bilingual, in Rumanian and Hungarian. Today I have hardly come across even one bilingual sign and the officials everywhere in the Autonomous Province insist upon carrying on their business in Rumanian, even if they know Hungarian.

3. The school situation is showing signs of further deterioration. At the village of Kiralydarocz where there was instruction purely in Hungarian in the grade school (except for Rumanian language and literature) today the subjects are taught even in the Hungarian section almost 50 percent in Rumanian. Many students even in the Rumanian section (where no Hungarian is taught at all), are sons and daughters of ethnic Hungarians who are sending their children to the Rumanian section either because there is no place left for them in the Hungarian sections (this often includes students with excellent grades) or in order to escape official pressure against them (if the parents are professionals working for the state). The instruction staff in this village is still mostly Hungarian, but even the Hungarian teachers have to teach in Rumanian in the Rumanian section and in two languages in the Hungarian one.

4. I heard several stories of young Hungarian professionals especially engineers and medical doctors of being transferred to outside of Transylvania. In the village I also visited and where I have many friends, one young doctor was also transferred to Dobrudja.

5. Hungarians have an extremely hard time if they want to move into the cities of Transylvania which until recently had Hungarian majorities. Only if there is a great shortage in their particular skill will they be let in to settle, even marrying a local girl or having a job waiting in the city alone does not qualify them to receive settlement permits.

6. My general impression was that the situation of the Hungarians in Transylvania is considerably worse than in 1960. The Rumanian regime takes the position that it cannot trust the Hungarians since they showed their dislike of the regime in 1956. The promotion of Hungarians in jobs is showing that they are discriminated against as few Hungarians reach higher managerial positions and/or are let in management and technical special schools and courses. The pay is often lower than their Rumanian coworkers and even the latter hardly receive a living wage, especially in agriculture.

NEW YORK, July 17, 1965.

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P.S.—As I do have relatives in Transylvania and plan to visit again please do not use my name in any publication of the present material and refer to me only as Mr. Z.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred.

The resolution (S. Res. 143) was referred to the Committee on Foreign Relations, as follows:

Whereas the Government of Rumania is engaging in a deliberate policy of discrimination against the Hungarian minority population under its jurisdiction in educational, cultural, economic, linguistic, and administrative fields; and

Whereas this discrimination is clearly contrary to commonly accepted principles of international law and justice; and

Whereas, in accordance with the provisions of the 1947 Peace Treaty, the Government of Rumania undertook the obligation to grant the enjoyment of human rights and fundamental freedoms to all persons within her territorial and sovereign jurisdiction without distinction as to race, sex, language, or religion; and

Whereas the International Commission of Jurists has reported the occurrence of numerous instances of discrimination on the part of the Government of Rumania against the Hungarian minority population in Transylvania: Now, therefore, be it

Resolved, That it is the sense of the U.S. Senate that the discriminatory practices perpetrated by the Government of Rumania against the Hungarian minority peoples be condemned.

Mr. CASE. Mr. President, it is an honor to cosponsor Senate Resolution 143, which would put the Senate on record as condemning the systematic discrimination being practiced against the Hungarian minority in Rumania.

As I noted on an earlier occasion, this minority is gradually being merged out of existence as a cultural entity. In defiance of Rumania's own constitution, these Hungarians are being forced to loosen their ties with their schools and universities, traditions and language. The former autonomous Hungarian region within Rumania has been broken up so that its intellectual and political leaders could be replaced by Rumanians. And Hungarian professionals have been scattered into overwhelmingly Rumanian inhabited territories.

The resolution I am cosponsoring takes fitting and proper notice, I believe, of these tragic developments.

Mr. SIMPSON. Mr. President, I am pleased to join this distinguished group of Senators in sponsoring the resolution introduced by the able Senator from New Jersey. The resolution speaks eloquently for itself. It lays before the public the "deliberate policy of discrimination against the Hungarian minority population" practice by the Communist government of Rumania. I compliment the Senator from New Jersey [Mr. WILLIAMS] for introducing this resolution and I thank him for including me as a cosponsor.

Mr. McINTYRE. Mr. President, it gives me a real pleasure to join my distinguished colleague from New Jersey [Mr. WILLIAMS] in cosponsoring his resolution on the question of continued discrimination and oppression of the 1.75 million Hungarian minority in the now Rumanian province of Transylvania.

The Rumanian people, whether of Rumanian, Hungarian or Saxon origin, have suffered much in the past 20 years under a very oppressive Communist regime which until 1962 acted as the most trustworthy servant of Stalin, Malenkov and Khrushchev. Even today, the thaw in regard to economic relations with the West and the noncommitted world has not been paralleled in the domestic sphere to any significant degree. We just have to read the reports of well-known American correspondents like George Bailey from the Reporter and David Binder from the New York Times to find ample documentation.

The special target of Communist persecution since 1957 has been the Hungarian minority in Transylvania as such. In this connection, I am not talking about political freedom alone. This is absent both for the Hungarian minority and the Rumanian majority as Rumania is a one-party Communist dictatorship. Free elections, of course, are not permissible in such a country, and the right of dissent is restricted to faithful Communists who may criticize some detail but always praise the basic ideological line of the party.

Rather, I am talking about the right to earn a living, to receive housing accommodations, to speak one's mother tongue and to have schools in which a working knowledge of the mother tongue and its literature could be retained, a language which has been spoken in Transylvania for over a millennium.

Yet the Hungarian-inhabited areas of Transylvania, with the exception of a few cities in the center and the south, are economically exploited and used as the colonial raw material base for the Rumanian industry which is progressing rapidly. Take the growth of the cities, for example. The growth ratios of most Hungarian-inhabited cities and major towns, Oradea—Nagyvarad; Satu Mare—Szatmarnemeti; Carol—Nagykaroly; Odorhei—Szekelyudvarhely; and Turgu Mures—Marosvasarhely—are small, in some cases infinitesimal if compared to 1945–48. Among them new industry was only established in Turgu Mures—Marosvasarhely—but even this was in the form of a furniture plant and food processing factory, despite the city's ideal location for the exploitation of the nearby Sarmasu—Kissarmas—natural gas wells. The story of the development of the chemical industries based on the Sarmasu—Kissarmas—gasfields disproves the often heard comment that the lack of industrialization is not planned neglect but a consequence of natural forces and assets.

The Sarmasu—Kissarmas—wells were exploited since the 1930's, but in the late fifties new fields were found rendering the establishment of major chemical industries possible. Salt and electricity were the other needed ingredients, as was sufficient manpower. Salt was mined at at least three sites, about 35 to 45 miles from the wells. Electricity could be gained from the many rivers coming from the Carpathian Mountains if dams were to be built. The Turgu Mures-Marosvasarhely area of the "Mures-Magyar Autonomous Province" was a chronical unemployment area with considerable labor surplus.

What happened, however? Despite their shortage on investment funds for ambitious chemical projects, the Communist Government built the chemical plants 40 miles east from Transylvania, in the province of Moldavia, at Onesti. In economic and engineering terms it meant: the erection and construction of a 200-to-250 mile, 26-inch diameter pipeline to transport the gas from Sarmasu—Kissarmas—to Onesta over terrain which alternates between 600 and 2,500 feet, crossing two major mountain chains. It also meant that a complete new town had to be built which now has 60,000 inhabitants. Moreover, the dam was also built about 15 miles east of Transylvania at the Bistritz River, but the "Mures-Magyar Autonomous Region" receives no energy help either from the gas wells or from the hydroelectric plants. Needless to say the labor surplus problem remains.

While the cost efficiency problems arising from the decision must have been almost insurmountable for the Communist Government, the sociological consequences apparently overrode their hesitations. For the existing labor surplus in an almost completely agricultural area cannot remain there indefinitely. Migration of the youth to other, more industrialized areas would be natural even without governmental encouragement. But in Rumania, those Hungarians who volunteer for jobs outside of Transylvania are usually given a better position, slightly better pay and an apartment which is at a premium. If the person is a university or college graduate, he does not even have a chance, his first job will be located outside of Transylvania. This forced migration deprives the Hungarians of its intellectually and economically most advanced layers which layer would form its natural leadership.

Further examples could be added in the case of the caolin mines in the Hargitta Mountains where the material is transported by trucks over hardly existing roads 100 miles away to Sigisiora—Segesvar—in order to avoid the creation of new industries in the Mures-Magyar Autonomous Province and many other cases of neglect near the western border of Rumania. Industrialization is not the only field of discrimination. Accepting only a small percentage of the students applying for university studies or for specialization courses in technology form another way to close the avenues of self-improvement and economic power to the Hungarians. A decade ago, the vocational and technical schools were attended mostly by Hungarians and Saxons, and the professors are still mostly Hungarian. But in 1965 only 15 to 20 percent of the names were Hungarian. The number of Hungarian students even at the merged university of Bolyai-Babes at Kolozsvar—Cluj—and the medical college at Turgu Mures—Marosvasarhely—is less than one-third of the Rumanian student body and in the only still existing teachers college where Hungarian is taught as a language of instruction, only 40 percent of the students are Hungarian as of this September.

The trade unions which are servants of the Communist state also prefer the Rumanian workers. Promotion, seniority rights, sometimes even the payment of the salary determined by the factory council is problematical to Hungarian skilled workers and engineers, unless they are card-carrying, loyal members of the Rumanian Communist Party.

As a result the proletarization of the Hungarians is making frightening progress. While the still extant or upcoming technical and intellectual elite is scattered into Rumanian regions or finds its own cities heavily Rumanized by newcomers from Moldavia, the rural population lives in abject poverty. The daily wage of the collective farms is about 3 to 4 lei, the equivalent of 2 to 3 pounds of bread. It is true that the Rumanian peasant is not paid better either, but he can escape the penury and become an industrial worker, or educate himself to become a white-collar worker in the cities. These choices are not open to the Hungarian youth except for hard-core Communists who actively participate in the discrimination against their own fellow minority members.

Hungarians are also refused residency permits in the Transylvanian cities. While officially the argument is to avoid slum areas by migration, this measure does not exclude the construction of subdivisions of apartment houses for Rumanian newcomers. Hungarians, if at all, are only allowed to come temporarily as servants, dishwashers, maids, or chauffeurs to the Communist bosses or the new Rumanian managerial elite. Otherwise they must remain on the farms, or in the small towns.

In turn, Rumanians from outside Transylvania or from the mountain regions are settled in the cities. They are often met with resentment even by the native Rumanian population of Transylvania which has a higher economic and cultural standard than their brethren from Moldavia.

The story could be continued indefinitely. The reason for the Communist Rumanian policy is based in part on Communist ideological theses. For many members of the Hungarian minority—some Rumanians also—demonstrated in 1956 in favor of the Hungarian freedom fighters in Hungary. Therefore, they are regarded as potentially or actually disloyal by the regime which wrought bloody retaliation on them in 1956–57. In part, it is also a way for the regime to gain support about the extreme nationalist elements by blaming the failures on the Hungarians at home and the Russians abroad while keeping the Communist regime as intact and odious as ever. The Hungarians serve now as scapegoats as the Jews did to the Iron Guard in Rumania before World War II.

Mr. President, it is of great importance that the U.S. Senate raise its official voice against this abridgment of human and civil rights which Rumania solemnly guaranteed not only in its accession to the United Nations, but also in the 1947 Paris Peace Treaty to which we are signatories. Especially today when the Communist regime tries to entertain closer economic and cultural relations with us and with other Western countries we must request a firm answer to the basic question: Is the Rumanian Communist Government willing to abide by the 1947 peace treaty in effectively providing the elementary human and civil rights to its people, including the persecuted Hungarian minority?

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS—AMENDMENT

AMENDMENT NO. 431

Mr. COOPER submitted an amendment, intended to be proposed by him, to the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, which was referred to the Committee on Public Works and ordered to be printed.

PRINTING OF REVIEW OF REPORT ON LITTLE ROCK LEVEE, ARKANSAS (EAST END-FOURCHE BAYOU (S. DOC. NO. 55)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated August 31, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Little Rock Levee, Arkansas—(East End-Fourche Bayou—requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate Document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 2345, to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives, the name of the junior Senator from Indiana [Mr. BAYH] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of August 26, 1965, the names of Mr. DODD, Mr. KENNEDY of Massachusetts, and Mr. SALTONSTALL were added as additional cosponsors of the bill (S. 2460) to authorize the establishment of the Connecticut River National Parkway and Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes, introduced by Mr. RIBICOFF (for himself and Mr. COTTON) on August 26, 1965.

NOTICE OF HEARINGS ON DUAL DISTRIBUTION

Mr. HART. Mr. President, as chairman of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, I wish to announce that the subcommittee will hold hearings September 15, 16, and 17 on S. 1842, S. 1843, and S. 1844.

Anyone wishing to testify on these dual distribution bills introduced by the junior Senator from Louisiana [Mr. Long], our majority whip, may arrange to do so by contacting the subcommittee chief counsel.

PTA UNDER ATTACK; HOW TO DEFEND IT

Mr. JAVITS. Mr. President, it is a fact of American life that the people in local community organizations are forever on the firing line, in maintaining the true spirit of freedom of expression and freedom of thought which is so essential a part of the American dream.

This was true in the 1940's and 1950's, when dedicated and courageous men and women in the small union halls throughout the Nation fought day and night to rid the American labor movement of Communist influence. These men and women succeeded but not without great personal sacrifices of time, talent, and patience—often they were made the targets of abuse for their patriotic efforts.

It is true today, when the threat to American philosophy and tradition comes from a different source—those elements of the radical right which tend to use the same tactics used by the Communists of the 1930's and 1940's to silence opposition and to impose their beliefs on our people. In meeting halls and school auditoriums in many parts of the country, the old Communist tactic of smearing anyone who opposes them as anti-American or antipatriotic is being heard again from some of the same people who now claim that it is all being done in the name of anticommunism.

This new assault on freedom of expression is illustrated by the nationwide attack now being waged against the Parent-Teachers Association, national and local PTA's. This is not to say that every disagreement with the aims of a local PTA or opposition to it is part of the radical-right program: disagreements over the administration of our schools have always been with us and always will be, as long as parents remain interested in the education of their children. But the nationwide pattern of the radical-right attacks on PTA's is too clearly general as to be worthy of vote by the Congress. The pattern is outlined in an article by Ernest Dunbar in the September 7 issue of Look magazine, entitled "The Plot To Take Over the PTA." I ask unanimous consent to have this article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Look, Sept. 7, 1965]

THE PLOT TO TAKE OVER THE PTA

(Note.—In auditoriums and across living room tables, a subtle but vicious war is being fought over how America's schools should be run. The antagonists are housewives, businessmen, teachers, and some superpatriots. The weapons include innuendo, parliamentary maneuvers, and sometimes—violence.)

(By Ernest Dunbar)

We have to live with these people day in and day out, in all of our clubs and our schools and our children. Until you're in the middle of it, you don't realize what it entails.

The speaker was a housewife in Wheaton, Ill., a Chicago suburb. She was troubled, thinking back over incidents that seemed somehow like a bad dream and yet were part of a reality that had forced its way in upon her tranquil, tree-shaded world. The battle lines of an ugly, unheralded war began at her doorstep, and the opposing troops were neighbors, acquaintances, and onetime friends.

Who are "these people?" They are other Americans — superpatriots, self-appointed Paul Reveres, confused mothers, bewildered businessmen, professional "anti-Communists." Their stated goal: to rid America's schools of alleged Communist influences. Their intended vehicle: the local Parent-Teacher Association.

Would the Wheaton housewife talk to a Look reporter? Hesitantly, she agreed. What she had to say mirrored the anguish, the turmoil, and strife that are becoming distressingly familiar in many school PTA's across these United States.

Her PTA had come under the domination of ultraconservative members of the community, and they had invited a traveling lecturer on anticommunism to address them in the high school auditorium. His talk shocked the mild-mannered suburbanite. According to the speaker, most Federal officials in Washington do not believe in God or the Constitution, and are under the influence of a foreign Communist power; the State Department and the U.S. Supreme Court are being directed by the same Communist conspiracy; the news media of the country are dominated by Communists, and the United Nations exists solely for subverting the United States and other nations, and dragging them into "one-world government."

"I couldn't believe my ears," the housewife says. "What's worse was that everybody was sitting there nodding in agreement. There was almost no objection to anything this man said," she recalls. Later, during the discussion period, when she questioned the accuracy of some of the lecturer's statements, "there were people glaring at me and muttering, and frankly, I felt afraid."

Late one evening, 2 weeks after this incident, two men tried to force their way into her home while her husband was out of town. They said they had "come to have it out" with her because of her opposition to the conservative direction taken by the local PTA unit. The men left only after she threatened to call for help.

Last winter, in St. Augustine, Fla., before an important meeting of a high school PTA, the chairman of the local (white) Citizens Council, a segregationist organization, took his PTA membership card to a printer and had 500 counterfeit cards made in order to pack the meeting with his non-PTA supporters. Not only did another council member ask the PTA president to sign the bogus membership card (the request was rejected), but the printing bill for the fake cards was sent to PTA.

At Portland, Oreg., Wilson High earlier this year, the PTA scheduled a series of speakers on civil rights to coincide with a study project being conducted by the school's students. One of the talks was given by J. Belton Hamilton, a Negro assistant attorney general of Oregon. The committee of parents that had arranged the meeting reported "numerous phone calls were received which labeled the speaker, the principal, and the PTA president as Communists and put unusual pressure on us to have a speaker representing their special interests." The report said that those responsible for the pressures "have taken their action in the name of 'patriotism' and 'Americanism.' "

Last year, in Upper Saddle River, N.J., a well-to-do New York City suburb, Businessman Jerry Schlossberg, vice president of the Edith Bogert School PTA, was selected by a nomination committee to become president. In that PTA, the vice president usually succeeds the outgoing president. Then things took an untraditional turn. Schlossberg says a telephone campaign spread the word around town that he, Schlossberg, a member of a local fair-housing group, was going to bring some Negro families into the all-white community. Three days before the election, a meeting was held in the home of Mrs. Ordeen Knight, Schlossberg's nomination was withdrawn, and a substitute slate headed by Mrs. Knight put up. Some board members later asserted that Schlossberg lacked the "temperament" for the job.

After the election of Mrs. Knight as president of the Bogert School PTA, a local newspaper revealed that both she and the new vice president were members of the extremist John Birch Society.

In North Hollywood, Calif., PTA members at the Victory Boulevard Elementary School prepared to put on their third annual skit to raise money for school activities. Fifty parents and the school principal, Francis Williams, were to take part in the program, which they had been rehearsing for 3 months. Shortly before the play was to open, one Victory Boulevard School parent objected to a show that spoofed George Washington, Benjamin Franklin, and other historical figures. News of the objection appeared in the press, and the principal began receiving telephone calls from people who were not in PTA and had no children in the school. One caller warned him that the show must be canceled "if you want to see daylight tomorrow."

Williams submitted the script to the two most conservative members of the Los Angeles City Board of Education, who did not oppose his going ahead with the show. After the first of four scheduled performances of the "Victory Boulevard Follies," a powerful bomb was set off in the restaurant owned by Konrad Schloss, one of the authors of the controversial skit. School authorities, fearing for the safety of the children, canceled the remaining three performances. The $500 that the parents had hoped to raise for the school fund was lost.

What's happening in the PTA? In airy kitchens, high school auditoriums, over living room tables, and on sunswept patios across the Nation, a shadowy but frequently vicious war is being fought. The stakes are the minds of American schoolchildren.

The antagonists are housewives, principals, teachers, physicians, school board members, and veterans' leaders. They range from do-gooders, stand-patters, middle-of-the-roaders to the lunatic fringe. The weapons are parliamentary procedure, delay, disruption. Sometimes they include innuendo, character assassination, racial or religious bigotry, harassment, threats, and violence.

No community is immune. Some of the participants are unaware of the true nature of the fight, and many are equally unaware that the same kind of fight is going on at the same moment in dozens of other communities around the country. Ordinary housewives have suddenly had to become experts on extremist tactics and literature because what they had thought was going to be a pleasant tour of duty as a PTA officer has instead plunged them into a dirty, underground war in which reputations have been destroyed overnight and school systems commandeered by kooks.

The assault on the PTA has come from a number of right-wing organizations, but the most persistent campaign—and the most difficult to combat—is being waged by the secretive John Birch Society. Officials of the National Congress of Parent and Teachers Associations believe their troubles can be traced to this much-quoted directive from founder Robert Welch to Birch members, contained in the society's September 1960, Bulletin: "Join your local PTA at the beginning of this school year, get your conservative friends to do likewise, and go to work to take it over. You will run into real battles, against determined leftists who have had everything their way. But it is time we went on the offensive, to make such groups the instrument of conservative purpose, with the same vigor and determination that the 'liberals' have used [to] the opposite aims. When you and your friends get your local PTA group straightened out, move up the ladder as soon as you can to exert a wider influence."

The Birchers have been busy doing just that in the years since, and although they have not "straightened out" the PTA yet, that 68-year-old organization has been dealt some damaging blows. In 1964, for the first time since the depression, the PTA lost members—138,592, to be exact. In the year ending March 1965, the association lost an additional 201,295 members. Current membership totals 1,791,431, compared with the association's 1963 all-time high of 12,131,318. Since the school population has been expanding during this same period, the drop in PTA membership is even more significant.

Some of the losses are attributed to the consolidation of school districts, which also has the result of consolidating PTA's. But the PTA officials believe it is the extremist campaign, not school consolidation, that is mainly responsible for the membership drop.

The PTA is no stranger to conflict. What many a parent has come to think of as a combined kaffeeklatsch and Tuesday-night debating society was actually founded in 1897 by a group of determined women, concerned with improving the environment of America's school-age children. In the years since then, the National Congress of Parents and Teachers and its local PTA units have fought successfully for a long list of programs affecting children—from the establishment of hot lunches in schools in 1912 to the National Defense and Education Act of 1958. They have backed free kindergartens in public schools, the tightening of child-labor laws (in 1910, one child in six was a child laborer), the creation of the U.S. Children's Bureau, higher salaries and standards for teachers, dental clinics and special courts for juvenile offenders, to name a few.

The impressive record amassed by the PTA came after battles with legislators in State capitals and Washington, wrangles with industrial bigwigs, and the bruising of many a politician's ego.

Today, there are 46,000 PTA units in the United States and in affiliated American schools abroad. Husbands have joined the ranks, and today, the membership is one-third male.

But the gains of the past are taken for granted. Ironically, PTA's active support of progressive legislation and policies is now the lightning rod that draws the ire of many of its opponents. The association's endorsement of Federal aid to education and equal-opportunity legislation, for example, has infuriated many of its more conservative members and led some of its units to withdraw.

In a number of communities, conservatives have worked hard to gain dominant positions in local PTA units and then successfully urged the members to drop the link with the State and national organizations. To spur the withdrawal movement, PTA's opponents have worked steadily, spreading half-truths and misinformation about the organization. Last fall in St. Augustine, where the PTA was under attack not only by the Birchers but by the Ku Klux Klan and the Citizens Council as well, a local physician, Dr. George Hopkins, addressed the R. B. Hunt Elementary School PTA. In his speech, Hopkins accused the national PTA of suporting or promoting: "a Federal Board of Education * * * legal invasion of personal privacy through sociological and psychological testing of minors, unlimited endorsement of the U.N. in the following categories: (a) the destruction of our constitutional Republic through one-world government; (b) the surrender of our military forces to U.N. control; (c) the favorable indoctrination of our children in socialism through the Communist-dominated UNESCO (United Nations Educational, Scientific and Cultural Organization)." Hopkins also told the group that the national organization had been charged with defending textbooks sympathetic to communism.

After the Hopkins speech, the R. B. Hunt School parents voted to withdraw from the national PTA and form an unaffiliated PTO, Parent Teachers Organization. (Dr. Hopkins' wife had been president of the PTA unit at a local junior-high school when it, too, voted to withdraw from the PTA in 1963.)

Hopkins and another physician, Dr. Hardgrove S. Norris, whose office adjoins that of Hopkins, had previously tried to get the St. Augustine High School PTA unit to withdraw from the national body, but failed to win the necessary two-thirds vote. Dr. Norris has been listed on the Committee of Endorsers of the Birch Society.

To illustrate the intertwining of the anti-PTA forces, Norris is also active in the ultraconservative Florida Coalition of Patriotic Societies, another group active in the attack on the PTA. The FCPS, in a resolution earlier this year, asserted that "* * * we want it fully understood that the Florida Coalition of Patriotic Societies does not in any way imply that the PTA has any Communist sympathies, but we believe that the PTA is being used by our enemies without its knowledge. * * *"

The catalog of accusations against the PTA hurled by Hopkins occurs repeatedly in rightwing assaults on the organization around the country. The targets—Federal aid to education, "psychological testing" in the schools, the United Nations, UNESCO and "world government"—are pounded at by waves of rightwing literature, widespread radio broadcasts and a traveling stable of "anti-Communist" lecturers.

Mrs. Bertha Cohoon, a housewife who is president of the St. Johns County (St. Augustine) Council of PTA's, has called Dr. Hopkins' statements "fallacious." The attacks on PTA, she says, are being made by the same groups who have been attacking educators and educational groups for years. "Posing as superpatriotic organizations and using the battle cry of 'Communist,' they have, in my opinion, misused our constitutional rights of freedom of speech and the press. They use fine, sincere Americans to spread the hate and fear, in what they believe to be good Americanism. We have lost two fine ministers from our community. Neighbor is looking at neighbor, saying to themselves, 'Is he—or isn't he?' "

On at least one occasion, says Mrs. Cohoon, a local unit was simply stampeded out of the national PTA. "Without any prior notice or discussion, one person recommended that the unit get out of the State and county PTA. Most of those present didn't even know what they were voting for. After the vote, the meeting was immediately adjourned, and everybody was flabbergasted.

"My phone rang all night. I've been in the PTA for 15 years, and when something comes up, people automatically call me, thinking 'Bertha has the answer.' But Bertha doesn't always have the answer—I wish I did. They were out. People said they wanted to do something, but they tend to let things go, and they never did," she says.

Bertha Cohoon, like other PTA leaders across the country, is convinced that the move to establish PTO's is calculated to do away with the PTA. "I'm willing to let them start a PTO in any school that has a PTA, and then let's see which one is most effective," she says. "But they don't want that—they want to destroy the PTA."

Apathy and small attendance at meetings are frequently the biggest boons to PTA's opponents. In Hardin, Tex., a PTA with 137 members held a meeting, and only 18 people showed up. Fourteen voted to disband, four abstained, and Hardin lost its PTA. At North High School in Phoenix, Ariz., PTA members rejected the policies of the national PTA by a vote of 19 to 11 among its 296 possible voting members. (In a later vote, 150 alarmed parents voted against the anti-PTA faction, and pro-PTA'ers regained leadership of the unit.)

As the war in the PTA's grows hotter, the parliamentary skirmishing becomes more involved. In some PTA meetings, attempts are made to prolong discussion, frequently by the persistent injection of irrelevant issues, so that weary parents will depart in disgust and an important vote can be taken in their absence. Another gambit is to pack a nominating committee with ultraconservatives, who, in turn, nominate their slate for control of a unit.

In some of the PTA battles, a strategy has emerged. Extremists nominate a few of their number for important posts, and suddenly alarmed moderates rush in and nominate a host of their candidates. In the voting, the moderates' vote are spread among a number of candidates, while the extremists concentrate their votes on their few men. Result: The extremists win.

The tactic of making a sudden motion for withdrawal is one that has frequently been used in PTA units where rightwingers, counting on the usual apathy and small attendance, have sought control. A mother in an Arizona PTA with a membership of 800 describes a meeting she attended last year. There were only 50 parents present. "Right out of the clear blue sky, somebody makes a motion to withdraw," she exclaims. "Fifty members is our quorum, there were 50 members there. A vote was taken by show of hands, the withdrawal motion was defeated. Then someone proposed the motion be reconsidered at the next meeting. She had voted against the motion, and it was out of order for one who voted against it to propose a reconsideration; it was done anyhow. This time, I worked to get people to come. We got 200 at the next meeting. The withdrawal motion was defeated again."

The PTA has been under particularly heavy attack in Arizona. PTA membership there has dropped from 84,714 in 1963 to 69,410 in 1965. A woman who moved to Phoenix from the East 4 years ago says: "At my first PTA meeting, I knew something was wrong. It was like no other PTA meeting I'd ever gone to. The program was not about the kids, it was all about patriotism, 'Americanism'; I thought: 'Somebody's sick here.' "

Other Arizona women complain of being pressured to adopt the conservative view. "If you are for Federal aid to education, UNESCO or the U.N., you're a 'Communist.' There's no gray area, it's all black and white." Says another who had spoken up for Federal aid: "My telephone would ring. A male voice would say: 'When the Communists take over the schools, you are going to be very happy.' "

Mrs. Walter Hafley, wife of a Tucson druggist and ex-president of the Arizona Congress of Parents and Teachers, feels the Birchers are definitely the leaders of the anti-PTA drive in her State. She cites the 1962 State PTA convention as an example of the lengths to which the opposition will go. "We were flooded with people who did not have membership cards and were not affiliated with our units. It was a planned attack. It was at this convention that a vote was taken which reversed our previous stand

and put us on record as being opposed to Federal aid to education."

But that position has now been reversed again. "In order to deal with them," says Mrs. Hafley, "I had to get their material and read it. I know what their aims and objectives are. They pick up one statement from one area and parrot it over and over. The best way to throw them is to ask questions. They don't know the answer because all they know is the question. When you ask them, 'Why do you think this will work better?' they are stymied. I've spent 2 years studying them—that's why my garden has gone to pot. I've bought more John Birch material than the Birchers themselves."

The most articulate critic of the Arizona PTA says he's no Bircher. George P. Lasley, vice president of KRUX, a Phoenix radio station, has broadcast frequent editorials blasting the organization for being involved in "controversial" legislation and for supporting the United Nations and its agencies. "If people knew exactly what they were being asked to support when they joined the organization, I would have no quarrel with it—but they don't know."

The critics of PTA are by no means all Birchers or members of other extremist groups. Many voice dissatisfaction with the organization, which suggests that one of PTA's biggest problems is communication—getting its principles and internal workings fully understood by its rank-and-file members.

The most frequently heard complaints about PTA are:

Too much of the local members' dues go to the National and State PTA organizations, from which local units get few services.

PTA involves itself in "political" issues, contrary to its rules.

PTA is dominated from the top—by the national leaders—and local units are powerless to make their voices heard.

The national PTA endorses "controversial" organizations (the UN, UNESCO, etc.) or policies (integration, Federal aid) to which many of its members are opposed.

Parents joining PTA are unaware of the policies they are endorsing, policies they are committed to support.

Yet a close examination of PTA does not bear out the charges.

The dues of each of the 46,000 local units are set by the unit itself, and the parent organization, the National Congress of Parents and Teachers, receives the same sum from each unit, five cents per member per year, with which it helps maintain a headquarters staff in Chicago and finances its national activities, including the monthly publication, the PTA magazine. State and local units apportion the rest of the dues between themselves.

PTA has been involved in political activity since its founding, say the association's officials, when politics affect children's welfare. The PTA has a national legislative program, which, under PTA's bylaws, must be approved by at least 31 of the association's 52 congresses, and the organization suggests that each unit have a legislative committee. Although PTA's bylaws prohibit it from endorsing or opposing political candidates, the association's handbook encourages members to work for laws that promote its goals.

The charge that the PTA is dominated from the top does not square with the organization's makeup. Delegates from local units elect the officials of the district and State PTA congresses. The national convention elects the national officers. The national PTA is governed by a 91-member board of managers consisting of the State presidents, the national officers and the chairmen of the standing committees. Its policies come from the national convention.

Though it is true that some of the stands taken by the association have been "controversial," controversy, like beauty, is frequently in the eye of the beholder. At their May national convention, PTA members voted approval of a resolution supporting Federal, State and community action to insure "all citizens full and equal opportunities for the exercise of their civic rights and responsibilities." While this PTA stand may displease some of its members, it is considered mild by others. The important thing is that the members, through elected delegates, had a chance to vote on it. Democracy cannot guarantee more.

Do parents join PTA without knowing what they are pledging to support? Are they unaware that they are simultaneously becoming members of the State and national PTA? The last question is easiest to answer. The card issued to every member tells him that he is now a member of the State and national bodies.

It is possible that new members may not know about all the policies and programs of the organization. As any Congressman or school principal can testify, the PTA has a lot of interests. But its aims and activities are spelled out in a 272-page manual for members, and the national PTA uses part of that 5-cent contribution to turn out an avalanche of pamphlets describing its work.

If some of the criticism of PTA stems from legitimate disagreement over some of its activities, it is becoming increasingly apparent that a combined effort is being made by Birchers and other extremist groups to control or destroy the organization.

A big weapon in the plot against the PTA is a nationally distributed booklet called "Parents Are Puppets of the PTA." This tract asserts that the PTA "promotes world government by support of the United Nations," assails it for backing mental-health programs ("* * * the aim of the mental health movement is unmistakable: nonconformists are in actual peril of being adjudged insane") and fluoridation ("Does PTA Promote Poisoning Public Water Supplies?").

"Parents Are Puppets of the PTA" bears the imprint, "Tarrant County Public Affairs Forum," of Fort Worth, Tex., and lists a local post office box, but inquiries to the chamber of commerce and the Better Business Bureau revealed that neither knew more about the organization than that. The "forum" remains cloaked in the anonymity given to renters of post office boxes, while it spews out anti-PTA diatribes.

False and inflammatory literature is only one of the tools used by the extremists. PTA leaders across the Nation report a continuing effort by opponents to disrupt meetings by harassment of speakers, concerted coughing and moving of chairs. Mrs. Jennelle Moorhead, president of the national PTA, says, "I first became alarmed in 1962 when we held our convention in Iowa. A national news magazine called me to say they had been tipped that there would be a riot on the floor. 'What are you going to do to cause a riot?' they asked me."

Mrs. Moorhead and other prominent PTA officials do not believe the attacks, the attempts at disruption, the intimidation of speakers are coincidental. "Take the letters we get, for example," she says. "The same vocabulary is used, whether it comes from the East, North, West, or South. The letters all read alike. Someone is giving the orders, and I wish I knew who it was. I can tell when the line changes—it's like the shifting of gears—if they've been attacking us on UNESCO, all of a sudden they'll change and begin attacking something else."

The PTA now knows it is in a fight. The national organization has issued a pamphlet on extremism and advises its members on ways to combat it. But the battle is growing bigger than PTA. The extremist drive has begun to shift toward school boards. The Birchers and others have realized that school boards pick school superintendents who, in turn, pick teachers, books, and establish curriculum. Since few people turn out for school-board elections, they are ripe pickings for a determined undercover campaign by a small group of zealots.

Joseph Stocker, public-relations director of the Arizona Education Association, warned the convention of the National Education Association recently: "Extremists of the right may be expected to continue their thrust at the public schools with the object, plainly and simply, of controlling the curriculum and brainwashing children. They will seek these ends through election to school boards, control of PTA's and censorship of the content of education, in libraries and in classrooms. They will seek to elude identification as extremists by putting forth candidates for school boards and PTA offices who have not been members of the Birch Society or other extremist groups.

But, he concluded, "in recent elections where extremists have run under extremists labels, or with the open support of extremist organizations, they have been soundly defeated in a very large majority of instances. The American people, when fully informed, simply won't buy extremist doctrine and extremist candidates."

While not every hard-pressed member of the PTA would concur with Joe Stocker's optimism, most would agree that things are humming at the PTA meetings these days. Housewives are boning up on the Birch Society Blue Book and poring over Robert's Rules of Order. The "takeover" plot has not been stopped, but at least most PTAers are beginning to know what the battle's all about.

A BUSINESSMAN'S VIEWS OF SOME ANTITRUST PROBLEMS

Mr. DIRKSEN. Mr. President, M. J. Rathbone, director and former chairman of the board of the Standard Oil Co., New Jersey, spoke before the section of antitrust laws, American Bar Association, on the subject: "A Businessman's View of Some Antitrust Problems—Particular Mergers, Acquisitions, and Corporate Size." In his speech he referred to matters inquired into by the U.S. Senate Antitrust Subcommittee, which has been holding hearings on the concentration of economic power. I believe Mr. Rathbone's remarks should be read by Senators because the subject is timely and important. I ask unanimous consent that they be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Businessman's View of Some Antitrust Problems—Particularly Mergers, Acquisitions, and Corporate Size

(By M. J. Rathbone, director and former chairman of the board, Standard Oil Co., New Jersey)

It is a pleasure for me to be with you this morning and to have this opportunity to join in your discussion. Your chairman first suggested that my remarks might be entitled "A Businessman's View of the Sherman Act." But he was kind enough to add that I would be free to discuss any aspect of the broad antitrust field that I might choose. As my title indicates, I have taken advantage of this latitude, and will limit my remarks to some specific questions.

I am aware, of course, that a great deal is being spoken and written these days on these particular subjects, and it is difficult to advance any ideas regarding them which have not been stated recently by many others. Furthermore, not being a lawyer, I would not pretend to give you a legal treatment of these matters in any case. I speak only as a businessman who has been intimately concerned with antitrust matters in the conduct of his business for some 40 years. I am not sure that enough businessmen have spoken out on these subjects. From that viewpoint, therefore, I would like to discuss with you four main thoughts:

1. When one looks at the more recent applications of the antitrust laws, especially in the field of mergers and acquisitions, it seems that, although the laws themselves are aimed against presumed cases of monopoly and suppression of competition, they are often being directed against a quite different target—namely, bigness.

2. Underlying this situation seems to be the acceptance of a number of legal and economic concepts which do not sufficiently reflect the economic realities of the modern business world.

3. The result is that some antitrust decisions may actually operate to diminish competition; hamper the dynamic growth of our economy; and hurt the interests of consumers, employees, and business—small as well as large.

4. To correct this tendency and assure the continued strength, competitiveness, productivity, and vigorous growth of the American economy, this Nation urgently needs a new look at the impact of the administration of our antitrust laws on bigness, mergers, and acquisitions.

I shall present to you, as well as I can in the brief scope of this talk, the facts and reasoning which have led me to these four conclusions. But before doing so, let me make two points crystal clear, lest my position be misunderstood.

First, in my opinion, every true businessman in this country must believe in and support our competitive free enterprise system—and I stress the word "competitive." For virtually all American business, large as well as small, competition is the main force working to keep each company on its toes and thus assure the best possible product or service to the consumer.

There can be no justification for predatory business practices which undermine the competitive system. Nor can restrictive agreements among competitors be justified. Such agreements, in my opinion, are the resort of the lazy, the ineffective, or the shortsighted.

Second, small business, in my opinion, has an important and permanent place in the American economy. I do not for a moment believe that there is, or should be, any irreversible trend toward bigness that will sweep before it all our hundreds of thousands of small- and medium-sized enterprises. In fact, in our diverse economy large and small businesses are closely interdependent. My company, and most other large companies, depend on small businessmen not only as customers but as suppliers of countless products and services which they can provide efficiently and expertly, and often at lower cost.

The reasons why small business is so prominent in our economy are not only economic; there are also human reasons. Any enterprising individual with a little capital and a lot of ideas and some business ability is potentially a small businessman. If he is good he may become a big businessman—but there will be other individuals coming along as small businessmen to take his place. I want to stand up and be counted as a strong believer in the importance of small business to our society and our personal incentive system; and I believe, also, that small firms should be shielded by the law against predatory practices of others, whether large or small.

These beliefs, I know, are widely shared among business firms of all sizes. I do not think there are many in the business community who would question the need for antitrust laws or for the vigorous enforcement of them against practices which would injure our competitive system. In this broad area, our antitrust authorities and the business community are in fundamental accord, I am sure.

Unfortunately, in the very important area which is my main subject today—namely, the developing antitrust doctrines concerning bigness and mergers—no such accord exists. On the contrary, many businessmen—and lawyers and scholars too—who study these matters are asking more and more insistently such questions as these:

"Are we approaching a point where bigness in business, in and of itself, is bad and should be curbed by the antitrust laws? Is mere bigness—especially where a merger or acquisition is involved—becoming an offense even when competition remains vigorous and may actually be stimulated, and the public benefited in the final analysis?"

These are far from being academic questions. The direction in which our antitrust law seems to be moving in this area can profoundly affect our national life in the years to come.

I can best illustrate this problem by referring to one or two recent decisions in antitrust cases. First, the U.S. District Court in Rhode Island, in its decision in December 1964 in the case of *United States* v. *Grinnell Corp.*,[1] made the following rather striking statement:

"To this court it appears that the day has come for it, and more important for counsel, to proceed on the acknowledged principle that once the Government has borne the burden of proving what is the relevant market and how predominant a share of that market defendant has, it follows that there are rebuttable presumptions that defendant has monopoly power and has monopolized in violation of section 2" (of the Sherman Act).[2]

Then the court went on to list what the Government need not prove, as follows:

"Defendant's predatory tactics, if any, or defendant's pricing, or production, or selling, or leasing, or marketing, or financial policies while in this predominant role."[3]

Finally, the court explicitly declared that the defendant company, in order to clear itself of the presumption of having monopolized illegally, must:

"Maintain the burden of showing that its eminence is traceable to such highly respectable causes as superiority in means and methods which are 'honestly industrial'."[4]

There are two troublesome points in this statement. First, it appears to justify a dangerous shortcut in proving violations. The case against a defendant company would seem to be already one short step away from completion as soon as that company is held to have achieved a "predominant share" of a relevant market—even though the definition of relevant market by itself is enough to tax the wisdom of Solomon. No evidence of any improper conduct by the defendant need be produced; the arithmetic alone is sufficient. This comes very close to saying that a certain degree of relative bigness in a certain market—and in each case we don't know in advance what degree, or which market—is illegal per se.

Second, the only way for the defendant to prevent that last short step is to assume the burden of proving that he got where he is without doing anything wrong. One of the most basic principles of our law is the presumption of innocence; and in civil cases the corollary is that the burden of proof lies on the one who brings the charge. It would seem to be quite a new departure to deny the protection of these principles to large business firms as much as to anybody else.

A very similar presumptive approach can be found in other cases. For instance, the Supreme Court last June, in deciding that Continental Can had violated section 7 of the Clayton Act by its merger with Hazel-Atlas Glass, said as follows:

"Where a merger is of such size as to be inherently suspect, elaborate proof of market structure, market behavior and probable anticompetitive effects may be dispensed with in view of section 7's design to prevent undue concentration."[5]

I will come back to the matter of undue concentration later. My point here is simply that by this decision a merged company's size alone, measured against that rather elusive thing called relevant market, becomes the major test of legality under the antitrust laws. Whether the words used are "rebuttable presumption" or "inherently suspect," the effect is the same. A presumption of illegality is built upon what may be a rather superficial or oversimplified analysis of the facts regarding a company's market position; and from there on the defendant company must bear the burden of clearing itself of that presumption.

Naturally, such an approach can greatly simplify the administration of the antitrust laws. It seems to provide an attractive shortcut by which one may hope to avoid the rough terrain of economic facts and keep to the relatively smooth ground of simple theory and simple arithmetic. But I believe the attraction is deceptive. You don't simplify rough country merely by drawing a simple map. This is the kind of shortcut that often results in getting lost.

I believe, in fact, that behind these simplified rules there lie a number of erroneous ideas about the realities of modern business life in this country. Some of these ideas relate to the problem of bigness, or concentration, in American industry. Others relate specifically to the economic effects of mergers and acquisitions. Let me now discuss briefly some of these key ideas.

To begin with, what are the facts on industrial concentration? It is widely stated in connection with the consideration of antitrust matters that concentration in American industry has been steadily increasing so that more and more of the market is shared by fewer and fewer companies. Let's see how well founded this picture really is.

If you have followed the proceedings of the Senate Anti-Monopoly Subcommittee beginning last year, you will have noticed that economists have the greatest difficulty in agreeing on whether concentration has been increasing or not, and even on how it is to be measured. Some figures were presented suggesting an over-all increase in concentration in manufacturing generally. Such figures are subject to many questions. But even if we accepted them at face value, they would not be too relevant to the question of competition, which must be judged primarily on an industry-by-industry basis.

Even when you study one industry at a time, there is no really satisfactory yardstick for the measurement of concentration. One basic reason for this, as everybody knows who has attempted such an analysis, is that you cannot define the extent of a particular industry, or of a market within which all producers are in competition with each other, without making some pretty arbitrary assumptions which very much oversimplify the actual workings of the market.

However, certain rough indications can be made. One of the most authoritative of these is a recent analysis of Census of Manufactures data made by the U.S. Census Bureau. This study covered the period 1947 to 1958. For each industry studied, the Census Bureau calculated what percent of the value of all shipments in that industry were made by the four leading firms. Out of 139 industries that were measured in this way, concentration rose between 1947 and 1958 in 61 industries, was unchanged in 12, and declined in 66. Certainly this shows no strong trend toward concentration.

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[1] 1964 Trade Cas. par. 80242 (D.R.I. Nov. 27, 1964).

[2] Id. at 80246.

[3] Ibid.

[4] Ibid.

[5] *United States* v. *Continental Can Co.*, 378 U.S. 441, 458 (1964).

But even figures such as these can overstate the so-called rising tide of concentration. For one thing, the big four in any industry do not necessarily remain the same. In fact, the Census Bureau reported that 80 percent of the industries it had studied showed a change in the list of the top four companies over the 11-year period.

From such data as these, inadequate though they may be, it should also be clear that there is nothing irreversible about an increase in concentration in any industry. I think the record would show that most of the decreases in concentration took place not as a result of antitrust action but as a result of changes within the industry and the market—such as new products, new merchandising ideas, new technology, new investments, the entrance of new firms into the industry, and changes in management of older firms. Even a single highly successful firm cannot be sure of sewing up the market against smaller competitors—as a leading auto manufacturer discovered when its market position fell from well over 50 percent in the early 1920's to a much smaller share ever since.

Now I want to turn to a different question. Whether or not bigness has been growing or diminishing, absolutely or relatively, in our economy, what are its effects, where it does exist? Does it necessarily produce the bad results that are often charged against it? Does it suppress competition? Does it put the consumer and the small businessman at an unfair disadvantage? Let's consider these questions briefly.

We often hear it said, for instance, that the resources of big business give it the power of economic life and death over smaller competitors—and that this power is actually used to crush competition or inhibit its growth.

I would like to comment on this first from experience in the oil industry, with which I am most familiar. In our industry this notion does not square with the facts.

In the production of crude oil and gas, for example, the smaller so-called independent producer has long been a major factor—and remains so today. For at least the last 50 years he has lived side by side with very large companies and has prospered. In the Honolulu Oil case the court said:

> There are in excess of 10,000 crude oil and gas producers, and the latest U.S. census indicates their number is increasing. Since entry of new firms is relatively easy, there is reason to assume that this trend toward more producers will continue."[6]

We find a similar picture in the marketing end of the business. The so-called private branders have innovated in the location, design, and type of service stations, and in many new merchandising methods.

As a result, in the last 15 years private branders as a group have substantially increased their share of the market. They now sell about 23 percent of the gasoline marketed in the United States, and they have achieved this position in the face of competition from the big powerful companies.

If we look overseas, where the most rapid oil industry growth has been taking place, we find a similar picture. At least 75 American companies have entered oil producing outside the United States and Canada since the early 1950's. They account for nearly a tenth of all the crude oil produced in this huge area. Many of them are active in refining and marketing as well, and they are continuing to grow in the keenest competition.

Mind you, all this has taken place in an industry which numbers among its members some of the largest companies in the world. And some of it has taken place in countries that have little or nothing in the way of antitrust laws.

Of course the oil industry is not in any sense exceptional in this respect. It is a common fact of experience, over the whole range of American industry, that smaller businesses manage to stay very much alive and prosperous—and indeed new ones are established everyday—in the presence of larger competitors. One may argue that it can't be done because of the so-called power of life and death of big business—just as experts in aerodynamics are said to have proved that a bee cannot fly. The bee flies all the same, and the small businessman prospers, in spite of theories to the contrary.

There is also the idea that small business constitutes an "economic way of life" that is somehow inherently better than that in large firms, and hence should be preserved even at the cost of less efficiency. As Mr. Justice Harlan said in his dissenting opinion in the Lexington Bank case, this amounts to "a presumption that in the antitrust field good things come usually, if not always, in small packages."[7]

I have already stated my own belief that there is an enduring place in our economy and our society for small business as well as big. To me, it seems a mistake to oversimplify the world by supposing that good things come always in small packages, large packages, or any size package.

However, in view of what appears to be the present emphasis in antitrust circles, it might be helpful if I list some of the positive economic and social values that go with bigness.

1. Big manufacturing plants, up to a point, enjoy certain economies of scale which can mean lower unit costs, and lower prices to the consumer.

2. Large firms, because of the size of their financial, personnel, and physical resources, are able to engage in ventures beyond the reach of smaller firms. This was dramatically shown in many instances during World War II.

3. Because of their greater resources, large firms are often better able to withstand short-term adversity. They thus exert a stabilizing effect on both the economy and the society.

4. Large firms which are integrated vertically have the advantage of a steady, reliable flow at each stage between raw materials and retailing. This enables them to plan their expansion with greater assurance, and thus makes them a more efficient source of expansion for the whole economy.

5. Because of their greater capability to do independent research, large firms are a major source of technological progress which directly benefits the consumer in price, quality, and range of choice.

These are purely economic values. To them I think it is fair to add certain social values which, if less tangible, are no less important. Business firms, as they become more prominent and serve wider markets, abroad as well as at home, tend to become more keenly sensitive to their human environment and to their responsibilities not only to shareholders and customers but to employees, Government, and the public. Regarding employees, much has been said about the supposedly colorless and automatic organization man—but I sincerely believe the scope for useful and highly creative effort which large firms offer to talented individuals is not exceeded in any other walk of life. Regarding the general public, I think it could be demonstrated that many large firms make purely voluntary contributions to public causes such as education, community service, health, the arts, and attention to the physical environment, which are at least proportionate to their place in the total economy.

These, then, are some of the concrete social and economic merits of large business firms. There are other merits, such as their vital importance to national security, which I do not need to belabor. It is thus no idle or empty generalization to say that large business firms in modern America are vital to the health and life of the Nation. America cannot go forward unless its big businesses go forward also.

I have dwelt on this matter of bigness because I believe that only against this background can we realistically gage the true economic and social meaning of that area which has recently been at the center of the antitrust stage—namely, mergers and acquisitions involving large firms. Such mergers are widely asserted to be harmful to the economy in a number of ways, and I would like to comment on these assertions.

First, it is said that a merger between two competitors reduces the consumer's range of choice. This is not necessarily so. It obviously reduces the number of competitors, but the range of products and services which the merged firm offers the consumer may be—and often is—wider than those of the two preceding firms. Moreover, the merged firms can often serve a wider geographic market area, thus extending consumer choice in another way.

Second, it is said that growth by merger adds nothing to the economy in the way of new investment, whereas so-called grassroots growth does add in this way. This, too, is not necessarily so. In many cases, a company has the available capital and several other ingredients of success for a new venture, but can only get some missing ingredient—such as qualified technical manpower—by acquiring another company. In such a case the merging of two companies means a new investment which would not have taken place by the grassroots method.

Such a situation often leads to a so-called conglomerate merger, in which a company diversifies by acquiring a firm in a new line of business. My lawyer friends tell me that the law on this subject has not developed far enough to show any clear trend. But some economic assumptions have appeared in writings on this subject, and in congressional testimony, which are quite disturbing.

For instance, it is asserted that a diversified company will use profits from one line of endeavor to subsidize its new venture, and thereby undersell and drive out of business its smaller competitors. This assertion shows a poor knowledge of business methods. If a businessman sells below cost for an extended period of time, he will simply lose money—and he will get little consolation from having driven some other firm from the field. If, on the other hand, after putting his competitors out of business he raises prices and sits back to enjoy his monopoly, new competitors will very quickly come into the market under the umbrella of his high prices.

Such tactics, therefore, are self-defeating. A good businessman will not diversify into a new field, by merger or otherwise, until careful studies have shown him that he can compete profitably with already established companies in that field. He may provide some financial assistance for a period while the new endeavor is getting on its feet, but he will certainly not plan to run a subsidized operation on a continuing basis. If his new venture doesn't begin to pay out after a reasonable time, he should and probably will get rid of it.

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[6] *United States* v. *Standard Oil Co.* (Indiana), 1964 Trade Cas. Par. 79841, at 79844 (N.D. Cal. July 28, 1964).

[7] *United States* v. *First Nat'l Bank & Trust Co. of Lexington,* 376 U.S. 665, 673–74 (1964).

Actually, corporate diversification in the past has served to enhance competition—and I am sure will continue to do so. No company today can confidently look upon today's established competitors as being its only competitors in the future. Tomorrow their ranks may be joined by others now in wholly unrelated industries. If new competitors do enter, by acquisition or otherwise, it will be only because they think in the long run they can market a better product, or sell at a lower price—and make a profit by doing so. Our Nation's economic growth ought not to be deprived of these benefits, as they are vital to a dynamic economy.

We should remember, too, still another way in which mergers stimulate economic growth. Quite often a small businessman will start a new venture in the expectation that if it flourishes, and for some reason he does not choose to stay in that business, he can sell out at a profit. If he sees this ultimate right of exit endangered by antimerger decisions, he is likely to become a good deal less venturesome.

So much for the arguments against mergers from the standpoint of the consumer and of the growth of the economy. Now what about the argument that mergers—at least those involving large firms—are inherently harmful to competition?

Obviously, in a so-called horizontal merger some competition is lost; namely, that between the merged firms. But competition is not such a simple matter. As I have already mentioned, what is lost in this respect may be more than made up by the enhanced ability of the merged firm to compete with a larger rival or in a larger market area. When we consider the steady tendencies of market areas to widen with the advance of transportation, communications, automatic data processing, and consequent management control, this point is a most material one.

Such are some of the realities which I fear have not been given their due weight in the recent consideration of mergers under the antitrust laws. Indeed, so narrow a legal test for mergers has evolved that no sizable company can safely hope to grow by the merger route if this is likely to cause any but the most insignificant increase, horizontally or vertically, in that company's position in the industry. This is true regardless of any benefits which the contemplated merger might bring to our economy or our society.

Before I conclude, let me look at this whole subject for a moment in a longer historical perspective.

When the Sherman Act became law 75 years ago, there was genuine alarm in this country because of rapidly growing concentrations of industrial and financial power such as had never been seen before in history. This new power was virtually unhampered by legal restraints. There was no corporate or personal income tax, no regulation of the stock market, no publication of annual reports, no strong labor movement, little legal protection for employees, and only the early beginning of any sort of governmental regulation of any industry. One of the main fears across the Nation was not just that monopolies would charge high prices, but that they would become new centers of unfettered political power—big enough, perhaps, to overshadow the Government itself.

Even today, in some minds, this kind of fear seems to linger. But the reality behind it disappeared generations ago. The bigness of American industry today is hemmed about by big government and big labor, by taxes, regulation, legislation, judicial decrees, and unremitting publicity. Its size is no more than proportionate to the growth in size of all our national institutions—and of our national responsibilities abroad. Far from being a threat to freedom, bigness is one of the practical conditions of freedom in the modern world.

It seems to me thoroughly unrealistic to look at our Nation, our population, the size of our Government, the increase in consumer buying power, the forward sweep of our technology, the size and complexity of all our national and international problems, and not expect to see our business corporations—which are as vital to our American society and economy and national strength as any other factor—also growing and expanding greatly.

At the outset of these remarks I suggested that, to bring the law into harmony with modern business realities, especially in the field of mergers and acquisitions, this whole segment of our antitrust laws needs a new look. The perspective of history, I believe, supports this idea. During these same 75 years, many of our American concepts in other matters of great consequence, such as social welfare and civil rights, have changed and developed. What was progressive yesterday may today become an obstacle to progress. May this not be equally true in the field of antitrust law?

If such a new look were to take place, I have no preconceived notion what action would result, nor would I presume to advise a group of distinguished antitrust lawyers in this respect. Specifically, I have no present view as to whether there ought to be changes in the law, or only in the way in which the present laws are interpreted and applied.

To be sure, when we compare some voluminous antitrust decisions with the very brief and general language of the statutes from which they are derived, it might seem wise to have more—and more realistic—statutory guidance for the executive branch and the courts. Just as one example, did Congress really intend that a merger which creates a certain arithmetical share of the market, in a certain category of products or services, in a certain geographic area, should be regarded almost automatically as being tantamount to a forbidden monopoly? Where the intention of Congress was not completely clear, it has been necessary to make assumptions. The situation is a little like Mark Twain's description of the prehistoric skeleton in the museum: "Three bones and two tons of plaster." Perhaps we could get along with less plaster if Congress saw fit to supply more bones.

I am not, however, going so far as to join the advocates of new legislation, because I realize the perils of legislating in this highly complex area. We could well find ourselves worse off than before—and by "we" I mean the entire country. But if those who are qualified in this field of law were to conclude that new legislation is the only way to cure the present situation, I for one would be willing to run the risk.

Whatever the means adopted, the end we seek is of vital importance to the whole Nation. It is no less than the adaptation of our national antitrust policy to the realities of the modern world, and to America's aspirations for future growth and future greatness. You, as antitrust lawyers, can render a most important service by applying your influence and your knowledge to that end.

CIVIL DISOBEDIENCE AND SO-CALLED POLICE BRUTALITY

Mr. THURMOND. Mr. President, the recent insurrection in Los Angeles, with all of its ugliness, heartache, and material and human losses, has at least brought forward for public consideration the concept of civil disobedience and some of its worst ramifications, and also the falsity of charges of so-called police brutality.

In previous statements on the Senate floor, I have discussed the matter of civil disobedience which all objective analyses of the Los Angeles insurrection credit as being the primary cause of the insurrection in Los Angeles.

Today I present for the consideration of Senators some important facts and figures on the question of so-called police brutality. These figures have been supplied by the United States Department of Justice and also the Federal Bureau of Investigation and have been printed in the September 6, 1965, issue of U.S. News & World Report. They illustrate very clearly that the charge of police brutality is being used as a shield for criminal activities and for giving greater impetus to acts of civil disobedience. For instance, the Department of Justice figures show that between mid-1964 and mid-1965 1,700 complaints of police brutality were referred to the FBI. Included in these figures were so-called civil rights complaints in the South. Of these 1,700 complaints, only 47 cases were found to be worthy to be presented to Federal grand juries for consideration, and only 5 of these cases led to convictions in Federal courts.

On the other side of the ledger, here are some facts and figures from the FBI on the brutality of criminals and those engaging in acts of civil disobedience as directed at police officers in this country. In 1964, 57 policemen were murdered, raising to 197 the number of policemen who have been murdered in the last 4 years. In fact, during the period that we have been having these acts of civil disobedience, the number of policemen murdered annually in the line of duty has doubled.

Other FBI figures show that 124 policemen have been killed in accidents during the last 4 years, 18,000 or 1 out of every 10 policemen in this country were assaulted in 1964, and 7,738 policemen were injured in assaults in 1964.

Chicago, the city which has been rocked with civil disobedience riots, has had 289 complaints filed against police thus far this year. Of these, after investigation, 274 were judged "unfounded" or "not sustained." Of the 15 remaining cases, 8 resulted in "exoneration" of the policemen involved and 7 charges were sustained with the officers being disciplined. In a previous year, 351 complaints were filed and only 4 were sustained by investigation.

Mr. President, the term "police brutality" has become an overworked slogan which has given the green light in this country to insurrection, riots, increased criminal activities, and the breakdown in law and order which we find today to be disrupting our country.

In Los Angeles the cry of "brutality" was heard frequently before the recent lethal outburst in that city. The Richmond Times-Dispatch has pointed out in an excellent editorial on this subject on August 19, 1965, some very pertinent observations which I ask unanimous consent to be printed in the RECORD at the conclusion of these remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I particularly invite the attention of Senators to two important paragraphs in the editorial from the Richmond Times-Dispatch which bear on this situation right here in Washington, where we are now being threatened by the President and his principal leader, Martin Luther King, that if home rule is not voted immediately we will have demonstrations, riots, and possibly an insurrection in the streets of Washington. Here are these two paragraphs:

> Nearer home, in Washington, D.C., brutality is frequently alleged. But the police there have been attacked so regularly by mobs that they hesitate to carry out their duties. Take the riot in Washington on the night of August 5. A mob of rock-throwing Negro hoodlums broke up a carnival, injuring nearly 100 people, including nine policemen.
>
> But here is the amazing fact: not one single arrest was made. An officer sought to explain by saying that it was raining rocks when he arrived. Furthermore, the minute we got there we realized it would be impossible to make even one arrest without touching off a full-scale riot. Another officer put it this way: "We had to disperse the people; arrests would have incited them even more."

Mr. President, as one who has always been interested in law enforcement and as one who has always had a great respect for law enforcement and the dangers encountered by our law officers, I feel very strongly that our law officers across this country should be commended instead of condemned for the overall exemplary manner in which they have performed their duties in protecting the public from criminal, hoodlum, and rioting elements. I particularly praise the manner in which Police Chief William H. Parker has performed his duties in Los Angeles. He is generally recognized across the country as one of the finest law enforcement officers and as having built one of the best police forces in this Nation. However, at this time, civil disobedience advocates, criminal elements, and others are demanding that he be removed from his post on the trumped-up charges of police brutality when, as a matter of fact, the very people who are calling for his job have been the ones primarily responsible for the recent unfortunate events in Los Angeles.

Mr. President, I was recently in attendance at the American Legion Convention at Portland, Oreg. At the convention, Chief Parker of the Los Angeles Police Department delivered an outstanding address. This is one of the finest speeches I have ever read. I was prepared to place this in the Congressional Record, when I found that the distinguished Senator from California [Mr. Murphy] had already planned to do so. To all who have not had an opportunity to read this address, Mr. President, I call attention to its insertion on page 22002 of the August 26 Record.

Mr. President, I ask unanimous consent to have printed in the Record an outstanding article from the September 6, 1965. issue of U.S. News & World Report entitled "Police 'Brutality'—Fact or Fiction?" I also ask unanimous consent, that the facts and figures included in the inserts in the article be printed at the conclusion of the article.

The VICE PRESIDENT. Is there objection?

There being no objection, the article and inserts were ordered to be printed in the Record, as follows:

POLICE "BRUTALITY"—FACT OR FICTION?

(Note.—As Negroes, students, and others riot in the streets of America—being raised against police, instead of the rioters, is a cry of "brutality." It's described as part of a technique to discredit law and order across the Nation.)

Police brutality is the cry going up from one end of the country to the other as Negro leaders seek to explain and justify riots.

The same cry of police brutality is being sounded by demonstrators for all sorts of causes—civil rights, withdrawal from Vietnam, and free speech on college campuses.

Being asked, as a result, is the question: What legally constitutes brutality on the part of the police?

Raised, too, is the question of how much of the police brutality being talked about is fact and how much of it is fiction in today's America.

WHO'S BRUTAL TO WHOM?

Diligent inquiry on the part of staff members of U.S. News & World Report has failed to turn up any evidence of any wave of brutality on the part of police toward citizens in the cities of the United States.

What research does reveal is that civilian brutality against the police is being practiced rather widely.

Federal Bureau of Investigation statistics show that 57 officers were murdered in line of duty last year. Eighteen thousand policemen were assaulted, resulting in injuries to 7,700 of them.

Reports from city after city tell of police in trouble.

In Los Angeles a few weeks ago, it was the attempt of an officer to arrest a Negro on a charge of drunken driving that led to rioting and burning of a section of the city. Before that riot was put down, 36 persons were killed and 895 injured. Casualties included two peace officers killed and 93 injured.

The man whose arrest started the riot pleaded guilty to the drunken-driving charge. Yet the cry went up of police brutality to justify an orgy of looting, arson, and mayhem.

Springfield, Mass., at the same time was caught up in racial disturbances.

These stemmed from a vice raid in which 17 Negroes and 1 white woman fought police attempting to arrest them. Again, police "brutality" became the battle cry.

In Washington, D.C., a few days earlier, 260 demonstrators against the Vietnam war were arrested for refusing to disperse from Capitol Grounds. There was resistance to arrest and one youth leaned out of a police van and struck a policeman. Demonstrators nonetheless complained of "rough and insensitive" treatment by the police.

Police brutality was blamed by Negroes for rioting that took place last year in Rochester, N.Y. This began when a drunk attacked a policeman and was felled by a police dog.

In New York, 1964 rioting followed a policeman's shooting of a young Negro who had attempted to attack him with a knife. A grand jury later exonerated the policeman.

CONJURING VISIONS

Being stirred up in the outcry of brutality is the image of suspects clubbed by policemen, of arrested persons getting the "third degree," of innocent people being harassed by the neighborhood policeman.

Officials of the Nation's big cities admit that such incidents undoubtedly have taken place at times. But they point out that nearly all police departments today have the machinery—and use it—to sift complaints of brutality and to punish offending policemen. Reports on seven cities appear in the chart on page 40. Psychiatric tests are being used in many cities to keep "sadistic" or other emotionally disturbed persons out of police ranks.

Verified cases of police brutality, it is found, are being lost in a sea of inaccurate or trivial accounts of mishandling by police.

In Washington, D.C., on August 26, Senate Democratic Leader Mike Mansfield decried the "loose charge of police brutality," and added:

"The police are not privileged to take sides or discriminate as among laws. Their job is to uphold all laws and, on the whole, they do an excellent job of it."

One brutality complaint to the Department of Justice was from a Negro woman in the South who said that her son had been abused for merely stealing a bag of peanuts.

Inquiry showed that what her son stole was a huge burlap bag full of peanuts in a trailer truck—and that he had stolen the truck, too.

Then there was the stout lady who, with other demonstrators, lay down in the street to resist arrest. Her complaint: Police had not picked her up "gracefully" in taking her to the van.

VERBAL BRUTALITY

The same files in the Justice Department contain a complaint of "brutality" from a man on the grounds that police called him a "nigger." Big-city files bulge with complaints of "brutality" that boil down to rough language or hard stares on the part of a policeman. Many policemen are told not to address a Negro of any age as "boy" because this might be considered "verbal brutality."

Charges also are being made that police officers in slum areas tend to stop people and ask for their identity or to disperse street-corner loungers more than in prosperous sections of the city. This, too, is held to be "brutality," despite the explanation of police that slums are infested with criminals and that honest citizens need not fear police questioning.

A Negro youth in Los Angeles gave this explanation of why he took part in the rioting there:

"Police were always stopping me. It seemed like they always were trying to see if they could make me break, make me do something that could save them time. It seemed like they figured they'd eventually have to throw me in jail and they wanted to save time."

TIGHT CUFFS, TONES OF VOICE

A police official in Los Angeles said that "very, very few charges" of physical brutality are received. He added:

"Most of the complaints are of a pretty minor nature, such as discourtesy or handcuffs put on too tightly. It has come out many times that there isn't any physical brutality. It's verbal brutality. Some even say: 'I'm not complaining about the ticket or what the officer said. It is the way he said it, his tone of voice.' "

A high-ranking police official in Chicago, Thomas Neill Ryan, said:

"Some people seem to think they have a right to resist arrest at all times. So a degree of force has to be used to bring them to a station."

GUNS VERSUS A BOTTLE

It was in Chicago that an incident last year attracted nationwide attention.

Two off-duty policemen were told of two men, both Puerto Rican migrants, who were threatening people with a broken beer bottle.

The officers went to the men, identified themselves, drew pistols, and ordered the man with the bottle to drop it. Instead, the two men attacked the officers, severely slashing one. But a criminal court judge, a Negro, dismissed battery charges against the two men. The policemen, the judge said, had used "excessive force."

PLANNING FOR TROUBLE

Instances are being reported where the use of brutality propaganda against the police appears to have been planned even before trouble erupts.

Police in Berkeley, Calif., were on the firing line last year when student demonstrators at the University of California staged disorders in defiance of university authorities and police.

In preparation for trouble, students formed a "Police Brutality Committee." It began grinding out propaganda before the first arrest, and students were primed to start chanting "brutality" as soon as the police appeared on the scene.

Students also were instructed to go to the university hospital and report injuries. One police official reported:

"When the physician on duty asked several what they were doing there, they replied that they didn't know—they were there because they had been told to report to the hospital."

At other hospitals, attendants treated victims for hoarseness and headaches and sent them home—while five highway patrolmen were undergoing treatment for actual injuries received at the hands of rioters. One patrolman was hospitalized for a week.

Students and sympathizers overlooked no chance to raise the brutality cry. They used it to describe the stench on crowded buses that took them to jail. Placing of two intractable students in isolation cells also was held to be brutal.

During the rioting, police said, a Berkeley radio commentator helped the brutality theme along by slapping the wall with his hand near the microphone and describing the noise as blows raining down on students.

Berkeley's Capt. William Beall said:

"Brutality is the first thing that occurs to people to yell when they are trying to undermine authority. It means that the Government is unjust, that the law is unjust, and that the people trying to enforce the law are unjust.

"A policeman dreads the moment when someone will yell brutality. That charge robs him of his dignity. It takes away everything he's trying to do—what he believes in."

An official of the International Association of Chiefs of Police, Charles E. Moore, told the Senate Internal Security Subcommittee that the demonstrations at Berkeley were a classic example of techniques used by Communists to "destroy the public confidence in the police—when you destroy the symbol of authority and of the laws you bring about anarchy."

SIEGE AT THE STATION HOUSE

One result of this situation is that police are being subjected to growing harassment.

As an example, last year a Negro mob in New York City laid siege to a precinct station in Harlem for several hours. Elsewhere, policemen are being attacked—as in Morristown, N.J., where a gang of Negroes beat a lone policeman unconscious after hearing orators denounce police brutality at a Negro rally.

Another result is that police are becoming reluctant to crack down on criminals in minority areas of big cities.

Recently Quinn Tamm, executive director of the International Association of Chiefs of Police, said:

"Many police have complained that the law is being applied unequally, with preferential treatment being given to minority groups. They feel that pressure groups have succeeded in preventing police from fully enforcing the law where minority individuals are concerned."

THE RECRUITING PROBLEM

Everywhere, police departments are finding it more and more difficult to recruit qualified men for what appears to be a thankless job. In Washington, D.C., for instance, the Metropolitan Police Department has sent recruiters as far afield as New Hampshire and Indiana in a vain effort to fill 144 vacancies.

To counter the rising cry of police brutality, most departments have established branches to investigate complaints against the police, including charges of brutality.

Now Negroes and some other groups are pressing for establishment of civilian boards, outside the police departments, to pass judgment on complaints. Such agencies, it is said, would give people more confidence in the outcome of hearings on police brutality.

Some doubt that this would happen is raised by experience in Philadelphia and Rochester, two cities that have civilian boards. In both places, it is found, these boards have done little to reduce the hostility to police which erupted in rioting last year.

JUDGMENT BY PEERS?

In New York, mounting pressure for a civilian review board was held partly responsible for the resignation last year of Police Commissioner Michael J. Murphy. His successor, Vincent L. Broderick, recently stated his opposition to such a board. He said:

"Much of police work entails immediate reaction to crisis. Decisions must by made by the police officer on the street in a split second. It is vital that when the police officer's action is reviewed it be reviewed by one who has a capacity to evaluate the propriety of the action in terms of the police crisis in which it was taken and who, at the same time, has a disciplinary responsibility which extends not only to the propriety of the action but also to its complement, the propriety in the same situation of the officer's having failed to take action."

All kinds of extraordinary measures are being undertaken by police to reduce the cry of police brutality.

In New York, recently, the body of a Negro hoodlum shot by police while resisting arrest was exhumed in order to disprove a charge by the Congress of Racial Equality that he was shot in the back of the head.

Berkeley police, to back up their claims of gentle handling of riotous students, took photographs of each arrest.

Even so, worry grows that a decline in the quality of law enforcement across the United States is inevitable as a result of the mounting charges of police brutality.

Joseph G. Martin, deputy commissioner of police in New York City, said:

"After a while, the policeman says to himself, 'I don't want to be involved.' Police don't say this publicly, but many are saying it privately.

"The eager, dedicated young policeman starts out at a trot. Then this kind of thing slows him down to a walk. Finally, you find him dragging his feet—he doesn't know where he stands, so he does nothing."

Yet the cry of police brutality continues to mount in America's big cities. Prospects are that conditions for the policemen are not likely to show much improvement in times ahead.

WHEN IS A POLICEMAN "BRUTAL"?

State and Federal law authorizes a policeman to use whatever force is "reasonably necessary" to make an arrest.

A policeman may defend and protect himself when attacked by anyone, including a person in custody.

An officer may use whatever force is necessary to maintain an arrest and prevent a suspect's escape.

In language that varies from one State to another, laws also make policemen liable to punishment if they use more force than is necessary against individuals.

An expert in the Department of Justice gives these guides as to what might be considered "brutality":

"Each situation has to be examined on its own facts. The police are permitted great leeway and may even be legally excused for using bad judgment. It is up to a jury, looking at all the facts, to decide whether the force used by the policeman exceeded reasonable limits.

"When a policeman uses so much unnecessary force as to make it clearly apparent that he is trying to punish someone, then he may be found guilty under State and Federal criminal laws. He does not have the right to punish anyone. That is a function of the courts."

POLICE "BRUTALITY"? HERE'S ANOTHER SIDE OF THE STORY

Policemen murdered by criminals: 57 in 1964 alone. One hundred and ninety-seven in the last 4 years. The number of policemen murdered annually in line of duty has doubled since 1960.

Policemen killed in accidents: 124 in the last 4 years.

Policemen assaulted: 18,000 in 1964. That was 1 out of every 10 policemen in the country.

Policemen injured in assaults: 7,738 in 1964, or 1 out of every 24 policemen.

(NOTE.—Figures are for city, county, and State police. Source: FBI.)

WHEN THE FBI INVESTIGATES POLICE "BRUTALITY"

Between mid-1964 and mid-1965: 1,700 complaints of police brutality were referred to the Federal Bureau of Investigation. These included civil rights complaints in the South. Forty-seven such cases were presented to Federal grand juries. Five cases led to conviction in Federal courts.

(NOTE.—These were complaints involving a Federal statute making it a violation for police to deprive a person of his constitutional rights. Figures on prosecutions are for Federal courts only.)

Source: U.S. Department of Justice.

A SPOT CHECK ON POLICE "BRUTALITY" IN THE CITIES

Complaints of police "brutality" are numerous across the country, but the great majority of these complaints are washed out after investigation. This is shown by a spot check of leading cities. For example:

Chicago: So far this year, 289 complaints against police have been filed. Of these, after investigation: 274 were judged "unfounded" or "not sustained," 8 resulted in "exoneration" of the policeman involved, 7 were sustained, and the officers involved were disciplined.

A year earlier, in the same period, 351 complaints were filed, and only 4 were sustained by investigation.

Los Angeles: August riots have focused attention on complaints of police "brutality." Many of these complaints involve discourtesy or "verbal brutality" rather than any physical abuse.

In 1964, there were 314 complaints involving "excessive force" or "police misconduct." The latter included charges of discourteous language.

Investigation upheld 82 of these complaints, and the officers involved were given punishment ranging from reprimands to suspension. Sixteen officers resigned from the force.

Civil rights groups are charging that police fail to take action on many of the complaints filed.

Detroit: So far in 1965, there have been 24 complaints alleging some form of brutality on the part of police.

That is roughly in line with 1964, when 31 such complaints were filed during the entire year. Of these 31 complaints, 10 were sustained or "conciliated" after investigation. One was dismissed after the officer involved resigned. Twenty were dismissed on the evidence, but eight of these are awaiting additional investigation by the State civil rights commission.

New York City: In 1964 there were 231 complaints filed by civilians alleging that police officers abused their authority or used unnecessary force.

Of these, 50 cases led to action. Four went to a grand jury, and one resulted in indictment. The remaining 46 cases were held to warrant police department action. After investigation, there were various dispositions ranging from removal of the policemen involved to dismissal of the charges.

Other figures for 1964 suggest that being a policeman in New York is a hazardous occupation. Seven police officers were killed, and 1,602 were injured in line of duty. Policemen assaulted by civilians numbered 2,493, and 478 of these were out of action for a time.

Washington, D.C.: The rule in Washington is that only sworn complaints against policemen are received officially. This requirement washes out most complaints at the start.

Last year, 11 sworn complaints were filed with the complaint review board. Of these, nine were referred to the metropolitan police department's trial board for hearings. Two policemen were cleared of all charges, and seven were found guilty of one or more charges.

Dallas: Since the beginning of 1962, there have been 55 accusations of excessive force by police with the police department. On the basis of these charges, one patrolman and one detective have been found guilty and suspended from the force.

In 15 years, only two policemen in Dallas have been discharged outright for "unnecessary violence." One of these was rehired, because when tried after an indictment by the grand jury he was exonerated.

Philadelphia: Last year, the city's all-civilian police advisory board received 49 complaints of police brutality. Of these, 7 have been upheld, 1 conciliated, and 18 are still pending. The remainder have been rejected or dropped by the complainants. Five policemen have been reprimanded, and one suspended.

EXHIBIT 1

[From the Richmond Times-Dispatch, Aug. 19, 1965]

POLICE BRUTALITY

"Police brutality" has come to be an overworked slogan in Los Angeles and many other northern and western cities, intended to justify drastic countermeasures by criminal elements and rioters. Aiding and abetting this trend have been the U.S. Supreme Court and other Federal courts, in their grossly unwarranted solicitude for lawbreakers.

Police officers are frequently attacked by mobs when they arrest a suspect. They are often in danger of their lives from these gun-toting, knife-wielding, brick-throwing toughs. No fewer than 88 law enforcement officers were killed in line of duty in 1964, of whom 57 were slain by vicious criminals.

True, instances of genuine police brutality do occur, and they are not to be condoned. But when murderers, burglars, rapists, and other thugs sound off with this cry at regular intervals, their complaints are a bit shopworn.

In Los Angeles the cry of brutality was heard frequently before the recent lethal outburst in that city. No doubt there had been instances where brutality could rightly be charged, but let's look at another side of the coin.

Robert Richardson, a Negro advertising salesman for the Los Angeles Times, was in the riot area for 8 hours on Thursday of last week. He stated that "every time a car with whites entered the area the word spread like lightning down the street." The word went out, "Here comes Whitey—get him."

Richardson told of a white couple in their 60's who happened to drive into the riot zone. They were dragged from their car and mercilessly beaten. The Negro witness says he thought they were going to be killed, and he hardly sees how they survived. Yet the types who carry out this sort of senseless violence yell about police brutality.

The same witness then saw two white men drive through the area. Their car was bombarded with rocks. The driver ducked, and collided with a car loaded with Negroes. Both white men were dragged to the pavement and frightfully mauled. One man's eye was hanging out of its socket, Richardson declared.

When Negro ministers arrived and carried the beaten men into an apartment, they were spat upon by the crowd and cursed as hypocrites, Richardson said. Negro police then tried to disperse these hoodlums, and the officers were called traitors and bombarded with rocks. More "police brutality."

Nearer home, in Washington, D.C., brutality is frequently alleged. But the police there have been attacked so regularly by mobs that they hesitate to carry out their duties. Take the riot in Washington on the night of August 5. A mob of rock-throwing Negro hoodlums broke up a carnival, injuring nearly 100 people, including 9 policemen.

But here is the amazing fact: not one single arrest was made. An officer sought to explain by saying that "it was raining rocks" when he arrived. Furthermore, "the minute we got there we realized it would be impossible to make even one arrest without touching off a full-scale riot." Another officer put it this way: "We had to disperse the people; arrests would have incited them even more."

"Police brutality" in this instance seems to have consisted of getting nine policemen hurt, along with scores of other people, and letting all those responsible get away it.

It's about time the courts and the public generally became aware of what the police are up against in many of these dangerous situations. By and large, they deserve praise rather than blame.

HIGHER EDUCATION ACT OF 1965

Mr. MORSE. Mr. President, I should like to make a request that the list of Senate conferees be expanded to include all members of the Subcommittee on Education.

Let me tell the Chair why.

Seniority has nothing to do with the contributions which the members of the subcommittee make to our conference. I need them all. They greatly strengthen my hand in conference. They greatly strengthen my position in the Senate. The fact that they are not all included in the present naming is that it has been general practice to have a smaller number, but this is so important that I believe I should have the strength which would be given to me by every member of my subcommittee.

Take, for example, the matter of small colleges. I said earlier this afternoon that no one knows more about small colleges and their problems in the whole of Congress than the Senator from West Virginia [Mr. RANDOLPH]. Then there is the contribution which the Senator from New York [Mr. KENNEDY] made to the bill, including the last item, in which he discussed the matter of the beautification of campuses, and the problems involved therewith in architectural design. I need him there. Therefore, I respectfully request that the Chair grant my request to have all the members of my subcommittee named as Senate conferees.

The VICE PRESIDENT. Without objection, the Chair will appoint additional conferees.

The PRESIDING OFFICER appointed Mr. RANDOLPH and Mr. KENNEDY of New York additional conferees on the part of the Senate.

Mr. MORSE. One more word and I am through, if the majority leader will tolerate me further.

I have paid my sincere thanks to members of my subcommittee and to the members of the committee staff, both subcommittee and full committee.

I had promised to add my remarks to the record, but let me say on the floor, before I leave tonight, that there are three other men to whom I wish to express my appreciation.

I have already referred in my speech today, in explanation of the bill, to the great contribution of the President of the United States. I inserted in the RECORD his great message to Congress on education, and his fine speech before the National Education Association delivered at Madison Square Garden in New York City in July.

Let me say further, now that the bill has passed, that I wish the country to know that I believe this bill was passed due to this factor more than any other: President Johnson, in carrying his education message to the people of the country, prepared the people for the bill, and the people prepared Members of Congress for the bill. Let us face it; because it was only when Congress fully realized the great public support which the bill had gained throughout the country that I found my burdens greatly lightened in the handling of the bill at the subcommittee and full committee level.

Therefore, I wish to express my thanks to the President of the United States for his leadership in this matter.

I hope that the present occupant of the chair, the Vice President of the United States, will close his ears for a moment, but I wish to say for the record that he was a partner with the President in taking the education message from coast to coast, for I know of speech after speech which the Vice President of the United States made, not only before education and teacher groups, but also before general audiences. That is where it counts when it comes to formulating public opinion.

For many years, the Vice President has spoken both as Senator and now as Vice President in support of the education program which is encompassed in this great bill.

I thank him, in his presence this afternoon, for his assistance to the boys and girls of this country, because that is where the assistance has been really rendered.

Mr. President, I also wish to thank the Senator standing behind me, my majority leader, the Senator from Montana [Mr. MANSFIELD]. I have made reference to him early this afternoon.

Why did we get the bill enacted today? Because the Senator from Montana [Mr.

MANSFIELD] made clear to all Senators for months that the Senate would not adjourn until action was taken on the higher education bill.

He has buttressed my position time and time again, and I thank him very much for his leadership in regard to the education legislation, as well as with respect to many other issues which have come before the Senate.

Mr. President, the minority leader, the Senator from Illinois [Mr. DIRKSEN] was kind enough to make some comments about me a few moments ago. I do not comment because he made those comments, but I had communicated with him previously, in private conversation, to tell him how much I appreciated his help in clearing the way for what I believe will prove to be, in the course of the educational history of our country, the most important and major piece of education legislation which has probably ever been passed by Congress—at least, a piece of legislation needfully supplementing the laws already on the books.

I thank the Senator from Illinois [Mr. DIRKSEN] once more for his able assistance.

I wish also to express my appreciation to the minority whip, the Senator from California [Mr. KUCHEL], and to the Senator from Louisiana [Mr. LONG], the majority whip.

Everyone knows the importance of this bill. We have really opened up a new vista for future generations of American boys and girls, so far as their educational opportunities are concerned.

Mr. MANSFIELD. Mr. President, it was most pleasant to stand behind the distinguished senior Senator from Oregon [Mr. MORSE] and listen to his words of praise. Unmerited though they may be, they are, nevertheless, deeply appreciated.

Mr. President, the Congress this year has been so productive, it has already passed on so much legislation of vital importance to our society, that it is hardly an exaggeration to say that each day I could rise to congratulate and thank this body for its thorough and considered treatment of a significant measure.

But, Mr. President, it is likewise no exaggeration to say that there is no domestic matter of greater importance to the well-being of this Nation than the education of our youth.

It is for this reason that I am especially pleased to rise, on the occasion of Senate passage of the Higher Education Act of 1965, to commend the entire Senate. As is always the case, there are a number of individual Senators who bore special responsibility for this measure and who should be singled out for our very special thanks and congratulations. No one will doubt that first among such persons on this bill is the most able manager of the bill, this body's leading authority on education, the distinguished senior Senator from Oregon [Mr. MORSE]. For a number of years he has chaired the Subcommittee on Education of the Committee on Labor and Public Welfare. In that period he has time and again demonstrated an unmatched skill on matters of education; he has proposed brilliant new ideas; he has managed education bills with skill and sensitivity. In a word, he has been this body's "Mr. Education"—a title which, as he demonstrated today, he so richly deserves.

Mr. President, it is difficult to remember a bill with respect to which amendments have been more ably and cooperatively presented and debated. Obviously special congratulations for this go to a number of participants in the lively debates which took place this afternoon, among both proponents and opponents of amendments, including, especially, the junior Senator from Illinois, the distinguished minority leader [Mr. DIRKSEN], the junior Senator from Vermont [Mr. PROUTY], the senior Senator from Connecticut [Mr. DODD], the junior Senator from Colorado [Mr. DOMINICK], the senior Senator from New York [Mr. JAVITS], the senior Senator from North Carolina [Mr. ERVIN], the senior Senator from Rhode Island [Mr. PASTORE], the junior Senator from Montana [Mr. METCALF], the junior Senator from Iowa [Mr. MILLER], the Senators from Texas [Mr. YARBOROUGH and Mr. TOWER], the senior Senator from Pennsylvania [Mr. CLARK], and the senior Senator from Florida [Mr. HOLLAND]. Many others, including many members of the Education Subcommittee of the Committee on Labor and Public Welfare, offered their advice and assistance and conferred and consulted on the floor on matters being debated.

In short, to each and every Senator goes a share of praise for the Senate's praiseworthy treatment of this most important measure.

Mr. KUCHEL. Mr. President, may I, in one sentence, reecho what the leader of my party said a few moments ago, and state what I tried to say earlier in my private conversation with my friend, the senior Senator from Oregon. This is a great day for the people of the United States. I salute my friend, the Senator from Oregon, for his leadership in piloting through the Senate today what he has suggested is one of the greatest pieces of educational legislation in the history of the country.

I feel that I would be recreant if I did not rise and say that, for I look upon this as an American achievement.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES, FOR COMMITTEES TO FILE REPORTS, AND FOR THE VICE PRESIDENT OR THE PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I send to the desk an order and ask that it be stated.

The VICE PRESIDENT. The order will be read.

The legislative clerk read as follows:

Ordered, That during the adjournment of the Senate until September 7, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President or the President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

APPOINTMENT OF NEW TRUSTEES IN DEEDS OF TRUST IN THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the third reading and the vote by which the Senate passed Calendar No. 653, H.R. 647, be reconsidered and that on page 2, line 17, the word "subsections" be changed to "subsection" and that quotation marks be inserted on page 2 at the beginning of line 18 and on page 3 at the end of line 6 and that the bill H.R. 647, as thus amended, be passed.

The VICE PRESIDENT. Without objection, it is so ordered. Without objection, the third reading will be reconsidered, and the amendments will be agreed to.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

DEPARTMENT OF COMMERCE

The legislative clerk read the name of Eugene P. Foley to be Assistant Secretary of Commerce.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, it is most propitious that this nomination should be unanimously approved by the Senate while the distinguished Vice President and former Senator from Minnesota is in the chair.

Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

TRUTH IN PACKAGING BILL IS VITAL TO CONSUMER FREE CHOICE

Mr. HART. Mr. President, a favorite weapon of opponents of the truth in packaging bill, S. 985, is a survey conducted by the Opinion Research Corp. at the request of the Grocery Manufacturers Association.

It seems that that survey concluded than 75 to 85 percent of U.S. consumers are satisfied with present packaging practices and that only 8 to 22 percent wanted specific changes. This conclusion, the bill's opponents say, proves that truth in packaging is not needed.

Now surveys, as this body well knows, can be tested on many grounds—the most obvious being to measure the slant of the questions. And several proponents of S. 985 indeed have suggested that if they had drafted the questions the NAM survey results would have been different, but of equally doubtful value if in fact the questions were slanted.

This, of course, is a rather academic argument which could go on and on and on.

But it seems to me that the president of the Maryland Consumers Council, Jack Besansky, has gone a step further and succeeded in putting the facts in perspective.

Writing in the August 11, 1965, issue of Co-op Newsletter, published by Greenbelt Consumer Services, Inc., he comments first on the phrasing on the survey's questions.

Then, while not subscribing to the manner in which the survey questions actually were phrased, he turns to evaluating the results.

Commenting on the fact that even in this disputed survey 22 percent of consumers were adjudged to want some changes in packaging, the writer made an interesting point:

> To find anything on which an absolute majority can agree and also take action is almost impossible. Consider, for instance, that when Lyndon Johnson was elected to the Presidency in 1964 with one of the greatest landslides in American history, he received only 37 percent of the votes of the 114 million persons eligible to vote.

Put in that light, Mr. President, the 8 to 22 percent of consumers—which translates to 15 to 41 million Americans—seems to amount almost to a consensus in favor of changes in today's packaging practices.

This comes as no surprise to me. But I wonder if it does not to the Opinion Research survey's sponsors.

Mr. President, I ask unanimous consent that the article mentioned be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PACKAGING BILL IS VITAL TO CONSUMER FREE CHOICE

(By Jack Besansky)

Ever since Senator PHILIP A. HART introduced his bill to provide more effective regulation of packaging and labeling of consumer products, the grocery manufacturers and advertisers have been busily grinding out opinion surveys to prove that the average housewife is perfectly satisfied with existing packaging practices and does not want Government interference in the retail store.

One such example is the survey undertaken by an association called "Opinion Research Corporation," recently reported in the Silver Spring (Md.) Advertiser. I have been unable to identify this corporation or track down a copy of its survey although I have called the Advertiser for this information.

SLANTED REPORTS

Actually, this particular report is unimportant. The manufacturers association could easily supply anyone with a dozen surveys purporting to show, as this one does, that from 75 to 85 percent of all consumers are satisfied with present practices and that only 8 to 22 percent call for specific changes. They would have you believe, therefore, that "the last thing consumers want is a czar who will tell them what they can and cannot have."

Such conclusions are ridiculous but, nevertheless, the reports do raise the more perplexing question, which is: "If there are so many consumers who really want truth-in-packaging laws enacted, where are they and why don't they make themselves better heard?" The answer is that they are making themselves heard.

CONSUMER INTEREST KEEN

The publication "Consumer Reports" notes that interest in this subject is greater than that on any consumer issue during all its 31-year history. But let's not be trapped by our own statistics either. No doubt, readers of Consumer Reports are a biased sample of the consumer population by virtue of their existing interest in a magazine dedicated to a high order of consumer protection.

What then, are the fallacies, if any, in the opinion polls which the manufacturers trot out? The very first thing is that the small percentage of protests recorded does represent at least 10 million adult consumers, and that is not a negligible amount.

More to the point, however, the most common fault of opinion polls is that unless they are taken with the strictest regard for objectivity, the validity of their findings must be doubtful. It is not at all difficult to achieve the percentages you want by selecting, to fit a certain purpose, the people or the places at which you ask the questions, or, more simply, by the type of questions you ask.

For example, you might ask a person if he feels confused about package sizes or whether he feels confident that he can choose the better buy between competing brands. Chances are, 8 out of 10 times he will believe in his own competence to make independent judgments. On the other hand, ask him if he would prefer to see pancake syrup bottled in 10¾-ounce bottles or in full pint bottles, and the odds favoring the 10¾-ounce bottle will lessen.

Most importantly, percentages are not a realistic way of looking at consumer interests. The entire population of this country consists of consumers. Their specific interests are infinitely varied in kind and intensity because of the wide range of wealth, food habits, ability to sound off, etc.

CONSENSUS IMPOSSIBLE

To find anything on which an absolute majority can agree and also take action is almost impossible. Consider, for instance, that when Lyndon Johnson was elected to the Presidency in 1964 with one of the greatest landslides in American history, he received only 37 percent of the votes of all 114 million persons eligible to vote.

Thus, the important point about the truth-in-packaging bill is not whether opinion polls indicate a particular percent of consumers are concerned or not, because if they are not concerned they should be. The fact is, that without some improved regulations, they are powerless to exert their necessary influence on the production of what they want. An individual consumer can exert surprisingly little economic power in a transaction with an association of manufacturers.

MULTIPLE POWERS

More than economic power, manufacturers have greater information, greater training and greater experience regarding the transaction than the buyers. Furthermore, when reflecting on the expense of going to court versus the value of the product purchased, individual consumers may feel they cannot afford to assert their legal rights.

So it is clear that, by himself, the consumer does not dictate what the manufacturer will produce or how he will sell it. The protective mechanism of the truth-in-packaging regulation would provide a countervailing force in the market, not stripping the manufacturer of any of his power but forcing him to package his products so that contents could be easily compared with competing products.

This would truly permit the consumer to make a free choice of competing products on the basis of truthful and comparable labels and packages.

WATER DIVERSION INTO THE GREAT LAKES

Mr. HART. Mr. President, the Senator from Utah [Mr. MOSS], on Tuesday, submitted a concurrent resolution—Senate Concurrent Resolution 55—relating to the diversion of surplus Arctic water. I congratulate the Senator for his energy in furthering discussion and consideration of this proposal.

A year ago last April I asked the Secretary of State to open discussions with the Canadians on the question of diversion of Canadian water into the Great Lakes. The Secretary, after receiving a go-ahead signal from the administration, did so and these discussions resulted in agreement on a joint United States-Canadian referral to the International Joint Commission.

The referral involved primarily a study of Great Lakes levels, which is now underway. However, in the agreement made last fall between the two nations, the following sentence was included:

> The two Governments have agreed that when the Commission's report is received they will consider whether any examination of further measures which might alleviate the problem should be carried out, including extending the scope of the present reference.

As I pointed out at the time, the only long-term solution that makes sense in terms of the needs of the Midwest is to seek to divert additional water into the Great Lakes Basin. In my judgment an economic and engineering feasibility study will indicate that such a resource development is as much to the advantage of the Canadians as to ourselves.

Certainly the signs are clear enough for all to read. We must get started, assessing the advantages and disadvantages of all proposals.

Assuming that the study which I initiated and which is already underway in the International Joint Commission will lead to an analysis of diversion possibilities in midcontinent, I am glad to join in sponsoring Senate Concurrent Resolution 55 so that we and the Canadians may have the benefit of exploration of all thoughtful approaches.

MICHIGAN CONCURRENT RESOLUTION RELATIVE TO ESTABLISHMENT OF THE SLEEPING BEAR DUNES NATIONAL RECREATION AREA

Mr. HART. Mr. President, on Thursday, August 26, the Senate passed for the second time legislation authorizing the establishment of the Sleeping Bear Dunes National Lakeshore. Hopefully, we will see final passage by both Houses in the present Congress.

As an indication of the growing support for this proposal in Michigan, I ask unanimous consent to have printed in the RECORD, House Concurrent Resolution 101 in which the Michigan Legislature memorializes Congress to take early action to save this area for enjoyment of future generations.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION 101

Concurrent resolution memorializing the Congress relative to the establishment of the Sleeping Bear Dunes National Recreation Area

Whereas a survey of the vanishing Great Lakes shoreline was made by the U.S. Department of Interior during 1957 and 1958; and

Whereas this survey revealed three outstanding areas, all of them in Michigan, worthy of incorporation in the national park system; and

Whereas one of these areas and the one nearest our population centers is at Sleeping Bear Dunes in Leelanau and Benzie Counties; and

Whereas this beautiful area is deserving of national recognition and preservation; and

Whereas legislation to this effect, modified to safeguard the property rights of homeowners, has been introduced in the Congress by the Senators from the State of Michigan; and

Whereas early action to save this area for enjoyment of future generations has been recognized as desirable by the President of the United States, the Michigan Conservation Commission, the Michigan Tourist Council, and numerous nongovernmental organizations and individuals; and

Whereas such action would clearly be in the interest of the State of Michigan, its citizens and its economy: Now, therefore, be it

Resolved by the house of representatives (*the senate concurring*), That the Congress is hereby respectfully urged to authorize the establishment of the Sleeping Bear Dunes National Recreation Area in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each Member of the Michigan delegation to the Congress.

Adopted by the House June 16, 1965.

Adopted by the Senate July 29, 1965.

NORMAN E. PHILLEO,
Clerk of the House of Representatives.
BERYL I. KENYON,
Secretary of the Senate.

TRIBUTE TO AMBASSADOR ARTHUR GOLDBERG

Mr. HART. Mr. President, expressions of appreciation have been given in many tongues to the President of the United States for having the wisdom, and to the former Associate Justice of the Supreme Court, Arthur Goldberg, for having the willingness to step aside so that he might fill the place so ably filled by our late friend, Adlai Stevenson. Many tributes were reported in the pages of the CONGRESSIONAL RECORD.

Mr. President, following the occasion on which those tributes were given, I came across a very warm and very personal tribute which I ask unanimous consent to have printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. Mr. President, the article to which I refer is a column written by an old and good friend of Arthur Goldberg's. The writer is Msgr. George Higgins, whom so many of us know.

Monsignor Higgins is the director of the social action department of the National Catholic Welfare Conference. The article is very simple for many, and I expect for others it is a very meaningful word of tribute. It expresses a prayer which we all share that the cause of peace will indeed be served well by Ambassador Goldberg.

I am struck particularly by the emphasis that the monsignor places on the family life of Ambassador Goldberg. I am reminded of the magnificent night of the Seder that Mrs. Hart and I were privileged to spend with the Goldbergs.

Mr. President, many more eloquent voices have applauded the appointment and commended the loyalty of Ambassador Goldberg, and I should like to see this very thoughtful and pleasant column by Monsignor Higgins added to the list.

EXHIBIT 1

ARTHUR GOLDBERG

(By Msgr. George G. Higgins)

Perhaps the most laudatory of the hundreds of editorials and columns written in praise of Justice Goldberg on the occasion of his appointment came from the pen of Msgr. Salvatore Adamo, editor of the Catholic Star Herald, newspaper of the Diocese of Camden. "Whereas Stevenson went to the U.N. after failing to win the Presidency of the United States," Monsignor Adamo wrote, "I am confident that Ambassador Goldberg will succeed so handsomely at the U.N. that he will one day go on to win the Presidency."

Time alone will tell whether Monsignor Adamo is a reliable prophet. But there must be many who agree that Ambassador Goldberg's "unique record of public service is preparing him to reach the pinnacle of duty and honor in America" and who share his hope that the Ambassador will live to be the first American of the Jewish faith to occupy the White House.

Why has Ambassador Goldberg's appointment to the U.N. been so enthusiastically acclaimed by people of all faiths and from all walks of life? More specifically, why do some of his admirers predict and others, like the present writer, at least entertain the hope that he will one day be elected President of the United States?

Presumably the editors of the Reporter asked the present writer to tackle these questions because they felt that even the most laudatory profiles of the Ambassador have not adequately answered them. Readers of the Reporter are warned in advance that, in trying to do so, I will be writing as a devoted personal friend of the new Ambassador and his family and not as a coldly analytical commentator.

It will not be necessary in this brief piece to recount, in detail, the story of the Ambassador's career, up to this point, as a brilliant and resourceful labor lawyer and labor negotiator, as Secretary of Labor, and, more recently, as an Associate Justice of the Supreme Court. That story has been told so often and so exhaustively in recent weeks that there is really nothing I could add to it. I would prefer, instead, to single out a few of the Ambassador's qualities which, in my judgment, help to account for his extraordinary success and, more importantly, help to explain why his friends, whose name is legion, have such profound respect for him as a human being.

It would tell very little about Ambassador Goldberg to say that he is intellectually brilliant. He is that, to be sure, but so are many other lawyers of my acquaintance. A large part of the secret of the Ambassador's phenomenal success is to be found in the fact that his acknowledged intellectual gifts are balanced, not only by comparable qualities of the heart—a profound understanding of and compassion for the frailities of human nature—but also by an uncanny sense of practical judgment and political know-how, in the best and broadest sense of the adjective as well as the noun. I have seldom met a man in whom all of these qualities of mind and heart are so integrally balanced.

Secondly, it would tell us very little about the Ambassador to say that he is a man of extraordinary self-confidence in the face of staggering problems which would frighten or bewilder men of lesser stature. He is that, again. But what has endeared him to his many friends more than almost anything else is the fact that, for all his self-confidence, he is also a modest person who sincerely respects the other man's opinion and, unlike so many self-made men in private as well as in public life, will go out of his way very unobtrusively to help and to counsel with younger men and with less accomplished friends and professional associates.

Thirdly, Ambassador Goldberg has a wholesome sense of humor. Of all the men I have encountered in positions of honor and public trust, he is the least stuffy or pompous. It is this quality, I suspect, which has made it possible for him, over the years, to retain the close personal friendship of people from all walks of life—rank-and-file trade unionists, corporation executives, clergymen of all faiths, artists and intellectuals, political leaders of both parties and of every rank.

His sense of humor also helps to account why, while he can be as tough and tenacious a negotiator as the situation requires—whether at the collective bargaining table or in the councils of government—he knows how and when to bend in the interest of resolving problems or controversies constructively and equitably. The press has described him as a "liberal." That he is, in the best sense of the word, but his "liberalism" is pragmatic—again in the best sense of the word—and is never doctrinaire. He can see too many sides of every question and is too conscious of human weakness and fallibility to push his own genuinely liberal principles to unrealistic or utopian conclusions.

It is this quality of enlightened, compassionate, and nondoctrinaire liberalism which helps to explain why he has been one of the most successful troubleshooters in the history of American labor-management relations. This same quality will stand him in good stead as U.S. Ambassador to the United Nations and may well have been one of the principal qualities which recommended him to President Johnson for this crucially important post. In this connection, I would confidently predict that the fears of those who have hinted—sometimes rather crudely—that his Jewish faith and Jewish loyalties will make it difficult for him to deal objectively with the Israeli-Arab controversy will prove to have been completely unfounded.

I am confident, in other words, that the same qualities of fairness, principled flexibility, persistence, and creative imagination which have won for him the reputation of being something of a genius in working out honorable and constructive compromises in the field of labor-management and intergovernmental relations will serve him equally well if and when he is called upon to get involved, as U.S. Ambassador to the United Nations, in the Israeli-Arab controversy. Indeed, I can think of no American who is better equipped to make a constructive contribution to the solution of this unfortunate controversy.

I am reluctant, in conclusion, to say anything about Ambassador Goldberg's family life or about his religious beliefs and practices. These are matters which are almost too personal and too sacred to be written about in the press. On the other hand, even a brief profile of the Ambassador would be incomplete and would really miss the point if it failed to note, if only in passing, that he is loyally and unashamedly devoted to the Jewish faith and to the ancient religious traditions of that faith, and is also, in the finest of these traditions, a devoted family man, first, last, and always. As a Catholic priest, I count it a singular blessing and a great privilege to have been permitted to observe this side of the man at close range over a period of many years. With apologies for closing on such a personal note, I would say that there are few other men in my own circle of friends for whose family loyalty I have greater respect and few whose sympathetic interest in the religious beliefs and traditions of other men, combined with a profound loyalty to his own traditions, has impressed me more.

Ambassador Goldberg is a worthy successor of his friend of long standing, Adlai Stevenson. The fact that he was willing to resign from the Supreme Court to take up where Stevenson left off at the United Nations has caused a certain amount of wonderment among people who have never met him. To those who know him personally, however, it came as no surprise that he was willing to answer the demanding call of duty so promptly and so cheerfully, however difficult it must have been for him to step down from the highest court of the land. That's the kind of man he is—a devoted and selfless public servant of the highest quality, ready at all times to do everything within his power, at whatever personal cost, to advance the well-being of his own country and to promote the cause of world peace, "inch by agonizing inch," as he put it so characteristically when he took the oath of office just a few weeks ago in the rose garden of the White House.

THE 26TH ANNIVERSARY OF THE INVASION OF POLAND

Mr. DODD. Mr. President, yesterday, September 1, marked the 26th anniversary of the invasion of Poland by the Nazis. Since that time, a new generation, to whom this event is only history, has been born and reached maturity. Even those of us who were alive at the time have let the passage of years dull our memories and deaden our once strong feelings of indignation; and the lessons we learned or should have learned, have, at least in part, been forgotten.

The first lesson we should have learned is that appeasement never pays off and that in the long run it makes war more likely, not less likely.

The second lesson we should have learned is that of the essential moral identity of Nazi and Communist totalitarianism. In speaking of the Nazi invasion of Poland, let us not forget that it was the Nazi-Soviet pact which made this invasion possible.

Let us not forget that while the heroic Polish Army was desperately resisting the Nazi panzer divisions, the Red army, in one of the most glorious military actions in history, struck the embattled Polish Army from the rear.

And let us not forget Molotov's boast over the prostrate body of Poland:

> One blow from the German Army, and one blow from the mighty Red army—and this ugly duckling of Versailles ceased to exist.

Unfortunately, the Polish people, unlike some of the Western European countries occupied by the Nazis, were not to enjoy the freedom from oppression which was anticipated upon the defeat of the Germans. Agreements were reached between the Soviet Union and the Western Powers that ostensibly guaranteed to the Polish people and to the other peoples of Central Europe the right to select governments of their own choosing. These agreements were from the first violated by the Soviet Union, which used the presence of the Red army in Poland and in the other countries of Central and Eastern Europe to impose regimes that were as completely Communist as they were without popular support.

Mr. President, I hope that all Americans will reflect on the crime committed against the human race by the Nazis and by their Soviet accomplices 25 years ago.

I hope that all freedom-loving men and women will steel themselves to preclude a repetition of such aggression as the rape of Poland and its continued occupation.

I hope that we shall find it possible to dedicate ourselves to the task of bringing freedom to all enslaved peoples of the world.

Because of the particular bond of friendship which has always existed between ourselves and the people of Poland, I hope that we will not forget nor forsake our Polish friends and neighbors but that we will remember them in our prayers and by our deeds until they too are as free as we are.

And in the appointment as U.S. Ambassador to Poland of John A. Gronouski, a leader in the Polish-American community, a man fluent in Polish and well known and highly respected as a public figure, I hope the Polish people will recognize our desire to nourish our bond of friendship with them.

NAVY VETERAN ATTENDING COLLEGE TELLS OF NEED FOR GI BILL

Mr. YARBOROUGH. Mr. President, in this last Sunday's Washington Post there was published an excellent letter written by Mr. Francis E. Dalton, Jr., of College Park, Md., detailing with clarity the need for the passage of the cold war GI bill.

As Mr. Dalton points out, past GI bills have been responsible for supplying the financial support needed to educate thousands of engineers, teachers, scientists, and workers in medical and related fields. In spite of this fact, however, Congress has failed to carry on the wise policy set in our earlier GI bills.

I, like Mr. Dalton, find it to be a national disgrace to allow the talents and ambitions of those who have served our country to be disregarded and allowed to go to waste through a lack of financial aid.

Mr. President, I ask unanimous consent to have Mr. Dalton's entire letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Aug. 29, 1965]

NEW GI BILL

I am a married cold war veteran who served on active duty in the U.S. Navy for 5 years. After I was released from service, I realized the value and the necessity of obtaining an education and I enrolled in the University of Maryland as a full-time student. However, I have found that it is becoming increasingly difficult to continue as a student due to the many financial barriers I have encountered. There are many other veterans in similar situations.

I think it is a national waste to allow their talents and ambitions to be disregarded through lack of financial aid. The present National Defense Education Assistance Act is not enough. In order for these millions of needy and worthy Americans to help themselves and their country, they need direct financial assistance, such as the type proposed in the cold war GI bill which has recently been passed by the Senate and is now under consideration by the House.

Following World War II and the Korean war, both Congress and the administration swiftly enacted legislation to aid the veterans of those conflicts. Not the least of this legislation were the GI bills. These two bills enabled 11 million exservicemen to obtain education and training which assisted them in competing adequately in the labor market, depress unemployment, and to be an even greater asset to their country than the framers of these measures had imagined.

These GI bills have given our Nation 625,000 engineers, 375,000 teachers, 165,000 natural and physical scientists, 220,000 workers in medical and related fields, and scores of thousands of people in many other professional fields.

A cold war GI bill is desperately needed by our veterans and by the Nation. A measure of this sort can only help in the war against poverty, the battles with unemployment, and in obtaining the much-sought-after Great Society by helping to raise our standard of living through higher education.

FRANCIS E. DALTON, Jr.,

COLLEGE PARK.

ECONOMY OF THE COMMONWEALTH OF PENNSYLVANIA

Mr. SCOTT. Mr. President, the economy of the Commonwealth of Pennsylvania is remarkably healthy today as the result of the amazing recovery it has experienced in the last 3 years. This recovery has been spurred in large part by the aggressive efforts of the Commonwealth's government, under the leadership of Gov. William W. Scranton, to promote industrial development. The growth of the new Pennsylvania was recently described in a series of articles appearing in the Pittsburgh Post-Gazette. I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Economic Rebirth of Our State: Pennsylvania's Amazing Comeback

(By Marvin E. Miller)

On an average day in 1962, a total of 368,000 able-bodied Pennsylvanians got out of bed faced with the prospect of not being able to earn a cent that day. They didn't have a job.

Today that jobless total has been reduced to 173,000.

The jobless insurance fund to which the 368,000 could look to for weekly benefits in 1962 was also $52 million in the red and threatened with bankruptcy.

Today the jobless insurance fund is $289.2 million in the black.

State government itself in 1962 was in the midst of a fiscal year that would see it go $14.5 million in the hole.

Today the State has a record surplus of over $130 million.

Efforts to create jobs in Pennsylvania in 1961–62 attracted 1,426 industrial development jobs with a planned employment of 55,845 persons.

Since 1962 there have been 1,972 industrial development projects with a planned employment of 91,370 persons; increases of 38 and 45 percent respectively.

The above figures show that Pennsylvania is doing considerably better during the second half of a 4-year upturn in the national economy than it did during the first half.

In the past 29 months there has been a rebirth of economic life in Pennsylvania that is certified by every available measure of prosperity.

The men who keep their thumbs on Pennsylvania's economic pulse, Bell Telephone Co. economists, were inspired to describe the State's rebirth this way:

"In the Nation—a boom.

"In Pennsylvania—a boomlet."

Today every sector of Pennsylvania is enjoying a boom within a boom that is confirmed by every available indicator of economic activity.

The indicators show that the people of Pennsylvania from the steel counties to the coal regions and from the normally prosperous southeastern counties to the northern tier have:

More jobs, lower jobless rates.

More money to spend.

Are saving more money.

Are buying more new cars and new trucks.

Are getting off the relief rolls in larger numbers and onto the payrolls.

Are able to buy more things on time because as jobholders they are better credit risks than 2 years ago.

Joblessness has been cut from 9.4 percent of the State labor force to 3.8 percent. The reduction sliced joblessness better than in half and put it at an alltime low.

Other indicators of Pennsylvania's comeback are shown in material accompanying this article.

The vibrant State economy today is a paradox to the Pennsylvania of 2½ years ago. Despite a 21-month upturn in the national economy, Pennsylvania in 1962 was mentioned in the same breath as thoroughly distressed West Virginia.

Economists talked of Pennsylvania in terms of "surplus labor markets," "chronic high unemployment," "depressed areas," and as being "economically distressed."

While some recovery was made in the 24 months between March 1961 and March 1963, Pennsylvania's economy remained sufficiently shaky and uncertain to make it the chief political issue of the 1962 election for Governor.

The State whose industrial might had fired the forges and blast furnaces that furnished the production muscle for war efforts from the tidewaters of Yorktown to desolate hills of Korea, had the image of a tired old champion.

The old champ's legs, steel and coal, were left wobbly and unsteady by three recessions. Its reflexes in replacing over 400,000 lost jobs were too slow.

Time after time, State after State beat Pennsylvania to the punch in landing new industry or plant expansions; the best efforts of the Pennsylvania Industrial Development Authority notwithstanding.

What was wrong with Pennsylvania?

The vice president of an out-of-State machinery firm who helped to make a decision not to expand in Pennsylvania put it this way:

"State government had a 'the h--- with industry attitude'."

Bethlehem Steel executive J. L. Shearer said Pennsylvania had a bad business climate "which helped to retard the State's industrial and economic development."

He further said the climate prejudiced companies within Pennsylvania who sought to be competitive in business with firms in other States.

A major climatic hindrance was the jobless insurance fund; $52 million in the red and threatened with bankruptcy for the third time in 5 years.

Industry had poured a record $252 million into the fund in 1962. But continued jobless payments and $192 million in Federal loans when it went bankrupt twice previously left in in a perilously weak condition.

Many major industrial firms put Pennsylvania on the blacklist when it came time to consider expansions or new locations.

An industrialist said:

"Nobody wants to go into partnership with a bankrupt."

Corporate executives, whose job it is to turn a profit, were making decisions to create jobs elsewhere.

Up in hard-pressed Hazleton, where 11 percent of the work force was idle, a food processing plant that would give work to 2,000 persons looked things over and went to New York.

Reason? Victor Diehm, president of Hazleton Broadcasting Co. who worked hard to sell the firm on Hazleton said simply: "Taxes, particularly unemployment compensation."

York County was bidding for Aluminum Extrusion Co. of a division of Studebaker Corp. which wanted to expand its Youngstown, Ohio, holdings farther east. York lost to Hagerstown, Md.

A chainstore firm that wanted to open a series of stores looked at Pennsylvania and then headed south. Gustave C. Amsterdam, an official of Bankers Security Corp., Philadelphia, said it was a case where the unstable jobless fund "had a very decisive impact on a decision."

Lancaster County, too, was affected by the climate. Chrysler Corp. was looking for an eastern assembly plant and spare parts depot. Lancaster sought it strongly, but it went to Newark, Del., and with it went 1,500 jobs.

Delaware also beat Stroudsburg to a new plant location by International Latex.

J. Huber Denn, the man whose job it was to woo industry for Delaware, said "every time Delaware beat Pennsylvania one of the factors on which we had considerable advantage was the unemployment compensation tax picture."

The picture has changed in the past 29 months, as has the entire economic climate of Pennsylvania.

The average number of jobless persons in the State shows this downward trend: 1962 jobless, 368,000 persons; 1963 jobless, 332,000 persons; 1964 jobless, 267,000 persons; May, 1965, jobless, 173,000 persons.

Unemployment has been more than cut in half across the State. There are more people at work in every major labor market from Philadelphia to Pittsburgh, from Lancaster to Altoona.

Here is how the jobless work force has been reduced in percentage relation to the total work force in the State's 12 major labor markets:

[In percent]

Market area	January 1963 jobless	May 1965 jobless	Jobless reduction
Allentown, Bethlehem, and Easton	8.1	2.4	5.7
Altoona	14.2	5.8	8.4
Erie	9.7	4.0	5.7
Harrisburg	5.9	2.4	3.5
Johnstown	15.4	4.4	11.0
Lancaster	4.2	1.3	2.9
Philadelphia	7.7	3.9	3.8
Pittsburgh	11.3	2.9	8.4
Reading	5.9	2.6	3.3
Scranton	13.9	6.6	7.3
Wilkes-Barre and Hazleton	13.7	5.6	8.1
York	6.7	2.5	4.2

Both the pace and the face of the State's labor force are undergoing a change.

The economy is not only stepped up, it is more diversified. The four-county steel area near Pittsburgh shows dramatic evidence of both factors at work.

Between the first quarter of 1963 and the first quarter of 1964, claims for Federal jobless insurance benefits dropped by 44 percent.

There were 39,200 claims in 1963 and in 1964 there were 21,900 claims.

At the same time Pittsburgh is emerging as an industrial materials research center that now offers over 15,000 such jobs.

Columbia County also offers a profile in the change of pace and face of its economy. Oriented to coal, 13.1 percent of the labor force was jobless in February 1963. In April of this year unemployment dropped to 4.5 percent of the labor force.

Jobless miners are now jobholders in diversified noncoal industries. A similar situation exists in Lackawanna County where king coal is now a comparatively small employer.

Joblessness had dropped from 16.4 percent down to 8.3 percent of the labor force. Men who once dug coal are now making shoes, house trailers, and metal goods.

Although Lackawanna's unemployment rate is still high by comparison, it has made one of the greatest industrial rebirths of any chronically depressed area in the Nation.

Pennsylvania's recovery statewide has been so dramatic that the normally cautious economists were moved to superlatives in describing it.

Bell Telephone's 1964 year end economic review used such terms as:

The Pennsylvania index of general business activity rose a whopping 6 percent.

Employment—the bright star.

Steel production—surging.

Personal income—everything's rosy.

SIGNS OF PENNSYLVANIA'S REBIRTH

The following measurable indicators of prosperity show the extent of Pennsylvania's economic rebirth since 1963:

Jobless workers cut by 194,800.

Jobless insurance fund up 341.2 million.

Consumer and business taxes yielding record State surplus of over $130 million.

State banks report Pennsylvanians have $1.006 billion more in time deposits and savings accounts.

U.S. Treasury says Pennsylvanians have invested $60.8 million more in U.S. savings bonds.

State residents qualified for $2.1 billion more in loans from State banks.

Over 4.3 million State residents have jobs, the largest jobholding force since 1957.

Industrial expansions and new industry projects totaled 1,972 as compared to 1,426 projects in 1961–62.

There were 91,730 new jobs created as compared to 55,845 new jobs in 1961–62.

State per capita income was highest in history, $2,575 in 1964.

Manufacturing jobs hits a record weekly average wage of $105.71.

Over 25,000 workers whose job skills became obsolete have been retrained and put on new jobs.

Purchases of life insurance, a form of savings, is up 11.4 percent.

A total of 50,000 more State residents are driving new cars; 12,000 more have new trucks.

Department store sales rose from a yearly index of 110 up to 124.

The general business index rose from a yearly level of 109 up to 122. In May it was at 130 and higher above the expected trend than ever recorded.

Bank resources set a record increase of $626 million in 1963, the biggest yearly gain except for the 1944–45 war years.

Bank net earnings set an alltime record in 1964 of $116.7 million.

Total bank deposits set a record in 1963 and 1964 of $19.3 and $21.5 billion respectively. So did total bank resources.

The electrical power required to feed a growing economy increased in 1963 by 4.2 million kilowatt hours over 1962.

The Pennsylvania Industrial Development Authority set records in 1964 for new projects, an even 100; that created 11,824 new jobs.

Building construction went over the $1 billion mark for the first time ever in 1963 and 1964. In May of 1965 it was running 14 percent ahead of 1963 and 9 percent ahead of 1964.

Traffic on the Pennsylvania Turnpike has generated an additional $4.6 million in fare revenue.

Liquor stores sales are up by $23.1 million. They're drinking better stuff, too. Higher priced, import sales are up by 4 percent.

Business failures have steadily declined from 820 in 1962 down to 790 the following year; to 695 during 1964.

Tourism, the State's newest industry, hit a record $2 billion in 1964. It is going even better this year.

Revenue of major utilities, prime gages of economic activity, in 1963 alone rose by $88 million. The gas, electric, telephone, and water utilities also increased payrolls by $17 million.

Exports at Delaware River ports totaled 1.8 million tons more in 1963 than in 1962. Plane cargo tons went up by 2,599; passengers increased by 163,033.

Public welfare rolls dropped below 400,000 in May, the earliest point in any year since 1960 because of early seasonal employment demands. There were nearly 31,000 less on relief than a year ago.

AMAZING COMEBACK OF OUR STATE: ECONOMIC REBIRTH OF PENNSYLVANIA

(By Marvin E. Miller)

Pennsylvania's economic growth rate has caught up to and overtaken that of the United States and of 11 other leading industrial States.

After a slow start during the 1961–62 years of the national economic upturn, Pennsylvania hit full stride in 1963–64 that has seen it:

Place a higher percentage of its work force in jobs at a rate 3.6 percent faster than the United States.

Reduce the number of jobless persons in its labor force at a rate faster than 11 other major industrial States.

End a 33-year record as the second worst unemployment rate State in the Nation.

Since 1931, Pennsylvania had the second highest rate of unemployed workers in the Nation. Only West Virginia was worse.

By 1964 Pennsylvania advanced to 18th in the Nation in unemployment. The advance is continuing. Thus far economy is firmly entwined this year.

Everyone agrees that Pennsylvania has made one of the most dramatic economic recoveries in modern history. They disagree as to why or what caused it.

Attempts to place credit for Pennsylvania's new found productivity and prosperity become complicated by what could be termed the Siamese twins of the American enterprise system—the bodies politic and economic.

Movement by one affects the other to the extent that elections are won and lost on economic issues.

Pennsylvania's resurging economy is firmly entwined in national and State politics because:

The 4-year national recovery has taken place under the Democratic administrations of John F. Kennedy and Lyndon B. Johnson in Washington.

The administration of Pennsylvania during the national boom has been split—almost equally—between the Democratic administration of David L. Lawrence and the Republican administration of William W. Scranton.

The major issue of Pennsylvania's 1962 election for Governor was chronic high unemployment.

Today, Republicans say, primary credit for the State's improvement should go to Scranton administration policies and news laws that were enacted to aid the economy.

Democrats say that the primary credit belongs to a whirring national economy.

Scranton says the disagreement over which party should get credit "is a silly argument." Both his administration and the national economy are factors, he says.

For those who insist upon giving the credit to someone, Scranton suggests: "The first share and the largest share of the credit should go to the people of Pennsylvania. It is their work and their initiative that has made the difference.

"They are getting the kind of State government and the new way of doing things they voted for and are willing to pay for."

Two prominent economists were asked for their viewpoints on what happened to Pennsylvania's economy.

Both of them, one from eastern Pennsylvania, the other from western Pennsylvania, asked not to be quoted. They do not want to become embroiled in the obvious political overtones.

They each said the facts of the State's new economic life lie somewhere in between the highly partisan claims.

The eastern Pennsylvania economist said: "Two forces are basically at work.

"One is the general national expansion.

"The other is the change in climate brought about by changes made in Harrisburg.

"Had the general national economy not responded, the State situation wouldn't look nearly so well as it does. The facts are that the national economy is favorable in the shorter run but the State is setting the stage for a longer term reversal.

"Pennsylvania is consolidating its past gains due to things that changed in Harrisburg."

What changed? The economist said:

1. "The State is now trying to make it possible for people within Pennsylvania who are in business to be profitable, to grow, and to employ more people.

2. "The State has done much to correct the image that Pennsylvania is over the hill. It is no longer looked upon as a decadent State with old industry."

The western Pennsylvania economist said: "The Nation's economy has certainly given Pennsylvania the springboard it required. At the same time more recent internal changes have provided added momentum to the creation of employment opportunities."

He said, "it must be remembered that Pennsylvania at its best is only an average growth State. That it is exceeding its historic average is indicative of economic forces separate and distinct from those generated nationally."

Undergirding the changes emerging within Pennsylvania, he said, "are the national factors of increased auto production, increased steel production, and increased consumer spending encouraged by the tax cuts and a confidence in the economy."

The real test for Pennsylvania's economy, he said, will come "when it is called upon to sustain itself in the face of a letdown in the national economy.

"Indications are that the State may become diversified sufficiently to better withstand a recession at the national level than it did previously," he said.

Both economists were inclined to give the Scranton administration credit for doing something apart from the national economy that resulted in increasing the pace of Pennsylvania's prosperity.

What has been done?

The State has rid itself of an antibusiness image by the simple expedient of creating a tax and administrative structure that assures business and industry of making a fair profit.

Profits enable plants to expand and expansions create job opportunities anew.

Not to be overlooked in the political aspect of Pennsylvania's economic resurgence is the fact that Scranton, a millionaire about nine times, entered politics solely because he was concerned about joblessness.

He got a first hand view of chronic unemployment in his home Lackawanna County and ran for Congress in 1960 pledged to do something about it.

In March of 1962, shortly after he was tabbed for Governor, he told the Lancaster New Era during a Washington interview:

"With the proper climate, I believe that Pennsylvania's prominence in the national economy can be restored."

He was elected in 1962 and in the past 2½ years there has emerged from Harrisburg a precise plan to get a larger share of national prosperity for Pennsylvania.

Generally the plan unfolded this way:

The business and industry community was asked what Government could do to restore investment confidence in the State.

The State's financial and administrative structure was stabilized.

Tax law changes were made to induce more industrial expansion and relocation within the State.

Pennsylvania Industrial Development Authority liberalized loan policies to induce more investment in industry.

The unemployment compensation fund was stabilized by closing loopholes costing $35 million a year, and by asking industry to pay an additional $35 million into it.

Civil service was extended to State employees in an effort to keep competent workers from the traditional political dismissal at a change of administrations.

The best technical minds in the State were enlisted to forecast what educational and technical skills should be available for today's and future labor forces.

State assets such as resources, geographic location, tourism, available work force, recreation opportunities, forestry, and agriculture was promoted by a comprehensive and vigorous advertising campaign.

A citizens group of 100,000 Pennsylvanians was enlisted to spread the news of the advantages of the State wherever they went.

In short, every action of State government was predicated on this question: What will it do for the economy?

A veteran State legislator with an exceptional record of obtaining projects for his home area over the years was asked how he did it. He replied:

"When Leader was Governor I tied everything to mental health; when Lawrence was Governor I tied it to traffic safety. With Scranton I tie it to the economy."

In addition to marshaling the State's resources, Scranton has also utilized every Federal resource available to aid the economy.

Pennsylvania has been among the first to:

Qualify for the Appalachia program.

Utilize the Manpower Retraining Act.

Utilize the Neighborhood Youth Corps project to find jobs for youths aged 16 to 21 who are members of public assistance families.

One provision of the Appalachia program is also a Scranton idea that was proposed by him to President Johnson and accepted. It involves providing funds to reclaim and beautify areas left scarred by working out mining projects.

Scranton has also embraced such originally Democratic proposals as Pennsylvania Industrial Development Authority and Project 70, improved upon them, and utilized them to aid the State's economic growth.

Even his ill-fated run for the presidential nomination had an "economic aspect" to it. Once asked to appraise the effect of a possible defeat, Scranton said, "At the very least, Pensylvania would get some good publicity out of it."

The State's prosperity and Scranton's emergence as a national presidential possibility have heightened the political infighting over the State's economic good fortune.

Democrats with a majority in the house of representatives, have copied virtually every major Scranton legislative proposal of the current session and made Democrats instead of Republicans the chief sponsors of the bills.

Purpose is to enable them to claim "credit" for the programs, some of which were theirs to begin with. Democrats contend Scranton hasn't demonstrated any particular ability toward getting the economy rolling.

They say he is merely exceedingly lucky to happen to be Governor at a time when national prosperity has been induced by Democratic administrations in Washington.

Scranton, however, says that a record State financial surplus, created by increased taxes due to good times, is no accident.

He goes back to the issues that were placed before the people of the State in the 1962 gubernatorial election. He says the voters accepted those ideas and now they have been translated into State policy and law. He sees this cycle as having taken place.

"The people have worked and sacrificed to pull Pennsylvania out of the doldrums. The people created this State government. The government has created a good economic climate.

"The climate has attracted business and industry which have created jobs and profits. Jobs and profits, through taxes, have led to higher revenues for State government.

"These revenues now flow back to the people through programs and services," the Governor said.

He adds that, "It is true, and I freely admit, that Pennsylvania's accomplishment has occurred at a time of national prosperity.

"But our State has not always shared in, much less exceeded, national prosperity."

INDICATORS OF PROSPERITY

Pennsylvania's economic rebirth has seen it chalk up improvement rates greater than the Nation and greater than other major States in these relative indicators of prosperity:

Joblessness reduced 3.6 percent faster than national rate from January 1963 to May of this year.

Joblessness reduced at a rate greater than any of 12 major industrial States between April 1964 and past April.

Jobless rate went below national rate for the first time in history on four occasions (June and October 1964 and April and May 1965).

State steel companies recaptured 1 percent of the national steel output in 1964 that was lost in 1961.

The 1964 steel output was Pennsylvania's best steel year since 1956.

Pennsylvania's personal income growth rate was behind the Nation's and eight other major States for 1961–62. During 1963–64 Pennsylvania improvement ratio was better than the Nation's and better than any State except Michigan.

Total bank assets in Pennsylvania trailed in the rate of growth among the seven leading bank asset States from 1960 to 1962. From 1962 to 1965 Pennsylvania led the others in the rate of growth improvement.

Growth of personal income in the State has increased by over $1 billion the first two times ever in 1963 and again in 1964.

The State's growth percentage of personal income was half the national rate in 1961–62. During 1963–64 Pennsylvania's growth rate was faster than the national rate.

Every segment of the State's economy except mining showed an increase in employment in 1964, the only year during the 4-year national upturn that so many segments gained jobs.

During 1961–62 only the finance and service segments of the economy showed job gains for that period. During 1963–64 job gains were registered by construction, manufacturing, utilities, trade, finance, and service.

Per capita income in Pennsylvania increased by 4.2 percent in 1964 compared to a national increase of 3.8 percent.

Industrial production in Pennsylvania increased 12 percent in 1964 compared to a national increase of 4 percent.

GROWTH OF BANK ASSETS

Tables show how Pennsylvania improved its position among Nation's seven leading bank asset States in asset growth rates between 1960–62 and 1962–64 (in millions of dollars):

State	1960	1962	Growth	Rate of growth
Texas	$13,563	$16,344	$2,781	20.5
Illinois	19,244	22,990	3,746	19.4
California	27,846	33,235	5,389	19.3
Ohio	12,593	14,533	1,940	15.4
New York	78,578	90,284	11,706	14.9
Massachusetts	13,026	14,883	1,857	14.2
Pennsylvania	18,671	21,129	2,458	13.1

State	1964	Growth	Growth (Percent)	Change (Percent)
Pennsylvania	$24,535	$3,406	16.1	+3.0
New York	106,044	11,706	17.4	+2.6
Massachusetts	16,778	1,895	12.7	−1.5
California	39,059	5,824	17.5	−1.8
Illinois	26,599	3,609	15.6	−2.8
Texas	18,858	2,514	15.3	−5.2
Ohio	16,100	1,467	10.0	−5.4

REDUCTIONS IN UNEMPLOYMENT

Table shows how Pennsylvania's rate of reducing jobless percent of the work force has been greater than that of the Nation and seven major industrial States:

[In percent]

Area	January 1963	May 1965	Change
United States	6.6	4.6	+2.0
Pennsylvania	9.4	3.8	+5.6

State	April 1964	April 1965	Change
Pennsylvania	5.9	4.2	+1.7
Ohio	3.9	2.7	+1.2
Massachusetts	5.6	4.6	+1.0
Indiana	3.7	3.0	+.7
Illinois	3.8	3.2	+.6
New York	5.2	4.6	+.6
California	5.7	6.1	−1.6

THE OLD MAN OF THE MOUNTAIN

Mrs. NEUBERGER. Mr. President, I wish the RECORD could print the magnificent color photo that accompanied an article in the fall issue of the Farm Quarterly.

This is a picture of one of my favorite Oregonians, Mr. Ernie Lyman, on the summit of Mount Shasta, where he is identified as "one of the oldest climbers to have conquered Mount Shasta."

Mr. Lyman is a sturdy Oregon farmer, who pulled himself out of a hospital after a series of operations for cancer, and as he approaches his 70th year, he is running up and down our Western mountains like a goat.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE OLD MAN OF THE MOUNTAIN

(By R. J. McGinnis)

(NOTE.—Approaching 70, this farmer is reaching his peak as a speed climber of mountains; 4 years ago he was an invalid.)

Stooped shoulders and an aching back are not necessarily the only byproducts of a lifetime on a farm. Toil in the sun and air can build up a reserve of stamina and strength that can save a life when disaster strikes. Ernie Lyman, an aging Oregon farmer, discovered this when he pulled himself out of a hospital to become a mountain climber.

Ernie is somewhat of a celebrity in the Northwest. Five years ago, after a series of operations for cancer, doctors condemned him to semi-invalidism for the dwindling years left to him. In the fall of 1963, he broke the 25-year-old record for a speed-climb of Mt. McLoughlin. Born in 1896, Ernie had just reached 67.

He lives on the farm where he was born. The farm was homesteaded in 1869, soon after the Civil War, by his step-grandpa, who built a cabin on a slope above the Rogue River. Later he built a more pretentious house nearer the Rogue, under the shade of a grove of oak and pine. The original split shingles are gone and even the replacements are curling, and the clapboard siding is weathered gray by 93 years of rain and wind that sweep up the Rogue Valley. This is Ernie's home now. He runs cattle, summering them on the mountain pastures and sending them to market fat from 20 acres of peas, oats and pasture.

As a boy he developed a sturdy pair of legs climbing the mountain pastures where the family cow ranged during the summer. "I never walked when I could run," he says. "I ran up and down the mountains and during track season I ran 3 miles a day to the school in Gold Hill. I figure I walked or ran 12,000 miles during my school years, about 1,000 miles a year."

He grew up to be the runningest man in those parts. A little under 6 feet and carrying 190 pounds, he could, they say, outwork any two men in the community. He has long arms, big hands and feet, and a barrel chest. His granitelike features reflect the durability which has become a myth along the Rogue. Judge Earl Day, who employed Ernie at odd times on his neighboring ranch, says, "Ernie Lyman was the best pear picker I ever saw. He could hold four large pears in each of his big hands and he ran up the ladder and ran down. When he worked in the fields he never tired."

But Ernie broke about every good-health rule in the book. "I was so strong I thought I could take anything," he says. "I smoked like a chimney, drank coffee all day long, and never seemed to need sleep."

Then in 1946 the sins against his body caught up with him. He underwent a major operation for cancer of the throat. Part of his larynx was removed and he could speak only in a whisper, and that painfully. A year later, and again 2 years later, he had further respiratory surgery.

These were dark days for Ernie. Somehow he had to make a living for his family. The only craft he knew was farming, and you can't do much farming from a rocking chair. His wife, Marian, like himself of pioneer stock and a resourceful and energetic woman, took over.

They had sold all their cattle except the family cow, which threw a fine bull calf in the spring of 1946. Marian bought two bull Holstein calves from a neighboring dairyman, and arranged to have their alfalfa hay baled. They were in the calf business. They bought calves wherever they could find them, mostly crossbreds from dairy herds. Marian did the feeding, cleaned the stables, and found a market for the grass-fat steers. Between operations Ernie tottered around to add what help he could.

By 1961 they were marketing 12 to 15 steers a year and, with a kitchen garden and a small cash income from walnuts and cherries, the Lymans were making out. Then came Ernie's final and most serious bout with cancer, which confined him to the hospital for over 2 months for X-ray treatment and left him to sit in a chair under the big oak by the kitchen door. And there, the doctors told him, he would have to stay if he hoped to live at all.

A sedentary man could have adjusted to this, but Ernie was not that sort of man, and he rebelled. "One day I was sitting under that tree and looking up at the mountain I had climbed so often tending the cattle. I said to myself, 'I'm going to do that again or die in the attempt.' "

He eased himself out of his rocking chair and started for the mountain. It was a mile and a half to the top. Ernie made it after many rests, his heart thumping and his legs trembling. The next day he tried it again. In 3 months he was dogtrotting up the lower slopes and climbing to the top. He timed himself, always trying to do better.

He quit smoking and abjured coffee altogether. He consulted doctors and physical culturists and learned everything he could about his body. "When my grandfather homesteaded this land," he explains, "all the minerals necessary for good health were in the soil. Ninety-three years of cropping have depleted them. There's no more iron or calcium in the vegetables I grow, so I take iron and calcium every day."

After Ernie conquered the neighboring mountains he looked around for new conquests. One of his neighbors, John Day, is somewhat of a physical marvel himself. A grandfather, he was in training for the Olympic cross-country ski team. He had specialized in speed-climbing and held many national records. Ernie became Day's pupil and climbing partner. He spent a year trailing after Day up and down the slopes of the mountains on Day's ranch. Day advised him to take off some weight and have his heart checked if he was ambitious to become a speed-climber. Ernie took off 25 pounds in a few weeks by running 2 and 3 miles a day in two suits of heavy underwear. His heart, the doctor said, was as sound as a dollar.

Feeling reassured, Ernie decided to try a speed-climb of Mount Thielsen which is 9,173 feet high and called Oregon's Matterhorn. He made the climb in 1 hour, 56 minutes—not a record but considered very fast time indeed.

In August 1963 Ernie decided he was ready to make his mark. He would try for a speed-climb of Mount McLoughlin, whose snow-capped peak he had seen all his life from his back door. While Mount McLoughlin is not the most difficult peak to scale, it is 9,495 feet, and is not to be taken lightly.

With Bob Huff, track coach at Medford High School, and John Day, he set out from Four Mile Creek at the base of the mountain. The climbers ran the first 2 miles of the ascent; from there on to the summit the slope turns sharply upward. The last 4,000 feet are a steep climb, strewn with boulders, jutting rock, and shale.

Huff reached the summit first. His stopwatch indicated that he made the climb in 1 hour, 44 minutes and 45 seconds. Ernie and John Day were close behind; their time was 1 hour, 50 minutes and 35 seconds. Both had broken the 25-year-old record of 2 hours and 5 minutes. Ernie lost 3 minutes digging a pebble from his tennis shoe.

Now he felt invincible and he looked around for other worlds to conquer. Last fall, in the company of the Wy'east Climbers, of Portland, Oreg., he scaled Mount Shasta, a 14,162-foot major peak of the Rockies. He kept pace with the pros. Though this was not a speed-limb, they did the 6,300 feet from the ski lodge to the summit in 6 hours and a couple of minutes. When they told him he was probably the oldest man who had ever climbed Shasta, Ernie felt that all his labor, self-denial and persistence had paid off. He had vindicated his belief that there is nothing impossible for a man to do as long as he has life in his body and the will to do.

Ernie has his plans for the future. This year he plans to climb Mount Rainier which is 14,410 feet high. In 1966, he hopes to tackle the higher and more difficult Mount Whitney. As for the majestic Mount McKinley, the highest peak in North America, he will only say, "Not yet, not yet."

Ernie now runs the calf operation and is able to take care of a small herd of cattle on the mountain pastures. Marian has been released from her farm chores and can indulge her hobby, the vegetable garden, and an adjoining plot of iris and tulips. Ernie makes short work of the ranching and finds time each day for a run up and down the mountains that ring his homestead.

In his squeaky voice he explains how he performed such a feat of rehabilitation.

"My basic food is lean beef and whole-wheat bread which I eat three times a day. My love of chocolate cake and candy keeps me in weight trouble that I have to fight. My pack is seldom without Hershey bars.

"I have kept a record of my blood pressure. It ranges between 106 and 124—a normal low which is most useful for mountain climbing. My pulse at rest is in the fifties. When I tell my doctors—the family doctor and the others—about my exercises and the mountain climbing, they just look at me without enthusiasm and shake their heads and say, 'Good luck.'

"The best advice I could give to anyone who wants to be a mountain climber is to get yourself born on a farm, run several miles every day of your life, and live clean." "And," he adds, "there are two don'ts I want to say. Don't take any exercise at any age, light or heavy, without your doctor's approval. And don't do like I do."

SALUTE TO MALAYSIAN INDEPENDENCE

Mr. HARTKE. Mr. President, it is a pleasure to note that Malaysia this week celebrated the anniversary of its independence. Eight years ago, the Federation of Malaya joined the community of nations and in 1963 was transformed into the Federation of Malaysia with the addition of three new states. Though Singapore is no longer with the Federation, it is reassuring to know that the leaders of Malayasia and Singapore have pledged cooperation in matters of mutual interest.

Lodged in that part of the world where national independence is often precarious, where neighbors often prove to be subversive enemies, Malaysia, under the ingenious leadership of Tunku Abdul Rahman, has made great strides in economic, social, and political development.

Eager to encourage economic growth, the government has created an atmosphere conducive to private enterprise and individual initiative. Eager to expand the individual opportunities and enhance the general well-being of all its citizens, massive programs of education and rural development have been undertaken. Eager for its government to be responsive to the interests and needs of all its people, Malaysia has developed a remarkably stable democracy and nurtured an administrative system of excellence matched in few other areas of the world.

Mr. President, Malaysia is a sterling example of the progress that can be made by an independent and dedicated people. I know that many Americans join with me in lauding their achievements and saluting their independence.

SYNAGOGUE COUNCIL OF AMERICA LABOR DAY MESSAGE

Mr. DOUGLAS. Mr. President, Rabbi Seymour J. Cohen, president of the Synagogue Council of America and also spiritual head of the Anshe Emet congregation in Chicago, has written a thoughtful and inspiring Labor Day message. The continued influence of Judaism on our society is interestingly brought to bear on our observance of Labor Day by Rabbi Cohen's comment that in the Jewish tradition the word for work and prayer are synonymous.

This message is of such a nature as to appeal to everyone, Mr. President, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

On Labor Day, 1965, the Synagogue Council of America extends its warm greetings and fraternal blessings to the American labor movement. In this good land, the forces of religion and of labor have worked in close and harmonious cooperation for many decades. Together we share the action and passion of our times. With all people of good will we are committed to building the better society for ourselves and our loved ones.

Judaism, since the dawn of its existence as a faith, has respected the laborer. Some of its greatest masters were humble craftsmen. In the Jewish tradition the word for work and prayer are synonymous. "Great is work," an ancient teacher taught, "for it honors the workman." "We do not consider work as a curse or even as a bitter necessity nor even as a means of making a living," a modern Jewish spokesman said, "we consider labor as a high human function, as the basis of human life." In the Biblical tradition, the first man was not to taste of anything until he had done some work. Only after God commanded him to "till and to tend" the garden (Genesis 2: 15) did He give man permission to eat of its fruit.

The Bible was consciously rejecting the pagan notion that labor was punishment. The ancient Greek word for labor had the double meaning of work and sorrow.

On this Labor Day, we must admit that much of our modern attitude toward leisure is conditioned by this pagan approach to labor. Some workingmen regard labor as a necessary evil and leisure as a relief. Judaism stresses that labor and leisure are part of a divinely ordained plan for the world. God Himself formed the world in 6 days. On the seventh day he ceased from His work and rested. This rhythmic pattern of work and rest, of labor and leisure is part of God's design for living. Leisure should not be regarded as an escape from work but rather as an opportunity to refresh our souls and renew our spirits. Leisure is to work what air is to the life of man. The more air you breathe out the more air you must breathe in.

In our age so filled with tension, when man expends so much emotional energy in his work life, his leisure should be purposeful and his periods of rest creative.

Living in a bountiful land we recognize that despite the high material standards enjoyed by most Americans, there are still pockets of poverty. Millions of Americans are underemployed or unemployed. The rabbis taught that oppressive poverty deprives a man of a proper knowledge of God. Labor, management, and government must harness their efforts to conserve human resources, to spare people from the debilitating effects of unemployment. Every student of labor acknowledges that unemployment does much to harm the worker's emotional health and weakens his faith in himself. Judaism's concern for the underprivileged and the disadvantaged touches at the very heart of man's religious situation. Judaism does not make a fetish out of poverty. It asks that all who are able and willing to work be given a chance to earn their daily bread.

Speaking for a tradition that has placed great emphasis upon education, we urge that all Americans harness our collective power to improve academic, commercial, and vocational training on every level. There are great unmet needs not only in the field of education but in better housing, the renewal of our cities, and the conservation of our countryside. The labor movement must help eradicate the blight of discrimination. The cause of the racially segregated should be the cause of those who only a few decades ago were the underdogs of American society.

In this age where compassion has been sucked out of the soul of man, where brutality and violence are all too prevalent, the labor movement should do its share in helping to humanize our society. All of us must struggle to restore the basic dignity of man in this trying time of depersonalization.

May our Heavenly Father, who made man His own partner in completing creation, give us the strength to build the better society. May our land under His providence be an example to all the world of how men and women join together in enhancing the common welfare.

TRIBUTE TO JUDGE HENRY J. GWIAZDA

Mr. RIBICOFF. Mr. President, President Johnson appointed Probate Judge Henry J. Gwiazda, of New Britain, Conn., as Chairman of the three-member National Selective Service Appeal Board, a panel on which he has served since 1961. Twice the mayor of New Britain, and judge in probate court since 1955, Henry Gwiazda has always been close to the people, involved with their problems and concerned that they meet with justice and fair treatment. I am indeed proud to be his friend, and I congratulate Judge Henry Gwiazda on this new honor.

I ask unanimous consent that an article concerning Judge Gwiazda, which appeared in the Hartford Courant on August 30, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROBATE JUDGE NEW BRITAIN'S GWIAZDE ACTS ON DRAFT APPEALS

(By Milton Berkowitz)

President Johnson reached into New Britain a fortnight ago and picked Probate Judge Henry J. Gwiazda as Chairman of the National Selective Service Appeal Board. Twice mayor of New Britain and a veteran of an armored division in World War II, Gwiazda was named to the three-member board in 1961 by the late President Kennedy. The term of office is "at the will of the President" and the Connecticut man, in this all-important position, is answerable only to the President.

The New Britain probate judge will receive a per diem payment, based on the number of hours and days he is called upon to work.

Other board members are Dr. Kenneth Clement of Cleveland, Ohio and Attorney Charles N. Coulatos of Boston.

SUPREME COURT

As the judge says, "it is the Supreme Court of all selective service appeals."

The National Selective Service Appeal Board does not interview anyone; doesn't see anybody in connection with draft reclassifications. It merely looks over the papers of a registrant and adjudicates if an error has been made, or if the particular case warrants reclassification.

With the Vietnam crisis, and with other trouble spots around the globe, selective service is increasing its draft calls, and, as a result, more men are applying for deferments.

Regularly, at his office in New Britain's courthouse, Gwiazda receives a large, brown envelope containing a batch of important data of people in the 50 States.

The other two members of the board also receive the same information.

CONSIDER EACH CASE

Gwiazda and his colleagues, in their respective offices or homes, give serious consideration to each case and mark their findings in the appropriate space, and affix their signatures.

Returned to the national offices in Washington, if the three men's decision is unanimous, the decision stands. If it is a 2 to 1 vote, the matter is brought up for discussion at the committee's monthly meeting in the Nation's Capital.

"We try to reach a meeting of minds," said Judge Gwiazda, and some of the time the majority prevails.

There are 18 different draft classifications, and throughout the land, in Hawaii and Alaska, and wherever an American lives, requests are made to be placed in various categories.

Religious sects have been in the news during recent wars and times of emergencies, because some of their members believe they should not be required to bear arms.

These are the so-called conscientious objectors. However, there are students and those young men deemed by their employers to be engaged in sensitive work for the defense effort, and there are others who ask for reclassification. From the local boards the appeals are transferred to the State appeal board, and then they are sent to Chairman Gwiazda's national selective service appeal board for the final decision.

WELL SCHOOLED FIGURE

To this delicate national position comes a man well schooled in politics, in the Army, and in probate work.

A New Britain High School graduate and an athlete there, Gwiazda, at 55, is an able, aggressive competitor who has earned the respect of Democratic Party bigwigs and his own community.

His middle name is John, and his last name—Gwiazda—means "star" in Polish.

His star has shone for some years and was especially bright when powerful forces alined against him when he ran twice for mayor, winning both times (he did not seek a third term) and twice when he beat off all opposition, and substantially, for the probate position.

His sworn political enemies in New Britain admit that "Henry's tough," and it's a safe bet that he'll be left alone now to carry on his work in the probate court of the New Britain-Berlin district, said to be one of the best operated courts in the State.

Gwiazda shipped overseas as a private, received a promotion to technician, fifth class, earned several battle stars in Europe with a tank outfit and later was transferred to an information and education division under Frank Kowalski, former Congressman.

JUDGE SINCE 1955

When he returned home, Gwiazda beat the late Republican George A. Quigley in the mayoralty campaign, twice. Later, he won out in a five-way Democratic primary for the probate judgeship, and won the election, and another one after that, going away. He has been probate judge since January 1955.

Gwiazda remains active in the New Britain community. He is a leader among Polish-American citizens, has held many offices and has performed much civic work. He is interested in scholarships for needy youths and is now a delegate from the sixth district to the Constitutional Convention and is cochairman of the judicial committee on resolutions of the convention.

"Somewhere, sometimes, somehow," says Judge Gwiazda, "every man, woman, and child living in our probate district will find their way into a probate court."

Not only does the probate court oversee wills and estates but, in its business, it covers many other things, like adoptions, marriage waivers, guardianships, alcoholic commitments, and the court is contacted by those struck by the ravages of time—elderly who cannot take care of themselves; conservators.

It is a sensitive post, to say the least, particularly when families are torn asunder by money matters at death, and intimate family secrets are bared before the judge.

"It is in cases like these that one sees the finest in a human being," says the judge.

He is one who claims that the office of probate judge should be an elective one "all the time."

CLOSENESS TO PEOPLE

The reason for this, he claims, is the court's "closeness to the people, its intimate dealings with them, its directness and the eventual decisions reached by the court which can change a person's, or family's course of life."

Judge Gwiazda is married to the former Emily Cieszynski, and they have two sons. Henry J. Gwiazda II is teaching English with the Peace Corps in Hyderabad, India, and Ronald E. Gwiazda is entering his junior year at Wesleyan University.

That is Henry J. Gwiazda, the headman of the National Selective Service Appeals Board, answerable only to the President, whose business these days is increasing by leaps and bounds.

BIG BROTHER: EXTENT OF WIRETAP

Mr. LONG of Missouri. Mr. President, the Subcommittee on Administrative Practice and Procedure has received much conflicting evidence as to the extent of wiretapping and eavesdropping throughout the country. There is much "homework" yet to be done.

Meanwhile, a most interesting article on this subject has come to my attention. It is in the July 1965 edition of Law and Order and is written by Mr. William Shaw.

I ask unanimous consent that this article, entitled "An Introduction to Law Enforcement: Electronics and Communications," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Law and Order, July 1965]

An Introduction to Law Enforcement: Electronics and Communications

(By William Shaw)

In the strictest sense of the word surveillance is defined as the action of watching over or close watch. Today a new term, sound surveillance, is becoming popular and though there is no dictionary definition it might be listed as listening over or close listening. For the sake of everyday language it is better defined as "electronic eavesdropping."

To introduce this topic as a new and completely mysterious subject to the reader would be an affront to his intelligence. For what American man, woman, or child could not describe in great detail some portion of a movie or TV program in which a hidden microphone is supplying to an agent in the next apartment all the words being spoken by some unsuspecting group of people.

It is the purpose of this month's column first to delve into the major areas in which electronic eavesdropping is employed. Included are the results of a survey, limited in scope but comprehensive enough to indicate a realistic picture of electronic snooping.

Section (b) of part IV will describe the basic hardware used by eavesdroppers. In addition the devices employed to defeat snooping devices will be explored.

THE WIDESPREAD USE OF ELECTRONIC EAVESDROPPING—FACT OR FANCY?

Magazines, newspapers, and Sunday supplements all find the subject of electronic eavesdropping stimulating enough, and set aside space for some inside revealing account on how your privacy is being invaded. From a professional point of view, it would be highly desirable to sort out fact from fiction. I would like to point out as quickly as possible that I do not have any unique sources of information that would make me the authority on the subject. I believe, however, that I can offer certain facts which can be blended with some educated guesses and finally tempered with technical information that can produce a reasonably accurate picture of the art of eavesdropping.

Some writers and columnists would have their reading public believe that nothing they say goes unmonitored. These writers will tell you that your office phone is tapped, that the washrooms are bugged, that your boss has a hidden recorder in his desk. Continuing on, they will warn you that whenever you talk to anyone about legal matters or the sale of property, don't let the fact that you are standing out on the sidewalk make you feel your conversation is completely private. For they will tell you that the other party might very possibly be equipped with a transistorized battery-operated tape recorder or a miniature transmitter which is picking up every word you say.

The big question mark about electronic eavesdropping is not can it be done, but to what degree is this technique being used. Eavesdropping devices are not only feasible but are commercially available, thus any of the snooping techniques described by writers has no doubt been tried out. But on what scale? This is the important question that must be answered before the panic button is pressed.

To gather some factual information, I not only contacted some close associates who are connected with industrial and commercial security departments but also law enforcement officials in several States.

In an attempt to get uniform replies from the security groups and the law enforcement officials, I prepared standard forms. The form supplied those associated with plant or office security contained a request for the following:

1. Total number of organizations reviewed along with the type of business (industrial, laboratory, business office) along with the number of people employed by each.
2. If electronic snooping was employed, what devices were used: telephone taps, hidden microphones, radio transmitters, etc., and the reason why these devices were used; detecting security leaks, as a means of solving material theft, spying on union meetings, countermeasures, etc.
3. Obtain opinions from those responsible for security as to the value of eavesdropping and the feelings their management hold about employing these snooping devices.
4. In large type I indicated that no names or places were to be included and that all information must be typewritten.
5. Finally the forms were to be returned in the self-addressed envelope supplied.

The reasons for complete dissociation with the interviewed, the interviewer, and myself were numerous. The most obvious of these was that it was hoped that more detailed and accurate information could be obtained if the supplier was assured his name and organization would not be placed on some master file. Also for my own peace of mind, as I then could not be considered a source of inside information.

The form supplied the law enforcement officials was somewhat different, containing the following:

1. Had they ever employed electronic snooping devices of any kind? If so, what type? Did they own this equipment, borrow it or rent it?
2. Had they ever hired a specialist to do a snooping job?
3. How frequently did they employ snooping devices, and what value did they place on it?
4. Supply any additional information that would be useful.

The same notice appeared on this form, no names or places and use the self-addressed envelope supplied with the form.

TABULATION OF THE SURVEY

It took slightly over 4 months to retrieve all the forms. A total of 106 industrial, laboratory, and business office organizations were interviewed by my associates. Of the 106, 19 refused to supply any information whatsoever, but strangely enough practically all of these uncooperative people indicated they would like to see the result of the survey.

Of the 87 companies that responded, 55 were industrial, 14 were large retail stores, 11 were laboratories, 7 were business offices. A fairly good spread was obtained with respect to number of employees engaged; the largest had 3,400, the smallest just under 200.

I was disappointed at the response from law enforcement groups. Only 42 out of 93 contacted were willing to answer the questions. While disappointed, I was not too surprised at the poor return. The reason probably was many departments know that electronic snooping is a touchy subject and to admit to it, even in the strictest confidence, could be potentially embarrassing.

Of the 42 departments, 7 belonged to cities of over 150,000, 12 belonged to cities of over 75,000, 23 belonged to towns over 20,000.

THE RESULTS OF THE SURVEY

First, let me point out that this was a limited survey conducted on a voluntary basis by associates who were kind enough to go out of their way to gather the information I requested. On the good side of the ledger, however, is the fact that this was a random sample, small but random. Mathematicians who specialize in probability and statistics will tell you that even a small, truly random sample can be meaningful.

Second, it should be kept in mind that there is no way to verify these results as I had to depend completely on the integrity of the interviewers and the honesty of those interviewed.

DATA FROM THE SECURITY ORGANIZATIONS

Of the 55 industrial organizations, only 9 admitted they had employed eavesdropping techniques. Of the nine, six said they had means to monitor selected groups of telephone extensions but indicated this was not a full-time operation. Three organizations indicated they had employed wiretapping and hidden microphones in washrooms and lounge areas. One of these three said they had tried out a miniature radio transmitter in a conference room.

Of the 14 retail stores, 9 indicated they had employed hidden microphones in washrooms and dressing rooms. Only four of this group said that they had the equipment operating on a regular basis. Not one store would admit to the use of wiretapping.

Laboratory groups were the least informative. Only 3 of the 11 admitted the use of electronic snooping equipment. However, all three indicated they use telephone monitoring, hidden microphones and "other devices."

The business office groups contacted did not have security departments in the strictest sense of the word, but rather building superintendents. The people holding this title were responsible for the overall handling of the premises, maintenance, supplies, and security, for whatever the word might mean. Of the seven business offices, two said they had employed telephone monitoring on a part-time basis. Three of the remaining seven indicated that while they did not have nor did they intend to employ any form of snooping devices, they had sort of leaked out to their employees that such devices were being used.

Up to this point the survey indicates that while electronic snooping is employed by all the various groups included, it seems to suggest a limited use. In addition, you will note that with the exception of the one radio transmitter used for a test and the statement "other devices" by the laboratory group, only the well-known and time-honored techniques of wire taps and hidden microphones are employed.

REASONS FOR USING ELECTRONIC SNOOPING

To understand why eavesdropping devices are employed will give the reader some insight into the area of actual value. This is extremely important because the value of anything that costs in manpower, time, and money must be measured against the return it will bring.

1. Telephone monitoring, the survey indicated, was employed for the following reasons: (a) to get an idea how much of the telephone usage was for company business and how much was personal; (b) to gather information as to what opinions of the company the employees might be passing on to outsiders; (c) to discover if any employees were passing on trade secrets to competitors.

The survey did not contain any reports that telephone taps were used to spy on union activities.

2. Hidden microphones, the survey indicated, had a wide variety of uses: (a) to collect data on the number of people loitering in washrooms during working hours; (b) to gather information about the opinions employees had about supervision and management; (c) to listen in on the way stockroom personnel handled material orders; (d) to find out how sales people talked to customers and customer reaction; (e) in only one case did the survey indicate that a hidden mike was set up in a conference room for the purpose of recording the proceedings of a meeting with members of a competitive company.

OPINIONS ON THE VALUE OF ELECTRONIC SNOOPING

In this area the survey moves away from the collection of statistics to what a person thinks. While this is very useful information, no precise value can be placed on the statements recorded. Once again, however, this random sample type of arrangement can supply a down-to-earth picture of what many people believe is the eavesdropping art. Note that I have carefully avoided injecting my own opinions into the survey as this will be done after this section has been completed.

(a) The majority of security chiefs have indicated that the value of listening in on employee telephone conversations without any specific or urgent reason is of questionable value. They indicate that in the majority of cases upper management makes the request for it. Seldom do security people suggest it.

(b) Security people feel that spying just for the sake of spying can cause more trouble than it is worth.

(c) Those security people employed by firms engaged in Government work or experimental commercial work do feel that there is worth to monitoring selected extensions. The basic reason is not to catch people stealing secrets but rather to determine how loose security procedures are.

(d) The general consensus on the value of telephone monitoring with respect to catching employees in the process of committing dishonest acts was lukewarm.

(e) The hidden microphone application in washrooms and lounge areas is considered a low blow by most security chiefs. A few, however, thought that the information obtained supplied the snooper with more entertainment than company value.

(f) The use of hidden microphones at sales desks was not considered a security operation by most but rather a sales force efficiency check and customer reaction arrangement.

(g) The majority of the interviewed indicated that they did not understand the mechanics of electrons snooping but they felt it was their responsibility to learn as much about it as possible.

(h) Security chiefs in plants doing work for the Government felt that not only did they want to learn more about snooping techniques and the hardware employed but the countermeasures used to defeat these devices.

SUMMATION OF THE SECURITY CHIEF'S SURVEY

Nowhere can you find the application of some exotic device to accomplish some adventurous assignment. But let's be realistic. One, I will be the first to admit that the sample was extremely small; two, to obtain a large, accurate sample a large staff of full-time interviewers would have had to be recruited; three, not only would the large volume of data have been difficult to assemble but there is no way to be sure that it would have been any more informative; four, there are no doubt security groups within the portion of the "refused to answer" section who would not reveal under any circumstances what they are doing.

Now, the widespread use of electronic eavesdropping, fact or fancy? It is my opinion that there is far less electronic snooping that many of the "exposé writers" would have you believe. My reasons for saying this, I believe, are basic. Hardheaded businessmen must see an end result of a monetary gain of some kind before they will invest in equipment, installation, and manpower costs for electronic snooping. People in top management must also consider the company image, for labor-management relationships can become quite strained if the employees suspect they are being spied upon. On the other hand, to brush off the subject of electronic snooping as nonexistent would be naive.

The writer who screams out warnings about the invasion of privacy can present some factual and logical arguments to support his claims. It is a matter of record that the Federal Communications Commission has detected and caught people using miniature radio transmitters for the purpose of snooping. Further, there are documented court cases where illegal wiretapping evidence has caused an uproar.

The extremely important factor that makes accurate evaluation of this topic difficult is the current availability and low cost of the devices used in electronic snooping. For example, battery operated, transistorized, miniature tape recorders can be purchased for as low as $15. If one shops around a reasonable good unit with excellent voice quality reproduction can be had for $50. Fancy rigs with all kinds of features can be bought for about $200. Subminiature microphones cost as little as $2, a miniature 3-stage audio amplifier costs less than $5. Countless tinkerers and hobbyists can build a simple but effective hidden microphone system for under $15. Miniature radio transmitters, about the size of a pack of cigarettes, which can transmit up to 200 feet, can be bought for as low as $39.50. Hobbyist magazines supply detailed plans on how to build long-range sound pickups (price of parts less than $30). Admittedly, these devices are not capable of professional results but they can handle the basic jobs in snooping. In the second section of electronic eavesdropping, I will describe the hardware in reasonable detail. In essence, the widespread availability of electronic devices that can be employed to snoop coupled with the low cost of these units makes the art of eavesdropping available to one and all. So, is it any wonder that a person with imagination could dream up a tremendous number of situations where these devices might be used? Who could prove him wrong?

DATA FROM LAW ENFORCEMENT AGENCIES

As mentioned in the section "Tabulation of the Survey," only 42 of the 93 law enforcement contacts were willing to fill out the forms. Of the 42 departments, responding, 34 indicated that they had employed wire tapping occasionally. Twelve departments indicated they found the technique useful enough to use it whenever possible.

Only 15 departments indicated that they had ever employed hidden microphones on cases. Six departments said they owned brief case type kits consisting of wiretap equipment, microphones, amplifier and battery-operated tape recorders.

All but five departments indicated that the rooms they had set aside for interrogation were wired for sound. However, most said the equipment was seldom used.

Not one department said they have ever employed or owned a miniature wireless microphone. (More on this later.)

As you can see, this portion of the survey is pretty thin, but notice the similarity between the security and law enforcement sections. Both indicated a limited use of snooping equipment. Telephone monitoring was the major source of information.

REASONS FOR USING ELECTRONIC SNOOPING

1. The primary use of the telephone monitor (wiretap) as indicated by the survey was to help solve a case, not as a means to get tape-recorded information for court purposes.

2. The hidden microphone and recorder were listed as a means to get the accused to admit to his or her crimes. An equally important application was to aid in obtaining information that would help to solve the case.

OPINIONS ON THE VALUE OF ELECTRONIC SNOOPING

(a) The majority of the departments that employed wiretapping techniques indicated that only a small percentage of their cases were of such a nature that telephone monitoring was practical; that the time and effort required to set up the tap before the situation changed was in most cases too great.

(b) Most law enforcement officials felt that wiretap and hidden mike equipment should be part of a department's kit of tools but they also felt that it has limited use.

(c) Several departments indicated that they had seen and heard the wireless mike demonstrated but not one would comment on its usefulness.

(d) One department head supplied a detailed list of electronic devices that were available to him through a civic-minded hobbyist. His report indicated that he was quite knowledgeable in the subject, but it was devoid of any application notes.

SUMMATION OF LAW ENFORCEMENT SURVEY

As you can see, this part of the survey was even less informative than the security section. It does, however, in my opinion, indicate that wiretapping and hiding microphones in various locations are not as widespread as some people would have you believe. This becomes obvious when you run down the list of crimes that an average department comes into contact with each week.

I had made comment earlier that I would discuss the reason why little or no information was obtained on the miniature radio transmitter, more commonly referred to as the wireless mike. Most law enforcement officials, as well as security chiefs, know that the Federal Communications Commission in its rules and regulations spells out what is and is not permitted with respect to low-power radio transmitters. Simply stated, all types of electronic snooping that depend on the use of a radio transmitter are illegal. (See "Federal Communications Commission Rule Changes Affecting Law Enforcement Agencies," "Law and Order," September 1964.)

THE PROFESSIONAL SNOOPER

The professional eavesdropper is a highly skilled specialist whose knowledge and complex array of technical equipment is for hire. He is well acquainted with sound systems, electronics and telephone equipment. He is not to be confused with the small-time private investigator who plants microphones under the beds of unsuspecting lovers. This type of operation is not only beneath his dignity but does not have the monetary return necessary to interest him.

The true professional is as adept at countermeasures as he is at snooping. Probably the most instructive material that could be published on electronic eavesdropping would be to pit one specialist against the other and record the efforts of each.

URBAN RENEWAL—CONSTITUTION PLAZA—IN HARTFORD, CONN.

Mr. DODD. Mr. President, the current issue of Look magazine which is being released nationally today contains an interesting and very favorable article on renewal in Hartford, Conn.

The article is entitled "One City's Answer to Downtown Decay" and starts out as follows:

> Grass isn't growing in the streets of Hartford, Conn., but plenty of it grows high above them. Constitution Plaza, a great platform built above the traffic, raises city renewal to a new level.

Constitution Plaza does raise the restoration and rebuilding of downtown areas to a new level.

> It is a magnificent section of Hartford, so overwhelmingly right in so many ways that a visitor might easily miss its most vital quality—its significance to the future of every city in the land.

The successful construction of Constitution Plaza has encouraged other efforts to build new structures and add to existing ones in downtown Hartford, commercial, residential, cultural, and educational.

The rehabilitation of Hartford is well advanced and it is a source of pride to me that the capital city of my State is setting such a fine example to other, often larger, cities throughout the country.

It is a shining example of what enlightened private enterprise and enlightened leadership by local officials can accomplish.

I ask unanimous consent to have printed in the Record, at the conclusion of my remarks, the article entitled, "One City's Answer to Downtown Decay."

I only wish that I could also have printed in the Record the Look photos of the renewal area, with its fountains, plantings, and examples of superb architecture.

But this cannot be done, so I would suggest to my colleagues and to everyone else who is seriously interested in constructive approaches to downtown renewal that they look at this article or even better visit Hartford to see for themselves what can be accomplished.

There being no objection, the article was ordered to be printed in the Record, as follows:

"One City's Answer to Downtown Decay

Grass isn't growing in the streets of Hartfort, Conn., but plenty of it grows high above them. Constitution Plaza, a great platform built above the traffic, raises city renewal to a new level. In a mutual-benefit plan appropriate to a town famous for insurance, people on foot are safely separated from people in cars. With cars parked conveniently beneath, families are free to stroll among the gardens, shop in the stores, eat at a terrace restaurant and enjoy the fountain, sculpture, open space, and shining architecture. The multiblock plaza has also lifted historic Hartford's formidable civic pride to a new high, triumphantly clearing the way for the return downtown.

Constitution Plaza is so overwhelmingly right in so many ways that a visitor might easily miss its most vital quality—its significance to the future of every city in the land.

The plaza is important because it demonstrates that the central city can be saved if responsible citizens act. First, Gladden W. Baker and Roger Wilkins of the Travelers Insurance Co. picked up the master plan drawn by architect Charles DuBose and invested $40 million to make it a reality. The next big step came when Phoenix Mutual Life Insurance Co. reversed its decision to move away from Hartford and projected its new, ship-shaped headquarters as an extension of the plaza. Constitution Plaza proved to be just the vote of confidence in the city that was needed. Across the street from it, G. Fox & Co., the town's largest retailer, built a $12 million addition. Now under construction nearby is the new high-rise headquarters of Hartford National Bank and Trust Co. A half-dozen blocks away, the Travelers has recently completed a giant computer center. But the spirit of renewal is by no means confined to commercial structures. Bulldozers have cleared the ground for twin apartment towers. Rensselaer Polytechnic Institute is at work on plans for a graduate division downtown. South of the plaza, the Wadsworth Athenaeum, one of the country's finest small museums, is adding a new wing and sculpture court.

Constitution Plaza is also important because it represents a renewal idea of critical value to our congested cities. The platform principle places a number of related buildings on a raised base, connected with service and parking areas underneath. It had a forerunner in New York's Rockefeller Center, with its subsurface pedestrian streets. Today, the platform approach is on the design boards in cities across the country—the Pennsylvania Avenue proposal in Washington, D.C., Philadelphia's Market Street East plan, Seattle's waterfront proposal and San Francisco's Market Street mall. The platform, sorting out people and cars, is no cure-all, but Hartford is a daily demonstration of its worth.

The plaza is important, finally, because it is sufficiently complete to walk through and appreciate. But other downtown projects have not been laggardly. In many centers—Philadelphia, Baltimore, Providence, Boston, Cleveland, Detroit, and St. Louis—the rehabilitation of downtown, though still incomplete, has advanced further than even their own citizens realize. Downtown's new look is beginning to take shape. Factories and warehouses are disappearing. Living, shipping, office, entertainment, and cultural centers are going up on landscaped plazas bounded by great loop highways. In Hartford, the visitor to Constitution Plaza can already see the multileveled cities of tomorrow reflected in its great glass buildings.

MR. HUMPHREY MAKES A GOOD POINT

Mr. RIBICOFF. Mr. President, the Hartford Courant of August 22, in an otherwise excellent editorial, remarked that "once in a while" Vice President Humphrey "makes good sense." I admire this newspaper, but I want to take mild exception to that assertion: I believe that Vice President Humphrey—that vibrant, and articulate statesman—always makes good sense.

He made good sense recently, and the Hartford Courant paid him tribute for it, when he spoke of the necessity for education and training in alleviating the shameful conditions of unemployment which face Negro Americans today.

President Johnson has made it clear that he considers better education central to the achievement of the Great Society. Our able Vice President has echoed this concern of the President, and has done so eloquently and forcefully.

I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Hartford Courant, Aug. 22, 1965]

Humphrey Makes a Good Point

Vice President Humphrey has a well-earned record as a marathon talker, but once in a while he makes good sense. Speaking the other day in Chicago, he pointed out that now that the Negro has legally won his civil rights, new problems must be met. Foremost among these is the need for more and better employment. The unemployment rate among Negroes is constantly a great deal more than among white people. And despite the general rise in employment, this is not reflected in Negro employment.

Behind this sad fact is the more basic one of education. Many of the Negroes who have come out of the South are poorly equipped by education or training to compete in the modern industrial world. Furthermore, this incapacity grows as the standard of skill needed grows higher each year. The basic need, then, says Mr. Humphrey, is to reach the illiterate and semiliterate, the unskilled and the semiskilled, and by intensive training attempt to give him something that can be sold in the labor market.

This lack of education or training is the source of many other ills, including delinquency, dependency on relief, unstable family life, and general hopelessness. If there is one weak spot in the whole antipoverty campaign, it is the fact that training of the untrained has not been sufficiently emphasized. There are many educational programs being launched, but not many of the lowest people on the economic totem pole are being reached.

Every person, black or white, is happier when he has a feeling of worth. It is difficult for most white people to know the feeling of rejection, of being on the very periphery of life, that must be the pervasive force in the lives of the untrained and unskilled Negro. He has been uprooted from a simpler environment, and lives for the most part as a rootless and unproductive unit in a large city. It is not at all strange that strong emotions, including hatred and revenge, rise to the surface. It will not be an easy job, but these people must be trained so that they too can become part of the productive world.

WHY WE ARE IN VIETNAM TODAY

Mr. BREWSTER. Mr. President, during the Korean war, Adlai Stevenson told the story of an American soldier—from Indianapolis, I believe—who explained our Nation's presence in Korea in this way: "Dear Mom, we are fighting today in Korea so that we won't have to fight tomorrow in Indianapolis."

This helps to explain, I believe, why we are in Vietnam today. I believe strongly that the greater number of Americans accept this and support our presence in Vietnam, despite the tragedy of wasted life which war inevitably brings.

I think it is important for the Nation to be reminded often of this fact. I ask unanimous consent to have printed in the RECORD this editorial from the Baltimore News American of August 13.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) News American, Aug. 13, 1965]

KNOWING THE ENEMY

President Johnson is correct in stating that "there is no substantial division in this country * * * and no substantial division in Congress" over his Vietnam policy.

The American people, in fact, would be aghast at anything even resembling a surrender, a pull-out, a sell-out.

There is a deep national consciousness of the meaning of the Vietnam struggle. There is a broad understanding that if aggressive communism is not halted in Vietnam it will have to be faced elsewhere—and possibly closer to home.

This does not imply that there is no dissent in the Nation over Vietnam. There is, and in this free society it would be surprising if there were not.

Such dissent was expressed the other day by protesting marchers who illegally invaded the Capitol grounds in Washington. They were, of course, arrested—with considerable mistreatment on the part of police, as eye-witnessed by a reporter—and their demonstration collapsed.

The marchers included persons of high intellectual attainment, as well as those of the Beatnik and unwashed variety. Can they not realize that the war in Vietnam is being fought precisely to preserve their right to march, to protest, to dissent?

A PROFLIGATE CONGRESS

Mr. CURTIS. Mr. President, the Omaha, Nebr., World-Herald on August 28 published an editorial in which the Congress is taken to task for appropriating more money than some of the executive agencies have required.

We have left ourselves open to this justifiable criticism by one of the Midwest's great newspapers, and I feel it is time that we do something about it.

With increasingly heavy defense requirements and a never-ending series of requests from the administration for funds to finance Great Society programs, it is imperative that we face up to the fact that someday the well will run dry. We must give more attention to fiscal responsibility and abandon the idea that deficit financing is not dangerous. It is dangerous if this country is to remain strong and free.

Much has been said in recent weeks, Mr. President, about having both guns and butter. I believe we have come to the fork in the road where we must make a decision. The national best interest must be given first consideration, and part of that consideration must be the determination to keep the United States solvent. If this country falls apart at the seams financially, the whole free world will suffer along with us.

Last January 19, I introduced again a Senate joint resolution which I have been sponsoring for several years, designed to force an end to deficit spending.

My proposal is Senate Joint Resolution 30. I have been joined as cosponsors by Senators BYRD of Virginia, HRUSKA of Nebraska, THURMOND of South Carolina, and LAUSCHE of Ohio.

Senate Joint Resolution 30 would require that Congress remain in session until provision has been made for a balanced budget during the next fiscal year, and at the same time make a minimum payment of $500 million toward our national debt.

I know, Mr. President, that my colleagues are as concerned as I about maintaining the United States in its present position of strength and freedom. I firmly believe that keeping our country financially sound is a major factor in this. I hope that Senators serving on the Judiciary Committee will heed my plea to bring Senate Joint Resolution 30 to the Senate floor for consideration.

The rank and file of the country's citizens bear by far the greater share of the tax burden, Mr. President. It is in the interest of these millions of Americans that I feel so strongly we must put a brake on spending and start reducing our national debt.

One of our illustrious former colleagues said just a few days ago, in an entirely different connection, that the clock is ticking away. It is ticking away, too, Mr. President, toward the hour that we must make a determined effort to cut back Federal spending and start paying the bill we now are running up for future generations.

I ask unanimous consent that the Omaha World-Herald editorial published August 28, 1965, be inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PROFLIGATE CONGRESS

This is an extraordinarily pliant Congress, as its record has made plain. What Mr. Johnson wants, Mr. Johnson gets.

As for appropriations, Mr. Johnson in fact has been getting more than he asked for in a number of instances.

When the President requested $1,500 million for his antipoverty program, the House increased that figure by $400 million.

When Mr. Johnson asked for a military pay increase averaging about 5 percent, the Congress doubled it.

The White House asked for a little less than $6 billion for public housing; the House voted a little more than $6 billion; the Senate raised the figure to $7,500 million, and the figure finally agreed on was even more, $7,800 million.

Spending for medicare and increased social security was originally set at $6 billion. The House increased this by $200 million. The Senate made the total $7,600 million, and the conference committee cut it back to $6,500 million.

With the Congress acting in such irresponsible fashion, Mr. Johnson was in a position to play the role of a fiscal conservative. And this he might have done quite convincingly if he had announced that the Senators and Representatives were overreaching themselves on spending and that he had no intention of using all the money voted.

But no such word has come from Mr. Johnson, nor is it expected. The associate architects of the Great Society are openly gleeful because Congress has been so generous, and there is no reason to suppose that the chief architect, Mr. Johnson, is desolated by such generosity.

The Tulsa Tribune recently referred to the lawmakers as "a runaway Congress" that doesn't have to balance a budget, and seems to act as if it had a mandate to outspend the biggest spender in White House history, namely Mr. Johnson.

All of which makes for a fine political position for the President, but stores up a lot of inflationary trouble for the rest of the country. It also raises some questions about future Congresses and whether there ever will be a serious effort by the legislative branch to hold down spending.

The American Congress is unusual among legislative bodies in the free world, in that it has the power to increase spending estimates submitted to it by the executive department.

In Britain and the Western European countries, the legislature can grant the amount asked, can cut it, or can refuse to appropriate any funds at all, but the legislature cannot appropriate more than the spenders ask for.

With the present Congress acting so irresponsibly on spending, and with the President permitting such profligacy, it may be time to give some serious thought to a constitutional change that would forbid Congress to vote more money than the President asks.

MRS. AMERICA—UTAH WINS AGAIN

Mr. BENNETT. Mr. President, all of us from Utah have known for years that our mothers are the best in the Nation and that consistently our Utah girls will always be at the top of most beauty and talent contests.

Earlier this year Mrs. Harvey Fletcher of Provo, Utah, was named the 1965 "Mother of the Year." Just 10 years ago another Utahan, also was named "Mother of the Year." I could go on and list Miss America, Miss Universe, and any other number of contest winners down through the years as well.

Now, Utah is honored to have in its ranks Mrs. America for 1965. She is Mrs. Don L.—Alice—Buehner, who won the contest over the last weekend in San Diego, Calif. She is the mother of six lovely children—all who were convinced that their mother was the best long before the judges proved it to the Nation.

The announcement of her victory deserves widespread recognition and I ask unanimous consent that an article by the Salt Lake Tribune's Stephanie Smith interviewing her family after the award be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Salt Lake City Tribune, Aug. 30, 1965]

MRS. AMERICA—OUR "BEST" MOM, U.S. BEST, TOO

(By Stephanie Smith)

"We think she's the best mother in the whole world," Dale Buehner, 10, said Sunday after a phone call from dad telling him that his mother, Mrs. Don L. (Alice) Buehner, had been chosen Mrs. America, Saturday evening.

When Dad relayed the message, Dale said, "I think I'm going to faint."

Seven-year-old Gary, who catches squirrels and chipmunks near home in the Mount Olympus wooded area, said only, "Hey, dad, I've got a new trap."

ONLY GIRL

Lisa, 3 year old, the only girl among the family of six children, said, "Daddy called us because mom was too busy having her picture taken.

"He talked to all of us except Jeff because I hung up. I thought Jeff already had talked to him."

Mrs. Walter (Jeanne) Welti, Mrs. Buehner's mother, said, "I think she deserves the title, but we certainly didn't expect her to win."

WHOLE FAMILY

And the whole Buehner family is convinced their mother is the best, Jeff, 5, reported that the only time she ever became cross was when he hurt someone. "And that isn't very often."

Dale commented that "She isn't grouchy with us, keeps a house neat and is a pretty good cook. Her meatloaf is really good." He added, "She sings and paints a lot, too."

Gary said he watched the contest on television, "But mom was on for just a minute. Dad was on longer."

SWIM LESSONS

"Mom is special," Lisa said, "because she takes me swimming at my friend's all the time. I'm taking swimming lessons, too," she remarked.

The 2-year-old, Bobby, when asked where his mommy was, replied, "She's gone."

The baby of the family, 8-month-old Donnie, went on eating his canned vegetables as if nothing at all had happened.

FOREIGN AID

Mr. BREWSTER. Mr. President, many years ago it became a cliche to say that foreign aid has no constituents—to assert that because the benefits of foreign aid are dissipated beyond our national borders, support for foreign aid appropriations was difficult to justify.

I am one who believes deeply in the justice and the necessity of foreign aid.

I believe our national interest requires this aid—and I believe our national honor demands it. As President Johnson said not long ago, "We did not choose to be the guardian at the gate." No, we did not choose to be the guardian—but history has chosen us. And if we are to live up to the demands of history, we must be willing to apportion a small part of our vast resources so that other nations may be assisted in achieving internal development, military security, and a better life for all.

I was impressed recently by an excellent editorial in the Des Moines Register. I commend to my colleagues, and I ask unanimous consent to insert in the RECORD, this editorial, published Monday, August 23: "Foreign Aid Continued."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Des Moines (Iowa) Register, Aug. 23, 1965]

FOREIGN AID CONTINUED

Differences in Congress over foreign aid usually center around the amount to vote for foreign military and economic assistance. This time President Johnson submitted the lowest request in the history of the foreign aid program—for $3.38 billion—and both houses voted to authorize close to this amount. Nevertheless, the foreign aid bill remained tied up in a bitterly deadlocked House-Senate conference committee for 2 months before agreement was reached last week on a compromise, which was approved Thursday in the House.

The deadlock developed over the Senate's determination to bring about fundamental overhaul of the foreign aid program. The Senate sought to achieve this by authorizing foreign aid funds for a 2-year period but stipulating that aid under the program should terminate as of June 30, 1967. The President was directed by the Senate in the interim to bring in plans by July 1, 1966, for a new program in accordance with guidelines contained in the Senate authorization bill. Provision was also made for a 16-member "Foreign Aid Planning Committee," to be made up mostly of Congressmen, to advise and assist the President and to make its own report by January 3, 1967.

The House conferees objected to the 2-year authorization, terminating the existing program and requiring the proposed studies. Senate Members gave up the 2-month battle after extracting a face-saving compromise in which the President was merely urged "to inaugurate a review of the aid program as presently constituted."

The Senate-passed authorization measure would have required the President to submit proposals for separating economic and military aid programs and providing for administration of nonmilitary assistance under a single agency. This would have constituted a valuable reform.

But more harm than good could well have come from the Senate's insistence that the entire aid program be scrapped and started over afresh. One of the major weaknesses of the foreign aid program has been the instability and uncertainty caused by the succession of overhauls and reorganizations inflicted by Congress on the administering agency.

The authorization measure must still clear the Senate, and bills providing the actual appropriations have to be acted on by both Houses. But the major hurdles have been cleared, providing assurance that the United States again fully intends to honor the foreign economic and military assistance commitments it has been responsibly assuming since the end of World War II in the interest of world peace and economic progress.

JAMES V. BENNETT, FORMER DIRECTOR OF BUREAU OF PRISONS, SUPPORTS BILL TO COMPENSATE VICTIMS OF CRIMES

Mr. YARBOROUGH. Mr. President, one of the great public servants which this country has had during this generation is James V. Bennett. For 27 years he served as Director of the U.S. Bureau of Prisons. In his years of service in this post, prisoners, lawyers, Representatives, Senators, judges, and just plain citizens grew to admire and respect this man for his compassion and firm will.

Last August, when he retired, speeches in his praise echoed both in this Chamber and the House. Many of us felt that his retirement would mean that the country would, henceforth, be deprived of his counsel, advice, and wisdom; but, fortunately, he is still concerning himself with problems and issues at the very forefront of criminal law.

The other day, I was greatly pleased to receive a letter from him, congratulating me on my introduction of a bill to compensate the victims of violent crimes. He has even gone so far as to offer to appear at hearings on the bill when they are held. I can think of few men either in the United States or in the world at large who would be more qualified to testify on such a plan. I hope that such hearings are held soon and I look forward to hearing Mr. Bennett's testimony.

I ask unanimous consent to have Mr. Bennett's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
BUREAU OF PRISONS,
Washington, July 14, 1965.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I was delighted at the introduction of your bill to compensate the victims of certain crimes. It is a proposal that has been discussed frequently here, in the United Nations meetings on crime and delinquency, and at a number of judicial conferences during my tenure as Director of the U.S. Bureau of Prisons. It has also been discussed from time to time by the section on criminal law of the American Bar Association, on which I have served as an officer for a good many years. I am sure you are also aware that Justice Goldberg has propounded the idea.

I am confident that the introduction of your bill will crystallize the tremendous support that I know exists for it. In the event hearings are scheduled, I would like very much to appear. The bill is well drafted, but I may have some further suggestions as to details.

With kind personal regards.

Sincerely,

JAMES V. BENNETT.
Consultant.

THE FREEDOM ACADEMY IS NEEDED

Mr. MUNDT. Mr. President, from far and near across the land, there is a rising crescendo of support for enactment of the so-called Freedom Academy bill, once passed by the Senate, and recently unanimously approved by the appropriate legislative committee of the House. All that now delays House action is the need to get a rule from the House Rules Committee which will clear the legislation for action on the House floor.

Recently, Henry Mayers, chairman of the Cold War Council, headquartered at 2301 West Third Street, Los Angeles, Calif., was interviewed on station KNBC–TV of Los Angeles on the needs and the proposed programs of a freedom academy. I ask unanimous consent that this interview appear at this point in the RECORD as a part of my remarks.

There being no objection, the text of the interview was ordered to be printed in the Record, as follows:

THE FREEDOM ACADEMY

(TV interview with Henry Mayers (excerpts from transcript), station KNBC, Los Angeles)

Bob Wright. With us here in the studio is the man who founded the Cold War Council and is now its chairman. Henry Mayers is a Los Angeles advertising executive. He was named advertising man of the year for 1957 by the Western States Advertising Agencies Association. During the next half hour, we will question him closely on the merits of this new organization. Joining me in the questioning will be KRCA reporters Bill Brandt and Bob Brackett. We'll begin the questioning with Mr. Brackett.

Question. Mr. Mayers, would you give us some background on the Cold War Council? What's its primary purpose?

Answer. The council is a group of citizens in communications industries. We are primarily concerned with the fact that the nonmilitary activities of Communists around the world represent as great a threat to our security and our survival as the military capacity of the Soviet Union. In the military area we have a $55 billion defense budget that is insurance against military aggressions by the Communists in the free world. We need comparable insurance against nonmilitary aggressions in the form of political warfare of the type that enabled the Soviets to put Cuba into the Communist bloc. The free world lacks the capacity to prevent more Cubas. We have yet to develop techniques, strategies, and weapons that can counteract that kind of Communist activity. In political warfare their strategy and weapons are today overwhelmingly superior to ours.

Only when we develop what the Cold War Council calls a freedom offensive to counteract the Kremlin's drive for world domination, will free world nations be assured of security in the nonmilitary area. If we do not develop such capacity, Communist political power may continue to expand throughout the undeveloped world. We may ultimately be faced with no other alternatives than surrender or nuclear war.

Question. Your organization talks a great deal about a freedom academy. Exactly what is this, and what is the status of the project?

Answer. That happens to be the only example of what might be called cold war legislation that is before Congress today. Unfortunately, it has been before Congress for 3 years, and it has been largely neglected, pigeonholed in committees. It is opposed by the State Department, although a Gallup poll revealed that about 4 out of 5 people who have an opinion on it, favor the idea.

Question. I think we might like to examine that. Could you tell us in a very few words what is the freedom academy?

Answer. A freedom academy is to be set up by a Commission, under the freedom commission bill. It calls for a six-man Commission of three Democrats and three Republicans, structurally very much like the Atomic Energy Commission. While they develop atomic power, this commission would seek to develop our capacity for nonmilitary warfare in all phases. It would conduct research and it would establish an academy for training American citizens who work overseas, and also citizens of other free world nations. That, in its essence, is the purpose of the freedom commission bill.

Question. Well, can't all of this be done through existing agencies like the USIA and the Foreign Service School, and the State Department?

Answer. The freedom commission bill was introduced because, despite the need, nothing like that has been done. There has been no coordinated effort and integrated study of the kind that bill recommends. The existing agencies you mention do not believe that there is necessity for it.

Question. Who would formulate the program that would be taught in the school? What sort of people would you get on your faculty, as it were, of this freedom academy?

Answer. All over the free world there are people, mostly outside of government, who devote full time to the problems of the cold war. They are very dedicated and very clear in their basic concepts as to what must be done to counteract Communist political warfare. The problem, in our country, is not finding people or knowing what they would teach, but having the will to take the waging of propaganda and political warfare as seriously as the Communists do.

Question. Let me ask you specifically. Would somebody like Dr. Fred C. Schwarz—who is a self-styled expert in this area, at least—would he be a welcome addition to the faculty of the Freedom Academy if it existed today?

Answer. I doubt it very much. An expert on political warfare must be more than an expert on communism. The men whom I refer to are not identified with any crusading effort. Some are political scientists, some are ex-diplomats, some are ex-military men, some are foreign correspondents. There's one group in the University of Pennsylvania known as the Foreign Policy Research Institute. They write scholarly volumes on the subject, such as "Protracted Conflict," "A Forward Strategy for America," and "The New Frontier of War." These are $5, $6, and $7 books. One of the purposes of the Cold War Council is to try to bring the thoughts of these people down to the grassroots—to put their views in briefer, more digestible form, for the average person to grasp. A Cold War Council booklet that costs us a few cents relays some of the ideas these $6 books contain.

Question. Mr. Mayers, aren't their ideas being used within the present organizations, like the foreign policy school, the Foreign Service School?

Answer. Not their basic theory of the necessity for going on a freedom offensive. That is not being taught, because our present Government doesn't see the danger as we see it. Our policymakers go on the assumption that anything that would embarrass the Soviets or put them in a bad light would be regarded as provocative and increase tensions and make negotiations more difficult. This is what the Soviets love to have them think. We think just the opposite.

Question. Are you saying, then, that the Government has a "no win" policy?

Answer. That's a rather oversimplified statement. What the world needs is a "no win" policy on the part of the Soviet Union. Our policy should be to try to force such a development within the Soviet Union, by actively cultivating opinion behind the Iron Curtain. There are tensions there, too. There are the Soviet youth, the scientists and the manager group—they're not necessarily out for world domination, the way the present Kremlin leadership is.

Question. Isn't there built into this sort of a notion, a terrible chance that rather than embarrass the Soviets, we'd embarrass our own Government by having State go in one direction and this new superagency going in another direction in these countries?

Answer. The concept that political warfare is not necessarily the business of diplomats is basic to the position of the Cold War Council. The State Department hasn't built-in authority, under our Constitution to make foreign policy. Only the President has that authority. He decides what he wants the State Department to do, to carry out that policy. If the President chooses to set up another organization like a Freedom Commission or a strategy board, there's nothing that necessarily involves any conflict. As a matter of fact, there are White House advisers right now who would in a sense be encroaching on the State Department's area, if that were their exclusive area. That's the big issue. We feel that diplomats are not necessarily conflict managers.

Question. In a sense, since the Soviets don't admit their underhanded propaganda, so to speak—if we would have a person on the President's staff, wouldn't this be in a sense admitting that we were doing propaganda?

Answer. By all means, we should admit it. One of our inhibitions is fear of the word "propaganda," because it can only mean lies or underhanded activity. This is a mistake. We're talking about political communication. You can use any words you want. But the truth has to be presented about the nature and the objectives of the United States, and about the fact that we are the only legitimate revolution in history. We must also tell the truth about the nature of the enemy. Bobby Kennedy came back convinced by that. He saw that we must do more than just talk about ourselves. We must talk about the threat those people are facing, when they believe Communist promises.

Question. Is it possible to sell freedom?

Answer. I don't think you should sell anything but the self-interest of the people whom we are addressing. That's where the Communists are very clever. They identify themselves with the self-interest of the people. Of course, they deceive them. They promise the laboring groups better conditions, and once they get in control, those people are slaves of the state. They promise the farmers more land, but once they get in control, the state takes over the land. So it's the deceptions that must be brought out, so that the Communists do not get away with the claim that they are the wave of the future, when they're really nothing but the wave of a return to feudalism under state capitalism.

Question. I'd like to follow the question Mr. Brandt raised a few minutes ago, about embarrassing our Government. If we might take a specific. Suppose we launched the program you're describing, to try to capitalize on the unrest in Communist China. Suppose that due to that program and the current food shortage, the revolution did start in China. Wouldn't the U.S. Government face quite a dilemma? If it went in to support the revolution, it might lead to a nuclear war. If it didn't do anything, as with Hungary, we'd get an even bigger black eye.

Answer. We could no nothing more foolish than to create another Hungary anywhere. But the idea that you arbitrarily barge in and try to create revolution is not the concept of nonmilitary warfare. There are antiregime groups in all of these countries to be guided in nonviolent channels. If we had been really alert to the proper cultivation of such anti-Communist forces behind the Iron Curtain, we might have prevented the unnecessary slaughter of a Hungary. But we were not in contact with that leadership. In every one of these satellite countries there are divisions, there are tensions, there is the capacity to force concessions from a government that is not serving the interests of the people.

Political warfare is a more sophisticated form of warfare than military action or civil revolt. It can slowly weaken a regime. There are tremendous conflicts between the people of Russia and the Kremlin, too. Our concern is to cultivate the potential opposition. We are fighting the Kremlin, not the Russian people. We think they're on our side, and that it's just an accident that communism and Leninism took hold of Russia.

Question. How do these trained agents of the Freedom Academy get that information into Russia? We can't even get our radio broadcasts into Russia.

Answer: That's a misunderstanding. The potential is increasing every day, and it is already very great, to get news and information into Russia. There are organizations such as the American Committee for Liberation, which is continually broadcasting into all of the U.S.S.R. countries from Munich. There is an organization called NTS which is a completely underground one, which has not only mobile radios, but all sorts of methods of bringing literature in by ships, and by other means. The Iron Curtain is not as airtight as you imply. We just haven't got the will to pursue our opportunities. Incidentally, Mr. Sarnoff, being highly skilled in the technical field of broadcasting, developed a number of recommendations such as dropping down very inexpensive receiving sets. There's no communication problem we can't solve, if we have the will to approach it the way we approach military problems.

Question. But do we have the people to do it? This presupposes a large, very skillful, well trained force. Where would these people come from?

Answer. There are quite a few in America, and all over the world there are anti-Communist organizations who are working on these things right now. But they're working under great handicaps, whereas the Communists get their guidance, support and all sorts of aid from Soviet Russia. Most of these anti-Communist groups are utterly without support, especially if they happen to represent what you might call the anti-Communist left, which doesn't happen to be in power in the country.

Now the Soviets don't care who is in power. They not only set up a Communist Party, they get front organizations to carry out their line, regardless. We should do the same. We have to get leaders of the countries telling their people the story. Not the story of the United States, necessarily. This is not a war between the United States and Soviet Russia, or conflict of two systems of society, a concept which the Soviets would love to have us believe. This is a conflict between a tremendous totalitarian, imperialistic power and all the people of the world whom they would like to put under state slavery.

Question. Mr. Mayers, if I understand you right, you're saying that we should use some of the methods the Communists are presently using—some of the heavy, underhanded methods.

Answer. There's nothing underhanded about telling the free world, anti-Communist story, or about the methods to be used. The anti-Communist story has to be told by natives of each country to the people of that country. That is one Communist strategy we can adopt. We, too, can subsidize the activities of the newspapers and the radio stations, the authors and the scholars in those countries. I say subsidize in a perfectly legitimate and open sense. There's nothing cloak and dagger about this at all. But we have to make the effort that they do. The best comparison I can make is that we spend about $120 million a year on an information agency and they spend $2 billion a year on all forms of propaganda and political activity. They have 500,000 paid agents around the world doing these things. They will go into a small country where we have an Embassy of maybe 10 or 20 people and they'll have 150 people in the Soviet Embassy. What are they doing? They're not taking care of diplomatic niceties.

Question. Mr. Mayers, most experts in the field express the thought that the Russians fear an atomic war as much as we do. They don't want it any more than we do. Do you think that if we were to launch a propaganda offensive of this kind that this might create an atmosphere where a hot war would be more desirable to them?

Answer. The Cold War Council believes there is greater danger of a hot war in our present policies of inaction in the face of Communist political aggressions. We think that unless we go on the offensive and convince the Kremlin that they cannot win control of Latin America, Africa and Asia and the Near East, they have no reason to abandon their designs for world conquest. The Russian people do fear war. As far as the Kremlin is concerned, our military are pretty well convinced that the Soviets won't make any hasty decision about going to war when we have the capacity of retaliation that we have. The Russian people think that the United States wants to bomb them largely because the Kremlin spends great sums of money propagandizing the Russian people. Propaganda is one of the biggest industries inside Russia, as well as its greatest export.

If they still have to do that, after 40 years, you can imagine how vulnerable they are to a countereffort which doesn't necessarily preach bloody revolution or anything as superficial as that, but that encourages the forces within Russia which are going to change the character of the leadership in the Kremlin, some day. The policies we recommend would accelerate that change.

Question. Isn't it true that the basic battleground you speak of is in the nonwhite areas of the world today? Don't you feel that we have some problems here at home that we ought to cope with?

Answer. I don't think there's any connection between the two. Except, of course, that the Communists will take advantage of any and every one of our injustices and our tensions. They make the most of them and they also invent them, whether there is a basis or not. But they have injustices and discontents and tensions, too, and we have to make the most of their vulnerabilities. If your question means, "Do you think we ought to do nothing until we have solved our race problem in the South," I'd say absolutely no, because that problem may be with us for many years. We are facing a challenge right now which is not a debating society challenge. We can't afford to lose a few more countries in Latin America as we've lost Cuba. We haven't a perfect society and we will not have it a hundred years from now—but that's no reason why we shouldn't defend the society we have, right now.

Question. Mr. Mayers, you've claimed, I believe, that your group is nonpartisan. And yet, isn't it true that you have said that one of the reasons your Freedom Academy bill has not passed Congress is that Senator FULBRIGHT, a liberal Democrat, is opposed to it?

Answer. I haven't said that, although I believe he is opposed to it. There are many reasons why it hasn't passed. I would say it's chiefly because of the lack of interest on the part of the public, or rather, a lack of awareness of its existence.

Question. Wasn't the bill introduced by Senator MUNDT, a conservative Republican?

Answer. It was jointly written by Senator MUNDT, a conservative Republican, and Senator PAUL DOUGLAS, a liberal Democrat. It's sponsored by 12 Senators of both parties, and in the House it was introduced by SYDNEY HERLONG, a Democrat and Walter Judd, a Republican. No, there's nothing partisan about the congressional sponsorship of the Freedom Commission bill. It requires that there be three Republicans and three Democrats on it; it requires that the Commission members be approved by both Houses.

Question. Then there isn't any political group that's holding up this bill in Congress?

Answer. I wouldn't say it's a political group. I would say it's the State Department chiefly. The history of it is that it actually passed the Senate at the end of the 1961 session by a voice vote. It had cleared the Senate Internal Security Subcommittee with a very strong endorsement in which they said it was one of the most important bills ever offered the Senate. It was too late in the session for it to go to the House. Next session it was reintroduced, but Mr. FULBRIGHT asked that it be referred to his committee. That was in February 1961, and it still isn't out of his committee. The reason he gives is that he asked the executive department for their views on it and he couldn't hold hearings until they gave their views. He waited 15 months for the State Department to answer his request. That was 4 months ago.

Question. Would the Cold War Council be concerned exclusively with the external manifestations of communism? You are not interested in the areas that the John Birch Society is, for instance.

Answer. We are concerned only with the external threat and what can be done about it in the field of political communications. The Cold War Council, you know, was founded by citizens engaged in advertising, public relations, and the communications fields.

BOB WRIGHT. "Sorry, time's up."

Mr. MUNDT. Mr. President, in addition to this fine interview, Henry Mayers and his widely recognized Cold War Council have been getting out pamphlets and brochures explaining the purposes of the Freedom Academy and the overall weakness in America's cold war activities because of our continuing failure to tool up our cold war arsenal and effectively to train the necessary personnel to meet the challenges of modern cold war techniques.

Among the rapidly growing list of important American newspapers and magazines which have endorsed the Freedom Academy legislation is the San Diego Union of San Diego, Calif. I ask consent that an editorial from this fine metropolitan paper entitled "Freedom Academy Is Needed" be printed at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WOULD TEACH REDS' TACTICS: FREEDOM ACADEMY IS NEEDED

For 5 years now, House and Senate proposals for the establishment of a Freedom Commission and Freedom Academy have been thwarted in Congress even as the United States continues to suffer hot and cold war defeats at the hands of atheistic communism.

Quite simply stated, what is proposed is a West Point for psychological purposes, an academy to be staffed by experts on communism to teach both Americans and foreigners the techniques of the enemy.

In the forefront opposing the proposal has been our own State Department, with a 20-year history of hot and cold war defeats, telling proponents that Government has agencies equipped to carry out any psychological missions required against the enemy.

In response, we would ask when it is going to begin using them. Russia has 6,000 special schools on espionage, subversion, infiltration, agitation, and propaganda devoted to selling atheistic communism in any way it feels is necessary.

Perhaps the State Department's objections could be better understood if this were a partisan bill, backed by Republicans or conservatives within the Congress. But it has the stamp of approval of both Republicans and Democrats, conservatives and liberals.

Objections raised are all the more startling when weighed in light of the fact that no research or educational institution has been established either inside or out of Government devoted to study in depth of continuing problems raised by Communist techniques.

The Senate approved the proposal on August 31, 1960, the House failed to act, and it has been returned annually to committee ever since. A ray of hope shone through this last spring when new hearings were conducted by Representative EDWIN E. WILLIS, Democrat, of Louisiana, and his subcommittee of the Committee on Un-American Activities.

Part of the blame for delay has been distrust based upon fear that the academy would become either a fortress of militant anti-Communists or, on the other hand, become infiltrated with Communists.

With an elite commission of seven, appointed by the President, subject to ratification by the Senate, such assumptions on both sides of the argument are patently ridiculous. As a part of the executive branch of Government, it would be the commission's job to run the academy along guidelines set by Congress.

Senator KARL MUNDT, Republican, of South Dakota, one of the prime movers, hopes the proposal, advanced in 8 House bills and backed by 11 of his Senate colleagues, will be put to a House vote soon. We couldn't agree more concerning the urgency for action.

FEDERAL RESEARCH AND DEVELOPMENT AND EDUCATION

Mr. RIBICOFF. Mr. President, in view of the increasing concern with the impact of Federal research and development funds on higher education, I believe that many of my colleagues will be interested in the cogent analysis of the problem presented by Mr. Dael Wolfle in his article, "The Support of Science in the United States," which appeared in the July issue of Scientific American.

I ask unanimous consent to have the article printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SUPPORT OF SCIENCE IN THE UNITED STATES

(NOTE.—The sharp and sustained increase in funds has improved research and has benefited the investigator. Nevertheless, serious questions are being raised about the financing of research in universities.)

(By Dael Wolfle)

This year in the United States nearly $21 billion—3.2 percent of the gross national product—will be spent for research and development. Some two-thirds of the funds will be supplied by the Federal Government. "Research and development" includes basic research, applied research and engineering, design and even the development of prototypes; it is a broad category, but it does encompass all forms of scientific research. Not long ago the support of science was primarily the business of the colleges and universities and some voluntary agencies; before World War II the Federal Government's contribution was largely in agricultural research and the work of such agencies as the U.S. Geological Survey and the Naval Observatory. It was not until 1942 that the country's expenditures on science reached $1 billion. A steady growth in the support of science continued through the war and afterward; beginning in 1953 there was a sharp and sustained rise of huge proportions. Since 1953 the country has increased its expenditures for science at an average rate of 13 percent a year. The most striking rise has been in the contribution of the Federal Government, which has grown at a rate of nearly 20 percent a year. Although spending for development is leveling off, appropriations for academic research will continue to increase at about the present rate for some years.

The funds spent for scientific work during the past two decades have provided research opportunities on a scale previously unimagined. All fields of science have benefited from the better equipment, special facilities, greater freedom from constraints and larger number of workers made possible by the increased budgets. The award of Nobel prizes is one measure of the growing strength of basic research in this country; in the 1930's Nobel prizes were awarded to 9 American scientists, in the 1940's to 13 of them and in the 1950's to 27. Meanwhile the economy of the country has gained enormously from the upsurge in technological research and development. In 1953 research and development accounted for 11 percent of all industrial investment; in 1962 research and development absorbed about 25 percent.

The subject is nonetheless surrounded by disquiet. In Congress and in the executive branch, in the universities and learned societies and foundations questions are being raised about the manner in which science is financed. Most of the questions deal not with the adequacy of the national effort but with the effects of the massive Federal contribution on the course of science and in particular on the conduct of basic research in the universities.

Evidence of this concern is found in a rapidly growing list of policy studies and program analyses. The National Academy of Sciences is midway in a series of reports dealing with various aspects of the scientific enterprise. The U.S. Chamber of Commerce has advocated the establishment of a national review body that would decide on major new programs. Two committees of Congress—the House Select Committee on Government Research and the House Subcommittee on Science, Research and Development—have reviewed many aspects of the Federal program, and their reports have become valuable sources of detailed information. Moreover, Congress has begun to insist that executive agencies prepare special reports on certain areas of investigation such as oceanography so that the Federal effort can be examined as a whole instead of in its budgetary and departmental fragments. The White House Office of Science and Technology has appointed a blue-ribbon committee of industrial, scientific, and educational leaders to review the policies and programs of the National Institutes of Health. The Bureau of the Budget has taken the lead in reexamining the administrative practices of the Federal agencies that support basic research. The National Science Foundation has reorganized and strengthened its staff sections responsible for studies of scientific policy, planning and resources. "Science policy" has become the topic of a number of university seminars and analyses.

All this ferment of analysis and reexamination makes it clear that major changes in policies governing the support of science are underway or in the offing. These analyses have also served to provide reassurance that many of the past policies and practices are sound and should be continued. The magnificent achievements of recent decades are evidence that the support system has been a fundamentally healthy one.

Support for research and development comes from many sources; some contribute only a few dollars, others billions. Some 300 firms provide 80 percent of the industrial money that goes into research and development; another 13,000 firms provide the remainder. Some 200 private foundations grant significant amounts to science and medicine. Universities and many colleges provide research talent, laboratories and financial help. A number of private research institutions finance their own investigations. State and local governments conduct a variety of research programs. Four agencies are responsible for 95 percent of the Federal funds: the Department of Defense, the National Aeronautics and Space Administration, the Atomic Energy Commission, and the Department of Health, Education, and Welfare. In addition to these giants there are another four agencies that account for 4 percent of the Federal total: the Department of Agriculture, the National Science Foundation, the Department of the Interior, and the Federal Aviation Agency. The remaining 1 percent of Federal research and development funds is spent by 21 agencies.

In the 12 years from 1953 to 1965 every major source of research and development funds increased its support substantially. Federal funds are five times what they were in 1963. Industrial support has tripled, and the universities have done almost as well. The other nonprofit institutions are contributing six times their 1953 amount.

Just as the amounts of money supplied by these four sectors vary greatly, so do the amounts they use. The Federal Government supplies two-thirds of the funds, but Federal laboratories carry out less than 15 percent of the work. Industry contributes a third of the funds but conducts three-fourths of all the work (mostly with Federal funds). The colleges and universties provide about a tenth of the funds, and the other nonprofit institutions about a fortieth. (The universities' contribution is underrepresented in the financial reports, perhaps by several hundred million dollars a year; they provide substantial additional support, in the form of laboratory facilities and faculty time, that is not budgeted explicitly for research.)

From 1953 until 1960 about 8 percent of the Nation's research and development budget was devoted to basic research. The percentage has been rising since 1960, reaching almost 12 percent in 1965. As for the Federal Government's funds, in 1953 less than 7 percent went for basic research. The figure has been rising since 1960, to about 11 percent in 1965. The universities are relatively much more prominent in basic research than in the total research and development effort, being responsible for almost half of all basic research. In contrast the industrial laboratories, which dominate in development activity, conduct only about a fourth of the basic research.

Development activity is directly associated with identifiable industrial, economic, military, or other practical objectives. Its cost and the cost of any associated research are therefore justified and budgeted in terms of its expected contribution to the attainment of specific objectives. In the case of basic research the situation is quite different. The ultimate beneficiaries of basic research are many, but they are hard to identify in advance. As a result the cost of basic research tends to be shared widely. Some basic research of notable quality is done in industrial laboratories, but most of it is conducted in universities with support from public funds. In some cases this public support involves Congress directly in decisions on priorities. Modern basic research sometimes calls for large-scale facilities such as particle accelerators, oceanographic research vessels and astronomical observatories. Such big science enterprises are so expensive that they must be considered individually at top Government levels, where the cost and promise of each can be compared with those of other claimants for available funds.

On the other hand, little science typically the work of a university faculty member and his assistants and advanced students, will continue to be budgeted on an a priori basis and to be supported by means of a large number of project grants. Little science, the principal subject of the remainder of this article, is an area of central concern to science as a whole, not least because it involves the education of future scientists. It is the kind of science that is most characteristic to academic research and hence is most often involved in Government-university relations. It is also the area in which those relations are most likely to change.

Sustained scientific work of high quality requires the effective union of three elements: a self-renewing population of able scientists; appropriate research facilities with the necessary supporting structure for institutional management; a source of money. In a few well-endowed research institutions all three elements are happily present in an almost totally self-contained and self-supporting organization. Such unity, however, is rare. More commonly under present conditions there is a scientific staff, a university with multiple obligations, and an external source of funds. All three sides of this triangle are interested in science, but their interests differ in detail; tensions arise and compromises become essential. The scientist must serve three masters: the internal logic and the opportunities of his own discipline, the policies and requirements of his institution, and the customs and wishes of his financial supporter. The university must meet the demands of science, of its many other endeavors and of the agencies that provide support. The Government agencies have an equally complex problem: in supporting a large number of individual scientific projects they must also consider the general welfare of the universities and be mindful of the wishes of Congress and the public it represents.

One useful change in the interrelations of scientists, universities and Federal agencies would be the simplification and standardization of what has grown to be a maze of rules and regulations governing fiscal and administrative details and reports. The complexity of grant administration was summarized last year by the House Select Committee on Government Research: "One of the ironies of the research grant is that while it is sometimes itself a simple one-page (if not a one-paragraph) document, it is accompanied by a bulky manual of instructions, explanations, and amendments. For example, although the NIH (National Institutes of Health) grant form is a one-page instrument, it incorporates by reference the NIH grant manual, which runs to more than 100 pages."

The National Institutes of Health manual of course explains only NIH procedures and requirements; other agencies have adopted different rules and procedures. Congress has sometimes added to the confusion by setting arbitrary limits on the amounts that some agencies can pay to reimburse an institution for the indirect costs of conducting research. This "overhead" rate varies, moreover, depending on the agency that grants the funds. Sometimes overhead can be paid on some budgetary items but not on others, or at one rate on some items and at another rate on other items. The multiplication of administrative redtape slows decisions, harasses both agency and university personnel and puts the emphasis on form rather than substance. Fortunately these difficulties are widely recognized, and simplification and standardization would bring such obvious advantages that they will surely come about.

Standardization of procedures will be welcome, but more fundamental changes are required. Project grants are nominally made to a university or other institution, but in reality they are awarded to an individual. The scientist and Government official frequently deal directly with each other on both substantive and budgetary matters, largely excluding the university administration from any important role in reaching decisions about the research done in the university. Not all of the consequences have been happy ones.

When a faculty member looks outside his university for the major sources of support for his work, his interest and loyalty are likely to go where the dollars are. When the continuation of his work depends on his maintaining good relations and an effective record with private foundations and Washington agencies, and when his professional reputation depends primarily on his research productivity, he is likely to devote more and more of his time to writing project proposals and reports and to supervising the increased number of research assistants that liberal grants enable him to hire. Correspondingly less of his interest and loyalty go to the university that happens to be his home for the present, and less of his time is devoted to teaching and to doing actual laboratory work with his own hands.

There are many contentions that the increase in research has been bought at the expense of a depreciation of teaching. The research programs at most colleges and universities are not large enough to have an adverse effect on teaching. In the universities with large research budgets, however, complaints are heard that there is a schism between the teachers and the researchers; that the ablest graduate students are research assistants, whereas the less able ones become teaching assistants; that the big-time research operator has become the admired model in the eyes of graduate students; that in return for the explosive growth of research we are building up a deficit in the training of future scientists and in the general education of other students in science. There is a substantial body of opinion to the effect that whereas education at the graduate level has improved as a result of the availability of better equipment and larger and more competent staffs, undergraduate teaching has suffered.

The emphasis on research supported by outside funds on an individual-project basis has also tended to strengthen the divisive forces and weaken the integrative forces that are always at work on a university campus. By and large faculty scientists like the change to off-campus support; it means that each researcher is judged by colleagues in his own field of specialization. Physicists judge physicists, biochemists judge biochemists and geologists judge geologists. A man can take pride in the fact that specialists from other institutions have judged his work and found it worthy of support.

Bringing new funds to the campus enhances the scientist's prestige and gives him some freedom from local control. He can buy equipment or hire a secretary, travel to a national meeting to discuss work with other people in his field and even invite a man from another institution to pay him a visit—with expenses paid—to consult on research plans. And he can do all this without having to ask his dean or president for permission, because the grant is his. (That is, he can pay for these extras if he has had the foresight to provide for them in his project proposal. If not, it may take weeks for a busy office in Washington to let him know whether or not he can transfer $100 from one budget category to another.)

The result of all this is what the project-grant system undoubtedly weakens the scientist's ties with his own university. It means that many decisions about the research conducted on a campus are made in Washington instead of at the campus level and are made piecemeal rather than with full account taken of all the other programs and responsibilities of the university. A university is not solely a group of individualistic faculty members. It is a community of scholars and of students who wish to learn from them. It includes a central administration responsible for the development of the entire university, not simply the uncoordinated expansion of individual units or empires. Professor X would rather entrust his research proposal to the judgment of his professional colleagues on a Washington reviewing panel than to what he may consider the uninformed or biased decisions of his own dean and president. President Y, however, would prefer to have a larger measure of control at the university level, because he remembers that the university is responsible for teaching as well as research, for history and philosophy as well as physics and biochemistry, for the library as well as the observatory, and he wants funds that can be used in the best interests of the university.

Not only may the institutions in which research is carried out be changed by the methods of support; science itself may also be affected. One cannot help worrying about what subtle distortions in the course of scientific progress may result from the fact that nearly all of the Federal support now comes from mission-oriented agencies. The National Institutes of Health are interested in certain diseases, the Atomic Energy Commission in nuclear energy, the Department of Defense in weapons systems and countermeasures. Each supports basic research, but each selects projects in terms of its own mission. Of all the Federal grantmaking agencies, only the National Science Foundation is free from this necessity. To be sure, many researchers have secured support from the mission-oriented agencies for exactly what they as scientists most wanted to do. The fact remains that, of all the money spent for basic research in the United States, only about $1 in $5 comes from a source that does not have specific missions in mind. It is still a matter of opinion whether or not this fact is threatening the future health of basic science, but there is a widespread feeling that the National Science Foundation should assume a greatly increased share of the responsibility for supporting basic research.

Certainly agencies with special missions will continue to support basic research; funding decisions will often be controlled by immediate objectives; projects will continue to be supported largely on the basis of their individual merits and those of the scientists involved. Yet basic improvements in the system are possible. Now that massive Federal support is accepted as an obligation, the most necessary change is to shift a substantial amount of the decisionmaking responsibility closer to the point of research. The fact is that decisions that should be made by the executive agencies are now being made by Congress. Decisions that should be made by the universities are being made by the agencies.

In Great Britain, Parliament avoids political and governmental control of science and education by making block grants to the University Grants Committee, which in turn allots funds to the British universities. For a number of reasons this mode of operation is not feasible in the United States. Don K. Price, of the Harvard School of Public Administration, has pointed out that Congress takes a very different attitude toward the relation between ends and means than Parliament does. Parliament is content to decide on the ends, authorize the necessary funds, and leave the details of the means to administrative agencies and the civil service. Congress, on the other hand, pays much attention to the means by which national objectives are to be attained. It reviews the budgets of Federal agencies in great detail, sometimes instructing an agency that no more than (and occasionally no less than) a stipulated amount is to be spent on a particular kind of activity. Congress is not likely to surrender its control of means as well as ends but it might well give the agencies a freer hand with the details and subcategories of their research budgets.

There will have to be, in turn, a substantial shifting of responsibility for research decisions from the supporting agencies to the universities. Some of the Federal agencies are now supplementing the project grant with newer forms of support that will help the universities to regain this responsibility: general-research support grants; program grants that support an established group of research colleagues not for a specific project but for work in an area in which they have demonstrated their competence; institutional grants that can be used in whatever way the university officials believe will best advance science on the campus; grants to help with the construction or equipping of laboratories, and the new science development grants to help selected institutions that are already quite good take a major step up the quality ladder.

These newer forms of grants will help to shift responsibility back to the campus, but the universities also have some work to do. A university's functions include both teaching and research; it has to maintain a reasonable balance between the two and also decide on the kind and amount of research that makes sense in the context of its total program. The university president will sometimes say wearily that he knows these are his responsibilities but that his hands are tied—that there is no way to stop the very competent Professor X when he wants to start a new project because half a dozen other universities are eager to have the professor, willing to take him on his own terms and confident that plentiful grants will follow him to his new home. If the president lets his hands remain tied, the project grant will continue to be the dominant form of research support. It now seems likely, however, that universities that develop strong institutional controls and excel in the management of research funds can expect to receive a larger amount of support in more flexible forms.

Both the Government and the universities need to reconsider their interrelation. The makers of science policy must recognize that the Nation is as dependent on the universities as the latter have come to be on the Government. The universities are institutions with major responsibility for the Nation's future and not just for its present eminence in science; institutions with a broad role in the Nation's intellectual life and not merely laboratories qualified to solve current problems.

The universities have always adjusted their policies and programs to changing social and economic requirements, and they will have to continue to do so. The universities cannot, however, merely respond to outside forces. They must also be independent innovators and stubborn conservators of old values. The weight of history urges that control of the universities by any one benefactor must be prevented if they are to preserve their independence, play their full roles as critics, conservators and innovators, and retain control over their own destinies.

Research and development funds were supplied and expended in 1965 as shown in this table. Figures, in millions of dollars, are estimates based on National Science Foundation tables for prior years. Industry conducts most of the research and development.

Supplied by—	Used by—				
	Federal Government	Industry	Colleges and universities	Other institutions	Total
Federal Government	2,900	8,900	1,600	400	13,800
Industry		6,280	80	140	6,500
Colleges and universities			300		300
Other institutions			90	160	250
Total	2,900	15,180	2,070	700	20,850

OLD MEN AND TIRED LEGS

Mrs. NEUBERGER. Mr. President, the Mazamas, an outstanding Oregon mountaineering club, has developed over the years a program to introduce people to mountain climbing and the other winter sports which abound in my State. People of all ages enjoy the exercise and instruction provided by the club's annual mountain climbing school.

The September issue of American Forests includes an article on the Mazama climbing school which illustrates vividly that outdoor exercise is not for the young alone.

I ask unanimous consent to have printed in the Record the American Forest article entitled "Old Men and Tired Legs."

There being no objection, the article was ordered to be printed in the Record, as follows:

Old Men and Tired Legs

(By William B. Morse)

There was a traffic jam at the chute. We had to wait in line to belay across the crevasse at the end of the hogback. The old hands were impatient, but not me. I was just plain glad to kick a shelf in the Mt. Hood snow, sit down and get some blessed rest.

As a little feeling returned to my legs and my breathing slowed, I wondered what a man of 45 years was doing here. Especially a man who had not climbed a mountain since he was 14 years old. I still wonder, sometimes.

As breath returned, and the early morning sun warmed me, I began to take an interest in the life about me. A party of four, two teenagers and a grey-haired man and woman, were roped and waiting just down the hogback. "Are you with the Mazama climbing school?" I wheezed.

"No, we're climbing on our own," the man answered.

"How long have you been at it?"

"Just started last year," he told me. "We all took the school last spring. Now we like to climb alone at our own speed."

"Do you do it often?" I asked.

"Every chance," he replied.

There, I thought, is another boom in outdoor recreation I didn't even know about, mountain climbing as a family sport. Not so strange, though, my own rope of four had an instructor rope leader, my son, my daughter, and me.

Climbing is a team effort, requiring skill, safety, and good judgment. A party, skilled, roped, and disciplined, has many times the safety of a lone climber. This is as true on Pacific Northwest glacier-covered peaks as on a sheer rock cliff. If there is one thing we learned in the school, it is safety is everything. If in doubt, don't do it.

THE MAZAMA CLIMBING SCHOOL

For 25 years the Mazama mountaineering club of Oregon has conducted an annual school to teach climbing fundamentals. Until about 1952, it was primarily for club members. Now, depending on advertising, anywhere from 350 to 550 students sign up each spring; most have never climbed. The students are mainly high school and college age, but more than 10 percent are over 40 years old. The elderly either have better cars or more persistence than the kids—about 23 percent of those completing the course are the mothers and dads, and many of them are back on the mountains regularly.

When we checked into the Mazama lodge to spend the preclimb night, we found we had already been assigned to parties of about 22 each. Our party—identified by a blue arm band—was of groups with the same last name, in an effort to group the old gaffers and their younger children so we would not slow down the high-energy teen types. We started last, passed the others about half way up, and were first on top, in spite of a lot of dragging and huffing to get us oldsters up the slope. Climbing is not necessarily a young man's sport—many Mount Everest climbers are in their mid-thirties or forties. Anyone who will get his legs in condition with some deep knee bends and a little jogging, can climb. Older people know they can keep going even after the body sends the message it's through; and age and sex are no indication of stamina or skill. My 17-year-old daughter kept me going when I was about through—"Come on, Dad, you can do it. Don't look up. Let's go." I'll never forget her that day, or the skill with which she belayed me across the snow-bridge crevasse. She may be scatterbrained at home sometimes, but I trust her belays. That is the ultimate mountain climbing compliment.

The Mazama school consists of five evening lectures and 3 full days of field practice followed by a comprehensive written examination. A certificate is awarded to the student after he makes a graduation climb of Mount Hood.

The lectures cover the gamut of climbing—from rock and snow climbing to diet, from first aid equipment to mountain hazards. To graduate, you must spend 3 days in field practice. A full day of snow climbing practice on the lower slopes of Mount Hood, a day of rock practice in the Columbia Gorge, and a day of orienteering or land navigation near Portland. Enthusiasm of the students is high and the older ones are the most enthusiastic. I guess learning you can teach an old dog new tricks is a thrill for the old dog. I'm a man always ill at ease on a ladder, and to find myself successfully scrambling up a rock chimney a hundred feet from the ground is more than just learning—it's the conquest of an entirely new world. Emphasis on safety dominates in lecture, practice, and climbing. Mountains are dangerous at all times; they only tolerate the climber.

We assembled at 2 in the morning at Timberline Lodge for the Mount Hood climb; there was a full moon and the mountain was beautiful. It looked high, but 4 hours later and halfway up, it looked higher still. Most climbs start in the early morning darkness with the aim of reaching the 11,500-foot summit no later than 11 a.m., and of being back at the starting point by 2 or 3 in the afternoon. This gives the climbers more time on hard snow, and above all else, a long, safe margin of daylight to cope with any emergencies and accidents.

"DON'T GET DISCOURAGED"

The big lesson I learned from climbing—do not get discouraged. Our leader said, "You climb a mountain one step at a time." That was exactly the way we did it, one plodding test step after another, drenched with sweat, sun protective greasepaint itching on the face, and breathing like a convention of asthmatics.

When you dare to think—"What the devil am I doing here?"—it seems the most ridiculous sport in the world. Maybe it is, but on the summit you begin to get a feeling of accomplishment, soon destroyed by the utter exhaustion of the trip back down the beast. The drive home isn't restful, and the next day you still have the most bone-weary fatigue you have experienced since the first days of basic military training.

About Tuesday, the world starts looking better, an intense feeling of exhilaration and conquest sets in. "By Joe, you have cut the mustard," and at your age, too. For a few days your children look at you with a great deal more respect. You try to tell everyone about your wonderful experience and are shocked when they are not interested in hearing about it. You finally learn, if you must explain your reasons for climbing to someone, that they don't understand anyway.

The kids and I plan to do a lot more climbing; it fosters togetherness. We will certainly be together when we rope up—we will be relying on each other. Another point in favor of climbing as an outdoor sport is that it doesn't spoil any of our precious natural resources. A Mazama motto, "The only thing you leave on the mountain is footprints."

We are lucky in the Northwest, there are plenty of mountains to climb; but many parts of the country have climbing clubs and schools. Get in touch with some local climbers, ask them to teach you, and join a family sport. There is nothing like it as long as you remember there are two ways of climbing—the safe way and the wrong way.

THE PAY RAISE BILL

Mr. ROBERTSON. Mr. President, in 1932, I was elected to the House of Representatives on a Democratic platform, the chief architect of which was my distinguished predecessor, Carter Glass, of Lynchburg.

In the opinion of those who believe in economy and constitutional government, that was the best platform the Democratic Party has adopted in the present century. Among other provisions in that platform was a promise, with a view to balancing the budget, of a 25-percent cut in the pay of all Government employees, including Members of the Congress. As a Member of the 73d Congress, which was elected in November 1932, I conscientiously endeavored to carry out all provisions of that platform, including the proposal to cut my own pay by 25 percent. The bill to cut the pay of Members of Congress became a law and that is the only bill relating to pay of Members of Congress for which I have voted. I have never voted for a bill to raise my own pay and never intend to.

In any event, I think if Members of Congress are going to vote to raise their pay this year they should be open and above board not only in taking that action, but in clearly specifying the amount of the pay increase.

I ask unanimous consent to have printed at this point in the RECORD an article concerning a pay-raise bill now pending in the House by James J. Kilpatrick entitled "Congressmen Vote Themselves Pay Raise Without Actually Aye-ing," which was published in yesterday's issue of the Richmond News Leader.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESSMEN VOTE THEMSELVES PAY RAISE WITHOUT ACTUALLY AYE-ING

(By James J. Kilpatrick)

The House Committee on Post Office and Civil Service came up the other day with a truly tailormade bill. The committee decreed an increase from $100 to $150 in the uniform allowance for the mailman, and arranged to have the coattails cut wide enough for Congressmen to ride on.

As an exercise in legislative oneupmanship, the committee's "Federal Salary Adjustment Act of 1965" stands in a class by itself. It contains a real tricker. And in any primer, for freshman Congressmen, the device deserves a chapter all its own: "How To Vote Yourself a Pay Raise Without Actually Aye-ing."

This adorable gimmick is tucked away in a modest little 10-line section on page 38 of a 39-page bill. Without a code book to figure out the code book, you scarcely would know it is there. What it says, translated into English, is that whenever salary rates for ordinary Federal employees are raised, the salaries of Congressmen, judges, and Government executives "shall be increased automatically." The amount of these prospective pay raises to be computed according to the highest percentage of increase given to anyone else.

The beauty of this arrangement emerges from the context of the bill. Under the committee proposal, the 2 million Federal employees are promised two raises in pay, one to become effective October 1 of this year, the other October 1, 1966. (These would be the 12th and 13th general pay raises since 1945, not that it really matters.) This year's raise is specific: 4.5 percent across the board. The cost to the taxpayers: $621.6 million for the rest of the current fiscal year.

The second raise is not specific at all. It is predicated upon some complicated assumptions that can be illustrated in the case of a beginning mailman. He now starts at $5,000. This figure would be increased to to $5,230 under the first raise, effective in October. However, the committee assumes that this hypothetical mailman, even with his 4.5 percent raise, still will be making 1.5 percent less than a mailman would make in private industry, if private industry employed mailmen.

The formula for the second raise would begin by granting, as a first factor, a raise equal to half of this presumptive gap between public and private employment. In the case of the starting mailman, this would amount to about $40. Then the Bureau of Labor Statistics would make a study for the President of private industry salaries, generally, in February and March of next year. Acting on this study, the President would certify, as a second factor, a percentage increase for each class of Federal employees.

The committee's surmise is that by March of 1966, the President will find that the salary of a mailman in private industry will have gone up another 3 percent, or roughly $160. The formula would add the $40 under the first factor to the $160 under the second factor, and produce a raise of roughly $200 effective October 1, 1966.

All clear? Like mud? Well, that is the way the bill works, and it is anybody's guess whether the House committee is within a country mile of the cost of this nebulous plan. The putative added expense is placed at $1.4 billion (not counting the raises of the coattail Congressmen) for fiscal 1967, and $1.6 billion for fiscal 1968. After that the game begins anew. Meanwhile, starting in January of 1967, Members of Congress would benefit by raises equal to the highest raise, percentagewise, given to anyone else. The prospect is for a 10-percent boost, on top of the fat increases granted just a year ago.

To their lasting credit, six Republican Members of the House committee recorded their strong protest against the automatic features of the bill. Their names should be writ large: GROSS, of Iowa; DERWINSKI, of Illinois; BROYHILL of North Carolina; CORBETT, of Pennsylvania; ELLSWORTH, of Kansas; and BUCHANAN, of Alabama. In the great rush to get while the getting is good, they constitute a corporal's guard crying halt. Who pays them any heed?

AN INCISIVE LOOK AT WOMEN STRIKE FOR PEACE

Mr. SIMPSON. Mr. President, an organization known as the Women Strike for Peace has been in the news recently in connection with demonstrations against our policy in Vietnam. The organization has a long and questionable identification with causes which could hardly be deemed in the best American interests, but there has been in the past a marked reluctance on the part of prominent Americans to be constructively critical of this group. Perhaps its name strikes fear into the hearts of all. "Women Strike for Peace" is a pretty impressive title. No one wants to tangle with a woman and no one wants to be against peace, so it was left to a 21-year-old senior at Old Dominion College in Norfolk, Va., to rebut the substance of a teach-in held at American University on July 23 of this year.

George Archibald, a history major, editor of the college newspaper, the Mace & Crown, and president of the Young Republicans Club, went on American University's WAMU–FM on the evenings of July 26 and 27 and delivered what I consider a most candid and informative presentation by way of responding to the specifics of the July 23 teach-in and in pointing out some facts regarding the organization Women Strike for Peace. Mr. Archibald has made available to me a transcript of these two broadcasts and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the transcript of the broadcast was ordered to be printed in the RECORD, as follows:

WOMEN STRIKE FOR PEACE VERSUS U.S. POLICY IN VIETNAM

(By George H. Archibald)

(NOTE.—This transcript is a rebuttal to a Women Strike for Peace teach-in held at the American University on July 23, 1965, at which the women advocated U.S. withdrawal from Vietnam and reported on a recent trip to Djakarta, Indonesia, where they met with the women from the Vietcong. The teach-in was broadcast on WAMU–FM, the educational station of the American University, on July 26 and 27, 1965, on "Kaleidoscope," and was subsequently answered on the same program on August 9 and 10 by this rebuttal. The author, George Archibald, is a 21-year-old senior at Old Dominion College in Norfolk, Va., where he is a history major, editor of the college newspaper, the Mace and Crown, and president of the Young Republicans Club. He is also second vice chairman of the Virginia College Federation of Young Republicans.)

I would like to take this opportunity at the outset to extend my deep appreciation to

WAMU-FM for this opportunity to express my opposition to the sentiments expressed by members of the group known as Women Strike for Peace on a taped program of their July 23 teach-in on "Kaleidoscope", July 26 and 27.

I would also like to extend undying gratitude and indebtedness to the thousands of Americans and Vietnamese who are fighting in Vietnam for all that is good and free, against communism, despite the ravings of the pacifists and the proponents of American withdrawal from Vietnam, which is a considerable aid to Radio Hanoi and its new staff member, Anna Louise Strong, an American octogenarian successor to Axis Sally and Tokyo Rose. Miss Strong broadcasts the statements of such as Women Strike for Peace in an attempt to break the will and morale of the American soldier in Vietnam. I hope that those whom I am answering today appreciate this, and are proud that their words are being repeated by such "pro-American" sources in such "harbors of freedom."

In the time generously given to me for this rebuttal, I intend to take a look at the organization known as Women Strike for Peace, and to strike at the fallacies inherent in the arguments of its spokesmen who advocate withdrawal of the "brutally aggressive" American troops from Vietnam. I must say that it is highly unusual in any form of dialog for the negative to have spoken first. And despite all of its unheroic exertions on behalf of its own definition of peace, Women Strike for Peace is purely negative and even harmful in its particular approach to the problem of achieving any type of peace in the world today. I intend to make this fact clear in my presentation.

First, what of Women Strike for Peace as an organization? It was investigated by the House Committee on Un-American Activities in December 1962. The late Congressman Clyde Doyle of California was presiding and opened the sessions with an explanatory statement to clarify the purposes of the investigation. I might point out that the following facts were compiled from the hearings by Fulton Lewis, Jr., the news commentator, and presented on his broadcast of March 2, 1964, over the facilities of the Mutual Broadcasting System.[1]

First, Congressman Doyle said, the initiated Communist, understanding his Marxist-Leninist doctrine, knows that a call from Moscow to intensify his fight to destroy capitalism has as its major bastion the United States. This is the way to peace, according to Communist doctrine. Thus, Communist peace propaganda is a call to action for all Communists, spurring them to increase activity and effort aimed at the Communist objective of world conquest.

Second, as events have proved, peace propaganda and agitation have a disarming, mollifying, confusing, and weakening effect on those nations which are the intended victims of communism. Moreover, throughout history, aggressors, dictators, and governments bent on conquering others, or conquering the whole world, have known that pacifism or unrealistic and exaggerated desire for peace on the part of their intended victims is a tremendous asset to ultimate victory for the aggressor.

Excessive concern with peace on the part of any nation impedes or prevents adequate defense preparations, hinders effective diplomacy in the national interest, undermines the will to resist, and saps national strength. For this reason, in today's world, intense peace propaganda and agitation in non-Communist nations obviously serves the aggressive plans of world communism.

With that as a premise, let's take a look at Women Strike for Peace and find out who some of the people are who have been around Mrs. Dagmar Wilson in this organization of hers which is advocating that the "aggressor" and "malignant force" in Vietnam is the United States, and that we should withdraw from Vietnam immediately, "make peace," and bring an immediate halt to American "atrocities" against the "peace-loving," "dignified," and human Vietcong Communists. Let me say at this point that I do not allude to Women Strike for Peace as a Communist group. I do say that some of its members are Communists, as Mrs. Wilson herself has admitted, and that the organization has been adversely influenced by these people and is naively, stupidly, and unrealistically prattling the Communist line with regard to American policy in Vietnam, in the name of peace at any cost, despite military or political posture at the time of such action. Now, who are some of the members of Women Strike for Peace who testified at the congressional hearings mentioned?

Blanche Posner, a bleached blond who describes herself as "more than 21," who served as president pro tempore of Women Strike for Peace office in Metropolitan New York. Mrs. Posner invoked the fifth amendment 44 times on the witness stand and refused to tell the committee whether or not she was a Communist.

Rose Clinton, dark haired and nattily groomed, who also took refuge behind the fifth amendment. Mrs. Clinton is secretary and membership chairman for the West Side Peace Committee in New York. She has been identified twice under oath by congressional witnesses as a Communist, and refused to answer committee questions as to whether she was under Communist Party orders in infiltrating the peace movement.

Iris Freed, a sharp-tongued brunette from Larchmont, N.Y., who is a leader in the Westchester County Strike for Peace and has been identified as having held Communist Party meetings in her home in 1954. She refused to deny that allegation when questioned about it before the House committee and clammed up when asked if she had been a delegate to the Communist Party convention in 1957. Finally, she took the fifth amendment when asked whether she was currently a Communist Party member.

Anna Mackenzie, a tearful Vassar graduate, who claimed that committee members were throwing stones, not questions, at her. Mrs. Mackenzie was active in the Connecticut Women Strike for Peace and refused to invoke the fifth amendment, in refusing to answer committee questions. Committee investigators alleged that Mrs. Mackenzie was known to have been a Communist in years past, and she refused to deny that charge. She was equally silent on the question of her present membership.

Elizabeth Moos, a spry 72-year-old veteran of Communist or Communist-front movements, and mother-in-law of the late William Remington, a convicted Soviet Russian spy. She has been identified under oath before congressional committees as a Communist, and took the fifth amendment when questioned about it.

Thelma Rein, who also has been identified under oath as a Communist and who helped run Women Strike for Peace in the Nation's Capital. Mrs. Rein, long a wheelhorse in local Communist fronts, took the fifth amendment several years ago when asked about her Communist Party membership. Her husband is David Rein, who is listed in the committee report on legal subversion as having been identified under oath as a member of the Communist Party by two witnesses, Herbert Fuchs and Mortimer Reimer, both former Communists.

Lyda Hoffman, of Great Neck, N.Y., head of Women Strike for Peace in Nassau County testified that she was not then a Communist, but refused to answer about past membership.

Ruth Meyers, of Roslyn, N.Y., another fifth amendment pleader, took the first and fifth amendments under oath in declining to answer committee questions about Communist Party membership.

Mrs. Dagmar Wilson, the leader of Women Strike for Peace, who spoke at the meeting which aroused my ire and this rebuttal, was herself put on the witness stand at those hearings, and was asked if she would knowingly permit or encourage a Communist Party member to occupy a leadership position in Women Strike for Peace. She replied: "Well, my dear sir, I have no way of controlling, do not desire to control, who wishes to join in the demonstrations and the efforts that the women strikers have made for peace."

She was then asked if she would willingly permit or welcome Nazis or Fascists to occupy leadership in Women Strike for Peace, and she replied: "Whether we could get them or not, I don't think we could." The official report of the House Committee on Un-American Activities on these hearings has a footnote at this point which says: "Despite the fact that this is the response recorded by the official reporter for the hearings, newspaper reporters covering the hearings reported—and members of the committee and its staff distinctly recall—that Mrs. Wilson's actual reply to the preceding question was: "'If only we could get them on our side.'"

At the close of these committee hearings I have been describing to you, committee counsel asked Mrs. Dagmar Wilson: "Am I correct, then, in assuming that you plan to take no action designed to prevent Communists from assuming positions of leadership in the movement, or to eliminate Communists who may have already obtained such positions?" Mrs. Wilson replied: "Certainly not," meaning that she planned to take no such action and welcomed all people who wanted peace in her movement, no matter what their particular definition of peace might be. I'll discuss that a little later.

With all of these facts in mind, then. With the knowledge that persons of positive and undenied Communist affiliations are members of and leaders of Women Strike for Peace, and with the statement by the organization's leader, Mrs. Wilson, that all persons, despite their Communist affiliations and leanings, are welcomed into the group to promote "the cause," is it any wonder that Women Strike for Peace advocates our withdrawal from Vietnam and our abdication from defeat of the Communist enemy?

Is it any wonder that a delegation of this group traveled to Djakarta, a city of Indonesia, a country ruled by a pro-Communist government, to meet with women from the Vietcong and the National Liberation Front, the people of the Vietnamese conflict on the Communist side and armed by Communist guns and ammunition?

Is it any wonder that they had what they described as "a wonderful time" with President Sukarno, a man who hates the United States and who has told us to "go to hell" with our foreign aid?

Is it any wonder, finally, that this delegation has come home, spouting off the Communist line re Vietnam by praising the "virtues" of the Vietcong and damning the "atrocities" of American troops; stating that we should get out and forget our crusade for freedom and justice against the Communist enemy?

I think not.

Again, let me say that I do not view this group as totally Communist in makeup, but it has been infiltrated, and it is piping the line of Radio Moscow and Radio Hanoi in its advocation of our withdrawal. Let me also point out that by this I do not view as Communists all those who advocate our withdrawal from Vietnam. There are many who have sincere arguments on this point from a Western point of view, even though a vast majority of the American people according to recent surveys do disagree with them. However, unlike Women Strike for Peace, they have not said in public and on the radio that the United States is the aggressor, that American soldiers are committing the atrocities, that we are in the wrong through our "imperialistic binge," and, by insinuation, that the Vietcong is "providing a service of liberation" which we are impeding by our action, and that the Communists can do no wrong. Women Strike for Peace, by these statements and by this stand is not only distorting the truth, is not only ignoring reality, but is condemning the United States and its Government as alien to peace and freedom and international law. All facts refute this, and to paraphrase Senator J. William Fulbright, these women are, with the propaganda of Hanoi, Moscow, and Peiping, creating myths and destroying reality. The New York Times, in fact, in describing the organization's position against present U.S. policy in Vietnam, stated categorically that "The denunciation, framed as an appeal to American women, echoed Hanoi's propaganda line."[2] Senator Daniel Brewster of Maryland, along with the vast majority of Congressmen and Senators, has denounced the Women Strike for Peace position as "against the best interests of the United States and the free world in general."

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[1] "The Top of the News With Fulton Lewis, Jr.," vol. 6, No. 10, March 2, 1964, pp. 1–2.

In dealing with the background of Women Strike for Peace, shedding some important light on the actual makeup of the group and the ideological probabilities inherent in this makeup, I realize as a college student that I have far from fulfilled the responsibilities that I assumed when I undertook to challenge this organization for its Vietnamese position. To fulfill this part of my task, I think it important to review the criticism that has been leveled at present U.S. posture re Vietnam, and to counter it with fact in lieu of fantasy, which is so much a part of the Women Strike for Peace argument.

I think that there is no better statement of this sort in the brief, easy-to-understand context that it assumes, than that which was delivered by former Vice President Richard Nixon to the 87th, 88th, and 89th Clubs in New York on March 15, 1965. It includes a summary of many statements that have been made by such knowledgeable proponents of our position in Vietnam as Senator Thomas J. Dodd, of Connecticut, McGeorge Bundy, Special Assistant to President Johnson, and Marguerite Higgins, whose reports of the situation in Vietnam are considered the finest of the war. I think it important enough to present in its entirety. It is entitled "The Choice in Vietnam":[3]

"THE CHOICE IN VIETNAM

"(By Richard Nixon, Mar. 15, 1965)

"The opposition to American policy in Vietnam has reached formidable proportions at home and abroad.

"Newsweek reported on March 1 that 45 Democratic Senators have publicly or privately expressed serious doubts about the wisdom of our present policy in Vietnam.

"The New York Times, Walter Lippmann, and many other papers and pundits have added their influential voices to the chorus of opposition.

"Full page ads by university students and teachers have called for a halt to American air attacks on North Vietnam and for a negotiation now.

"The World Council of Churches takes a similar position.

"Abroad, the French and Russians publicly and the British privately are urging negotiation now.

"In the United Nations U Thant has added his influential voice in support of this position.

"Criticism of this magnitude cannot be brushed aside by resorting to the usual platitudes and generalities such as 'We seek no wider war' and 'Our objective is the cause of freedom.'

"I believe that a majority of the American people support the President in the strong policy he is presently following. But as James Reston wrote recently 'There is an uneasy fatalism in the country because no one knows the answers. Major issues have not been debated in an orderly manner.'

"The case for getting out of Vietnam has been stated forcibly and in depth by the critics of the policy. It is time that the case for staying in Vietnam be stated with equal force and detail.

"The American people are entitled to know why we are there, what is at stake, the risks that are involved and the goals we seek.

"There are four major objections to the present policy.

"1. America has no legal right to intervene in a civil war.

"2. Vietnam can't be saved because the Vietnamese aren't willing to save themselves.

"3. The risk of spreading the war is too great.

"4. Seeking a negotiated settlement now is a better course of action than stepping up our attacks on North Vietnam.

"To answer these objections it is first necessary to set the record straight as to who is responsible for the war in Vietnam.

"Not a civil war

"This is not a civil war. There would be no war in Vietnam today were it not for the support the guerrillas in South Vietnam are receiving from Communist North Vietnam. And the North Vietnamese could not have provided this assistance without the support they have received from the Chinese Communists.

"The confrontation in Vietnam is in the final analysis not between the Vietnamese and the Vietcong guerrillas nor between the United States and North Vietnam but between the United States and Communist China. A U.S. defeat in Vietnam means a Chinese Communist victory.

"Our legal rights

"The argument that the United States has no legal right to be in Vietnam is exactly the opposite of the truth.

"The 1954 Geneva Convention, which was signed by both North Vietnam and Communist China, guaranteed the independence of South Vietnam against foreign aggression. The North Vietnamese, supported by the Communist Chinese, have invaded Vietnam in violation of that treaty. The United States on the other hand is in Vietnam by the invitation of the South Vietnamese Government for the express purpose of enforcing the treaty. The North Vietnamese are the lawbreakers; we are the law enforcers.

"The stakes

"At stake in this struggle is the fate of the 15 million people who live in South Vietnam. The great majority of them do not want to come under Communist domination because they know what a mess communism has made of North Vietnam. It is claimed that they will not fight for their freedom. But 200,000 casualties suffered in the battle against communism proves otherwise.

"It could be contended that 15 million people in a relatively small country are not worth the risk of a major war particularly when their leaders are quarreling among themselves.

"But the stakes are much higher. What is involved in this war is not just the fate of Vietnam but the fate of all of southeast Asia.

"If Vietnam is lost, Laos which is already practically gone because of our gullibility in attempting to neutralize it in 1962, would certainly go down the drain.

"Cambodia is leaning so far in the direction of communism that the loss of Vietnam would push it over the brink.

"Thailand wants to be on our side. But it is a nation that has survived for a thousand years only by being on the winning side and a Communist victory in South Vietnam would be a devastating argument as to who will win in Asia.

"Socialist Burma is an economic basket case and the Red tide, once rolling, would have little difficulty in engulfing it.

"Malaysia, its 10 million people surrounded by a sea of communism, could not survive.

"Then there is the biggest prize in southeast Asia, Indonesia. Indonesia will go the way Sukarno goes. A reporter from The New York Times on January 8 wrote: 'Diplomats think Sukarno is heading toward alinement with Communist China. Communist successes in Vietnam have convinced him that Chinese communism is the wave of the future in Asia.' Already far down the road toward alinement with Communist China, Indonesia would certainly fall and this means that the Communists would have control over 90 million people with the richest natural resources of the area.

"The battle for Vietnam then is not just about Vietnam. It is about all of southeast Asia. It is not about just 15 million people but about 200 million people and an area which produces over half the world's tin, half the world's rubber and untapped natural resources of immense value to a hungry, developing power like Communist China.

"But this is not all. Indonesia stretches 1,000 miles across the south China seas to a point only 14 miles from the Philippines. Communist-supported guerrilla actions in the Philippines would inevitably follow a Communist takeover of Indonesia. If this should happen does any one seriously suggest that the United States would not then have to fight a war—probably a major war to save the Philippines?

"The greatest prize

"But the stakes are even higher. The greatest prize in Asia is Japan, a miracle of economic recovery since World War II and the greatest industrial power in Asia. Japan is the only country with a possible chance to counterbalance China once China develops its industrial might. Southeast Asia, next to the United States, constitutes Japan's biggest trading area. If this area comes under Communist domination Japan will inevitably be pulled toward neutralism and even toward a pro-Communist position in order to survive economically.

"The battle for Asia

"In summary we cannot ignore these inevitable conclusions: The battle for Vietnam is the battle for Asia. If the United States gives up on Vietnam, Asia will give up on the United States and the Pacific will become a Red sea.

"But the effect of the loss of Vietnam would not be limited to Asia. There is a great debate going on in the Communist world today between the hard liners in Peiping and the so-called soft liners in Moscow. The hard liners contend that world communism must continue to seek its ultimate objective of world domination through support of revolution throughout the world. For them the war in Vietnam is only a prolog for similar wars of liberation in the rest of Asia, the Near East, Africa and Latin America.

"The soft liners in Moscow presently oppose this course of action. They do not wish to risk another confrontation such as occurred in the Cuban missile crisis. They say the way to achieve the goal of a Communist world is through temporary coexistence with the West and peaceful competition.

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[2] The New York Times, July 19, 1965, sec. A, p. 2.

[3] "The Choice in Vietnam," a speech by Richard M. Nixon of Mar. 15, 1965, delivered at a meeting of the 87th, 88th, and 89th Clubs, 10 pp.

"If the Communists win in Vietnam this will be an immense victory for the hard liners. They will then be able to argue that if the hard line worked in Vietnam it will work elsewhere. They will contend that the free world has no effective answer to Communist conquest by support of revolution.

"A Communist victory in Vietnam would be the green light for Communist instigation and support of Vietnam type wars of liberation all over the world.

"By fighting the Korean war we put a stop to Communist conquest by direct aggression. Since Korea the Communists have not attempted to take over a country through the traditional method of marching men across a border. They knew we would react and they considered the risk too great. The issue in Vietnam is whether we are going to put a stop to Communist conquest by indirect aggression, just as the issue in Korea was whether we were to stop Communist conquest by direct aggression.

"Our choices—Get out

"In view of the stakes involved the suggestion that we wash our hands of this miserable conflict and get out of Vietnam is unthinkable.

"Our choices—Negotiation

"But why don't we negotiate now? This is the question which is being increasingly raised by critics of the present policy.

"The best answer to this question is to pose another question—What do we negotiate at this time?

"Vietnam has already been negotiated once. In 1954 the country was partitioned and the Communists took the north half of it. Do we now negotiate it again and give the Communists half of what is left of free Vietnam?

"Our choices—Neutralization

"Why not then negotiate the neutralization of Vietnam? Laos proved the stupidity of this course of action. An agreement with the Communists to neutralize a country is simply surrender on the installment plan. It means just three things. We get out. They stay in. They take over.

"When we negotiate with the Communists we must recognize that our motives are different from theirs. We go to the conference table to promote peace. They go there to win victory. Communist tactics in negotiation can be summed up in four sentences.

"First, they demand something to which they are not entitled.

"Second, they threaten war if they are not given what they demand.

"Third, they insist we negotiate to avoid war.

"Fourth, if we do negotiate, their price for peace is half of what they were not entitled to in the first place.

"This does not mean that we should never negotiate. All wars are eventually ended by negotiation. It does mean that we should determine now what our goals are and not negotiate until the time comes when we can achieve those goals at the conference table.

"We can never negotiate surrender, retreat, neutralization, or partition of Vietnam.

"We must insist on one absolute condition in any negotiations—guaranteed freedom for Vietnam from Communist aggression. Until we are in a position to demand that the Communists accept that condition, we should not negotiate.

"Our choices—Turn it over to the U.N.

"U Thant's recommendation that this controversy be settled by the United Nations must also be rejected. The United Nations can serve a very useful purpose in working out peaceful solutions for some international problems. But where the ultimate security of the United States and the free world is involved, policy must be made by the United States and not by the United Nations.

"The United States as the strongest of the free nations must not have its policies in defense of freedom watered down to what only the weak and timid among the so-called neutral nations will approve. We must recognize that no nation in the world could afford the luxury of neutrality today if it were not for the power of the United States.

"The only choice

"The only acceptable course of action is to end the war by winning it in South Vietnam. To accomplish this objective it will be necessary to quarantine South Vietnam by cutting off the flow of arms and men from North Vietnam. Strikes on selected targets in North Vietnam should be made on a continuing and increasing basis until the North Vietnamese completely discontinue their assistance to the guerrilla forces in South Vietnam.

"Prospects for success

"Will carrying out such a policy assure victory in South Vietnam? Critics of the policy often raise this question: If 300,000 French troops could not win victory in 1954 in Vietnam when they were actually doing the ground fighting themselves how can we expect 21,000 Americans who are in Vietnam only as advisers to accomplish this objective?

"There is a fundamental difference. In 1954 the French were fighting to stay in Vietnam. Our objective is to get out of Vietnam just as soon as Vietnam's independence is secure. The South Vietnamese naturally had little interest in fighting for French colonialism. They have a very vital interest in fighting against Communist colonialism.

"The risks—Soviet intervention

"What are the risks of this policy? Most observers agree that the possibility of Soviet intervention is relatively small. The situation in Vietnam is very different than the one we confronted at the time of the Korean war. Then Russia and China were allies and from a logistical and geographical standpoint Korea was very close to Russia. Any action on our part which threatened China might conceivably bring Russia to China's assistance.

"Today the Soviet Union and Red China are enemies—engaged in a life and death struggle for power in the Communist world. Rather than wanting to see the Red Chinese succeed in their conquest of Asia the Russians would like nothing better than to see them fail. Furthermore from a logistical standpoint transporting men and arms from Russia to Vietnam—thousands of miles away is infinitely more difficult than it was to deliver them to nearby Korea.

"The risks—Chinese intervention

"The widely held assumption that Communist China would inevitably intervene in the event the war began to go badly for the North Vietnamese is not well founded. China without the support of Russia is a fourth-rate military power. If the Chinese decided to enter the war in Vietnam they would be no match for the awesome air and sea power the United States could bring to bear on the Chinese mainland. For them to take such a risk would be rash and foolhardy, and the Chinese by nature are basically cautious in their foreign policy decisions.

"But in making a decision of this magnitude we must not gloss over the fact that there is some risk that the Communist Chinese might intervene in order to save the North Vietnamese from defeat. But taking this risk into account our policy decision should be the same. As is usually the case in making decisions, the choice is not between one policy involving some risk and another involving none, but between one policy involving some risk and another policy involving an even greater risk.

"In the final analysis we must recognize that the risk involved in ending the war in Vietnam by winning it is far less than the risk involved in losing it. If Vietnam is lost either by our withdrawal or by our negotiating now—which would lead to its loss—the Chinese Communists would gain a great victory and the Red tide would sweep irresistibly over the rest of southeast Asia. Four or five years later we would then be confronted with the necessity of facing up to Chinese Communist aggression in the Philippines or in Australia.

"The risk then would be infinitely greater than it is now. Time is not on our side but on Red China's side. Every day that passes the Chinese nuclear capability increases and their industrial and military productivity becomes far more formidable than it is today. Five or ten years from now we might not be able to take a stand against this power without running a massive risk of nuclear war.

"If Chinese Communist aggression is to be stopped in Asia it must be stopped now or it may be too late to do so later.

"One of the major arguments against our present policy is that it will spread the war. Exactly the opposite is the case. The cause of the war in Vietnam is aggressive international communism. If communism spreads, the war will spread. The way to keep the war from spreading is to keep communism from spreading.

"The lessons of Vietnam

"The only purpose of pointing up some of the mistakes that have been made in the past is to avoid making those same mistakes in the future.

"Diem's murder

"Our greatest mistake was in putting political reform before military victory in dealing with the Diem regime. Diem, and more particularly some members of his family, were without question at times hard crosses for America to bear in Vietnam. But when the United States supported a coup d'etat which led to his murder we set in motion a violent chain reaction not only in Vietnam but throughout southeast Asia.

"The musical chairs routine in Vietnam with one coup following another was stimulated and encouraged by our conduct in the Diem affair. And our refusal to stand by a friend when he got into trouble had repercussions in other Asian countries as well. I was talking to one of America's best friends in Asia shortly after Diem's death. He said that to him and others in similar leadership positions Diem's death meant just three things: It is dangerous to be a friend of the United States. It pays to be a neutral, and it sometimes helps to be an enemy.

"In the final analysis we must recognize that while it has worked reasonably well in our country, U.S. style democracy will not work and should not be imposed in countries in Asia, Africa, and Latin America.

"Economic aid not the answer

"Another lesson from the past in Vietnam is that economic aid alone will not stop Communist aggression. We have poured hundreds of millions of dollars into Vietnam in economic assistance with the result that conditions in South Vietnam are infinitely better than in Communist North Vietnam. But a conversation I had with a village chief near Saigon last spring pinpoints the inadequacy of economic aid alone as an answer to communism. I asked him what he would prefer if he had his choice of anything the United States could provide for him. He could have answered—a new school, a new road, a new well, more food." But he said simply, "What we need is security." And small wonder—just the week before the village next to his had been overrun by the

Communists and its chief had been murdered and his body mutilated.

"Political reform and economic assistance in countries that are the target of indirect Communist aggression are important adjuncts to any overall policy. But when the enemy is waging an all-out war against the existing government, military victory must be given priority over everything else.

"Need for a new Asian policy

"The greatest lesson we can learn from our experience in Vietnam is that U.S.-Asian policy needs have a complete reappraisal. The spectacle of the United States having to intervene virtually alone to save the freedom of Vietnam is not a pretty one.

"The battle for Vietnam is the battle for free Asia and those who have the greatest stake in the outcome of that battle are those who live in Asia. But because the United States has assumed so much of the responsibility for defending Vietnam, other Asian nations are either openly neutral or quietly acquiescent as far as our policy is concerned.

"It is time for the United States to take the initiative in urging the calling of a conference of free Asian nations with the express objective of stopping Communist aggression in Asia. Japan, South Korea, Nationalist China, Malaysia, the Philippines, Vietnam, Australia, New Zealand, and Thailand are the countries which would probably have the greatest common interest in participating in such a conference. From this conference could come long range programs for military and economic cooperation. But above all an agreement should be reached that if any one of the free Asian nations is threatened directly or indirectly by Communist aggression all would join together to supply the forces necessary to resist that aggression.

"The future of Asia must and should be determined in the final analysis by Asians and not by Americans or Europeans. The Chinese Communists have left no doubt as to what they plan for Asia's future. The time has come for free Asian nations to counter this awesome threat with a plan and purpose of their own.

"The lesson of history

Vietnam is only a small state on the great map of Asia. But for those who would discount its importance because of its size, I commend the words of Winston Churchill written in 1938 after the partition of Czechoslovakia at Munich:

"'The belief that security can be obtained by throwing a small state to the wolves is a fatal delusion.'

"Those words are as true about Vietnam today as they were true about Czechoslovakia in 1938. In this year 1965 when we honor Churchill's memory, let us also honor his principles. * * *"

Well, there it is. A very articulate statement by Richard Nixon, one of the truly great foreign policy Vice Presidents of American history. It honestly does offer "a choice in Vietnam"—as opposed to the capitulation advocated by Women Strike for Peace.

The words of Winston Churchill bear repeating, because they have a direct bearing on the attitude maintained by Women Strike for Peace: "The belief that security can be obtained by throwing a small State to the wolves is a fatal delusion."

Women Strike for Peace would have us believe that the United States is the wolf, and that its "horrendous atrocities" in Vietnam are fatal to the cause of world peace and freedom for all men. The statement is simply made by Mrs. Frances Herring, spokesman for the group, in her analysis of the trip to Djakarta, that "the so-called aggression from the North is a myth."[4] No proof is offered to back up this misstatement of fact, and the evidence offered on the other side flies in the face of the intellectual dishonesty that this distortion implies.

Department of State Publication 7839,[5] "Aggression From the North: The Record of North Vietnam's Campaign To Conquer South Vietnam," offers conclusive proof as an alternative to Mrs. Herring's fallacious remark. Documentation that Women Strike for Peace conveniently neglect is available for all to survey.

Guy Richards, recognized as one of the top journalistic experts on international communism, has reported for the New York Journal-American Vietcong atrocities in such abundance as to place in the realm of ridiculous and absolutely false the claim of the women's delegation to Indonesia:[6]

"VIETCONG ATROCITIES REVEALED

"(By Guy Richards)

"One hundred and twenty-five men, women, and children—the entire population of a South Vietnam hamlet—slaughtered because they refused a Vietcong demand to serve as forced labor.

"A mother and her 9-year-old daughter hacked to death with knives because they incurred the wrath of a prowling Vietcong force.

"A wife who had complied with a Vietcong demand for food but refused to divulge the whereabouts of her husband was obliged to hold out her arm and see her hand chopped off.

"A lesson to widows and survivors, the bodies of 30 South Vietnamese militiamen were dragged to the outskirts of their village and, in the presence of their families, disemboweled and mutilated.

"The bodies of three American GI's killed in an ambush, were disemboweled and unspeakably mutilated.

"A village chief was not only beheaded by the Vietcong for refusing to carry out an order, but his 12-year-old daughter had her arm hacked off."

These are random samples of the several thousand grisly atrocities recently committed by the Communist Vietcong in South Vietnam.

Little by little, in a kind of delayed realization that their spreading pattern is a weapon in itself, Defense Department teams are verifying and documenting the guerrilla's atrocities. And added together they are telling the story of a disturbing reversion to the Dark Ages, in this year of grace 1965, by an enemy which claims to be an advanced and progressive member of the family of humans.

The Defense Department has been understandably slow in publicizing atrocity angles in southeast Asia. Gunfire and aerial bombardment are not pleasant for anyone on the receiving end. Even warfare that adheres to the rules of the Geneva Convention can produce horrible wounds and suffering.

Furthermore, attempts to prove that one combatant has stooped to the use of barbarism to create terror have more or less boomeranged even since the days of World War I.

Most of the alleged German atrocities in Belgium in World War I were later proved to be untrue. That very fact worked against the publicity which should have been—but wasn't—directed against the horrors committed by Adolf Hitler's regime in the Nazi extermination camps.

The Communist's effort to pin the brand of germ warfare on the United Nations forces in Korea likewise fizzled.

So it has probably been an unseemly diffidence which has restrained the Pentagon from getting very excited about the bloodcurdling cases which have come to the attention of the U.S. military assistance headquarters in Saigon.

Several months ago, however, the broadening pattern of tortures, mutilations and bestialities convinced U.S. staff officers that it was a definite weapon which not only had to be coped with "as an utterly new kind of war," but had a unique value in showing the world precisely what kind of threat and what kind of culture opposed us.

Provided the cases were precisely documented, they decided, the acts themselves would give irrefutable testimony that the war in South Vietnam was, in fact, a war to save that nation from a scourge every bit as bestial and primordial as the horde of Attila the Hun.

Then, while the Defense Department teams were busy on a new compilation, they received an unexpected lift from Vice President Hubert H. Humphrey.

In a recent interrogation session, following a speech at the University of Pittsburgh, Mr. Humphrey was queried about those "ghastly, barbarous American attacks in North Vietnam."

Obviously aroused, Mr. Humphrey snapped back:

"I'm glad you asked about that. I'm really going to tear into you. Only the Vietcong have committed atrocities in Vietnam. The Vietcong have committed the most unbelievable acts of terrorism that the world has ever known."

Data collected by the Pentagon confirms the spirit of the Vice President's rejoinder, if not the full import. Man's cruelty to man is an old story, and there's little new in the Vietcong atrocities that wasn't once practiced by medieval armies, by the Turks in 1570 when they massacred 10,000 in Cyprus and by the Nazis two decades ago in the gas chambers.

What's new is the ever-widening proof that the Asian Reds have embraced barbarism as a weapon by which they hope to seize the world.

According to the facts collected by the Pentagon, Communist terrorists assassinated or kidnapped more than 8,400 civilians last year.

Deaths came by pistol, knife, axe, bombs, beatings and torture.

The victims included 1,536 village chiefs or other government officials. Definitely murdered were 1,359 other civilians.

This represents an enormous step-up of the terror campaign which accounted for 3,000 killed or kidnapped in 1960.

Also among the victims of the Vietcong were those trying to improve the health of the populace. As a result of terrorist acts, 12 malaria eradication workers died, 58 are missing and two permanently disabled.

In one sense the barbarism of the Vietcong has provided a new bond between the Americans and the people of free Vietnam. The Pentagon has a touching story from the reports of one of the many U.S. medical teams which try to patch up the wounds and repair the damage inflicted by the Reds on the villagers.

Take the case of Mrs. Le Thi Dap, resident of a village 50 miles south of Saigon. She's the woman referred to earlier who had her hand chopped off when she refused to say where her husband was. The climax of her story came on May 14.

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[4] The statement was made in the program of Women Strike for Peace on "Kaleidescope," and also appeared in a mimeographed statement of the organization entitled "Statement of Frances Herring to some Members of Parliament, London, July 1965, by 10 American and 9 Vietnamese Women," (p. 2).

[5] "Aggression From the North: The Record of North Vietnam's Campaign To Conquer South Vietnam," Department of State Publication 7839, Far Eastern Series 130, released February 1965, 64 pp.

[6] The report of Mr. Richards, "Vietcong Atrocities Revealed," was reprinted from the New York Journal-American in the newsletter published by Young Americans for Freedom, Report on the Left, vol. 2, No. 5, June, 1965, p 4.

She had learned to live with the stump of her arm. A U.S. medical team under Dr. Orlan C. Oestereich heard about her plight and visited her.

They asked Walter Reed Hospital in Washington to send out a couple of sample artificial hands. Dr. Oestereich visited her again, made a cast with the help of a hand nearest her size; sent the cast back to the States; had a proper size hand made and went back to give it to her.

This is the sort of thing the United States is doing in Vietnam, as opposed to the horrendous atrocities of the Vietcong, despite the distortions bandied as the truth by Women Strike for Peace.

In my presentation thus far, I have given a brief background of the Women Strike for Peace, which explains for a large part their ideological basis for opposing present U.S. policy in Vietnam. I have given a summary of statements by former Vice President Richard Nixon refuting common opposition to that policy and our reason for pursuing it. And I have given a lengthy refutation of the Women Strike for Peace allegation that it is the United States, rather than the Vietcong, which is responsible for barbarous and inhumane atrocities in Vietnam.

Now let's take a short look at the reasons cited by Women Strike for Peace themselves for traveling to Djakarta to meet with the Vietcong women and the delegation of the National Liberation Front in South Vietnam, those who sympathize with the Communist aim in that country.

On July 20, 1965, Women Strike for Peace sent from its Washington headquarters on P Street NW., a release entitled "Why American Women Went Half Way Around the World To Meet With Vietnamese Women." [7]

The first reason cited in this release is: "To seek areas of possible agreement rather than to place blame."

Suffice it to say that Women Strike for Peace has done nothing but blame the United States for the war in Vietnam, citing us as the aggressor, and I have yet to hear them blame the Communists for any wrongdoing on their part. As to "seeking areas of possible agreement," it is not hard for Women Strike for Peace to find agreement when the only persons they bothered to consult for the "facts" of the situation were the Vietcong, the National Liberation Front, and the prominent opponents of American policy in Vietnam in the United States.

The second reason given by the women for going is: "To act upon their conviction that honorable coexistence will be better developed by face-to-face meetings than through military force."

The premise in the first place, that "coexistence" with the Communists is "honorable" (and due to the name of WSP, I assume that they also mean "peaceful"), is false. According to Dr. Charles H. Malik, former university professor at the American University, where I am speaking from now, and former President of the United Nations General Assembly, in a speech delivered at Williamsburg, Va., on June 11, 1960, entitled "Can the Future Redeem the Past?": [8]

"The Communists never tire of assuring the rest of the world that peaceful coexistence means only that they will realize their unalterable aim of communizing the world without war, and that where they do not succeed in this, they will keep in mind the possibility of nonpeaceful means. They are therefore absolutely determined to dominate the world with or without war. What they are saying behind all this jargon is that the international Communist movement wants to overthrow every existing government, regime, system, outlook, religion, philosophy, and bring the whole world, all human thought, aspiration, action, and organization under its absolute control. This is their declared, unchanged, and unchanging objective."

Assuming that Women Strike for Peace is totally in favor of freedom as experienced in this country, and totally opposed to communism, which is doubtful when the findings presented in this report are considered, then the falsity and foolishness of "peaceful coexistence" with communism is realized. Dr. Malik goes on to say:

"I have yet to hear one Western leader (remember that this was said in 1960) who, assured to his face that he is doomed and will be 'buried,' can muster enough courage and conviction, if not to use the vulgar phrase 'bury' with respect to communism itself, at least to use some such civilized expression as that the days of communism are numbered and that communism will one day be completely forgotten. When Mr. Khrushchev assures Western leaders that their children or at most their grandchildren will all be Communist, I have yet to hear one Western leader who assures Mr. Khrushchev with the same gusto that his children or at least his grandchildren will live to regret and be thoroughly ashamed of the fact that their fathers or grandfathers were ever Communist. And whereas international communism believes and acts on the belief the days of everything non-Communist are numbered, my deepest fear is that Western leadership believes no such thing with respect to communism. My fear is that the softening-up process has reached such an advanced state that all now believe that communism is here to stay and that therefore the utmost they can do is to manage somehow to 'coexist' with it. The deepest crisis of the West is the crisis of faith in its own values. Whereas communism believes that non-Communist values must be eliminated from the face of the earth, and acts on this belief, the West no longer believes that Communist values themselves are doomed to utter destruction and oblivion and therefore no longer acts on this belief. I am yet to meet (in 1960, remember) or know of one important Western leader who entertains a dynamic vision for the Communist realm which includes the certainty that the children of present-day Communists will have completely repudiated communism and will have adopted the fundamental values of freedom. Let the West face up to this advanced state of decay in its own soul."

In 1960, this was true. In 1965, President Johnson is facing up to "this advanced state of decay" in our soul, and has started by at least preventing another Communist takeover of a non-Communist state in Vietnam. He may go further, which will be to his credit and to the extension of freedom, a word which Women Strike for Peace seem to have forgotten.

As to the second part of the second reason, that of meeting face-to-face with Communist leaders to settle differences, instead of resorting to military measures, this has been tried and is being tried at this moment by our Government in Geneva, but has always failed due to the dynamic vision that communism has in store for us, as mentioned above—that is, the destruction of Western values, values of freedom, throughout the world.

The third reason for this mission of peace by Women Strike for Peace, and the final one, is: "To seek an alternative to Secretary McNamara's testimony (to the House Defense Appropriations Committee) that the United States stands ready to use any weapons in its great arsenal * * * 'when we believe it is desirable in our own interest.'"

First, let me say that I stand firmly behind Secretary McNamara's statement to uphold this country's best interests through military means when it is deemed necessary by our country's leaders. This is the position that has prevailed throughout American history since George Washington went to war against the British in the struggle which created the United States of America. If the use of weapons serves the best interests of the United States, and thus the best interests of all freedom in this world, then the use of weapons, historically as it has been, is justifiable and proper.

The Women Strikers for Peace obviously, by their statement, do not agree with this principle, and obviously have not agreed with the actions of the leaders of America since the inception of this great country. This is their privilege, but not necessarily a valid opinion.

It is obvious that Women Strike for Peace want peace, whatever their definition of it might be. Their proposed objective of arriving at eternal "world peace" seems not to rid ourselves of all aggression aimed at destroying freedom, but to simply rid ourselves of military hostilities, arms, and arms buildup throughout the world—the United States to start the ball rolling by pulling out of Vietnam and unilaterally disarming. Russia, Red China, etc., in the name of "dignity" and "humaneness" would, of course, follow. How ridiculous. The proposal that if the United States disarms, the rest of the world will also disarm in the name of "peace" is not one to be viewed intellectually, balancing the pros and cons. It is to be viewed as one would consider a comedian's sick joke, for its naivete renders it completely ridiculous.

It is not arms that create a state of nonpeace in the first place, but aggression. And if Women Strike for Peace could convince the Communists, which no one has yet been able to do, that their aim of communizing the world and destroying freedom should be abandoned in favor of true peace, their proposal might have some merit. However, the Marxist-Leninist doctrine will not be abandoned by the Communists in favor of overtures toward true peace, and they will not disarm as long as that doctrine plays an important part of their foreign policy. For us to disarm, then, unilaterally, would be to turn in the cards before some benefit had been obtained from the hand.

Peace in Vietnam is a worthy objective. The United States is working toward this very end at this moment. However, the type of peace that is to be instrumented is a necessary consideration. Let us, then, view once more the words of Dr. Charles Malik:

"It is interesting to note the sort of qualifications that responsible leaders sometimes use for 'peace.' The Communist spokesmen employ peace without qualification; by which they mean that they should be allowed to carry out their international proletarian revolution 'in peace.' But the spokesmen of the West speak of peace 'with justice and freedom.' This is a correct qualification from the Western point of view: peace without justice and freedom is no peace. But which of the two qualifications do they drop when they wish to use only one? They usually drop freedom and leave justice. This to me is wrong. It could betray an unconscious readiness to sacrifice freedom for what is sentimentally called justice. Both are certainly necessary, but freedom is more fundamental. Freedom creates justice, but not conversely; for justice could be something mechanical without the ultimate freedom of the spirit which demands and creates and recognizes and enforces justice. The West can only be true to itself if it says, 'I am prepared to settle for peace with freedom and justice,' and, if it wants to use only one of the two, 'I am prepared to settle for peace with freedom'."

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[7] "Why American Women Went Half Way Around the World To Meet With Vietnamese Women," a statement released by Women Strike for Peace, 2016 P Street NW., Washington, D.C., on July 20, 1965.

[8] "Will the Future Redeem the Past?" an address delivered by Dr. Charles H. Malik at Williamsburg, Va., on June 11, 1960. Reprinted and distributed as a public service by the Virginia Commission on Constitutional Government, Travelers Building, Richmond, Va., 20 pp.

Therefore, if we are to be true to ourselves, we must settle for peace in Vietnam only so long as it promises for the people of all Vietnam freedom and justice—freedom from Communist tyranny and of the common heritage which we in the United States enjoy and which is enjoyed throughout what little of the world remains free, and justice, which will ensue from that freedom. As the situation stands now, an American capitulation would result in exactly what Mr. Nixon foresaw: a Communist takeover of Vietnam, and increased activity to communize the entire Asian Continent. We must fight until communism is gone from Asia forever, and freedom and justice is secured for all of its people. Only then will peace be truly the condition of Asia, and only then can we lay down our arms.

It is a tribute to Sir Winston Churchill and to Douglas MacArthur that those policies which they advocated from 1935 to 1955 are now part of U.S. policy in Vietnam. Greatness has as its consequence the fact that other men, not so great, fail to see the wisdom of a policy that is good when it is first presented. It has taken us this long to achieve a realistic policy in Asia, and let us not forsake it now for a sentimental and unrealistic call to peace, which, unlike an achievement of true peace, would be capitulation to the Communist enemy.

Churchill said in 1941 to the boys at Harrow, and would say now, were he able, to the leaders of the United States:

"Never give in. Never, never, never, never. Never yield to force and the apparently overwhelming might of the enemy. Never yield in any way, great or small, large or petty, except to convictions of honor and good sense."

Let us think of this while we achieve true peace through our policy today in Vietnam. Let us ignore the pacifists and Olympians in such as Women Strike for Peace.

COMMUNISTS MISREAD U.S. WILL

Mr. DOUGLAS. Mr. President, one of the most profound problems facing the President of the United States as he leads this Nation through the thicket of events in Vietnam is that of convincing our adversaries of the seriousness of our purpose while still exercising restraints against a total and atomic war.

This is not a new problem; it has always been difficult to persuade our enemies that we, despite our dislike for war and our propensity for lively domestic debate, will fight to the finish to defend our Nation's interest—and to defend the principles of individual liberty and national self-determination.

Those principles are under heavy attack now in South Vietnam. Despite the President's clear, consistent, and forceful statements of our resolve, however, the leaders of Communist aggression in Asia persist in believing, it seems, that the United States is divided and unable to pursue its policy consistently.

This is by no means true. A significant statement on this subject is contained in an editorial which appeared on August 25 in the Chicago Sun-Times, entitled "Communists Misread U.S. Will." I offer this editorial today for entry in the Record, and I encourage all my colleagues and all citizens interested in this problem to read this excellent statement carefully.

[From the Chicago Sun-Times, Aug. 25, 1965]

Communists Misread U.S. Will

The mounting U.S. military pressures against the Communist Vietcong forces in South Vietnam and the continuing air raids against military and civilian targets in North Vietnam apparently are beginning to show some results. Rumors out of Moscow quoting the North Vietnam ambassador to Russia that his nation might be willing to make some concessions in approaching the conference table have been vehemently denied by North Vietnam.

The denial of the rumors, which took some time, might mean the Hanoi Government is beginning to realize that it misread the United States resolve to resist Communist aggression in South Vietnam no matter what the cost. They have surely misread, if transcripts of radio broadcasts from Hanoi and Peiping are any indication, the determination of the American people to bear the bitter price of war. The Communist broadcasts give great weight and emphasis to campus protests and other demonstrations against the war in Vietnam. The Communists exult in the fact that all America is against the war in Vietnam.

They are wrong, of course. But it is not the first time dictators and Communists have been wrong about the U.S. resolve to stand back of the principles on which this Nation was founded. Hitler made the same mistake. So did Stalin. So did Khrushchev in the Cuban crisis until he realized the extent of the cold resolution of the United States to face his rockets.

Eventually the Asian Communists must realize, as Khrushchev did, that the American people unite behind their Presidents. The demonstrated unity of Congress in backing President Johnson's actions, the white paper just published by the administration which details the reasons for the U.S. presence in Vietnam and the efforts for peace already made, cannot be ignored. It is a hard lesson for Communists to learn, that free men will pay the price necessary to resist a threat to liberty. The Hanoi and Peiping Governments will learn it, as others have. The amount of damage and destruction to North Vietnam and the losses their troops must suffer will be measured by how soon they learn and how soon they indicate a willingness to come to the conference table.

FORESTRY AS A PROFESSION

Mrs. NEUBERGER. Mr. President, as a Senator from the State which leads the timber industry of this Nation in the annual value of forest products, I am particularly pleased to bring to the attention of the Senate today an article from the September issue of American Forests which describes the rewards of and opportunities for becoming a forester.

Oregon has a special interest in encouraging young people to go into forestry since half its total land area is classified as forest and more than half of its industrial employees find labor in the forest products industry. Management by competent foresters is an integral part of Oregon's program of conservation and sustained use of its timber resources.

I ask unanimous consent to have printed in the Record a portion of the article from American Forests, "So You Want To Be a Forester."

There being no objection, the excerpt from the article was ordered to be printed in the Record, as follows:

So You Want To Be a Forester

(By Charles Edgar Randall)

"Next month I will be 17. My father and I have been going on hunting and fishing trips for several years and we have talked about my becoming a forester. The idea appeals to me but how does one decide? I enjoy camping. I like people. My marks in high school are pretty good—a B average—and I could probably make more 'A's' except that I also like to participate in school affairs. Of my school subjects, I like biology and mathematics best. From what I have read, I think I would enjoy being a forest ranger but I would like to learn more about it first. Can you give me some advice on this? (signed) Robert S. * * *"

Good for you, Bob. Forestry is a wonderful field of work. And there is need for more good foresters. We will tell you what kind of work a forester does, how you can prepare for a career in forestry, and what the opportunities are in this field.

Bob's letter is more or less typical of hundreds that come to the American Forestry Association. Most of these come from young people of high school age, or from their parents. Some of them are from persons evidently well informed; others indicate that the writer knows little about what a forester really is or does. Nearly all of them express a strong interest in outdoor activities and a love for the woods.

Certainly a liking for the outdoors is an important requisite for a forest worker who may be called upon to spend much time in the woods. A forester may have to live and work in back-country areas far from urban centers; perhaps at times he may even have to be all alone in a remote wilderness area. Anyone who would be unhappy or uncomfortable in such an environment or would be uninterested in his forest surroundings, should not, of course, be a forester.

But it takes more than a liking for the woods to make a forester. It takes more than Bob's skill with rod and gun. Some experience in hunting and fishing may prove useful in some lines of forestry work, but it is not essential.

What is essential is a good background knowledge of the arts and sciences involved in forestry: knowledge first in the basic fields of language, communication, and culture that enable a forester to deal on equal terms with other knowledgeable men; and, secondly, specialized knowledge in the biological and physical sciences and engineering skills he will use in his work.

In addition to knowledge, the other essentials for success in a career in forestry are the same elements of good character and temperament that make for success in any enterprise—intelligence, industry, honesty, reliability, ability to get along with other people.

WHAT A FORESTER DOES

First of all, let us distinguish between two main types of forest work. There is professional forestry work, and there is nonprofessional work. Anyone who is entitled to be called, correctly, a forester, is a professional. Usually he has a college degree from a school offering professional training in forestry.

Professional foresters plan and supervise the management of forest areas. They may be called upon to organize and direct systems of forest fire control, or the control of insect pests and tree diseases. They may determine the needs and locations for reforestation projects, or administer the sale and harvesting of mature timber. Or they may engage in scientific research to obtain new knowledge needed for the protection and management of forest lands. The training of a professional forester is comparable to that of a civil engineer, or lawyer, or other qualified professional man.

Nonprofessional forest workers usually work under the general supervision of professional foresters. They may include such forestry technicians as timber cruisers, fire dispatchers, log scalers, and road survey party chiefs; or forestry aids such as lookouts, fire control assistants, smokejumpers, and recreation guards. Skilled workers in many trades also are needed in forestry work—mechanics, electricians, welders, bulldozer operators, cooks, and others. Federal, State, and other forestry agencies and forest industries, of course, have need in their offices for clerical workers—payroll clerks, mail and file clerks, stenographers, and typists. And there are jobs for semiskilled and unskilled laborers, in the woods, in forest industry plants, and in the offices.

When Bob said he wanted to be a ranger, he probably had in mind a U.S. Forest Service ranger on a national forest; 9 out of every 10 letters on this subject received by AFA indicate this preference. Very likely he saw in his mind's eye a man on horseback, riding along a trail through deep woods or pausing on a height to view a vast expanse of timbered hills. The work of the U.S. forest ranger has been glamorized in fiction and in movies and television dramas. Sometimes a ranger's work may involve just such exciting adventures as the TV and movies depict. But forest rangers have many other things to do besides rescuing lost or injured persons, or tracking down the "bad guys" who have been stealing Government timber. And rangers nowadays do most of their traveling by automobile or pickup truck, rather than on horseback.

We hope Bob will become a ranger, but we must tell him that he will not be stepping into the job at 17. A U.S. District forest ranger is a professional forester. He trained for the job with at least 4 years of college work. He didn't step into the job even then. Young college-trained foresters usually enter the U.S. Forest Service as assistant rangers or junior foresters. It may be several years before they are promoted to the job of district forest ranger.

A district forest ranger is the administrator and manager of a large area of forest land—a national forest ranger district that may cover several hundred square miles. He is responsible for the protection of his forest and its resources from fire, for the growth, management, and sale of its timber crops, the safeguarding of its watershed values, the development of its wildlife habitat and recreational facilities, the leasing of land for resorts and other special uses, the granting of permits for livestock grazing, and the management of recreational use. He may have one or more assistant rangers and a number of technicians, foremen, aids, and other workers on his staff. The volume of business he conducts may be larger than that of any other enterprise in the community.

The job of U.S. District forest ranger is only one of many important jobs in forestry.

FOREST MANAGEMENT AND MULTIPLE USE

Forestry has been defined as the scientific management of forests and forest lands for the continuous production of goods and services. Most jobs in forestry are concerned more or less directly with the management of lands. Some forest lands are managed for a specific purpose. An industrially owned tract, for example, may be managed primarily for the production of timber crops for lumber, pulp and paper, or other wood products. A tract of watershed land owned by a municipality or a water company will be managed primarily to improve and protect its values as a source of community water supply. The principal purpose of a national park is to protect and preserve certain outstanding natural phenomena or scenic values and to facilitate public study and enjoyment of these values. On many State parks and on national areas, the main objective is to provide opportunities and facilities for picnicking, camping, hiking, and other forms of public outdoor recreation. On a wildlife refuge, the main objective, of course, is to maintain and protect good habitat for wildlife.

Even on such single-purpose forest areas, the forest manager and his staff have a variety of tasks. They may have to make land surveys, or mark and cruise timber. They may need to plan and direct the reforestation of some cutover or burned-over lands, or conduct special soil erosion control or flood-control measures. Usually they also plan and direct the control of forest fires and tree pests.

Our great national forest (there are more than 150 of them, comprising more than 180 million acres, located in some 40 States) are managed for all of the various land uses mentioned above, and for other uses as well. Foresters call this multiple-use management, and right here is where your education as a forester starts. Multiple-use management means that within a national forest certain areas may be devoted to recreation, certain areas to timber growing, certain areas to livestock grazing, wildlife habitat, mineral production, preservation of outstanding scenic values, or other uses. Many areas within the forest may be devoted to a combination of several of these uses. If the national forest is in hilly or mountainous country, most or all of it is managed to safeguard its watershed values. The management of the forest as a whole looks to the development and coordination of all of these uses.

OWNERSHIP AIMS VARY

A young professional forester, assigned to a national forest, is likely to engage in many kinds of activities. He might be called upon to survey boundary lines, to cruise or inventory timber, to select and mark trees for cutting and help supervise the sale of timber, and the logging operations of the purchaser. He might help direct tree planting operations or timber stand improvement work, or the use of forest ranges by livestock owners for the grazing of cattle or sheep under permit. On some forests he would spend much time on maintaining and improving recreation facilities and on controlling their use by the public. Very likely, he would help to supervise the work of fire lookouts, "smokechasers," and other subprofessional employees in the forest's fire protection organization.

The work of a young forester on a State forest or an industrial forest would be generally similar, except that on an industrial forest a greater proportion of the activity would probably be devoted to the growing and harvesting of the timber. Work for counties or municipalities may also involve multiple-use management of local forests, or it may call for special attention to watershed management or to park and recreation development.

As the young forester gains in experience and demostrates his capabilities he will be given greater administrative and technical responsibilities. He may be promoted to district ranger, or the equivalent position on a State or industrial forest, and perhaps eventually to forest supervisor or other higher administrative post. Or, because of a particular interest or aptitude, he may go in for special work in watershed management, range or wildlife management, timber management, or some other specialized field. Then he will work up to a staff position on a national forest, and perhaps to a regional staff or to other special work in his field.

COOPERATIVE FORESTRY WORK

In the field of forest management, there are also many jobs calling for advisory work or technical aid to woodland owners. Under a Federal-State cooperative forest management program, many State forestry departments employ "farm foresters" or "service foresters" whose work is to help farmers and other owners of forest tracts in preparing and carrying out management plans for their woodland holdings. These management plans are intended to make a woodland tract more productive so that it will bring greater continuing returns to its owner and continue to help meet the country's needs for timber. Other service foresters work with the owners and operators of small lumber mills and other small wood processing plants, helping them to improve their processes and operate more efficiently.

FOREST CONSULTANTS

Some foresters hang out their shingles as self-employed consulting foresters. For a fee, they advise and assist private forestland owners, and sometimes public agencies, in such matters as making appraisals, studying investment possibilities, marketing timber, making timber management plans, and supervising timber operations. Some forestry consultants are permanently retained to direct the management of forested estates or other timber properties. A few have built up businesses big enough to employ several younger foresters as assistants.

Usually a forester goes into private consulting work only after he has acquired considerable previous experience.

RESEARCH IN FORESTRY

As in other fields of science, the search for new knowledge in forestry goes on continuously. Young foresters with a special liking and aptitude for study and investigation may wish to go into research. Research in forestry is carried on by the Federal Government—mainly the U.S. Forest Service, by some State agencies, by colleges and universities, and by a number of the larger forest industry companies. The vistas here are wide and the rewards can be great.

By far the largest and most comprehensive forestry research program is that of the Forest Service in the U.S. Department of Agriculture. The Forest Service maintains 10 regional forest experiment stations.

Within the region served by each of the stations, the Forest Service has a number of project centers and experimental forests. It is at these field locations that most of the actual on-the-ground studies are conducted. At one, a research forester may be studying tree-soil relations in a particular forest type; at another, investigations may be under way on the biology and control of certain forest insects; at another, the subject of study may be watershed management in the mountain snow zone. Some of the western regional forest experiment stations are called "forest and range" experiment stations because studies in the management and utilization of grassland ranges is included in their research programs.

In the Washington, D.C., headquarters office of the Forest Service, a Deputy Chief of the Service heads up all research. Under his supervision are half a dozen divisions which provide overall direction for the research program. One division is concerned with timber management research, which includes studies in forest genetics or tree breeding to produce trees superior to present ones in growth rate, wood quality, resistance to disease, or other special qualities; studies on three site requirements, growth characteristics, and other silvicultural problems (silviculture: the art of producing and tending a forest); and studies in tree physiology, nursery, and planting techniques, timber growth rates, and harvesting methods. Other divisions deal with research in watershed management, range forage, and livestock grazing practices, wildlife and fish habitat, forest fire, forest insects, and diseases, forest products utilization and forest engineering. A division of forest economics and marketing research supervises studies on the financing of forest operations, forest products requirements and demand, marketing of forest products, and various other statistical and economic studies. This division also conducts a nationwide survey and inventory of the forest resources of the United States.

RESEARCH—FUNDAMENTAL AND APPLIED

At the colleges and universities, much forestry research is underway. Many of the faculty members in the forestry schools do part-time work on research projects along with their teaching. Often these projects are concerned with what scientists call fundamental research—that is, research aimed at expanding our basic knowledge, rather than applying knowledge to a particular problem. Some research in forestry and related subjects also goes on at the agricultural experiment stations maintained at State agricultural colleges. An act of Congress passed in the early 1960's authorized Federal grants of funds to colleges and universities to aid and encourage more research in forestry.

Some of the larger pulp and paper, lumber, and other forest products companies have research programs, devoted mainly to problems of growing and managing timber, and harvesting and processing timber products. This is called applied research. Some of the forest industry associations sponsor research in such fields as timber engineering, either by members of their own staffs or by colleges and other institutions.

THE NEED FOR GOOD TEACHERS

Foresters have to be taught forestry, so some people go into teaching. Outstanding graduate students at the colleges and universities may be offered appointments as instructors. If they are successful in teaching work, they may rise to full professorships. A few become deans and one became president of a university.

Others may go into teaching after several years in forestry work with the Federal Government, State forestry agencies, or private industry. Some practical woods experience is helpful to any teacher.

Elementary forestry and conservation are taught in some high schools and vocational schools. Some foresters who have gone into high school teaching have found their forestry useful as a background for teaching science and other subjects.

RELATED CONSERVATION FIELDS

Except, perhaps, for fisheries management, forestry was the first field of natural resource conservation in which special professional training became available. As a result, men trained in forestry were among the first to go into a number of related fields, such as soil conservation, range management, wildlife management, watershed management, park administration, and recreation development. Instruction in most of these related fields is now included in the forestry curricula of many colleges and universities. And, in recent years, special curriculums in wildlife management and in recreation have been offered at some institutions.

Special courses in soil conservation and soil science are given at the agricultural colleges. Soil scientists determine the physical and chemical properties of various soils, and make soil surveys to determine what the land is capable of and how it can be used. The work of soil conservationists may include making soil maps, helping farmers and ranchers make plans for the use of their properties based on land capabilities, and aiding watershed groups, recreation agencies, construction men, and highway departments on problems of soil stabilization and land use. In the western mountains, soil conservationists conduct snow surveys as a means of forecasting amounts of water available for irrigation, and municipal and industrial use. The Soil Conservation Service, U.S. Department of Agriculture, is the country's leading employer of soil conservationists. In its broad program of soil conservation work, it also employs agronomists, soil scientists, foresters, range conservationists, engineers, biologists, geologists, hydrologists, and agricultural economists.

Wildlife management and fisheries management specialists are employed by the State fish and game departments and in the U.S. Fish and Wildlife Service. A few find employment with hunting clubs, conservation organizations, and other public agencies or private concerns where some fish or wildlife management work is carried on as a part of other programs. Wildlife managers may be involved in administration of refuges, habitat-improvement programs, or the enforcement of game laws. Or they may engage in research on wildlife management problems or on problems of disease, nutrition, or habitat requirements of individual species. In the conservation of fishery resources, the work may involve projects for providing or improving fish habitat in streams and lakes, propagating fish in hatcheries and stocking fishing waters, and the enforcement of fishing laws. Research is conducted on the growth, food habits, and management problems of fish. Marine biologists carry on similar work with salt water species, including not only commercial and sport fish, but other aquatic organisms such as shrimp, oysters, clams, crabs, sponges, whales, seals, and seaweeds.

Range conservationists and watershed managers are employed by the U.S. Forest Service for work on the national forests and by the Bureau of Land Management in the Department of the Interior for work on the public lands. Other Federal and State agencies also employ considerable numbers of these specialists, especially the U.S. Soil Conservation Service. Watershed managers find some employment with counties and municipalities, water and power companies, and, occasionally, with other industries. Range conservationists may be employed as ranch managers and managers or consultants on industrial properties. A goal of many a range conservationist is to own and operate a livestock ranch of his own. The work of ranch managers usually involves planning and obtaining effective and economic grazing use of rangeland, improving forage production by the application of good grazing techniques and by reseeding, brush removal, and other range improvement practices, and coordinating livestock grazing with wildlife management and other land uses. Watershed management work involves the establishment of vegetative controls, small dams and other works for flood prevention, planning and carrying out measures to improve watershed conditions and increase water yields, and coordinating watershed protection with timber management, grazing, and other land uses. Much research is under way, too, in both the range and watershed management fields.

The work of recreation specialists includes the administration of Federal, State, and community parks, supervision of recreation programs on National, State, and industrial forests, and planning and designing recreation areas and facilities, such as camping and picnic grounds, hiking trails, swimming places, and winter sports areas. The national parks and some other parks also employ certain specialists such as park naturalists, archeologists, and historians, whose jobs are to interpret park features to visitors. There is a broad field of recreation work concerned with the development of playgrounds and municipal recreation facilities, and with planning and conducting group recreation programs and activities of young folks and adults. This kind of recreation work calls for training primarily in such subjects as sociology or physical education rather than in forestry and land use. Recreation today offers the young forester a tremendously challenging and little-explored field.

TRAINING FOR FORESTRY

To be a professional forester, college training in forestry is practically a must. A minimum of 4 years of college work, leading to a bachelor's degree or equivalent, is required.

Many young men continue with advanced work for graduate degrees, especially those who wish to go into forestry research or into some specialized phase of forestry or related conservation work.

In high school, prospective forestry students should get as broad a general background as possible, in order to qualify for college work. It is not necessary nor desirable that you try to specialize in forestry-related subjects here, but you should be sure to take the preparatory work available in chemistry, physics, mathematics, biological sciences, English literature and composition, and public speaking.

Your first years of college are devoted to broadening your cultural background and acquiring a foundation in scientific, engineering, economic, and social studies. Then, usually starting in your junior year, come technical courses in forestry, such as silviculture, forest management, forest protection, forest economics, and forest utilization.

Those who continue with graduate work choose some special subject to dig into more deeply.

Many of the forestry schools conduct summer-school camps where the students get extra in-the-woods training. Many forestry students also get in-the-woods experience through employment in National or State forests or with lumber companies during the summer vacation periods. The U.S. Forest Service and most other forestry agencies, as a matter of general policy, give preference to forestry students over other college students in hiring young men for summer jobs.

Education in forestry need not end when one receives his degree. Practicing foresters now have opportunities for continuing professional education, through conferences, seminars, short courses, and other educational devices designed to help professionals keep abreast of new developments in their particular fields of interest. The colleges and universities, Federal and State agencies, professional organizations, and the forest industries often cooperate in arranging and conducting such special conferences or courses. The U.S. Forest Service and other agencies also provide job opportunities for special on-the-job training for their own employees.

SCHOOLS OF FORESTRY

In 1898, the first college course in the United States leading to a professional degree in forestry began with the establishment of the State College of Forestry at Cornell University. Cornell still has a department of forestry but no longer offers a full professional curriculum in this subject. The oldest American forestry school in continuous existence is at Yale University. Yale's forestry school was started in 1900.

Cornell's first graduate in forestry in 1900 was this country's one and only forestry graduate from an American school. Today more than 40 schools of forestry at American colleges and universities are turning out more than 1,500 forestry graduates a year. More than 400 each year earn advanced degrees.

ACCREDITED SCHOOLS

The Society of American Foresters has a standing committee for the advancement of forestry education which investigates the institutions offering professional training in forestry. The committee evaluates the status of each institution's forestry program, the size, duties, and qualifications of the faculty, the library and laboratory facilities, and other factors. Institutions that meet the society's high standards for professional training are placed on an accredited list. At the present time the list of accredited forestry schools in the United States are:

Auburn University, Department of Forestry, Auburn, Ala.

University of California, School of Forestry, Berkeley, Calif.

Clemson University, Department of Forestry, Clemson, S.C.

Colorado State University, College of Forestry and Range Management, Fort Collins, Colo.

Duke University, School of Forestry, Durham, N.C. (graduate).

University of Florida, School of Forestry, Gainesville, Fla.

University of Georgia, School of Forestry, Athens, Ga.

University of Idaho, College of Forestry, Moscow, Idaho.

University of Illinois, Department of Forestry, Urbana, Ill.

Iowa State University, Department of Forest, Ames, Iowa.

Louisiana State University, School of Forestry and Wildlife Management, Baton Rouge, La.

University of Maine, School of Forestry, Orono, Maine.

University of Massachusetts, Department of Forestry and Wildlife Management, Amherst, Mass.

Michigan State University, Department of Forestry, East Lansing, Mich.

The University of Michigan, School of Natural Resources, Ann Arbor, Mich.

University of Minnesota, School of Forestry, St. Paul, Minn.

University of Missouri, School of Forestry, Columbia, Mo.

Montana State University, School of Forestry, Missoula, Mont.

University of New Hampshire, Department of Forestry, Durham, N.H.

North Carolina State of the University of North Carolina, School of Forestry, Raleigh, N.C.

Oregon State University, School of Forestry, Corvallis, Oreg.

HOUSTON POST COMMENDS SENATOR KENNEDY FOR PLACING FOREIGN AID IN PERSPECTIVE

Mr. YARBOROUGH. Mr. President, out of the sound and fury of political propagandizing, it is often difficult for one to maintain the proper perspective. However, once in a while a speech or editorial cuts through the fog like a sharp ray of sunlight.

Such a service was rendered to the Senate a few months ago by the distinguished junior Senator from New York [Mr. KENNEDY] during debate on the foreign aid bill. He pointed out that whereas in 1950 the United States was spending 10 percent of the Federal budget and almost 2 percent of our gross national product on foreign aid, today, although we are still spending approximately the same $3 billion a year, we are allocating only 3 percent of the Federal budget or one-half of 1 percent of our gross national product to foreign aid. As Mr. KENNEDY pointed out, in 1965 we are putting only approximately one-third the effort into foreign aid that we did 15 years ago.

As the Houston Post noted in an excellent editorial, this observation really puts our present foreign aid program into perspective. I commend the Senator from New York on his excellent speech, and the Houston Post on picking up that speech and making it the heart of an excellent editorial.

Mr. President, I ask unanimous consent to have the editorial "Foreign Aid Put in Perspective" published in the Houston Post of June 20, 1965, printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

> [From the Houston Post, June 20, 1965]
>
> FOREIGN AID PUT IN PERSPECTIVE
>
> One of the favorite tactics of critics of the U.S. foreign aid program is to toss figures around without relating them to anything meaningful.
>
> To most people, a billion dollars is a horrendous figure beyond the capacity of their imaginations, and they cannot relate it to anything concrete in their experience. Taking advantage of this, foreign aid critics like to cite the huge sum that the program has cost this country since it was started following World War II. While picturing it as charity, they try to create the impression that it is a tremendous burden that the American people cannot afford.
>
> For that reason Senator ROBERT F. KENNEDY of New York made a point during Senate debate on the pending foreign aid measure that deserves more attention than it is likely to receive.
>
> He pointed out that 15 years ago, in 1950, the United States was contributing a sum equal to 10 percent of the Federal budget and almost 2 percent of the Nation's gross national product to economic development in the rest of the world.
>
> Today, this spending amounts to only 3 percent of the Federal budget and one-half of 1 percent of the gross national product.
>
> In other words, the U.S. Government today is making less than one-third the effort it was making in this area 15 years ago.
>
> Because of change in the situations of many countries that have received help in the past and an increased ability on their part to stand on their own feet, it has been possible to curtail annual aid expenditures. This alone is eloquent testimony to the effectiveness of the program.
>
> The approximately $3 billion a year that still is being spent on foreign aid may seem like a very large sum when it is used as an isolated figure, and it is large, of course. A billion of anything is quite a lot numerically. But the cost of the program has to be related to other relevant figures to be meaningful, and when it is, the foreign aid expenditure seems very much smaller.
>
> Senator KENNEDY and some others are asking whether or not, in light of the great needs of the people of the world and this country's vastly increased responsibilities, we are spending as much on foreign aid today as we should.
>
> Senator JOSEPH CLARK of Pennsylvania said in the Senate discussion that the United States should be thinking about a $10 billion program of economic aid, in addition to military aid, instead of concentrating on how to reduce present appropriations.
>
> Those who are opposed to any foreign aid will dismiss all this as a liberal point of view and therefore not worthy of consideration. But, assuming that the program is managed intelligently and efficiently and conducted in such a way that it truly serves the national interest, the question raised is one that Americans of conscience should not ignore.
>
> In any event, Senator KENNEDY did something that badly needed to be done. He helped place the present allocation for foreign aid in proper perspective.

CASTRO INCITES AMERICAN NEGROES TO VIOLENCE

Mr. DODD. Mr. President, I know that all of us were horrified by the unspeakable savagery and the senseless destruction that characterized the recent riots in Los Angeles. And I for one wholeheartedly endorse the warning issued by President Lyndon B. Johnson that such violence cannot advance the cause of civil rights, but will, on the contrary, only retard it.

I do not mean to minimize the suffering or injustices or frustration which helped to make Los Angeles and Chicago riots possible. However, I want to point out that such violence runs counter to the entire tradition of the American Negro and counter to the teachings of the legitimate civil rights movement.

A new element has been added to the situation in American Negro communities which makes them more riot-prone. This new element is the existence of organized extremist groups, preaching hatred, and committed to acts of violence. In addition to the Black Muslims, there are some hundreds of Negroes who are members of the Communist Party, or of the pro-Peiping Progressive Party, and there are other groups like the Deacons scattered around the country.

The broadcasts of the renegade American Negro Robert F. Williams, over Castro's Radio Dixie, constitute an open, crude, and brutal incitation to violence. They are now encouraging all American Negroes to follow the example of Los Angeles and to carry it further.

To give you an idea of the inflammatory nature of these broadcasts, I want to quote a few paragraphs from Robert F. Williams' broadcast of August 21 over Radio Dixie:

> Yes; Los Angeles, Los Angeles. The glorious spirit of our brutally dehumanized people of the ghetto has restored our self-respect, our human dignity. Los Angeles is a warning to oppressive racists who said, they can no longer enjoy immunity from retribution for their brutal crimes of violence and oppression of our people.
>
> My brothers and sisters, times are critical. They are going to become ever more critical. We are facing a future wherein the streets shall become like rivers of blood. Let us be prepared to fight to the death, organize, arm, learn to shoot and to handle explosives. When the impending showdown comes, use the match and the torch unsparingly. The flame of retribution must not be limited to urban buildings and centers, but the countryside must go up in smoke also. Remember the forests, the fields, and the crops. Remember the pipelines and oil storage tanks. Yes, let it be known to the world that we shall meet their sophisticated weapons of violence with the crude and simple flame of a match. We cannot escape our historical mission of destiny any more than our oppressors can escape the destiny of retribution.

I am informed that Radio Dixie broadcasts over only a limited area of the country—as far west as Texas and as far north as Virginia. It would be an exaggeration, therefore, to state that these broadcasts were directly responsible for the Los Angeles riots.

There is every reason for believing, however, that, to the extent that the Castro Communists and Peiping Communists have influence in the American Negro community, their followers are encouraged to foment unrest, to take part in Negro riots and uprisings, to seek to provide them with leadership and direction, and to seek to extend the area of hostilities.

So, while the broadcasts of Radio Dixie may not reach as far as Chicago and Los Angeles, it would be a fair conclusion that the contents of these broadcasts concide with the guidelines laid down by the Castro agents in this country for their followers in the American Negro community. There may not be many American Negroes who follow the Castro-Peiping line. I doubt that there are as many as 1,000, and I think the number would be nearer several hundred. But in an inflammatory situation a handful of trained agitators, committed to violence and arson, can do an awful lot of damage.

It is a matter of record that Communist cadres undergo systematic training in the techniques of organizing riots and breaking through police lines. There is even a Communist handbook on the subject which has been distributed in many languages.

It is a matter of record, too, that, quite apart from providing leadership in riot situations, a handful of Communists in key positions can suffice to take over an entire country—as they did in Cuba, as they did in the Brazzaville, Congo, as they did in Zanzibar, and as they recently almost succeeded in doing in the Dominican Republic.

So let no one minimize the capacity for mischief of a handful of Communists. And let no one minimize the danger inherent in the fact that, in every major metropolitan center in the United States, there exists at least a handful of Communist extremists committed to the Castro-Peiping line.

Patterns of Communist activity are difficult to pin down, especially in riot situations. But I do read some significance into the fact that apparently some of the rioters made their first targets the gunshops and pawnshops in the Watts area and that not only did they succeed in escaping with many hundreds of weapons, but they systematically set the torch to all gunshops they had looted so that even the owners could not know how many guns were stolen and how many destroyed. The rioters also made prime targets of drugstores for the purpose of obtaining narcotics, and of liquor stores.

There is, therefore, some serious reason for believing that Castro had a hand, or at least a finger, in the Los Angeles riots, and that we may anticipate more trouble from this source over the coming period.

I don't mean to imply that if there were no Castro-Communist influence in the American Negro community, there would have been no Los Angeles riots. This would be a gross oversimplification.

In order to effectively eliminate the danger of racial explosions like Los Angeles, we will have to eliminate the social conditions that breed frustration and anger and hatred among our Negro citizens.

We will have to eliminate the Negro ghettos.

We will have to conquer the serious residue of discrimination that still exists in our society.

We will have to achieve the goal that the administration has set for our Nation—the goal of a society free from every form of religious and racial discrimination, where every citizen not only enjoys complete political equality, but complete social equality and equality of opportunity as well.

But let us have no illusions. These goals are not going to be achieved overnight, even with the best of intentions and the most energetic programs.

During the period of readjustment to the American society of the future, it is my hope that our Negro citizens will continue to follow the lead of the responsible leaders of the civil rights movement, who have repeatedly warned them against the dangers of violence.

It is my hope that, with the help of these leaders, they will be able to discipline their more unruly members, and expose and isolate the agents of Castro and Mao Tse-tung, who urge the American Negroes to emulate Los Angeles and pursue the fatal path of violence.

FEEDING THE HUNGRY WITH U.S. FARM SURPLUSES

Mr. MONDALE. Mr. President, ever since he served as director of the food-for-peace program, my distinguished colleague, George McGovern, has been America's leader in urging us to undertake a more comprehensive, worldwide "war against want." He has seen, as clearly as any man alive, the appalling contradiction between a world where millions starve and a United States where we seek to cut down our food production. He has introduced ambitious new legislation designed to make possible a much larger, more effective American program to use our agricultural bounty to feed the hungry of the world.

In the Newark Sunday News of August 29, there appeared a United Press article which highlights the problem of world hunger and Senator McGovern's role in opening America's eyes to it.

Mr. President, I ask unanimous consent that this article, "Senator Would Feed Hungry With U.S. Farm Surpluses," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Senator Would Feed Hungry With U.S. Farm Surpluses

Washington.—For years, a bountiful America has struggled—and spent millions—to control its farm surpluses.

Now a farm State Senator wants an about-face which would let farmers grow more food on more land and would distribute more of it to the world's hungry millions.

Led by Senator George S. McGovern, Democrat, of South Dakota, a group of Midwestern Democrats in Congress contend it is neither sensible nor moral for the United States to follow a program of sharply curtailed food production when everyday half a billion people go to bed hungry.

And they warn that strict Federal controls have reduced the Nation's food stockpiles to such a low point, that there are not enough of some of basic commodities to maintain a 6-month reserve for home consumption.

ADMIT PROBLEMS

They admit that the problems in their plan could be many and complicated. But they argue that the results would be good for American farmers as well as for international relations. They believe President Johnson agrees.

The roots of the food-for-peace (FFP) program lie in a 1954 law which provides for the distribution of surplus U.S. crops to have-not nations. The food may be given, bartered, sold for the currency of the receiving nation, or bought through a 40-year American loan plan.

In 1961 the program was designated food for peace, with McGovern as its first director. But he found his office carried little authority. He resigned in 1962 to run for the Senate. But his 18-month exposure to FFP left its mark.

On one side of the world he had seen mass graves of those who had starved to death; children whose gaunt limbs and distended stomachs testified to their hunger, and some blind from lack of proper nourishment.

At home were millions of acres taken out of production in a continuing battle against too much food, even while farmers declared that their private economic depression could eventually engulf the cities.

BILL LACKING

President Johnson suggested in his farm message to Congress establishment of strategic reserves of food but he submitted no bill to accomplish this.

Representative Clair A. Callan, Democrat, of Nebraska, did so June 3 with a measure which called for reserves of food equal to half a year's requirements.

Under his proposal, for example, 600 million bushels of wheat would be kept on hand. That would leave only 41 millions for distribution abroad.

Two weeks later McGovern submitted to the Senate an International Food and Nutrition Act of 1965. It would authorize an additional $500 million of foods of all kinds, not merely those now surplus, for distribution to hungry nations.

The program would be increased at the rate of $500 million a year until it reached $3.5 billion in 10 years.

FULBRIGHT BILL

His bill went to the Foreign Relations Committee whose chairman, Senator J. W. Fulbright, Democrat, of Arkansas, has indicated he believes FFP should be stepped up from the mere dumping of surplus foods to providing the vitamins and proteins which hungry children require.

Support for his plan was forthcoming.

Vice President Hubert H. Humphrey promised whatever help he could give. Senator Walter F. Mondale, Democrat, of Minnesota, claimed that McGovern's plan would work for this country's own interests.

"For every 10 percent the less developed countries increase their income level, they expand their dollar purchases of our farm products by 16 percent," he said. "Italy, Japan, and Nationalist China have moved from the status of food aid recipients to major dollar customers for our farm exports."

But some Members of Congress doubt that McGovern's proposal would do the job.

NO FORMULA

Senator Karl E. Mundt, Republican, of South Dakota, said attempts have been made in the past to feed the world's hungry but that no workable formula ever was devised.

Representative Vernon W. Thomson, Republican, of Wisconsin, conceded the appeal of a program which would allow farmers to produce to capacity. But he questioned whether the United States could afford this and its other obligations.

"I don't think we can protect and feed the world as a full-time activity," he said.

McGovern said he did not expect the 1965 farm bill, now before Congress, to include his proposal, or that the administration would accept his bill unchanged. But he believes the outlook is bright for the principle.

PHIL ROSE, COURANT NEWS EDITOR, RETIRES

Mr. RIBICOFF. Mr. President, an old friend of mine retired yesterday. He was a newspaperman—and there are not many like him any more. Not many people have heard his name—he did not wander around the world, golfing with presidents or lunching with kings. But he was very important to all of them, for at his job, he supervised and edited the news for a great paper: the Hartford Courant. His name is Phil Rose. His legacy will be that of a kind heart and an exacting task—not only well, but excellently done. All of his friends, I know, will join me in wishing him many, many years of happiness—and continued good works.

Mr. President, I ask that the Courant's story about Mr. Rose and its editorial be inserted in the Record at this point.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

An Editor Retires

When R. Philip Rose began his career at the Courant 45 years ago, many a city room was more like the moviegoer's idea of it than it is today. During the change to a quiet, highly organized operation, Phil Rose filled many roles. As reporter, State editor, and news editor, he was given full opportunity to develop his instinct for searching out the news. Now that he is retiring, the work will be continued by men he has helped train, and for whom he has set an example.

Mr. Rose was concerned with the immediate, the concrete part of the news. As a working newspaperman who spent his entire professional life in the city room, he developed technical proficiency that won the respect of his colleagues. The daily flow of events, the specific in the affairs of men and governments, was his life. His career is typical of the sort of newswriter who is responsible for the headlines without ever appearing in them.

Courant's News Editor, Phil Rose, Will Retire

R. Philip Rose is the Courant's news editor until this Wednesday. His job for 46 years, as reporter and editor, has been people who make news, and after that long he becomes one of them.

He has spent his life looking for people and stories that other people should know about. He knows what they should know, and what they want to know, and has each day balanced the vital with the frivolous in the daily product that's intended to last a few hours but is really, as Phil Rose knows, the chronicle of modern history.

DEDICATED TO NEWS

Rose came to the Courant in 1920, after about a year at other newspapers. He came from New York City's East Side. His father, a Talmudic scholar and teacher, brought the family there from Pinsk, Russia, when Phil Rose was 3 years old.

He was a reporter only a few years, covering everything from sports to finance, before becoming, successively, assistant city editor, Sunday editor, State editor, and news editor.

As State editor, the post he held longest, he was demanding of correspondents and news sources alike as he ran down stories, big or little, that he thought would make tomorrow's paper a better one.

He did it, he says, with "accuracy, fair play, and compassion in dealing with people." They were newspaper guidelines he learned early and passed on to scores of others.

He would print the story about the swindler or the rapist with equal attention to the miscreant and the innocent victim. "Nothing is to be gained by sensational journalism," he says.

But he always printed the story. "He was the guy who fought to get every inch of news in the paper," one former correspondent says of Rose.

His dedication to the news of the day and his attention to the facts of a story were contagious. "When in doubt, leave it out," he still tells reporters.

DEMANDED GOOD WORK

His advice to his writers often came in bursts over the telephone under the pressure of a deadline, when their image of him as "the great white father" might be brought into question.

One reporter who incurred Rose's last-minute wrath over the mishandling of a story thought he was fired. Nothing could have been further from the truth. "I do not now have, and never want, the power of economic life or death over a man," Rose told the reporter.

He simply wanted a good job done. Wasn't he, after all, the man who sent a cake to the reporter he had called away from his son's birthday party to cover a story, and wasn't he the man who collected the funnies daily to send to hospitalized children?

He was, and he was also the man who told a reporter to be in Winsted at 3 p.m. and in Middlefield at 4 p.m. to cover both stories. The men who had come to know him never questioned his assignments, even when they showed a scanty regard for geography. "With Phil you didn't fool around," one now says as he recalls his year under Rose.

Rose, news editor for the past 15 years, still puts all the news in the paper, and has a trained eye for the things that brighten the paper. "Anything with human interest," he says. "You can't do without it. It has almost 100-percent readership."

His job as news editor makes him the last link between the news and the people who want to know about it. His enthusiasm today is the same as the day he started. He starts his day by reading several newspapers to keep abreast.

His day ends at about 2 a.m., and by then he's ready for the next day. "Every day is a new chapter," he says. "It's a new adventure, an unusual adventure—informing the public of modern history."

At 66, he's a little reluctant to leave the business. He still feels like he did the day in the twenties when he was a general assignment reporter and was asked if he would pinch-hit in the sports department—"It was like asking a kid if he wanted to go to the circus."

A CRISIS FACES THE AMERICAN MERCHANT MARINE

Mr. BREWSTER. Mr. President, in recent weeks I have spoken on several occasions, and at some length, about the crisis which is now facing the American merchant marine.

More and more news analysts and commentators apparently are recognizing the situation which has developed. A most informative article by George Carmack, a staff writer on the Scripps-Howard News Service, appeared in Tuesday's Washington Daily News. Mr. Carmack deals with the decline in the American fleet and the almost minute percentage of American trade carried in our own vessels—a mere 1 percent of liquid cargo, for instance.

Mr. President, I ask unanimous consent that Mr. Carmack's analysis be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

We're Not Shipshape

(By George Carmack)

The crisis in Vietnam is calling attention again to a serious U.S. problem—our growing weakness in ocean transportation.

Our lack of ocean shipping has not handicapped our effort in Vietnam and there is little likelihood it will. But our weakness is a fundamental one. Even though we spend many millions on it each year, the problem grows worse.

A recent report by the Maritime Commission makes the trend clear.

When the Commission was established in 1950, there were about 3,400 ships in our merchant marine. Now there are about 2,500.

Then there were 1,200 privately owned ships. Now there are 963.

Then the Government had 2,200 ships—mostly World War II ships in mothballs. This has now dropped to 1,542.

The portion of American exports and imports carried in American ships is surprisingly low. We carry about 32 percent of our own general cargo. But we carry only 5 percent of our dry bulk cargo, such as grain or coal.

And in liquid cargo—such as oil—we carry only 1 percent. Two points, however, should be made. Much oil is carried in American tankers between U.S. ports. And there are also tankers owned by American oil companies which operate under foreign flags.

To try to maintain our ocean shipping strength, we pay three types of subsidies.

First is an operating subsidy. This amounts to $200 million per year. This goes to 15 companies operating about 300 ships, one-third of our total private ships.

About 83 percent of the subsidy goes to pay the higher wages drawn by American seamen.

The second subsidy is for ship construction. The Maritime Administration will pay the difference between having a ship built in a U.S. shipyard and abroad.

The third program is cargo preference and directly or indirectly it costs many millions.

For example, the Armed Forces can carry only about 25 percent of their normal peacetime cargoes in the vessels of the military sea transportation service. The remaining 75 percent are carried by privately owned vessels and Congress says these must be American ships except in emergencies.

THE STATE OF MARYLAND, THE PARTNER OF THE STATE OF RIO DE JANEIRO IN THE ALLIANCE FOR PROGRESS

Mr. BREWSTER. Mr. President, the Alliance for Progress is surely among the most noble programs of international cooperation in which this Government is engaged.

A vital part of this Alliance, one not well known or fully appreciated, is the partners of the Alliance program in which the citizens of various States organize themselves voluntarily to cooperate with a Latin State and its people in building a better life.

Since this program was originated about a year ago, 25 of our States have allied themselves with 25 countries or subdivisions of these countries in Latin America. Though technically a part of the Alliance for Progress, the partners of the Alliance receive no financial support from the Federal Government but depend solely on contributions of time, money, and knowledge from individuals, business, fraternal, and civic organizations, women's clubs, school groups, and anyone else willing to lend a hand.

My own State of Maryland is the partner of the State of Rio de Janeiro. This State, while not including the famous city of Rio, comprises a land area half again as large as Maryland but a population nearly equal. The Maryland Partners for the Alliance was organized last fall with headquarters at 10 North Charles Street, Baltimore. This group of volunteers now includes 40 leading citizens from Maryland, organized and directed under the leadership of Mr. Albert Berney, president of Hamburgers, and Mr. Julian Stein of Potomac, Md.

Our two officers and the associate superintendent of Baltimore City schools, Dr. Vernon Vavrina, spent 10 days in Rio last November talking with the members of the Rio Partners Committee and planning specific forms of cooperation and assistance.

These men returned to Maryland to put their new understanding and their joint planning to work for Maryland's sister. The success of the Maryland Partners of the Alliance for Progress in interesting the citizens of Maryland in specific projects of benefit to citizens of our sister State has been unprecedented. The story is an exciting one.

Sensing that the most critical need of the people of Rio was the need for education, the Maryland Partners for the Alliance decided to raise money for the construction of a standard one-room schoolhouse at a cost of approximately $1,200. It was agreed that these schools were to be built on a cooperative basis with $600 coming from Maryland and $600 from Rio. The plans for these schools were developed by school architects in Rio and minor suggestions were made by architects in our State and the design was then approved by the two States.

School children from Baltimore public schools held dances, parties, bake sales, and other activities to raise money to build schoolhouses in depressed areas where the illiteracy rate is staggering. Already money has been sent to the partners committee in Rio for the erection of four schools and for furnishing school supplies and equipment.

During the recent spring two Rio citizens spent 3 weeks touring schools in the Baltimore areas and speaking about their country. This resulted in an additional $1,100 donation for the construction of a school.

The University of Maryland student government responded to this visit by raising $300 for books for the University of Rio and a student exchange program is expected to be developed between these two universities.

The health committee of the Maryland Partners of the Alliance, headed by Dr. Matthew Tayback, deputy commissioner of health for Baltimore City, has also initiated an number of programs and is now attempting to raise the $1,000 to provide a water supply for a clinic in the fishing village of Saquarema. Funds are also needed for the equipment of several hospitals which the Maryland team visited last fall.

A technical assistance committee of the Maryland partners is aiding a rural electrification project for the entire State of Rio. They expect to receive assistance from the rural electric cooperatives in southern Maryland in furthering their effort.

Additional efforts are being made to interest local Kiwanis, Rotary, and other civic and service clubs in sponsoring activities of assistance to Rio. A number of Marylanders have been spending part or all of the summer in the State of Rio and have helped to spur the program as well as getting a better mutual understanding between the States. Included are a group of Maryland Boy Scouts who attended a jamboree in Rio, a professor from the University of Maryland, and two high school students. Plans are underway to bring students from Rio to Maryland during the winter. The St. Vincent de Paul Society has cooperated in sending money down for a school sponsored by the St. Vincent de Paul group in Rio.

A cultural exchange committee of the Maryland partners is now making plans for a Brazilian Trade Fair to be held in Baltimore.

Mr. President, these are only a few of the efforts at international cooperation being made by the Maryland partners. In order that my colleagues in the Senate and citizens of other States may understand and become interested in this program, I ask unanimous consent that the recent article from the Baltimore Sun entitled "Maryland Peace Corps in South America," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Sun, July 18, 1965]

ALLIANCE PARTNERS—MARYLAND'S "PEACE CORPS" IN SOUTH AMERICA

(By John Dorsey)

The State of Rio de Janeiro is like Maryland in a lot of ways. A subdivision of the nation of Brazil, as Maryland is a subdivision of the United States, it borders but does not include the more famous city of Rio, as Maryland borders Washington.

Its land area is half again as large as Maryland's (16,000 square miles to 10,000 square miles) but its population is almost the same (3,400,000 for Rio to 3,100,000 for Maryland).

The population of Rio is largely urban, and it has a big steel-producing plant in Volta Redonda, one of its principal cities. Both Rio and Maryland border on the Atlantic and both have long stretches of shoreline on principal bodies of water.

There are slums in Rio cities, as there are in our cities. There they are called favelas. But slums there are much worse than anything people in Maryland know of, or probably can even imagine. The misery is deep.

There are farms in Rio, but farming methods are old-fashioned and farming equipment is primitive. In some villages there is not even an adequate water supply.

NOT ENOUGH SCHOOLS

There are schools in Rio, but not enough of them. There are roads, but many of them turn into impassable quagmires when it rains, and in numerous places there are no bridges where there should be bridges.

But just last November a group of Marylanders in Rio suggested to a farming community a simple solution to what had seemed an impossible problem. As a result, the farmers were able to build a bridge, and take their products to market again.

More recently, school children from nine Baltimore public schools held dances, parties, bake sales and other activities and raised $1,000 for building a schoolhouse in a Rio slum where the illiteracy rate is staggering.

It might not sound like much, but $1,000 will do a lot more in Brazil than it will in the United States. For between $800 and $1,200 a one-room schoolhouse, capable of accommodating up to 80 children a day, can be built.

Also this year, $1,000 was raised by Marylanders to provide equipment for a school in Niteroi, the capital and largest city of the state of Rio (population 245,000).

GROUPS OF PRIVATE CITIZENS

All these projects to help the people of Rio—and these are only the beginning—have been accomplished by groups of private citizens in Maryland. The projects are part of a program known as the Maryland Partners of the Alliance.

Apart of the Alliance for Progress partners of the alliance is a program in which the people of various States organize to help a state or country of Latin America.

Since the program was originated about a year ago, 25 States in this country have allied themselves with 25 countries or subdivisions of countries in Latin America.

Partners committees have just begun to tap their communities at numerous levels for means to improve the education, health, and living standards of their Latin American partners.

Texas' partner is Peru. Utah's partner is Bolivia. Connecticut's partner is the State of Paraiba in Brazil. And Maryland's partner is the State of Rio.

Rio was chosen as Maryland's partner because of similarities of geography, population, and industry. The climate is somewhat warmer—more like that of Florida. Despite conditions that are far below those in the United States, Rio is by no means among the least developed areas of Latin America.

DEPENDS ON CONTRIBUTIONS

Though technically a part of the Alliance for Progress, Partners of the Alliance receives no financial support from the Federal Government. The Maryland Partners program receives no State or local government funds, either. It depends solely on contributions of time, money, and knowledge from individuals, businesses, fraternal and civic organizations, women's clubs, school groups—anyone willing to lend a hand.

The Maryland Partners, headed by Albert Berney, president of Hamburgers, was organized last fall, with headquarters at 10 North Charles Street. Its first task was to send a team to Rio to see conditions there.

Mr. Berney, Dr. Vernon Vavrina, associate superintendent of the Baltimore City Schools, and Julian Stein, secretary of the Maryland Partners, spent 10 days in Rio last November. Escorted by members of the Rio partners committee, the men visited towns.

"We were most impressed by the warmth of the people and the really fantastic reception they gave us. They are particularly devoted to the memory of President Kennedy," Mr. Berney says.

The Maryland team got the partners program off to an early start by suggesting satisfactory solutions to local problems on two occasions. One resulted in construction of the bridge mentioned earlier, and the other eliminated a fishing village's tidal drainage problem.

"We realized from our trip that the most critical need of the people was in the area of education," Mr. Berney recalls. "The average age of the population of Rio is 15. (That of the United States is about 30.) There is no shortage of teachers, but in many places there are no schools.

"There is supposed to be compulsory education through the fourth grade, but about half the children who are supposed to be getting an education aren't even in school. The illiteracy rate in the State is 40 percent.

PLAN ONE-ROOM SCHOOLHOUSE

"As a result of our visit, plans were drawn up for a one-room schoolhouse to cost no more than $1,200. Schoolhouses constructed to these plans can be erected easily in any town. They can hold 20 to 30 children apiece. With shifts, as many as 80 might be accommodated every day."

When the Maryland team returned, the partners were increased, and special committees were set up to deal with specific areas, including education, health, and technical assistance.

The Maryland partners now include about 40 leading citizens, including Senator BREWSTER, William Boucher 3d, executive director of the Greater Baltimore Committee; Dr. Martin Jenkins, president of Morgan State College; and Charles Parkhurst, director of the Baltimore Museum of Art.

So far, the partners committees have been most concerned with organization. But some projects have been begun, and many others are in the planning stage.

"We are off to a good start," Mr. Berney says. "We have had a particularly good response from school students in the Baltimore area. I hope we can expand our efforts to the counties now, and get our other committees under way on their projects."

Mr. Berney, and Dr. Vavrina, chairman of the education committee, toured Baltimore schools in the spring, giving illustrated talks on Rio and the partners program.

TOURS SCHOOLS IN BALTIMORE

During the spring two members of the Rio partners committee, Durval Goncalves and Ronald Hees, spent 3 weeks touring schools in the Baltimore area, speaking on conditions in Rio.

One result was the stimulation of programs to raise money, which resulted in the $1,100 donation to build a school.

The University of Maryland student government responded to the program's call by raising $300 for purchasing books for the University of Rio. A student exchange program is being developed between the two universities.

Because Rio is on the other side of the Equator, its summer comes during our winter, and its school year extends from March to November. Under the University of Maryland exchange program, Maryland students will go to Rio during the summer months, when their schools are in session.

In addition to studying, the Maryland students will help members of the University of Rio in their program of assistance to favelas. "In effect" says Dr. Vavrina, "we will be establishing a Maryland Peace Corps."

There is also a plan for 4-H members to live and work on Rio farms.

"I hope that in the coming months we can set up a college council to interest all colleges in the State, State-supported and private alike, to take some part in the Partners program," Dr. Vavrina says. "And I hope that the student exchange plan can be extended to public and private high schools as well as colleges. There might even be an exchange of faculty members."

In addition to schoolchildren themselves Dr. Vavrina's committee will attempt to interest labor groups and women's committees in joining the education activities of the Partners.

"I think education is one area in which the program can work to benefit both States," he says. "We hope to include in our school curricula here as much information about Rio as possible. Geography classes are probably the best places to fit the material in.

"Brazilians speak Portuguese. So far there is no Portuguese program in our public schools. But we have always been flexible on this point. Any time there is a sufficient demand for a certain language, we try to put it into the curriculum. We could easily begin a Portuguese program if the students are interested in it."

The health committee of the Partners, headed by Dr. Matthew Tayback, deputy commissioner of health for Baltimore City, has also initiated a number of programs. The committee is trying to raise $1,000 to provide a water supply for a clinic in the fishing village of Saquarema.

Funds are also required for equipment for several hospitals the Maryland team visited last November. Most needed is equipment for obstetrical and pediatric services.

Dr. Tayback hopes to raise money from individual contributions and from church groups among other sources. "It should be pointed out," he notes, "that we know the money will be spent wisely, as the recipient projects are investigated and we work with the highly capable Rio Partners Committee." The chairman of the Rio Partners is Dr. Hugolino de Mendonca, special assistant to Gov. Paulo Torres of the State of Rio.

PROFESSIONAL MANPOWER SOUGHT

Dr. Tayback feels the health committee "can be most effective in the exchange of people. I hope professional manpower—doctors, engineers and technicians—will be made available by hospitals, teaching institutions and businesses for short visits to Rio. That way the people there could get advanced knowledge not only about patient care but about building and equipping hospitals and clinics."

Dr. Tayback plans to be among those planning a trip to Rio this fall to evaluate the partners program and give technical assistance. "I want to talk to people concerned with the planning of health facilities and hygiene programs, and help them map out their strategy for improvement of the general health.

"When you are dealing with areas that are far less developed than ours you can be most helpful in advising the people about what should take priority in health planning.

"Among the first things are adequate water and sewage facilities for the population. People must be made to understand the relationship between personal hygiene and health. And they must give increasing attention to matters of pregnancy and infant care."

The big job of the technical assistance committee is aiding a rural electrification project for the entire State of Rio. "We hope to get assistance from the rural electric cooperatives in southern Maryland and on the Eastern Shore," says William Robertson, president of a local contracting company and chairman of the technical assistance committee.

"The cooperatives can provide us with technical assistance and perhaps with some used material that can be shipped to Rio free of charge in fruit ships.

SEEKING PIPES AND FITTINGS

"We are also working to supply material to extend the water distribution system in 'State Hill' a Niterio favela. We're trying to get water departments and contractors and engineers in Maryland to supply us with pipes and fittings. One or two experts will go on the fall trip to give technical assistance."

Other projects are under a miscellaneous projects committee, which has been instrumental in establishing a "twin city" relationship between Westminster and Macae in Rio. Under the arrangement, if Macae wants to start a project, it can appeal to Westminster rather than to the Maryland Partners as a whole. Eugene Moore, of the chamber of commerce of metropolitan Baltimore and head of the miscellaneous committee, is trying to promote the twin city idea in other Maryland towns.

The committee is also trying to raise $175 for lights for a school althletic field and $700 to equip a school cafeteria in Niterol. "We are also trying to get local Kiwanis Rotary, and other clubs interested in sponsoring activities in Rio," Mr. Moore says.

"The Lions are already active in this field. So far, we haven't had much response from the other clubs, but that may not be their fault. Many of their activities have to be authorized through national headquarters."

There are other aspects of the Partners program. Dr. Vavrina is also chairman of a cultural exchange committee, which is making plans for a Brazilian trade fair to be held in Baltimore.

It is hoped that among the team going to Rio this fall will be someone from the State Planning Department, to assist with State planning in Rio. The group will also include experts in labor, business, and educational fields.

The first inter-American conference of the Partners was held in Washington earlier this month. Representatives of the 50 Partners committees in this country and Latin America met to discuss progress and mutual problems.

Dr. Evaldo Saramago Pinhiero, head of Rio's agricultural extension service and vice chairman of the Rio Partners committee, came to Washington for the conference and spent a week in Maryland. He talked to officials of Maryland's Economic Development Commission and of the University of Maryland's agricultural extension service.

While here he expressed his satisfaction with the progress of the Partners program so far. He talked, too, about the pleasant surprise of meeting Marylanders.

"The impression of American life that our people get is a Hollywood impression," he commented. "But when we come here, we find that you don't all lead lives filled with scandal. In fact, you're like us."

PRESIDENT JOHNSON'S REMARKABLE LEGISLATIVE RECORD UNPRECEDENTED IN AMERICAN HISTORY

Mr. McGOVERN. Mr. President, in the remarkably short period of less than 2 years since he became President, Lyndon Johnson has compiled a legislative record unmatched in the history of the American Presidency. As a former professor of American history, I have no hesitancy in stating that President Johnson has a more outstanding legislative record than any other President in our national history including the heretofore unmatched "100 days" of the late President Roosevelt.

I believe that this first session of the 89th Congress has been the most productive and the most compassionate in the history of our Nation. Important and far-reaching legislation in the fields of education, conservation, civil rights, health, housing, the eradication of poverty, taxation, and economic development will profoundly influence and improve the living conditions of millions of American citizens. Generations of Americans to come will one day look back with pride on the brilliant domestic legislative program which President Johnson has brought to fruition.

In countless newspapers nationally respected columnists have extolled the superlative legislative achievements of the President. James Reston of the New York Times recently observed:

> In his state of the Union message, President Johnson said the time had come to give more attention to the home front. He promised to try to keep the economy growing, to extend the prosperity to more people, and to try to improve the quality of life for all. And even his critics here concede he has kept his promise.

Or, as Max Lerner recently said:

> Nothing like his magnitude and effectiveness as a lawmaker has been seen since Hammurabi, and sometimes I wonder whether even the man from Babylon could have kept up the pace of the man from Texas.

The record which President Johnson has achieved is admirable not only for its quantity, but also for its quality. Gifted with a unique kind of political genius, the President has succeeded in creating a national consensus in order to secure the enactment of several essential pieces of legislation which, although very much in the national interest, had been delayed and defeated in years past.

I am referring particularly to the medicare bill, designed to provide hospital and medical care to millions of our Nation's senior citizens living on low incomes and burdened by mounting medical bills.

I refer also to the elementary and secondary education act of 1965 to provide much-needed financial assistance to our country's school districts and to assure an adequate education to all American youth.

President Johnson has acted successfully to secure the voting rights of all American citizens, regardless of race or color—an accomplishment the Nation has been unable to achieve during a century since Abraham Lincoln's day.

His program has included legislation enacted to counteract the destruction of body and spirit caused by poverty. He has made Americans more aware of the existence of poverty in the midst of plenty.

He has proposed and secured the enactment of legislation designed to stimulate economic development in those regions of our country suffering from economic depression and low income.

A number of far-reaching water and conservation measures enacted under the President's leadership has led a number of observers to refer to this Congress as the "Conservation Congress."

Wartime excise taxes, which had long outlived their original purpose and usefulness, were repealed and reduced.

His program has also included, among other things, extension of the Manpower Development Training Act, better control of drugs, expanded research to lessen air and water pollution, aid to higher education to assure a college education to all who desire it, attacks on crime and juvenile delinquency, and legislation to ameliorate depressed farm income.

The breadth and imaginative approach of President Johnson's domestic legislative program merits the thanks of Americans in all walks of life. In 2 short years Lyndon B. Johnson has earned himself a high place in American history. It will take many years to achieve the Great Society, but President Johnson has moved our Nation much closer to that ultimate goal.

Mr. President, in the foreign affairs field, the problems have been more complex and, of course, are less responsive to the leadership of any single national leader than are domestic concerns. Understandably it has been more difficult for the President to achieve his objectives in international affairs. But we all know that the President is working tirelessly to find a satisfactory solution to the tragic war in Vietnam and to end other threats to world peace. I have not agreed with all aspects of our Vietnam policy, but I have never doubted the President's commitment to peace, and I believe that when the full record of his administration is in, it will be a record on the side of peace including an end to the war in Vietnam and a stronger United Nations.

MONETARY REFORM

Mr. HARTKE. Mr. President, the growing concern for our prosperity as it relates to the international monetary system is evidenced by a thought-provoking analysis by the distinguished journalist Max Freedman in the Washington Evening Star of September 2, 1965.

I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONETARY REFORM STUDIES URGED

(By Max Freedman)

The 1965 report of the International Monetary Fund concludes that "the international monetary system as it exists today is sufficiently strong to allow of a calm and dispassionate consideration of the possibilities of amending and improving it." There is, in short, no reason for thinking that an immediate financial crisis faces us. But that does not mean that the present system can be continued indefinitely without risk. The best time for wise planning is before the storm strikes us.

This general approach clearly reflects the views of the U.S. Government. Henry Fowler, Secretary of the Treasury, would like to have the international monetary system reviewed by a world conference. He has announced that a sustained effort will be made to secure broad agreement on essential principles before the conference is convened. France has given a churlish answer to these overtures but the preliminary planning will continue.

The fund already has made its own contribution toward the achievement of what it calls "an international consensus regarding both the major and the broad nature of the objectives of liquidity policy techniques to achieve these objectives." There is no agreement as yet on a common policy but the fund intends to study this problem very actively in the coming year.

In essence, it is necessary to protect the world monetary system from sudden and excessive strain produced by the swings and changes of world trade. A related but distinct problem is created by the needs of the emergent nations, dependent on the export of a few primary commodities subject to large fluctuations in price, and dependent also on external sources for their investment capital. The Fund must now, against the background of its acknowledged success, deal with the new problems of world trade and with the difficulties they have caused for the monetary system.

The evidence produced in this report justified the conclusion that the American Government has acted with prudence and success in protecting the dollar against further strain. The U.S. balance of payments, though improved, is still not without its anxieties. The United States is seeking to find a long-term solution by improvements in the world monetary system rather than by selfish national gains imposed by America's position of economic dominance. This desire to be fair and cooperative, and to work for an international solution, places the United States in a strong position in the coming negotiations.

By contrast the report confirms the sad estate of Britain and the growing strains on the pound sterling as an international currency. Figures cited by the Fund show that Britain has failed to obtain her fair share of the expansion in world trade. Fortunately, British economic experts are fully aware of these problems and out of their own rich experience can be expected to make useful contributions to the ultimate international solution.

Writing earlier this year for the Institute of Economic Affairs in London, Prof. Gottfried Haberler of Harvard said "the International Monetary Fund has worked well and would seem to be the suitable framework for cautious reforms and improvements. No radical overhaul is necessary."

He was very critical of French President Charles de Gaulle's suggestion that the world should return to the pre-1914 gold standard. He estimated that it would be necessary, if the gold standard were reintroduced, to raise the price of gold drastically—"at least 100 percent, I should think."

In addition, as Haberler pointed out, nobody can be sure whether the doubling or tripling of the price of gold would produce world deflation or inflation, or by chance would be just right. There can be, therefore, no mechanical or automatic operation of the restored gold standard. National and international management would still be necessary. Haberler thinks it would be much easier to make the present system work by retaining sterling and dollars in their present role or by widening the range of reserve currencies.

All these problems will be intensively reviewed at the forthcoming annual meeting of the International Monetary Fund. It is a reasonable forecast that the final decision some months from now will be much closer to Haberler's proposed plan than to De Gaulle's recommendations.

TRIALS OF THE SOUTH PACIFIC

Mr. FONG. Mr. President, the tempo of change is quickening in the South Pacific, where far-flung groups of islanders live in a vast ocean area. For several reasons—their geographic isolation, their small populations, among others—these island groups have remained in the shadows of a fast-changing world around them.

No major turmoil has thrust these islands into headlines since World War II ended. No violence or crisis has upset the islanders, in happy contrast with the upheavals among once-dependent peoples in Africa and Asia.

But the fact that the South Pacific has escaped political and racial revolutions so far does not—should not—lessen our concern for the problems facing the peoples of this huge area. For the United States, together with several other nations represented on the South Pacific Commission, have distinct responsibilities to fulfill in advancing the well-being of non-self-governing territories.

For example, the United States administers the Trust Territory of the Pacific Islands under a trusteeship agreement with the United Nations. The political future of the trust territory merits serious consideration among all parties concerned, and I have proposed—through a resolution introduced in the Senate on August 18, 1965—that preliminary investigation and study be initiated for the eventual inclusion of the Trust Territory in the State of Hawaii.

A most informative description of the South Pacific islands—their peoples, problems and challenges—has been provided in an article written for the Honolulu Star-Bulletin on April 28, 1965, by its managing editor, A. A. "Bud" Smyser, a very capable newsman with a feel for the subject.

I commend the article to all who wish to become acquainted with this largely forgotten but vastly important region in the crucial years ahead.

Bud Smyser's article underscores one fact which deserves special mention. It quotes extensively from the observations and experiences of men in Hawaii who are thoroughly knowledgeable about the South Pacific—men like Dr. Alexander Spoehr and Dr. Roland Force, former and present directors, respectively, of the Bishop Museum in Honolulu; and Dr. Y. Baron Goto, vice chancellor, Institute of Technical Interchange, at the East-West Center in Honolulu.

Their views reflect the continuing interest which Hawaii has in the entire Pacific Basin and the ever-closer ties which are destined to develop between the 50th State and the South Pacific Islands.

I ask unanimous consent to have printed at this point in the RECORD, Bud Smyser's article titled "Trials of the South Pacific," together with the accompanying description of the South Pacific islands and the article titled "South Pacific Islands Face Host of Problems."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Aug. 28, 1965]

TRIALS OF THE SOUTH PACIFIC

(By A. A. Smyser)

It could be the gentle climate.

It could be the gentle people—though there is record enough of past ferocity.

Perhaps it has been the slow tempo of change—but that era has ended now.

It could be the foreign rulers—but that indeed is hard to believe.

Possibly it is the vast distance—from the rest of the world and from each other.

Whatever the reason, an ocean area comparable to the greatest of continents has so far avoided the turmoil and trouble that winds of change have stirred up in Africa, Asia and Latin America.

But the storied islands of the South Pacific may be spared no longer.

World War II started the burst of ships, men, and new ideas into once remote areas.

The years since have accelerated the pace.

People who know the area well are agreed the last 20 years have brought more change than the previous 100—or several hundred.

They expect the next 20 to be still more dramatic.

How the drama will develop is the question that no one can answer, but the present leaders of the area—local and foreign—obviously face a challenge if the change is to be channeled into positive and productive channels.

Will Fiji, the tinderbox of the area, come to a bitter showdown between its Fijian and Indian residents?

Will New Guinea—the rich, still unexplored second largest island in the world (after Greenland)—become a battleground between Asia and Australia?

Will the independent nations of Western Samoa and Tongo find nationhood insupportable?

Will political ambitions outrace economic potential?

Will the world political battle between the great powers erupt also in the South and Central Pacific?

Quite possibly the answer to all these questions will turn out to be "Yes."

But we are still at that point in history where the achievement of "No" is also a possibility. Or at least we can hope that struggles will be kept within moderate limits.

The islands of the South Pacific—or more specifically those within the scope of the international regional body called the South Pacific Commission—stretch over 7,000 miles from east to west.

Five hundred and thirty-five years ago Magellan somehow managed to sail past them all without sighting any but Guam. But other Spanish and Portuguese explorers soon followed him to the Pacific, and so did the French.

At tiny Pitcairn, on the east, a handful of descendants of the famous mutineers from H.M.S. *Bounty* maintain a community noted mostly for its sale of postage stamps.

At the far west, young Palauans, workingmen, may resent but still accept a social system that demands ceremonial public cash contributions from them whenever some relative, even distant, buys himself a house or a boat.

In between these two extremes is the potentially explosive island of Fiji, just about to adopt a new constitution that will keep separate voting rolls for Indians, Fijians, and Europeans, and happy for the moment to settle for a standoff between the rival Indians and Fijians, who are almost equal in numbers.

There is also Tahiti, where the French rule sternly but well, and have repressed opposition political parties.

And the comic but still workable condominium of New Hebrides where the British and French coadminister and give everyone a choice between British and French—whether it be school, court, jail, or money—and the most common currency in circulation is neither British nor French but Australian.

And New Guinea where the interior a few decades ago was considered unpopulated—only to be found in World War II to harbor 2 to 3 million people.

Just north of the Equator, but still in the area of the South Pacific Commission, is Micronesia, most of it embraced in the Trust Territory of the Pacific Islands, a United Nations strategic grant to the United States.

ALEXANDER SPOEHR: "THE WHOLE AREA IS UNSTABLE"

This is the world that now is being stirred by the ideas of the 20th century.

A noted anthropologist, Dr. Alexander Spoehr, sees both boom and ferment following the lines of commerce—the new jet trails across the Pacific.

He sees port towns growing in lands that knew no towns before the Europeans came, and he sees the towns as the center of ferment while the outlands still hold to traditional ways.

Towns like Papeete, Pago Pago, Suva, and Agana are growing, bustling, modernizing, thinking, and questioning.

"The whole area is unstable," says Dr. Spoehr, who has traveled over it all. "Its people are looking for new patterns."

The patterns that emerge, he is sure, will be a mixture of things borrowed and things traditional.

Of all the native-born island leaders, the strongest to emerge so far on the international scene is Fiji's imposing Ratu K. K. T. Mara.

A giant, handsome Fijian, Ratu Mara holds a masters degree from Oxford University and a diploma from the London School of Economics.

At the July conference of the South Pacific Commission in Lae, New Guinea, Mara boldly and ably challenged the big powers that finance the commission and set its programs (the United Kingdom, Australia, New Zealand, France, and the United States).

These powers provide some $2 million annually (the United States puts up 14 percent) to promote the health, economic, and social development of the area through cooperative planning. But the commission, formed in 1947, has had a strict taboo on political discussion.

Commission members are all from the metropolitan powers plus one from newly independent Western Samoa (but none from long-independent Tonga).

The indigenous or local peoples do not sit on the Commission but meet at what is called a South Pacific Conference. There they air their concerns with the Commissioners listening in.

Ratu Maras boldness at the July conference shocked some of his fellow conferees and apparently also Australia's senior Commissioner, who was presiding, when Mara suggested the proceedings might as well wind up on the first day if the indigenous people were to simply be handed work programs by the Commissioners and have no voice in them.

Mara demanded that the local governments be allowed to help finance the Commission budget so that they also can demand a voice in setting its programs.

The islanders led by Mara also spoke up to tell the metropolitan powers that island people should be named to the South Pacific Commission itself, and that the Commission's ban on political discussions should be ended.

RATU MARA: "TEACH RESPONSIBILITY BY GIVING RESPONSIBILITY"

Mara stopped in Honolulu this week, en route home to Fiji from a meeting in London that drafted a new Fijian Constitution.

"It is not possible to teach responsibility better than by giving responsibility," he said of his bid to have the territorial areas share in running the South Pacific Commission and providing its funds.

Dr. Y. Baron Goto of the East-West Center is one of the three U.S. members of the South Pacific Commission.

He heard Mara's plea at Lae in July, talked with him about it again in Honolulu this week, and will go to an October meeting in Noumea, New Caledonia, where the metropolitan powers will decide what to do about the petitions presented to them by the island leaders in July.

Goto obviously is impressed by the argument that the Commission's present ban on political topics is unrealistic.

He seems in sympathy with Mara's view that it is impossible for health, social development and economic development not to become intertwined with politics.

"Politics is the salt of life," said one of the delegates at Lae. "Without discussion of politics you cannot fulfill the destiny of the people."

The big powers, notably Australia and New Zealand, obviously are concerned about what a little political license might lead to. Mara quite obviously sees it as possibly pointing to some kind of South Pacific Confederation.

Said Mara this week:

"In the next 20 years there are very few islands in the Pacific that could honestly become politically independent. An area is not politically independent if it is not economically independent.

"Perhaps a confederation or common market for the Pacific would make the islands more economically dependent on each other instead of on the great powers."

The South Pacific Commission and Conference are the obvious vehicles to foster such a development—but they can't if they can't talk politics.

Does Mara want the big powers to get out of the Pacific?

"The idea of getting out from somewhere is too narrow a point of view for me," he says. "That seems like a desire to get out of the world. The idea should be to be a part of the world.

"If you atomize yourself you go up into a cloud and disappear. Conglomerate—that's what we want."

Mara thinks that his own ruling power, the United Kingdom, would be glad to get out of the Pacific today if it could. He doesn't want it to.

Mara's homeland is the Pacific tinderbox. Indians who were brought there as laborers have stayed as merchants and businessmen. They can't own land but they have become wealthier than the Fijians.

Between the groups there is respect but rivalry, cordiality but little social mingling or intermarriage.

Mara fears that the distinct racial differences make Fiji the one spot in the Pacific that could become another Africa.

He says the Indian people are the one people that do not assimilate.

"Unfortunately," he said, "the Indian people have no record of assimilation. Nowhere in the world have they assimilated. It is the same in British Guinea as it is with us."

For the near future he favors a preservation of the status quo in Fiji in the hope that the races can work from areas of agreement to whittle down areas of disagreement.

Though some of Mara's ideas may sound mild enough in Honolulu, he is something of a radical by South Pacific Commission standards.

Other indigenous delegates toned down his original resolutions.

Radical or not, he is at least constructive.

And so far that has been the hallmark of South Pacific development.

Whether more violent and destructive opposition leaders will appear is in the lap of the future. It is not impossible.

Mara's desire for conglomeration undoubtedly stems partly from a fear of the Indians at home in Fiji.

CROSSCURRENTS ARE RUNNING STRONG IN THE SOUTH PACIFIC

There are other political winds also blowing in the Pacific.

Working against conglomeration are hundreds of native languages, two principal modern languages (English and French), and marked differences of tradition, custom, and interest.

Even the six districts of the U.S. Trust Territory have nine languages to cope with, along with recollections of past imperialist raids on each other. There also are the aggressive Palauans who might be called the Texans of the area as opposed to the reserved, quiet Marshallese who consider it an impossible insult to raise one's voice, even in anger.

Though the British would like to liquidate their empire quickly, the French want to incorporate theirs into the internal structure of metropolitan France.

No clear U.S. policy has emerged. However, the talk of a giant Pacific state embracing the U.S. area has stirred a number of countersuggestions.

Within the U.S. area are other forces. One strong one seems to be for a political reunification of Guam with the other islands of the Marianas chain.

This is more difficult than it seems. The Guamanians are a U.S. territory and U.S. citizens by birth. The residents of their neighbor islands are part of a territory administered by the United States but a part of the United Nations mandate, and not U.S. citizens. They also are part of the larger Trust Territory of the Pacific Islands and provide its capital at Saipan.

Three thousand miles away are two other groups of islands artificially separated by the great powers in the 19th century. America wanted a coaling station and took over the good harbor at Pago Pago. Germany wanted land.

Thus Western Samoa and American Samoa came into being. Today Western Samoa is an independent nation, though one that leans heavily on New Zealand for economic aid and political representation in foreign affairs.

The two Samoas have grown apart so much that observers see no serious desire for reunification on either side.

Among many indigenous people, thought of absorption by the big powers stirs fears of being a dark-sinned minority in a country that discriminates. One delegate from the Solomons who had seen the U.S. South was extremely hostile to American positions.

"Internal self-government" is a phrase to remember. It seems to be the present goal of many of the areas as opposed to independence. It implies liaison with a big power on foreign affairs and economic matters but relative autonomy internally.

An American Samoan told the Lae meeting: "In our territory, we have been brought up with the idea that we are independent even though someone else is paying the greater part of our expenses. This system has worked very well for us."

Dr. Goto sees the internal self-government movement as reflecting the Pacific people's awareness of Africa's troubles and their search for solutions that will avoid such crises.

He and Roland Force, director of the Bishop Museum, note that most of the South Pacific areas are already more advanced than some of the African areas that have become independent.

The Cook Islands have been granted a constitution by New Zealand that will allow them to become independent any day they choose.

But Ratu Mara listened in the United Nations last Monday as Albert Henry, the probable future premier of the Cook Islands, told a committee: "We are so small that we cannot stand independence."

NEW GUINEA: THE PACIFIC'S SLEEPING GIANT

"The great conundrum" of the South Pacific to Dr. Spoehr is New Guinea.

New Guinea is the sleeping giant of the South Pacific—with twice the land area of Japan and one twenty-fifth the population.

In both mass and population it exceeds all the other South Pacific areas combined—even with the removal from S.P.C. jurisdiction of the western half, now controlled by Indonesia.

Dr. Goto has flown over its fertile valleys and seen its impressive, unexploited agricultural possibilities.

For all its backwardness, he still can compare it to the Kona area of Hawaii that he knew as a boy. He thinks its potential is stupendous.

New Guinea and the Solomon Islands are particularly fascinating to Spoehr, the anthropologist, because they have no government system on which to build.

They are the world's best examples of a stateless system—areas that have gotten on with no visible government at all, no chiefs, no kings, no rulers—hereditary or otherwise.

This is not all disadvantageous in Spoehr's eyes—it means they can come into the 20th century without the encumbrances of chieftainships that make adaptation hard.

Indonesia's role is a question mark.

It is a foreign power in the area, though not a participant in the international administration.

Whether it can extend its domain or even hold on to what it has is one of the question marks of the next score of years.

Australia's role is somewhat inhibited by its "white Australia" policy but Spoehr sees evidence that policy is crumbling. Japan is Australia's best trading partner. Japanese and other nonwhites abound on Australian streets.

Former Congressman Thomas P. Gill, who toured the trust territory while in Congress, went back recently to help the territory's first congress (the Congress of Micronesia) start operations.

Gill warns that all political development is closely watched in the United Nations by hostile areas such as Russia, which are simply biding their time to try to find opportunities to explode boobytraps on the administering powers.

With a sardonic humor the natives also watch the political interplay among the big powers. The Marshallese joke that they have been under rule of Spanish, Germans and Japanese—all wartime losers. They hope now to pick a winner for the next war, they say, in a sly dig at the United States.

So far, the United States seems to have earned reasonably good marks for itself in at least one area—the development of local leaders.

Dr. Goto of the East-West Center and Manual Guerrero, governor of Guam, are the only two nonwhites on the South Pacific Commission. (The third U.S. member and delegation chairman is Carleton Skinner, former governor of Guam.)

The United States also has "island men" in increasingly important roles.

A native of the Marshalls, Dwight Heine, has just been named deputy administrator of the Trust Territory in charge of the government of the Marshalls.

Another island man, Peter Coleman, first governed his native Samoa, then shifted to a key role in the Trust Territory when a change of administrations in Washington gave the Samoa governorship to a Democrat.

Heine is succeeding Coleman in the Marshalls. Coleman will shift to take charge of the larger Marianas group.

Several Guamanians were important figures at the Lae conference.

NO. 1 PROBLEM: HOW TO BUILD A VIABLE ECONOMIC BASE

To all the observers of the area, the political problems are matched or exceeded by the economic problems.

The age of rising expectations has been fueled often only on cash injections from the big powers.

The $20 million or so that America puts into its areas each year may seem paltry alongside grants to other areas more remote and less strategic.

But on a per capita basis and compared to past standards in the Pacific, this still is a sum that is working dramatic changes.

Copra, trochus shells, some timber industry, a few mineral deposits, sugar in Fiji and coffee in New Guinea—things like these give the area its economic base, irregularly distributed.

But they are not enough to feed the rising wants of the residents, and particularly not enough to feed the fastest growing populations in the world.

Simple famine is a possible threat to the area, Dr. Spoehr believes.

Population control is one answer—but a strong Catholic Church presence in the area handicaps efforts to move to the most obvious solutions.

American Samoa sustains itself mainly because several thousand people a year migrate out of the area, Spoehr points out.

One of the concerns of the South Pacific Conference is with finding new economic bases.

Hawaii's example in tourism has not been lost on the islanders. Some areas might draw travelers as South Sea paradises—others on the strength of World War II memories (to Japanese as well as the Allied nations).

Fisheries also have sparked a general interest.

Military activity by the United States and France also throws dollars into the area—the French with their nuclear bomb test base in Polynesia, the United States with its Nike-X base at Kwajalei.

Russia tests missiles in the Pacific but so far without a land base.

Many islanders have lived happily in a subsistence economy, picking fruits and coconuts and catching the fish they need to live without thought or need of money. The growing population and growing urbanization defeat this. Growing expectations challenge the lack of motivation to compete that has marked many areas.

Students of the area like Dr. Spoehr and Dr. Roland Force, who succeeded Spoehr as director of Bishop Museum, agree on the need for education and training. They have no fear of any lack of raw talent.

Force found a great respect for Hawaii's East-West Center among delegates to the July conference in Lae, and Goto agreed on the spot that the Center would undertake several additional training programs involving island people.

Spoehr, who was the first chancellor of the East-West Center, sees one of the first requisites for education as the elimination of pidgin languages.

"The pidgin languages are no good," he says. "They are essentially a trade jargon, a simple means of communication. Around the world they are going out. People emergent need a meaningful language."

English and French are the languages being offered the Pacific Islanders as second language vehicles to 20th century education. There is a Gallic rivalry over which will prevail—though the odds both numerically and in terms of usefulness seem to be with English.

PETER COLEMAN: LAND FEARS ARE A BARRIER TO PROGRESS

America's Peter Coleman sees the land problem as a barrier to economic development and progress.

"The greatest fear of the island people," he says, "is loss of land. This is the greatest barrier to political development.

"Hawaii is a good example to the island people in many ways, but they see it as a bad example in land. Some steps will have to be taken to insure the security of the land."

Coleman himself is a symbol of both the Pacific's promise and problems.

He is the first native-born governor of American Samoa.

His parents sent him up from Samoa to Honolulu before World War II to get an education here. He went to St. Louis High School and then into the Army where he rose from private to captain.

After the war and because of the GI Bill of Rights he was able to go to college and earn a law degree from Georgetown University, the first Samoan to reach so high.

He found, though, when he went home in 1952, that his own wants and aspirations had risen considerably beyond the thatched hut economy he had known and left.

As Governor, from 1956 to 1961, he could find fulfillment but governorships won't be waiting for all college graduates. Yet Coleman's example has inspired many Samoans to seek college for their children.

Currently the U.S. Trust Territory administration of which Coleman is now a part faces the same problem of satisfying islanders who had gone off to college and returned.

So far, it has managed to use them in government jobs and provide them government housing.

But this, too, will not prove an inexhaustible source of challenge for men of raised expectations.

What then?

This is one of the problems of the emergent paradise.

One of the awful truths is that, whatever the difficulties ahead, there is no turning back.

The South Pacific can't go home again to the storybook days of old.

Islands of the Pacific

	Population
U.S. areas:	
American Samoa (76 square miles)	20, 850
Guam (209 square miles)	75, 000
Trust Territory of the Pacific[1] (700 square miles)	85, 000
Independent, but affiliated:	
Tonga (with United Kingdom) (269 square miles)	62, 000
Western Samoa (with New Zealand) (1,133 square miles)	115, 000
United Kingdom areas:	
British Solomon Islands Protectorate (11,500 square miles)	130, 000
Fiji (7,095 square miles)	428, 000
Gilbert and Ellice Islands (375 square miles)	47, 000
Pitcairn (2 square miles)	115
Australian area:	
Nauru (8 square miles)	4, 800
Papua-New Guinea[1] (183,540 miles)	2, 100, 000
Norfolk Island[1] (13 square miles)	900
New Zealand area:	
Cook Islands (99 square miles)	400
Niue (94 square miles)	4, 900
Tokelau (4 square miles)	6, 950
French area:	
French Polynesia (1,544 square miles)	80, 000
New Caledonia (7,335 square miles)	80, 000
Wallis and Futuna Islands (106 square miles)	10, 000
British-French condominium:	
New Hebrides (5,700 square miles)	60, 374

[1] United Nations trusteeship areas.

U.S. Trust Territory administrative districts

[700 square miles]

	Population
Palau (179 square miles)	10, 280
Marianas (183 square miles)	10, 062
Ponape (176 square miles)	17, 707
Marshalls (70 square miles)	17, 363
Yap (46 square miles)	6, 021
Truk (46 square miles)	23, 344
Total	84, 777

SOUTH PACIFIC ISLANDS FACE HOST OF PROBLEMS

(From interviews in Honolulu and from the South Pacific Conference at Lae, New Guinea, as reported by Pacific Islands Monthly, published in Sydney, Australia)

"We can't have our cake and eat it at the same time. If we want to be a part of the world, we have to take part in it."—Ratu Mara, of Fiji (on the assault of outside influences on island cultures).

"One thing that has interested and surprised me about this conference (of the South Pacific Commission areas) is that we know so little about each other, but have so much in common."—Carlos Taitano, Guam.

"In the Gilbert and Ellice Islands we lose expatriate officers just when they are beginning to understand local conditions."—Buren Ratieta.

"Citizenship will not spell eqality. The island people also need education and economic training and development. They need to be able to compete."—Peter Coleman, former Governor of American Samoa, now an administrator of the Trust Territory.

"Things are moving quickly in this part of the world and our people are not trained in some of the new business methods. They must be educated to know that they will be dealing more and more with businessmen from the more sophisticated areas. One of the greatest complaints about our area is that our businessmen are unreliable."—Carlos Taitano, Guam.

"I wonder if we are aware of the fact that nuclear explosives will ruin our fish in the Pacific? I wonder if this conference will pass a resolution to ask a nation which is going to explode a nuclear weapon in our area to think twice or to have pity on the people of the South Pacific?"—Apenera Short, Cook Islands. (No resolution was passed.)

"I wish I could believe entirely and implicitly in the idea of democracy that the vote will bring people together."—Ratu Mara, of Fiji (discussing the maintenance of separate racial voting rolls in Fiji, which he favors.)

"The American dollars now circulating in the Trust Territory, principally in the form of wages and salaries in the areas of logistics, give a false sense of prosperity. With the removal of U.S. sponsorship of the Territory, these funds would be withdrawn."—Drs. Roland and Maryanne Force, of the Bishop Museum.

"There is a very real problem in the teaching of native languages. There can be no doubt that literacy in the native language as a prerequisite to learning an introduced language is pedagogically sound. But it is very difficult to achieve in practice. Here in this territory of Papua, New Guinea, you will have to first train instructors in 600 native languages."—Dr. Richard Seddon, official of the South Pacific Commission.

PROGRAMS FOR SENIOR CITIZENS

Mr. SMATHERS. Mr. President, I was very pleased and gratified by the President's recent announcement of new programs in the Office of Economic Opportunity directed to some of the problems of the aged poor in our Nation.

Comments often are heard, and sometimes in critical tones, that our war on poverty is concentrating on the young to the exclusion of other groups. I certainly do not minimize the vital importance of programs to improve the skills, broaden the horizons, and enhance the opportunities of youth in any concerted attack on the roots of poverty. Nor do I wish to second-guess the judgment of those who in launching a new program placed initial emphasis in this area. But I do say, and I have said it often in the past several months, that we must recognize the widespread poverty among America's senior citizens. This is a group for which opportunities to improve their economic condition are especially limited. It is a group whose needs must be given major attention if we are to make real inroads against the blight of poverty.

As chairman of the Special Committee on Aging, I am delighted that OEO is now taking positive steps in that direction. I am pleased, too, that the Senate has indicated its recognition of the necessity for such programs by including in the Economic Opportunity Act Amendments, which have just been passed, a section calling for programs of assistance to the elderly.

Mr. President, President Johnson has announced a program which will utilize the talents of older people to provide love and guidance to small children who are homeless and abandoned. The foster grandparent program is an inspired conception; a program which opens up to thousands of unfortunate children the beneficial influence of concerned and mature contact, and at the same time it enables older people to improve their living standard as a result of real contribution to the betterment of their communities. Other projects will utilize the elderly as home health aids and in child care in the slums and with the retarded.

Our senior citizens represent a group who are mature and skilled, who want to be a useful part of the community life about them. Our society has not yet learned how to fit them into its affairs, to find their place in the pooling of efforts toward a more civilized, more satisfactory community life. The foster grandparent program which has been developed by the OEO is a step in this direction.

In addition to the section I have mentioned, amending the Economic Opportunity Act to assert the intention of Congress that programs for senior citizens should share in the war on poverty, I advocated the establishment of a senior service corps. Members of the Special Committee on Aging will recall that during the hearings of the committee on poverty and the elderly held last June, Director Shriver describe and discussed with us the foster grandparent program which has just been announced. We received this idea with enthusiasm, but it is just one facet of a far broader opportunity which lies before us.

There is a multitude of necessary and productive work to be done in every community, some of which can best be done by older people who can bring to it the perspectives and the wisdom of age, and who by doing so would be filling their natural role in the community structure. At the same time this work is of such nature that it warrants compensation which would enable these older people to live in more comfort and dignity.

The foster grandparent program is one example of the kind of work contemplated by my senior service corps proposal. It is my hope that this modest test will prove so successful that it will lead directly to the development of community organizations through which retired people can constructively and profitably employ their time in many different ways.

The Special Committee on Aging will continue its studies and efforts to find ways in which older people can improve their financial situations through constructive outlets for their ideas and energies; and we shall continue to advocate measures on the part of the War on Poverty which can transform these possibilities into realities.

We have been receiving a number of outstanding suggestions from senior citizens all over the Nation. And I call attention to one idea in particular, suggested by Burt Garnett of Key West, Fla., who is a senior citizen himself and an outstanding commentator on the problems of the elderly.

Mr. Garnett has suggested that what is needed in communities around the country is something in the nature of a senior citizens workshop—where retirees can perform useful work for themselves and for one another.

Repairs to furniture, small appliances, and the like—which are so hard to obtain even for those who can well afford to pay for the work—could be provided in such shops, which could be established so they do not compete with industry.

Such shops, however, could provide manual, clerical, and other tasks for many senior citizens and serve a useful public purpose.

This is an idea which our aging committee is seriously studying and one of many paths which can be explored.

Therefore, Mr. President, it is with great pleasure that I welcome the news announced from Austin, Tex., on August 28—that $41 million in four projects will be made available to help fight poverty among senior citizens.

VIETNAM

Mr. DODD. Mr. President, it has been charged by some that the United States is embarked on a military crusade against Communist nations.

This is most certainly not the case, as the facts most emphatically show.

The effort of the United States in South Vietnam is only part of a substantial U.S. program to enlarge the economic, social, and political future of the Vietnamese people.

Aggression against South Vietnam disguised as liberating war must be successfully resisted, or more aggression and more war will follow.

These observations are contained in a most impressive statement advanced recently by the trustees of Freedom House in New York and endorsed by 130 distinguished faculty members from colleges and universities all over the Nation.

I am highly gratified to learn of this statement and of the impressive support which has been rallied behind it. I commend this eloquent statement to my colleagues, and I ask unanimous consent to have it printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, this statement will do much, I believe, to put the national dialog on Vietnam in proper perspective. It is lucid, informative, and thoroughly praiseworthy.

And most importantly, it indicates that, despite a vocal and highly inflammatory minority, steady voices of reason all across this great Nation are ready to rise in support of a policy which is necessary and which demands the continuing support of our citizens.

EXHIBIT 1

STATEMENT OF TRUSTEE OF FREEDOM HOUSE

More than 130 members of the American academic community have publicly backed the position of the U.S. Government in South Vietnam. Their action was taken in endorsing a Freedom House statement, which declares that the present policy of the United States deserves the wholehearted support of the American people.

Faculty members at 70 colleges, universities, and other institutions of higher education in the United States are among those expressing their agreement. Although a majority are in the fields of political science and international relations, the group includes scholars from a wide range of academic disciplines. A professor of economics at Cornell University, however, withheld his signature, although he agreed with the statement and has written various public officials to this effect. He expressed the feeling that it is inappropriate for individuals with expertise in one field to use their position to attempt to influence the public.

The endorsements are in response to a letter mailed to a selected list of persons in academic life by Leo Cherne, chairman of the Freedom House executive committee. Writing on behalf of Freedom House, Mr. Cherne declared: "Too long, we feel, those with opposing views have been left a clear field to present themselves to the world as the single voice of American intellectuals."

In addition to the faculty members, hundreds of Americans in all walks of life have written to declare their agreement with the Freedom House statement on Vietnam. Most of them backed up their declaration with a contribution to permit the statement to be disseminated more widely. They overwhelmingly endorsed the view that if the "aggression against South Vietnam—disguised as a war of liberation—is not successfully resisted, more aggression and perhaps even larger scale war will follow."

The Freedom House statement included a credo of support, which declared that withdrawal from Vietnam under present circumstances would be morally indefensible and that the decision to halt Communist aggression is clearly in the interest of the free world nations. At the same time the statement noted that the United States is "not embarked on a military crusade against Communist nations" and that American military operations are "only part of the substantial U.S. program to enlarge the economic, social, and political future of the Vietnamese people."

The Freedom House effort to enlist support for our Government's Vietnam policy was welcomed by President Johnson in a letter to the organization's Public Affairs Committee, dated July 19, as follows:

"I believe your statement in support of the policy of the United States toward Vietnam reflects the strong opinion of most Americans. What you say takes increased importance from your long and courageous record of opposition to all forms of tyranny.

"I am grateful for the position stated in your credo of support and I hope that others who feel as you do may be willing to join in this expression. Effective public support of our national purpose in Vietnam will hasten the coming of the peace which is our common purpose."

The members of the academic community who have endorsed the administration's policy in Vietnam are part of a growing list of faculty members who are communicating their views to Freedom House. New sponsors are adding their names daily; the list to date follows:

SPONSORS OF FREEDOM HOUSE STATEMENT

American International College: C. S. Samra.

The American University: Ernest S. Griffith, dean, School of International Service; Loy W. Henderson, director, Center for Diplomacy and Foreign Relations.

Bowling Green State University: Emanuel Solon, department of chemistry.

Brandeis University: Max Lerner, professor of American civilization.

Brooklyn College: Harry D. Gideonse, president; Hyman Kublin, department of history; Ivan D. London, department of psychology.

Brown University: William T. Hastings, professor of English emeritus.

Bryn Mawr College: Angeline H. Lograsso.

Carleton College: Reginald D. Lang, department of government and international relations.

The Catholic University of America: B. S. Browzin.

Claremont Graduate School: George S. Blair.

Claremont Men's College: William S. Stokes, senior professor of comparative political institutions.

The College of Idaho: George V. Wolfe, professor of political science.

Columbia University: Daniel Bell, professor of sociology; Zbygniew Brzezinski, director, Research Institute on Communist Affairs; William K. Jones, professor of law; Willis L. M. Reese, director, Parker School of Foreign and Comparative Law; Joseph H. Smith, professor of law.

Cornell University: Charles Acerman, department of sociology; George H. Hildebrand, department of economics; Jacob Wolfowitz, department of mathematics.

Dartmouth College: John W. Masland, department of government.

Drew University: Will Herberg.

Elmhurst College: Royal J. Schmidt, professor of political science and history.

Fairfield University: John Norman, department of history.

Gallaudet College: Kurt Beermann, professor of history and political science.

George Washington University: Franz Michael, associate director, Institute for Sino-Soviet Studies.

Georgetown University: James D. Atkinson, department of government; Walter W. Wilkinson, department of history; Rev. Gerard F. Yates, S.J., international student programs.

Harvard University: Robert Braucher, professor of law; Carl J. Friedrich, professor of government, Littauer Center; Morton H. Halperin, Center for International Affairs; George C. Homans, department of social relations; Samuel P. Huntington, professor of government; William L. Langer, professor of history; Harvey C. Mansfield, Jr., department of government; George H. Quester, Center for International Affairs; George C. Shattuck, medical school; Roland W. Thorwaldsen, Center for the Study of World Religions.

Hofstra University: Robert A. Christie; John C. Moore, department of history.

Hollins College: Victor Zitta.

Indiana University: Robert F. Byrnes, director, Russian and East European Institute; John E. Stoner, department of government.

Lehigh University: H. S. Braddick, department of international relations; Aurie N. Dunlap, department of international relations; A. Roy Eckardt, department of religion.

Macalester College: Arthur Upgren, department of economics.

Marquette University: Arthur C. Marlow, chairman, political science; Quentin L. Quade, department of political science; and Eric Waldman, department of political science.

Massachusetts Institute of Technology: Lincoln P. Bloomfield, department of political science; Ithiel de Sola Pool, department of political science; and Lucian W. Pye, department of political science.

Miami University: Dan N. Jacobs, professor of government.

Michigan State University: Charles R. Adrian, chairman, department of political science; Wesley R. Fishel, department of political science; and J. Oliver Hall, department of social science.

New York University: Sidney Hook, department of philosophy; and Frank N. Trager, professor of international affairs.

Ohio State University: James A. Robinson.

Princeton University: Rowland Egger, Woodrow Wilson School of Public and International Affairs; Brooks Emeny, advisory council, Woodrow Wilson School of Public and International Affairs; and William W. Lockwood, Woodrow Wilson School of Public and International Affairs.

Ripon College: William Fleming, chairman, department of political science.

Rutgers—The State University: Donald G. Herzberg, executive director, The Eagleton Institute of Politics.

Sacramento State College: George Tokmakoff, department of history.

Saint Louis University: Frances J. Corley, department of history.

Smith College: M. Salvadori, department of history.

Southern Illinois University: William Goodman, chairman, faculty of government.

Stanford University: Stefan T. Possony, director, international political studies program, Hoover Institution.

State College, Shippensburg, Pa.: Benjamin Nispel, dean of arts and sciences.

Texas A. & M. University: Daniel Russell, professor emeritus of sociology.

Texas Christian University: Charles W. Procter, department of government.

Texas Western College: S. D. Myres, department of government; and Roland I. Perusse, department of government.

Tulane University: Henry L. Mason, professor of political science.

University of Bridgeport: Victor E. Muniec; and Justus M. van der Kroef, department of political science.

University of California, Berkeley: Eric C. Bellquist, department of political science; Joseph P. Harris, department of political science; Seymour Martin Lipset, director, Institute of International Studies; Frederick C. Mosher, department of political science; William Petersen, department of sociology; Robert A. Scalapino, department of political science; Raymond J. Sontag, department of history; and Aaron Wildavsky, department of political science.

University of California, Los Angeles: J. A. C. Grant; and Robert G. Neumann, department of political science.

University of Chicago: Morton A. Kaplan.

University of Cincinnati: Paul F. Power, department of political science.

University of Colorado: James L. Busey, department of political science; and Edward J. Rozek, department of political science.

University of Connecticut: Arthur Bronwell, dean of engineering.

University of Maryland: Walter Darnell Jacobs, department of government and politics.

University of Michigan: Russell Fifield, department of political science.

University of Minnesota: Carl A. Auerbach, professor of law; Harold C. Deutsch, chairman, department of history; Samuel Krislov; C. H. McLaughlin, department of political science; Arnold M. Rose, professor of sociology.

University of Montana: Thomas Payne.

University of Pennsylvania: William R. Kintner, deputy director, Foreign Policy Research Institute; Robert Strausz-Hupe, director, Foreign Policy Research Institute.

University of Pittsburgh: Daniel S. Cheever, graduate school of public and international affairs; John O. Hall, director, overseas programs, graduate school of public and international affairs; Donald C. Stone, dean, graduate school of public and international affairs.

University of Richmond: Spencer D. Albright.

University of South Carolina: Robert W. Foster, professor of law; James E. Larson, professor of political science.

University of Tennessee: Douglas Carlisle, department of political science.

University of Texas: Page Keeton, dean, school of law.

University of Washington: Imre Boba, Far Eastern and Russian Institute; Karl A. Wittfogel.

Upper Iowa University: Charles B. Clark.

Utah State University: Jay M. Bagley, civil engineering department; Carlton Culmsee, dean, college of humanities and arts; Elliot Rich, civil engineering department.

Wabash College: George A. Lipsky, political science and geography department; Warren W. Shearer, economics department.

Western Washington State College: Manfred C. Vernon, department of political science.

Yale University: Eugene V. Rostow, professor of law; Walter R. Sharp, professor emeritus of international relations; Alexander von Graevenitz, department of microbiology.

Yeshiva University: Joseph Dunner; Roman Vishniac, professor of biology.

Additional listings. Robert A. Goldwin, director, Public Affairs Conference Center, University of Chicago; William V. O'Brien, chairman, institute of world policy, Georgetown University; Robert Sobel, department of history, Hofstra University.

DEATHS LINKED TO CIGARETTES

Mrs. NEUBERGER. Mr. President, the incidence of death from diseases of the thoracic system has increased ninefold since 1945, according to the U.S. Public Health Service.

In spite of the efforts of the American tobacco industry to gloss over the relation between cigarette smoking and disease, the deaths continue and emphysema victims are coughing away their declining days.

I ask unanimous consent that the article from the Washington, D.C., Star be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. CITES FATALITY RISE: LUNG DISEASE DEATHS LINKED TO CIGARETTES

(By William Grigg)

The U.S. Public Health Service today labeled cigarette smoking the most likely explanation for vastly increased deaths from two lung-crippling diseases—chronic bronchitis and emphysema.

Emphysema has become second only to heart disease as a cause of disability. Unlike cigarette-linked lung cancer which quickly kills most of those it strikes emphysema allows many of its victims to live—with a greatly decreased capacity to work or enjoy life.

A progressive disease it weakens the bellows action of the lungs. This robs the body of its ability to exchange oxygen and carbon dioxide efficiently. A mild exertion in a normal person become a major chore to an emphysema victim.

Chronic bronchitis is a recurring inflammation of the lining of the air tubes. It causes thick mucus, difficulty in breathing, and deep coughing.

Together, the diseases caused only 2,300 reported deaths in 1945. By 1963, deaths had increased ninefold to 19,443.

The Social Security Administration pays more than $60 million a year to workers disabled by emphysema.

The new report by the PHS, a carefully prepared leaflet for the general public, calls "something inhaled into the lungs—something not common before this century"—the most likely explanation for the increases in the two diseases.

BUSINESS SUPPORT FOR AN EASING OF AMERICAN MONETARY POLICY AT HOME AND ABROAD

Mr. HARTKE. Mr. President, one of the great strengths of the American political economy is the continuous and informed communication that exists between responsible leaders of the business and financial communities and the Congress. On the difficult questions of public policy in economic and financial matters, there is no substitute for the experience and expertise of the men who are devoting all their efforts to making this system work—and who are making it generate ever higher wages, ever greater profits, and ever increased productivity.

In recent weeks, I have been privileged to receive the support and encouragement of a number of experts in our financial community for our continued urgings that American monetary policy be eased—both at home and abroad. The position which we have consistently espoused is that the proper approach to defending and encouraging the growth of the American economy is not to shackle—through restrictive credit and monetary policies—the private sector which is the real engine of economic growth. And this position, I am proud to report, has received the enthusiastic backing of Mr. E. Bates McKee, vice president and director of Bache & Co.; Mr. Sam B. Lyons, Washington consultant to the Association of Stock Exchange Firms; and Mr. Milton A. Manley, senior partner in the stock exchange firm of Manley, Bennett, McDonald & Co. of Detroit, and others. I ask unanimous consent that their letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BACHE & CO., INC.,
Washington, D.C., August 26, 1965.

Hon. VANCE HARTKE,
U.S. Senator from Indiana,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: Thank you very much for your letter of August 20. I read with great interest the joint statement which you and Senator MCCARTHY presented to the Senate Banking and Currency Committee on the subject of "Balance-of-Payments Priorities" and consider that this is a brilliant presentation on a rather complex subject and that the conclusions that you have drawn definitely are in the best interests of this country.

I shall consider it a great privilege to meet with you and some of your colleagues at such time as it is convenient for you to arrange such a meeting.

Very truly yours,
E. BATES MCKEE,
Vice President and Director.

WASHINGTON, D.C.,
July 19, 1965.

Hon. VANCE HARTKE,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR HARTKE: My associates and I were pleased and heartened to read (in the CONGRESSIONAL RECORD of July 14) your forthright comments on your recent letter from Keith Funston. Earlier, I believe, you had a similar letter from one of our ASEF Governors, Milton Manley, of Detroit.

The all-important consideration of market liquidity is frequently lost in (or, at least, overshadowed by) more dramatic economic factors. Your continuing interest, beyond the merits of your argument, serves to bring the liquidity problem into increasingly sharp focus. And this has to be all to the good.

Apart from the good wishes, this is a friendly reminder that I am both handy and pleased to answer—or expedite the answers to—any questions you may have concerning the exchange community. By the same token, it goes without saying that we will be—as always—grateful for your continuing suggestions.

Betimes, strength to your good right arm.

Cordially and sincerely,
SAM B. LYONS.

MANLEY, BENNETT, MCDONALD & CO.,
Detroit, Mich., July 30, 1965.

Hon. VANCE HARTKE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR HARTKE: Your letter of July 26 enclosing a copy of your Senate address of July 20 has been received, and I assure you it is greatly appreciated.

While I am not a student of international finance, your address regarding the necessity of reforming the world monetary system, and meanwhile maintaining a reasonable balance in our payments equilibrium, sounds like good commonsense to me.

I am, however, very much interested in your comments regarding the stock market. It is the primary barometer of public confidence, and the deterioration of that confidence is very apparent in recent weeks. We brokers notice it in our dealings with the investing public. If the margin requirements were reduced by the Federal Reserve authorities, I am of the opinion that the market would react favorably, and induce many people to reinstate their market selections with confidence.

I sincerely hope that the able Senate Committee on Finance will continue with the thoughts outlined in your recent letters to me.

Respectfully,
MILTON A. MANLEY.

FARM PRODUCTS—WEAPONS FOR PEACE

Mr. SYMINGTON. Mr. President, the informative Kiplinger letter of August 27 has some interesting predictions with respect to the future of the agriculture policies of the United States.

Speaking for myself and the farmers of Missouri, I hope much of the letter is right, because these thoughts embrace what we have urged for years; namely, substitution in the AID program of our increasing food and fiber surpluses in place of our decreasing dollars.

The letter asserts that the Government plans to use food, with the recipient countries agreeing to expand their own internal food production, to that end purchasing from the United States such items as agricultural machinery, processing plants, machinery, and so forth.

In other words, we would substitute food for dollars in the AID program; and at the same time develop trade.

The letter states this would bring in billions of dollars of business, to those involved in food production and distribution.

These changes, so the letter adds, would be predicated on the serious world famine predicted for the 1970's, which would be worst in Latin America, Africa, and Asia; and therefore, in effect, this food would be worth more than money.

Food would be considered a weapon for peace, having some deterrent capacity comparable to military power.

For years we have recommended that the base of this idea be tried. In following the theory, more trade—less aid, food and fiber might well be utilized in the interest of halting among nations the proliferation of nuclear weapons.

PRIZE-WINNING ESSAY: "MY RESPONSIBILITY TO AMERICA"

Mr. PELL. Mr. President, Miss Roberta Fish, of High Street, Ashaway, R.I., recently visited my office in Washington, while she was participating in the teen forum sessions here in the District of Columbia. Miss Fish wrote a prize-winning essay entitled "My Responsibility to America."

Because of the excellence of this essay, I ask unanimous consent to insert the essay into the RECORD at this point.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

MY RESPONSIBILITY TO AMERICA

Being a custodian of a precious, yet vulnerable way of life obligates me to develop a deep-rooted approach to life, its people and its problems. I must know and meet the obligations to liberty enabling them to become indelibly stamped on my heart and mind. In striving to possess the self-discipline to do justice, I am required to maintain the rights of others as well as my own.

Eternal vigilance, the price of freedom, must be focused not only against dangers from without, but complacency, softness, and selfishness within. I must continually undergo self-improvement and rededication to live up to the challenges of the future.

As a youth, I need not only the courage to speak out against the weaknesses of society, but to root them out in myself. It is my duty to maintain and strengthen our heritage as it was won by being honest, inquisitive, alert, diligent, and physically and mentally fit. I must avoid prejudice, display strength of character, demand morality from myself as well as from others, secure justice from my government and set an example of loyalty, decency, courtesy, and honor. I am obligated to rely not on the gold in vaults, but the iron in my blood to endure unflinchingly the sacrifices necessary in defending my free nation.

I must not only accept these obligations passively, but reflect on them until they become actual yardsticks by which I can measure my success or failure in growing to become a responsible member of democratic America.

Mr. PELL. Mr. President, too often we, in the legislative branch of the Government, only hear about the lack of responsibility that is developing in the young people of our country. However, as someone who is vitally interested in the young people of America, I believe that the potential for greatness in young Americans is far greater today then ever before in the history of our Nation.

I have called for a dialog with youth, not only to learn their apprehensions, problems and failures, but, also, to help bring out the devotion to our country which lies just below the surface. Miss Roberta Fish is an ostensible sign of the depth of understanding of our young people. It must be encouraged. It must be allowed to grow.

We will truly move forward into the Great Society, and not be overwhelmed by the engine of history if Miss Roberta Fish is symbolic of the youth of our Nation.

CLEAN WATER GRANTS UNDER RIBICOFF BILL

Mr. RIBICOFF. Mr. President, on August 31, I introduced S. 2481 which would increase the Federal Government's commitment to clean water by quadrupling the existing waste treatment construction grant program. In introducing the bill I pointed out that Connecticut's present allocation of $1,321,300 would be increased to $5,285,200. Since then I have received a number of inquiries relating to allocations under the bill for other States. For the information of others I ask unanimous consent to include in the RECORD at this point a table showing current State allotments under the Federal grant program and what that allotment would be under S. 2481.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	State allotments, water pollution control construction grants program	State allotments under Senator RIBICOFF's bill S. 2481
Alabama	$2,122,600	$8,450,400
Alaska	760,000	3,040,000
Arizona	1,266,600	5,066,400
Arkansas	1,750,750	7,003,000
California	4,988,450	19,953,800
Colorado	1,274,500	5,098,000
Connecticut	1,321,300	5,285,200
Delaware	730,650	2,922,600
District of Columbia	812,550	3,250,200
Florida	2,297,950	9,191,800
Georgia	2,178,700	8,714,800
Hawaii	971,050	3,884,200
Idaho	1,200,400	4,801,600
Illinois	3,447,000	13,788,000
Indiana	2,095,050	8,380,200
Iowa	1,632,600	6,530,400
Kansas	1,468,950	5,875,800
Kentucky	1,954,700	7,818,800
Louisiana	2,024,800	8,099,200
Maine	1,252,100	5,008,400
Maryland	1,575,700	6,302,800
Massachusetts	2,113,200	8,452,800
Michigan	2,950,000	11,800,000
Minnesota	1,795,900	7,183,600
Mississippi	2,068,000	8,272,000
Missouri	1,986,950	7,947,800
Montana	1,090,200	4,360,800
Nebraska	1,237,850	4,951,400
Nevada	689,250	2,757,000
New Hampshire	1,023,400	4,093,600
New Jersey	2,344,700	9,378,800
New Mexico	1,282,800	5,131,200
New York	5,271,850	21,087,400
North Carolina	2,363,150	9,452,600
North Dakota	1,163,500	4,654,000
Ohio	3,466,600	13,866,400
Oklahoma	1,641,350	6,565,400
Oregon	1,285,850	5,143,400
Pennsylvania	3,922,750	15,691,000
Rhode Island	1,050,350	4,201,400
South Carolina	1,917,300	7,669,200
South Dakota	1,189,750	4,759,000
Tennessee	2,109,350	8,437,400
Texas	3,584,000	14,336,000
Utah	1,178,250	4,713,000
Vermont	1,046,800	4,187,200
Virginia	2,062,750	8,251,000
Washington	1,572,000	6,288,000
West Virginia	1,575,450	6,301,800
Wisconsin	1,920,000	7,680,000
Wyoming	890,150	3,560,600
Guam	1,487,300	5,949,200
Puerto Rico	2,115,150	8,460,600
Virgin Islands	1,477,700	5,910,800
Total	100,000,000	400,000,000

THREATENED STEEL STRIKE POSES ECONOMIC CRISIS

Mr. MANSFIELD. Mr. President, this Nation today is on the threshold of an economic crisis of major proportions. The steel industry is threatened with a shutdown by an apparently intractable labor-management dispute at the very time that our national and international needs for its production are increasing. We have taken on additional military responsibilities in Vietnam. The Nation's economy has just completed an unprecedented 4½ years of uninterrupted economic expansion. It ought to be obvious that the threat of a steel dispute hangs heavily over both.

The United Steelworkers and the steel companies have their own problems. The union believes that it has been falling behind in the advance of wages in recent years. The companies know that their markets are subject to competition from abroad and from substitute materials. But the unique problems faced by the two parties to this dispute are small relative to the overall problem with which the Nation would be confronted if there is a break in steel production. That we should even have to skirt this problem seems unwarranted since the differences that separate management and labor do not appear great.

Both the steelworkers and the steel companies have shared in the benefits of a booming industry. American steelworkers earn, on the average, $3.46 an hour. This is one-third higher than the average earnings of American manufacturing workers. To be sure, the steelworkers have long been better paid than other American wage earners. But the margin of their advantage has improved over the past decade. In the early 1950's, their hourly wages exceeded the average by only 23 percent. Now the margin is 33 percent. If wages today are compared with those at the end of World War II, steelworkers have gained 182 percent, while manufacturing workers generally have gained 148 percent. In the first half of this year, the average weekly pay envelope of the American steelworker contained $145.

Not only wages but fringe benefits—pensions, insurances, medical benefits, supplementary unemployment benefits—have increased. The value of the wages and fringe benefits received by steelworkers averaged $4.42 an hour early this year. If this is not the highest average in American industry, it is very close to it.

Beyond individual earnings, moreover, the condition of steelworkers as a group has improved. For the 10 years prior to 1962, employment in American steel mills was stagnant or declining. But in the last several years this trend has been reversed; steel employment has expanded dramatically. In 1964, steel jobs rose by 36,000; and in the first half of this year there were 59,000 more steel jobs than in the first half of 1964. This expansion of employment in the steel industry has occurred in spite of a continuing rapid rise in the productivity of each steelworker. It has occurred in great part because the national economic policies which have been followed in recent years have produced an unprecedented expansion of incomes and consumer purchasing power, and a remarkable enlargement of business investment. Together, these have led to an unprecedented rise in the consumption of steel.

The rising employment of steelworkers has helped to resuscitate every major steel producing center in the Nation. Between June 1961 and June 1965 unemployment fell in Pittsburgh, from 11.5 to 3.6 percent; in Chicago, from 5.4 to 3 percent; in Gary, Ind., from 6.8 to 2.7 percent; in Youngstown, Ohio, from 8.8 to 2.9 percent; in Buffalo, N.Y., from 10.8 to 3.5 percent; in Birmingham, Ala., 8.6 to 3.8 percent.

And in July, Johnstown, Pa., was taken off the Labor Department's list of areas of substantial and persistent unemployment after 12 continuous years on that list.

These gains were made despite losses of export markets for steel and expanding steel imports. In the first half of 1965, imports of steel exceeded exports by some 3.8 million tons. This represents 40,000 to 50,000 jobs for American steelworkers. A decade ago we had an export surplus of steel of that size. The swing from an export surplus then to an import surplus now represents in the neighborhood of 80,000 jobs.

The great surge of steel imports occurred after the steel strike in 1959. Steel users, unable to find domestic sources of supply, began to look abroad. Imports of steel rose from 1.7 million tons in 1958 to 4.4 million tons in the strike year of 1959. Once American steel users found that imported steel was available and was of good quality, they continued to buy it. And each time there has been the threat of a steel strike, imports have expanded again. Last year, spurred by the fear of a strike, American steel users imported nearly 6½ million tons of steel. And in the first half of this year alone, almost 5 million tons were imported. It is to be hoped that steelworkers as well as steel producers will recognize that if there is a steel strike, a further swing to imported steel is to be expected to the detriment of both.

It is not difficult to understand that American steelworkers want to improve their conditions. But it does not seem to me unreasonable to anticipate—both in the general interests of their own group and in the interests of the Nation—that they would be prepared to compromise in order to achieve a settlement that provides for a fair and reasonable improvement.

The recordbreaking expansion of the Nation's economy in recent years has not only benefited steelworkers, it has also greatly benefited the companies. Steel production last year set an alltime record. It was 16 percent above production in 1963, and up 49 percent from 1958. It exceeded by 8½ percent the alltime record for steel production achieved in 1955. And in the first 6 months of 1965, production was running a good 15 percent higher than in the first half of 1964.

The recordbreaking production of steel has appreciably reduced the cost of producing it. According to the Bureau of Labor Statistics, output per man-hour in the steel industry has risen almost one-fifth just since 1960. This represents an average productivity gain of 4½ percent a year. And productivity is estimated to have risen sharply again this year. According to the Wall Street Journal last week, the labor cost of a ton of steel has dropped from $65.50 in 1961 to $60.75 in 1964 and to $55.25 in the first half of 1965. This is a reduction of more than $10 in the labor cost of a ton of steel in less than 4 years.

The prices of the materials which go into steel have also been stable or declining. Figures provided by the Bureau of Labor Statistics show that the average price of steelmaking materials is today appreciably lower than it was in 1961 or even as far back as 1958.

Expanded demand for steel, stable or declining costs of production, and Government tax benefits have enlarged the profits of the steel producers. Profits after taxes of steel companies in 1965 very likely will exceed the alltime high achieved in 1957. In the first half of this year they were running 36 percent higher than the already good profits of the first half of last year. The steel industry points out that its return on investment has been lower than for the average of all American manufacturing industries. This is true. But in spite of the very large investments that have been made in recent years, and the generous increase in the depreciation cost allowable for tax purposes, steel profits have been rising sharply as a percentage return on owners' investment. In 1965, that return will approach the level of the mid-1950's, the most profitable period in steel's peacetime history.

Changes in Government tax policy have helped all industries in recent years. But the steel industry has benefited as much as or more than any other industry. The revision of depreciation guidelines in 1962 reduced the steel industry's taxes by more than $100 million. On the basis of today's enlarged investment in steelmaking facilities, the companies will save about $160 million this year from the new depreciation guidelines.

The investment tax credit in the Revenue Act of 1962 reduced the steel industry's taxes by nearly $40 million. This year the benefit will be at least $80 million.

The lower tax rates on corporate net income introduced by the Revenue Act of 1964 will lower the steel industry's taxes this year by as much as $75 million, compared with what they would have paid at the old rates.

The total tax benefits accruing to the steel industry from the tax measures of the past 3 years will exceed $300 million in 1965. This is more than $3 for every ton of steel shipped. It is nearly half of the industry's total after tax profits in 1961. Indeed, for the 4 years, 1962–65, these new tax measures will have saved the industry more than $900 million.

In short, Mr. President, the progress of the American economy has brought rewards to both the steelworkers and the industry—as it has to most of us. They—like the rest of us—have benefited richly from the Government policies that have helped to produce this period of great and growing economic benefit. They owe—as do all of us—a responsibility in return. It is the responsibility for taking into the most serious consideration, the overall interests and needs—domestic and foreign—of the Nation, in working out problems unique to any major segment of it.

The President not only has the right—he has the duty—to remind steel labor and management of this responsibility. He has the right and the duty to urge them to find ways to compromise their differences in a reasonable settlement, and to do it before the Nation is paralyzed by a needless and costly strike in this basic industry.

He exercised that right in dispatching the best legal mind in this body—if not in the country—the senior Senator from Oregon [Mr. MORSE] along with Governor Collins to Pittsburgh, and they have reported back to him with the facts.

He has a right to say to both: "Do not kill the goose that lays the golden egg" and to do everything he can to see to it that these words are heeded.

Mr. MORSE. Mr. President, I was not aware that the distinguished majority leader was going to make this penetrating speech. Except for his personal reference to me, I want to associate myself with every word in that speech. I hope the country will take note of the factual matter in his speech, because once public opinion understands the facts in that speech, I say respectfully to the parties to the dispute that they had better take heed.

I cannot stress too much an obligation that I think rests on the shoulders of the parties to the dispute. They cannot justify a shutdown of the steel industry from the standpoint of the security of the Republic and its economic stability, to say nothing of the best economic welfare of both management and labor in this dispute.

I do not want to say more than very quickly make this observation. The Senator from Montana talked about the competitive problem that has been created as a result of foreign imports. There has been a shift in the matter relating to competition. Governor Collins and I went into the problems of foreign competition, and we found an interesting development. There are exceptions to it, but the pattern is clear. The foreign manufacturers of steel are not interested in one-order sales. They are not interested in selling steel to firms in the United States only for Job X. They are not interested in selling steel to a wholesale establishment in the United States for a month or 2 months.

Mr. President, do you know what they want? They cannot be blamed for it, but this is an important factor. They want long-term contracts to sell all the steel they can to a wholesale steel establishment or other purchaser for 1, 2, 3 years, or longer. That fact represents one of the serious aspects of foreign competition.

Let me say to the steel companies, as brought out in the facts mentioned by the Senator from Montana [Mr. MANSFIELD] in his wonderful speech, "You have been doing pretty well. Prices of steel are pretty good. Stocks of steel are pretty good. There are some spotty areas, but I am talking about the industry as a whole. You are the recipients, may I say to the steel companies—and of course that means the stockholders, when all is said and done—of the benefits of the finest economic system in the world, a free American economy. Do not weaken it. Do not damage it. Therefore, the time has come for you to make adjustments in arriving at a fair and equitable and reasonable settlement of this dispute."

Still making comments on the management side of this question, there is another factor I want the public to note. Because there has been a 4-month extension of the strike from May, industry has been producing at a terrific pace.

The fact is that, so far as American production is concerned, there are huge inventories piled high in the yards of American builders, contractors, and retailers, who get the steel from the steel companies in the first place. There is also a large inventory of steel in the possession of the steel companies for sale. That means, so far as domestic steel is concerned, telephones are not ringing for hours a day or urging steel companies to supply steel. To put it very bluntly, that means, as has been said in some quarters, that the steel companies could stand a strike for a few weeks or a few months. I think they could so far as economic factors are concerned. But the steel companies cannot justify a strike from the standpoint of the mutuality of obligation that exists in this industry between and among employers and workers, including the officers of the union.

Now may I say a word to the representatives of the union—and I can say this now because I am not officially a party to the negotiations in the dispute. The representatives of the workers have an equal responsibility to agree to a settlement of this dispute that will be fair and equitable. When they do that, it will not be on the basis of what either the union has been asking for or what the employers have been insisting on. It will be in between. When parties are deadlocked and they remain deadlocked and there is a public interest involved—and name me a single industry in this whole economy that has a greater public interest than the steel industry—it is a saying, and has been for years, that as the economy of steel goes, so the economy of the Nation goes.

Therefore, I say on the floor of the Senate tonight that there is no industry in this Nation that has a greater responsibility, and a responsibility of mutuality on the part of both management and labor, than the steel industry.

My plea to the parties to this dispute is to recognize the great public responsibility that rests on their shoulders. I also say, most respectfully, that the public is going to keep that responsibility, no matter what course of action they follow.

Therefore, if a strike should occur—and God forbid—the responsibility for that strike is the equal responsibility on the part of the union and management, for that shutdown will be a lockout as much as it will be a strike.

I do not believe it will come, but should it come and management should remain adamant, and there is no conscionable compromise of the differences, management is locking out that union just as much as the union is striking that management, if the union is not willing to accept a conscionable compromise.

What is a strike going to solve? Nothing. What is a lockout going to solve? Nothing. What is it going to cause? It is not only going to cause a disjoinder of this economy of our Nation and jeopardize the stability of the American economy, but it is also going to place in danger the security of this Nation.

Let us face it; who among us knows what the situation of this country is going to be in regard to our security problems 30 days, 60 days, 90 days, 365 days from today? We do not know.

I believe it can be accurately said that it truly is in the lap of the gods.

It is not a matter for the parties to play with by way of risk. Therefore, from the standpoint of the security of our country, already the evidence is clear, there are some segments of steel supply needs directly related to the security of this country that cannot justify a stoppage of manufacture.

Lastly, let me say to the parties, whether they be management or labor, that the greatest interest is the public interest. There are three parties to this dispute: management, the union, and the public. The greatest of these is the public. The most important is the public.

I hope the majority leader will pardon me for taking the amount of time I did in commenting on his speech, but I say to my majority leader that I know of many contributions he has made in statements on the floor of the Senate but I know of none more in the interest of the country than the statement he made tonight on the steel case.

I sincerely hope the parties will take to heart what the majority leader said. I hope the American public will take to heart what he said, because he outlined the facts that the parties could not ignore. Nor can they justify ignoring them in following a course of action that will not result in a compromise of differences. I trust they will announce to this country in the very near future that all danger of a steel strike has come to an end because the parties exercised the most precious right of freedom they had—the right of free men representing management and labor to collectively bargain and resolve their differences through voluntarism, and come to an agreement.

REDS EYE NEPAL

Mr. MILLER. Mr. President, I have received a copy of a story by Clayton Willis, of Hearst Headline Service, Kathmandu, Nepal, dated July 25, 1965, entitled "Reds Eye Nepal," which I believe is interesting reading.

It seems that we do not have much information about this tiny but strategically located country.

I believe we should understand that the American people have not been overlooking the needs of the people of Nepal. We have a Peace Corps contingent there. During the fiscal year 1964 American tax dollars provided foreign aid in the amount of $6,400,000.

I regret that as of March 3, 1965, Nepal, notwithstanding the amount of our foreign aid, was $48,593 behind in its dues and assessments to the United Nations.

What troubles me about the dispatch which I have received is the effect that the potential that the Red Chinese living in Nepal may have on the future direction of this country.

I am certain, because of the strategic location of that country, that many other governments around the world are concerned.

I ask unanimous consent that the story be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REDS EYE NEPAL

(By Clayton Willis)

KATHMANDU, NEPAL, July 25, 1965.—A batch of young, fired-up Communist intellectuals are poised in this tiny nation to seize the reins of power any chance they get.

This strategically important state of 10 million is sandwiched in between Red China (this part was formerly Tibet) and India.

Contrary to the mild-toned dispatches coming out of this capital, there is a shocking entrenchment among the well-heeled intellectuals in this primitive land of Mount Everest.

Politically, many Nepalese intellectuals are remarkably naive. Thwarted because there are so few jobs for them, many lean toward communism as an escape route.

The Mahendra government recently negotiated a deal with Red China to build a highway from Kathmandu to the border town of Kodari.

Although it hasn't quite worked out that way, the deal specifically called for the road not to be built strong enough to carry tanks. But, the bridges the Chinese are building can bear tanks from Red China.

Ostensibly, the road goes nowhere through useless territory and opens up but little except an answer to a prayer. That prayer is a military road for China to push down if she ever decides to make the trip—and she might. About the only use Nepal sees in the road is a chance to sell vegetables across the Tibetan, pardon me, Chinese border (China seized Tibet in 1951).

Shut off from the world for decades except for a British representative to recruit Gurkha soldiers until the 1950 revolution, even today Nepal only has embassies in Rome, India, Pakistan, Israel, U.S.S.R., Red China, Britain, and the United States.

The President of one of these eight countries, Zalmar Shazar, of Israel, and his wife, Rachel, will fly here in September, at the invitation of King Mahendra and Queen Ratna. The visit apparently is aimed at intensifying Israeli-Nepalese technical assistance, which has been flourishing since the Nepalese monarchs visited Tel Aviv in September 1963.

Nevertheless, radio Peiping beams propaganda broadcasts which can be picked up throughout the country on the few shortwave radios that are in the country. Peiping employs some Nepalese to do the broadcasting.

A big problem here is with some Nepalese who study in the United States and return home anti-United States, because they feel discriminated against because of color. There is a seething bitterness about this much the same as Ghana's Nkrumah feels in Africa.

Incredible tales come out of Nepal. The old train that comes in from India used to stop while firemen went into the jungle to get wood to burn to keep the train going. Incredible, but true.

The caste system is in force, the country is making progress emerging from feudalism however. Everyone is trying to woo the 10 million people in the crushed matchbox shaped land 500 miles long and 100 miles wide whose most famous peak is Mount Everest.

One of the unforgettable sights here is the architecture and art of the country which abounds in Pagodas (the Chinese took the Pagoda to China from Nepal). But, the Pagodas, steep, terraced hills abounding in richly colorful wheat and barley, with the snowcapped Himalayas in the background, with Nepalese women along the riverbanks washing their clothes, make a stunning scene. Another trademark: houses with elaborate wood carvings.

And don't forget that the biggest Nepalese export is Gurkha troops who fight overseas as in Malaysia and send their salaries back home.

Primitive conditions are reflected in the fact that you can't drive from Kathmandu to the country's second city of Biratnagar. To reach it, one must drive south to India and through India only to go back into Nepal again to get to Biratnagar.

Illiteracy is rampant. Only 6 percent could read and write in 1962. This makes that shortwave radio propaganda from Peiping all the more dangerous.

There are two daily English-language newspapers, "The Motherland" and "The Commoner." There's one radio station which is on the air several hours daily.

Almost all trade is with India because Nepal is landlocked—sandwiched in between India and Red China (Tibet).

The three royal residences in Kathmandu, Patan, and Bhatgaon are richly decorated with wood carvings and metalwork. The three towns are in the Kathmandu Valley.

The Kathmandu-Kodari highway hooks up with the 2,413-kilometer Szechuan-Tibet highway which runs from Chengtu, capital of Szechuan Province, to Lhasa across 14 mountains towering 3,200 to 5,000 meters above sea level and a dozen rivers. That road goes to Peiping.

Another seed for discontent in Nepal is the Mahenrda dictatorship. The King dissolved Parliament and abruptly abrogated the Constitution, fired the duly elected government and threw in jail Prime Minister B. P. Koirala and his Cabinet. He is the most popular political leader in Nepal. Matrika Prasad Koirala in 1951 became the first Premier of nonnoble origin.

Consequently, since the King has swung open the doors to visitors, many Nepalese travel overseas. With the world in revolt, many Nepalese politicians, and particularly the young ones, are demanding a more democratic government.

This is a chance for the Communists, ever the ones to seize on a discontent of this type and play it up. The young intellectuals are fired up. And, though it takes some prodding from Americans to find out, they find a home away from home in the Chinese doubletalk about people's democracies. A confused, dissatisfied group, the Nepalese intellectuals.

SUPPLEMENTAL APPROPRIATIONS FOR LABOR, HEALTH, EDUCATION, AND WELFARE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 10586, and that it be laid before the Senate and made the pending business.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10586) making supplemental appropriations for the Department of Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ADJOURNMENT TO 9 A.M. TOMORROW

Mr. MORSE. Mr. President, in accordance with the agreement previously entered into, I move that the Senate stand in adjournment until tomorrow at 9 a.m.

The motion was agreed to; and (at 6 o'clock and 47 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Friday, September 3, 1965, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 2 (legislative day of September 1), 1965:

THE JUDICIARY

Marvin E. Frankel, of New York, to be U.S. district judge for the southern district of New York vice Gregory F. Noonan, deceased.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John W. Hechinger, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1970, vice John L. Newbold, term expired.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 2 (legislative day of September 1), 1965:

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Edward Burling, Jr., of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1970, vice John L. Newbold, term expired, which was sent to the Senate on June 7, 1965.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 2 (legislative day of September 1), 1965:

FEDERAL COMMUNICATIONS COMMISSION

Robert T. Bartley, of Texas, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1965.

INTERSTATE COMMERCE COMMISSION

Willard Deason, of Texas, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1965.

Willard Deason, of Texas, to be an Interstate Commerce Commissioner for a term of 7 years expiring December 31, 1972.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be lieutenant commanders

William R. Curtis
Archibald J. Patrick
Bruce I. Williams
R. Lawrence Swanson
James Collins
George A. Maul
Robert A. Trauschke

To be lieutenants

Paul W. Larsen
Leland L. Reinke
Henry L. Pittock III
John B. Jones III
Thomas E. Ryder
Christian Andreasen

To be lieutenant (junior grade)

James O. Murphy.

DEPARTMENT OF COMMERCE

Eugene P. Foley, of Minnesota, to be an Assistant Secretary of Commerce. New position.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 2, 1965

The House met at 12 o'clock noon.

The Reverend Henry J. von Schlichten, pastor of the Lutheran Church of Our Savior, Port Washington, N.Y., offered the following prayer:

Almighty God, Lord of the universe and Ruler of nations: So direct the course of our destiny that, even as we now strive to conquer outer space, we may ever intensify our concern for inner security in the hearts and lives of all people, especially our own.

To this end, we pray: Guide and bless our President and his associates in government in their arduous labors. Endow all Members of Congress with faith, honesty, wisdom, courage, and health that they may enact and administer wise laws so that the total welfare of our people may be assured, peace maintained at home, and restored among all the nations of the world, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendment in which concurrence of the House is requested a bill of the House of the following title:

H.R. 3157. An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 511. An act to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

TO AMEND PART II OF THE DISTRICT OF COLUMBIA CODE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 948 to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia, with Senate amendments thereto, agree to Senate amendment No.

1, and disagree to Senate amendments Nos. 2 and 3.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 8, strike out "six months" and insert "one year".

Page 2, line 18, strike out "one year" and insert "two years".

Page 3, line 2, after "the" where it appears the first time insert "legal".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the House concurred in Senate amendment No. 1, and disagreed to Senate amendments Nos. 2 and 3.

FOREIGN ASSISTANCE APPROPRIATION BILL, 1966

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight to file a privileged report on the foreign assistance appropriation bill for the fiscal year 1966, including minority views.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the gentleman making the unanimous-consent request if this appropriation bill that we have been waiting for so long, contains any "payola" for the gentleman in southeast Asia—Singapore—who tried to hijack the State Department and caught them and the CIA with their "fingers in the pie?"

Mr. PASSMAN. May I say to the gentleman from Missouri that the foreign aid bill is an illustrative bill. Nothing is appropriated for any nation. We give it to them—the Department of State—as a lump sum, making the appropriation based upon their representation. But it is passed on an illustrative basis.

The Congress does not actually know, legally, what countries or to what projects the money will go. It has been handled in that manner since the inception of the program.

Mr. HALL. Mr. Speaker, further reserving the right to object, I would ask the distinguished gentleman from Louisiana if he has heard the news reports of today to the effect that our Secretary of State first denied, and then admitted that they had entertained an attempted hijack for $33 million and finally agreeing to only $3 million, after which embarrassing letters were produced and a CIA agent was involved.

I would like to know whether or not it is possible for the Congress to preclude such acts and such international scandals in the future?

Mr. PASSMAN. May I say to the gentleman from Missouri that the Committee on Appropriations handles only money bills. We do not have the right to write legislation. We are only going to bring out a bill recommending funds to carry out the authority previously passed by the Congress and we certainly hope that when we bring the bill out on next Wednesday we will be in a position to answer a lot of questions that will be asked with respect to what is happening to the money, when, where, and how.

Mr. HALL. I respect the gentleman and I know that he will answer these questions.

Mr. Speaker, I submit that there certainly is hanky-panky going on around the world which certainly should be precluded, if we are going to continue this giveaway program of the Federal taxpayers' money. I for one, understand but am sorely tired of the "old refrain" of legislative authorization versus operative appropriation.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I reserve all points of order on the bill.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 258]

Abernethy
Anderson, Tenn.
Andrews, George W.
Ashbrook
Ashley
Baring
Blatnik
Bolling
Bonner
Bow
Brock
Cahill
Cameron
Celler
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Conable
Conyers
Corman
Craley
Denton
Derwinski
Devine
Diggs
Dwyer
Edwards, Calif.
Evins, Tenn.
Fino
Frelinghuysen
Fulton, Tenn.
Gathings
Halleck
Halpern
Hawkins
Hays
Hébert
Henderson
Hosmer
Hungate
Johnson, Okla.
Karth
Kee
King, N.Y.
Kornegay
Landrum
Lennon
Lindsay
Long, La.
Long, Md.
MacGregor
Martin, Mass.
Mathias
Matthews
Miller
Minshall
Morse
Mosher
O'Neal, Ga.
O'Neill, Mass.
Pool
Powell
Pucinski
Redlin
Reid, Ill.
Reinecke
Rivers, Alaska
Robison
Roncalio
Roosevelt
Rumsfeld
Ryan
Saylor
Schisler
Shipley
Smith, Iowa
Smith, N.Y.
Stafford
Stephens
Thomas
Thompson, N.J.
Toll
Tupper
Ullman
Utt
Watkins
Widnall
Willis
Wilson, Bob
Wilson, Charles H.

The SPEAKER. On this rollcall 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF MEMBERS OF U.S. GROUP TO THE NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, the Chair appoints as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference the following members on the part of the House: Messrs. HAYS, of Ohio, Chairman; RODINO, of New Jersey; DENTON, of Indiana; RIVERS, of South Carolina; CLARK, of Pennsylvania; ARENDS, of Illinois; CHAMBERLAIN, of Michigan; BATES, of Massachusetts; and FINDLEY, of Illinois.

APPOINTMENT OF MEMBERS OF CONGRESSIONAL DELEGATION TO PARTICIPATE IN WHITE HOUSE CONFERENCE ON INTERNATIONAL COOPERATION

The SPEAKER. Pursuant to the provisions of section 3, Senate Concurrent Resolution 36, 89th Congress, the Chair appoints as members of the congressional delegation to participate in the White House Conference on International Cooperation the following members on the part of the House: Messrs. FASCELL, of Florida; FRASER, of Minnesota; RESNICK, of New York; LIPSCOMB of California; QUIE, of Minnesota; and MARTIN, of Alabama.

COMMERCE DEPARTMENT TRANSPORTATION RESEARCH

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 549 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 549

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5863) to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. DELANEY] for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN] and now yield myself such time as I may consume.

Mr. Speaker, House Resolution 549 provides for consideration of H.R. 5863, a bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes. The resolution provides an open rule with 2 hours of debate, making the committee bill in order to be considered as an original bill for the purpose of amendment.

H.R. 5863 would authorize the Secretary of Commerce to undertake research and development and to contract for demonstrations in intercity high-speed ground transportation as well as to secure transportation data, statistics, and other information for the improvement of the national transportation system. The program is limited to 3 years and a total cost of $90 million.

A major purpose of this program is to determine whether high-speed ground transportation can be made convenient, economical, and attractive so that people will use it. Such determination is prerequisite to decisions as to how public transportation funds in the future can be most effectively invested.

Mr. Speaker, I urge the adoption of House Resolution 549.

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself such time as I may need.

Mr. Speaker, the able gentleman from New York has fully explained House Resolution 549, which makes in order the consideration of H.R. 5863 under an open rule providing 2 hours for debate. The committee substitute will be considered as the original bill for purposes of amendment.

The bill authorizes the Secretary of Commerce to undertake research and development of, and to conduct demonstration projects of, intercity high-speed ground transportation as well as to secure data for the improvement of such transport. The program will continue for 3 years at a total cost of $90 million. The purpose of H.R. 5863 is to determine whether high-speed ground transportation can be made attractive and economical to the public.

Three programs are authorized under the bill: First, research and development of various forms of high-speed ground transportation; second, demonstration projects to measure public response to improvements in intercity service utilizing present technology; and third, a national program to improve the scope and availability of transportation statistics.

Demonstration projects are already underway. The rail travel time between New York and Washington, now 3½ to 4 hours, can be cut to under 3 hours using present technological skills and equipment. Another project entails the use of 50 electrically powered cars, carrying passengers at speeds up to 150 miles per hour.

The bill authorizes the Secretary of Commerce to collect data on transportation systems and their needs to assist in determining how to improve the national ground systems. It also establishes another Advisory Council to advise the Secretary, particularly in the research and development program. The total cost over its 3 year life is $90 million, with $20 million for fiscal 1966, and $35 million for both 1967 and 1968.

Mr. Speaker, I know of no opposition to the rule and urge its adoption.

Mr. DELANEY. Mr. Speaker, I have no further requests for time and move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5863) to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5863 with Mr. ST GERMAIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1 hour and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1 hour.

Mr. HARRIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as has already been stated, the bill H.R. 5863 would authorize the Secretary of Commerce to undertake research and development, and to contract for demonstrations in intercity high-speed ground transportation, and to secure transportation data, statistics, and other information for the improvement of our national transportation system.

The proposed program would be limited to 3 years and is estimated to cost a total of $90 million.

I invite the attention of the members to the report accompanying the bill, which gives a very clear picture of the purposes and intention of the program.

For 3 years, as is indicated, the bill would authorize an appropriation of $20 million for the first year of the program, which would be the fiscal year 1966, and which is included in the budget of the present fiscal year; for the second year, the fiscal year of 1967, the authorization would be $35 million; and for the third year, the fiscal year of 1968, $35 million.

The major purpose of the proposed program is to determine whether high-speed ground transportation can be made convenient, economical and attractive so that the people will use it. Such determination is prerequisite to decisions as to how public transportation funds in the future can be most effectively invested.

The Committee on Interstate and Foreign Commerce has been interested in the national transportation program throughout its entire history. The present national transportation system in our country originated with the act of Congress in 1887. Since then, we have seen tremendous improvements and developments in a national transportation system which has proved to be the best, the finest, the soundest, and the most serviceable of any transportation system in the world.

Without going back to review the history of the transportation program, I believe it would be sufficient to point out for the present purpose that the new techniques that have been realized in the transportation of passengers in the last 15 years have been so tremendous that it is now necessary for Congress to concern itself with research in the movement of passengers between our great cities to determine what methods may provide the most promise for meeting our future needs.

We have seen, through Government programs over the years, the aviation industry develop into what is perhaps the most fantastic service in the field of public transportation, a service that is hardly conceivable by the mind of man. We do not have to think further back than 1940 and 1942, when we only had the old C–47—DC–3—which was the workhorse of the aviation industry at that time. It was the backbone of our air transportation service. Now, in these 25 intervening years or perhaps a little more than that, we now see the fan jets that are streaming out across this country and all over the world traveling at a speed almost approaching the speed of sound. We have seen this development made possible for the benefit of and service to the people of the United States and the world. We are now embarking in the transportation field on a program of which the Government is a part and is the primary part in which we will be traveling, within the period of service of many of us in this House of Representatives at supersonic speeds of probably Mach 2 and approaching Mach 3. We are going to see this service to the public and to the United States within our time.

Now, we have seen a program of airport construction, along with all of the related problems that go along with it, such as control of the airspace and the other innumerable factors that enter into this, which has attracted people to air transportation to such a point that our terminals are bulging and this is placing a great strain on the aviation industry and the entire transportation field.

I will have something to say about this a little later on in the discussion, but let me get back to the purpose of this legislation.

Because of all of this and because of the fact that we have an interstate highway system comprised of 41,000 miles, which this Congress set up, 90 percent of the funds for which come from the Federal Government, we have seen an increase in passenger automobile service to the point where we now have 86 million or 87 million automobiles available for highway use in the United States, so that even our new fantastic highways are filled up with private passenger service. As the population continues to expand at a rapid rate of more than 3 million a year and as the business community of the Nation expands and our economy expands to meet the needs of this population explosion, the one important thing that is going to have to be taken care of is transportation.

Communications are way ahead of everything, and I applaud them for it. We should be proud of it. I am, because we have the finest communication system, which is something far beyond what the individual mind has any conception of today. What we have to do now is construct a transportation program which will balance itself against the needs of the public. That is what we are trying to do here today; that is, bring about an incentive system whereby we can in some way try to get ground transportation, which is referred to here today, developed to the point where it not only can provide the service to meet the needs of the people today but will attract them to it by making it a convenient method of transportation.

Simply, that is what we are trying to do. It is going to take the same kind of techniques, technical development, technology that we have had in other areas. We are going to have to interest the people who know about this, who know what can be done and can do it. We are going to have to develop new methods so that the people will utilize the service and take some of this passenger traffic off the highways—these highways that will be obsolete by the time they are completed—and off the airlines.

I have nothing against the airlines or against highway transportation. They are part of the overall. But we want other methods available that the people will use so that they will be taken out of these congested terminals.

You cannot get to the National Airport, out here, just as an example, because of the congestion that prevails. And if you go to the other big airports, like Chicago, Los Angeles, New York and New Orleans, and many others, you will see what happens. That is what we are trying to do in this program, and we commend it to you.

Mr. Chairman, the committee referred this matter to the Subcommittee on Transportation headed by the distinguished gentleman, our friend and colleague from West Virginia [Mr. STAGGERS]. I should like to say here in compliment to the distinguished chairman of this subcommittee, that HARLEY STAGGERS, in my judgment, is one of the finest, one of the most outstanding Members of this House of Representatives. He is a man of high integrity and great ability, who has a great interest in problems affecting the general public and the whole country and the future of the country. I am glad to have him as one of the very fine members of our committee who contributes so much to the work of the committee. He is going to have tremendous responsibilities probably shortly after the first of the year. Those responsibilities will fall on the best of shoulders.

He and his committee held hearings on this proposal and they were good hearings. They worked out a program, a good program, brought it to the attention of the committee. The committee has gone along with the work of this Transportation Subcommittee and has brought this bill to you after the usual careful consideration. This consideration nails the bill down on a pattern which this committee set some time ago of 3 years for the program, so that we will have an opportunity to go back and look at it and see how they are getting along, see how they are carrying on, and whether or not they are meeting the purposes intended. On that basis, and with my hat off to the subcommittee for the work it has done and with thanks to the entire committee, Mr. Chairman, we bring this bill to you today with the recommendation that it be approved and that this become part of our system.

I believe it will meet a crying need that is fast developing.

For some reason, the railroad industry generally has been trying to get out of the passenger business. We have an opportunity here to show them how they can get back into it. That is what we are trying to do. We want to utilize them, we want to utilize other techniques, such as the Hovercraft, which is something new, something that goes along about 3 feet off the ground, using air pressure for a cushion. It is a new technique.

We have also tried this monorail technique and that, too, can be utilized in demonstration, and if it proves to be economically feasible, can be developed. But these demonstrations are intended for the purpose of seeing what can be done.

Mr. Chairman, three basic programs would be authorized by the proposed legislation. They are: First, research and development of different forms of high-speed ground transportation, including but not limited to, railroad transportation; second, demonstration projects to measure public response to improvement in intercity rail passenger service utilizing present technology; and third, a national program to improve the scope and availability of transportation statistics.

Under this program the Secretary first is authorized to engage in research and development in different forms of high-speed ground transportation. There is increasing public concern over the present and prospective deficiencies in intercity transportation, especially in densely populated areas of the country such as the so-called northeast corridor extending between Maine and Virginia; however, the problems of this corridor are fundamentally no different from those developing in other thickly inhabited metropolitan areas.

Throughout the country these problems arise from the pronounced shift of population toward metropolitan areas that has taken place in the United States in the last two decades and seems destined to continue as our population soars toward the 200 million mark in 1967. The increasing density of population coupled with greatly increased travel will result in serious overburdening of our intercity transportation facilities. This is already happening in many areas when peak volumes overload existing systems.

It is unnecessary to set forth here at length the evidence respecting the overburdening of these facilities. Every Member of the House personally has experienced the inadequacies of our crowded air terminals and facilities; has observed the overcapacity loading of our highways; and is well aware of the demand constantly being made for the enlargement of both types of facilities. But what every Member has experienced and what he has observed is as nothing compared with what lies ahead.

We have seen railroad passenger transportation steadily decline and to some extent bus transportation has also been so affected. Some make the argument that this is the result of a railroad attitude, that the railroad does not want passenger business, and also the result of the fact that people wish to go faster and thus they are traveling by air.

The time has come to see whether passenger traffic on the ground can be made attractive to people; to see whether it is possible to provide facilities that are convenient and economical and which people will use; to see whether this kind of transportation might relieve air congestion and save on the cost of additional air facilities.

That modern transportation is vital to our national growth goes without gainsaying. It is essential that our private transportation system be kept abreast of the demands of today and of the future, and that the system fully utilize fast-developing techniques from other fields.

It is time to determine whether by new technology, new forms, new concepts, ground transportation can be made economical and attractive. If it cannot, we should know it so in the future we put our funds into those types of intercity transportation which will provide the type of service which the public demands, and will get.

The research and development is not to be limited to rail or motor or other modes of existing ground transportation as they are familiarly known but it will involve research into new concepts of ground transportation.

A second part of the program is that of demonstrations to determine the public response to varying levels of speed, cost, comfort, and convenience of improved passenger service. This is essential before commitments are made to major public investment for transportation in the northeast corridor or other corridors. For example, for a relatively modest investment by the Federal Government and by the corridor railroads, rail service in terms of comfort and convenience and be greatly improved, elapsed time reduced, and the public acceptance of rail transportation ascertained.

Secretary Connor indicated that two demonstration projects now are under consideration; the first being that on the Pennsylvania Railroad between Washington and New York. This would involve acquisition of a fleet of up to 50 new individually motored, electrically propelled cars incorporating advanced standards in riding quality, passenger amenities, and rate of acceleration and braking, and capable of speeds up to 150 miles per hour. The equipment to be acquired for the demonstration north of New York on the New Haven Railroad is still under discussion.

The second demonstration is proposed on the New Haven between Providence and Boston. The equipment to be acquired for this demonstration is still under discussion.

The demonstration will provide a basis for determining public response to this type of transportation and will provide an important source of information about travel behavior and the demand for transportation in general. The demonstrations are intended only to be tests of the market for transportation and will not involve the Federal Government in any commitment to furnish or subsidize intercity rail passenger service, or the plants and equipment of the railroads. They would be carried on by the railroads as a regular part of their service; Federal funds would be expended only on equipment, and for statistical operations necessary to measure public response.

A third part of the program provides for the improvement of transportation statistics. It is necessary to acquire knowledge of present transportation patterns and preferences in order to predict future transportation needs and ascertain the most efficient ways of meeting them. A fundamental requirement in any effort to develop an efficient and productive national transportation system is that the needs of the travelers and shippers must be defined and measured. Reason dictates that these tasks must be approached before the Government or private investors commit large amounts of capital.

The bill here being reported consists of one amendment in the nature of a substitute to the original bill. The committee substitute deals with the types of research and development to be undertaken by the Secretary and defines the nature of the demonstrations in which he will engage. The substitute makes it clear that research and development in the field of high-speed ground transportation is not limited to one mode of transportation as now known or as might be developed. It also makes clear that the demonstrations to be carried out are intended only to be tests of the market for transportation, will not involve the Federal Government in any commitment to furnish or subsidize intercity rail or other passenger service and will not authorize the Secretary to acquire an interest in a line of railroad.

The committee amendment more clearly defines the nature of the statistics and information to be collected by the Secretary, and it also provides for the establishment of an Advisory Committee within the Department of Commerce.

The committee substitute also includes a provision for job protection for those employees of a carrier who are affected by any demonstration carried out by such carrier under a contract with the Secretary of Commerce.

The committee substitute directs the Secretary in entering into agreements or contracts for research and development or for demonstrations to distribute such agreements or contracts geographically throughout the United States to the maximum extent practicable and to include provisions in agreements or contracts relating to the making readily available on fair and equitable terms to the transportation and transportation supply industries all information, uses, processes, patents, and other developments resulting from any activity undertaken pursuant to any agreement or contract. The committee substitute also provides for the furnishing of certain information to the Secretary of Commerce, the Comptroller General, and to the Congress.

It is understood that the Secretary of Commerce will enter into research and development agreements and demonstration contracts and into the collection of statistics after consultation with other agencies engaged in the field and the relationships of the Secretary's activities in this connection with the Housing and Home Finance Agency, which is charged with certain responsibilities under the Urban Mass Transportation Act, and with the Office of Statistical Standards in the Bureau of the Budget, are set forth in appendixes in the committee report.

The committee substitute further revises the authorization both as to time and as to money contained in the legislation as introduced to make it clear that this is a 3-year program and to authorize appropriations only for the 3 fiscal years ending 1966, 1967, and 1968. The amount for these 3 years is $20 million, $35 million, and $35 million respectively, for a total of $90 million. It is provided in the committee substitute that the legislation will terminate on June 30, 1969, which provides an additional year during which the Secretary may make evaluations of the program and prepare recommendations to the President and to the Congress with respect to future action that may be appropriate in the light of the results of the program.

Mr. GROSS. I thank the gentleman from Arkansas for yielding.

Mr. Chairman, it is a little difficult to understand why the railroad industry has to be convinced that here is an untouched, an untapped, wonderful field.

I have never quite shortchanged them in mental ability to that extent. It seems to me that if this were such a good thing they would be proceeding to develop transportation systems that are compatible with what this bill proposes to do.

I would like to ask the gentleman from Arkansas where we are going to get the $90 million which is proposed in this bill, and whether this is not just the foot in the door to the spending of a good many billions of dollars on the part of the Federal Government?

Mr. HARRIS. Well, of course, that would be entirely left up to them and what was decided after the usual and imperative consideration that would be given to it, as to what is best for the country as a whole. I do not know whether it will work or not. I do not know whether it is as good as the gentleman indicated it would be or not.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Chairman, I yield myself 3 additional minutes.

The CHAIRMAN. The gentleman is recognized for 3 additional minutes.

Mr. HARRIS. That is the point of this kind of experimental and demonstration project, to see if it would not be good. We cannot get the aviation industry to develop supersonic travel in spite of the fact that we are trying to get them to put up only 25 percent. Thus far they have gone along all right, but they do not dare to put that much money into it. They do not know whether it will work or not. We think it is something that can be made to work.

Mr. GROSS. If the gentleman will yield further, they are not going to do it as long as we put up the money, are they?

Mr. HARRIS. No, they are not going to do it at all, unless there is some way to help relieve them of the cost cushion that they would have to undertake.

Mr. GROSS. Do we ever give them the chance to put up the money?

Mr. HARRIS. Oh, yes, we have given them a change for 3 years now. It has gotten almost to the point where we will have to run them almost out of business because of the requirement we made with respect to this project and the encouragement that was necessary in working with them in meeting after meeting. It is absolutely necessary unless we are going to sit still and do nothing; in other words, hide our heads in the sand like the ostrich and let someone else run off with the entire transportation responsibility of the entire country.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I wonder if the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], is going to take the time to comment on the flight service station matter that he and I have discussed in depth?

Mr. HARRIS. Yes, I am going to have something to say about it later on but I am going to give some of the other Members now an opportunity to comment on the general provisions of the bill.

Mr. DON H. CLAUSEN. If the gentleman will yield further, I am anxious to hear the comments of the chairman on this matter.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I want to commend the gentleman from Arkansas and the other members of the Committee on Interstate and Foreign Commerce for the study which they have given this matter.

Admittedly there are a number of unanswered questions in my mind to which

I would like to have the answer. I do not think anyone can help but admit that we have a transportation problem that someone is going to have to solve. Railroads have many problems. Some they cannot help. I do not know of any industry in the United States that has lagged further behind and has shown less foresight in certain aspects of their operation than the railroads have. I do not intend this to be unjustly critical, but if anyone is further behind in servicing the people whom they profess to serve than the railroads, I do not know who it is. I refer specifically to passenger service.

Mr. HARRIS. I believe, however, that we will have to limit the criticism to passenger transportation and that there is some merit to that.

However, I believe the railroad industry has done a magnificent job in serving the heavy transportation needs of the country.

Mr. WAGGONNER. If the gentleman will yield further, that is exactly what I was coming to; they have done a good job with freight, but we are interested in passenger service now. We cannot forever continue to take literally thousands and millions of acres from the needs of this country to continue to build superhighways which are already saturated. National defense needs must be considered. Tax policies are discriminatory toward railroads. Most of the lines are broke.

In closing, let me say that I certainly support the gentleman and his committee in this effort to simply study the matter and see what can be done. Construction is not involved. We are doing exactly the same in air transportation.

Mr. HARRIS. I thank the gentleman.

What we are thinking about right now is the development of a certain type of car that will be somewhat expensive on a joint-arrangement contract, that will have power on it, with the possibility of a ground speed of 125 to 150 miles an hour.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Chairman, I yield myself 2 additional minutes.

The CHAIRMAN. The gentleman is recognized for 2 additional minutes.

Mr. HARRIS. In Japan there is an experiment and an actual demonstration going on now in which they are experimenting with a speed of around 120 miles an hour, and I believe that has a lot of probability of achievement.

There is another demonstration going on, I think it is in Munich, or somewhere near there. It involves a very short run. It is quite obvious that their efforts are proving potentially successful. We have, as an example, from here to New York a proposed program using self-propelled types of cars which probably would take about 58. They might use 1, 2, or 10 on a run and maybe a through run with one or two stops for demonstration purposes.

But this is something to develop whereby the entire country can get the benefit of it. For example, from Fort Worth to Dallas, or many other places I could mention as a part of this overall program. I think it is a good proposition. I am convinced, the subcommittee was convinced it is something we should undertake.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I should like to rise in support of this legislation which the great Committee on Interstate and Foreign Commerce has brought out. I commend the gentleman from Arkansas [Mr. HARRIS] and the gentleman from West Virginia [Mr. STAGGERS] and all the members of that committee. I think this is one of the most important pieces of legislation coming before the Congress this year.

We are in a crisis so far as transportation goes. There is a tremendous need for research and development in this area. We have to develop the know-how to have a modern rail transportation, as the chairman mentioned. This points out exactly the crisis in which the Nation finds itself at the present time. Here is an area in which over 47 million people live, the eastern corridor, producing 30 percent of the income of the Nation, yet we have an obsolete rail system. We think this is a national problem. This is not the problem of the northeast or the eastern corridor. There are corridors in other parts of the Nation, certainly in Chicago, the San Francisco-Los Angeles area, and within a few years in many other areas. We have to get started on this research and development proposition in order to have a modern rail system. I commend the gentleman and the committee for bringing this legislation before the House.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York.

Mr. STRATTON. I would like to ask the gentleman if the legislation would cover research into the possibility of some kind of underground system as well as ground transportation.

Mr. HARRIS. Yes. The committee considered that, and we feel some study and research, as well as experimentation of the possibility of using underground tubes, would be a part of it, and that kind of experiment is contemplated.

Mr. STRATTON. The reason I ask the question is I just received in the mail the other day from the Rensselaer Polytechnic Institute, one of the best engineering institutions in the country, a very detailed study—perhaps the gentleman is also familiar with it—into the application of this tube idea. I was hopeful consideration of ideas of that might also be started.

Mr. HARRIS. We did include it for consideration. It is rather farfetched at the moment, but we never know what might come out of it.

Mr. STRATTON. I thank the gentleman.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. HECHLER. I commend the gentleman from Arkansas for bringing this bill before the House. We also appreciate the remarks he has made about the eminent chairman of the Subcommittee on Transportation and Aeronautics, our colleague, the gentleman from West Virginia. West Virginia is very proud of the dean of our delegation, HARLEY STAGGERS, who will move into new and challenging responsibilities when he succeeds to the chairmanship of the great Interstate and Foreign Commerce Committee. He has a great task facing him to measure up to the brilliant record that the gentleman from Arkansas [Mr. HARRIS] has made. We in West Virginia know that Representative STAGGERS, who has served in this body since 1948 with increasing distinction, possesses the ability and courage to make an outstanding chairman. We appreciate what the gentleman from Arkansas has said concerning our colleague from West Virginia.

Mr. HARRIS. I thank the gentleman from West Virginia.

The CHAIRMAN. The gentleman from Arkansas has consumed 23 minutes.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill deals with research and development in high-speed ground transportation. It speaks in fairly general terms, which would appear to give authority to the Secretary of Commerce to experiment with railroad transportation, bus transportation, or other kinds of ground transportation which might be devised. Actually, we are talking here about the subject as it was mentioned by the President, to experiment with railroad transportation. Such a test is justified. The testimony before the committee indicates that the details of the research and experimentation have already been well worked out. We can expect the Federal Government to make contracts with the railroads and other forms of transportation covering this route, whereby they will improve roadbeds and purchase new equipment in order to raise transport speeds above 100 miles per hour.

In order to make the best possible use of the physical facilities for such travel, it will be necessary to carry on studies and comparisons with other types of transportation. It will be necessary also to determine what kind of scheduling would be practical. There is little doubt that fast trains can be created. The real question is whether or not a combination of speed and other service factors can attract large numbers of passengers. There is considerable doubt in many minds about the feasibility of upgrading railroad passenger service. Apparently, there is enough doubt to render it infeasible for the railroad industry by itself to undertake the task that is contemplated by this legislation. I am convinced that we need to know the answer if, as a matter of fact, passenger service on railroads is definitely on its way out. We need the benefit of the information to be gleaned from a practical test.

The various phases of this study should be put in the hands of those most experienced in the kind of research required here. I have already mentioned publicly that the bulk of the know-how in transportation research is to be found in several of the midwestern universities. I do not accept as an argument the fact that the physical test will take place on the eastern seaboard. The operation of research facilities, such as the space propulsion laboratories and the Midwestern Research Institute and their geographical locations compared to the activities they serve, argue strongly for the use of the experience in transportation research wherever it is to be found. Research capability consists of experience and know-how in a particular field, backed up by people with the training and experience necessary to tackle the problem. The physical experiment could take place in Boston or Eniwetok.

I am in favor of this legislation and I will watch with interest the manner in which this important research is carried out.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. DADDARIO].

Mr. DADDARIO. Mr. Chairman, I will, of course, support this farsighted piece of legislation, which is aimed at seeking a remedy to those ills which affect a vital part of the Nation's economy. It is a measure which the House will point to with great pride in the years ahead because it fills such an obvious need. But I did wish to take this time to ask the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS] about a provision of the bill which I believe deserves explanation.

I refer to the language which appears on page 7 of the bill, section 8(a)(2):

> Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry.

I call attention to that paragraph because in the area of patent legislation we already face a situation which should not be now additionally complicated. At the present time, Senator MCCLELLAN's committee is investigating this particular subject. In the House it has been stated by the chairman of the Judiciary Committee that it is his intention to consider such legislation within the Judiciary Committee. In my opinion, that is where the subject belongs.

We ought not to be approaching a matter of such importance in a piecemeal fashion. However, so that we may place our minds at ease about the fact that this type of activity is already carefully considered and can be taken care of within the present framework of Government activity, I refer you to the President's memorandum on patents which, without any question completely controls the situation and accomplishes what needs to be done and does what is intended to be done by this language. It is, in fact, even more controlling of the situation than the language in the bill. I would call the attention of the House to the fact that when this bill was being discussed in the committee the hearings show, and I refer you to page 86 thereof, that when Dr. Nelson was testifying in support of Secretary Connor, he said:

> Let me, if I may, give you some examples of the kind of research that may be done to improve the operation of the present system, the present configuration of high-speed ground transportation.

That language falls exactly in line with that provision of the President's memorandum. At section 1, paragraph a, subsection 1, where the effort is made to show that under conditions such as this where we legislate to improve products, processes, or methods, et cetera, the Government would normally acquire or reserve the right to acquire the principal or exclusive rights throughout the world. I touch on that because wherever we find ourselves in a position such as this where great Government expenditures are to be expected, we ought to expect that the agency head, the Secretary of Commerce in this case, will most certainly do what is necessary to apply the proposals included herein to the President's memorandum and take those steps which will carry out the intent of the Congress in this regard.

It is with that background, then, that I ask the purpose of this provision. It is my hope that I may have some indication from the committee as to what it proposed to do in addition to the President's memorandum or in support of it which has necessitated the committee to place this language in the bill.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. Yes. I am glad to yield to the gentleman.

Mr. HARRIS. First let we say to my good friend and colleague from Connecticut that the committee has been faced with this problem, as indeed has the House and the other body, for some time now. I think the gentleman will recall the debate over the controversy on other legislation that has been considered on the floor of the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRIS. I yield the gentleman 5 additional minutes.

If the gentleman will yield further, let me say it all resulted out of the highly controversial issue referred to commonly as the Long amendment in the other body. I would say that our committee has another bill which we have reported from the committee, referred to as the Clean Air Act, which came from the other body and which contained the drawn-out and complicated Long amendment. We realized we were going to be faced with this problem in that legislation. Also there are several members, some members of our Committee on Interstate and Foreign Commerce, who have been deeply concerned with the problem and manifested an interest in it over a period of time. They brought to the attention of the committee their interest and their desire with regard to it.

Senator MCCLELLAN, my own senior Senator, chairman of the committee in the other body, has been working on this problem for a long time. And I will say that in my judgment he has done a very fine job and made an exceedingly good record and a lot of progress toward a national policy. I have been advised of the progress that that subcommittee has made and my distinguished senior Senator has kept me advised. He has expressed some interest in this proposal, limited as it is. I anticipate that sooner or later when that provision is put in the bill a national policy will be developed by the appropriate committee of the Congress.

The gentleman has mentioned that our esteemed colleague and chairman of the great Committee on the Judiciary, the gentleman from New York [Mr. CELLER], is interested and has been working on this problem, too. So in view of this background and their interest and of the record and in order to meet partially some of the interest manifested by members of the committee, we worked out this very limited approach. We did it on the basis that it would be applicable only to this provision and only to the transportation industry and related industries that would work on this research and demonstration program.

So I feel that we have not transgressed unnecessarily; we hope not, and it was not our intention to do so. But we tried to meet the situation realistically and practically.

As a practical situation it is my hope that the regular committees that have jurisdiction will exercise it and develop a national policy on a program of patents. If so, certainly it will supersede what we have done in this regard. So the gentleman can see that we have tried to meet the problem not only here but in another bill that concerns it in part, in a way; that we have tried not to interfere with the establishment of a national policy but have tried to join in an effort to meet the great demand made on us at this time.

Mr. DADDARIO. Mr. Chairman, I thank the gentleman. I am appreciative of the fact that he has been considering the problem which arose under the clean air bill which I think is the bill to which he was referring. But from the standpoint of time it is my understanding that the clean air bill preceded action in the Senate which took place from that date to this. The clean air bill had a patent amendment included in the Senate version, but since then the Senate has refused to place the so-called Long amendment in two bills that are of extreme importance, the space authorization bill and the pollution bill. Therefore, the gentleman's concern may be not properly placed, for he may not get the same challenge in this piece of legislation as in the so-called clean air bill.

The action which has taken place, during that period, has been to allow the agency heads to conduct themselves under the guidelines of the President's patent memorandum. It would appear therefore that this language, although not necessarily harmful, could have the tendency to cloud the issue. It may have the effect of muddying up the waters.

We are looking to the time when there will be an overall Government patent policy which will cover all agencies. And what we do here, as we look at the language, and as we can foresee some of the problems, may run in contradiction to that.

For example, the language here "readily available on fair and equitable terms" is subject to so much interpretation, the question comes to mind how that is to be established, whether by the contractor or by the agency head or by a combination of the two.

It can very well lead us down the road of additional confusion, making the possibility of formulating our patent policy even more difficult. This bill is of extreme importance. It will cover many sections of the country and it will have an important effect upon the establishment of policy as it affects government and industry relations.

Mr. HARRIS. Mr. Chairman, if the gentleman will yield further, the language in paragraph 2 on page 7 of the bill pretty well answers the gentleman's question. It would be the prime responsibility of the Secretary of Commerce to see that such a provision is included in any contracts with whomever he might enter into such contracts for the purpose of carrying out the intent of this act.

Mr. DADDARIO. I would like to say to the gentleman from Arkansas, if I may have 1 additional minute, that it is my opinion that the legislation here falls within the provisions of the President's memorandum where the Government would take a very strict position. Because it would do so under the President's memorandum, it is not my purpose to offer an amendment on this particular piece of legislation which is before us. I am, however, disturbed because this language can add to the problems which are already so monumental in the path of establishing a proper Government patent policy and I believe we should avoid activity of this kind in future legislation.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. Yes, I yield to the gentleman from Arkansas.

Mr. HARRIS. I want to thank the gentleman for calling this to the attention of the House. I appreciate the gentleman's concern and interest. However, there are just two statements which I would like briefly to get into the Record. One was made by Mr. Robert E. Kirby, who is the group vice president of Washington Electric Corp., which has a lot to do with problems of this kind. He said the following when asked about it:

> We have run into this problem off and on in many phases of our business and I believe that the research and development program that we are discussing here has got to be for the industry. I would expect that anything financed by the Government should become the property of everyone.

Now, with that concept, this amendment has been suggested and developed.

The other statement was included in the report in which I am sure the gentleman is interested. It appears at page 13 of the report:

> If and when the Congress enacts such legislation, its provisions may take the place of the instant provision. Until such time, however, the Secretary of Commerce would be directed to insert in all agreements or contracts entered into pursuant to this legislation appropriate provisions agreed to between the contracting parties which would be designed to achieve the objective set forth in this provision.

Mr. DADDARIO. I am pleased with that explanation and I have noticed Mr. Kirby's remarks in the hearings. I do not know what he meant and have not had occasion to ask him. But I do think it does support that particular objective here that the record be made clear that in this particular instance it does seem that that section of the President's memorandum does apply and that this language would be in supplement to it rather than in place of it.

Mr. HARRIS. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I rise in support of the bill H.R. 5863. I believe, in undertaking research and development in high-speed ground transportation, an important purpose will be served. It is true we need to get people off the road and onto the rails where it can be done conveniently. I hope further this high-speed ground transportation and research bill will be a complement to the Urban Mass Transportation Act of 1964; that there will be research benefits which will flow to the needs of urban and suburban commuters. I therefore support this bill and urge its passage.

Mr. HARRIS. Mr. Chairman, I yield such time as he may desire to the distinguished gentleman from West Virginia [Mr. Staggers], chairman of the subcommittee which handled this matter.

Mr. STAGGERS. Mr. Chairman, I am immensely flattered by the gracious and generous words of my chairman. And I would be singularly unappreciative if I did not take a moment to express my very great pleasure in hearing his kind words. I would also acknowledge my gratitude to my colleague from West Virginia, who has likewise been more than kind.

May I say that our chairman has carried on the fine traditions of those great and distinguished Americans who have headed the Committee on Interstate and Foreign Commerce since its establishment in the early years of the Republic. Surely the shade of the late and beloved Sam Rayburn, among others, has looked down on the gentleman from Arkansas [Mr. Harris] with approval and satisfaction. His name properly belongs in the records of those who have served the Congress and the Nation well, exceedingly well. I feel I can say this without fear of contradiction: there has come out of his committee this year more legislation affecting the health and well-being of Americans in this and succeeding generations than has ever been fashioned by any committee in any previous Congress. And these bills, bearing the name of the distinguished gentleman from Arkansas, have been whipped into shape and guided through the Congress by the skill and energy of our chairman.

When on some sad day in the future he relinquishes the post which he has adorned for a decade, he will carry with him the honors and satisfaction which accrue to an illustrious career. It is a fitting prelude to the distinction of a seat on the Federal bench.

In relation to the bill under discussion, I have only a couple of remarks to make. I think it is a good bill; it is one that has been long overdue. I cite one or two instances to show what I mean.

In 1961 the aircraft and parts manufacturers devoted 24 percent of their sales to research and development. The railroad suppliers devoted only 2 percent. In 1963 the Federal Government spent $225 million for research and development for our airlines. It put $24 million into research for land development, and $15 million into our water resources problem. About $7 million was put into railroad improvements, but this was put in under the Urban Act that we passed a year or two ago.

This bill is designed, as the gentleman from Illinois [Mr. Springer] and our chairman, the gentleman from Arkansas [Mr. Harris] have said, to convey people between cities. The President asked for it in his special message to the Congress. In the year 2000 it is expected that our urban communities will greatly increase in population, and something must be done to transport the people. It is expected by the year 1967 which, of course, is close on us, that we will have over 200 million people in America. Certainly, as has been said, because of our population growth, we must now plan something so that we can do an orderly job in transporting our people in the future. This should have been done long ago. I think it is a good bill, and it is a good start.

The bill has a termination date. Three years from now this Congress can come back and take another look at it. It terminates completely 3 years from now. If we want to continue it or if we want to go at this in another way at that time, we can do so.

The CHAIRMAN. The gentleman from West Virginia has consumed 5 minutes.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. Pickle], a member of the committee.

Mr. PICKLE. Mr. Chairman, I want to point out to the Members of the House the provisions found in section 3 of the bill. That section says:

> Sec. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

There was considerable feeling in the committee that if we limited this to any one single mode of transportation, we would not be giving enough leeway in the overall research and development program. I agree with that principle and I am glad the committee has put this provision in the bill. I think it is understood though, when we talk in terms of high-speed ground transportation at this particular time, while the main emphasis will be on rails, we do have a possibility of developing research programs in any form of transportation that affects the ground—which to me means immediately in, on, or above the ground. I think this is much better language and I am glad the committee put it in the bill.

I also think, Mr. Chairman, we ought to say by this bill that we are in a way serving notice to the railroad suppliers as well as to the railroads themselves that they should spend more in this particular field than they have in the past. The testimony showed that from 2 to 10 percent of expenditures of either suppliers or the railroad organizations themselves was spent in research and development. This is a pitifully small amount of money in my opinion.

Though all of us want to help alleviate the transportation problem in the north and northeast corridor, and we recognize that the situation is more severe there than in other sections of the country, at the same time we are saying to them that this is a means of establishing, if the people will use the service, such services as may be developed. But this is not going to be just a handout and we are not going to subsidize the railroads for any indefinite period of time. We are trying to help in this particular field by providing these grants.

I think this language should be in the bill and I am hoping it will serve as a springboard for these suppliers and the railroads to take a greater part in the development of these modes of transportation. Otherwise, we will be pouring good money after bad.

Mr. HARRIS. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. PATTEN].

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. PATTEN. I yield to the gentleman.

Mr. HARRIS. Mr. Chairman, in order that we might preserve the continuity of the discussion, I want to comment on the reference made by the gentleman from Texas [Mr. PICKLE] to the subject of section 3 of the bill with reference to the purposes of the bill.

I think it should also be noted that there is included in the report an explanation of that section that makes it clear that nothing in this legislation is intended to limit research and development or demonstrations carried on under it to any particular mode of high-speed transportation.

As I endeavored to explain in my original statement, the term "high-speed ground transportation" comprehends, but is not limited to, the movement of people and goods by land on special purpose rights-of-way along which vehicles will be guided. It embraces the existing modes of transportation, such as rail, motor, and others, whether or not operating on a special purpose right-of-way along which vehicles will be guided, and modes now under development or which may be developed during the period of the program contemplated by the legislation.

In my earlier discussions I cited several examples. As a further example, I point out that it would be entirely possible to undertake, if it were found desirable from research and development to do so, to use a 5-mile strip alongside an interstate highway in order to experiment. They would use some type of motor transportation or some other type of power-fuel transportation along the line.

So, we cannot tell where the program will take us. In some instances, even helicopter service could become part of the program. So, the bill is an effort to cover the various types of experiment, research, and demonstration to accomplish the total purposes intended by the bill.

I thought that statement should be included in the record following the statement of the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. PATTEN. I yield to the gentleman from Texas.

Mr. PICKLE. The report on page 6 points out clearly that research and development will not be limited to rail, motor, or other modes of existing ground transportation, but wherever the program might take us.

Mr. HARRIS. The gentleman is certainly correct. But again I wish to make clear that primarily we are trying to get at the practical side of the question, and that is the development of high-speed transportation in some possible way. Perhaps that development can be accomplished on the roadbeds of the railroads or in connection therewith, as we can see it today.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield so I can ask the chairman a question?

Mr. PATTEN. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. If I correctly understand the comments that have been made, research in this particular field would, in effect, permit any form of transportation to have applied to it whatever advanced technology can be applied. The gentleman referred to helicopter service. I wonder if he would expound further on that subject?

Mr. HARRIS. First, as I explained earlier, this is confined to the subject of intercity transportation. Second, the program does not envisage demonstrations in water transportation, or in regular aviation transportation. But those related matters could be, and would be, expected to be evaluated in connection with the results obtained from research into what is known as ground transportation.

Mr. DON H. CLAUSEN. When we refer to helicopter and the hover-type aircraft, we are involving ourselves in some of the slow flight categories of aircraft. We could be involved in a converto plane. There is a relationship. I wonder whether or not the program could be restricted.

Mr. HARRIS. I have tried to explain that point. I believe the record is clear as to what we intend and what we have in mind. I believe that is about it.

Mr. PATTEN. Mr. Chairman, I should like to plead with the Members to support H.R. 5863. The State of New Jersey has been spending millions of dollars in the last 10 years to subsidize passenger service. We have all recognized that we have enormous problems. If we wish to go to New York today by car, we would probably find ourselves going bumper to bumper, and we would lose an hour going the last 5 miles as we try to approach Holland Tunnel. The situation in New York has been so bad that from time to time we hear talk that passenger cars will be prohibited from going into the city.

For all these and other reasons I think it would be sad if those of us in public life did not recognize that we cannot afford to give up these rail facilities.

We have about 400,000 people in my area that commute every day. The condition of the railroads is certainly chaotic, including the New Jersey Central Railroad, which is involved in this new proposed merger. It has been in receivership most of the time since 1930, and its $100 bonds are selling at $45 or less now. They cannot go ahead with research, and they show no inclination to do so.

So, for the benefit of those who would like to know what can be done, let me give you a practical illustration here. Those of us from New Jersey who like to go home, go by plane or else we drive our cars home. If I take a 7:30 train out of Washington tonight, I will get home at half past 1. The railroad cars are filthy. There is no dining car on the train or anything else of comfort or convenience. And it takes me over 5 hours. I can drive in my automobile in 3 hours and I can go home by plane in a little over an hour. I would rather go by railroad.

On page 7 of the committee report you will see the very definite idea that the Pennsylvania Railroad has. They have 50 cars now ready which can travel at up to 150 miles an hour. If they can just get the word from us, it may help. I will say to my colleague from Connecticut that we are forever hearing where the New York, New Haven & Hartford is going to quit, to stop, and go bankrupt and everything else. They will benefit from the experiment of these 50 new cars that the Pennsylvania has, because they can be used on the New York, New Haven & Hartford, too.

There is much in addition that I would like to say about this bill in order to answer some of the questions raised by the Members, but I do not feel justified in taking any more of your time.

Therefore, Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Chairman, I have watched the deterioration of this Nation's rail passenger services and facilities with increasing concern and dismay. What was once a vigorous and prosperous part of our transportation system is now weak and distressed and in danger of bankruptcy.

This decline is not only a shock to the millions of persons who rely on rail travel, a disaster to the railroads and the thousands of employees losing their jobs, an increasing burden to our congested highways, but also deprives our Nation of a valuable asset in both peace and war.

The action I hope the House takes today should have been taken many years ago, when the symptoms of rail passenger trouble first appeared. There is no doubt that it is late, but there is still time to help the railroads recover from the crisis they face and be restored to the sound physical and financial health they once enjoyed.

By undertaking the research, development and demonstrations in high-speed ground transportation this bill provides, I believe we will do what is right and necessary and, hopefully, bring railroads to a closer competitive level with air travel.

I do not say this because I am one of the many cosponsors of this program, or because one of the research or development projects may be scheduled to be held in the congressional district I represent.

I say it because it is obvious to any person that rail passenger service is in serious trouble and if substantial Federal aid is not provided now, service will grow worse and eventually end. And that would be a great tragedy.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may require.

For the information of the Members of the House, I might say that there are three or four matters I want to call their attention to, and it might require a few minutes more to do it. I understand that I only have 7 minutes remaining, and I ask the gentleman from Minnesota [Mr. NELSEN] if he would be so kind as to yield me a little additional time if it is necessary in order to straighten these matters out.

Mr. NELSEN. I will be happy to do that.

Mr. HARRIS. I think they fit in with this overall program.

The first thing I wish to call your attention to, for the information of the Members—and I take this time now instead of waiting until we get to the 5-minute rule, because I think it is important and we will get some inquiries about it—are the provisions of section 6 of the bill which provide that the Secretary shall see fair and equitable arrangements are made to protect the interests of the employees of any common carrier who may be affected by any demonstration carried out under the contract between the Secretary and such public carrier under such section. Then it goes on to describe the protections insofar as standards are concerned of employees who may be so affected by it. In doing so we have included the provisions of section 52(f) of the Interstate Commerce Act. This carries out the general trend that was included in the mass transit program that this Congress adopted some time ago. So this is rather consistent.

I call this to your attention, also, for the purpose of advising you that there has been some inquiry among some of the motor carriers, the bus people, that is, about the advisability of making this particular problem, insofar as it affects the motor bus industry, applicable to section 52(c) of the Interstate Commerce Act. We do not believe, as a matter of fact, that we should do that. This has to do with the problem of protecting employees. We believe it is more consistent. The committee in working out this problem has done so in consultation with the industry, with the RLEA organization, and with the AFL-CIO organization. So we believe we have, as far as we can see at this time, met that problem as effectively as we could expect to at this time.

FLIGHT SERVICE STATIONS

Another thing that I would like to call to the attention of the House in connection with our transportation program has to do with flight service stations. This House has been tremendously interested in this program for some time.

In the last Congress we held hearings on a proposal of the Administrator of the Federal Aviation Agency which would have consolidated flight service stations in many areas throughout the United States. It created great interest among many Members of Congress.

You will recall that we filed a committee report, No. 1754 of the 88th Congress, 2d session, on August 11 last year, having to do with this subject matter. I refer to this for the record in case you want to refer to the report because of inquiries that you may enter.

Also, you may remember that we had a controversy on the floor of the House in connection with the appropriations, in which we who were interested in the problem proposed to amend the appropriations bill contrary to the recommendations of the Appropriations Committee, and in a rather spirited debate the matter was resolved on a very close vote, in which we prevailed.

I am glad to say that as time has gone on this matter has worked out very satisfactorily. Now, I believe that the time has come to update the record and, if possible, conclude the controversy over the Federal Aviation Agency's flight service stations. The hearings were necessitated by a proposed course of action which the FAA had adopted in participation with the U.S. Weather Bureau.

In a press release back in February 1964, the FAA listed some 42 stations which were slated for conversion, and it became obvious that a much larger number of stations would either be eliminated or reduced to a part-time basis. The second group totaled 137 locations throughout the domestic United States. This press release created quite a furor. All of this is reflected in the report of the Committee on Interstate and Foreign Commerce on the subject of flight service stations—88th Congress, 2d session, House Report No. 1754.

The committee, in its report and in subsequent action on the floor, made it clear that no curtailment of flight service stations would be expected until the FAA ran tests on the feasibility of a curtailment program and reported the results of such tests to the Interstate and Foreign Commerce Committee. The FAA agreed to this.

The FAA also entered into a similar commitment with the Appropriations Committee of the other body.

In 1965, the Agency has conducted tests at 4 locations—Delta, Utah, Junction, Tex., Manhattan, Kans., and Myrtle Beach, S.C.—the Myrtle Beach test site is actually at Crescent Beach, a civil field about 15 miles from the site of the Myrtle Beach Flight Service Station, which is located on a military field that is closed to civil aircraft. These test sites are identified as flight service facilities, or FSF's.

While these tests, and other experiences of the agency, tend to establish that substantial sums may be saved, at some locations, without impairment to safety requirements, they do not establish a basis for a wholesale consolidation program such as was advanced by the Agency last year. Where there are places which have few or no night operations by civil aircraft, it is entirely practicable and, indeed, highly desirable that the night shift of flight service specialists be either reduced or eliminated. We do not want or expect the FAA to employ idle specialists or maintain idle equipment.

However, under present circumstances, because of its commitment to the committee, it is difficult for the Agency to make any changes in its system. Of course, it was not the intention of the committee to keep the Federal Aviation Agency in a continuing status quo position. In view of the test results, and in the light of the letter which I received from the Agency dated August 11, 1965, which I will quote from now but ask to have included in its entirety, it now appears to me that we should release the Agency from its commitment to the committee.

FEDERAL AVIATION AGENCY,
Washington, D.C., August 11, 1965.

Hon. OREN HARRIS,
Chairman, Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In accordance with your request, I submit our findings concerning the proposed flight service station modernization plan. The field testing on flight service stations was completed on June 30, 1965, and the reports submitted by regions and user groups have been compiled and studied by the Federal Aviation Agency and have resulted in the following conclusions:

1. Flight information services provided by the Agency must be responsive to the aeronautical needs and tailored to fulfill these needs in all parts of the country with due consideration to cost of the services provided. At some locations these aeronautical needs can be fulfilled without the necessity of manning an FSS 24 hours each day.

2. Growing out of the tests the aviation information desks (AID), which provide self-service aeronautical information, were well received and should be established as the need for service meets the criteria being developed.

3. An extensive consolidation program should not be implemented at this time.

In summary, the service needed in each area is to be evaluated on a case-by-case basis and the level of service adjusted to the aeronautical needs as evaluated in coordination with user groups. In some cases this may mean a reduction of hours of service and in some cases innovation of a new service where no flight service station is functioning. Further, no wholesale consolidation of flight service stations is planned. In all cases, the cost and need for service will be the paramount considerations.

We wish to point out that this concept has not been coordinated with the Bureau of the Budget or the aviation user groups. However, this will be done prior to proceeding with the program.

Sincerely,

D. D. THOMAS,
Deputy Administrator.

Now, quoting from the Deputy Administrator's letter:

1. Flight information services provided by the Agency must be responsive to the aeronautical needs and tailored to fulfill these needs in all parts of the country with due consideration to cost of the services provided. At some locations these aeronautical needs can be fulfilled without the necessity of manning an FSS—

That is, flight service station—

24 hours each day.

If you recall, that is what resulted from the controversy—

2. Growing out of the tests the aviation information desks (AID), which provide self-service aeronautical information, were well received and should be established as the need for service meets the criteria being developed.

That is important—

3. —

And this is most important—

An extensive consolidation program should not be implemented at this time.

That means that the 42 stations that they were going arbitrarily to dump into a consolidated program will not be wiped out, but the letter goes on to say that they will be considered on a case-by-case basis. I think this is a very great service that the committee and the Congress have accomplished in helping to work out this program on a more satisfactory basis.

In my judgment the Agency now wants to be returned to the position it was in prior to the time that it undertook a program for an extensive conversion or cutback of its flight service stations. I support this. I am satisfied that a great deal of work went into that earlier conversion program, but the record establishes that the program was ill-advised and unfortunately did not take all necessary factors into consideration. With commendable candor, this is both recognized and admitted by the Agency.

I have been assured that the Agency will not go forward with any large-scale consolidation plan. In view of this, I believe that the Agency's flexibility should be restored by releasing it from its commitment. The Agency will thereby be free to initiate new service where needed, to increase the level of service where required, and on the other hand to reduce and eliminate services where warranted by the particular facts concerning individual locations.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I am happy to yield.

Mr. DOLE. I certainly appreciate this statement with reference to flight service stations because, as the gentleman knows, this is a matter of prime interest in many areas of the country. The gentleman indicated, as I understand, in discussing point 3, there will not be arbitrary closing of these 42 stations. Is that correct?

Mr. HARRIS. There will be no mass consolidated action taken to close these stations arbitrarily and automatically.

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. HARRIS] has expired.

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 3 minutes.

Mr. DOLE. Mr. Chairman, is there any additional new information on what stations might be closed at this time?

Mr. HARRIS. There are now no groups or lists of stations slated for future closing. As I have stated, it is the intent of the Agency to make any future changes—which could mean everything from closing a station to opening one—on a case-by-case basis.

Mr. DOLE. I appreciate very much the information which has been furnished to me by the distinguished chairman, and I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I shall be glad to yield to the gentleman from California who has also helped and cooperated in resolving this problem and who has done extensive work and research in connection with it.

Mr. DON H. CLAUSEN. I thank the gentleman for those kind remarks.

Mr. Chairman, I want to make my colleagues on the floor of the House aware of what has transpired here insofar as improving what I think is a necessary service to the aviation program throughout the country. The chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], and I, as I recall, were the two prime movers as we asked the Committee on Appropriations to change its opinion on the date of the debate to which the chairman alluded in his comments, and I believe we should point out to the Members of Congress that once in a while there are Members of Congress who are aware of some of these problems and that, perhaps, we can offer some advice and counsel to the agencies downtown.

As the members of the committee know, the FAA at that time was taking an opposite position and I think that the chairman of the committee [Mr. HARRIS], Mr. WILLIAMS, and all of the other members of that committee who involved themselves in this fight, in addition to all of the Members of Congress, are certainly deserving of the highest commendation on the part of this body and I certainly want to personally thank the gentleman for taking such a great stand.

Mr. DOLE, of Kansas, in particular, while not a member of the Interstate and Foreign Commerce Committee, was of tremendous help in rallying other Members to join us in stopping the directive to close the 42 flight service stations throughout the country. Without his help, I am sure several flight service stations in his district would be closed by now. He is deserving of the highest commendation and thanks for his help in turning the tide. We were right on this matter, the House supported our cause and the FAA has now fully recognized the correctness of our position by completely reevaluating their program. We will all look forward to supporting any of their proposals that will improve the communications and navigation capability for aviation throughout this great Nation.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, I wish to commend the gentleman from Arkansas for his work in connection with retaining flight service stations. The gentleman from Mississippi [Mr. WILLIAMS], whose subcommittee conducted the hearings in 1964, also deserves a lot of credit for the conscientious manner in which he probed to the roots of this problem. I am gratified with the way in which Congress has helped to resolve this issue which means so much to general aviation throughout the country.

In February, 1964, it became apparent that the flight service station at Huntington, W. Va., might be closed down for economy reasons. The proposal to "remote" the operation of this station was wholly unsatisfactory from the standpoint of providing navigational aid to those general aviation pilots in mountainous territory when the weather might prove to be marginal. I am delighted, Mr. Chairman, at the official report which the gentleman from Arkansas [Mr. HARRIS] has given to us, which indicates that the Huntington flight service station will be preserved and that there will be no wholesale closing of such stations throughout the country.

Mr. HARRIS. I thank the gentleman.

SUPERSONIC TRANSPORT PROGRAM

Now, Mr. Chairman, I would like to bring to the attention of the Members of the House another most important subject in connection with our overall transportation program that I mentioned earlier in the afternoon. Recently, the Federal Aviation Agency announced that it had signed an 18 months cost-sharing contract with the two airframe and the two engine manufacturers participating in the development of the supersonic transport to implement the detail design and test plane of the program recommended to the Congress by the President.

Mr Chairman, I shall include a full statement of this action at this point in the RECORD, but I would remind the members of the Committee that the estimated total fiscal requirement for the 18 months phase of the airframe and engine contract efforts will be $220 million, of which $140 million will be requested as the initial effort.

Mr. Chairman, in my opinion it will require at that time some authorization of the Congress in order to proceed with it. This represents a long time but necessary program.

I would also remind the members of the Committee that the main elements in this contract which are to be accomplished during this contract period will be outlined by me on a comprehensive basis and it will include a part of the engine development effort—the elements contained in that—as well as the elements in the airframe soon to be accomplished during that period.

I only hope that when the time comes and when they have the first flight of the supersonic craft that wherever I may be, if the good Lord lets me live, I will be invited to go along with the first flight in this effort, because I think it would be a most interesting experience.

The statement follows:

Supersonic Transport Contracts Implementing 18-Month Design Phase of Program Signed With Two Airframe, Two Engine Manufacturers

The Federal Aviation Agency has signed 18-month, cost-sharing contracts with the two airframe and two engine manufacturers participating in development of the U.S. supersonic transport to implement the detailed design and test phase of the program recommended to Congress by the President.

The airframe contractors are the Boeing Co. and Lockheed Aircraft Corp. The engine contractors are General Electric and the Pratt & Whitney Division of United Aircraft Corp. Each has conducted contract SST design since June 1, 1964.

Cost-sharing provisions of the contracts continue the basic 25-percent contractor cost-share in effect since June 1, 1964, with modifications based on contractor performance.

The contracts since June 1, 1964, provided for repayment of a contractor's 25-percent cost-share if the contractor was eliminated from the program. Under the new contracts, (1) contractors who may be eliminated from the program on December 31, 1966, following further Government-airline design evaluation will receive repayment of the 25-percent cost-share only if they meet specified aircraft or engine performance objectives, and (2) contractors selected to continue at that time will receive credits against cost-share provisions of follow-on prototype contracts if they meet the specified objectives.

Contract objectives established for the 18-month phase include completion and optimization of airframe detailed designs, engine prototype construction and operation, component development, and extensive testing in both the airframe and engine areas to enable commencement of construction of preproduction prototypes with a high degree of confidence.

Contract period is July 1, 1965, to December 31, 1966. Work previously contracted for July, which initiated accelerated design effort for this phase, is included in the 18-month contracts.

The President has requested the Congress to appropriate $140 million in the current fiscal year to initiate the 18-month effort.

Contract funding under this appropriation would include $37 million for each airframe manufacturer and $36 million for each engine contractor during the current fiscal year, both figures including Government and industry cost shares.

The Congress appropriated $60 million in fiscal year 1964 for SST design. Contract effort for the months of July and August, commencing the new 18-month phase, and previous design contracts have been funded under this appropriation.

Estimated total fiscal requirement for the 18-month phase of airframe and engine contract effort is $220 million, of which the requested $140 million represents initial effort.

Under the contracts, the airframe companies will submit designs for Goverment-airline evaluation of progress in November 1965. Both airframe and engine contractors will submit detailed proposals containing both design and refined cost information for exhaustive evaluation in October 1966.

Main elements of airframe effort to be accomplished during the contract period:

1. Comprehensive supersonic, transonic, and subsonic wind tunnel model tests to optimize the performance and economics of configurations.
2. Completion of structural and system design details, final identification of materials and processes, and tests of substantial sections of aircraft structures.
3. Mockup construction in full scale to investigate design problems of critical aircraft elements.
4. Design and development of tooling to establish the capability for preproduction prototype construction.
5. Preparation of comprehensive and detailed technical proposals for the follow-on program to fabricate and test for 100 flight hours two preproduction prototype SST aircraft.

Main elements of engine effort to be accomplished during the contract period:

1. Assembly and test of three full-scale prototype SST engines and achievement of a minimum of 100 test hours during the 18-month period.
2. Development and test of full-scale engine components—compressors, combustors, turbines—for the purpose of demonstrating both endurance and performance capabilities.
3. Construction of full-scale engine mockups for utilization in design, and in coordination of installations with the airframe manufacturers in order to insure compatibility between engine and airframe.
4. Preparation of comprehensive proposals for a follow-on program to provide engines for preproduction prototype aircraft and necessary support in the 100-hour flight test period.

Now, Mr. Chairman, I am going to ask your indulgence on one more matter which I believe is necessary and vital and I ask your attention to this because it is probably going to get some reaction around here.

JET SERVICE FOR WASHINGTON NATIONAL AIRPORT

We know that there is a controversy over the utilization of international airports Dulles and Friendship. Up to this point the general policy that has been pursued with justification and merit is that the jets can operate only at Friendship and Dulles. The policy has been to permit no scheduled air carrier jet operations out of National Airport.

Mr. Chairman, we have this fine facility, the National Airport, and we have reached the stage in the development and utilization of airplanes that we have to permit and authorize and direct some jet operations at National Airport.

I see members of the Committee on Appropriations sitting on the floor here, particularly the distinguished chairman of the District of Columbia Appropriation Committee. I am sure that air service for our Nation's Capital is of great interest to the chairman and his committee.

I believe the time has arrived, if it has not already passed, when we should expect a reasonable level of jet air service at Washington National Airport. For some time the business jets and the FAA jet have been operating from that airport, but thus far no scheduled air carrier has been allowed to operate jets to and from our closest airport.

I recognize that the first jets were large long-range aircraft which, despite their valued contribution to our transportation system, would present problems in terms of noise and weight and runway limitations which would tend to exclude them from Washington National. However, the carriers now have many choices as to jet equipment and we can expect conversion by all of the trunkline carriers to complete jet flights. Many of the local carriers also have jets on order. Mohawk will introduce BAC–111 jet service on its system September 15.

In 1964, 73 percent of all domestic trunkline passenger miles was performed in pure jet aircraft and an additional 12 percent was performed in turboprop equipment. This left only 15 percent of the trunkline passenger miles in piston engine aircraft, and the trend continues.

Stuart Tipton, the president of the ATA, in a recent statement before the Aviation Subcommittee of the other body stated that failure to open Washington National to jets is forcing many airlines to maintain piston engine schedules longer than is necessary. He described the restrictions against jet service at Washington National as controlling the quality of service provided for hundreds of miles north, south, and west. Neither he nor the FAA nor I know of any technical or operational barrier which stands in the way of opening the airport to at least the smaller airline jets tomorrow. This would include such aircraft as the Douglas DC–9 with a capacity up to 90, the Boeing 737 with a capacity up to 113, and the BAC–111 with a capacity up to 74.

An Air Transport Association survey discloses that as of June 30, 1965, our airlines have had on order 480 aircraft valued at $2.4 billion. Of these aircraft on firm order, 342 are Boeing 727's and 737's, Douglas DC–93 and BAC–111's. These airplanes were designed for short and medium range markets and not for the coast-to-coast or transocean markets. Of these 342, 294 were ordered by trunkline carriers.

In July of this year, the summer schedules of the air carriers operating at Washington National called for some 251 departures daily. That figure does not include the local service carriers but merely the nine trunkline carriers which fly in and out of Washington National. Eastern had 85 departures and United was next with 64. The rest of the carriers range downward to one for Braniff. Obviously Braniff could with its one flight a day be the first carrier offering all jet service to and from Washington National, and just as obviously it will be some time before Eastern could replace its heavy volume of service entirely with jets.

The carriers and the FAA will have many problems to work out but I am certain that if these problems are attacked in a cooperative manner a prompt and smooth transition to a satisfactory level of jet service can be achieved. In calling for a move in this direction, I am by no means unmindful of the new, if not additional, noise problem which this could bring about. No doubt this will be another reason, in addition to equipment availability, why jet service will have to come to Washington National on a step-by-step rather than an all-at-once basis. However, with their higher speeds and more rapid rates of climb the new small jets will not be in the immediate area of the airport for nearly as long as the present piston aircraft are on their flights. I understand that particular types of piston aircraft have generated continuing complaints over the years. While the jets may bring some new noise complaints, it is hoped that by replacing piston aircraft they will eliminate large numbers of the old complaints.

In any event, we have to move forward with the times and neither difficult problems nor the existence of Dulles or Friendship airports appear to me to be reasons sufficient to support the retardation or regression of Washington National. Therefore, I would hope and expect that the scheduled air carriers and the FAA will promptly work out a firm realistic plan and that we will in the very near if not the immediate future, see the inauguration of a high level of pure jet service at Washington National.

This can be done in a way that will utilize both the Dulles International Airport and Friendship Airport, with National, all of which can provide the needed service for this great Capital of the United States.

I bring this to your attention because it is something we are going to have to face, and we are going to have to see that a decision is made on the basis of adequate service to the whole community across the board on a national basis.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SCHWEIKER].

Mr. SCHWEIKER. Mr. Chairman, I rise in support of the high-speed bill. The passage of this bill will be the first step in solving a critical problem plaguing the country today. The bill authorizes the spending of $90 million during the next 3 years for demonstrations in intercity, high-speed ground transportation and related research and development. I wish to assure the Congress that passage of the bill assures tangible results in the near future, as well as long-range advances in transportation.

Yesterday officials of the Pennsylvania Railroad told me they could have special superspeed trains in operation 18 months after congressional approval of the bill. Under the bill $9.6 million is to be allocated to the Pennsylvania Railroad to help finance a demonstration project between New York and Washington. The Pennsylvania Railroad officials also told me that they are willing to match or exceed the Government grant in order to provide safe, fast, reliable, and economical travel between New York and Washington.

The new 150-mile-an-hour trains could go from New York to Washington in less than 3 hours, cutting an hour off present travel time between the two cities.

Designs for the trains have already been submitted to the Department of Commerce by private contractors and a joint committee of the Department of Commerce and the Pennsylvania Railroad is presently studying the designs.

The Pennsylvania Railroad demonstrations would involve acquisition of up to 50 new individually motored, electrically propelled cars incorporating advanced standards in riding quality, passenger comfort, and rate of acceleration and braking.

I wish to emphasize, however, that passage of this bill is of importance to all of the United States and not just to the northeast corridor. Efficient surface transportation is of vital importance to the economic growth of the entire Nation.

The Pennsylvania Railroad demonstration will provide a test of the economic feasibility of expanding and improving intercity noncommuter rail passenger service. That demonstration is only a part of the Federal Government's efforts to see to it that the transportation system of the Nation is adequate for the needs of the people.

Of all modes of transportation in the national system, high-speed ground transportation is the most undeveloped. As a problem for the most part involving interstate activity, State and local governments are limited in their ability to solve it. And the high cost and high risk of developing a superspeed ground transportation system inhibits private corporations from making large capital investments without the help of the Federal Government.

Passage of this bill, with its built-in partnership between the Federal Government and private industry, will result in improvement of transportation facilities between our cities and in benefit for the entire Nation.

Mr. SICKLES. Mr. Chairman, it is a pleasure to speak in support of H.R. 5863. Along with Senator PELL, I sponsored the compact bill to create an interstate authority for improving transportation in the northeast corridor.

I have ridden the Tokaido Line in Japan and am convinced of the technical feasibility of such a "bullet train" operation here.

At the present time, I am drafting Federal legislation based on my experience negotiating an interstate compact for the operation of a mass transit system in the Washington metropolitan area which should stimulate thought regarding creation of a compact agency to provide for the operation of a "bullet train" in the corridor.

Increased population, increased urbanization, and increased intercity travel have combined to make the enactment of this type of legislation a necessity.

In my home county of Prince Georges, adjacent to Washington, D.C., 750 people a week are moving in. By 1980, it is estimated that intertraffic between Washington, D.C., and Baltimore will rise from 33,800 trips daily to 98,000 trips daily, almost a threefold increase.

This legislation has tremendous implications for Maryland and the other States in which clusters of urban areas are beginning to form the equivalent of supersize cities. While I endorse fully all three programs contemplated under H.R. 5863, I am particularly interested in the demonstration projects that are envisioned under this bill.

It is my understanding that over the next 3 years there may be a combined $50 million public and private investment in demonstration projects to improve existing rail transportation in the so-called northeast corridor between Washington and Boston.

Under the present legislation, it is contemplated that new rolling stock, including a fleet of 40 new self-propelled cars, will be acquired and a demonstration project will be inaugurated between Washington and New York which will cut the existing travel time by rail to below 3 hours.

At the present time, the fastest train covers this distance in 3 hours and 35 minutes. These demonstration projects will begin in the middle of next year and based upon them we can make further decisions as to the feasibility of additional investment and the scope of the investment that will be required.

In these demonstration projects 125-mile-per-hour rail service will be inaugurated in the corridor.

Present demonstration plans also call for the establishment of suburban stations at key points. For example, a station is contemplated at the intersection of the Washington beltway and the Pennsylvania Railroad line. Such a station, served by the "bullet train" would enable Marylanders residing in Prince George's and Montgomery County to board trains to New York, Boston, or other cities at a more convenient location; provide them with better parking facilities then they now have at Union Station; and cut door-to-door travel time.

Regarding the research and development programs under the bill, it seems to me that research and development in high-speed ground transportation could be done in connection with the actual physical situation of congestion as it exists in the corridor rather than taking a hypothetical city or group of cities and setting up a model transportation system for a paper operation.

If a tremendous investment in improving the railroads in the corridor is to be authorized by subsequent legislation, it must be done with full knowledge that this is the best technological way to approach the problem and it seems to me that research and development studies on alternate systems within the corridor would be most useful.

Also, regarding the statistical program, perhaps a part of the project could deal with improvement of transportation statistics within the corridor and this information could also be used at a later point in time if $1 billion investment is to be made in improved rail service.

This legislation has national significance and it is not designed for simply one area of the country or to promote one mode of transportation.

The results proceeding from this investment will aid millions of Americans who populate our urban areas. We cannot wait until the intercity transportation problem has approached the strangulation stage before we act.

Mr. ROSENTHAL. Mr. Chairman, I wish to indicate my strong support for H.R. 5863, authorizing a program of Government research and development to improve the intercity national transportation system.

As of now, intercity transportation in the densely populated northeastern corridor is glutted with traffic. Railroads are currently operating with antiquated equipment. The railroad companies involved have been unable to provide passenger service on a paying basis, and therefore have had to rely on profits from freight transportation. Little innovation has been introduced into the industry. Adequate capital has been unavailable for the initiation of research and development programs designed to modernize and equip a progressive high-speed ground system. Air service has partially filled the gap created by slow, relatively infrequent and irregular train service. The costs of air transport, however, are still prohibitive to large segments of population and industry. And the air traffic problems along the northeast corridor create social costs for cities which are becoming difficult to absorb.

The population in this area, meanwhile, is increasing geometrically. The Eastern Seaboard States have a population of over 37 million, containing 30 percent of the Nation's manufacturing and 21 percent of its retailing establishments. The financial capital of New York, and the political capital of Washington add special character to this population mass. The area, in fact, is rapidly becoming a megalopolis from Boston to Washington. The population is expected to double in less than 40 years; and the existing transportation system is acknowledged to be entirely unable to support and service an increasingly mobile and active population.

Nor is the northeastern corridor the only area where the adequacy of existing transportation facilities is being challenged. Much of the same trouble can be anticipated on the West Coast and in the growing urban centers of the Midwest.

For this reason, the necessarily extensive research and development, which cannot be financed by the relevant industries, must be supported by Federal funds. High-speed, intercity ground transportation must be developed immediately. We have the capability to produce rail service of over 100 miles per hour. That job is a prerequisite to the continued social and economic health of urban areas in the country, particularly in the Northeast.

H.R. 5863 will authorize funds for research and demonstration projects over the next several years, so that an effective system may be financed and phased-in most conveniently with existing capital investment programs. Projects to measure public response to improvements in intercity rail service must be pursued in order to gain some degree of certainty about anticipated consumer response.

President Johnson has designated this measure as one of high priority. A decision to finance careful and deliberate research and development in the field of rapid transportation will be prudent, economical, and very much in the national interest.

Mr. KEITH. Mr. Chairman, it was about 10 years ago that planners, realizing the evolutionary nature of our highway network, persuaded the Congress to support the interstate highway program which is gradually nearing completion, and yet, already traffic is bumper to bumper on the beltways that were only on the drawing boards a decade ago.

We are now enjoying an era of unprecedented prosperity, and that prosperity is accompanied by a boom in the automobile business which threatens to glut our Nation's highways.

Throughout our Nation, literally billions of dollars are being spent to accommodate the traveling public—and still they come. Relief can only be found in other forms of transport. The airlines and the buses have been assuming larger and larger shares of the load—the popularity of the railroads has not matched that of other modes of transportation.

The Federal Government has helped to put the railroads into the position which they now find themselves. We have spent billions on the Federal highway program which has substantially aided the trucking industry. We provide subsidies for local service airlines as well as subsidizing other services to the airports.

The economic well-being of many areas of our Nation depend heavily on the availability of an economic transportation system for both passengers and freight. In my view, if they are given a second chance, they can play a most important role, they, in that case, being the railroads.

Members of Congress have historically recognized the responsibility of the Federal Government to help private enterprise serve the public. The proposal contained in this bill can be that vehicle. Inasmuch as this bill deals primarily with interstate travel, we have a legitimate interest and responsibility.

The increasing urbanization of the northeast area of the United States makes it mandatory that land use be most efficient and that our transportation systems be so planned that maximum use is made of space.

We have what will be called high density living space, most of it centered around our urban metropolitan areas. The program in this bill is to study the feasibility of high-speed ground transportation between these centers.

As we all realize, the results of these experimental demonstration projects will not be confined to solving only the problem of intercity transportation. They will undoubtedly provide valuable insight into the technological changes that can be made for mass transportation and commuter systems and, in addition, provide impetus to the renewal of feeder services which are so badly needed in many areas.

As I understand the proposal by the administration, there are many types of ground transportation that will be studied and experimented with. The technology of transportation needs updating. Larger cars, lighter weight engines, more efficient engines with higher available speeds should certainly be the subject of prime concern in this era in which we spend so much time on wheels and wings.

There is no reason why this country, the most prosperous in the world, cannot be also the most advanced when it comes to providing an efficient, economical, low-cost transportation system.

It may well be that some of our present ideas about ground transportation will have to be discarded as a result of the demonstration projects that will be carried on and the research that will be done under this bill. We will not know the answer to this until we try.

With the state of the art as it now stands in highway development, we are rapidly approaching the time when expressways will have maximum speeds of 75 to 100 miles an hour. This creates a very difficult problem for a large segment of our population who have the time, the inclination and, frequently, the money to travel.

I am speaking of the retired segment of our society. What will be their position in traveling on these high-speed roadways? Will there be restrictions or age limits placed on drivers who will be allowed to zoom down these highways? What alternative can we offer to these people who may not want to fly—who want to visit sons and daughters in cities hundreds of miles away?

It would appear to me that the development of high-speed ground transportation on an economic basis could provide a genuine solution to this singular problem.

I have the good fortune to represent Cape Cod. This area, as you know, provides recreational facilities not only for New Englanders, but, also, for those living in other parts of our country. The New Haven Railroad's seasonal service from New York to Hyannis which had operated during the summer months of past years was not reintroduced this summer. This was the last vestige of rail passenger service to Cape Cod.

Years ago, the service between Boston and the Cape, and Providence and the Cape on a regular basis, was suspended.

We have done a good job in Massachusetts in providing modern highways to the Cape, as well as to other parts of the Commonwealth. Despite this progress, the traffic jams that are experienced, particularly during the summertime, indicate we have much more to accomplish.

If the experiments envisioned by this bill prove to be successful—and I feel that they will—I see no end to the possibilities for the rejuvenation of feeder services to such areas as the Cape. The movement of passengers to and from terminal points like Providence will take on added significance and the burden of our highways will be lightened.

Now the Congress should make an effort to equalize this situation by strengthening our railroads. The tremendous increases in population that we are experiencing require us to take a solid look at the future of ground transportation.

We are a productive society; we are, to use a phrase, "an affluent society." Retirement ages are lowering, more leisure time is becoming available—Americans during their retirement years want to see the country that they helped to build.

I believe that many of our transportation problems today might well have been avoided had there been an organized and planned approach to studying our needs a few years back. It is my hope that even at this late date we can study the problems we will be faced with and cope with them before the pressures of the times require patchwork answers and not long-range solutions.

Mr. Chairman, the stability of our economy requires the existence of a viable and economic transport system. High-speed ground transportation is an integral and important part of that system.

I strongly support passage of this bill.

Mr. REUSS. Mr. Chairman, I rise in support of H.R. 5863, the high-speed ground transportation bill which is designed to develop new systems of transport for travel between cities.

The sponsors of this legislation are to be complimented for their initiative. Recognizing that rail transportation between major metropolitan centers was less than adequate, even deteriorating, they set about to design a program that could develop the best ground intercity transportation that modern technology can devise. The legislation before us today, which authorizes a 3-year, $90 million program heavily oriented toward research and development, puts that plan into operation.

But I wish that the bill had recognized the need for new systems of intracity transportation, the most pressing transportation problem facing our country today.

The modes of urban transportation currently available are not capable of meeting the demands of the urban traveler. Conventional systems of public transport—the bus and subway—are considerable assets to cities, but they are not good enough to persuade the large majority of urban travelers to leave their automobiles at home. And it is the extensive use of the automobile that is the cause of the urban transportation crisis.

If we are going to attract people from their automobiles onto systems of public transport, we must devise systems which are fast, safe, economical, and at least partially automated, and which give the traveler the advantages of an automobile. Thus any new system should offer individual vehicles capable of leaving when the passenger wants to leave and of taking him directly to his destination without the need of transferring.

The systems of which I speak are not being developed today. There are several drawing board versions, but none is fully operational. More research and development is needed. Since private industry understandably cannot carry the burden of financing the extensive research necessary to develop new systems of intracity transportation, just as it cannot for intercity transportation, the Federal Government should sponsor the research program—just as it is about to do for intercity transportation.

COMMITTEE REJECTED AMENDMENT

While H.R. 5863 was under consideration by the Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce under the able chairmanship of the gentleman from West Virginia [Mr. STAGGERS], I offered an amendment to require that the Commerce Department, which will administer this program, devote an equal effort and expenditure of funds to developing new urban transport systems.

My argument that the need was present, and that the close relationship between the two kinds of travel made the combined approach more practical, were corroborated by another witness appearing before the subcommittee. William W. Seifert, assistant dean of engineering at the Massachusetts Institute of Technology and director of its Project Transport, which conducted preliminary studies on the problems of the northeast corridor, observed that if full benefit from new intercity transportation systems was to be realized it would also be necessary to couple the system effectively with intracity transportation systems, "so as to minimize the transit time of passengers having a wide range of origins and destinations." Thus, he added, "we must somehow obtain better coordination of urban and intercity systems than has been achieved in the past." Dean Seifert went on to say:

> Simultaneous funding of both aspects of the transportation research program (intercity and intracity) will permit development of an integrated system having the balance that must be achieved if it is to be truly effective.

Unfortunately, the subcommittee did not approve my amendment, and so today we are considering a bill that in my judgment does only half the job. I hasten to add that half the job is better than no job at all.

LEGISLATION STILL PENDING

The amendment I offered to H.R. 5863, Mr. Chairman, was patterned after legislation I introduced June 17—H.R. 9200—to set up a 2-year, $20 million federally supported research program to develop the new urban transport systems of which I have spoken.

To date 21 other Members have introduced identical legislation: the gentleman from Ohio [Mr. ASHLEY], the gentleman from Texas [Mr. CABELL], the gentleman from New York [Mr. FARBSTEIN], the gentleman from Minnesota [Mr. FRASER], the gentleman Ohio [Mr. GILLIGAN], the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentleman from New York [Mr. HALPERN], the gentleman from New Jersey [Mr. JOELSON], the gentleman from Maryland [Mr. LONG], the gentleman from New York [Mr. MCCARTHY], the gentleman from New Jersey [Mr. MINISH], the gentleman from Pennsylvania [Mr. MOORHEAD], the gentleman from New York [Mr. MULTER], the gentleman from Illinois [Mr. RONAN], the gentleman from California [Mr. ROOSEVELT], the gentleman from New York [Mr. ROSENTHAL], the gentleman from Wisconsin [Mr. STALBAUM], the gentlewoman from Missouri [Mrs. SULLIVAN], the gentleman from Ohio [Mr. VANIK], the gentleman from Georgia [Mr. WELTNER], and the gentleman from Illinois [Mr. YATES].

The advantages that would be derived from the development of new and effective systems are considerable. They would make the city a better place in which to live and work. They would cut costs which are a result of the present dependence on the automobile. For instance:

Cities would benefit greatly from a reduction in air pollution, caused to a large extent by automotive exhaust, if urban transport systems were in use which were more desirable than the automobile and which did not rely on the internal combustion engine for its locomotion.

Good, automated, and safe urban transport systems would cut the costs resulting from automobile accidents, which now amount to $4.6 billion annually in urban areas alone.

Efficient urban transport systems would reduce commuter expenses and make it less necessary for cities to build superexpressways at a cost of $10 to $15 million a mile.

Urban transport systems that do not require massive roadways would help to make the city a more attractive place in which to live. Not only would the need for freeways which now tend to strangle our cities be reduced, but the design and construction of new systems could complement, rather than compete with, good city planning.

At the same time, under the program I have proposed, attention could be directed to the social and economic problems confronting our cities as they related to transportation—what types of systems are preferred by the city traveler, and what effect they would have on the business of downtown merchants.

While it is true that the Mass Transportation Act of 1964 authorized the expenditure of $375 million over a 3-year period in aid to communities to help them establish new or refurbish existing mass transit systems, because of funding limitations the program has not been able to provide anywhere near the extent of help that is being demanded of it. Furthermore, a provision of the law permitting the expenditure of up to $10 million a year, out of the total authorization of $375 million, for "Research, development, and demonstration projects" has been limited by administrative decision to demonstration projects exclusively.

Writing in the July 1964 issue of Traffic Quarterly, Mr. John C. Kohl, Assistant Administrator, Transportation, Housing and Home Finance Agency, said that it was the decision of HHFA that "demonstration projects should be oriented to operational problems and the practical evaluation of techniques or methodology, rather than to preparation of specific plans or the prosecution of basic transportation research." While his remarks referred to the pilot mass transit demonstration program, the predecessor of the Mass Transportation Act of 1964, then in operation, the Agency's policy remains unchanged today.

In another statement, made in a speech before the Conference on Responsibilities for Urban Transportation Planning in Newark, N.J., on April 16, 1964, Mr. Kohl predicted that the then pending Mass Transportation Act of 1964 would provide the stimulus necessary to bring about the development of new modes of urban transport. He said:

> It is confidently believed that a very modest Federal effort coupled with the program to improve the financial climate of the transit industry can unlock the great research and development talents of American industries and universities so far as available in the not-too-distant future, better and more appropriate transit systems to complement our unexcelled highway facilities and to round out an effectively balanced system of community transportation.
>
> If we recognize the true nature of the present crisis—that of avoiding the loss of public transportation—we can avert it before it assumes staggering proportions.

Unfortunately, the unlocking of the "great research and development talents of American industries and universities" has not materialized, indicating that the stimulus has not been sufficient.

PROPOSED NATIONAL TRANSPORTATION POLICY

Mr. Chairman, it is my understanding that the administration is presently formulating a national transportation policy that will attempt to bring some semblance of order out of the conflicting and confusing policies pertaining to the various types of transportation available today. When it does, it certainly will have to take stock of the problem of urban transportation and propose solutions beyond those available at present. I trust that the administration will recognize the very serious need for new modes of urban transport—ones that will move people about cities quickly, safely, and economically, without polluting the air, and satisfying the apparent need of Americans for individual transport while at the same time making possible better city planning. I hope that it will support a federally sponsored research program to develop the new systems.

Mr. FOGARTY. Mr. Chairman, the House today has a great opportunity to take a constructive step toward meeting the future transportation needs of millions of our citizens. By passing H.R. 5863 we will provide a long-overdue stimulus to the segment of our transportation system which has the greatest potential for economic and efficient service but which, ironically, has been allowed to lapse into a state of disrepair and neglect.

I have a very special interest in this bill for two reasons. First, this legislation is the direct result of a long and valiant campaign for improved rail service which has been waged by my distinguished colleague from Rhode Island in the other body, Senator CLAIBORNE PELL. Senator PELL, whose great interest in the measure before us has brought him to the House floor today, has brought uncommon imagination and vigor to the Senate in his first term, and H.R. 5863 stands as one of the greatest monuments to his endeavors.

In 1962, he first started to plead for better rail service between the great urban centers of our heavily populated Northeast megalopolis. He argued, very reasonably, that the railroads could—if they tried—serve a real need for public transportation over intermediate distances which were too long for efficient use of automobiles and too short for efficient use of airplanes. President Kennedy saw the sense in this argument and launched the Department of Commerce on a series of preliminary feasibility studies.

As a result of this first phase of studies, President Johnson last year determined to enter into the greatly expanded program envisioned in the legislation before us today. The $90 million program we are considering will finance, in the first instance, the construction of new, ultramodern rail passenger equipment to operate over existing tackage in the 100-mile-per-hour range first envisioned by Senator PELL. It will also finance a substantial infusion of Federal funds for research and development in new techniques of high-speed ground transportation—providing a public investment in this area of transportation which is long overdue because public financing has benefited competing modes of transportation for so long.

And this brings me to the second reason why I have such a special interest in this legislation. In southern New England, and especially in my own State of Rhode Island, we have an ailing, derelict, and I might say almost moribund railroad, the New York, New Haven & Hartford. It is the only railroad to serve my State and I think it is safe to say that the economy of my State would be hard put to get along without it. For this reason, Rhode Island in conjunction with the other States served by the New Haven, is now exploring the best way to keep the New Haven alive, hopefully within the framework of the Penn-Central merger. The parties to these negotiations need the best guidance they can get on the future prospects for this service—both in terms of prospective technological development and prospective public demand. Only when they are armed with this information can they proceed to make the kind of wise policy decision which is needed to allocate public and private responsibility for keeping the service alive. The demonstration project contemplated for New England under H.R. 1683 should be of inestimable help in this regard within the next 2 years, and the research and development program will be helpful over the longer term. We need this legislation badly and I urge its speedy passage.

Mr. RYAN. Mr. Chairman, the Department of Commerce has proposed a three-part transportation program consisting of railroad demonstration, research and development of new ground transportation systems, and statistical research.

The purpose of such a program is to develop the necessary technological, sociological, and economic information to determine what forms of transportation, and in what combinations, should be utilized in the northeast and other corridors in the future.

There are urgent and extremely practical reasons, both immediate and long range, why this should be done. Population density in the northeast corridor is 854 per square mile and is expected to rise to about 1,100 by 1980. Other regions of the Nation will be almost as densely populated by 1980 when 75 percent of our population will live in metropolitan areas.

This increase in density coupled with greatly increased travel will seriously overburden intercity transportation facilities. Yet the technology of public ground transportation has stagnated for more than five decades.

While transportation as represented by highway construction, automobiles, railroads, airlines, pipelines, and ships represents approximately 20 percent of our gross national product, or approximately $120 billion annually, the amount of research devoted to broad aspects of transportation or to radically new components for our transportation system has been estimated at less than $65 million.

As a result, ground transportation has lagged behind technological innovations occurring in other fields. Knowledge in such areas as dynamics, control, computers, and propulsion has advanced rapidly as a result of research carried on in the context of military and space programs. Instead of adapting these findings, progress in ground transportation has been through "products improvement"—simply better versions of old services.

Yet the ultimate of convenience and performance attainable by "products improvements" is not good enough. Testifying before the House Committee on Interstate and Foreign Commerce, William W. Seifert, assistant dean of engineering at the Massachusetts Institute of Technology, pointed out:

> Just as further development of the piston engine would never have led to the advances in aircraft achieved by the introduction of the jet engine * * * really significant advances in the area of high-speed ground transportation would result from work directed toward innovation rather than toward piecemeal improvements of existing technology.

This bill, Mr. Chairman, holds out the promise of such bold research. By making $64 million available over a 3-year period for development of unconventional ground transportation, the Federal Government will eliminate the risks presently inhibiting private capital and stimulate the required research.

The research and development aspects of this bill represent a new plateau for federally financed research. It looks beyond the refinement of existing technology to fundamentally new concepts of transportation. I urge support for H.R. 5863.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. HARRIS. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

Mr. GROSS. Mr. Chairman, I move to strike out the first two words.

It is most difficult for me to understand why this legislation is necessary in view of the fact that we hear from proponents that 150-mile-an-hour trains have already been developed, and apparently the demonstration areas have been selected—that is between Boston and Washington, D.C.—and the New Haven Railroad. Now that everything seems to be in order, why should the taxpayers have to spend $90 million for the purposes already achieved? I wonder if the committee chairman, the gentleman from Arkansas [Mr. HARRIS] could help me out on this? Should we not here today be thinking more in terms of the billions that this is going to cost?

Mr. HARRIS. Would the distinguished gentleman yield?

Mr. GROSS. Of course, I am glad to yield to my friend, the gentleman from Arkansas.

Mr. HARRIS. First let me say to my friend, the gentleman from Iowa, I am always flattered when I am requested to give help to the gentleman on important legislation being considered on the floor of the House. He is always judicious and thorough in his study of legislative proposals that are brought to the floor of the House.

Mr. GROSS. Especially when we discuss stadiums.

Mr. HARRIS. Yes, and I am, as the gentleman is, very proud of the very fine stadium we have here in Washington and many of us enjoy the benefits of it. I would refer the gentleman to pages 3 and 4 of the committee report with reference to the need for this legislation and the background of the legislation, without going all over it again.

Mr. GROSS. No, I would not want the gentleman to do that.

Mr. HARRIS. I do feel we have arrived at a point where unless something like this is provided, we are going to see this kind and type of transportation deteriorate further.

Mr. GROSS. I will say to my friend, the gentleman from Arkansas that what alarms me is what we are looking at in the future—$90 million is still a very considerable amount of money where I come from but what we are looking at in the future is what bothers me and concerns me. Once we open the flap of this tent, I do not know the ultimate end in terms of the billions the Federal Government may be asked to expend.

Mr. HARRIS. This is not opening the door. The door was opened in the last Congress with a potential high-cost transportation program to provide commuter transportation within the limits of these great metropolitan areas all over the country. That program is an operational problem as well as efforts to provide some research and demonstration. But this program, in my judgment, is a relatively one-shot proposition. This is an effort to get the regular, established transportation industry of the country to the point that they will pick up the responsibility on their own in an effort to provide such great centers throughout the United States as Los Angeles, Chicago, New York, Denver, and many other places with the best mode of transportation possible between these centers.

Mr. GROSS. It would be most helpful if the gentleman could give us some assurance that upon the expenditure of $90 million we would not then be asked to come up with several billions of dollars to carry out the construction of high-speed surface transportation systems.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Arkansas for that assurance.

Mr. HARRIS. I wish the gentleman from Arkansas could give that assurance. It is anticipated that I shall probably not be in the Congress at the time that question arises. That certainly is my intention, though with deep regret and with mixed emotions I make the statement.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HARRIS. Mr. Chairman, I move to strike the requisite number of words.

I recall to the minds of the Members that we were asked to guarantee certain loans in order to try to bring some of the railroads out of unfortunate conditions that they were experiencing at the time. The same question was then asked of me and other members of our committee. We told the House that if it did not work out, we would not return to the House to ask for extended authorization over a long and permanent period of time for the program. We carried out that promise. We tried it. Many railroads which the program was designed to help were improved. Two or three were in the category; I can recall one in particular, in which the program did not work. We were asked to extend the program for that railroad, but we said no, we did not think it was working out for some railroads that we had hoped to help. So consequently, we let the program expire.

It is my hope and expectation that this program will work out as we have explained it. If it does not show such improvement in the next 3 years, Congress will act accordingly.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. I, as well as, I am sure, all Members of the House, greatly regret to see the able gentleman from Arkansas leave the Congress. I am sure that future Members of Congress will take cognizance of the response which the gentleman from Arkansas has given that it is his hope and, more importantly, his expectation that Congress will not be called upon to finance the building of rapid transit lines over long distances.

I thank the gentleman.

Mr. HARRIS. I thank the gentleman very much. I wish to say to him, as I have said to many other Members of the House, that I am deeply indebted to the gentleman and I am grateful for the warm friendship with him that I have enjoyed so long.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. With regard to the colloquy which the gentleman from Arkansas just had with the distinguished gentleman from Iowa, I believe that the situation of the New Haven Railroad points up the critical nature of the problem in that that railroad is probably the most distressed railroad which, at the moment, we have in the Nation. It points up what will probably happen in other areas.

In that regard, it is not true that in order to help the railroad we have had to guarantee some of its bonds, and that the Government has made guarantees running into many millions of dollars in an effort to keep the railroad limping along in its operation?

What we are trying to do now in this program is, through research and development programs and through demonstration programs, to bring the railroad industry up to date and modernize it so that we can have an effective national policy for railroads and we will not have to limp along just throwing money down the drain, so to speak, trying to bail the railroads out and keep them in existence but not actually getting them on a sound basis. Is that not what we are trying to do now?

Mr. HARRIS. Yes. Generally speaking, the gentleman is correct. I am going to stick my neck out. I have done so on two or three occasions today. In my judgment there is not anything that can be developed out of this that can save the New Haven.

Mr. GIAIMO. Right.

Mr. HARRIS. I do not say that in a derogatory sense with regard to anyone, but I have said, as a matter of fact, that we put $41 million into that road. I think and my own personal feeling is that the Interstate Commerce Commission ought to let the Pennsylvania Railroad, as has been suggested in the hearings, take over the New Haven and do what would be necessary to provide the incentive and encouragement for it to develop the service and the type of operation that will serve the New England area. Whether that will be done or not I do not know, but I think if some drastic action like that is taken by the Interstate Commerce Commission and with this program to show what can be done, I believe there is some possibility that it could be developed on a basis so as to provide the kind of service that the gentleman knows is necessary and imperative in that area.

Mr. GIAIMO. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I use the New Haven Railroad only as an example to point up the critical nature of this problem.

In answer to the questions proposed by the gentleman from Iowa as to how much money this program is going to cost the Government, frankly I do not think anyone at this time is able to say how much this problem of transportation will cost the Government to solve, except that we all know it is a critical problem and one which must be faced. I would ask the gentleman, is it not true that in other areas the Government has a responsibility; areas such as the construction of the supersonic transport program, our communications satellites, in our atomic energy program, and other large programs. In these areas we recognize that the Government must concern itself in behalf of the national interest, and I believe also that railroading and the future of mass transportation, which, in my opinion, basically means railroads, is also an area where there is a national interest and there must be a national concern.

Mr. HARRIS. Indeed. The gentleman is eminently correct.

Mr. GIAIMO. I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

Sec. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

Sec. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources to the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

Sec. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

(c) Members of the Advisory Committee, while attending its meetings, shall be entitled to receive compensation at rates to be fixed by the Secretary but not exceeding $100 per day, including travel time; and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Sec. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

Sec. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest in any line of railroad.

Sec. 8. (a)(1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

(2) Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry.

(3) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

(4) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act.

Sec. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

Sec. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

Sec. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

Sec. 12. This Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination.

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, in view of the debate and discussion we have had and what appears to me as a very good result therefrom, I ask unanimous consent that the further reading of the bill be dispensed with and it be open for amendment at any place.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. ARENDS. Mr. Chairman, I withdraw the point of order.

Mr. BENNETT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with the constantly increasing urbanization of our country, the problems of transportation between and within cities have increased many times and will continue to do so. Research to find the best and most economical methods of meeting these challenges will be expensive and the time element is urgent. Therefore, I strongly support the passage of this measure as one essential to the welfare of the majority of our citizens. There is no indication that private enterprise is prepared to undertake the expensive research which is needed; and this legislation is the only apparent solution.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. St Germain, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5863) to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes, pursuant to House Resolution 549, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 317, nays 24, not voting 91, as follows:

[Roll No. 259]

YEAS—317

Abbitt
Adams
Albert
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolton
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Callan
Callaway
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Conte
Conyers
Cooley
Corbett
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harvey, Mich.
Hathaway
Hawkins
Hechler
Helstoski
Herlong
Hicks
Holifield
Holland
Horton
Hull
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Leggett
Lipscomb
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Matsunaga
May
Meeds
Michel
Mills
Minish
Mink
Mize
Moeller
Monagan
Moore
Moorhead
Morris
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Purcell
Quie
Race
Randall
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Satterfield
St Germain
St. Onge
Scheuer
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Va.
Springer
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Tex.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Williams
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—24

Adair
Andrews, Glenn
Bray
Cabell
Colmer
Curtis
Davis, Wis.
Dickinson
Duncan, Tenn.
Edwards, Ala.
Gross
Hall
Harsha
Harvey, Ind.
Hutchinson
Latta
McClory
Martin, Ala.
Quillen
Roudebush
Selden
Thomson, Wis.
Walker, Miss.
Walker, N. Mex.

NOT VOTING—91

Abernethy
Addabbo
Anderson, Tenn.
Andrews, George W.
Ashbrook
Ashley
Baring
Bolling
Bonner
Bow
Broyhill, Va.
Cahill
Cameron
Chelf
Clancy
Clawson, Del
Collier
Conable
Corman
Derwinski
Devine
Diggs
Dowdy
Dwyer
Evins, Tenn.
Fino
Frelinghuysen
Fulton, Tenn.
Garmatz
Gray
Greigg
Grider
Halleck
Halpern
Hays
Hébert
Henderson
Hosmer
Howard
Hungate
Johnson, Okla.
Karth
Kee
King, N.Y.
Kornegay
Landrum
Lennon
Lindsay
Long, La.
MacGregor
Martin, Mass.
Mathias
Matthews
Miller
Minshall
Morgan
Morse
Mosher
Murray
O'Neal, Ga.
Pepper
Pucinski
Redlin
Reid, Ill.
Reinecke
Roberts
Robison
Roncalio
Roosevelt
Rumsfeld
Ryan
Saylor
Schisler
Shipley
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Stephens
Sweeney
Thomas
Thompson, N.J.
Toll
Tupper
Ullman
Utt
Watkins
Whitten
Widnall
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.

Mr. Long of Louisiana with Mr. Ashbrook.

Mr. Willis with Mr. Broyhill of Virginia.

Mr. Toll with Mr. Ryan.

Mr. Thompson of New Jersey with Mr. Cahill.

Mr. Bonner with Mr. Martin of Massachusetts.

Mr. Ashley with Mr. Mosher.

Mr. Roncalio with Mr. Collier.

Mr. Hays with Mr. Bow.

Mr. Garmatz with Mr. Frelinghuysen.

Mr. Addabbo with Mr. Hosmer.

Mr. Shipley with Mr. Widnall.

Mr. Pucinski with Mr. Stafford.

Mr. Sweeney with Mr. Clancy.

Mr. Roosevelt with Mr. Morse.

Mr. Schisler with Mr. Saylor.

Mr. Howard with Mr. Fino.

Mr. Henderson with Mr. Minshall.

Mr. Anderson of Tennessee with Mr. Devine.

Mr. Johnson of Oklahoma with Mr. Watkins.

Mr. Abernethy with Mr. Utt.

Mr. Miller with Mrs. Reid of Illinois.

Mr. Hungate with Mr. Mathias.

Mr. Matthews with Mr. Robison.

Mr. Kee with Mr. Tupper.

Mr. O'Neal of Georgia with Del Clawson.

Mr. Whitten with Mr. Halpern.

Mr. Thomas with Mrs. Dwyer.

Mr. Slack with Mr. MacGregor.

Mr. Corman with Mr. Rumsfeld.

Mr. Chelf with Mr. Smith of New York.

Mr. Cameron with Mr. Reinecke.

Mr. Evins with Mr. King of New York.

Mr. Fulton of Tennessee with Mr. Conable.

Mr. Kornegay with Mr. Lindsay.

Mr. Charles H. Wilson with Mr. Gray.

Mr. Lennon with Mr. Baring.

Mr. Dowdy with Mr. Ullman.

Mr. Redlin with Mr. Diggs.

Mr. Stephens with Mr. Smith of Iowa.

Mr. Morgan with Mr. Murray.

Mr. George W. Andrews with Mr. Grider.

Mr. Roberts with Mr. Greigg.

Mr. Pepper with Mr. Karth.
Mr. Landrum with Mr. Derwinski.

Messrs. PASSMAN and LAIRD changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks in the RECORD at the appropriate place on the bill just passed.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

COMMERCE DEPARTMENT TRANSPORTATION RESEARCH

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 5863, to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes, as passed.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read as follows:

S. 1588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, consistent with the objective of promoting a safe, adequate, economical, and efficient transportation system, the Secretary of Commerce is authorized to undertake research and development in high-speed ground transportation, including, but not limited to components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

SEC. 2. The Secretary is authorized to contract for demonstrations in high-speed ground transportation for the purpose of contributing to the development of more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. Contracts for demonstrations under this section shall make provisions for financial participation of private industry to the maximum extent practicable as determined by the Secretary.

SEC. 3. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity the Secretary shall utilize the statistics and data available from Federal agencies and other sources to the greatest practicable extent. The information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

SEC. 4. In carrying out the purposes of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of railroad employees involved in operations which are the subject of such demonstrations. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations; (4) assurances of priority of reemployment of employees terminated or laid off; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting these individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended. Such contracts entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of the protective arrangements.

SEC. 5. In exercising the authority granted in sections 1 and 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary.

SEC. 6. In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5). The Secretary is further authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriations Act.

SEC. 7. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

SEC. 8. The Secretary shall report to the Congress and the President the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations with respect to such future action as may be appropriate in the light of these results and the objective of promoting a safe, adequate, economical, and efficient transportation system.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purpose of this Act, not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such appropriation, when so specified in an appropriation Act, shall remain available until expended.

SEC. 10. This Act shall expire on June 30, 1969, except for section 3. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to this Act prior to the date of such termination.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of the bill S. 1588 and insert the provisions of H.R. 5863 as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5863) was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the title of the Senate bill be amended to conform with the title of the House bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT

Mr. YOUNG. Mr. Speaker, on behalf of the distinguished gentleman from Florida [Mr. PEPPER], and by direction of the Committee on Rules, I call up House Resolution 525 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 525

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. YOUNG. I yield to the gentleman from South Carolina.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the House Committee on the District of Columbia have permission to sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. SICKLES. Mr. Speaker, reserving the right to object, I wonder if the gentleman would defer his request for about 10 minutes so that I may have an opportunity to discuss the matter with him?

Mr. McMILLAN. We are meeting regardless.

Mr. SICKLES. Then, Mr. Speaker, I object.

The **SPEAKER** pro tempore. Objection is heard.

Mr. **YOUNG**. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. Smith], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 525 provides an open rule with 2 hours of general debate on H.R. 8989, a bill to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

Mining is universally recognized as an exceptionally hazardous undertaking. Accordingly, the Congress has demonstrated a continuing concern with the mining industry. In 1910, it established the Bureau of Mines within the Department of the Interior. One of the Bureau's principal responsibilities has been the promotion of improved health and safety conditions. The Bureau has worked to develop safer mining techniques and equipment, collected and analyzed accident reports, studied the dangers of excessive concentrations of dust and radiation in mines, provided an extensive program of safety education and training to mine supervisors and workers, and taken other appropriate steps to reduce the hazards of mining.

While the Congress has taken action to provide Federal enforcement of certain health and safety standards in coal and lignite mines, it has not enacted legislation extending such Federal protection to workers in other types of mines. Yet the hazards faced by workers in these mines are quite comparable to those encountered by coal miners—the chief exceptions being the lower incidence of danger, in noncoal mines, from methane gas explosions and the absence of danger from coal dust explosions.

The purpose of H.R. 8989 is to reduce the high accident rate and improve health and safety conditions in mining and milling operations carried on in the metal and nonmetallic mineral industries. It establishes a Federal-State program of systematic inspection of such operations which affect commerce and requires the development promulgation, and enforcement of health and safety standards.

Responsibility for carrying out the purpose of the Federal Metal and Nonmetallic Mine Safety Act is vested in the Secretary of the Interior. The Secretary is directed, however, to delegate responsibility for development and enforcement of health and safety standards, within its own borders, to each State which submits a mine safety program satisfying criteria set forth in the bill.

The bill includes within its coverage all metal and nonmetallic mining other than coal and lignite mining. Coverage, however, does not embrace petroleum or any mineral extracted in liquid form from the earth, unless extracted by methods requiring the employment of workers underground.

Mr. Speaker, I urge the adoption of House Resolution 525.

Mr. **SMITH** of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Texas [Mr. Young], House Resolution 525 will provide for an open rule with 2 hours of general debate for the consideration of H.R. 8989, the Federal Metal and Nonmetallic Mine Safety Act.

Mr. Speaker, I concur in the statements made by the gentleman from Texas in explanation of the rule and the bill.

May I add, Mr. Speaker, that the distinguished gentleman from Colorado [Mr. Aspinall] appeared before the Committee on Rules and had several reservations about this bill. I thought his testimony was excellent. It is my understanding that some of the gentleman's reservations have been cleared up since that time.

But in any event, Mr. Speaker, I wanted to call this to the attention of the House so the Members will have the privilege of listening to the gentleman when he expresses his opinion relative to this bill.

Mr. Speaker, I know of no objection to the rule and I urge the adoption of the rule.

Mr. **YOUNG**. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTOMATIC DATA PROCESSING EQUIPMENT

Mr. **YOUNG**. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 550 and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 550

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4845) to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. **YOUNG**. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. Martin] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 550 provides an open rule with 1 hour of general debate for consideration of H.R. 4845, a bill to amend title I of the Federal Property and Administrative Services Act of 1949 to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

H.R. 4845 would provide a continuous flow of recurring data needed for effective and efficient management. Presently the Bureau of the Budget issues only an annual inventory report wholly inadequate for automatic data processing management purposes. Inventory and fiscal information is needed to maintain policy and budgetary control, increase utilization, and provide more economical acquisition of equipment. Under this legislation, GSA would establish such a comprehensive inventory. This inventory coupled with the fiscal information flowing from the operations of the revolving fund would afford all levels of government with more adequate information necessary for effective and efficient management. The availability of information on prospective Government requirements should also provide for fairer competition among all automatic data processing manufacturers.

There is widespread waste in available but unused Government automatic data processing equipment time. On June 16, 1964, the Bureau of the Budget set up an automatic data processing sharing program under GSA. This legislation would, however, substantially improve the effectiveness and efficiency of GSA's interagency coordinating efforts. GSA would also be authorized to establish multiagency service centers to furnish automatic data processing capacity to several users.

H.R. 4845 would strengthen the Government's bargaining position in acquiring automatic data processing. The Government now obtains no special advantages as a volume purchaser. Under the GSA supply schedules, price determinations and procurement are divorced. To obtain volume discounts, the Government must have volume procurement rather than a piecemeal agency-by-agency procurement.

The traditionally accepted solution to this type of problem has been the "single purchaser" concept. The Government would be in a stronger bargaining position were all its automatic data processing purchase and lease money in "one pocket." Whenever feasible, general purpose components, including those used in specially designed automatic data processing systems, would be acquired under a volume procurement program. Government software acquisition could also be subjected to more orderly procurement procedures.

The revolving fund would be used to consolidate volume acquisitions. GSA would acquire the automatic data processing systems selected by the management of the agencies and, in effect, the agencies would then lease equipment from the GSA revolving fund reimbursing the fund periodically at rates reflecting the use value of the equipment. GSA could obtain direct appropriations covering overhead expenses incident to operating the revolving fund.

H.R. 4845 delineates the responsibilities of the Bureau of the Budget, GSA, and the Department of Commerce and provides a stronger organization plan for Government automatic data processing management. The bill maintains the Budget Bureau's traditional control over fiscal and policy matters.

Mr. Speaker, I urge the adoption of House Resolution 550.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the able gentleman from Texas has explained House Resolution 550 makes in order the consideration of H.R. 4845 under an open rule with 1 hour of debate. I know of no opposition to the rule.

Mr. Speaker, automatic data processing has become a major expense item in all large businesses today; the Federal Government is no exception. Last year automatic data processing costs totaled over $3 billion, or 3 percent of the budget. These costs will continue to grow in the normal course of events. Because of this, it is necessary that the Government take steps to insure that it is getting as much for its dollar as possible.

To insure this result, the Bureau of the Budget began a major study in 1958, which stressed the need for governmentwide coordination and accurate information for all levels of management. A subsequent study this year made these same points. Since 1959 the General Accounting Office has issued about 100 reports revealing serious shortcomings in the acquisition and use of automatic data processing equipment.

H.R. 4845 seeks to remove some of these shortcomings. It delineates the responsibilities of the Bureau of the Budget, GSA, and the Department of Commerce, and provides for a stronger organization plan for use of automatic data processing. The Bureau of the Budget retains its control over fiscal and policy matters. GSA retains its traditional sphere over operational responsibilities. Additionally GSA will administer an automatic data processing revolving fund which will provide more adequate information for management decisions, optimum utilization of equipment, and economic acquisition of equipment.

The bill will consolidate Government procurement and so strengthen its hand in negotiations with manufacturers. The GSA, using the revolving fund, will procure the equipment needed by various agencies and, in effect, lease the equipment to the agencies, who will reimburse the revolving fund. It is expected that these new procedures will make for fuller and more economic use of automatic data processing equipment.

There are additional views, signed by eight members, which concur in the obvious need for the bill as reflected in the numerous GSA reports. The opposition is to the special exemption treatment afforded by amendments which exempt from the bill the contractors in the aerospace programs. The members urge a study now of this situation and the inclusion of the contractors under this legislation if the hearings indicate the need. They support the bill as presented to the House today.

Mr. Speaker, I know of no objection to the rule and urge its adoption.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8989, with Mr. Monagan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, before making any further remarks I would like to say that the area of jurisdiction over this particular matter is a little bit clouded. Many of the items in here belong to the Committee on Interior and Insular Affairs. I had the privilege of serving as subcommittee chairman of the Committee on Mines, even though the only mines we had were subways.

I would like to say that the distinguished chairman of that committee, the gentleman from Colorado, was one of the major persons affecting my life by appointing me to be chairman of that committee.

I would like to thank the gentleman from Colorado publicly for this as I have thanked him privately.

I would like to say that the gentleman from Colorado, the chairman of the Committee on Interior and Insular Affairs, and the gentleman from Oklahoma [Mr. Edmondson], have presented to the committee certain very valuable amendments. We are accepting those amendments. The distinguished author of the bill, the gentleman from Michigan [Mr. O'Hara], of our committee, will present these amendments for Mr. Aspinall and Mr. Edmondson. But I just want the Record to show that these amendments originated from their committee and we think they will help the bill tremendously.

Mr. Chairman, the purpose of H.R. 8989 is to reduce the high accident rate and improve health and safety conditions in mining and milling operations in the metal and nonmetallic mineral industries.

It establishes a Federal-State program of systematic inspection of operations affecting commerce and requires the development, promulgation, and enforcement of health and safety standards. The bill would provide for the Secretary of the Interior to inspect and investigate all mines, other than coal or lignite; a mine being an area of land from which minerals are extracted in nonliquid form, or if in liquid form, extracted with workers underground. This definition also includes private roads appurtenant to such an area, excavations, underground passageways, and structures and equipment used in extracting minerals or in milling them.

The bill authorizes the Secretary to make inspections and investigations as he may consider necessary to obtain information on health and safety, to determine the extent of compliance with the health and safety standards under the act, and to evaluate the manner in which an approved State plan is being carried out. In addition, the Secretary is required to inspect annually or at more frequent intervals each underground mine subject to this proposed act, except in mines located in States with approved State plans.

Mine operators will be required to submit annual reports concerning accidents, injuries, occupational disease, and related information.

Other provisions include enforcement of the mandatory standards, appeal by the mine operators, definition of the criminal penalties, and direction for a program of health and safety education.

The need for the bill has been amply demonstrated before the committee. Interest in legislation to reduce the accident rate in mines was demonstrated by the committee in 1956 when a specially appointed subcommittee held hearings on bills proposed to extend Federal inspection to metallic and nonmetallic mines.

In 1961 the Select Subcommittee on Labor held similar hearings; these hearings resulting in Public Law 87-300 which directed the Secretary of the Interior to conduct a study on health and safety hazards and report his findings to Congress. A study conducted by the Mine Safety Board showed a widespread existence of correctible hazards in metallic and nonmetallic mines.

As I did in the coal mine safety legislation recently passed by the House, I strongly urge the passage of this important piece of legislation which will improve the conditions under which these miners work, and demonstrate to them the high value that the Members of Congress place on their lives.

There was no opposition expressed by any committee member to this legislation.

Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. O'Hara], the author of this legislation and a member of the Select Subcommittee on Labor which developed H.R. 8989, and who has proven through the years to be a valuable strong right arm to the chairman, Mr. O'Hara.

Mr. O'HARA of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Hol-

LAND] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOLLAND. Mr. Chairman, it is a source of great satisfaction to me to see H.R. 8989, the Federal Metal and Nonmetallic Mine Safety Act, come before this House today. Almost 25 years have gone by since the Congress first enacted legislation to protect the men who work in the Nation's coal mines. Now, after this lapse of almost a quarter of a century, we are finally acting to extend protection to the rest of our mineworkers—to the men who labor in our copper, iron, uranium, and other mines, under conditions that we all know to be exceptionally hazardous.

During the years of struggle to bring this protection to miners outside the coal industry, members serving on the Committee on Education and Labor have attended many days of hearings and studied volumes of reports and statements on the question of the need for Federal mine safety legislation. This question has been given exhaustive analysis, and the legislation before us today is the product of the most careful consideration. In 1956, in 1961, and again this year, representatives of the workers in these mines have come before the committee, asking that the Congress act, and act effectively, to cut down the intolerably high rate of deaths and injuries incurred by miners. Their testimony on the hazards of the miner's occupation is spread across page after page of the hearings record that has been built up over these years, and any Member who turns to this record will find detailed there a saddening account of the suffering experienced by mineworkers, and by their wives and children, from accidents and from crippling occupational diseases that could have and should have been prevented. If every mine operator had, over these years, been as concerned with the health and safety of his workers as are our most conscientious operators—and if every State had put into its mine safety program the resources that are required for an adequate program—then many men would have been saved from early and violent deaths, and many others from injuries and diseases that have left them incapable of supporting themselves and their families.

Let us not forget the host of workers in our mines who have paid a terrible price for our failure to act firmly, years ago, to give them the coverage of a comprehensive code of health and safety standards, backed up by effective enforcement machinery. We are here today, at long last, to remedy that failure.

It is true that spokesmen for mine operators have told us that Federal legislation in the field of mine safety is superfluous. Indeed, they have never deviated from this line. The vast majority of deaths and injuries suffered by miners, they have argued, are—and presumably always will be—the result of the workers' own carelessness. Let the worker be more alert and cautious, as he loads ore or drills into a rock face in a tunnel hundreds of feet below the earth's surface—this is their prescription. Safety laws and periodic mine inspections, they imply, can accomplish little or nothing, since safety rests ultimately upon the responsibility of the individual worker to avoid stupid or reckless behavior that can injure himself or his fellow workers.

This implied attitude toward safety legislation has more than a slight similarity to the attitude of those who tell us that it is futile to enact legislation to combat the evils of poverty—since it is destined that the poor shall always be with us.

But I am confident, Mr. Chairman, that the great majority of Members of this House do believe in the principles of safety legislation. They do believe that well-designed health and safety codes, with regular inspections of work places by competent inspectors clothed with authority to enforce these codes, can make more than an insignificant contribution toward saving workers from death, injury, and disease.

The only questions that then remain are whether we have today, throughout this Nation, adequate health and safety codes for the metal and nonmetallic mining industry and whether we have a level of inspection and enforcement activity sufficient to assure general observance of these codes. The answer to both questions, regrettably, is that we do not. The report of the Mine Safety Study Board, appointed by Secretary Udall at the direction of the Congress, is a detailed revelation of the inadequacies of the present patchwork of State mine safety laws, and of the unwillingness or inability of so many individual States to come forward with the resources necessary to carry out an inspection and enforcement program worthy of the name. In the hearings before my subcommittee this May, no real defense or rebuttal was offered to the indictment contained in the Board's report. Witnesses before the subcommittee had every opportunity to challenge, in detail, the evidence contained in that report concerning the present deficiencies of State mine health and safety programs—but they made no such challenge, for the obvious reason that the evidence was too overwhelming.

Nevertheless, the bill before the House is one in which we have gone to great lengths to accommodate the expressed wishes of mine operators and representatives of the mine safety agencies of the individual States. The mine operators have told us that they strongly support safety inspection and enforcement programs, so long as they are carried out by the States, rather than by a Federal agency. And we have responded with a bill that calls upon each State to maintain its own program—a bill that will bring not one single mine operator within the direct enforcement power of Federal authority, provided only that the individual States conscientiously remedy the weaknesses contained in their present mine safety laws and enforcement machinery.

In this respect, Mr. Chairman, I consider it only fair to say that the mine operators themselves will be in an excellent position to influence the future course of the mine health and safety activity that will be set in motion by this bill. They can exercise their persuasive powers with the legislature of each individual State, and insist that the legislature appropriate the funds that are required to carry on a satisfactory inspection and enforcement program. If the State legislatures respond to their appeals then the mine operators will be subject—as they have said they prefer to be—only to State enforcement authority.

In closing, I wish to pay a brief tribute to the hard work, year after year, that has been put in by the representatives of workers in the mining industry, to keep the plight of these workers continuously before the Congress until effective Federal legislation could be enacted. This year, an historic year in which Congress has before it the question of repeal of the notorious section 14(b) of the Taft-Hartley Act, we are hearing from those who tell us that the individual worker has no need of organized representation and that the union member receives little or nothing in return for his dues. But, as we consider this bill today, I know that the workers in our mines recognize how much it has meant to them to be represented by unions who have untiringly argued their case for health and safety legislation to the Congress. The American miner learned long ago that he could not afford to stand alone, unorganized, waiting humbly for whatever modest improvements in his condition he might perhaps be granted, some time in the hazy future, by powerful economic interests which had everything to gain by maintaining the status quo. And I will say, in all candor, that if the miners had not learned this lesson of organization, but instead had remained in the fragmented and unrepresented state which we still find among the workers of so many American industries, then there is a great doubt in my mind that even today the Congress would have reached a position of being able to enact the constructive, humanitarian, long-needed bill we have before us.

As I look back over the long, sometimes discouraging, uphill effort to achieve Federal mine safety legislation, I think of my late friend and associate, Phil Murray, the first president of the United Steelworkers of America and the second president of the Congress of Industrial Organizations. More than 15 years ago, in the period just after the close of World War II, Phil Murray was deeply interested in this legislation and worked energetically to persuade the Congress of the need for Federal protection of the health and safety of the workers in all our mines—not just in coal mines alone. It did not prove to be possible, at that period, to develop this protection. But I know that Phil Murray would be happy to see this House today, as it considers the Federal Metal and Nonmetallic Mine Safety Act.

Mr. O'HARA of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Chairman, I will explain briefly the purpose, background, and need for H.R. 8989, the Federal Metal and Nonmetallic Mine Safety Act, and then answer such questions as Members of the House may have.

Undoubtedly, everyone in this Chamber today is aware that mining is an unusually dangerous occupation. I do not believe, however, that everyone fully realizes just how dangerous this occupation is. The tragic fact, Mr. Chairman, is that seven out of every hundred underground metal miners are killed, in work-accidents, during the course of their working lifetimes.

Let me reemphasize this shocking statistic. Of each one hundred young men who enter into a lifetime career as an underground metal miner, no less than seven of them can expect to die in on-the-job accidents before they reach normal retirement age. This single fact speaks volumes concerning the appalling risk of violent death to which the underground miner is exposed. And, of course, it does not reflect the additional suffering and losses of the thousands of miners who, every year, are crippled and otherwise injured in accidents, or who fall victims to such grave occupational diseases as silicosis and lung cancer, brought on by excessive exposure to dusty and radioactive mine atmospheres.

The story told by the injury data collected by the National Safety Council and the U.S. Bureau of Labor Statistics is very clear. Consistently, year after year, the injury rates for "Underground Mining, Except Coal" have been among the three or four highest for all the categories of industry surveyed. In only two major industries are these rates found to be, in most years, as high as, or higher than, the rates for "Underground Mining, Except Coal." One of these two industries is underground coal mining; the other is marine transportation. And in both these industries the exceptionally hazardous nature of the work has been recognized by the Congress, through the passage of legislation establishing Federal responsibility for the promotion of improved safety in them. The Federal Coal Mine Safety Act and the Longshoremen's and Harbor Worker's Compensation Act have been enacted, in response to the need for a determined national effort to reduce the risks undergone by coal miners and workers in marine transportation. The time has now come to extend Federal safety legislation to this third exceptionally dangerous category of industry—metal and nonmetallic mining.

Mr. Chairman, the Federal Metal and Nonmetallic Mine Safety Act is before us today as the fruition of a number of years of study and persistent work by Members of this House and others who have long been concerned with the welfare of our Nation's mineworkers. Nine years ago, in 1956, a subcommittee of the Committee on Education and Labor conducted thorough hearings on the unsatisfactory health and safety conditions in metal and nonmetallic mines. Those hearings strongly indicated that Federal legislation was needed, but it did not prove possible at that time to extend this protection to the workers in these mines. In 1961, however, the Committee on Education and Labor directed another set of subcommittee hearings to be held on the serious, continuing problem of health and safety in mines other than coal. Those hearings led to the enactment of Public Law 87-300, in September 1961, which instructed the Secretary of the Interior to conduct an intensive 2-year study of health and safety hazards in these mines, to evaluate the adequacy of the mine safety legislation and programs of the individual States, and to present to the Congress the findings of his study and whatever recommendations for Federal action the study showed to be appropriate.

The study ordered by Public Law 87-300 was skillfully and thoroughly carried out, during the years 1962 and 1963, by a special mine safety study board appointed by Secretary Udall. Its detailed, comprehensive findings and recommendations were embodied in a two-volume report of approximately 200 pages.

Mr. Chairman, what were the findings of the mine safety study board's report? Only enough time is available to allow a very brief review of their highlights. In summary, the 2-year study showed that accidents in metal and nonmetallic mining and milling establishments were claiming lives at a rate of more than 200 per year, and causing approximately 10,000 nonfatal injuries per year—including, of course, many injuries that left their victims permanently disabled.

In addition, inspectors from the U.S. Bureau of Mines, during the course of this 2-year study, found an appalling number of identifiable hazards in the metal and nonmetallic mines they visited. The number of such hazards, in fact, averaged 15 per mine—15 correctible conditions in each mine, on the average, which stood as a menace to the worker's life and health.

It is true that most—but by no means all—of the mining and milling operations surveyed in this 2-year study were subject to State mine safety legislation. Mine safety enforcement in most States was of limited effectiveness although in some other States it was quite good. But on the whole, the job done in the field of health and safety enforcement by the States was not of such quality and character as to give us confidence that the job could be handled by leaving it entirely to State responsibility.

The recommendation of the Mine Safety Study Board, on the basis of its 2-year study, was that a Federal law be enacted to establish and enforce health and safety standards in metal and nonmetallic mining and milling operations.

The Board's conclusion was:

> In the face of 10,000 lost-time injuries and more than 200 deaths in a single year, it would be difficult to ignore the need for positive action. The present structure of State law coverage and enforcement is clearly inadequate to deal comprehensively with the problem of safety in the mineral industry.

Following the Board's recommendation, the Secretary of the Interior transmitted to the Congress, on March 29 of this year, a draft of the administration's proposed Federal Metal and Nonmetallic Mine Safety Act. This proposed legislation, as H.R. 6961, was promptly introduced on behalf of the administration and, during May, the Select Subcommittee on Labor held a week of hearings on the bill.

On the basis of these hearings and in consultation with minority members of the Committee on Education and Labor, a number of improving amendments were developed to the original administration bill. These amendments are embodied in H.R. 8989, the bill before us today, which was reported from the committee on July 8.

This bill, Mr. Chairman, represents a bipartisan consensus of both majority and minority members of the committee who feel a deep concern for the hazards to which mineworkers are exposed and an impelling need to take action to reduce these hazards to the lowest possible level. No objection was voiced to this bill in the committee meetings at which it was considered, and no minority report accompanies it. Clearly, an overwhelmingly convincing case exists for this legislation, to enable it to come to the floor today with such solid bipartisan support from the members of the Committee on Education and Labor.

The main provisions of this bill, Mr. Chairman, can be quickly summarized. Its coverage will extend to all metal and nonmetal mining and milling operations whose products regularly enter commerce or whose operations affect commerce, with certain exceptions. It will not cover coal mining, an industry already subject to the Federal Coal Mine Safety Act, and it will not cover petroleum or any other mineral which is extracted from the earth in liquid form, unless workers are actually employed underground in the extraction process.

The bill directs the Secretary of the Interior to develop health and safety standards for the various categories of mining and milling operations that will be covered. The Secretary, however, must appoint advisory committees to consult with him in developing appropriate standards, and each such advisory committee must include in its membership at least one representative of a State mine inspection or safety agency, as well as one or more representatives of mine workers and of mine operators. The number of representatives of mine operators on each advisory committee must be equal to number of representatives of workers.

This requirement of advisory committees, Mr. Chairman, is an important and equitable feature of this legislation. It guarantees that those who have a particularly direct and immediate interest in mine safety—the workers, the mine operators, and State officials with mine safety responsibilities—will be in continuous and close consultation with the Secretary of the Interior concerning the details of all health and safety standards that he may establish. With such consultation, there is every reason to believe that the standards developed will not only be adequate to safeguard the lives and health of the workers, but will also be supported as necessary and reasonable by the large majority of mine operators who are seriously concerned with safety conditions in their industry.

Of the health and safety standards which the Secretary develops, in consultation with the advisory committees, those which deal with "conditions or practices which could cause death or serious physical harm" must be designated as mandatory standards—and, therefore, to be enforced in all mining and milling operations subject to the act.

With respect to enforcement, Mr. Chairman, this legislation has an unusual and imaginative feature. It sets forth two alternative routes toward the accomplishment of the same goal: improved health and safety conditions in our mining industry. In effect, each State is offered the option of choosing between its own State enforcement, and Federal enforcement, of adequate standards—and, indeed, each State is encouraged to opt for State enforcement. This bill, therefore, will not necessarily lead to direct enforcement of mine health and safety standards by Federal authority in any State of the Union. The decision is left to each individual State, and each State is invited to take upon itself the responsibility that must otherwise be shouldered by Federal authority.

Under this legislation, each State may submit to the Secretary of the Interior its own plan for enforcement of mine health and safety standards. If the plan meets certain specified conditions, the Secretary must approve it—and, so long as such an approved plan is in effect, all enforcement power will rest exclusively in the hands of the State authorities. The major conditions which the State plan must meet, in order to gain the Secretary's approval, are these:

It must provide for inspection, at least annually, of all mining and milling operations subject to the act, except quarries and sand and gravel pits, which may be inspected less frequently than annually.

It must provide for enforcement of State health and safety standards which are substantially as effective as—though not necessarily identical with—the mandatory standards which the Secretary has developed, in consultation with advisory committees.

It must provide for sufficient funds and a sufficient number of qualified personnel to enable a satisfactory inspection and enforcement program to be carried out by the State.

The responsibility of the Secretary of the Interior does not, of course, entirely cease upon his approval of a State plan. He will be required to make a continuing evaluation of the manner in which the plan is carried out, to assure that the State continues, over the years, to provide necessary financial resources, competent personnel, and conscientious administration.

If he should find that a State has allowed its mine health and safety program to deteriorate, so that it is no longer meeting the obligations it assumed upon approval of its plan, then the Secretary must withdraw his approval, and thereupon assume direct Federal responsibility for enforcement of standards. However, he must provide the State with opportunity for a hearing, before canceling his approval of a plan. The Secretary, that is, cannot act arbitrarily, without considering carefully the case the State may wish to present in defense of its mine health and safety program.

Only time will tell, Mr. Chairman, whether each of our States will decide to respond to the strong encouragement this legislation gives them to develop their own plans for enforcement of adequate mine health and safety standards. The alternative of direct Federal enforcement is provided for any State which does not so decide. Where enforcement responsibility rests with the Secretary of the Interior, the act will require that he inspect, at least annually, each underground mine—and that he inspect other mining and milling operations at such intervals as he deems necessary. Whenever an inspection reveals a hazardous condition which threatens imminent death or serious physical harm, the Federal inspector must issue an order of withdrawal and debarment, which forbids the presence of any person in the area in which the danger exists, other than persons whose presence there is necessary in order to eliminate the danger. Orders of withdrawal and debarment may also be issued to mine operators who have failed to take proper action to abate violations of mandatory Federal health and safety standards within reasonable time periods specified by Federal inspectors—even though the violations may not constitute an imminent danger of death or serious physical harm.

Ultimately, Mr. Chairman, the Secretary's power of enforcement, in any State which does not have its own approved plan, must rest upon his authority to issue orders of withdrawal and debarment. The legislation contains adequate safeguards against the arbitrary use of such orders, however. It affords the mine operator the opportunity to appeal to the Secretary, and receive a hearing, before a final order may be issued by the Secretary—and it then affords him an appeal to a U.S. court of appeals for a review of any such final order. Pending its decision on the appeal, the court is given the authority to postpone the effective date for enforcement of the Secretary's order, or grant the mine operator such other relief as the court considers to be appropriate.

Mr. Chairman, these are the essential provisions of the bill before us. The bill is an eminently fair and reasonable one, which takes into balanced consideration the interests of the mine workers, the mine operators, and the mine safety agencies of the individual States.

Your committee, Mr. Speaker, has extensively amended the administration bill to provide a cooperative Federal-State safety arrangement. The bill as sent to us by the administration provided for a Federal system of inspection and enforcement of health and safety standards in these mines.

The committee, with the very able and generous cooperation of the minority members of the committee, and the distinguished chairman of the Committee on Interior and Insular Affairs, has amended the bill to provide a program that we hope will result in strengthened State mine safety regulation. We hope that after this program gets rolling, if the bill is enacted, there will not be any need for direct Federal enforcement of health and safety standards, because we have provided opportunities for the States to adopt and enforce adequate State safety programs which would then substitute for Federal enforcement activity within their particular jurisdictions.

We should like to see this job done by local authorities, but we feel that we have a responsibility to see to it that the job is being done before we turn it over to local authorities.

Mr. Chairman, the provisions of the bill are well known to the members of the committee, and to the chairman and the members of the Committee on Interior and Insular Affairs.

Unless there are questions, and since there seems to be pretty general agreement in respect to the provisions of the bill, I am prepared to yield back the balance of my time.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I appreciate the gentleman yielding.

I should like to state that I appreciate also his recognition of the fact that a very fine job is being done in the field of safety in many of the States.

As I understood him to say a few minutes ago, it is his hope that the States across the country will take up this burden and handle the problem without the necessity of Federal inspection service and without the necessity of Federal intervention in many instances.

Would the gentleman also agree with me—and this has been my experience—that an excellent job is done in the field of safety by most mining companies, and, in fact, it is the exception in many, many fields, and in many areas where there is mining, where there is not a recognition by the mining companies that safety is good business, that it is a very sound business practice to promote safety in every way possible?

Mr. O'HARA of Michigan. In response to that particular question, I should like to say to the gentleman that there are many companies that have admirable safety programs. In those companies the injury frequency rate is considerably less than the average for the industry. That means at the same time there must be many others that are not doing anywhere near an adequate job in the field of safety.

The gentleman is perfectly right. If all companies would do as well as the best do, we would not be spending our time on this bill today.

Mr. EDMONDSON. I think the gentleman made a splendid statement.

Personally I want to express by appreciation to him for his willingness at least to listen to suggestions and ideas about this program and for the very reasonable attitude he has demonstrated with reference to the amendments which were principally prepared by the able chairman of the full Committee on Interior and Insular Affairs [Mr. ASPINALL].

Mr. O'HARA of Michigan. I thank the gentleman from Oklahoma for his comment.

With respect to those amendments, I want the committee to know that I will be offering several amendments when the bill is read for amendment which have been agreed to in discussions among the gentleman from Colorado, the gentleman from Oklahoma, the minority members of the committee, and myself as being improvements in the bill and which we are proud to sponsor and which we hope the House will adopt.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. HALL. I simply have two questions for information. No. 1, will these Federal-State mine safety regulations involve mine shafts that are no longer operative insofar as far as safety regulations and precautions are concerned? We have lost a great number of fine citizens because of cave-ins and/or property loss occasioned thereby, to say nothing of the loss of children. I wonder if the gentleman could address himself to that thought.

Mr. O'HARA of Michigan. I am very happy that the gentleman brought up that question. We felt probably the Federal Government itself did not have the power to enforce safety regulations with respect to conditions in abandoned mines, the products of which were no longer entering commerce. However, we believe that the States did have such power and should have standards with respect to losses of life and property which occur around abandoned workings. So we wrote into this bill a provision to encourage the States to do their own enforcement with respect to abandoned mines. We said that before we would turn enforcement authority over to them, they had to include not only a health and safety program which was adequate in terms of actual operative mines, but they had to have a provision which would protect against loss of life and property in abandoned mines. I agree with the gentleman and several other Members of Congress who have spoken to me about the same point, that there is often more hazard connected with an abandoned mine than there is with an operative mine. So State plans will have to include provisions applicable to them.

Mr. HALL. I thank the gentleman. We have even gotten to the place where we lose skindivers in abandoned mines that are filled with water and which have not been pumped out.

My second question is one of jurisdiction, actually, and not one where I raise the least bit of question.

I notice the Department of the Interior is the action agency of the executive branch of the Government on this and that it also deals with health and safety. Was it just a matter of reference in the gentleman's original bill to his own committee, or would ordinarily the House Committee on Interior and Insular Affairs bring out such a bill or even the Committee on Interstate and Foreign Commerce, since the Secretary of the Interior is involved and the interstate clause of the Constitution is involved? I am simply interested in it personally and ask it without any objection whatever, but I would like to hear the gentleman discuss the matter.

Mr. O'HARA of Michigan. I am even happy that the gentleman asked that question. As a distinguished member of the Joint Committee on Congressional Reorganization, perhaps the gentleman can do something about committee jurisdiction, but just as the Committee on Education has no jurisdiction over education in the health professions, which goes to the Committee on Commerce, for some reason, the Committee on Education is specifically assigned jurisdiction over all matters having to do with the health and safety of workers.

Mr. HALL. In other words, it is the labor section of the Committee on Education and Labor that has reference to it and is the reason for the assignment?

Mr. O'HARA of Michigan. That is correct.

Mr. HALL. I thank the gentleman.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Illinois.

Mr. McCLORY. I have several questions I would like to ask the gentleman with regard to this legislation. I have a telegram which I received expressing opposition to this legislation on behalf of a person who is interested in metal mines. He seems to take the position that the metal mines are doing a good job, the iron mines, which are producing iron ore. I wondered as to whether there was any consideration or whether there was any inclination to exempt such mines from the purview of this legislation.

Mr. O'HARA of Michigan. The committee went into the various aspects of mining and we found a variance in injury frequency rates as between the different kinds of mining operations. But we do not feel there were enough differences between them, even though there were differences of degree, to justify our taking one or another class and saying, "You do not have to be subject to this law but the others do." While there were differences, they were rather small differences of degree, not great enough to justify covering some and not others.

Mr. McCLORY. Mr. Chairman, may I ask one other question, if the gentleman will yield further? The writer of the telegram appears to feel that the State and the county inspection is adequate and that there will be a centralization of authority developed from this legislation. However, I note in the report of the committee on page 15 that there is a provision for exempting, or entering into agreements with State boards with regard to State inspections. I have this question of this gentleman.

I am wondering if, in the enactment of this Federal legislation, there is not going to be an inclination on the part of the State and local inspectors to relinquish their authority; so that we may lose the benefit of these fine State agencies in favor of a Federal agency or a Federal mine inspection authority? How does the gentleman feel about that?

Mr. O'HARA of Michigan. I think that is a question on which each individual would have to make his own judgment. But I think it is rather clear from the testimony of State officials who appeared before us and from testimony of mine operators and representatives of mine operations who appeared before us, that they have a very great preference for State safety regulation. It is our firm expectation that most, if not all—and probably all—of the States will avail themselves of the option of presenting a State plan that provides comparable safeguards in operating their own mine safety program. That is our expectation.

Mr. McCLORY. Does the gentleman feel, then, that where a State does have a good State mine inspection agency and is applying the law and utilizing their departments, that the Federal Bureau of Mines will grant this exemption or will recognize the State prerogatives in that area?

Mr. O'HARA of Michigan. That is our intention. And I might say to the gentleman, in order to assure that, one of the amendments which the gentleman from Colorado has suggested and which we are going to offer would provide for review in the circuit court of appeals of the Secretary of the Interior's decision with respect to accepting or rejecting a State plan.

Mr. McCLORY. I feel that should be encouraging, if not entirely satisfactory, to this constituent. I thank the gentleman very much for his explanation.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Is there not a factor in this question of accepting or rejecting an inadequate State plan, and that is, whether there is adequate safety; in other words, an examination of the current status of safety requirements and the results? That is, either injuries or deaths in the enforcement of those requirements? That would be the question as well, would it not?

Mr. O'HARA of Michigan. That is correct. In the initial application the question would be, Does the State plan provide adequately for health and safety enforcement? But we envision that the Secretary of the Interior, through the Bureau of Mines, will through scrutiny of the reports received from the States and through unscheduled spot inspections of conditions within the State, make an assessment of whether or not the State is continuing to carry out their plan and if they were to fail to carry out the plan, approval would be withdrawn.

Mr. FULTON of Pennsylvania. So that if the State has had a high accident rate in its own mines and has had certain practices which are then codified into a plan, simply continuing the practices, it is assumed by this type policy we adopted that it will not be adequate?

Mr. O'HARA of Michigan. That is correct.

Mr. FULTON of Pennsylvania. Mr. Chairman, if the gentleman will yield further, so that we just do not continue the same old State practices and give them an opportunity to postpone enforcement by putting them into a codified State plan?

Mr. O'HARA of Michigan. That is correct.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Michigan, but before continuing the colloquy with the gentleman from Michigan, I might say that for many years we have worked toward getting this bill through. The gentleman from Michigan [Mr. CLEVENGER] came to the Congress this year and now we are making more progress than we have ever made heretofore. I do not believe that is a coincidence. I want to thank the gentleman for the inspiration and the work and the effort which he has put into the enactment of this bill. If we enact this bill, and I hope we will, a large part of the credit will be due to the efforts of the gentleman from Michigan [Mr. CLEVENGER].

Mr. CLEVENGER. Mr. Chairman, I appreciate the remarks of my colleague, the gentleman from Michigan [Mr. O'HARA].

But, Mr. Chairman, I rise to commend the Member from the district of Michigan which is substantially without mines, but who has worked so long and hard to bring this legislation to the floor of the House.

Mr. Chairman, I am happy to be here to add such strength as I can. I am happy to have had an opportunity to introduce a bill in behalf of the miners of my district, because I come from the mining district of Michigan. However, I come from a district where we have many new mines where every conscientious effort is being made by the mine operators and owners to have such mines operated efficiently and safely.

Mr. Chairman, this is not going to affect substantially their operations. They will probably do more than is required by the bill. But I frankly want to say, Mr. Chairman, that we of northern Michigan are grateful to my colleague of the 12th District, the gentleman from Michigan [Mr. O'HARA].

Mr. Chairman, as for me, the opportunity to support adequate safety in our mines through H.R. 8989 is a very rewarding, and long awaited, one for me. For years, I have seen our Michigan miners frustrated in their efforts to get much needed safety laws enacted.

Every 1 of the 22 counties in my upper Michigan district has people in it who will face less chance of injury or death if we enact this bill. Iron ore and copper mining, which are covered in this bill, are a major activity in my district.

Mining operations in the Upper Peninsula of Michigan employ approximately 10,000 men, who earn about 20 percent of the region's total personal income. Our peninsula still holds some of the greatest iron ore and copper deposits in the world.

If we focus on my district, the need for this bill is obvious. For instance, in 1962, the Michigan Department of Labor, in its annual report, stated:

> It is recommended that inclusive mine safety legislation be immediately enacted.

Our Michigan miners are still without this protection, as are those in the other States.

I can personally attest to the fact that many of the mine owners in my district make a conscientious effort to provide safe working conditions for their employees.

Accidents in Michigan mines in 1964 resulted in 4 deaths and 506 nonfatal injuries. This is an injury frequency rate of 13.42 per million man-hours. This is a good record. But is it good enough? As long as workingmen in upper Michigan face the possibility of unnecessary serious injury or death, it is not good enough for me.

The injury frequency rate in Michigan mines is nearly double that in Minnesota. To some degree, this is because we have more underground mining in Michigan.

Accident frequency rates in vocations other than mining are generally one-quarter to one-third as high, and often considerably less.

There are nearly 300,000 persons whose families will have more security and confidence that accidents will not bring grief to their home because of this bill. But even if this figure were half that, or less, I do not believe we could do other than enact this law to give them the protection we expect for ourselves and our families.

Mr. HATHAWAY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Maine.

Mr. HATHAWAY. Mr. Chairman, it is my understanding that under the appeals provision on page 7 under section 9(b) it is contemplated by the committee, is it not, that the deputy's order would stay in effect unless the Secretary considered that it would cause irreparable injury, even though that is not so stated therein?

Mr. O'HARA of Michigan. That is correct.

Mr. HATHAWAY. I thank the gentleman from Michigan.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Utah.

Mr. KING of Utah. Mr. Chairman, I rise in support of H.R. 8989. This bill concerns safety: safety to those rugged men who enter our mines to bring out the gold and silver and lead and zinc and copper and other metals, without which we all would still be living in the stone age.

I suppose the day will never come when mining accidents vanish altogether. As long as we use giant machines and explosives capable of chewing up, and spitting out incalculable quantities of ore in just a few moments, the factor of human error will carry with it the possibility of accident. But those who expose themselves to these perils in order that we might enjoy our present way of life, should at least have the right to expect that unnecessary hazards to life and limb will be removed. To excuse the failure to take every reasonable precaution to prevent accident, on the ground that accidents are inevitable, is in my opinion the cruelest kind of sophistry.

It is one thing for men of management, seated in the executive offices of an operating mine, and concerned, as they understandably are, with reducing costs to meet competition, to reluctantly consider the necessity of installing expensive safety equipment. It is quite another thing to be a mine laborer, working hundreds of feet underground, facing the possibility of sudden and hideous death.

Put yourself in the position of having 10 million tons of dirt cave in on you, or of having a hundred-foot ladder collapse under your feet, or of seeing your companion blown to bits in a gas explosion, or of being needlessly exposed to cancer-producing radon gas in a uranium mine.

Considerations of humanity and decency require that we take all reasonable steps to avoid these tragedies. In my opinion, H.R. 8989 is such a reasonable step.

In November of 1963 Secretary of Interior Udall reported to Congress on the results of a comprehensive study of the safety conditions existing in American mining operations. The study was conducted as a result of Congressional authorization granted in 1961. This report showed, among other things, that in 1962: First, 10,189 miners were hurt in injuries causing loss of time from work beyond the day of injury; second, 212 miners were killed on the job; third, 329 miners were permanently crippled; and fourth, on-the-job injuries resulted in more than 7,000 man-years lost from work. It might be added parenthetically, that more than twice as many man-days were lost from injuries as were lost from strikes. Fifth, the computed 1962 injury frequency rates—defined as the number of fatal and nonfatal lost-time injuries per million man-hours worked—ranged from 19.61 in surface mining operations to 44.11 in underground mining operations. This rate is extremely high, in comparison with the rate for industry as a whole.

Of particular interest to Utah, which is one of the Nation's leading uranium producers, was the fact that more than half of the U.S. underground uranium miners were exposed regularly to lung cancer hazard from radon gas. Miners numbering 1,264 were found breathing radon gas on the job in concentrations declared unsafe by the United States Public Health Service.

The aforesaid report showed rather clearly that 28 percent of the total number of miners employed were not covered by any safety legislation whatsoever. Moreover, in many States it was found that enforcement of what mine safety laws they did have on the books was almost nonexistent. Specifically, they found that out of a group of 544 mines examined, there were 4,080 violations of the State mine safety laws, with little or no attempt by the State enforcement agencies to enforce, or correct.

I am aware of the position taken by the American Mining Congress, namely that Federal regulation is unneeded, and that enforcement would be better undertaken on the State level.

I, too, believe that if all other things are equal, enforcement should be kept close to the people, and that State enforcement would be preferable to Federal enforcement. This is a statement of general principle with which I find no fault.

However, in the matter of mine safety, all other things are not equal. Because of the competitive nature of mining operations, it is extremely difficult for one operator to maintain proper safety standards, as long as competitors refuse to do so. Competition, like water, seeks its own level. Conscientious men are often dragged down to the level of their most unscrupulous competitor.

Moreover, the individual States, viewed as integrated enforcement agencies, face the same difficulty. Inasmuch as each State is competing with its sister States to attract more business, it finds itself disadvantaged in enforcing safety regulations which might have a tendency to drive business away, or to discourage the establishment of new businesses.

I am convinced that the great majority of private operators are very anxious to establish fair safety standards for their men. Where there are negligent safety practices, I prefer to attribute them to the unfortunate consequencies of competitive pressures, than to the malevolence of any individual operator. I am convinced that mine operators, considered individually, will be far more agreeable to the establishment of Federal mine safety standards than one might otherwise deduce. The establishment of a fair, workable code of safety standards, would, in my opinion, be accepted by all mine operators who are humanely interested in preventing needless accidents, and this includes almost all of them.

To those who argue that mine safety standards should be formulated by the States themselves, for the reason that States are more familiar with local conditions, I further point out that under H.R. 8989 the States have the choice of submitting an alternative safety plan to the Secretary of the Interior. If this plan meets the objective standards set forth in the bill, such plan will be accepted by the Secretary in lieu of the Federal plan.

Surely no reasonable person can seriously object to this procedure.

I urge the enactment of this bill. I have seen the tragedy resulting from the unnecessary cruelty of man to man. Even at best, suffering will necessarily be with us as long as there is life. But unnecessary suffering is something we can do something about, right here, and now, by enacting H.R. 8989.

Mr. O'HARA of Michigan. Mr. Chairman, the gentleman from Utah has indeed made a valuable contribution to the enactment of this legislation. I do not believe any Member of the House has been in touch with me more frequently regarding this bill and has shown more interest in it than the gentleman from Utah.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I would like to say at this time that I compliment the gentleman from Michigan because of the manner in which he has handled this legislation. He found the opposition to it, and in cooperation with the opposition he has been able to bring to the floor a piece of legislation which can go a long way toward being of benefit to those interested in both the management and the improvement of this particular mining industry.

Mr. Chairman, as the gentleman well knows, we in the coal communities have had a similar problem in trying to get national legislation on the books, and I want to say that without the efforts of the gentleman from Michigan [Mr. O'HARA] I am sure that it would have been quite a few more years before this legislation could have come before us.

Mr. Chairman, I rise to support H.R. 8989—the bill to promote health and safety in metal and nonmetallic mineral industries—introduced by the distinguished gentleman from Michigan [Mr. O'HARA], and advanced by the subcommittee over which he presided.

Mr. Chairman, this is a good bill; it is a sound bill, and a necessary bill. Speaking as one who has long fought for increased safety in coal mines, I am compelled to say that the arguments which prevailed for that legislation, apply equally in this case.

Mining is universally recognized as an exceptionally hazardous undertaking. Accordingly, the Congress has demonstrated a continuing concern with the mining industry. In 1910, it established the Bureau of Mines within the Department of the Interior. One of the Bureau's principal responsibilities has been the promotion of improved mine health and safety conditions. The Bureau has worked to develop safer mining techniques and equipment, collected and analyzed accident reports, studied the dangers of excessive concentrations of dust and radiation in mines, provided an extensive program of safety education and training to mine supervisors and workers, and taken other appropriate steps to reduce the hazards of mining.

In 1941, the Congress enacted the Federal Coal Mines Safety Act, authorizing the Bureau of Mines to make annual or necessary inspections of coal and lignite mines, for the purpose of promoting improved health and safety conditions in these mines. This act required operators of coal and lignite mines to admit Federal inspectors to their properties and to provide the Bureau, upon request, with information concerning all mine accidents involving injury or death. It did not, however, empower the Bureau to enforce health and safety standards.

In 1952, in the wake of heavy loss of lives in several coal mine disasters, the Federal Coal Mine Safety Act was amended to make a number of health and safety standards mandatory, and the Bureau of Mines was empowered to enforce these standards upon all coal and lignite mines regularly employing 15 or more persons underground.

Since 1952, Congress has repeatedly considered legislation to eliminate the exemption granted mines employing less than 15 persons underground. On June 1, 1965, by a vote of 335 to 43, the House passed H.R. 3584, a bill which subjects these mines, other than strip mines, to the Bureau of Mines' power to enforce the mandatory health and safety standards specified in the Federal Coal Mine Safety Act. This bill is now awaiting action in the Senate.

While the Congress has taken action to provide Federal enforcement of certain health and safety standards in coal and lignite mines, it has not so far enacted legislation extending such Federal protection to workers in other types of mines. Yet the hazards faced by workers in these mines are quite comparable to those encountered by coal miners—the chief exceptions being the lower incidence of danger, in noncoal mines, from methane gas explosions and the absence of danger from coal dust explosions.

Efforts directed toward wiping out the discrepancy between the Federal legislative attention given to the health and safety of coal miners and that given to other miners have continued for some years. In 1956, a specially appointed subcommittee of the Committee on Education and Labor held lengthy hearings on bills proposing to extend Federal inspection to mines other than coal mines. This subcommittee inspected mines and conducted field hearings in various mining areas of the Great Lakes and Mountain States, and developed a substantial record of vivid testimony from working miners portraying the dangers to which they are daily exposed. Hearings on similar bills were again held in 1961 by the Select Subcommittee on Labor of this committee. These hearings resulted in passage by the 87th Congress of Public Law 87-300, signed September 26, 1961.

Public Law 87-300 directed the Secretary of the Interior to conduct a study and report to the Congress upon health safety hazards in metal and nonmetallic mines—other than coal and lignite—the relative effectiveness of voluntary versus mandatory reporting of accident statistics; the relative contribution to safety of programs authorizing mine inspection only versus programs authorizing both inspection and enforcement; the effectiveness of health and safety education and training; the probable costs of an effective safety program for metal and nonmetallic mines; and the scope and adequacy of present State mine safety laws and the adequacy of their enforcement.

A special Mine Safety Study Board, appointed by the Secretary, conducted this study, and the Secretary transmitted its report, with recommendations, to the Congress on November 13, 1963. The study's chief sources of information were mine inspections carried out by Bureau of Mines personnel in 1961-63, pursuant to Public Law 87-300, and reports which Public Law 87-300 required each mine operator whose operations substantially affected commerce to submit, on request, to the Secretary. Much statistical data and other information was also furnished to the Board by the mine inspection and safety agencies of individual States, labor unions, and others.

The study by the Mine Safety Study Board—the only nationwide study that has ever been made on the basis of mandatory, rather than voluntary, reporting of employment and accident information by metal and nonmetallic mine operators—clearly demonstrated the widespread existence of correctable hazards to life and health in mines inspected during the study, a high casualty rate suffered by working miners from dangerous conditions beyond their own control, and the ineffectiveness of State and local efforts to reduce mine health and safety hazards. These findings were documented in a report embodying approximately 200 pages of text and statistical tables.

Mr. Chairman, opponents of H.R. 8989 have made much of the fact that injury frequency rates in coal mining, in which there is Federal safety regulation, have been generally higher than such rates in the non-coal-mining operations proposed to be covered by this legislation. Comparisons of injury frequency rates of the two industries and of injury frequency rates in coal mining before and after the Bureau of Mines acquired enforcement powers fail to take into account several important factors. They are:

First. Coal mining is somewhat more dangerous than the mining of other minerals because of the greater risk of gas and coal-dust explosion.

Second. The Coal Mine Safety Act has not permitted the Bureau of Mines to enforce safety recommendations in mines employing 14 men or less or in any strip mine.

Third. The Coal Mine Safety Act is designed to prevent only hazards so grave as to be the cause of a "major disaster" and is not directed to the same extent toward health and safety hazards to individuals or small groups of individuals.

As a matter of fact, the number of major disasters and the number killed in coal mine disasters have declined since adoption of the Coal Mine Safety Act.

Those asserting the ineffectiveness of Federal health and safety regulations ignore the experience gained under the amendments to the Longshoremen and Harbor Workers' Compensation Act adopted in 1958.

Federal health and safety regulations became fully effective in that industry in 1960. During that year the injury frequency rate stood at 131.8 injuries per million man-hours of exposure. The injury frequency rate in the industry showed a steady decline after that date and in the fifth year of operation—1964—the injury frequency rate in longshoring had been reduced to 96.8 per million man-hours of exposure.

It might also be noted that radioactive dust levels in uranium mines on public lands and, therefore, subject to Federal regulation have been consistently lower than in uranium mines located on private lands and not subject to Federal regulation.

Mr. Chairman, the scope of this bill is warranted. The proposed Federal Metal and Nonmetallic Mine Safety Act will cover every "mine"—as this term is defined in the act—whose products regularly enter commerce or whose operations affect commerce.

Mr. Chairman, it is time for us to ratify legislation largely overlooked in the past. This bill will unquestionably improve the conditions under which these miners work and therefore increase the safety of such work. The end result is certainly a highly value one—the protection of human lives.

Mr. O'HARA of Michigan. I thank the gentleman.

What I know about handling mine safety legislation I have learned from observing the gentleman from Pennsylvania, and I hope we can do as well with this as he has with coal mine safety.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I am pleased to be associated with my colleagues on both sides of the aisle in support of H.R. 8989, a bill which has as its objective the promotion of health and safety in metallic and nonmetallic mines.

This bill, and some of the ideas embodied therein, has been a long time in reaching the floor of the House. The first bill that had the metallic and nonmetallic miners under consideration was introduced in the Senate during the 82d Congress. The passage of time has not diminished the need for this legislation.

I supported the original mine safety bill, which was limited to coal, and did not apply to the metallic and nonmetallic mines. I stated recently in support of H.R. 3584, a bill to amend the Federal Coal Mine Safety Act, that even though mining is considered a hazardous occupation, we must hope and strive for the time when there will be no fatalities. Mine safety actually is a battle which must be fought constantly by all concerned—miners, operators, State and Federal mines departments and bureaus, State legislatures, and the Congress of the United States.

With respect to the operators and the American Mining Congress, many of whom I know personally, I am at a loss to understand why they are not in here today endorsing H.R. 8989 instead of being so unalterably opposed to this legislation.

The operators have maintained that the States are doing a good job and should be left alone. The hearings held by the Select Subcommittee on Labor in the 87th Congress, under the chairmanship of Representative Herbert Zelenko, and the recent hearings held under the guidance of Representative JAMES O'HARA, shows the weight of the evidence produced is in the other direction, for it proves that more than a few States have not faced up to the problems confronting them. The safety of the miner must be placed first by our U.S. Congress just as the families, widows, and orphans of the miners place it first.

H.R. 8989 gives the States the opportunity to render a real contribution to mine safety. Section 13 of the bill, gives them the chance to put their house in order. The very thing that the American Mining Congress fears according to a resolution adopted in 1963 on mine safety which states; on page 171 of the hearings on mine safety, 89th Congress:

> To put policing powers in its hands (Bureau of Mines) as has been proposed, will duplicate activity of other agencies, reducing its technical effectiveness and leading to confusion and interference in management-employee-State cooperation, which is essential to optimum performance.

This has certainly not been the case in coal under Public Law 552. All the terrible predictions prior to passage of Public Law 552 have now been forgotten, and the results of this legislation are uniformly favorable and beneficial. We from the coal mining areas of the United States know by experience.

When the States are given the opportunity, the American Mining Congress should join in the struggle for more effective mine safety. The American Mining Congress knows, as we interested officeholders do, that seven in a hundred underground metal miners can expect to be killed at work in a working lifetime.

In December 1963 issue of the Mining Congress Journal, an article by James Boyd states as follows:

> We must acknowledge that all mines do not live up to safety standards that are well recognized, and that there are no means by which the industry itself can enforce compliance; hence, some public authority with enforcement powers is necessary. We firmly believe that these powers should remain with the State or local authorities.
>
> Enlightened management recognizes that both the human and the economic considerations require strict attention to safety standards and by far the majority of mining administrations enforce within their own operations standards which are more stringent than can be feasibly set by law.

There are only a few who do not live up to these standards and whose accident rates give rise to the clamor for Federal enforcement powers.

Responsible operators realize that all mines do not live up to safety standards, and that there is no means by which the industry can enforce compliance on itself.

Industry admits to a few who do not live up to standards and whose accident rates are high. The factor of safety is not limited to the guilty or the slack operators.

The very nature of underground mining makes it a dangerous industry in which to operate and to work. Because of this, we cannot have too many involved in safety, be they State or Federal agencies, or private associations. The companies admit they cannot enforce compliance, as competing companies do not have the means.

The States where they have codes are shown to be unequal to the task by the accident rates. The task at hand is such that State inspection, where it is experienced, benefits from the work of the Federal inspectors, as the operations in coal have shown. The States have benefited from close contact with the U.S. Bureau of Mines to the benefit of all concerned. They look to the Bureau of Mines for guidance and information.

The failure of the American Mining Congress to endorse H.R. 8989 is to be deplored, inasmuch as they depend on the States in face of all the evidence that the States have not been equal to the task. This continued opposition does not make any sense, except that a pessimistic philosophy is depended on, "accidents will always happen." This need not be true under modern, efficient conditions.

On the contrary the U.S. Bureau of Mines has been praised most highly by the American Mining Congress. The Bureau of Mines will be reviewing the programs submitted by the States. There is real need for this legislation. While I am disturbed by the opposition of this industry to H.R. 8989, preferring instead to see labor and management united where safety is concerned, the facts in this case are clearly on the side of safety, regardless of any one group's opposition. That is one reason why I am voting for H.R. 8989.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Arizona.

Mr. SENNER. I would like to compliment the distinguished gentleman from Michigan now in the well, who has worked so hard and diligently on this legislation, and who has contributed so much to it. I also wish to praise the gentleman from Colorado, the distinguished chairman of the Committee on Interior and Insular Affairs, for his contribution.

Mr. Chairman, I intend to vote for H.R. 8989 because there is a need for this legislation. Coming as I do from the State of Arizona, I am no stranger to the accident and fatality rates in mining especially where copper, uranium, gold, silver, and other minerals are concerned.

I availed myself of the privilege of filing a statement with the select subcommittee on labor of the House Committee on Education and Labor. When the subcommittee was holding hearings on H.R. 6961 and similar bills.

In 1961 Congress adopted the metal and nonmetallic mine safety study act directing the Secretary of the Interior to make a study into the problems of providing a Federal mine safety law that would give protection to 230,013 men working in metal and nonmetallic mines.

The Secretary of Interior was called upon to investigate the causes of accidents, the hazards in the industry, the inadequacy of the State mine safety laws and enforcements, and to make recommendations to the Congress for an effective safety program. Secretary Udall's report reveals that 800 mines were inspected and that 12,155 dangerous safety hazards were discovered by Federal inspectors.

Mine operators were notified in writing of every one of the hazards, yet in regard to the inspection, 57.2 percent of the recommendations were found to be ignored by mine operators and 2,159 new hazardous conditions had developed and remained uncorrected at the time of the inspection.

As far as I am concerned, this report shows the need once and for all for the present legislation that we have under consideration today. H.R. 8989, in my opinion, will blaze a new trail in the field of mine safety because it calls for cooperation between the several States and the Bureau of Mines in the Department of the Interior.

I feel that annual inspection is the key factor that will curtail accidents and fatalities. Inspection of the mines on a regular basis in conjunction with the safety education courses of the Bureau of Mines and the activities of the Division of Health as provided in this bill will I feel go a long way toward eliminating the accidents that have and will take place in metal and nonmetallic mines. The very nature of underground mines makes it a very dangerous industry in which to operate and work.

I hope my colleagues will join me in voting for this much needed and long delayed safety legislation in the metal and nonmetallic mines.

Mr. O'HARA of Michigan. I thank the gentleman, and may I say that he likewise has made a valuable contribution. I have profited from my discussions with him. He is as knowledgeable on this subject as anyone I have ever talked to, and has had personal experience in the industry. For that reason he has been a great help to us on the committee.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. Mr. Chairman, I too want to compliment my colleague from Michigan and to express commendation to the chairman of the subcommittee on his work on metal mine safety.

I was raised in a metal mining camp, I worked in the metal mines of western Montana, and I know very well that we must have uniformity in mine safety laws throughout the United States. We have to relieve ourselves of one setup, jealousy, so that we might have something less than safety put into effect. We want to encourage the industry in safety rather than in lack of safety.

I commend the chairman, that he has taken the attitude he has, and also the committee, and I am sure the Congress is going to take the same attitude that we are going to have a policy of encouraging safety throughout the United States, and that it is going to be uniform, so we may not play one State against the other, or one metal mine against the other, and that we will discourage the recent record. The recent record is that accidents in the metal mines have increased while accidents in the coal mining industry have decreased. I am proud of the gentleman and the committee, and I am proud of the Congress because I know we are going to pass this bill and make it uniform, and eliminate accidents in the metal mines all over the United States.

Mr. O'HARA of Michigan. I thank the gentleman for his kind comments. His experience as attorney general of the State of Montana prior to coming to Congress was very helpful in making our determinations so that we could accomplish the objectives sought, and I thank him for his help.

Mr. OLSEN of Montana. I want to say it was in the period when I was attorney general that we wrote the new Metal Mines Safety Act in Montana. We had previously written a new Coal Mine Safety Act in my State. I believe that in Montana, in law, at least, we have the best regulations and the best laws in governing safety in the mines. But we did not have uniform inspections, and I think we will bring that about with this bill, which is so necessary to the enforcement of a good mine safety law.

Mr. Chairman, it is a self-evident proposition that the prevention of accidents and occupational diseases represents the highest order of human conservation. The health and welfare of America's miners is of paramount concern for this legislative body, and without such mining protection, truly efficient mining is impossible.

This bill would direct the Secretary of the Interior to promulgate and enforce a code of reasonable standards, rules, and regulations to protect the life, health, and safety of employees in metallic and nonmetallic mines and quarries.

I was born and raised in the mining community of Butte, Mont. I have worked in the mines, and I have strong convictions about what must be done to guard the health and safety of the miners.

In 1961, the Congress adopted the Metal and Nonmetallic Mines Safety Study Act, directing the Secretary of the Interior to make a 2-year study of a Federal mine safety law that would give protection to the 230,000 men working in metal and nonmetallic mines, quarries, and sand and gravel pits.

The Secretary was directed to investigate the causes of accidents, the hazards in the industry, the adequacy of State mine safety laws and their enforcement, and to make recommendations to the Congress for an effective safety program.

Secretary Udall submitted his report to the Congress in November of 1963. The Members of the House should have full knowledge of this report. They will find it as shocking as I have.

In 1962, there were 10,189 injuries in the Nation's open pit and underground metallic and nonmetallic mines and quarries; 212 men were killed; 329 were permanently crippled. In 1963 there were an unnecessary 12,215 injuries and 179 deaths in these pits and mines. These accidents will continue unless effective preventive Federal legislation is passed.

Secretary Udall's report further revealed that 800 mines were inspected, and that 12,155 dangerous safety hazards were discovered by Federal inspectors. Mine operators were notified in writing of every one of the hazards. Yet, upon reinspection 57.2 percent of the recommendations were found to have been ignored by mine operators, and 2,159 new hazardous conditions had developed.

Insofar as State safety laws are concerned, the Udall survey found that 47,000 miners—28 percent of those employed in 1960—were not covered. There were 4,080 violations of State mine safety law provisions at 544 mines.

Mr. Chairman, the State safety programs are just not adequate. Little provision is made for safety education. Some employers have outstanding programs, others virtually none.

The arguments against more strict State safety regulations were always, have always, and still are always that local mines would then no longer be competitive with mines in other States, or mills in other States.

Now, that is, I think, one of the real basic justifications for Federal mine safety regulations, so that employers of mines and mills throughout the States will have uniform regulations to live up to, and so they will have uniform costs. With this program, there will not be discriminations among the States and among the employers in this field.

Mr. Chairman, the facts and figures of the Udall report cannot be ignored. America cannot tolerate the present system of mine safety legislation, and our miners must be assured of a reasonable protection in their work.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise to support this bill and associate myself with the remarks of the gentleman in the well who has been known to me for a long time before I came to Congress as a person having a very direct and continuing concern for the welfare of working people and particularly with regard to them working in a safe environment. The gentleman has demonstrated this on many occasions in the handling of industrial legislation and is well known for his work in this field throughout the State of Michigan.

Mr. Chairman, I am very proud to have had the opportunity to serve on the Committee on Education and Labor under JIM O'HARA because I rely very heavily on him as my mentor on the committee as do a good many other members of the committee who respect him as one of the most learned members in the subject matters that come before our committee.

Mr. O'HARA of Michigan. I thank the gentleman. I will say that I am sure that I have learned more from him than he has from me.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. WHITE of Idaho. Mr. Chairman, I particularly want to commend the gentleman from Michigan for bringing this legislation before the House, and also to commend him for his attitude during the preparation of this legislation. As I understand, there has been agreement as to amendments to be offered to the legislation that will take care of some of the difficulties that may arise in States such as mine, the State of Idaho.

I believe that probably more than any other Member of this Congress, I can speak on the subject of mine safety having worked myself in underground mines for 10 years. I know what the conditions are and I have seen men injured and killed in mines. I know we do have the necessity for legislation in this area.

I do, however, want to bring to the attention of my colleagues in the House that a State such as mine, Idaho, and the State of the previous speaker, the gentleman from Montana, do have mine safety codes that are well drafted and are equal to the best codes that could be put together even by the national Congress. But I know there are exceptions in the matter of inspection of mines and mine safety conditions and notwithstanding that we do have an able mine inspector in the State of Idaho, I believe there are gray areas that should be looked at. Of course, I do not mean to say anything to reflect on our mine inspector in the State of Idaho, but I know he has only one deputy in the entire State with an expanding mining industry.

When the amendments that I referred to are brought before the committee this afternoon, I am sure the necessity for them will be developed and that they will be accepted.

I want to thank the gentleman for accepting these amendments in the spirit that he did.

Mr. O'HARA of Michigan. I thank the gentleman for his kind remarks.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. OLSEN of Montana. In regard to what my dear colleague, the gentleman from Idaho [Mr. WHITE] brought out, in Montana we only have one inspector to enforce these very adequate mining laws. So the problem is to have some uniformity of inspection and enforcement. We have good mining laws out there in the West but what we need is uniformity in inspection and enforcement. Of course, this is not taking anything away from the inspector that we might have, but the point is he is spreading himself too thin and we have to help him out.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Pennsylvania.

Mr. CLARK. Mr. Chairman, I intend to vote for H.R. 8989 because there is a need for this legislation. Coming as I do from the Commonwealth of Pennsylvania, I am no stranger to the accident and fatality rates in mining, especially where anthracite and bituminous coal are concerned.

While I do not have this type of mine in my district, I have always had an interest in safety, especially where mining is concerned. I have lived through the era where there were no effective nationwide statutes and we were dependent entirely on State regulations, if there were any in existence, to bring some degree of safety to the coal mines. I am fully convinced that you cannot leave the crucial problem of mine safety to the States alone and expect to attain some degree of uniformity as far as health and safety are concerned.

H.R. 8989, the bill before us today gives the several States an opportunity to put their houses in order. If they choose to do so they can continue to be master in their own house. I must admit in all frankness that section 13 of H.R. 8989 flies in the teeth of the evidence presented in the hearings before the Select Subcommittee on Labor and my experience as far as mine safety is concerned in bituminous and anthracite coal. The legislation recently enacted affecting coal gives full authority to the Bureau of Mines, and responsibility for the health and safety conditions under which the miners work.

I am aware of the fact that H.R. 8989 was reported out of committee unanimously, and that this bill is truly representative of the members of the Committee on Education and Labor, as it applies to conditions involved in the mining of these minerals. This bill, H.R. 8989, could blaze a new trail in the field of mine safety, wherein the States are given the initial responsibility. If the States fail to face up to the problem confronting them, the Secretary of the Interior, through the Bureau of Mines, steps in and assumes that responsibility.

The sections of H.R. 8989, related to inspection are good and necessary and are a definite improvement over H.R. 6961, as is the section relating to the reporting of accidents and fatalities.

I have always believed that periodic inspection, along with the accident prevention training activities of the Bureau of Mines for the miners and company personnel is the most effective method of preventing accidents in the mines.

Annual inspection makes it possible to compile a case history on these mines which can be checked when accidents take place, and it provides an invaluable reference for any corrections that may have to be made.

The knowledge gained from these annual inspections in conjunction with the filing of yearly reports can and will render a real and lasting contribution toward making these metallic and nonmetallic mines a safer place to work.

The very nature of underground mining makes it a dangerous industry in which to operate and to work. I feel that you cannot have too many involved in safety, be they State or Federal agencies, or private associations.

The enactment of H.R. 8989 will go a long way toward curtailing accidents and fatalities in the metallic and nonmetallic mines, and that is as good a reason as any for supporting this bill.

I want to take this opportunity in closing to commend the chairman of the Committee on Education and Labor and the minority chairman for the manner in which they have handled this difficult subject. They deserve our thanks. The chairman of the Rules Committee handled this bill with fairness and dispatch, which is the way it should be.

The 89th Congress has compiled a tremendous record. The passage of H.R. 8989 will add in no small way to that record.

Mr. O'HARA of Michigan. I thank the gentleman for the help he has given us to get this legislation adopted.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. QUIE]

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the present time there are no Federal inspection standards for mines other than coal mines.

When the bill came before the Committee on Education and Labor and we began holding hearings, I immediately heard opposition to the legislation. I have a natural reaction against the Federal Government stepping into new areas; so, my natural reaction at that time was to oppose this legislation.

However, going over the testimony, I felt that the study that was made under the authority of the Department of the Interior showed that it had been adequately proved that some uniform standards were needed, and in some States an improvement in inspection was needed.

In the course of the hearings, I came to the conclusion that we needed a bill of the nature of the pending measure. Therefore, I stand before the House in support of H.R. 8989.

The bill received the support of every Republican, as well as the Democrats, in the Committee on Education and Labor. So, the bill received in a committee, which considers a tremendous amount of controversial legislation, unanimous approval.

A great deal of the credit for that accomplishment should go to the gentleman from Michigan [Mr. O'HARA]. He tried his best to accept the amendments that were offered in good faith to help those, who believed in the State inspections, to have an ample opportunity to carry on the metallic and nonmetallic mine inspection in States by State inspectors.

As a result of the cooperation and the stability that he has given, we have worked out a piece of legislation which we can all support from the Committee on Education and Labor.

The question as to whether States should be able to continue to inspect the mines if they are presently doing a fairly good job of inspection arose. Those who asked the question had some good grounds for asking that such States be permitted to continue their inspection.

Some people who came before us said that there would be a continuous duplication of State and Federal inspectors, and they gave us some good recommendations. As a result, we have followed the pattern which we followed a few years ago in relation to grain inspection. In instances in which States wanted their own grain inspectors inspecting the movement of grain, the State inspectors were used. To prevent the duplication by both State and Federal inspectors we worked out a cooperative arrangement so that if the State wished to continue that inspection, as long as the standards of the inspection met Federal standards, Federal inspectors would stay out and would let the State inspectors continue their work.

The same thing has been worked out in H.R. 8989. If there is inadequate inspection in a State, and the mine owners desire State inspectors, it will be up to them to go before their State legislatures and ask them to pass a mine safety law which will meet the standards established by the Federal Government. In States that presently have no laws to protect miners in the type of mines about which we are speaking, it will be up to them to provide the kind of legislation that is needed.

In some States, there is only one inspector. In some States the inspectors are not paid adequate salaries, and some have not had sufficient experience as inspectors. Some inspectors are elected rather than appointed. The bill will serve notice that if such States wish to protect their rights to act at the State level, they will have an opportunity to do so. They can go to their State legislatures and get it worked out with adequate State legislation.

I understand that an amendment has been worked out, which is agreeable to me, whereby the States will have until their next session of their legislature to take action.

If the amendment is adopted, we shall not impose anything on them. We will not impose anything on them that they cannot correct and remedy before the measure actually goes into effect.

I believe we are about to take a wise action.

I give the bill my enthusiastic support. There has been a great number of accidents, resulting in deaths and severe bodily injury, in the mines which are defined in this bill. In the interest of protecting the lives of men, I believe this legislation is necessary. In the study that was made, it was indicated that at least 50 percent of the deaths occurred not from a failure of the workers themselves but rather through a lack of actual safety precautions in the mines or pits.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I believe this legislation is wise and action should be taken now.

I yield to the gentleman from Montana.

Mr. OLSEN of Montana. There is nothing in the bill which would prevent States from increasing the enforcement of present State safety acts; is that correct?

Mr. QUIE. The gentleman is correct. There is nothing to prevent it. The bill will really give such States encouragement, because they can then pattern their safety acts after the standards which will be promulgated by the Department of the Interior based upon the recommendations of the advisory committees.

Mr. OLSEN of Montana. I wonder if the gentleman in the well is not discouraged with the States on the question of enforcement of safety acts.

Mr. QUIE. I am discouraged with some of the States where they have only one inspector, but there are other States where I am quite encouraged with respect to their actions.

Mr. OLSEN of Montana. How many are there that you are encouraged about?

Mr. QUIE. Oh, I could not tell you how many. There are not very many.

Mr. OLSEN of Montana. You know there are not very many. I think the gentleman joins with me in stating that the States need some real enforcible encouragements stating that they have to get in line and do something about enforcing these safety acts. Is that right?

Mr. QUIE. That is what this legislation intends to do.

Mr. OLSEN of Montana. I hope we do it better even than this.

I thank the gentleman very much.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. QUIE. Yes. I yield to the gentleman.

Mr. FULTON of Pennsylvania. In regard to the colloquy which you just had with the gentleman from Montana, would you say that the first three States with the best inspections and lowest accident rates, either in terms of injuries or deaths, are doing a pretty good job?

Mr. QUIE. Yes. I would say again, basing my estimate on the testimony of the man who is the chief of health and safety in the mines of Pennsylvania, he indicated a very excellent job was being done there. However, I do not believe there is any State—and I will check with the gentleman from Michigan on this—that meets every one of the factors necessary to have a perfect mine safety program. Is that correct?

Mr. O'HARA of Michigan. If the gentleman will yield, the gentleman is correct. Some of them come quite close.

Mr. FULTON of Pennsylvania. How about Pennsylvania?

Mr. O'HARA of Michigan. Thirty-eight out of fifty-five. I have to look it up to see if they also have authority to enforce judgment recommendations in addition to the standards. That also makes a difference.

Mr. FULTON of Pennsylvania. You mean Pennsylvania is the 38th?

Mr. O'HARA of Michigan. No. The Bureau of Mines inspectors actually conducted an inspection and so forth in connection with a study and they set forth 57 basic safety standards and safety law requirements. Then they assessed the situation as to how many of them were applicable to each State. In Pennsylvania they considered all 57 to be applicable there, and 38 of them were contained in the law. However, I would have to look further to see whether or not the inspectors in Pennsylvania also have the authority to enforce judgment recommendations, which might make up for the fact to an extent that they did not have full coverage.

Mr. FULTON of Pennsylvania. I am trying to get a standard where we could say that unless these standards of the first three States in mine safety are met, then this is prima facie evidence to the

Department of the Interior that the standards set by the State are not adequate and that their rules are not good and should be changed. Then there will be Federal inspection there. My point is maybe we ought to take the three best States from the standpoint of safety regulations and results and say that unless the three best States or the level of the three best States is met, the Department of the Interior at the Federal level shall have the right to inspect those States.

Mr. O'HARA of Michigan. We are doing something very close to that, which I am sure the gentleman from Minnesota will explain. We are saying that we are getting these advisory committees together to draft a code and then saying that the State plans must provide for enforcing mandatory standards comparable to those contained in this code that they draw up.

Mr. FULTON of Pennsylvania. Then, if they do not, it is the Department of the Interior of the Federal Government that has the responsibility to and will enforce the requirements under this statute. Is that correct?

Mr. O'HARA of Michigan. That is correct.

Mr. FULTON of Pennsylvania. And, furthermore, if the accident rate for either injuries or deaths is higher than the Department of the Interior feels is within the area of reference with respect to the type of mining which takes place in a particular State, then that is prima facie evidence for the Department that the State must meet those standards; otherwise the Federal Government has the responsibility of inspection. Is that not correct?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I do not think it is quite that simple, because there could be a number of causes for a State encountering a relatively high injury frequency rate during that period that might or might not be associated with lax enforcement of their safety code. I think we would have to go beyond the mere rate.

Mr. FULTON of Pennsylvania. Mr. Chairman, if the gentleman will yield?

Mr. QUIE. I yield to the gentleman.

Mr. FULTON of Pennsylvania. That is the reason I used the words prima facie. Unless the State shows specific instances to take itself out of the general rule, so that the Department of the Interior can prima facie make a judgment, then it is up to the State to take the responsibility of submitting evidence to show that they do conform. I am just indicating where the burden of proof should be.

Mr. QUIE. Mr. Chairman, I would say to the gentleman from Pennsylvania that the Secretary of the Interior very likely would not be taking the experience of a particular State as evidence that another State is failing to comply. You cannot take three States and assume that they are superior in all of these factors. There would be a number of States that are superior in each 1 of the 57 factors. Some States are doing a good job in some of these factors, others are doing a good job in most of them, others in few of them and no one in all of them.

But out of this whole mix will come, as the result of the work of the Advisory Committee with the Secretary of the Interior, a mandatory standard which will be published in the Federal Register, and after each State takes action, they will be able to judge whether a State is meeting the requirements of these unified standards or not.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield.

Mr. FULTON of Pennsylvania. If the top three States have an experience of accident rate or injury or death that is very low and the other States do not come up to that level, do not meet those particular standards, the prima facie evidence is that they are not doing a good job.

Mr. QUIE. I guess you could say that that would be up to the Secretary, when he administers the act, whether he did this or not. But I think the gentleman can tell by the remarks of the gentleman from Michigan and myself that we have drafted a bill, H.R. 8989, which we believe will go a long way to bring about the development of uniform standards in the States and bring about a reduction of deaths and injury in metallic and nonmetallic mines, that will give the States an opportunity to solve this problem themselves without Federal intervention in any way if they so desire. And it would also make certain to us who look at this from the national scene, that a State that neglects to do this, that neglects to do its duty, will find that the Secretary of the Interior will step in to protect the lives of the men who work in the mines.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield.

Mr. O'HARA of Michigan. The gentleman's statement is absolutely correct as far as I am concerned, and I want to take this opportunity to thank the gentleman and to express publicly my appreciation of the very constructive part he played in working out a solution to these rather difficult problems.

Mr. QUIE. I thank the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, may I join in complimenting the gentleman on his explicit statements and say that we on this side take pride in his good work on this committee.

Mr. QUIE. I thank the gentleman.

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. McEWEN. Mr. Chairman, I would like to ask either the gentleman from Minnesota or the gentleman from Michigan, whoever has the figures available, what the report says is the record of the State of New York on mine safety inspections.

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, with respect to the statement by the gentleman from Pennsylvania earlier, the State of New York has relatively one of the very best mine safety laws among the States. The State of New York has a law which covers 50 of the 57 basic health provisions described by the Bureau of Mines in making these inspections. It is bettered only by California with 51 and Colorado with 52. So it is relatively certainly one of the best of the State laws.

Mr. McEWEN. I thank the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield.

Mr. FULTON of Pennsylvania. If the gentleman could put in the RECORD at this point, or if the gentleman from Michigan could put it in the RECORD at this point where Pennsylvania stands in these statistics, I will have that in the hands of my good friend, Governor Scranton, before the weekend is out.

Mr. O'HARA of Michigan. I shall be glad to do that.

Mr. QUIE. Mr. Chairman, there are I understand some questions that will be brought up and resolved when the amendments are offered by the gentleman from Michigan [Mr. O'HARA]. But let me point out one phrase in one subsection of the bill about which there were some questions in the committee and that is the language which can be found on page 2 of the bill, line 14.

Mr. Chairman, there is some question by some of the Members as to whether this would provide for Federal inspectors to follow the minerals all the way through to the milling and processing part of their development into the final product.

Mr. Chairman, in order to clear this up I wrote to the Secretary of Interior, the Honorable Stewart Udall, on June 10, and at that time the bill had the number of H.R. 6961, and asked him about the language of section 2(b)(3) which reads "or used in the milling of such minerals," and asked, "Does this mean the complete processing of crushed stone?"

Mr. Chairman, some of the people engaged in the stone quarries were concerned that this might mean that the Federal inspectors could inspect and issue orders concerning the equipment and processes in a lime-burning plant, an asphalt-producing plant, or ready-mix concrete plant.

Mr. Chairman, the Secretary wrote to me on the date of July 8, 1965, in which he said:

> We offer the following comments in response to your letter of June 10, 1965, regarding the references to "milling" in H.R. 6961, which was replaced by H.R. 8989 subsequent to the transmittal time of your letter.
>
> The term "* * * used in the milling of such minerals," refers in general to the processes of grinding, washing, concentrating, and sizing of the minerals. In brief, milling ends where refining or manufacturing begins.
>
> Inasmuch as lime-burning plants, asphalt plants, ready-mixed concrete plants, and the like would be considered in the refining or manufacturing phase, the provisions of H.R. 8989, in our opinion, would not apply.
>
> STEWART UDALL,
> *Secretary of the Interior.*

So, Mr. Chairman, with reference to each one of those questions that were brought up on this legislation, I believe they have been amply taken care of in this legislation, and that possibly with the amendments that will be offered by the gentleman from Michigan, will make certain that all of these reservations will be taken care of.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Apropos of the statement which the gentleman just made and the query directed to the Secretary of Interior, I wonder if the gentleman in the well or the sponsor of the bill knows if this would apply to Tripoli or rottenstone or soapstone and so forth, which is a diatomaceous formation, very rarely mined and at only one spot in the United States, but which is used in the processing of carborundum?

Mr. QUIE. I am sorry. I do not know all about carborundum, but in my opinion the answer that the Secretary of Interior gave when it came to crushed stone would also apply; that is, where the mining ends and the manufacturing begins, that is where the effect of this legislation will cease.

Mr. HALL. I thank the gentleman.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Chairman, I want to commend the gentleman from Minnesota [Mr. Quie] for the very fine statement which he has just made.

Mr. Chairman, I rise to support H.R. 8989, a bill to help reduce the high accident and occupational illness rate which now prevails in the mining industry.

The Congress has long recognized as a matter of policy what any miner's family can assert as a fact of life—that mining is a hazardous occupation, that the sinews of our technology, the fuels and the mineral resources that are basic to our wealth are wrested from the earth at a discernible and tragic cost in human health and human lives.

This cost, Mr. Chairman, can be controlled, though it may never be eliminated entirely. Those who benefit from the labors of those who risk their lives in the mines have a particular obligation to do all they can to minimize those risks. All of us profit. All of us live richer and more comfortable lives because the miner daily risks his health and his life. The responsibility, therefore, is a national one.

The proposed bill does not enter into uncharted territory in the area of Federal regulation. The Federal Coal Mine Safety Act, as amended in 1952, makes mandatory health and safety standards for coal and lignite mines and empowers the Bureau of Mines to enforce these standards, except for mines employing less than 15 persons underground. And just 2 months ago, this House voted overwhelmingly to subject these smaller coal and lignite mines to the Bureau's power to enforce mandatory standards.

We seek today to extend this concept to metal and nonmetallic mines.

H.R. 8989 is based solidly on a report of the Secretary of the Interior, submitted to the Congress nearly 2 years ago, as a result of the Congress's enactment of Public Law 87-300, directing the making of such a study.

So, Mr. Chairman, the Congress has already recognized the problem, has asked the Interior Department to study and to report. The ball is in our court, Mr. Chairman. The next step is up to us.

The Secretary recommended the creation of advisory committees, including representatives of mine workers and mine operators to help him develop health and safety standards.

The bill does this.

The Secretary's report recommended that he be authorized to require compliance with those health and safety standards which dealt with the more serious hazards.

The bill gives him this authority, to be exercised in consultation with the advisory committees.

The Secretary asked that his representatives be empowered to enter covered mines for inspection purposes.

The bill meets that need.

In deference to the efforts that have been made by some States to meet the needs of mine safety, and in recognition of the fact that local conditions may call, in some cases, for differing rules to achieve the same objectives, the bill before us allows any State to assume responsibility for mine safety if the State puts into effect a plan which is at least as effective as the Federal standards.

This bill, Mr. Chairman, is a workable approach to a problem which is brought home to some American family every day. It will not, I must admit, put an end to the cost, in blood, of our continuing quest for the richness of the earth. But it will reduce that cost. Miners will be alive a year from now who might not be if this bill were not enacted. That is, I believe, a most compelling reason for the passage of H.R. 8989.

Mr. O'HARA of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. Aspinall].

Mr. ASPINALL. Mr. Chairman, there is a matter of committee jurisdiction involved in this legislation. May I say further if the question over jurisdiction is as happily resolved at all times as it has been in this particular instance, nothing could be more favorable to the legislative process.

I wish to commend the chairman of the full Committee on Education and Labor for his cooperative attitude, and I also wish to commend sincerely the activities and cooperativeness of the gentleman from Michigan [Mr. O'Hara]. The fact that our staffs have worked so well together leads me to believe that if these matters are taken up through sincerity, and jurisdictional prejudices are not left in control, all matters wherein jurisdictional problems are involved can be decided by this method of having an agreement before you come to the floor of the House.

The purpose of the amendments, as has been said, is to make this a safety measure as well as a labor measure. The Committee on Interior and Insular Affairs has charge of the activities of the Interior Department as they relate to safety, whether in the coal mines, or whether they relate to the metal and nonmetallic mines. In this particular, the history of the development of this legislation, is a goal sought by a very sincere and a very enlightened labor union group in the United States. For years they have pressed for legislation that would have for its purpose the lessening of accidents in our mining activities. I hope we are arriving at a situation where these goals can be attained, at least as much as humanly possible.

But let me suggest to my colleagues, I would not want it left unsaid or unanswered that the Committee on Interior and Insular Affairs is not as much interested in the safety of the workers in the mines as it is in the welfare of the producers. We are interested in all facets of mining operations, and the Committee on Interior and Insular Affairs will give its support to legislation such as this provided the legislation is fair to all segments of our economy.

There are some questions about the provisions of this bill that we might have, but by and large, with the acceptance of the amendments which we have worked out with Mr. O'Hara and his committee members this bill goes a long way toward attaining the objectives which we all seek.

However, 100 percent accident-free activities are not possible. No one should be misled, and believe that the passage of this bill will result in no accidents at all. Some accidents are caused because of selfish and uncooperative operators, people who are more interested in making a dollar than they are in protecting their workers. Some accidents are incurred because of inefficient and ineffective Government employees. They are on the payroll, but they do not do their job. We are not going to get rid of all of this. Some accidents are caused by the activity of the employee whose own carelessness is responsible. Whether it is an open pit or underground mine, there will be some accidents because some people are not safety conscious. I do not know how we are ever going to rid ourselves of this particular part of our labor operations.

Mr. Chairman, do not be misled by figures. The record of the United States for the last 10 years is not a bad record when it comes to safety, especially in metal and nonmetallic mines. The figures given include the coal mines as well as metal and nonmetalic mines, as far as accidents are concerned.

We have difficulty in understanding the Boajiare report. The study board bypassed one man in the United States who has the reputation for safety. The Director of the Bureau of Mines at that was not allowed—he was not permitted to take part in the conclusions that were reached. His recommendations were left entirely unanswered and unused, which makes it a little bit difficult for some of us to understand the report that came out. But all of us—I think I can say this without any fear of contradiction—desire to see that we have a uniform code relative to safety in our mine operations.

I might say to my colleagues, it is a little surprising to me that we take care of everybody now, the Coal Mining Safety Act having passed with its amendments and now the Metal and Nonmetal Mining Safety Act—and we take care of everybody with a safety program except for the open pit coal mines. We do not cover the open pit coal mines. This seems rather peculiar to some of us.

The real problem that has been involved here so far as I am concerned is the question of local control, regional control, State control, or Federal control. Most certainly the amendments that I have proposed, have for their prime purpose, of making it possible for the States that have good safety codes and that have good enforcement records and have sufficient enforcement personnel to do the job for them to continue to do the job and not try to get the responsibility for safety as far away as possible from the mine operator and the laborer. I just believe it is more in keeping with good commonsense to have local responsibility where local responsibility will be accepted than it is to defend on a removed Federal autocracy.

Neither was I pleased with the bill as it originally came out of the committee, with the complete control given over to the Secretary of the Interior. I do not care who the Secretary of Interior may be, but there should be some kind of procedure left so that a capricious Secretary or a Secretary who does not have the time to really study all the problems involved, could not impose an uninformed decision upon an industry so basic to our economy as this industry is.

Mr. Chairman, I have an explanation of the amendments but I do not wish to take the time of the committee now to give this explanation. If there is any question with regard to them when the amendments are offered, I shall be glad to try to answer such questions as my colleagues may have.

Mr. Chairman, I support the legislation because I believe it is a step in the right direction.

I wish to acknowledge once again the cooperative work and the cooperative manner and procedures followed by our good friend, the gentleman from Michigan [Mr. O'HARA] on this legislation.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my colleague.

Mr. O'HARA of Michigan. I wish to say that the gentleman from Colorado is one of the leading chairmen in the history of the great Committee on Interior and Insular Affairs. I have learned of the grasp that he has of the problems coming under the jurisdiction of his committee. The way in which the gentleman has made his knowledge and influence felt on this bill is truly a remarkable tribute to him and I have enjoyed working with the gentleman.

Mr. ASPINALL. I thank my colleague very much.

Mr. Chairman, I wish to advise my colleagues that I shall support the amendments to H.R. 8989, the proposed Federal Metal and Nonmetallic Mine Safety Act as offered by the gentleman from Michigan [Mr. O'HARA]. These amendments have been discussed with the chairman of the House Education and Labor Subcommittee handling the bill and are satisfactory to me.

The general purpose of these amendments is to bring H.R. 8989 in closer harmony and conformance with the existing Coal Mine Safety Act and to limit the broad discretionary powers which the bill would give to the Secretary of the Interior. Under terms of the proposed bill the Secretary of the Interior would be given absolute discretionary power over safety programs, safety inspection, and safety enforcement in all metal and nonmetallic mines. He could establish mandatory safety standards, after consultation with advisory groups but would not be required to follow the advice of these groups. While the bill provides that States with adequate safety programs could retain jurisdiction of safety programs and safety inspections within their boundaries, it leaves to the sole discretion of the Secretary of the Interior to determine, in his own judgment, if those programs were adequate. Upon his determination that they were not adequate and without recourse to judicial review by the State involved, the Secretary could withdraw approval of a State's plan for enforcement of safety programs within the State and assume jurisdiction. Such broad discretionary powers, without adequate recourse by the State for review by a third party, are too great and in my opinion could do great harm. The Congress did not grant such broad discretion to the Secretary of the Interior when the Coal Mine Safety Act was under consideration. Why should such powers be now granted in connection with the proposal under present consideration? Certainly metal and nonmetallic mining is not more hazardous than coal mining and the record will show that this industry generally has an excellent safety record as have most of the States in which metal and nonmetallic mining is of significance.

The amendments which are to be offered would limit the discretionary power of the Secretary of the Interior by providing the States with the right of judicial review from the Secretary's withdrawal of approval of a State safety program and would bring other provisions of the proposal closer to the provisions of the Coal Mine Safety Act.

A brief explanation of the amendments, as I understand them, is as follows:

Amendment to page 3, line 1, is largely procedural and would conform the proposal with the provisions of the Coal Mines Safety Act by adding the word "substantially" before the words "affect commerce,".

Amendment to page 9, line 5, is also largely procedural and by eliminating the words "the public, or" would more closely conform with the Coal Mine Safety Act.

Amendment to page 10, line 21, would grant any State the right to submit a State plan, at any time, to the Secretary of the Interior. Many States now have adequate safety programs. Others may have inadequate programs or may wish to resubmit amended State programs where the Secretary has previously rejected the plan. This would assure the State the right to submit a plan at any time.

Amendment to page 11, lines 4 and 5, by eliminating the words "in the judgment of the Secretary" limits the broad discretionary power of the Secretary to approve or disapprove State plans and would require acceptance of a plan if it met the standards set forth subsequently in the bill.

Amendment to page 12, line 17, further limits the discretionary power of the Secretary of the Interior by providing that if any State is dissatisfied with the action of the Secretary regarding disapproval of a State plan or with withdrawal of approval of an existing State plan recourse may be had by the State by petitioning the courts for review of this action. The court could affirm, reverse, or modify the findings of the Secretary.

Amendment to page 12, line 18, is concerned only with renumbering of sections of the bill to accommodate amendments.

Amendment to page 13, line 2, provides authority for the Secretary of the Interior to appoint officials and employees, subject to civil service laws, to carry out the administration of the act and further sets forth minimum qualifications for employment of mine inspectors.

Amendment to page 13, line 12, provides that certain sections of the act shall not become effective until 1 year after publication of regulations of the Secretary of the Interior or until 90 days following a regular session of the State legislature. This would permit any State not having adequate State safety programs or lacking adequate authority the time and opportunity in which to revise the State program or to enact the necessary legislation to create such programs.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. McEWEN].

Mr. McEWEN. Mr. Chairman, I too would like to commend the author of this bill and the chairman and members of the committee and also the distinguished chairman of the Committee on Interior and Insular Affairs.

I feel this bill represents the labors of the author and of a good many Members and the very real concern, interest and work of the members of the Committee on Education and Labor.

Mr. Chairman, I hope sincerely that this bill, which I intend to support, will accomplish two things. First, Mr. Chairman, that it will serve to move those States that have heretofore failed to respond to the need for mine safety inspection services that would adequately protect the safety of those who work in our mines and, secondly, that this bill will grant the continuing right to the States that have done such an admirable job in this field to continue to carry on the programs that they have carried on in the past.

I would say, Mr. Chairman, that as to the information given by the gentleman from Michigan, I was delighted but not surprised to learn that the State of New

York is one of the top three States on the basis of standards that were laid down in the field of mine safety.

I could not help but note that the three States who are leaders in this field—California, the home State of the distinguished chairman of the Committee on Interior; Colorado, and New York—are all leading mining States. I should like to think that because they are leaders in this field of mining they give particular attention to this field.

I know that many of the Members, when they think of the great State of New York, think of Metropolitan New York, the home of the United Nations, Broadway, and all the things that we associate with that great metropolitan area.

I should like to point out that New York State is one of the leading mining States of the Union. In New York, approximately 10 percent of the zinc of America is mined. We are the largest producers of talc in America. Without this talc, our great paint, rubber, ceramics, and other industries would be sorely pressed.

We are substantial producers of various other minerals.

In my own district we are a large producer of both zinc and iron and are the largest single producer in America of talc.

I have been concerned that the bill not interfere with a long-established and well-operated mine inspection service in the State of New York. To that end, I made inquiry of the Secretary of the Interior and I received from him an acknowledgment of my inquiry and also a letter written from that Department by the Deputy Assistant Secretary of the Interior in which he assured me that New York rates high among the States that approach effective mining safety programs. The letter states also:

> We feel confident that your State will submit a plan that will meet the six requirements set forth in H.R. 8989 and thus be acceptable to the Secretary.

Mr. Chairman, later I shall ask permission to insert at this point in the RECORD both my letter of inquiry to Secretary Udall and the replies that I received from the Secretary and the Deputy Assistant Secretary of the Interior.

The letters referred to follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 26, 1965.

Hon. STEWART L. UDALL,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Your writer is privileged to represent a congressional district in the northern part of the State of New York which has a number of active mining operations; iron, zinc, and talc. Both labor and management in these mines are interested in H.R. 8989, a bill to promote health and safety in metallic and nonmetallic mineral industries.

New York State has enjoyed an excellent mine safety record. This has been accomplished by a very competent and professional mine safety program conducted by the New York State Department of Labor with excellent cooperation from both management and labor.

None of the persons or groups interested and responsible for mine safety in New York State have expresed dissatisfaction with the State program nor have they desired to see it replaced by a Federal program.

It is my understanding that H.R. 8989, as amended, provides for the delegation of enforcement responsibilities to any State that submits a satisfactory enforcement plan.

I recognize that the language of the bill does not give specific assurance for the continuation of New York State's enforcement of its own mine safety regulations. However, I am sure that you are familiar with the New York State program, and I would, therefore, appreciate your advice as to whether or not New York State could expect (1) the right to enforce its own regulations, and (2) that these regulations, which recognize local conditions, would require little modification to comply with the Federal standards that would be imposed under H.R. 8989.

As it is probable that this legislation will be before the House in the very near future, I would appreciate your early response to this inquiry.

Very truly yours,
ROBERT C. MCEWEN.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 28, 1965.

Hon. ROBERT C. MCEWEN,
House of Representatives,
Washington, D.C.

DEAR MR. MCEWEN: I am acknowledging your letter of July 26, in which you seek answers to certain questions regarding H.R. 8989, a bill to promote health and safety in metallic and nonmetallic mineral industries.

I am asking the office of the Assistant Secretary for Mineral Resources to write you further on this subject.

Sincerely yours,
STEWART L. UDALL,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., August 9, 1965.

Hon. ROBERT C. MCEWEN,
House of Representatives,
Washington, D.C.

DEAR MR. MCEWEN: Secretary Udall's response of July 28, 1965, to your letter of July 26, 1965, on metal mine safety paved the way for the following additional information with respect to application of the provisions of H.R. 8989 to the State of New York.

In recognition of those States that have established and are operating an effective and acceptable metal and nonmetallic mine health and safety program, H.R. 8989 provides that such States shall continue to assume full responsibility for metal and nonmetallic mine health and safety.

According to the report of the Secretary of the Interior to the Congress on the study of metal and nonmetallic mines and quarries under the provisions of Public Law 87-300, 75 Stat. 649, New York rates high among the States that approach an effective mine safety program.

We feel confident that your State will submit a plan that will meet the six requirements set forth in H.R. 8989 and thus be acceptable to the Secretary.

Sincerely yours,
JOHN F. O'LEARY,
Deputy Assistant Secretary of the Interior.

In closing, I repeat my hope that the bill will meet the need in the States which have a need for better mine inspection, but that, at the same time, it will not upset programs that have been effectively carried on in States that have had good programs, and that the Federal standards, when promulgated, will recognize local situations within our States.

Mr. QUIE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota

There was no objection.

Mr. QUIE. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. FULTON] in the handling on the House debate of this mine safety legislation in which he is so keenly interested and which he ardently supports.

Mr. Chairman, I yield to the gentleman from Utah such time as he might consume.

Mr. BURTON of Utah. Mr. Chairman, I am not the world's greatest living expert on mine safety, but I come from a district in which mining plays a highly important role and in which the safety of the men that conduct these operations is of sincere interest not only to me but to mine management and to those representing the employees at the various operations.

I have been appalled at the heavy fatalities that occur on the Nation's highways annually and in the record heavy toll accidents take in the home and in places other than on the job. When you compare these records with the records of fatalities and accidents in noncoal mines, it seems to me that the noncoal mining industry has done a terrific job in promoting safety consciousness and in developing effective safety programs, but we cannot assume a "good-enough" attitude—nor will we.

A cold look at statistics over the years show outstanding progress has been made in noncoal mining, thus demonstrating the effectiveness of the programs adopted and pursued by enlightened industrial management, by continued research, by the conscientious efforts of local and State organizations to assist management in arriving at safe and efficient mining, and by the cooperative efforts of the industry and the U.S. Bureau of Mines to constantly improve safety practices.

I have also had the opportunity to take a look at the safety programs resulting from enforced Federal activity in the field of coal mining. I must at this point make it clear that there is considerable difference between the hazards which occur in coal mines as a result of rapid diffusion of gas, accelerated transmission of explosive factors, quick flooding, and in the differing types of haulage operations than those generally prevailing in metal and nonmetallic mines. The records as to accident prevention and to disaster prevention resulting from the enactment of a Federal law requiring mine inspection and enforcement of findings resulting therefrom in my judgment, certainly do not prove that a similar law applied to the mines of the other branches of the industry would in any way result in higher safety standards or in greatly improved safety records.

Accidents occurring in the mines generally provide sensational news for rapid dissemination across the country. On the other hand, the splendid day-to-day job that is being done by industry goes unnoticed. It is disconcerting that the public image of the industry with regard to safety is not in keeping with its accomplishments. Mine disasters are like airplane crashes—they get the headlines, but the thousands of flights that land safely every day are unmentioned.

The minerals industry is impressively important. For example, the value of domestic mineral production in 1963 at the mines, not counting crude oil and natural gas, was about $9.5 billion. It involved about 440,000 men working in mines, mills and plants, of whom about 157,000 were coal miners.

Utah is also proud of its mineral production which in 1962 was valued at $410 million, including $138 million for mineral fuels. However, its coal production dropped about 30 percent from 1961, to a value of some $23 million in 1962.

The superiority of the United States in industry and defense, and in home, recreational, and utilitarian equipment such as the telstar, radio, automobiles, and other devices evolves from our highly sophisticated mining, refining and manufacturing talents. But these skills, comforts, and protections are, in turn, dependent on the men who devote their efforts and sometimes their limbs and lives to mine these vital minerals from the earth.

However, with all our refinements, jet airplanes, and ostentatious luxuries, we are surprised, too often, by failures by the men and safety devices for those who toil in the mines. For example, on August 27, 1963, a potash mine at Cane Creek, near Moab, Utah, exploded and killed 18 men because of underground ignition of combustible gas. The mine was closed down for investigation, and, even 3 days afterward, there were dangerous pockets of carbon monoxide gas in the depths of the 3,000-foot tunnels, and rescue crews had to temporarily abandon efforts to find the last victim. This was not a small mine. On the contrary its value was about $40 million. Corrective measures had been recommended previously and smoking had occurred in spite of numerous "no smoking" signs.

Another explosion ripped a coal mine at Helper, Utah, in December 1963, and killed nine miners and injured another. The blast was at the lower end of one of the mine's two shafts, each a mile long. It was caused by ignition of a methane gas-coal dust mixture which accumulated because the mine ventilating current was not properly directed, and adequate tests for gas were not being made.

Those explosions were terrible, but these were only two, killing 27 men. The totals for the Nation are still too high. For example, in 1962, 643 men were killed, and there were 31,985 nonfatal injuries in all type of mineral mining industries, including oil and gas.

Although these figures are appalling, we have made considerable progress in mine safety. For example, the total number of men killed and the number of nonfatal injuries in 1962 were less than half those as recently as 1947.

There are nearly 8,000 coal mines in the United States of which about 7,000 mines employ less than 15 men underground, and there are over 10,000 other nonmetal and metal mines.

Our western Governors at their 1964 meeting in San Francisco adopted the following resolution after careful consideration of the matter:

> Whereas the establishment of procedures and the supplying of equipment to assure safe operations in industry are an integral part of the management responsibility; and
>
> Whereas this responsibility for safety, as a continuing daily duty in industrial operations and planning, places industry in the position of being best qualified and able to solve its safety problems through its own endeavors: Now, therefore, be it
>
> *Resolved*, That the western Governors' conference:
>
> 1. Opposes as unnecessary and undesirable the enactment of laws to require Federal inspection of metallic and nonmetallic mines;
>
> 2. Urges that State activities in the health and safety field be adequately financed by the States; and
>
> 3. Recommends that present cooperation between Federal agencies and the States in this field be continued and that the U.S. Bureau of Mines continue, through its research activities and its training programs in accident prevention, first aid and mine rescue, to render valuable service to the mining industry."
>
> Adopted May 4, 1964.

All of us are desirous of maintaining safe and efficient mining operations. This is not to say to you that the records of the mining industry, or of any of its branches, have as yet attained the high goal that you and I would like to see reached. However, it has been my observation that industry and labor have worked hard to bring about the adoption of safety programs that are making operation of our mines, treatment plants and other surface works as safe as can be done within the realm of individual activity. All of us know that individuals get careless in time and it is this carelessness that leads to a great many of the accidents that occur not only in the mines, but in the manufacturing plants and other establishments across the Nation. If each individual will think safety, work safely, and act in the best interests of safety of his fellow workers, the accidents and fatalities which occur today would drop to a minimal point.

Mine safety is first the problem of the individual—half the mine fatalities now are a result of man failure—and the management of the company concerned; and second, regulation of mine safety should be a large concern of the local and State governments. I decry those who seek an answer to every problem by turning to the old saw, "There ought to be a law." Only through the cooperation of the individual, management, and local authorities can our safety record achieve the high goals which I know mine employees devoutly seek.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, I support H.R. 8989, the proposed Federal Metal and Nonmetallic Mine Safety Act.

This legislation would provide health and safety standards for the metal and nonmetallic mine, quarry, and sand and gravel industries of our country. Similar standards have been enforced in the coal mining industry for a number of years by the Interior Department's Bureau of Mines.

Surely no one could disagree with the goal and the purposes of this bill—the reduction of accidents and fatalities in the mines. Some have expressed concern that State and local authority over such matters will be destroyed by this bill. It should be emphasized, however, that H.R. 8989 not only permits—but encourages—the States to enact and enforce their own mine safety regulations. Section 13 of the bill spells out procedures under which any State may keep its own house in order in this area.

The major function of the Bureau of Mines should be to collect information on mine safety problems from the operators themselves and to encourage the States to correct difficulties that may arise.

Preservation of lives and the health of the thousands of Americans engaged in mining must be our foremost concern. A single unnecessary accident is one too many. It is self-evident, moreover, that efficient production will be enhanced by a reduction in accidents and work stoppages due to poor health.

Mining has always been recognized as a difficult and dangerous occupation. Modern methods have resulted in an ever increasing mechanization of the industry. However, mechanization has not eliminated all of the hazards connected with mining. Explosive gases, harmful dust, restricted working space, overhead rock and a myriad of other safety problems still remain. So long as such dangers threaten our miners, efficient and reasonable steps should be taken to insure the health and safety of those who work in the mines.

Mr. Chairman, I urge the passage of H.R. 8989.

Mr. HATHAWAY. Mr. Chairman, one of the most important provisions is contained in section 13. Section 13 of this bill provides that States may assume jurisdiction and responsibility for the development and enforcement of health and safety standards in the mines which are subject to this act. In order to qualify under this section the individual State must submit a plan for such jurisdiction and responsibility to the Secretary of the Interior.

Such State programs must provide that:

First. A single State agency be made responsible for administering the plan throughout the State.

Second. The plan be substantially as effective as the mandatory standards which the Secretary is required to develop.

Third. Annual inspection of all mines—above ground as well as below except quarries and sand and gravel pits—subject to the act.

Fourth. Assurance that the State agency administering the plan has, or will have, the legal authority, the funds, and qualified personnel necessary to enforce health and safety standards.

Fifth. Satisfactory measures must be specified which the State agency will take to guard against loss of life or damage to property.

If, after such a plan has been submitted by a State, the Secretary of the Interior decides that it is sufficient to carry out the purposes of this act, the Secretary relinquishes his authority to enforce mine health and safety standards directly in that individual State.

This provision does not weaken the Federal role to an unworkable degree in this matter because not only does the Secretary first have to approve all exemptions but he also retains some control over the matter in the individual States. The Secretary must make a continuing evaluation of the manner in which the State plan is being carried out and the effectiveness of such a plan. Part of this evaluation must be made on the basis of his own inspection of the mines in the States which have approved plans. If the Secretary should determine that the State is not carrying out effectively a program of mine safety, he may cancel approval of the plan. In such an instance the mine operators in the State become subject to the mandatory standards and enforcement powers of the Secretary.

In fine, section 13 recognizes that mine safety can be handled effectively at the local level and provides that if a State is carrying out an effective mine safety program or if it has the initiative to start an effective program of mine safety, then the authority should remain in the State.

Mr. ROYBAL. Mr. Chairman, I greatly appreciate this opportunity to express my strong support for the approval of H.R. 8989, the Federal Metal and Nonmetallic Mine Safety Act, as a significant effort to promote the cause of health and safety in our metal and nonmetallic industries.

As the author of H.R. 5157, a similar bill to provide a system of health and safety rules and regulations with proper enforcement provisions, adequate inspection and investigation, plus needed training and education for safety in metallic and nonmetallic mines and quarries, I have been keenly interested in this subject, and am very hopeful that we will be able to enact this necessary and long-overdue legislation during the present session of the 89th Congress.

While Congress has taken action to provide Federal enforcement of certain health and safety standards in coal and lignite mines, it has not so far enacted similar legislation extending Federal protection to workers in other types of mines. Yet the hazards faced by workers in these mines are substantially comparable to those encountered by coal miners.

The problem is serious. During 1962, for instance, on-the-job injuries in the metal and nonmetallic mineral industries resulted in more than 7,000 man-years lost from work—more than double the amount of time lost from strikes in the same year.

In addition, the comprehensive study and report of the Secretary of the Interior, completed in November 1963 pursuant to provisions of the Metal and Nonmetallic Mines Safety Study Act of 1961, has documented the urgent need for this legislation.

The Secretary's fine report states in part:

> The competency of American private enterprise in the extraction of metals and minerals is recognized throughout the world. The long experience and ingenuity of these industries and their equipment suppliers has led to the development and use of production techniques that are models of efficiency. The unfortunate fact, however, is that efforts to overcome many of the hazards to health and safety have not kept pace with increased productivity. The number and severity of the injuries experienced each year by persons employed in the extractive industries should be alarming to an America that prides itself on its concern for the welfare of its citizens. In the face of 10,000 lost-time injuries and more than 200 deaths in a single year, it would be difficult to ignore the need for positive action.

Part of the problem, of course, is that legislation currently on the books is grossly inadequate to do the job.

On this point, the Secretary's report minces no words:

> The present structure of State laws coverage and enforcement is clearly inadequate to deal comprehensively with the problem of safety in the mineral industry.

Mr. Chairman, it is my firm belief that this legislation deserves favorable consideration because it will make a major contribution toward achieving better health and safety conditions in the thousands of metallic and nonmetallic mines, quarries, and sand and gravel pits in operation in the United States today.

Deaths and nonfatal injuries in these mineral industries have been, and still are, tragically and unnecessarily high. Although there has been some safety improvement in recent years, the overall record is still scandalous.

Deaths numbered 226 in 1962 and 179 in 1963, and there were over 10,000 nonfatal injuries in each of those years. These costly losses will continue to occur unless corrective measures are undertaken quickly. Many of these accidents could have been avoided entirely with a comprehensive and thorough and adequately enforced national safety program.

The great need is for proper safety education, training, inspections, danger warnings, and enforcement of safety regulations—conditions which, unfortunately, do not now exist in many States.

The more than 250,000 men in these mines, quarries, and pits are today at the mercy of the many widely varying laws and regulations of each of the 50 States. Some State safety and health laws, inspections, and enforcement procedures are very good, while in other States these requirements range down to poor or virtually nonexistent.

Safety inspectors in some States are political appointees who do not have to meet educational or technical safety training standards, or mining experience requirements. Furthermore, there is no law to permit Federal mine safety inspectors to enter and inspect these mines or require corrections in dangerous conditions.

The glaring gaps in the present hodgepodge of good and bad State safety provisions reveal the great need for a single overall uniform standard of education, inspections, and enforcement of regulations for health and safety in these mines.

Mr. Chairman, this legislation would provide the basis for such a fair and impartial Federal law to be applied and enforced in a uniform manner in all the States.

For that reason, I want to take this opportunity again to express my support for H.R. 8989 as a most worthwhile effort to provide, for the first time in the Nation's history, a solid framework within which to promote the cause of health and safety for the workers in America's metal and nonmetallic mineral industries.

Mr. QUIE. Mr. Chairman, I have no further requests for time.

Mr. O'HARA of Michigan. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Metal and Nonmetallic Mine Safety Act".

SEC. 2. For the purposes of this Act:

(a) The term "commerce" means trade, traffic, commerce, transportation, or communication between any State, the Commonwealth of Puerto Rico, the District of Columbia, or any territory or possession of the United States, and any other place outside the respective boundaries thereof, or wholly within the District of Columbia, or any territory or possession of the United States, or between points in the same State, if passing through any point outside the boundaries thereof.

(b) The term "mine" means (1) an area of land from which minerals other than coal or lignite are extracted in nonliquid form or, if in liquid form, are extracted with workers underground, (2) private ways and roads appurtenant to such area, and (3) land, excavations, underground passageways, and workings, structures, facilities, equipment, machines, tools, or other property, on the surface or underground, used in the work of extracting such minerals other than coal or lignite from their natural deposits in nonliquid form, or if in liquid form, with workers underground, or used in the milling of such minerals, except that with respect to protection against radiation hazards such term shall not include property used in the milling of source material as defined in the Atomic Energy Act of 1954, as amended.

(c) The term "operator" means the person, partnership, association, or corporation, or subsidiary of a corporation operating a mine, and owning the right to do so, and includes any agent thereof charged with responsibility for the operation of such mine.

(d) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

SEC. 3. Each mine the products of which regularly enter commerce, or the operations of which affect commerce, shall be subject to this Act.

SEC. 4. The Secretary of the Interior is authorized at any time to cause to be made such inspections and investigations as he shall deem necessary in mines which are subject to this Act (1) for the purpose of obtaining, utilizing, and disseminating information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life, or the causes of occupational diseases originating therein, (2) for the purpose of determining whether or not there is compliance with a health and safety standard or order issued under this Act, or (3) for the purpose of evaluating the manner in which a State plan approved under section 13(b) is being carried out. At least once each calendar year the Secretary shall inspect each underground mine which is subject to this Act, except mines located in States having in effect State plans approved under section 13 (b).

SEC. 5. For the purpose of making any inspection or investigation authorized by this Act, authorized representatives of the Secretary shall be entitled to admission to, and shall have the right of entry to, upon, or through, any mine which is subject to this Act.

SEC. 6. (a) The Secretary shall develop, and from time to time revise, after consultation with advisory committees appointed pursuant to section 7 of this Act, and promulgate health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines which are subject to this Act.

(b) After consultation with an appropriate advisory committee established pursuant to section 7 of this Act, the Secretary, by a notice published in the Federal Register, shall designate as mandatory standards those standards promulgated pursuant to subsection (a) of this section which deal with conditions or practices which could cause death or serious physical harm, and the operators of mines to which such standards are applicable shall comply with such mandatory standards pursuant to the provisions of section 8 and section 9 of this Act.

(c) The provisions of section 4 of the Administrative Procedure Act (5 U.S.C., sec. 1003) shall be applicable with respect to the promulgation of health and safety standards, and to the designation of any standard as a mandatory standard.

SEC. 7. (a) The Secretary is authorized to establish advisory committees to assist him in the development of health and safety standards for mines which are subject to this Act, and to advise him on other matters relating to health and safety in such mines. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of operators of such mines, and of persons similarly qualified to present the viewpoint of workers in such mines, as well as one or more representatives of mine inspection or safety agencies of the States.

(b) Members appointed to such a committee from private life shall, while serving on business of the committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C., sec. 73b-2).

SEC. 8. (a) If, upon any inspection or investigation of a mine which is subject to this Act, an authorized representative of the Secretary finds that conditions or practices in such mine are such that a danger exists which could cause death or serious physical harm immediately or before the imminence of such danger can be eliminated, such representative shall determine the extent of the area of such mine throughout which the danger exists, and thereupon issue an order requiring the operator of such mine to cause all persons, except those persons whose presence in such area is necessary to eliminate the danger described in such order, to be withdrawn from, and to be debarred from, entering such area.

(b) If, upon any such inspection or investigation, an authorized representative finds that there has been a failure to comply with a mandatory standard which is applicable to such mine, but that such failure to comply has not created a danger that could cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated and thereupon issue a notice fixing a reasonable time for the abatement of the violation. If, upon the expiration of such period of time as originally fixed or extended, the authorized representative finds that such violation has not been totally abated, and if he also finds that such period of time should not be further extended, he shall also find the extent of the area which is affected by such violation. Thereupon, he shall promptly make an order requiring the operator of such mine to cause all persons in such area, excepting such persons whose presence in such area is necessary to eliminate the danger described in the order, to be withdrawn from, and to be debarred from, entering such area.

(c) Findings and orders issued pursuant to this section shall contain a detailed description of the conditions or practices which cause and constitute a situation of imminent danger or a violation of a mandatory standard, and a description of the area of the mine throughout which persons must be withdrawn and debarred.

SEC. 9. (a) Each finding made and notice or order issued under section 8 of this Act shall be given promptly to the operator of the mine to which it pertains by the person making such finding or order, and all such findings, orders, and notices shall be in writing, and shall be signed by the person making them. A notice or order issued pursuant to section 8 of this Act may be annulled, canceled, or revised by an authorized representative of the Secretary.

(b) An operator notified of an order may appeal to the Secretary for annulment or revision of such order, and the Secretary shall issue regulations providing for such appeals which shall include due notice and opportunity for a hearing.

(c) Any final order made by the Secretary on appeal shall be subject to judicial review by the United States court of appeals for the circuit in which the mine affected is located, upon the filing in such court of a notice of appeal by the operator aggrieved by such final order within twenty days from the date of the making of such final order.

(d) The appellant shall forthwith send a copy of such notice of appeal, by registered mail or by certified mail, to the Secretary. Upon receipt of such copy of a notice of appeal the Secretary shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made. The costs of such transcript shall be paid by the appellant.

(e) The court shall hear such appeal on the record made before the Secretary, and shall permit argument, oral or written, or both, by both parties.

(f) Upon such conditions as may be required, and to the extent necessary to prevent irreparable injury, the United States court of appeals may, after due notice to and hearing of the parties to the appeal, issue all necessary and appropriate process to postpone the effective date of the final order of the Secretary, or to grant such other relief as may be appropriate pending final determination of the appeal.

(g) The United States court of appeals may affirm, annul, or revise the final order of the Secretary, or it may remand the proceedings to the Secretary for such further actions as it directs. The findings of the Secretary as to facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

SEC. 10. The Secretary shall require operators of mines which are subject to this Act to submit, at least annually and at such other times as he deems necessary, and in such form as he may prescribe, reports of accidents, injuries, and occupational diseases, and related data, and the Secretary shall compile, analyze, and publish, either in summary or detailed form, the information obtained; and all information, reports, orders or findings, obtained or issued under this Act may be published and released to the public, or any interested person, and shall be made available for public inspection.

SEC. 11. (a) Whenever any operator (1) violates or fails or refuses to comply with any order of withdrawal and debarment issued under section 8 or section 9 of this Act, or (2) interferes with, hinders, or delays the Secretary, or his duly authorized representative, in carrying out his duties under this Act, or (3) refuses to admit an authorized representative of the Secretary to any mine which is subject to this Act, or (4) refuses to permit the inspection or investigation of any mine which is subject to this Act, or of an accident, injury, or occupational disease occurring in or connected with such a mine or (5) being subject to the provisions of section 10 of this Act, refuses to furnish any information or report requested by the Secretary, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the Secretary in the district court of the United States for the district in which the mine in question is located or in which the mine operator has its principal office.

(b) Whoever violates or fails or refuses to comply with an order of withdrawal and debarment issued (1) under subsection (a) of section 8 or (2) under subsection (b) of section 8 if the failure to comply with an order of abatement has created a danger that could cause death or serious physical harm in such mine immediately or before the imminence of such danger can be eliminated, shall upon conviction thereof be punished for each such offense by a fine of not less than $100, or more than $3,000, or by imprisonment not to exceed sixty days, or both. In any instance in which such offense is committed by a corporation, the officer or authorized representative of such corporation who knowingly permits such offense to be committed shall, upon conviction, be subject to the same fine or imprisonment, or both.

SEC. 12. The Secretary shall develop expanded programs for the education and training of employers and employees in the recognition, avoidance, and prevention of accidents or unsafe or unhealthful working conditions in mines which are subject to this Act.

SEC. 13. (a) Any State which desires to assume responsibility for development and enforcement of health and safety standards in mines located in the State which are subject to this Act shall submit, through a State mine inspection or safety agency, a State plan for the development of such standards and their enforcement.

(b) The Secretary shall approve the plan submitted by a State under subsection (a), or any modification thereof, if, in the judgment of the Secretary, such plan—

(1) designates the State agency submitting such plan as the sole agency responsible for administering the plan throughout the State,

(2) provides for the development and enforcement of health and safety standards for the purpose of the protection of life, the promotion of health and safety, and the prevention of accidents in mines in the State which are subject to this Act, which are or will be substantially as effective for such purposes as the mandatory standards designated under section 6(b) and which provide for inspection at least annually of all such mines, other than quarries and sand and gravel pits,

(3) contains assurances that such agency has, or will have, the legal authority and

qualified personnel necessary for the enforcement of such standards,

(4) gives assurances that such State will devote adequate funds to the administration and enforcement of such standards,

(5) contains reasonable safeguards against loss of life or property arising from mines which are closed or abandoned after the effective date of this Act.

(6) provides that the State agency will make such reports to the Secretary, in such form and continuing such information, as the Secretary shall from time to time require.

(c) The Secretary shall, on the basis of reports submitted by the State agency and his own inspection of mines, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (on any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

(d) The provisions of sections 8, 9, and 11 of this Act shall not be applicable in any State in which there is in effect a State plan approved under subsection (b).

SEC. 14. The Secretary shall provide that the major responsibility for administering the provisions of this Act shall be vested in the agency of the Department of the Interior which has the major responsibility for carrying out the Federal Coal Mine Safety Act.

SEC. 15. Except as provided in subsection (c) of section 6 of this Act the Administrative Procedure Act shall not apply to the making of any finding, order, or notice pursuant to this Act, or to any proceeding for the annulment or revision of any such finding, order, or notice.

SEC. 16. There are authorized to be appropriated out of any moneys in the Treasury, not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

SEC. 17. This Act shall become effective on the date of its enactment, except that sections 8, 9, and 11 shall become effective one year after such date.

Mr. O'HARA of Michigan (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The clerk will report the first committee amendment.

The Clerk read as follows:

Page 12, line 18, strike out "8, 9, and 11" and insert in lieu thereof "8 and 9, and of subsection (b) and paragraph (1) of subsection (a) of section 11".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 13, line 11, strike out "8, 9, and 11" and insert in lieu thereof "8 and 9, and subsection (b) and paragraph (1) of subsection (a) of section 11".

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I have a number of amendments to offer, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. O'HARA of Michigan: On page 3, line 1, after "of which" insert "substantially".

On page 9, line 5, strike out "the public, or."

On page 10, line 21, after "which" insert ", at any time,".

On page 11, line 4, strike out the comma at the end of the line, and in line 5, strike out "In the judgment of the Secretary,".

On page 12, after line 17, insert the following: "(d)(1) If any State is dissatisfied with the Secretary's final action with respect to the approval of its State plan submitted under subsection (a) or with his final action under the second sentence of subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

On page 13, strike out lines 12, 13, 14, and 15, and insert in lieu thereof the following: "SEC. 17. This Act shall become effective on the date of its enactment, except that sections 8 and 9, and subsection (b) and paragraph (1) of subsection (a) of section 11 shall become effective one year after the date of publication of notice in the Federal Register of the designation of mandatory standards as provided for in section 6(b) of this Act; *Provided, however,* sections 8 and 9, and subsection (b) and paragraph (1) of subsection (a) of section 11 shall not become effective with respect to any State sooner than ninety days following adjournment of the next regular session of the legislature of such State convening after the date of publication of notice in the Federal Register of the designation of mandatory standards as provided for in section 6(b) of this Act."

On page 12, line 18, strike out "(d)" and insert "(e)".

On page 13, line 2, after the period insert the following: "The Secretary acting through this agency, shall have authority to appoint, subject to the civil service laws, such officers and employees as he may deem requisite for the administration of this Act; and to prescribe powers, duties and responsibilities of all officers and employees engaged in the administration of this Act: *Provided, however,* That, to the maximum extent feasible in the selection of persons for appointment as mine inspectors, no person shall be so selected unless he has the basic qualification of at least five years practical mining experience and in assigning mine inspectors to the inspection and investigation of individual mines, due consideration shall be given to their previous practical experience in the State, district, or region, where such inspections are to be made."

Mr. O'HARA of Michigan. Mr. Chairman, these amendments, I believe, are for the most part self-explanatory. The major amendment provides for a system of judicial review of the Secretary's decision denying the approval of a State plan or withdrawing approval of a State plan. In addition, the qualifications that we desire for inspectors under this act are spelled out and the effective date is changed to make sure that a State legislature will have an opportunity to consider any changes that need to be made in its State safety law and adopt those changes before the Federal law will become effective in that State.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Minnesota.

Mr. QUIE. In one of the amendments considered en bloc, on page 11, line 5, you delete the words "in the judgment of the Secretary." Somebody has to make the decision whether the State plans comply with the six factors involved here. I wish the gentleman would address himself as to how the decision is made in the first place before the judicial review proceedings.

Mr. O'HARA of Michigan. The gentleman is correct, of course. As it will read:

> The Secretary shall approve the plan submitted by a State under subsection (a), or any modification thereof, if such plan meets the following tests.

Of course, the Secretary would make that decision based upon those tests. Then the decision would be reviewable in the Circuit Court of Appeals.

Mr. QUIE. I thank the gentleman. I think this clarifies the effect of the language change.

Mr. HATHAWAY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Maine.

Mr. HATHAWAY. On that point, is my understanding correct, that pending the appeal as proposed by the amendment the status quo would be maintained unless undue hardship or irreparable injury would result, in the opinion of the circuit court?

Mr. O'HARA of Michigan. The ordinary provisions of the Judicial Code would apply. I believe they require that the status quo be retained, unless there is a particularly impelling reason why it should not be, pending decision on appeal.

Mr. HATHAWAY. I thank the gentleman.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan.

The amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. MONAGAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes, pursuant to House Resolution 525, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTOMATIC DATA PROCESSING EQUIPMENT

Mr. BROOKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4845) to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4845, with Mr. Monagan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BROOKS. Mr. Chairman, I yield myself 5 minutes.

H.R. 4845 provides for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

The Federal Government is the largest user of automatic data processing in the world. Expenditures now exceed $3 billion annually, or more than 3 percent of the total Federal budget. These expenditures are expected to increase indefinitely.

Presently there is no comprehensive management program of the Government's automatic data processing equipment. The Bureau of the Budget recommended Government-wide coordination as early as 1959. In a series of about 100 audit reports to Congress and the agencies, the General Accounting Office has pointed to the great waste incurred as a result of present disjointed agency-by-agency approach to automatic data processing management. The contents of these 100 reports have clearly demonstrated the need for providing Government-wide coordination in the management of these resources.

In the hearings on this bill, the former Comptroller General, the Honorable Joseph Campbell, conservatively estimated that enactment of this legislation would result in savings of at least $200 million a year.

The concept of this legislation is not a new idea but is a well-accepted principle of good management that has been successfully applied to the Government in such areas as telecommunications, the interagency motor pool, and the defense supply agency. This amendment to the Federal Property and Administrative Services Act sets up a Government-wide coordinated management program through which the Government can keep track of its automatic data processing investment and more wisely predict and control its future expenditures. Legislation is needed because the experience of the past 10 years shows that a statutory definition of responsibilities is essential, and because optimum efficiency requires an automatic data processing revolving fund which cannot be provided administratively.

The bill provides for three fundamental improvements in automatic data processing management which the Government must have if these savings are to be realized.

First. Up-to-date management information would be provided Federal managers. Through the use of an automatic data processing inventory and accompanying fiscal information from the revolving fund, responsible legislative and executive officials could make more informed decisions.

Second. The legislation would improve the possibility of the Government achieving optimum utilization of its automatic data processing. Hundreds of thousands of hours of available automatic data processing capacity go unused each year. Government-wide coordination along with the up-to-date inventory will permit more extensive sharing of equipment capacity and facilitate the establishment of data processing service centers.

Third. Improvement which this legislation would make is in the procurement of automatic data processing equipment. Through consolidating the acquisition of these expensive computers, the Government's bargaining position will be markedly improved, resulting in more competitive pricing and volume discounts.

The Committee on Government Operations approved similar legislation unanimously in the 88th Congress. That legislation passed the House by a decisive margin on July 18, 1963. Motion to recommit: 96 yeas, 258 nays. The Senate failed to act on the legislation in the last Congress. The bill we are considering today is the same legislation with two additional provisions:

One, a subsection has been added to the bill expressly delegating responsibility to the Secretary of Commerce for scientific and technological matters relating to automatic data processing, particularly in the area of standardization and compatibility. Under this legislation, the National Bureau of Standards would undertake automatic data processing research and provide advisory services to the agencies and the Administrator of GSA.

The second new subsection contains express language guaranteeing agencies and other users that the Administrator of GSA will not interfere in either the selection or use of automatic data processing. Under this legislation, the agencies and the contractors will continue to select exactly the equipment they require just as they do now. As I have previously indicated, if a user determines that an IBM 360 is needed to meet his requirements, that is what he will get. This entire program is expressly placed under the direction of the President in order to avoid any possibility that one agency could interfere with the proper functioning of another agency.

This legislation must necessarily be drafted in broad general terms. The purpose of the bill is to provide a perimeter of organizational responsibility and authority. It is neither necessary nor possible to provide in legislative form detailed statutory instructions to all officials of government involved in automatic data processing management. Traditionally, Congress has approached problems of this kind through general delegations providing that the agencies involved shall issue appropriate regulations which can be altered from time to time as changes in circumstances and new problems or opportunities for more efficient operations arise.

H.R. 4845 is aimed at general purpose, commercially available, mass produced automatic data processing systems and components. Elements of space and defense systems, such as the automatic data processing components in missiles and aircraft guidance systems, would not come within the confines of this legislation. The procurement and application of components of this kind would remain the complete responsibility of the Defense Department and other agencies having use for them.

Nor would this system be concerned with specially designed digital and analog components which have no general purpose potential. As in the case of space and military components, these specialized items would remain the full responsibility of the departments and agencies requiring them.

In summary, our concern is for the general purpose, mass-produced, commercially available automatic data processing systems and components which make up approximately 90 percent of the automatic data processing in use in government.

H.R. 4845 further provides that the Administrator of GSA might delegate any of the coordinating or acquisition authority extended to him in this legislation with regard to any individual automatic data processing system for reasons of national security and defense or for purposes of economy and efficiency. Thus, at any time it can be shown that national security and defense or economy and efficiency require that general purpose automatic data processing systems or components be acquired directly by an agency outside the scope of this program, or be exempt from any of the coordination efforts delegated the GSA, that the Administrator could delegate authority to the appropriate agency to achieve this desired result.

Lastly, the bill, as indicated above, does not permit any blanket exemption of any agency or broad variety of equipment. Some agencies have strongly recommended that they be exempt from provisions of this bill, or that the agency head be given the authority, in his discretion, to remove his agency from this coordinating program. The committee strongly supports the Comptroller General in his view that any such authority would negate the purposes of this legislation, as I have outlined.

In summary, therefore, the bill covers only general purpose, mass-produced, commercially available automatic data processing components, 90 percent of Government automatic data processing, and the GSA Administrator is authorized, subject to policy review of the Bureau of the Budget and as the President may direct, to exempt from this coordinated management program any general purpose automatic data processing systems and components when such action is necessary for national defense or for economy and efficiency.

The Government Operations Committee has thoroughly investigated Government data processing management for over 3 years. In addition to our own investigations, we have the benefit of two comprehensive Bureau of the Budget management studies—one in 1959, another in 1965—as well as the benefit of 100 General Accounting Office audit reports. Based upon this massive collection of studies and investigations which have taken place over a period of 7 years, the time has come for Congress to take reasonable but effective action to assure the establishment of efficient automatic data processing management in Government.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. Will the gentleman assure the House there has been adequate, or as adequate as there can be, protection of security from electronics, and the data processing machines, if they are to be owned outright and/or controlled by the Government?

Mr. BROOKS. Yes. That is the full intent of the legislation.

Mr. HALL. Would the gentleman further have any information about the percentage of one company manufacturing and/or control, or leasing to the Government of these machines?

Mr. BROOKS. I really do not know. There are five or six major producers. We have not gone into this on the basis of the individual manufacturers. To be candid about it, 70 percent or more is produced by one major manufacturer.

Mr. HALL. I appreciate the gentleman yielding.

Mr. FARNUM. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman.

Mr. FARNUM. As I understand the bill, it would only provide coordination in the purchase and lease and establishment of pools for the use of automatic data processing; is this right?

Mr. BROOKS. The establishment of pools would be allowed under this bill.

Mr. FARNUM. I would like to refer to the bill on page 5, line 21 to line 23, where it limits the authority of the Administrator.

How are we going to bring about efficiency unless we have really true coordination of equipment purchased or leased by the Government?

Mr. BROOKS. The primary objective of the bill is to coordinate the use of this equipment. But you would have to give each agency full authority to select that equipment that will meet its own need. Then after that equipment is provided, if there is extra time on it, it will be available to other agencies and you would not thereby interfere with the management of the various departments and agencies of the Government.

Mr. REID of New York. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman and members of the Committee, the bill, H.R. 4845, provides for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

Current expenditures by the Federal Government are estimated by the Bureau of the Budget to be running at a rate of $3 billion annually.

The automatic data processing inventory as of June 30, 1965, according to the General Services Administration, stands at 2,188 computer configurations. Of these, 1,497 or 68 percent are in the Department of Defense. NASA and the AEC have 434 or 21 percent while the remaining 257 computers or 11 percent are distributed amongst the remainder of the Government agencies.

Since the initial Bureau of the Budget 1959 automatic data processing study followed by a series of BOB circulars, the latest being A–7 of March 6, 1965, the Comptroller General has issued approximately 100 audit reports sharply critical of Government automatic data processing management and of uneconomic procurement costing the taxpayer millions of dollars.

The Government Activities Subcommittee recommended similar legislation to the House on June 19, 1963, and that legislation, as amended, H.R. 5171, was approved July 18, 1963.

Mr. Chairman, H.R. 4845 would add section 111 to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), extending responsibility to the Administrator of General Services, subject to overall direction by the President and fiscal and policy control by the Bureau of the Budget, for the economic and efficient purchase, lease, and utilization of automatic data processing equipment necessary to meet the requirements of the Federal Government. The proposed new section is divided into seven subsections. Subsections (a) and (b) provide the basic authority to be exercised by the Administrator of GSA. Subsection (c) authorizes the establishment of a revolving fund to finance the activities undertaken by the Administrator in pursuance of this authority. Subsection (d) provides for the administration of this fund, and subsection (e) prescribes that other provisions of law which are inconsistent with the provisions of this section shall not be applicable in the administration of this section. Subsection (f) authorizes the Secretary of Commerce to undertake necessary research and to provide scientific and technological advisory services relating to the use of automatic data processing in the Government. Subsection (g) provides that the authority conferred by this section shall be exercised subject to direction by the President and by the Bureau of the Budget.

The Acting Comptroller General of the United States, Frank H. Weitzel, believes in spite of some reservations that H.R. 4845 is, and I quote, "a good bill, a big step in the right direction." The latest report issued by the Comptroller General in August 1965, "Management of Automatic Data Processing Facilities in the Federal Government," underscores the need for action in this regard.

Mr. Charles L. Schultze, a Director of the Bureau of the Budget, supports H.R. 4845 and he has stated and I quote, "We think on balance, it is a good bill."

Mr. Schultze estimates that it will effect substantial savings on the order of $50 million to $100 million annually. The Government Activities Subcommittee estimates a somewhat higher saving, possibly up to $200 million annually if this legislation is rigorously and effectively implemented with good management procedures, better utilization of excess or unused automatic data processing capacity and greater emphasis on the most economic procurement including a revolving fund concept to effect sound savings.

Furthermore, H.R. 4845 as amended requires an annual report to the Bureau of the Budget and to the Congress of equipment inventory, utilization, and acquisitions, together with an account of receipts, disbursements, and transfers to miscellaneous receipts.

I believe that is a salutary and needed report to the Congress.

As Members know, we are now entering the third generation of computers, in which central computers of a high capacity will supply the needs of many users. Already automatic data processing procurement costs represent 3 percent of the Federal budget. It is high time that legislation of this general character be passed, so that the advantages of central procurement with volume discounts will accrue to the taxpayers. It is increasingly essential that the executive make savings through the establishment of equipment pools, data processing service centers, and above all, through effective management and utilization and through economic procurement. I compliment the chairman of the subcommittee, the gentleman from Texas, Jack Brooks, on his initiative and strongly urge passage of H.R. 4845 by the House.

Mr. BROOKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Utah [Mr. King].

Mr. KING of Utah. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MONAGAN. Mr. Chairman I support H.R. 4845 and I want to compliment the gentleman from Texas [Mr. Brooks] for his efforts in bringing this bill to the floor for consideration.

This bill constitutes a further important attempt to bring efficiency and progress to the operations of our Government.

There has been a vast increase in the use of automatic data processing equipment in recent years and this type of equipment has become a vital force in carrying on the mechanical activities of government.

The bill we are considering will make it possible to end the unorganized use of this vital modern equipment and will provide a pool of such items to aid administrators where necessary but at the same time avoid backing up groups of idle equipment.

Once again, Mr. Chairman, the Committee on Government Operations has lived up to its mandate and has brought forth constructive legislation which will contribute to the greater efficiency of operation of our Nation's business.

I hope that all Members will support this bill.

Mr. KING of Utah. Mr. Chairman, I rise in support of H.R. 4845. I congratulate the gentleman from Texas [Mr. Brooks] for successfully bringing this bill to the floor of the House, after much effort, and long hearings. The matter of Government acquisition of automatic data processing equipment is so complex that very few men can claim to fully comprehend it. But like so many other complex matters, it is governed by a few simple principles, easily understood by all, and which principles are embodied in H.R. 4845.

The Government now acquires, directly or indirectly, some $3 billion worth of automatic data processing equipment per year. This equipment is thus probably the most costly single item currently purchased for Government inventory. Moreover, the figure will probably increase, rather than decrease, as the years advance. In view of this fact it is almost beyond comprehension that the Government is not able to indicate, at this time, just how many units of automatic data processing equipment are presently in use. But such is the fact. One gets the impression that the Government can better account for its 5-cent lead pencils than it can its $500,000 pieces of automatic data processing equipment. It is paradoxical that in view of the fact that the purpose of automatic data processing equipment is to bring order out of chaos, the management and programing of automatic data processing purchases and use should be so chaotic. "Physician, heal thyself." It is to be hoped that the General Services Administration will be able to secure the use of a piece of automatic data processing equipment to help it keep track of the other 2,000 pieces of equipment. This bill will enable it to do so.

I urge the enactment of H.R. 4845.

Mr. BINGHAM. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. After counting, 49 Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 260]

Abbitt
Abernethy
Anderson, Tenn
Andrews, George W.
Ashbrook
Aspinall
Bandstra
Baring
Bates
Bolling
Bolton
Bonner
Bow
Brock
Broomfield
Cahill
Callan
Cameron
Celler
Chelf
Clancy
Clawson, Del
Collier
Conable
Corman
Derwinski
Devine
Diggs
Dwyer
Evins, Tenn.
Fino
Fraser
Frelinghuysen
Fulton, Tenn.
Gilligan
Greigg
Griffin
Griffiths
Halleck
Halpern
Hanley
Hanna
Harsha
Hays
Hébert
Henderson
Holland
Johnson, Okla.
Karth
Kee
King, N.Y.
Kluczynski
Kornegay
Krebs
Landrum
Lennon
Lindsay
Long, La.
Long, Md.
McMillan
MacGregor
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
Meeds
Michel
Miller
Minshall
Moeller
Morgan
Morse
Mosher
Murray
Nedzi
Nix
O'Neal, Ga.
Pool
Powell
Pucinski
Quillen
Redlin
Reid, Ill.
Reinecke
Resnick
Roberts
Robison
Roncalio
Roosevelt
Rumsfeld
Ryan
St Germain
Saylor
Schisler
Shipley
Sikes
Smith, Iowa
Smith, N.Y.
Steed
Stephens
Sullivan
Thomas
Thompson, N.J.
Toll
Tupper
Ullman
Utt
Vanik
Walker, Miss.
Watkins
Whitten
Widnall
Willis
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Monagan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 4845, and finding itself without a quorum, he had directed the roll to be called, when 314 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. BROOKS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Farnum].

Mr. FARNUM. Mr. Chairman, I wholeheartedly support this legislation. It is my understanding that for more than 3 years, the Government Operations Committee has objectively evaluated automatic data processing management in Government. The committee has considered the contents of 100 General Accounting Office audit reports. The contents of two Bureau of the Budget management studies have been taken into consideration. One study dates back to 1959. Another, which more or less reiterates to a large degree the recommendations of the first, was made only a few months ago. In addition, the committee has heard the testimony of all agencies of Government desiring to testify and has submitted to the House a comprehensive, but concise, report outlining what is to be done and, most important, providing the ways by which the improvements which must be made can be brought about. This legislation is very limited in scope, but fundamental in approach. Essentially, it is an inventory bill which, in addition, provides for coordinating those aspects of management which cannot economically be considered within any one particular agency. The bill contains no provisions which do not reflect proven management concepts which in other applications have brought efficiency and economy to the operations of Government and business alike.

The bill must necessarily be stated in broad general terms because to do otherwise would create more problems than we would solve. The bill essentially establishes the authority and responsibility for automatic data processing management and then provides the means by which those who have this authority and responsibility can do a better job than they can today. This legislation is necessary. The very fact that automatic data processing management constitutes a matter of concern after the problem was first recognized almost 10 years ago, indicates the need that some more effective approach by Congress is necessary. In addition, the revolving fund, which simply provides for the consolidated accounting of Government automatic data processing under a modern, effective accrual system, is essential to every aspect of the bill. If utilization of this fund is limited in any way, the effectiveness of this legislation would be limited and the potential savings in tax funds would be correspondingly reduced.

Gentlemen of this body, I have spent 10 years in my State before coming to the Congress of the United States dealing with just exactly the problem we are talking about today and serving on the committee on economy and efficiency in our government for almost 10 years and in being responsible for 4 years for the approval of the methods and systems used by government not only in our State but in county and local government and in the more efficient use of the taxpayer's dollar. I in particular had to be concerned with the use of this kind of equipment and its full utility to bring about the best uses that could be made of equipment at the least cost. One of the things that concerns me—and if you just want to look at it, it is on page 10 of this report, where it lists the equipment we already have in the Federal

Government—is that in 10 or more installations we find we have one company alone which has 53.9 percent of this equipment. Is this good or is it bad? This report further states that if we have this legislation and pass it—and I hope we do—one of the things we are going to be able to get out of it is we are going to be able to get the advantage of the volume purchase and the low price for the equipment. This is awfully important to each and every one of us.

Because, as we have been functioning for a number of years in the purchase or the lease of this kind of equipment it has been on a one-piece purchase or lease concept. This, in effect, gives us a high price and not the low price that we should be getting. So we need very much to have this legislation, which is the first step that has to be taken to bring about full economy and efficiency.

I ask the full support of the membership to pass this piece of legislation which I think is essential for us to get started in order to bring about not only the pooling of information necessary to bring about the economical purchase or lease of this equipment but eventually provide the full utility and the most efficient use of this equipment.

Mr. BROOKS. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairman, I thank the distinguished chairman of the Subcommittee on Government Activities, the gentleman from Texas [Mr. BROOKS], for his courtesy in yielding me this time to discuss this bill.

I am obliged to disagree with parts of this bill. I am obliged to oppose it because of its high cost to the Government and because it would result in building what amounts to a new Federal agency within the General Services Administration with power to interfere in the procurement and operation of highly complicated computer systems within our Federal agencies.

I oppose it because the bill conflicts with the President's report in March 1965, on this subject.

There are three problems involving the alleged waste of money that this bill is intended to solve. GSA is made a central procurement agency for automatic data processing equipment for the Federal Government through the use of a revolving fund. This revolving fund will enable agencies to purchase equipment when they have not received appropriations for the purchase of the equipment.

The contention is that under the new program agencies will purchase rather than lease equipment. There will be secondary users and computers will run on a 24-hour-a-day basis. The fact that something is not utilized on a 24-hour-a-day basis does not mean that there is waste. High schools and high school buses that serve them are only operated when there is need. So it is with computers. They are operated as needed.

It is my position that the vigorous use of the administrative tools that we now have, a purchase option clause in leases, for example, would solve some of the lease versus purchase problems spotlighted by the gentleman from Texas [Mr. BROOKS].

In addition, I think we must recognize that it is the responsibility of those who use computers as tools to carry out their day-to-day responsibilities, to decide when 24-hour-a-day use of computers is economical. No outside agency should be given that responsibility.

Mr. Chairman, my point is simply this. Computers are a tool of any particular agency, just as is a typewriter. I do not think that the General Services Administration—and I have nothing against them—I do not think there should be an agency that should control just what use another agency makes of a typewriter. I do not think that the GSA should make, or should be the agency to determine how, electronic data processing equipment should be used or when it should be used.

And, so, Mr. Chairman, I think we should oppose the creation of this agency, a new power that they would have to decide when you would buy electronic data processing equipment, any more than you would have the General Services Administration decide when you would buy typewriters for a given agency.

The CHAIRMAN. Are there any further requests for time?

Mr. BROOKS. Mr. Chairman, we have no further requests for time.

Mr. HECHLER. Mr. Chairman, I wish to extend my compliments to the gentleman from Texas [Mr. BROOKS] for his leadership in bringing this bill to the floor. Last year, when a similar bill—H.R. 5171—was under consideration, there was considerable difference of opinion, and I was disturbed that the National Aeronautics and Space Administration had issued an adverse report on the centralization and coordination of automatic data processing equipment throughout the Government. This year, however, I am very pleased to note, as a member of the House Committee on Science and Astronautics, that NASA wholeheartedly supports this bill.

I believe that this bill is a major step forward in achieving greater economies in the executive branch of the Federal Government, and I certainly hope that the bill will pass.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 4845

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is hereby amended by adding a new section to read as follows:

"AUTOMATIC DATA PROCESSING EQUIPMENT

"SEC. 111. (a) The Administrator is authorized and directed to coordinate and provide for the economic and efficient purchase, lease, and maintenance of automatic data processing equipment by, or at the expense of, Federal agencies.

"(b)(1) Automatic data processing equipment suitable for efficient and effective use by Federal agencies shall be provided by the Administrator through purchase, lease, transfer of equipment from other Federal agencies, or otherwise, and the Administrator is authorized and directed to provide by contract or otherwise for the maintenance and repair of such equipment. In carrying out his responsibilities under this section the Administrator is authorized to transfer automatic data processing equipment between Federal agencies, to require joint utilization of such equipment by two or more Federal agencies, and to establish and operate equipment pools and data processing centers for the use of two or more such agencies when necessary for its most efficient and effective utilization.

"(2) The Administrator may delegate to one or more Federal agencies authority to operate automatic data processing equipment pools and automatic data processing centers, and to lease, purchase, or maintain individual automatic data processing systems or specific units of equipment, including such equipment used in automatic data processing pools and automatic data processing centers, when such action is determined by the Administrator to be necessary for the economy and efficiency of operations, or when such action is essential to national defense or national security. The Administrator may delegate to one or more Federal agencies authority to lease, purchase, or maintain automatic data processing equipment to the extent to which he determines such action to be necessary and desirable to allow for the orderly implementation of a program for the utilization of such equipment.

"(c) There is hereby authorized to be established on the books of the Treasury an automatic data processing fund, which shall be available without fiscal year limitation for expenses, including personal services, other costs, and the procurement by lease, purchase, transfer, or otherwise of equipment, maintenance, and repair of such equipment by contract or otherwise, necessary for the efficient coordination, operation, utilization of such equipment by and for Federal agencies: *Provided,* That a report of receipts, disbursements, and transfers to miscellaneous receipts, under this authorization shall be made annually in connection with the budget estimates to the Director of the Bureau of the Budget and to the Congress, and the inclusion in appropriation acts of provisions regulating the operation of the automatic data processing fund, or limiting the expenditures therefrom, is hereby authorized.

"(d) There are authorized to be appropriated to said fund such sums as may be required which, together with the value, as determined by the Administrator, of supplies and equipment from time to time transferred to the Administrator, shall constitute the capital of the fund: *Provided,* That said fund shall be credited with (1) advances and reimbursements from available appropriations and funds of any agency (including the General Services Administration), organization, or contractor utilizing such equipment and services rendered them, at rates determined by the Administrator to approximate the costs thereof met by the fund (including depreciation of equipment, provision for accrued leave, and for amortization of installation costs, but excluding, in the determination of rates prior to the fiscal year 1967, such direct operating expenses as may be directly appropriated for, which expenses may be charged to the fund and covered by advances or reimbursements from such direct appropriations) and (2) refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of or damage to property: *Provided further,* That following the close of each fiscal year any net income, after making provisions for prior year losses, if any, shall be transferred to the Treasury of the United States as miscellaneous receipts.

"(e) The proviso following paragraph (4) in section 201(a) of this Act and the provisions of section 602(d) of this Act shall have no application in the administration of this section. No other provision of this Act or any other Act which is inconsistent with the provisions of this section shall be applicable in the administration of this section.

"(f) The Secretary of Commerce is authorized (1) to provide agencies, and the Administrator of General Services in the exercise of the authority delegate in this section, with scientific and technological advisory services relating to automatic data processing and related systems, and (2) to make appropriate recommendations to the President relating to the establishment of uniform Federal automatic data processing standards. The Secretary of Commerce is authorized to undertake the necessary research in the sciences and technologies of automatic data processing computer and related systems, as may be required under provisions of this subsection.

"(g) The authority conferred upon the Administrator and the Secretary of Commerce by this section shall be exercised subject to direction by the President and to fiscal and policy control exercised by the Bureau of the Budget. Authority so conferred upon the Administrator shall not be so construed as to impair or interfere with the determination by agencies and other users of their individual automatic data processing equipment requirements. The Administrator shall not interfere with, or attempt to control in any way, the use made of automatic data processing equipment or components thereof by any agency or user. The Administrator shall provide adequate notice to all agencies and other users concerned with respect to each proposed determination specifically affecting them or the automatic data processing equipment or components used by them. In the absence of mutual agreement between the Administrator and the agency or user concerned, such proposed determinations shall be subject to review and decision by the Bureau of the Budget unless the President otherwise directs."

Mr. BROOKS (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD at this point, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read the committee amendments, as follows:

Page 2, line 1, delete ", or at the expense of,".

Page 2, line 12, delete "require" and insert in lieu thereof "provide for".

Page 3, line 15, following the word "of", insert "equipment inventory, utilization, and acquisitions, together with an account of".

Page 5, line 22, delete the following: "and other users".

Page 5, line 23, delete "requirements." and insert in lieu thereof "requirements, including the development of specifications for and the selection of the types and configurations of equipment needed.".

Page 6, line 1, delete the following: "or user".

The committee amendments were agreed to.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. OLSEN OF MONTANA

Mr. OLSEN of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLSEN of Montana: On page 3, strike out the comma at the end of line 8 and insert in lieu thereof "to be used in connection with equipment pools and data processing centers.". And on page 3, line 9, strike out the word "which" and insert in lieu thereof "The automatic data processing fund".

Mr. OLSEN of Montana. Mr. Chairman, in order for each of us here today to study H.R. 4845 in depth, all of us should have the opportunity of personal contact with these automatic data processing systems we are talking about. But, obviously, time is not available to consider this bill to the exclusion of the many other important matters before us. Therefore, I should like to cut through the volumes of information on the subject and explain my amendment which goes directly to the heart of the problem.

You will notice that my amendment pertains to the automatic data processing fund, which, in the words of House Report No. 802 accompanying the bill, would provide that, and I quote:

> GSA would have all of the Government's general purpose automatic data processing acquisition money in its pocket.

Now, do not take me wrong, I do not have anything against GSA, but I doubt that many of my colleagues here in the House approve of GSA having all of this money in its pocket, primed—again as the report says—with capital appropriated directly by the Congress and by agencies who already have bought and paid for their equipment. I firmly believe that the Appropriations Committee does a good job of controlling the funds of the Government, and I believe also that the function should be left with the Congress in the future.

Revolving funds, Mr. Chairman, ordinarily are used for stockpiling purposes and for manufacturing or operating processes in which one organization can save funds by servicing several organizations. Certainly, we do not want to stockpile computers. We do, however, want to provide for the sharing of automatic data processing equipment, and I think a revolving fund is in order for this purpose. My amendment, therefore, provides for use of the automatic data processing fund for purposes of establishing and operating equipment pools and data processing centers.

This fund is not necessary for accumulating reports. It is not necessary to achieve the advantages of other provisions of H.R. 4845. In fact, the revolving fund for purposes other than equipment pools and data processing centers would encourage expenditures of funds in excess of what is being spent for computers at this time. If the Appropriations Committee were to limit the funds of an agency and therefore funds were not available for purchase of a machine, GSA would be authorized to go ahead and buy it anyhow. I think that this is not the way we want the system to operate, and I submit, Mr. Chairman, that the Congress should not defer to the judgment of GSA.

Moreover, GSA will charge for its services in connection with a general-purpose automatic data processing fund and here is another increase in net funds expended. This also is not a way to save money. Believe me when I tell you that Congress will never see 1 penny of saving.

Mr. Chairman, I should like to point out also, as the report points out, that the Comptroller General ordinarily frowns on revolving funds, but is making an exception in this case. I believe that the exception should have been made only to the extent that the revolving fund is required and this is covered by my amendment. I should like to point out also, Mr. Chairman, that the administration is reported in favor of this bill. But, Mr. Chairman, I think my colleagues should be fully aware that the President, in March, issued a report which conflicts with this bill, but which concurs in my amendment. I should like to point out also that the testimony of the Bureau of the Budget stating the position of the administration is not compatible with the bill as written but is entirely compatible with my amendment.

Therefore, Mr. Chairman, the proposition is for our colleagues to decide. If the Congress wishes to relinquish control of automatic data processing, and wishes to enact legislation which conflicts with the President's report on the subject, the vote should be in favor of H.R. 4845 as is. If the Congress wishes to retain its rightful control, and at the same time gain the advantages of the bill, I urge each and every one to vote for my amendment.

Thank you, Mr. Chairman.

Mr. BROOKS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the adoption of the amendment offered by the gentleman from Montana [Mr. OLSEN] would fatally compromise this legislation. Under his approach there would be no direct, continuous flow of fiscal information on the Government's investment, disbursements, and cost of automatic data processing. And, without this information, there can be no effective management program.

Billions in tax funds are involved. We can no longer afford to sit idly by depending upon the mere possibility that some tenuous and awkward solution to automatic data processing management can be worked out on a makeshift basis within the present framework of our Government. We must act to provide the most efficient approach to effective management, and that is what the Government Operations Committee has done in this instance.

The revolving fund is essential to this legislation, and to providing the most efficient and effective management of Government automatic data processing. To limit use of the fund in any way as suggested by the gentleman from Montana [Mr. OLSEN], will inevitably result in the loss of hundreds of millions of dollars in tax funds which otherwise can be saved without any compromising and utilization of this equipment.

I strongly recommend that this amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. OLSEN].

The amendment was rejected.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Monagan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4845) to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies, pursuant to House Resolution 550, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill, H.R. 4845.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EULOGY TO THE HONORABLE CLARENCE J. BROWN, REPRESENTATIVE FROM THE OHIO SEVENTH DISTRICT

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HORTON. Mr. Speaker, the departure from this earth of the Honorable Clarence J. Brown, of the Ohio Seventh District, is an event of profound sorrow, in every conceivable respect. For here was a man of character, quality, wisdom, and ability—a man whom all of us had cause to admire and reason to respect.

As a veteran of service in 14 consecutive Congresses, Clarence Brown established a record of renown—a record rendering him superior, beyond a doubt, to the average cut of his fellow Congressmen.

Having served as a member of the Government Operations Committee in company with Clarence Brown, I have reason to know from firsthand experience the power of his intellect, the force of his opinions, the strength of his personality. All these combined to establish his as one of the outstanding public personalities of his particular generation. Nor was that his only claim to honor and distinction, for in the personal sense Clarence Brown was also a man of highest quality.

Twice elected to high office in the State of Ohio, and once the Republican nominee for Governor, Clarence Brown became, in time, a powerful figure in the Ohio Republican organization. As such, he served as the friend, confidant, and ardent supporter of the late Senator Robert A. Taft.

From 1944 to 1964 he was Republican committeeman for Ohio; from 1945 to 1948 chairman of the executive committee of the Republican National Committee; campaign director of the Republican National Committee for the year 1946. In several Republican National Conventions Clarence Brown had the honor of leading those forces dedicated to the presidential aspirations of Senator Robbert A. Taft.

As a Congressman he was no less active. Entering the House originally in 1939, Clarence Brown achieved a reputation in this Chamber as a man of ideas and action, combined. He conceived and drew up legislation creating both the first and second Hoover Commissions, with the object of reorganizing the Executive Branch of the Government. He also served on both Commissions. He was the ranking Member of the House Committee on Rules; the ranking Member of the Committee on Government Operations, and chairman of the Ohio Republican delegation.

Mr. Speaker, the passing of Congressman Clarence J. Brown is mourned not alone by his family and friends, but also by his constituents, his colleagues and the Congress itself. Yet, the loss our Nation has suffered is comforted by the memory of the man and the inspiration which his ideals give to us all.

PROTECT THE WISCONSIN UNEMPLOYMENT COMPENSATION SYSTEM

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Laird] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LAIRD. Mr. Speaker, under leave to extend my remarks, I include an editorial from the Appleton, Wis., Post-Crescent reprinted on August 28, 1965, in the Marshfield, Wis., News-Herald.

The editorial follows:

[From the Marshfield (Wis.) News-Herald, Aug. 28, 1965]

PROTECT THE WISCONSIN UNEMPLOYMENT COMPENSATION SYSTEM

Thirty years ago a foresighted Wisconsin State administration and legislature, led by Philip F. LaFollette who passed away last week, enacted the first unemployment compensation law in this country. Since that time so-called unemployment insurance payments have been made available in every State, largely because the Federal Government at a later time enacted a national system modeled upon the Wisconsin example.

During most of that time Paul Raushenbush, a professional civil servant, has been the chief administrative officer of the pioneering and successful Wisconsin unemployment program and fund. During most of that time Mr. Raushenbush has had to worry, however, about the Federal power preempting Wisconsin initiative and management in this field, and superimposing a Federal law less desirable, less workable, and less fair to Wisconsin employees and their employers than that which is already operating here.

We suppose that if Mr. Raushenbush added the travel costs of his innumerable trips to Washington to lobby and testify against the expropriation of the Wisconsin fund and the Wisconsin program by the Federal power grabbers, they would make a tidy sum. Mr. Raushenbush recently made yet another trip, to testify before yet another congressional committee, and to repeat what he has said so often and so truthfully before.

The Wisconsin law was conceived as a buffer against the shock of layoffs to the workingman, and to the property tax budgets of localities which support the local public assistance programs, on the one hand, and to encourage employers to do their utmost to avoid layoffs, on the other, by providing a tangible incentive to stable employment practices.

The incentive is a device known as experience rating. The employer with a stable employment record quickly reduces his payroll tax liability to a virtual zero. The employer with an unsatisfactory layoff record must pay more.

For several decades the States with less effective and prudent systems, and the planners of the all-powerful national state, have attempted to pool the Wisconsin system, in effect, with the national program so that the incentive feature of the wise Wisconsin law would be lost. The current effort in the Congress is not as direct as some in the past. Enemies of the Wisconsin plan have evidently learned something from their rebuffs. But the plan offered by President Johnson attacks the experience rating concept by indirection, and it proposes infinitely more Federal control over the entire program. Inevitably it would be the forerunner of a federalized system, if adopted. As Mr. Raushenbush aptly warned:

"Make no mistake about it. This is the place where the road really forks."

Every Wisconsin employee aware of the value of the State-devised program of 1935, every thoughtful employer, should make known his desire to the Congress for the elimination of this threat to the integrity and solvency of a proud Wisconsin social welfare achievement.

MINE INSPECTION AND SAFETY

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Burton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BURTON of Utah. Mr. Speaker, while sitting in Committee of the Whole House today on the subject of mine inspection and safety bill, it was against the rules to insert with my own remarks in that debate the full text of a letter addressed to me from Mr. Miles P. Romney, manager of the Utah Mining Association. The letter corrects certain inaccuracies in the report on H.R. 6961, just passed.

I therefore place Mr. Romney's letter to me dated August 27, 1965, in full at this point in the RECORD. It is germane to our debate today.

UTAH MINING ASSOCIATION,
Salt Lake City, Utah, August 27, 1965.

Hon. LAURENCE J. BURTON,
House of Representatives,
Washington, D.C.

DEAR LAURENCE: Recently, data have been obtained from the Utah State Industrial Commission on the number of active mining operations in Utah in the years of 1962 and 1965. These figures show a wide variance with those published in the report, titled "Health and Safety Study of Metal and Nonmetal Mines," submitted to the Congress in response to Public Law 87–300, Stat. 649.

That report states Utah had 544 mineral producing operations in 1962 employing 6,961 men. Representative O'HARA, during the May 1965 hearings on H.R. 6961 (the Federal Metal and Nonmetallic Mine Safety Act), quoted the 544 figure in questioning me on the adequacy of Utah mine safety inspections (p. 293).

The Utah State Industrial Commission reports that as of June 30, 1962, there were 188 active noncoal mine operators, and 33 coal mine operators. The Utah Department of Employment Security reports that for the year of 1962, 250 noncoal mining units in Utah had an average of 9,287 employees per month. The department of employment security reports included some inactive mines where "covered employees" included only office workers. Both the industrial commission and the department of employment security include mills with mines in their reporting of mining data. The study does also.

The report of the health and safety study lists numbers of Utah mining units in volume II. They are as follows:

Table 1–34. Metal mines	179
Table 1–35. Nonmetal mines	36
Table 1–36. Stone quarries	22
Table 1–37. Sand and gravel pits	72
Total	309
35 metal, nonmetal, and stone mills were included in table 1–38, which would bring the total Utah mining units to	344

This total of 344 strongly indicates that the summary total of 544 Utah mine operating units reported in table 6–2, volume II of the report, is an error and one of serious magnitude. The error is in the same magnitude as the study's report of the number of employees.

It occurred to me that the scope of the study may have been different than the basis of reports by the Utah Industrial Commission and department of employment security. However, the study defines its scope on page 2, volume I, as follows:

"Underground and open-cut metal and nonmetallic mines, placer mines, open quarries, and sand and gravel pits comprise the portions of the mining industry in which minerals are extracted from the earth by recognized mining methods. All these portions along with related mills were included in some part of the study."

With reference to the use of the above statistics by the committee at the May 1965 hearings on H.R. 6961, I would like to refer you to pages 292–294 of that report. The pertinent excerpt is attached.

The error in the statistics referred to, and the use made of them at the hearings, as illustrated by the excerpt, raises serious questions as to the accuracy of the data in the full report as well as the purposes behind its analysis and recommendations.

As recorded in the attached excerpt, several Utah operators tried to get specific information as to the violations charged to their properties, but they were not accorded even the courtesy of a reply.

Very truly yours,
MILES P. ROMNEY,
Manager.

THE DISCHARGE PETITION AND HOME RULE

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. PELLY. Mr. Speaker, I have requested time today in order to say a few words with regard to the current proposal to grant home rule to the citizens of the District of Columbia. In general, I have favored the idea of home rule, but there have been many different suggested plans and not being a member of the House Committee on the District of Columbia, I have never had occasion to inform myself specifically and in detail on various suggestions. I know, of course, that those Members who have studied these plans from both constitutional as well as practical points of view have differing views. Meanwhile, I have felt that the time has come when all Members should carefully consider the matter, and certainly the House should not be prevented by dilatory tactics from considering some sort of plan. As the saying goes, justice delayed is justice denied, and I, for one, continue to favor some action in accordance with the legislative procedures of the House, looking toward proper consideration of home rule legislation and allowing the House to work its will.

Mr. Speaker, there is obviously some confusion as to the nature of a discharge petition. For the sake of the record, I might say that rule XXVII (4) of the House rules provides that a Member may present to the Clerk a motion in writing to discharge a committee from the consideration of a public bill or resolution which has been referred to it 30 days prior thereto. The Clerk must arrange some convenient place for signatures of Members. Then, if and when a majority of the total membership of the House shall have signed, it is entered in the Journal, printed with the signatures in the CONGRESSIONAL RECORD.

Under this House rule, on the second and fourth Mondays of each month, except during the last 6 days of any session of Congress, any Member who signed the motion to discharge can be recognized by the Speaker for the purpose of calling it up for House consideration. The discharge petition must have been on the House Calendar for at least 7 days.

When the motion is considered, there is only 20 minutes of debate—one-half the time for proponents of the proposition, and one-half for the opposition. If the motion prevails to discharge a standing committee, it is then in order to proceed to the immediate consideration of the matter, which in the present case would be the home rule bill.

I have had a number of inquiries as to why, as yet, I have not signed the home rule bill discharge petition. In this connection, I have made it clear that I have no fetish against signing. Instead, I believe that the procedure of a discharge petition is a desirable safeguard to assure against legislative committees blocking House consideration. It is a protection against arbitrary roadblocks to prevent the Congress from working its will.

On the other hand, I strongly object to the use of such a procedure if it restricts or unduly limits the legislative process and the committee system. The most important function of the House of Representatives, in my opinion, is the consideration of legislative proposals in a committee, with public hearings and the opportunity for witnesses to fully speak their minds as to the language and provisions of proposed legislation. Nothing could do more harm to our system of government and its checks and balances than to prevent such testimony and committee consideration as to the details of bills and exploring the need and advisability of a law.

So, I was disappointed when I learned that an effort was being made to discharge the District Committee while it was still holding hearings and before it gave evidence of dilatoriness by refusing to report a bill.

The District Committee is suspect, I admit, and its chairman makes no bones about his opposition to home rule. Nevertheless, I believe the hearings should have been concluded before the filing of a discharge petition and, on this point, I have refrained from signing the petition. There are still witnesses to be heard.

But there is more to my objection than the bypassing of the committee and sound legislative procedure.

Mr. Speaker, I wonder how many of the 215 Members who have signed have ever read the home rule bill that their action would bring to the House for consideration?

As I understand, the administration plans to substitute the language of S. 1118, the Senate-passed bill, for the language of H.R. 4644, if and when the necessary 218 signatures of Members are obtained. Just how many Members, as I said, are familiar with this bill? I have read it, and frankly, the provision covering the amount of Federal payment to the District would seem to me to abrogate the Constitution of the United States, which provides that no money shall be withdrawn from the Treasury without an appropriation made by law. This bill, S. 1118, simply provides for the Mayor of the District, with the approval of the Council, to submit a request to the Secretary of the U.S. Treasury.

The amount of payment would be arrived at on the basis of several factors:

The amount of real property taxes lost to the District, based upon the assessed value and rate of tax, as a result of exemption from real property taxation.

This property excludes parks, museums, art galleries, memorials, statuary, and shrines. Also excluded is property to provide a service which otherwise would be provided by the District, such as streets and water facilities.

Another factor would be the tax lost in consequence of exemption from personal property owned by the United States.

A third factor would be collections of corporations and business franchise taxes and taxes on insurance premiums and on gross earnings of financial institutions. A formula on this would be the ratio of Federal employees to total population in the District.

Also, the value of water furnished the Federal Government would be considered, and likewise, sewer services.

After a compilation of all these factors and after review by the Administrator of General Services, payment would be made to the District by the Secretary of the Treasury from the U.S. Treasury. This is what I object to.

After all, Mr. Speaker, approval by the Administrator of General Services ignores completely the legislative branch. There is no appropriation involved and, as I said earlier, this plan would violate, in my view, the Constitution of the United States. Congress would have nothing to say as to the amount to be paid by the Federal Government to the District of Columbia.

A provision such as this should be carefully scrutinized by Congress before payment from the Federal Treasury; and as I said, just how many of the signatories on the discharge petition know about this provision—this backdoor spending provision.

As for me, I keep wondering as to the tax the District would assess to a building such as the new Rayburn Building that cost more than $100 million. As for me, I keep wondering what protection the taxpayers of the 50 States would have under this arrangement.

Mr. Speaker, I think it is certain that there will be action shortly to provide representation and self-government to the people of the District of Columbia. If the necessary 218 signatures are obtained in time, this will come before adjournment, which seems likely. Otherwise, it most certainly should come early next year.

The city of Washington, according to 1960 census figures, has a larger population than 11 of the 50 States. I am in favor and the time is long overdue for such home rule. I shall vote for any reasonable plan of representation and self-government. But, Mr. Speaker, I cannot vote for a provision such as is contained in S. 1118, to allow the District government to tax the Federal Government. In no instance is Federal Government property taxable by the States or local governments. This is a dangerous precedent. I will not oppose a payment to the District in lieu of taxes, but only if this payment is appropriated by the legislative branch.

So, Mr. Speaker, however much I would like to support home rule, unless the language of S. 1118 is amended, I shall have to oppose and vote against this legislation when it is considered by the House.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to ask the distinguished majority leader to advise us as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, we have completed our legislative program for this week.

In response to the inquiry of the gentleman from Illinois, I shall ask to go over from tomorrow until Tuesday, after the announcement of the program.

Monday—we do not plan to have a session since it is Labor Day.

Tuesday—the Consent Calendar will be called—if permission is granted.

Following that, on Tuesday, the Private Calendar—suspensions—eight bills:

H.R. 10775, military construction authorization for fiscal year 1966;

H.R. 2071, Assateague Island National Seashore;

H.R. 10386, protection of former Presidents and their dependents;

H.R. 9545, preserving evidence pertaining to the assassination of President Kennedy;

Senate Joint Resolution 102, authorizing funds for the President's Crime Commissions;

H.R. 2853, Copyright Office fees;

H.R. 4851, amending the Small Reclamation Projects Act; and

H.R. 168, increasing rates of service-connected compensation for veterans.

For Wednesday and the balance of the week:

H.R. ——, 1966 appropriations, foreign assistance;

H.R. 2091, relating to the establishment of concession policies in the areas administered by National Park Service—open rule, 2 hours' debate; and

S. 1903, U.N. Participation Act amendments—open rule, 1 hour debate.

This is made subject to the general and usual reservation that conference reports may be brought up at any time and that any further program may be announced later. I advise that we may have a further program to announce.

TRANSFER OF CALL OF THE CONSENT CALENDAR AND MOTIONS TO SUSPEND THE RULES FROM MONDAY, SEPTEMBER 6, TO TUESDAY, SEPTEMBER 7, 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar and the authority for the speaker to recognize for motions to suspend the rules. In order on Monday, September 6, 1965, be transferred to Tuesday, September 7, 1965.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARENDS. Mr. Speaker, I wish to ask the majority leader a question. Is it planned that the House will adjourn now, or will it stay in session a little longer this evening?

Mr. ALBERT. The House is in control of that matter. There are special orders for 2 hours on the program. I cannot advise the gentleman on that.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA HOME RULE LEGISLATION

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to insert my remarks at this point in the RECORD, and to include certain statements before the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, yesterday Subcommittee No. 5 which is presently holding hearings on so-called home rule legislation, was pleased to receive the testimony of Maj. Gen. Louis W. Prentiss, U.S. Army, retired, former—1953-54—Engineer Commissioner of the District of Columbia. He was appointed by President Truman and served under President Eisenhower. His family on his father's side came here in 1789, and on his mother's side his family goes back to an original patentee in Chevy Chase.

General Prentiss was one of the finest hard-working Commissioners we have ever had in Washington.

As a part of his testimony, he expressed his views on the character of government in cities of the United States where he had served, as compared with that in the District of Columbia, as follows:

> In my 35 years in the Army, I spent a good deal of my time on civil works. As such, I did not live on a military reservation; I lived in cities. Altogether, I lived in something like six or seven cities.
>
> It was my experience, as I moved around from one place to another that wherever I went, there was a move on foot to throw the rascals out, or the rascals had just been thrown out, and this new, solid, sound government had taken over.
>
> When I was Engineer Commissioner of the District, I had people come in to me and tell me, "I do business in cities all over the United States, and I want you to know that this is the only city that I come to where I can get what I am entitled to as a taxpayer without having to see a man down the street first." They would say, "And also, as a supplier, I know that when I make a bid here in the

District of Columbia, I can expect to comply 100 percent with the terms of that proposal, and there is no chance to get anything off."

I have had contractors tell me the same thing, that when they bid a job for the District of Columbia, they expect to perform 100 percent, and there is no funny business about it.

I think that we have an excellent form of government here. I am very proud of it, and I was very proud of the opportunity to be part of it for 2 years.

I would like to point out that when I was in the position of having to make decisions, I was never pressured into making any decision that was contrary to what I felt was right and best for the city as a whole. In other words, I did not have to give this section of the city or that section of the city special treatment because of pressure from this section or that section. Every decision that I made was made because I felt that it was for the good of the city as a whole.

I was in a position to do that because I was not responsible to anybody except the President of the United States and to the city as a whole, and not to any group that put me in office.

I was responsible to the people who lived in the city, to see that they got the best that could be given them for the money made available to us by the Congress of the United States, and under the authorization of the Congress of the United States.

To decide what was best, I had public hearings, and I took into consideration all of the opinions expressed by various and sundry groups; and somebody has to make up his mind. I made up my mind, and I made the decision based upon the pros and cons, weighing one against the other, and deciding what was best for the city as a whole, not what was going to satisfy this group or that group or the other.

I think we have a good government here in the District of Columbia.

I have lived in a city where the county commissioners met, and one county commissioner was raising Cain because the county commissioner charged with the highway program in that county was not putting enough highways and bridges in his section of the city or the county.

What happened after the meeting was over was that he and his son went into this other man's office and beat the tar out of him.

Here, we put the road and the traffic lights and everything else where they will serve the greatest number of people and do the city of Washington the most good.

When I was a Commissioner, I thought we had an excellent school system.

Mr. McMILLAN. The late Maj. Gen. Julian L. Schley, former Chief of Engineers of the U.S. Army, served a number of years ago as an assistant to the Engineer Commissioner of the District of Columbia. He was a resident of Washington after retiring until his recent death and took great interest in this city. He prepared a brief history and proposal concerning government of the Nation's Capital city which suggests a rather unique method of giving the residents of the District a voice in their government. General Prentiss presented General Schley's proposal for government of the District which was written by him years ago. I include that also as a part of my remarks:

THE GOVERNMENT OF THE NATION'S CAPITAL CITY: A BRIEF HISTORY AND A PROPOSAL

The policy of the United States concerning the local government of the Capital of the Nation was embodied in the Constitution. Article I, section 8, reads in part: "The Congress shall have power: * * * To exercise exclusive legislation, in all cases whatsoever, over such District (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States * * *."

Under this authority of the Constitution, the Congress accepted by appropriate acts for the United States the areas ceded by Maryland and Virginia in 1788 and 1789, created a commission to acquire title to the lands, and from time to time amended the charters of the towns situated therein, altered the composition of the counties and amended their governments, but not until about 80 years later, in 1871, did Congress undertake to establish a centralized government for the whole Federal territory suited to the local needs and capable of creating a capital city of the rapidly growing Nation.

Seven years later, in 1878, the Congress enacted what is now referred to as the Organic Act of the District of Columbia which, with amendments from time to time, is the law of the District today.

The experience of the District of Columbia with its government between 1871 and 1878 is worthy of special consideration, and this will be dealt with after reviewing briefly the forms of government in the area of the District prior to that period.

The laws of the States of Maryland and Virginia which were in effect in areas ceded to the United States by these two States were continued in effect "until Congress should provide for the government of the Federal district," and for about 10 years after the ceding of the land to the Federal Government the laws enacted by these States applied to the ceded territories.

Each of the two counties of the State of Maryland in which these lands were located was governed during this period by a levy court. The county of the State of Virginia was governed by a county court.

The town of Georgetown was situated in the territory ceded by Maryland, and the town of Alexandria was in the territory ceded by Virginia.

Georgetown was incorporated by the State of Maryland in 1789. It had a mayor elected by the council, 6 aldermen and 10 elected common councilmen. The aldermen were selected from the council by vote of the mayor, aldermen and councilmen. Some changes were made in the government of Georgetown by the U.S. Congress from time to time (such as election of the mayor by the people in 1831) until its charter was revoked by the act of 1871.

Alexandria elected 12 freeholders, who chose from their number a mayor and four aldermen. The remaining six freeholders formed a common council. Alexandria ceased to be included in the District of Columbia when the area ceded by Virginia was retroceded to the State.

The seat of government of the United States was transferred from Philadelphia to the District of Columbia in 1800, by act of Congress, and the first meeting of Congress in the District of Columbia was held that year.

An additional separate governing body was created in the Federal district when Congress incorporated the city of Washington in 1802, providing for a mayor appointed by the President of the United States and for a city council elected by the people. In 1812 a change was made providing for the mayor to be elected by the city council, and in 1820 a further change providing for the mayor's election by the people.

The subdivisions of territory and the forms of government were changed somewhat as time went on, the most important of which was the creation of two counties by the U.S. Congress, one known as Washington County covering the area east of the Potomac River (ceded by Maryland), and the other covering the area west of the river (ceded by Virginia). The Federal Government assumed more and more control over these two counties until 1871, when an act of Congress revoked the charters of the existing governments in the District; namely, of Washington County and of Washington City and the city of Georgetown, and finally created a single government for the entire territory.

Meantime, however, the population of the part of the territory ceded by Virginia became dissatisfied with their status because of the failure of the U.S. Government either to make use of its area in its plans for the National Capital or to improve its form of government, and because the people found the authorities of the State of Virginia more sympathetic than those of the Federal Government in the unfortunate state of their finances. At their insistence, the territory west of the Potomac River was retroceded to the State of Virginia in 1846.

The remaining area of about 70 square miles originally ceded by Maryland constitutes the District of Columbia today.

It is thus seen that there existed in the Federal territory prior to 1871 several independent governmental entities, each being an outgrowth and development of the State, county, and municipal forms of government of our early history. During this period the Nation was developing and the population increasing rapidly. The population of the Federal territory also grew apace, the greatest increase taking place during the Civil War, caused in part by the administration of the war itself, but also by the Negro slaves seeking refuge from the slave States.

In government, the territory was not only poorly equipped during the period prior to 1871 to meet the local needs, but also was not at all prepared to develop the area to become a suitable Capital of the Nation. There was great need for a single control of the entire area, for wise planning, and for extensive improvements. The large-scale improvements required could not be undertaken without much greater expenditures of money, which taxes could not provide.

As has already been mentioned, Congress finally undertook in 1871 to establish a centralized government for the entire District of Columbia—government which was intended to serve the national needs of a Capital City as well as the local needs. And in 1878, in an effort to profit by the lessons learned in the operation of the centralized government since 1871, Congress enacted what was the basis of the organic act of the present District government.

The period between 1871 and 1878 is appropriately divided into two periods: the first from 1871 to 1874, during which time the government operated under the initial attempt to provide a single government for the area, in organization not unlike that provided for the Territories of the United States; and the second period from 1874 to 1878, when an act was in force which created a government by Commissioners as a "temporary expedient".

It will be interesting at this point to explain briefly the government of each of these two periods before dealing with the present government.

Before the law of February 21, 1871, was enacted, the striking characteristics of the Federal District needing correction were the existence of several municipal and county governmental agencies within the area, and the inadequacy of the physical improvements to provide a suitable Capital City. This act of 1871 abolished the county and city governments and provided for a Governor as the executive, appointed by the President of the United States, and a Council and a house of delegates as the legislature of the centralized government. The 11 members of the Council were appointed by the President of the United States, subject to the approval of the Senate, and the 22 members of the house of delegates were elected by the people of the territory. Veto power of legislative action was given to the Governor. The voters were also to elect a Delegate to the House of Representatives of the United States who would have the same functions as Delegates from the several territories. A Board of Health was provided for, the members to be appointed by the President, subject to approval of the Senate.

The law also created a Board of Public Works of five members, the Governor to be chairman and the other four members to be appointed by the President, with the approval of the Senate. During the 3½ years when the law of 1871 was the law of the District, this Board of Public Works was the most noteworthy element of the local government. Its function of extending, improving and maintaining the streets, sewers and other similar municipal works covered one of the great needs of the area, and the work which it undertook in those fields was very extensive and was energetically and well done on the whole, but it became subject to wide criticism by the public, and then by the U.S. Congress, for its failure to limit itself by budgetary requirements and for its arbitrary actions in other matters.

The congressional investigation which followed found large and much needed accomplishments based on a sound and broad plan, but much more extensive than contemplated by the local government and by the U.S. Legislature; it found much haste but too little thoroughness in the undertaking of the vast improvements; it found no dishonesty and graft but much looseness in finances.

The conduct of affairs by the Governor and the Council and house of delegates, and the activities of the Board of Public Works, with the resulting heavy debt of the District, caused the investigating committee of Congress to arrive unanimously at "the conclusion that the existing form of government of the District is a failure; * * * that it is wanting in sufficient safeguard against maladministration and the creation of indebtedness; that the system of taxation it allows opens a door to great inequality and injustice; and is wholly insufficient to secure the prompt collection of taxes; that no remedy short of its abolition and the substitution of a simpler, more restricted and economical government will suffice. Your committee have, therefore, reported a bill for a temporary government, until Congress shall have time to * * * adopt a permanent form."

There resulted the act of June 20, 1874, abolishing the existing government and creating in its place a government which was considered at the time to be tentative or provisional, the prime purpose being to restore the solvency of the District of Columbia. The Delegate to the House of Representatives was abolished.

This law terminated suffrage in the District of Columbia in local government. The right to vote for Federal officials (presidential electors and Congressmen) had not been enjoyed because they are chosen only in States by State voters under the Constitution.

The executive under this law of 1874 was a board of three Commissioners appointed by the President. One Commissioner was to be from the Corps of Engineers of the U.S. Army, who would manage the work formerly done by the Board of Public Works. Tight restrictions were placed on budgetary and fiscal matters. Legislative functions were left to the Federal Legislature.

Congress' specification of an Army engineer to be one of the Commissioners resulted directly from the experience with the Board of Public Works and the investigation by Congress of its activities from 1871 to 1874. Experience with the Army Engineers of Federal public works made Congress feel that an officer of that organization on the Commission would be a guarantee of careful planning and of proper respect for legislative provisions and budgetary restrictions in the construction and management of public works.

The new government was faced with the prodigious undertaking of reducing the heavy debt and of administering the pending contracts left by the Board of Public Works. In its efforts to accomplish these ends, it created some suspicions and made some enemies, resulting in further investigation by congressional committee. The committee's findings, however, were not unfavorable.

When the Congress created this temporary government in 1874, it provided for a congressional committee to prepare a bill "to devise a frame of government and submit the same at its next session, in order that a permanent government may be established with legislative control in Congress." The bills prepared by this committee and by a subsequent committee were not enacted but, in the course of the legislative procedure, a bill was written by a committee of the Senate which, with slight changes made in conference, was enacted June 11, 1878. This is the basis of the present organic law of the District of Columbia.

Under the present law, the executive branch is a Board of Commissioners of three, two selected by the President of the United States from residents of the District of Columbia, and the third a commissioned officer detailed by the President from the Corps of Engineers of the Army (known as the Engineer Commissioner). The several municipal bureaus are divided among the Commissioners for the exercise of general supervision, and actions by the executive branch are taken by the Commissioners sitting as a board.

There are several agencies influencing assisting the executive branch which function independently of the Board of Commissioners, such as a Board of Education, a Board of Public Welfare, a Public Utilities Commission, a National Park and Planning Commission.

The legislative functions of the Government are performed by the Congress of the United States, with a special committee in each House.

The President of the United States appoints the administrators of the judiciary functions: the U.S. District Court of the District of Columbia; the U.S. Court of Appeals for the District of Columbia Circuit; the municipal court; the municipal court of appeals for the District of Columbia; and the juvenile court.

From 1878 to 1921, Congress undertook to appropriate Federal funds to cover half of the expenses of the District of Columbia government. Since that time, Congress has appropriated an ever decreasing percent of the cost.

Should the government of the District of Columbia be changed to the usual municipal form common to our cities, with officials elected by the people, the experiment will have completed a full cycle. During the period before 1871, sometimes referred to as the "mayoral period," there existed the usual county and city governments. From 1871 to 1874, there existed a single government for the District not unlike that of our Territories, with participation by the United States and with a Delegate elected to the United States House of Representatives. This is sometimes referred to as the "territorial period." While it is possible that personalities may have been responsible in large part for the general dissatisfaction with this form of government, nevertheless, the conclusion was reached by the Congress and by the leaders of the people that it was a failure and that betterment lay in the direction of virtually complete control by the U.S. Government. There resulted the commission period of government, first experimentally from 1874 to 1878, and then permanently to the present time.

Thus it is seen that, starting with the usual American form of local government, through a series of changes, all toward centralization and toward Federal control, we reached full control by the U.S. Government after 75 years, and have lived under that form for another 75 years.

The basis of Federal control is the paramount interest of the Nation in its Capital City, as expressed in the Constitution. The control is exercised by the executive branch and the Congress. The members of these two branches of the Federal Government do not readily accept a local government for the District which may not provide an appropriate home for the National Government, and which might fail to give police protection to its bureaus and agencies, such as occurred in Philadelphia in 1783. There is a strong probability that a reversion to the former forms of local government will again cause dissatisfaction on the part of the President and the Congress, and will again cause a return to virtual Federal control. That opinion may not be general now, 75 years having elapsed since the last experience with the other forms of government in the District of Columbia. And today strong reasons are being presented for a reversion.

Criticisms are made that the local people are being governed—even taxed—without representation; that Congress, burdened with national and international affairs, should be spared from local legislation.

The first of these criticisms is unanswerable. Even if all the population of the District were U.S. governmental personnel, the principle would still stand. As to Congress' burden, the time spent on local matters could be greatly reduced if there were a will to do it.

There is general agreement among the thinking people who have had experience with the present local government that it is honest and it is efficient. The city of Washington in this regard is rated among the most fortunate of the country. One would hesitate to say that this is because there is no local constituency to which the local officials are responsible, but it is quite possible that this condition has a favorable influence on the resulting government. In this connection, it is interesting to note what James Bryce says in his notable work on our governmental institutions. "The American Commonwealth": "* * * there is one part of the country which is not a State and has no self-governing institutions. The District of Columbia is a piece of land set apart to contain the city of Washington, which is the seat of the Federal Government. It is governed by three Commissioners appointed by the President, and has no local legislature nor municipal government, the only legislative authority being Congress, in which it is not represented. Being well administered, it is held up by unfriendly critics of democracy as a model of the happy results of an enlightened despotism." He says further concerning American cities: "There is no denying that the government of the cities is the one conspicuous failure of the United States. * * * Extravagance, corruption, and mismanagement have marked the administrations of most of the great cities." He finds the causes of failure to be the party system (the introduction of State and national politics into municipal affairs), and the spoils system (whereby appointments to office are the reward of party service). He continues: "The spoils system, with the party machinery which it keeps oiled and greased and always working at high pressure, is * * * potent and pernicious in its great cities."

Recently an editorial appeared in one of the leading newspapers of the country on the occasion of forthcoming elections in its city, which said in part: "* * * We believe that there is only one outstanding issue in this election, and that is the corruption, sloth, inefficiency, and waste of the administration. It is the system that is synonymous with scandal in the long past. * * * (In this election) there is opportunity for those who can no longer stomach * * * misgovernment, who are revolted by shakedowns and crookedness and callous waste of tax funds * * *." (Without knowing more about the case dealt with in this editorial than seems appropriate to say here, it might seem to read like political propaganda of the outs against the ins. But the opinion throughout the Nation at the time was not to that effect.)

Nothing of this kind can be said of the administrations in the local government of the District of Columbia since the present form of government was established in 1878. And the Federal Government owes it to the Nation that a form of local government be not adopted for the Nation's Capital which will create an atmosphere in which administrations of the kind can thrive.

The commission form of the executive branch has proven that it is well suited to the unusual conditions. While the several Presidents have not always appointed men of as big caliber as the responsibilities require, nevertheless, these appointees have filled their positions well, generally speaking, and with honor. There have been detailed to the position of Engineer Commissioner able men without exception, and they have brought to the office integrity beyond question, a knowledge of engineering construction and management gained from broad experience, and freedom from partisan politics.

After all this is said, however, remains unanswered the criticism that the people of the District of Columbia have no voice in their local government. The problem which faces the Nation, then (or, more specifically, faces Congress) is to grant to the local people participation in the government of the District without jeopardizing the good government now enjoyed and without losing for the Federal Government that influence which the Constitution contemplates and which the people of the country as a whole expect in their Capital City.

There is probably general agreement that the judiciary should remain unaltered.

It seems proper that the President of the United States should appoint a majority of the Board of Commissioners—say the Chairman and the Engineer Commissioner, as in the past. It is proposed that the third Commissioner be elected by the people.

Concerning the legislative branch, no matter what form of government is in effect in the District of Columbia in the future, Congress will continue to exercise much influence over the District's affairs by its appropriation of the sum which it concludes from time to time to be the Federal Government's proper share of the cost of local government. Because of this fact, a separate legislative body for the District of Columbia similar to the council of a city could do no more than share with the Congress some of the most important functions of legislation.

It seems proper, then, that Congress continue to legislate for the District as in the past, adopting such procedure as will relieve it of as much as possible of the time-consuming burden which it has been experiencing. Perhaps action of the Committees for the District of Columbia in the two Houses, if not made final, could be given a more conclusive status in the process of legislation. More authority could well be delegated to the Board of Commissioners.

It is proposed that the District be represented in the House of Representatives by a Delegate elected by the people, as are our territories. Presumably he would be made a member of the District Committee of the House.

These proposals retain for the District government the commission form of the executive branch, which has proven so satisfactory; they leave the legislative function in the U.S. Congress; and they make no change in the judiciary. They comply with the provisions of the Constitution and they do not affect adversely the Federal interests in the government of the Capital City.

The proposals give to the people of the District a voice in the legislature and a minority influence in the Board of Commissioners.

The honest and efficient government which the Federal District has enjoyed for 75 years will be retained.

The changes here proposed are possible of accomplishment in a short length of time by simple legislation by the Congress. Additional changes entirely in accord with the principles underlying these proposals would strengthen further the people's participation in local government and would advance suffrage generally in the District. They would require, however, the long process of constitutional amendment. These changes involve the removal of the District of Columbia from the category of a territory, from which it differs materially, and giving it the status of a State in this regard: choosing and sending representatives to Congress and voting for presidential electors.

JULIAN LARCOMBE SCHLEY.

Mr. Speaker, Members of the House, the following statement was made by Brig. Gen. Charles S. Harris, representing the Cathedral Heights-Cleveland Park Citizens Association whose membership is composed of a large number of our leading citizens in the Nation's Capital:

STATEMENT OF BRIG. GEN. CHARLES S. HARRIS, REPRESENTING CATHEDRAL HEIGHTS-CLEVELAND PARK CITIZENS ASSOCIATION BEFORE THE HOUSE DISTRICT COMMITTEE RE DISTRICT OF COLUMBIA HOME RULE

Mr. Chairman, I am Charles S. Harris, member of the Executive Council, Cathedral Heights-Cleveland Park Citizens Association, and here representing Mrs. Walter Sellers, the association president.

Our main purpose is to promote citizen interest and active participation in local government affairs, but we are opposed to S. 1118 as adopted by the Senate and the other so-called home rule bills for several reasons.

1. The sole purpose of the District is to provide a seat of government for the entire Nation. From the beginning, it was planned and developed by the Federal Government to assure a suitable place for all of our Government officials to work and live and a showplace representing the high standards of American life and offering a hospitable atmosphere to our visitors from abroad and from the several States. I would stress the tremendous financial investment of the Federal Government. In comparison, that of individual residents is trivial. Home rule proponents point out that the Federal Government contributes only 13 percent of the annual District budget, that the citizens pay the rest. Then they yell "taxation without representation." It is a fallacious argument. The contribution to the District budget is only a small fraction of the Federal expenditures in the District. Note the expenditures for urban renewal, the subway system, highways, bridges, museums, parks, buildings, and most of all, the Federal payroll. The very lifeblood of this city flows from Federal payrolls and appropriations. The people of every State are interested in their Capital. Every major local problem, be it in law and order, health, public safety, education, transportation or urban renewal, is a matter of keen concern to the people of every State and to the Congress. And that was why the Founders specified in the Constitution that the Congress shall have the power: "To exercise exclusive legislation in all cases whatsoever over such District * * *."

2. The bill provides a poor charter for the government of the District. Genuine home rule can be attained only by a constitutional amendment or by retrocession. In this bill, and most of the others, the Congress retains without limitation the very same authority to legislate for the District which it delegates to the proposed Mayor and Council. With this dual responsibility, conflicts, confusion, delays, and counteractions are certain to tie up the government in knots and wasteful expenditures. Congress can or cannot delegate its legislative functions, it cannot possibly shed its responsibility. Congressional committees will still have to supervise the District government, and the job will probably be more difficult than under the present scheme.

If the Congress permits the Federal contribution as per proposed formula, it will lose all semblance of ultimate authority. The Mayor and Council can enact legislation before Congress gets started. If they get Presidential backing, Congress will find extreme difficulty in upsetting any of the legislation.

If Congress retains its proper control of the Federal purse strings, then the elected government becomes a hollow shell of bureaucrats with title but no power to act.

The bill sets up conditions for a powerful political machine. What candidates would have a chance to get elected without the backing of the political bosses in the Democratic Central Committee and in a few racial organizations? It will be difficult to get candidates with any measure of independence to run for office. The elections should be put on a nonpartisan basis. And if the Hatch Act is applicable anywhere, it is here in the Federal Government where civil service personnel should maintain complete loyalty to the elected officials, regardless of party affiliation.

3. Home rule under the bill would certainly lead to more officeholders, more bureaucrats, increase in bonded indebtedness, increased taxes, and to political graft. The wholesome action of congressional committees in pruning the budgets would be missed. While Congress has given us 90 years of government free of political graft, look at the record of other American cities, particularly those with large minority groups voting.

4. District voters are not yet ready for home rule. A vast majority of the District voting population, white and colored, are quite inexperienced in political matters and particularly in political responsibilities. Many who are experienced maintain their voting rights in the States. Also the large number of civil service employees are properly restrained by the Hatch Act.

Under any circumstances, before we can afford to go to home rule as contemplated in this bill a transition period is necessary.

5. The foremost problem in the District government now is to curb crime and to restore law and order. But home rule offers no help in this basic field because the dominant political organizations are more interested in controlling the police than in curbing crime.

6. The general situation surrounding home rule would not inspire the public confidence so necessary to good government. Disgust of political finagling and rising taxes is likely to set off another exodus from the District of substantial tax paying citizens whom we can ill afford to lose.

In conclusion, we are happy to participate in District affairs in congressional committee and Commissioner hearings, and we favor continuation. The citizen participation feature may well be extended to the election of congressional delegates and possibly to the election of Commissioners—one or two. But the power to exercise exclusive legislation should remain with the Congress in fact by requiring approval in each case. Likewise, Congress should continue to review, prune as necessary, and approve each budget.

District citizens should be allowed to participate in the District government, but the control should be exercised by the citizens of the entire Nation through their elected congressional representatives.

Mr. Speaker, the following statement was made by Mr. Daniel B. Lloyd, representing the American University Park Citizens' Association, which has a membership of 2,500 of our leading citizens in the Nation's Capital. Mr. Lloyd has been a math professor in the local Washington school system during the past 32 years:

Statement Opposing Home Rule for the District of Columbia

The American University Park Citizens' Association has consistently opposed proposals to turn the administrative and governmental machinery of the Nation's Capital City over to the local political factions which cannot reasonably be expected to concern themselves with the larger national interests in the seat of government for the entire country.

This association reaffirms its opposition to so-called home rule for the District. Over a period of years, many such proposals have come to the attention of our association, and careful consideration has been given to these proposals by successive administrations, boards of governors, and the general membership of the association. On no occasion has any such proposal ever received any significant support or advocacy within our association.

Opposition to these proposals is based essentially upon a recognition of the fact that the Capital of the United States should be administered in the broadest national interest, free from the manipulations which characterize the politically dominated power structure in virtually every other urban area of this country. We recognize that the affairs of the District of Columbia are inextricably related to those of the Federal Government itself; indeed, the District was created specifically to serve the needs of the National Capital. Thus, in our view, we find no merit in either the home rule bill before the House of Representatives or the proposal before the Senate.

In its issue of August 9, 1965, the Washington Star commented editorially that adoption of the bill now before the House would be a disservice to the community, and that the editors have serious misgivings with respect to possible effects which legislation based on the Senate bill would have on our city.

Over the years, this association has had extensive dealings both with congressional committees concerned with District affairs and with the various departments of our present city government. We have found the congressional committees to be generally interested in the welfare of the community, sensitive to its peculiar needs, and basically fair in their dealings, even when we have held differing judgments and opinions. With respect to the city government, we are particularly appreciative of its merit system and the caliber of its personnel under that system. We do not wish to swap our present personnel system based on merit for a patronage system manipulated from city hall. The present system of government by which the District is administered has worked well for many decades, and it merits continuation. Moreover, we believe that most long-term residents and homeowners in this city share these convictions.

Under this form of government, we have produced a tradition in city administration internationally recognized and acclaimed for integrity. Our municipal services, despite a severely limited base for tax support, compare favorably with those of any city, regardless of its form of government. Our commerce has experienced phenomenal growth. The problems which face us are those which challenge city governments everywhere. However, these problems appear to be less acute than in such cities as New York, Chicago, Boston, or Philadelphia.

The very political pressures which have been generated by emotional appeals for home rule and the nature of the attacks on opponents of these measures are suggestive of the kinds of efforts to divide and manipulate the local electorate which home rule would bring.

Mr. Chairman, this concludes the statement of the American University Park Citizen's Association. We appreciate your permitting us to be heard.

Mr. Speaker, the following statement was made to the House District Committee by Mr. John L. C. Sullivan in behalf of the Chevy Chase Citizens' Association which has a membership of 2,200 members. The committee has been holding continuous hearings for the past 3 weeks on home rule proposed legislation:

Statement of the Chevy Chase Citizens' Association (D.C.) Before The House Committee on the District of Columbia Subcommittee Hearing Home Rule for the District of Columbia, September 1, 1965

Mr. Chairman and members of the committee, my name is John L. C. Sullivan, second vice president of the Chevy Chase Citizens' Association (D.C.). I am appearing here today in behalf of the association which is an organization of over 2,200 paid members, organized in January of 1909, and which I believe is the largest citizens association in the city. We are located in the upper Northwest section of the District of Columbia.

I have been authorized to express opposition to any form of so-called home rule for the District of Columbia. Our association took this stand as far back as the early 1920's and more recently when, although it supported action to secure a vote for District residents for the President and the Vice President of the United States, it again opposed home rule legislation. This opposition is not based on racial consideration, as some home rule proponents claim, but on what we consider a realistic, objective, and nonemotional look at the factors involved.

At the outset I would like to correct one misstatement that one of the most vocal proponents of home rule has made several times, that "there is only one organization in the District—referring to the Federation of Citizens' Associations—which opposes home rule." This is not true. It has been publicly announced that the board of trade is opposed to home rule and there are less vocal groups, such as service clubs, business, and professional organizations, representing a cross section of thinking people, which do not take political positions but have seen the disadvantages of home rule and are consequently opposed to it.

It is said that home rule is the only democratic way to rule the District. What do the proponents of home rule mean by that? It is a fine sounding term, but that is all.

The District of Columbia was set up as a Federal City to care for the needs of the Federal Government and not for the comparatively few local residents. On two occasions the District of Columbia tried home rule and each time it was abandoned, largely due to indebtedness which had been incurred with relatively little improvement in the welfare of the community.

We need to realize that over 50 percent of the area of the District of Columbia is nontaxable because it is occupied by Federal, District of Columbia, or foreign governments; by educational institutions, religious properties, and park areas. None of these categories will decrease in their space needs in the future but rather will increase. While this will decrease our tax base, it will increase taxes to the resident and to the buisnessman. We cannot depend on Congress to appropriate sufficient funds to make up deficits—it has not seen fit to do so in the past.

Gentlemen, if you talk with the people who are paying most of the taxes and whose taxes would have to support the District of Columbia under home rule, you will discover that the majority oppose home rule. Do not be misled by a vocal minority.

We agree with Representative Broyhill when he suggests that some of the home rule crusaders are more interested in ruling the District of Columbia than in home rule itself.

Under the many proposed home rule bills the District would not be getting much home rule even if they were passed. Congress would still be holding the controlling hand—and we think they should hold it. The laws and regulations these bills would allow us to pass could be vetoed by Congress or the President—and that is not real home rule. As for our fiscal situation, whether a mandatory payment to the District is provided for or not, Congress can change that. How much real home rule would this be?

With any form of local home rule there will be an increased number of elected officials on the payroll with the increased amount of patronage that goes along with it. Very surprisingly, in a recently televised debate, one of the District's most ardent supporters of home rule admitted that possible corruption is one of the penalties that goes along with elected office.

Under the commissioner form of government we have had the most honest form of government that any metropolitan area has enjoyed. We have disagreed on occasion with some decisions of the Commissioners, but not on the basis of honesty. We all know or should know that corruption of one kind or another has plagued many of the large city administrations. They have elected officials. What reason do we have to believe that an elected administration here would be any better? Home rule cannot give us any better government. Any change would only be for the worse.

We cannot afford to take this chance in the Nation's Capital, the city to which the entire world is looking. We are a Federal City and have our representation in the President and Vice President, for whom we have a voice selecting. The District Committee has done very well by us over the years, although some members of past District Committees have complained about the time required of them for District matters. There are still many of these matters which can be delegated to the Commissioners, thereby relieving these committee members. Further, they must take into account that Washington is their constituents' city also.

Gentlemen, we urge you to take the necessary steps to defeat these home rule measures and keep the District of Columbia from becoming a political football.

Thank you, Mr. Chairman and members of the committee, for this opportunity to set forth the views of the Chevy Chase Citizens' Association (D.C.) in opposition to home rule.

POSSIBILITY THAT EQUAL PAY BILL AND CIVIL RIGHTS BILL OF LAST SESSION WILL HAVE TO BE AMENDED

Mrs. GRIFFITHS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. **GRIFFITHS.** Mr. Speaker, in the light of newly uncovered evidence, it is entirely possible that the equal pay bill and the civil rights bill of last session will have to be amended to conform with now admitted facts. Time magazine of September 3, 1965, on page 74, carried an article regarding Claudia Cassidy, art critic of the Chicago Tribune, the final statement of which reads as follows:

> When she (Mrs. Cassidy) retires, the Trib will pay a high compliment to her energy and enterprise. It will assign two men to cover the beat that until now has been handled by one woman.

In a like vein, the August 31 edition of the Evening Star, on page B–7, carried an article referring to Nancy Chen, the social secretary to the Chinese Ambassador, who is returning to Harvard to take a graduate course in library science. The Star says, and I quote:

> The return to scholarship will mean more freedom for Mrs. Chen, whose place at the Embassy here has been filled by two men.

Obviously, Mr. Speaker, our actions of the past year have been in vain. We will simply have to amend the laws.

HOLD THAT LINE

Mr. **MONAGAN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. **MONAGAN.** Mr. Speaker, I was delighted to read that the President has emphasized the need for our Federal agencies and departments to concentrate on fiscal caution by limiting and reducing spending.

With the budget bumping the $100 billion mark, this warning is highly appropriate.

Most significantly, this call comes at the same time as news reports of increased troop shipments to Vietnam and follows a Presidential request from Congress for an additional $1.7 billion to pay the war costs.

It seems clear that the future costs of this military effort will be substantial to say the least, and I suggest that it is high time for us to measure its impact upon the economy and upon the budget.

Last spring, the President requested and Congress provided $700 million as a supplemental appropriation for the last fiscal year. Hanson W. Baldwin, the noted military expert, in a column of the New York Times of August 6, 1965, indicated that a supplemental appropriation ranging from $2 to $4 billion would be needed next January.

Responsible Members of the Senate have indicated a possible price tag of $10 to $12 billion for the total war effort, and Mr. Baldwin states that the Armed Forces have estimated the need for appropriations of more than $12 billion over the period of the next several years.

Whatever the figure may be, it is clear that there will be a demand for increased spending which it will be impossible to deny. This clearly requires a searching examination of our present expenditures and our commitments for future spending.

Already total appropriations passed by the House as of August 25, 1965, are $1 billion more than the appropriations of the 1964 session and the current appropriations do not include the foreign aid appropriations which will probably approximate $3.5 billion. While it is true that the deficit for the 1965 fiscal year was substantially reduced, and the balance-of-payments situation has greatly improved, nevertheless it is on the coming fiscal year that we must concentrate our attention.

In addition to the appropriations which I have discussed, the House, not always with my concurrence, has assumed obligations for the new health program, has increased the authorization for the poverty program, has voted a new authorization for the Appalachia program, and has passed a long-term 4-year extension of the authorization for the farm program.

All these increases have come after a broad scale reduction of excise and income taxes and accompany an increase in the total direct debt to $314 billion, making an average per capita obligation of $1,635.35.

Unless we exercise restraint in expenditures and, particularly, in authorizations for future spending, the readily foreseeable development of our effort in Vietnam might well involve a tax increase or, as an alternative, a vastly accelerating and harmful inflation.

Perhaps the time has come to clean off our desks, turn the key in the lock, and go home.

INTRODUCTION OF RESOLUTION TO AUTHORIZE HOUSE COMMITTEE ON EDUCATION AND LABOR TO LAUNCH AN INVESTIGATION INTO CHAOTIC CONDITIONS IN CONNECTION WITH HARVEST OF MICHIGAN CUCUMBER CROP

Mr. **CEDERBERG.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **CEDERBERG.** Mr. Speaker, I have today introduced a resolution authorizing the House Committee on Labor and Education to launch an investigation into the chaotic conditions in connection with the harvest of the Michigan cucumber crop.

This is a matter of utmost importance and I hope prompt attention will be given this resolution. Michigan is the Nation's largest producer of cucumber pickles and the tragic experience of the cucumber growers in the 10th Congressional District this year due to the half-hearted cooperation of the Federal Government in providing labor, threatens future production.

In former years producers have had access to braceros brought into the United States under supervision of the Department of Labor. This year Michigan producers were made the guinea pig in a bureaucratic experiment based on the belief that domestic labor could do the job.

Harvesting cucumbers, unlike most farm crops, involves stoop labor. The average American is neither psychologically nor physically constituted for this kind of labor as experience has shown. As one labor supervisor said, "Some people work a couple of hours, decide it is too tough and then depart."

It appears that Michigan cucumber growers have been the victims of a catch-all type of labor recruitment. In one instance stores of one community were looted by one of the Labor Department's "A" teams. Crime has increased many fold in some of these communities where labor has been sent in.

One justice of the peace wrote me that he had five cases involving migratory workers on the morning he wrote me. The welfare director of one county has sent me a plea for Federal assistance in the payment of medical and hospital expenses involving these workers.

One press account says:

> Residents are plagued with drunks on streets and disorderly conduct resulting from drinking. Three migrant workers died in the last 2 days from drinking paint thinner.

Such reports as this did not appear in the papers when the bracero program was in operation.

Mr. Speaker, I have already called attention of the House to the urgent plea of the Michigan Farm Bureau with respect to harvesters needed for the Michigan apple crop.

This morning I received the following petition from Michigan cucumber growers which reads as follows:

> AUGUST 25, 1965.
>
> Congressman ELFORD A. CEDERBERG,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR SIR: We the undersigned farmers in the congressional district which you represent in Michigan, would like to take this opportunity to express our objections to the current limitation on foreign workers coming into our area for the purpose of picking pickles.
>
> I am sure you are quite familiar with the importance of the pickle crop both to the individual farmowners in this congressional district and to Michigan's economy as a whole. With these facts in mind, we would like to inform you of the following objections that we have to the present methods of using local teenage labor in our fields for picking pickles.

1. The great majority of the workers obtained from local cities refuse to put forth an honest effort to earn the minimum-hourly wage required by law to be paid to them.

2. The workers that are available are unreliable, unsteady, and show a great lack of interest in their work. All of this combined, causes, perhaps, the greatest problem we are having with the type of labor that is now available. This problem is that the fields are not being picked clean and a large percentage of the crop is being lost. The workers, by their lack of interest and their unwillingness to do a complete job, leave too many pickles on the vines on the first pass through a field. Even after they are brought back a second time, the vines are not picked clean. These problems combined requires that 1 supervisor be hired for each 15 or 20 workers. They would do a complete job of picking the vines clean with relatively little supervision.

3. A field of braceros would pick clean in 3 to 5 days, would take the workers that are now available 6 to 10 days to pick, and a large percentage of the crop would be wasted because the picking is not clean.

There is great concern in this area because the pickle crop is one that is harvested up to the first frost of the year. The workers now available must return to school on the first of September, and we are quite concerned as to what workers will be available after that time.

Please accept this letter as a report showing how the present plan of using local and teenage labor as a replacement for foreign workers has failed to work satisfactorily in this area. In fact, we anticipate large losses due to this experiment and we urgently request that our losses be confined to this year, and that this experiment is not prolonged.

We ask that you personally contact the Secretary of Agriculture to express our views on this problem.

SIGNERS

Victor Lutz, Turner, Mich.
Edwin O. Peterson, Tawas City, Mich.
John Swartz, Au Gres, Mich.
Leir Swartz, Au Gres, Mich.
Elmer Swartz, Au Gres, Mich.
Orbie Swartz, Au Gres, Mich.
Fred Gingerich, Au Gres, Mich.
John Butts, Au Gres, Mich.
Rudolph Lutz, Au Gres, Mich.
Donald Lutz, Turner, Mich.
Marlin Swartz, Au Gres, Mich.
Gary Gingerich, Au Gres, Mich.
Richard Gingerich, Au Gres, Mich.
Joseph Gingerich, Au Gres, Mich.
William M. Brown, Tawas City, Mich.
Edwin Swartz, Turner, Mich.
David Swartz, Au Gres, Mich.
Harold Schultes, Turner, Mich.

Mr. Speaker, I hold in my hand a picture of worthless cucumbers. They are too large for packing as pickles but had to be harvested to protect the vines. I also have here an article which appeared in the Greenville Daily News a few days ago under the heading "Pickle Growers Facing Losses." It reads as follows:

PICKLE GROWERS FACING LOSSES

(By Gene Hashley)

Montcalm pickle producers are facing the end of the pickle season at a loss.

Lack of qualified help has forced growers to abandon a large portion of total acres planted.

"Michigan ranked first in pickle production until this year," says Leo Jokel, manager of the Carson City pickle plant for Vlasic Foods, Inc.

Both Vlasic and Michigan Pickle Co. in Lakeview report using all domestic labor available, and it just isn't working out.

Vlasic also reports planting one-third less total acreage than last year, and growers are having to abandon another one-third in an attempt to save others.

About 50 percent of domestic labor imported from the southern United States arrive in Michigan and quit their jobs in the pickle fields almost as soon as they arrive.

"The turnover in help, and schoolchildren returning to classes creates a need for additional labor forces," Jokel added.

Both firms report good luck with schoolchildren, A teams and Puerto Ricans. The Mexicans from Texas are also doing a good job.

Vlasic's biggest problem is turnover and inexperienced help, while Michigan Pickle Co. lists drunkenness and unwillingness to work as its major problems.

The Texas people are returning to enroll their children in school. A law in that State imposing a $100-per-day fine on anyone keeping children out of school is forcing the better crop of pickle pickers to abandon their jobs.

Lakeview residents are plagued with drunks on streets and disorderly conduct resulting from drinking.

Three migrant workers died in the last 2 days from drinking paint thinner.

A Lakeview storeowner faces a line of waiting wine buyers each day when he opens up about 9 a.m. Another line forms in front of his store about 1:30 p.m., and when a man is drunk he's in no shape to pick pickles the next day.

One Lakeview store reports selling 120 cases of wine a week.

Another Lakeview resident reports seeing a man urinating on the main street in the middle of the afternoon. Still another resident reports two drunks arguing in front of his house about 4 a.m.

Lakeview police have arrested 19 migrant workers so far this year compared to only one or two in the same period in the past.

Carl Davenport, a labor representative for Michigan Pickle, reports the Negro help working out quite well. "It's the others creating the problem," he says.

Larger pickles and weeds are killing the vines. Ordinarily the field is picked every 3 days. The rain, combined with hot weather, has caused pickles to grow at a rapid pace.

The larger pickles are worthless. Fields are being abandoned, vines are dying.

Unless the braceros come back, or the mechanized pickle pickers are ready by next year, the pickle producer will receive another tough blow.

Producers expect to be able to report their exact losses in about 10 days.

Secretary of Labor W. Willard Wirtz was urged by Senator PHILIP A. HART, Democrat, of Michigan, to make sure sufficient labor would be available next year to harvest Michigan cucumbers.

OKLAHOMA REALLY HAS SOMETHING TO SING ABOUT

Mr. BELCHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BELCHER. Mr. Speaker, Oklahoma really has something to sing about. Particularly Enid, Okla., my hometown, for this is also the hometown of Owen K. Garriott, just chosen as one of the first scientist-astronauts to make lunar experiments.

What a wonderfully warm feeling it is for my wife and me to recall that the kids in our neighborhood used to refer to Owen as "the brain" at Enid High School. And, indeed, Owen was "the brain," and offered proof of this fact by turning up first on any honor list prepared during his schooldays. I just do not think he ever played "second fiddle."

Of course, all his friends and his family there in Enid always knew Owen was going to make good—we just did not know at what level or when. We kept watching Owen as he sailed through school and college, took up a very successful career—and we were elated that he became Professor Garriott at the age of 34 at Stanford University. But we certainly did not anticipate that Owen K. Garriott, electrical engineering professor, was destined for the moon. It looks to me as if the sky really is the limit for Owen.

It has been said that behind every successful man is a good woman. Owen's wife, the former Mary Helen Walker, is the daughter of Mr. and Mrs. Glenn A. Rex Walker, two of my very best lifelong friends. During the time Mary Helen was growing up they lived less than a block from us. She was a very attractive, popular, and outstanding girl and student. A team composed of Owen and Mary Helen would simply have to be successful.

I just want to take the opportunity to say in the daily CONGRESSIONAL RECORD that the folks back home in Enid are really proud of Owen and Mary Helen; and I am especially honored to say they grew up in Enid, along with my own son and daughter. Congratulations, Owen.

UPPER MICHIGAN—PART II

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I have recently received the results of a questionnaire mailed to 133,606 of my constituents in the 11th Congressional District of Michigan reflecting their opinions on several of the major issues of this session of the U.S. House of Representatives.

Replies to the questionnaire were received from more than 17,000 persons, or 13 percent of those receiving them. I believe the results of these replies is worthy of study by all Members of this body and anyone concerned with the welfare of northern Michigan. To the best of my knowledge, this is the first time such an extensive survey has been made of the interests and opinion of the people in the 22-county 11th Congressional District of Michigan.

The following questions were printed on a preaddressed return-mail card. Residents were asked to answer by checking a "yes" or "no" box to indicate if they favored or opposed the question.

Question 1: Do you favor medical and hospital care for the aged, administered under the social security system as recently passed by the House of Representatives? To this question 10,529 persons answered in favor, 61.42 percent; 5,787 against, 33.76 percent, and 824 with no opinion, 4.80 percent.

Question 2: Do you favor amending immigration laws to base admission on skills rather than country of birth? This question brought 9,903 favorable answers, 57.70 percent; 4,903 against, 28.60 percent; and 2,334 with no opinion, 13.60 percent.

Question 3: Do you favor mine safety legislation to apply to iron and copper mining? As to this question 14,895 persons replied in favor, 86.90 percent; 707 against, 4.12 percent; and with no opinion 1,538, 8.97 percent.

Question 4: Do you favor removal of the tolls from the Mackinac Bridge to allow free crossing? Concerning this question 13,271 were in favor, 77.42 percent; 3,252 against, 18.90 percent; and with no opinion 647 or, 3.77 percent.

Question 5: Do you favor creation of my proposed Upper Great Lakes Authority to help promote our economic development as is being done in the Appalachia region? Referring to this question it brought 13,857 in favor, 80.84 percent; 1,883 were against, 10.98 percent; and with no opinion 1,400 or, 8.16 percent.

Question 6: Do you favor a Federal law requiring registration and control of the sale of firearms? This question proved to have 9,710 favorable answers, 56.65 percent; 6,891 against, 40.20 percent; and 539 with no opinion, 3.14 percent.

Question 6: Do you favor an expanded State-Federal program to control water and air pollution? This question brought 15,459 favorable answers, 90.19 percent; 844 against, 4.92 percent; and 837 with no opinion, 4.88 percent.

Question 8: Do you favor President Johnson's voting rights bill to insure the right of all citizens to register to vote? To this question, 14,974 persons answered in favor, 87.30 percent; 1,452 against, 8.47 percent; and 894 with no opinion, 5.21 percent.

Question 9: Do you favor the proposed closing of 11 of the Nation's veterans hospitals and other related facilities? Concerning this question, 5,256 persons were in favor, 30.66 percent; 9,671 against, 56.42 percent; and 2,213 with no opinion, 12.91 percent.

Question 10: Do you favor continued expansion of the Federal educational program begun by the recently enacted Elementary and Secondary Education Act? As to this question, 11,260 persons replied in favor, 65.69 percent; 3,672 against, 21.42 percent; and with no opinion, 2,208, 12.88 percent.

The following table is a breakdown of the replies from the district:

Question	Yes		No		No answer	
	Number	Percent	Number	Percent	Number	Percent
1	10,529	61.42	5,787	33.76	834	4.80
2	9,903	57.70	4,903	28.60	2,334	13.60
3	14,895	86.90	707	4.12	1,538	8.97
4	13,271	77.42	3,252	18.90	647	3.77
5	13,857	80.84	1,883	10.98	1,400	8.16
6	9,710	56.65	6,891	40.20	539	3.14
7	15,459	90.19	844	4.92	837	4.88
8	14,974	87.30	1,452	8.47	894	5.21
9	5,256	30.66	9,671	56.42	2,213	12.91
10	11,260	65.69	3,672	21.42	2,208	12.88

CONTINUED ECONOMIC PROSPERITY DEPENDS ON DECISION IN STEEL CRISIS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, Americans are currently enjoying the longest continuous economic expansion in our history. For 54 months—more than 4½ years—our prosperity has been growing without pause. Profits are larger. Wages are higher. Employment is rising.

Whether this unprecedented expansion is to continue, or whether it is to falter, or even be reversed, may well depend on the decision reached during the next week by representatives of the steel industry and steel unions.

Without the timely intervention of President Johnson on Monday of this week, we would now be in the midst of a nationwide steel strike, the end of which none could foresee. The representatives of labor and of management honored the President's request for an 8-day extension of the negotiations, and these negotiations are now in progress.

The President has congratulated management and labor alike for their recognition of the public interest in continuing to negotiate. I should like to urge that during the course of these negotiations both management and labor consider their own interests—which are, in my opinion, identical with the interests of the public.

Our interests are the same because we have all profited alike from more than 4 years of economic growth—and we should all suffer alike were that expansion now to be cut off. This is true for all of the negotiators, whether they sit on management's side of the table or on labor's.

Labor has gained both higher wages and more jobs. For 8 long years prior to the present expansion, employment in the steel industry was stagnant or declining. Yet last year employment rose by 36,000 jobs, and in the first half of this year there were 59,000 more jobs than in the first half of 1964. Weekly earnings in the steel industry averaged $145 during the first half of this year, and the last year the average hourly earnings of steelworkers exceeded the average for all manufacturing by 33 percent.

None of this would have been possible without the continuous expansion which the policies of this administration have brought about. Those policies and that expansion have dramatically affected the prosperity of the major steel-producing centers of the Nation.

Between June 1961 and June of this year, for example, unemployment fell from nearly 12 percent to less than 4 percent in Pittsburgh; from nearly 7 percent to less than 3 percent in Gary, Ind.; and from almost 9 percent to less than 3 percent in Youngstown, Ohio.

Finally, to cite one more dramatic example, last July Johnstown, Pa., was removed from the list of areas with substantial and persistent unemployment for the first time in 12 years.

The expanding economy and the public policies which have stimulated and sustained it have also benefited management no less than labor. Large cuts in personal income taxes during the past 2 years have greatly increased the demand for consumer goods made of steel. Excise tax cuts in 1965 and in future years—made possible only by our growing prosperity—will further increase the demand for automobiles, household appliances, and other steel consuming products.

The steel industry and its investors have also profited enormously from Government tax policies in recent years. We have revised depreciation guidelines for tax purposes, provided tax credits for investment and made large-scale reductions in corporate taxes. These actions will reduce the steel industry's taxes by $320 million this year alone—equal to more than $3 per ton of steel shipped. The accumulated benefits to the steel industry from 1962 to the end of this year would amount to more than $900 million.

Nothing now separating the demands of the unions and the offer of management can conceivably be so great as to risk destruction of all that we have built. If, within the next 7 days, the negotiators cannot compromise their differences and a strike is called, nearly half a million men will immediately become idle in the steel industry. Hundreds of thousands more will lose their jobs as other steel users exhaust their inventories.

Our economists have estimated that a steel strike will immediately cut our industrial output by more than 4 percent, which is equivalent to wiping out the entire gain scored by our expanding economy during the first 7 months of this year. A prolonged strike—or, for that matter, even a short one—will undoubtedly lead to increased importation of foreign steel. This will be immediately harmful to our already delicate balance-of-payments problem. And experience has shown that sales lost to foreign steel suppliers are never fully regained.

Thus, whatever settlement might be reached as a result of a strike will be at the expense of us all. There will be no winner of such a strike. Management will lose. Labor will lose. And every other American will also lose.

I urge, therefore, that the representatives of both management and labor use the hours remaining to them to achieve a fair and honorable settlement of their differences. And I urge them to do this not merely because it is in the public interest but because it is in the interest of every steel worker, every manager, and every investor in the industry.

FOREIGN AID PROGRAM USED AS A MEANS OF ATTEMPTED BLACKMAIL

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I believe most Members of this House were aghast and astonished by the news this morning, that our "foreign aid" giveaway program has been used as a means of attempted blackmail, rather than for the humanitarian reasons advanced every year as the basis for its conception.

I refer to the news that the U.S. Department of State was caught with its "petticoat" showing in Singapore. According to the Associated Press report, Singapore Prime Minister Lee demanded $33 million in foreign aid in 1960, in return for his Government's silence and the release of a CIA agent caught trying to buy information.

The United States countered with an offer of $3 million, which Lee apparently regarded as an insult. When Lee made the charge this week, our State Department hastily called it false, then had to backtrack when Lee himself produced a letter from Secretary of State Rusk.

I am pleased to note that the House Foreign Affairs Subcommittee plans to hold closed hearings to obtain an explanation from responsible officials. I hope they get more than pin-striped trouser doubletalk.

Perhaps one of these days the frequent calls for congressional investigation of the State Department will be heeded.

Certainly this latest incident is further proof that such an investigation is needed, and comes at a time just prior to this body considering our annual giveaway appropriation in our recurrent effort to buy image instead of commanding respect.

THE RISING PRICES OF FOOD

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I am deeply interested in what the majority leader has told us. With him we are all hoping that the steel strike will not come about, but that commonsense will prevail and that an honest realization of what such a strike would do to the men and women who would be most affected—the workers—bring a settlement.

The gentleman in the beginning of his remarks spoke of the tremendous amount of labor being employed, and of the increase in the wealth of this country in the United States today. We are told there is a lot of money everywhere. But I am wondering why food prices have to go up, and up, and up. Practically every bit of our food is at truly exorbitant prices in the market.

The two things do not go together very well. Our women are becoming angry as well as deeply disheartened as it grows more and more difficult to feed their families. We have been informed that this last increase is the fourth in a row. If this rate continues for 12 months it will have been the greatest increase in the cost of living in 15 years. Perhaps I am slow in understanding how these two situations can exist at the same time. Continuing increase of prosperity with poverty everywhere and prices rising like a miasma all about us.

THE STEEL SITUATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I join with the gentlewoman from Ohio [Mrs. BOLTON] in commenting on the statement just made by the majority leader of the House, Mr. ALBERT. It is interesting to note that the gentleman from Oklahoma [Mr. ALBERT] says this country is wallowing in prosperity while at the same time Congress is voting through programs and expanding others costing hundreds of millions and billions of dollars allegedly to take care of the millions of persons said to be poverty stricken.

Mr. Speaker, even the Democrat leadership cannot have it both ways. If there is prosperity in this country it is on borrowed time and borrowed money. It is on the basis of mortgaging the future of our children and their children.

Mr. Speaker, I join with the gentlewoman from Ohio in the earnest hope that there will be no strike, but let me say that continued borrowing and deficit spending in the billions of dollars can only result in increasing inflation. Inevitably, there is nothing the steel manufacturers can do except increase the price of their products.

How many more times are we to be told that we live in a nation reeking with prosperity when the cold, hard figures show that the public and private debt is more than $1,200 billion? When the facts of life show that this Nation's Federal debt alone exceeds the governmental debts of all other governmental debt in the world?

SELLING TO THE REDS

The SPEAKER. Under a previous order of the House, the gentleman from California [Mr. LIPSCOMB] is recognized for 30 minutes.

Mr. LIPSCOMB. Mr. Speaker, we are witnessing a deliberate weakening of the export control program, which was created to place needed controls on the flow of equipment, goods, and technical data to the Red bloc. In fact, a concerted effort is underway to virtually read the export control program out of existence as an effective tool of dealing with the Communist menace.

The administration, according to the latest reports, has agreed to make large sales of wheat to the Soviet Union and other Red nations which would help the Reds out of difficulties caused by crop shortages.

Of even greater significance from a long-range point of view are the many other items being cleared for sale to Communist nations, including a variety of advanced technologies, specialized machinery and equipment, industrial plants and related items, and goods, and data.

There seems little doubt that we have cooperated extensively in helping them shore up their economy and overall strength in vital areas.

A very important study was undertaken by the House Select Committee on Export Control, 87th Congress, to review our entire export control program and make recommendations where it found areas of concern and need for improvement. I was privileged to serve on that committee.

The select committee, which was composed of three Democrats and two Republicans, conducted the study and filed a report with the House of Representatives containing some highly significant findings and recommendations.

With regard to the overall effort of the Communist bloc to subvert the free world, the committee said:

> It makes no more sense to strengthen the economic potential of our cold war Communist enemies than to arm them; and yet the select committee has found glaring instances where we have economically strengthened countries in the Soviet bloc.

It was found that major stress was placed by the bloc countries on obtaining technical data from the United States. The select committee said about this:

> Immediate steps should be taken to more effectively control the exports of technical data. The furnishing of plans, specifications, and production details of strategic items to the Soviet bloc in many instances has given as much or more advantage to those countries as the shipment of the commodities themselves.

To underscore the need for the free nations as a whole to join in opposing and maintaining needed controls on the efforts of the bloc nations to engage in selective buying from the West to fulfill its critical needs, the select committee stated:

> The select committee urges that our Government take a firm position with our allies to extend and make more effective international control of export of strategic commodities to Communist countries, including Cuba.

The Communist bloc countries often seek to obtain single copies or limited quantities of items from the West which can be used as models or prototypes for its industry. The select committee recommended:

> Similarly, the select committee recommends tight control over export of prototypes of single units to Communist countries. An extraordinary number of single units or small numbers of items in the scientific and complex mechanical categories which could serve as models or prototypes have been licensed for shipment to these countries in the past.

These recommendations, which embody only some of the committee's major views, are as pertinent today as they were at the time the report was filed, even more so. Yet they have been largely ignored.

The President said at a recent press conference on August 25:

> Our economic strength is the keystone of free world peace.

I am in full accord with that observation. It is based on a recognition of the fact that the economic strength of a nation is the key to its overall strength, militarily, politically, and otherwise.

However, it is also true that the economic strength of the U.S.S.R. and its satellites is the key to the overall strength of the bloc. It stands to reason that this is why they are feverishly attempting to build up their economic base. To do this they are turning to the free world.

The Communist system, in essence, depends on totalitarian economic planning. The plan of the Communist bloc is to strengthen itself by centralizing the various capabilities within the nation best equipped to handle them. This not only creates more efficient uses of the resources available to the bloc but also produces increased sufficiency of the bloc to act as a whole. Trade with the outside is used to augment their needs, preferably on a temporary or case-by-case basis, to help overcome shortages or build up critical areas of their industries.

What is not fully known or appreciated, however, is the extent to which the administration has gone toward complying with their wishes.

As part of this, increasingly, you are seeing campaigns being launched to attempt to sell American industry and the public on the idea of trading with the Communist bloc. We are subjected to an onslaught of phrases about building bridges to the East, that it is in our interest to sell to the Communists, that we should engage in what is called peaceful trade, and so forth. Bars on our controls on trade with the Reds relating to areas they are in need of buying from the West are being steadily lowered.

Just consider some of the following examples of licenses that have been issued to sell to the Communists. The decisions made on these proposed shipments are, in my view, open to serious question.

An export license was issued on July 8, 1965, authorizing the shipment of chemical woodpulp to the Soviet Union valued at $3,375,000. The chemical pulpwood is for use in the manufacture of rayon tire cord which, in turn, is used in the production of tires. The Department of Commerce, which issued the export license, has no information concerning the size of tires to be produced. However, the rayon cord is usable to produce both passenger car and truck tires. Obviously, any tires produced would have an important use in the Soviet military and economic buildup. The first shipment of this pulpwood was to have gone late in August. Three subsequent shipments are scheduled for September, October, and November.

On July 13, 1965, the Department issued a license authorizing shipment to the U.S.S.R. of grinding machines valued at $2,436,800. These machines are used in the grinding of automotive crankshafts and camshafts, which are two of the most critical precision components of a motor. The equipment was authorized for shipment to Moscow for use in manufacturing passenger automobiles and light trucks. Again, both of these have various uses, economic and military.

In May of this year a license was issued to authorize shipping of technical data to the U.S.S.R. for use in the design and construction of an ethylene plant. The plant is to produce ethylene by cracking of heavy petroleum oil. One million metric tons of heavy oil annually would be the capacity of the plant. The ethylene production would be 240,000 metric tons per year. The plant would also produce other gases such as hydrogen propane, propylene, butane, butylenes and some gasoline. The Department of Commerce does not know what the end use of the products would be, though it commented that some of the major end products are plastic, petrochemicals and synthetic fibers.

Earlier, in April, the Department of Commerce issued a license to authorize shipment to the Soviet Union of technical data for the design and erection of a plant to manufacture 4,000 tons annually of para-chloroaniline and 2,500 tons annually of di-chloroaniline. Among the uses of these chemicals is the production of herbicides, or weed killers, though no specific information as to their end use was furnished by the Commerce Department.

Several months ago the Department of Commerce also issued a license to authorize selling to the U.S.S.R. of technical data for the production of what was listed by the Department merely as chemical products. It turned out that the technical data licensed for export was for the production of various items used to produce polystyrene. In response to my request for information on the end use, I was informed not what the polystyrene would be used for, but merely what some of its applications are such as in the manufacture of refrigerators, air conditioners, containers of many sorts, packaging for dishes, records, electronic coils, and others.

What the Department of Commerce did not say, however, is that polystyrene has a large variety of direct military and industrial uses. It is used, for example, as a binder in explosives. According to the Air Force it is used to insulate the exterior walls of large buildings. Polystyrene is used by the Army as an adapter for attachment of fuses to demolition blocks. The Nazis used it as an ignitor for the V-2 rockets and for nonmagnetic mines during World War II.

Polystyrene capacitors are used in the Minuteman program. Containers made out of this type of material have been found by our Armed Forces to be capable of safely holding comparatively large loads of explosive materials. Polystyrene is used in the manufacture of certain land mines which are fired by remote control. Polystyrene foam has been found to be an economical and lightweight material to replace wooden and steel containers to hold submarine smoke and illumination signals and marine location markers. These are only some of the many uses of this highly versatile and useful product.

A license was recently issued authorizing selling technical data to the Soviet zone of Germany to build a fertilizer plant. The data was for a phosphoric acid plant with a capacity of 20,000 tons annually for use in the production of various phosphate fertilizers.

On the subject of fertilizer equipment, in 1963 the Commerce Department issued a license authorizing exportation to the U.S.S.R. of $9.5 million of highly automated mining machinery for use in mining potash for fertilizer purposes. The Department admitted that the equipment would make a significant contribution to the economic potential of the bloc. This license was granted after Secretary of Agriculture Freeman toured the U.S.S.R. in 1963 and on his return stated that Soviet Leader Khrushchev said strong emphasis would be placed on agriculture during the upcoming 5 years. It was also at about that time in 1963, that the big United States-Soviet wheat deal was announced.

Yugoslavia is a nation which has received special treatment in the granting of export licenses and, as a result, a large amount of goods and materials have been flowing to that nation.

Copper is a very vital product for both domestic and military uses. In fact, it was recently reported, on August 17, that because of the escalation of the war in Vietnam, the Commerce Department ordered manufacturers of basic copper products to increase by 10 percent, on the average, the proportion of their productive facilities that is set aside to fill military orders.

Yet, over the last 2 months, during July and August, 12 licenses were granted authorizing shipment of copper scrap to

Yugoslavia valued at $5,436,960. What is more, although Yugoslavia claims it has insufficient copper supplies to meet domestic requirements, it is a net exporter of semifinished and finished copper products. About one-third of its exports goes to Communist countries, principally the Soviet Union. It is reported that Yugoslavia plans to increase its copper production.

It is stated in the Export Control report for the second quarter of 1965, just released, that an application for export of copper scrap valued at $481,388 to Hungary had been denied. But what is the good of such action if copper scrap can flow into the Communist bloc through Yugoslavia.

Last year, in the spring of 1964, the administration picked out Rumania as a country to which special treatment would also be given. Representatives of the United States and Rumania met and the United States agreed to sell to Rumania a large variety of items Rumania needs to build up its industries. The Department of State, on June 1, 1964, issued an announcement of items that the United States agreed to sell to Rumania. Subsequently, many export licenses authorizing shipments to Rumania have been issued.

One of the big deals that was pushed by the administration was the negotiations to sell Communist Rumania a $50 million synthetic rubber plant, a plant to manufacture polyisoprene. This is a synthetic rubber reported to be very close in performance to rubber, and is used for heavy duty jobs such as tires for trucks and aircraft.

The deal fell through when the Firestone Tire & Rubber Co. halted negotiations with the Rumanians. The reason generally is attributed to public feeling against such a deal. The Goodyear Tire & Rubber Co. had earlier turned thumbs down on the proposal saying it refused to sell a synthetic rubber plant to Rumania because "you cannot put a price tag on freedom." The synthetic rubber plant was to have been part of a petroleum-chemical complex in Rumania in the rich Ploesti oil fields, which was a prime allied bombing target in World War II.

Another element in the complex apparently is all set to go, however. It is a $22.5 million petroleum cracking unit to be sold to Rumania by the Universal Oil Products Corp. of Des Plaines, Ill. An export license has been granted and details of this contract were finalized on July 22, 1965. Not only is this unit, having a capacity of 1,100,000 metric tons per year, to be sold to Rumania, but credit will be extended to Rumania for $16.2 million of the purchase price. The Export-Import Bank is guaranteeing repayment of this amount, plus interest, at the rate of 6 percent, over a period of 7½ years.

A compressor for use in a Rumanian polyethylene plant was authorized for shipment to Rumania under a license issued August 2, 1965. This is a plant which is to produce 72,000 metric tons of polyethylene per year using a high-pressure process. The Department of Commerce has no further information about the plant nor about the end use of the products in Rumania. The license authorizes shipment of the technical data to Ploesti, the area of Rumania's oilfields.

Technical data for an urea fertilizer plant was authorized for shipment to Rumania by a Department of Commerce license issued July 19 of this year. The technical data is for a process for making urea by chemical reaction of ammonia and carbon dioxide. The plant is to have a capacity of 900 metric tons of urea per day. Urea is a nitrogen fertilizer which can be mixed with other fertilizer components containing phosphorus and potassium to make a balanced fertilizer. This is one of the items of technical data the United States agreed to furnish to Rumania last year in the agreement announced June 1, 1964, by the Department of State.

Earlier this year, in March, the Department issued a license authorizing the sending of technical data to Rumania for methane pipeline booster station. The booster station is a unit comprised of a 4,850 horsepower gas turbine driving a centrifugal compressor to boost the pressure on a 20-inch diameter pipeline carrying methane to Rumanian industrial facilities. The end use of the methane is for Rumania's metallurgical plants and as a starting raw material for petrochemical processes, including chemical fertilizers. The Department does not know the route the pipeline will take.

Oil production equipment has been one of the major areas in which Rumania is seeking to buy data and equipment from us and which the administration last year agreed to supply to Rumania. Recently over a 5-day period, from July 29 to August 2, the Department of Commerce issued 12 separate licenses for oil drilling and production equipment to be sent to Bucharest, Rumania.

These items and their value are: Drilling weight indicators, $71,229; fishing tools for oil well drilling, $2,660; spare parts to accompany truck-mounted well logging unit, $8,909; mud pit volume totalizer and mud weighing device, $4,650; drilling controls and spare parts, $3,337; full-bore retrievable cementers, $2,509; drilling control and parts, $6,965; retrievable bridge plugs, casing centralizers, and stop rings, $2,248; bottom hole pumping units, spare parts and attachment, $765,219; oil well pumps, $11,022; hydraulic power pipe tong, $12,535; packing and hydraulic testing tools with spare parts, $54,656.

A few months previously the Department of Commerce issued a license authorizing shipment of petroleum production equipment valued at $525,000 to Rumania. It consists of tanks, gages, meters, valves, emulsion treaters, heaters, oil and gas separators, and electrical switching gear. This is other oil production equipment which the United States agreed to furnish to Rumania according to the agreement announced by the Department of State on June 1, 1964.

The foregoing comprises only some of the items for which export licenses have been granted authorizing shipment of items to the Communist bloc.

Others as listed in the daily lists of export licenses approved include licenses to the U.S.S.R. for electrical equipment and parts for use in mining potash; technical data for the design, equipping and operation of gas processing plants; chemical compounds for industrial use; industrial instrument parts for use in chemical plants; technical data for the design and operation of a plant to produce perchloroethylene; products for use in the manufacture of rubber products; technical data for installation, repair and maintenance of hydrogen separation plants; technical data for potassium sulfate evaporators; technical data for pulpmill evaporators; technical data for construction of electrostatic precipitators; technical data for phosphoric acid evaporators for fertilizer plant; and technical data for heaters for use in a carbon bisulfide plant.

To East Germany: Parts for spectrum measuring instruments; technical data for the installation, operation and maintenance of the pulp mill evaporator; technical data for a rolling mill for copper tubes, technical data for semicontinuous hot strip mill, machines for use in processing synthetic fibers, technical data for ammonium sulfate plants, technical data for construction, operation and maintenance of stretch reducing mills; and technical data for the production of polystyrene.

To Poland: Metal treating machines and parts for use in galvanizing sheet mills, computreater cord treating laboratory unit and parts for use in treatment of tire cord.

To Hungary: Technical data relating to electrolytic tinning line and hot dip tinning line, technical data for a continuous annealing line and coil preparation line, and electrical testing instruments and parts.

To Czechoslovakia: Technical data relating to silicone steel processing plant, industrial instruments, microswitches for tool machine manufacture, organic chemical compounds for the manufacture of synthetic resins; foundry molding machines, molds and tooling for manufacture of automotive pistons; and pulpwood for the manufacture of viscose rayon tire cord.

To Bulgaria: Technical data for electrolytic tinning line, technical data for reversing cold carbon steel strip mill and nonreversing temper mill, and metal working machine and parts for use in aluminum plant.

To Rumania: Various items for use in oil drilling and exploration, technical data for the design and operation of a synthesis gas unit, technical data for a slabbing mill, technical data for a slab shear.

To Yugoslavia: Industrial instruments, construction machinery, electronic tubes and equipment, motors and parts for steel mill, aircraft parts, various types of electronic instruments, electronic computer parts, steel rolling mill machinery, industrial furnaces and equipment, electrical testing instruments, and many others.

It seems clear that in spite of admonitions against allowing the Communist bloc to engage heavily in the practice of buying prototypes and samples of products here to shortcut research and development, this is occurring, probably even heavier than when the Select Committee on Export Control warned of the dangers of such practices.

A large number of export licenses granted gives every appearance of being nothing but prototypes. The following is just a small sampling from current licenses to indicate what is occurring:

To the U.S.S.R.: Industrial instrument parts, $112; airosol valves, $1; automatic valves, $323; transformers, $107; viscometers, $994.

To East Germany: Parts for spectrum measuring, $76; microscope and accessories, $467; pneumatic pressure control, $60.

To Poland: Optical elements, $107; electronic measuring and testing instrument parts, $280.

To Hungary: Photographic equipment, $70; cycloptic stereomicroscope, $425; optical elements, $763; resistors, $123; electrical quantity indicating instruments, $775; volt meter, $44.

To Czechoslovakia: Capacitors, $50; scientific and professional instruments parts, $322; aircraft flight instrument switches, $7; electrical testing instrument parts, $600; micro switches, $405; electrical measuring and controlling instrument parts, $527.

To Bulgaria: Activated carbon, $1; industrial machines for printing on textiles, $697; antioxidant, $1; physical properties testing inspecting machines, $453.

To Rumania: Electron tubes, $15.

To Yugoslavia: Semiconductors, $188; communications equipment, $112; airborne navigation equipment, $954; microwave impulse generator, $975; beryllium metal, $79; electronic equipment, $400; aircraft parts, $423; oil and gas field production equipment, $960; measuring equipment for oil well drilling, $767; electronic physical properties testing instruments, $173; electronic computer parts, $621; semiconductor manufacturing machine and parts, $135; amplifiers, $515.

It must be emphasized that in sales to the Communist bloc we have little or no information concerning the actual end use of the items shipped or the products of the equipment or data sold. As I have stated previously in connection with examples of specific items licensed for shipment to the bloc, the Department of Commerce has no information about the size of tires to be produced with the chemical wood pulp authorized to be shipped, it has no information about the end use of the products of the ethylene plant for which technical data was authorized to be sold to the U.S.S.R., or the use of the polystyrene concerning which technical data was cleared for shipment. The Department can furnish no information about the end use of the products of a Rumanian polyethylene plant for which a compressor was authorized for shipment to Rumania. Even though it issued a license authorizing selling technical data to Rumania for a methane pipeline booster station, it did not even know the route of the pipeline and for what the booster station would be used.

In its efforts to encourage trade with the bloc the administration has apparently liberalized the previously established policy of not guaranteeing commercial credits by the Export-Import Bank for more than 5 years on sales to the bloc. In the case of the sale of the petroleum refining unit to Rumania the Export-Import Bank guaranteed credit for a total of 5 years beginning 30 months after the date of the contract. The Export-Import Bank claims it is customary in the case of construction to provide that repayment shall begin at about the time the installation of the equipment has been completed and that it does not represent a departure from the previously established policies of the Bank. It certainly does, however, represent a departure from the policy of guaranteeing credit for no more than 5 years on sales to bloc nations.

Through July 31, 1965, the Export-Import Bank has authorized 83 guarantees to Communist bloc nations totaling $66,748,300. This includes 21 guarantees for machinery and equipment to Yugoslavia, totaling $18,224,600; 29 guarantees to Hungary for what is described by the Export-Import Bank only as commodities, totaling $24,373,000; 32 guarantees to Poland for commodities, totaling $4,150,700; and the one guarantee to Rumania for the petroleum refining unit at approximately $20 million.

As far as the efforts by the United States to get other nations of the West to restrict or hold down their trade with the Communists, there has been virtually no effort toward this end. As a result, over the years there has been a constant watering down of the restrictions on what will be sold to the bloc.

As a matter of fact, as more and different items and types of products are sold by other nations, more and more the argument is heard that it is all right for the United States to sell various products since they are available to the bloc anyhow from other sources.

This, in many cases, is a specious, hollow argument. More often than not, it does not take into account that there may be significant differences in quality in the equipment or technology sought from the United States—which often is why bloc nations will be trying to buy here in the first place—or it does not take into account such factors as the better delivery schedule available here, that improved service and parts are available, and similar factors.

The present drive to open up greater areas of trade with the Soviet Union had its inception several years ago. A secret report prepared by a task force, headed by Mr. George W. Ball, now Under Secretary of State, which came to public attention in 1962, recommended a virtual scrapping of the controls on many materials flowing to the nations within the Communist bloc. Strong efforts have continued since that time and we are currently viewing an especially strong push toward that end.

In February of this year a special committee was appointed by the White House to look into the subject of trade with Eastern European countries and the Soviet Union. In accordance with a statement by the President in his state of the Union message, the question of how to expand trade was to be looked into. With its conclusion thus in hand the committee looked into the matter and duly reported that we should expand such trade. On other fronts, administration spokesmen have appeared to testify before Congress urging expanded trade with Communist nations and have also attempted to solicit interest in such trade from among the business community.

Constantly claims are made that this trade will help bring peace, that we will build bridges to the East, and so on. One looks in vain, however, to see any signs that this has occurred or that there have been any deviations from the Communist objectives politically or economically.

At the Communist party meeting held in Rumania in July, Nicolae Ceausescu, the Rumanian Communist party secretary denounced American "imperialist aggression in Vietnam."

At the same Communist meeting in Rumania, Soviet party leader Brezhnev denounced the United States "imperialism" in Vietnam, the Congo, and other parts of the world. Tito, of Yugoslavia, has said that the United States intervention in Vietnam is an example of an attempt by "imperialist and reactionary forces" to retain the outmoded colonialist and other positions in the world.

The U.S.S.R. is heavily committed to helping North Vietnam in its aggressive designs against South Vietnam. A recent report indicates that Soviet railroad equipment is to be furnished to North Vietnam. Their railroads, of course, are one of the targets of our bombings. There is another report that the Soviet Union has trained North Vietnamese pilots to fly the Mig-21 Russian jet fighter, the latest version of the Mig jet. Russian trawlers are reported to be located off Guam to provide early warnings of B-52 strikes on Vietcong concentrations in South Vietnam. And, of course, there are the surface-to-air missiles and missile launchers in North Vietnam, undoubtedly placed there by the U.S.S.R.

And yet we go blithely ahead selling things to the Red bloc which may very well end up being used in support of Communist aggressors in Vietnam.

Does it make sense to help equip and feed the Soviets who are helping the aggressors kill our soldiers in Vietnam?

Who knows where the Rumanian oil will go which we are helping them produce? Who knows where copper products from Yugoslavia will end up?

Fertilizers are in high demand not only in the U.S.S.R. but in many other Communist nations such as North Vietnam. Yet we have sold to the U.S.S.R. many items used in the manufacture of fertilizer. Are the Soviets in turn also shipping fertilizer to North Vietnam to help carry out its campaign of aggression?

It is not a pretty picture we see when we look behind the scenes. Apparently the administration feels we can feed and fight the Communists at the same time. I emphatically disagree.

It is vitally important that the Congress has adequate means to fully and constantly keep on top of all developments in this area and their significance. The subject of trade with the Communist bloc has to do with many fields of interest, domestic and foreign, with the result that under our present organization we do not have a body specifically charged with and really equipped to do justice to the important work at hand.

For this reason resolutions have been introduced calling for the reestablishment of a House Select Committee on Export Control. According to a resolution I have introduced the committee would give particular attention to the following items:

First. The problems involved in the control of trade between the United States and foreign countries, particularly the foreign countries comprising the Sino-Soviet bloc.

Second. Methods and procedures followed in the formulation of policy under the Export Control Act with respect to the determination of how the export of articles, materials, supplies, and technical data shall be controlled, and the extent of such control.

Third. Procedures followed under such act in obtaining information, advice, and opinions with respect to determinations of which articles, materials, supplies and technical data shall be controlled under such act, from departments and agencies of the United States which are concerned with aspects of our domestic or foreign policies and operations which have a bearing on exports.

Fourth. The extent to which decisions made and policies formulated under such act concerning the control of exports adversely affect the security of the United States.

Fifth. The interrelationship between such act and related acts—such as the Mutual Defense Assistance Control Act of 1951, and the Trading With the Enemy Act—and other discussions or agreements entered into by the United States, such as the coordinating committee—Cocom—discussions and agreements, which affect or relate to the control of trade between the United States and foreign countries.

I sincerely urge that the House act without delay in setting up this needed committee. I have heard from many people about this matter, not only from the congressional district which I represent, but from across the Nation expressing support for the resolution. Millions of American people do not like what is going on and would welcome such a committee.

CAPTIVE NATIONS

The SPEAKER. Under a previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 30 minutes.

Mr. BRAY. Mr. Speaker, many of our distinguished Members have recently spoken about the highly successful 1965 Captive Nations Week and the need for a Special Committee on the Captive Nations. I, too, add my voice both in the tributes given to the National Captive Nations Committee and all its supporting committees in the States for conducting the best observance on record and in the popular demand for a special committee in this body of Congress dealing with the study of all the captive nations.

REDS WANT US TO FORGET

If there is anything the Red totalitarians want us to forget, that is the family of captive nations. Many derogatory statements about the 1965 Captive Nations Weeks have been received from the Red Empire. But one statement which I think is quite significant is the suggestion made by a Soviet official in captive Estonia to one of our AP correspondents—Fred Coleman, AP, August 17:

> Why don't you write that there are no "captive peoples" here? One Soviet official suggested.

Moscow would indeed like us to forget.

CAPTIVE VIETNAM

Not only will we not forget, we will also put forward the plight of the captive nations in every act of Communist aggression. A point that was stressed over and over again during the 1965 Captive Nations Week observance deserves special emphasis here. That is, our necessary action in Vietnam highlights more than ever the persistent need for a Special Committee on the Captive Nations. Little has been appreciated, no less understood, that fundamentally the Communist aggression in South Vietnam is a logical projection of the aggression committed in the past decade against North Vietnam and that, in the basic context of Red political warfare, the resources of the 17 million captive North Vietnamese as well as those of numerous other captive nations, including the many in the Soviet Union itself, are being exploited for the conquest of South Vietnam.

It is disturbing, indeed, that except for the period of Captive Nations Week little or nothing has been said about the captive people of North Vietnam, their plight, their aspirations for freedom, and their vital role in the Vietnam conflict. This basic element in the situation has been almost completely ignored, and yet in the total field of political warfare it can play a more determining and decisive role than the necessary military bombings of North Vietnam. We have deprived the Red totalitarian regime in Hanoi of any military sanctuary in North Vietnam but, quite inconsistently and unrealistically, we permit it to enjoy the fullest latitude of political sanctuary. Yet a forceful, well-planned appeal to the 17 million captive North Vietnamese would bring the Red aggressor to his knees sooner than endless military bombings.

Mr. Speaker, along with my colleagues, I should like to cite additional, selected examples of the scope of the 1965 Captive Nations Week, and I request that the following be appended to my remarks: First, the Coleman article of August 17; second, the program, activities, and news reports on the Boston Captive Nations Week observance; third, a report and news account of the Philadelphia Observance; fourth, the program of the captive nations rally in Pasadena, Calif.; fifth, the widely circulated Captive Nations Week resolution of the State of Indiana; sixth, the program of the week in Seattle, Wash.; seventh, the July 22 Washington Post account of the captive nations dinner in our Nation's Capital; and eighth, several items pertaining to the week in the July issue of the Ukrainian Bulletin.

[From the Alexandria (Va.) Gazette, Aug. 17, 1965]

ESTONIA MAKES THE REDS LOOK RESPECTABLE

(By Fred Coleman)

TALLINN, ESTONIA.—This is perhaps the one city in the Soviet Union where the visitor may find it hard to tell the residents from Scandinavian tourists.

Conditions are so much better here than in Moscow and other parts of the Soviet Union that it is difficult to remember Estonia often is cited in the West as an example of Soviet imperialism.

"Why don't you write that there are no 'captive people' here?" one Soviet official suggested.

Soviet officials come armed with statistics purporting to show that Estonia under Soviet rule is better off than it was as an independent state.

But such claims led to a question the Russians have difficulty answering. Why is Estonia, considered an occupied country in the West, better off then the occupier?

Part of the answer is that indepedent Estonia was better off than Russia in 1940 when Stalin took over the Baltic States of Latvia, Lithuania and Estonia.

Part of the answer is the Estonians themselves. They seem to make the heavily controlled Soviet economic system work better.

A fishing cooperative branched out into furniture, trucking, mink-raising, and boat-repair businesses on its own initiative.

A mercury rectifier factory started in 1958 was told to manufacture the device developed by a Soviet research institute. It didn't work. Estonian engineers developed their own rectifier and are now the leading supplier.

Residents can tune in Finnish television free hand in producing the styles of clothing Estonians want to buy. Estonian-made clothes are also popular in Moscow.

Abstract art, taboo in Moscow, is shown here.

Residents can tune in Finnish television for Western news, films, and ideas.

A new ferry line was opened this year to Helsinki, Finland.

Tallinn is a city of old, winding cobblestone streets built on a hill overlooking the sea. It looks more like the old cities of Western Europe than like Russia.

In the Gloria Restaurant, perhaps the closest thing to a Western night club in the Soviet Union, the men wear stylish, dark Western suits and the girls smart cocktail dresses. They do the twist.

There are four modern cafes in town, all with Scandinavian furniture, that have made Moscow newspapers often write articles with the theme, "Why can't we have cafes like they do in Tallinn?"

A Russian who looked at a two-story private home on a collective farm near here sighed:

"I'm a Muscovite and I would like to live in one of these farm homes."

In Moscow families often are crowded into one-room apartments and share common kitchen and bath facilities with other families. But they consider farm conditions worse.

In Estonia, young people also are leaving the farms for the cities. But those who remain on the farm often live better than their counterparts elsewhere in the Soviet Union.

They earned what they have.

The wood home the Russian was admiring is owned by the electrician on the collective farm 15 miles from Tallinn.

He earns 100 rubles a month and his wife makes 105 as the farm veterinarian. They saved for 11 years to build the house they began 2 years ago. They hope to install running water soon. They have television.

One-family homes along the dirt road center of the farm village cost about 3,500 rubles each. Most of the money is borrowed. A ruble equals $1.11.

The land was privately owned before the Soviet Union incorporated Estonia. Five farms were united into the collective farm.

[From the Massachusetts Committee for Captive Nations, Boston, Mass.]

Subject: The observance of Captive Nations Week in Boston.

Date: Wednesday, July 21, 1965, between 11:30 a.m. to 1 p.m.

Program: A motor cavalcade through the streets of downtown Boston and laying of a wreath before the George Washington Monument at the Boston Garden (facing Arlington Street).

ORDER OF THE DAY

At 11:30, assembling of vehicles at Copley Square.

At 12:00, beginning of the motor cavalcade: Boylston Street to Washington Street, Washington Street to Court Street, Court Street to Tremont Street, Tremont Street to Park Street, Park Street to Beacon Street, Beacon Street to Arlington Street.

At 12:45, assembling before the George Washington Monument at the Boston Garden.

At 12:50, laying of the wreath.

At 12:55, greetings by His Excellency John A. Volpe, Governor of the Commonwealth.

At 1:00, end of ceremonies.

BOSTON, MASS., *July 19, 1965.*

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
BOSTON CHAPTER,
Jamaica Plain, Mass., August 10, 1965.

BOSTON HONORS CAPTIVE NATIONS WEEK

BOSTON, MASS.—An impressive motorcade through the main streets of Boston and the placing of a wreath at the Washington Monument at Boston Common highlighted the observance of Captive Nations Week in this historic city on July 21, 1965.

Held at noontime when hundreds of shoppers and office workers were on the streets, the motorcade proceeded through the busy streets in downtown Boston. Several thousands viewed the colorful parade, which consisted of 55 cars. All cars were decorated with banners which depicted the plight of the captive nations for freedom. At the head of the parade were 2 public address trucks which transmitted to the public short messages about the purpose of Captive Nations Week. The announcers were Att. Anna Chopek of the Ukrainian group and Dr. James H. Tashjian of the Armenian group.

Participating in the parade were Ukrainian, Armenian, Latvian, Lithuanian, Hungarian, and Polish anti-Communist organizations.

Of special attraction was a replica of the Freedom Bell, prepared by Josef Mlot-Mroz, which was mounted on a float and was rung at intervals.

Placing a wreath

The ceremony at Boston Common was opened by placing a wreath at the Washington Monument by representatives of each participating nationality group.

Orest Szczudluk, vice president of the Boston chapter of the Ukrainian Congress Committee of America and marshal of the parade, spoke briefly on the purpose of the Captive Nations Week and the continuous struggle for freedom by the non-Russian nations under Russian and Chinese dominations. The speaker, having enumerated all the captive nations, called upon the assembled group to initiate a massive campaign of writing letters to Congressmen urging fast action on the pending flood resolution (H. Res. 14), which proposed the establishment of a Special Committee on Captive Nations in Congress.

In absence of Governor Volpe, the Governor's proclamation about the Captive Nations Week was read by Col. E. O'Connor, while Dr. James H. Tashjian of the American Committee for the Independence of Armenia delivered the President's proclamation. The recitation of the Pledge of Allegiance concluded the ceremony.

Press and television coverage

The observance of the Captive Nations week found comprehensive coverage in the Boston public information media. The Boston Globe covered it in the July 20th and 23d editions. Channel 5 (WHDH) covered the parade in the 7 p.m. news edition, featuring parts of the interview of Bill Harrington, of WHDH, with Dr. James H. Tashjian, spokesman for the captive nations.

The Boston Herald and the Boston Record American in their July 24 editions published a joint statement on the Captive Nations Week, signed by members of the Massachusetts Committee for Captive Nations.

This year's observance was sponsored by the Massachusetts Committee for Captive Nations, composed of Ukranian, Armenian, Latvian, Lithuanian, Hungarian, and Polish representatives. Boston Chapter of the Ukrainian Congress Committee of America, Inc., was represented by Orest Szczudluk, vice president.

Plans are under way to keep this committee active throughout the year.

(*Prepared by:* Orest Szczudluk, director of public relations, UCCA, Boston Chapter.)

[From Massachusetts Committee for Captive Nations, Boston, Mass.]

A motor cavalcade through the streets in downtown Boston and laying of a wreath before the George Washington Monument at Boston Garden during the lunch hours on Wednesday, July 21, 1965, will highlight the observance of the Captive Nations Week in Boston, according to information released by the Massachusetts Committee for Captive Nations. Governor Volpe has been invited to participate in the ceremony at Boston Garden.

Established by Congress in 1959, the purpose of the Captive Nations Week is to direct our attention to the captive nations under Russian and Chinese Communist dominations and their struggle for freedom and national independence. It is also to let the captive peoples know that we will never recognize the situation behind the "Iron, Bamboo, and Sugar Curtains" as a permanent one.

President Johnson and Governor Volpe have issued proclamations designating the week of July 18 to 24 as the Captive Nations Week, urging the people of the United States to observe this week with proper ceremonies and renew our devotion to the just aspiration for all peoples for national independence and human freedom.

"It remains a fundamental purpose and intention of the Government and people of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom," states the Presidential Proclamation.

The themes for this year's observance are: (1) full support for the President's action in Vietnam; (2) the complete exposure of Russian-Chinese colonialism; (3) the creation of a Special Committee on Captive Nations in the House of Representatives; (4) the establishment of a Freedom Academy; and (5) the issuance of a captive nations freedom stamp series.

BOSTON, MASS., *July 16, 1965.*

A PROCLAMATION BY HIS EXCELLENCY, JOHN A. VOLPE, GOVERNOR, THE COMMONWEALTH OF MASSACHUSETTS, 1965

Whereas the basic rights of freedom and justice are circumscribed and denied in many areas of the world, depriving countless persons of their national independence and their individual liberties of religion, speech, and communication with their friends and relatives who live in the free world; and

Whereas the desire for liberty and independence by the overwhelming majority of peoples in these subjugated nations constitutes a powerful deterrent to any ambitions of tyrannist leaders to initiate a major war; and

Whereas the freedom-loving peoples of the captive nations, many of whom are linked by family bonds to American citizens, look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas our country's binding commitment to the principles of independence, personal liberty and human dignity makes it appropriate and proper that we manifest to the peoples of the captive nations our sympathies and prayers for their freedom and national independence, and that we recognize and encourage constructive actions which foster the growth and development of these rights;

Now, therefore, I, John A. Volpe, Governor of the Commonwealth of Massachusetts, do hereby proclaim the week of July 18–24, 1965, as Captive Nations Week and urge all citizens of the Commonwealth to take cognizance of this observance, in recognition and support of the just aspirations of all people for national independence and human liberty.

JOHN A. VOLPE,
Governor.
KEVIN H. WHITE,
Secretary of the Commonwealth.

[From the Boston (Mass.) Herald, July 24, 1965]

Captive Nations Week

To the Editor of the Herald:

Americans apparently are little aware that the staggering total of 810 million people suffer the humility and degradation of slavery under communism, that in fact the Soviet Union is the greatest colonial empire man has ever known.

In order to acquaint our people with this somber and significant fact, President Lyndon B. Johnson, following the example of his predecessors, Presidents Eisenhower and Kennedy, and motivated by public law passed by Congress in 1959, has proclaimed July 18–24 as "Captive Nations Week" in the United States as a measure of assurance to the once-free nations of the new captive world that America still aspires to the day when those peoples, now in bondage, will join the United States and the free world in democratic self-sovereignty.

We respectfully ask, through your esteemed news organ, that citizens of Massachusetts pause with us during Captive Nations Week to pay silent homage to the courage of those people who are in fact the vanguard of freedom in the darkness of a tyrannized world, so that mankind may confirm that the American beacon of liberty, which first illuminated in Massachusetts, still shows in all its brilliance.

Let us on the occasion remember the captive peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, North Vietnam, Cuba, and other subjugated nations.

Massachusetts Committee for Captive Nations: Alex Dano, Hungarian Society of Boston; Josef Mlot-Mroz, Polish Freedom Fighters, Inc.; Orest Szczudluk, Ukrainian Congress Committee of America, Inc., Boston Chapter; James H. Tashjian, American Committee for the Independence of Armenia; Ludvigs Reiters, American Latvian National League of Boston; John J. Grigalus, Esq., Lithuanian American Council of Boston.

BOSTON.

[From the Record American, Boston, July 24, 1965]

BOSTON.—Americans apparently are little aware that the staggering total of 810 million people today suffer the humility and degradation of slavery under Communism, that in fact the Soviet Union is the greatest colonial empire man has ever known.

President Lyndon B. Johnson has proclaimed this week "Captive Nations Week" as a measure of assurance to the once-free nations of the captive world.

We respectively ask that citizens of Massachusetts pause with us to pay silent homage to the courage of those who are in fact the vanguard of freedom in the darkness of a tyrannized world, so that mankind may confirm that the American beacon of liberty, which first was illumined in Boston, still shows in all its brilliance.

MASSACHUSETTS COMMITTEE FOR CAPTIVE NATIONS.

[From the Standard-Times, New Bedford, Mass., July 25, 1965]

Reminds Americans of Captive Peoples

To the Editor of the Standard-Times:

Americans appparently are little aware that the staggering total of 810 million people today suffer the humility and degradation of slavery under communism; that, in fact, the Soviet Union is the greatest colonial empire man has ever known.

In order to acquaint our people with this somber and significant fact, President Johnson, following the example of his predecessors, Presidents Eisenhower and Kennedy, and motivated by a public law passed by Congress in 1959, proclaimed July 18–24 as "Captive Nations Week" as a measure of assurance to the once-free nations of the captive world that America still aspires to the day when those peoples, now in bondage, will join the United States and the free world in democratic self-sovereignty.

We respectfully ask, through your esteemed news organ, that citizens of Massachusetts pause with us to pay silent homage to the courage of those who are in fact the vanguard of freedom in the darkness of a tyrannized world, so that mankind may confirm that the American beacon of liberty, which first illumined in Massachusetts, still shows in all its brilliance.

Let us all once more remember the captive peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, North Vietnam, Cuba, and other subjugated nations.

ALEX DANO,
Hungarian Society of Boston.
JOSEPH MLOT-MROZ,
Polish Freedom Fighters, Inc.
OREST SZCUDLUK,
Ukrainian Congress Committee of America, Inc., Boston Chapter.
JAMES H. TASHJIAN,
American Committee for the Independence of Armenia.
LUDVIGS REITERS,
American Latvian National League of Boston.
JOHN J. GRIGALUS,
Lithuanian-American Council of Boston.
MASSACHUSETTS COMMITTEE FOR CAPTIVE NATIONS, BOSTON.

[From the Hairenik Weekly, July 15, 1965]

Boston Motorcade on Captives

BOSTON, MASS.—Captive Nations Week, a national observance annually summoned by the President of the United States under a public law passed by Congress some years ago, will be marked in Boston this year with a motorcade consisting of vehicles provided by representatives of Armenian, Estonian, Hungarian, Latvian, Lithuanian, Polish, and Ukrainian patriotic organizations.

The motorized procession, to be held at high noon, Wednesday, July 21, during Captive Nations Week, will terminate with ceremonies at the George Washington statue, facing Arlington Street, on the Boston Public Gardens.

There at approximately 12:45 p.m., the representatives of nations today victims of Communist Soviet aggression, will lay a wreath in honor of the memory of the father of American liberty, which inspired a world long suppressed to tear asunder its bonds.

Vehicles to participate in the motorcade will assemble at 11:30 a.m. at Copley Square, by Trinity Church, and will proceed down Boylston Street to Washington, where they will continue north through the busy downtown shopping area to the Government center section, through which they will cut to Beacon Street and move then southward to Arlington, and finally the Washington Monument. Dispersal will be effected shortly after the brief rites before the effigy of Washington.

Vehicles will bear placards prepared by each nationality group and will be preceded by a public address truck which will ask the citizens of Boston to support the common cause of independence for all captive states of the Soviet, even as America has backed independence for the once-colonized states of the West.

Armenian Americans are invited to provide automobiles for the motorcade. Those unable to travel with the procession are asked to assemble at the Washington Monument to participate in ceremonies there at about 12:45.

The practice of Captive Nations Week was initiated in the administration of President Eisenhower, when joint action was taken by Congress on a resolution calling for the Nation annually to remember the servitude of 811 million people presently under direct or indirect Communist control. Presidents Kennedy and Johnson have each year issued a proclamation on Captive Nations Week, as called for by the public law.

A nationally organized Captive Nations Week committee, headed by Dr. Lev Dobriansky, of Georgetown University, coordinates nationwide ceremonies on the occasion.

[From the Hairenik Weekly, July 29, 1965]

Bells of Liberty Peal Over Old Boston Again: Captive Nations Week Motorcade Arouse Boston to Problem

BOSTON, MASS.—An impressive demonstration bringing to a climax Boston's Captive Nations Week observances this noontime wound through the streets of this historic city and brought home to the local citizenry the somber fact that 810 million people of some 25 once-free nations today suffer Russian and Chinese Communist bondage.

Local police, impressed by the dignity and decorum of the massive turnout of nationality representatives, counted 54 vehicles in the motorcade queue which at one time, as it proceeded up Washington Street, in the heart of downtown Boston, occupied most of the length of that hallowed thoroughfare.

The motorcade, led by two public address trucks alternately offering the message of Captive Nations Week to the peoples along the ways and in the tall buildings lining the streets, terminated at the George Washington Monument, the Public Garden, opposite Commonwealth Avenue, where additional throngs awaited its arrival and the simple but effective ceremonies which terminated one of the more memorable demonstrations for universal world freedom in this city in recent times.

There at the foot of the equestrian monument of the Founder of American Liberty, representatives of the captive nations organizations joined the representatives of His Excellency, Gov. John Volpe, and the general public, in honoring the heroism of the captive peoples described by one speaker as "the vanguard of freedom in the darkness of a tyrannized world."

The motorcade assembled before Old Trinity Church, at the library, Copley Square, with each nationality group providing a minimum of six vehicles. The procession, when it started, was augmented by many casuals, who found themselves in sympathy with the purpose of the effort.

Television and radio reporters swung through the assembly area interviewing officials of the sponsoring Massachusetts Committee for Captive Nations, and nationality members, many of them attired in their native costumes.

Taking part in the motorcade were representatives of Armenian, Ukrainian, Hungarian, Polish, Lithuanian, Latvian, Estonian, and Rumanian anti-Soviet organizations.

The motorcade proceeded down Huntington Avenue led by heavily bedecked sound trucks. Led in turn by Boston motorcycle police, it slowly wended its way, to the call of a great Liberty Bell mounted on a float, to Washington Street, where it turned north, proceeding through the busy shopping district and its thousands of noonday shoppers, to School Street. Thence it found its way to Beacon Street, and past the Massachusetts State House, to Arlington Street, and the Washington Monument.

There the cavalcade quickly debarked and formed in the horseshoe before the statue. Representatives of participating groups then escorted a memorial wreath forward where it was emplaced in memory of Washington, and the liberation of America from the colonial yoke.

Here, Mr. Orest Szczudluk, vice chairman of the Ukrainian Congress Committee, who served as marshal of the motorcade, spoke briefly, describing the plight of the captive states now either bodily ingested by the Soviet or else fully under its control, and presenting the threefold purposes both of national Captive Nations Week and the Boston demonstration.

He asked Col. E. O'Connor, the Governor's representative, to read his excellency's proclamation on Captive Nation's Week (see weekly last issue). This was followed by the public reading of the proclamation of the President of the United States, Lyndon B. Johnson, by James H. Tashjian, of the American Committee for the Independence of Armenia.

Colonel O'Connor then led the assembly in the Pledge of Allegiance, after which dispersal took place.

The motorcade was the subject of an intensive review by Bill Harrington, WHDH (channel 5) at 7 p.m. Processional scenes were shown, and Mr. Tashjian was interviewed.

The function was a spontaneous movement on the part of local captive nations representatives who, after years of unilateral action, on the initiative of the Ukrainian group, decided to join forces to present a major effort in favor of their uniquely joint cause of liberation.

[From the Hairenik Weekly, July 29, 1965]

Bostonians Heard These Messages

Here are the messages publicly announced by the two sound trucks leading the Boston July 21 Captive Nations Week motorcade. Bostonians heard these thoughts:

President Lyndon B. Johnson and His Excellency, Gov. John Volpe, have proclaimed this week as Captive Nations Week in this Nation and in this State. There are 810 million people suffering today the bonds of Communist captivity. Support the cause of universal world freedom. Join us at the Washington Monument, Public Garden, at 12:45.

This is Captive Nations Week in the United States and in the Commonwealth of Massachusetts by proclamation of President Lyndon Johnson, and Gov. John Volpe. Eight hundred and ten million people of 23 once-free nations today suffer Soviet Russian-Chinese Communist bondage. Let us remember the Captive World. Join us at the Washington Monument, Public Garden, at 12:45.

Eight hundred and ten million people of 23 once-free nations today suffer captivity in the Soviet-Chinese Communist empire, the greatest tyranny mankind has ever known. This is Captive Nations Week by proclamation of President Johnson and Governor Volpe. Remember the captivity world. Join us at the Washington Monument, Public Garden, at 12:45 p.m.

* * *

Twenty-three nations, once as free as the United States, today suffer the bondage of communism. This is the captive world, and this week is Captive Nations Week by proclamation of President Johnson and Gov. John Volpe. Join us at the Washington Monument, the Public Gardens, at 12:45 p.m.

Soviet Russia is the graveyard of nations. Fourteen once free and sovereign nations today suffer the military dictatorship of the greatest tyranny and empire the world has ever known. This is Captive Nations Week by proclamation of President Johnson and Governor Volpe. Join us at the Washington Monument, Public Gardens, at 12:45 p.m.

Twenty-three once free nations of Eastern Europe, Asia, and the Caribbean have fallen to the aggression of Soviet and Chinese communism. This is Captive Nations Week. Let us remember the heroism of the vanguard of freedom behind the Iron Curtain. Join us at the Washington Monument, Public Gardens, at 12:45 p.m.

[From the Hairenik Weekly, July 29, 1965]

The Boston Motorcade

The very orderly and highly impressive demonstration last Wednesday of the representatives of captive nations organizations operating in Greater Boston marks a significant beginning of a new venture in the effort to prosecute the cause of nationalities which have been enslaved by the Soviet tyranny.

Hitherto, ever since the congressional act which authorized the President of the United States to designate the third week in July each year "Captive Nations Week," it has been the custom to content ourselves with the general appeal of the President's and the Governor's mandatory and courtesy proclamations as a mere act of cognizance of a portentious situation which has engrossed the mind of the free world, and a general call to redication of the individual citizen to the cause of universal freedom.

The Boston demonstration, the first of its type in the Nation, was a tangible mainfestation of active interest in the cause of liberty which transcends lipservice alone.

American citizens of Armenian, Ukrainian, Hungarian, Polish, Lithuanian, Latvian, Estonian, and Rumanian extraction in response to the President's and Governor's proclamations, organized a united demonstration which was fully expressive of the sentiment and the idealism of American tradition as champions of liberty, and the supreme concern for the extension of liberty to all nations on the globe, large or small, which are in need of liberation.

The meticulously organized impressive motorcade, carrying banners and placards distinctive of each nationality group, started from Copley Square, and, via Huntington Avenue, proceeded to Washington Street's busy thoroughfare, and finally came to a stop at the George Washington Monument at Public Gardens where, an impressive ceremony of placing a floral wreath and speeches pertinent to the occasion, brought to a fitting climax a highly impressive demonstration in behalf of the cause of captive nations.

One significant byproduct of the demonstration, happily noted, was the sympathetic response of the observing citizenry along the entire route of the motorcade, not excepting the busy shopping centers, as well as a most comprehensive and highly commendable coverage of the event by the local WHDH television and radio stations. The Boston response to the demonstration was indicative of the general mood of the American people, proving that, in the contest between Soviet tyranny and the enslaved nationalities, the sympathy of the American people decidedly is on the side of the captive peoples.

The Soviet propaganda machine has created a considerable degree of furor about the liberation of so-called captive nations from capitalistic tyranny. And, as a result of this agitation, a great number of backward peoples, although hardly prepared for self-determination, have won their independence, far more than the Soviet pressure, largely due to capitalistic benevolence and generosity.

The crucial point in this monstrous hoax is the oft-ignored fact that the Soviet itself is the greatest tyranny and the greatest imperialism of the age. And yet, little is said about liberation from Soviet tyranny, notwithstanding the glaring fact that the nations which have been enslaved by the Soviet antidate the Soviet state both in history and civilizational advance, and most important of all, that these enslaved peoples are far better qualified for self-determination than the score of peoples of Africa and Asia who have won their independence.

If Ghana and Zanzibar and Algeria are worthy of their independence certainly Armenia and Ukraine and Latvia and Estonia and the rest of the Soviet-enslaved people are worthy of their independence.

The Boston demonstration during Captive Nations Week is a significant effort which should be emulated in every State of the Union.

We have been on the defensive long enough. It were high time that we carried the fight to the greatest exploiter of people's freedom—the Soviet imperialism to you.

The captive nations' cause is the Achilles' heel of the Soviet. We must keep hitting until it hurts.

[From the Dayton (Ohio) Journal-Herald, July 31, 1965]

Captive Nations Week

Editor: We wish to express our thanks to Mayor Frank R. Somers for issuing the Captive Nations Week proclamation and arranging for the flags to be flown on Main Street.

We are also grateful to the Journal-Herald for the publicity given the Captive Nations Week ceremonies Sunday, July 25, at the Shrine of the Three Crosses; and to television station WLW–D for covering this event.

FRANK GUDELIS,
Secretary, Federation of Lithuanian-American R.C. Societies.
DAYTON.

[From the Philadelphia (Pa.) Boniface Press, July 18, 1965]

Philadelphia Captive Nations Week Observers Urge Former Vice President Richard M. Nixon as Successor to the Late Adlai Stevenson as U.S. Ambassador to the U.N.

On July 18, during the Captive Nations Week observance at the historic Independence Mall, Philadelphia, Prof. Lev. Dobriansky, national chairman of Captive Nations Week and main speaker from Georgetown University, Washington, D.C., suggested that former Vice President Richard M. Nixon could best succeed the late and lamented Adlai Stevenson as U.S. Ambassador to the United Nations. He said that Nixon is "articulate, firm, and energetic" and "knows the extent and depth of the Sino-Soviet imperial colonialism."

Thereupon Prof. Austin J. App, of LaSalle College, chairman of the Greater Philadelphia Committee, proposed for approval by acclamation of the assemblage of 1,000 "that we send a telegram to President Lyndon B. Johnson recommending that in the interest of bipartisanship during this increasing crisis in Vietnam he name the former Vice President Richard M. Nixon to succeed the late Adlai Stevenson as U.S. Ambassador to the United Nations."

This resolution was enthusiastically approved and the telegram sent.

Captive Nations Week proclamations by President Johnson, by Governor William W. Scranton, and by Mayor James H. J. Tate were read and resolutions proposed and adopted. The latter supported President Johnson's firm policy in the Dominican Republic and Vietnam, urged the House of Representatives to establish a Special Committee on the Captive Nations, and called for the exposure by American delegates to the U.N. of Sino-Russian colonialism, "including that in the Ukraine, White Ruthenia, Georgia, Armenia, and other captive non-Russian nations in the Soviet Union."

From the platform waved the flags of many of the 29 captive nations, girls in native costumes represented some of them, and numerous placards called for especially the liberation of Cuba. There was a commemorative note for Lithuania, Latvia, and Estonia, which were invaded and enslaved by the Soviet Union 25 years ago on June 12, 1940.

In general, the speakers, who in addition to Professor Dobriansky and Dr. App, included Mr. Arlin M. Adams, who as secretary of welfare, Pennsylvania, represented Governor Scranton, and Mr. Maurice S. Osser, city commissioner, who represented Mayor Tate, urged continued free world efforts until the captive nations are liberated. The first step they declared to be the club of public opinion" directed against Moscow and Peiping colonialism and the employment by the free nations, especially America, of all moral, economic, and diplomatic resources in behalf of such liberation.

Mr. Ignatius M. Billinsky, executive vice chairman, read the resolutions, Mr. William Nexowy, Jr., field representative, was master of ceremonies. The Reverend Vito J. Martusevich gave the invocation, representing Archbishop Krol, and the Reverend Walter J. Kopperman, of St. John's Lutheran Church, Folcroft, gave the benediction. Mr. Jonas A. Stiklorius, secretary, introduced the presidents of the various nationality groups. All of these signed the resolutions on the deck of Admiral Dewey's flagship, U.S.S. *Olympia*, After the main observance, a wreath was laid at the Liberty Bell with the hope expressed by Dr. A. J. App that the symbol of liberty will always prevail in America and soon also in all the captive nations.

[From the Philadelphia (Pa.) Inquirer, July 19, 1965]

FOREIGN GROUPS BACK NIXON FOR STEVENSON POST

The Captive Nations Committee of Greater Philadelphia on Sunday urged the appointment of former Vice President Richard M. Nixon as chief U.S. delegate to the United Nations to replace the late Adlai Stevenson.

Dr. Lev Dobriansky, national chairman of the Captive Nations Committee, said Nixon is "articulate, firm, and energetic" and "knows the extent and depth of Sino-Soviet imperial colonialism." He added: "I am sure Russia and her satellites would have someone to contend with."

AFFIRMED BY 300

Dobriansky made the suggestion in an address at the opening of Captive Nations Week observances at Independence Hall. After the address, Dr. Austin J. App, chairman of the local Captive Nations Committee, asked the audience of 300 to affirm the suggestion by acclamation, which they did. App then said he would wire the suggestion to President Johnson.

In noting the start of Captive Nations Week, Dobriansky called it "a firm and fixed moral symbol of the determination of Americans never to acquiesce * * * never to make a deal * * * never accept the permanent captivity" of the 23 so-called captive nations of Eastern Europe and Asia.

MANY NATIONS

In addition to the Eastern European nations behind the Iron Curtain, the "captive nations" list includes North Vietnam, Outer Mongolia, North Korea, Tibet, Mainland China, and Cuba.

City Commissioner Maurice S. Osser, representing Mayor James H. J. Tate at Sunday's ceremonies, urged the United States to "more frequently seize the initiative in the United Nations," and suggested that the case of the captive nations be taken before the world body, since "we cannot do much to ease the burden of their captivity short of global conflict."

OLYMPIA CEREMONY

A third speaker, State Welfare Secretary Arlin M. Adams, reminded the audience that Independence Hall, the site of Sunday's ceremonies, "stands for the principle that government should be by consent of the governed."

Prior to the program at the historic shrine, the city's Captive Nations Committee signed a resolution aboard the USS *Olympia* asking the House of Representatives to create a special committee on the captive nations, to inaugurate a captive nations freedom stamp series and to establish a "freedom academy."

Several young women in the costumes of various captive nations laid a wreath at the Liberty Bell to conclude the ceremonies.

LOS ANGELES COUNTY YOUNG REPUBLICANS THIRD ANNUAL CAPTIVE NATIONS RALLY, THURSDAY, JULY 15, 1965, 7:30 P.M., PASADENA CIVIC AUDITORIUM

"Not yet, O Freedom, close thy lids in slumber, for thine enemy never sleeps."—William Cullen Bryant.

Welcome, friends. Let us all gathered together here, in memorium of our enslaved brothers and sisters by the Communist slavemasters, rededicate ourselves to do our part to unmask its deceits and subterfuges—its relentless psychological, political, economic, sociological and military strategies.

Like all reasonable people, we do not desire war, but only a lasting peace. On the other hand, let us be fully aware that, in hoping for peace, we cannot permit ourselves to be frozen into extinction as free men. We must meet the total challenge of the arctic hell of Siberian slave labor camps. There is no third way, either we prevent the achievement of communism's "historic mission"—or we perish. Let us work hard so we may keep alive the hope of ultimate freedom for these people. If the Communist tyrants should ever succeed in crushing the spirit of these captive nations through bruite force and extended brainwashnig, they will not hesitate to attack us. The spirit of these captive people is today the greatest deterrent to war and the best guarantee for peace. We must keep this spirit alive.

Let us examine the foundation of our lives, consider our heritage bequeathed to us by those who made such great sacrifices, and in the light of the glory of that heritage dedicate our lives to our country, to our God, and to the survival of liberty upon the earth.

A God-centered Nation, ever humble before the majesty of the divine Creator, can keep alive freedom, justice and mercy. This is our greatest weapon. This is the heritage of America.

Thank you for coming.

HEIDI GUTIERREZ,
Chairman, First Voters Committee.

"If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land." (II Chronicles 7:14.)

PROGRAM FOR THE EVENING

Master of ceremonies: Mr. Robert A. Cline, 1964 candidate for the 22d Congressional District.

Pledge of allegiance: Mr. Gary Chang, China.

Invocation: Dr. William S. McBirnie, pastor, United Community Church of Glendale.

National anthem: Mr. Eugene Mate, Hungary.

Welcome: Mr. Jerrold R. Alexander, president, Los Angeles County Young Republicans.

Introduction of the past county presidents: 1962, Mr. Robert A. Gaston; 1963, Mr. Charles J. Crozier; 1964, Mr. Donald C. McDaniel.

Rollcall of nations.

Opening remarks: Mr. Ed Delaney, staff writer for the Valley Times and the Hollywood Citizen News, author of "Freedom's Frontier."

Remarks from Freedom Fighter Mrs. Heidi Gutierrez, Germany.

Lithuanian dance group.

Remarks from Freedom Fighter Mr. Eugene French, Czechoslovakia.

Russian dance group.

Remarks from Freedom Fighter Mr. Tom Z. Wang, China.

Los Angeles Rumanian-American Orthodox Youth dance group, Mr. Nick Panderea, dance instructor.

Remarks from Freedom Fighter Mr. Stephen Szabo, Hungary.

Ukranian dance group sponsored by the Ukranian Cultural Center, Mr. J. Erglis Smaltzoff, director.

Introduction of featured speaker: Mr. Eric Pridenoff.

Message: The Honorable EDWARD J. DERWINSKI, U.S. Congressman from Illinois, national chairman for the Captive Nations Committee.

Closing remarks.

Audience participation in the singing of "God Bless America."

PATRONS

Elliot S. Graham, Mackaig & Sons of Monrovia, South Gate Young Republicans, Mr. and Mrs. Ferdinand Mendenhall, Mr. and Mrs. Donley L. Brady, Mr. and Mrs. Philip M. Virtue, Jorn's Auto Shop, South Gate; Mr. and Mrs. Frank Seres, La Mirada Young Republicans; Sopp & Sons Chevrolet, Dew Foam Co., Mutual Savings & Loan, Pasadena; Mr. Kersey Kinsey, Mrs. Kitty Curtiz-Radwan.

SPONSORS

Caltech Young Republicans, Covina Young Republicans, Czech-American UROC Unit No. 149, Pasadena Young Republicans, Pacific Palisades Young Republicans, Canoga Park Young Republicans, Woodland Hills Young Republicans, All America City Young Republicans, Van Nuys Young Republicans, UCLA Bruin Young Republicans, Continental Young Republicans, 42d Assembly District Young Republicans, Westchester Young Republicans, Westwood Young Republicans, Whittier Young Republicans, Hollywood Young Republicans, Bassett Young Republicans, Airport Constitutional Young Republicans, Estonian-American Republican Assembly of Los Angeles County, UROC Area 10, UROC Glendale Unit 1, Paramount-Hollywood Republican Assembly, Malibu Federated Republican Women, Pasadena Republican Club.

ENGROSSED HOUSE CONCURRENT RESOLUTION 4

A concurrent resolution memorializing the Governor to do all things necessary in observance of the joint resolution of the National Congress designating the Captive Nations Week and setting forth its text in full

Whereas the National Congress has adopted a joint resolution as follows:

"Joint resolution providing for the designation of the third week of July as Captive Nations Week

"Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

"Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

"Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

"Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

"Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

"Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

"Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

"Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

"Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as 'Captive Nations Week' and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

"Approved July 17, 1959."

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana (the Senate concurring):

SECTION 1. The Governor is hereby memorialized to initiate and place into execution such exercises, and ceremonies he may deem appropriate in observance of the third week of July 1963 and each year thereafter as "Captive Nations Week."

SEC. 2. The principal clerk of the house of representatives will cause a copy of this concurrent resolution to be delivered to the office of the Governor of the State of Indiana.

COMMITTEE REPORT

MR. PRESIDENT: Your Committee on Public Policy, to which was referred Engrossed House Concurrent Resolution No. 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be adopted.

Mr. RUCKELSHAUS,
Chairman.

CAPTIVE NATIONS WEEK, JULY 18 TO 24, 1965

PROGRAM OF EVENTS

Singing of National Anthem led by Mme. Vukitsa Ilich.

Pledge of Allegiance to the Flag led by Rear Adm. H. N. Wallin, U.S. Navy, retired.

Invocation by Pastor Herbert Shreiner, Queen Anne Community Church.

"The Purpose of Captive Nations Week," by Maynard Sundt, committee chairman.

Parade of captive nations flags.

Prayer for freedom of all captive nations now under Communist control.

Entertainment

Latvian choir conducted by Peter Galins.

Balalaika orchestra from Russian community.

Polish dances by children from Polish community.

Czechoslovak accordion player: Gay Nemes.

Indonesian dances by the Timmerman Sisters (Margie and Anneke).

Chopin's "Prelude" by Yvonne Brachmanski.

Mme. Vukitsa Ilich, opera singer.

Introduction of main speaker: by Walter Brachmanski. Mr. John Rees, Lithuanian refugee, lecturer, speaking on: "Life and Death Behind the Iron Curtain."

Singing of "God Bless America," led by Mme. Vukitsa Ilich.

ACKNOWLEDGEMENTS

Sinisa Balandzich for arranging for captive nations refugees participation.

Color Guard, American Legion Post No. 11.

Coordinating committee for observance of Captive Nations Week: Chairman Maynard Sundt; Kornelisis Purgalus; Jean Thomas; Harry Robbins; Dr. Tom Wall; Mrs. J. W. Clise; Robert Maxwell; Rep. Robert A. Perry; Herman Garretson, Jr.; Burt W. Marshall; Sinisa Balandzich; Donald N. MacDonald; Ken Rogstad; Mrs. R. V. Blackstock; Mrs. Leo Rousch; Dr. Robert N. Myers; Capt. John Algeo, U.S. Navy (retired); Larry Higgins; Bill Thompson; Florence Kuzina; Johannes Hannibal; Harijs Mindenbergs; Janis Zommers.

A STATEMENT BY THE GOVERNOR OF THE STATE OF WASHINGTON, DANIEL J. EVANS

The Congress of the United States, by Public Law approved in July 1959, designated the third week of each year as Captive Nations Week.

All the captive peoples behind the Iron and Bamboo Curtains, including the Russian and Chinese people themselves, have for long years been enslaved by Communist tyranny. The imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, and North Vietnam. The captive peoples of these nations have never ceased to strive for freedom and look to the United States for leadership in bringing about their liberation and independence.

This week has been set aside to keep fresh in the minds of all people the fact that the free world has not forgotten these nations and that they must some day become independent, and that the people of our State share with them their aspirations for the recovery of their freedom and independence: Now, therefore,

I, Daniel J. Evans, Governor of the State of Washington, do hereby designate the week of July 18 through 24, 1965, as Captive Nations Week and urge the people to remember our promises to the people of the submerged nations and to show that we have not forgotten our silent allies.

[From the Washington (D.C.) Post, July 22, 1965]

CRITICS HELD UNDERMINING VIET STAND

(By Harrison Young)

House Republican Leader GERALD R. FORD, of Michigan, said last night that irresponsible critics—a "mere handful in the Congress and on our college campuses"—are undermining the President's foreign policy by giving Communist leaders the impression that America is divided.

And FORD urged President Johnson to clarify U.S. objectives in Vietnam, to "escalate not means alone—but the ends for which we fight."

At the same time, he directed most of his fire not at the President, but at those who have questioned his firmness. Mr. Johnson's real enemies at home, said FORD, are within his own party.

FORD said Mr. Johnson "need not fear that the loyal opposition will ever undercut his efforts to be firm against Communist aggression in Vietnam or elsewhere. We will always put national interest above narrow partisan interest."

Speaking to the Assembly of Captive European Nations at the National Press Club, FORD began by challenging the theory that the enemy—communism—is mellowing, that the Soviets desire peaceful coexistence, and that we must carefully avoid rubbing them the wrong way.

The great danger of this "new myth" and of the vacillation it breeds, FORD said, is that it makes Communist leaders question our determination to protect our vital interests.

"Our military commitment has increased" in Vietnam, Ford said. "Now the President must detail the vital interests we are fighting for in that part of the world."

Ford attended the dinner last night to receive the Assembly of Captive European Nations Award. Representative DANIEL J. FLOOD, Democrat, of Pennsylvania and radio and television broadcaster Edward R. Murrow also received the award, Murrow posthumously.

Before the presentation of the awards three East Europeans who have recently come to the United States from behind the Iron Curtain gave "eye witness" accounts of life in their countries.

Monika Flidr, a young Czech schoolteacher, reported that "by trying to suppress individuality, by offering regimentation and boredom instead of new vistas, communism has failed dismally with the younger generation in Czechoslovakia."

As she spoke, three Communist journalists sat at one side of the room. According to a State Department specialist on Soviet and east European affairs, this is the first time Communist reporters have covered a captive nations meeting.

[From the Ukrainian Bulletin, July 1-15, 1965]

PRESIDENT JOHNSON'S FOREIGN POLICIES RECEIVE SUPPORT OF UKRAINIAN AMERICANS

"We hail this occasion as a most fitting one to express our full support of the President's policies in both Vietnam and the Dominican Republic," declared Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America (UCCA) and chairman of the National Captive Nations Committee, before a political forum sponsored recently by the Rochester branch of UCCA.

Speaking in behalf of both organizations, Dr. Dobriansky urged a "freedom-expanding action directed at the captive people in North Vietnam" and "a planned extinction of the Red Empire's outpost in Cuba." Calling for political warfare by the free Vietnamese and free Cubans, he expressed his amazement at how little or nothing is heard about bringing freedom to the captive people of North Vietnam.

In his address, the Georgetown University professor who authored the Captive Nations Week resolution, stressed that this year's observance of Captive Nations Week will also highlight citizens' support for President Johnson's foreign policies. (The week falls on July 18-24.)

Pointing out that "the distance from Ukraine or Poland to Vietnam and the Dominican Republic is but a near step," Dr. Dobriansky scored the "few misleading and garbling voices from some of our campuses" on these issues. He said that "they cannot fool the millions who understand all the captive nations, who comprehend their significance in our fight against Sino-Soviet Russian imperio-colonialism, and who shall persist in efforts for a cold war strategy against the entire Red Empire and its mythology of communism."

The following prominent themes of the 1965 Captive Nations Week observances were cited by Dr. Dobriansky:

1. Peace with justice and freedom, support of all the captive nations being one of our most powerful deterrents against a hot global war; 2. Full support for U.S. actions in Vietnam and the Dominican Republic, preventing further Communist takeovers; 3. A "poltrade policy" toward the totalitarian Red Empire, trade base on political concessions; 4. Complete exposure of Sino-Russian imperio-colonialism in the U.N. and other councils, concentrating especially on Ukraine, Georgia, Armenia and other captive non-Russian nations in the Soviet Union; 5. Establishment of a Special Committee on the Captive Nations in the House of Representatives, signifying American dedication to the eventual freedom of all the captive nations; 6. Creation of a Freedom Academy, and 7. Inauguration of a Captive Nations Freedom Stamp series.

The Georgetown professor stated: "We Americans have still a long way to go in grasping the empire character of the Soviet Union. Red China has virtually terrorized Moscow with its propaganda about the dozen and more colonial states in the U.S.S.R.; many of our leaders and opinion-makers still don't even know what this is all about."

[From the Ukrainian Bulletin, July 1-15, 1965]

CAPTIVE NATIONS WEEK OBSERVANCES PLANNED THROUGHOUT NATION

WASHINGTON, D.C.—The National Captive Nations Committee (NCNC), under the chairmanship of Dr. Lev E. Dobriansky, has launched in full its activities for celebrations across the Nation during the Captive Nations Week scheduled for July 18-24. All Governors and mayors of large cities have been contacted for early proclamations. The White House has already informed the NCNC of its intention to issue an early proclamation. Local committees are being organized to stage the Seventh Captive Nations Week observance.

The themes of the 1965 Captive Nations Week are:

1. Peace with justice and freedom—stressing the tremendous deterrence represented by all the captive nations against Soviet Russian and Red Chinese aggression;

2. Full support for U.S. actions in Vietnam and the Dominican Republic;

3. A poltrade policy toward the totalitarian Red Empire, trade based on political concessions;

4. Complete exposure of Sino-Russian imperio-colonialism in the U.N., concentrating especially on the captive non-Russian nations in the U.S.S.R.;

5. Creation of a Special House Committee on the Captive Nations;

6. Inauguration of a Captive Nations Freedom Stamp series;

7. Establishment of a Freedom Commission and Freedom Academy.

[From the Ukrainian Bulletin, July 1-15, 1965]

CAPTIVE NATIONS WEEK 1965 FEATURED AT GEORGETOWN UNIVERSITY FORUM

WASHINGTON, D.C.—"Captive Nations Week 1965" was a special topic of discussion taped by the Georgetown University Radio-TV Forum on June 2, 1965, and broadcast on June 27 and June 29, 1965. Taking part in the discussion were Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America and the National Captive Nations Committee, the Honorable PETER H. DOMINICK, U.S. Senator from Colorado, and the Honorable MICHAEL A. FEIGHAN, U.S. Congressman from Ohio. Mr. Wallace Fanning was moderator.

During the weeks of June 21 and 27, NBC showed the TV portion in Washington and several other major cities. The Educational TV media covered the program during the latter week. Over 300 radio stations and the "Voice of America" carried the program. The press release on the panel discussion made the point, "Believing that support of the captive nations is one of the strongest deterrents against global war, the National Captive Nations Committee has announced a seven-point program for the observance of the week."

SPECIAL SUBCOMMITTEE ON LOAN SHARKS AND USURY

The SPEAKER. Under a previous order of the House, the gentleman from Georgia [Mr. WELTNER] is recognized for 60 minutes.

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, during a recent visit home I received a telephone call from the wife of a marine sergeant who is now serving his country in South Vietnam. This young man is a career noncommissioned officer, who has completed years of honorable service in the uniform of his country. He is proud of the service, and of his assignment in counterintelligence work. His wife was distressed with the possibility that he may now be removed from that important work, and turned down for reenlistment. The reason—debt.

She told me that her family is burdened to the breaking point with debt, and that her husband, knowing the damage that might come to his career, has tried desperately during the last few years to borrow from new sources in order to keep other obligations current. Finally, his credit was exhausted, and he could not longer stave off his creditors. I asked that she send me a list of his obligations. The attached letter was received this week. I have stricken the names of the creditors, and their street addresses.

LIST OF DEBTS

A LOAN COMPANY, ALBANY, GA., APPROXIMATE BALANCE, $2,811

The assistant manager wrote a letter of indebtedness to headquarters, Marine Corps, even though my husband has been making all or partial payments with the exception of some months right after he was sent overseas. He was advised by the legal officer to try to pay some on everything, so we both have tried to do this. This would supposedly prevent letters such as the ones written.

A LOAN COMPANY, ATLANTA, GA., APPROXIMATE BALANCE, $522

I believe we actually received a little over $300 on this loan but the above amount is what I called and found out we owe. These people called all nearest relatives mentioned in contract including my mother-in-law and threatened to do just what they did do, send a letter through Headquarters Marine Corps, to his immediate superior. He was given a chance to pay these people however before all of this went into his record and has been doing so.

This led to another background investigation on my husband which revealed our deep indebtedness therefore the question of his suitability for the field he is in, counterintelligence.

A LOAN COMPANY, ALBANY, GA., APPROXIMATE BALANCE, $600

My husband is paying this in allotment form, payments are $40 per month. It is of course automatically deducted from his pay each month.

A LOAN COMPANY, DENVER, COLO., APPROXIMATE BALANCE, $580

I have been making the payments to these people and have managed to keep them caught up, however, I should have kept some of the letters they send out when the payments are a few days late. They are very much aware of how much a serviceman fears a letter of indebtedness.

A LOAN COMPANY, ALBANY, GA., APPROXIMATE BALANCE, $381

I have paid very small amounts on this loan, after I filed for bankruptcy last February. They contacted me and of course told me what they could do to my husband, etc. I have been able to do very little with this account but they have been more patient than most.

> I am also enclosing a copy of the contract we signed which caused us to lose all of our furniture, everything, shortly after my husband went overseas. As you can see it took in just about everything we owned but the clothes we had. I thought perhaps this might be of interest to you also.
>
> There are many things I would like to say in my husband's behalf; he is a well trained, dedicated marine and I think if you saw his service record you would agree. He is also a good husband and father and has tried to provide for his family and has done so under stress and strain many a good man would have run from. If I start on this though I will take up far too much of your valuable time so I can only say as I said before I am most grateful for your time, your interest, and efforts in my husband's behalf. Please let me know of any further information I can furnish. Thank you.

Along with the letter, she sent a copy of the contract she and her husband signed. For the renewal of an outstanding obligation of $668.93, and the payment to them of $322.18 in cash, she and her husband contracted to repay $61 per month for 24 months. For a present consideration of $991.11, they bound themselves to pay a total of $1,464 over a 2-year period. The cost of that money to them amounts to 45.8 percent of the principal each year. It is true that there are factors in that contract other than interest. There is $58.86 as credit life insurance; $87.81 as accident and health insurance; $40 insurance on the household goods securing the loan; $1 as a recording fee—plus interest of $285.49. But whether these charges are interest fees or insurance, it is all cost of the loan. It comes to 45.8 percent, figured on a simple, annual interest rate.

Whether it is interest or charges, the sergeant and his wife could not pay the monthly cost. They lost all their furniture when the loan company seized it under the power granted in the contract. Whether it was interest or charges, the sergeant now finds his career, which has been an honorable one, in serious jeopardy by the demands of this creditor and others. It is revealing also to note that two-thirds of the principal amount of that loan is the renewal of an existing indebtedness.

Here, then, is a case of debt piled upon debt, default, foreclosure, and a home and career in grave danger.

Mr. Speaker, I call this to the attention of the House because this personal tragedy occurs thousands of times daily throughout the Nation. I think it is well to review some of the aspects of consumer finance in America today.

In 1964, more than 32 million small loans were made, totaling $20 billion. At the end of last year, short term consumer credit stood at a high of $77 billion—an increase of 1,247 percent in the past 20 years, an increase of $8 billion over 1963. Of the total, $59 billion is held in installment loans, of which $24.5 billion is for automobile financing. Other durable consumer credit amounts to $15.3 billion. Home repairs and modernization stands at $3.5 billion, and personal loans, $16 billion.

Commercial banks hold $24 billion of this debt, sales finance companies, such as automobile acceptance companies, hold $15 billion. Consumer finance companies hold $5 billion, and other institutions, such as credit unions and savings banks, hold the remaining $8 billion.

The ratio of installment credit to disposable income increased from 14 to 1 in 1963, to 15.2 in 1964.

In 1948, 27.8 percent of consumer loans were made to consolidate existing bills—to pay off existing debt. Last year, 1964, that figure was 48 percent—almost half of all loans made.

Studies by consumer finance companies show that of their borrowers 79 percent are unskilled, semiskilled and domestic workers, service workers, or armed services personnel. And in 1964, 72 percent of all the families in America had committed at least 10 percent of their disposable incomes to repayment of installment credit. Personal debt now represents 16 percent of disposable family income. Individual bankruptcies have increased by 1,260 percent since 1947.

Mr. Speaker, these figures are disturbing. First, short-term consumer debt is a substantial factor in our economy, amounting today to over three-fourths of the total annual revenues of the U.S. Government. Second, it is increasing daily. Third, debtors are, in growing proportions, finding it necessary to borrow more money to pay back what they have borrowed and spent long ago. Fourth, installment debtors have the lowest incomes in the country. For example, only 3 percent of consumer finance loans are made to professional and semiprofessional people.

Add to these factors one final consideration, Mr. Speaker, and it is apparent that this field is of vital importance.

The final factor is interest rates. The cost of borrowing falls the heaviest upon those least able to pay—witness the plight of my constituents.

Small loan laws over the several States generally permit interest of 30 to 40 percent on loans under $300. In Georgia, which revised its small loan laws a few years ago, a $40 loan, repayable over 3 months with interest and permissible charges, costs the borrower at an annual rate of 60 percent. This same situation pertains, in varying degrees, throughout the country. Some States have no legal limit on loans to corporations. Some have no limit on loans over a specified amount. Most fail to specify permissible charges—all of which add to the net cost to the consumer for the use of money borrowed.

Quite obviously, there is a wide need for credit on the part of Americans with lower incomes. And there is a perfectly legitimate field for money lenders in supplying this credit. Yet, to the grave detriment of millions of poorer Americans, there are recorded seemingly unending instances of sharp and deceitful practices in this area. Certainly, the man who wishes to invest his money in small loans is entitled to a fair return on his capital.

Interest rates can and should vary with varying degrees of risk. But, Mr. Speaker, can anyone defend interest rates of 50 and 60 percent? Can anyone come to the defense of those unscrupulous lenders who tack charge to fee to interest to premium to cost, and saddle the hapless borrower with an intolerable and unconscionable burden of usury?

I wish to outline some of the practices which add to this mountain of debt borne by the American consumer.

First, we should consider the laws under which small loan companies operate. I am attaching a schedule showing the statutory reference to small loan laws, maximum rates, and the rate of simple interest per annum based upon those rates. It is quite obvious that a rate of 4 percent per month, permissible in Alaska, amounts to 48 percent per year. A brief review of this table will show that about half the States permit interest rates of at least 36 percent per year.

I am attaching another table outlining the usury statutes of the States, governing interest on all loans not covered by small loan laws. Under these statutes, the maximum lawful interest ranges from 6 to 12 percent. In New York for instance, a loan under the small loan laws costs the borrower four times as much as the same money borrowed under the usury statutes. In Georgia, with a maximum rate of 8 percent under the usury statutes, the increase of interest under the small loan act is over sevenfold.

Mr. Speaker, it should be remembered that the 36- and 48-percent interest rates I have mentioned are those permitted by the statutes. Yet this is not the whole cost to the borrower. Far from it.

The marine sergeant and his wife were required to pay for credit life insurance, accident and health insurance, and insurance on their household goods. These, and other charges, add to the cost of loans. Few States have adopted any restrictions on additional charges such as these.

Credit insurance pays the loan balance outstanding if the debtor dies. Properly used, this is valuable protection to the debtor and lender. The problem lies not in the worth of credit insurance, but with the rates charged. Sound group plans, which should be available to every legitimate lender, provide protection at a cost of 30 to 60 cents per $100 indebtedness. Yet many lenders charge—and collect—$1 or more on each $100 of debt. Today $30 billion of credit life and health insurance in force covers about 40 percent of the outstanding consumer debt. If the coverage is part of a group plan, the lender is the beneficiary, and certificates of coverage are usually issued to debtors. In the case of an individual policy, the cost is substantially higher. The lender sometimes occupies the position of agent for the insurer, deriving an added emolument in the form of a commission on premiums. Because of the nature of the transaction, the borrower is practically at the mercy of the lender in the placement of credit insurance.

TABLE 1.—*Small loans*

States	General statutory reference	Year legislation effective	Maximum rates	Maximum ceiling	Method of charge	Credit insurance	Rate per annum, simple interest
							Percent
Alabama	Code of Alabama, title 5, secs. 277-300	Jan. 5, 1960	3 percent a month on loan to $200; 2 percent a month on loan to $300 (on loan of $75 or less. $1 on each $5).	$300	Interest bearing or precomputation.	Yes	36. 24.
Alaska	Alaska Statutes, secs. 06.20.010, 06.20.360	1955	4 percent a month on loan to $300: 2½ percent a month on loan to $600; 2 percent a month on loan to $1,000 (5 percent on loans of $50 or less).	1,000	Interest bearing	Yes	48, 30, 24.
Arizona	Arizona Revised Statutes, secs. 6-601—6-640	1956, as amended 1963.	3 percent a month on loan to $300; 2 percent a month on loan to $600; 1 percent a month on loan to $1,000	1,000	Interest bearing or precomputation.	No [1]	36, 24. 12.
California	West's Annotated Financial Code, secs. 24000-24474	1951, as amended 1959.	2½ percent a month on loan to $200; 2 percent a month on loan to $500; ⅚ of 1 percent on loan to $5,000.	5,000	do	Yes	30, 24, 10.
Colorado	Colorado Revised Statutes, secs. 73-3-1—73-3-21; 73-4-2	1955	3 percent a month on a loan to $300; 1½ percent a month on a loan to $500; 1 percent a month on a loan to $1,500.	1,500	do	Yes	36, 18, 12.
Connecticut	Connecticut General Statutes Annotated, secs. 36-225—36-243.	1949, as amended 1957, 1963.	$17 per $100 on a loan to $300; $9 per $100 on a loan to $1,000.	1,000	do	Yes	
Florida	Florida Statutes Annotated, secs. 516.01-516.30	1957	3 percent a month on loan to $300; 2 percent a month on loan to $600.	600	Interest bearing	Yes	36, 24.
Georgia	Georgia Code Annotated, secs. 25-301 and 25-324	1955	8 percent per annum, plus 8 percent per annum on 1st $600 plus 4 percent on excess.	2,500	Discount method to $300, add-on over $300.	Yes	
Hawaii	Revised Laws of Hawaii, 1955, secs. 195-1—195-32	1937	3½ percent a month on loan to $100; 2½ percent a month on loan to $300.	300	Interest bearing	Yes	42, 30.
Idaho	Idaho Code, secs. 26-2027—26-2050	1957	3 percent a month on loan to $300; 2 percent a month on loan to $500; 1 percent a month on loan to $1,000.	1,000	Interest bearing or precomputation.	No	36, 24, 12.
Illinois	Smith-Hurd Illinois Annotated Statutes, ch. 74, secs. 19-46.	1947, as amended 1957	3 percent a month on loan to $150; 2 percent a month on loan to $300; 1½ percent a month on loan to $800.	800	do	Yes	36, 24, 18.
Indiana	Burns Indiana Statutes, secs. 18-3001—18-3004	1963	3 percent a month on loan to $150; 2 percent a month on loan to $300; 1½ percent a month on loan to $1,000.	1,000	Interest bearing	Yes	36, 24, 18.
Iowa	Iowa Code Annotated, secs. 536.1-536.25	1959	3 percent a month on a loan to $150; 2 percent a month on a loan to $300; 1½ percent a month on a loan to $500.	500	do	Yes	36, 24. 18.
Kansas	Kansas General Statutes, secs. 16-201—16-205 (general statute on usury and interest).	1955, as amended 1957.	Amount borrowed not to exceed 30 months and lender may add to such loan or deduct therefrom in advance, interest or discount at a rate not exceeding 8 percent on face amount of loan from date thereof until maturity of final installment, notwithstanding that the principal amount of such loan is required to be paid in installments.	2,000	Interest bearing or precomputation.	Yes	
Kentucky	Baldwin's Kentucky Revised Statutes, secs. 288.410-288.192.	1960	3 percent a month on loan to $150; 2 percent a month on loan to $600; 1 percent a month on loan to $800 (or $20 per $100-$150; $15 per $100-$600; $11 per $600-$800).	800	Interest bearing or dollar add-on.	Yes	36, 24, 12.
Louisiana	West's Louisiana Revised Statutes, secs. 571-593	1940, as amended 1952.	3½ percent a month on loan to $150; 2¼ percent a month on loan to $300 (8 percent per 1 year after maturity).	300	Interest bearing	No	42, 30.
Maine	Maine Revised Statutes Annotated, title 9, secs. 3001-3162.	Revised Statutes 1954, as amended 1963.	3 percent a month on loan to $150; 2½ percent a month on loan to $300; 1½ percent a month on loan to $2,500.	2,500	do	Yes	36, 30, 18.
Maryland	Annotated Code of Maryland, art. 58A, secs. 1-23		3 percent a month on loan to $300	300	do	Yes	36.
Massachusetts	Massachusetts General Laws Annotated, ch. 140, secs. 96-114A.	1955; rate effective in 1960 (2).	2½ percent a month on loan to $200; 2 percent a month on loan to $600; 1¾ percent a month on loan to $1,000; ¾ percent a month on loan to $1,500.	1,500	Interest bearing or precomputation.	Yes	30, 24, 21.
Michigan	Michigan Statutes Annotated, secs. 23.667 (1)	1939, as amended 1963.	2½ percent a month on loan to $300; 1¼ percent a month on loan to $1,000.	1,000	Interest bearing	Yes	30, 15
Minnesota	Minnesota Statues Annotated, secs. 56.01-56.26	1959	2¾ percent a month on loan to $300; 1½ percent a month on loan to $600.	600	Interest bearing or precomputation.	Yes	32, 18.
Mississippi	Mississippi Code 1942, secs. 5591.01-5591.54	1958	2 percent times amount lent times number of months (graduated scale for loans of $100 or less).	(2)	Variations of dollar add-on.	Yes	
Missouri	Vernon's Annotated Missouri Statutes, secs. 408.100-408.220.	1951, as amended 1959.	2.218 percent a month on loan to $500; 8 percent per annum above $500 or $15 per $100.		Interest bearing or precomputation.	Yes	Approximately 26.
Montana	Revised Codes of Montana, 1947, secs. 47-210—47-228	1959, as amended 1965.	$20 per $100 per year to $300; $16 per $100 to $500; $12 per $100 to $1,000.	1,000	Interest bearing or dollar add-on.	Yes	
Nebraska	Revised Statutes of Nebraska, secs. 45-110—45-158	1941, as amended through 1963.	2½ percent a month on loan to $300; 2 percent a month on loan to $500; 1½ percent a month on loan to 1 percent a month or loan to $3,000.	3,000	Interest bearing or precomputation	Yes	30, 24, 18, 12.
Nevada	Nevada Revised Statutes, secs. 674.010-674.600, Nevada Small Loan Act repealed by sec. 1, ch. 420, Statutes of Nevada, 1959, at page 674.						
New Hampshire	New Hampshire Revised Statutes Annotated, c. 399, secs. 1-31.	1961	$16 a year on loan to $600; $12 a year on loan to $1,500	1,500	Interest bearing	Yes	
New Jersey	New Jersey Statutes Annotated, secs. 48-17-30—48-17-58	1932, as amended, 1948.	2½ percent a month on loan to $300; ½ of 1 percent a month on loan to $500.	500		No	30, 6.
New Mexico	New Mexico Statutes Annotated, secs. 48-17-30—48-17-58	1955	3½ percent a month on loan to $150; 3 percent a month on loan to $300; 1 percent a month on loan to $1,000.	1,000	Interest bearing	No	42, 36, 12.
New York	McKiney's Consolidated Laws of New York; Banking Law, secs. 340-365.	1960	2½ percent a month on loan to $100; 2 percent a month on loan to $300; 1 percent a month on loan to $800.	800	Interest bearing or precomputation.	Yes	30, 24, 12.

North Carolina	General Statutes of North Carolina, secs. 53-164—53-168.1	1961	$20 per $100 a year on loan to $100; $18 per $100 a year on loan to $200; $15 per $100 a year on loan $300; $6 per $100 a year on loan to $600 (on loan of $75 or less, may charge $1 for each $5).	600	Interest bearing	Yes	
North Dakota	North Dakota Century Code, ch. 13-03	1959	2½ percent a month on loan to $250; 2 percent a month on loan to $500; 1¾ percent a month on loan to $750; 1 percent a month on loan to $1,000.	1,000	Interest bearing on precomputation.	Yes	30, 24, 21, 12.
Ohio	Baldwin's Ohio Revised Code Annotated, secs. 1321.01–1321.99.	1953	3 percent a month on loan to $150; 2 percent a month on loan to $300; ⅚ of 1 percent on loans to $1,000.	1,000	Interest bearing	Yes	36, 24, 8.
Oklahoma	Oklahoma Statutes Annotated, secs. 280.1–280.29	1941	10 percent per year plus service charges	300			
Oregon	Oregon Revised Statutes, secs. 725.010–725.990	1955	3 percent a month on loan to $300; 2 percent a month on loan to $500; 1 percent a month on loan to $1,500.	1,500	Dollar add-on	Yes	36, 24, 12.
Pennsylvania	Purdon's Pennsylvania Statutes Annotated, title 7, secs. 751–760.	1953	3 percent a month on loan to $150; 2 percent a month on loan to $300; 1 percent a month on loan to $600.	600	Interest bearing	No	36, 24, 12.
Puerto Rico							
Rhode Island	General Laws of Rhode Island, ch. 25, secs. 19-25-1—19-25-43.	1923 as amended	3 percent a month on loan to $300	300	Interest bearing	No	36.
South Carolina	Code of Laws of South Carolina, secs. 8-701—8-796	1957	$6 per $100 a year if repayable over a period of 1 year and at that rate for greater or lesser periods of time or for greater or lesser amounts $7 per $100 a year on everything above initial $200.	None	Dollar add-on	Yes	
South Dakota							
Tennessee							
Texas	Vernon's Civil Statutes of the State of Texas Annotated, art. 6165b.	1963	$19 per $100 a year on loan to $100; $16 per $100 a year on loan to $200; $13 per $100 a year on loan to $300; $11 per $100 a year on loan to $500; $9 per $100 a year on loan to $1,000; $7 per $100 a year on loan to $1,500.	1,500	Dollar add-on	Yes [3]	
Utah	Utah Code Annotated, 1953, secs. 7-10-1—7-10-24	1945, as amended 1955	3 percent a month on loan to $300; 1 percent a month on loan to $600.	600	Interest bearing	Yes	36, 12.
Vermont	Vermont Statutes Annotated, title 8, secs. 3001-3035	1947, as amended through 1959.	2½ percent a month on loan to $125; 2¼ percent a month on loan to $600.	600	Precomputation	Yes	30, 27, 12.
Virginia	Code of Virginia, 1950, secs. 6-274—6-338	1956	2½ percent a month on loan to $300; 1½ percent a month on loan to $600.	600	Interest bearing	Yes	30, 18.
Washington	Revised Code of Washington Annotated, secs. 31.08.010–31.08.920.	1959	3 percent a month on loan to $300; 1½ percent a month on loan to $500; 1 percent a month on loan to $1,000.	1,000	Interest bearing or precomputation.	Yes	36, 18, 12.
West Virginia	West Virginia Code, secs. 4653 (1)–4653 (26)	1933	3½ percent a month on loan to $150; 2½ percent a month on loan to $300.	300	Interest bearing	No	42, 30.
Wisconsin	West's Wisconsin Statutes Annotated, secs. 214.01–214.27	1933	2½ percent a month on loan to $100; 2 percent a month on loan $200; 1 percent a month on loan of $300.	300	do	No	30, 24, 12.
Wyoming	Wyoming Statutes, 1957, secs. 13-489—13-490	1941	3½ percent a month on loan to $150; 2½ percent a month on loan to $300; 1 percent a month on loan to $1,000.	1,000	do	Yes	42, 30, 12.

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[1] Repealed in 1963. [2] No ceiling law applies to loan of $100 and over. [3] For loans in excess of $100.

State usury statutes

State	General statutory reference	Legal rate (percent)	Maximum contract rate	Civil penalties imposed in action on usurious contracts	Civil remedies of borrower	Criminal penalties	Statutory status of corporations	Additional charges	Retail sale
Alabama	Code of Alabama, title 9, §§ 60–67.	6	8 percent in writing.	Forfeiture of all interest. Interest paid deducted from principal due. Interest paid not recoverable without express promise to repay it.	Borrower never required to pay more than principal sum in law or equity.			Incidental services or expenses	No.
Alaska	Alaska Statutes, title 44, §§ 45. 45.010–45.45.080.	6	8 percent by express agreement of the parties in a contract.	Forfeiture of all interest	Borrower may recover double amount of interest paid.			Taxes on the debt, credit, or mortgage; delinquency charges; premiums paid by lender for insurance required; fees paid by lender for filing; recording, or releasing any instrument or lien; actual expenditures, including attorney's fees, to secure or collect installment loan.	
Arizona	Arizona revised statutes, §§ 44-1201—44-1204.	6	8 percent in writing.	do	Any interest paid in excess of principal due recoverable.			Reasonable fees for services rendered in connection with loan, i.e., examination of title, recordation of paper, and traveling expenses; reasonable attorney's fees.	No.
Arkansas	Arkansas constitution, art. 19, § 13; Arkansas Statutes, §§ 68-601—68-610; 81-303—81-304.	6	10 percent in writing.	Forfeiture of principal and interest. All bonds, bills and notes, conveyances, contracts or securities void when interest excessive. Usurious liens void.	Maker or his venders, assignees, or creditors may sue in equity to cancel security or usurious loan. Tender of principal or interest unnecessary.	Misdemeanor for employer to discount employee wages more than 10 percent when payment made before regular day.		Insurance; abstract of title, recordation, and incidental fees; examining title or preparing papers and doing everything necessary to secure loan.	Yes.

State usury statutes—Continued

State	General statutory reference	Legal rate (percent)	Maximum contract rate	Civil penalties imposed in action on usurious contracts	Civil remedies of borrower	Criminal penalties	Statutory status of corporations	Additional charges	Retail sale
California	California Constitution, Art. 20, § 22; West's Annotated Civil Code §§ 1916—1916-4.	7	10 percent in writing.	Usurious contract void as to all interest.	Borrower or personal representative may recover from lender or personal representative treble amount paid over lawful rate if brought within 1 year of payment.	Misdemeanor to charge or receive excessive rate or to demand or receive for all fees, commissions, etc., more than 5 percent on loans of $1,000 or less than 3 percent on sums over $1,000 or to demand or receive any procuring fee on loans of less than 6 months unsecured by realty.	Corporation bond may be sold at discount greater than legal interest.	Unearned interest for prepayment privilege; brokerage or other compensation paid to a 3d person, or expense items such as appraisals, recording fees, insurance, or similar charges; reasonable charge for investigating, arranging, negotiating, brokering, making, servicing, collecting and enforcing obligation; notarial, escrow, and recording fees and expenses of examination and appraisement of property.	No.
Colorado	Colorado Revised Statutes 1963, §§ 73-1-1—73-1-5.	6	Any rate in writing.						No.
Connecticut	Connecticut General Statutes Annotated, §§ 37-1—37-9.	1	12 percent in writing.	Prohibits recovery of principal or interest.	No setoff or recovery back of excess interest paid.	Fine and/or imprisonment for taking or charging excessive rate.		Attorney's fees, including preparation of mortgage deed and note, title search; waiver and closing fees or recording fees paid by mortgagor; insurance; compensation for time and expense in obtaining money.	No.
Delaware	Delaware Code Annotated §§ 2301-2306.	6	6 percent in writing.	Forfeiture of excess	Borrower or personal representative may recover of person receiving excessive interest or his personal representative excess paid if action brought within 1 year of payment.		Defense of usury not available to corporations.	Reasonable amount of compensation for services rendered by lender in connection with collateral; insurance.	No.
District of Columbia.	District of Columbia Code, Supplement IV (1965). §§ 28-3301—28-3306.	6	8 percent in writing.	Forfeiture of all interest	Borrower may recover unlawful interest paid.				
Florida	Florida Statutes Annotated §§ 687.01-687.10.	6	10 percent in writing.	Forfeiture of all interest. Double the amount of usurious interest taken, reserved or paid. For charging or accepting 25 percent interest, directly or indirectly, forfeiture of both principal and interest. One accepting chattel mortgage to secure loan of less than $100, who willfully fails to insert amounts secured as principal, interest and fees, shall forfeit all interest and fees.	Recovery of double amount amount of interest, taken, reserved or paid.	Misdemeanor to charge or accept 25 percent interest, directly or indirectly.	Corporation may agree to rate of 15 percent per annum.	Attorney's fees, or charge for exchange or similar charge; insurance (attorney's fees limited to $5).	No.
Georgia	Georgia Code Annotated, §§ 57-101—57-118.	7	8 percent in writing.	Forfeiture of all interest	Recovery of amount of forfeiture if action brought within 1 year.	Misdemeanor to charge or accept over 5 percent per month, directly or indirectly.	Corporations may contract to pay such interest as they see fit on loans of $2,500 or over.	Attorney's fees; insurance; credit reports; recordation and examination of title; commission paid to parties to obtain loans.	No.
Hawaii	Revised Laws of Hawaii, 1955 §§ 191-1—191-7.	6	1 percent per month in writing.	do	Set off but no recovery of excess interest paid.	Fine and/or imprisonment to receive interest at a greater rate than 1 percent per month.		1 percent per month shall cover all commissions, fees, charges, interest, increase and profit of every character whatsoever.	
Idaho	Idaho Code §§ 27-1901—27-1907.	6	8 percent in writing.	Forfeiture of all interest plus twice the amount of such interest.	Person paying or his personal representatives may recover interest paid plus twice the amount of such interest.		Taxes		No.
Illinois	Smith-Hurd Illinois Annotated Statutes, ch. 74 §§ 1-11.	5	7 percent in writing.	Forfeiture of twice the amount of interest determined by the loan contract or paid by the obligor, whichever is greater.	Obligor may recover, by means of an action or defense, twice the total of all interest, discount, or charges determined by the		Corporations may agree upon any rate of interest.	Credit life insurance and credit accident and health insurance; property insurance; delinquency and collection charge; attor-	No.

					loan contract or paid by the obligor, whichever is greater, plus reasonable attorney's fees and court costs as may be assessed against the lender.			ney's fees; fees paid to record, file, or release security.	
Indiana	Burns Indiana Statutes, §§ 19-2001—19-2010.	6	8 percent in writing.	Forfeiture of all interest	Debtor may recoup excess of interest over 6 percent.		Corporation in writing may agree to pay any rate of interest.	Premium paid to obtain loans from building associations are not deemed interest.	No.
Iowa	Iowa Code Annotated, §§ 535.1-535.7	5	7 percent in writing.	Forfeiture of all interest. Forfeiture of 8 percent of unpaid principal at time judgment rendered to use of school fund of county where action brought.	No recovery of usurious interest paid.	Misdemeanor to contract to take over 2 percent per month, directly or indirectly, on amounts over $500.		Taxes; expenses in making loan.	No.
Kansas	General Statutes of Kansas §§ 201-205.	6	10 percent in writing.	Forfeiture of excess over 10 percent and a like amount to be deducted from principal due and lawful interest.	Usurious interest voluntarily paid may be recovered.			Actual fees for filing, recording, or releasing any instrument relating to loan.	No.
Kentucky	Baldwin's Kentucky Revised Statutes §§ 360.010-360.090.	6	6 percent	Excess over legal interest void.	Recovery from lender of excess though payment made to assignee.		Defense of usury not available to corporations.	Insurance	No.
Louisiana	West's Louisiana Statutes Annotated, Art. 2924.	5	8 percent in writing.		Recovery of excess of 8 percent if action brought within 2 years of payment.			Attorney's fees	No.
Maine	Maine Revised Statutes Annotated, title 9, § 3086.	12	12 percent						Yes.
Maryland	Maryland Constitution, art. III, § 52. Annotated Code of Maryland, Art. 49.	6	6 percent	Forfeiture of excess	Usury not a cause of action when obligation redeemed or settled.				
Massachusetts	Massachusetts General Laws Annotated ch. 106, § 9-201, see comment; ch. 140 § 111.	6	Any rate in writing.						
Michigan	Michigan Statutes Annotated, §§ 19.1-19.14.	5	7 percent in writing.	Forfeiture of all interest	A voluntary payment of usurious interest may not be recovered back.		Defense of usury not available to corporations.	Reasonable charge for services rendered.	No.
Minnesota	Minnesota Statutes annotated, §§ 334.01-334.15.	6	8 percent in writing.	Usurious contracts and securities void.	Recovery by person paying or personal representative from person receiving or his personal representative of interest paid if action brought within 2 years from payment; provided ½ amount recovered be paid into treasury of county where collected for use of common schools.		do	Attorney's fee fair compensation for services rendered; appraisal of security for loan; insurance; mortgage registry tax.	No.
Mississippi	Mississippi Code, 1942, §§ 36-41.	6	do	Forfeiture of all interest. If greater than 20 percent charged, forfeiture of principal and interest. If 6 percent or less stipulated, but greater secret rate contracted for or received, forfeiture all interest.	Recovery of any amount of forfeiture paid.			Collection costs, including attorney's fees.	No.
Missouri	Vernon's Annotated Missouri Statutes §§ 408.020-408.080.	6	do	Forfeiture of all interest over lawful rate. Personal security given to secure usurious contract invalid.	Recovery of excess paid over lawful rate by borrower or personal representative plus costs and attorney's fees.	Misdemeanor to dispose of note or bond known to be usurious.	Defense of usury not available to corporations.		No.
Montana	Revised Codes of Montana, 1947, §§ 47-122—47-128.	6	10 percent in writing.	Forfeiture of double the amount charged.	Recovery of double amount paid if action brought after written demand for return of interest paid, within 2 years from payment by party paying, heirs, assigns as personal representative.			Lender may exact reasonable fees for services in connection with loan, such as examination of title, inspection or preparation of papers, traveling expenses, etc.	No.
Nebraska	Revised Statutes of Nebraska, 1943, §§ 45-101—45-113.	6	9 percent	Lender may recover only principal, without interest; if interest paid, judgment shall be for the principal, deducting interest paid.					No.

State usury statutes—Continued

State	General statutory reference	Legal rate (percent)	Maximum contract rate	Civil penalties imposed in action on usurious contracts	Civil remedies of borrower	Criminal penalties	Statutory status of corporations	Additional charges	Retail sale
Nevada	Nevada Revised Statutes §§ 99.010-99.050.	7	12 percent	Excessive rate of interest void.					
New Hampshire	New Hampshire Revised Statutes Annotated 1955, c. 336 § 1.	6	Any rate in writing.						
New Jersey	New Jersey Statutes Annotated, §§ 31:1-1—31:1-6.	6	6 percent	Forfeiture of all interest	Borrower may recover usurious payments. Borrower may compel discovery and acceptance of principal alone.		Defense of usury not available to corporations.	Brokerage commission and counsel fees; expenses of examining title, drawing papers and obtaining loan.	
New Mexico	New Mexico Statutes, §§ 50-6-1—50-6-19.	6	12 percent unsecured: 10 percent secured.	Forfeiture of all interest; if interest paid, double the amount of interest paid.	Borrower may recover double the amount of interest paid if action brought within 2 years from the time the usurious transaction occurred.	Misdemeanor to charge more than the allowed rates.		Commission for procuring loan.	No.
New York	McKinney's Consolidated Laws of New York: General Obligations Law, §§ 5-501—5-531; Penal Law § 2400.	6	6 percent	Usurious contract and security void.	Recovery by person paying or personal representative of excess if action brought within 1 year of payment. No tender of principal or interest necessary before bringing action. If action not so brought, excess recoverable within following 3 years by any public welfare official of town or any county commissioner of public welfare of the county, in which payment made.	Misdemeanor to take security upon household furniture, sewing machines, tools, wearing apparel or jewelry for usurious loan.	Defense of usury not available to corporations.	Expenses of a search and for the preparation of papers; expense in collecting money for the loan; cost of collecting, including reasonable attorney's fees.	No.
North Carolina	General Statutes of North Carolina, §§ 24-1—24-7; 14-391	6	6 percent	Forfeiture of all interest	Recovery by person paying or legal representative of twice the amount of interest.	Misdemeanor to charge usury on household and kitchen furniture or to refuse to give receipts or surrender note of security on payment of such loans.			No.
North Dakota	North Dakota Century Code, §§ 47-14-01—47-14-11	4	7 percent	Forfeiture of all interest and 25 percent of the principal.	Borrower may recover back twice the amount of interest paid plus 25 percent of the principal if action brought within 4 years of transaction; or, offset twice the amount of interest paid.	Misdemeanor to charge or take usurious interest.			No.
Ohio	Baldwin's Ohio Revised Code (1964), §§ 1343 01-1343.05; 1701.68.	6	8 percent in writing.	Excess interest applied to principal.	Usury once paid cannot be recovered back.		Defense of usury not available to corporations.		
Oklahoma	Oklahoma Statutes Annotated §§ 261-275.	6	10 percent	Forfeiture of twice the amount of interest charged. If in an action for indebtedness of $300 or less, contract is shown to be usurious, suit shall be dismissed at cost of plaintiff.	Recovery by person paying or personal representative of twice the amount paid.			Recording mortgage and other papers, and preparing abstract; tax; commission for procuring loan.	No.
Oregon	Oregon Revised Statutes, §§ 82.010-82.140.	6	10 percent	Forfeiture of entire debt to school fund where suit brought.	Judgment rendered for sum borrowed without interest less all payments made by borrower against defendant and in favor of State for use of common school fund of country where suit brought. No recovery of usurious interest voluntarily paid; attorney's fees.			Taxes	
Pennsylvania	Purdon's Pennsylvania Statutes Annotated, title 41, §§ 1-5.	6	6 percent	Forfeiture of excess interest.	Recovery of excess voluntarily paid if action brought within 6 months of payment.		Defense of usury not available to corporations.		No.

Puerto Rico	Laws of Puerto Rico, title 33, §§ 1751–1753; title 31, §§ 4591–4599.	6	9 percent on $3,000 or less; 8 percent on $3,000 or more.	Contract may be enforced solely as to 75 percent of principal; 25 percent may be recovered by Commonwealth.	Person paying or personal representative may recover excess interest.	Misdemeanor to charge or receive usurious rates of interest if action brought within 1 year of payment.			Yes.
Rhode Island	General Laws of Rhode Island, ch. 26, §§ 6-26-1—6-26-5.	6	30 percent on all amounts exceeding $50; on lesser amounts, 5 percent per month for the 1st 6 months, and 2½ percent per month thereafter.	Usurious contract and security void.	Recovery of amount paid to lender.	Fine or imprisonment for charging usury.			No.
South Carolina	Code of Laws of South Carolina, §§ 8-5—8-9.	6	7 percent	Forfeiture of all interest	Recovery of double amount of interest paid.	Misdemeanor to violate usury laws.	Defense not available to corporations with an issued capital stock of $40,000 or more.		No.
South Dakota	South Dakota Code of 1939, §§ 38.0108–38.01111.	6	8 percent in writing.	do	All interest paid may be recovered.	Misdemeanor to exact excessive interest.			
Tennessee	Tennessee Code Annotated, §§ 47-14-101—47-14-118.	6	6 percent	Forfeiture of excess over legal rate.	Usurious interest recoverable by party paying representative, or any judgment creditor of such person within 2 years from payment of debt.			Commission for services in procuring loan; attorney's fees.	No.
Texas	Vernon's Texas Statutes Annotated. arts. 5069-5074a.	6	10 percent in writing.	Forfeiture of all interest	Recovery by party paying or personal representative of double amount of interest paid if action brought within 4 years of payment.			Attorney's fees, inspection and filing fees and such charges.	Yes.
Utah	Utah Code Annotated 1953, §§ 15-1-1—15-1-10.	6	do	Forfeiture of all interest. If usurious interest paid, forfeiture of 3 times interest paid plus reasonable attorney's fees.	Recovery by person paying or personal representative of 3 times the usurious interest paid plus reasonable attorney's fees, if action brought within 2 years from when transaction occurred.	Misdemeanor to take excessive interest.			
Vermont	Vermont Statutes Annotated, title 9, § 31.	6	6 percent	Forfeiture of excess interest	Recovery of excess paid over legal rates by person paying with interest from time of payment.				
Virginia	Code of Virginia, 1950, §§ 6-339—6-352.	6	6 percent	All interest deemed to be illegal consideration.	Recovery of excess over lawful interest within 1 year after payment.		Corporations may not plead usury.	Reasonable expenses and charges; brokerage to negotiate and guarantee loans and to pay attorney's fees for making abstracts of title.	
Washington	Revised Code of Washington Annotated, §§ 19.52.010–19.52.060.	6	12 percent in writing.	Recovery only of principal less amount of unpaid interest accruing on contract, and if interest paid, double the amount of interest paid.	Recovery of excess paid				No.
West Virginia	West Virginia Code, §§ 4623–4632.	6	6 percent	Forfeiture of excess over legal rate.	do		Corporations may not plead usury.		No.
Wisconsin	West's Wisconsin Statutes Annotated, §§ 115.01–115.10.	5	12 percent in writing (or 6 percent where repayable in weekly or monthly installments).	Forfeiture of all interest and up to $2,000 in principal.	Persons paying or personal representative may recover interest, principal up to $2,000, and charges if action brought within 2 years after excessive interest paid.	Fine and/or imprisonment for violating usury laws.			
Wyoming	Wyoming Statutes, 1957, §§ 13-476—13-485.	7	10 percent	Recovery only of principal less any interest paid.	Relief may be given complainant without tender of principal.				

TABLE 3.—*State investigations of loan shark and small loan company operations, 1955–65*

State	Date	Investigating body	Nature of investigation	Report issued	Results of investigation [1]
Alabama	1955–57	John Patterson, State attorney general.	1955 sought injunction against 3 small loan companies in Montgomery County. December 1957 filed suit against all small loan companies in Anniston.	No	The Alabama lobby seeking not to incur public disfavor and to prevent stringent punitive legislation introduced bills in 1955 and 1957. These bills would have legalized "unbelievable" interest charges.
	July 1963	State attorney general.	A resolution introduced in Alabama Legislature charged that some small loan operations licensed under the 1959 State small loan law are making loans in excess of $300 in violation of this act. Resolution would request State attorney general to investigate violations.	(?)	
	1963	State banking department.	Preliminary investigation of "2d mortgage broker" a system of lending.	Yes (November (?) 1963).	
	December 1963.	Superintendent of banks.	Superintendent of Banks Robert M. Checker announced the start of a statewide investigation of widespread illegal lending practices. Hearings to begin Dec. 30, 1965.	(?)	
Georgia	1953	Small loan commission.	Commission created to investigate small loan practices following defeat in 1953 of several small loan bills in general assembly.	Yes (1955)	SLC small loan bill was passed by the general assembly and signed into law on Mar. 4, 1955.
Illinois	1962	A special committee appointed by the Governor.	Committee to investigate need for additional consumer credit legislation. The committee recommended enactment of legislation to protect consumers against exorbitant interest charges.	Yes	As result of committee report S.B. 808 to amend the Usury Act was passed by the legislature.
Indiana	Authorized Dec. 6, 1953.	Subcommittee of the Indiana Legislative Advisory Committee.	Subcommittee to investigate the use of credit insurance in connection with small loans; investigation due to allegations of abuse in press.	(?)	
Massachusetts	1963–64	Special study commission.	Commission to study effectiveness of present laws relating to loans and credit, illegal lending operations, and feasibility of a usury law.	(?)	
Michigan	1956–57	Michigan house committee.	Committee to investigate the small loan business. The committee was originally created to study the automobile sales finance business. However, the committee found "a definite connection" between motor vehicle sales financing and the small loan financing and therefore the scope of investigation was enlarged to include the latter.		
Mississippi	1955–56	Mississippi Economic Council, Committee on Public Administration and Taxation.	Committee issued a study entitled, "A Factual Study of Usury in Mississippi." Study emphasized system of "brokering" of small loans.	Yes (January 1965).	2 small loan bills were introduced in the 1956 session. S.B. 1520 sought to regulate brokering. S.B. 1569 was an enabling act which provided for licensing of small lenders.
	1956 (?)	Recess committee.	Recess committee to study loan and finance business and make report to 1958 legislature.	(?)	Committee submitted proposal to 1958 legislature designed to regulate brokerage system. This proposal with several amendments adopted by legislature and signed by Governor, becoming effective July 1, 1958. This series of statutes recognized brokerage system and provided for licensing and regulation including limitation on interest and charges.
New Hampshire	1961	Interim house study committee on banking laws.	Committee to study banking laws. During investigation elementary abuses in small loan field were uncovered.	(?)	Representative Laurence M. Pickett who chaired committee introduced bill aimed at curbing small loan interest rates.
New Jersey	1965	House committee.	Committee to investigate complaints that many small loan companies lend money to low-income persons for unwise purposes and fail to make proper check of borrower's earnings, family obligation, and other debts. Questioned whether law should permit both a wage order and a wage assignment to be deducted simultaneously from a worker's pay.		
New York	1965	New York State Commission of Investigation.	Committee to investigate loan shark practice	Yes	Law passed prohibiting the charging of interest in excess of 25 percent annually. Loan sharking made a felony; a violation subject to a maximum penalty of 5 years in jail, of $5,000 fine, or both.
North Carolina	1961	State banking commission.	Commission to investigate small loan companies and to consider new small loan regulatory legislation.	(?)	Legislature passed law (1961) aimed at curbing abuse of small loan firms.
		Bank and banking committee of lower house of State legislature.	Committee held hearings on small loan regulatory legislation.		State insurance commissioner called public hearings (July 1961) to set up a standard accident and health insurance contract for use in sale of insurance in connection with small loan law.
Oklahoma	1959	Oklahoma Legislative Study Committee.	Committee to study the Oklahoma laws relating to consumer finance, usury, sales finance, and allied laws and also model and uniform laws and the laws of other States on said subject. The committee was to file its findings and legislative recommendations with the Legislative Council by October 1, 1960.	(?)	
	1963	do	Committee to study the State's "commercial finance laws." The committee held public hearings on Oct. 23, 1963, to determine the legislative needs "in 6 areas" including small loan and insurance premium financing. The committee was directed to draft a new code of commercial finance laws and submit recommendations by Nov. 1, 1964.	(?)	
Pennsylvania	1962	6-member committee set up by the State senate.	Committee to investigate a $3,700,000 loan swindle at St. Mary's and to submit recommendations to prevent swindles, finance manipulations, to cover operations of all types of firms—small loan, discount loan, auto finance, and pawnbrokers.	(?)	
		House and senate appropriations committee.	Held hearings to investigate St. Mary's loan swindle.		

See footnote at end of table.

TABLE 3.—*State investigations of loan shark and small loan company operations, 1955–65*—Continued

State	Date	Investigating body	Nature of investigation	Report issued	Results of investigation [1]
South Carolina	1960-61	South Carolina Legislative Study Committee.	Committee to investigate the policy, operations, and administration of every type and kind of agency that lends money and the matter of interest, carrying charges, insurance charges, and other costs, both hidden and apparent, to determine the ultimate amount charged by lenders for money loaned and to report its findings and recommendations to legislature.	(?)	4 bills to regulate interest charges and other practices involved in consumer credit financing were introduced in the House by the committee. A bill rigorously regulating small loans operations was scheduled by judiciary committee of House for hearings on Apr. 11, 1961. Bill to regulate small loan regulatory law was killed in Senate.
	1965	Legislative study committee	Committee to investigate unlicensed loan companies and the field of credit insurance.	Yes	Committee recommended the enactment of legislation to curb the charging of excessive interest rates by unlicensed lenders and 2d mortgage brokers. As a result of committee finding several bills were introduced to impose stringent regulations in those areas.
		State attorney general.	Made probe of practices of unlicensed lenders and called for legislature to plug loopholes in State laws.		
		House judiciary committee and labor, commerce and industry committee.	Held hearings on unlicensed lenders		
Tennessee	1955–57	Special committee.	Committee to make 2 year investigation of small loan activities for purpose of presenting to the 1957 legislature a workable small loan act.	(?)	
Texas	1958–62	Attorney General Wilson.	Attorney General Will Wilson focused attention on deplorable loan shark conditions existing in the small loan field by vigorous prosecution of hundreds of injunction suits to enjoin usurious lending. The various complaints charged that the defendants employed 1 or more usurious subterfuges, including illegal brokerage and insurance charges.	No	
	1958	Small loan study committee.	Committee made an exhaustive study of the small loan business in Texas. Public hearings were held in major cities of the State. A comprehensive report was published which recommended (1) amendment of the State constitution to allow interest in excess of 10 percent per annum and (2) enactment of a small loan regulation statute along line of uniform small loan law of the Model Consumer Finance Act.		State constitutional amendment similar to one recommended by the committee was adopted in 1960.
	1961	A 5-member committee of Texas Legislative Council appointed by Governor.	Committee to update 1958 recommendations	(?)	
Utah	1955	Legislative council.	To study the powers of the various lending institutions and the admissibility of bringing them under a single regulatory act with a uniform method of computing loan charges.	(?)	

[1] Unless otherwise stated no direct cause-effect relationship is implied between an investigation and any law cited in the column labeled "results of investigation." All that is intended is to indicate that there is reason to conclude that an investigation influenced a particular outcome although it may not have been its sole cause.

Sources: "Consumer Finance." Law Bulletin, 1965–55. Jones-Bethune. From the State capitals, 1965–61. Personal Finance Law Quarterly, 1965–55.

Some States have controlled this practice. Others have done nothing. Georgia, for instance, has no restrictions on credit insurance. An actuary reporting on this point to the General Assembly of Georgia stated:

> The law specifically allows for all types of credit insurance to be written with certain benefits at certain specified rates and the customary direct commission on this business is the equivalent of another 55 percent effective annual interest.

Recalling that the maximum cost on a $40 loan amounted to 60 percent, credit insurance commissions could conceivably increase the lender's return under those circumstances to 115 percent of loan.

During hearings earlier this year before the Domestic Finance Subcommittee on Banking and Currency, we learned of a large finance company specializing in loans to servicemen that issues a marine insurance policy at a rate of $30, supposedly to cover damage to automobiles shipped from abroad to this country. The coverage was extended by a wholly owned subsidiary. In many cases, the serviceman did not even know of this charge until long after the loan was made.

There are other facets of consumer finance that bear close study. For instance, most companies impose a late charge when payments do not reach the lender by the due date. This is simply another form of interest, increasing the 30 or 40 percent already reserved even higher.

In the automobile financing field, there have been scandals involving kickbacks to dealers, who reserve, by negotiable contract, high interest rates, then sell off the paper to banks or other institutions for collection. Some dealers make more from rebates than from the sale of automobiles.

In Texas, a Federal grand jury indicted over 60 defendants for conspiring to fix interest rates in 23 Southern and Southwestern States. Their scheme included division of territory, rate fixing, and other practices designed to extract the last cent from the borrower. Sixty-one defendants pleaded nolo contendere, and the court imposed fines of over a quarter million dollars.

"Add on" and "discount" practices, having the effect of doubling the stated rate, are common throughout the field, leading the borrower to believe that his rate is substantially lower than it is.

Another device is the finder's fee, or brokerage charge. Here, in addition to interest, insurance, and other charges, the borrower pays for the making of the loan itself. I recently learned of a woman who was told that the 6-percent annual simple interest she was paying to a savings and loan institution was too high, and that she could borrow enough at 5½ percent to pay off that loan. Before she was through, she had paid title fees and a finder's fee, in addition to the 5½ percent interest, raising the total cost of the loan to well over 25 percent.

In face of compelling evidence that something should be done, the question comes, what has been done?

The answer—very little. Thus far, the Federal Government has undertaken to exert no jurisdiction over the field of consumer finance. The States themselves, who should bear primary responsibility, have not shown undue eagerness to become involved. I attach a third table showing the extent of recent State action in the field. According to this report, investigations have been conducted by only 18 States in the past 8 years. Of these, only five States have enacted legislation pertaining to small loans. New Mexico completed a study in 1955, with revealing results. Of 103 small loan companies examined, only 8 were conducting their business completely in accord with applicable laws.

Fifty-six were engaging in sharp lending practices and illegally high interest rates, even though the maximum rate was 42 percent.

Mr. Speaker, the growth of consumer debt, its prevalence among lower income families, the rise in bankruptcies, the increase in borrowing for consolidation of debts, the growth of interstate lending, the widespread existence of questionable practices in this area—all of these demand a thorough and exhaustive study by a responsible instrumentality of Government. The States should long ago have done this. Yet, they have not. And even where investigations have been made, the results, insofar as protecting the borrower, are not impressive.

Therefore, I believe there is a responsibility upon the Congress. The distinguished chairman of our Committee on Banking and Currency, Mr. PATMAN, of Texas, has seen this need, and constituted a special subcommittee to study the incidence of loan shark operations and usury within the United States. As chairman of that subcommittee, I suggest that the following areas are worthy of detailed study:

First. The Federal Usury Statute (12 U.S.C. 85): This law provides that national banks may charge as much interest as State banks. The statute was passed to protect national banks by placing them on a par with competing State banks. The interest of the borrower is absent. For instance, the only penalty for usury is forfeiture of interest, or, if the loan has been paid, recovery of double the amount of interest received.

Congress should consider the broad implications of this statute. While national banks have been remarkably free from sharp practices, add-on and discount practices should be examined. Further, some banks have developed a new credit device whereby a checking account depositor can overdraw his account by paying a stated charge on the amount of his overdraft, similar to revolving charge account plans used by many retail stores. When that charge is 1½ percent per month, the borrower-depositor is actually paying 18 percent simple annual interest. Here is another area that deserves inquiry.

Finally, banks provide consumer finance companies with about one-half of the funds which they lend to the public. In some cases, there are compensating balances of deposits, which enable banks to receive a substantial benefit in addition to interest paid. To some extent, therefore, banks contribute to some of the excesses committed by unscrupulous lenders. This subject, as a possible point for the application of remedies, bears further thought.

Second. Armed services personnel: The hearings already held by the Committee on Banking and Currency pertaining to Federal Services Company establishes the need for special consideration for servicemen. They seem to be a fertile ground for predatory lending practices. Their careers can be scuttled by unscrupulous creditors. Yet, paradoxically, the Defense Establishment often finds itself in the position of a collection agency for money lenders. Certainly, by legislation or executive order, appropriate measures must be taken to protect servicemen, who are often inexperienced and unsophisticated in the ways of finance. The Department of Defense can certainly adopt some conditions, including maximum effective interest rates, under which it will either grant or withhold its cooperation in collection matters.

Servicemen have a definite need of credit. Consideration should be given to developing new devices, beyond the reach of sharp operators, such as military credit unions, or company credit funds, or military guarantees to lenders who offer reasonable terms.

Third. Use of the mails: Practically every day, newspapers advise the public of "low cost, easy credit", either in installment purchases or loans. There rarely appears any indication of the cost of that credit translated into simple interest rates.

There can be no question of Federal jurisdiction over the content of matter transmitted through the mails, including newspaper advertising. Abuses existing in this field can be corrected and controlled by appropriate Federal legislation.

Fourth. Interstate commerce: There are many consumer credit companies which operate in more than one State. Some have branches in every State of the Union except one which has no small loan law. The constitutional power of the Congress to regulate interstate commerce applies no less to consumer credit than to any other industry. Congress should, therefore, consider what measures might be needful in regulating the practices of companies operating across State lines.

For instance, one company requires all contracts to be forwarded to its home office for execution because of the favorable laws of that State. Because the law of the contract is the law of the place of execution, other State laws are evaded and totally ineffective. Federal action could remedy this situation, assuring the borrower at least the protection afforded by the law of his own State.

Mr. Speaker, I have listed but a few possible areas for inquiry. There are doubtless many more. As the study of our subcommittee progresses, I am certain that other proposals will be considered.

Thus far, I have left without comment a second area of vital importance—the loan shark racket. Criminal elements, acting totally beyond the law, have sunk their hooks into thousands of citizens, exacting from them interest, or "vigorish," as they call it, of up to 5 percent per week. Ruin, dishonor, and even death have followed in their wake. Money from the rackets finds here a fertile field. Businesses, and even some banks, have been corrupted by underworld lending activities. There is at least one instance of bank employees steering customers to loan sharks, receiving kickbacks in return.

I shall not undertake at this time to explore this subject. That, too, will be part of the duty of our subcommittee, and I hope to report in detail at an early date.

Mr. Speaker, this is a matter of importance to every Member of Congress, and to every congressional district. I solicit the cooperation of all citizens in making this investigation of lasting benefit to the people.

Mr. STRATTON. Mr. Speaker, will the gentleman yield to me?

Mr. WELTNER. I am glad to yield to the gentleman.

Mr. STRATTON. I am very interested in the remarks of the gentleman. I think he is bringing to the attention of the House a situation that perhaps ought to be looked into more fully by the Committee on Armed Services. At the same time, however, I think it should be pointed out that because of the financial conditions of the very kind that the gentleman refers to, our committee recommended a very substantial increase in pay for members of the armed services which was passed unanimously by this body and by the other body and which has now been signed into law. I am hopeful, as a result of that legislation, which was authored by the distinguished chairman of our committee, the gentleman from South Carolina [Mr. RIVERS], situations of the kind the gentleman refers to will be less frequent in the future than they have been in the past.

Mr. WELTNER. I thank the gentleman for his contribution. Certainly I, along with the other Members of the House, was happy to support that product of the Committee on Armed Services. Our Committee on Banking and Currency held very revealing hearings about some of the problems of servicemen, particularly insofar as the problems of repayment of debt are concerned.

UNIVERSITY OF HOUSTON SUMMER COMMENCEMENT ADDRESS BY JACK VALENTI

The SPEAKER pro tempore (Mr. HECHLER). Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, on August 27, 1965, Mr. Jack Valenti, special assistant to the President, delivered a forthright and highly informative address at the summer commencement of the University of Houston.

A valued alumnus of that university, Mr. Valenti expressed his views on the importance of education to the future of our Nation. He was speaking with the voice of experience, as one who came by his higher education the hard way.

This commencement address provides some firsthand insights on the basic political philosophy of the Johnson administration, the processes of decisionmaking at the White House, the root meaning of the changes our society is now undergoing, and the opportunities all Americans have to shape our own future and to lead those in other lands who look to us for strength and faith in a better world for future generations.

Under leave granted, I include Mr. Valenti's address:

Address by Mr. Valenti

As I was saying when I was interrupted some weeks ago, I sleep more confidently because Lyndon Johnson is my President.

I also take heart when I return to my university where longer than I like to admit I studied and worked, sometimes bewildered, sometimes hopeful, many times broke. This university was an infant then. It had been a full-fledged university only 4 years when I became a night school student working downtown in the day, taking three classes a night, five nights a week, 6:30 to 9:30 every evening. Eight years and one war later, I received a degree without ever taking a class in daylight.

I have often considered what kind of life I would have led had there been no University of Houston. It is unlikely that I would have gone to college. My world would have been constricted unattended by challenge, and possibly unappreciative of excellence.

But, thank God—and Hugh Roy Cullen—there is a University of Houston. Mr. Cullen extracted a good many millions of dollars from the earth and wanted to pour it back into educated young minds. He is gone from the scene, but he has left an everlasting monument.

Education works in many and strange ways its wonders to perform. Once, also a long time ago, there lived a beautiful woman who, Freud would say was, to put it mildly and properly, uninhibited. But with all her abandon she was gay and charming and witty and she attracted the attention of a powerful king. As she grew older she opened a famous salon where the loftiest minds of that century gathered to debate. While gentle society demeaned her, she did gather some of the world's material goods as well as the affection of the intellectually eminent. She died and in her will left a large sum of money to the son of her lawyer, an amiable but stolid fellow. "Buy your son books with this money and have him read," she wrote. And so this woman whose name was Ninon de Lenclos, and whose royal benefactor was Louis XIV, left most of her estate to a young boy who grew up to become Voltaire.

Any relationship between that study and my experience at the University of Houston is purely coincidental.

But the point history makes is clear. Whether at the University of Houston or through the unusual legacy of a worldly woman, education is the generator of progress, the launching pad of hope, and the litmus by which a society tests its greatness.

No one believes that more strongly than an ex-Houston schoolteacher—Lyndon B. Johnson. I remember that day a year ago, at the University of Michigan, when he spoke to 91,000 people and through them to generations unborn. Here he said we could—and would—inaugurate a national community where "the meaning of man's life would match the marvels of man's labor."

Since the hour he spun that dream, the President has made it his obsession.

Though the life of this Nation is being tested in Vietnam, and though there have been off-stage voices crying the time-worn slogans of those who ache for the "good old days," this administration has kept its sight on the distant objective of a new quality in the life of every American.

The objective of the Great Society is to freshen and inspire the generative genius of the American people. At the heart of this daring enterprise is the spread of education.

No one should be consigned forever to a life of tedium in a time of abundance. The gateless poverty of millions of our citizens is a narrow channel to a larger life. If the channel is clogged, if its banks are silted over by neglect and odium, then no matter how dazzling the land and the sea beyond the channel, those who are trapped within are strangers to the world. Not just the world over the rim of our own shores but the world of beauty and promise and hope, the world most of us see and enjoy but which many of us never and don't.

History measures the growth of national power and shared abundance by the birth and enlargement of a middle class. So long as there is just the rich and the poor, then there will be always fear and oppression, hate and injustice. History squirms with the too often told tale of a small group rich and inaccessible imposing their will on the larger group, poor and imprisoned.

We are trying to help other nations fashion their own kind of social justice where the humblest and the strongest share the common bounty of both the land and its laws.

For when there is a chance for those on the bottom to rise, then there is a reason for the hopeless to have hope. Hope is the indispensable asset without which a nation slowly shrivels, and a neighborhood surely dies.

In our own land, the dark ghetto, written about so factually by Dr. Kenneth Clark, and spoken of so movingly by President Johnson, is not merely a description of the sorry lot of Negroes chained to a wall of mindless monotony.

It is the proper label to give any group of Americans who by ill fate and the force of circumstances is stripped of the meaning of quality. The one distinguishing feature of the ghetto into whose squalor there live both white and black is the loss and lack of education.

Thirty-five million Americans live on incomes of less than $3,000 a year. To these people there is no rich earth, no springtime, only the endless drip of the sameness of each day and night. Theirs is a circle of boredom, unrelieved by nothing, unsought by none, and unseen by all.

It is to these Americans, too many millions of them, whose sons never finish high school, whose daughters marry those sons, and whose children grow up and soundlessly take their place on the dreary treadmill—it is to these people the President aims his compassion and his program. For he has said that the taxeater becomes a taxpayer when he becomes literate enough to want to learn and learns enough to hold a job.

So let us exchange language. Let us substitute the word hope for education. When one learns, one extends his boundaries and he has hope in tomorrow. He is no longer faceless, nameless, a piece of empty flesh on a slag heap where none are inspired and few are retrieved.

Now for the first time in our history, we have constructed a program which assaults all those aging citadels too long defended, and opens the gates to new educational horizons too long denied. In elementary, secondary, vocational, and higher education the President has said to the Nation: "Every child is going to get all the education he or she can take." For the first time the noisy struggle of religious views has been muted, and an ancient conflict eased. For the first time, State, local, and Federal governments as well as local school boards begin a partnership of progress in which the disadvantaged child is the beneficiary, and the Nation is the better for it.

This 89th Congress may well bear in history the name of the education Congress, and no description is more apt.

All the plans for a Great Society came into being, not in a conclusion, but out of the searching inquiry of the finest brains of this generation. We organized 15 tasks forces, with more than 150 scholars, Government officials, economists, lawyers, teachers, doctors, scientists, each with an expertise and an experience.

The President personally involved himself in the shaping and the forming of each proposal. Through many evenings I sat with him and others of his staff as he poured through planning papers, asking questions, demanding answers, illuminating a weak point, casting aside that which was not on course.

His invariable questions: Does it benefit this Nation? Can we afford it? Can we afford not to do it? Is it right and just? There was a no-nonsense edge to his words.

The same kind of painful analysis attended each hour of the discussions that preceded the President's statement outlining his Vietnam decisions on July 28, 1965. I sat in on every hour of those discussions and every American would have been comforted to know that the problems of his Nation were so thoughtfully and so searchingly examined.

From Wednesday, July 21 until July 28, the President was personally involved in over 50 hours of meetings. Most of them took place in the Cabinet Room around the huge octagon-shaped table—a gift from Jesse Jones to President Roosevelt in 1941.

These meetings were in focus every minute, homing in on the question of what we should do in Vietnam. The meeting would begin instantly, with either Secretary Rusk or McGeorge Bundy setting forth the item under discussion, and then the President would go around the room asking each man present to state his views. Not one meeting ended without every man in the room having an opportunity to set forth what he believed and why he believed it.

The President would absorb their comments, his eyes on the speaker, listening quietly.

Once the President turned to a high official and said: "We have had only one view of this problem. Why don't you take the other side and refute the argument being made." The high official smiled, and in language both pungent and logical took up the opposite view—incidentally, the view that finally prevailed. The President's intent, carried forward at each meeting, was to lift every cover, explore every crevice, examine every corner.

Out of these long and somber gatherings, every possible option, every probable alternative, and every hopeful sign was under scrutiny. When the meetings were finally done there was no disquieting note of thoughts unsaid or views unspoken. It has all been laid out. The President often says: "A man's judgment is no better than his information." When he made his decision, there was a comforting feeling that the information had been made available.

Why do I speak to you so soberly tonight? You are all young and fresh, and conceiving what Edmund Burke called the extravagant hopes of the future.

If your conscience can discipline itself to be still and quiet, then you ought not to give heed to my words. But if you have fastenend your courage to the sticking place, hear me out.

Two hundred and eighty years ago, the English people had their last revolution. They called it the glorious revolution. Macaulay declared it was the most significant of all British revolutions because it settled for all time the shape and form of the parliamentary system of that island realm.

This time can be America's glorious revolution. There has been set into motion a mighty tide that like the long swell of heavy waves rolls in progression toward the shore. It is the American commitment to the future and it cannot be halted or diluted or diverted.

We are the leader of the world. It is not by choice, for we do not choose to captain the cause of mankind. But there is no one else with the strength, the abundance, and the faith to do it.

Let us begin the captaincy and the commitment with a national pledge that demands here at home the highest form of excellence in our education, in housing, in conservation, in transportation, in medical care and facilities, in the abolition of poverty, and the construction of beauty—and the firm resolve to help preserve freedom and strengthen justice wherever it is beseiged in the world.

But pledges and programs, though they be enunciated by Presidents, have no rostrum unless the people build it.

This is a young people's land. Within 10 years, 125 million people—55 percent of our total population—will be under 30 years of age. So I depart from the usual commencement text to campaign among this group of lively searchers for excellence.

I urge you tonight to join in our commitment to the future where "the meaning of man's life will match the marvels of man's labor."

HEROISM AT HOLDEN DESERVES RECOGNITION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. RANDALL] is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, on Monday evening, July 19, west central and northwest Missouri were subjected to sudden flash floods resulting from almost unprecedented rainfall. In one place the fall amounted to 13 inches in a matter of hours, so heavy that it could not be recorded on a 10-inch rain gage. In our congressional district, situated in west central Missouri, the area hardest hit was in the western portion of Johnson County, Mo., where approximately 8 inches of rain fell suddenly between about 10:30 p.m. and midnight, July 19, 1965, thus providing the setting for enactment of one of the worst tragedies that has visited Johnson County in several decades.

The events that transpired on that long night produced two heroes who gave their lives for others and displayed repeatedly the bravery and courage of the many volunteers who fearlessly and without thought of their own safety battled the flood waters in an effort to save five persons in peril.

Today it is my purpose to try to describe the events of that evening in sequence and to provide a summary of these two supreme acts of heroism that may be preserved as a part of the CONGRESSIONAL RECORD.

Because it is necessary to keep so many near-simultaneous events in mind when describing an evening of this kind, strict sequence or chronological order cannot be maintained at all times. My information has been assembled from eight or nine different sources in the form of correspondence forwarded to my office. I have tried faithfully to reconstruct what happened this night, based on such sources. I ask for forgiveness if I am in error, for I was not an eye witness to what happened.

Early on this ill-fated evening, Mrs. James T. Henley who lives northwest of Holden, Mo., had taken a group of young people in her car to a 4-H skating party at Warrensburg, Mo. In this group were included her two sons, Mike, age 10, and Frank, age 8, along with David Dodson, age 11, and Steven Zvacek, age 10. The rain had been very heavy while they were in Warrensburg. On the way home when she saw that the flood waters had covered Highway 131, Mrs. Henley attempted to take a country road to their home. Although this road was partially covered with water, an effort was made to get across.

This attempt to drive through some water over a country road set into motion a chain of events which unfolded in grim sequence during the long night ahead. Shortly after entering the water, the Henley car stalled. It was only a matter of minutes until water engulfed the automobile. At first, the children were so panic-stricken they would hardly move, but as the car began to sink into the water, Mrs. Henley managed to get the four youngsters and herself on top of the car. Fortunately, Mrs. Henley maintained presence of mind to honk the horn of the car in an effort to call for help. She left the car lights on, hoping someone would see the light. Together, in unison, she and the young people called for help. Mrs. Henley, careful not to suggest it to her sons or their friends, soon realized that their screams for help might not be heard because of the roar of the water and the added noise produced by the heavy downpour of rain.

For the next hour and a half, from 10:30 p.m. until midnight, the honking of the horn and the screams for help continued almost without interruption but with precious little encouragement that they would ultimately be heard.

The first persons to find the stranded automobile were the grandparents of young David Dodson, Mr. and Mrs. Billingsley. At about 12:15 a.m. on the morning of July 20 they became so worried because their grandson had not returned from the skating party that they went out to check if the car could have experienced some trouble. Going to the south side of Blackwater Creek they heard the cries of Mrs. Henley and the children. The Billingsleys lost no time going to the Deweyville store where they called the Holden Fire Department. Just a little later Dewey Lahue, owner of the principal place of business in the village of Deweyville, worked his way close enough to the Henley car to yell that help was on the way.

At almost the same time the Billingsly call was made to Holden, help was coming from another direction.

Over on the north side of Blackwater Creek is the farm home of the William Callaway family. Mrs. Callaway had arisen about midnight to get some medication for her husband, Bill. He had visited a physician that evening suffering from an abdominal infection causing pain. While she was in the kitchen to get a glass, she noticed water coming in the back door from the heavy rain. In opening the inner door to check the storm door, she thought she heard faint cries for help. As she put it, "I called Bill and we listened together for quite some time. Just as we started to close the door we heard the cries again. After that, Bill dressed immediately and together we got into the car and drove toward Blackwater Creek."

South of Deweyville, the Callaways were met by Lester Long who told them a woman and four children were standing on top of a car enveloped by the water of Blackwater Creek and needed a boat to be rescued. Bill Callaway turned his car around forthwith and went back to his home to get his boat. He hurried back to Blackwater Creek and found the Holden Fire Department had arrived at the point of high water.

With the help of three or four men who had arrived at the scene, Bill Callaway managed to put his 14-foot aluminum fishing boat into the water. Charles Edwards, one of the firemen present, volunteered to make the trip with Bill to the stranded car. Callaway and Edwards successfully reached the car upstream. There they found that the rampaging waters had risen to within 3 or 4 inches of the top of the car. Standing on top of the car were Mrs. Henley, her two sons, David Dodson and Steven Zvacek. It was a happy moment. The brave rescuers had successfully reached the car and all were found safe.

But the feeling of happiness was very short-lived. Shortly after all five were put in Callaway's boat, it was hit in the front by some floating object. The rear end of the boat was swung around with such terrific force that its motor was put out of operation when the propeller struck the car.

Those some distance away from this heart-rending scene could only hear the rush of water and screaming of children, punctured with occasional exclamations of "Oh, my God!" After the boat had capsized, Bill Callaway managed to hold onto Mrs. Henley and three of the boys—David Dodson, Steven Zvacek, and Mike Henley. Clinging together and holding to Bill Callaway, they were thrown by the swift current against a small tree which had been bent over by the heavy current.

Charles Edwards and Frankie Henley became separated and drifted away from the others. After clinging to branches of a tree, Charles and Frankie climbed another tree to safety where they spent the rest of the long night. They were picked up by boat the next morning at about 5 a.m.

Callaway held the other people up in the water up to a tree for approximately 3 hours against a current so rapid that it took all the strength he could muster to keep from being swept away. Just one second's relaxation meant death for those depending on him and for himself.

Although they were also holding on to a submerged log sticking out of the water and the top of a bent-over tree, the current was frequently so swift as to force their heads backward and partially under water. On each such occasion, Bill Callaway found the strength to pull the mother and children back against the current to a place near the bent-over tree where they could keep their heads above water.

Finally, about 3 a.m., members of the Holden Fire Department coupled together sections of fire hose and added sections of rope which were tied to the structure of the bridge, to form a lifeline. Then the night watchman for the city of Holden, Bill Meyer, was assigned the unwelcome task to take the end of the rope to Callaway. Moments before, Callaway had called out for haste in rescue effort by making it clear that the combined weight of the children in the swift current was taking his strength. He yelled back he could not hold on much longer.

Bill Meyer swam out and by help from the lifeline made repeated trips to take Mrs. Henley, David Dodson, and Steve Zvacek to safety. Meyer himself suffered from such great exhaustion he was unable to return for Callaway and Mike Henley. No one else at the scene was strong enough or a good enough swimmer to make the trip even with the help of the improvised lifeline made of coupled fire hose and sections of rope.

We should pause at this point in our description to consider the fact that if a lesser man than Callaway had realized he was near the end of his strength, he could have easily concluded the time had come to save himself. After all, he had rescued the entire group from the top of the car. He had kept them from being separated while others came after them one by one. Why not head for shore and leave little Mike to fend for himself?

But this was not the way Bill Callaway lived or died. After Steve, David, and Mrs. Henley had been brought in by means of the hose and rope life-line, Bill Callaway promised to bring in Mike as well.

In these last moments of these desperate efforts, Raymond Day, fire chief of Holden, Mo., held a spotlight on Callaway. He could be heard to say he could not move his arms. Something happened. Callaway was heard to cry out, "I am paralyzed." Then he sank from sight in the waters of Blackwater Creek. With him went little Mike Henley.

No one knows for sure what happened in these last few minutes. There are few hard facts from which the events may be reconstructed. But these facts have given credence to two theories about what must have happened.

First, there is advanced the theory supported by considerable fact that just before Bill Callaway went down his arms were held up, cradled in a rigid position as if still holding Mike. This must be true because when he was found on the following Wednesday morning, his arms were still in that circled shape. There is no doubt Bill Callaway died from exhaustion. His wife who was at the scene in view of the dramatic struggle to hold the others against the tree, concurs in this belief.

Another prevailing theory strongly supported by the facts is that as one of his last acts of heroism, Bill Callaway took off his own life jacket and tried to fasten it around little Mike Henley. Callaway was found without a life jacket. Mike Henley was also found without a jacket. But there was a life jacket found at a point between the two, fastened too small or too tightly to be worn by a grown man. Thus, everyone will always have a right to believe that, as a last measure of heroism, Callaway tried to give his own life jacket to the Henley boy.

Chroniclers of history encounter difficulties when describing two related, but simultaneous events. The night of July 19 at Holden is no exception. About a half mile away another man, Forrest McKeown, was to struggle heroically against angry nature.

Throughout those long hours just after midnight until after 3 a.m., calls had been going out for those who had boats to bring them to Blackwater Creek and be ready to participate in the rescue of Bill Callaway.

While Bill Callaway was struggling against the current and giving of himself to the point of complete exhaustion, calls by the Holden Fire Department reached another man who was destined to rise to the occasion with a measure of heroism equivalent to that of the other principal in this real-life drama. His name is Forrest McKeown.

McKeown operated a body repair service and a tow service in Holden, Mo. Because it was known he had a boat he was called and immediately responded by bringing his boat to the Highway 131 bridge over Blackwater River. When Forrest McKeown arrived with his son, Ronnie, it was decided they should try to make it upstream in the main channel of the Blackwater. It was thought that somehow McKeown might be able to get upstream to rescue Callaway.

At about 1:45 a.m., assisted by others, McKeown launched his boat in the swirling waters. Bystanders who knew he suffered from a heart condition urged him not to take his boat into the treacherous waters. But he shrugged off these suggestions, because he felt it his duty to try to contribute his efforts to the rescue of Bill Callaway.

They had barely reached midstream in the exceedingly swift current when a floating log hit the boat and caused it to capsize only a short distance upstream from the bridge. The current swept McKeown and his son, Ronnie, back toward the bridge. The son caught on to a beam under the bridge and managed to work his way, hand-over-hand, to the bank. The father, Forrest McKeown, was swept under the bridge, but was caught by the arm by L. M. Cannody and Lester Long, as he came out the other side. Moments later, the capsized boat was dashed against the bridge.

For a while McKeown was able to hold onto the hand of Cannody. Then Lester Long ran to the tow truck, yanked out a tow chain and dropped it over to Mr. McKeown. Mr. Cannody sustained a fracture of two ribs due to the strain of trying to hold McKeown against the force of the swift current. When the chain from the wrecker was thrown out McKeown was able to reach for and grab it. He was almost dragged out of the water through the combined efforts of Long and Cannody when he lost his hold and plunged back into the swift current.

As Forrest McKeown sunk into the dreadful waters of Blackwater Creek the group on the bridge experienced that awful feeling that so many times comes to all of us—a feeling of great helplessness—a feeling of being so close to winning a victory but denied through a quirk of fate. It was an awful feeling for those who had extended such strong efforts to save McKeown and yet failed.

For those in the vicinity of the bridge which carries Highway 131 over the Blackwater, the long night seemed to become interminable when it became known that both Callaway and McKeown had been lost. Uncertainty prevailed as to whether Charlie Edwards and little Francis Henley had been saved.

Little Mike Henley was also missing. Long after daylight he was found in a tree—appearing to hold onto it as he would have in life.

Disregarding the lateness of the hour, the group at the bridge—now made up of people not only from Holden but from Warrensburg and Harrisonville, Whiteman Air Force Base, and all over Johnson County—refused to relax their efforts to locate those who were thought lost and to account for those who might be saved. Men stayed at the scene throughout that night and continued the search far into the daylight hours without stopping to rest or change their watersoaked clothing.

On Wednesday morning about 6:30 a.m., July 21, Bill Callaway was found with his arms still locked in the same position as when he was holding the children to the tree. A very short time later the body of Forrest McKeown was found.

On Wednesday morning the waters began to subside, thus bringing to an end one of the worst tragedies ever experienced in western Johnson County, Mo. It had been a night filled with true life drama and many heroes. Not only the neighbors but everyone in the surrounding area had tried to make their contribution to the effort. They came from over at Warrensburg and from Cass County, including the city of Pleasant Hill. Owners of light aircraft volunteered the use of their planes. A helicopter came from Whiteman Air Force Base.

Toward morning, it was estimated the searchers for the bodies of Callaway and McKeown numbered in the hundreds. Coffee and sandwiches were provided by the Holden Chamber of Commerce and by unselfish individuals who volunteered on their own to try to sustain those working at the rescue effort.

In the days that followed eulogies of the two brave men were on the lips of every person. Friends and neighbors recounted how Bill Callaway had spent his lifetime helping his fellow man. Father of seven, he took another homeless child to live with them. In every conversation it was recounted how he had gotten up from a sick bed to initiate the original rescue of the Henley group. It was recounted how frequently he had worked the nighttime shift from midnight till 8 a.m. only to spend most of the daylight hours working with the Scouts, returning to the night shift with little or no sleep.

An equally great hero was Forrest McKeown. He was always recognized in the community where he lived as a man who was ready always to answer a summons for help with his wrecker at any hour of the night. He was praised as one who was always ready to assist others with their problems, often without pay and with a genuine reluctance to accept even their thanks. People said of Forrest McKeown that he regarded it a duty to his chosen community to try to help his fellow townspeople in Holden.

Two brave men had lost their lives by attempting to bring a mother, two sons, and two other children to safety from the swollen waters of Blackwater Creek. Neither Callaway or McKeown at any time during the fearful night that separated Monday, July 19, from Tuesday, July 20, gave one thought for their own safety but only to save the lives of those in peril.

In these times when people step aside to watch a bus driver be severely beaten, when bystanders do nothing to defend a girl being dragged into a building to be first raped and then murdered, and when a man can lie upon a sidewalk bleeding to death while passersby remain oblivious to his pleas for help, men like Bill Callaway and Forrest McKeown deserve highest honors.

It was, therefore, appropriate that at a special meeting less than 1 week later the Holden City Council passed a resolution commending the actions of those on the night of July 19, as follows:

Whereas the Holden Fire Department and persons recruited by Fire Chief Raymond Day responded to a call for help with a wholehearted effort and in a heroic manner; and

Whereas it is the desire of this body to make known its appreciation of the entire Holden community for the effort and valor shown: Therefore be it

Resolved,

1. The city council commends Fire Chief Raymond Day and all members of his department who responded to a call for help in the early hours of the morning on July 20, 1965, with regard to the need for rescue of persons endangered by floodwaters of the Blackwater Creek a short distance north of the city of Holden.

2. The city council further commends the following persons who, when asked by Fire Chief Raymond Day to serve with the fire department under his direction, unhesitatingly answered his call and served with distinction and valor: William "Bill" Callaway (deceased), Forrest McKeown (deceased), Bill Kenney, Richard Gard, Ronnie McKeown, Bill Meyer, and Claude Allen Rice; and be it further

Resolved, That special commendation is given posthumously to William "Bill" Callaway and Forrest McKeown, who both lost their lives in heroic attempts to save the lives of others. The city council extends its deepest sympathies to the families of these men, knowing that their deep sorrow is mixed with their feelings of justified pride in the actions of these men. The city clerk is ordered to forward copies of this commendation to the widows of these brave men.

Passed by the City Council of Holden, Mo., this 26th day of July 1965.

R. P. Dillon,
Mayor.

In the Thursday, July 22 issue of the Warrensburg Daily Star-Journal, Editor William C. Tucker published an editorial entitled, "Memorable Deeds of Heroism":

During the floodwater tragedy that took three lives north of Holden this week, Johnson Countians rushed in immediately and unhesitatingly to offer help.

This is in deep contrast to the so-often-read-about cases where individuals and groups simply stand by and witness, unconcerned, without intervening to prevent rapes, murders, beatings of helpless people. They don't want to get involved.

The people of Johnson County do want to get involved.

They did so to the extent that two who answered early pleas for help from a flood-swamped automobile lost their lives.

It was one of the county's worst tragedies in years.

The two victims in the rescue effort, Bill Callaway and Forrest McKeown, as well as the scores of others responded to the emergency in the darkness of night, amidst swirling waters, in the true Christian spirit, voluntarily, without fear for their own lives.

Numerous instances of heroism were reported; numerous instances of performing small but vitally important tasks were performed. As the county coroner (Dr. Keith D. Jones) declared, there were "giants of heroism" at work in the accident that began when a car with five persons was swept off a bridge in flood waters.

Many residents, officials, neighbors, strangers, off-duty officers worked throughout the night and day, in rain, without sleep to save those who were alive and to find the bodies of the victims.

On the basis of what has been reported, the valiant efforts of Bill Callaway and Forrest McKeown merit national citations for bravery. Perhaps when the tragedy is further studied the efforts of several living persons also should be honored for their courage and determination to save the lives of others.

There is no doubt that in the disaster that occurred among us this week, true bravery and great heroism were demonstrated in the highest degree.

At the center of this great tragedy, of course, stand the heroes Bill Callaway and Forrest McKeown, but surrounding them in brilliantly supporting roles are many unsung heroes. Certainly such a list should include Charles Edwards, Bill Meyer, Fire Chief Raymond Day, Ronnie McKeown, L. M. Cannady, Lester Long, Wilfred Flaspohler, Ivan Baughman, Alvin Anderson, Roy Barker, Lynn Baughman, Jim Clark, Leslie DesCombs, John Kammeyer, John Koch, Gordon Sisk, Dale Snare, Albert Wakeman, Jack Wharton, and Dale Williams. I know this list is not complete, but it represents the best information I could obtain.

People from all walks of life were there that night to contribute their efforts. Only those who were present will ever know or realize the horror of this tragic night or experience the feeling of helplessness to hear the roaring waters created by angry nature and producing a force that all the combined efforts of those present could not overcome.

As U.S. Representative I respectfully submit that the acts of Bill Callaway and Forrest McKeown qualify them for national public recognition and award. The two men were equally courageous, equally brave, and equally heroic.

The two heroes extraordinary fought throughout the long, dark night the black waters of a river carrying such an appropriate name. Their courage must not go unnoticed. What a sharp distinction from bystanders and witnesses to beatings, rapes, and murders of helpless people who do not want to get involved. The tragic deaths of Callaway and McKeown must not go unhonored. The heroism of Holden must not go unrecognized.

Bill Callaway and Forrest McKeown died that others might live. Such heroism deserves recognition.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EQUALITY IN AMERICA: A PROMISE UNFULFILLED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, on August 30, 1965, the Republican Coordinating Committee approved an outstanding report entitled, "Equality in America: A Promise Unfulfilled." This was the report of the task force on human rights and responsibilities under the leadership of our distinguished friend and colleague, the gentleman from Ohio [Mr. McCulloch]. The credentials of the gentleman from Ohio to be chairman of the task force are known to all. He has made a great and outstanding contribution to civil rights legislation. The gentleman from Ohio cosponsored the 1964 civil rights bill and made a substantial contribution to the 1965 voting rights bill. At the 1964 Republican National Convention he chaired the subcommittee handling civil rights and was responsible for the human rights planks in the 1964 Republican platform. The following individuals serve with Mr. McCulloch on the task force on human rights and responsibilities: Gov. Mark O. Hatfield, vice chairman; George W. Abbott, Walter E. Alessandroni, Representative W. E. (Bill) Brock, Cornelius P. Cotter, Luis A. Ferre, Senator Hiram L. Fong, Robert L. Gavin, Bernard Katzen, former Senator Kenneth Keating, Mrs. Rhoda Lund, Gaylord Parkinson, Samuel R. Pierce, Mrs. Louise Reynolds, Senator Hugh Scott, Gov. John A. Volpe, and Francis G. Wilson.

Mr. Speaker, I include at this point the report made by the task force and as chairman of the House Republican Conference, I commend their report to each Member of this Congress for their thoughtful consideration.

Equality in America: A Promise Unfulfilled

(A position paper on human rights as approved by the Republican Coordinating Committee August 30, 1965. The study was made by the task force on "Human Rights and Responsibilities," Congressman William McCulloch, of Ohio, chairman)

The precious, special thing we call American citizenship confers rights, imposes obligations, and should promise an equal chance for all. A nation that has lighted the way to liberty still has dark corners.

America is a nation of 195 million people who trace their ancestry to every corner of the globe. Our national character has been immeasurably strengthened by this fact.

Freedom has been the magnet which has drawn to our shores representatives of all races. With the rights of American freedom goes an equal responsibility of citizenship. Respect for law and order in our free society is basic to our survival as a nation. Violence, illegal breach of the peace of any kind by any mob, weaken the fabric of this Nation, and undermine the American goal of equal opportunity under law for all our people. Indeed, to be achieved, this goal must rest unswervingly on respect of the law—all the law—of the land. We believe in and we pledge ourselves to vigorous law enforcement at every level of government—local, State, and National.

Republicans, like other citizens, do not speak with a single voice on the problem of human rights or its solution. But for a century and more, the Republican Party has struggled more consistently and effectively than any other political party for justice and progress in human rights.

The first Republican President, Abraham Lincoln, ended slavery in the United States.

The most recent Republican President, Dwight Eisenhower, gave leadership which produced the first effective civil rights law in three-quarters of a century.

The first State law forbidding discrimination in employment was enacted by a Republican legislature—in New York—under a Republican Governor.

The Civil Rights Act of 1964 received the support of over 80 percent of Republicans in both Houses of Congress, and without their efforts no bill would have passed, and in 1965, Republicans in Congress were in the vanguard of the drive for a worthwhile, effective voting rights law. The Voting Rights Act of 1965 received the support of 94 percent of Senate Republicans, and 82 percent of Republicans in the House of Representatives.

This document constitutes an interim report on human rights and responsibilities. The subject of equal opportunity in America has many facets and is constantly changing.

We are entering a new phase of the struggle for equality of opportunity and responsibility. In this phase major emphasis must be placed on State, local, and private action.

State, local, and private action in the fields of equal opportunities in housing, education, employment, public accommodations, and voting rights will be extensively dealt with in future task force reports.

Human rights and responsibilities will continue to receive major attention by the Republican Coordinating Committee.

We believe that it is the duty of governments to take actions which will ease, not intensify, the problems of race relations. We will not be satisfied until every American accepts every other American, regardless of race, color, or creed, as entitled equally to fulfillment to the limit of his ability and enterprise.

Laws and government action alone, however—not only at the Federal level but also at the State and local level—will not accomplish the results we seek. Personal relationships and understanding between individuals is also vital.

THE RIGHT TO VOTE

Ours is a system whose cardinal principle is that the governed shall rule. In such a system the central government can have no higher responsibility than to protect the voting rights of the citizens. The Republican Party ardently defends the right of every qualified American to go to the polls to cast his ballot for candidates he has freely chosen, and to have his vote honestly counted. That this right has been denied to many American citizens is abundantly clear.

The Republican platform of 1964 spoke out against this abuse in the American system. It pledged such additional administrative or legislative action as may be required to end the denial, for whatever unlawful reason, of the right to vote." Republican Members of Congress clearly evidenced their determination to keep that pledge this year.

In recent years tactics contrived to obstruct the right of citizens to exercise their franchise effectively followed one or more of four paths: discriminatory administration of literacy prerequisites for voter registration; discriminatory enforcement of poll tax laws; intimidation of potential voters; inadequate protection of the sanctity of the ballot.

The Voting Rights Act of 1965 treats, with varying degrees of adequacy, all of these subjects. Despite gaps in the coverage of the new law, Republicans in both Houses of Congress overwhelmingly supported its passage. But congressional Republicans also advocated substitute legislation which would have resulted in more effective law and broader protection of all voting rights of all citizens.

Three questions clearly illuminate the new law's deficiencies, and we call upon the President to answer them.

Why doesn't the President tell the people:

Why Texas was not covered under his initial voting rights bill and is not effectively covered now?

Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?

Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?

Protecting the sanctity of the ballot

Enforcement of Federal laws and State laws has been notoriously weak in eliminating vote frauds. The 1965 Voting Rights Act is woefully inadequate in its remedies of such offenses. It is futile to protect the right of each American to go to the polls and cast his vote, only to allow his ballot to be stolen after he has cast it. The responsibility of government to protect the right to vote presumes as well a responsibility to see that the vote is accurately counted and reported. Government and law must protect both, for more is at stake than the correction of wrongs. At stake is the integrity of the voting process in the future of our representative government.

The 1964 Civil Rights Act empowered the Commission on Civil Rights to investigate allegations of vote frauds, but in view of the prevalent frauds in some recent elections this authority is clearly inadequate. Legislation has been urgently needed to prevent persons not entitled to vote from casting ballots—to insure an honest and accurate count of ballots—to prevent multiple voting—to abolish fraudulent devices which attempt to add or subtract from the honest total of votes received by a candidate—to prevent the sale or purchase of the vote—and to prevent any other offense whose aim is illicit interference in the legitimate result of any election. Additional legislation is clearly required to uphold the sanctity of the ballot. Such legislation should provide for clear, swift, and sure enforcement procedures for an early and conclusive determination of vote frauds.

EDUCATION AND EMPLOYMENT

Every American deserves and should have a full and fair chance to fulfill his God-given capacity to learn, to work, to earn—all without regard to race, or creed, or color. He deserves and should have a full and fair chance to own a decent home, at a price he can afford, in a decent neighborhood. He deserves and should have a full and fair chance, with all of his fellows, to go to the places and do the things for himself and his family as his earnings will permit.

Education

Education is the foundation of the American Republic. Education is the tool to a better life. If our citizens are to compete effectively for good jobs, they must be educated. We effectively support a massive campaign against illiteracy in the United States.

Many children of racial minorities are not prepared to begin classes when they enter school; additional efforts are needed to raise their educational levels before they begin school. If our minorities are to break the bonds which chain them to unemployment rolls and low-paying occupations, they must have the skills employers require. The very least of these is literacy and yet more than 3 million Negroes have completed less than a fifth-grade education according to 1960 census data. In that year 9 percent of the total population over the age of 14 years were found to be functionally illiterate. And of the 11.3 million functional illiterates over 27 percent were nonwhite.

The percentage of whites over 25 years of age who had, in 1964, completed at least a high school education was approximately double that of the Negro population. Certainly if all our citizens are to compete effectively for good jobs, they must be armed with the first requirement—a basic education.

One full school generation has passed since the Supreme Court declared compulsory segregation in the public schools unconstitutional, and ordered desegregation with all deliberate speed. Now, 11 years later, the practical consequences of this decision are still to be realized.

The chief hope for a future without prejudice in the United States lies with our children. Given an atmosphere in which tomorrow's adults learn together, the relations between the races cannot help but improve.

The Civil Rights Act of 1964 authorized the Attorney General to initiate Federal court suits to bring about a speedy desegregation of all public schools. Through the middle of August of 1965, 13 suits had been filed. We urge immediate and full implementation of this authority.

Under the act, the Office of Education is authorized to provide technical aids and services to ease the difficulties which southern school districts must temporarily experience as they come into full compliance with the Court's 1954 decision. Some $8 million was appropriated to advance these efforts in the 1965 fiscal year, and an additional $8 million was requested for fiscal year 1966. These funds should be used fully and energetically to insure that compliance will not result in unnecessary hardships, as steps are taken to insure that compliance does in fact occur.

In the effectuation of school desegregation, the most powerful force next to persuasion is the authority given under title VI of the Civil Rights Act to cut off Federal funds to school districts and States which refuse to desegregate their schools. This is an instrument for compliance that was advocated and sponsored by Republicans in Congress.

Employment

The dilemma posed by the lack of adequate employment opportunities clearly illustrates the vicious circle in which American racial minorities are caught. Because many members of these groups are not trained to handle jobs requiring relatively sophisticated skills, they are forced into lower paying occupations. Because they earn less, their children grow up in an environment which often tends to stunt intellectual growth; and even when this does not happen, the family cannot afford to give the children the advantages of higher education so necessary in today's complex society if good jobs are to be obtained.

To alleviate inequities in employment Congress, with Republican initiative and leadership, last year created an Equal Employment Opportunities Commission under title VII of the Civil Rights Act. Together with the President's Committee on Equal Employment Opportunity already in existence, the EEOC is to receive complaints and enforce compliance with the law through litigation, if necessary. The Commission's authority to ban discrimination by employers, labor unions, and employment agencies applies to firms and unions with 100 or more workers as of July 1965. By July 1968, unions and employers with 25 or more workers will be covered.

This administration has done little to implement the provisions of title VII. No planning, establishment of regulations, or creation of a staff could take place until the five members of the Commission were appointed. Finally, with less than 2 months remaining to the July 1965 deadline, the Commission was appointed. Unfortunately, full implementation of title VII has been severely hampered by the administration's delay. The Republican Party deplores the lack of responsible attention to this obligation and calls for an accelerated effort to correct the resulting harm.

The antipoverty program, which was originally aimed at helping the poor including many members of racial minority groups, has already deteriorated into a shameful example of predatory political patronage for the big city machines.

PUBLIC ACCOMMODATIONS AND FACILITIES

Republican congressional leaders strongly supported measures to end discrimination in both public accommodations and public facilities. Here is an opportunity for the States to lead, for on public accommodations the enforcement of adequate State laws precludes the entrance of the Federal Government; this safeguard was inserted into the 1964 act at Republican initiative.

No aspect of the 1964 act received greater attention than title II, public accommodations. Enforcement of this title has been effectively applied to privately operated facilities serving the general public. Enforcement of title III, however, which applies to publicly owned and operated facilities such as parks and libraries, has been no better than spotty. Title III empowers the Attorney General to bring about compliance through appropriate enforcement proceedings. Although a number of complaints have been received by the Department of Justice, only 18 suits have been filed as of the middle of August 1965.

It is imperative that the administration meet its responsibility to enforce the provisions of title III no less vigorously than title II.

STATE, PRIVATE AND LOCAL RESPONSIBILITY

We invite comparison of accomplishments in those States where Republican Governors have led effective civil rights programs with accomplishments in the Federal Government where, during 30 of the past 32 years Democrats have controlled the Congress, the White House, or both. But as Republicans we believe that while civil rights is a national problem and national responsibility, it is also the responsibility of State and local governments as well.

The Republican Party—the party devoted to preserving the true principles of the federal system—is dedicated to maximizing local responsibility. At the State and local levels of government, we urge enactment of laws designed to protect Constitutional guarantees and a vigorous implementation of such laws. We also urge private action at the local level to insure equal opportunity for all in the fields of education, housing, employment and public accommodations.

We deplore recent moves by administration leaders to weaken, and in some cases to deny, the traditional role of State Governors in matters basic to the well-being of the citizens of their States. In administration-sponsored actions by Congress this year the role of Governors in Federal housing and poverty programs has been thrust aside. Indeed, the whole trend of Federal legislation in the present Congress has been at the expense of State responsibility. Republicans will not rest their efforts to counter this trend.

CONCLUSION

In a host of fields Republicans have initiated and aggressively supported legislation to prohibit discrimination. But law cannot achieve its goal unless it is impartially and faithfully executed by the administration in power. On the other hand, in many areas this administration has failed to enforce the law of the land. Republicans condemn this failure and demand full enforcement of the law—all of the law at every level.

Every American citizen must be afforded full opportunity to realize the goals he shares with all men; to be treated honorably, to live decently and securely, to hold a good job and to enable his children to do better than he has done. Our goal is a land of opportunity which provides opportunity and justice to all.

U.S. AIDS CONFIRM SINGAPORE CHARGE OF 1960 CIA PLOT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, this morning's New York Times contains news which will surely shock most Americans. It confirms the tale of an attempted bribe of $3.3 million to the Prime Minister of Singapore, Mr. Lee Kuan Yew, to cover up an unsuccessful CIA operation in 1960.

The story serves to reiterate the need for careful congressional oversight of the Central Intelligence Agency, a need which I have recognized by introducing House Joint Resolution 649, to establish a Joint Committee on Foreign Information and Intelligence. This legislation is similar to that which I introduced in both the 87th and 88th Congresses.

I have consistently stated, ever since I was elected to the House in 1960, that it is inconsistent with the basic concepts of our democratic government to allow a large and extremely important agency, such as the Central Intelligence Agency, to avoid the scrutiny of the people and their representatives by hiding behind a veil of secrecy. The Congress and the people have a right to know and a right to regulate the intelligence services of this Nation. This last sordid incident merely underscores the necessity of such regulation.

Mr. Speaker, I call upon the House Rules Committee to conduct hearings in the near future on my bill and speed the enactment of CIA oversight that is long overdue.

The text of the story follows:

U.S. AIDS CONFIRM SINGAPORE CHARGE OF 1960 CIA PLOT—DENIAL IS LABELED AN ERROR AFTER PRIME MINISTER LEE DISPLAYS RUSK APOLOGY

(By Max Frankel)

WASHINGTON, Sept. 1.—The State Department yielded to an accuser's evidence today and withdrew a denial of attempted espionage and bribery by the Central Intelligence Agency in Singapore 5 years ago.

In effect, the Department confirmed a charge by Singapore Prime Minister Lee Kuan Yew, that a CIA agent had offered him a $3.3 million bribe to cover up an unsuccessful CIA operation in 1960.

In the early months of the Kennedy administration, the Department conceded, Secretary of State Dean Rusk wrote a letter of apology to Mr. Lee. The letter took "a very serious view" of the activities of the previous administration and indicated plans to discipline the offending intelligence agents.

PENALTY IS UNDISCLOSED

A spokesman refused today to say what action, if any, had been taken.

It was Prime Minister Lee's disclosure of the Rusk letter that prompted the State Department to withdraw its denial.

Mr. Lee initially made his charge yesterday in listing several grievances against the United States. He said that a CIA man had been caught trying to buy information from Singapore intelligence officials and that the United States had then offered him $3.3 million for personal and political use if he would conceal the affair.

The Prime Minister said he had asked instead for $33 million in formal economic-development aid for Singapore. U.S. aid to all of Malaysia, the federation from which Singapore withdrew this summer, was $3.5 million in 1963 and $4 million in 1964.

INITIAL DENIAL WAS PROMPT

Mr. Lee's recollection of the incident drew immediate denials from James D. Bell, the U.S. Ambassador to Malaysia, and several hours later from the State Department.

Robert J. McCloskey, the Department's spokesmen, said yesterday: "First, we are surprised at these statements attributed to Prime Minister Lee. With respect to allegations of a CIA involvement, we deny that allegation."

After Mr. Lee produced the letter from Secretary Rusk, dated April 15, 1961, and threatened to broadcast tape recordings to prove his charge, an embarrassed Mr. McCloskey corrected himself.

"Those who were consulted yesterday were not fully aware of the background of the incident, which occurred 4½ years ago," he said. He acknowledged Mr. Rusk's letter without describing the "unfortunate incident" for which the Secretary has asked forgiveness. It was the same incident that Prime Minister Lee was talking about, Mr. McCloskey added.

RUSK DISTRESSED

Mr. Rusk's letter said:

"DEAR MR. PRIME MINISTER: I am deeply distressed to learn that certain officials of the U.S. Government have been found by your Government to have been engaged in improper activities in Singapore. I want you to know I regret very much that this unfortunate incident had occurred to mar the friendly relations that exist between our two Governments.

"The new administration takes a very serious view of this matter and in fact is reviewing activities of these officials for disciplinary action.

"Sincerely yours,

DEAN RUSK."

Apparently, Secretary Rusk was not consulted yesterday before the denial was issued. Relatively new officials in the Far East Division of the Department were said to have been unaware of the case, and apparently then failed to consult the files. The CIA apparently relayed the denial of wrongdoing that it customarily issues to the rest of the Government when confronted by such charges.

Asked whether Ambassador Bell had been similarly uninformed of the background, the

Department spokesman said he had. No further approaches were made today to the Singapore Government. The case was long ago marked "closed" in the files here, Mr. McCloskey added.

U-2 INCIDENT IS RECALLED

The affair reminiscent of the 1960 case in which the State Department denied that a U-2 reconnaissance plane had ventured deep into Soviet territory. Moscow denounced the intrusion without immediately disclosing that the plane and the pilot had been captured. Later the United States was forced to admit a falsehood.

Prime Minister Lee's sudden public attacks upon the United States are described here as puzzling. In addition to the CIA incident, he has complained about delays in arranging for an American physician to attend to a close friend—some suggest that the friend was his wife—and about a general "insensitivity" of Americans in Asia.

Mr. Lee declared yesterday that he would never let Americans replace the British in maintaining a military base in Singapore, but the severity of his attack seemed to go beyond concern about the base.

Some officials suggested that he might have been appealing for African and Asian support of Singapore's independence outside the Malaysian federation, but officials termed this an inadequate explanation.

LEE ANGERED BY DENIAL

SINGAPORE, Sept. 1—Washington's denial of Singapore's charge against the CIA aroused Prime Minister Lee to anger today.

Escorting reporters into his office, he angrily jerked out files stamped "top secret." Pressing the Rusk letter into an American correspondent's face, he said, "The Americans stupidly deny the undeniable."

LIKE "GOLDFINGER"

"If the Americans go on denying," he said, "I will have to disclose further details, which may sound like James Bond and 'Goldfinger' only not as good, but putrid and grotesque enough. It will do them no good and our future relations no good."

Prime Minister Lee's press secretary, Li Vei Chin, said the Americans' $3 million bribe offer was made in January 1961, before President Kennedy took office. He said Mr. Kennedy had inherited the problem and "to his credit" ruled that no money would be given "under the counter." Compensation would be given publicly instead, as foreign aid, according to Mr. Li's account of the Kennedy decision.

Prime Minister Lee said he had full reports and documents relating to the incident, including transcripts of tape recordings, interrogations and meetings.

"If they continue denying it, I will play some of these tapes on Singapore radio," Mr. Lee added. "If they continue to repeat the denial, I will have to disclose who the intermediary was, and very high circles would be greatly embarrassed."

He added: "The Americans should know the character of the men they are dealing with in Singapore and not get themselves further dragged into calumny. They are not dealing with Ngo Dinh Diem or Syngman Rhee. You do not buy and sell this Government."

Besides the letter attributed to Mr. Rusk, the Prime Minister displayed an accompanying note, said to be from W. P. Maddox, who was the United States Counsul General in 1961. Explaining his disclosure of the documents, Mr. Lee said they were "open letters, open apologies, so I released them."

SEEK NATIONAL PARK STATUS FOR SHIP ISLAND

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOGGS. Mr. Speaker, one of the noted islands off the coast of this great country of ours—an island which is closely identified with the earlier history of our Nation and of my State of Louisiana and its neighbor, the State of Mississippi—is Ship Island, or Isle aux Vaisseaux. This 2-square-mile island, measuring some 8 miles long and from one-fifth to four-fifths of a mile wide, lies less than a dozen miles off the Mississippi Gulf Coast near Biloxi, Miss.

In the year 1699, Pierre Le Moyne, Sieur D'Iberville, landed at Ship Island, prior to sailing on to the mouth of the Mississippi River. He and his men found temporary refuge there, and Iberville named the island Isle aux Vaisseaux, or Ship Island, and its nearby companion isle, Cat Island. Later, the British expedition against New Orleans, my home city, used the island as a way station preparatory to moving their ships and men up the Mississippi River.

The island figured briefly in the Civil War when Confederate forces occupied it for a short time, then abandoned the island under orders of General Twiggs. In the fall of 1861, Federal forces occupied Ship Island, and Admiral Farragut used it as a supply base and repair station, before launching his attack on New Orleans, which fell in April 1862.

After the war, in 1872, a Federal fort—Fort Massachusetts—was completed; and in the 1880's the island served as a U.S. quarantine station and a customs post.

Today, the National Government owns two small parcels of land which are used by the U.S. Coast Guard. The remainder of the island is owned by the Joe Graham Post No. 119 of the American Legion—three parcels—and the Mississippi State Park Commission—one parcel. The Joe Graham Post of the legion, Mr. Speaker, owns the parcel where stands old Fort Massachusetts. It was in 1933 that Congressman WILLIAM COLMER, of Mississippi, along with the late Congressman Rankin, succeeded in transferring to the Joe Graham American Legion Post, by means of the enactment of Public Law 73–60, three parcels of the then federally owned land on the island, with the proviso that the legion post maintain the land for use as a recreational park. This the members of the Joe Graham Post have done, and today, some 40,000 tourists visit Ship Island, in order to walk on its sandy beaches and enjoy the warm sunshine and the salt air out of the Gulf of Mexico.

Mr. Speaker, I am a native of Mississippi; I was born at Long Beach on the gulf coast of Mississippi, and I spent many happy boyhood days there. Long Beach is not far from Biloxi, or from Ship Island, and in my youth, I visited the island many times, and enjoyed roaming through Fort Massachusetts and around that beautiful island.

Mr. Speaker, Mr. COLMER is the sponsor of a bill—H.R. 6320—which would make Fort Massachusetts a national historic site, to be administered and maintained by the Secretary of the Interior for historical, educational, and recreational purposes. It seems most fitting that all or part of Ship Island should be designated a national historic site; or, if deemed preferable, the island should be designated as a national recreational area or a national seashore. The role of Ship Island in the history of our country, and particularly the States of Mississippi and Louisiana, as well as its beauty and its attraction to tourists, is such that I feel strongly that it should be approved as a national historic site, or a national recreational area or national seashore—whichever designation seems most appropriate by the Department of the Interior.

One of the most distinguished reporters and columnists in my city of New Orleans today is Mr. Charles L. "Pie" Dufour of the New Orleans States-Item newspaper. Pie Dufour writes a daily column entitled "Pie's a la Mode," in which he touches on every subject from his boyhood remembrances of New Orleans in the earlier years of this century to the great moments in the history of our State of Louisiana and of our country.

Mr. Dufour is the author of several historical works, including "The Night the War Was Lost," in which he relates the fall of the city of New Orleans to the Union forces in April 1862, which was relatively early in the War Between the States. He emphasizes the great importance of the capture of the Port of New Orleans to the Union Army; and the significant loss to the Confederacy of this great city and the lower reaches of the Mississippi River. The fall of New Orleans, coupled with the Union blockade of Confederate ports, combined to spell doom for the Confederacy very early in that terrible war, and Mr. Dufour is deserving of great tribute for his insight and his contributions as a profound historian in the life of our country.

At this point, Mr. Speaker, I should like to call to the attention of my colleagues a fine column by Mr. Dufour on the desirability of designating Ship Island as a national historical site, or a national recreational park. He is most qualified to write authoritatively about this subject, and I ask unanimous consent to include with my own remarks this fine column by Mr. Dufour, which appeared in the Sunday Times-Picayune States-Item of August 29, 1965. The column follows:

SEEK NATIONAL PARK STATUS FOR SHIP ISLAND

(By Pie Dufour)

One of the most historic spots on the Mississippi Gulf Coast lies a bit under a dozen miles off the mainland at Biloxi.

It is Ship Island, which is historically identified with Louisiana, especially New Orleans, perhaps even more than it is identified with Mississippi.

Accordingly, Orleanians should be very interested in House bill 6320 which would create the 1,400-acre sandbar into Ship Island National Historic Seashore if Congress passes the measure.

Civil leaders and groups on the Mississippi gulf coast are plugging hard for congressional action to make a national recreation park of Ship Island and one of the most enthusiastic pluggers is W. James Stevens, gulf coast businessman.

Ship Island, Mr. Stevens points out, "is now owned or controlled by the Federal Government. * * * There is no acquisition cost involved should the present Congress approve H.R. 6320." And, Mr. Stevens adds: "There are national seashore recreational areas at Cape Hatteras, N.C.; Cape Cod, Mass.; Point Reyes, Calif.; Padre Island, Tex.; and pending consideration at Fire Island, N.Y."

Why not one at Ship Island, which is assuredly identified with American history more than any other offshore island?

It was at Ship Island that Pierre Le Moyne, Sieur d'Iberville, found safe anchorage for his two frigates, *Badine* and *Marin*, as he cruised in search of the mouth of the Mississippi River in February 1699. Iberville found deep water between two islands and anchored his ships in the shelter of one of them. He gave this island its name, Isle aux Vaisseaux—island of the ships, hence Ship Island. His men gave the name of Cat Island to the other because the raccoons which abounded there were mistaken by the sailors for wild cats.

It was from Ship Island that Iberville set out in his two smaller craft to discover the Mississippi from the sea, and it was from Ship Island that the first French settlement on the gulf coast was established at the present site of Ocean Springs, where Fort Maurepas was constructed.

One hundred and fifteen years after Iberville dropped anchor in the shelter of Ship Island, the British expedition against New Orleans in 1814 used Ship Island as a staging area for the campaign. The naval battle of December 14, 1814, when five little American gunboats under Lt. Catesby Jones valiantly opposed a whole fleet of British armed barges, was fought in the waters between Ship Island and Bay St. Louis.

And nearly half a century after the British, defeated at New Orleans on January 8, 1815, had retreated to their warships and transports at Ship Island and sailed away, another invasion was launched at Ship Island.

For a while in 1861, Confederate forces occupied Ship Island and a halfhearted attempt at fortifying it was begun, but General Twiggs, then in command in New Orleans, ordered Ship Island evacuated. Accordingly, with little or no opposition, Ship Island was occupied by Federal troops in the fall of 1861. Farragut's fleet used it as a supply and repair base for his attack on Forts Jackson and St. Philip in April 1862, the passing of which by the Union warships bespoke the fall of New Orleans. And Gen. Ben Butler's occupation troops were assembled at Ship Island, before boarding transports to follow in Farragut's wake to New Orleans.

The War Department authorized construction of a fort on the western end of Ship Island in 1856, but by 1861, when Confederates seized it, the walls had been built to only a height of 6 feet.

When the Federals occupied Ship Island in September 1861, the name Fort Massachusetts was bestowed upon the unfinished works, probably because the warship *Massachusetts* had supplied the men to take possession of it. However, according to the researches of Jim Stevens, the fort was never officially named Massachusetts.

"Men in writing home seem to have given it that name themselves. When the war correspondents accompanying Brig. Gen. Phelps landed with his New England brigade December 4, they sent their news story to Boston and New York headed 'Fort Massachusetts, Ship Island.' Harpers Weekly, in its January 4, 1862 issue, uses the name prominently and thus a label was unofficially perpetuated."

After the Civil War, Fort Massachusetts was completed in 1872 and Ship Island served as a U.S. Quarantine Station and a customs post in the 1880's. Today, the old fort on Ship Island attracts 40,000 visitors a year.

"Historically speaking, Ship Island is one of the most frequently mentioned islands of the United States," declares Jim Stevens. "Whether for military invasion or peaceful commerce, it has made a definite impact on the country's history. Geographically, Ship Island is primarily useful today as a seasonal seashore playground. Its 7 to 8 miles of Gulf of Mexico shoreline has a constant roaring surf. Ship Island can bring much happiness to millions of Americans."

Personally, I share Jim Stevens' enthusiasm for the development of Ship Island. For years, I wondered why the State of Mississippi didn't exploit it for tourists. Now, with a bill in Congress to make it a national historical seashore, Ship Island could, at long last, come into its own as a recreational area.

LARRY O'BRIEN

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GILBERT. Mr. Speaker, I congratulate the President on his selection of Lawrence F. O'Brien to be Postmaster General of the United States. Although he served as Postmaster General only a short time, Mr. Gronouski has done an outstanding job, and I know that Larry O'Brien will follow his efficient and capable standards.

Larry is well known to us in Congress, having served as legislative liaison officer for both President Kennedy and President Johnson. He is well liked on Capitol Hill where he has been of tremendous assistance to all of us. I am proud of my warm and close association with this friendly, able man from Massachusetts. He is a man of great personal charm and character, with unmatched knowledge and understanding of both the legislative and executive branch of our Government, and he enjoys the high regard of both. As Postmaster General, he brings to a demanding position the ability and talent that will make him a great Postmaster General.

I extend to my good friend, Larry O'Brien, my hearty congratulations and best wishes.

MIKE MANSFIELD

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I have long admired and respected our senior Senator from Montana, Mr. Mike Mansfield, and would like to bring to the attention of the Members the warm and revealing portrait of our distinguished majority leader published in today's New York Times.

[From the New York Times, Sept. 2, 1965]

OUTSPOKEN SENATE CHIEF: MIKE MANSFIELD

Washington, September 1.—At the conclusion of his remarks at the opening Senate Democratic caucus last January 4, Majority Leader Mike Mansfield dealt with the delicate question of what Members owed to the President and to their own conscience in the field of foreign policy.

"I would hope that Democratic Members, indeed all Senators," he said, "would bear in mind at all times the great burdens which the President carries for all of us in these decisions of foreign policy. I would hope and expect that we will give him every support, by word and vote, which can, in good conscience, be given.

"And I would hope that Members qualified in questions of foreign policy would not hesitate, after careful study, to speak out on them.

"Contributions have been made, from time to time, by Members of the Senate to the more effective formulation and conduct of our foreign relations. And clearly we are at a stage now in world developments when prudent contributions of thought and idea can be very useful."

It was in this spirit that Mr. Mansfield made his speech today pointing out that both sides in Vietnam were setting certain conditions on a negotiated settlement. It so happened that Mr. Mansfield's idea coincided with those of the President and therefore the President welcomed the speech.

HIS IDEA OF HIS TASK

But Mr. Mansfield would have made the speech whether or not it had the President's approval. He has always believed it was possible, though admittedly difficult, for him to function as the administration's leader, to represent the President's views to the Senate and still to be able to voice his own views as Senator from Montana.

Those views have not always been welcomed at the White House. For example, Mr. Mansfield aroused considerable dismay there when, on June 14, 1961, he suggested that all Berlin be made a free city under international guarantees and protection—the guarantees to be given by both the North Atlantic Treaty Organization and Warsaw Pact countries and access to be assured by international peace teams.

Again Mr. Mansfield believed the Kennedy administration had blundered badly in withdrawing support for the regime of Premier Ngo Dinh Diem, in Vietnam. He said so at the time and has continued to say so.

The Senator freely conceded the mistakes and deficiencies of Premier Diem and he deplored the influence exerted on him by his brother and sister-in-law, Ngo Dinh Nhu, and his wife. Nevertheless, he maintained that the Diem regime offered the only hope of a reasonably viable, dependable government.

Whether or not Mr. Mansfield's ideas on Vietnam have found acceptance at the White House, he has earned his credentials as a commentator worthy of respect.

For 10 years before election to the House of Representatives in 1942, he was a professor of Far Eastern affairs at Montana State University. Beginning in 1953, he has made five trips to Vietnam. He was in Hanoi in the final days of the evacuation of the French forces. In 1959 he conducted a study of U.S. foreign aid in South Vietnam.

HE CONFERS ALMOST DAILY

Mr. Mansfield said today that he conferred almost daily with President Johnson on Vietnam. It is generally believed here that he has had some influence on the President's thinking.

For example, there is reason to believe that the President's speech at Johns Hopkins University last April in which he offered unconditional negotiations was partly the result of conversations with Senator Mansfield and Senator J. W. Fulbright, of Arkansas, Chairman of the Foreign Relations Committee, in which they expressed their fears of expansion of the war.

It is also believed that Mr. Mansfield's cautionary views reinforced the President's reluctance to call up Reserves.

The rise of Mike Mansfield is a remarkable story. He was born March 16, 1903, at 98 Perry Street in Greenwich Village, N.Y. When he was three, his parents moved to Montana. At 14 he left home and enlisted—after some dissembling about his age—in the Navy in World War I. He served in the Navy for 2 years, then shifted to the Army in 1919–20, and finally served as a Marine in China from 1920 to 1922.

Returning home, he worked in the mines from 1922 to 1930, earning the money to support himself while he went to high school. In 1931 he married Maureen Hayes of Butte, a schoolteacher, who was determined that he was going to have an education. He spent a year in the Montana School of Mines and 4 years at Montana State, where he took his bachelor's degree in 1933.

OUT OF WORK IN DEPRESSION

His master's degree from Montana State in 1934 was a matter of necessity. He applied for a high school teaching position in two small Montana towns and was turned down because he was a Roman Catholic. He was out of a job in the height of the depression.

A professor at Montana State offered him a trifling stipend as an assistant. It was the only thing available. His wife cashed in her insurance and went to work, and he got his master's degree.

From 1933 to 1943 he taught Latin-American and Far Eastern studies at Montana University. In 1942 he was elected to Congress. After five terms in the House, he was elected to the Senate in 1952. He was reelected with ease in 1958 and 1964.

In 1957 Lyndon B. Johnson, then the majority leader, made Mr. Mansfield his whip, or assistant leader. When Mr. Johnson became Vice President, the Democratic Senate conference elevated Mr. Mansfield to the leadership. He was the one man acceptable to the southerners and the northern liberals.

A REMARKABLE CONTRAST

No two men could be more different in character, in style and in conduct than the ebullient, flamboyant Texan and the quiet, ascetic-looking scholar from Montana.

Lyndon Johnson dominated the Senate. He cajoled and flattered, browbeat and insinuated, wheeled and dealed. He would let days go by without trying to press the Senate's business and then suddenly keep the Senate in grueling night sessions until weary Senators were prepared to do his will. He rarely confided his strategy to his colleagues, even to his assistant leader.

Mr. Mansfield has no such talents and does not aspire to them. He is entirely without wile or guile. He has no strategy and he has no secrets.

During the long struggle over the civil rights bill last year, he gave Senator Richard B. Russell, of Georgia, leader of the southern opposition, advance notice of every move he would make.

Mr. Mansfield is also selfless to the point of shunning credit. He even gladly assigned it to Senator Everett M. Dirksen, of Illinois, the Republican leader, as he did on the passage of the treaty limiting nuclear tests, the Civil Rights Act of 1964 and the voting rights bill this year.

FEDERAL EMPLOYEES' COMPENSATION ACT AMENDMENTS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I have today introduced a bill to amend the Federal Employees' Compensation Act. Last week, the gentleman from Maine [Mr. Hathaway] introduced H.R. 10721, a bill embodying the administration's proposals for amendment of the same act. There are no areas of direct conflict between the two bills, and it is my hope that both can be considered by the House at an early date.

H.R. 10721 is directed primarily at increasing benefits and at correcting certain substantive inequities in the present act. My own bill, H.R. 10865, also addresses itself to certain substantive problems, and also to some procedural shortcomings. Under the present act, workmen's compensation for Federal civil employees is awarded, following the provisions of the act, by the Bureau of Employees' Compensation, acting for the Secretary of Labor, on the basis of evidence submitted by the employee or collected from other sources by the Bureau.

There is no hearing procedure, there is no judicial review of the Bureau's decision. There is an Appeals Board, but it cannot take new evidence, and, in spite of the obvious effort made by the Bureau and the Board to give every claimant equitable treatment, the fact remains that the claimant's case has to be developed before the Bureau, and, at that point there is no hearing procedure. I might mention that the Federal Employees' Compensation Act is unique among the 54 Federal and State workmen's compensation programs in not allowing for hearings or judicial review. H.R. 10865 would remedy this lack.

H.R. 10865 would also move to meet other defects in the act. As it now reads, for example, if a Federal watch repairman should suffer a partial loss of use of his right hand and suffer some other major impairment not specifically covered in the schedule of injuries, he can be compensated for a loss of wage-earning capacity, but not for the loss of his hand. But if he only sustains a partial loss of use of his hand—which in such an example still might totally deprive him of his trade skills—he can be compensated for that loss, but not for the permanent loss of wage-earning capacity. This, Mr. Speaker, makes very little sense no matter how you think about it. My bill would allow compensation for loss of earning capacity in either case.

Under the law as it now reads, a widow can receive death benefits until her own death or her remarriage. Marriage halts benefits, while more informal arrangements allow the compensation to keep coming in. My bill provides for a lump sum payment upon remarriage, thus removing the act's current, and I am sure unintentional, premium upon illegal cohabitation.

Hearings on Federal Employees' Compensation Act amendments are scheduled, Mr. Speaker, before the Select Subcommittee on Labor of the Committee on Education and Labor. The hearings are expected to begin on September 9. I hope these hearings will provide an opportunity for a thorough review of the Federal Employees' Compensation Act.

NEW JERSEYAN NOMINATED FOR EPISCOPAL SOCIETY FOR CULTURAL AND RACIAL UNITY NATIONAL BOARD

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Krebs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KREBS. Mr. Speaker, the Episcopal Churches in the congressional district which I have the privilege to represent have been among the leaders in constructive civil rights work. The two bishops of the Episcopal Church of the Newark diocese are constituents of mine, as they live in Montclair, N.J. I am, therefore, delighted that one of my constituents, Mr. Frederick H. Sontag also of Montclair, N.J., has been nominated to represent the States of New Jersey and New York in particular and the east coast in general on the national board of directors of the Episcopal Society for Cultural and Racial Unity.

Mr. Sontag has been active in the civil rights field since the 1940's and worked on behalf of the civil rights bills of 1957, 1962, and 1964. Mr. Sontag was the coordinator chosen by prelates of the major faiths who prepared the material answering the false and malicious charges that churchmen—Roman Catholic, Anglican, Protestant, and Jewish—engaged in drunkenness and sex orgies during the Selma-Montgomery march.

I was one of the first to take the floor of this House, Mr. Speaker, and to join other responsible Members of this body in challenging these irresponsible and inaccurate charges as they were twice expressed by the gentleman from Alabama [Mr. Dickenson]. The Essex County clergy who participated in the Alabama march have outstanding reputations in their ministry and have my confidence that they conducted themselves in strict accord with the dictates of their faith. Moreover, it is noteworthy that there has been silence on the part of the gentleman from Alabama since the smears directed at the clergy and devoted church people were issued and fully rebutted on the floor of this House.

A distinguished democratic layman, Mr. Malcolm E. Peabody, Jr., of Cambridge, Mass., is the president of the Episcopal Society for Cultural and Racial Unity. He is the brother of the former Democratic Governor of Massachusetts and the son of Bishop and Mrs. Malcolm E. Peabody of the Episcopal Church.

Mrs. Peabody won the affection and respect of many of us when she went to St. Augustine, Fla., to fight for civil rights with the wife of one of the Episcopal Negro bishops and both good ladies were promptly arrested.

A group of New Jersey priests and laymen and laywomen will be going to Jackson, Miss., to attend the fifth annual meeting of ESCRU on September 9–13. In view of the tragic assassination of Jonathan Myrick Daniels, the Selma-based fieldworker for ESCRU, in Hayneville, Ala., on August 20, it is clear that the eyes of many people interested in advancing the cause of civil rights will be focused on the work of the priests and laymen and laywomen of ESCRU. Building a constructive program to help insure human and civil rights for all our people will be one thing that can be done at this meeting, and which will be in some small measure a fitting memorial to the late Jonathan Daniels.

According to the Montclair Times, Mr. Sontag took a constructive part in the New Jersey Conference on Preserving the Democratic Process—An Examination of the Tactics and Implications of Extremism, as part of the New Jersey Episcopal delegation.

ESCRU fielded over 500 priests and laymen as participants during the Selma and Montgomery march. This Episcopal group of dedicated bishops, priests, and lay people has been in the forefront in fighting for civil rights throughout this country during the last 5 years. Although Jonathan Daniels is the first ESCRU staff member to be killed in cold blood, it takes considerable courage to speak up on some of these civil rights matters.

The bishop of Washington was recently attacked on the floor of this House and I am proud that a colleague of mine, the gentleman from Wisconsin [Mr. REUSS] joined the Washington chapter of ESCRU in defending Bishop Creighton. I would think that the good bishop and his able suffragan, Bishop Paul Moore, Jr., will be able to survive attacks like this, but we should all be grateful that there are people in our churches and synagogues who do take leadership in these important matters of public and private policy.

I am naturally pleased that an Episcopal leader living in my district and in Montclair has been singled out on the basis of constructive suggestions, initiative, courage, and integrity for the National Board of ESCRU.

It is therefore good news that ESCRU's able executive director, Dr. John Morris, and Mrs. Donald Frey of Illinois, chairman of the nominating committee, and their coworkers—bishops, priests, and laymen—have seen fit to pick a New Jersey Episcopalian for nomination to represent this State and our neighboring State of New York. Mr. Speaker, I am confident that the ESCRU meeting in Jackson, Miss., will add another meaningful chapter to the march forward in the American dream of civil rights for every one of our citizens.

WASHINGTON WORLD CONFERENCE ON WORLD PEACE

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, Washington will be the site for the Washington World Conference on World Peace through Law on September 12–18, 1965.

The highest judicial and legal officials of 120 nations will be the special honored invitees and more than 2,000 of the world's leading lawyers are expected to attend and participate in the proceedings. Former Presidents Eisenhower and Truman will serve as honorary cochairmen of the sponsors committee and Earl Warren, Chief Justice of the United States, is the honorary chairman of the conference. It will be the most important, representative and influential international assembly of the legal profession in history.

It is fitting then that this Congress recognize this meeting and the distinguished representatives who will attend.

I am pleased to join in sponsoring a House concurrent resolution to welcome to our shores the jurists and members of the legal profession of the world who will meet on this important effort to build world peace.

HIGH-SPEED GROUND TRANSPORTATION

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. IRWIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. IRWIN. Mr. Speaker, I rise in support of H.R. 5863.

The need for research and development in the field of high-speed ground transportation is obvious. Intercity travel through the densely populated Washington-to-Boston corridor already is heavy going. And it will be even worse by 1980 when travel and freight is expected to double in this corridor.

With other metropolitan areas developing at a rapid rate, there is every indication the problem of our overloaded and overburdened transportation systems will no longer be confined to the eastern seaboard.

And the airways are not the answer. As many of us know from the first-hand experience of waiting in crowded air terminals, the volume of air traffic is fast approaching the danger point over many of our cities.

Our trouble is partly due to the fact that we have permitted the railroads to turn their backs on passenger transportation. The money is not there so they have allowed their facilities to deteriorate. As I said in testimony before the Interstate and Foreign Commerce Committee in support of this bill, what we have to do is reverse the trend in the East and elsewhere in the country so that railroads and passengers will both be reminded that trains can provide fast, clean, efficient and safe service.

I view the problem as one that must be met on several levels.

We must approach it as a problem of faster train travel between our metropolitan areas. The 3-year, $90 million program to develop high-speed service from Washington to Boston, as envisioned in Chairman HARRIS' bill, is a sound one. It gives great promise of putting new life in our tired railroads and setting an example for the rest of the country.

At the same time we must not overlook the crisis of getting people to work and back within our crowded metropolitan areas.

Here we are confronted with a problem of overburdened, antiquated, deficit-ridden intracity transportation facilities increasingly unable to do the job.

We in the Northeast, and particularly in Fairfield County, Conn., have been made painfully aware of the problem.

On the commuter level in our area, the transportation crisis is apparently being eased by a Housing and Home Finance Agency grant under the 1964 Urban Mass Transportation Act. With Federal money providing the lion's share of funds to keep the service going in the interim, New York and Connecticut are working out plans for a permanent arrangement for commuter service to New York City on the New Haven Railroad.

But we must do more than deal with the problem on a crisis basis. Just as we look to research for breakthroughs in intercity travel so we must look to new developments and unorthodox proposals to revive commuter travel.

One idea that may have great promise calls for propulsion of trains by pneumatic pressure and gravity through an underground tube. It envisions speeds of up to 500 miles an hour.

Such ideas must be explored and, where feasible, developed if we are to see a marked improvement in our transportation facilities.

Therefore, I am joining with some of my colleagues in introducing an amendment to the Mass Transportation Act that would provide $10 million this fiscal year and a similar sum for fiscal year 1967 to be used for additional technological research.

THE COLD WAR GI BILL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, earlier today, the gentleman from Florida, Representative Claude Pepper, testified before the House Committee on Veterans' Affairs in behalf of the proposed Cold War Veterans' Readjustment Act, known as the cold war GI bill. The gentleman from Florida is one of the most able and dedicated Congressmen to have ever served in the Congress of the United States. I would not make such a statement lightly, but only after close observation over a long period of time. The gentleman from Florida has compiled a most distinguished record of public service. History will record, in my opinion, that Representative Pepper is one of the giants among us in this great body of the National Legislature.

I am therefore proud and honored to insert in the Congressional Record a copy of the excellent statement delivered by Representative Pepper in behalf of the cold war GI bill. This is the bill for which the Honorable Ralph Yarborough, the senior Senator from Texas, has worked for many years. For Senator Yarborough it has sometimes been a lonely struggle. The fact that the Senate has passed the bill this year, together with the enormous support that has been manifested for it in this House, is a tribute to Senator Yarborough's efforts and abilities. I have cosponsored this proposal by introducing a similar bill, H.R. 7910. I intend to personally testify in behalf of this bill before the House Veterans' Affairs Committee next Tuesday.

The testimony of the gentleman from Florida follows:

Statement by Congressman Pepper in Support of Proposed Cold War Veterans' Readjustment Assistance Act (H.R. 5051)

Mr. Chairman, I wish to express my appreciation for the privilege you have extended to me of appearing before the committee to testify on the subject of the so-called cold war GI bill. I would also like to commend you personally for the wisdom and farsightedness you have shown in instituting hearings in this most important area of legislation.

I appear here today as the Representative of a State whose sons have never been slow in answering their country's call. I have known literally thousands of these boys; known them before they were called and after they returned. And I have known hundreds who never returned. Well over 300,000 of them went into the Second World War. Three hundred and eight thousand returned, and of that number, 171,000—fully 55 percent—took advantage of the educational and training opportunity offered them under the original GI bill. Nearly 40,000 of those boys went to college in the years just after the war. Most of that number would not have gone without GI assistance. Thousands of others trained in other, noncollegiate schools, and still others improved their places in life with on-farm and on-the-job training.

After the Korean war, much the same story was repeated throughout the peninsula, and Florida was again the gainer. Forty percent of the 182,000 Korean conflict veterans in our State went to school, thanks to the second GI bill, with nearly 30,000 of them attending our colleges. And in addition to the educational benefits they received, many hundreds of Florida veterans of both wars were enabled to purchase homes and farms and to set themselves up in businesses by means of GI loans.

This story was repeated wholesale across our Nation, and the entire Nation profited from its unfolding. As a result of the two GI bills, men who went to war as laborers returned to the opportunity of becoming foremen; those who had been orderlies were helped by a grateful nation to become doctors. Indeed, I think it safe to say that no piece of educational legislation, with the possible exception of the First Morrill Act, has exerted a more powerful influence for good on America than the two GI bills. Largely as a result of them, the educational level of a whole people shot upwards; a whole generation of skilled workers took the places left vacant several years before by the unskilled; and the higher salaries earned by these newly skilled men, along with the credit they exercised through the loan provisions, acted as stimuli without which the two postwar economies might well have sagged.

The period of the GI bill came to its effective end in 1955. The compulsory draft, however, outlived the bills, and is, of course, with us still. Consequently, every year sees thousands of young Americans completing their military obligations and returning to civilian pursuits, pursuits they have had to lay by for at least 2 years. By the close of the past fiscal year, over 3 million of these cold war veterans had returned. But when they returned, they were not given assistance in going on with their education. They weren't offered loans. Rather, they returned only to 4 more years of part-time soldiering, 2 years behind in the achievement of whatever goals they might have set for themselves. I do not think this situation reflects at all to our country's credit. I am convinced we must remedy it at once.

In February of this year, my longtime interest in the American veteran and in American education led me to introduce H.R. 5051, the Cold War Veterans' Readjustment Assistance Act. Similar measures were introduced by a good number of our colleagues in the House, and I am sure they were as heartened as I when S. 9, a bill identical with H.R. 5051, passed the Senate last month by a margin of more than 4 to 1.

Since proposals for a cold war veterans' readjustment program have been perennial features of every Congress for the greater part of a decade, and since I know there is not a single member of this committee but has done his homework diligently, I will speak to the content of my bill quite briefly.

Broadly speaking, this bill would extend to veterans of the cold war assistance similar to that given the veterans of World War II and the Korean conflict under the acts of 1944 and 1952. For the purposes of this bill, the cold war is taken to be the period between January 31, 1955, and July 1, 1967. These two limits represent the terminal date for establishing eligibility under the Korean GI bill and the expiration date of the current draft law, respectively. To qualify for assistance under the new proposal, a veteran must have received an honorable discharge after serving more than 180 days on active duty within the 1955–67 period, or he must have been discharged from active duty during that period as the result of a service-connected disability.

Two types of assistance would be rendered the veteran under the cold war bill. The first type would involve educational and training programs aimed at improving the vocational standing of veterans and at giving them the opportunity to resume educational progress interrupted by their service.

As in the earlier GI bills, the veteran would be granted 1½ days of educational entitlement for each day spent on active duty during the period of coverage, with no individual entitlements to exceed 36 months. The veteran may use his entitlement to pursue educational and training objectives through enrollment in regularly constituted institutions of education, such as colleges, universities, and trade and technical schools, and also through participation in approved programs of on-the-job and on-the-farm training, apprenticeship, or correspondence education.

The rate of payment would vary with the nature of the program undertaken and with the family standing of the veteran. For a full-time program in an educational institution, a veteran would receive $110 monthly if he has no dependents, $135 a month if he has 1 dependent, and a top of $160 per month if he has more than 1 dependent. This basic rate would be scaled down if a veteran pursues such a program on a part-time basis, or if he chooses a program involving on-job or on-farm training, apprenticeship, or correspondence education.

The second type of readjustment assistance available under this bill involves loans for certain purposes. Section 3 of the present bill would amend chapter 37 of title 38 of the United States Code so that veterans eligible under this bill could either secure direct Federal loans for the purchase of homes and farms, or have commercial loans for those purposes federally guaranteed.

While the provisions of this bill are generally similar to the provisions of the first two GI bills, differences do exist; differences of enough significance to warrant brief notice here.

First, the basic service period required under this bill is twice that under the earlier measures—180 versus 90 days. This fact, together with the fact that compensation under the educational section of the present bill is set at the same dollar level with compensation under the Korean GI bill, means, of course, that eligibility would be harder to achieve under this bill, and also that the effective purchasing power of assistance received would be substantially less than under the earlier enactments.

Second, this bill provides no mustering out pay, which pay added as much as $300 to the benefits received by veterans under the World War II and Korean GI bills.

Third, veterans of the cold war would not be eligible for federally guaranteed loans for business purposes, as were their brother veterans under the earlier acts.

Fourth, veterans receving direct or guaranteed loans under the present bill would be required to pay a fee of up to one-half of 1 percent of the amount of the loan. This fee would be placed in a revolving fund from which the Veterans' Administration would make good any losses incurred under the loan program. In effect, the post-Korean veterans would be covering the defaults of their fellow veterans, and it is quite unlikely that Federal money would be required for this purpose at all.

And finally, the proposed cold war GI bill contains a special provision that would allow career men and those who choose to serve several terms of duty to benefit from the bill. Basically, a veteran would have 3 years after the date of his discharge from his last period of active duty beginning before July 1, 1967, in which to start using his educational or training entitlement. But no active service coming after the 1967 termination date will be counted as part of the 3-year period, so long as that post-1967 active service is not interrupted by breaks in active duty status of more than 90 days. As a result of this new provision, a young man could enlist today, serve his country for 20 years, and still make use of his educational entitlement upon his final discharge in 1985, though the basic termination date for the educational portion of the measure is June 30, 1977.

This, then, is what the proposed bill would do, and how it would differ from the two earlier GI bills. I would like to turn for a moment now from the actual provisions of the bill and say a few words in justification of this proposal.

Nearly 22 years ago, on this very Hill, I was privileged to hear the following words:

"Vocational and educational opportunities for veterans should be of the widest range. There will be those of limited education who now appreciate, perhaps for the first time, the importance of a general education and who would welcome a year in school or college. There will be those who desire to learn a remunerative trade or to fit themselves more adequately for specialized work in agriculture or commerce. There will be others who want professional courses to prepare them for their lifework."

With these words, President Franklin D. Roosevelt was asking Congress to enact the first GI bill. In my opinion, his simple yet eloquent sentences are as relevant to the proposed third GI bill as they were to the first.

On that October day over two decades ago, the boys that F.D.R. wanted to send to college were already enrolled in some pretty stiff courses meeting between Naples and the Sangros River and in the Solomon Islands. Others were prepping at camps and bases scattered throughout the free world. Today, the sons of those brave boys are learning—and teaching—similar lessons in the Vantuong Peninsula, at Danang, in the Dominican Republic, and around the globe. What their fathers did for our country, the sons are doing today. What our country did for the fathers, today it should do for the sons.

There are those who say, in effect, yes, we should help our veterans, but only if they have proved themselves on the firing line. This seems to me to be a most unrealistic and unhistorical way of looking at things. The first two GI bills were not designed as sops for those who had borne the battle, nor as bounty pay. They were designed to assist all who had served, not merely those who had shot and been shot at. To my knowledge, there is no adequate way of repaying a man for the risk of his life, or for the gift of it. There are, however, ways of repaying him for his time and his services, and the GI bills embody such ways.

Rarely, if ever, have we legislators considered a bill for which there have been such gleaming precedents. Judging from past form, I say we can enact this measure with not a single qualm about how it will work out. I will not take the committee's time to rehearse further the great benefits that have accrued to the Nation as a result of the first two GI bills. You have heard how many doctors and scientists and skilled workers those programs have produced. You know that the costs of the program have been more than repaid. You are aware that great numbers of the country's leaders, including a sizable portion of the membership of Congress, were educated under the earlier programs. You have the figures to show that the earlier bills have changed the very landscape of our country and made us a nation of homeowners. All these things you know, and much more besides. I would only say that the cold war veteran could make the proposal before us work fully as well, and that he in his millions is looking to us to give him the opportunity to prove it.

The author of "Barrack-Room Ballads" is held in bad odor today by many for some of his ideas and policies. In spite of this, it is difficult to deny that Kipling knew, as few others have known, the life and thoughts of the soldier. Though I hate even to say it, I am afraid our Nation has been guilty of the same kind of dichotomized thinking about its soldiers as Kipling reflected in his "Tommy":

"For it's Tommy this, an' Tommy that, an' 'Chuck him out, the brute!'
But it's 'Saviour of 'is country' when the guns begin to shoot;
Tommy, though perhaps simple, was not a fool:
An' it's Tommy this, an' Tommy that, an' anything you please;
An' Tommy ain't a bloomin' fool—you bet that Tommy sees!"

Mr. Chairman, the American GI is certainly no less sharpsighted than Tommy; his eyes are on us. I think we have let him down long enough. By reporting out a bill like H.R. 5051 and S. 9, this committee would be rendering yeoman's service in the just cause of American servicemen, and in the cause of all America as well.

I thank you.

CONTRIBUTION OF THE ECONOMIC OPPORTUNITY ACT

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, recently we debated in this House the expansion and modification of the Economic Opportunity Act or, as it is popularly called, the war on poverty.

Many of the critics were loud and vociferous in denouncing the things they say have gone wrong with the program.

I am very proud to report to this House that in my district, the 20th Congressional District of Texas, the Economic Opportunity Act has made a significant and most worthy contribution. Recently I was a guest of the Edgewood Independent School District and visited, project by project, such inspiring and redeeming programs as the Head Start program with 1,120 youngsters benefiting from the Economic Opportunity Act; the Youth Corps program, and related programs under the purview and by virtue of the Economic Opportunity Act.

For those of us who have endured the criticism and the opposition that the espousal of these programs has engendered, I want to say to this House that it was a tremendous and rewarding experience to have seen the good that this legislation has done in my district.

I offer at this time for the RECORD an article from the San Antonio Express of August 29, 1965, by Mr. Mike Cantu, that very dramatically points this out:

YOUTH CORPS DOES A JOB—EDGEWOOD SCHOOLS GET IMPROVEMENTS, 412 BOYS, GIRLS EARN NEEDED MONEY

(By Mike Cantu)

When a San Antonio school district with a third of its students coming from families with incomes of less than $3,000 and faced with problems of increasing enrollment and limited tax resources became a war on poverty battleground things began to happen.

And they've been happening since April, when the first neighborhood Youth Corps program was launched at Edgewood Independent School District.

Through skillful managing by school officials, the summer Youth Corps grant of $172,000 to the district has provided jobs for 412 youths, each working 32 hours a week for $1.25 an hour. That means each of the youngsters will have earned $440 by end of the 11-week program on August 31.

But it didn't end there at Edgewood. The students were not just being paid for doing small, meaningless odd jobs around the school campuses.

A careful plan drawn up by school officials has resulted in the district realizing a return of nearly 1,000 percent on its own investment in the program.

"I would say that actual and enduring value of work done for the district by Youth Corps members would be well over $200,000," said District Superintendent Bennie F. Steinhauser in appraising the program. That work included Youth Corps members constructing a 50,000 square foot vocational education shop building at Edgewood High School, building temporary classrooms faster than 1 a week, painting 12 classrooms a day, refinishing 300 desks a day, and manicuring all campuses of schools in the district, to name a few of the projects.

YOUTH AND DISTRICT BENEFIT

"It is filled with tremendous opportunity for youth both in earning money and valuable work experience; it also provides a service for the district," said Steinhauser in generalizing about Youth Corps.

Officials at Edgewood began laying the groundwork for their Youth Corps program in November 1964. At that time, screening began for students to participate, with interviewers determining who actually needed the work most. By February, nearly 300 students were ready to begin work, but had to wait until April when the district was given final go-ahead.

First work started on a $37,500 grant which covered work during April and May. Early June saw beginning of the larger summer project, which will continue until the end of August.

Steinhauser explained the Edgewood program was tailored to meet three basic aims: (1) To allow the students to earn money, (2) to enable them to learn the work they were doing under supervision and (3) to have them contribute something useful to their community. Near summer's end he rated the project successful on all three counts.

Youths were divided into two main classes, those under 18 and those over. This division was primarily intended for those working in classroom construction and renovation. The older youths are allowed to operate power tools while those younger are kept from hazardous work.

Workers were divided into those going into construction, recreation, landscaping, painting, furniture refinishing, survey, clerical work and janitorial projects. Organization was the key, as a program with 412 unskilled workers could easily have been reduced to chaos.

Groups of eight students were placed under an adult supervisor. The adult then chose a leader to take charge of the other seven.

"Aside from helping the students, it was a gold mine for doing things that needed to be done," said Steinhauser about district work being done.

TRIBUTE TO PRESIDENT JOHNSON

Incidentally, headquarters for the Edgewood Youth Corps was set up at the district's new Lyndon B. Johnson Elementary School. "We thought it would be fitting," explained Steinhauser when it was noted the President initiated the war on poverty giving birth to Youth Corps.

Headquarters abounded with girl Youth Corps members doing clerical work for the program, and Steinhauser explained "they keep their (Youth Corps) own records." Such items as payroll records, however, are kept by the adult supervisors.

An important service which Steinhauser noted the clerical helpers are also doing is an up-to-date survey of the district's student population coming from low income families. He explained the district will also submit a program under Public Law 89–10, the Elementary and Secondary School Act of 1965, and such records will bring about proper money apportionment to the district in the fail.

Touring construction of the mammoth, 50,000 square foot shop building at Edgewood High School, Steinhauser explained "the plumbers (referring to adults helping in construction) of course are licensed professionals, the helpers are our boys." Trained supervision is given the Youth Corps workers on the construction sites at the rate of 1 carpenter for every 16 boys.

"We're getting something here we couldn't have afforded otherwise," added the superintendent, standing on the broad concrete base of the future shop building. Pointing to the tall steel columns jutting from the vast slab, he added, "you'll probably recognize that, it's Government surplus."

Surplus Government materials have played a big part in construction of the new addition. Paying cost of hauling, the district obtained items such as surplus railroad tracks which will become the door frames.

Chugging noisily at one end of the slab was a bright yellow, 6,000-pound capacity portable crane which still had "U.S. Air Force" markings. Used to install the steel columns, the district obtained the surplus machine for $50 and "the first day's rent on it would have cost us more," said Steinhauser. A hole in the crane's gas tank was no problem for district maintenance crews.

COST OF STRUCTURE SLASHED

Steinhauser estimated the structure would have cost the district $300,000 if built without Youth Corps and surplus items, an impossible sum in a district which collects $350,000 a year in property taxes. He estimated that its cost this way will be about $120,000, less than half. Youth workers will not complete the structure, however, the superintendent explained, as trained plumbers and electricians will have to enter for the finer work.

Youth Corps classroom builders are expected to complete 26 temporary units by the end of August, and the administrator saw this a particularly valuable aid to the district. Crowded conditions have come about in the wake of the rapidly expanding student population, and while the district is constructing additional classrooms without the aid of Youth Corps, those the youths are building will get their share of use.

The classrooms are wooden structures, left with cedar exterior and built entirely by Youth Corps members supervised by carpenters. In this part of the program, participants actually learned how to erect a structure.

Low-rent housing areas being built in the district have given officials problems. One side which is an example of this is Emma Frey Elementary School, nestled next to a formidable low-rent housing project which Steinhauser said "came up overnight." The Youth Corps-built classrooms are expected to alleviate problems caused by influx of school-aged youngsters from the housing area.

One district elementary school made of asbestos siding was constantly being damaged by mischievous small fry breaking shingles near ground level. Solution to this problem also came in the Youth Corps program. The youths replaced shingles up to about the 5-foot level with a cement covering to ward off the playful children.

Painting of existing classrooms was badly needed, so the Youth Corps went to work and by end of August it is hoped will have redone 450 rooms. "These classrooms hadn't been painted in 18 years," said Steinhauser considering one elementary school, adding, "you can see it's a real professional job." One paint-spattered youngster with a brush grinned broadly. "Another month and we could have had them all painted," added the administrator.

The corps also painted all district maintenance trucks alike, the first time such standardization had been accomplished.

There are 14 miles of sidewalks in the district which during the school year daily serve as travel arteries for children. Neglect had resulted in the walkways becoming overgrown with weeds, creating hazardous conditions. This has now been remedied by the weed-cutting members of Edgewood's Youth Corps, with another group laying an additional 16,000 square feet of sidewalk, some finely pebbled.

Another group was busy refinishing desks, and Steinhauser said the program calls for 10,000 units being refinished by the end of August.

Considering the district's student population, the school administrator noted that Edgewood, San Antonio's second largest district, has 20,000 youngsters enrolled in its schools. Showing the need for Youth Corps is that the last census showed 3,000 came from families of less than $2,000 a year income and between 6,000 and 8,000 are from families of less than $3,000 income, the Federal Government's definition of poverty, noted Steinhauser.

Attesting to the student's desire to earn money is that of the 412 beginning work in the summer project in June, only 3 have been released for disciplinary problems. "We have problems," admitted Steinhauser, but added many are minor and can be solved by the four counseling sessions each student is given by district personnel during the summer.

UNITED STATES PAYS 90 PERCENT

In the program, the Federal Government pays 90 percent of the Youth Corps grant, with the district the other 10 percent. The district, however, can contribute its share in personnel and equipment services, which has been done at Edgewood.

"The labor isn't as efficient as other labor," said Steinhauser, "but under the circumstances it's working well." Asked about the students being able to find summer jobs at $1.25 an hour without Youth Corps, he said: "Never, a few might have done it, but 75 percent would have made nothing, there's few jobs."

But through the Youth Corps the students did have jobs, and got actual working experience in a trade. The Edgewood program also went one step further: It touched the school dropout and Steinhauser told of hopes to bring 40 ex-students back to school to complete their education this fall.

The 40 were allowed to have Edgewood jobs, working beside actual students, but on condition that they go back to school in September. It's just a verbal agreement, but the administrator is confident the plan will work. "Some may not enroll, but we think the vast majority will," he said.

And Youth Corps has even helped the district in its tax collections. Steinhauser explained that with the clerical help made available to the tax office, a concentrated effort was made to bring in delinquent taxes, and more than $15,000 had been collected by early August.

MR. U.S. SAVINGS BOND: WILLIAM N. CERVINO

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOELSON. Mr. Speaker, my attention has been called to the story of William N. Cervino, of Paterson, N.J., who is employed by the U.S. Government as a research scientist.

Under the payroll savings plan, employees of Government and industry are given the opportunity to purchase U.S. savings bonds to help their country and also to help themselves financially.

For 27 years William Cervino has purchased U.S. bonds under the payroll savings plan. I have just received a letter from him in which he informs me that he intends to continue this practice until his retirement at which time he intends to turn over the funds to a college or university in order to provide an education for a deserving youth.

This is a demonstration of public spirit of the highest order. I am proud to have as a constituent a person of his caliber. He is truly Mr. U.S. Savings Bonds.

NEW YORK-NEW JERSEY SHIPYARD DISTRESS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, I would like to associate myself with the remarks made by my colleague from New Jersey [Mr. DANIELS] on the distress which our private shipyards are encountering due to the directive of the Maritime Administration to award repair work on ships reactivated from the Jones Point "mothball fleet" by shipyards outside the port of New York.

This directive indicates the utter lack of proper consideration for the New Jersey-New York area shipyards by the Navy Department and the Maritime Administration. This attitude is a clear indication that the Maritime Administration and the Navy Department did not consider the overall qualifications of the shipyard personnel to undertake this refitting project, which approximates about $300,000 per vessel.

I am of the opinion that nowhere in the United States can one find a better facility than those located in the New York-New Jersey area to perform this operation which is being stepped up because of the Vietnamese crisis.

This is the time when the Government should take into consideration the fact that if the private yards of our area are to remain in operation, they must be given Government contracts, either for new shipbuilding or the refitting of reactivated ships, such as in this particular instance.

It is the announced intention of the Government to close down the Brooklyn Navy Yard. Here we have the manpower, the experience, the facilities to refit these "mothball" ships; and yet, where does the Navy go to have this work performed? One of these ships is already at Chester, and where will the other five wind up no one knows. They should be assigned to the New Jersey-New York area shipyards.

The attitude of the Maritime Administration appears that it is desirous to make our New Jersey-New York shipyard facilities an economic disaster area. From the drop in employment figures of the shipyards we can readily see that this is what is actually happening. During the peak war year of 1944 the employment figures indicated the employment of approximately 46,000 persons in the shipbuilding, repair, and refitting installations. The 1949 peacetime employment level dropped down to 6,000 men and the decline continued to a point where only 2,500 men are so employed at the present time. When will this decline stop, if the Government does not award any contracts to our shipbuilders?

I commend my distinguished colleague [Mr. Daniels] for his leadership in bringing this critical situation to the Members of this House, the Maritime Administration, and the Department of the Navy.

I hope that this decision will be reconsidered and a new evaluation of the problem will be given to it by the executive department, and the work of repairing these ships will be granted to the New Jersey-New York area shipyards, where the economic life of the labor force depends upon and has always depended upon in a great part upon the shipbuilding and ship repair industry.

SPRINGFIELD, MASS., ARMORY—ITS CRUCIAL ROLE IN DEVELOPING THE FINEST WEAPONS IN THE VIETNAM WAR

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Springfield, Mass., Armory was founded on April 2, 1794. It was born by an act of the 3d Congress. In its 171 years of being and from the 3d Congress to this 89th Congress, it has been the Nation's center for the development and production of small arms weapons.

In all of the conflicts in which this country has been involved, the Springfield Armory has played a magnificent and important role. Today, in the war in Vietnam, the technical skill and knowledge of the employees of this great arsenal have contributed and are contributing to placing in the hands of the Armed Forces the finest weapons conceived by the mind of man.

Mr. Speaker, as the tactics of war have changed, the personnel of the Springfield Armory has risen to the challenges posed by new fighting concepts. This Nation can point with pride to this Government owned and operated arsenal as it constantly seeks to develop and improve more and better weapons. I point with pride to the present role it is taking in Vietnam.

The helicopter with its armament subsystem and the M-75 grenade launcher have become some of the most effective implements of war in our effort in Vietnam.

I commend to the Members of this House, an article from the Journal of the Armed Forces of August 28, 1965, written by Col. William Durrenberger, the commanding officer of the Springfield Armory:

NEW TEETH FOR COPTERS IN VIETNAM

(By Col. William J. Durrenberger, USA)

(Note.—Colonel Durrenberger is CO of Springfield Armory, Mass. A pioneer in Army guided missile weapons development, he is a veteran of 23 years service, much of it in research and development and production assignment. In this report, he tells how Bell UH-1B helicopters in Vietnam have been given a powerful new punch.)

The ever-increasing need for greater mobility coupled with more firepower has given birth to the armed helicopter. Included in the family of weapons for the helicopter is the M5 Armament Subsystem which was designed to fulfill the requirement for an area fire weapon. The system, which utilizes the Springfield Armory developed M75 40-mm. grenade launcher, provides Bell UH-1B helicopters with defense or suppressive fire capability while enabling the helicopter to accomplish its utility or troop carrying missions.

Task for the design of both launcher and system was assigned to the Springfield Armory in February 1958. Concurrently, Picatinny Arsenal developed the ammunition. The weapon was designed and fabricated in house at Springfield Armory. At a later date in the program, the Ford Motor Co. under contract contributed to weapon manfacturability. General Electric designed the system under the technical supervision of the Springfield Armory.

The weapon, which is powered by a ⅝-horsepower motor, weighs only 35 pounds including the motor and recoil adapters. It fires a 40-mm. grenade cartridge from a linked metallic belt at a rate of fire of 220 shots per minute. The motor drives the drum cam through a sprocket and belt drive. The drum cam encloses the planetary gear train which reduces the high motor speed to the desired gun rate. The drum is the principal weapon control element containing three synchronized cams, a peripheral or barrel cam and two face plate cams, the lock cam and the feed cam. All phases of the weapon operation cycle are positively controlled by these cams.

The barrel actuating cam is wound on the periphery of the drum. A revolution of the drum reciprocates the barrel rearward and forward. On the rearward movement the round is chambered, the link is pushed to the rear of the cartridge case and, simultaneously, is disengaged from the rest of the belt. Near the end of the stroke the barrel engages the cocking rod and cocks the firing mechanism. Here, we see a unique feature of the weapon when the barrel slides over the cartridge, rather than the cartridge being fed into the chamber.

When the barrel reaches the rearward or battery position, the lock cam moves the barrel lock into a recess in the barrel. This action secures the barrel during firing. The lock cam also cams the sear release; this camming of the lock releases the striker and fires the weapon. After a 40-degree drum cam dwell rotation, the barrel is unlocked. While the barrel moves forward, the cartridge rim is held by the fixed T-slot in the receiver and cartridge extraction is effected.

Feeding of the next cartridge occurs when the feed cam causes the feed arm assembly to feed the next cartridge from the feed tray into the receiver and into alinement with the open barrel. This action also pushes the spent cartridge case and the link out of alinement with the open barrel, and from the weapon.

The M5 Armament Subsystem consists of a servopower driven gun turret, a sighting station, a control panel, a servoamplifier and a control unit, an ammunition booster, chuting and ammunition storage unit. The turret is mounted on the nose of the UH1B helicopter and is directed by the copilot-gunner through the use of a sight. It is flexible in elevation, depression and azimuth providing up coverage of 15 degrees, down coverage of 35 degrees and left and right coverage of 60 degrees. The turret may also be stowed at a predetermined fixed position and fired as a fixed installation by the pilot. The turret, which is 21 inches in diameter, contains the M75 grenade launcher, the mounting elements, and the azimuth and elevation drive motors. The weapon is positioned at a 45-degree angle to the vertical. It is fed from above and the spent cases and links are ejected downward, away from the aircraft.

The ammunition container is located in the cargo compartment and is held in position by nylon tiedown straps attached to the standard cargo tiedown points. The box has a capacity of 85 rounds. The ammunition is delivered to the gun through flexible feed chuting routed internally between the pilot and the copilot, and then forward through the radio compartment to the turret. The length of chuting is approximately 8 feet and it is here that the additional 65 rounds are stored to make up the 150-round system ammunition complement. An ammunition booster is provided to assist the weapon in pulling the ammunition through the flexible feed chuting. It is located inside the radio compartment and performs the major work required to pull the ammunition from the storage box through the chuting. The booster, which operates on a demand basis, automatically supplies the ammunition to the launcher slightly faster than the weapons consumption rate.

The sighting station provides the means for remotely directing and firing the launcher. The mounting pivot axis is the same azimuth-elevation coordinate design used on the turret, so that the correct relationship between the gunner's line of sight and gun line of fire is maintained throughout the field of fire. The sight is mounted to the ceiling of the aircraft and is stowed on the ceiling, out of the way of the gunner's head, when not in use. When used it is rotated downward. Height adjustment for ease of use is provided by two telescoping arms.

The sight consists of an illuminated reticle in the left-hand telescoping arm, the image of which is projected to and reflected by a spherical mirror mounted on the right telescoping arm. The reflected collimated image is displayed on a flat reflector at 45° to the gunner's line of sight. The structure is open on both sides so that the gunner has a clear view of the target area. The reticle is presented as a collimated image to the gunner's eye. A pistol grip control handle on the sight contains the action switch and trigger switch.

The servoamplifier assembly, more commonly known as the black box, is located in the aft section of the ship in the baggage compartment. The box contains a pair of servoamplifiers, subsystem relay switching and control elements. The azimuth and elevation servoamplifiers are interchangeable, transistorized units, the final stage of which are power transistors to drive the turret motors.

The control panel is mounted in the pedestal console between the pilot and copilot. It contains a power on-off switch, which supplies the AC and DC power to the system and a gun power switch for hot or safe condition. A control dial is located in the panel to position the turret at a presset angle of elevation or depression with the turret in the stowed position.

Development of the M–75 grenade launcher and the M–5 system was conducted concurrently in a two-cycle development program. Design studies were started by Springfield Armory in June 1958 of various launching mechanisms to deliver the 40-mm. grenade on target. Approximately a year later the motorized launcher we know today as the M–75 was selected as the design to meet the military requirements with a high degree of performance and reliability. At this time an intensive development program on both weapon and system was launched with the initial prototypes delivered for system demonstration at Aberdeen Proving Ground, Md., in August 1961.

Fire testing of the system demonstrated the accuracy, mobility, and overall performance to the user and the system received the nod of approval. The redesign study was completed in September of that year and the second stage of the development cycle initiated culminating in delivery of engineering test units in December 1963. Comprehensive engineering and service testing evaluation pointed out areas requiring refinement and improvements were fed into the system during the next year.

The final engineering test/service test was conducted in the spring of 1964 and the system with weapon and ammunition was type classified standard A in June 1964.

The M–5 armament subsystem will contribute materially to the success of the UH–1B helicopter mission. In addition, it will become a formidable force for delivering fire support where greater mobility is desired.

ALLIANCE FOR PROGRESS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, nothing could be plainer than President Johnson's determination to help the Alliance for Progress achieve to the fullest its economic and social development goals.

The ceremony in the White House on August 17, was a tangible reaffirmation of U.S. concern for the well-being of its Latin neighbors which received the warm applause of the Latin American Ambassadors who were there and the writing press.

A good example of this kind of favorable reaction is the August 21 editorial in the Cincinnati Enquirer.

[From the Cincinnati Enquirer, Aug. 21, 1965]

A Hemisphere Common Market

President Johnson's pledge that the United States intends to support to the fullest the economic and social development goals of the Alliance for Progress deserved the warm applause it received from his audience of Latin American Ambassadors. To all the people of the hemisphere, it was a welcome reaffirmation of U.S. concern for the well-being of its neighbors.

Despite widespread dissatisfaction both here at home, and throughout Latin America with the way the Alliance has worked so far, it does have many real achievements to its credit. One problem has been an overall drop in world prices of the basic commodities Latin Americans depend on for a large part of their foreign earnings.

This has meant that even in countries where increases in gross national product have been achieved, these have barely kept ahead of the growth in population. Consequently, a good part of the funds advanced by the United States have had to be used to plug this gap rather than to promote the goals of the Alliance.

Latin American doubts as to the administration's commitment to the objective of the Alliance as enunciated by President Kennedy have grown since our involvement in the Dominican conflict. Mr. Johnson's proposal for the economic integration of the hemisphere, involving a "common market" for the Americas, and his support for commodity price stabilization should allay fears as to Washington's intentions.

The organization of a common market for the Americas is an ambitious aim. There will be many complications along the road. Yet we believe they must be met and overcome, for, as the President truly said:

"We will shape the future through the principles of our alliance or we will find it swallowed up in violence that is bred of desperation."

ALLIANCE FOR PROGRESS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the distinguished newspaper columnist Marquis Childs recently wrote an excellent analysis of President Johnson's salute to the Alliance for Progress upon its fourth anniversary

On that occasion the President not only praised the Alliance and its high promise for the future of Latin America; he made concrete proposals which auger well for the destiny of the Alliance.

I rise to praise the President for his memorable tribute to the Alliance—and for the new promise which he gave to this great enterprise. And I take this opportunity to praise Mr. Childs for his commentary

The article, "Johnson's Salute to Alliance Not Only Rhetoric" appeared in the Newark Evening News on August 22.

Reality Tempers Promises—Johnson's Salute to Alliance Not Only Rhetoric

(By Marquis Childs)

Washington.—President Johnson's eloquent salute to the Alliance for Progress on the fourth birthday of the Alliance was a mixture of promises tempered by a dash of reality. However much the speech to the Latin American Ambassadors may be discounted as rhetoric, it will help to make up for the silence in Washington that the Americas to the south have deeply felt.

The observer traveling even briefly in the southern half of the hemisphere is immediately aware of a struggle for survival. In the struggle, the U.S. aid program in all its phases plays an important part.

For the short term it may be decisive in helping to check inflation and make up for budgetary deficits. A wide variety of aid projects—housing, schools, health—are examples of what can be done, given the will and the resources.

PAINFULLY EVIDENT

But for the long pull the inadequacies of the alliance—for that matter any program so far contemplated—are painfully evident. So many of the elements of a modern society are lacking. These basic lacks make reform and change difficult if not impossible. This observer would put several at the head of a long list.

First is the difficulty of communication, both within individual countries and from country to country. Telephone systems are inadequate and inefficient. Communication by telegraph is almost equally limited and rates are very high. This presents serious problems for Government and business.

Transportation, both rail and highway, is equally deficient. The vast distances, the snow covered mountain ranges, the jungle, the far reaches of the interior have never been mastered. A coastal civilization is only beginning to push out into the empty spaces. This is a costly effort requiring capital investment and administrative skills in pitifully short supply.

Although there are variations from country to country, there is a desperate need for managerial capability. In Chile, where the the level is higher, President Eduardo Frei spoke feelingly to this reporter of how many tasks he had to perform himself because no one else could do them. This means not just rudimentary education but training in management.

START MADE

Fortunately some of the big American foundations have begun to recognize this need. A start has been made, and a younger generation is coming along that could fill the management gap.

What this suggests is that the U.S. aid program is buying time. It may also suggest that the aid program might better have concentrated on basic needs.

The Monroe Doctrine kept out European exploiters. The Good Neighbor policy of Franklin Roosevelt was a valuable exercise in friendship.

The Alliance for Progress began with a rush of enthusiasm. It has fallen away to a piecemeal program that is hopefully a stop gap. If it is recognized as just that, then possibly a larger and bolder formulation may be forthcoming even though the hour is late.

GREAT MYTHS OF AGRICULTURAL POLICY: WE NO LONGER NEED FARM PROGRAMS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PURCELL. Mr. Speaker, on August 3, I placed in the CONGRESSIONAL RECORD the first in a series of articles from Successful Farming magazine on "Great Myths of Agricultural Policy." That article dealt with the theory that farm prices are made in Washington.

The September issue of this magazine carries the second article in the series, attempting to explode the myth that "We No Longer Need Farm Programs."

While this article does not necessarily express my views on the subject in all respects, I feel that it, like the first article in the series, is a most thoughtful article which I commend to my colleagues. The article follows:

GREAT MYTHS OF AGRICULTURAL POLICY—MYTH No. 2: WE NO LONGER NEED FARM PROGRAMS

(By Don Paarlberg)

This myth, which says in effect that we ought to "get Government out of agriculture," arises from the irrefutable fact that some farm programs have been harmful to agriculture. It ignores the equally irrefutable fact that some farm programs have been helpful.

Quotation of this myth will draw applause from most conservative audiences, particularly nonfarm groups. But the myth ignores some real difficulties. It ignores rural poverty, perhaps the most serious problem of all. It ignores the problem of adjusting to a technological revolution in agriculture.

Are free markets the answer? Furthermore, this myth assumes that Government, having supported certain farm prices for 30 years, could pull these props out overnight and walk off, leaving agriculture to make the necessary adjustments on its own. This would not be a fair test of the free market system.

The free market would be doing well enough if it handled the current production of corn, wheat, and cotton in a satisfactory manner, something the Government programs have not done.

To ask that the free market handle not only current production but also the backlog of unresolved problems accumulated by the Government programs and that it suddenly acquire the capacity to do this after the loss and injury caused by a quarter century of disuse and attack—this is a preposterous proposal. One does not indict the market system if he is reluctant to put it to such a test.

Should Government get out? This idea, that farm problems would be solved if the Government would get out of agriculture, is a myth fostered by those called conservatives, advocates of the free market.

But advocates of the market system should not renounce every act of Government during the past quarter century. They should accept as part of their system all developments which improve the functioning of the market.

This includes supervision of grades and standards, the work of the Commodity Exchange authority, accurate price reporting, and good outlook information. It includes marketing orders, wisely administered for appropriate commodities, and it includes price supports at levels which permit prices to fluctuate freely most of the time. It includes, perhaps most basic of all, good public-supported education for farm people.

Get agriculture out of politics: A variation of this myth is its statement in reverse form, that we should get agriculture out of politics. But where will you put agriculture if you take it out of the voter's reach? How decide agricultural policy if not by the means of representative government? What should we substitute for the political process? Anarchy? Experts, not responsive to the wishes of the electorate? They haven't done too well in the Soviet Union.

There is no satisfactory substitute for the political process in agriculture. One can argue that the citizens should be better informed and that we should insist on a more rational performance by our representatives.

But short of a dictatorship on one hand and anarchy on the other, there is no way of taking agricultural policy away from the people. The purpose should be to make the system of representative government function more effectively.

Sound conservative thoughts: Defensible expressions of the conservative idea in agricultural policy are these:

"We should move in the direction of freedom."

"We should use the powers of Government to improve the performance of the market system."

"We should gradually reduce the role of Government in the pricing and production of crops like cotton, where the program has been a demonstrated failure."

But what these statements would gain in validity they would lose in appeal. The glib overstatement, entrenched by innumerable repetitions, becomes an obstacle to progress.

There are myths both of the right and of the left. This one is from the right—not the moderate right or the responsible right, but from the extreme right.

CONGRATULATIONS TO THE PEOPLE OF KOREA ON THE 17TH ANNIVERSARY OF THEIR REPUBLIC

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the Republic of Korea has recently celebrated its 17th anniversary as an independent state. On August 15, 1948, the new nation was formed from the free part of Korea below the 38th parallel. I wish to offer my congratulations to South Korea on this occasion. I know the peoples of the free world join me in sincere regrets that North and South Korea and the Korean people are so tragically divided.

But the Republic of Korea has made remarkable progress in those 17 years despite a devastating war and the fact that 80 percent of the heavy industry of the peninsula was, at the time of partition, located north of the 38th parallel. These handicaps have not discouraged the people from going ahead with the task of building a nation.

The war broke out less than 2 years after the nation was founded. The South Korean armed forces suffered a quarter of a million casualties. And the civilians were even more severely affected. More than a million were killed and a million more were injured or missing.

Under the early leadership of the late Syngman Rhee and present leadership of President Chung Hee Park this gallant nation set forth on the long road to economic and social development. In recent years the gross national product has been showing an increase of more than 6 percent per year. The development of mining and manufacturing has been especially impressive. A 5-year economic development plan was initiated in 1962 which has been effective in stimulating economic growth and increasing exports. Exports have risen to well over $100 million per year. In 1960 exports were only $33 million. The proportion of the gross national product contributed by secondary industry has greatly increased, furthering the growing balance and diversity of the industrial base.

In the field of agriculture the Koreans are making steady progress in reducing their dependence upon outside sources for food grain. The 7-year grain production plan initiated this year hopes to bring Korea to a point of self-sufficiency by 1967.

In its foreign relations the Republic of Korea is a loyal and generous member of the non-Communist nations of Asia. She maintains the largest army among the free nations of Asia. As the tragic victim of Communist aggression Korea understands the necessity of keeping strong and of supporting the non-Communist forces of Asia.

The recent treaty normalizing relations with Japan is a landmark action in postwar Asian affairs which will be of great benefit to both nations and to all free nations of Asia.

Since the coming of independence 17 years ago the Korean people once again have had the opportunity to assert their distinctive national and cultural identity. Theirs is one of the most ancient civilizations of the world dating back more than 4,000 years. The people were united as a single nation in 669 A.D. and maintained their own rulers until foreign domination came about in 1910.

The date August 15, which the Koreans celebrate as a national holiday, is also the date when Japanese occupation ended in 1945. But this event merely paved the way for another period of foreign control in the north and the unnatural division of this ancient land.

The Republic of South Korea exemplifies the striving of many peoples for progress in freedom. We regret that the people of the north are denied this opportunity. I wish all the people of Korea well and hope that one day they may all enjoy the blessings of freedom and unity.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BONNER (at the request of Mr. FOUNTAIN), for the remainder of the week, on account of illness.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. CONABLE (at the request of Mr. GERALD R. FORD), on account of official business as a member of the Survey Panel of NASA Oversight Subcommittee.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. RANDALL, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. LAIRD (at the request of Mr. MORTON), for 15 minutes, on September 2.

Mr. LAIRD (at the request of Mr. MORTON), for 15 minutes, on September 3.

Mr. RYAN (at the request of Mr. WELTNER), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MCEWEN and to include extraneous matter in his remarks during general debate in the Committee of the Whole.

Mr. HARRIS to revise and extend remarks made by him in Committee of the Whole this afternoon on the high-speed ground transportation bill and to include a letter.

Mr. GURNEY.

Mr. HANNA.

(The following Members (at the request of Mr. MORTON) and to include extraneous matter:)

Mr. FINO.

Mr. MCCLORY.

Mr. BATES.

(The following Members (at the request of Mr. WELTNER) and to include extraneous matter:)

Mr. MULTER.

Mr. ZABLOCKI.

Mr. KING of California.

Mr. MOORHEAD.

Mr. GILLIGAN.

Mr. WOLFF.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 511. An act to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands; and

H.R. 10342. An act to authorize the Honorable FRANCES P. BOLTON, of Ohio, a Member of the House of Representatives, to accept the award of Officier in the French National Order of the Legion of Honor.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following titles:

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Friday, September 3, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1543. A letter from the President and Chairman, Export-Import Bank of Washington, transmitting annual report of the Bank for the 12 months ended June 30, 1965, pursuant to section 9 of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

1544. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation and list of persons involved, pursuant to Public Law 87-885 (8 U.S.C. 1254(a)(2)); to the Committee on the Judiciary.

1545. A letter from the Commissioner, Immigration and Naturalization Service, U.S Department of Justice, transmitting reports of visa petitions approved, according beneficiaries of such petitions first preference classification, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1546. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases, pursuant to section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1547. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases of certain aliens found admissible to the United States; to the Committee on the Judiciary.

1548. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, and a list of the persons involved, pursuant to Public Law 87-885 (8 U.S.C. 1254(a)(1)); to the Committee on the Judiciary.

1549. A letter from the Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a letter changing the watershed project for Rock Creek, Okla., from not more than 4,000 acre-feet of total capacity to a total capacity in excess of 4,000 acre-feet; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee on the Judiciary. A report on State taxation of interstate commerce (Rept. No. 952). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 9627. A bill to provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary schoolteachers and those who train, guide, or supervise such teachers; with amendment (Rept. No. 953). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 10622. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; with amendment (Rept. No. 954). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee on Appropriations. H.R. 10871. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 955). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HUNGATE: Committee on the Judiciary. H.R. 1389. A bill for the relief of Lt. Col. Philip L. Vetrone, U.S. Army; with amendment (Rept. No. 949). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 4911. A bill for the relief of Lt. Col. Jack F. Orend; with amendment (Rept. No. 950). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 1484. A bill for the relief of Mrs. Loneta Hackney; without amendment (Rept. No. 951). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIGGS:

H.R. 10853. A bill to amend the rules pertaining to the display and use of the flag of the United States by requiring the display thereof whenever the flag of a State, or of a political subdivision thereof, or the flag or pennant of a society is displayed; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 10854. A bill to amend title 39, United States Code, to provide certain position placement and seniority rights for postal field service employees engaged in mail operations which are reduced or discontinued; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 10855. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 10856. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. IRWIN:

H.R. 10857. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. McCARTHY:

H.R. 10858. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRISON:

H. R. 10859. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Texas:

H.R. 10860. A bill to promote the general welfare, public policy, and security of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 10861. A bill protecting the members of the Armed Forces and their families from threatening and harassing communications; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 10862. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty; to the Committee on Veterans' Affairs.

By Mrs. HANSEN of Washington:

H.R. 10863. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 10864. A bill to amend the Internal Revenue Code of 1954 to provide for the issuance of a certificate of release of lien where the liability for estate tax is fully satisfied; to the Committee on Ways and Means.

By Mr. O'HARA of Michigan:

H.R. 10865. A bill to amend the Federal Employees' Compensation Act; to the Committee on Education and Labor.

By Mr. SCHWEIKER:

H.R. 10866. A bill to create the Freedom Commission and the Freedom Academy to research and develop an integrated, operational science to win the nonmilitary part of the global struggle between freedom and communism and to train Government personnel, private citizens, and foreign nationals in this science; to the Committee on Un-American Activities.

By Mr. WHITE of Texas:

H.R. 10867. A bill to establish the Midland-Odessa Division of the Western District of Texas; to the Committee on the Judiciary.

By Mr. PASSMAN:

H.R. 10871. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. BURTON of California:

H.J. Res. 652. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 653. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. MULTER:

H. Con. Res. 471. Concurrent resolution expressing support of Congress for the World Conference on World Peace Through Law; to the Committee on Foreign Affairs.

By Mr. DYAL:

H. Con. Res. 472. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 473. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H. Con. Res. 474. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MEEDS:

H. Con. Res. 475. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 476. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. Con. Res. 477. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 478. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Con. Res. 479. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. ST. ONGE:

H. Con. Res. 480. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. TODD:

H. Con. Res. 481. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. YATES:

H. Con. Res. 482. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H. Con. Res. 483. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. RYAN:

H. Con. Res. 484. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 485. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. KASTENMEIER:

H. Con. Res. 486. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. CEDERBERG:

H. Res. 564. Resolution to authorize the House Committee on Education and Labor to investigate the migratory farm labor situation in Michigan; to the Committee on Rules.

By Mr. POWELL:

H. Res. 565. Resolution providing for consideration of H.R. 8330 to amend the National Defense Education Act of 1958 to delete the loyalty oath and criminal disclosure provisions; to the Committee on Rules.

H. Res. 566. Resolution providing for the consideration of the bill H.R. 10622 to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Rules.

H. Res. 567. Resolution providing for consideration of the bill H.R. 10238 to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes; to the Committee on Rules.

H. Res. 568. Resolution providing for consideration of the bill H.R. 9627 to provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary school teachers and those who train, guide, or supervise such teachers; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H.R. 10868. A bill for the relief of John Shanahan; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 10869. A bill for the relief of Jadwiga Dednarska; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 10870. A bill for the relief of Giovanni Stante; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

St. Francis General Hospital Centennial

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 2, 1965

Mr. MOORHEAD. Mr. Speaker, 100 years ago a group of Franciscan sisters established, in a small frame house in Pittsburgh, a badly needed hospital. From that meager beginning has grown the present great medical center—St. Francis General Hospital.

A larger frame structure was renovated to accommodate 30 patients in 1866 and in 1868 a charter was granted. In 1871 was dedicated a stone building as St. Francis continued to grow. Since then a number of improvements have been made: a new addition in 1891, a renovation of the entire hospital in 1897, construction of a powerplant and laundry in 1907, a north wing in 1910, a laboratory in 1917, the school of nursing building in 1930 and the south wing in 1960.

On September 10 this year, St. Francis will begin, with appropriate ceremonies including dedication of a time capsule, its centennial year. A record of outstanding service and charity has made St. Francis one of the Nation's great hospitals.

St. Francis was one of the first general hospitals in this country to establish a department of psychiatry as an integral division.

General patient admissions last year numbered 20,014, personnel 1,576.

St. Francis has the largest number of beds in the Pittsburgh-Allegheny County area, the average number being 782, not counting bassinets.

It is my privilege and honor to salute St. Francis and its staff members and all those who preceded them for their work in building this hospital to its present preeminence.

I am sure that my successor as Congressman 100 years from now will be able to salute St. Francis General Hospital again for a second century of dedicated service to the people of Pittsburgh.

The Legislative Sourcebook of the State of California

EXTENSION OF REMARKS
OF

HON. CECIL R. KING

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 2, 1965

Mr. KING of California. Mr. Speaker, I wish to call to the attention of my colleagues in the U.S. Congress the legislative sourcebook of the State of California, a scholarly work published by a noted veteran California legislator, the Honorable Don A. Allen, Sr.

Assemblyman Allen recently released the long-awaited sourcebook authored by him. This sourcebook was printed and bound in a stiff back cover because of the unprecedented demand for his earlier sourcebook on the California legislature from 1849 to 1962. The record will show that over 30,000 copies of the fragmentary document have been released to libraries, schools, and other sources.

In response to the expression of such keen interest, Allen stated he has now expanded what was originally an historical listing of legislators and districts into, the first formation in 1849; a thorough analysis of the history of reapportionment in California; the record of those legislators who have served the State so well; a history of the changes in the legislative districts with related population figures; systematic data on committee chairmanships and legislative turnover; and bibliographies on reapportionment and the California Legislature, which together represent the finest single set of carefully screened and well-documented bibliographies presently in existence on these subjects.

This idea of a comprehensive study of the history of the legislature first came to him in 1940 when he was chairman of the Assembly Factfinding Committee on Governmental Efficiency and Economy. His interest in this subject continued in the intervening years, from his departure in 1947, when he was elected to the city council in Los Angeles, until his return in June 1956.

Realizing the great changes that had taken place during his years of absence from the legislative halls, he undertook a series of endeavors which have led to this current project, commencing with a number of memoranda to his colleagues in the legislature. Soon individuals, organizations, libraries, and scholars from various colleges and universities were asking for so many copies that multilithing and other more informal printing processes became inadequate to supply the demand.

There has been so much assistance rendered to him in the preparation of this legislative sourcebook, as well as with the earlier version, much of which work has been done by State employees and some of his personal employees that he has waived all question of royalties. Therefore, this book is a labor of love with no monetary gain whatsoever.

The cost of this book has been held to a minimum of $3 per copy. There will be no free distribution.

It is hoped that the newly printed format of this volume will provide a more permanent record of his research and should facilitate its use by the legislature, the scholarly community, and the general public.

Labor Day, 1965

EXTENSION OF REMARKS
OF

HON. EDWARD J. GURNEY

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 2, 1965

Mr. GURNEY. Mr. Speaker, Labor Day, one of our major national holidays, sprang from quiet beginnings. It was in 1894 that President Cleveland signed the bill making it a holiday in the District of Columbia and territories. Now every State sets aside a September day to honor all those who work.

Certainly there can be no more fitting way to honor the men and women of our history whose toil made us the great Nation that we are. Nor can we more suitably salute the workers of today whose efforts continue to make us what we are. At the anvils and the desks, the plows and the typewriters, the drawing boards and the powersaws, the test tubes and the blackboards, the steering wheels and the cash registers, are the millions of Americans who clothe us, feed us, protect us, inform us, entertain us and provide our needs and wants. Our entire heritage is the fruit of their labor.

It took work to build the Nation; it had to be settled, explored, cultivated, built upon, freed, governed, and maintained. The lot of the men who did the work was not always an easy one.

As we matured and grew, the problems of our workingmen, like those of their brothers around the world brought on a workingmen's revolution. Men joined together for strength to bargain with their employer. They fought—literally—to obtain fair treatment and fair play for their work.

Gaining strength as it advanced, the union movement brought legislation to support it.

There is no question that the union movement has been among the greatest economic factors in the forward, upward progress of this Nation.

Higher wages, increased purchasing power, better and healthier working conditions and shorter hours, have all contributed tremendously to the standard of living we now enjoy and the rest of the world tries to achieve. It is greatly to the credit of the workingmen that we have become the prosperous Nation we are.

Our free workers have long been our pride and the place of the worker a proud one. For in America it has never been a sign of class or status not to have to work. The workingman who provides for himself and his family has long been among the American heroes.

As I think over the history of labor in the United States there comes to mind the men and groups who have fought to make the dream a reality—the leaders, the writers, the public officials who added their words and deeds to the effort.

I think of the men and groups who were instrumental in seeing legislation to benefit labor become law. And I look with pride upon the part my own Republican Party has played during the century of its existence. It was the Republican Party that established in 1868 the first 8-hour day for Government workers, setting the pace for all industry. In 1884 it was the GOP which established the U.S. Bureau of Labor and elevated it to a Cabinet-level Department in 1913.

The union movement was endorsed in the GOP's 1898 platform and the same year the Republican-sponsored Erdman Act was passed, prohibiting management from firing workers for union membership. In 1926 the Republicans enacted the railway labor law, still used as a model for settling labor management problems.

The GOP outlawed yellow-dog contracts under the Norris-La Guardia Act and prohibited indiscriminate injunctions and strikes.

Republicans have traditionally fought for the rights of the individual workers and for the dignity of every man and woman who contributes to the greatness of our Nation through his work.

Americans have never looked down upon a good day's work, nor have they been afraid to do their part. This is why we are a great and free nation.

Federal Government and Nevada: Partners in Crime and Vice

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 2, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about gambling in the State of Nevada. During the last few months, I have been describing the estimated extent of illegal gambling in States where all gambling but parimutuel betting is illegal. Nevada as is common knowledge, is the State where gambling is a legal and flourishing industry. Directly and indirectly, gambling revenues are essential to Nevada's prosperity as they are to no other State.

Last year, the parimutuel turnover in Nevada came to a modest $5 million. It is impossible to say how much the total amount gambled in Nevada each year comes to. Suffice it to say that the profits of the gambling casinos are vast. Unfortunately, some of this money finds its way into mob treasuries. It is not enough merely to legalize gambling. Even legal gambling can still bankroll the mob if not controlled absolutely. To my way of thinking the answer is government-run gambling.

To this end, Mr. Speaker, I urge the Members of this House to bring gambling under Government auspices via the technique of a national lottery. Throughout Europe, the lottery device has proven itself not only as a moneyraiser, but as a device for removing one of the greatest financial mainstays of organized crime, thus striking at crime itself.

Chrysler Dedicates Belvidere Assembly Plant—The Nation's Newest and Most Modern

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. McCLORY. Mr. Speaker, Monday, September 13, is a red letter day in the 12th District of Illinois for it is on that day that a great new Chrysler Corp. plant will be dedicated at Belvidere, Boone County, Ill. In addition to the fact that this is the first Chrysler plant to be located in Illinois, it is the most modern and most efficient automobile assembly plant in the world.

It is not my purpose to recall the entire success story of the Chrysler Corp. This story has been chronicled frequently during the past several years. However, the $50 million which this corporation is investing to manufacture new Plymouth and Dodge passenger cars on a 250-acre tract in Belvidere is impressive evidence of the success story of the Chrysler Corp. during this decade of the 1960's.

Mr. Speaker, on the formal opening date of its plant on September 13, Chrysler will have approximately 1,400 new employees at Belvidere. Within a year it is expected that more than 2,000 employees will find work in this great industrial complex. Within several years the plant may engage as many as 5,000 employees in the production of new automobiles on a two-shift operation with an output of 960 cars per day or more than 200,000 passenger cars per year. The total payroll from such a full operation would exceed $30 million annually.

I would like to indicate a few of the factors which contributed to Chrysler's decision to locate its new plant in this area of our Nation. First and foremost, I am informed that the Chrysler representatives liked the people they met and the prospective employees with whom they visited as they searched for the plant location. Second, of course, the Chrysler Corp. found that Belvidere was convenient to many of the suppliers who produce component parts for their finished products. Third, the transportation facilities were conducive to this move with rail transportation available over the tracks of the Chicago and North Western Railway, and motor transportation on the great Illinois toll road and other major highways.

Favorable State and local tax laws were another important element as were, first, the climate, second, the opportunity for expansion, third, suitable schools, and fourth, adequate community services available to the industrial, business, and residential properties in this area.

Mr. Speaker, I do not mind adding that the advent of Chrysler Corp. to the 12th District has set off an economic boom in Belvidere and Boone County as well as in the surrounding counties. The effect on the real estate market and retail business in Belvidere has been fantastic. The community enthusiasm in support of this great development has been heartening to all and bespeaks well the future cordiality which is bound to prevail between Chrysler Corp. and its employees on the one hand, and the other residents of the community where Chrysler is located.

Mr. Speaker, I want to commend first of all the president of the Chrysler Corp., Mr. Lynn Townsend. He has provided the kind of executive leadership and qualities of citizen responsibility which contribute to keep American industry in the forefront. These individual characteristics of Lynn Townsend are recognized throughout our land and the entire free world. Such other Chrysler Corp. executives as Virgil E. Boyd, group vice president; Robert Anderson, group vice president; and Joseph F. Kerigan, vice president and group executive, have directed and will continue to oversee operations in the Belvidere plant as well as in other Chrysler plants. They are entitled to a generous share of the commendations directed to the Chrysler Corp. management.

Mr. Speaker, I would like to make particular mention of James G. Shepherd, the plant manager at Belvidere. Jim Shepherd has seen this $50 million plant rise from a cornfield to the great and complex structure which it is today. I visited the plant with him several months ago before the assembly line had started to operate and before most of the machinery and equipment had been installed. Jim Shepherd makes his home in Belvidere, and he has lived and will continue to live with the day-to-day operations of this enormous plant. He is one who has shouldered great responsibility and upon whom much of the success of Chrysler Corp.'s operations in Belvidere will depend.

It would be impossible to identify and enumerate all of those who are responsible for bringing this great industrial establishment to the 12th District of Illinois. However, in recalling the events leading to the location of the Chrysler plant in Belvidere, it seems important to mention the early interest of Mr. Ben Heineman, chairman of the Chicago & North Western Railway, in this location. I would also like to recall the important part played by Fred Shappert, publisher of the Belvidere Daily Republican and a leading engineer and bridge builder in Belvidere; William Freek, city attorney of Belvidere; Robert MacGruder, executive secretary of the Belvidere Chamber of Commerce; and many persons in the Illinois State Chamber of Commerce. Mayor Lester Cunningham who has served as mayor of Belvidere during the entire period, together with the members of the Belvidere City Council, has provided full cooperation from the time this Chrysler plant was first proposed back in 1963.

I am informed that Gov. Otto Kerner, of Illinois, will be present on the occasion of this plant dedication, as will many other State and local public officials and civic leaders. To them and to all of us who reside in and serve the people of Illinois, this new Chrysler plant is a great tribute.

But, Mr. Speaker, the principal tribute on this occasion is to the genius of American business—the great private enterprise system—and to the thousands of men and women who will work and produce in this plant, those who belong to management and to labor; for we are all part of the system of individual freedom and private enterprise which has inspired our Nation to great industrial, social, economic, and spiritual heights. To the executives, to the shareholders, to the men on the assembly line, to the engineers, to the designers, to the many women employees, to the supervisors and managers, to the maintenance men, to the advertising agencies, to the dealers, and especially to the customers—indeed, to all who have contributed to the successful completion and opening of this plant—I extend warm and hearty congratulations.

Mr. Speaker, I bring this message to my colleagues in the House and to those citizens of the Nation who will see these remarks in the CONGRESSIONAL RECORD. This is a great testimony to the American system of government which assures freedom, and to the men and women who, under this atmosphere of freedom, individually and in joint and corporate enterprises rise to such greatness as is characterized by Chrysler Corp. in its new industrial plant at Belvidere, Ill.

More on the Trading Stamp Controversy

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. WOLFF. Mr. Speaker, I have been conducting informal discussions with members of the American business community in an endeavor to ascertain if the cost of the widespread use of trading stamps is coming out of the pocketbook of the consumer. Today, Mr. Eugene R. Beem, vice president of the Sperry & Hutchinson Co., made a radio statement questioning my motives in conducting this inquiry.

I will not be bought off. I will not bow to threats or pressure nor will Mr. Beem's name calling deter me from my avowed purpose of protecting the housewife against the misleading tactics of some trading stamp companies. As for presenting a biased view of trading stamps, yes, perhaps I have a bias—I am biased in favor of the consumer.

Mr. Beem obviously cannot make this claim—for he is employed by the S. & H. stamp company to play with figures that tug at the purse strings of the American housewife.

In the past I have represented retail organizations who have distributed stamps and also those who do not distribute any stamps. If he charges that I am currently employed it is either a blatant lie and would lead me to seriously question any figures he has issued or he is so behind the news as the outdated information the stamp companies are passing out to justify their spurious claims. I have given up all my business interests.

For over 25 years I was engaged in the marketing business and because of this I know where to look for some of the bodies. Among others my organization dealt with many stamp companies. The more I look into this picture, the more I find facts the stamp companies would like to remain buried.

Ohio—The Blue Ash Airport

EXTENSION OF REMARKS

OF

HON. JOHN J. GILLIGAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. GILLIGAN. Mr. Speaker, today the Federal Aviation Agency announced a grant of $727,180 to the city of Cincinnati to create a year-round, executive-type airport on property the city owns in the Blue Ash, Ohio, area. This grant should prove to be of very great benefit to the citizens of Blue Ash and Greater Cincinnati.

I speak on the subject today because of its importance to our community and because I believe that my colleagues in the House would like to know what the creation of this kind of airport, with contiguous recreational and industrial park facilities, could mean to many similar communities throughout the Nation. As all of us know, our Nation is growing economically in what I call 20th century industries—those developed by improved technology which require skilled labor and modern 20th century air and ground transportation systems.

At a meeting in the FAA offices in late July 1965, I stressed to Maj. Gen. William McKee (retired) Administrator of the FAA, Mr. Cole Morrow, Director of Airports Service, FAA, and Mr. Edward Stimpson, Assistant Administrator for Congressional Relations, that the Blue Ash, Ohio, airport site had unique facilities for a test-tube study of what could be done with an area which had great possibilities for the location of 20th century industries. The lands owned by the city of Cincinnati amount to nearly 1,500 acres. In that space will be located the airport, an industrial park, a recreational area, and pleasant residential properties. It is located in a rail and interstate road complex, and in the path of industrial expansion proceeding to the north of Hamilton County. All of these facilities and lands, if properly used, should produce a model of economic development which could be copied across the Nation.

For the benefit and study of the citizens of my community and my colleagues, I would like to explain fully the use of the FAA grant.

First. The proposed airport would be an executive-type airport and not a commercial airport. Small company and private planes would use the airport, but not large, commercial passenger planes.

Second. The proposed airport would not be much different than the present airport. Currently the Blue Ash Airport is a secondary, turfed airport, which is unusable for most of the time between early November and late April because the ground is unsuitable for landing. Private owners and corporations find it necessary to move their planes to Lunken Airport during that period, causing inconvenience and expense.

The grant would permit the construction of a 4,000-foot concrete runway, along with taxiways, sewering, and improvements of land near the airport. Thus a year-round airport will be created.

Third. The new runway, if built, should greatly assist the safety of the residents of Blue Ash.

The current east-west runway has consistently caused concern for the safety of the residents near it, because planes using it now must come over residential areas on their landings and takeoffs. The new southwest-northeast runway which will be constructed will permit over 90 percent of takeoffs and landings to occur over an area covered by expressways and railroad tracks and property, which will endanger no residential areas. Because the wind blows from the northeast only 10 percent of the time, landings into the wind from the southwest will seldom occur, and when they do, they will be made over a clear zone of over 3,500 feet in length and considerable width, which consists of proposed golf course properties.

Fourth. There will be no costs to the village of Blue Ash. Matching funds to the Federal grant will be made by the city of Cincinnati in the amount of over $727,000, which will take the form of the supplying of the land for the airport.

Fifth. Some residents have expressed concern that such an airport would prevent the development of a community college on the Blue Ash properties because of the noise affecting academic studies. Their fears are unfounded, because representatives from the board of regents, the University of Cincinnati, and sound engineers have already tested out this problem, and find that aircraft noise will be no problem to the development of a community college. If such a college is placed elsewhere in Hamilton County, it will be because of other reasons entirely. Indeed, it would be advantageous for an airport to be so close to a community college, for today many professors are flying from the larger campuses to the smaller campuses for classes. The Ohio State University has a regular commuting system for such purposes.

What are the advantages which should accrue to the Greater Cincinnati area as a result of this grant?

First. A problem which has remained unsolved for over 15 years is now solved. Conflicting ideas on the nature of the airport, disagreements among village, city, and county officials have been resolved. The bonds sold by the city over these years, and upon which it has paid a large amount of interest, will be paid by the sale of the lands not used for the airport.

The total land area involved consists of some 1,535 acres. Two-thirds of this land will be sold, and one-third retained for airport use. Of the land that will be sold, it is probable that two-thirds will be zoned for industrial use as an industrial park, and one-third will be zoned residential. Such zoning will be done by local authorities. It should be stressed that the Federal Government grant and responsibility is only for airport construction, and will have nothing to do with eventual nonairport land uses.

Second. The selling of land for industrial and residential land use should add a large amount of taxable property to the Blue Ash tax rolls, which in turn should provide for improved municipal and education services. Hangars and other buildings built by whatever public authority will manage the airport are also taxable, and revenues will come to Blue Ash from those sources.

Third. A large number of jobs of semi-skilled and skilled categories should be created in the Blue Ash area by the influx of industry into the industrial park. Greater Cincinnati, and the Blue Ash area as well, would benefit by increased industrial job availability. Additionally, airport services will require manpower for operation.

Fourth. The kind of industry coming into the area as a result of the airport will be of the modern light industrial type, which would not bring with it the problems of air and water pollution which accompany basic heavy industry. Additionally, if properly zoned and regulated, the industrial park can become a pleasant addition to the community.

Fifth. Those progressive industries which would settle in the industrial park around the airport would add to the social life of the community and would have great capacity for growth. It has been proved time and time again that those management groups willing to use company planes are also those which are progressive and creative.

Sixth. A large recreational area, either municipally owned or leased to private operators, will be built on the west side of the airport. An 18-hole golf course and a par 3 golf course will be constructed there, replacing the course lost to area residents because of recent expressway construction.

I am hopeful that now the community, including the business and civic leaders who have looked forward to this airport for so long, will now band together to plan for rapid maximum development of the lands.

Ella Gale's "$$$ and Sense"

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. MULTER. Mr. Speaker, I deem it a privilege to bring to the attention of our colleagues, a new book, Ella Gale's "$$$ and Sense—Your Complete Guide to Wise Buying," with a preface by that great Senator, PHILIP A. HART, of Michigan.

The book is of unusual interest not only because it covers a subject dear to the heart of every Congressman—economy and how to stretch the dollar—but because it is the subject of concern to every man and woman who over the years has felt the pinch of the increase in the cost of living.

We try to provide our families with the good things of life—improve our standard of living—give our children the best possible education—but the task becomes increasingly burdensome not only because so many things cost so much but because our system of marketing makes it more and more difficult to make intelligent choices. Writing on this subject in his preface to the book, Senator HART says:

> No reader of this book needs to be told of the many frustrations consumers endure today. Unfortunately, we are all too familiar with the new refrigerator that doesn't freeze, as well as the old—a car that runs worse after being repaired—and the soap that doesn't get clothes sparkling white as the ad promised.
>
> The thorn on the rose of our spectacularly high standard of living, it seems, is that as the number of the magnificent products vying for our purchasing dollar increases so does the difficulty of making wise buying decisions.

The Senator goes on to recommend Ella Gale's "$$$ and Sense" saying:

> That's why I attribute a great value to "$$$ and Sense" and the basic information which Ella Gale has jammed into it. The whole gambit of purchasing decisions is covered here—and covered well, whether you absorb one or two new facts—or 1 or 200—I would rate this book as a significant contribution to consumer education.
>
> Ella Gale has described well the satisfaction which can be derived by the individual who knows that she is spending her money as wisely as possible. And, I add a loud "Amen".

I add a second loud "Amen" and I would tell you that I have known Ella G. Roller who is writing under her maiden name, Ella Gale, since 1947, and find she is an expert who knows how to translate technical information into the idiom of the people. This she has done admirably in her new book, "$$$ and Sense."

She takes such a technical subject as how to figure true interest rates and in ABC's writes so that any housewife can tell the true rates on her installment charges. She provides a new, easy cost-weight table, developed at Cornell University, which the reader can take into the store and use, to figure at a glance, the cost per pound of, say, a 3-pound 3½-ounce box of detergent selling for 74 cents.

Ella Gale believes that "the difference between having money and having money worries lies in good management of what you have." In the chapter "How To Stretch Your Food Dollar," she says:

> If you want to succeed in cutting food bills, you must read the ads, the label and comparison shop. These are your weapons to protect your husband's hard earned $$$. It takes time and patience, but as you gain experience you'll develop speed.

Writing on the problem of deceptive packaging, Ella Gale says:

> Let's concede that manufacturers may have a problem involving settling of powdered products such as instant coffee and cocoa. But what kind of problem is there with box cookies or spaghetti or macaroni?

And, most sensibly, she asks:

> Why can't the box be made to fit the contents * * * why do some manufacturers kid us with a puffed out package full of hot air?

She suggests:

> To make sure you get the best buy for your money, compare one brand with another by comparing net weights and prices of each. Don't take for granted that identical boxes or cans have the same net contents. And, don't take for granted that a box or bottle that looks bigger contains more. Be a comparison shopper to make sure. It pays dividends.

Ella Gale gives practical money-saving tips on meat and even tells when it is better for you to select large, medium, or small eggs. She also advises on how to save on canned and frozen foods, milk, cheese, cereals. When it comes to food, you name it, it's there. Of ice cream she says:

> If you buy a brand that tastes full of air, switch to another brand. There is no point in paying for extra air when you can inhale it free.

In 1939 Ella Gale, testifying before the old Anti-Monopoly Committee, known then as the Temporary National Economic Committee, pointed out that the brand is not necessarily a guide to quality nor is the price. These themes run throughout her book. She urges that we check the ads and compare prices and in "$$$ and Sense" gives her own examples comparing actual prices, quality and services, offered by discount houses, department stores, mail-order houses, chain and independently owned stores. She not only tells how to save dollars when purchasing household appliances but give a complete rundown on installation charges, operating costs and how long the appliances will last. In addition to household appliances and food, she has fascinating chapters on clothing, house furnishings, white sales, trading stamps, discount stores, and credit buying. She tells how you can save money and how you can lose it by buying seconds or imperfects. She shows how a demonstration or floor model can be a good buy or a poor risk and she forecasts new developments in the exciting world of synthetic fibers and fabrics. The chapter "Your Dream Home" is of interest to people in big cities and small towns, single people and those with families. It helps them decide between the city, suburbs, and country, whether to rent, buy, or build and when a bargain is not a bargain.

Ella Gale's "$$$ and Sense" makes sense for men and women who want a dollar value for every dollar spent. It is indeed a guide to wise buying.

Father Junipero Serra Honored

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. ZABLOCKI. Mr. Speaker, on Monday of this week the Serra Club of Washington sponsored a wreath-laying ceremony at the statue of Father Junipero Serra which stands in Statuary Hall of the Capitol.

The occasion commemorated the 181st anniversary of the death of the Spanish Franciscan priest who has earned a place in American history for his important role in developing California. It was Father Serra who built a chain of 21 missions which were centers of education and agriculture in the early days of the Far West.

For his achievements, the State of California has recognized him by setting his statue in the Statuary Hall as one of its first and most distinguished citizens. The Serra Club, a group of Catholic men promoting vocations to the priesthood, have taken his name and his devotion to duty as their guide.

Principal speaker at the wreath laying was the gentleman from California [Mr. TALCOTT]. His remarks cited the inspiration to be gained from recalling Father Serra's life, and the application which his heritage may find in modern times.

In order to bring Father Serra's accomplishments to the attention of this body, I include Representative TALCOTT's speech at this point:

> SPEECH OF BURT L. TALCOTT, U.S. CONGRESSMAN, FOR THE CEREMONY COMMEMORATING THE 181ST ANNIVERSARY OF THE DEATH OF FATHER SERRA, STATUARY HALL, THE CAPITOL
>
> Reverend fathers and protractors of the inspiring legacy of Father Junipero Serra, each daily session of the House of Representatives is opened with a reading from the Scriptures—and a prayer—before any business is conducted. An impressive custom which reminds us that we are a Christian nation.
>
> Because we are honoring an extraordinary Christian and because we are meeting in the Capitol in the very room where the House of Representatives once met, I thought it would be appropriate to quote Jeremiah, chapter 40, verse 4: "Behold, all the land is

before thee: Whither it seemeth good and convenient for thee to go, thither go."

Father Serra's motto: "Always to go forward; never to look back" may have been the inspiration for one of my political heroes, Thomas Jefferson, when, in 1816, he wrote to John Adams: "I like the dreams of the future better than the history of the past."

An anniversary of death is an appropriate time for reviewing the past, but also a propitious time for surveying the future. Too often men are remembered for what they wrote, rather than for their work. To me, Father Serra's record of work and accomplishment is his greatest legacy.

Pursuing his motto, and his faith, Father Serra, in spite of lameness and material poverty, during a brief span of approximately 15 years, left his indelible mark on the history and landscape of California. We honor Father Serra today at a time when an old pride, and a new emphasis, should be accorded plain work.

His primary mission may have been the conversion of the Indians; but he was not content with merely serving the spiritual needs of the natives. He was among the first to try to educate the neophytes; he helped to establish civil government in California. He promoted agriculture. The Franciscans' early irrigation systems remain marvels of engineering and of ingenuity. They constructed mills for the crushing of maize into flour. Husbandry of cattle herds, at the missions, formed the basis for the present beef industry of our State. His trails became the skeleton of our roads and superhighways. The Spanish influence, imported by Father Serra, has branched afar from the famous El Camino Real.

The greatest living monument to his work is probably the "rosary chain" of his missions. The many works of Father Serra, and his followers, are manifest in almost every aspect of life today in California.

The scenic and historic 12th Congressional District, which I have the honor to represent, contains 7 of the 21 missions, including the Carmel Mission where Father Serra died—and where he is buried.

For these reasons, Father Noel Moholy permitted me to participate in honoring Father Serra's memory by securing the authorization of the Congress for the striking of a commemorative medal.

On occasions of great significance to the Nation, the Congress approves legislation authorizing the Treasury to use the facilities of the U.S. Mint to strike medals in commemoration of the event.

Only a few people outside of Congress, but certainly Father Moholy, appreciate the uncommonness of a commemorative medal and the tribulations involved in attaining passage of an act of Congress.

The entire California congressional delegation first adopted a resolution urging the striking of the medal. Thirty-two Members joined me in sponsoring a bill to authorize the medal. Senator KUCHEL introduced a similar bill in the Senate.

The Committee on Banking and Currency screened all of the many bills proposing the minting of various coins and medals. Of all the bills introduced, only three were signed into law during the 88th Congress.

One of the first Serra medals to be minted was given to me; I have carried it ever since.

By his presence here in Statuary Hall, Calif., recognizes him as one of its first and most important citizens. All denominations consider him as one of our greatest pioneers. The Padre Junipero Serra 250th Anniversary Association, and all friends of Father Serra, should be proud that the Congress of the United States, through the authorization of the commemorative medal, has recognized his birth as an occasion of extraordinary national significance.

Today, as much as ever before, we need the same dedication to purpose and devotion to work that Father Serra exemplified—if the cause of Christianity is to cope with today's terrible challenges of secularism, materialism, and communism.

As the Indians who lived in early California found inspiration in the ministry and work of Father Serra, I trust that we who live in the larger world community of today will find inspiration and incentive in Father Serra's great and wonderful work.

Longfellow in his "Psalm of Life" seemed to capture a measure of what Father Serra's philosophy means to this layman:

> "Let us, then, be up and doing,
> With a heart for any fate;
> Still achieving, still pursuing,
> Learn to labor and to wait."

Reverend Fathers and guests, I have appreciated the opportunity to participate in this remembrance of the life and death of Father Serra.

Address of the Honorable L. Mendel Rivers at the Dedication of the U.S. Naval Supply Center, Charleston, S.C.

EXTENSION OF REMARKS

OF

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. BATES. Mr. Speaker, under unanimous consent of the House, I am pleased to insert in the CONGRESSIONAL RECORD the address delivered by the distinguished chairman of the House Armed Services Committee at the dedication of the new U.S. Naval Supply Center at Charleston, S.C.

It was my pleasure to be present during this ceremony, and I think all the Members will be interested in reading Chairman L. MENDEL RIVERS' remarks. His message was preceded by a stirring address by the Chief of the Bureau of Supplies and Accounts, Rear Adm. Herschel J. Goldberg.

The dedication ceremony took place on September 1, which also happened to be the first day the new pay increase went into effect for members of the uniformed services. In addition, it was the 27th wedding anniversary of our distinguished colleague from South Carolina.

I was impressed with Chairman RIVERS' remarks. I was impressed with the new supply center and, as always, I was impressed with the dedication and motivation of the men who devote themselves to the tedious but indispensable tasks of keeping our fleet ready for any type of combat at all times.

The text of Mr. RIVERS' message was as follows:

Admiral Goldberg, Admiral Dorsey, Admiral Batchellor, Captain Palmer, Captain Stern, distinguished guests, ladies and gentlemen, I am indeed grateful, Admiral Goldberg, for your introductory remarks.

I think it goes without saying that I have a very personal interest in this dedication ceremony, not just because it is in my congressional district, not just because it will enhance our fleet readiness, and particularly our Polaris capability, but because it strengthens beyond the shadow of a doubt a prophecy that I made several years ago when I said that Charleston would become the nuclear deterrent capital of the free world.

And, of course, it is obviously gratifying to me and to the members of the House Armed Services Committee that an occasion such as this should take place on the same day that the members of our Armed Forces become entitled to a long overdue, highly deserved, but in some areas a still inadequate, pay increase.

I am, of course, delighted that the President saw fit to sign the pay bill which was conceived by the House Committee on Armed Services, was written by the House Committee on Armed Services, reported by the House Committee on Armed Services, and which passed the House of Representatives and, as modified, by the Senate, unanimously. I still believe the original House bill was better in some respects than the bill that became law, but considering the fact that our bill provided an overall increase of 10.6 percent and the final version was 10.4 percent, I don't think we did too badly.

It is a wonderful thing to be here in an atmosphere of efficiency—an atmosphere of determination—an atmosphere of confidence—an atmosphere of patriotism. It is refreshing in many ways to leave, for even a day, an atmosphere that is commingled with dedication, offset by the voices of appeasement—an atmosphere of victory now, dulled by those who clamor for negotiation, even knowing it must be at the price of surrender.

I doubt whether there is anyone within the sound of my voice, including those whose loved ones are now serving in South Vietnam, who would recommend or even give a second thought to the possibility of a negotiated peace in South Vietnam if it would lead to the eventual takeover of all of southeast Asia by the Chinese Communists.

Here in Charleston, and particularly at this naval base, we all speak the same language—the language of victory—the language of pride in America.

And what could be more fitting than to dedicate this new naval supply center to the memories of two flag officers, John Jerome Gaffney and Samuel McGown, who served their Nation with distinction and brought great honor to their native State of South Carolina?

In many ways these men brought to or helped develop in Charleston an ability that not only strengthened our naval activities in this area, but made such a lasting impression on officials in Washington that they turned more and more to Charleston for the difficult task of supplying the Atlantic Fleet.

I know the records of these two great and distinguished South Carolinians and naval officers will inspire those who perform their daily tasks here, for they achieved high rank and high positions of responsibility during a period of our history when high rank was a rare attainment.

I do not mean to imply that it is easy today to become an admiral, but let's say that the odds are a little better today than they were when Admiral Gaffney and Admiral McGowan served.

I hope that those who serve here will be always conscious of the vital role they play in the defense of our Nation and indeed the defense of the free world.

Fleet readiness and logistic support do not have the drama and the glory that are the attractions of other branches of the Navy or of the other services.

You can't charge a machinegun nest with a voucher or a requisition.

You can't bomb a bridge in South Vietnam with a specification.

You can't eliminate a Vietcong guerrilla with a computer.

But without these items, there could be no victories.

As you know, I am not endeared to computers and some of the results they produce, but I am fully aware of the important part they play in providing the support without which our fleet and our fleet marine forces cannot long function.

Don't ever underestimate the indispensable part you play here in the struggle to preserve freedom. A generator not delivered can mean a submarine not on station. A shaft not repaired on time can mean a loophole in our antisubmarine warfare fence. And a payroll not met can bring unnecessary hardship to countless servicemen and their families.

I have just touched upon a few of the items that fall within the responsibility of this supply center. Multiply that by many thousands of responsibilities and the complexity of the supply system then begins to unravel itself, not in clarification, but in magnitude.

I would remind you as I have in the past that this is the nuclear deterrent capital of the free world. I was taken to task for making that statement by well-meaning individuals who, observing the ostrich with his head in the sand, believe they can block out the realities of life.

Well, I can assure you of one thing. I am not a diplomat and I never claimed to be one. I am not a strategist and I certainly don't claim to be one. And I suppose there are those who don't believe I am a legislator, although I do claim to be one.

But there is one thing I claim without fear of even honest contradiction; it is that I am a realist, a pragmatist, if you will. And I say to you once again, and I will repeat it over and over again, that Charleston, this navy yard, our air station, in fact the entire environs of Charleston, constitute one of the great assets in the arsenal of democracy.

There is no city in the world with more loyal employees. There is no city with more dedicated members of the uniformed services. And there is no city in the world that can compare with the people of Charleston and the surrounding counties in their dedication to the principles of Americanism, the principles of constitutional government, and the conviction that our way of life must and will prevail.

The Asian Development Bank

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1965

Mr. HANNA. Mr. Speaker, 2 weeks ago, I inserted in the RECORD some material relating to the Mekong River Basin development project. Today, in keeping with efforts to bring important developments in the Pacific community to the attention of my fellow Members of Congress and in hopes of encouraging decisive, positive action in this area, I should like to set forth my own findings surrounding the establishment of the Asian Development Bank.

It is clear to me that the Bank offers the Pacific community an opportunity that is rich with promise. It is an important institutional structure by which we can encourage the development of Asia by Asians on a self-help, businesslike banking basis. It is an institution that will serve the common interests and help achieve the unified goals of the Pacific community of free nations—peaceful, purposeful, and rapid economic development of Asia which will dramatically better the living standards of Asian Peoples and enormously benefit all peoples through increased trade, tourism, and cultural exchange.

The Asian Development Bank is an opportunity which we must not let pass.

Following is a detailed and, we trust, helpful discussion on the Bank:

HISTORY OF THE ASIAN DEVELOPMENT BANK

Since its formation in June of 1945 the United Nations has been working toward "peaceful change—the establishment of universal human rights, the guidance of new societies into political self-determination, the lifting of old economies to decent standards of living, so that individual men, women, and children in these societies may know freedom from servitude, want, illness and illiteracy." In 1952 the General Assembly in order to further the achievement of these principles formed three regional agencies one of which was the Economic Commission for Asia and the Far East. The formation of this Commission was the first of the United Nations' many and continuing efforts to promote regional identity and cooperation—a community spirit—among the nations of Asia and the the Far East. As ECAFE membership expanded and the organization matured, the guiding concept of this region's development began to take form. Small in size and a scattered diversity of resources makes it virtually mandatory for the members of the region to correlate their development plans and look toward interregional cooperation in industrialization and markets. It is this conception of economic interdependence and cooperation in development which underlies ECAFE's many activities.

ECAFE has established a number of objectives for promoting accelerated regional economic cooperation which are significant to note in the context of the present economic activities in southeast Asia: First, measures to promote intraregional trade, e.g., special incentives, reduction of trade barriers, ECAFE codes of trade practice; second, regional cooperation in commodity production and export; third, regional cooperation in the field of shipping and ocean freight rates; and fourth, regional cooperation in the field of industrial development. These objectives have been formulated in three regional projects: an Asian road system, the Lower Mekong River Basin project and the Asian Development Bank. Like the United Nations itself, ECAFE has only the power assigned to it by the consent of its participating members. As a result, the organization undertakes many surveys, but takes decisive action only when backed by the dynamic force of popular opinion, often triggered by one or more of its more affluent and developed members. This propulsive force was the U.S. role in the Asian Development Bank. President Johnson's endorsement was the extra push needed to organize the proponents of the bank for a commitment to action. Both Japan and India have been anxious to see the formulation of ECAFE's Bank idea into a functioning institution since its proposal by the minister's conference in Manila in the fall of 1963. By October of 1964, the Asian members of ECAFE had built up enough steam to vote an ad hoc committee of nine specialists to investigate the possibilities of an Asian Development Bank and to draw up a tentative charter for the other ECAFE members to study for an insight into what the term "Asian Development Bank" actually encompassed.

It was not, however, until after President Johnson's April 7 speech at Johns Hopkins that the Asian members of ECAFE became acutely aware that the idea was taking hold. The firm act of the United States offering $200 million in capital for the formation of the Bank was just the impetus necessary to push the Asians to actual monetary commitments. Japan offered to match the U.S. offer, and several of the other members of ECAFE collectively contributed $200 million making a total capital commitment to date of $600 million.

Mr. Eugene R. Black, the President's special emissary on Asian economic development and former President of the World Bank, presented U.S. suggestions for modifications of the proposed charter at the June meeting of the ECAFE committee of nine experts in Bangkok. Representatives at this conference subsequently paid visits to all of the regional and nonregional ECAFE members and to the Committee of the Organization for Economic Cooperation and Development—the northern European trade community organization—to review the present Bank proposal and enlist their support.

The whole Committee, which at present represents nine Asian ECAFE countries, convened again in Bangkok early in August to reconsider the charter in the light of the consultations. This same group will compile a draft charter which will be circulated to all interested governments. The interested governments are expected to convene, probably in October of this year, for subsequent negotiations on the draft charter. When these negotiations are completed, a ministerial session, probably to be held in December of 1965, has been proposed for the initialing of the articles of agreement. If the draft charter is satisfactory, approval of the Congress will be sought for U.S. participation.

Generally, the idea of an Asian Development Bank has been well received by its potential benefactors. Cambodia's interest has been tentative, however, while the North Vietnamese have condemned the proposal as "President Johnson's rotten carrot." Indonesia will not receive a visit due to her recent withdrawal from the United Nations and simultaneously from ECAFE which has sponsored the Bangkok meetings.

POTENTIAL OF THE BANK

The theme of the Asian Development Bank from the time of the conception of its basic principle by ECAFE in 1963 to the present has been "a long-range development plan for all of southeast Asia, led by Asians, to improve the life of Asians." This concept is the strength of the proposed Bank, both for ratification of the charter and for a respected institution. The Bank as it stands today will be Asian in character. It stems from Asian initiative. It will be located in Asia and have a predominantly Asian staff. It will have substantial Asian capital. In fact, the basic principle of an Asian bank for Asians is being carried through by the ratio of subscription of the $1 billion capital—60 percent subscribed by the regional members and 40 percent by the nonregional members including the United States, Western Europe, and possibly the Soviet Union.

The U.S. Government feels that a well-designated Asian Development Bank which has substantial financial and other support within the region could be extremely useful in promoting regional and subregional development and in focusing the major sources of capital and technical assistance on national development programs. Taken in this light, the role of the Asian Development Bank is not just a mere lending institution; it is also a catalyst for regional economic cooperation by Asians with Asians. The Bank promises to be a successful way for Asia to provide her our own economic leadership for her own less-developed constituents.

PROPOSAL FOR AN ASIAN DEVELOPMENT BANK

The financial role of the Asian Development Bank should be twofold: one to utilize its own capital and the other to use its position to encourage private as well as governmental financing for projects within the region. In addition the Bank should be in a unique position to stimulate regional and subregional cooperation through its proposed nonlending functions of a technical assistance nature. The type of bank financing suggested by the ECAFE group of nine experts is geared toward projects contributing effectively toward sound and harmonious economic development of the region including regional, subregional, and national projects. Projects which should, according to Mr. Black, normally include the fields of industry, agriculture, transportation, communications, and mining, as well as financial assistance to national and subregional development banks. The expert group and Mr. Black agree that large infrastructure projects should not normally be financed from the Bank's own resources, although the Bank might contribute jointly with other donors in the financing of such projects. In addition the Bank would participate in any review of country development plans which were initiated or accepted by the countries of the region. The Bank should do what it can to promote private investment within the region.

PAID-IN CAPITAL

Paid-in capital of the developed countries would be convertible but the procurement would be made only in countries which are members of the Bank, according to the proposed charter. The developing country members, on the other hand, would be required intially to contribute 50 percent convertible currency and the remainder in their national currencies.

The administration is willing to agree to a 50 percent paid-in capital formula, the remainder being subject to call. Payments would be made in five installments, the initial installment with the establishment of the Bank, thus the payment of capital subscriptions would be complete in 4 years.

It is the general feeling of the administration that the participation of nonregional ECAFE members should be by, first, participation in share capital; and second, opening of capital markets to the sale of Bank bonds, with the provisos that each country's liability for the Bank's borrowing is limited to the amount if its callable capital and subject to a provision of prior agreement before the Bank can sell bonds in that particular country.

Bank investments should be in projects which are economically and technically sound and capable of producing fairly rapid repayment. A small portion of the Bank's paid-in capital should be set aside for soft loan purposes.

LENDING TERMS

The Asian countries are proposing that the bulk of the Bank's regular capital should be loaned on hard terms similar to those of the International Bank for Reconstruction and Development. The IBRD's terms are currently a unitary 5½ percent interest rate for all countries. Loans should be allowed maturities up to 30 years and grace periods varying normally up to 6 years, generally in relation to the economic situation in the country and the country's debt servicing capacity and the type of project. The consultative committee has proposed that soft loans from regular capital will be made only in special circumstances on terms similar to those of the International Development Association—IDA. The IDA's soft loan terms are currently three-fourths of 1 percent interest, 10-year grace, and a 50-year repayment. Applicants for soft loans with the lowest debt servicing prospects and limited access to substantial quantities of concessional assistance sources such as IDA, AID, and certain consortium members, will be given due account. Subject to the view of the members up to 10 percent of the total paid-in capital could be devoted to this soft window.

In addition to these soft loan terms provided by the Bank charter, the United States at the June meeting in Bangkok proposed that a Southeast Asian Regional Development Fund be established with the Bank bearing the responsibility for the selection of the projects and the administration of these funds which are held in trust. These funds distributed by the Bank would include $100 million contributed by the United States, subject to congressional approval, and sufficient participation by other members to make the fund a truly multilateral operation. Contributions to the Fund could be tied to U.S. procurement and could be used for hard or soft loans or grants for projects of a regional or subregional character.

MEMBERSHIP IN THE BANK

The United States favors full membership in the Bank for nonregional members of ECAFE. Ninety percent of the voting shares, in the view of the United States, should be distributed proportionately to the size of capital contributions. On this basis over 60 percent of the voting rights would still be vested in regional members. The group of nine experts suggested that the votes in the Bank should be weighted in proportion to the size of the country's subscription and that only the lower end of the 5 to 20 percent range should have votes distributed equally. This arrangement would give regional members over 60 percent of the total votes. Regional members include Japan, Australia, and New Zealand.

ORGANIZATION AND MANAGEMENT OF THE BANK

The Board of Governors of the Bank should probably meet annually, make general policy, and delegate detailed policymaking and executive control to the Board of Executive Directors and the President who should be Asian. The best plan is felt to be that the Board should be made up of 10 members, 7 from the regional countries. It is anticipated, however, that a formula will be used in distributing Board positions which will enable the United States, as a substantial shareholder, to hold as a permanent seat one of the three places on the Board set aside for nonregional participants.

LOCATION

In accord with the founding principle of a bank for Asians run by Asians, the Asian Development Bank will be located within the region. The United States is not interested in playing an active role in determining the choice of location of the Bank.

RELATIONSHIP BETWEEN THE BANK AND OTHER INSTITUTIONS

It is felt that the Bank should certainly collaborate closely with the national development banks or institutions where this may assist in effective channeling the Bank's resources in the interests of economic development.

PROBLEMS AND IMPLICATIONS

Although the national press has published comparatively little on the subject of the Asian Development Bank since President Johnson's April 7 speech in Baltimore, it has focused attention on some of the implications of the Bank proposal and potential problems.

There has been much speculation since April as to how the Congress would respond to the President's commitments to the Bank. To counteract this criticism it has been suggested that a delegation of Congressmen be brought into the active formation of the Bank to help quell opponents of the President's plan in Congress.

Other newspaper reports have conjectured that the U.S. offer to Russia to become a charter member of the Asian Bank is a device to intensify the split between Russia and Red China.

Finally, other observers point out that the administration is dangling the Bank on a string before North Vietnam, by implying that if hostilities should cease they too could participate in the institution. Hanoi has responded indicating that she saw this lure aspect clearly by calling the Bank, "President Johnson's rotten carrot."

Without arguing the merit or lack thereof of these and other implications and speculations, it is safe to say that the encouragement and support of such an institution is a dramatic step for our foreign policy in the Far East. It also marks a constructive and we believe preferable alternative to post-World War II American aid.

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HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 3, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Philippians 4:6: *In everything by prayer and supplication with thanksgiving let your requests be made known unto God.*

Almighty God, who art everywhere, we lift up our hearts to Thee in worship and give Thee thanks for this fellowship of God-fearing men and women with whom we share Thy mercies and adore Thy name.

May we be of one heart with all who seek Thee, of one communion with all who love Thee, and of one purpose with all who serve Thy holy will in faithfulness and joy.

Teach us that we are one, united with Thee and with one another in one nature, one duty, and one destiny, and may we all strive to be messengers of Thy mercy, ministers of Thy truth, and doers of good to our fellow men in their struggles and sorrows.

Grant that the day may speedily come when humanity shall feel the throb of a new power and the thrill of a new joy, liberated among men and nations and causing that change in their inner life, which is more brotherly and Christlike.

Help us to believe that the good of mankind does actually exist, and the injury of one is the hurt of all. Inspire us more with that down-reaching love which gives itself gladly and sacrificially for the sake of needy and wandering humanity.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1627. An act for the relief of Esterina Ricupero;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 3292. An act for the relief of Consuelo Alvarado de Corpus;

H.R. 5024. An act to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely; and

H.R. 9570. An act to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H.R. 647. An act to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties;

H.R. 3128. An act for the relief of Angelo Iannuzzi; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 481. An act for the relief of Winnifred Evadne Newman;

S. 779. An act for the relief of Henryka Lyska;

S. 803. An act for the relief of Ching Zai Yen and his wife, Faung Hwa Yen;

S. 1168. An act for the relief of Timothy William O'Kane; and

S. 2393. An act to authorize additional GS–16, GS–17, and GS–18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

JOHNSON ECONOMIC POLICIES PRAISED BY FINANCIAL WRITER DISCREDITING FEDERAL RESERVE CHAIRMAN MARTIN'S 1929 WARNING

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement by J. A. Livingston.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, financial writer J. A. Livingston's column appearing in the Washington Post's September 1 edition is a refreshing refutation of Federal Reserve Chairman Martin's famous prediction last June that a 1929 type economic bust may be just around the corner.

In contrast, Mr. Livingston accurately emphasizes the important differences between 1929 and 1965, rather than finding all sorts of disquieting similarities. Livingston lays a large part of the blame for depression miseries on President Hoover's do-nothing policy foisted upon him by Benjamin Anderson of the Chase National Bank and others. He denies that this would happen under present day economic policies.

Livingston's explanation is good as far as it goes. The one great flaw in his analysis is, I believe, his omission of the fact that the Government between 1929 and 1933 intentionally reduced the Nation's money supply by an unbelievable 25 percent. So the Government, through the Federal Reserve—contrary to Livingston—was not merely on the sidelines, but was actively pursuing deflationary policies which resulted in history's greatest economic catastrophe.

President Johnson, in his Economic Report to Congress last January, gave much credit to stable long-term interest rates and excess bank reserves for the record-breaking prosperity starting early in the Kennedy-Johnson administration in 1961—noting at the same time, however, that the general level of interest rates is now higher than at any period since the early 1930's. There is no question that wise Government policies and wise private decisions together are responsible for our sparkling economic performance. I would hope and pray that the costly and tragic mistakes of the past will not be repeated, but with the independence-obsessed Federal Reserve Board moving farther and farther away from the official administration policies, one just never knows.

Mr. Speaker, the entire Livingston article follows:

Hoover, Johnson Philosophies Contrasted

(By J. A. Livingston)

For no reason except that September marks the 36th anniversary of the end of the Coolidge-Hoover boom, this column is dedicated to the twenty-niners, those New Era hopefuls who sought fortune—and to hell with fame—on margin in Wall Street, even as their forebears 80 years before, the forty-niners, reached for riches in California with pick, shovel and grubstake.

The twenty-niners have their 1965 counterparts—the believers in the new economics, including President Johnson and Gardner Ackley, Chairman of the President's Council of Economic Advisers. But there's an essential difference.

The economists of the New Era preached the philosophy of ever-rising consumption: Keep up demand and prosperity will take care of itself. Installment selling was just becoming respectable. Employment was expected to mount year after year.

Therefore, total purchasing power would increase. Corporation profits would soar. Stocks would be split. Stockholders couldn't miss. So Wall Street had its ball.

Then came the crash. A dream went dead. The rugged optimist became a confirmed fatalist: "Whatever goes up comes down, it's natural law, look at the long-term chart—the hills and the valleys; the periodicity. Depressions are inevitable."

The "new economists" of today also rely on ever-rising consumption. They call it aggregate demand. And 20 years of postwar prosperity, marred only by four short and shallow recessions, have given them confidence: Man can master his economic destiny. If men cause depressions, surely men ought to be able to prevent them.

Society—men and women working together—can achieve what individuals and corporations, acting separately and in their own self-interest, cannot accomplish.

The New Era economists of 1929 were shortchanged by the rugged individualism of the day. When depression engulfed America, President Hoover was paralyzed by doctrine. His heart was with the poor, but his conviction was with William Graham Sumner, who had taught at Yale at the turn of the century, and Benjamin Anderson, the economist for the Chase National Bank.

Sumner and Anderson preached economic Darwinism: Depressions root out the weak and unfit. The strong survive. The result is progress. Let the Government referee, but not intervene.

Yet when production slumped and joblessness mounted, the rugged individuals ruggedly rushed individually to their respective storm cellars. The ever-upward vision vanished. The New Era economists who talked so positively of ever-expanding consumption had no way to implement it.

Today the expounders of the new economics think they have: Theirs is a philosophy of political participation. If private demand is not adequate to buy the goods and services produced, then the Government—by increasing its own purchases of goods and services or by reducing taxes—can supply the missing purchasing power. It will not stand aside and let the weak perish.

Instead of letting labor go to waste, the new economists would use social resources to construct bridges, hospitals, roads, schools, or even private homes and washing machines. Work provides wealth. Idleness generates despair, desperation, and riots.

The individual can't go into debt to provide work for his fellow man, but all of us, collectively, can take the risk and so enrich each other and the Nation.

The new economics however, does not satisfy the inborn pessimist, the constitutional skeptic. He looks at the long-term chart of business and says: "There's always something. If it isn't economic, it's political If it isn't a banking panic it's Vietnam or an outflow of gold or social disorders. The human mind is not big enough to encompass, to grasp entire, the all-too-human universe."

The new economists are not chart-bound. History is theirs to make, not to be worshiped as inevitably repetitious.

And to try out their philosophy of Government positivism they have President Johnson. Unlike President Hoover, he is willing to use national resources to cope with social problems.

This distinguishes the 1965 aggregate demandists from the 1929 consumptionists. They have Government on their side instead of on the sidelines.

AMENDING RAILROAD RETIREMENT ACT AND RAILROAD RETIREMENT TAX ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I am introducing today a bill amending the Railroad Retirement Act and the Railroad Retirement Tax Act. I am scheduling hearings on this bill beginning on Wednesday, September 8, and we expect to proceed expeditiously with the bill.

As Members know, a bill—H.R. 3157—providing benefits for spouses of retired railroad employees passed the House earlier this year, and passed the other body on September 1 with an amendment increasing the base wages subject to tax under the Railroad Retirement Tax Act. There is considerable controversy about this latter amendment and in the opinion of many, the form in which the amendment is proposed is unconstitutional.

I am attempting with this bill which I have introduced today to provide a resolution of the controversies that exist in this area. The bill provides as follows:

First. The bill provides exactly the same benefits for spouses of retired railroad employees as was provided in the bill as passed by the House and the Senate this year.

Second. The bill increases the base wages subject to railroad retirement tax to $550 a month, effective October 1, this year. Because of some complexities involved in the medicare legislation, this will mean that the medicare program for railroad employees will be administered by the Railroad Retirement Board, rather than by the Social Security Administration.

Third. The third provision of the bill provides for an immediate reduction in the rates of tax paid by employees and employers under the Railroad Retirement Tax Act, so that the tax burden on employees and employers will remain the same for the remainder of this year as it would have remained had there been no increase in the base. Then the tax rate will increase by 0.25 percent as of January 1, 1966; will increase by 0.25 percent as of January 1, 1967; will be increased again by 0.25 percent as of January 1, 1968; and then a final 0.25 percent as of January 1, 1969.

These increases will restore the Railroad Retirement fund to the position of actuarial balance in which it stood as of January 1 this year.

PEACE THROUGH LAW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record. and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the World Conference on World Peace Through World Law to be held in Washington September 12 to 18 is a significant event and deserves thoughtful attention. In a world torn by strife and gunfire, it introduces a note of hope and promise.

The Conference has several objectives, including the codification of international law. Its basic objective is to promote judicial as opposed to military settlement of international problems.

The simple and sad truth is that nations still operate in what the philosophers call the state of nature, a state in which self-preservation is the first and foremost law.

Of course a myriad of judicial settlements have occurred between parties of different nations, and these settlements are precedents which are part of what is known as international law. But no nation is obliged to accept these precedents except where contracts, agreements and treaties so stipulate. Even where stipulations exist, breaches can and do occur. When this happens, the nation powerful enough to come out on top wins the point of "law."

Therefore, the conferees gathering in Washington September 12 must acknowledge, inwardly if not outwardly, that so long as nation-states operate in this primitive state of nature, world law which is meaningful as a means of achieving a just world peace is impossible.

Peace can, of course, be achieved through law. For example, law enables the people of the United States to live at peace with each other. Disputes within the United States are settled without war, and the same legal protections are afforded to the weak as to the strong. But this peace is possible not because of law alone. The judicial branch alone does not and cannot do the job. An executive branch able to enforce the judicial findings is essential, as is a legislature able to write law. In short, government is the force that makes possible peaceful relationships—not just law alone.

Therefore, the real objective of the conferees must be government, not just law alone.

Those who seek world peace through world law must begin by building the foundations for supranational institutions of government. This cannot be done at once. It cannot even be wisely considered on a worldwide basis at the present time. Governmental systems are too diverse. The Soviet Union Government, for example, came to power by conspiracy, continues in power through conspiracy and if the past is a guide to the future it will ultimately be overthrown by conspiracy. Even attempting to establish supranational governmental institutions which would include a powerful conspiratorial force like the Soviet Government would be too hazardous for consideration.

But the beginning need not be on a worldwide scale. The sensible starting point is the group of nations commonly known as the Atlantic Community. This community embraces peoples experienced at self-government with longstanding traditions in law and protection of individual rights. Most of them are presently allied for military purposes in the North Atlantic Treaty Organization, but this, of course, is not a government. It is but an alliance, and as George Washington so wisely warned, all alliances are subject to infractions and interruptions.

The world law conferees could wisely consider a first but giant step toward world law. That step would be the transformation of the NATO alliance into a supranational government able to write law and enforce judicial rulings within its constitutional scope for the whole of the union.

I hope some consideration will be given to this idea by the conferees. Reprinted below is an interesting commentary on the approaching conference published in the Washington Post today and written by the able columnist Roscoe Drummond:

World Law Meeting—Defeat of the Cynics

(By Roscoe Drummond)

Mark down the World Conference on World Peace Through Law in Washington, September 12–18, as a signal and magnificent defeat for the cynics.

The cynics said it couldn't be done. They said it was silly to think it could be done and sillier still even to try it.

The cynics said that, with hot war in many parts of the earth and cold peace everywhere, this would be no time to talk about peace through law.

But the leaders of the American Bar Association didn't think so at all. They thought this was the best time to start, because something needed to be done before it is too late.

World law, let alone world peace through law, is not just around the corner. Far from it. But a tremendous and exciting start has been made.

As a result, more than 2,500 leading lawyers and jurists from 110 countries, including 65 chief justices, 153 high court justices, and 59 attorneys general or ministers of justice will gather in Washington to draft plans for new international courts, to codify and strengthen international law, and to build acceptance for an alternative to force—for resort to the bench rather than resort to the battlefield.

The first such conference in history was held in Athens in 1963 when the leaders of the legal profession from more than 100 countries formed the World Peace Through Law Center, which now has 2,000 dues-paying members, a sizable annual budget, and a $100,000 gift for a world headquarters building.

It has already compiled the first of 50 volumes bringing together all of the international law existent into a world law code for ready use.

It is developing proposals for expansion of the World Court through regional courts for easier access and for still lower trial courts to make it easier for nations to turn to law to settle many lesser disputes.

It is publishing for the first time a directory of law, judges, and lawyers of the world, a long-needed and valuable tool for the legal profession.

Lawyers from most of the Iron Curtain countries will be present for the Washington conference, which is a meeting of individuals, not of governments. Lawyers from North Korea and North Vietnam have not responded. Peiping coined a phrase and denounced the meeting as an "imperialist plot."

It all began 8 years ago, when the president of the American Bar Association, Charles S. Rhyne, followed Winston Churchill, Chief Justice Warren, and the Lord Chancellor of London to the podium in London's historic Guildhall and proposed that all lawyers join in a common effort to make law strong enough to replace force as the controlling factor in the fate of man.

Rhyne, a Washington lawyer, has been working at it ever since.

It is safe to assume that things will keep on happening. Two reasons are:

Lawyers constitute the most powerful segment of society in almost every country on every continent.

When the legal profession of the entire world mobilizes its influence and talents, as it is now doing, a powerful force is in motion. This is no miracle, but a solid beginning that points the way in which the nations must move if we are ever to lay hold of a means to make peace equal to our means to make war.

The world's legal profession is magnificently giving its services to a new client—civilization itself.

REAPPORTIONMENT DISCHARGE PETITION

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Would a quorum call be in order, in order to get Members to the House floor to sign the reapportionment discharge petition?

The SPEAKER. Of course, the gentleman is so well versed in the rules of the House that the gentleman knows the answer to that inquiry.

EQUALITY IN AMERICA: A PROMISE UNFULFILLED

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALBERT. Mr. Speaker, there follows an analysis of the Republican coordinating committee's position paper on human rights issued August 30, 1965. Most of this is a fine statement of principles which could probably be endorsed by more Democrats than Republicans.

Democrats might question, however, the claim that "for a century and more the Republican Party has struggled more consistently and effectively than any other political party for justice and progress in human rights." Consistency has never been noted as a virtue of Democrats. But effectiveness has.

And there may even be some Republicans who would feel that the leadership of Lyndon Johnson, when he was majority leader of the Senate, was at least as important as the leadership of President Eisenhower in producing the 1957 Civil Rights Act.

THE RIGHT TO VOTE

The claim is made that the Republican voting rights proposal "would have resulted in more effective law and broader protection of all voting rights of all citizens."

This could probably be dismissed as pardonable pride of authorship. The so-called Republican proposal was that put forth by Congressman William M. McCulloch, of Ohio, who is also chairman of the task force that produced the position paper on human rights.

It would have made two principal changes in the law that was enacted:

First. It would have established the number of complaints received by the Attorney General as the criteria for determining voter discrimination, rather than the existence of a literacy test and a low level of voting participation.

Second. It would have eliminated the requirements that States found to practice voting discrimination obtain the approval of a Federal court for changes in their voting laws.

The House of Representatives rejected this proposal 248 to 171. Twenty-one Republicans joined the Democrats in voting against it.

This section of the position paper also poses three questions for the President:

First. Why Texas was not covered under his initial voting rights bill and is not effectively covered now?

Second. Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?

Third. Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?

The questions are so misleading they should probably be regarded as rhetorical. But, if one regards them seriously, it is not necessary to turn to the President to get answers.

They are:

First. Texas is covered under the Voting Rights Act exactly the same as any other State. The purpose of the question is to imply that the criteria set forth in the act for determining the existence of voter discrimination—a literacy test and a low level of voter participation—were drawn to exclude Texas. That would be difficult to prove when the same criteria have excluded 40 other States and the District of Columbia. Texas certainly is not the only one of these without a literacy test. Nor is it the one with the lowest level of voter participation.

Second. The purpose of the legislation was to deal with voter discrimination, not with vote frauds and dishonest elections. There is other legislation dealing with those problems.

Third. A challenged vote is counted only if the challenge has not been filed in time to be ruled upon before the election. The list of registered voters must be published each month, and 10 days is allowed to challenge a voter. A hearing examiner has 15 days to determine the validity of the challenge, and an appeal may be taken to court which must rule in 15 days. The last list of registered voters must be published 45 days before the election. By law, therefore, every challenge filed up to 40 days before the election must be ruled on. And the likelihood is that even challenges filed after that time would be ruled on before the election.

PROTECTING THE SANCTITY OF THE BALLOT

The position paper contends:

> Additional legislation is clearly required to uphold the sanctity of the ballot.

But no attempt is made to define the provisions of the legislation that may be needed.

If the Republicans feel this need, they should certainly come forth with concrete proposals which can be judged on their merits.

That would certainly be better than indulging in the idle rhetoric of a "position paper" or organizing programs of voter intimidation such as the notorious Operation Eagle Eye used in the 1964 presidential election.

EDUCATION AND EMPLOYMENT

EDUCATION

The paper declares:

> We effectively support a massive campaign against illiteracy in the United States.

It is unfortunate that more Republicans did not share this sentiment when the poverty program was enacted in 1964 or when the administration's education bills were under consideration this year.

As it was, 81 percent of the Republican Members of the House of Representatives voted against the poverty program, and 69 percent voted against the elementary-secondary education bill.

EMPLOYMENT

The paper accuses the administration of doing little to implement the provisions of the Civil Rights Act of 1964 calling for the establishment of an Equal Employment Opportunities Commission. And it contends that full implementation of these provisions have been hampered because members of the Commission were not appointed until May of this year.

This conveniently glosses over the fact that the act authorizing the Commission did not become law until July 1964, just prior to the Republican National Convention and the nomination of Senator Goldwater as the Republican candidate for President. How quick the Republicans would have been to criticize President Johnson had he named the members of this new and extremely important Commission in the midst of a presidential election campaign. And how quick they are to complain about the few weeks the President took after the election to find the best possible persons to fill these positions.

The fact is that the President proceeded with care and deliberation, the members of the Commission have been named, its offices are open, and its work is now well underway.

By comparison with the issue made of the time it has taken to get a good Equal Employment Opportunities Commission underway, the position paper dismisses the entire poverty program in a single sentence:

> The antipoverty program, which was originally aimed at helping the poor including many members of racial minority groups, has already deteriorated into a shameful example of predatory political patronage for the big city machines.

That is resounding rhetoric. But the conclusion will come as a surprise to the bosses of the "big city machines" it refers to. They have been complaining about the poverty program almost as loudly as the Republicans—because they feel it has not provided the patronage they had expected.

PUBLIC ACCOMMODATIONS AND FACILITIES

The paper charges that the administration has not been vigorous enough in enforcing the section of the Civil Rights Act of 1964 prohibiting discrimination at publicly owned and operated facilities such as parks and libraries.

Yet it notes that 18 suits have been brought by the Justice Department to enforce this part of the act. And it passes over, without mention, the large number of complaints which have been resolved through mediation.

STATE, PRIVATE, AND LOCAL RESPONSIBILITY

The position paper makes the sweeping accusation that "the whole trend of Federal legislation in the present Congress has been at the expense of State responsibility."

No specifics are alleged.

Yet the fact is that no President has been as diligent as President Johnson in seeking the views of Governors, involving them in his deliberations, and proposing legislation to strengthen the ability of the States to deal with their problems.

States have a vital role under the poverty program. States are equally important in highway programs, housing programs, hospital construction programs, area redevelopment, and virtually every aspect of Federal activity.

A detailed analysis, in fact, would probably show that this Congress had done more to expand Federal assistance to State governments to a level greater than it has ever attained before.

CONCLUSION

The Republican position paper finally reaches the conclusion, supported by nothing to be found elsewhere in the paper, that "this administration has failed to enforce the law of the land."

How?

Where?

When?

It does not say.

Little wonder that the members of the Republican coordinating committee were unable to agree on the paper when they met to consider it on August 30. And little wonder that the text was not distributed until 2 days later.

NEEDED: A JOINT CONGRESSIONAL COMMITTEE ON INTELLIGENCE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am today introducing a House concurrent resolution to create a Joint Congressional Committee on Intelligence. At the same time I want to commend the gentleman from Wisconsin [Mr. ZABLOCKI] for his determined efforts to persuade Congress to take a hard look at the intelligence operations of the United States and to establish such a committee.

For it is true that, in the language of today's New York Times:

> Congressional supervision of the Nation's intelligence activities is obviously inadequate. A joint committee, similar to that which watches over atomic energy, has been urged by many Members of Congress; it is badly needed.

We do not need to look far for evidence of this need. The current disastrous incident involving attempted bribery of Singapore's Prime Minister Lee Kuan Yew by a CIA agent strongly supports the Times' contention that "the country can no longer be sure that either the State Department or the White House is exercising the requisite supervision over an agency about which the public knows almost nothing at all."

The gentleman from Wisconsin has led efforts since 1953 to create such a Joint Congressional Committee on Intelligence. I am happy to recognize his interest and concern in this area and to join him in the effort to establish such a committee.

The resolution I introduce today would establish a joint committee to be composed of seven Congressmen and seven Senators selected by the Speaker of the House and the President of the Senate on a bipartisan basis. It would make continuing studies of intelligence activities and problems. Although the committee would not expect to concern itself with the details of day-to-day operations of the intelligence agencies, the CIA and similar agencies would be expected to keep it currently and adequately informed.

The time has definitely come for Congress to assert a more formal and extensive supervision over the burgeoning intelligence operations of our Government. Such supervision is needed to eliminate waste from individual agency budgets, to avoid unnecessary duplication of intelligence efforts, to assure that programs operate effectively.

Most importantly, however, such congressional supervision is needed to assure that the standards of morality honored by American society are not completely undermined in the conduct of our international intelligence activities.

Cause for concern over this moral breakdown is not limited to the Singapore case, but arises also from the factual content of recent television programs which detail the implication of the CIA in objectionable practices in Latin America and elsewhere.

These incidents clearly discredit and debase our national prestige in the eyes of the world.

Congress cannot afford to delay asserting its supervision until these activities result in a fiasco of such proportions as to actually jeopardize our national security.

I believe that the editorial from today's New York Times states a compelling case for the establishment of the Joint Committee on Intelligence as proposed in the House concurrent resolution I have introduced today. I commend it for your serious consideration:

Supervising the CIA

The case of the Singapore bribe attempt raises serious questions about the Central Intelligence Agency and its role in American foreign policy.

Initially, the State Department flatly denied Prime Minister Lee Kuan Yew's disclosure that in 1960 a CIA agent had offered him a bribe to cover up an unsuccessful CIA effort to penetrate Sinpagore's intelligence service. Only after Mr. Lee released a 1961 letter of apology from Secretary Rusk and threatened to put incriminating tape recordings on radio Singapore, did the State Department's embarrassed spokesman confirm the incident.

The spokesman explained that the State Department officials responsible for the initial denial were not fully aware of the background of the incident. And the CIA, as the Times diplomatic correspondent Max Frankel reported yesterday, "apparently relayed the denial of wrongdoing that it customarily issues to the rest of the Government when confronted by such charges."

All this is dismally reminiscent of the false State Department denials in the 1960 U–2 case that broke up the Paris summit conference with Russia. After the Bay of Pigs disaster, President Kennedy ordered new procedures established to assure that the State Department would be adequately informed of CIA activities so that it could exercise policy supervision. The Killian watchdog committee, originally appointed by President Eisenhower, was revived, given a far more vigorous role, and in 1963 placed under the chairmanship of former White House adviser Clark Clifford.

Evidently some or all these safeguards have now broken down. What is most disturbing is not the certain damage done in Singapore, but the possibility of more serious delinquencies. The country can no longer be sure that either the State Department or the White House is exercising the requisite supervision over an agency about which the public knows almost nothing at all.

The Clifford committee evidently is already looking into the case. A congressional investigation is also in order. Congressional supervision of the Nation's intelligence activities is obviously inadequate. A joint committee, similar to that which watches over atomic energy, has been urged by many Members of Congress; it is badly needed.

Serious damage has been done to American relations with many governments by CIA activities in the past, particularly in Asia. In Jakarta last spring, President Sukarno and many members of his cabinet were reading a new American book, "The Invisible Government," and using its confirmation of CIA intervention in the 1958 Sumatra uprising to justify their hostility to the West and increasing friendship with Communist China. Similar hostility exists in Burma and Cambodia. It is vital that Washington establish the kind of firm supervision of the CIA that can prevent such blunders in the future.

EPISCOPAL MINISTER BLAMES RIOT ON KING

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, it is refreshing indeed to read in David Lawrence's column in the Washington Star of September 2 that a ranking member of the clergy has stated from his pulpit that the blame for the trend toward violent disregard of the law and authority can only be laid at the doorstep of Martin Luther King. Further, he acknowledges and condemns the support of civil disobedience to constituted authority being lavishly given by many of the clergy.

The remarks delivered by the Reverend Dr. Robert B. Watts, of La Jolla, Calif., as contained in Mr. Lawrence's column, should be must reading for every Member, and I would like to insert it here in the RECORD for all to see:

It isn't often that a clergyman has also had a successful career as a Government lawyer and in private business. Ministers have rarely had the opportunity to study the law of the land as was the experience of the Reverend Dr. Robert B. Watts, pastor of an Episcopal church in La Jolla, Calif.

A sermon delivered by Dr. Watts since the Los Angeles riots deplores the doctrine that it is all right to disobey an "unjust" law. The latter idea, enunciated by the Reverend Dr. Martin Luther King, Jr., Negro leader, has aroused considerable objection not only among clergymen but among laymen as well throughout the country.

Dr. Watts graduated from Yale Law School, where he was editor of the Yale Law Journal. He practiced law in Chicago and New York, and was chief assistant U.S. attorney in New York City for several years and served also as Special Assistant to the Attorney General of the United States. He was with the National Labor Relations Board for 9 years from 1934 to 1943. For 3 of these he was general counsel of the Board and argued many of its cases in the Supreme Court of the United States. He served also in business as vice president and general counsel of Consolidated Vultee Aircraft Corp. and later with General Dynamics Corp. He was ordained in 1958 in the Episcopal diocese of Los Angeles. Dr. Watts, in his recent sermon, said:

"There has been advanced by various philosophical followers of the Reverend Martin Luther King, Jr., one of the most extraordinary suggestions ever made in Anglo-Saxon or American legal annals. As a mixture of sophistry and soft headedness, brewed by nonlegal or corroded legal minds, I assert that this suggestion has spawned the present wave of destruction now sweeping the country.

"In brief, this proposed doctrine is that if any individual citizen or group of citizens, after meditation, come to the conclusion that any law is unjust; and further conclude that if apprehended he or they are willing to accept the penalty imposed for violation of the law—then it becomes morally justifiable to break the law openly and notoriously.

"Of course the worst thing about this doctrine is that there are no dividing lines in it. If it is valid for a small violation, it applies equally to a more serious one. Once you start this approach there is no stopping. It is like a roller coaster which nears the top of the track. Once you push it over a little bit, it plunges down all the way.

"The amazing thing is that many clergy of this church, including both priests and bishops, have openly and officially accepted this doctrine. Episcopal clergymen have received written expressions of this doctrine for their guidance. And large numbers of clergy of this and other communions have been sent, or have gone on their own volition, to Southern areas for the sole purpose of expressing racial concerns by open law defiance pursuant to this new assertion of moral right.

"Finally, as sorely distressed Christians, we see instance after instance of reluctance on the part of elected officials to meet lawlessness quickly and firmly lest there be an adverse effect upon their personal political careers at the ballot box. Thank God not all our officials are of this character, but too many are."

Dr. Watts declared that it ought to be perfectly clear that no person, "however exalted he may be or regard himself, has the right to say that what was wrong before becomes morally right if the acting party is willing to be punished if caught." He pointed out that clergymen have a duty not only to support the Constitution and laws of the land, but to reject the doctrine "of a morally justified civil disobedience." He urged that there be no compromise with lawlessness, and he added that Christians should "seek by all lawful and proper means to help our neighbors to achieve civic equality of treatment and betterment of opportunity for self-improvement."

While it is understandable that there should be a difference of viewpoint as to the wisdom of participation by the clergy in public demonstrations, there has been much discussion among the clergymen as to how far such activities should extend. There is widespread sentiment that clergymen, as individual citizens, may express themselves freely on problems of human behavior, but that ministers ought not to take part in "sit-ins" or "lie-ins" in any mass protests which can incite violence.

It is apparent that many of the younger clergymen are taking the position that, since the objective is worthy, any method used to achieve it is permissible, whereas the clergymen of more mature years, irrespective of their sectarian affiliations, are arguing that clergymen have the same obligation as do other citizens to obey the law.

STEEL AND THE BALANCE OF PAYMENTS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the entire Nation is watching anxiously as negotiations continue between the major steel companies and the United Steel Workers. Everyone appreciates, I believe, what would happen to our prosperity here at home if nearly half a million steelworkers were to be idled by a strike, and if hundreds of thousands more were to be laid off in other industries because of a shortage of steel. But that is not the only threat which faces us.

The whole country has another stake in these steel negotiations. That stake is nothing less than the world strength of the American dollar. To preserve the strength of our dollar, we have launched a successful campaign to achieve a balance of payments in our trade relations with other nations. The success of that campaign is now in jeopardy. Steel plays a large role in this Nation's balance of payments and, unless a peaceful and responsible settlement can be reached without a strike, that role in the months ahead will be exceedingly destructive.

Back in the mid-1950's, steel made a large, positive contribution to our balance-of-payments situation. America's balance of payments last showed an annual surplus in 1957—a surplus of some $520 million. In that year, steel exports exceeded steel imports by some $825 million—more than our entire balance-of-payments surplus. Last year, however, we showed a deficit in our balance of payments of $3.1 billion. And in that year, steel imports exceeded steel exports by $146 million. The effect of the decline of exports and the rise of steel imports on our balance-of-payments problem is, therefore, clear. Of the $3½ billion unfavorable shift in our balance of payments which has occurred over the last 7 years, steel alone has accounted for almost $1 billion, or one-fourth of the total.

Much of this shift in the competitive position of American steel can be traced to the paralysis caused by the 1959 strike. That strike, lasting 116 days, dealt a severe and crippling blow to our balance of trade in steel. As domestic supplies of steel became uncertain, and then dwindled, American companies looked for new sources, and they found them. New channels of trade were opened, and American firms soon discovered that good quality steel could be bought abroad. When the strike ended, those channels remained open. Steel imports continued at more than twice their prestrike level.

This year, the American payments deficit will be sharply reduced from last year's $3.1 billion level. The superb voluntary cooperation of our banks and our manufacturing companies in their lending and investment policies is thus adding mightily to the strength of the dollar.

In the second quarter of this year, our balance of payments achieved its first quarterly surplus in nearly 8 years, in the amount of $132 million. But we earned that surplus in spite of a steel trade deficit of $221 million during the same quarter. American steel users felt they had to hedge against the threat that labor and management in steel might once again let the industry shut down.

The steel deficit makes the overall surplus even more remarkable. But it also shows the magnitude of the economic problems that brinksmanship in steel negotiations have created for this country. Even without a strike, the steel trade deficit is likely to be half a billion dollars this year.

A strike would greatly enlarge that loss. In the opening days and weeks of a strike, orders placed abroad would quicken. If the strike continued, imports would continue to rise. A long strike would cost this country an additional 3 million tons in our steel trade balance, a loss of about another $400 million. And many of the foreign suppliers are now insisting on long-run contracts as their price for taking on new customers. Such contracts would continue even after the strike were settled. The loss could again be permanent, as it was in 1959. The costs would be borne by both management and labor in steel, and by the whole Nation as well.

With steel imports already running over a million tons a month, filling more than 10 percent of all our domestic needs, we can ill afford a further increase because of a strike.

We have asked American industry to conduct its investments abroad in such a way as to cut foreign exchange costs. We have asked our banks to limit their loans outside this country. We have reduced the amount of duty-free souvenirs that Americans traveling abroad can bring back into this country. We have asked these sacrifices of the American people and of American industry, and they have responded magnificently. They are entitled to ask that the steel negotiators be similarly concerned about defending the dollar as they carry on their discussions.

By continuing operations, by maintaining stable prices, by moving ahead with its dynamic modernization plans which call for investment outlays of $2.3 billion next year, the steel industry can reverse the trend of the past in world markets. It can join our other industries in demonstrating once more the miracle of American productivity and efficiency which generates the world's largest trade surplus. The future of our trade position in steel is vital to steelworkers, to stockholders and management, and to the whole Nation. Whether that position is to improve, or grow steadily worse, lies in the hands of the men negotiating the steel labor settlement today.

THE BALANCE OF PAYMENTS, THE GOLD DRAIN, AND YOUR DOLLAR

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, on August 30, 1965, the Republican coordinating committee approved an outstanding report submitted by its task force on Federal fiscal and monetary policy entitled, "The Balance of Payments, the Gold Drain, and Your Dollar."

The task force on Federal fiscal and monetary policy is composed of distinguished citizens from public and private life who have expert knowledge of this complex field of policy. The chairman of the task force is Maurice H. Stans, who was Director of the Budget Bureau of the Federal Government during the Eisenhower administration. The vice chairman is Mr. George Champion, chairman of the board of directors of the Chase Manhattan Bank of New York City. Along with these distinguished citizens, the following members serve on the task force:

William H. Avery, Governor of Kansas.

Julian B. Baird, Under Secretary of the Treasury for Monetary Affairs, 1957–61.

FRANK T. BOW, Representative from the 16th Congressional District of Ohio.

George S. Eccles, president of First Security Corp., Salt Lake City, Utah.

Mrs. Rosemary Ginn, Republican national committeewoman for Missouri.

Cliff Hansen, Governor of Wyoming.

Kenneth C. Kellar, Kellar, Kellar & Driscoll, attorneys, Lead, S. Dak.

Peter O'Donnell, Jr., chairman of the Republican Party of Texas.

Clarence B. Randall, Special Assistant to the President on Foreign Economic Policy, 1956–61.

Raymond J. Saulnier, Chairman of the President's Council of Economic Advisers, 1957–61.

Lewis L. Strauss, Chairman of Atomic Energy Commission, 1953–58.

Robert D. Stuart, Jr., national committeeman for Illinois.

Sinclair Weeks, Secretary of Commerce, 1953–58.

JOHN J. WILLIAMS, U.S. Senator from Delaware.

The subject matter of this report is one of the most difficult and persistent problems which confront the National Government. As might be expected from the caliber of the people who participated in drafting this report, the document clearly analyzes the basic causes and presents nine specific workable recommendations for coping with them. This report should lead to better understanding of the nature and gravity of the problem. I hope that it will spur the administration to a reconsideration of some of its policies in order to deal effectively with a situation which could contribute to a breakdown in the international monetary system and a depression of serious proportions.

Mr. Speaker, I include at this point the text of the report made by the task force on Federal fiscal and monetary policy of the Republican coordinating committee:

THE BALANCE OF PAYMENTS, THE GOLD DRAIN, AND YOUR DOLLAR

SUMMARY

I. The U.S. balance-of-payments position and loss of gold evidence a critical situation.

The facts

The gold supply of the United States has dwindled from $23 billion to under $14 billion in the last 8 years.

In the first 6 months of 1965 the loss of gold was $1.2 billion, exclusive of a transfer to the International Monetary Fund.

The country is committed to keep approximately $9 billion in gold to back its currency, leaving less than $5 billion of gold to use in foreign payments.

For the last 7 years American dollars have been flowing overseas (for investments, imports, loans, foreign aid, tourism, military purposes, and other spending) at a rate that has exceeded the inflow of dollars from other countries by an average of about $3 billion a year.

As a result, the country now owes $28 billion in short-term dollar balances held by foreign claimants, for which they can demand payment, directly or indirectly, in gold.

The margin of our exports over imports has shrunk alarmingly in recent months, at the rate of about $2 billion per year, from earlier levels.

In early 1965, the net outflow of dollars was stemmed only by the Government's admittedly temporary expedient of harshly restricting American direct business investments abroad and limiting private lending overseas.

The significance

The United States has failed to bring its international balance of payments into even temporary equilibrium except by the imposition of ultimately self-defeating Government controls.

The Government's management of the Nation's monetary and fiscal affairs has shaken the confidence of other nations in our ability to find lasting solutions to our balance-of-payments problem.

The international monetary system, which relies heavily on the dollar as the key international reserve currency, has been impaired by the U.S. balance-of-payments deficits to the point where drastic changes in the system are being called for.

Unless these conditions are corrected promptly, they can lead to loss of value for the dollar, loss of American strength at home and leadership abroad, loss of vigor in our economy, and loss of jobs, welfare, and security for individual Americans.

II. The Democratic administration has not only failed to deal effectively with these conditions but has contributed to making them worse:

It has attempted to reassure the public with unwarrantedly optimistic statements instead of facing the problem with appropriate action.

It has consistently opposed the use of time-proven methods of monetary and fiscal restraint.

It has adopted artificial controls over the outward flow of capital as an expedient to avoid the decisive steps needed for an effective long-term solution.

Its major actions, which restrict American investment in foreign countries, are such as to be ultimately self-defeating.

Many of its efforts and proposals have been so picayune as to be meaningless, such as cutting down the small amount of goods American tourists can bring back from overseas without payment of duty.

It has persisted in out-of-date programs which involve excessive military spending in Europe.

It has allowed foreign aid programs to cause an excessive drain of our dollars.

It has allowed the balance-of-payments difficulties to grow to a point where proposals are being made for changes in the international monetary system which seem destined to reduce the role of the dollar as the principal international reserve currency.

It has followed monetary and fiscal policies which impair the Nation's capability to deal constructively with economic recessions.

III. The Republican Party recommends that the following measures be adopted by the administration and the Congress without delay:

1. Give top priority to developing a solution to our balance-of-payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.

2. Jointly, with our allies among the major industrial and trading nations, work aggressively to strengthen international monetary arrangements along noninflationary lines.

3. Lend support to a monetary policy which will narrow interest rate differentials between the United States and other countries.

4. Adopt domestic fiscal policies which avoid inflation and which preserve an ample reservoir of strength to deal with any unexpected crisis or unfavorable economic development.

5. Enlarge efforts to build export trade, including tax, depreciation, and other economic policies, and the encouragement of technological and productive superiority, to enhance the competitive position of American business and labor.

6. Increase promotional efforts to encourage foreign tourism in the United States, with greater reliance on private agencies.

7. Redetermine the extent of need, under present conditions, for United States military forces in the European theater, with the objective of reducing our expenditures there.

8. Confine American military assistance generally to countries' committee to the side of the free world in the struggle against Communist subversion and aggression.

9. Reduce the cost of foreign economic aid programs, primarily by directing assistance to those countries which maintain a hospitable climate for private investment capital, and by stimulating private initiative here and abroad to lead in their development.

This Republican program calls for the responsible use of fiscal and monetary policies, for realistic reductions of Government oversea economic and military programs, and for steps to increase the return flow of dollars. It would provide a fundamental and lasting solution to our balance-of-payments problem.

Once a program of this character took hold it would be possible to discard the administration's expedients. The recent restrictions on duty-free imports by American tourists could be relaxed immediately. The stopgap measures to limit private overseas investment—the interest equalization tax and the so-called voluntary restraint program—could be dismantled at an early date.

Adoption of this Republican program would serve notice to the world of our determination to manage our financial affairs constructively, to defend the dollar, to build our national vigor, and to enhance our moral, military and economic power to outperform and outlast world communism.

It would allay concern over the adequacy of international liquidity and provide a solid foundation for world economic stability, development and prosperity.

In addition, it would enable the United States, as the possessor of the world's strongest economy, to deal from a position of rebuilt and growing strength in negotiations to improve the international monetary system.

All Americans can proudly and confidently support this program and its objectives.

THE BALANCE OF PAYMENTS, THE GOLD DRAIN, AND YOUR DOLLAR

The balance-of-payments problem in the international accounts of the United States, and the outflow of gold from the United States, are symptoms of a danger affecting every American's job, and income, the future prosperity of the rest of the world as well as the United States, and, in the larger picture, the question of whether the free world will maintain the economic strength to prosecute and eventually to win the cold war.

Continued failure to deal adequately and promptly with the problem could contribute to a breakdown in the international monetary system with the possibility of bringing to the United States and other free nations a depression of serious proportions and duration. In such circumstances, everyone would suffer.

This paper analyzes the problem as follows:

1. Evidence of the problem.
2. How the situation developed.
3. The problem today.
4. The failure of the Democratic administration's attempted solutions.
5. The Republican recommendations.
6. The urgency of achieving a lasting solution.

Evidence of the problem

Existence of the problem is confirmed by the volume of material appearing in the public press about it, the profusion of speeches being given by administration officials telling what they are doing about it, their claims that their efforts are working, their explanations of failures, and their attempts to answer criticisms of their policies. Repeated warnings by monetary organizations, experts, and officials abroad indicate their concern.

Only this year the administration recommended, and Congress passed, a bill which eliminated the requirement for gold as a backing for the deposit liabilities of our Federal Reserve banks, retaining only the 25-percent gold requirement against the note liabilities of the Federal Reserve system. This was an emergency measure to free more of our gold stock for payment of foreign claims. The administration had allowed itself to be forced into a position where it had to change the law or break it. The move postponed an eventual reckoning, but contributed nothing to finding a solution for the basic problem or to stopping the demand for gold.

Dramatic, objective evidence is also available in the economic statistics:

1. Beginning with 1958, the United States has had a large international payments deficit every year, which means that more dollars have flowed out of the country than have come back into it.

2. Gold has been moving overseas to finance part of these deficits, with the result that the country has lost about one-third of its gold stock of 8 years ago.

3. The short-term claims of foreign holders against the United States are now twice its gold stock, and if all the holders of these claims were to demand payment in gold we could not pay half of them.

In short, there is widespread agreement among authorities, among leaders of both political parties, within the Government of the United States and among officials of other countries, that the U.S. international finances are in disorder. The statistics show clearly that this is the case.

How the situation developed

For many years prior to World War I, and until the depression of the 1930's, England was in effect the world's banker. The pound sterling was recognized everywhere as the preferred medium for payment of international debts, transfers of capital across national borders, and for foreign exchange uses generally. In the thirties, this international payments system broke down and balances began to be settled in many different currencies with continually fluctuating rates—a condition which in itself hampered international trade and was an obstacle to general worldwide recovery from the great depression.

Following World War II, the United States emerged as the world's strongest economy. The economic strains of war were less severe on it than on other combatant nations. Its industrial plants were not damaged as were those of other countries. The accumulated demand of the war years resulted in a rapid expansion of our industrial plant and brisk economic activity.

At the same time, the United States assumed responsibility for helping to repair the destruction in other countries. The wartime "arsenal of democrary" for Western civilization converted itself into the peacetime supplier of goods, services, and capital to rebuild the ravaged economies of our friends and enemies alike. In this the efforts of private capital were supplemented by Marshall plan grants and by other foreign aid programs.

This employment of national strength and wealth resulted in the establishment of the dollar as the world's principal reserve currency. It was an accidental benefit. It was unplanned. But it helped the world and it bestowed prestige on the United States as the world's financial and economic leader.

During much of this postwar period the United States ran a deficit in its balance of payments, as dollars flowed abroad to help rebuild the world. The dollar was in demand everywhere. It was not just "good as gold," it was better. The United States became the world's banker, providing its international currency needs. Its balance-of-payments deficits, if held within reasonable limits, would not have been dangerous; they would, up to a point, have merely offset the surpluses of the war years, while helping to meet the world's need for international financial liquidity.

But by the late 1950's things were beginning to change. The "dollar gap" had disappeared. We were faced abroad by rebuilt industrial nations competing with the United States for export markets and investment opportunities. Deficits continued, however, as did foreign military and economic assistance commitments, the latter with emphasis transferred largely to underdeveloped and Communist-threatened nations.

As the finances of industrial nations improved, it was only natural that their officials and bankers felt it wise to build their gold holdings. This, too, would not have been harmful to the United States if it had been held within reasonable bounds. Unfortunately, that has not been the case. Failing to respond adequately to our gold losses and and our balance-of-payments deficits, the Democratic administrations since 1960 have not applied the measures necessary to maintain the Nation's gold supply and the future strength of the dollar.

In 1959 and 1960, when the balance-of-payments deficit first became a matter of concern, the Eisenhower administration had responded promptly, as noted in the January 1961 Economic Report of the President: "* * * the effort centered on measures to increase U.S. exports and to reduce the balance-of-payments impact of Government military and economic programs abroad in a manner consistent with our responsibilities."

Specifically, the Eisenhower action included these steps: (a) a national export expansion program, including improved arrangements for guarantee of short- and intermediate-term export credits by the Export-Import Bank, and active governmental support for reduction of foreign discriminatory restrictions on U.S. goods and services; (b) reorientation of activities of commercial attaches of our embassies abroad and State Department policy generally, from one of assisting foreign businessmen in selling to the United States, to a policy of promoting export sales of American products; (c) measures, as early as October 1959, to tie military and economic assistance activities of the Department of Defense, International Cooperation Administration, and Development Loan Fund to procurement in the United States; (d) an executive order in January 1961 prohibiting U.S. citizens and organizations from holding gold abroad; (e) measures in 1960 to effect a progressive reduction in the number of military dependents in Europe; (f) initiation of negotiations with Germany that eventually resulted in that country assuming a major share of the cost of maintaining U.S. military forces there; (g) appropriate monetary and fiscal policies to provide incentives to attract foreign funds and to keep dollars at home, as well as to avoid the potential inflationary pressures that could have developed in the course of financing a large public debt increase in 1959.

This multipronged approach, which was accepted in the United States and abroad as both timely and effective, was inadequately followed up by the succeeding Democratic administration. It even blithely reversed some of the most effective measures.

So now a truly ironic situation has developed. The revitalized and financially stronger European governments have grown alarmed at our lack of financial discipline and have decided that gold bars may prove a better long-term investment than dollars. This conviction on their part has been affirmed by their concern about present U.S. policies of stimulating growth by artificially low interest rates and unduly expanded credit.

Whatever the motivation of other governments, the result has been that they have put pressure on the dollar, exchanging it for gold. The consequence, for which our own Government's policies are responsible, has been an undermining of the dollar's standing as the world's leading reserve currency.

The administration's attitude of nervous disapproval of foreign gold demands, its meager palliatives and harshly restrictive efforts to remedy matters, together with its continuing barrage of publicity to bolster domestic political confidence, have caused growing concern. Actually, the administration's attempts to deal with the problem are compounding it rather than solving it.

The problem today

Few people realize frully the extent to which the prosperity of the United States, and of all other nations, is dependent on the exceedingly complex arrangements for the international flow of money and gold, whether as payments for imports and exports, as investment capital, as intergovernmental loans and grants or as changes in the reserves backing an individual country's currency.

Nor are they fully aware of how easily and rapidly that whole system, which is based primarily on confidence, can deteriorate through poor management.

The key to understanding the situation created by the deficit in the U.S. balance of payments and loss of gold lies in understanding how the world's money supply is provided and how that supply is used to fuel the world's economic machinery.

There is not enough gold in the world to handle all the transactions for which a medium of exchange is needed. Faced with this situation, creditors in international trade will accept hard currencies in lieu of gold. A hard currency is one that is both in good supply and is well-managed by its country of origin, so that people have faith that it will remain hard and not deteriorate through inflation.

When the supply of gold to handle world transactions is inadequate, an additional medium of exchange—a hard currency—is needed to supply liquidity. The liquidity for world use today is supplied principally by the U.S. dollar. The British pound has been in second place as a "key currency."

Currencies get into world circulation through their home country running a balance of payments deficit, more dollars (for instance) flowing out each year than flowing in.

In the postwar period, the world looked to the dollar with confidence; the willingness of foreigners to hold the increasing amount of dollars resulting from the recurring annual deficit in the U.S. balance of payments was a sign of the dollar's stable value and acceptability as a dependable medium of exchange. But these accumulated deficits have now built up to $28 billion worth of dollar claims against the United States with only about $14 billion in gold stock to pay them (of which only $5 billion is now legally available for such use).

So, the problem resolves itself into four critical aspects:

1. How to manage our economic affairs to merit and retain a role of world financial leadership.
2. How to manage the world's key currency, the dollar, so as to maintain confidence in it.
3. How to maintain adequate but not excessive international liquidity.
4. How to strengthen present world monetary arrangements.

The problem of confidence in the management of the dollar is central. If other countries regain confidence in that management, a balance-of-payments deficit of reasonable size can be a symptom of strength, not of weakness. Dollars bearing interest will again be in more demand that non-interest-bearing gold. And the gold drain will either terminate or reverse itself.

Under these circumstances, the United States, with its house in order, and its currency the strongest in the world, can take the lead in improving international monetary arrangements to achieve world economic growth and stability for the years ahead.

The failure of the Democratic administrations' attempted solutions

The Democratic administrations have had almost 5 years to solve the problem but have failed to do so, because they have attempted to deal with symptoms rather than underlying causes. Like treating a patient with a fever by putting him into a tank of cold water, this may alleviate some of the discomfort, but it is no substitute for a good antibiotic to kill the germ responsible for the ailment.

The Democratic administrations have tinkered with the difficulties by attempting to adjust some items of inflow and outflow of payments. They have not gotten at the basic causes, the principal ones of which are their own monetary and fiscal policies. In seeking to achieve political objectives by easy money policies, and by entering into large governmental spending commitments, they have sown the seeds of future economic weakness. These policies do not inspire confidence at home or abroad.

Most of the direct steps the administration has taken have been too little and may also have been too late. Some have been of so little consequence as to have negligible effect. The measures that have had some effect are of a short-run type, sure to be destructive in the longer run of our national and international interests.

Here are the principal measures undertaken by the administration:

1. Reduction of duty-free allowances for American tourists returning from other countries.
2. Export trade promotion and assistance.
3. Promotion of foreign tourist travel in the United States.
4. An interest equalization tax.
5. The President's "voluntary program" to reduce private U.S. investments abroad.
6. Partial tying of foreign aid to exports; and steps to offset overseas military costs by sales of military material to other countries.

There have been other steps, too, but they are miniscule. For example, tours abroad by West Point and Annapolis undergraduates were canceled; this will save less than $1 million in a multibillion dollar problem, at the loss of familiarizing our future officers with military installations and terrain in countries where they may someday be called upon to defend American interests. An item like this, which reduces the average annual dollar outflow by about one one-hundredth of 1 percent at a cost in future military advantage, is a "little-think" approach.

The widely publicized recent move to reduce further the duty-free allowance to returning American tourists is an unnecessary harrassment of the citizenry to give the appearance of action in the hope that time will make a real effort unnecessary. The administration in 1965 proposed the momentous step of reducing the allowance from $100 to $50. The Congress wisely rejected this bit of silliness.

Promoting export trade is sound policy. At present only 4 or 5 percent of the American gross national product goes into export channels. Much more needs to be done to build our export markets.

Increasing foreign tourist travel in the United States is highly desirable. Reducing our present "tourist gap" (what our tourists spend abroad less what foreign tourists spend here) of $1.6 billion or more annually could help our balance of payments and stimulate better international understanding in the process. However, coupling such a program with injunctions to Americans to stay home is international double talk not conducive to achieving either objective. Cultural isolationism is a poor weapon with which to advance the cause of a free society against the aims of communism.

Twice the administration has attempted to stem the adverse balance-of-payments tide by major expedients. In 1964, it requested and secured from Congress an interest equalization tax to reduce American portfolio investment overseas. When this failed to produce all the desired results, it adopted in 1965 a "voluntary program" for restriction of private U.S. investment abroad. These measures turn back the clock on 30 years of progress from isolationism and protectionism toward progressive reduction of barriers and toward an expanding world movement of capital and trade. They are steps backward, inviting retaliation in kind, for which this country and the rest of the world will suffer.

Actually, one of the largest continuing and expanding sources of dollar inflows is the returns on investments made in earlier years. A study made by the Brookings Institution estimated that, on a cumulative basis, the dollar outflow initially entailed in new direct foreign investment and loans is fully offset in 5 years by the dollar inflow it produces, and that by the 10th year it has produced inflows more than twice the amount of the initial outflow. The administration's policy of restricting foreign investment means that in future years this increasing return flow is sacrificed to the expedient of temporary relief from tough decisions that ought to be made in other areas. This is penny wise, pound foolish government.

Apart from the potential loss in investment income, the administration's restrictionism entails other major fallacies. It is hostile to business freedom, it militates against international cooperation, it inhibits growth of free markets, it reduces export opportunities, it tends to cause balance-of-payments problems for other countries, it invites retaliatory protectionism, and impedes the development of economies in other free world countries by denying to them the capital to build the stability and strength to withstand Communist enticements. It is contrary to all that America stands for.

Another serious concern relative to the so-called voluntary controls is the sanctions available to the Government for enforcing voluntary compliance and the possibility that under the stress of some future temporary emergency such voluntary controls might be hardened into compulsory controls. Undesirable as controls by Government intrinsically are under a free enterprise economy, their imposition on international commercial and financial exchanges has the added penalty that they are interpreted abroad as possible signs of a deteriorating economic position.

When so much of the problem has to do with maintaining the confidence of the financial community at home and abroad in the management of our monetary affairs, such measures, or even indications that such action may be considered, have a strong tendency to compound the problem rather than contribute to its solution.

The Democratic administration concedes that the restrictions on foreign investments are intended as temporary measures, not a permanent solution. It hopes that a permanent solution will somehow happen, but it has no evident program for causing it to happen. It has freed some domestic gold reserves by getting Congress to withdraw part of the requirement of gold as a backing to our monetary and banking system, but this merely bought time—it created no more ability to pay international debts.

The deficits of recent years would have even larger except for the fact that some foreign countries have made prepayments on their postwar debts to the United States. It is doubtful that this can be relied upon much longer as a significant source of payment inflows, in view of the relatively small remaining amounts that are likely to be collected from the countries that have made such prepayments.

The United States cannot solve this problem by reducing gold reserves, nor by a facade of restrictive, short run, penny wise, little-think, isolationist measures. Such measures may cover the problem up for a short time, but are misleading none of the experts at home or abroad. It is their confidence, in this case, that is the key to the problem.

Neither will the American people be satisfied for long with little more than good intentions. They will look for careful analysis, depth of understanding, discrimination between cause and symptom, and purposeful and determined actions.

The Republican recommendations

Top priority must be assigned to restoring and maintaining a reasonable balance in the Nation's international payments through genuinely effective, long-range policies. To this end, the Republican approach rests on the following premises:

The solutions should be directed at underlying causes, not merely at symptoms.

They must contribute to both domestic and international economic stability and growth.

They must help to provide adequate but not excessive international liquidity and world monetary reserves.

They should make possible the prompt withdrawal of restrictive government controls over American investments in foreign countries.

They should foster expanding international trade, travel, investment and cooperation among free world nations and people.

They must be aimed at strengthening, and then maintaining, the U.S. position of international financial leadership.

The Republican Party recommends that the following measures be adopted by the administration and the Congress:

1. Give top priority to developing a solution to our balance-of-payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.

2. Jointly, with our allies among the major industrial and trading nations, work aggressively to strengthen international monetary arrangements along noninflationary lines.

The role of the United States should be to lead in consideration of any changes in the world monetary system. It cannot permit other countries to usurp its position as the world's banker or to lead it into unwise compromises.

International meetings are timely from the standpoint of the present need for improved world monetary arrangements. Prospects for the success of such meetings will be greatly improved, however, when the United States can participate from a position of leadership based on management of its international payments through sound long-range policies rather than on expedients such as so-called voluntary controls of capital outflow.

The United States should develop its positions and its plans for strengthening the world's monetary relationships. The objectives should be:

1. The supplying of adequate but not excessive world liquidity.

2. The providing of a means of discipline to assure adjustments by countries when needed to keep their international accounts close to balance.

3. Maintaining of adequate facilities for emergency coping with temporary balance-of-payments deficits of individual countries.

4. The providing of policies and means to promote expanding and competitive trade and unrestricted movement of capital.

5. The assuring of arrangements to reduce the possibility of individual countries disrupting the international monetary structure through unsound domestic economic policies.

The International Monetary Fund has met these requirements with a laudable degree of success. Further improvements to maintain that record and to augment the capability of the Fund to achieve these objectives are now in order and preferable to radical plans for change or to creation of wholly different experiments through new international systems.

Changes in the world monetary system should be evolutionary and gradual, to minimize speculation and instability. They should progress in orderly fashion. The present system, stemming from the Bretton Woods agreement, has bridged the transition from World War II's ravaged world to today's vastly expanded international trade and capital development. It can be adapted to present world needs without revolutionary change. The United States should point the way.

3. Lend support to a monetary policy which will narrow interest rate differentials between the United States and other countries.

The administration's failure to encourage use of corrective monetary policy is a major underlying cause of the balance-of-payments problem. Its rigid and uncompromising commitment to easy money as a magic key to domestic expansion is a poor choice of means as opposed to wise and flexible policies serving all the valid goals of domestic and international expansion. Our European creditors are watching with increasing impatience for the United States to exercise the monetary discipline which alone can establish their confidence in the continued soundness of the dollar.

The administration has consistently favored a policy of artificially low interest rates, regardless of cost to other national objectives. Low interest rates are appropriate in a period of economic slack; they are wholly inappropriate during a period of high economic activity marked by inflationary warnings and accompanied by an unsolved balance-of-payments problem. Interest rates which are market determined, rather than politically determined, will rise in periods of high demand. In so doing they act as a brake on reckless expansion of credit, curb the tendency to excesses in the business cycle, apply restraint over the outflow of funds from the country, attract inflows from other nations, and moderate inflationary tendencies. This administration's policy of insistence on artificially low interest rates is damaging to our national interests both in courting domestic inflation and in contributing directly to our balance-of-payments problem.

In the past 4 years, the administration's easy money policies have expanded credit twice as fast as the rise in real production. Interest rates are well below those in other industrial countries, and the amount of personal, private, and government (local and State as well as national) debt in the United

States is so high as to be cause for comment if not general concern.

All of this risks loss of confidence in the dollar. Foreign holders of dollars know by bitter experience that sooner or later credit inflation brings price inflation. They know that failure to use monetary and fiscal policy properly has been a major cause of every devaluation of currencies in history.

Further credit inflation in the United States could involve the heavy risk of a boom and bust pattern which would be damaging at home as well as abroad. Responsible use of credit policy can help avert such developments, and contribute to balanced expansion in both domestic and international economic sectors.

4. Adopt domestic fiscal policies which avoid inflation and which preserve an ample reservoir of strength to deal with any unexpected crisis or unfavorable economic development.

The administration's fiscal brinkmanship can lead to disaster. The Vietnam situation, for instance, will involve many billions of dollars in increased military spending, and may provide a severe test of whether we have the reserve economic strength to provide adequate flexibility with which to meet this heavy increased burden on the budget without pronounced inflation.

A nation, like an individual, should preserve a reserve of strength, because it can never know when emergencies will develop. It is unwise to assume that new economic nostrums can repeal the ups and downs of the business cycle or immunize us from the fiscal demands of military emergencies. The overstimulation of growth by excessive Government spending, with deliberate deficits in times of unprecedented prosperity, are an invitation to crisis.

The administration claims credit for having held the budget deficit to $3½ billion in the last fiscal year; but this is after crediting $3 billion of largely nonrecurring receipts from Federal Reserve bank surplus, liquidations of Government stockpiles, and sales of loans and mortgages. A minor recession like that of 1958, with the budget already so overburdened, could result in a deficit of $20 to $30 billion or more under the present administration's policies. This would not only be inflationary; it would very likely ignite already apprehensive feelings in world financial circles and could result in a run on the dollar that would play havoc with our whole economy and hopes of continued progress. The adjustments for every person from such a consequence could be unbelievably harsh. They would mean vastly higher costs of living, reduced hours of work, fewer jobs and less income, the wiping out of savings, pensions and insurance, and the decline of morale and purpose.

This is not a prediction that these things will happen. It is a warning that they can happen. The safe course is to avoid economic fantasies that rigidly deny common sense and the repeated experience of history. Our Government spending policies must not reject entirely the proven worth of capital creation through saving, building reserves for emergencies, and maintaining a long run balance between income and expenditures.

5. Enlarge efforts to build export trade, including tax, depreciation, and other economic policies, and the encouragement of technological and productive superiority, to enhance the competitive position of American business and labor.

One of the most favorable factors of inflow in our balance of payments equation in recent years has been the excess of our exports over imports. American technology has outpaced the world and its products are in high demand.

Notwithstanding this, American exports are a very low percentage of our national output and are exceeded in this proportion by many European countries and by Japan. The potentials are much greater than we have achieved, and our present Government activities to induce increased trade could be improved. Our share of total world export trade has not kept pace with the growth of world exports since formation of the European Common Market. Here again, improved results can be obtained through coordinated private and Government action.

Independent committees of economists, businessmen, labor leaders, export-import bankers, and marketing experts, cooperating with the Government, should be encouraged to devise and promote new and imaginative practical means for increasing sales of American products and services abroad. This should include stimulating, and removing impediments to, American private investment in other countries. Such investment builds markets for American-made goods. Private enterprise needs only to be unleashed, and made aware of the existence and location of markets, for our exports to mount under the stimulus of the profit motive.

The Government can help by adopting tax, depreciation, and other economic policies that enhance the competitive position of American business and labor. It can further relax depreciation allowances to encourage plant modernization. It can stimulate industrial research. It can gradually reduce the tax burden within responsible fiscal policy. It can aid in locating potential markets and communicating that information to appropriate industries. It can help by increased dissemination in diplomatic circles of the truth that freedom of enterprise in all nations will build an expanding economy and trade from which every nation will be the better and stronger.

The administration should particularly address itself vigorously to negotiating reduced barriers to trade with European countries. It should make a determined effort to further enhance the status and responsibilities of State Department commercial attachés.

Purposeful measures to reorient policies and personnel consistent with the changes in international trade conditions of the past 10 years are urgent. The situation is no longer one of the "dollar gap" and world recovery, but one of brisk competition with other revitalized nations.

In recent months the margin of exports over imports has shown an alarming drop. While some of this can be attributed to temporary conditions, it appears likely that the favorable 1964 margin of our foreign trade will not be repeated in the near future unless more aggressive and effective governmental action is applied.

6. Increase promotional efforts to encourage foreign tourism in the United States, with greater reliance on private agencies.

Americans spend billions of dollars touring in other countries, and this undoubtedly contributes in many ways to improved understanding among peoples. Contrary to administration policy, American tourism abroad should not be discouraged.

Other nations might well benefit, too, if more of their residents knew the United States at first hand. Expenditures by foreign tourists in this country are now around a billion dollars a year, less than 40 percent of what American tourists spend abroad. With increased prosperity around the world, many more foreigners could be attracted to this country, especially if they could be made confident as to costs, facilities and attitudes. The administration's efforts at improvement have been marginally effective.

This is a job that can be done best by private action with effective Government support. Independent committees of travel agencies, hotel and motel owners, transportation companies, the press, and others should be encouraged to develop programs for enticing tourists to this country. The effective operation of such programs will do more for the United States by word of mouth goodwill from satisfied visitors than any amount of official Government propaganda. Our balance of payments can be improved in this manner while the people, customs and intentions of our country are appreciated by more and more friends from other nations.

7. Redetermine the extent of need, under present conditions, for U.S. military forces in the European theater, with the objective of reducing our expenditures there.

The time has long since arrived when a substantial reduction of our military establishment in Western Europe would appear to be wise if not necessary. Approximately 700,000 military and associated personnel are still being maintained in Europe, at a net outflow in the balance of payments of about $1.5 billion (approximately half the recent annual balance-of-payments deficits). A force of this size was unquestionably desirable 15 years ago, as an emergency protective matter, when our European allies were weak and relatively defenseless. But with their economic recovery, the Western European countries should be able to marshall their own conventional forces against invasion, backed by our continuing firm commitment to assist in their defense. A small detachment our our forces can serve as evidence of this commitment, backed by our newly demonstrated ability to airlift reinforcements swiftly to any place in the world from central bases in the United States, and by our strategic air and missile striking forces.

An immediate reappraisal of the extent and character of our European-based military forces and financial commitment in the light of these changes in conditions should be undertaken both in our country and with our friends abroad as a matter of urgency. The results should substantially reduce our expenditures there.

These observations are backed by military experts and have been enunciated by both Democratic and Republican leaders. They were expressed by the Democratic majority in a 1965 report of the Joint Economic Committee of the Congress:

"The committee urges that the review of Government expenditures abroad focus particularly on the possibility of reducing our troop commitments in Europe * * *. Our overseas manpower was not cut back to the extent which the massive increase in our airlift capability would have permitted * * *. We must reduce our military expenditures in these countries."

There is no reason why our European friends, given a full appreciation of our views should continue to depend on us to carry such large forces on their soil. Our commitment to the preservation of freedom in Western Europe will not be reduced by a return of a considerable portion of these forces to our shores.

8. Confine American military assistance generally to countries committed to the side of the free world in the struggle against Communist subversion and aggression.

Last year American military assistance was given to more than 60 countries. In some nations American-supplied arms were used in local revolutions by forces inimical to free world interests. A more discriminating selection of military aid beneficiaries is necessary.

Our military assistance programs should be limited generally to countries and administrations which are clearly committed to the free world and opposed to international communism. Military aid should consist almost exclusively of equipment produced in American plants, and should be directed to the free nations surrounding the Communist orbit, who are our first line of defense, and nations seriously threatened with Communist takeover by subversion or revolution. Any exceptions should be rare and should be required to be clearly justified in terms of our own overriding national interests. It is unsound to give weapons to nations when we cannot be sure that they will be used in our common defense, or to nations from whose hands they may proceed into the possession of enemy forces.

More realistic overseas military assistance programs will reduce the burden they impose on our balance-of-payments problem.

9. Reduce the cost of foreign economic aid programs, primarily by directing assistance to those countries which maintain a hospitable climate for private investment capital, and by stimulating private initiative here and abroad to lead in their development.

There is little doubt of the basic desirability of our foreign economic aid objectives. In their 17 years many of these programs has served effectively in building the free world and promoting the development of emerging nations. But this does not necessarily warrant their continuance at present levels.

In fiscal 1965, loans, grants, and other assistance of various kinds were made to an approximate total of 100 countries. There is little doubt that close examination will show incredible inefficiency, waste, mismanagement and misdirected effort in many of these programs. Some loans are made in dollars on terms which clearly indicate that neither the principal nor interest is ever going to return to this country. Some grants merely help to support local political objectives or to pay running expenses of insolvent governments. Some programs support foreign government-owned projects which ought to be done by private agencies under appropriate local incentives and encouragement. Many are of doubtful value to the country intended to be beneficial. Many should be ended. A realistic evaluation of these facts would result in a significant reduction in foreign aid costs.

The growth of industry and capital in the developing nations would be achieved more efficiently and more effectively under the discipline of the profit system than under any other form. This is the secret of our unparalleled American material progress and it should be exported with confidence and conviction.

Private initiative, both from the United States and within the underdeveloped nations should be recognized and encouraged as the key to sustained growth and development. Private capital can perform far more effectively than government socialism. Our aid ought to be directed to nations that accept this philosophy.

Furthermore, other industrial nations of the free world should be induced to shoulder a larger share of the burden of assistance to developing countries, both directly and through United Nations multilateral programs. Their efforts in this respect should be commensurate with their capabilities.

Assistance to other nations by the U.S. Government should be limited largely to our foodstuffs, fibers and goods—and only to the extent needed by them in excess of their ability to pay. The United States should and can also provide technical assistance in solving problems of agriculture, industry, commerce and government in accordance with the proven procedures evolved in our own country.

Such measures would benefit other nations more in the long run because we would be showing them the solid way to development and growth, within the potentials of their own resources and capabilities, rather than stimulating the illusion that largesse from the American taxpayers will bring "instant progress."

The administration position appears to be that all such expenditures are absolutely necessary, and that every effort is being made to minimize their balance-of-payments impact. It argues that 80 to 85 percent of economic aid purchases are tied to exports and that more than one-third of military expenditures are offset by military exports from the United States.

While much of foreign aid is tied to specific exports, in many cases such aid releases dollars which otherwise would be spent in the United States, to be spent instead in Western Europe. Some experts maintain that this occurs to such a degree that our economic foreign aid is effectively tied to net exports to the extent of only 50 to 60 percent. A more realistic policy would concentrate our efforts in countries where help can be used soundly and stop the flow of dollars to areas and for purposes which merely support purchases from other nations. Such a policy need not damage our economic development efforts.

As part of foreign aid reforms, the number of beneficiary nations should be reduced. Commitment by recipients to free enterprise principles should be a precondition to economic aid wherever possible.

Finally, the various aid expenditures—for grants, loans, international loan funds, agricultural products, Peace Corps, United Nations multilateral programs, refugee relief, and others—should be brought together into a single appropriation request for consideration by the Congress each year, so the American public is fully informed as to the total involved.

These measures would reduce the drain of our dollars and make the entire program more effective as an instrument of foreign policy, as a contribution to world progress, and as an aid to individuals and nations in learning that solid lasting growth is best attained by responsibility, planning and work under the incentive of private ownership and competition.

An analysis of the derivation of balance-of-payments deficits shows clearly that the international transactions of the private sector in this country are regularly in balance. The Government's outlays for military and economic aid programs overseas exceed its receipts of dollars from foreign countries, and in that sense account for the entire balance-of-payments deficits of recent years.

It is ironic that, under these conditions, the administration's major actions to deal with the problem have been restrictive measures directed at the private sector. Clearly, a major review of Government spending overseas is in order, and recommendations 6, 7, and 8 are directed at that objective.

The urgency of achieving a lasting solution

Apprehension about the future of the international monetary situation is increasing. The United Kingdom is facing a severe monetary crisis. France is converting more and more of its liquid holdings to gold. These events have raised storm signals for countries all over the world. The result could be a serious contraction of world liquidity and economic activity. This must not happen.

Whether the problem is an immediate one of impending economic dislocation, or the longer range one of strengthening the international monetary system, in both cases management of the dollar and maintenance of confidence in it are central to achieving successful solutions since it is the world's principal medium of exchange.

The Republican Party would be derelict if it did not raise its voice to call attention to an extremely serious situation in time for effective action.

The dollar is still the world's strongest currency. The United States is still the leader of the free world. There is yet probably enough time for prompt action successfully to correct the present deteriorating situation and maintain our position as the leader in building a world society where every man can share in the material benefits that are a precondition to individual freedom, dignity, and opportunity to lead the good life.

In publishing this paper, the Republican Party serves notice to the party in power that it must be responsible for the consequences of continuing failure to take prompt and suitable action to solve this vital problem.

CAPTIVE NATIONS WEEK 1965 AND THE NEED FOR A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN], is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, for several years the Russian imperialists have vehemently denounced our annual Captive Nations Week observance. This year's observance was preceded by a violent attack from none other than Russia's chief ideologist, Mikhail Suslov, who is also a member of the Central Committee's Presidium and Secretary of the Central Committee of the Russian Communist Party. Here is the core of his message:

> Especially disgusting is the villainous demagogy of the imperialistic chieftains of the United States. Each year they organize the so-called Captive Nations Week, hypocritically pretending to be defenders of nations that have escaped from their yoke.

There have been often equally sharp denunciations. What is significant in all of these cases is the morbid fear with which the Russians have consistently viewed the Captive Nations Week resolution and the annual observance. This alone should warrant a thorough and systematic investigation by us—to find out why, how we can profit from it, what new legislation is required to bolster the bastions of freedom.

All this points up again the pressing need for a Special House Committee on the Captive Nations. Such a committee would make this necessary, thorough and systematic investigation, and very likely would produce solid contributions similar to those of preceding congressional committees that concerned themselves with the Katyn Forest massacre and Communist takeovers. It was my privilege to serve on the Select Committee To Investigate Communist Aggression. This was over 10 years ago. The Congress can well take pride in the historic contributions of that committee. But the work begun in the fifties must be extended by us in this decade, especially in view of this mysterious fear on the part of the Russian Communist leaders. Who can say that the causes of this behavior are not worth looking into?

Mr. Speaker, many of our distinguished Members have commented on the 1965 Captive Nations Week and have furnished selected examples of the week's tremendous success. I wish to join them in paying tribute to the National Captive Nations Committee and its associated organizations for the conduct of the week and also in having the following, additional examples of the week's observance which I will include in my remarks: First, in the State of Ohio, the Governor's proclamation and that of the mayor of Dayton, along with several items of Dayton's observance; second, news items on the week in Svoboda of July 17; third, an interesting UPI story on the Gerald Brooke show trial; fourth, the Buffalo observance program and a declaration from nearby Canada; and fifth, a proclamation, programs, news reports, and addresses during Pittsburgh's observance of the week:

STATE OF OHIO,
EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
Columbus.

PROCLAMATION: CAPTIVE NATIONS WEEK, JULY 18–24, 1965

Whereas the harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive: Now, therefore,

I, James A. Rhodes, Governor of the State of Ohio, do hereby designate the week of July 18–24, 1965, as Captive Nations Week and urge that all citizens support this annual recognition of the plight of the oppressed peoples of Eastern Europe.

JAMES A. RHODES,
Governor.

PROCLAMATION

Whereas many nations throughout the world have been enslaved by the imperialistic and aggressive policies of Communist Russia; and

Whereas the peoples of these captive nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States of America are linked by bonds of principle and family to those who love freedom and justice on every continent; and

Whereas it is fitting and proper to manifest clearly to the peoples of these conquered nations the moral and ideological support of the Government and the people of the United States of America for their just aspirations for freedom, self-determination, and national independence: Now, therefore,

I, Frank R. Somers, mayor of the city of Dayton, Ohio, do hereby proclaim the week beginning July 18, 1965, as Captive Nations Week, and do invite the people of the city of Dayton to observe this week with appropriate ceremonies and activities, and do urge them to study the plight of the Communist-dominated nations and to recommit themselves to the support of the just aspirations of the people of these captive nations.

FRANK R. SOMERS,
Mayor of the City of Dayton, Ohio.

[From the Dayton (Ohio) Kettering-Oakwood Times, July 29, 1965]

CEREMONY HELD FOR CAPTIVE NATIONS WEEK

Last week's local observance of Captive Nations Week was climaxed Sunday with a special program at the Captive Nations Shrine in Dayton, where Brother Peter Lindenmann of Chaminade High School was the guest speaker.

The shrine is located near Holy Cross Church, 1920 Leo Street, where a large part of the congregation is of Lithuanian descent.

Captive Nations Week has been established in accordance with joint congressional resolution and Presidential proclamation and is Public Law 86–90.

The purpose of the National Captive Nations Committee, according to Executive Director Donald Miller, of Washington, D.C., is to keep people of the free world aware of the fact that many freedom-seeking men, women, and children are still behind the Iron Curtain.

"It is also important for us to remember that many people living in our own area still have ties behind the Iron Curtain," said Dorothy McNab, local representative for the organization.

[From the Dayton (Ohio) Journal Herald, July 24, 1965]

CAPTIVE NATIONS RITES SCHEDULED

Captive Nations Week will be commemorated in Dayton tomorrow at 11 a.m., at the monument of three crosses at the Holy Cross Church, Leo and Regis Streets.

The special week was set aside in Congress in 1959 to make Americans aware of the plight of those behind the Iron Curtain.

Brother Peter Lindenmann, of Chaminade High School, will be the speaker with benediction by Rev. Titas Narbutas, pastor of the Holy Cross Church. Several nationalities will be represented at the program.

JULY 23, 1965.

A WAVI EDITORIAL

(By Gregg Wallace)

A listener has said, "But what can I do about the captive nations?"

A good question not easily answered.

Today, there are more than 25 nations in the world under direct or indirect control and domination of the horrendous Communist leaders. These people—literally millions—are no different than you and I, except in one area: Too many have either given up in utter futility or others have known nothing other than captivity.

As individuals we can do little, but as a collective society, made up of masses of individuals—with strong political backing—we can, as suggested by Prof. Lev E. Dobriansky, of Georgetown University, "begin to focus the spotlight of world attention and opinion on the total breadth of Sino-Soviet imperio-colonialism."

In other words, it is incumbent upon the entire free world, to raise in one united voice in decrying the menace of communism. We can't do it with vacillation, with compromise, with weak spines or with what continually amazes me: The unrealistic, dreamworld attitude of the peaceniks, that is, ignoring completely the inhuman atrocities committed by the world's Red leaders while condemning any attempt made by the United States to halt this infringement on human dignity and freedom.

The more blase might say this is oversimplification, or even a bit corny.

Well, if one gets that impression we merely call your attention to the reaction printed last year in Isvestia, the Communist voice in Moscow: "With every passing year Captive Nations Week becomes a nuisance." It failed to indicate specifically for whom.

Professor Dobriansky concludes, "During Captive Nations Week we can begin to concentrate on the freedom aspirations of 17 million North Vietnamese, and, from there, on those of all other captive nations."

Finally, we recall your attention to the expression of late President Kennedy, in full view of the Berlin wall: "For those who think there is no difference between freedom and slavery, let them come to Berlin."

[From the Dayton (Ohio) Daily News, July 22, 1965]

CAPTIVE NATIONS WEEK GIVES BOTH PROMISE AND WARNING

"Give me liberty or give me death!" These famous words of Patrick Henry in 1775 should strike a warm note in the hearts of all loyal Americans yet today—and especially this week, Captive Nations Week.

Today we who live in a free society often take for granted and forget the meaning of freedom handed to us as our birthright. We forget that this costly birthright was bought with the blood of our fathers and forefathers. We forget the reason why our boys are fighting and dying for freedom in Vietnam. We forget that we must fight for freedom if we are to keep it.

But there are those who cannot forget. There are those who cannot forget the despicable brutality and tyranny of the Communists who now fearlessly dictate to the countries behind the Iron Curtain. There are those who cannot forget the frightful fact that more and more nations are being subdued to the same plunder by the continuous Communist aggression. There are those who cannot and will not forget the liberty and independence now deprived them.

Captive Nations Week, set aside by Congress as the third week in July, therefore, serves a dual purpose. First, it extends hope for the future to millions of captive people—that someday they may be emancipated and once more enjoy the freedom of their own homeland. Second, it is a warning to all Americans—what happened to once-free people could happen to us.

SILVIA D. ERIKSON.

KETTERING.

[From Svoboda, July 17, 1965]

LOCAL CAPTIVE NATIONS COMMITTEES URGED AT WOMEN'S CONVENTION

UKRAINIAN DELEGATES ATTEND GATHERING

NEW ORLEANS, LA.—A call for the creation of local Captive Nations Committees in American communities was made at the 74th annual convention of the General Federation of Women's Clubs by Mr. Mary Dushnyck, delegate and secretary of Women for Freedom, Inc., an anti-Communist organization. Held at the Jung Hotel in New Orleans, La., from June 7–11, the convention was attended by over 2,000 delegates.

Mrs. Wm. H. Hasebroock of Nebraska is the president of the GFWC which has 11 million members, comprised of 15,500 clubs in 49 States and the District of Columbia, and 150 international clubs in 53 countries. Included in the latter are the Ukrainian National Women's League of America ("Soyuz Ukrainok") and Women for Freedom. Mrs. Anastasia Volker, a UNWLA vice president and public relations chairman, represented the UNWLA at the convention.

WARNS OF RED THREAT

In her report, delivered at the international luncheon on June 9, Mrs. Dushnyck, who is an organization chairman of the UNWLA, warned of the constant threat of communism in our midst, especially Communist activity on our college campuses and attempts to infiltrate the civil rights groups. She commended the GFWC for its resolution on the "Menace of Communism" and urged its implementation by members joining local Captive Nations Committees or forming new ones by writing to the National Captive Nations Committee, 1028 Connecticut Avenue NW., Washington, D.C. She also outlined the purposes of WFF and especially the contributions of its president, Mrs. Geraldine Fitch, a known columnist.

Mrs. Volker, in her detailed report, outlined the aims, activities, and contributions of the UNWLA to the culture, education, and welfare of the Ukrainian and American communities.

BILINGUALISM URGED

Under the theme of "Service for Freedom and Growth," the GFWC convention held several stimulating panel discussions on diverse subjects, such as: "Morals at Stake on the Newsstands," "Volunteer Groups, Key to Community Betterment," "Approaching Problems of Alcoholism," "The Communist Danger," and others. A panel on education urged bilingualism from early childhood.

Reports were given on GFWC contributions to such worthy projects as the Congressional Medal of Honor Grove, Hope, rural schools in Mexico, Radio Free Europe, programs in Africa and the Near East, CARE, helping foreign students immigrants to the United States, and Korean widows, etc. Some of the addresses included "Our American Legacy in the 20th Century," "The Evolution of France in a Changing World," and "Our Changing Environment—Good or Bad?" Among the speakers were Charlton Heston, the screen actor, Benson Ford, of Ford Motor, the Honorable Alex A. Masas, Greek Ambassador to the United States, Peter Lind Hayes, newspaper editor, and others.

The delegates also enjoyed the famous southern hospitality for which New Orleans is noted: a plantation tea at the home of Mayor and Mrs. V. Schiro, a special fabulous Mardi Gras ball and reception, attendance at a naturalization ceremony in court, an international tea given by Mrs. Schiro at a museum, at which Pierre de Mirmont, Consul General of France, and Mrs. Lydia Balaban, a Ukrainian resident of New Orleans, were present, and numerous other festivities.

[From Svoboda, July 17, 1965]

Nationwide Observance of Seventh Captive Nations Week Starts Tomorrow—President Johnson Issues Special Proclamation

New York, N.Y.—The National Captive Nations Committee (NCNC) under the chairmanship of Prof. Lev E. Dobriansky, president of the UCCA, has launched in full its activities for the annual observances of the Captive Nations Week, scheduled for July 18–24, 1965. All Governors and mayors of larger cities have been contacted for early proclamations.

On July 2, 1965, President Johnson issued the annual Presidential proclamation of Captive Nations Week, in which he called on the people of the United States "to observe this week with appropriate ceremonies and activities," and urged them "to give renewed devotion to the just aspirations of all people for national independence and human liberty."

UKRAINIAN GROUPS LEAD IN OBSERVANCES

In all major cities of the country large-scale observances are planned with State and city officials taking part in them. From California to New York and from New Mexico to Massachusetts public rallies, religious services, and manifestations are planned by special committees honoring the seventh Captive Nations Week observance. All Members of the U.S. Congress have been invited by Dr. Dobriansky, in his capacity as chairman of the National Captive Nations Committee, to take active part in these solemn observances and to make appropriate statements on the floor of the Congress.

"We earnestly seek your participation in the week's observance in Congress, giving recognition to the fact that over two dozen captive nations with a population close to a billion people represent a powerful deterrent against overt Soviet Russia and Red Chinese aggression and thus a formidable force for world peace with freedom and justice," Dr. Dobriansky stated in his message to Government representatives.

In all major cities throughout the country Ukrainian groups, especially branches and member organizations of the Ukrainian Congress Committee of America, are staging Captive Nations Week observances.

CEREMONIES IN GREATER NEW YORK

The Seventh Captive Nations Week observance in Greater New York is sponsored jointly by the Conference of Americans of Central and Eastern European Descent (CACEED), the Assembly of Captive European Nations (ACEN) and American Friends of the Captive Nations (AFCN).

On Sunday, July 18 at 10 a.m., a solemn mass at St. Patrick's Cathedral will be held, with the Right Reverend Monsignor John Balkunas, presiding and the Right Reverend Monsignor Timothy J. Flynn giving the sermon and extending the welcome of His Eminence Francis Cardinal Spellman.

On Sunday, July 18, at 11 a.m., morning prayer and Holy Communion at the Cathedral of St. John the Divine.

National groups, with flags, are requested to assembly at 9:40 on Sunday, July 18 on west side of Fifth Avenue, opposite St. Patrick's Cathedral.

On Sunday, July 18, at 12:15 p.m., at ACEN House, 769 United Nations Plaza, across the street from the United Nations, a flag-raising ceremony will be held. The principal speakers will be Congressmen Ogden R. Reid, Republican, of New York, and Lester L. Wolff, Democrat, of New York.

On Tuesday, July 20, at 12 noon, Mayor Robert F. Wagner of New York will issue a proclamation on the Captive Nations Week in the city of New York in a ceremony to be attended by representatives of many nationality groups and organizations.

On Friday, July 23, at 7 p.m., the American Friends of the Anti-Bolshevik Bloc of Nations will host Mr. Yaroslav Stetzko, president of ABN, at a press conference in New York's Commodore Hotel. A banquet will follow the conference, at which Mr. Stetzko will be the main speaker. Also appearing with speeches will be U.S. Congressmen Seymour Halpern and Leonard Farbstein as well as representatives of various nationality groups.

"The White House.

"A Proclamation by the President of the United States of America: Captive Nations Week, 1965

"Whereas the joint resolution approved July 17, 1959 (73 Stat. 212), authorizes and requests the President of the United States to issue a proclamation each year designating the third week in July as Captive Nations Week until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

"Whereas all peoples yearn for freedom and justice; and

"Whereas these basic rights unfortunately are circumscribed or unrealized in many areas in the world; and

"Whereas the United States of America has an abiding commitment to the principles of independence, personal liberty, and human dignity; and

"Whereas it remains a fundamental purpose and intention of the Government and people of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom: Now, therefore,

"I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 18, 1965, as Captive Nations Week.

"I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

"In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

"Done at the city of Washington this second day of July in the year of our Lord 1965, and of the Independence of the United States of America the 198th.

"By the President:

"Lyndon B. Johnson.
"Dean Rusk,
"Secretary of State."

[From Svoboda, July 17, 1965]

Captive Nations Week 1965

In 1959, the Congress of the United States adopted unanimously what has become known as the Captive Nations Week resolution, in the form of Public Law 86–90, providing for the designation of the third week of July as Captive Nations Week. In addition, the law authorizes the President of the United States to issue a proclamation on the week each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

In keeping with the spirit of the law, the National Captive Nations Committee, headed by Dr. Lev E. Dobriansky, has worked out a program for this year's nationwide observance urging the widest possible support for President Johnson's policy in Vietnam and other areas of the globe threatened by Communist aggression. Prominent themes of the 1965 Captive Nations Week that must be brought to public attention with reinforced vigor and conviction include the following:

Peace with justice and freedom, support of all captive nations being one of our most powerful deterrents against a hot global war.

Full support for the President's action in Vietnam, preventing further Communist takeovers.

A "poltrade policy" toward the totalitarian Red empire, i.e., trade based on political concessions.

Complete exposure of Sino-Russian imperio-colonialism in the United Nations and other councils, concentrating especially on Ukraine, Armenia, Georgia, and other captive non-Russian nations in the Soviet Union.

Establishment of a Special Committee on Captive Nations in the U.S. House of Representatives, signifying American dedication to the eventual freedom of all captive nations.

Creation of a Freedom Commission and Academy.

Inauguration of a Captive Nations Freedom Stamp series, including a special stamp honoring Ukraine's poet laureate and champion of liberty, Taras Shevchenko.

This year's Captive Nations Week is of special significance as Communist onslaughts on the free world's outposts, dramatized by the war in Vietnam, continue to cause grave concern to all freedom-loving peoples throughout the world. Moreover, the few misguided voices from some of our campuses calling for the withdrawal of American forces from Vietnam, leave the impression—aptly utilized by Communist propaganda—that the United States and its allies can be pressured into eventually recognizing the status quo in divided Europe and Asia thus rescinding on their promises to defend freedom where it still exists and extending it wherever possible. There are some in this country who would do away with the Captive Nations Week and all that it stands for in the belief that it is nothing but an obstacle to the "relaxation of tensions" and "peaceful coexistence." They are unwilling to recognize that any such relaxation can only follow, not precede, the realization of self-determination through free elections in the nations held captive by the Kremlin overlords, and that there can be no end to the cold war as long as an Iron Curtain divides Europe.

Yet it is an uncontested fact, recognized by prudent statesmen and top military experts in the West, that the captive non-Russian nations constitute a powerful deterrent to Soviet aggressive moves, and that their aspirations to political freedom deserve full support on both moral and practical grounds. To a large degree, the success of our foreign policy depends on the recognition of this fundamental weakness and vulnerability in the seemingly impregnable wall of the Red empire. Orientation toward all the captive nations and support of their manifest desire to break the chains of slavery and oppression is of paramount importance to the preservation of our freedom and the establishment of permanent peace on earth.

This is the essence of the captive nations resolution; this is the message of the Captive Nations Week. Let us see to it that during the week-long observance, starting tomorrow, it is voiced across the Nation, as once again we pledge our dedication to the ideals of freedom and independence for all captive peoples, first and foremost, those of our most martyred Ukraine.

EXILES—WITH BROOKE

(By Neil A. Martin)

WASHINGTON, July 24.—The sentencing of a 28-year-old British teacher to 5 years "deprivation of liberty" by a Soviet court was seen today as a strong warning to anti-Communist exile groups.

The teacher, Gerald Brooke, yesterday received a sentence of 1 year in prison and 4 years in a "strict regime labor colony." He allegedly confessed to charges of visiting Russia for the Popular Labor Alliance, a Russian exile group based in West Germany.

The charges alleged Brooke smuggled anti-Soviet materials into Moscow. It was the first official Soviet admission that an anti-Communist underground exists in Russia.

The alliance, or "NTS" as it is known by its Russian initials, is one of several anti-Communist exile groups operating out of Western Europe and the United States. They are actively engaged in funneling money, propaganda, spy equipment and, reportedly, an occasional agent or two into Eastern Europe and Russia.

Several leading figures connected with some of these groups were in Washington this week for the annual observance of Captive Nations Week, designated by Congress in recognition of the peoples that have been swallowed up by communism.

Some emigres viewed Brooke's show trial as a clear warning to exile groups operating underground networks into Communist countries. They said the wide publicity given to the trial by the Soviets was intended to "scare off" anti-Communist contacts inside Russia and to dry up normal channels of communication.

Others said that although Brooke was arrested last April, the trial was purposely held off until now to coincide with the U.S. captive nations celebration.

But they all agreed that efforts to stir up unrest within the Communist orbit would continue regardless of warnings from the Kremlin.

Jaroslaw Stetako, head of the Anti-Bolshevik Bloc of Nations (ABN), the largest exile organization in Western Europe, told UPI that his group will continue to do what it can to encourage "national liberation revolutions" within Eastern Europe and Russia.

Both the NTS and ABN have claimed successes in their propaganda war against the Communists.

NTS claims its leaflets were responsible for 300 Red Army defections during the 1953 German revolt. The organization is also said to have slipped agents into Russia and engaged in other cloak and dagger activities.

Likewise, ABN has reported Kremlin actions to suppress anti-Soviet movements inside Russia, strikes, and demonstrations by non-Russian students and workers, and sporadic guerrilla resistance in certain areas of the Ukraine.

But in their aims, the Munich-based ABN differs sharply with the NTS, headquartered in Frankfurt. NTS is principally a Russian exile group, the ABN is composed of more than 25 non-Russian and very outspoken anti-Russian exile groups, representing Ukrainians, Armenians, Georgians, Estonians, and others.

NTS envisions a future Russia, free from communism, but also would preserve the territorial integrity of a Russia largely unchanged from the days of the czars.

The ABN, however, distrusts Russians in power—Communist or otherwise—and advocates a dismemberment of the Soviet Union into independent states, much in the manner of the Ottoman and Austro-Hungarian empires after World War I.

THE CITY OF BUFFALO OFFICIALLY SALUTES CAPTIVE NATIONS WEEK, JULY 18–25, 1965

Citizens of Buffalo:

Fellow Americans:

Highlights of the week's program:

SUNDAY, JULY 18

A.M.: Religious observances in Catholic and Protestant churches of the city.

At 2 p.m.: Cavalcade of cars and marching groups from Main and Tupper proceeding to city hall.

At 3 p.m.: Official civic opening program at the McKinley Monument in front of city hall. Main speaker: Hon. HENRY P. SMITH III, U.S. Congressman, 40th District, New York.

WEDNESDAY, JULY 21

Civic luncheon sponsored by the Kiwanis Club of Buffalo and CCOCNW at Hotel Statler Hilton, Terrace Room.

At 12 noon: Guest speaker: Hon. THADDEUS J. DULSKI, U.S. Congressman, 41st District, New York.

SUNDAY, JULY 25

From 7:30 p.m.: Captive Nations Week festival with colorful program in Delaware Park, rear of Albright Knox Art Gallery. Guest speaker: Mrs. Edith Hyder-Jester, from Washington, D.C., well-known champion for freedom of all captive people.

Fellow Americans, residents of the Greater Buffalo area, the Captive Nations Week annual observances in Buffalo and across the country are in accordance with Public Law 86–90 issued by the Congress of the United States and signed by the President in 1959. It is each and every citizen's responsibility to abide by this law of the Nation.

Let's all be at the official civic opening on Sunday, July 18, 1965, at 3 p.m., at city hall.

CITIZENS' COMMITTEE TO OBSERVE
CAPTIVE NATIONS WEEK.

A DECLARATION SUPPORTING THE UNIVERSAL IMPLEMENTATION OF THE UNITED NATIONS CHARTER, DECLARATION OF HUMAN RIGHTS, U.N. COLONIAL DECLARATION, GENOCIDE CONVENTION

"Like the Universal Declaration of Human Rights and like the United Nations Charter, the United Nations Declaration on Colonialism was intended to be universal in its application to subject people everywhere.

"To divert from its evil practices, the U.S.S.R. has long preached against the sins of others.

"Our Canadian aim is to provide perspective for the strident demands which the U.S.S.R. makes on behalf of others, for the rights and benefits denied to the subject people of the Soviet Union.

"The United Nations Assembly has no cause to be selective in its denunciation of oppression." (A speech by Heath Macquarrie, member of the Canadian delegation to the United Nations Assembly, November 23, 1962.)

Ever since the inception of Marxist-Leninist communism—ideology alien and hostile to democratic ideals as expressed in the above-named pronouncements of the United Nations—the entire world has lived in fear of war and the surrender of basic human rights cherished by individuals and nations.

Due to Russian imperialism and colonialism, existing even before the Communist revolution of 1917, many national groups that were contained within the boundaries of czarist Russia have lost their independence but are still striving to maintain their distinctive national entities. Others have been obliterated. When the Communists took over the Russian empire, they promised freedom and independence to the component nationalities. These promises have all been broken. Efforts to gain self-determination are ruthlessly suppressed.

With the subsequent surge of communism in Europe the Soviet Union entered into and carried out secret agreements with Hitler.

These resulted in the conquest and partition of independent Poland and the seizure by Russia of the three Baltic states: Estonia, Latvia, and Lithuania. Although Nazi Germany and her allies were eventually defeated, the wrongs occasioned by the Hitler-Stalin accord have yet to be righted. Bluntly speaking, the Western allies have not yet achieved their war aims, declared in the Atlantic Charter but compromised at Yalta, and the United Nations is unwilling to act. Eastern Europe is being sacrificed on the altar of an illusory coexistence.

By means of armed invasion, fraud, terror, genocide, coups d'etat, violence and subversion, the Soviet Union has gained domination over many lands which had lived at peace and enjoyed self-determination before the Communist-Nazi conspiracy.

On these so-called satellite countries the Communists have inflicted their totalitarian political and social ideology, combined with the attempted Russification of the populations.

Elsewhere in the world, the Soviet Union is exporting, with the aid of Communist missionaries in various guises, its ideology under its hypocritical and unilateral slogans of "peace," "justice," "humanity," "brotherhood," and "national liberation."

Here in Canada, these phrases are used by the Communists and their sympathizers to ensnare the gullible.

We need not name here the many national groups that are now existing under the yoke of Russian imperialism and colonialism, and which, under the most elementary considerations of truth and justice, are entitled to self-determinations. Most of these captive people are well known, such as the Albanians, Armenians, Bulgarians, Byelorussians, Cossacks, Croats, Czechs, Slovaks, East Germans, Estonians, Latvians, Lithuanians, Hungarians, Macedonians, Poles, Rumanians, Serbs, Slovenes, and Ukrainians. Given the opportunity, they will prove themselves the friends and the allies of the West.

In spite of its record, Soviet Russia entered the U.N. organization and, with the utmost hypocrisy, endorsed its terms of membership. Red China, with an equally sinister background may do the same, and widespread propaganda is now being circulated in Canada and elsewhere to that end.

The tendency of certain influences in the world to corrupt and disrupt the West and thus consolidate Red conquest is contrary to the original spirit of the United Nations. A unilateral and regional application of measures cloaked with false professions of "high ideals" will never serve the cause of peace and justice as envisioned by the U.N. Charter. It will merely serve the gluttonous appetite of ever-advancing communism for the spoils of conquest and of the submission of its victims. Perversion of the high ideals expressed by the founders of the United Nations will lead to the annihilation of the democratic Western World.

Therefore, "to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, of nations large and small, to maintain international peace and security, and, to that end, to take effective collective measures for the principle of equal rights and the self-determination of peoples" (United Nations Charter).

We express our solidarity with the nations and individuals now subjugated by Communist imperialism and colonialism.

We call upon our representatives in the United Nations, the Government of Canada, the people among us who stand for democracy in justice, our spiritual leaders in whom is vested the propagation of our faith in God, to strive to apply without fear or reservations, and restore the high ideals embodied in the original United Nations Charter, the Declaration of Human Rights, the U.N. Declaration on Colonialism and the Genocide Convention to the nations and individuals now existing under Communist imperialism and colonialism.

"Deus, Justitia, Libertas," the Canadian Loyalist Movement.

Proclamation

Whereas, by joint congressional resolution approved July 17, 1959 (73 Stat. 212), the third week in July was designated as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas the cause of human rights and personal dignity remains a universal aspiration; and

Whereas the United States is firmly committed to the cause of freedom and justice everywhere; and

Whereas it is appropriate to manifest to the people of the captive nations the support by the National, State and local governments and the people of the United States of their hopes for the recovery of their freedom and independence;

Now, therefore, I, David Stahl, by virtue of the authority vested in me as deputy mayor of the city of Pittsburgh, do hereby proclaim the period of July 18–25, 1965, to be Captive Nations Week in Pittsburgh, and ask our citizens to give due recognition to this occasion.

Done this day, July 20, 1965, at the office of the mayor, in witness whereof I have hereunto set my signature and cause the seal of the city of Pittsburgh to be affixed.

DAVID STAHL,
Deputy mayor,
City of Pittsburgh.

Captive Nations Week Observance Luncheon Program, Pick-Roosevelt Hotel, Wednesday, July 21, 1965, 12:15 P.M.

Master of ceremonies: Michael Komichak.

Presentation of colors: U.S. Marine Corps Color Guard.

National anthem: Mrs. Anna Komichak.

Pledge of Allegiance: Mark Komichak (Boy Scout Troop 314 of McKees Rocks).

Invocation: Msgr. Victor Pospishil, St. John the Baptist Ukrainian Catholic Church, S.S., Pittsburgh.

President's proclamation: Mrs. Guna Naruns, Latvian Society of Pittsburgh.

Greetings and proclamation from city of Pittsburgh: Councilman Walter Kamik.

Address: Commissioner Blair F. Gunther.

Introduction of committee and guests.

Remarks: Dan Drew, American Legion.

Address: Dr. Anthony Kubek, Dallas University.

Benediction: Rev. Paul Markowitz, First Hungarian Lutheran Church.

Radio Log: Captive Nations Week Programs, WPIT AM-FM, Pittsburgh, Pa.

Sunday, July 18, 6:30 p.m.: Georgetown University Forum: "Captive Nations Week, 1965."

Monday, July 19, 8:30 p.m.: Walter Uhlbricht's "Security System and the Berlin Wall of Shame."

Tuesday, July 20, 8:30 p.m.: Bob White, Washington correspondent, urges support of the captive nations.

Wednesday, July 21, 8:30 p.m.: Dr. Lev E. Dobriansky talks about Captive Nations Week resolution.

Thursday, July 22, 8:30 p.m.: Dr. Ilgvars Spilners reports on Russia's takeover of the Baltic nations.

Friday, July 23, 8:30 p.m.: Canon Joseph S. Altany gives eye-witness account of life in present-day Slovakia.

Saturday, July 24, 5:30 p.m.: Georgetown University Forum: "Captive Nations Week, 1965."

Sunday, July 25, 6:30 p.m.: Dr. Anthony Kubek: "China and Cuba—Myths and Realities."

Pittsburgh Observes Captive Nations Week

The Pittsburgh observance of Captive Nations Week, 1965, began on Saturday, July 17, when flags of the captive nations were carried in the American Legion parade held in downtown Pittsburgh as a climax to the Legion's State convention.

Highlight of the Captive Nations Week observance was a luncheon at the Roosevelt Hotel with 120 people from civic, fraternal, veteran, and nationality groups participating. The principal speakers were Judge Blair F. Gunther, commissioner of Allegheny County; Dan Drew, of the American Legion; and Dr. Anthony Kubek (Slovak), head of the history department at Dallas University in Texas and author of the book "How the Far East Was Lost." The national anthem was sung by Mrs. Ann Komichak and the colors were presented by an honor guard of U.S. Marines. The invocation was given by Msgr. Victor Pospishil, of the Ukrainian Catholic Church, Southside Pittsburgh. Councilman Walter Kamik, who is of Polish descent, delivered greetings on behalf of vacationing Mayor Barr, of Pittsburgh, and also read the proclamation from the mayor's office. Mrs. Guna Naruns, of the Latvian group read President Johnson's proclamation. The benediction was pronounced by Rev. Paul Markowitz, of the Hungarian Lutheran Church. Michael Komichak, secretary of the Captive Nations Committee in Pittsburgh, was master of ceremonies. Dr. Lev E. Dobriansky telegraphed greetings to the luncheon on behalf of himself and Chairman George Meaney. The luncheon received good coverage by radio, television, and the newspapers.

During Captive Nations Week radio station WPIT presented daily radio programs, eight in all, to commemorate the week. The programs were directed by Michael Komichak. Participating in these programs were Dr. Dobriansky, Senator DOMINICK, Congressman FEIGHAN, Washington Correspondent Bob White, Canon Joseph S. Altany, Dr. Anthony Kubek and Dr. Ilgvars Spilners. In addition to the radio programs there were three television interviews with Dr. Kubek and one with Michael Komichak.

[From the Pittsburgh Press, July 22, 1965]

Bomb Hanoi, Historian Urges

Peaceful coexistence with Communist nations means "surrender on the installment plan," the Captive Nations Committee was told.

That is true because the Soviet Union has become the biggest colonial power in history, Dr. Anthony Kubeck told a committee luncheon yesterday in the Pick-Roosevelt Hotel.

Dr. Kubeck, head of the Dallas University history department, was chief speaker at the affair headed by Michael Komichak and attended by nationality groups whose native lands are Red led.

He noted that Communist nations hurl the charge of imperialism at America, but said the Reds have taken over most of central and eastern Europe which they now hold in subjugation.

"Before World War II the Russians had 200 million people, but the Communists now rule half the world," said Dr. Kubeck, a native of Ambridge.

He called the Yalta Conference "one of the greatest blunders ever made by the United States, because it led to Communist domination of Eastern Europe and China. President Roosevelt was a sick man at that conference."

At a press conference Dr. Kubeck said the Reds are testing President Johnson in Vietnam "to see if he means business. If he does they are in trouble."

The speaker urged that Mr. Johnson order the bombing of Hanoi, capital of North Vietnam, and ports of that country through which its forces are armed.

Another speaker, Commissioner Blair F. Gunther, urged that American schools be purged of Communist teachers or those who sympathize with Communist aims.

He urged support of a bill now in the legislature which would block Communists from tax-supported schools. Author of the bill is Representative John T. Walsh, McKeesport Democrat.

Mr. Gunther estimated there are 500,000 Communist sympathizers in America "doing everything possible to subvert the Nation."

[From the Pittsburgh Post Gazette, July 22, 1965]

Captive Nations Group Meets: Historian-Author Asks Full Support for L.B.J.

President Johnson must be backed up all the way in South Vietnam, the Pittsburgh Captive Nations Committee was told here yesterday at a luncheon in the Roosevelt Hotel.

Principal speaker at the luncheon was Dr. Anthony Kubek, head of the history department of Dallas (Tex.) University and author of the book "How the Far East Was Lost."

SEES TESTING OF L.B.J.

Dr. Kubek, a native of Ambridge, told his audience the Communists are now sizing up President Johnson to see if he is "soft" and can be written off as easy prey to their tactics in Asia.

"But if they feel he means business, they will realize they're in trouble," Dr. Kubek said, adding:

"He can go down in history as one of our greatest Presidents if he is determined to smash communism."

Dr. Kubek advocated heavy bombardment of Hanoi, the North Vietnam Communist capital, and the seaport of Haiphong. He said that it will be impossible to win in Vietnam unless these two points are crippled.

AIMING AT ALL ASIA

Dr. Kubek said the Communist aim is to win in South Vietnam and then take over Thailand, Burma, the Philippines, and Japan "and drive the free world out of Asia."

Other speakers at the luncheon included county commissioner Blair F. Gunther and

Michael Komichak, secretary of the Pittsburgh Captive Nations Committee.

The committee was formed to promote assistance for Eastern and Central European nations now under Communist domination.

Address by Hon. Blair F. Gunther, Allegheny County Commissioner, Before the Captive Nations Luncheon, Hotel Roosevelt, July 21, 1965

In 1959, the Congress of the United States adopted unanimously what has become known as the Captive Nations Week resolution, in the form of Public Law 86-90, providing for the designation of the third week of July as Captive Nations Week. In addition, the law authorizes the President of the United States to issue a proclamation on the week "each year until such time as freedom and independence shall have been achieved for all the captive nations of the world."

It was altogether fitting and proper that the President of the United States issued a 1965 captive nations proclamation on July 3 so that it would appear in the Nation's press on July 4. The purpose was to symbolize the unbreakable relationship reached between American freedom and the independence of all captive peoples.

This year's Captive Nations Week is of special significance as Communist onslaughts on the free world's outposts, dramatized by the war in Vietnam, continue to cause grave concern to all freedom-loving peoples throughout the world. Today, our country is in the thick of another war whose issues will determine the fate of freedom in Asia. History is repeating itself and once more our young men, thousands of miles from their homeland, are fighting and dying so that for millions under Far East skies the bell of freedom may ring again. But even if we spring to the aid of brave peoples whose freedom is in jeopardy, it is the height of shameful inconsistency to disregard the pitiful plight of once free people. It is a falsely pious policy to advocate that it is now necessary, in the interests of world peace, to accept the "status quo," including the permanent captivity of once proud people. Have we not learned a lesson from the futile "peace in our time" of Chamberlain when he faced the demands of Hitler with an umbrella and no sword? We have followed the Chamberlain pattern when we did nothing to help in the fight for freedom during the Cuban, Polish, and Hungarian uprisings. I believe we have now reached the end of the line and the battle for freedom all over the world is on.

We have two tasks before all of us who want to see the eventual freedom of the captive nations. One is to strengthen popular support for the Government's policy in Vietnam and the Dominican Republic. The second is to encourage day-by-day demands for more freedom for the captive peoples within the Communist empire. The freedom aspirations of the captive peoples throughout the world are the only deterrent against the present communistic aggression. For this reason, they are a powerful force for peace throughout the world.

We in America have made many mistakes. We are good soldiers, good businessmen, and we have some of the outstanding sportsmen in the world. But when it comes to diplomacy, we have made mistakes. We have to admit that Teheran, Yalta, and Potsdam, where we made some of the most stupid decisions which we will regret in American history, were bad mistakes. Maybe they were mistakes of the head and not the heart. Maybe our intentions were right, but the intentions of the other side were not right. The trouble with Yalta, Teheran, and Potsdam was that there was one witness that wasn't present at these agreements; that witness was God.

My friends, those of us who know something about war realize that weapons alone are not enough. We need other things. We need diplomacy. We have our academies at Annapolis and West Point, and these are fine. But what America needs today, and I've been advocating this for years, is a good, solid academy for diplomats to be trained by the best known talents in the United States, so that our diplomats can stand up to the Communists at the U.N. and other meeting places in defense of freedom. This might appropriately be called a Freedom Academy. Unless we do that, arms alone will not win peace or friends for us in the world.

Now as for the Communist threat here in America. The real and very great danger to which America is subjected by the Communist movement throughout the world is not due to the number of actual and avowed Communists in America, as J. Edgar Hoover, Director of the FBI, said in one of his New York speeches, it is, instead, due to the vastly greater number of Americans who, while they associate freely with Communist enterprises, do not affiliate with the Communist Party. Mr. Hoover states that there are more than a half million Communist collaborators in this category, while the total avowed Communists does not exceed 55,000. This is of vital importance because there has been a great show in indignation by the liberals of the country against the "guilt by association" tactics of current investigations into the Communist conspiracy. The Communists are encouraging opposition in the United States toward strong policies against Communist aggression in Vietnam and the Dominican Republican.

I am asked at various public meetings as to what we here in America can do to help preserve the freedom of our people. We can do several things:

1. We can teach more American history in our American schools. How do we expect to have our younger generation respect America if they know nothing about her?
2. Dismiss all teachers in all schools who are Communist sympathizers.
3. Anyone who obtained his American citizenship by deceit, by swearing to uphold the American form of government and now wants to overthrow it, should have citizenship papers revoked and be shipped back to the country of his origin, or to any country he considers a better place than the good old United States of America.
4. Union men should do everything possible to throw the "Commies" out of office and of their unions. They are creators of chaos in the labor world. They owe no allegiance to labor; only allegiance to the Communist conspiracy.
5. Let us place upon the Communists and Communist sympathizers the "X-ray of truth" in every walk of life.

A Speech Made by the Representative of the American Latvian Association, Pittsburgh Chapter, Dr. I. J. Spilners, Over Radio Station WPIT, July 22, 1965, 8:30 p.m.

Good evening. When the U.S. Congress designated the third week in July the Captive Nations Week, the joint resolution in part stated: "Since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and all of the free peoples of the world."

One of the many nations, which is listed as a victim of the Communist Russia in this declaration is my native land Latvia. I will tell you about Latvia and also about Latvian good neighbors on the shores of the Baltic Sea—Lithuanians and Estonians. With them we share the same tragic fate.

It happens, that Estonia, Latvia, and Lithuania border on the east with Russia—a country whose people have had the bad fortune in the past of being ruled by autocratic and imperialistic czars and now are ruled by communistic and imperialistic dictators. The Russian people have never known a representative government. All the Russian rulers have had one common aim—to maintain and expand their empire. As every student of Russian history knows, the rulers of Russia sitting within the Kremlin walls in Moscow have for hundreds of years directed their armies to conquer the neighboring people and then to go on beyond. Their goal, always ideologically camouflaged, was to force access to the Baltic Sea, Arctic Ocean, Pacific Ocean, Indian Ocean, Caspian Sea, Black Sea, and the Mediterranean. And, indeed, they have been very successful in forming their vast colonial empire by annihilation, expulsion, and subjection of the people standing in their way.

Latvia, Estonia, and Lithuania are standing in their way to the Baltic Sea. This was very simply admitted by Stalin: "Czar Peter the Great wanted to secure harbors on the Baltic Sea. We want to have the same." At the end of the First World War, the Baltic States gained their independence. The Communist rulers wanted to recapture these countries for their Russian empire and Lenin ordered his armies to attack. But the Estonian, Latvian, and Lithuanian soldiers defeated the invading Russian Communist armies and the Soviet Union signed nonaggression treaties with the Baltic States.

The 22 years of independence which followed saw a great surge forward in all spheres of life in the Baltic countries. They were prosperous countries and factors of peace and stability in Europe. The Baltic States gained diplomatic recognition, were admitted to the League of Nations and the Foreign Minister of Latvia had the honor of being elected the President of the governing body of this international peace organization.

This did not suit the plans of Stalin and Hitler, however. In 1939 their Soviet Socialist and National Socialist governments, respectively, concluded the so-called nonaggression pact, according to which they secretly agreed that Estonia, Latvia, Lithuania, eastern Poland and Bessarabia in Rumania belong to the Russian sphere of influence. At the time when the Russian Communist armies were invading Finland and jointly with National Socialist forces of Germany were dividing Poland, the Russians were also exerting an ever-increasing pressure and threats toward the Baltic countries. Finally, the opportune time for attack arrived in June 1940 after France had collapsed under the German attack. Stalin gave his 300,000 men big armies and mechanized forces, which were concentrated on our borders, the order to invade the Baltic States. Military occupation, jailing of our governments and subsequent annexation and incorporation by devious means into the Soviet Union followed in quick succession.

Then came terror, torture, executions, and deportations to the slave labor camps in Siberia and the Arctic regions. Thus, Latvians, Estonians, and Lithuanians lost larger proportions of their men, women, and children than any other nation engaged in the most terrible holocaust of war.

Does the present Government of the Soviet Union recognize these past mistakes? Not at all. The crimes against the Baltic peoples have never been recognized as such by either Khrushchev or the present rulers. On the contrary, all the information coming from the Baltic area indicates that any deviation from the rigid Communist political and economic rule is suppressed. Likewise, the ethnic identity of Estonians, Latvians, and Lithuanians is systematically suppressed. Transplantation of Russians and Russian culture and institutions into this area is being carried out relentlessly. The population statistics published by the Soviet Union clearly indicates a decrease of Balts in their home areas and a corresponding increase of others, mostly Russians. There are constant threats and pressure on the young Baltic people to go to work in far-removed regions of the Soviet Union. Thus, the world is witnessing one of the most flagrant cases of physical and cultural genocide, perpetrated on the Baltic people by the rulers of the communistic Russian Empire. It is also the most flagrant case of colonialism, instituted, and exercised in an age when every year the addition of new independent nations to the United Nations is celebrated as realization of the prized principle of self-determination.

What can be done to correct it? Important allies of the Baltic people are those nations which do not recognize annexation of the three Baltic Republics by the Soviet Union. Here, I would single out the United States who have refused to recognize the annexation of the Baltic States for the past 25 years. Our Government continues its full recognition of the diplomatic representatives in Washington of the once free Baltic Republics, according them all rights and privileges which are due diplomatic missions representing sovereign countries.

On June 14 of this year, both the House of Representatives and the Senate of the U.S. Congress dedicated their sessions to commemorating the loss of independence by the Baltic nations 25 years ago.

On June 21, this year, in an unprecedented move, the House of Representatives passed a resolution by 298 yeas and no nays urging the President of the United States "(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the people of Estonia, Latvia, and Lithuania; and (b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples."

On June 23, the Honorable Dean Rusk granted an audience to a delegation of the Joint Baltic American Committee. On this occasion the possibilities to regain the freedom and independence of the Baltic people was discussed.

What can we as individuals and citizens of this country do to help the cause of freedom for the captive peoples?

We can write to the President asking him to put the issue of the Baltic peoples and other captive nations on the agenda of the United Nations. This year, the United Nations celebrates its 20th anniversary. There will be many opportunities on this occasion in many cities, including Pittsburgh, to remind the fair-minded citizens that the high principles stated in the United Nations Charter apply also to the captive people suffering under the communistic Russian colonial rule. We must realize that this international organization is not failing because of the shortage of funds but because of the shortage of devotion to international peace and justice for all. A tacit consent to aggression by the communistic imperialists in the Baltic and elsewhere does not help this organization to remain ideologically solvent.

We can study and encourage others to study the history of imperialistic Russia. There is much ignorance, even in high places and in our universities on this subject. Since its beginning the Russian empire has grown tenfold. Is it all Russia now? No, it is not. It is still mostly conquered land.

Are all people living within the boundaries of the empire Russians? No, they are not. Half of them are conquered people. Therefore, let us not call everybody living in the Soviet Union "a Russian." Most newspapers either through negligence or ignorance often make this mistake. Let us help them and correct them when they call an Estonian ches grandmaster, a Latvian athlete, a Lithuanian actor or an Ukrainian artist "a Russian." Let us correct also those people who through ignorance use the term "Soviet people," a term conceived by extremist nationalists who favor russification and destruction of all other nationalities. There are many peoples living in the Soviet Union, but there are no "Soviet people."

Above all, let us try to maintain our personal contacts with the captive peoples so that they know that their own kin in the free world have not forgotten them and are active on their behalf, so that they know what opportunities for mind and welfare a free society and their own freely elected government would offer.

If we succeed in reaching the minds of the captive people, especially the young people, with these ideas, the dissolution of the communistic Russian empire will follow soon.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Feighan, for 10 minutes, today; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Member (at the request of Mr. Arends) and to include extraneous matter:)

Mr. Martin of Alabama in four instances.

(The following Member (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Teague of Texas.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 481. An act for the relief of Winfred Evadne Newman; to the Committee on the Judiciary.

S. 779. An act for the relief of Henryka Lyska; to the Committee on the Judiciary.

S. 803. An act for the relief of Ching Zai Yen and his wife, Faung Hwa Yen; to the Committee on the Judiciary.

S. 1168. An act for the relief of Timothy William O'Kane; to the Committee on the Judiciary.

S. 2393. An act to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965; to the Committee on the Post Office and Civil Service.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands; and

H.R. 10342. An act to authorize the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, to accept the award of Officer in the French National Order of the Legion of Honor.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 7, 1965, at 12 o'clock noon.

MOTION TO DISCHARGE COMMITTEE

August 24, 1965.

To the Clerk of the House of Representatives:

Pursuant to clause 4 of rule XXVII, I, Abraham J. Multer, move to discharge the Committee on Rules from the consideration of the resolution (H. Res. 515) entitled "A resolution providing for the consideration of the bill H.R. 4644 to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes," which was referred to said committee August 11, 1965, in support of which motion the undersigned Members of the House of Representatives affix their signatures, to wit:

1. Abraham J. Multer.
2. Charles McC. Mathias, Jr.
3. Clarence D. Long.
4. Donald J. Irwin.
5. Frank Annunzio.
6. Lynn E. Stalbaum.
7. Don Edwards.
8. James Roosevelt.
9. Jonathan B. Bingham.
10. Ralph J. Rivers.
11. James H. Scheuer.
12. Spark M. Matsunaga.
13. J. Edward Roush.
14. Patsy T. Mink.
15. George Grider.
16. George E. Brown, Jr.
17. John R. Schmidhauser.
18. Henry S. Reuss.
19. William D. Ford.
20. Frank Horton.
21. Carlton R. Sickles.
22. Henry Helstoski.
23. Samuel N. Friedel.
24. Paul J. Krebs.
25. Fred B. Rooney.
26. Barratt O'Hara.
27. John A. Race.
28. Lloyd Meeds.
29. Robert N. C. Nix.
30. Robert W. Kastenmeier.
31. John Brademas.
32. Ray J. Madden.
33. Samuel S. Stratton.
34. Adam C. Powell.
35. Edward P. Boland.
36. Robert L. Leggett.
37. Augustus F. Hawkins.
38. Weston E. Vivian.
39. Lester L. Wolff.
40. Ken Hechler.
41. John J. Gilligan.
42. Robert E. Sweeney.
43. Jeffery Cohelan.
44. John E. Moss.
45. Frank E. Evans.
46. Morris K. Udall.
47. Hervey G. Machen.

48. J. Oliva Huot.
49. Charles A. Mosher.
50. William L. St. Onge.
51. Charles A. Vanik.
52. Brock Adams.
53. John H. Dent.
54. Paul H. Todd, Jr.
55. Joseph Karth.
56. Richard S. Schweiker.
57. Charles S. Joelson.
58. Joseph G. Minish.
59. Harold T. Johnson.
60. Daniel J. Ronan.
61. Lionel Van Deerlin.
62. John R. Hansen.
63. James J. Howard.
64. James Harvey.
65. James G. O'Hara.
66. Thomas C. McGrath.
67. Herbert Tenzer.
68. David S. King.
69. Andrew Jacobs, Jr.
70. Edward J. Patten.
71. Alec G. Olson.
72. Phillip Burton.
73. Billie S. Farnum.
74. James C. Corman.
75. Peter W. Rodino, Jr.
76. Emilio Q. Daddario.
77. John Conyers, Jr.
78. William B. Widnall.
79. William A. Barrett.
80. Ogden Reid.
81. Benjamin S. Rosenthal.
82. John J. Rooney.
83. Ken W. Dyal.
84. Brad Morse.
85. Edward R. Roybal.
86. James G. Fulton.
87. Torbert H. Macdonald.
88. Donald M. Fraser.
89. Richard L. Ottinger.
90. William D. Hathaway
91. Chet Holifield.
92. Leonard Farbstein.
93. Julia Butler Hansen.
94. William S. Moorhead.
95. Dante B. Fascell.
96. Charles C. Diggs, Jr.
97. John G. Dow.
98. William T. Murphy.
99. Rolland Redlin.
100. Sam M. Gibbons.
101. George M. Rhodes.
102. Daniel J. Flood.
103. Cornelius E. Gallagher.
104. Leo W. O'Brien.
105. Thomas Ludlow Ashley.
106. Henry B. Gonzalez.
107. Lucien N. Nedzi.
108. John V. Tunney.
109. Edward A. Garmatz.
110. William L. Dawson.
111. Edna F. Kelly.
112. Charles Farnsley.
113. James C. Cleveland.
114. William J. Green.
115. Richard Bolling.
116. Kenneth J. Gray.
117. William F. Ryan.
118. Silvio O. Conte.
119. Robert McClory.
120. George P. Miller.
121. Jacob H. Gilbert.
122. Joseph P. Addabbo.
123. John A. Blatnik.
124. Sidney R. Yates.
125. Rodney M. Love.
126. Dominick V. Daniels.
127. Elmer J. Holland.
128. Alphonzo Bell.
129. Seymour Halpern.
130. Claude Pepper.
131. John Culver.
132. Thaddeus J. Dulski.
133. Edith Green.
134. John V. Lindsay.
135. Harley O. Staggers.
136. Thomas P. O'Neill, Jr.
137. Frank M. Clark.
138. John J. McFall.
139. Stanley Greigg.
140. Melvin Price.
141. Richard T. Hanna.
142. Joseph Y. Resnick.
143. Harris B. McDowell, Jr.
144. Robert F. Ellsworth.
145. Roy H. McVicker.
146. James M. Hanley.
147. Richard D. McCarthy.
148. Wendell Wyatt.
149. James A. Byrne.
150. Roman C. Pucinski.
151. Hugh L. Carey.
152. Richard Fulton.
153. John C. Kluczynski.
154. Florence P. Dwyer.
155. Charles H. Wilson.
156. William Broomfield.
157. Frank M. Karsten.
158. Stanley R. Tupper.
159. N. Neiman Craley, Jr.
160. Barber B. Conable, Jr.
161. Raymond F. Clevenger.
162. Emanuel Celler.
163. Robert P. Griffin.
164. James Kee.
165. George H. Fallon.
166. Michael A. Feighan.
167. Robert T. Stafford.
168. Ronald Brooks Cameron.
169. Thomas E. Morgan.
170. Bernard F. Grabowski.
171. James H. Morrison.
172. Lee H. Hamilton.
173. George F. Senner, Jr.
174. Henry P. Smith III.
175. William R. Anderson.
176. Cecil R. King.
177. Robert T. Secrest.
178. Harlan Hagen.
179. Walter H. Moeller.
180. Clair A. Callan.
181. William T. Cahill.
182. John C. Mackie.
183. Jim Wright.
184. Philip J. Philbin.
185. J. J. Pickle.
186. Harold D. Donohue.
187. Eugene J. Keogh.
188. James A. Burke.
189. Jed Johnson, Jr.
190. Winfield K. Denton.
191. John M. Murphy.
192. Wright Patman.
193. Clark W. Thompson.
194. John Young.
195. Thomas S. Foley.
196. Earle Cabell.
197. Richard White.
198. Eligio de la Garza.
199. Thomas G. Morris.
200. Johnny Walker.
201. Ed Edmondson.
202. Robert J. Corbett.
203. Robert N. Giaimo.
204. Dan Rostenkowski.
205. Carl D. Perkins.
206. Fernand J. St Germain.
207. Compton I. White, Jr.
208. Graham Purcell.
209. John S. Monagan.
210. Joseph P. Vigorito.
211. Arnold Olsen.
212. Bert Bandstra.
213. Charles L. Weltner.
214. James A. Mackay.
215. Floyd V. Hicks.
216. Robert B. Duncan.
217. Clement J. Zablocki.
218. George E. Shipley.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1550. A letter from the Assistant Chief of Naval Material (Procurement) Office of Naval Material, Department of the Navy, transmitting semiannual report of research and development procurement actions of $50,000 and over, for the period January 1, through June 30, 1965, pursuant to title 10, United States Code, section 2357; to the Committee on Armed Services.

1551. A letter from the Archivist of the United States, transmitting report on records proposed for disposal, pursuant to the provisions of 57 Stat. 380, 59 Stat. 434, and 63 Stat. 377; to the Committee on House Administration.

1552. A letter from the Assistant Secretary of the Interior, transmitting determinations relating to partial deferment of the March 1 and September 1, 1966, construction payments due the United States from the El Paso County Water Improvement District No. 1, Rio Grande project, N. Mex-Tex., pursuant to Public Law 86-308; to the Committee on Interior and Insular Affairs.

1553. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered into and list of persons involved, pursuant to the provisions of section 13(c) of the act of September 11, 1957; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 10775. A bill to authorize certain construction at military installations, and for other purposes; without amendment (Rept. No. 956). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10115. A bill authorizing the residents of the District of Columbia to make known their preference on the question of home rule and, if they wish, to elect a board for the purpose of preparing a municipal charter for submission to the voters and to Congress, and for other purposes; with amendment (Rept. No. 957). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri: Committee on House Administration. H.R. 9273. A bill to repeal certain provisions of law relating to the printing as House documents of certain proceedings; without amendment (Rept. No. 958). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 10872. A bill to provide for the distribution of judgment funds among members of the Confederated Bands of the Ute Indian Tribes; to the Committee on Interior and Insular Affairs.

By Mr. EVERETT:

H.R. 10873. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty; to the Committee on Veterans' Affairs.

By Mr. HARRIS:

H.R. 10874. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HAGEN of California:

H.J. Res. 654. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H. Con. Res. 487. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. RIVERS of South Carolina:

H. Res. 569. Resolution that there be printed as a House document the dedication ceremonies of the "Carl Vinson Room," the hearing room of the Committee on Armed Services in the Rayburn House Office Building; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COHELAN:

H.R. 10875. A bill for the relief of Rafaela Loronio; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.R. 10876. A bill to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation; to the Committee on Agriculture.

By Mr. MORRIS:

H.R. 10877. A bill for the relief of Arun Kumar Pattni; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 10878. A bill for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired; to the Committee on the Judiciary.

SENATE

FRIDAY, SEPTEMBER 3, 1965

The Senate met at 9 o'clock a.m., and was called to order by the Acting President pro tempore [Mr. METCALF].

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate is now adjourned.

ADJOURNMENT TO TUESDAY, SEPTEMBER 7, 1965

Thereupon (at 9 o'clock and 2½ seconds a.m.) the Senate adjourned, under the order of September 2, 1965, until Tuesday, September 7, 1965, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my report to my constituents of February 11, 1965:

PUBLIC WORKS COMMITTEE CONSIDERS APPALACHIA BILL

(Washington Report From Congressman JIM MARTIN)

The Committee on Public Works, of which I am member, is considering the Appalachia bill at the present time. This is one of those pieces of legislation upon which a Member of Congress must search the deepest recesses of his conscience to find the answer as to how he should vote. One thing is certain, when a bill comes before the House a Member must vote either "Yes" or "No." It is not possible to say, "Yes, but * * *." There is no argument with the objectives of the Appalachia bill. All of us are concerned with the poverty of some of our people. I am deeply aware that there are those in the 7th District who are victims of poverty through no fault of their own. We should and must find a way to help them.

The problem arises in considering what the present proposal will do. Congress is being asked to vote billions of dollars of your money to help better the economic condition of a part of our country. Some of this money will be spent in our area, in the counties of the 7th District. Here are some of the questions in connection with the bill demanding an answer:

"How much of the total money will be spent in Alabama? Will the funds be used to help those in need or will they be used instead as a political slush fund? Are the funds going to be spent on legitimate projects which will bring lasting benefits to our people? How much of the money is going to States which do not have critical problems?"

To find answers to these questions I intend to thoroughly study the bill, take part in its consideration before my committee where I will have an opportunity to question its sponsors and those who will administer it. Only after such thorough consideration will I make up my mind on how I will vote.

Of one thing you may be sure, I will not use the poverty of some of our people for political purposes. I will vote my honest convictions in what I believe to be the best interest of the people I represent. I shall report my vote and the reasons for it to you so that the people will be the final judges of my action.

ALABAMA DEFENDED

I was proud to be a member of the Alabama delegation in the House last Thursday when we presented a united front in defense of the people of Selma and other communities in our State. For days we had been reading distorted stories of happenings in Selma. We were able to put into the RECORD facts which the people in other sections of the Nation had not had the chance to read. We showed that the people of Selma were making a conscientious effort to obey the law and that racial tensions and hatreds were being stirred up by imported agitators whose main purpose is continuing racial tensions rather than helping to find proper solutions to trying problems.

BRIEFS OF THE WEEK

A startling exposure of Soviet piracy was made this week by Prof. John Isaacs, director of the Scripps marine life research program. He disclosed that a Navy radar picket ship chased a Russian fishing trawler away from an anchored buoy 150 miles off the coast of San Diego. The Russians had stripped the buoy of instruments. This was not the first case of such piracy. The Russians know we are ahead of them in learning the secrets of the sea, and a shortcut to catching up is to frisk our research buoys and steal our equipment.

Here are some facts on spending during the last 4 years of Democrat administration: 1961, spending $99.5 billion or $2.3 billion more than was received; 1962, spending $107.7 billion or $5.8 billion more than was received; 1963, spending $113.8 billion or $4.1 billion more than was received; 1964, $120.3 billion or $4.8 billion more than was received. The outlook for fiscal 1965 is for spending $121.3 billion or $4 billion more than will be taken in, and the forecast for 1966 is spending amounting to $127.4 billion with an additional $4 billion deficit. Yet we are being told this is a frugal administration.

I am happy to report that my wife, Pat, is enjoying an active part in the potilical life of Washington. She was elected as treasurer of the 89th Congress Club, an organization of the wives of Members who were newly elected in November.

Survivorship Benefits for Servicemen—II

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. TEAGUE of Texas. Mr. Speaker, following my earlier remarks on survivorship benefits, I include as a part of my remarks a table showing the benefits available to a private first class who suffers a service-connected death and who leaves a widow and one child:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

Private first class, U.S. Army; age 20 at death, death was service-connected, 2 years service at death, 2 years in grade at death, assumed average monthly pay was $160, base pay at death was $148.50 a month; left widow, age 20, and a child, age 1; widow lives out her expectation of life (55.6 years), child receives maximum number of payments, widow does not remarry.

Benefits

Payee	Paying agency	Type of payment	Payment period	Payment rate	Total payments
Widow	HEW	Social security	204 months [1]	$60.30	$12,301.20
Child	do	do	252 months [2]	60.30	15,195.60
Widow	VA	Social security (38 U.S.C. 412(a)).	163 months [3]	66.30	10,806.90
Do	do	DIC	667 months	138.00	92,046.00
Child	do	WOEA	36 months	110.00	3,960.00
Total					134,309.70

[1] Until child reaches age 18.
[2] 204 months to age 18 plus 48 months in full-time training.
[3] Beginning at age 62.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my Washington Report to my constituents for September 6, 1965:

POLITICS AND POVERTY

(Washington Report from Congressman JIM MARTIN)

One of the hit songs of the musical show of some years back, "Fiorello," was "Politics and Poker." Today under Lyndon Johnson, the theme song of his administration is fast becoming "Politics and Poverty." Nothing is being overlooked by the President in using every facet of Government to sew up even a single vote. Poverty is the key word to initiate Federal programs, control schools, supervise business and industry, reduce the power of the police and local law enforcement agencies, and constantly build a larger and larger image of L.B.J. as the sole power to deal with and solve all human problems. Many Members of Congress are becoming very much concerned with the handling of the poverty program which is being openly and arrogantly used by the Democrats to strengthen their political machines and to control future elections. Whether enough Congressmen will be sufficiently concerned to reassert the legislative powers of Congress remains to be seen.

HOME RULE BILL A TEST

Some of this concern may have been the reason the President has had such difficulty in securing the needed 218 signatures to the discharge petition for home rule for the District of Columbia. Even though L.B.J. and Martin Luther King injected the idea of riots and violence in Washington if Congress failed to meet their demands on home rule, some Congressmen were reluctant to sign under that kind of threat. Responsible Congressmen, who take seriously their obligation to represent the people, resent pressure by the President or self-styled leaders of minority groups. Passing legislation under threat of violence and demonstrations is contrary to the American way, and most Congressmen put honor, love of country and responsibility to the people above party politics. It is time the pioneer spirit is revived among our people. The President should be informed, in no uncertain terms, that his use of poverty, race and other vote-getting gimmicks is not good politics. The country simply cannot afford to support millions in idleness or to improve the economic condition for those who do not care enough to try to help themselves, just to perfect the Johnson political machine.

MORE ON RENT SUBSIDIES

For the further enlightenment of the junior Senator from Alabama and those editorial writers who are still insisting that his housing bill with its rent subsidy provision cannot be used to force integrated neighborhoods, I call attention to several items from the September 6 issue of U.S. News & World Report:

"NEWSGRAM, TOMORROW.—Change is occurring in goals of this country's Negro 'revolution.' Equal rights no longer are the goal. Rights are guaranteed by law. Equal opportunity is outmoded, too. It's recognized in law. Equal results now are the goal the Government itself is outlining. It's not quite clear what 'equal results' will involve. Rent subsidy to help Negroes move from slums to suburbs is one phase of the new program to get results. Income 'supplements' to bring all incomes up to $3,000 is another. More are being thought up. In the new goal is at least the suggestion of similarity to the dictum of Karl Marx: 'From each according to his abilities, to each according to his needs.' Costs to reach the new goal can be very high."

WASHINGTON WHISPERS

Some liberal Democrats in Congress are pictured as showing some alarm about the political reaction that may come from use of rent subsidies to move Negro families from city slums into better-class suburban neighborhoods. In Washington, D.C., a proposal is being advanced which calls for some 6,000 poverty-stricken Negro families to be moved from the city to the Capital's suburbs in Maryland and Virginia.

DANGER FACING BIG CITIES

(From an article)

"The idea of subsidized incomes has been suggested with Federal payments to families with incomes below a fixed level. Rent subsidies, authorized by a new Federal Housing Act, are seen as one way to help break up Negro ghettos and scatter Negroes through white neighborhoods. In Washington, D.C., officials are seeking to move 6,000 Negro families to the suburbs through this plan."

REPORT ON REPEAL OF SECTION 14(b)

The fight to keep section 14(b) of the Taft-Hartley Act which protects the rights of the States to have or not to have right-to-work laws is not over. Although the liberals passed the bill in the House, the Senate is stiffening opposition against repeal. At the present time about 26 Senators have agreed to take part in extended debate on repeal after all other Senate business has been concluded. This could mean action to repeal right-to-work laws will not be taken in this session and this will give the people more time to let their Senators know how they feel about this bill before it is taken up again next year. Among those leading the fight against repeal is Senator DIRKSEN.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my report to the people of the Seventh District of Alabama for February 18, 1965:

WASHINGTON REPORT—SELMA DEFENDED BY CONGRESSMAN JIM MARTIN

Two of my Republican colleagues from Alabama, JOHN BUCHANAN and GLENN ANDREWS, joined me last week in taking the House floor to give the facts on the situation in Selma. The day before the liberal Democrats who had gone to Selma spent several hours painting a sordid picture of Selma and castigating the law enforcement officers there. In our presentation we Alabamians pointed out that the rights of all people may be secured only through the process of law and order. Violence in the streets, defiance of duly constituted law enforcement officers and mob rule results only in anarchy and threatens freedom for all the people of a community and the Nation.

It would be interesting to see how tolerant many of the northern liberals would be if their communities were subjected to the mob rule such as Selma has experienced. I wonder how forgiving they would be if their courts were disrupted, their business ground to a standstill, their young people drawn from their classes by some promise of utopia or some threat of impending doom. Of course, the liberals will not answer these questions. Too many of them do not want a reasonable discussion of social problems. They are more concerned with votes than they are with the welfare of individuals.

COMMITTEE APPROVES APPALACHIA BILL

My Committee on Public Works approved the Appalachia bill after a long and heated meeting. While the objectives of this legislation are laudable, the bill is poorly written and in many cases, discriminatory. Every attempt by the Republicans on the committee to improve the bill was beaten down by the Democrat majority. It is evident the liberal majority is going to pass whatever legislation demanded by the administration without change and regardless of the cost to the people.

In order to correct at least part of the inequity of the bill, I tried to have Lamar County included in the bill. I came within one vote of succeeding, even some of my Democrat colleagues giving me support. Another attempt will be made to include Lamar when the bill is before the House. If the Appalachia bill is really supposed to help poorer areas, Lamar is far more entitled to be included than many sections named in the measure.

BRIEFS OF THE WEEK

A move to correct some of the abuses which have developed in the financing of the Rural Electrification Administration, has been undertaken by some Republican Members of the House. Since its inception in the 1930's, REA has cost the people of the United States some $1.1 billion as the difference between the 2-percent interest rate the agency pays to borrow money from the Government and the 4.25-percent rate the Government has to pay to borrow the money it lends to REA. REA has gone far beyond its original purpose of bringing electricity to isolated rural areas. It is now a giant subsidized monopoly which threatens the operation of private power companies. Legislation introduced would make interest rates to REA more realistic.

The value of the dollar is now down to 44.8 cents in spite of the fact the administration insists there is no inflation. There has been a steady decline since the advent of the New Frontier and the Great Society. The dollar was worth 46.9 cents in 1960, 46.4 in 1961, 45.9 in 1962, 45.4 in 1963, and 44.8 in 1964. Evidently the Great Society will be achieved when the dollar is worth nothing and all of the people are poverty stricken.

What are our young people being taught in high school and college? National surveys of high school and college juniors reveal: 71 percent would deny an accused person the right to confront his accuser, 40 percent believed certain groups should be denied the right of peaceful assembly, 41 percent believed that we should cancel freedom of the press, 34 percent favored denying free speech to certain people, 26 percent would allow search and seizure without consent, 53 percent voted for Government ownership of banks, railroads, and steel companies; 56 percent voted for close Government regulation of all business, 62 percent said that the Government has the responsibility to provide jobs, 62 percent thought a worker should not produce all he can, 61 percent rejected the profit incentive as necessary to the survival of a free enterprise system, 84 percent denied that patriotism is vital and plays an important part in our lives. These surveys were conducted by Northwestern University, Purdue University, and U.S. News & World Report. The results emphasize the real educational challenge we face in America.

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 3, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my newsletter to the people of the Seventh District of Alabama for February 25, 1965:

WASHINGTON REPORT—FISCAL RESPONSIBILITY A MUST NOW

(By Congressman JIM MARTIN)

As many people contemplate the expected rewards in the dreams created by the glowing promises of the Great Society, too many overlook the growing crisis which threatens the whole structure of our economy. Reckless Federal spending and totally irresponsible fiscal policies are constantly reducing the value of the dollar, causing a continued drain on our gold supply, and could result in chaos.

I am not trying to be an alarmist, but I did attempt to arouse interest in a return to fiscal sanity in remarks I put into the CONGRESSIONAL RECORD. In the 4 years since the inauguration of a Democrat administration we have traversed the "New Frontier" and embarked upon the "Great Society"—a promisory golden age of Pericles—with deficit spending, mounting debt, dwindling gold and persistent unemployment marking every step of the way. Central authoritarian government has made sure that Federal contamination has insidiously or ruthlessly intruded into our State and local governments, our businesses, our homes, our daily lives. We have tried to spend ourselves rich, smart and secure, but all we have really done is undermine our basic structure of government, weaken our free enterprise system and impair our citizenship vis-a-vis the Federal bureaucracy.

Since January 1961 the Federal spending level has increased by 25 percent from $80 to $100 billion; we have sizable deficits in each intervening year—our last balanced budget was in 1960; we have added $30 billion to the public debt; we have had a deficit every year in our balance-of-payments position; our gold supply has been reduced to its lowest level in decades. We are cutting our defense spending in the face of an alarming deterioration in world political conditions while we spend more for so-called welfare purposes.

Now is the time for perceptive, forthright action to put our fiscal house in order. It is foolhardy and irresponsible to think that this impending crisis will disappear if we ignore it; it will be ruinous if we think that we can sweep it under the rug and go on our merry spending way. We must immediately adopt disciplined monetary policies that clearly demonstrate our firm resolve to protect the purchasing power of the dollar. Our fiscal policies must again reflect a determination to live within our means. Our economy must be kept competitive and free to operate without this stifling influence of Federal domination. If we will do these things, then, and only then, will we be able to achieve a great society that is something more than political hokum.

BRIEFS OF THE WEEK

Before the President tries to discourage travel abroad by American citizens by imposing a $100 tax in order to ease the drain on our gold supply, perhaps he should look into the millions we are making in illegal payments abroad. About $200 million a year is flowing abroad to veterans and beneficiaries of social security who are not citizens of the United States. Some $75 million worth of VA checks go to foreign countries. About 150,000 beneficiaries of social security payments live abroad, of which 60 percent are not U.S. citizens. We are paying social security to 3,096 noncitizens in West Germany, 7,094 noncitizens in Greece, 1,197 noncitizens in Ireland, 215 noncitizens in Israel, 20,093 noncitizens in Italy, 3,695 noncitizens in Japan, and 314 in the Netherlands. We are even sending payments behind the Iron Curtain to Yugoslavia. In addition people are receiving U.S. payments who live in Austria, Bolivia, Brazil, Chile, the Congo, Costa Rica, Ecuador, the Ivory Coast, Luxembourg, Monaco, Panama, the Philippines, Turkey, the United Kingdom, and Upper Volta.

By a vote of 288 to 92 the House passed H.R. 45 to authorize the United States to participate in an increase in the resources of the Fund for Special Operation of the International American Development Bank. The bill carried an authorization of $750 million. I voted against the measure because it was brought out in debate it will further jeopardize our balance of payments problem.

The House voted 302 to 63 to extend the life of the Disarmament Control Agency for 3 years with appropriations of $40 million. I voted against the extension. At a time when our enemies are arming to the teeth, American boys are dying in Vietnam and our world position is deteriorating, it borders on stupidity to spend millions of dollars on disarmament programs. We can do much better by enunciating a strong foreign policy which will convince the Communists they cannot achieve their goal of world domination. When we convince them that we are not weak and will do whatever is necessary to protect our Nation and the free world, that will be the time to talk about disarmament.

Those interested in obtaining reprints from the CONGRESSIONAL RECORD of my speech in the House of Representatives on Selma, please write me at 1515 Longworth Building, Washington, D.C.

SENATE

TUESDAY, SEPTEMBER 7, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, with the deep desire that all our deliberations on this high hill of the Nation's life should be begun, continued, and ended in Thee, we would enter this forum of the people's hope through the gateway of prayer.

Here may our faulty perspectives be corrected by vast horizons. Here may mistaken magnitudes be lost in the long sweep of Thine eternal purpose, as our thoughts and hopes are lifted above the strident distresses of our immediate time.

We pray that Thou wilt lead our leaders, and teach our teachers, and strengthen our people, for all the trying tests that are upon us. Make strong the arm of our might—material and moral—to beat down, even at staggering costs, the cruel iniquity that today tortures those who ask for but freedom, and which twists truth by crooked sophistries.

Above all other ambitions may our hearts be captured by a ruling passion to find a way of global concord in the flaming dawn of a warless world.

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 2, 1965, and Friday, September 3, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; and

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 4845. An act to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; to the Committee on Government Operations.

H.R. 8989. An act to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; to the Committee on Labor and Public Welfare.

HIGHER EDUCATION ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Higher Education Act of 1965 (H.R. 9567), passed by the Senate last Thursday, be printed as passed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider nominations on the Executive Calendar, beginning with the Export-Import Bank of Washington.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

EXPORT-IMPORT BANK OF WASHINGTON

The Chief Clerk read the nomination of Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Chief Clerk read the nomination of Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The Chief Clerk read the nomination of Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Justice be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations on the Secretary's desk are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, before the Senate proceeds to the consideration of morning business, I ask unanimous consent for the consideration of certain measures on the calendar to which there is no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEASUREMENT OF GROSS AND NET TONNAGES FOR CERTAIN VESSELS HAVING TWO OR MORE DECKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 657, S. 906.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 906) to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act:

(a) The term "uppermost complete deck" means the uppermost complete deck of a vessel exposed to sea and weather, which shall be deemed to be that deck which has permanent means of closing all openings in the weather portions thereof, provided that any opening in the side of the vessel below that deck, other than an opening abaft a transverse watertight bulkhead placed aft of the rudder stock, is fitted with permanent means of watertight closing.

(b) The term "second deck" means the deck next below the uppermost complete deck which is continuous in a fore-and-aft direction at least between peak bulkheads, is continuous athwartships, is fitted as an integral and permanent part of the vessel's structure, and has proper covers to all main hatchways. Interruptions in way of propelling machinery, space openings, ladder and stairway openings, trunks, chain lockers, cofferdams, or steps not exceeding a total height of forty-eight inches shall not be deemed to break the continuity of the deck.

(c) The term "trunks" as used in the definition of second deck shall be deemed to refer to hatch or ventilation trunks which do not extend longitudinally completely between main transverse bulkheads.

(d) The term "Secretary" means the Secretary of the Treasury.

SEC. 2. In the measurement of a vessel under sections 4148, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 71, 75, 77), upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage—

(a) those spaces available for the carriage of dry cargo or stores which are located between the uppermost complete deck and the second deck, and other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck, provided that a tonnage mark is placed and displayed on the vessel in accordance with the provisions of this Act, so long as that tonnage mark is not submerged;

(b) those spaces which are located on or above the uppermost complete deck and which are available for the carriage of dry cargo or stores, without regard to whether a tonnage mark is placed or displayed on the vessel or, if placed or displayed, without regard to whether that mark is submerged; and

(c) those spaces which are located on the uppermost complete deck and which are used for cabins or staterooms, provided that a tonnage mark is placed and displayed on the vessel, so long as that tonnage mark is not submerged.

SEC. 3. The tonnage mark shall be a horizontal line, upon which shall be placed for identification an inverted equilateral triangle, with its apex on the midpoint of the line. The mark shall be placed and displayed on each side of the vessel, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 4. No tonnage mark shall be required to be placed or displayed above the statutory summer loadline prescribed in accordance with the applicable loadline convention, except that, when a vessel's statutory loadline is assigned on the assumption that the second deck is the freeboard deck, the tonnage mark may be permitted to be placed and displayed on a line level with the uppermost part of the loadline grid.

SEC. 5. Except when the tonnage mark is placed and displayed on the vessel at the level prescribed in section 4 hereof, an additional line may be added to the tonnage mark, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 6. The tonnage mark shall be deemed to be submerged when the upper edge of the mark is under water, except that if the vessel is marked with the additional line in accordance with section 5 of this Act and is in fresh water or in tropical waters the tonnage mark shall not be deemed to be submerged unless the upper edge of the additional line is under water.

SEC. 7. In a case in which a vessel measured under this Act and other applicable statutes has a tonnage mark placed and displayed at a place other than a line level with the uppermost part of the loadline grid, any measurement certificate or marine document reciting tonnages issued to such vessel shall show the gross and net tonnages applicable when the tonnage mark is submerged and the gross and net tonnages applicable when the mark is not submerged. In any other case in which a vessel is measured under this Act and other applicable statutes, any measurement certificate or marine document reciting tonnages issued to such vessel shall show only one set of gross and net tonnages, taking into account all applicable omissions or exemptions.

SEC. 8. In a case in which an application for omission of spaces is filed under section 2 of this Act for a vessel for which a statutory loadline is not required and is not assigned, the line of the uppermost complete deck shall be marked in the manner specified for marking the deck line in the international loadline convention in force.

SEC. 9. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"SEC. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

SEC. 10. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"SEC. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner, as the Secretary of the Treasury may prescribe."

SEC. 11. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

SEC. 12. The Secretary shall make such regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. Any person who makes a false, fictitious, or fraudulent statement or representation in any matter in which such statement or representation is required to be made to the Secretary in any regulation issued under this Act shall be subject to a penalty of not more than $1,000 for each such statement or representation.

SEC. 14. If any tonnage mark required to be placed and displayed on a vessel in any regulation issued under this Act by the Secretary is not so placed or displayed or if the mark at any time shall cease to be continued on the vessel, such vessel shall be subject to a penalty of $30 on every subsequent arrival in a port of the United States.

SEC. 15. Any penalty incurred under this Act may be remitted or mitigated by the Secretary under the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 674), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This legislation will implement recent recommendations made by the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization (IMCO) regarding the tonnage measurement of vessels having two or more decks.

BACKGROUND OF LEGISLATION

This bill, S. 906, was introduced at the request of the Secretary of the Treasury. A hearing was held on the bill on August 6, 1965. At the hearing the legislation was supported by the Treasury Department, the American Merchant Marine Institute, and the Pacific American Steamship Association. In addition, the committee has received a letter from the American Bureau of Shipping supporting the bill. No opposition has been expressed from any source.

GENERAL STATEMENT

The need for this legislation arises from the fact that tonnage serves as a basis for many tolls, taxes, insurance premiums, and port charges and therefore is an important factor in vessel operating costs. "Tonnage," it should be noted, is not a measure of the weight of a vessel or the cargo it can carry, but rather is the measure of the volume of the space in a vessel which is available for the carriage of cargo. It is advantageous, generally, for the shipowner to have his vessel assigned the lowest possible register tonnage while maintaining the greatest possible carrying capacity. This economic consideration has led to the development of the shelter-deck vessel. This type of vessel is one that is fitted with openings in the space in the 'tween-deck areas which is regarded as open and exempt from inclusion in computing gross and net tonnage.

The International Conference on Safety of Life at Sea, held in London in 1960, recognized a safety hazard inherent in the use of tonnage openings for the purpose of reducing tonnage. Acknowledging this problem, IMCO has recommended that member countries, including the United States, revise their tonnage regulations accordingly. The bill has been drafted to follow the IMCO recommendations. The implementation of these recommendations will promote the safety standards of the fleet and provide a more equitable payment of charges and dues based on tonnage measurement.

ANALYSIS

Section 4153 of the Revised Statutes, as amended (46 U.S.C. 77), is the principal statute governing the measurement of vessels of the United States to determine gross and net tonnages for registry or documentation. Paragraph (h) of that section, after first providing for the measurement of closed-in spaces on or above the upper deck, continues as follows: "*Provided,* That nothing shall be added to the gross tonnage for any sheltered space above the upper deck which is under cover and open to the weather; that is, not enclosed.

Sections 2.45, 2.46, and 2.47 of the Customs Regulations (19 CFR 2.45, 2.46, and 2.47) spell out in detail the treatment to be accorded under the above-cited provision of law to sheltered spaces above the upper deck which are under cover, open to the weather, and not enclosed.

Those spaces which qualify thereunder as open are omitted from inclusion in gross and net tonnages whether located in the so-called shelter-deck area or in deck structures on the deck above. The exemption for the shelter-deck area is obtained by cutting or fitting openings, called tonnage openings, in the deck above such space and in bulkheads within the space which conform in size and location to the requirements set out in the regulations. The exemption for the deck structures is obtained by cutting or fitting tonnage openings in the ends or the sides of such structures, again subject to specifications for size and location. The tonnage openings may be temporarily closed in certain prescribed ways but may not be fitted with any permanent means of closure.

The theory under which the allowance is granted is that such spaces, although under cover and temporarily closed, remain open to the weather and should be regarded for tonnage purposes as though on the open deck. Nevertheless, the spaces are in fact made sufficiently weathertight by their covering and closures to permit the carriage of general cargo.

Of course, the authorities who determine the permissible depth of loading of vessels for safety and insurance purposes, the loadline authorities, have taken cognizance of these arrangements and have, in effect, required that the draft of vessels so constructed be decreased, particularly when there are openings in the shelter-deck area.

Thus, if the owner fits his vessel with openings, he will qualify for tonnage benefits in the form of reductions in tonnage but at the same time he will find that his vessel's draft, in all probability, will be reduced. If the openings are closed, he will be permitted, in the usual case, to load his vessel to a deeper level and thus take more cargo, but he will find also that the tonnage of his vessel is increased as a consequence.

The shelter-deck ship and the opening devices are not, however, peculiar to the laws and to the merchant vessels of the United States. Provisions of law and regulations which are almost identical are found in the laws of Great Britain and somewhat similar provisions may be found in the rules applicable for measurement of vessels in maritime nations generally. The practice of inserting these openings and recognizing the resulting allowances for tonnage is, as a result, accepted internationally.

In recent years, several international assemblages interested in tonnage measurement and in the safety of ships, including the 1959 Classification Society Conference held in London, the 1960 International Conference on Safety of Life at Sea, also held in London, and the 1961 meeting of the Oslo Convention Tonnage Experts, held in Reykjavik, Iceland, have called attention to the matter and have taken the position that the practice of permitting such openings is not desirable from the standpoint of seaworthiness and safety. They have recognized the desirability of dispensing with the temporary closing appliances and allowing the use of permanent watertight closures. The Classification Society Conference urged that this be done without influencing the tonnage measurement.

As a result, in 1961, the Intergovernmental Maritime Consultative Organization (IMCO) through its Maritime Safety Committee and its Subcommittee on Tonnage Measurement undertook a study of the problem as a matter of urgency with a view to making recommendations for its solution. The United States has been represented at the meetings of these groups, which have given careful study to the matter with a view to recommending a change which might permit closing the opening without influencing tonnage measurement or having an adverse effect upon the economics of the shipping industry. These studies have been concluded and the subcommittee's report and recommendations have been given final approval by the Maritime Safety Committee as well as the required approval by the Council and Assembly of IMCO.

The Secretary-General of IMCO, in a note of May 22, 1964, following such final approval, transmitted to governments members of the Organization, including the United States, these recommendations on the treatment of shelter-deck and other open spaces as adopted by resolution of the Assembly of the Organization on October 18, 1963, and an appendix containing certain further recommendations in matters of detail as approved by the Maritime Safety Committee on April 20, 1964, pursuant to authorization of the Assembly. The Secretary-General has expressed the hope that governments will be in a position to implement the recommendations by including the relevant provisions in their national tonnage measurement regulations, pursuant to the recommendation of the Assembly. A copy of the note of May 22, 1964, from the Secretary-General, with its attachments is appended.

Those recommendations, briefly, state that provisions should be introduced into the present national tonnage measurement requirements so that those spaces of a permanent character which are regarded as open spaces, and are accordingly exempted from inclusion in gross tonnage under such rules, may be permanently closed, while retaining the present exemption of these spaces. Such provisions, under the recommendations, are to extend to all ships, whether existing or new, and permit exemption from gross tonnage of (a) certain permanently closed spaces situated on or above the uppermost complete deck exposed to sea and weather and (b) certain permanently closed spaces situated between the above-mentioned uppermost complete deck and the complete deck next below (i.e., the second deck) provided that a tonnage mark as defined in the recommendations is not submerged. The tonnage mark is to be located a certain distance below the line of the second deck, the distance being calculated by using the tonnage mark tables which are an integral part of the recommendations.

The tonnage mark, which is to be on each side of the ship slightly abaft amidships, is not to be assigned above the appropriate statutory loadline marked in accordance with the International Load Line Convention in force and the national legislation and regulations issued thereunder. However, it is specifically provided that nothing in the recommendations should prevent the assignment of a statutory loadline on the assumption that the second deck is the freeboard deck; when it is so assigned, the tonnage mark may be placed at the same level without regard to any tabular assignment which would otherwise be required. The tonnage mark is to be regarded as placed at the same level as the appropriate statutory loadline if marked on a line level with the uppermost part of the loadline grid.

When the tonnage mark is not submerged, following these recommendations, the gross and net tonnages determined by exempting the spaces which qualify for exemption and which are situated within the uppermost 'tween deck should apply; when the tonnage mark is submerged, the gross and net tonnages determined without exempting the said spaces should be applicable.

If the spaces which qualify for exemption are situated in the detached superstructures or deck houses on or above the uppermost complete deck, they are to be exempt from inclusion in the gross and net tonnages, whether or not the tonnage mark is submerged.

The recommendations define the spaces qualifying for exemption as those spaces which are permanently closed but which, were they provided with tonnage openings, would be exempt from inclusion in the gross tonnage under the present relevant national tonnage measurement requirements.

Provision is made in the recommendations for the tonnage certificate and the marine document of a vessel which has a tonnage mark to show two sets of gross and net tonnages, except in a case in which the statutory loadline is assigned on the assumption that the second deck is the freeboard deck and in which the tonnage mark is placed at the same level as the loadline mark; in the latter case only one set of tonnages need be shown.

The draft legislation forwarded with this anaylsis is designed to give effect to the recommendations which have been transmitted by the Secretary-General of IMCO.

Section 1 of the bill contains definitions of the terms "uppermost complete deck," "second deck," "trunks," and "Secretary." The definitions of the first three terms conform to those included in the IMCO recommendations. The term "Secretary" is defined as meaning the Secretary of the Treasury.

Section 2 provides that upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage, and hence in the net tonnage, the volume of certain spaces, including principally the spaces available for the carriage of dry cargo or stores above the uppermost complete deck and between that deck and the deck next below and the spaces used for cabins or staterooms on the uppermost complete deck. When the spaces are those available for dry cargo or stores between the uppermost complete deck and the second deck or those used for cabins and staterooms on the uppermost complete deck, the omission from tonnage is to apply only upon the condition that a control device, designated a tonnage mark, is placed and displayed on the vessel and the further condition that the mark is not submerged.

The exemption of cargo space, it will be noted, has been limited to that for the carriage of dry cargo. The reference to "dry" cargo is not unique in present law, for the term is used in section 4132 of the Revised Statutes, as amended (46 U.S.C. 11). The term has been included because of the view expressed by the Subcommittee on Tonnage Measurement of IMCO as contained in its report to the Maritime Safety Committee, although not included in its formal proposals, that although the recommendations are applicable to all ships, nevertheless they relate only to those ships and spaces therein which comply with the provisions of paragraph 8 of the recommendations as later forwarded by the Secretary-General of IMCO and included in the attachment to this analysis. This expression was made following a lengthy discussion of intention in which all agreed that the recommendations should not be read to permit the exemption of liquid cargo space, which could not be exempted at present since no such space could be fitted with openings because of the very nature of the cargo itself. Of course, if the openings were to be closed, the space might be made suitable for liquid cargo. It is, therefore, necessary in some way to indicate that such spaces are not within the intendment of the draft legislation. The term may require some definition in the regulations to be issued under the legislation. It is expected that the definition, if deemed necessary, will be drawn in accordance with the above-stated expression of intention in the application of the recommendations.

While, as indicated, the spaces to be exempted in the 'tween deck (that is, the space between the uppermost complete deck and the deck next below) will consist principally of spaces available for cargo or stores, there are certain other spaces in that area which today would be exempted from gross tonnage if the space were to be fitted with proper tonnage openings. An example of a space which would not be regarded as available for cargo or stores but which would be exempted in such case is the space occupied by a closed-in resistor house.

A closed-in space, of course, could not be regarded as open to the weather and not enclosed within the meaning of that portion of paragraph (h) of section 4153 which has been quoted above. However, that portion of paragraph (h) of section 4153 which immediately precedes the quoted matter and which provides for the measurement of closed-in spaces provided only for the measurement of those spaces as are available for cargo, or stores, or for the berthing or accommodation of passengers or crew. This Department and its predecessors in the administration of the provisions of section 4153 have construed these provisions as not requiring or providing for the measurement of any closed-in space on the upper deck other than one of those specifically named. Since the space in an open 'tween deck is regarded as space on the upper deck, it follows that a resistor house and any other similar space would not be measured and included in the tonnage of a vessel so constructed.

Having spaces such as this in mind and the difficulties of making an inclusive list of such spaces, section 2(a) has been drawn to include among the spaces exempted "other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck." This will, in effect, exempt all spaces in the 'tween deck area other than spaces for the berthing or accommodation of passengers or crew.

In section 3, the tonnage mark is described in general terms, and there is a requirement that it be marked on each side of the vessel. However, detailed specifications for location and dimensions are not included. Such specifications are reserved for inclusion in regulations to be issued under the act by the Secretary. It is expected that these regulatory requirements will follow the IMCO recommendations and that the tonnage tables included therein will be used in specifying the vertical location of the tonnage mark. However, since it may be anticipated that changes in the tables may become necessary or advisable on the basis of experience in operation or by reason of changed conditions, it has been considered advisable to avoid including these details in the legislation in order to obviate the necessity for requesting amendments to the law for the purpose of making relatively minor changes.

Section 4 provides that the tonnage mark shall not appear above the statutory summer loadline mark. This provision follows a specific recommendation in the IMCO papers to that effect. It appears that no substantial purpose would be served by placing the mark in such a location, since the loadline mark cannot lawfully be submerged. However, the section makes an exception in a situation in which a statutory loadline is assigned at a freeboard greater than the minimum, when the tonnage mark is permitted to be maintained on a line level with the uppermost part of the loadline grid. Owners of vessels who desire to retain present tonages or to receive equivalent tonnage assignments and who are willing to operate their vessels indefinitely at a lesser draft in order to maintain a lower set of tonnages without having higher tonnages shown on their vessel documents would be permitted to do so under this section.

Section 5 provides that, except when the tonnage mark is at the level of the uppermost part of the loadline grid, an additional line may be added, subject to regulatory specifications for location and dimensions. The line is intended for use in fresh or tropical waters as an indication of the permissible depth of loading for retention of tonnage benefits. While details of location and dimensions of this line have been omitted for the same reasons as those given above for section 3, it is expected that the regulatory specifications will conform to the recommendations of IMCO.

Section 6 sets out the circumstances in which the tonnage mark is to be deemed to be submerged. This will occur when the upper edge of the horizontal line which forms the mark is under water, except that when the additional line provided under the preceding section is marked, the tonnage mark is not to be deemed to be submerged unless that line is under water. This latter provision is similar to a provision found in the loadline convention which permits deeper loading in fresh or tropical waters. The principal effect, broadly speaking, will be to permit vessels in fresh water to load the same amount of cargo as in salt water without losing tonnage benefits.

Section 7 provides in effect that if a vessel has a tonnage mark placed so that it is possible to submerge it without submerging the loadline mark, the measurement certificate or marine document shall show both the higher gross and net tonnages applicable while the tonnage mark is submerged and the lower gross and net tonnages applicable while the tonnage mark is not submerged. If the tonnage mark is so placed as to be effectively prohibited by proximity to the loadline mark from being lawfully submerged or if there is no mark, only one set of tonnages, reflecting all exemptions applicable in any specific case, is to be shown. The provisions will require the showing of all applicable tonnages and will permit enforcement authorities to select the proper tonnages in application of pertinent laws, charges, or fees.

Section 8 provides for the marking of a deckline for use in vertical location of the tonnage mark when the vessel involved is not subject to the requirements for having a statutory loadline mark and does not have one assigned.

Section 9 amends section 4149 of the Revised Statutes (46 U.S.C. 72) to omit the present detailed requirements relating to the issuance of certificates of admeasurement and the requirements for countersigning of such certificates by the owner, the master or the agent of the vessel. The latter provision appears to have outlived its usefulness and the specification of details appears overly restrictive and unnecessary. The new section would permit the details in such issuances to be specified by regulation.

Section 10 amends section 4150 of the Revised Statutes (46 U.S.C. 74) to delete the detailed provisions with regard to the dimensions to be shown in vessel registers and the detailed specifications with respect to determining length, breadth, depth, and height. The amended section would permit the Secretary to prescribe by regulation for taking dimensions and expressing them appropriately in any register or other marine document issued to a vessel.

Section 11 would further amend section 4153 of the Revised Statutes (46 U.S.C. 77) by inserting as a first paragraph a sentence specifying the deck which is to be deemed the tonnage deck in vessels and requiring the measurements be taken in feet and decimal fractions of feet. These provisions are taken substantially from section 4150 of the Revised Statutes. They appear to be more appropriate for inclusion in the general measurement statute.

Section 12 authorizes the Secretary to make such regulations as may be necessary to carry out the provisions of the act.

Section 13 provides a penalty for making of false, fictitious, or fraudulent statements or representations in any matter in which a statement or representation is required in the regulations issued under the act. This penalty, for flexibility and ease of administration, would be civil in nature and subject to remission in mitigation as provided in section 15 below.

Section 14 provides a penalty if a required tonnage mark is not placed or displayed on the vessel. This penalty corresponds in nature and amount to the penalty prescribed in section 4153 of the Revised Statutes for failure to have the net tonnage marked as well as to similar penalties in other sections of law relating to the marking of official numbers and names on vessels (see 46 U.S.C. 45 and 46). It would be subject to administration in the same manner as the penalty provided in section 13.

Section 15 would provide authority for remission or mitigation of any penalty incurred under the act pursuant to the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

The bill is, of course, not intended to repeal by implication or affect any provision of existing statute not specifically mentioned and expressly amended. Any vessel may be measured after enactment in accordance with existing law, as in the past. Accordingly, if tonnage openings are fitted or remain fitted on vessels after approval of the proposed legislation, the spaces which may be regarded as open by virtue of such tonnage openings under present law will be omitted from inclusion in gross tonnage, and consequently from inclusion in net tonnage. However, if the owner of such a vessel, whether the vessel exists at the time of enactment or is built thereafter, should elect to file an application for treatment under section 2 of the act and if that application is approved, the exemption or omission of such spaces as are described in that section will be granted subject to compliance with the other requirements.

ESTABLISHMENT OF PROGRAM OF CASH AWARDS FOR SUGGESTIONS, INVENTIONS, OR SCIENTIFIC ACHIEVEMENTS BY MEMBERS OF THE ARMED FORCES

The bill (H.R. 8333) to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 678), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to establish a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces, which contribute to the efficiency, economy, or other improvement of Government operations. No award of more than $25,000 may be made under the bill, the same limitation as appears in the existing civilian program.

BACKGROUND OF THE BILL

The "Government Employees Incentive Awards Act" was established by Public Law 83–763 (68 Stat. 1112) on September 1, 1954. This act permits the payment of awards to and for the honorary recognition of civilian officers and employees of Government who by their suggestions, inventions, superior accomplishments or other personal efforts, contribute to the efficiency, economy, or other improvement of Government operations or who perform special acts or services in the public interest in connection with or related to their official employment. The members of the military services are not covered by this act. The purpose of this measure, therefore, is to provide a similar program for the members of the military services, insofar as it relates to the suggestions, inventions, or scientific achievements which contribute to the economy, efficiency, or other improvements to the operations or programs of the Armed Forces.

Military and civilian personnel often work side by side on similar jobs, entailing similar authority and responsibility. By law, the civilian may receive a sizable cash award from public funds for a sound idea or invention. The military member does not, but should, have the same opportunity.

Defense position

The Department of Defense has in the past been opposed to cash payments to service personnel for beneficial suggestions. This past policy with regard to beneficial suggestions has been based upon the supposition that monetary payments would be inconsistent with and a reflection upon the traditional "sense of duty" of those in the military. Military personnel have always been rewarded for beneficial suggestions by appropriate entries in their fitness (effectiveness) reports, service records, and, in exceptional cases, by letters of commendation.

The Department of Defense has reconsidered its position in the light of the success of the incentive pay program, which is now an integral part of the military pay structure, and the marked success of the suggestion programs utilized by the Federal civil service and private industry. In view of this reconsideration, the Department of Defense has now recognized the value of the proposed military incentive awards program and strongly favors the legislation.

Private business

Leaders in the most successful business enterprise support the premise that cash awards for suggestions or inventions not only save money, but of equal importance, improve the morale of employees. Industry accepts as much as 30 percent of the suggestions received and saves an estimated $200 million a year for the ideas they take out of the suggestion boxes. For example, at General Motors, $7.5 million was distributed to more than 220,000 employees for suggestions last year. The Ford Motor Co. is so eager for ideas that employees who win the maximum $6,000 award also receive a new car.

Federal Government

The Federal Government began such a program in 1912 when the Secretary of War was authorized to pay cash awards for suggestions by workers in the Army's ordnance shops. A similar program was initiated by the Navy Department in 1918. These programs were generally inactive, however, until 1943 when the War Production Board spurred the defense industry into establishing a considerable employee suggestion program under the guidance of each factory's labor-management committee. In that year also the Navy Department revitalized its program under its old act of 1918 and the War Department, Interior Department, and Maritime Commission obtained special legislation through their appropriation acts to pay cash awards for adopted suggestions. It was not until 1946 that the suggestion program was extended Government-wide under section 14, Public Law 79–600. In 1949, title X of the Classification Act (Public Law 429) provided for the granting of awards to individuals or groups of employees whose suggestions or work performance contributed to efficiency in Government operations. Title VII of the same Classification Act continued the additional step increases for superior accomplishment originally introduced in 1941. This overlapping legislation, however, made it difficult to operate an awards program in most agencies so that the programs were reconciled into one piece of legislation in 1954 by Public Law 83–763.

Accomplishments

In 1964, Army, Navy, and Air Force civilian employees submitted 233,552 suggestions of which 63,581 were adopted. This resulted in first year benefits of $66,171,148, as against a cost of $2,315,980 for cash awards. Since the Armed Forces is one of the largest groups of employees, this means of reaching the untapped idea potential of the hundreds of thousands of military personnel should, in the opinion of the committee, be equally productive.

COST AND SAVINGS

There has been little experience on which to base an estimate of the cost of an awards program or the possible savings resulting from such a program for military personnel. However, based upon the rate of civilian participation in the program and the money paid out for cash awards, it would appear that by including approximately 2,685,000 military members, it could result in additional annual savings of approximately $186,091,000 versus an estimated expenditure of $6,680,000. This estimate was arrived at by (1) taking the actual rate of civilian participation in each service program, the amount of cash awards paid out for adopted suggestions, the savings effected; and (2) projecting this experience to the number of military personnel that would be affected by the proposed program.

COMMITTEE CONCLUSIONS

The committee strongly feels that military personnel are entitled to and should be rewarded in the same way as civilian personnel for substantial ideas, suggestions, or inventions that result in increased efficiency, economy, or other improvements in the operations or programs of the Armed Forces or the Government as a whole. Such recognition should apply only in those instances where it may be clearly demonstrated that an improvement or a savings has or will result in the operation of the department concerned.

The language of the law governing civilian employees of the Government (68 Stat. 1112) is rather generally worded so as to apply to other rather intangible propositions, namely, "superior accomplishments, or other personal efforts and special acts or services in the public interest." To apply such terminology to the military, in the opinion of the committee would be in conflict with the various special pays which the Congress has provided for the military, such as are set forth below. Furthermore, it is believed that every employee of the Government whether civilian or military, should be expected to perform his duties commensurate with the best of his ability at all times. Insofar as the military is concerned, however, it is recognized that those engaged in research might possibly submit research papers that do not fall within either of the categories of suggestions or inventions but might still result in improvement or economy in the Government's programs. This fact has been taken into consideration in the proposed bill.

The special pays referred to above are as follows:

1. Incentive pay for hazardous duty: This is extra pay granted all members of a class while serving in dangerous military occupations. Among other duties are those involved in aviation or submarine operations, parachute jumping, and demolition of explosives. The pay varies by grade and type of duty.
2. Pay for physicians and dentists: The amount of such pay increases with the length of active duty service.
3. Pay for veterinarians: Of $100 a month for each month of active duty.
4. Pay for diving duty: At the rate of $110 a month for periods during which diving is actually performed.
5. Pay for sea or oversea duty: Paid to an enlisted member at a monthly rate based on grade (maximum $22.50).
6. Proficiency pay for enlisted members: The monthly rate varies from $50 to $150 on the basis of a proficiency rating in connection with a special military skill.
7. Reenlistment bonus for voluntary reenlistment (maximum $2,000).
8. Hostile fire: Pay of $65 a month for duty subject to hostile fire is payable to a member of a uniformed service.

The committee will expect the implementing regulations prepared by the Department of Defense to clearly reflect that this program will be administered in such a manner as to preclude duplication of awards between the services.

CLAIMS AGAINST THE GOVERNMENT

Proposed section 1040(d) provides that the acceptance of a cash award is considered to be an agreement by the recipient that the use of any idea, method, or device for which the award is made may not be the basis for a further claim against the United States by him, his heirs, or assigns. This language is similar in purpose to that used in the Government Employees' Incentive Awards Act (5 U.S.C. 2123(d)). The Civil Service Commission regards such provision in that act as a safeguard so that the grant of a cash award would terminate the Government's financial obligation unless the Government voluntarily waived such protection.

Under this provision, for example, if a suggestion forming the basis of an award should be in the form of an invention patented by the employee, that patent could not be the basis of a claim for compensation against the Government for use of the patented invention regardless of the circumstances under which the invention was made.

The acceptance of a cash award, in short, authorizes the Government to use the subject invention in any manner necessary or desirable to its authorized functions without paying the inventor anything in addition to the award.

As a corollary of its license to use the invention is the right of the Government to contract with an independent contractor for the manufacture of the item involved for its direct use by the Government.

The proposed legislation does not prevent the serviceman-inventor from obtaining a patent and receiving royalties therefrom in cases where the Government is not involved.

FISCAL DATA

As indicated and explained previously in the report under "Cost and Savings," this bill would appear to involve the expenditure of $6,680,000 during a year's period with estimated savings to the Government thereby of $186,091,000.

DEPARTMENTAL DATA

This legislation is a part of the Department of Defense legislative program for the 89th Congress. The Bureau of the Budget has no objection to this legislation.

ADMISSION OF CERTAIN FORMS OF NICKEL FREE OF DUTY

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 663, H.R. 6431.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6431) to amend the Tariff Act of 1930, to provide that certain forms of nickel be admitted free of duty.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 6431) was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 681), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

The bill suspends through June 30, 1967, the duties on ferronickel, unwrought nickel, and nickel powder imported from non-Communist countries. It also authorizes the President to proclaim the continuance of such duty-free treatment after June 30, 1967, in order to carry out a trade agreement entered into under the authority of section 201 of the Trade Expansion Act of 1962.

GENERAL STATEMENT

Description of products

Ferronickel is provided for in TSUS items 607.25, unwrought nickel in TSUS item 620.02, and nickel powders in TSUS item 620.32. The rate of duty applicable to these three forms of nickel is 1.25 cents per pound.

Unwrought nickel is refined nickel consisting largely of sheared electrolytic nickel cathodes and similar crude forms, and is often referred to as metallic nickel or nickel metal. It accounts for the largest volume of imports of products covered by the bill (over 90 percent of all imported nickel content in 1963). Canada is the principal producer of unwrought nickel and provides over 90 percent of U.S. imports. Norway is the only other supplier of consequence.

Nickel powders are another form of refined metallic nickel, and Canada is virtually the sole supplier of U.S. imports.

Ferronickel is defined in the TSUS as a "ferrous alloy consisting essentially of iron and nickel and containing 10 percent or more, by weight, of nickel." This material is produced directly from ore smelted in an electric furnace and has a nickel content of from 30 to 50 percent. Because the present duty on ferronickel is based upon gross weight and due to the fact that the iron content of this product is from 50 to 70 percent, imports have been insignificant.

U.S. production and imports

The United States is heavily dependent upon imports for its supplies of nickel. During 1960–64, annual U.S. consumption of nickel ranged between 108,000 short tons (1960) and 135,000 short tons (1964). Domestic mine production of nickel has amounted to 13,000 to 15,000 short tons per annum, which tonnage has been converted into ferronickel. Nickel recovered by reprocessing scrap materials has added 9,000 to 11,000 short tons per annum to the domestic supply. Domestic mine production plus secondary nickel from scrap has been equivalent to approximately one-fifth of annual nickel consumption in the United States.

Total imports of primary nickel in various forms amounted to about 129,000 short tons (nickel content) in 1964, 119,000 short tons in 1963, and 123,000 short tons in 1962.

Except for small quantities of nickel derived as a byproduct of copper refining, all primary nickel is produced in this country by a single company which operates a mine and smelter in Oregon. The domestic product is a high-grade ferronickel (45 percent nickel, 55 percent iron). Foreign ferronickel generally has less than a 30-percent nickel content.

Certain nickel materials other than those covered by the bill; viz, nickel oxide (including nickel oxide sinter), nickel ore, nickel matte, and other materials containing over 10 percent nickel, and nickel waste and scrap are already free of duty.

Uses of nickel

Nickel is used principally as an alloying element in the production of stainless and other steels, accounting for 47.6 percent of the total annual consumption for 1964. Other major uses are: nonferrous alloys (16 percent), electroplating (19 percent), and high-temperature and electrical resistance alloys (10 percent). The balance is consumed for other uses such as catalysts, ceramics, and magnets.

Duty suspension to assist U.S. industry

Your committee is advised that the present duty on the products covered by the bill constitutes a significant cost burden on U.S. manufacturers, particularly producers of stainless steel and alloy steels, and removal of the duty would help to improve the competitive position in the domestic as well as the export market of U.S. products manufactured from imported nickel-bearing raw materials. Most foreign producers obtain their nickel duty free. Domestic stainless steel producers have stated that their competitive position in the U.S. market and abroad would be considerably enhanced by the elimination of the duties on unwrought nickel, nickel powder, and ferronickel. From this, your committee understands that the saving accruing from the elimination of the duty on unwrought nickel, nickel powder, and ferronickel would be passed on to the consumer of such nickel products.

As previously indicated, the duty on ferronickel has been a deterrent to the importation of this product, which competes with duty-free oxide. This is true despite cost and technical advantages which the use of ferronickel provides in steelmaking. Furthermore, under existing economic and technological conditions, domestic reserves of nickel-bearing ores used in the manufacture of ferronickel are limited and may be depleted, at the present rate of production, within the next two decades.

Effect of duty suspension on Government stockpile

Surplus U.S. Government stocks of nickel in all forms amounts to about 165,000 short tons, or 330 million pounds, having a present market value of between 75 and 79 cents per pound. Acquisition cost of this nickel averaged 64 cents per pound. While removal of the duties on the nickel products covered by the bill might have some depressing effect on the disposal price of Government surplus stocks, your committee is satisfied that such effect would be minor and that continued disposal of surplus Government stocks at a profit will be possible.

Provisions of the bill

The bill provides for duty-free treatment for the period beginning the day after enactment through June 30, 1967. Under the bill, duty-free treatment would be available only with respect to nickel, nickel powders, or ferronickel, imported from non-Communist countries. Such products imported from Communist countries would continue to be dutiable at the nonconcession rates of 3 cents per pound. The possibility of continuance of duty-free treatment beyond June 30, 1967, is provided for in section 2(b).

The first sentence of section 2(b) provides that duty-free treatment beyond June 30, 1967, shall not apply except pursuant to a trade agreement which is entered into under the Trade Expansion Act of 1962 before July 1, 1967.

The second sentence of section 2(b) gives the President the authority to grant an extension of the duty-free treatment beyond June 30, 1967, in a trade agreement, such as the one which is now being negotiated in the Kennedy round of trade negotiations in Geneva, in which the United States will obtain reciprocal concessions. These negotiations are being conducted on the part of the United States under the authority of the Trade Expansion Act of 1962. The second sentence of section 2(b) therefore provides, in effect, that the temporary duty-free treatment provided by the bill shall be considered permanent duty-free treatment for purposes of the President's authority under section 201 of the Trade Expansion Act. In the absence of a trade agreement with respect to the products concerned entered into prior to July 1, 1967, the present U.S. duty on these products will be reinstated on that date.

In connection with any agreement for the continuance beyond June 30, 1967, of the duty-free treatment of the products covered by the bill, the pertinent provisions of the Trade Expansion Act of 1962 will apply, including the preagreement procedures in section 221 et seq. The staging requirements of section 253 would not apply, since they apply only to the reduction of a duty, as opposed to the continuation of duty-free treatment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that measures on the calender beginning with No. 665 and ending with 668 be considered.

The **PRESIDENT** pro tempore. Without objection, it is so ordered. The clerk will state the first bill.

AMENDMENTS TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The Senate proceeded to consider the bill (S. 1935) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes which had been reported from the Committee on Foreign Relations with an amendment on page 2, line 16, after "March 31,", to strike out "1966" and insert "1968"; and, in line 24, after the word "the", to strike out "Governor" and insert "Government"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended as follows:

(1) Subsection (f) of section 4, title I, is hereby amended to read as follows:

"(f) No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of the total amount paid pursuant to any award certified under the provisions of this title, on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both."

(2) Section 6, title I, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of United States-Polish claims arising under the Polish Claims Agreement of July 16, 1960, not later than March 31, 1968."

(3) Subsection (b) of section 7, title I, is amended by inserting "(1)" after the subsection letter, and adding at the end thereof the following paragraphs:

"(2) The Secretary of the Treasury shall deduct from the undisbursed balance in the Polish claims fund, created pursuant to section 8, as of the date of enactment of this paragraph and from each payment thereafter into that fund, 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. The amounts so deducted shall be covered into the Treasury to the credit of miscellaneous receipts. The Secretary shall make payment to the person or persons entitled thereto out of the Polish claims fund on account of any amounts deducted pursuant to subsection (b) of section 7 from payments made pursuant to section 8(c) (1) and (2) prior to the enactment of this paragraph.

"(3) The Secretary of the Treasury shall deduct from each payment into any other special fund created pursuant to section 8, subsequent to November 4, 1964, 5 per centum thereof as reimbursement to the Government of the United States for the expenses by the Commission and by the Treasury Department in the administration of this title. The amount so deducted shall be covered into the Treasury to the credit of miscellaneous receipts."

(4) Paragraph (1) of subsection (c), section 7, title I, is hereby amended to read as follows:

"(1) If any person to whom any payment is to be made pursuant to this title is deceased or is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over $1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Comptroller General to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates."

(5) Subsection (c) of section 8, title I, is amended by striking out the phrase "any of the funds" and inserting in lieu thereof "the Yugoslav claims fund", and by inserting the phrase "paragraph (1) of" after the phrase "pursuant to" and before the words "subsection (b)".

(6) Section 8, title I, is hereby further amended by adding at the end thereof the following subsection:

"(e) The Secretary of the Treasury is authorized and directed out of the sums covered into the Polish claims fund and into any other special fund created pursuant to this section subsequent to November 4, 1964, to make payments on account of awards certified by the Commission pursuant to this title with respect to claims included within the terms of the Polish Claims Agreement of 1960 and of any other similar agreement entered into subsequent to November 4, 1964, as follows and in the following order of priority:

"(1) Payment in the amount of $1,000 or in the principal amount of the award, whichever is less;

"(2) Thereafter, payments from time to time on account of the unpaid principal balance of each remaining award which shall bear to such unpaid principal balance the same proportion as the total amount in the Polish claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid principal balance of all such awards; and

"(3) Thereafter, payments from time to time on account of the unpaid balance of each award of interest which shall bear to such unpaid balance of interest, the same proportion as the total amount in the Polish claims fund and in any other special fund created pursuant to this section subsequent to November 4, 1964, available for distribution at the time such payments are made bears to the aggregate unpaid balance of interest of all such awards."

(7) Section 302, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Secretary of the Treasury shall cover into each of the Bulgarian and Rumanian claims funds, such sums as may be paid by the Government of the respective country pursuant to the terms of any claims settlement agreement between the Government of the United States and the Government of such country."

(8) Section 303, title III, is amended by striking out the word "and" at the end of paragraph (2), and by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and immediately thereafter, the word "and".

(9) Section 303, of title III, is further amended by adding at the end thereof the following new paragraph:

"(4) pay effective compensation for the nationalization, compulsory liquidation, or other taking of property of nationals of the United States in Bulgaria and Rumania, between August 9, 1955, and the effective date of the claims agreement between the respective country and the United States."

(10) Section 304 of title III is amended by inserting "(a)" after the section number and adding at the end thereof the following subsections:

"(b) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on August 9, 1955, which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, and with respect to which provision was not made in the treaty of peace with Italy: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to subsection (a) of this section or under section 202 of the War Claims Act of 1948, as amended, or to persons whose claims have been denied by the Commission for reasons other than that they were not filed within the time prescribed by section 306.

"(c) The Commission shall receive and determine, or redetermine as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were nationals of the United States on September 3, 1943, and the date of enactment of this subsection, against the Government of Italy which arose out of the war in which Italy was engaged from June 10, 1940, to September 15, 1947, in territory ceded by Italy pursuant to the treaty of peace with Italy: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy or subsection (a) of this section.

"(d) Within thirty days after enactment of this subsection, or within thirty days after the date of enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under subsections (b) and (c) of this section, whichever date is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed with the Commission, which limit shall not be more than six months after such publication.

"(e) The Commission shall certify awards on claims determined pursuant to subsections (b) and (c) of this section to the Secretary of the Treasury for payment out of remaining balances in the Italian claims fund in accordance with the provisions of section 310 of this title, after payment in full of all awards certified pursuant to subsection (a) of this section.

"(f) After payment in full of all awards certified to the Secretary of the Treasury pursuant to subsections (a) and (d) of this section, the Secretary of the Treasury is authorized and directed to transfer the unobligated balance in the Italian claims fund into the war claims fund created by section 13 of the War Claims Act of 1948, as amended."

(11) Section 306, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) Within thirty days after enactment of this subsection or the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 of this title, whichever is later, the Commission shall publish in the Federal Register the time when and the limit of time within which claims may be filed under paragraph (4) of section 303 of this title, which limit shall not be more than six months after such publication."

(12) Section 310, title III, is amended by adding at the end of subsection (a) thereof the following paragraph:

"(6) Whenever the Commission is authorized to settle claims by the enactment of paragraph (4) of section 303 of this title with respect to Rumania and Bulgaria, no further payments shall be authorized by the Secretary of the Treasury on account of awards certified by the Commission pursuant to paragraphs (1), (2), or (3) of section 303 of the Bulgarian or Rumanian claims funds, as the case may be, until payments on account of awards certified pursuant to paragraph (4) of section 303 with respect to such fund have been authorized in equal proportion to payments previously authorized on existing awards certified pursuant to paragraphs (1), (2), and (3) of section 303."

(13) Section 316, title III, is amended by inserting "(a)" after the section number and adding at the end thereof the following subsection:

"(b) The Commission shall complete its affairs in connection with the settlement of claims pursuant to paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title not later than two years following the date of enactment of such paragraph, or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under paragraph (4) of section 303 and subsections (b) and (c) of section 304 of this title, whichever is later."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 682), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

MAIN PURPOSE OF THE BILL

The main purpose of S. 1935 is to provide for the determination of claims of American nationals which are covered by the United States-Polish Claims Agreement of July 16, 1960. Pursuant to that agreement, Poland agreed to pay to the United States an amount of $40 million in 20 annual installments of $2 million each. As of this date, five $2 million installments have been paid to the U.S. Treasury.

In addition, S. 1935 provides for the disposition of funds received under the terms of en bloc claims settlement agreements concluded with the Governments of Bulgaria (on July 2, 1963), Rumania (on March 30, 1960), and Yugoslavia (on November 5, 1964), and the reopening of the Italian claims program in order to pay claims not previously compensable. The bill also contains several administrative housekeeping provisions which the Foreign Claims Settlement Commission feels are desirable on the basis of past experience.

BACKGROUND OF CLAIMS PROGRAMS COVERED BY S. 1935

Set forth below are statistics and background information regarding the various claims programs covered by the pending bill. The programs are administered by the Foreign Claims Settlement Commission under the authority of the International Claims Settlement Act of 1949, as amended.

1. YUGOSLAVIA CLAIMS PROGRAM

Statutory authority: Title I of the International Claims Settlement Act of 1949 (Public Law 81–455, approved March 10, 1950).

Type of claims: Nationalization or other taking.

Dates of taking or loss: 1939 to 1948.

Filing period: June 30 to December 30, 1951.

Number of claims: 1,556.

Amount asserted: $149,344,249.70.

Number of awards: 876.

Amount of awards: $18,817,904.89.

Amount of fund: $17 million.

Amount paid on awards: Approximately 91 percent.

Program completed: December 31, 1954.

Background: Historically, the first post-World War II lump-sum claims settlement agreement entered into by the United States was that with Yugoslavia which was signed on July 19, 1948. Under its terms, Yugoslavia agreed to pay the United States $17 million as full settlement and discharge of all claims of U.S. nationals "on account of the nationalization and other taking by Yugoslavia of property and of rights and interests in and with respect to property," which occurred between September 1, 1939, and the date of agreement. In return the United States agreed to release approximately $47 million in blocked assets (including $42 million in gold bullion) being held by the Federal Reserve Bank of New York. The agreement also defined "nationals" and provided for the establishment of an agency by the United States to adjudicate claims (International Claims Commission). Yugoslavia was allowed to file briefs as amicus curiae, and the determinations of the adjudicating agency with respect to the validity and the amounts of claims were to be "final and binding." The funds were to be distributed in accordance with methods adopted by the United States, and if any excess remained it was to be returned to Yugoslavia.

The Commission completed the processing of claims under this program on December 31, 1954. However, the actual distribution of awards by the Treasury Department was held in abeyance because of litigation until March 31, 1956, when the U.S. Court of Appeals (District of Columbia) held that the Commission's decisions on the validity and amounts of claims were final and conclusive and not subject to judicial review.

Another claims agreement with Yugoslavia was signed on November 5, 1964. (See appendix.) The claims covered by the agreement arose out of nationalization and other taking by Yugoslavia of property of American nationals subsequent to July 19, 1948, the date of the first claims agreement with Yugoslavia. Pursuant to the terms of the 1964 agreement, Yugoslavia is to pay the sum of $3,500,000 in five annual installments of $700,000 each, beginning on January 1, 1966. The claims will be adjudicated by the Foreign Claims Settlement Commission, after the Congress appropriates the necessary funds for its administrative expenses.

At the time the 1964 agreement was signed there was an exchange of notes (see appendix) in which Yugoslavia indicated it intended to compensate persons who were not U.S. nationals when their property was taken. It understood that these individuals will be required to file their claims with the local government in Yugoslavia where their property was located at the time it was nationalized or otherwise taken.

2. BULGARIAN AND RUMANIAN CLAIMS PROGRAMS

Background: Pursuant to the authority contained in Executive Order 8389, issued on April 10, 1940, the United States blocked the assets of the Governments and nationals of Rumania (on October 1, 1940) and Bulgaria (on March 4, 1941). After World War II, in the peace treaties of February 10, 1947, these Governments undertook to restore American-owned property in their respective countires or else provide compensation to the extent of two-thirds of the war damage suffered by such property. These undertakings were not honored; nor were American owners compensated for property which was nationalized or otherwise taken subsequent to the date of the treaties.

Under the terms of the peace treaties, it was provided that assets in the United States belonging to Bulgaria and Rumania or their nationals might be seized and liquidated and the proceeds used to satisfy the claims of American citizens against those Governments. Accordingly, title II of the International Claims Settlement Act of 1949 (approved August 9, 1955) was enacted to authorize the vesting of assets in the United States owned by Bulgaria and Rumania and their nationals, other than natural persons. The exclusion of the latter category follows the American principle that the property of private individuals should not be used for the payment of debts arising out of acts of foreign governments. However, the proceeds from the liquidation of the other vested assets were transferred to special funds in the Treasury and used to pay compensation to qualified American claimants against the Governments of Bulgaria and Rumania.

Title III of the International Claims Settlement Act of 1949, also approved on August 9, 1955, contains certain administrative and general provisions relating to the Bulgarian and Rumanian claims programs. Additional information regarding these programs, both of which were completed on August 9, 1959, is set forth below.

Bulgaria

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939–45; nationalization, 1945–55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 391.

Amount asserted: $25,455,927.

Number of awards: 217.

Amount of awards: Principal, $4,684,187; interest, $1,887,638.

Amount of fund: $2,613,325.

Amount paid on awards: Approximately 50 percent.

Program completed: August 9, 1959.

On July 2, 1963, the United States entered into an agreement (see appendix) whereby Bulgaria agreed to pay an additional $400,000 (payable in two equal installments of $200,000 each, which were made on July 1, 1964, and July 1, 1965) as final settlement of total U.S. claims against the Government of Bulgaria.

Rumania

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955).

Type of claims: Nationalization and war damage.

Dates of taking or loss: War damage, 1939–45; nationalization, 1945–55.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 1,073.

Amount asserted: $259,742,036.

Number of awards: 498.

Amount of awards: Principal, $60,011,348; interest, $24,717,943.

Amount of fund: $20,057,346.

Amount paid on awards: Approximately 30 percent.

Program completed: August 9, 1959.

Under the terms of an agreement dated March 30, 1960 (see appendix), Rumania agreed to pay the United States an additional $2.5 million (payable in five installments of $500,000 each beginning July 1, 1960) as final settlement of total claims against Rumania. All of the money due pursuant to the agreement has been received by the U.S. Treasury.

3. ITALIAN CLAIMS PROGRAM

Statutory authority: Title III of the International Claims Settlement Act of 1949 (Public Law 84–285, approved Aug. 9, 1955, and Public Law 85–604, approved Aug. 8, 1958).

Type of claims: War damage.

Date of loss: 1939 to 1947.

Filing period: September 30, 1955, to October 1, 1956.

Number of claims: 2,246.

Amount asserted: $27,412,985.

Number of awards: 482.

Amount of awards: Principal, $2,730,146; interest, $929,165.

Amount of fund: $5 million.

Amount paid on awards: 100 percent.

Program completed: May 31, 1960.

Background: The Italian claims fund consisted of $5 million which was paid to the United States by Italy in accordance with the terms of the Lombardo Agreement of August 14, 1947. This agreement resulted from negotiation for the return of approximately $60 million of Italian assets which had been vested or blocked by the United States during World War II.

The purpose of the money in the Italian claims fund was, in general, to compensate claimants for losses relating to property located outside of Italy and attributable to Italian military action (e.g., losses on the high seas, in Greece, Yugoslavia, and other areas in which Italy engaged in military action), and certain personal injury and similar nonproperty losses which arose in Italy. Claims for losses relating to property located in Italy itself were provided for in the Italian Peace Treaty of September 15, 1947.

The money in the Italian claims fund was sufficient to pay all eligible claimants 100 cents on the dollar, and after the program was completed on May 31, 1960, there remained an unobligated balance of $1,088,623.53. Since the Lombardo Agreement did not contain a reverter clause, this balance was retained by the United States, and, ordinarily, would be deposited in the miscellaneous receipts account of the Treasury. Pursuant to the provisions of S. 1935, however, the Italian claims program will be reopened and extended to cover certain claims not previously compensable, and any balance remaining will be transferred to the war claims fund to reimburse, in some measure, that fund for money used to compensate prisoners of war who were detained by or in Italy during World War II.

4. POLISH CLAIMS PROGRAM

Authority: United States-Polish Agreement of 1960 and S. 1935.

Type of claims: Nationalization or other taking and certain debt claims.

Dates of taking loss: 1945 to 1960.

Filing period: August 16, 1960, to March 31, 1962.

Number of claims: 10,239.

Amount asserted: $1,143,565,517.

Number of awards: 3,230 (as of July 31, 1965).

Amount of awards: Principal, $57,026,831.39; interest, $29,982,841.15 (as of July 31, 1965).

Amount of fund: $40 million (to be paid in 20 annual installments; $10 million received).

Amount paid on awards: Approximately $3 million.

Program completed: Date proposed by S. 1935 is March 31, 1968.

Background: On January 3, 1946, the Government of Poland enacted legislation for the nationalization of basic branches of the national economy. Subsequently, on December 27 of the same year, representatives of the United States and Poland reached an informal preliminary agreement which provided that U.S. nationals should receive compensation from Poland in dollars for investments made in dollars, and in zlotys for other investments. The terms of payment of such compensation were left for a final agreement, but no such final agreement was signed because negotiations were broken off in 1947 and were not resumed until 1957. On July 16, 1960, after almost 3 years of negotiations, an agreement was signed by the United States and Poland (see appendix) whereby Poland agreed to pay $40 million over a 20-year period in full settlement of all claims of U.S. nationals on account of nationalization or other taking of property in Poland.

The payment of the amount of $40 million is to be made in 20 yearly installments of $2 million each, beginning on January 10, 1961. The claims settled by the agreement are claims of U.S. citizens whose property, or rights and interest in property, were either (a) nationalized or otherwise taken (confiscated, expropriated, seized, condemned, etc.) by the Government of Poland; or (b) appropriated, or limited and restricted in their use or enjoyment under Polish laws, decrees, or other government measures. In addition, the agreement covers debts owed to American citizens by nationalized or confiscated enterprises, and debts which were a charge upon nationalized, appropriated, or otherwise taken property.

Claims based on dollar bonds issued or guaranteed by the Polish Government in the United States during the period 1919 to 1939 are not included in the agreement. The Polish Government has informed the United States that it intends to settle this bonded indebtedness by direct talks with American bondholders or their representatives.

The Foreign Claims Settlement Commission began its work in connection with the Polish claims program on September 1, 1960, under the authority of title I of the International Claims Settlement Act of 1949, as amended, which established procedures for the administration of such a program by the Commission. Pursuant to the provisions of S. 1935, as amended by the Committee on Foreign Relations, the Commission is directed to complete its activities relating to the Polish claims program not later than March 31, 1968, which is 6 years from the last day for filing timely claims.

RULE OF LAW REGARDING ELIGIBILITY OF CLAIMANTS

In adjudicating claims under the above programs, the Foreign Claims Settlement Commission is directed to apply, with respect to claims under title I, the "provisions of the applicable claims agreement" and the "applicable principles of international law, justice, and equity," and with respect to claims under title III and IV, "applicable substantive law, including international law." In this connection, one of the principles adopted by the Commission deals with the eligibility requirements of a natural person to file a valid claim against another government. The Commission has adhered to the familiar rule of international law that, in order to be eligible to receive an award under the programs over which it has jurisdiction the claimant must show that his claim was owned by a national or nationals of the United States (not necessarily the same national or nationals) from the time it arose until the date of filing with the Commission.

It should be noted that this principle was consistently followed by the Committee on Foreign Relations in reporting legislation establishing the claims funded mentioned above. The only time the committee deviated from this principle was in 1958, when it approved an amendment relating to the Italian claims fund. In that case, however, money remained in the fund after all American claimants had received 100 cents on the dollar for their losses, and certain American claimants who became citizens after their losses occurred were precluded from recovering anything from Italy because of the above principle of international law. In these circumstances, the committee felt it would not be doing violence to the priority of right, which, as a matter of general practice, is maintained for those who were American citizens at the time of loss.

COMMITTEE ACTION AND RECOMMENDATION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on S. 1935 on August 5, 1965. The full committee considered the bill in executive session on August 10, and ordered it reported favorably with an amendment.

The committee amendment extends from March 31, 1966, to March 31, 1968, the period in which the Foreign Claims Settlement Commission is to complete its affairs in connection with the Polish claims program. Testimony was received indicating that additional time was needed in order to obtain from Polish authorities sufficient documentary evidence to support many of the claims which have been filed with the Foreign Claims Settlement Commission. The committee agrees that each claimant should be given adequate time in which to secure evidence to substantiate his claim, and it is believed that the 2-year extension provided for in the committee amendment will afford that opportunity.

The committee also made minor changes in S. 1935 for the purpose of correcting typographical errors. On page 2, line 24, the word "Government" was substituted for the word "Governor," and on page 6, line 19, the date "August 9, 1958" was changed to "August 9, 1955".

As was pointed out previously, the Government of Poland has already made payments amounting to $10 million pursuant to the terms of the claims settlement agreement of July 16, 1960, and both Rumania and Bulgaria have completed payments in the amount of $2,500,000 and $400,000, respectively, under the terms of claims settlement agreements entered into earlier. S. 1935 will permit the Foreign Claims Settlement Commission to proceed with the orderly administration of these claims programs. It is recommended, therefore, that the Senate approve it without delay.

DISPOSITION OF GEOTHERMAL RESOURCES

The Senate proceeded to consider the bill (S. 1674) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 3, line 4, after the word "of", to insert "other"; in line 9, after the word "this", to strike out "Act." and insert "Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act."; in line 25, after the word "to", to strike out "him." and insert "him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims or permits granted previously."; on page 5, line 17, after the word "in", where it appears the first time, to insert "Federal"; in line 18, after the word "exceeding", to strike out "one hundred thousand" and insert "fifty-one thousand two hundred"; on page 8, line 16, after "Sec. 11.", to strike out "Each lease under this Act shall be granted to the first qualified person making application therefor without competitive bidding." and insert "Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this Act:

"(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

"(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time of filing of such applications under such Acts."; on page 10, line 5, after the word "minerals", to strike out "extracted or produced under the lease" and insert "derived from production under the lease and sold or utilized by the lessee"; in line 16, after the word "than", to strike out "50 cents" and insert "$1"; and, in line 22, after the word "of", to strike out "$1.00" and insert "$2"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the Secretary), may issue leases for the development and utilization of geothermal steam and associated geothermal resources (1) in lands administered by him, and (2) in any national forest or other lands administered by the Department of Agriculture through the Forest Service whether withdrawn or acquired, subject to section 4 hereof.

Sec. 2. The short title of this Act shall be the Geothermal Steam Act of 1965.

Sec. 3. For the purposes of this Act, geothermal steam and associated geothermal resources shall include all fluid products of geothermal processes, embracing steam, naturally heated water and brines, and any mineral or other product derived from any of them, including heat or other energy, but excluding oil, hydrocarbon gas, and helium.

Sec. 4. Where the lands sought for use or development under this Act have been withdrawn, or were acquired, in aid of a function of a Federal department or agency other than the Department of the Interior, the Secretary may issue leases under this Act only with the consent of, and subject to such terms and conditions as may be prescribed by, such Federal department or agency to insure the adequate utilization of the lands for the purposes for which they are administered, or for which they were acquired.

Sec. 5. Leases under this Act may be issued only to citizens of the United States, associations of such citizens, or corporations organized under the laws of the United States or of any State thereof, or to governmental units, including, without limitation, municipalities.

Sec. 6. Administration of this Act shall be under the principles of multiple use of public lands and resources, and shall allow coexistence of other leases of the same lands for deposits of other minerals under applicable laws, and the existence of leases issued pursuant to the provisions of this Act shall not preclude other uses of the areas covered thereby. However, operations under such other leases or such other uses shall not unreasonably interfere with or endanger operations under any lease issued pursuant to this Act, nor shall operations under leases issued pursuant to the provisions of this Act unreasonably interfere with or endanger operations under any lease, claim, or permit issued pursuant to the provisions of any other Act. Nor shall this Act be construed as superseding the authority which the head of any Federal department or agency has with respect to the management, protection, and utilization of the Federal lands and resources under his jurisdiction.

Sec. 7. Where the production, use, or conversion of geothermal energy through the medium of geothermal steam is also susceptible of producing other valuable products and minerals incidental thereto, substantial beneficial use of production of such byproducts shall be required, except that the Secretary in individual circumstances may modify or waive this requirement in the interests of conversion of natural resources or for other reasons satisfactory to him, and except that in no case shall the use or production of such byproducts be permitted other than by the holder of preexisting leases, claims, and permits whenever the same or similar byproducts are being produced on the same land under other leases, claims, or permits granted previously.

Sec. 8. Leases under this Act shall be for a primary term of fifteen years, and so long thereafter as geothermal steam or energy is produced or utilized in commercial quantities. Any lease issued under this section for land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for five years and so long thereafter as geothermal steam or energy is produced or utilized in commercial quantities. Leases which have extended by reason of production, and have been determined by the Secretary to be incapable of further commercial production or utilization of energy from geothermal steam, may be further extended for a period not to exceed five years from the date of determination by the Secretary that the leasehold has become nonproductive of geothermal energy, but only for so long as one or more valuable byproducts of geothermal production are produced in commercial quantities.

If such subsisting valuable byproducts are leasable under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–358), and the leasehold is primarily valuable for the production thereof, the lessee shall be entitled to convert his geothermal lease to a mineral lease under such appropriate Act upon application within the period of lease extension by reason of byproduct production.

SEC. 9. Leases under this Act shall embrace a reasonably compact area of not less than six hundred and forty acres and not more than two thousand five hundred and sixty acres, except where occasioned by an irregular subdivision or by irregular subdivisions. No person, association, or corporation except as otherwise provided in this Act, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, any direct or indirect interest in Federal geothermal leases in any one State exceeding fifty-one thousand two hundred acres. At any time after fifteen years from the effective date of this Act, the Secretary, after public hearings, may reduce the aforesaid maximum holding by regulation.

SEC. 10. The Secretary shall prescribe such rules and regulations as he may deem appropriate to carry out the provisions of this Act. Such regulations may include, without limitation, provisions for (a) the prevention of waste, (b) development and conservation of geothermal and other natural resources, (c) the protection of the public interest, (d) assignment, segregation, extension of terms, relinquishment of leases, development contracts, unitization, pooling, and drilling agreements, (e) compensatory royalty agreements, suspension of operations or production, and suspension or reduction of rentals or royalties, (f) the filing of surety bonds to assure compliance with the terms of the lease and to protect surface use and resources, (g) use of the surface by lessee of the lands embraced in his lease, and (h) the maintenance by the lessee of an active development program.

For the purpose of more properly conserving the natural resources of any geothermal pool, field, or like area, or any part thereof, lessees thereof and their representatives may unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of such pool, field, or like area, or any part thereof, whenever determined and certified by the Secretary to be necessary or advisable in the public interest. The Secretary is authorized, in his discretion, with the consent of the holders of leases involved, to establish, alter, change, or revoke such leases and to make such regulations with reference to such leases, with like consent on the part of the lessees, in connection with the institution and operation of any such cooperative or unit as he may deem necessary or proper to secure reasonable protection of the public interest. The Secretary may provide that geothermal leases shall contain a provision requiring the lessee to operate under such a reasonable cooperative or unit plan, and he may prescribe such a plan under which such lessee shall operate, which shall adequately protect the rights of all parties in interest, including the United States. Any such plan may, in the discretion of the Secretary, provide for vesting in the Secretary or any other person, committee, or agency of the Federal or State Governments designated therein, authority to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan. All leases operated under any such plan approved or prescribed by the Secretary shall be excepted in determining holdings or control for the purposes of section 9 of this Act.

When separate tracts cannot be independently developed and operated in conformity with an established well-spacing or development program, any lease, or a portion thereof, may be pooled with other lands, whether or not owned by the United States, under a communitization or drilling agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the drilling or spacing unit when determined by the Secretary to be in the public interest, and operations or production pursuant to such an agreement shall be deemed to be operations or production as to each lease committed thereto.

The Secretary is hereby authorized, on such conditions as he may prescribe, to approve operating, drilling, or development contracts made by one or more lessees of geothermal leases, with one or more persons, associations, or corporations whenever, in his discretion, the conservation of natural products or the public convenience or necessity may require or the interests of the United States may be best subserved thereby. All leases operated under such approved operating, drilling, or development contracts, and interests thereunder, shall be excepted in determining holdings or control under section 9 of this Act.

SEC. 11. Subject to the provisions of subsections (a) and (b) hereof, if the lands to be leased under this Act are within any known geological structure of a geothermal resources field, they shall be leased to the highest responsible qualified bidder by competitive bidding under regulations to be formulated by the Secretary of the Interior. If the lands to be leased are not within any known geological structure of a geothermal resources field, the qualified person first making application for the lease shall be entitled to a lease of such lands without competitive bidding. Notwithstanding the foregoing, at any time within one hundred and eighty days following the effective date of this act:

(a) with respect to all lands which were on January 1, 1965, subject to valid leases or permits issued under the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–358), or to valid mining claims filed on or prior to January 1, 1965, the lessees or permittees or claimants who are qualified to hold geothermal leases shall have the right to convert such leases or permits or claims to geothermal leases covering the same lands; and

(b) with respect to all lands which were on January 1, 1965, the subject of applications for leases or permits under the above Acts, the applicants may convert their applications to applications for geothermal leases having priorities dating from the time of filing of such applications under such Acts.

The conversion of leases, permits, and mining claims and applications for leases and permits shall be accomplished in accordance with procedures prescribed by the Secretary.

SEC. 12. Leases issued under this Act will provide for:

(a) a royalty of 10 per centum of the amount or value of steam, or any other form of heat or energy derived from production under the lease and sold or utilized by the lessee;

(b) a royalty of not less than 5 per centum of the value of minerals derived from production under the lease and sold or utilized by the lessee; except that as to any mineral enumerated in section 1 of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181), the minimum rate of royalty for such mineral shall be as provided in that Act and the maximum rate of royalty for such mineral shall not exceed the maximum royalty payable upon it under any lease executed pursuant to that Act;

(c) payment in advance of an annual rental of not less than $1 per acre or fraction thereof for each year of the lease. If there is no well on the leased lands capable of producing geothermal resources in commercial quantities, the failure to pay rental on or before the anniversary date shall terminate the lease by operation of law;

(d) a minimum royalty of $2 per acre in lieu of rental payable at the expiration of each lease year for each producing lease, commencing with the lease year beginning on or after the commencement of production in commercial quantities;

(e) for the purpose of determining royalties hereunder the value of any geothermal steam or energy used by the lessee and not sold shall be determined by the Secretary, who shall take into consideration the cost of exploration and production and the economic value of the resource in terms of its ultimate utilization.

SEC. 13. The holder of any geothermal lease at any time may make and file in the appropriate land office a written relinquishment of all rights under such lease or of any legal subdivision of the area included within any such lease. Such relinquishment shall be effective as of the date of its filing, subject to the continued obligation of the lessee and his surety in accordance with the applicable lease terms and regulations: (1) to make payment of all accrued rentals and royalties, (2) to place all wells on the lands to be relinquished in condition for suspension or abandonment, and (3) to protect or restore the surface and surface resources; thereupon the lessee shall be released of all obligations thereafter accruing under said lease with respect to the lands relinquished, but no such relinquishment shall release such lessee, or his bond, from any liability for breach of any obligation of the lease, other than an obligation to drill, accrued at the date of the relinquishment.

SEC. 14. Subject to the other provisions of this Act, lessees shall be entitled to use so much of the surface, as may be deemed necessary by the Secretary, for the production and conservation of geothermal resources.

SEC. 15. The Secretary may waive, suspend, or reduce the rental or minimum royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines it is necessary to promote development, or finds that the lease cannot be successfully operated under the lease terms.

SEC. 16. The Secretary, upon application, may suspend operations and production on a producing lease. On his own motion, the Secretary, in the interest of conservation, may suspend operations on any lease, but in any such case he shall extend the lease term for the period of any suspension.

SEC. 17. Upon request of the Secretary, other Federal departments and agencies shall furnish him with any relevant data then in its possession or knowledge concerning or having bearing upon fair and adequate charges to be made for geothermal steam or other form of geothermal energy produced for conversion to electric power or other purposes. Data given to any Federal department or agency as confidential under law shall not be furnished in any fashion which shall identify or tend to identify the business entity whose activities are the subject of such data, or the person or persons who furnished such information.

SEC. 18. All moneys received under this Act from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands. Moneys received under this Act from other lands shall be disposed of in the same manner as other receipts from such lands.

SEC. 19. Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days' notice, but the lessee shall be entitled to a hearing on the matter if request for the hearing is made to the Secretary within the thirty-day period after notice.

SEC. 20. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to the exemption from State water laws.

The amendments were agreed to.

Mr. BIBLE. Mr. President, geothermal steam, the natural underground deposits of earth-heated energy, is a valuable resource that has been neglected much too long in the United States. Our Nation is far behind many others in harnessing this "instant energy," as I like to call it. The legislation before us, S. 1674, is designed specifically to correct this situation. I consider this goal clearly vital to our Nation's orderly development of natural resources.

The development of geothermal steam to generate electricity, to produce minerals and to provide heat has proven to be commercially feasible and extremely useful in several countries, notably New Zealand, Italy, Iceland, and the Soviet Union. Yet, despite an abundance of underground steam deposits in this country, there have been only a few pioneer developments, principally in California.

The main problem in the United States has been the fact that most geothermal steam resources are found on Federal lands, and there are no specific provisions in Federal law giving access to them. This bill, which I sponsored, is designed to correct that situation and in so doing to promote orderly and beneficial use of this readymade energy.

I should point out that the bill is the product of more than 4 years of work and has benefited from the active concern of the Senate Committee on Interior and Insular Affairs, the Department of the Interior, members of the infant industry interested in this resource, and the many interested Senators. Because it deals with a relatively new and untried area the legislation involves several unique questions. We have borrowed from the practical experiences of mineral, oil, and gas leasing laws where we could, but many questions have been unique in nature and have required original answers.

In my opinion, the results embodied in the bill are fair and workable.

Under this legislation, Congress sets the basic guidelines for leasing public lands for geothermal steam development. At the same time, the Department of the Interior is given adequate authority for intelligent administration of the leases, and private industry is offered incentive and protection in carrying out the development. I believe the result will be a new era in resource development.

Certainly there is a great need to develop this resource. Just as certainly, the potential benefits are immense. This energy that has been wasting away for countless centuries can bring low-cost power to many areas of the Nation now virtually isolated from our great hydroelectric projects. It can supply heat at reasonable cost in areas where regular fuels to produce heat are scarce and expensive. It can yield minerals that are otherwise unaccessible and it can foster a new industry that will contribute substantially to our expanding economy.

The bill has the approval of the Senate Committee on the Interior and the Department of the Interior, and it has enthusiastic endorsement from private industry. I urge the Senate to act affirmatively on it now so that congressional action can be completed as early as possible.

Mr. KUCHEL. Mr. President, I support, enthusiastically, S. 1674, the much needed authorization to the Secretary of the Interior to enter into leases for the development of geothermal steam on the public lands of the United States.

The development of geothermal steam is a new, unique, and challenging industry. In the past few years there has been a greatly increased worldwide search for sources of low-cost energy. While geothermal deposits have been utilized to create electrical power for many years in several European countries, most of the exploratory activity in the United States has been concentrated in my great State of California. In fact, the only commercial development has been established in northern California.

One of our fine industrial concerns has expended considerable funds in pioneering the harnessing of this steam for sale to be used to create electrical energy. Other interested companies have likewise made substantial investments in attempting to discover and put to use geothermal steam deposits, to date only on private lands.

The Department of the Interior and the industry are convinced that the greater part of the geothermal resources of the United States are located in the public domain. At the present, there are no provisions in the law by which developers can apply for and receive leases for the exploration and development of these lands. There is also no way that the Federal Government can utilize fully these natural underground steam-energy deposits.

Some developers have used the general mining laws and filed placer mining claims because of the assorted byproducts and valuable minerals that are sometimes found suspended in the steam. Other have filed oil and gas leases under the Mineral Leasing Act, not to develop oil and gas but to explore and develop geothermal energy. Neither of these methods has led to the orderly disposition of geothermal steam and associated geothermal resources under basic principles of public land management and conservation.

It is readily apparent that this confusion must be corrected. I salute my able colleague from Nevada, Senator BIBLE, who, after more than 4 years of study, research, and work, has presented to us a bill which will give the Secretary the proper machinery to develop the substantial potential that underlies our public lands.

Under the terms of S. 1674, the Secretary of the Interior will now be able to enter into leases, following specific guidelines established by Congress; standards which will allow the development on our public domain of what some geologists believe may be geothermal deposits which may constitute an inexhaustible form of electrical energy. We will now be able to realize an effective and economic long-run development of this vast and valuable resource.

I sincerely urge the Senate to enact this legislation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Let's Tap Nature's Steam Plants," written by the distinguished senior Senator from Nevada [Mr. BIBLE] and published in the magazine Public Utilities Fortnightly for August 19, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Public Utilities Fortnightly, Aug. 19, 1965]

LET'S TAP NATURE'S STEAMPLANTS

(By the Honorable ALAN BIBLE, U.S. Senator from Nevada)

(NOTE.—Why are we, in this country, wasting a valuable natural resource by failing to develop commercially the instant energy provided by geothermal steam deposits? Legislation is now being advocated to protect both the public interest and encourage private industry to get on with the job of exploitation of this source of energy.)

Mother Nature does a pretty good job of supplying man's industrial needs. The earth abounds in most raw materials for industry and in the fuel energy to put these materials to work for us. Rarely, however, is Mother Nature so obliging as she is with geothermal steam.

By providing geothermal steam deposits, she has served up a prepared dish of energy. And she tosses in a side order of valuable minerals to boot. It does not have to be converted, refined, or transported. It is precooked energy, ready to produce.

On top of all this, geothermal steam is not very difficult to find. In many areas of our Nation, principally in the West, these natural underground steam deposits signal their locations with white plumes of steam bubbling from springs. Coincidentally, they are often found in areas which have no other readily available sources of energy.

If nature wants to be so generous and obliging with geothermal steam, why hasn't man taken advantage of her gift? He has been ingenious in other areas but his efforts to date in geothermal steam have been extremely limited, despite the fact that commercial feasibility has been proven.

Actually, several problems have impeded the development of geothermal steam. The process of harnessing this energy is not quite so simple as I may have implied, for one thing. For another, the instant energy benefit of this resource can be as much a problem as it is a blessing. However, the biggest single stumbling block is the U.S. Government. Legislation to remove this stumbling block necessarily has to be the first order of business in any major program to develop natural steam. This is why I have taken so active an interest in the problem.

If Uncle Sam can become a helper instead of a hinderer, I am confident other problems associated with geothermal steam development can be quickly solved. The benefits of this energy resource, I think, are obvious. The potential is boundless. The advantages are enormous.

What is geothermal steam, exactly? And why is Uncle Sam so involved in what is and should be a private enterprise development field?

Geothermal energy is, quite literally earth-heat energy. It is commonly known but often forgotten that the earth is considerably hotter within than it is without. This difference in temperature causes heat to flow to the surface where it is dissipated in the atmosphere.

When ground water is heated by a body of hot residual volcanic rock at relatively shallow depth it rises rapidly, following cracks and fissures. Old Faithful Geyser in Yellowstone National Park is a more spectacular example of this condition. Geysers are uncommon enough to be curiosities, but geothermal steam is actually widespread and much more abundant than is commonly realized.

The new geology of Nevada and California makes areas of these States particularly promising for the development of this latent energy. Yet we are only beginning to realize the potential of geothermal steam as a power and mineral source.

COMMERCIAL DEVELOPMENT IS FEASIBLE

When I said the development of geothermal steam has already been demonstrated to be commercially feasible, I referred to projects in Italy and New Zealand as well as in our own country. This background was brought out during initial hearings on my geothermal steam bill before the Senate Interior Subcommittee on Mines, Minerals, and Fuels in 1963. It was in Italy, in fact, that geothermal steam was first used for generating power. A hot spring area near Florence, long used as a health resort, was converted to power production in the late 1930's. Before World War II it was producing some 100,000 kilowatts of electric power. Those powerplants were destroyed by the Germans during the war; but they were rebuilt and now produce more than 300,000 kilowatts from 24 generating units. A flourishing chemical industry, mainly in boron products, has also developed from these geothermal steam resources.

New Zealand's spectacular geyser and fumarole fields near Wairakei attracted power production activity only a few years ago. Yet, by 1958, the government there was producing 65,000 kilowatts and is continuing to expand as industrial and population demands warrant. Other nations, including Russia, Iceland, Japan, Mexico, and the several Central and South American countries, have actively been pursuing the possibilities of geothermal power for several years. Prospects are particularly bright in Iceland.

Efforts to harness geothermal steam in the United States date back to 1924 when a premature attempt was made to tap the energy of several shallow wells in Big Geysers, Calif. There was considerable success, but there was also considerable opposition in the form of cheap and plentiful hydroelectric power at that time.

Magma Power Co., according to testimony before the subcommittee, revived exploration and development efforts in 1955 at Big Geysers and in several other areas, including my own State of Nevada. One result has been the establishment and operation of the first geothermal steam powerplant in the Nation at Big Geysers. Pacific Gas & Electric Co. has just recently completed its second powerplant at this location, and the total power production is fixed at about 28,000 kilowatts. Representatives of the industry call the venture "eminently successful both technically and economically."

Drilling has also disclosed commercial quantities of geothermal steam at Brady Hot Springs, Steamboat Hot Springs, and Beowawe in Nevada and at Casa Diablo, Calif. The most dramatic, it not the most significant, development, however, has been in the Salton Sea region of southern California—oddly enough an area that had few surface manifestations of underground steam.

Relatively deep drilling on private lands in this region not only brought in large volumes of steam but tapped boiling brines rich in chemicals which have commercial importance. Installation of a pilot plant to refine the chemicals followed, and it was indicated that the chemicals produced from this venture might exceed the value of the steam that led to the original investment.

It should be noted, of course, that the presence of water and minerals in steam can be a problem as well as a blessing. Corrosive elements in some natural steam deposits can render them commercially useless in some instances, or at least make it difficult to deliver the energy at a reasonable expense.

THE GOVERNMENT IS A STUMBLING BLOCK

The Federal Government is involved in this promising field because the bulk of geothermal steam deposits is located on the public domain. And while there are ample provisions to lease Federal lands for mining or for oil and gas production, none exist for geothermal steam development.

Limited attempts to explore or develop natural steam on public lands so far have been under the existing Mineral Leasing Act or by staking mining claims. However, without the protection of specific legislation there has been an understandable reluctance in private industry to invest to any significant degree in any pioneer project.

The problem of writing effective laws to encourage development is much like geothermal steam itself—it looks quite simple on the surface, but it becomes complex when you dig into it.

In plumbing the geothermic depths in Congress, we have had the question of whether to amend existing mineral leasing or mining patent laws or whether to write a new act. Is steam to be considered water? Gas? Mineral?

That is just the beginning to the questions, for this is a pioneer field for the Federal Government as well as for industry. We must also attempt to determine what is a "fair and reasonable" rent and royalty. We need to decide the size and terms of leases and how best to make them available to private industry.

One basic question in writing the law does not involve the resource itself but a disagreement over Government philosophy. It can be stated briefly in this manner: How many of the specifics should be written into law by Congress and how many should be delegated to the administrative discretion of the Interior Department?

In response to my first geothermal steam bill, the Interior Department submitted proposed amendments that are considered by many members of the committee to be a blank check for Congress to delegate almost all authority in the matter to the department. The infant industry opposed this because it offered no firm future guidelines for sizable investments.

The Department also favored smaller leases and tighter limitations on the extent of leaseholdings. This also was opposed by the industry.

PROPOSED LEGISLATION

I cannot say at this point exactly what final form this important legislation will take. However, the bill I introduced in the current session of Congress benefited from our previous hearings and attempts to find a just and reasonable midpoint in these divergent approaches.

I believe private enterprise needs and deserves solid ground to establish this new industry. But I also believe the Interior Department, which is reponsible for administering our public domain, must have some discretion. Geothermal steam is too new a field for rigid laws.

My current bill recognizes both needs. It does not write a blank check to the Interior Department. But there is also reasonable authority for administrative flexibility. I have tried to write a law that offers every possible encouragement to industry. I have also tried to write a law that amply protects the public interest, for we cannot forget we are dealing with the public domain.

Congress should spell out the basic guidelines clearly and permanently in the new law. It should set the acreage limits and fix the terms of geothermal steam leases. It should recognize the pioneer nature of geothermal developments and give industry plenty of space with which to explore, build, and expand.

Congress must also recognize that many unforeseen problems are bound to arise and make certain the Interior Department has ample authority to meet them. The Department must be able to enforce necessary resource conservation measures and to help keep development in a constructive and beneficial channel. It must be able to see that public lands taken for geothermal steam development are, indeed, used for that purpose.

Finally, both Congress and the Interior Department and the industry must recognize and respect the multiple-use concept for public lands. And they must observe and respect State water laws and local interests.

I have no doubt that these principles can be followed and that the many questions raised by the development of geothermal steam on public lands can be settled. They are minor when compared with the potential benefits to be realized by both the public and private industry.

Nature's steamplants have been built and operated for many, many years. It is time we begin to use them.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1674) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 683), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Action by the committee in ordering S. 1674, as amended, reported favorably after public hearings was unanimous. The executive agencies are in support of the purposes and intent of the measure.

BACKGROUND AND PURPOSE

S. 1674, which is sponsored by Senator BIBLE, of Nevada, would open to development by private enterprise an untapped natural resource of the publicly owned lands of the United States, providing new sources of electrical energy and new sources of minerals. This resource is geothermal steam and associated geothermal resources.

Although geothermal deposits are known to exist in a number of places in the public-lands States, there is presently no authority under Federal law for their development. S. 1674 would authorize the Secretary of the Interior to lease these deposits under specified conditions and guidelines, making possible the establishment of new industries and bringing additional revenues into local, State, and Federal treasuries.

S. 1674 is based in large part on S. 883 of the 88th Congress, also sponsored by Senator BIBLE. This latter measure was reported favorably with an amendment in the nature of a substitute after extensive hearings, and passed the Senate on August 21, 1964. However, the House failed to act on the Senate passed bill.

Although, as stated above, the resources and uses of geothermal steam have been only slightly explored, particularly on the public domain, enough is known from experience on privately owned lands and from operations in other countries to warrant encouragement for further development. Of apparent primary importance at this time is the use of the superheated pressurized ground waters for the production of electric energy. But also in a number of locations these waters from far beneath the surface of the earth are known to contain valuable minerals, such as lithium, gold, silver, rare metals, and mineral salts, which are recoverable.

In the United States a geothermal steam electric generating plant and transmission company has been in successful operation for a number of years. This is a privately operated development in Sonoma County, Calif., at which Magma Power Co., operating in association with Thermal Power Co., produces power from geothermal steam and sells it to the Pacific Gas & Electric Co. Production of electric power from geothermal steam also has proved commercially feasible and is in operation at installations in other countries, notably Italy, New Zealand, and Iceland.

Impetus for the legislation has come both from the executive branch and from potential developers who have endeavored to obtain access to the geothermal resources of the public domain under other provisions of Federal law, notably the mining law of 1872, and the Mineral Leasing Act of 1920. The bill, as amended, would protect the enterprise and investment of money and time of such persons.

THE COMMITTEE AMENDMENTS

The committee has amended S. 1674 to comply, in part, with the substance of the recommendations of the Department of the Interior set forth in the draft legislation transmitted by executive communication of July 21, 1965. Also adopted were several of the suggestions made in the hearings by spokesmen for various segments of private industry interested in development of geothermal resources.

The first such amendment is on page 3, line 9, to make clear that the holders of geothermal leases issued under this act shall not interfere unreasonably with operations already initiated on a tract subject to prior lease, mining claim, or permit.

On line 2, page 3, the committee has added an exception to the requirement in section 7 that a geothermal lessee must develop all of the resources covered by his lease. Absent this exception, if geothermal leases were granted on lands already subject to mining claims or a lease issued under the Mineral Leasing Act, the language of section 7 would obligate the geothermal lessee to recover byproducts which were already being produced by the mining law claimant or Mineral Leasing Act lessee. Thus, two or more holders of rights might be, by operation of law, in conflict and competition on the same tract of publicly owned land.

On page 5, lines 8–10, the committee reduced the number of acres any one individual, association, or corporation may hold under geothermal steam lease in any State to 51,200 acres from the 100,000-acre limitation in the measure as introduced.

The amendments to section 11, page 8, beginning line 7, set forth the committee's compromise between the recommendation of the Department of the Interior, which would make all geothermal leasing subject to competitive leasing, and the original bill. That is, the committee followed, in substance, the provisions of the Mineral Leasing Act with respect to oil and gas by making lands within a geological structure known to be valuable for geothermal resources subject to competitive bidding, while providing that "wildcat lands" shall be available on a priority basis to the first qualified applicant.

The committee is informed that the U.S. Geological Survey is qualified to determine, on scientific and technical criteria, what is a "known geologic structure of a geothermal resources field." The committee expects that the Secretary will adopt regulations based on such criteria which will afford stability and certainty to the infant geothermal industry.

In this connection, the committee reemphasizes the legislative intent that the Secretary of the Interior should encourage, in every way possible, the development of the geothermal resources of the publicly owned lands, and should not impose upon small independent operators the expenses and burdens of competitive bidding or other restrictions except where necessary to prevent a patent "windfall" of publicly owned resources.

Also to section 11 the committee has added the "grandfather clause" amendment under which persons who, as of January 1, 1965, were holders of valid mineral leases or claims under the mining law could convert such leases or claims within a period of 6 months to geothermal leases under this act. In additional, applicants for mineral leases or permits could convert their applications to applications for geothermal leases. These "grandfather" rights are intended to apply to leases, claims, or permits on both known and wildcat structures.

This amendment is in accord with the committee's conviction that persons and groups who have invested money and time in developing, or in taking preliminary steps toward developing geothermal resources should have their enterprise and investment protected. Such persons, the committee believes, have equities, at least, that should be recognized.

On pages 9 and 10, section 12 has been amended to increase rentals to not less than $1 an acre per year on nonproducing leases, and to $2 an acre minimum royalty in lieu of rental on producing leaseholds.

OTHER PROVISIONS OF BILL

In addition to the amendments explained above, other provisions of S. 1674 define "geothermal steam and associated geothermal resources," specifically incorporate into the law the principle of multiple use, set forth the primary term of geothermal leases (15 years), and authorize the promulgation of regulations by the Secretary of the Interior to carry out the act, including the maintenance of active development programs on lands under geothermal lease, and the surface uses of the lands so leased.

With respect to what lands are open to geothermal leasing, the committee rejected a proposed amendment of the Department of the Interior to exclude fish and wildlife lands. No evidence was presented showing that geothermal leasing, under proper safeguards, would be inimical to uses for fish and wildlife purposes. Vast acreages in many of the Western States have been declared, by administrative fiat, withdrawn for fish and wildlife purposes, and to shut such areas up from the development of any of their other resources seem unnecessary, inequitable to the State concerned, and contrary to the principle of multiple use.

COST

Enactment of S. 1674 would not require any appreciable increases in appropriation of Federal funds. The only costs would be relatively minor ones of administration, including surveys and determinations by the Geological Survey of geothermal structures.

On the contrary, the bill would make possible the development of presently untapped natural resources of the publicly owned lands of the United States, which would be the foundation of new industries bringing new revenues to both the States and the Federal Government.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The bill (S. 2064) to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended by adding section 216 at the end of title II thereof, as follows:

"SEC. 216. (a) Notwithstanding any other provision of this Act or any provision of the Trading With the Enemy Act, as amended, any person—

"(1) who was formerly a national of Bulgaria, Hungary, or Rumania, and

"(2) who, as a consequence of any law, decree, or regulation of the nation of which he was a national discriminating against political, racial, or religious groups, at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated enjoyed full rights of citizenship under the law of such nation, shall be eligible hereunder to receive the return of his interest in property which was vested under section 202(a) hereof or under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania if 25 per centum or more of the outstanding capital stock of such corporation was owned at the date of vesting by such persons and nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan, or if such corporation was subjected after December 7, 1941, under the laws of its country, to special wartime measures directed against it because of the enemy or alleged enemy character of some or all of its stockholders; and no certificate by the Department of State as provided under section 207(c) hereof shall be required for such persons.

"(b) An interest in property vested under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania shall be subject to return under subsection (a) of this section only if a notice of claim for the return of any such so simple as I may have implied, for one thing. For another, the instant energy benefit of this resource can be as much a problem as it is a blessing. However, the biggest single stumbling block is the U.S. Government. Legislation to remove this stumbling block necessarily has to be the first order of business in any major program to develop natural steam. This is why I have taken so active an interest in the problem.

If Uncle Sam can become a helper instead of a hinderer, I am confident other problems associated with geothermal steam development can be quickly solved. The benefits of this energy resource, I think, are obvious. The potential is boundless. The advantages are enormous.

What is geothermal steam, exactly? And why is Uncle Sam so involved in what is and should be a private enterprise development field?

Geothermal energy is, quite literally earth-heat energy. It is commonly known but often forgotten that the earth is considerably hotter within than it is without. This difference in temperature causes heat to flow to the surface where it is dissipated in the atmosphere.

When ground water is heated by a body of hot residual volcanic rock at relatively shallow depth it rises rapidly, following cracks and fissures. Old Faithful Geyser in Yellowstone National Park is a more spectacular example of this condition. Geysers are uncommon enough to be curiosities, but geothermal steam is actually widespread and much more abundant than is commonly realized.

The new geology of Nevada and California makes areas of these States particularly promising for the development of this latent energy. Yet we are only beginning to realize the potential of geothermal steam as a power and mineral source.

COMMERCIAL DEVELOPMENT IS FEASIBLE

When I said the development of geothermal steam has already been demonstrated to be commercially feasible, I referred to projects in Italy and New Zealand as well as in our own country. This background was brought out during initial hearings on my geothermal steam bill before the Senate Interior Subcommittee on Mines, Minerals, and Fuels in 1963. It was in Italy, in fact, that geothermal steam was first used for generating power. A hot spring area near Florence, long used as a health resort, was converted to power production in the late 1930's. Before World War II it was producing some 100,000 kilowatts of electric power. Those powerplants were destroyed by the Germans during the war; but they were rebuilt and now produce more than 300,000 kilowatts from 24 generating units. A flourishing chemical industry, mainly in boron products, has also developed from these geothermal steam resources.

New Zealand's spectacular geyser and fumarole fields near Wairakei attracted power production activity only a few years ago. Yet, by 1958, the government there was producing 65,000 kilowatts and is continuing to expand as industrial and population demands warrant. Other nations, including Russia, Iceland, Japan, Mexico, and the several Central and South American countries, have actively been pursuing the possibilities of geothermal power for several years. Prospects are particularly bright in Iceland.

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THE GOVERNMENT IS A STUMBLING BLOCK

The Federal Government is involved in this promising field because the bulk of geothermal steam deposits is located on the public domain. And while there are ample provisions to lease Federal lands for mining or for oil and gas production, none exist for geothermal steam development.

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The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 683), explaining the purposes of the bill.

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Action by the committee in ordering S. 1674, as amended, reported favorably after public hearings was unanimous. The executive agencies are in support of the purposes and intent of the measure.

BACKGROUND AND PURPOSE

S. 1674, which is sponsored by Senator BIBLE, of Nevada, would open to development by private enterprise an untapped natural resource of the publicly owned lands of the United States, providing new sources of electrical energy and new sources of minerals. This resource is geothermal steam and associated geothermal resources.

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THE COMMITTEE AMENDMENTS

The committee has amended S. 1674 to comply, in part, with the substance of the recommendations of the Department of the Interior set forth in the draft legislation transmitted by executive communication of July 21, 1965. Also adopted were several of the suggestions made in the hearings by spokesmen for various segments of private industry interested in development of geothermal resources.

The first such amendment is on page 3, line 9, to make clear that the holders of geothermal leases issued under this act shall not interfere unreasonably with operations already initiated on a tract subject to prior lease, mining claim, or permit.

On line 2, page 3, the committee has added an exception to the requirement in section 7 that a geothermal lessee must develop all of the resources covered by his lease. Absent this exception, if geothermal leases were granted on lands already subject to mining claims or a lease issued under the Mineral Leasing Act, the language of section 7 would obligate the geothermal lessee to recover byproducts which were already being produced by the mining law claimant or Mineral Leasing Act lessee. Thus, two or more holders of rights might be, by operation of law, in conflict and competition on the same tract of publicly owned land.

On page 5, lines 8–10, the committee reduced the number of acres any one individual, association, or corporation may hold under geothermal steam lease in any State to 51,200 acres from the 100,000-acre limitation in the measure as introduced.

The amendments to section 11, page 8, beginning line 7, set forth the committee's compromise between the recommendation of the Department of the Interior, which would make all geothermal leasing subject to competitive leasing, and the original bill. That is, the committee followed, in substance, the provisions of the Mineral Leasing Act with respect to oil and gas by making lands within a geological structure known to be valuable for geothermal resources subject to competitive bidding, while providing that "wildcat lands" shall be available on a priority basis to the first qualified applicant.

The committee is informed that the U.S. Geological Survey is qualified to determine, on scientific and technical criteria, what is a "known geologic structure of a geothermal resources field." The committee expects that the Secretary will adopt regulations based on such criteria which will afford stability and certainty to the infant geothermal industry.

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Also to section 11 the committee has added the "grandfather clause" amendment under which persons who, as of January 1, 1965, were holders of valid mineral leases or claims under the mining law could convert such leases or claims within a period of 6 months to geothermal leases under this act. In additional, applicants for mineral leases or permits could convert their applications to applications for geothermal leases. These "grandfather" rights are intended to apply to leases, claims, or permits on both known and wildcat structures.

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OTHER PROVISIONS OF BILL

In addition to the amendments explained above, other provisions of S. 1674 define "geothermal steam and associated geothermal resources," specifically incorporate into the law the principle of multiple use, set forth the primary term of geothermal leases (15 years), and authorize the promulgation of regulations by the Secretary of the Interior to carry out the act, including the maintenance of active development programs on lands under geothermal lease, and the surface uses of the lands so leased.

With respect to what lands are open to geothermal leasing, the committee rejected a proposed amendment of the Department of the Interior to exclude fish and wildlife lands. No evidence was presented showing that geothermal leasing, under proper safeguards, would be inimical to uses for fish and wildlife purposes. Vast acreages in many of the Western States have been declared, by administrative fiat, withdrawn for fish and wildlife purposes, and to shut such areas up from the development of any of their other resources seem unnecessary, inequitable to the State concerned, and contrary to the principle of multiple use.

COST

Enactment of S. 1674 would not require any appreciable increases in appropriation of Federal funds. The only costs would be relatively minor ones of administration, including surveys and determinations by the Geological Survey of geothermal structures.

On the contrary, the bill would make possible the development of presently untapped natural resources of the publicly owned lands of the United States, which would be the foundation of new industries bringing new revenues to both the States and the Federal Government.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

The bill (S. 2064) to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949, as amended, is further amended by adding section 216 at the end of title II thereof, as follows:

"SEC. 216. (a) Notwithstanding any other provision of this Act or any provision of the Trading With the Enemy Act, as amended, any person—

"(1) who was formerly a national of Bulgaria, Hungary, or Rumania, and

"(2) who, as a consequence of any law, decree, or regulation of the nation of which he was a national discriminating against political, racial, or religious groups, at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated enjoyed full rights of citizenship under the law of such nation, shall be eligible hereunder to receive the return of his interest in property which was vested under section 202(a) hereof or under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania if 25 per centum or more of the outstanding capital stock of such corporation was owned at the date of vesting by such persons and nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan, or if such corporation was subjected after December 7, 1941, under the laws of its country, to special wartime measures directed against it because of the enemy or alleged enemy character of some of all of its stockholders; and no certificate by the Department of State as provided under section 207(c) hereof shall be required for such persons.

"(b) An interest in property vested under the Trading With the Enemy Act, as amended, as the property of a corporation organized under the laws of Bulgaria, Hungary, or Rumania shall be subject to return under subsection (a) of this section only if a notice of claim for the return of any such interest has been timely filed under the provisions of section 33 of that Act. In the event such interest has been liquidated and the net proceeds thereof transferred to the Bulgarian Claims Fund, Hungarian Claims Fund, or Rumanian Claims Fund, the net proceeds of any other interest transferable but not yet transferred to the same Fund may be used for the purpose of making the return hereunder.

"(c) Determinations by the designee of the President or any other officer or agency with respect to claims under this section, including the allowance or disallowance thereof, shall be final and shall not be subject to review by any court."

SEC. 2. The first sentence of section 207(c) of the International Claims Settlement Act of 1949, as amended, is amended to read as follows:

"(c) The sole relief and remedy of any person having any claim to any property vested pursuant to section 202(a), except a person claiming under section 216, shall be that provided by the terms of subsection (a) or (b) of this section, and in the event of the liquidation by sale or otherwise of such property, shall be limited to and enforced against the net proceeds received therefrom and held by the designee of the President."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 684), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 2064 is to permit the return of indirect (stockholder) interests in certain enemy corporations vested under title II of the International Claims Settlement Act, or under the Trading With the Enemy Act, to persecutees normally barred from such return by reason of being nationals of Bulgaria, Hungary, or Rumania, which countries were enemies of the United States during World War II. It is identical to a bill (S. 2634) which was approved by the Senate on May 26, 1960.

BACKGROUND

Title II of the International Claims Settlement Act deals with the property of Bulgaria, Hungary, or Rumania, or any national thereof, vested under the Trading With the Enemy Act of 1917, as amended, or blocked under Executive Order 8389, as amended, and provides for the vesting and liquidation of such blocked property which is not owned directly by a natural person. Section 207 presently provides that a claim may be filed for the return of property vested under title II by a person who was not a national of Bulgaria, Hungary, or Rumania on the effective date of Executive Order 8389 (March 4, 1941, for Rumania, and March 13, 1941, for Bulgaria and Hungary). In addition, section 207(c) provides for the allowance of claims by such persons based on ownership of shares of stock in a corporation whose property was vested under title II, if 25 percent or more of the outstanding capital stock or other proprietary interest in the corporation was owned on the date of vesting by nationals of countries other than Bulgaria, Hungary, Rumania, Germany, or Japan. However, section 207(c) makes no similar provisions in the case of stock in such corporations which is owned by persecutees.

On the other hand, under section 32(a)(2)(C) and (D) of the Trading With the Enemy Act, vested property may be returned to individuals who, regardless of nationality, were persecutees of former enemy countries, including Bulgaria, Hungary, and Rumania. The Trading With the Enemy Act does not, however, provide for the return to such persecutees or to nonenemy nationals of their proportionate share in the vested assets of enemy corporations in which they had an interest.

As the law now stands, therefore, only those vested properties which were directly owned by persecutees of the former enemy countries are returnable to these owners. In other words, a persecutee does not now have a right to the return of property if his interest in it is indirect; that is, if it is expressed through ownership of stock in a corporation. In these circumstances, it is possible that the same persecutee could be treated as a friend in the case where his ownership is direct and as an enemy in the case where his ownership is indirect.

EFFECTS OF S. 2064

S. 2064 would eliminate the inequity and place persecutees with an indirect (stockholder) interest in a vested property in the same status as persecutees with a direct interest in a vested property. Moreover, it would apply the same principle whether the property was vested by the United States under the International Claims Settlement Act or the Trading With the Enemy Act. The only condition, assuming that in all other respects the persecutee's claim is a valid one, is that the corporation in which he had an interest was at least 25 percent owned by persecutees or was treated as enemy owned by the Government of Bulgaria, Hungary, or Rumania.

S. 2064 makes these benefits to persecutees having interests in property vested under the Trading With the Enemy Act, such as property of Bulgarian, Hungarian, and Rumanian corporations, contingent upon timely claim having been filed under Trading With the Enemy Act. In this connection, however, it should be noted that in the event a return is to be made to a persecutee of one country only funds held by the Office of Alien Property for future transfer to that country's claims fund in the Treasury can be drawn upon for the purpose of making such return.

COMMITTEE ACTION

On August 5, 1965, the ad hoc Subcommittee on Claims of the Committee on Foreign Relations held a public hearing on several claims bills, including S. 2064. No witness appeared in opposition to the measure, and, as was pointed out previously, it is identical to a bill (S. 2634) which was approved by the Committee on Foreign Relations and the Senate in 1960. (See S. Rept. 1419, 86th Cong., 2d sess.). The committee considered S. 2064 in executive session on August 10, 1965, and ordered it reported favorably to the Senate.

CONCLUDING COMMENTS

As far as can be determined, S. 2064 would affect four stockholders or their heirs of one substantial seized property, the Chinion Chemical & Pharmaceutical Works, Ltd., a Hungarian firm. Based on the percentage of the stockownership of the prospective claimants (none of whom is a U.S. citizen), approximately $120,000 is involved. The assets of the corporation were liquidated by the Office of Alien Property and the net proceeds were deposited in the Hungarian claims fund in the Treasury. Subsequently, pro rata payments were made to American citizens who had claims against the Government of Hungary.

The claimants dealt with here are not and never have been American citizens. They were persecuted by enemy governments, and the proceeds of their property should never have been paid into the Hungarian claims fund in the first place, but rather should have been returned to them. If their property had not been in the form of stock, this would have been done.

S. 2064 simply rectifies this wrong. It fits into the framework of general U.S. international policies with respect to the blocking and vesting of the property of persecutees or of nonenemy nationals. These policies support the principle that the private property of Allied nationals or the victims of enemy persecution shall not be indiscriminately seized for reparations or similar purposes. The United States has upheld this principle as regards Americans or other nonenemy property interests abroad and at home. The effect of S. 2064 will be to bring the practice with respect to the rights of persecutees in vested property in this country into line with the position which the United States has traditionally taken.

As is pointed out above, under existing law there are differences in treatment as between persons having certain interests in assets which were vested under the Trading With the Enemy Act and persons having similar interests in assets which were vested under title II of the International Claims Settlement Act. The committee does not believe there is any legal or equitable justification for the application of a double standard in cases of this nature. It recommends, therefore, that S. 2064 be passed by the Senate.

PERMITTING EARLY PAYDAY FOR ARMED FORCES PERSONNEL

The bill (H.R. 3039) to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 685), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would permit military paydays as much as 3 days before the last day of a pay period when the last day of the pay period falls on a Saturday, a Sunday, or a legal holiday.

EXPLANATION

Section 529 of title 31, United States Code, prohibits payment in advance of service performed. The Comptroller General has ruled that this section prohibits military paydays on the day before the last day of the month even though no service is required of the member on the last day of the month.

This bill would permit payment of members of the Armed Forces as much as 3 days in advance of the last day of a pay period when the pay period ends on a Saturday, a Sunday, or a holiday. The passage of time has rendered the "last day of the month" rule for military paydays impractical when the day falls on a nonworkday.

Authority to designate an early payday will contribute to increased morale, permit the exercise of more flexibility in scheduling command activities, and could create a savings through the elimination of overtime required to operate service-type facilities on a Sunday or on a holiday when payday must be held on these days because of the "last day of the month" rule.

If a member of the Armed Forces dies before the last day of the pay period, after he has received an advance payment under this bill, the amount he did not earn will not be recoverable by the United States. The maximum amount of any such unearned pay would be that for 3 days, however, and the number of such cases would be so few and the amount of the potential loss so small that the benefits of an early payday outweigh this possible disadvantage.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request by Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AUDIT REPORT OF AMERICAN SYMPHONY ORCHESTRA LEAGUE, INC.

The PRESIDENT pro tempore laid before the Senate a letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting, pursuant to law, an audit report on the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1965, which, with an accompanying report, was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters (Rept. No. 688);

H.R. 727. An act to provide for the administration of the Coast Guard Band (Rept. No. 689); and

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve (Rept. No. 690).

AUTHORITY FOR COMMITTEE ON AGRICULTURE AND FORESTRY TO FILE REPORT—MINORITY, INDIVIDUAL, AND SUPPLEMENTAL VIEWS

Mr. HILL. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be permitted until midnight tonight to file its report on H.R. 9811, together with minority, individual, and supplemental views if desired.

The PRESIDING OFFICER (Mr. Bass in the chair). Without objection, it is so ordered.

Subsequently, Mr. Ellender, from the Committee on Agriculture and Forestry, reported the bill (H.R. 9811) to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes, with an amendment, and submitted a report (No. 687) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BAYH:

S. 2496. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 2497. A bill for the relief of Dr. Guillermo Anido y Franguio; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. Douglas, and Mr. Proxmire):

S. 2498. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 2499. A bill to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

RESOLUTION — AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON (on behalf of Mr. McGovern and himself) submitted a resolution (S. Res. 144) authorizing the Foreign Relations Committee to investigate the legality of shipping restrictions on wheat, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. Symington, which appears under a separate heading.)

REGISTRATION OF MAILING LIST BROKERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to require registration with the Post Office Department of mailing list brokers and others who sell or exchange lists of addresses. In a modest way this measure is designed to bring some reduction in the vast quantity of obscene and pornographic materials sent through the mail.

In recent years there has been an increasing amount of unrequested and unwanted advertisements for and inducements to buy smutty publications sent to American homes. Investigation has shown that mailing lists of legitimate enterprises frequently come into the hands of peddlers of filth, often unknown to the original owner of the list. At present there is no organized way of checking on those who buy and sell or who compile mailing lists for their own profitmaking purposes.

This bill, which is identical to one introduced in the House by Representative Clement J. Zablocki, of Wisconsin, would require registration of mailing list brokers whose primary business is the buying and selling of these names and addresses. Records of transactions would have to be kept for at least 5 years by all persons who buy, sell or use mailing lists in a profitmaking activity. For those who violate the terms of the bill, a maximum fine of $5,000 and/or a jail sentence up to 1 year in length is provided.

Let me stress that this measure would not censor self-expression or directly curtail production or distribution of any material. Any attempt by Congress to ban the interstate shipment or the mailing of any publication would immediately be confronted with constitutional and practical administrative problems which would guarantee its failure. Americans are too steeped in the concept of freedom of speech and press to countenance outright governmental censorship.

The purpose of the bill is not to prohibit publication or shipment but to focus official attention on those who sell or exchange mailing lists which might come into the possession of those who traffic in obscene literature. Such brokers would have to provide the Postmaster General with the names under which they do business, the scope and character of their business, the relationship of mailing list operations to other businesses, the locations of their principal offices, and the names and addresses of their directors and chief executive officers. Those who use, buy, sell, lease, rent, exchange or otherwise make available mailing lists for profitable purposes would likewise have to provide similar information about their operations. Bringing the spotlight of publicity on the organizations which are buying and using mailing lists, and requiring that complete records of all transactions be kept for 5 years, would greatly diminish the opportunity for those who deal in smut to acquire the mailing lists of legitimate operators.

It is my understanding that the bill has received the tentative approval of the Post Office Department. There is evidence also that the direct mail industry would favor a measure of this type. I do not believe that it would place any burdensome restriction on any person engaged in any legitimate direct mail business, nor would it impose heavy administrative tasks on the Post Office Department. If the bill were enacted it would not eliminate all distribution of pornography and obscenity through the mails, but it would be extremely helpful in controlling one large source of trouble—the present unregulated and widespread traffic in mailing lists. For this reason I urge that favorable consideration be given this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2496) to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes, introduced by Mr. Bayh, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. NELSON. Mr. President, I am pleased to introduce today a carefully developed bill to create an Apostle Islands National Lakeshore in northern Wisconsin. This project has been a dream of those of us who love this area for many years. Now for the first time, we have gathered together all of the facts and figures needed to present a specific proposal to the U.S. Congress which will be of tremendous benefit to this region and to the entire Nation.

The late President Kennedy visited the Apostle Islands in September 1963. He was thrilled at the natural beauty of the islands, the Lake Superior shoreline and its sandy beaches and the magnificent wild rice marsh which is one of the most significant wildlife areas on the upper Great Lakes. President Kennedy said on that occasion that "We must act to preserve these assets" for the benefit of the people and as a recreational attraction for millions of Americans who live nearby.

Secretary of the Interior Udall, sharing the President's interest, at my request assigned a special subcommittee of his Department to make a detailed study of the feasibility of an Apostle Islands National Lakehore and to draft a specific plan.

This task force has come up with a proposal which has attracted widespread acclaim and which I now introduce in the form of legislation.

The 57,500-acre project includes 30 miles of Bayfield County shoreline, 21 islands, and a 10,000-acre marsh. The Bayfield County shoreline and its beautiful bays would be developed with a scenic highway, visitors' center, tourist lodges and marinas to provide outstanding recreational facilities which would receive intensive use. The 21 islands offshore would be preserved as virtual wilderness with temporary floating docks, primitive campsites and hiking trails. The magnificent wild rice marsh would be preserved just as it is for nature lovers, hunters and fishermen. Regulations would be developed to protect it against some undesirable uses which have been developing in recent years, such as high-speed motor boating and the construction of shacks by outsiders on land they do not own.

I have been interested in this proposal for many years. Like any major recreational project, it involves certain complicated problems, such as the purchase of privately owned property, removal of property from tax rolls, exchange of Indian lands, etc. I am delighted to report that after more than a year of intensive field work, the Interior Department task force has satisfactorily resolved every single one of these problems.

The Apostle Islands National Lakeshore does not create a tax problem; it provides a solution to a tax problem which the area has lived with for a lifetime. The Bad River and Red Cliff Indian Bands will not be hurt; they will be helped. The acquisition of privately owned property developments has been held to an absolute minimum and property owners will have excellent options available to guarantee that their interests will be fully protected.

An excellent economic analysis of the proposal has been made by Prof. I. V. Fine, a University of Wisconsin economist, who has become an authority on the tourist industry as a result of his extensive studies commencing with an assignment from former Governor Thomson, of Wisconsin, in 1958. Professor Fine estimates the value of the land involved at $2,900,000 but says that acquisition costs will probably be considerably less. The State of Wisconsin and Ashland County could continue to administer island properties which they own and the Indian bands could lease tribal land to the Government. Professor Fine estimates on the basis of studies of similar projects that this recreation area should attract 920,000 visits per year once it is fully established. He estimates that it would generate $7,250,000 a year in new consumer spending within the area. The project would require an estimated 21 full-time and 50 part-time employees with an annual payroll of $350,000, not including privately operated concessions which would be operated under lease agreements. It is estimated that 90 percent of the visitors would stay overnight outside the boundaries of the recreation area, thus stimulating private commercial development. New jobs in the area generated by the project are estimated at 363.

The Interior Department task force concluded that this area was truly of national significance and deserving of long-range preservation and development for public enjoyment.

The benefits to the region and the Nation from such a project are obvious. Time is running out on our priceless natural resources. Pollution, industrialization, and population growth are progressively destroying our woods, our waters, and our wildlife. Our population is expected to double by the year 2000. The population increase combined with an increase of income and mobility and leisure time is causing a geometric increase in the demand for park and recreational space. Yet we are making no comparable increase in the amount of space available.

It is estimated that the demand for outdoor recreation by the year 2000 will be 10 times what it was in 1950—the year our State conservation department first formally considered the establishment of an Apostle Islands park or recreation area.

Therefore, we need an Apostle Islands National Lakeshore to help provide quality recreation and wholesome scenic beauty for an estimated 50 million Americans who live within 1 day's driving distance. This project fits in well with a number of other badly needed recreational projects in the Midwest and is desperately needed as an addition to our present bank of outdoor recreational resources.

Second, an Apostle Islands National Lakeshore is the key to the economic development of our northland, which has a great potential as an outstanding center for outdoor recreation. This area, which includes northern Minnesota, northern Wisconsin and northern Michigan, has suffered for half a century because of the progressive depletion of its natural assets and the unwise exploitation of its resources. Today all of its principal industries—iron ore mining, lumbering, fishing, and farming—are depressed. The economic rehabilitation of the north, set back for generations by the ruthless squandering of its timber, mineral, and soil resources, must center around recreational development. Our northland needs an outstanding recreational resource, known to all the Nation, to attract tourists and serve as a complement to the excellent but limited recreational development already existing there.

Third, an Apostle Islands National Lakeshore, developed with Federal funds and administered by the National Park Service, will be of great value to the Bad River and Red Cliff Indian bands whose people will find jobs within the project and many opportunities for commercial development outside its boundaries.

By careful drawing of the project's boundaries, the tax loss is estimated at only about $6,000 per year which would be swiftly offset by the public and commercial development which would come from creation of the national lakeshore.

Although this proposal was first announced only on Sunday, August 29, it has already attracted widespread support.

The Wisconsin State Journal at Madison said in an editorial of September 1, 1965, that the Apostle Islands National Lakeshore "deserves and needs the support of every State citizen."

The Ashland Daily Press, in a column by Norrie Swanson, of August 30, commented that this project "will certainly be a boost to the economy of the Ashland-Bayfield County region." The Ashland paper cited the nationwide press interest shown in the project and expressed the hope that the project "will meet favorable response in Congress."

The jointly owned Portage Daily Register and the Chippewa Falls Telegram described the project as "a great opportunity" in an editorial on August 30. These newspapers stated:

> The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere * * * we have no alternative but to wholeheartedly support Senator Nelson and his proposal for this most worthwhile project.

The Eau Claire Daily Telegram in an editorial on August 30 also praised the proposal and said that the estimate of economic benefits was probably overly conservative. The editorial urged citizens to provide "the broad support needed to preserve this majestic area for posterity."

Virtually every newspaper in the region, including newspapers in Chicago, Minneapolis, St. Paul, and Duluth, devoted considerable space to describing the project and its economic benefits. Letters from individual citizens express similar support.

Mr. President, I ask unanimous consent to insert in the RECORD at this point

the bill and copies of editorials from Wisconsin newspapers endorsing this splendid project.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and editorials will be printed in the RECORD.

The bill (S. 2498) to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) (1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sandspits, and other natural and historical features within Ashland and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty; and

(2) for the purpose of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band"), there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Map—Proposed Apostle Islands National Lakeshore, NL–A1–7100, sheets 1, 2, and 3," dated May 1965. Said map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, or any interest therein, by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal and which is of approximately equal value. If the properties are not of approximately equal value, the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 3. (a) With the exception of not more than 80 acres of land in the Red Cliff Creek area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1965 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 4. The authorities granted by this Act shall be subject to the following exceptions and qualifications:

(a) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner;

(b) Any leasehold interest acquired in lands beneficially owned by the Bad River Band or the Red Cliff Band shall not exceed a term of ninety-nine years, but shall grant the Secretary the option of renewing the lease for as long as the lands are used as part of the lakeshore;

(c) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase any lands, or interests therein, outside of the lakeshore boundaries. Lands so acquired may be exchanged for such Indian lands on an approximately equal-value basis, but if the properties are not of approximately equal value the Secretary may accept cash from, or pay cash to, the grantor in order to equalize values;

(d) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band of Indians, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided,* That title to such lands shall be held by the United States in trust for the band or the individual Indians involved;

(e) With respect to any lands acquired by the Secretary under this Act that are within the boundaries of the lakeshore and within the boundaries of the Bad River or Red Cliff Indian Reservations, the Secretary may sell such lands to the respective Indian band at fair market value if he finds the sale will consolidate the Indian holdings and will facilitate the administration of the lakeshore: *Provided,* That as a condition of the sale the Secretary may acquire from the vendee a leasehold interest in order to use the land as part of the lakeshore; and

(f) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

SEC. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided,* That in order to preserve and interpret the historic, scenic, cultural and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable: *Provided,* That such a preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

SEC. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

SEC. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated by the Secretary.

SEC. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin to the extent applicable, except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for:

(1) Protection of scenic, scientific, historic, geological and archeological features contributing to public education, inspiration, and enjoyment;

(2) Development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) Preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, services as he may deem desirable; and

(4) Preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique, natural, historic and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided*, That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The editorials presented by Senator NELSON are as follows:

[From the Ashland (Wis.) Daily Press, Aug. 30, 1965]

HIT AND MISS ABOUT TOWN

(By Norrie Swanson)

The publicity given the proposed national park area for the Apostle Islands was tremendous all over the United States. The Milwaukee Journal, one of the Nation's best publications, gave it as much space as it would have the same proposal been for the Milwaukee area.

If this thing goes through, and it looks like there is nothing to stop it, it'll be a feather in the hat for U.S. Senator GAYLORD NELSON, who was Wisconsin's Governor when he first fostered this program that will certainly be a boost to the economy of the Ashland-Bayfield County region. There were some objectors Saturday when the proposal was explained, but those seemed to be more from a selfish standpoint and from those who were not fully aware of the plan.

Fishing and hunting rights will not be denied to any degree that it would hurt anyone, so I for one sincerely hope the plan will meet favorable response in Congress, where Senator NELSON now has to bring the measure. The complete survey has been completed and there is no denying from the facts and figures presented by the experts of the benefits that will be derived for the north.

Senator NELSON plans to present the measure to Congress within a week or so. No doubt it will take until 1966 when action will be taken. It requires an act of Congress to establish the proposed park. Let's keep plugging it and I'm sure we'll reap some sort of benefit by having a national park in our backyard.

[From the Portage Daily Register, Aug. 30, 1965]

GREAT OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, NELSON has promoted the idea of an Apostle Island National Park. Now it is official. Senator NELSON has proposed a 57,500 acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Portage? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rational for the Nelson project.

The national park, as outlined by Senator NELSON, would cost $11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some $6,000 in taxable property. This is a small amount however, when we compare it to the projected $7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of $350,000, not including the privately operated concessions in the park nor the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important, some of them would pass through Portage and Columbia County. We would then in a very materialistic and emperical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors, however, there is the overriding consideration of conservation. The Apostle Islands are a unique natural phenomena. Their beauty is certainly unmatched anywhere, and, as the Department of Interior said in a field study report, "There is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shore line opposite them. It would preserve, as Senator NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel, or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention, then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

[From the Wisconsin State Journal, Sept. 1, 1965]

NELSON PROPOSAL MERITS SUPPORT—APOSTLE ISLAND RECREATION PLAN

Senator GAYLORD NELSON may have been just a bit immodest, but he was also accurate in calling his Apostle Island National Lakeshore proposal "the greatest recreational project ever proposed for Wisconsin."

The visionary proposal covers 30 miles of Bayfield County shoreline, 21 wild offshore islands, and a 10,000-acre wild rice marsh interlaced by two rivers.

Anyone who has visited the area—and this must mean the great majority of State residents—could not fail to be impressed and charmed by its character.

It has a wild beauty that is found nowhere else in the State. It has a rocky and fascinating history of Indian wars, early exploration, fur harvest, and occupation by a rugged people who stayed to develop a fish and lumber economy.

It is a land and a water area that the State must be proud to list as one of its top assets. State residents owe it to their grandchildren to see that it remains a top asset and is not ground to pieces under the ruthless heels of civilization. It must be preserved as a land of beauty and solitude that is so necessary if man is to refrain from jumping off the edge of the earth in screaming panic.

The Nelson proposal seems the best way to do it. It deserves and needs the support of every State citizen.

[From the Eau Claire (Wis.) Daily Telegram, Aug. 30, 1965]

APOSTLE ISLANDS AS NATIONAL PARK

Senator GAYLORD NELSON has undertaken a difficult project in seeking to have the Apostle Islands and adjacent areas made a national recreation area.

The park would include 21 of the 22 Apostle Islands under a plan worked out during the past 2 years with the assistance of the Interior Department which sent a task force to study the terrain.

The rugged, rock-ribbed south shore caught the fancy of the late President Kennedy who visited the area on one of his last trips to the State.

Many others see a great potential in recreational use of the area ranging from primitive wilderness zones on the islands to sections such as one proposed for the Bayfield Peninsula providing space for tents, trailers, marinas, swimming, fishing, hiking, and beachcombing.

University of Wisconsin economist I. V. Fine in a study of the proposed area estimates it will attract up to one million visitors a year when fully developed and generate around $7 million a year in consumer spending.

It is our belief the estimate is on the conservative side. A friendly ranger in Grand Teton National Park, Wyo., told us that around 2½ million visitors are using that park this summer. While the Apostle Islands area would require many years to become as well known as the Tetons, their accessibility to millions of midwestern citizens is much more immediate.

The area is 168 miles from Eau Claire; 42 from Milwaukee; and a nice day's drive on the interstate from Chicago at 432 miles—when the 4-lane freeways are completed.

Of the total of approximately 57,500 acres in the project along the lakeshore, 37.2 percent is publicly owned. About 19 percent is owned by Indians and the rest is privately owned. The latter property is generally either in seasonal cottages or hunting camps. Commercial enterprises are limited in number and size. There are 14 year-round residences.

Professor Fine is careful to note that the tax revenue lost to local governments if the project goes through on the basis of 1963 data would total less than $10,000. This figure would probably be lower because local units of government can continue to tax owners of property under the lease-purchase agreements commonly employed. Owners have use of the property for another 25 years.

He also notes that the increase in business and local employment is almost certain to offset tax losses.

It is doubtful if dollar-sign benefits were uppermost in the mind of President Teddy Roosevelt when he helped launch the national park system. This Nation can be proud of the beauty spots which were wisely set aside by earlier generations.

Senator NELSON's effort to preserve for posterity some of the majesty of the glacier-battered Laurentian Range; the wave-lashed Apostle Islands; and the rocky southern shore of Lake Superior will need broad support from Wisconsin residents if it is to become a reality.

[From the Chippewa Herald-Telegram, August 30, 1965]

A UNIQUE OPPORTUNITY

There is a unique opportunity in Wisconsin and the large part of credit for it goes to Senator GAYLORD NELSON.

Ever since he was Governor, Senator NELSON has promoted the idea of an Apostle Island National Park. Now it is official as Senator NELSON has proposed a 57,500-acre project that would include 30 miles of Bayfield County shoreline with 20 wild offshore islands and 10,000 acres of wild rice marsh interlaced by two rivers.

What possible relevance would this project have for Chippewa Falls? Such a question is justified and though the answer seems clouded by the hundreds of miles between the Apostle Islands and our city and county, there is a very valid rational for the Nelson project.

The national park, as outlined by Senator NELSON, would cost $11 million. It would require buying a very small percentage of privately owned lands. It would take from the county tax rolls in the north some $6,000 in taxable property. This is an infinitely small amount, however, when we compare it to the projected $7,250,000 that economic studies estimate the national park would generate in spending within the area in 1 year.

The park would require an estimated 21 full-time employees and 50 part-time employees with an annual payroll of $350,000 not including the privately operated concessions in the park for the many private lodgings outside the park area that would serve to house those people coming to the Apostle Islands.

Further, when it is fully developed, according to Senator NELSON and studies made by the Department of Interior, the park would attract 920,000 visits per year. These people would have to pass through Wisconsin, and, more important some of them would pass through Chippewa Falls and Chippewa County. We would then in a very materialistic and empirical sense derive direct benefit from the money that these many additional tourists would spend.

As important as the economic factors however there is the overriding consideration of conservation. The Herald-Telegram is most familiar with the Apostle Islands. They are a unique natural phenomena. Their beauty is certainly unmatched anywhere and as the Department of Interior said, in a field study report, "there is no comparable area on the Great Lakes."

The proposed park would tie together the conservation and recreational purposes of the Apostle Islands and the shoreline opposite them. It would preserve, as Senator NELSON indicated, a "rare and priceless resource."

Neither the State of Wisconsin nor the counties involved can supply adequate funds, personnel or knowledge to preserve and maintain the Apostle Islands area as could be provided through the efforts of the Federal Government. When we have the opportunity for a Yellowstone or a Glacier type national park, when we have the area that warrants such attention then we have no alternative but to wholeheartedly support Senator NELSON and his proposal for this most worthwhile project.

SBA SALE OF LOANS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill, and ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2499) to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(b) of the Small Business Act is amended by deleting the word "and" before paragraph (9) thereof, and by adding the following new paragraphs:

"(10) notwithstanding any other provision of law, issue, offer, sell, guarantee, and purchase participation certificates evidencing a beneficial interest in principal and interest collections to be received by the Administration on obligations comprising loan pools established by it. Collection receipts allocable to the participations shall be set aside as a separate part of the revolving fund established by section 4(c) of this Act, and payments required on account of such certificates are authorized to be made from the revolving fund. Substitution or withdrawal of obligations in such pools may be made, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. Proceeds from sale of the participations shall be deposited in the revolving fund. Participations issued and guaranteed by the Administration shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer or officers thereof. Such participations shall also apply to the same extent as securities issued or guaranteed by the United States or its instrumentalities be deemed to be exempt securities within the meaning of the laws administered by the Securities and Exchange Commission and of section 5136 of the Revised Statutes;

"(11) notwithstanding any other provision of law, set aside a part or all of obligations held by him and subject them to a trust and, incident thereto, guarantee payment thereof. The trust instrument may provide for the issuance and sale of beneficial interests or participations, by the Trustee, in such obligations or in the right to receive interest and principal collections therefrom; and may provide for the substitution or withdrawal of such obligations, or for the substitution of cash for obligations, but the amount, interest rates, and maturities of such obligations shall at all times be sufficient to assure all payments under the participations. The trust instrument may also contain other appropriate provisions in keeping with the purposes of this paragraph. Notwithstanding any other provision of law, the Federal National Mortgage Association may be named and may act as trustee of any such trusts and, for the purposes thereof, the title to such obligations shall be deemed to have passed in trust: *Provided,* That the trust instrument shall provide that custody, control, and administration of the obligations shall remain in the Administrator subject to defeasance in the event of default or probable default, as determined by the Trustee, in the payment of the beneficial interests or participations. Notwithstanding the provisions of section 4(c) hereof relating to the payment of collections into the revolving fund established by such section, collections from obligations subject to the trust shall be dealt with as provided by the instrument creating the trust. The trust instrument shall provide that the Trustee will promptly pay to the Administrator the entire proceeds of any sale of beneficial interests or participations to the extent they are based upon such obligations or collections. The Administrator shall deposit such proceeds in the revolving fund. The Administrator is authorized to purchase outstanding beneficial interests or participations to the extent of the outstanding amount of his commitment to the Trustee. In the event that collections from obligations subject to the trust are insufficient to enable the Administrator to meet any of his responsibilities with respect to such beneficial interests or participations the Administrator may utilize any amounts available in the revolving fund to meet such responsibilities. There are hereby authorized to be appropriated to the revolving fund any amounts not otherwise available therein as may be required to enable the Administrator to meet any of his responsibilities with respect to beneficial interests or participation based on obligations set aside by the Administrator pursuant to this subsection."

SEC. 2. The first and last sentences of section 302(c) of the Federal National Mortgage Association Charter Act are amended by inserting "and other obligations" following "mortgages".

Mr. PROXMIRE. Mr. President, the bill would amend the Small Business Act and the Federal National Mortgage Association Charter Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration. Proceeds from sale of the participations would be deposited in SBA's revolving fund for use in financing the agency's programs of small business loans, disaster loans, loans under the Economic Opportunity Act of 1964, development company loans, and loans to and debenture purchases from small business investment companies.

Though section 5(b) of the act confers broad authority on the Administrator of SBA to sell and deal with loans made by the Agency, there is some doubt as to the extent to which this authority would support the issuance of participation securities based on such loans. The bill would specifically authorize issuance and sale, either directly by SBA or through the Federal National Mortgage Association—FNMA—on behalf of SBA, of participation certificates representing beneficial interests based on principal and interest collections to be received on account of certain loans held by SBA. It is believed that such participation certificates would be more readily salable to banks and other investors than individual SBA loans in many cases.

The bill contains two basic provisions, one authorizing participations issued by SBA and the second authorizing SBA and FNMA to enter into a trust agreement providing for the issuance of FNMA participations based on obligations held by SBA. Alternate availability of the two procedures would be advantageous in enabling choice of whichever method appears most appropriate at particular times in view of SBA's current loan portfolio, the condition of the financial market, and other administrative considerations. It is expected, however, that at least initially the FNMA route will be utilized, in view of FNMA's experience and acceptance in the securities market.

PARTICIPATIONS ISSUED BY SBA

The bill would authorize SBA to set aside as a separate part of its revolving fund, collections of principal and interest on certain pools of its loans which the agency would establish. SBA would then issue, offer, sell, and fully guarantee participation certificates evidencing a beneficial interest in such collection receipts. The agency would also be authorized to purchase such participation certificates, and if necessary to utilize any part of its revolving fund for payments required on account of the certificates. Proceeds from sale of the participations would be deposited in SBA's revolving fund.

Such participations would be lawful investments and could be accepted as security for all trust, fiduciary, and public funds, the investment or deposit of which is under the authority and control of the United States or any officer thereof; would be exempt securities within the meaning of laws administered by the Securities and Exchange Commission to the same extent as securities issued or guaranteed by the United States or its instrumentalities; and also would be exempted from certain restrictions placed on bank securities activities by the Federal banking law. These exemptions and investment attributes for SBA participations would be similar to those which have already been provided by statute for the FNMA participations discussed below.

PARTICIPATIONS ISSUED BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The bill would also clarify SBA and FNMA authority to enter into a trust agreement, under which the Federal National Mortgage Association as fiduciary would sell and guarantee its participation certificates based on principal and interest collections to be received on loan obligations held by SBA. Title VII of the Housing Act of 1964 authorized FNMA to enter into such agreements with respect to certain first mortgage obligations, and the bill would extend this authority to other types of obligations held by U.S. Government agencies.

Under this arrangement, SBA would set aside certain of its loans, guarantee them, and subject them to a trust. FNMA, as trustee, would issue its participations based on such obligations and on the right to receive principal and interest collections therefrom. FNMA would pay to SBA the proceeds from sale of such participations for deposit in SBA's revolving fund. The revolving fund could be utilized for payments on account of the certificates, and SBA would be authorized to pay FNMA appropriate expenses incurred pursuant to the agreement and to purchase when necessary outstanding FNMA participations issued on SBA's behalf. Such FNMA participations would have investment attributes and exemptions similar to those described above for SBA participations.

As indicated below, collections from loans set aside for pooling would supply ample funds to meet payments on the FNMA or SBA participations issued. However, the bill also provides a special authorization for appropriations to the extent any additional amounts required were not available in the revolving fund.

DESCRIPTION OF POOLING AND PARTICIPATIONS

The loan pool established by SBA under these authorities would be required, of course, to contain loans whose principal and interest collections would be ample to meet payments due on participations issued for the Agency. It is anticipated that the outstanding principal amount of loans in the pool would substantially exceed the amount of participations issued. While all types of obligations held by SBA may be included, it is probable that a majority of the loans in the pool would be business loans and development company loans. Substitution of loans would be made if determined to be necessary or desirable.

Current plans call for sale of approximately $350 million of participations during fiscal 1966 if the legislation is enacted. At present, no determination has been made concerning the terms and features of participations to be offered. This, of course, would depend on such factors as conditions in the financial market, and the most suitable arrangement from the Government's viewpoint.

AUTHORIZATION FOR FOREIGN RELATIONS COMMITTEE TO INVESTIGATE THE LEGALITY OF SHIPPING RESTRICTIONS ON WHEAT

Mr. SYMINGTON. Mr. President, in the absence of the distinguished junior Senator from South Dakota, and in that I fully agree with the purport of his proposal, I submit on behalf of Senator McGovern and myself the following resolution and ask for favorable Senate action thereon.

I ask unanimous consent that the full text of the resolution be printed at this point in the Record.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 144) was referred to the Committee on Foreign Relations, as follows:

S. Res. 144

Whereas the Executive Branch of the Government of the United States requires that export licenses for shipment of wheat sold in regular commercial channels to Russia and satellite countries shall be conditioned on shipment of 50 per centum of such cargo in domestic carriers; and

Whereas the Senate is advised that the State Department has informed the Maritime Advisory Committee that such restrictions or preference provisions are in violation of our Government's commercial treaties with at least 30 nations, and

Whereas the State Department advised the Maritime Advisory Committee that extension of U.S. flag preference into the commercial trade area would arouse violent reaction among friendly nations and constitute a reversal of foreign policy of at least a century duration in relation to shipping discriminations; and

Whereas the imposition of such restrictions on licenses for commercial wheat export appears to constitute a clear violation of Sec. 3(c) of the Export Control Act of 1949, as extended and amended by Public Law 89–63 enacted by the present Congress: Now, therefore, be it

Resolved, That the United States Senate authorize and direct its Foreign Relations Committee to investigate as early as possible whether such shipping restrictions in relation to wheat constitute violation of treaties and law, and to report its findings to the Senate on or before October 15, 1965.

POPULATION BILL PUBLIC HEARINGS CONTINUED WEDNESDAY, SEPTEMBER 8, ROOM 3302, NEW SENATE OFFICE BUILDING—WITNESSES INCLUDE REPRESENTATIVES FROM DADE COUNTY PUBLIC SCHOOLS, MIAMI, FLA.

Mr. GRUENING. Mr. President, public hearings will continue tomorrow, Wednesday, September 8, at 10 a.m. on S. 1676, my bill to coordinate and disseminate birth control information upon request. The hearings will be held in room 3302, New Senate Office Building.

The Government Operations Subcommittee on Foreign Aid Expenditures will hear witnesses who are concerned about school problems in the Dade County Public Schools in Miami, Fla. Hurricane Betsy permitting, the subcommittee hopes to learn a great deal from the testimony of Superintendent Joe Hall, Chief of Planning and Policy Frank Sloan, and Chairman Jane S. Roberts of the Dade County Board of Public Instruction.

To round out the hearing the Subcommittee on Foreign Aid Expenditures has asked Mr. Clifford Nelson, president of the American Assembly of Columbia University, New York City, to describe in detail how the American Assemblies on Population have contributed to the population dialog throughout the Nation. Mr. Nelson will also discuss briefly the work of the American assembly in other lands.

MAYOR RICHARD C. LEE AND THE CITY OF NEW HAVEN

Mr. RIBICOFF. Mr. President, today's New York Times carries an outstanding story on the city of New Haven, Conn., which contains a lesson for every city in our Nation.

Under the brilliant and inspiring leadership of Mayor Richard C. Lee, New Haven has proved and is continuing to prove what America's deteriorating cities can truly become. I want to share my pride with my colleagues.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW HAVEN PURSUING THE AMERICAN DREAM OF A SLUMLESS CITY—THIRD OF AREA BEING REBUILT AT A COST OF HALF A BILLION

(By Samuel Kaplan)

NEW HAVEN.—The American dream of a slumless city may be fulfilled here.

About a third of this city—6 square miles—is being renewed at a cost that will exceed $500 million in public and private investments.

The result of $300 million spent in the last 10 years has changed the face of New Haven from one of downtown decay and festering slums to commercial complexes, modern housing developments and stately rehabilitated homes.

Court Street, a skid row 10 years ago, is now a prestige address. New, imaginative housing developments have attracted middle-class families back from the suburbs.

The commercial slums on Church Street have been replaced by gleaming stores. Land values downtown have doubled. And the hum and clatter of construction is everywhere.

Though the large slums of crumbling tenants, clapboard shacks and firetrap factories are gone, there are still a few small pockets of decay—shabby, overcrowded frame buildings second-and-third-generation welfare cases and low-income Negro families, recent migrants to this city of 152,000.

OFFICIALS CONFIDENT

But in city hall on Church Street, and in Washington, officials are confident that New Haven has perfected the tools of urban renewal, combined them with an imaginative antipoverty program and is well on the way to victory.

"I think New Haven is coming closest to our dream of a slumless city," Robert C. Weaver, Federal Housing and Home Finance Administrator, said recently in an interview. Most housing experts across the country agree.

"It is like a dream. Everything is done with as much style," said a member of a New York City community planning board after a recent tour. "If only New York had half of New Haven's imagination and a quarter of its spirit."

Civic pride is everywhere.

Taxicab drivers occasionally put their fare flag down and drive out of the way to show a curious visitor a new building. Elderly persons sit on benches in the city green and marvel aloud at a 14-story renewal project rising to the east. Boccie players outside a community center halt their game to give a detailed history of how their neighborhood was renewed. And Yale professors reflect favorably upon it all.

A GREAT RENAISSANCE

Reuben A. Holden, secretary of Yale, called the renewal program "a great renaissance for the city" and said the university was proud to be a partner in it. A number of professors and university officials serve the city as consultants.

No one interviewed was more enthusiastic than Mayor Richard C. Lee, who has been the prime force behind the renewal program for the last 12 years.

"We are restoring an elegance and style to this city," he said in a somber, formal tone. And then he broke into a smile and added: "And it's fun, exciting to think what can be done."

He spoke about a planned cultural center, experimental low-income housing, a new, integrated cooperative, employment programs for dropouts, new schools and—most of all—a community spirit that has allowed his planners to exercise their imaginations.

NEW GRANT DUE

Despite its size, New Haven ranks only behind New York, Chicago, and Philadelphia in total Federal grants received for urban renewal. So far the Housing and Home Finance Agency has channeled and earmarked about $75 million to the Connecticut port city.

On a population basis, New Haven ranks first in the country, with Federal urban renewal grants averaging $458 for each resident. The figure for New York City is $31.

New Haven will soon receive another grant, to begin the new Federal rent subsidy program for low-income families. It will involve moving 200 families into private housing.

The families apply 21.8 percent of their income to rent, with the Federal Government paying the landlord the difference between that amount and the actual rental. That means, for example, that if a family's total monthly income is $300 and its rent is $85 a month, it pays the landlord $65.40 and the Government adds $19.60.

Mayor Lee, in a move typical of the city's attitude of taking advantage of every available Federal program, went to Washington to apply to the Public Housing Authority the day the program was signed into law early this month. Approval is expected within 3 weeks.

"We don't like to waste time," he said.

POLICY IS UNUSUAL

The new program is consistent with the city's unusual policy of trying not to move low-income families into low-income projects. Only low-income housing for the elderly has been constructed in renewal areas.

Melvin J. Adams, administrator of the city's redevelopment agency, explained that when houses had to be demolished, residents were dispersed to foster integration and prevent the creation of new pockets of slums.

He said that a major problem in the Dixwell area, a community just north of the Yale campus now undergoing renewal, was the concentration of 900 low-income families in a large housing project built before Mayor Lee took office.

To offset the project, a 129-apartment cooperative was built in the neighborhood. An additional 81 units of middle-income housing is planned for the area, as is extensive rehabilitation of privately owned homes.

Edward Cope, head of the agency's Dixwell office, reported that 253 buildings containing 758 apartments were being rehabilitated. The office assists owners by giving architectural advice, locating reliable contractors and helping them to obtain mortgages, once a problem in this predominantly Negro neighborhood.

REHABILITATION THE KEY

According to Mr. Lee, the key to the city's housing renewal program has been the rehabilitation of structurally sound, but deteriorated buildings. More than 7,500 buildings have been rehabilitated in the last 10 years.

The Wooster Square area, just south of the business district, is cited by the city as the best illustration of its renewal program and its goals.

Ten years ago the area around the square, an old Italian neighborhood, was fast slipping into decay. But though its crumbling brownstones, tenements, and old factories were ripe for the bulldozer, only the worst buildings were demolished and close to 1,000 were saved through rehabilitation.

This would have been enough to save the physical community, but the city added a few touches that has lifted its renewal program out of the ordinary.

It sought leading architects to design new housing on the site of demolished buildings, encouraging them to use their imagination to scale the developments to the surrounding homes. It set aside land for a sitting park, and brought in Hideo Sasaki, the landscape architect, to design it. And it sought off-street parking to clear the residential streets of parked cars.

CENTER IS DESIGNED

To encourage a neighborhood identity, it selected the site of a burned-out factory where 15 persons had died and had the architectural concern of Skidmore, Owens & Merrill design a community center and school.

The center is a small city in itself. Besides the school, it includes a library, community meeting rooms, a youth center, city social service offices and a center for the elderly.

Wooster Square is now considered a desirable neighborhood. It has attracted back some of the middle class the city was losing to the suburbs and, through its moderate income developments, has brought the first Negro families into the area.

The city now hopes to repeat its Wooster Square success in Dixwell. Similar renewal plans, calling for rehabilitation, a mixture of housing and community facilities, are being developed for the Newhallville and Dwight sections.

Not to get into a rut on housing renewal formulas, however, the city has contracted with Ludwig Mies van der Rohe, the architect, to design a varied housing development on 20 acres southwest of the downtown area.

LOCAL ARCHITECTS USED

City officials note that west of the site will be a new high school designed by Eero Saarinen and Associates shortly before the architect's death.

The city also has used local architects, notably Paul Rudolph, former dean of Yale's School of Architecture. His midtown parking garage and low-income housing project for the elderly in the Dwight section are distinct, if not controversial designs.

"It certainly adds some excitement to our skyline," commented Mayor Lee.

The city's housing renewal projects almost completely surround the business district, which is undergoing vast renewal itself.

A 14-story office building, a 319-room hotel, and a public plaza soon will complete the front block complex which already includes two new department stores, Malley's and Macy's and a new First New Haven National Bank. Also to be added to the skyline will be the Knights of Columbus international headquarters, a 26-story stark, modern structure.

The Southern New England Telephone Co. already has completed its office building and work will soon be finished on the State mental health building and the Yale University epidemiology and public health building.

LUXURY APARTMENTS BUILT

To the north, two high-rise luxury apartment houses with a total of 518 units have been filled. A third will soon rise, as well as two smaller apartment houses.

To accomplish all this, the city has had to relocate 5,200 families, a third of which it said were single persons. In the process, social problems were uncovered that the city found itself ill-equipped to handle.

With the help of $2.5 million from the Ford Foundation in 1962, the city established the Community Progress, Inc., a forerunner of an antipoverty program, to provide social services such as youth employment programs, prekindergarten schools, and legal aid. It is now the city's antipoverty program and operates on a $10 million budget.

Businesses also had to be relocated, so the city created its business relocation office, the first in the country, to offer financial aid and advice. It then created industrial parks on the outskirts of the city as a home for most of the displaced businesses.

With an air of confidence, Mr. Lee and his staff keep coming up with projects. Now in the planning stages are renewal programs for the Hill and Fair Haven sections. Both will probably emphasize rehabilitation.

The State Street area, in the south of the business district, also is under study. Tentative plans include a new civic center, office buildings, a shopping plaza, and a cultural center. I. M. Pei, the architect, has been hired as a consultant.

The only area untouched in the middle of the city is the 18-acre village green, set aside for public use in 1638, and Yale University, whose cloistered colleges lie north of the green.

Mayor Lee assured an interviewer that the city had no plans for either of these.

THE CITY OF HARTFORD AS AN EXAMPLE FOR AMERICA

Mr. RIBICOFF. Mr. President, the September 21 issue of Look magazine has an outstanding article entitled, "Our Sick Cities and How They Can Be Cured." This is must reading for all of us who are concerned with the future of urban America. John Peter did a great reporting job on our cities and their needs.

I am proud that special mention has been made of both the cities of Hartford and New Haven, Conn. As a resident of Hartford, I am pleased with the attention given Hartford as one city's answer to downtown decay. Indeed, civic pride in my native city is high, and the article explains the reason for it.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR SICK CITIES AND HOW THEY CAN BE CURED

(A profile of the city created for Look by Ben Shahn and by John Peter)

(NOTE.—Our cities are seriously sick but not hopelessly sick. Many of us are worried, and some of us are ready to give cities up for dead. This issue is about people who find them still very much alive and people who are determined to make them better. The health of our cities represents one of the gravest challenges in the second half of the 20th century.)

EVERYBODY'S GOING TO TOWN

There has been so much talk lately about what's wrong with our cities that some people forget what's right about them. Our cities are sick and running a high fever, but the report of their death has been greatly exaggerated.

When some of us were young, a favorite high school debate topic was "Would you like to live in the city or the country?" It's not much of a debate any more. Seventy percent of us have voted overwhelmingly for the city, and future ballots will swell the urban total. Cities have problems because nearly everybody in the world has decided that in or near a city is the best place on earth to be.

The city has always been the mainspring of civilization. It was the city that nurtured the arts, the commerce and the political freedom of Western man. People have always moved to the city because it maximizes opportunity. It is the escalator to a better life. Miserable as existence frequently is for the Negro in the modern city, he has no illusions that he or his children would be better off back on the farm.

In the American past, the agricultural majority viewed the town with deep distrust. At the time of our first census in 1790, 95 percent of us lived in rural places. There were only 2 cities with more than 25,000 people—New York and Philadelphia. Our Founding Fathers, determined to avoid corrupting city influences, planted the new Nation's Capital in the unspoiled countryside along the peaceful Potomac. Ironically, Washington, D.C., is now our ninth largest metropolis.

As recently as 75 years ago, two out of three Americans still lived in the country. But two powerful forces, long at work, were radically altering their world. The population explosion and the move to the city thrust Americans into a new age.

We are now a nation of 195 million people. Nearly half the people who have ever lived in the United States are alive today. Even with our decreasing birthrate, we should double in number to more than 400 million in just 50 years.

During the last decade, for the first time in our history, our rural population declined, despite surging national growth. As we continue to turn our farm into efficiently mechanized food factories, the end of the trend is nowhere in sight. Everybody's going to town. The combination of push and pull—push off the farm and pull to the city—has created unheard of urban density. Seventy percent of our urban population is concentrated on 1 percent of the country's total land area. The big squeeze is on.

The Census Bureau lists 225 metropolitan areas of 50,000 population or more. But many of these are already merging into one another to form strip cities, 13 of which contain half the population of the United States. The continuous urban spread from Boston to Washington, D.C., first described as megalopolis by the French scholar Jean Gottmann, is the wealthiest, most industrialized area on earth. So vast are its implications that Gottmann wrote that it "gives one the feeling of looking at the dawn of a new stage in human civilization."

Most of us think of the city in less glowing dimensions. To us, the city means the land within the city limits—the area under the jurisdiction of the mayor. Most often, we really mean the central city, the core city that is the heart of the metropolis, where urban problems are at their worst. Some experts have diagnosed the city's sickness as heart trouble.

Historically, the old center of the American city has always been the staging area where immigrants from abroad and migrants from our farms learned about urban life. The latest arrivals in our cities are every bit as useful to our society as the countless waves that preceded them. As University of Chicago sociologist Philip Hauser observed recently, "Every newcomer group was greeted in the same manner by people who had gotten off earlier boats—with suspicion, distrust, hostility and discriminatory practices. Micks, Krauts, dumb Swedes, Polacks, Chinks, Wops, Dagos, Bohunks—what ever happened to all that riffraff?"

Our newest newcomers have been living in our country for quite a while. In fact, some of their ancestors met the first boat. About 10,000 American Indians a year are leaving their reservations for the paleface city. They favor big cities like Chicago and Los Angeles. Old-line Americans, white and Protestant, are also coming down from the mountains to a homelike hillbilly slum in northern Chicago. They have been damned for the same social shortcomings usually associated with nonwhites.

The most numerous newcomers to the city have been the Negroes from the rural South. When a hard-pressed Harlem policeman urged a mob to "Go home, go home," from the back of the crowd came the reply, "We are home, baby." The core of the older big cities has become the home of our Negro citizens. The nonwhite population of the United States over the last 50 years has stayed at a fairly steady 10 percent, but now about three-quarters of them live in cities, American Negroes appear more numerous. More importantly, our discrimination is more visible. Out of backwater bondage, they have moved into the mainstream of American life. It is already beginning to carry them beyond the ghettos of the core cities to the middle-class outlying districts and the suburbs.

Too many, though, are trapped in the crumbling slum, while, like Mark Twain's ethical man (defined as a Christian holding four aces), we insist on a slow walk to the exits. It will be a long, hot decade for the city unless these Americans get the chance to move up in our society, and get it fast.

The swiftness of urbanization has left us with a national nostalgia for our rural past. "You can get the boy out of the country, but you can't get the country out of the boy" applies to a generation that was born in the country and moved to the city. Even a most urban-aware President and Vice President seldom fail to reminisce on their rural and small-town origins. Our flight to the suburbs is an understandable attempt to combine city benefits with country living.

Few urban subjects have been more misinterpreted than this move out. Unseemly eager pallbearers might have us believe that the city's life-giving population is ebbing away. The latest census figures show expected gains in all top 20 metropolitan areas except Pittsburgh. In over half of the 20 areas, the city counties have strongly outpaced their suburban counties. Chicago's Cook County, for example, gained nearly one-and-a-half times as much as all five of its suburban counties. New York City posted the largest national gain—more than all its populous four suburban counties put together.

THE CURES ARE NOT QUICK, CHEAP, OR EASY, BUT THEY ARE KNOWN

Something has happened, however, in some of our big cities that does not show up in the statistics. Since 1950, in New York, some 800,000 middle-class whites, traditionally the strength of the metropolis and its economy, have been replaced by 800,000 Negroes and Puerto Ricans who, for the most part, are unskilled or semiskilled. The middle-class white did not leave the metropolitan area, he just stepped across the city line. In the low-taxed, green suburban acres, both rapidly vanishing, he built a protected nest for his family, complete with churches, schools, and shopping centers. Park Forest's Illinois State Representative Anthony Scariano put it this way about the Chicago area, "We've become accustomed to thinking that Chicago is the place where we earn our living, and the suburbs are the dormitory where we leave our wives alone in a nice safe place and the kids are in a lily-white community with good schools."

An undetermined number of young city families have been replaced by old folks, returnees from suburbia. The over-65 group in metropolitan areas has grown 45 percent in the last decade alone. Cities, not the publicized retirement villages, have become the home of our senior citizens. Today, our central cities contain a concentration of the poor, the elderly, and the discriminated against.

These problems bear down most heavily on one man—the mayor. As far as the city goes, every mayor well might have on his desk President Harry S. Truman's celebrated sign: "The buck stops here." One of our most cherished myths is that the buck also disappears here. Lincoln Steffens' charge of bosses, boodlers, and job sellers half a century ago is simply no longer true. According to Fortune, "The big city must rank as one of the most skillfully managed of American organizations—indeed, considering the problems it has to face, it is better managed than many U.S. corporations."

The modern mayor has the management skill of a corporation president. He is pressing into service the methods and equipment of modern industry. Mayor Sam Yorty's computers in Los Angeles now handle city statistics that one consultant calls nine times more complex that a Mars shot. The problem at most city halls is neither efficiency nor honesty, though hanky-panky persists in some spots. What every city badly needs is leadership with positive programs and action. Mayors like Richard C. Lee of New Haven, John F. Collins of Boston, or Detroit's Jerome P. Cavanagh (see "The Mayor Who Woke Up a City") have been able to mobilize their cities behind their efforts.

The undeniable truth is that we are loading our cities with burdens they were never created to carry. Local government spending has shot from $9 billion in 1946 to $50 billion today, and it looks as if that total may double by the 1970's. In seeking a cure to the sickness of our cities, we must sort out those problems for which cities are clearly responsible from those that stretch beyond their jurisdiction.

The one accurate index to our cities' responsibilities is the budget. Cities spend about half their money for education. We find a stock story of overcrowded facilities, substandard teaching, and outmoded methods. At its toughest, the situation is summed up by the remark of a tired Harlem teacher, "You don't worry about teaching these kids here. You just keep them from killing each other and from killing you." However, this classroom jungle is only part of the picture, even in the embattled New York City system. There are also the celebrated specialized schools like the Bronx High School of Science, with its record number of National Merit scholars, or the School of Performing Arts (see "A Teenager Tames the City"), as well as the City University of New York, which each year ranks first or second nationally in number of alumni who earn doctoral degrees.

Highways take the next slice of the American city's budget. Yet astronauts can make it around the world in the time it takes some suburbanites to get to work. Los Angeles allots 70 percent of its downtown land to the automobile—more space to cars than people. The freeway system to be completed in 1980 would, if straightened out, reach halfway across the United States. If all those who ride subways to Manhattan drove, their cars would fill a multilevel parking lot from the Battery to 60th Street. To date, the urban-traffic tangle has been matched only by harrowing statistics and stopgap solution. San Francisco's new billion-dollar rapid-transit system (see "Super Solution to the Traffic-Tangle") is an all-out try for a cure that everybody's watching.

Our cities are also responsible for the welfare of their citizens. In New York, responsibility means a bill for half-a-million people on city relief. City-budget planners know, too, that a cut in educational and welfare only ups the cost of policing. Our police departments vary from poor to good-and-improving. One reason for improvement is men like Chicago's able superintendent O. W. Wilson, former dean of the School of Criminology at the University of California (Berkeley), who feels that "the function of the department is to maintain an orderly society, not just to enforce the law."

These city-budget outlays for education, highways, health, welfare, and police, as well as other city concerns—water, pollution, housing, poverty, etc.—all extend well beyond the city limits.

Any schoolchild would assume that problems beyond the city's control would naturally be handled by the State. That youngster has a lot to learn. The political cards are stacked against the city, and the rural-dominated State legislatures have euchred it out of most everything, including its fair share of the State taxes. This fancy shuffle would seem a difficult trick for only 11 States have greater rural than urban population. It's frequently easy, because the suburbs often vote with the rural lawmakers, against their own city.

State legislatures have hedged our cities with jurisdictional restrictions. The football fans who roar for John Unitas (see "Big Man in Baltimore") know that the city of Baltimore also means Carroll, Howard, Anne Arundel and Baltimore counties, but the Maryland State Legislature has repeatedly refused the city the right to an earnings tax on the people of the area who work in the city. Legislators hamstring cities in countless other ways. In Massachusetts, statewide personnel laws with built-in preferences and qualifications make it difficult to hire competent municipal civil servants. Everywhere, State governments, by interference or neglect, are forcing urban chores on our Federal Government.

Even in Congress, we are governed by rural lawmakers. Over half the Members of the Senate and nearly half the Members of the House of Representatives have rural backgrounds. Senators, elected at large from the States, have been notably more responsive to our cities' needs than Representatives whose congressional districts can be gerrymandered by State legislatures. The balance may be changing with the battle over reapportionment in the wake of the Supreme Court's one citizen-one vote ruling. We are in the middle of a decisive struggle between rural and city interests.

The now open alliance between city hall and the Federal Government radically improves the prognosis for our cities. Some people who charge Federal intrusion forget it was Federal policy that subsidized single-family home ownership with FHA-insured loans, creating the postwar suburb and shrinking the city's tax base.

The problems of our cities "are, in large measure, the problems of American society itself," wrote President Lyndon B. Johnson, in submitting to Congress his request for a Department of Housing and Urban Development (HUD). Originally proposed by President Kennedy in 1961, the new Department will enable the Government to coordinate its efforts and give urban problems Cabinet-level attention.

Anyone who thinks that HUD won't change things fails to appreciate the Government's astounding new commitment to the city. A major national urban research project will be part of the Johnson legislative program next year. Vice President HUBERT HUMPHREY describes it in spacious terms: "We make the investment to put a man on the moon * * * We can also make the investment to help a man stand on his own two feet here on earth."

Few big-city subjects raise more dust than urban renewal. Critics argue that the renewal drive has eliminated far more homes than it has created; that the new homes have been for new people, not the dispossessed; that "cleaning up the slums" has meant building "sanitary slums." All these charges are serious, and all are substantially true. Urban renewal has frequently resulted in barracks ghettoes, like Chicago's Taylor Homes. But it has meant as well housing developments like Washington, D.C.'s Southwest (see "Leading Lady in Urban Renewal"), cultural projects like New York's Lincoln Center for the Performing Arts and commercial developments like Hartford's Constitution Plaza (see "One City's Answer to Downtown Decay"). Urban renewal has also provided the training field for a new kind of city specialist—the town planner. The talented list includes Philadelphia's Edmund Bacon, Boston's Edward Logue, San Francisco's M. Justin Herman, and Detroit's Charles Blessing.

Urban renewal has been one way that we have decided, through our elected representatives, to invest our national money in the salvation of our cities. To date, even with $4.7 billion already appropriated by Congress, we have scarcely begun. In the next 40 years, we will rebuild virtually the entire urban United States. Here, at the start of this task, we ought to be able to learn from our early mistakes in renewal and try to emulate our successes.

The help of the Federal Government is by no means limited to urban renewal. The $325-million Urban-Mass Transportation Act is city-focused. The aid to education program will mean $750 million for the cities. The billion-dollar poverty program, aptly described as human renewal, is virtually all education, and most of it for the city. Add the figures up, and the total means real help. "The city has lost its tax base," explains Senator ABRAHAM RIBICOFF, "and the Federal Government is helping to make it up."

Another hopeful sign is the recognition by responsible citizens that our cities can and must be saved. Pittsburgh, Philadelphia, and Wilmington are first-class examples of communities whose people are conducting a rescue operation. All America City Awards by Look and the National Municipal League each year have cited dozens of other cities and their citizens. Churchmen, businessmen, professionals, educators, and social workers have become rededicated urbanists. The activity of a single person like Houston's school board member Mrs. Gertrude Barnstone (see "A Lady Stirs Her City's Conscience") can rouse common concern for a city. In the search for the cure, one thing is certain—a city can only be saved if the people care to save it. An increasing number of people do care. They are at last becoming actively involved, instead of just passively lending their names to civic organizations and city commissions. The cures for our cities are not quick, cheap, or easy, but they are known.

Today, we are witnessing a historic change in the size and purpose of our cities. They are rapidly losing their age-old manufacturing and warehousing function. They are becoming the idea, management and decision headquarters. Their libraries, laboratories, museums, and universities make them the cultural, educational, and communication centers of our age.

9 of our 20 largest cities are west of the Mississippi

City and rank, 1965	Population		Rank, 1940
	1965	1940	
1. New York, N.Y.	7,809,197	7,454,995	1
2. Chicago, Ill.	3,674,668	3,396,808	2
3. Los Angeles, Calif.	2,726,917	1,504,277	5
4. Philadelphia, Pa.	1,964,464	1,931,334	3
5. Detroit, Mich.	1,738,620	1,623,452	4
6. Houston, Tex.	1,013,277	384,514	21
7. Baltimore, Md.	933,390	859,100	7
8. Cleveland, Ohio	924,233	878,336	6
9. Washington, D.C.	802,154	663,091	11
10. St. Louis, Mo.	768,777	816,048	8
11. Milwaukee, Wis.	759,857	587,472	13
12. San Francisco, Calif.	755,122	634,536	12
13. Dallas, Tex.	696,667	294,734	31
14. Boston, Mass.	683,253	770,816	9
15. New Orleans, La.	674,589	494,537	15
16. San Antonio, Tex.	653,542	253,854	36
17. San Diego, Calif.	647,743	203,341	43
18. Phoenix, Ariz.	604,010	65,414	104
19. Pittsburgh, Pa.	570,489	671,659	10
20. Seattle, Wash.	563,215	368,302	22

This shift has intensified the problem of the disenfranchised in our cities. Today, the downtown office industries demand high skills. The low-skilled jobs are moving out of town, leaving the untutored behind. Jobs are critically essential because they mean not only income, but self-esteem. Education is the key to jobs in the changing city and throughout our new society. With modern skills learned, today's slum dwellers may become tomorrow's suburbanites, living where their jobs have gone, while suburban executives return to the pleasures and conveniences of urbanism.

What we have mistaken for sickness is the fever of change. If all this change disturbs you, know that it probably disturbs your children less. Change comes easier to those under 25, who now constitute nearly half the population of the United States. When we fear for the future of the city, we should not underestimate the young or the rest of us. As Buckminster Fuller remarked recently, "Today, we can do anything Buck Rogers can do and do it better."

DETROIT'S JERRY CAVANAGH—THE MAYOR WHO WOKE UP A CITY

In 1961, when 33-year-old attorney, Jerome P. Cavanagh decided to run for mayor of Detroit, the city was noted for three things: automobiles, bad race relations and civic sloth. Against the odds and without the support of labor or business, independent Democrat Cavanagh who had never held elective office, bulled his way to an upset victory. Detroit has not been the same since. This city that wallowed in the trough of urban chaos has come to know Cavanagh as a driver with vigor, imagination and competence. To wake Detroit, Cavanagh cleaned out a swarm of city hall drones, brought in a bright young cadre of high-geared executives and plunged feet first into an administrative swamp that had mired many of his predecessors. To help solve the city's problems, he persuaded automobile industry bigwigs that Detroit's health was essential to theirs, got the labor unions to back his reforms and convinced the Negro third of the city's population that they were, at last, part of its concern.

"YOU HAVE TO PUSH A LITTLE BIT"

Jerry Cavanagh's day begins at 9 in the morning and sometimes ends at midnight. From breakfast to late night drinks, it is entirely political. Every chance encounter is a source of information, an opportunity to try out a new idea. Cavanagh wants results, and by now, everybody in city hall is keenly sensitive to that demand. "We have the 'strong mayor' type of government here," he says, "and I intend to use every moral and legal power the office possesses." Cavanagh replies to each piece of mail that comes into his office. He farms out complaints to his subordinates and insists on answers. If a department head is slow in following up, a fast blast issues from the mayor's office. "I guess I'm a little abrasive at times," Cavanagh says disarmingly, "but in this job, you have to push a little bit." His "pushing" is driving "Wheel Town" to a new pride in itself.

Jerry Cavanagh is a man who wears success like one of his well-tailored suits. He works hard to get it, and he expects it. Four years ago, Cavanagh, then 33 and a prosperous member of a Detroit law firm, scanned the political horizon in his native city and decided it was time to make his move. Detroit's problems were those of other large American cities: burgeoning blight downtown, the white flight to the suburbs, a dwindling tax base, a high crime rate, rising unemployment and a big budget deficit. A bog of civic lethargy discouraged potential industrial newcomers and alienated the automotive giants already there. Detroit had another, special problem: flammable tensions between its police department and the one-third of the city's 1.7 million citizens with black skins. After several murders of white women in Negro areas, Cavanagh's predecessor, Louis Miriani, had ordered a police crackdown. In the ensuing police drive, Negroes were indiscriminately frisked on the street, dragged into police stations, held on vague charges. The black ghetto boiled.

Cavanagh , 7 years out of the University of Detroit's Law School and a political amateur who had never held an elective office, decided to run against Miriani. His reason: "I thought I could win." Almost nobody else did, including many of Cavanagh's friends and exschoolmates who volunteered to work in his campaign. Detroit's newspapers, business and labor leaders backed the incumbent against the upstart, while Cavanagh's team relied on nickels and novenas, a gut-busting campaign and the Cavanagh instinct that Detroit was ready for something new. Negroes voted overwhelmingly for the young Irishman, and white voters swung to him, too, if not as heavily. He won by 42,000 votes, and Detroit's engine got itself a spark plug.

"The first 6 months were crucial," he explains. "We were out to establish our attitude. Since we didn't owe anything to anybody, we could swing from the floor." Amid the anguished wails of commuters, he successfully sponsored an income tax on everyone who worked in Detroit. By the end of this year, the tax revenue will have erased the $34.5 million budget deficit he inherited when he took office. Cavanagh also cut the city's property tax. "I think these things have helped give the conservative element in the business community greater confidence in our administration," he now says, adding wryly, "when I was elected, I think they thought I was going to blow up the City-County Building. Cavanagh has issued an executive order against racial bias in hiring and promoting city employees, appointed Negroes to important positions in his administration, recruited a police commissioner who shared his ideas about enlightened police procedures. (Until Cavanagh named a Negro police inspector, there had never been a Negro above lieutenant on Detroit's force. Negroes comprise over 30 percent of the city's population, but only 3 percent of its police force.) While Cavanagh made it plain that "If you want to be paid like pros, you've got to act like pros," he has raised police salaries 25 percent during his 4 years in office. He has also upped the salaries of other city employees.

In one of his first encounters, he locked bumpers with labor unions whose featherbedding and excessive charges had discouraged industrial exhibitors from using Detroit's $55-million convention center, Cobo Hall. After he threatened to do the work with city employees, the unions relented, and conventions are again filling Cobo Hall, bringing the city much-needed revenue. To provide the drive for the Cavanagh crusade, the young mayor has shaken up bureaus and departments, axed some of the deadwood and installed his own men, many of them young shakers cut to the hustling Cavanagh pattern. "He's an easy guy to work for," says one of his small band of idea men, "as long as you do a superb job."

Part of Detroit's problem was that most of its automobile executives lived, not in the city, but in its comfortable suburbs and felt the city's headaches were not theirs. Cavanagh campaigned tirelessly to alter this view. "The slums of Bloomfield Hills (a sleek suburban community) are right down here in Detroit," he told one group. To widen the pool of talent available to the city administration, he has persuaded industry and labor chiefs to lend some of their best men as consultants to the city. Even more important to a city with a chronically large unemployment roll, Cavanagh has helped convince auto firms that had been building plants in other parts of the country to build or expand in metropolitan Detroit. General Motors is putting up a $100-million factory in the area, and Ford has almost completed a new stamping plant that will provide work for thousands.

Attracting new industry to Detroit is high on the Cavanagh priority list. But even higher is what he calls "social renewal," a concerted attack by city agencies on the causes of poverty, disease, slum housing and other social ills. "There isn't a city in America that doesn't have a physical master plan," he explains. "What we don't know so well is how to live in a large American city, how to get on with each other, how to renew our human and social values."

To get his social-renewal program swinging, Jerry Cavanagh has relied heavily on Federal money. As the only elected official on President Lyndon B. Johnson's Metropolitan and Urban Problems Advisory Committee, he was well-placed to anticipate the Government's specifications for its antipoverty programs. It is no accident that Detroit officials were first in line with plans that dovetailed with ideas the committee had suggested, or that Detroit gets more Federal aid than any city except New York and Chicago. Detroit now has 21 urban-renewal projects underway, for which the United States will give $36 million: an umbrella-like and well-coordinated antipoverty program, an accelerated public works scheme, an outsized highway program, and a host of other plans largely reliant on Federal funds. Cavanagh's opponents have criticized him for relying on U.S. aid, but the mayor gives them short shrift. "We send billions to Washington," he says, "and we're entitled to some sort of return." His programs have recently brought the city awards for their comprehensive planning and architecture.

Cavanagh has not hesitated to take unpopular stands. "I'd like my epitaph to be 'We knew where he stood,' " he says. Against the advice of political experts, he endorsed "open occupancy" housing in a city whose voters passed a so-called "homeowners law," which in effect gave homesellers the right to refuse Negro buyers. A Catholic and the father of eight, he ordered "rethinking" in the city's health and welfare departments, which spurred them to come up with a birth-control program more radical than that of any other large U.S. city. He has rebuffed Negro leaders seeking a civilian police review board and a Catholic organization that wanted the city to fly a "One Nation Under God" pennant beneath the American flag on the City-County Building. Some old-line policemen grumble that he has tied their hands by insisting that they use more tact in tense neighborhoods.

One of Cavanagh's biggest jobs has been to impart his sense of commitment to city employees, who have seen mayors come and go. "I have had to recognize that, philosophically, not all these people are marching under my banner," he says, "and for them, it is quite a change." How does he solve the problem? Richard Strichartz, an on-leave Wayne State University professor and ex-Cavanagh neighbor who is now city controller, says, "We try to identify the fulcrum of change—the people who can make a government stop or go. And we work to change their attitudes. We realize this is going to take time."

Jerry Cavanagh is a gregarious, informal mayor. He chats with city employees, local politicos, and passersby as he moves around trying out ideas and feeling the pulse of the large metropolis at the same time. "The response of the people is tremendous," he exclaims. "They say 'Somebody finally cares about us.' "

Detroit is a vibrant city these days. Not everybody has gotten what he wants, but most concede there is forward motion.

The Reverend James Wadsworth, head of the 22,000-member Detroit National Association for the Advancement of Colored People branch (the association's largest), says, "While Negroes have not deluded themselves that the Messiah has come, they know that we now have a mayor who at least recognizes that they are part of the city." At a $50-a-plate testimonial dinner for Cavanagh given by business and labor leaders, Leonard Woodcock, vice president of the United Auto Workers, said, "We are glad to have these nice things to say about the mayor now, because we didn't during the campaign. Fortunately, the people of Detroit were wiser than we were."

Jerry Cavanagh is not resting on his press clippings. "In this business," he says, "the field is strewn with the bodies of might-have-beens." But the newspapers, industry, and labor leaders who opposed him in 1961 are now supporting his reelection this fall. It's obvious that the mayor of Detroit is on the way up—and so is Detroit.

HIS KIDS WOULD RATHER SEE MICKEY MOUSE

As the duties of his office press more and more upon him, Cavanagh gets little time to spend with his family. His wife Mary, a former University of Detroit campus queen, avoids publicity as assiduously as the mayor courts it. She works hard to see that their eight children are not hurt by having a famous father. "They are used to seeing me on television," Cavanagh says. "They'd much rather see Mickey Mouse." Cavanagh says his wife "growls now and then" about his hectic schedule, but has accepted the demands political life makes upon him. Although he is an enthusiastic sports fan, sandlot baseball games with his boys have become infrequent, and proliferating banquets are adding pounds to his 6-foot frame.

ONE CITY'S ANSWER TO DOWNTOWN DECAY

Grass isn't growing in the streets of Hartford, Conn., but plenty of it grows high above them. Constitution Plaza, a great platform built above the traffic, raises city renewal to a new level. In a mutual benefit plan appropriate to a town famous for insurance, people on foot are safely separated from people in cars. With cars parked conveniently beneath, families are free to stroll among the gardens, shop in the stores, eat at a terrace restaurant and enjoy the fountain, sculpture, open space and shining architecture. The multiblock plaza has also lifted historic Hartford's formidable civic pride to a new high, triumphantly clearing the way for the return downtown.

A PLAZA TAKES TEAMWORK

Constitution Plaza is so overwhelmingly right in so many ways that a visitor might easily miss its most vital quality—its significance to the future of every city in the land.

The plaza is important because it demonstrates that the central city can be saved if responsible citizens act. First, Gladden W. Baker and Roger Wilkins of the Travelers Insurance Co. picked up the master plan drawn by architect Charles DuBose and invested $40 million to make it a reality. The next big step came when Phoenix Mutual Life Insurance Co. reversed its decision to move away from Hartford and projected its new, shipshaped headquarters as an extension of the plaza. Constitution Plaza proved to be just the vote of confidence in the city that was needed. Across the street from it, G. Fox & Co., the town's largest retailer, built a $12 million addition. Now under construction nearby is the new high-rise headquarters of Hartford National Bank & Trust Co. A half dozen blocks away, the Travelers has recently completed a giant computer center. But the spirit of renewal is by no means confined to commercial structures. Bulldozers have cleared the ground for twin apartment towers. Rensselaer Polytechnic Institute is at work on plans for a graduate division downtown. South of the plaza, the Wadsworth Athenaeum, one of the country's finest small museums, is adding a new wing and sculpture court.

Constitution Plaza is also important because it represents a renewal idea of critical value to our congested cities. The "platform principle" places a number of related buildings on a raised base, connected with service and parking areas underneath. It had a forerunner in New York's Rockefeller Center, with its subsurface pedestrian streets. Today, the platform approach is on the design boards in cities across the country—the Pennsylvania Avenue proposal in Washington, D.C., Philadelphia's Market Street East plan, Seattle's waterfront proposal, and San Francisco's Market Street mall. The platform, sorting out people and cars, is no cure-all, but Hartford is a daily demonstration of its worth.

The plaza is important, finally, because it is sufficiently complete to walk through and appreciate. But other downtown projects have not been laggardly. In many centers—Philadelphia, Baltimore, Providence, Boston, Cleveland, Detroit, and St. Louis—the rehabilitation of downtown, though still incomplete, has advanced further than even their own citizens realize. Downtown's new look is beginning to take shape. Factories and warehouses are disappearing. Living, shopping, office, entertainment, and culture centers are going up on landscaped plazas bounded by great loop highways. In Hartford, the visitor to Constitution Plaza can already see the multileveled cities of tomorrow reflected in its great glass buildings.

WISCONSIN MENOMINEES NEED HELP IN GOING ALONE

Mr. PROXMIRE. Mr. President, in 1961, the Menominee Indians of Wisconsin became the first, large Indian tribe to be completely separated from reservation status. The separation was highly controversial. Many of us felt at the time that it was far too abrupt, and that seriously inadequate provision was made for the Indians. These people had by treaty been ceded their reservation—with Federal protections assured—in return for vastly larger areas which had been theirs.

Since the termination, the Menominees have been making a remarkable effort to make a go of a very difficult situation, but they are plagued with lack of skills, with heavy unemployment, with a tax base pitifully inadequate to pay their school costs and with tragic health problems, including a heavy incidence of tuberculosis.

My colleague, Mr. Nelson, has introduced a bill to assist the Menominees with educational and health grants. The bill has little chance of passing before next year. Meanwhile, it is essential that the Government, through its vast resources—newly infused with legislative authority and funds—assist these needy people, and do so promptly.

This morning, the New York Times published a moving and detailed description of the Menominees' plight. Because the New York Times is, of course, not interested in any special pleading for Wisconsin, this objective analysis should persuade Senators and Representatives of the genuine and immediate need.

I ask unanimous consent to have the article written by Donald Janson, entitled "Tribe in Wisconsin, Deprived of Special Status, Seeks Help in Going It Alone" printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 7, 1965]

Tribe in Wisconsin, Deprived of Special Status, Seeks Help in Going It Alone

(By Donald Janson)

Keshena, Wis., August 29.—Overcoming great odds, the Menominee Indians are making a painful but increasingly successful transition from life on a reservation to self-reliance and self-government.

Formidable obstacles remain, however, and the feeling here is that a substantial infusion of Federal aid is needed to keep the Menominee experiment from faltering.

In 1961 the Menominees became the first tribe of any size to lose its status as a ward of the Government. The reservation became Menominee County, Wisconsin's 72d, its smallest and one of its poorest.

Congress adopted a policy in 1953 of moving "as rapidly as possible" to make Indians "subject to the same laws and entitled to the same privileges and responsibilities" as are applicable to other citizens of the United States.

EXPERIENCE IN LUMBERING

Because the Menominees had experience in lumbering and the wealth of a great forest on their 234,000-acre reservation here in northern Wisconsin, they were selected to be the first to emerge from the shelter of Federal supervision, which they had had for more than a century.

When the county was created, a corporation, Menominee Enterprises was established as owner of the land and operator of the saw mill at Neopit. The 3,270 members of the tribe became shareholders and bondholders and delegated voting power to a board of directors. They bought their home sites from the company. A county government was set up, with Keshena the seat.

Problems were drastic and immediate. The Menominees had to close their only hospital. It did not meet State standards, which had not been a problem when the Menominee people lived apart from State government.

The Indians balked at paying taxes. They never had paid them before. Some could not afford to without eating less. There still is much tax delinquency.

Most of the tax burden, monumental for a county of such sparse population and limited income, falls on the corporation. As principal land holder and sole industry, it bears 92 percent of the county's tax load

This year its tax bill was 49 percent of its net operating income.

WILL TURN A PROFIT

Despite this wholly abnormal expense, the company has been ably managed and this year will pull out of the red for the first time.

It employs 350 persons, but does not have enough jobs to go around. The unemployment rate is 18.1 percent, compared with a State average of 3.7.

The Indians would like to diversify their lumber industry, as their competitors have. If they had the money to make the initial investments, they believe they could produce other wood products profitably, including veneer, charcoal from bark and sawmill waste and chipboard for insulation.

They see a glimmer of hope in legislation that has been before Congress since May. It would finance a study of expansion possibilities in the timber industries and another in development of the scenic county for recreation. It would provide $5 million in long-term, low-interest loans to carry out recommendations of the studies.

It would also provide about $3 million for health, education, and welfare.

PROSPECTS DIM

Prospects for passage are reported to be dim, but the sponsors have placed compelling data on the record.

A study earlier this year by the Bureau of Indian Affairs found that to provide services formerly given by the Federal Government, the county had a budget that already exceeded its statutory taxing capacity.

In addition to heavy unemployment, the report found average family income below Federal poverty levels, families well above average in size, a high student dropout rate, welfare payments sapping the county budget, and tuberculosis and diabetes too common.

"One could hardly imagine a set of consequences," it concluded, "that more clearly confirms the unwisdom of saddling full responsibility for local government services upon a small and poor community almost entirely dependent upon a single industry of modest scale and profitability."

There is no incorporated village in the county, no high school, no drugstore, no movie theater or bowling alley, no doctor.

Mrs. Elaine W. Neta, the county nurse, attributed the special health problems particularly to overcrowded living conditions.

Mrs. Neta, a native of Neopit, said a public health service survey this year found 34 persons living in 1 house and 22 existing on 1 income in another.

At first the Menominees despaired of overcoming the handicaps confronting them when Congress, rejecting a warning from the Wisconsin Legislature that the move was premature, insisted on making the Indians "first-class citizens" and cutting Federal costs in the process.

"It was like thrusting a child aside," said Father Marcellus Cabo, pastor at St. Anthony's parish church, the only one in Neopit. "There was a feeling of real anxiety. They were absolutely unprepared for self-government."

The Menominees bitterly resented the loss of their hospital and the failure of the Government to bring conditions up to State standards before abdicating responsibility.

Many still are bewildered over the loss of traditional hunting and fishing rights. This came as a particular shock.

FOREST FULL OF GAME

The Menominees' magnificent pine and hardwood forest is full of game. The wild Wolf River, which tumbles over falls and rapids and winds through sunny glades and deep woods, is one of the best trout streams in the country. The treaty with the Menominees gave them the game, the birds, the fish and the forests of their 234,000 acres forever.

"We needed it the way it was," said Jerome Sanapaw over coffee at the long, homemade kitchen table where he and his wife and some of their 10 children and 18 grandchildren eat.

"We could get plenty of fish and venison and bear meat then," he said. "Now we have to buy everything except in season. Now we have the same hunting and fishing limits on our own land as people from outside."

Mrs. Sanapaw said it meant the family sometimes had to go hungry.

Her husband works on the roads for the county. The couple boards elderly Indians on welfare for extra income. For more room, they have made a bedroom of a bathroom. Their toilet is outdoors anyway. They haul their water from a pump a mile away. Milk is seldom on their budget.

"At 23 cents a quart," Mrs. Sanapaw said, "we can't afford it."

VIOLATION CHARGED

A group led by Mrs. Constance Deer charges that termination violated the Indians' treaty rights, which gave them trust status and perpetual title to their reservation land, a fragment of the 11 million acres of Wisconsin and Michigan they once roamed as hunters and fishermen and harvesters of wild rice.

The Menominees never willingly agreed to termination, Mrs. Deer said. Her group, a small one, is urging repeal of the Menominee Termination Act signed by President Dwight D. Eisenhower in 1954.

Other Indians are resigned to the change but regretful about the way things have turned out.

"It was our way of life," said Mrs. Dolores Boyd, a descendant of Chief Keshena. "We are pushed very hard to live like white people now. It is tragic to see a race of people die."

Since termination she has operated a lunch counter, the only restaurant in the county seat, to make a living and help her daughters through school.

"Termination would have worked much better if it had come gradually," said Mrs. Ernie Goodwill, who was born on the reservation 63 years ago. "We were forced into it. We were misled. We were fooled."

MILL MODERNIZED

Despite their disappointment at the abrupt loss of essentials for which they had long relied on the Government, Menominee leaders resolved to do the best they could.

They nearly depleted their financial reserves to modernize the mill and hire expert outside management aid. The president of the company is a white lumberman, Samuel Clements.

As time passed more Indians have moved up to supervisory jobs. Sales have grown each year. The operation is a success and the Menominees are proud of it.

The company also sees income potential in the lease of sites on wooded Menominee lakes to outsiders for summer homes. The objective is a broader tax base. Several leases have been negotiated.

"People still are not happy about all we lost," said Deputy Sheriff Monroe Weso, "but things are beginning to jell now."

"We are doing things," said Ronald Frechette, 31-year-old member of the county board. "In the past the Government always did our thinking."

AIDED FRENCH EXPLORERS

Names such as Frechette and Grignon are common among the largely Roman Catholic Menominees. Members of the tribe met, aided, and intermarried with French explorers who came to their land with Father Nicollet two centuries ago.

Mr. Frechette noted that 37 attractive new frame homes had been built with Federal Home Administration financing. Before termination Indians could not establish credit for such undertakings.

New businesses have been started, including small stores, bars, gasoline stations, a motel, a laundromat. Two families have become building contractors.

The mill is on two shifts and paying union wages. Anyone driving by can see steam shooting skyward 16 hours a day, hear the big saws sing, and watch the yellow tractors scurry about with claws full of logs.

"I have every confidence that we will make it if the bill before Congress passes," said Mr. Dickey. "It could put the county on a sound financial footing for the first time."

"The wishful thinking about turning the clock back to the way we used to live is fading," he went on. "In the large majority of the community now there is definitely a realistic will to do."

L.B.J. OPENS ALL DOORS TO NEGOTIATIONS IN VIETNAM

Mr. PROXMIRE. Mr. President, there may continue to be teach-ins on Vietnam this fall and winter. Out of this discussion I hope will come some useful ideas as well as the predictable criticism. Academic critics of the administration's policies on Vietnam should be fully aware of the remarkable efforts President Johnson has made to secure negotiations.

Mr. President, I doubt whether there has been a time in history when an American President has gone so far to secure negotiations—to stop the fighting on honorable terms—as has President Johnson with regard to Vietnam.

In a recent column published in the Chicago Sun Times, Roscoe Drummond details just how—as he puts it—no door is closed. All avenues are open.

I ask unanimous consent to have the column written by Mr. Drummond, entitled—"All Doors Open to Viet Talks," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Sept. 6, 1965]

ALL DOORS OPEN TO VIET TALKS

(By Roscoe Drummond)

WASHINGTON.—With the help of Senator MIKE MANSFIELD—an Asian expert in his own right—President Johnson has now opened all doors to a negotiated settlement of the war in Vietnam.

Speaking for the White House as well as for himself, MANSFIELD made it clear that all roads lead to the conference table and that by taking any one of them Hanoi can have peace instead of war.

There are three such roads to negotiation and all are acceptable to the United States:

First. We will go to the conference with or without a cease-fire, with or without a truce. We'll negotiate under either circumstance. Hanoi can choose. We prefer a cease-fire, but don't insist upon it.

Second. We will go to the conference table without any advance commitment as to what either side would accept as a settlement. We would not be committed to the conditions which Hanoi might want. Hanoi would not be committed in any way to the conditions we would want. Namely, "unconditional discussions."

Third. We are also willing to go to the conference table after a careful review of positions on both sides to see whether a basis for agreement is conceivable before formal discussions begin. Namely, conditional discussions, if Hanoi prefers it that way.

No door is closed. All avenues are open.

It was this third door on which the Democratic Senate leader rapped the hardest.

MANSFIELD compared the objectives outlined by Mr. Johnson in various speeches and the objectives set out by Hanoi on April 12. He found that on three out of four stated objectives both sides were in substantial agreement:

On the right of the people of South Vietnam to have a government of their own choosing without violence or coercion from any quarter.

On the right of the people of North and South Vietnam, on the basis of a peaceful, free, and verified plebiscite, to decide whether to unite or not to unite the two halves of the country.

On the desirability of having all foreign bases and troops removed from both South and North Vietnam after peace is restored.

Either side might phrase these conditions of peace in different terms, but basically each is saying the same thing. This is why MANSFIELD says he sees a narrowing of the issues and hopes that his effort to narrow the dispute will show Hanoi that there is a basis for early negotiation.

A wide difference does exist on one objective: Hanoi wants the Communist Vietcong to have a decisive or major role in any government in South Vietnam and the government of South Vietnam doesn't want any part of the Vietcong. That's what the war is all about. We're prepared to leave this issue to the verified decision of the people of South Vietnam—if Hanoi is.

The MANSFIELD speech did two other things:

For the United States it closed off the most serious chink in the unity of the Democratic Party in support of the President's military actions in Vietnam. MANSFIELD has been a partial critic and, more recently, a reluctant advocate of the President's course. His latest speech shows that Hanoi might as well give up its hope that disunity within the United States will force the Government to stop defending South Vietnam.

For Hanoi, the MANSFIELD speech might add credibility to Mr. Johnson's repeated willingness to negotiate. The Communists have been saying that the President's talk of peace was only a coverup for his desire for war. Not true.

And MANSFIELD, speaking as one who opposed the air raids to the north, makes the peace overtures even more meaningful.

GOOD START FOR HEAD START

Mr. PROXMIRE. Mr. President, the brickbats continue to fly at the antipoverty program in spite of an impressive and heartwarming record of accomplishment.

Seldom have we had a domestic program designed to help people escape from the chains of ignorance that bind them to poverty like Operation Head Start. Little children, who otherwise would, in many cases, have faced a lifetime of difficulty, just because schooling and the facilities of our culture were so strange to them, are going to have a real chance. Not just a few such children, Mr. President, but half a million of them.

This program has been a smashing success, one of which all American can be proud.

I ask unanimous consent to have an article analyzing the program published in Sunday's New York Times, entitled "Education: Good Start for Head Start" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDUCATION: GOOD START FOR HEAD START

(By Fred M. Hechinger)

The United States last week took a historic step toward the extension of school by at least 2 years, beginning at age 3 or 4 instead of the traditional 5 or 6. This may be the eventual effect of President Johnson's announcement that Project Head Start, introduced this year as a short-term summer program for underprivileged youngsters, will be turned into a permanent part of the educational system.

The Head Start summer project, which ended a week ago, was attended by nearly 560,000 children at 13,400 centers in 2,500 communities. It provided an introduction to group activities, art, music, books, and speaking skills and stressed various aspects of getting ready for school. It offered free lunches and medical checkups.

A preliminary report showed that 70 percent of a large sample of children had their first medical and dental examination during the project. In one center, at Tampa, Fla., 12 tubercular cases were found and 50 youngsters were found to have nutritional deficiencies.

Dr. Vera John, of Yeshiva University, said that visits to 14 centers in New York, South Dakota, and California showed the most striking result to be the involvement of parents from minority groups.

A New York staff member commented on the openness of the project. "Mothers came with baby carriages," she said. She added that, in addition to an official ratio of one professional teacher for every 15 children, there was a huge support force of aides, teenagers, college students, and volunteers.

"How can I go back to my crowded classroom after this?" was a typical question among the teachers in the project.

The original program is a form of educational lifesaving. President Johnson described it as the path of hope for youngsters who had been "on the road to despair." But the extension of preschool education beyond the summer, as a continuing, all-year operation, is probably the prelude to a change in the school-starting age.

This is not as revolutionary as it sounds. The children of the well-to-do and of many child-oriented, middle-class families already attend private nursery schools, at least from age four. With the children of the poor now also going to school, the majority of middle- and lower middle-class parents will soon expect the same opportunities for their children.

The reasons for the lowering of the school age are not the same for all segments of society. Today children with a comfortable home environment are exposed from infancy to a variety of educational influences. Few educators appreciate the change brought about by television. The around-the-clock impact of words illustrated by pictures is to the old reading and learning "readiness" exercises what a space ship is to the horsedrawn carriage.

NARROWING THE GAP

In addition, today there are more college-trained parents than there were high-school-graduated families at the turn of the century. The result is much conscious or unwitting home-teaching at an early age.

This widens the gap between the affluent majority and the disadvantaged minorities. Head Start was a last-minute effort to help deprived youngsters to make that gap less forbidding. The permanent preschool program, which is already being tested on a small scale by some communities, including New York, and which the President's announcement turned into a regular adjunct to schooling, aims at narrowing the gap systematically before going into formal schooling.

A major element in such instruction would be to give slum children verbal facility and the security that comes from contact with sympathetic adults in a friendly setting. These are prerequisites both for mastery of such academic skills as reading and writing and for the acquisition of social skills which replace aggressive and destructive behavior.

For privileged and underprivileged children alike, much of the preschool experience is an effort to teach self-centered little animals how to function as individuals as well as members of a group.

These considerations were undoubtedly in the minds of the educational experts who persuaded President Johnson to take quick post-Head Start steps. These steps are:

1. To establish all-year centers for disadvantaged children from the age of 3, with an expected enrollment of 350,000 needy children in the coming school year and many more within the next 5 years.
2. To offer summer programs for those who are not included in the year-around centers.
3. To initiate a follow-through program for the Head Start children, including home visits, special tutoring, and a careful observation throughout the first grade. For this purpose, Head Start teachers have prepared reports on every child, to be given to the first grade teacher.

The official enthusiasm over the preschool program is understandable at a time when the social dynamite of the Negro slums must be defused. Faith in education as the great social healer is deeply rooted in the American philosophy. It is a faith proven justified again and again—from the night school for immigrants to the impact of the land-grant colleges.

But many experts, including some who are deeply committed to preschool education, are troubled by potential confusion between humane hopes and excessive claims.

President Johnson said that Head Start, "which began as an experiment, has been battle-tested—and it has been proven worthy." But in the view of many experts the question which has not been "battle-tested" is how the preschool experience can be so intensified that it will wipe out handicaps of deprivation, not momentarily but permanently. There is already some experimental evidence that children, who have had preschool opportunities, backslide again rapidly in second and third grade unless highly skilled teachers can continue to guide them and their families.

Dr. Bernice Fleiss, early childhood consultant to New York's operation, said: "Many of the children at the beginning of the summer did not know the names of parts of their body—or even their own name. Now, they know not only what their chin is, but who they are. They have an enlarged knowledge the world around them and the desire to learn more this coming fall."

But this also implies how important it is that the world around these children—in and out of school—be changed so that it will not wipe out short-term gains through long-term futility.

Preschool experts warn privately—they do not want to curb the enthusiasm for the essentially sound movement—that the only way to avert disillusionment, after a head start of hope, is to grasp the magnitude of the task.

They call for more pretesting of children than has been possible in the first, hastily planned round.

More important, they warn that local communities, States, and the Federal Government ought to prepare the public for the extent of the cost in personnel and operations that must be invested if preschooling is to be more than a flash of hope.

For example, New York City had a Head Start enrollment of about 27,000 this summer. But its year-round preschool experiment had, after 2 years grown only to 7,000. During the summer regular teachers and college students are readily available and school facilities are otherwise largely unused.

Yet many communities have not even begun to provide kindergartens in the regular school structure.

The chronic ills of the schools have largely resulted from large classes. What if Head Start graduates move into such classes?

Last week, as Head Start's success was hailed, a less enthusiastic report was issued on a related enterprise—"Higher Horizons." Introduced in 1959 in some of New York's slum schools and hailed throughout the country, the enrichment program appears increasingly to have relied on its slogan and publicity value—without the support in funds and staffing that gave it promise as a well-funded pilot project.

"School is a place that families have begun to trust as an institution for the first time," said a consultant to the New York Head Start program last week.

If this implied criticism of the regular school system is justified, then the optimism based on preliminary Head Start reports will have to be tempered by concern over the total task of education ahead.

VIEWS ON PROGRAM

An official report on Head Start last week included these comments:

A teacher in Kiln, Miss.: "The Negroes and whites are working beautifully together."

From a consultant's report: "There's not too much difference between little Phillip who * * * had to climb a narrow, steep footpath each day (in New Mexico) and then be driven 25 miles to his first Head Start class and Manuel, the tiny Puerto Rican boy who came to his first class stark naked except for his pencil and notebook."

A parent-coordinator in New York: "We have made more progress in 6 weeks than we have been able to make with parents in 4 years."

RISING ENROLLMENTS

The U.S. Office of Education predicted last month that school enrollments will set another record. Last week similar projections were made by the Roman Catholic parochial schools.

Out of a total public and private elementary school attendance of 35,900,000 the parochial schools expect to account for 4,593,000 children, a 1-percent gain over last year.

The Roman Catholic high schools project a 1,124,000 enrollment and a gain of 3.4 percent over the previous year. The Nation's total high school enrollment, public and private, for 1965–66 is set at 12,900,000.

RICKOVER ASKS TEACHERS STAY IN TEACHING

Mr. PROXMIRE. Mr. President, a great breath of fresh air has been blown into American education by Adm. Hyman Rickover, that iconoclastic devotee of education, who has so persuasively deplored the terrible tendency of educators to get lost in the forms, procedures, and mechanics of education, and to forget the basic life of the mind—the great human culture on which our progress is based and on which our future depends.

Ralph McGill recently discussed this Rickover contribution in a recent column. Mr. McGill points to the recent Rickover testimony calling attention to the consequences of Government and industry taking professors out of teaching and into Government or industrial work, which exacerbates an already serious shortage.

I ask unanimous consent to have Mr. McGill's column, entitled "Young Geniuses Still Need Schools," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Sept. 2, 1965]

YOUNG GENIUSES STILL NEED SCHOOLS

(By Ralph McGill)

Henry Thoreau entered the following in his journal of January 1, 1853:

"After talking with Uncle Charles the other night about the worthies of the country, Webster and the rest, as usual considering who were geniuses and who not, I showed him up to bed, and when I had got into bed myself, I heard his chamber door open after 11 o'clock, and he called out in a stentorian voice, loud enough to wake the house, 'Henry. Was John Quincy Adams a genius?' 'No, I think not,' was my reply. 'Well, I didn't think he was,' answered he."

Uncle Charles was satisfied, accepting the word of his nephew—whom later generations came to view as at least something of a genius. Time was when the popular concept of a genius was that of a more or less eccentric person who invented something novel, exciting, and useful.

But in our time the broadening of science in our daily life, accelerated and underscored by the marvels of the space age, has enabled us to note that there are many geniuses about. Indeed, a large majority of the students admitted to such an institution as the Massachusetts Institute of Technology may be described accurately as young geniuses.

Demands of science, industry, and the humanities, however, have revealed a need for educational reform in method and curriculum in the elementary and secondary grades. The already serious shortage of teachers is sure to be at a critical point in our colleges and universities by 1970 or sooner.

Adm. Hyman Rickover, an admitted critic of American education, provided testimony at hearings on the Higher Education Act of 1965 that brought new focus on yet another controversy. He strongly criticized the policy of industry and government of luring off professors from both undergraduate and graduate level to serve as consultants. In his testimony the admiral said:

"The primary function of educational institutions is to pass on to our children the intellectual heritage of the past, and in so doing to develop their mental capacities. Institutions at the university level—that is in graduate studies—have the additional responsibility to reinterpret and expand existing knowledge—to engage in what is properly speaking academic research. Such research does not interfere with, indeed it enhances, the education of students who have completed their general education and are specializing in a particular professional field. But the student gains nothing and loses much when his professor goes off consulting government or industry, leaving him to be tended by a substitute, all too often a graduate student working while he writes his doctoral thesis.

"It is generally recognized that we have a shortage of first-rate liberal arts colleges and graduate universities; the shortage springs basically from a lack of qualified professors. We shortchange our youth when we exacerbate the already existing deficit by deflecting college and university professors from their proper task. We adults have been complacent, but the students feel bitterly about this. Much of the research being done for the Government is of dubious value to the student, possibly also to the Government, while the practice of using professors as consultants is wholly detrimental to the students for whom the college and the university exist."

Rickover advocated Government aid to teaching salaries so that the professors might be more ready to remain in teaching positions and not be tempted by consultant salaries of industry and Government.

Many educationists are made uneasy by Rickover. They try with little success, to discount him. He remains influential. His disclosures of the educational gaps in high school graduates who volunteered for service in nuclear submarines—and of the need to set up schools to teach them what their schools had failed to provide—led to considerable reform.

His congressional testimony and his continued writings and addresses on proposed reforms in higher education will be a healthy influence.

BIG BROTHER: OUR IMAGE ABROAD

Mr. LONG of Missouri. Mr. President, today's "big brother" item is an article from a newspaper in Brisbane, Australia, Sunday Truth, dated August 15, 1965.

I think this article should be read by all of those overzealous law-enforcement agents in the United States who are so enthusiastic about the use of electronic devices and techniques.

The image that their practices give to the United States abroad is certainly not very pretty.

One thing that should distinguish our democracy is a sense of urgency to protect the right to privacy of all citizens.

I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Brisbane (Australia) Sunday Truth, Aug. 15, 1965]

HUSH, HUSH, WHISPER WHO DARES, UNCLE SAM IS SNOOPING UPSTAIRS

(By Ian Moffitt)

WASHINGTON.—My contact turned up the car radio as we drove away from the State Department.

"They might have the car bugged," he explained.

This incident really occurred, and he was not joking.

Official snooping is all the rage here.

Branches of the Government have developed spying to an elaborate art, and industrial spies are not far behind them.

Snooping on one's enemies abroad is acceptable, and snooping to uncover criminals at home is downright admirable.

J. Edgar Hoover's Federal Bureau of Investigation in Washington, for instance, is trapping criminals with fantastic new microscopes, electric currents, and ultraviolet rays.

It has a microscope which polarizes light when trained on rocks, soils, and natural and artificial minerals.

METAL TEST

Criminologists observe the absorption and scattering of light to determine the mineral composition of a soil sample and compare it with soil at the scene of a crime.

They also have an instrument which studies the microscopic structure of metals.

In one recent case they found that a tiny strip of chromed steel came from the trim along the left side of the radiator of a 1949 Plymouth car.

The FBI sends an electric current into pistols-bearing obliterated numbers to set up a magnetic field.

The magnetic field is distorted around the obliterated numbers because the original stamping has deformed the internal structure of the metal beneath.

So—hey presto—the FBI men pour a liquid containing fine magnetic particles over the pistol and the magnetic field arranges the particles in the form of the missing numbers.

That is just a sample of what the FBI is doing and nobody is complaining about it.

But protests are growing this week at the snooping habits of the State Department, the Internal Revenue Service, the Food and Drug Administration and other Government bodies.

The Senate internal security subcommittee, which is investigating Government invasions of privacy, has just released more details of State Department snooping.

PERSECUTION

That august department descended to telephone tapping to try to trap an allegedly disloyal employee—and even opened his safe at night with a high-speed drill.

The employee, Otto F. Otepka, is awaiting a departmental hearing against his dismissal in 1963 from his top-level security post within the State Department.

The Department has charged him with "conduct unbecoming a State Department officer" because he gave information to the subcommittee.

Several Members of Congress—including some on the subcommittee—are hitting back at the State Department with charges of persecution.

More disturbing than Mr. Otepka's alleged revelations to the subcommittee is the unbecoming conduct which his colleagues displayed as they played "I spy."

They sifted through special burn bags allegedly containing incriminating material and used medical science to help them open his safe.

They used a pharyngoscope—which doctors employ to peer down throats—to see how the tumblers were falling.

Another witness has astonished the subcommittee with revelations of Internal Revenue Service snooping to trap suspects.

An employee blandly confessed that he had passed a lock-picking course before embarking on wiretapping, car bugging, and other electronic eavesdropping.

This stanch public servant, James O'Neill, described how he had picked a lock in a Boston suburban office to place a wiretapping device.

A colleague described how an IRS officer had posed as a Coast Guard petty officer during a Boston investigation—in a conference room containing a two-way mirror, a lie detector and microphones in the wall plugs.

The IRS Commissioner, Mr. Sheldon Cohen, confessed to the subcommittee that 10 U.S. cities had IRS two-way mirrors and 22 cities had concealed microphones.

The Food and Drug Administration has an even worse record of officials scampering around the countryside wearing concealed microphones to gather evidence.

One team of them earned the subcommittee's censure for using concealed microphones in a supermarket while investigating the illegal sale of a milk substitute.

Industrial spies are also using sophisticated equipment to steal secrets—including listening devices in briefcases "accidentally" left in employers' offices.

A growing number of American businessmen are hiring professional spies or buying stolen information to keep pace with new products.

Paid industrial spies—generally former military intelligence operators—are undermining research and development projects to steal secrets worth millions of pounds.

They break complicated scientific formulas, send pretty women to gather information in fake surveys, and bribe telephone operators, janitors, and disgruntled employees.

INSIDIOUS

But the old art of wiretapping is perhaps their most widely used device.

A tap on the company president's phone allows a rival to beat him to the punch with new products.

Wiretapping is also the most alarming development in Federal Government snooping, the chairman of the Senate subcommittee, Senator Edward V. Long of Missouri, has concluded.

It has become so insidious that President Johnson has ordered a stop to it except in cases of national security.

The old argument about when and whether one should wiretap has broken out here again.

Senator Long, however, has no doubts about where he stands—or about how extensive the practice has become.

"The subcommittee has so far uncovered a variety of ways in which the Federal Government intrudes into areas of life that were formerly held private by Government agent and individual citizen alike," he said.

"None of the snooping techniques studied by the subcommittee has been more alarming than wiretapping.

"We have been told of Federal agencies using concealed tape recorders, hidden transmitters, bugged conference rooms, mail surveillance techniques, two-way mirrors, and other means to spy on American citizens who have not been convicted of any crime.

"Unethical and unsavory as these methods may be, none compares with wiretapping as an insidious encroachment on individual liberty.

"Wiretapping for domestic law enforcement should be prohibited."

THE CASPER TROOPERS

Mr. McGEE. Mr. President, the city of Casper, Wyo., and, indeed, all of Wyoming, is justly proud of a band of youngsters, the Casper Troopers, who have recently returned home from capturing the World Open Championship in drum and bugle corps competition.

Seven thousand of their fellow townsmen in Casper turned out last Thursday night to welcome the Troopers home after their triumph. But I think they were honoring them for something besides their victory. Their work, their dedication, and their determination, also were being honored. And so were the many adults, led by Director Jim Jones, who have given of their time, energy, and money to help the Troopers achieve their high success. It is more than a drum and bugle corps. It is, as it was described by the Casper Star-Tribune, a character-building activity and a source of pride to the city and the surrounding area. It is a source of pride, too, to any Casper youngster when he can make the grade with the Troopers, Mr. President, and the record of the organization clearly tells us why. It is an example to all.

Founded in 1957, the Troopers have not only drilled and disciplined themselves to near perfection for the sake of competition, but they have established another, more enviable mark. No regular member of the group has ever been in difficulty with the authorities, in Casper or elsewhere. And the Troopers have traveled far and near. Today the organization numbers 130 members. And it has many graduates.

Another facet of the Troopers' activities is brought out by their frontier uniforms. They are cavalry blue and the insignia are those of the 11th Ohio volunteers, the outfit of an heroic young officer who died while trying to relieve a beleaguered wagon train near the Platte Bridge Station in 1865. The young officer was Casper W. Collins, whose name has come down to us, misspelled, in the city of Casper. Today's Troopers keep alive this frontier tradition, Mr. President, and I want to say in offering my congratulations to them on this occasion, that it strikes me as fitting that the blue uniform of the 11th Ohio Volunteer Cavalry should return to Casper and glory and triumph on the centennial of Casper Collins' brave sacrifice on the banks of the Platte.

I ask unanimous consent that a news report and an editorial from the Casper Star-Tribune, marking the welcome extended the Troopers by the people of Casper, be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Gala Welcome Set for Troopers Today

(By Jack Fairweather)

"Mrs. Nixon and I shall always have the most happy memories of our snow-capped visit to Casper earlier this month. The splendid performance by the drum and bugle corps was certainly a highlight of the visit for us."

This excerpt from a letter by the then Vice President Richard Nixon to Jim Jones, director of the Casper Troopers Drum and Bugle Corps, in November 1960, is just one of many congratulations and honors received by the corps prior to and since the Nixon campaign stop.

The dream-child of Jones, a Casper contractor, the corps was organized and incorporated as a nonprofit organization in September 1957.

The purpose of the corps as originally described by Jones was to provide a character-building activity for Casper young people which would be a source of pride for the entire city and area.

Jones and his troopers, now numbering 130, have accomplished this and more.

No regular member of the troopers has ever been in difficulty with the authorities. They have traveled far and near in piling up honors for themselves and their city and acting as ambassadors of good will.

On August 21 they put the finishing touch on their 8-year campaign to reach the top. They won the World Open Drum and Bugle Corps competition in Bridgeport, Conn.

Today the Troopers are on their way home and tonight they will receive a well-deserved welcome by officials of their State and city.

Their homecoming started this morning in Sioux City, Iowa, where they received an honorary police escort from Morningside College to the city limits.

The Troopers have returned home triumphant several times in the past but this evening's welcome at the Natrona County High School auditorium is expected to surpass anything in past years.

The Troopers will be met in Lusk at 6 p.m. where the corps will take time out for a chicken dinner, courtesy of Rex Canfield of the Red Barn Restaurant.

At 8 p.m. the world champions are due to arrive at the NCHS Stadium where Secretary of State Thyra Thomson and Casper Mayor Patrick Meenan along with an expected 5,000 Casper residents will officially welcome them home.

As the Troopers disembark from the buses they will perhaps recall past welcomes in the wake of victories at Las Vegas, Nev.; Seattle, Wash.; Denver; University of Colorado and Portland, Oreg. But tonight will, no doubt, be the one they'll remember the best.

The feeling of Casperites for their drum and bugle corps is summed up by the contributions of many persons who worked to organize this evening's activity.

Pacific Power & Light Co. donated the power for the use of the lights at the stadium, Casper Neon Sign is furnishing the labor and the talent to prepare a welcoming sign, the Mustangs gave up their crucial last practice before their first game of the football season and of course many, many people have worked on the arrangements for the welcome.

The "welcome home" program gets underway at the NCHS stadium tonight at 8 o'clock. The public has been urged to arrive early and bring their best cheering voices with them.

The Casper Star-Tribune has printed 700 extra copies of today's paper as a service to Trooper's parents and fans who will want to save the two-page "welcome home" tribute to the corps.

[From the Casper (Wyo.) Star-Tribune,
Sept. 2, 1965]

WELCOME HOME

Presenting the Casper Troopers—National and World Champions.

It's welcome home tonight for a great group of young people who have achieved outstanding recognition for themselves, for Casper and for all Wyoming.

That there will be a large crowd of Casperites at tonight's ceremonies at the high school stadium, is without question.

The Troopers have come a long way since the organization was first incorporated as the Casper Drum and Bugle Corps on September 24, 1957. It was then, as it has been throughout the intervening years, under the direction of James E. Jones Jr., Casper contractor, who conceived the idea of such an organization under the sponsorship of the American Legion.

There was no great public fanfare in the earlier years, and then Casper residents began to realize that this music and marching corps not only was something new on the community scene but that it definitely offered a colorful new concept for parade and drill.

There were other drum and bugle corps in Casper and the region, but in the Troopers, dressed in their frontier cavalry uniforms, the city and the State could be proud of an organization that reflected the pioneer history of this part of the West.

Although the personnel has changed from year to year as members "graduated" and others came in to take their places, the Troopers as such have achieved distinction as a unit with permanent and close identification to the Casper community.

The honors which the Troopers have won this year reflect credit, therefore, upon all the Troopers who have been members of the corps from its beginning some 9 years ago. Although the emphasis at this time is on the World Open and the National Drum and Bugle Corps Championships, which have just been achieved, the history of the Troopers shows many other victories, near-victories and generally outstanding accomplishment.

No one need be reminded at this time that they have been great ambassadors for Casper. Their fellow townsmen will wish them many, many more years of success, and if they do not always win—as they cannot be expected to do in the accustomed order of things—they will receive no less the loyal support of their community.

UTAH TOURISM

Mr. MOSS. Mr. President, I am pleased to report that a recent survey of Utah tourism shows a rapid increase in the number of visitors to Utah attractions, many of which are being developed through Federal programs. The President's "See America First" campaign appears to have taken hold in Utah.

The survey was taken by the Associated Press. It shows an overall increase of 10 to 20 percent in visitors to Utah this summer. It shows an increase of 100 percent of visitors to Canyonlands National Park, which was created when Congress enacted my bill just last year. The National Park Service is now working on the development program for Canyonlands.

The survey further shows a 50-percent increase at Flaming Gorge National Recreation Area on the Wyoming-Utah border.

Flaming Gorge Dam and Glen Canyon Dam were constructed as a part of the Colorado River storage project, and both dams have created great lakes which have enhanced the natural beauty of their regions, as well as providing an opportunity for wonderful boating and fishing.

I ask unanimous consent to have printed in the RECORD following my remarks, a portion of an article appearing in the Deseret News, for September 2, which reported details of the Associated Press survey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A 10-percent visitor increase estimated by President Howard Thorley of the Cedar City Chamber of Commerce.

"It looks like there's more tourists this year than any other year," Mr. Thorley said. "I think we need more motels in the future so we can pull some more tourists off the highways. Our facilities are filled every night."

Mr. Thorley said he noted a new influx of tourists from Eastern States. But he said 50 percent of Cedar City tourists are from California—with a large number from Nevada.

A 50-percent visitor increase estimated by Paul Larson, chief ranger at the Flaming Gorge Recreation project of the National Park Service.

FARTHER AWAY

"By early August we had as many visitors as we had all calendar year last year," Mr. Larson said.

He said the project had 155,000 visitors by the end of July—compared with 167,400 by the end of last year. He projected a visitor total between 225,000 and 250,000 by the end of this year.

"The bulk of use is from Utah and Wyoming," Mr. Larson said. "But we've noticed this year we're getting them from much farther away—Denver, Grand Junction."

An increase in the Manila District of Ashley National Forest near Flaming Gorge Reservoir is estimated by Jim Bossi, district ranger.

"I don't have the exact figures handy," Mr. Bossi said, "but we're ahead of last year."

SUMMER FLOODS

He said the increase was not as large as that in the neighboring National Park Service area—and blamed the drop on early summer floods in Sheep Creek Canyon.

"The Sheep Creek campgrounds were wiped out," he said, "and I think the National Park Service is getting some of its people from visitors who might have gone to the campgrounds."

An 11- to 12-percent increase of visitors to Zion National Park, estimated by Del Armstrong, chief ranger.

"We're about 45,000 persons ahead of last year," Mr. Armstrong said. "We should total about 750,000 for the year. Last year we had 705,000."

Mr. Armstrong said there has been a significant increase in the number of persons who remain in the park to camp.

BRYCE CANYON

A 26-percent increase in visitors to Bryce Canyon National Park, estimated by Chief Ranger Robert Morris.

"We should hit 100,000 for the month of August," Mr. Morris said, "compared with 73,000 last year." He said the park had about 300,000 visitors so far this year.

Mr. Morris noted an increase in cars from Eastern States. But he said most park travel is still from California.

A 100-percent visitor increase at Natural Bridges in Canyonlands National Park, estimated by Jim Randall, chief ranger.

"We have no figures for August yet," Mr. Randall said, "but our visitor total was very much increased since our creation as a park on September 12, 1964."

FOUR HUNDRED PERCENT

Mr. Randall estimated increases as high as 400 percent in some areas of the park.

A general impression that this year was a better tourist year than usual, by Keith Hunt, secretary-executive vice president of the Greater Ogden Chamber of Commerce.

Mr. Hunt attributed the increase to better weather, better national and regional advertising and a gradually increasing general flow of tourism. He said Ogden had more conventions this year than usual.

A 20-percent increase in tourists in the Logan area, estimated by Charles Buchner, president of the Cache Chamber of Commerce.

He said the increase was probably because of a general increase in travel, advertising signboards along highways in Nevada, Utah and Wyoming, and a brochure advertising the Cache Valley as a tourist attraction.

A 17-percent increase in Provo tourists, estimated by the Provo Chamber of Commerce. The chamber said it used figures from the Motel Owners Association in making the estimate.

THE DIRKSEN REAPPORTIONMENT AMENDMENT

Mr. ROBERTSON. Mr. President, if we adjourn this year without submitting to the States a constitutional amendment to modify the Supreme Court's far-reaching reapportionment decisions, we may face an unprecedented demand for the calling of a constitutional convention next year.

The High Court's so-called one-man, one-vote formula, requiring both branches of the State legislatures to be based on population alone, has created so much controversey that nearly two-thirds of the States already have petitioned Congress to take some action.

For the first time in many years, there is a widespread demand for the calling of a new constitutional convention, a step which has not been taken since the Founding Fathers met at Philadephia 178 years ago to draft the historic document.

There is some confusion over the exact number of States now on record as asking for a convention, but it appears to be somewhere between 24 and 27, depending on whether several uncertain cases are counted.

Several other States have memorialized Congress to submit a constitutional amendment to the States without calling a convention. If we fail to heed their plea at this session, these States may join in the call for a convention next year.

Article V of the Constitution says that, on the application of the legislatures of two-thirds of the States, Congress "shall" call a convention to consider proposed changes in the Constitution. Now that we have 50 States, it would require 34 petitions to place Congress under some legal obligation to consider the calling of a constitutional convention.

The law division of the Library of Congress, in a study completed on August 11, reports that, if the requests for a convention received in the 88th and 89th Congresses are combined, the total is 22 or 23 depending on whether Nevada can be counted.

In Nevada, the question is whether its petition to the 88th Congress has been superseded by one this year, which does not request a convention, but asks Congress to propose a reapportionment amendment.

The Senate Judiciary Committee has petitions from two other States—Georgia and Nebraska—asking for a convention on different subjects. Georgia wants the convention to deal with State control of public schools, and Nebraska wants to change the winner-take-all method of counting Presidential electoral votes in each State.

This would make the total number asking for a convention 24 or 25, depending on the status of Nevada.

New Mexico and Tennessee are reported to have passed resolutions this year, but the Library of Congress has not counted them because it has found no record of communications from those States to the House or Senate.

As of now, therefore, petitions from only 9 or 10 more States are needed to place before Congress a decision it has never had to make. If that many more States act, we will be traveling on an uncharted course, and a number of fine legal points will have to be answered.

One of the first questions to arise will be whether petitions can be counted if they were filed over a period of several years, and not just in this Congress.

Another will be whether they must be identical in form, or at least all dealing with the same proposed amendment.

The law division of the Library of Congress found a substantial number of authorities who agree Congress is not obligated to call a convention unless the petitions are "reasonably contemporaneous with one another."

One legal expert in the Library expressed the view that if the petitions were received within a period of 3 or 4 years Congress would be expected to act. The petitions now on file have come in over a 3-year period.

On the other hand, there is a precedent which sustains the belief that Congress would not be obliged to call a convention on petitions filed over a long period of years.

In 1929, the Wisconsin Legislature reminded Congress that 35 States had filed applications for a convention, and called upon Congress to perform its "mandatory" duty. But that list of 35 applications included nearly every petition that had ever been filed, back to 1788, and Congress ignored the Wisconsin resolution.

The Library of Congress found that commentators disagree over whether Congress is required to call a convention when the petitions deal with several different issues. There are some who argue that the calling of a convention was intended to be used only when the required two-thirds of the States feel that a general revision on the Constitution is needed, and that Congress should continue to submit specific changes directly to the States, as it always has done up to now.

However, if Congress called a convention in response to petitions such as are now on file, dealing with only two or three questions, the analysis prepared by the Library of Congress indicates that the scope of its actions could not be limited.

The Library report said:

> Manifestly, if the convention, of its own volition, chooses to confine its deliberations to a consideration of only those proposals contained in the State applications, a controversy scarcely would arise.
>
> However, according to the great weight of authority, Constitutional Conventions, once created, become relatively free agents whose final determinations are constitutionally tenable as long as they fall within the scope of the power conferred on such conventions by article V. Consistently with such a view a convention could not be restricted as to the subjects of its deliberations by instructions emanating either from the States or from Congress.

Although Virginia is one of the States which is asking for a convention, its petitions are confined to a request for action that would let the States decide how their legislatures should be apportioned.

Virginia, in fact, has filed two petitions with this Congress, proposing alternative approaches to the problem. One would restore to the States complete control over apportionment of their legislatures, and deprive Federal courts of jurisdiction to entertain suits affecting apportionment. The other petition suggests an amendment to enable the States to apportion one branch of their legislatures on a basis other than population.

In both resolutions the Virginia General Assembly provided that, if Congress submits a constitutional amendment to the States this year, Virginia's request for the calling of a constitutional convention would be considered withdrawn.

I, too, am anxious to avoid the necessity of calling a constitutional convention, and we can do that by passing the new Dirksen resolution of August 11, in which the distinguished minority leader has attempted to meet the objections raised by those who led the fight against the earlier proposal.

I have joined 30 other Senators in cosponsoring this modified Dirksen resolution. Its only purpose is to let the States apportion one branch of their legislatures on factors other than population.

But the new resolution gives the majority in any State ample opportunity to veto either the constitutional amendment or a reapportionment made under it.

Mr. President, is we get an opportunity to act before adjournment on the modified Dirksen resolution I hope that the Senate will approve it by the required two-thirds vote, and end this speculation over a possible constitutional convention. I say this for two reasons:

First, the Supreme Court's one-man, one-vote decision was bad law from a constitutional standpoint, and bad from a practical and political standpoint.

Second, if the States force Congress to call a convention, it would be a wide-open proceeding which might affect any part of the Constitution. If the trend toward a centralized Federal Government that has dominated acts of Congress and Supreme Court decisions in recent years should be reflected in the deliberations of a constitutional convention, I shudder to think what might become of the old-fashioned idea that this is a union of sovereign States, or to think of what might be done to the 10th amendment, which says that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

MOUNT VERNON, W. VA.

Mr. BYRD of West Virginia. Mr. President, for many years visitors to northern Virginia have considered a trip to Mount Vernon on the Potomac River as a tourist "must" and one of the real highlights of any sightseeing trip in the Washington metropolitan area.

Few realize that Mount Vernon on the great Kanawha River in West Virginia offers scenic attractions and historical reminiscences closely similar to Mount Vernon on the Potomac in Virginia. Both grace beautiful rivers; both manors are spacious structures with white pillared porticos, greatly similar in design; both are on estates formerly the property of our first President, George Washington, during his lifetime; and both have been successfully operated as agriculturally oriented establishments.

The September 5 edition of the Charleston, W. Va., Sunday Gazette Mail reports in detail on the West Virginia cousin to the Virginia Mount Vernon.

I ask unanimous consent to have this article included in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

MOUNT VERNON ON THE KANAWHA

(By William C. Blizzard)

As every schoolboy knows, Mount Vernon overlooks the Potomac River, and is located about 15 miles south of Washington, D.C., in Fairfax County, Va.

Smart aleck schoolboys motoring along West Virginia 17 may therefore be excused some temporary confusion. For there, as large as life or a little larger, is the Mount Vernon manor house overlooking the Great Kanawha River, about 8 miles east of Point Pleasant, in Mason County, W. Va.

The learned schoolboys of the literary cliche and the less omniscient adults of everyday reality may both be reassured: They have neither lost their senses nor entered the "Twilight Zone." The old home of Martha and George Washington, now a national shrine, is yet on the Potomac River; the similar edifice on the Great Kanawha is the home of Mrs. Harold B. Shadle and son, James B. Shadle. It is also the residence associated with Mount Vernon Farms, one of the largest dairy farms in West Virginia.

The big manor house was built in 1926–27 by James B. Shadle's grandfather, the late Harry Eugene Shadle. H. E. Shadle also built many of the surrounding barns and silos at that time, for he wanted to raise blooded horses and other purebred animals. This he did. His prize livestock included Leghorn poultry, Percheron and Belgian horses, and prize hogs, all of first-rate bloodlines.

Shadle had not at first intended to start a dairy farm. But his purebred stock included Brown Swiss, Guernsey, Jersey, and Holstein cattle, and the dairy business gradually pushed his other interests into the background.

A Mount Vernon distributing plant was built in Charleston, and within a few years Mount Vernon Farms was a leader in the Mountain State dairy industry. During 1 year in the late 1930's or early 1940's, 13 of the 15 most prolific milk producers in the State were Mount Vernon cows.

Harry Eugene Shadle created Mount Vernon Farms as a sort of second career after his retirement, at 65, from the presidency of the Morgan Lumber Co. in Charleston. Begun as an elaborate retirement hobby, Mount Vernon became an animal breeder's showplace and the principal supplier of a dairy which is still a leading milk producer in southern West Virginia.

Shadle died in 1947 at the age of 82, and a son who later managed the estate, Harold B. Shadle, died only a year later. Mrs. Harold B. Shadle and her son, James, now own and operate Mount Vernon. Operations today are limited to the maintenance of a large herd of dairy cattle.

Both the manor house on West Virginia 17 and the Mount Vernon Dairy building in Charleston are similar in design to George Washington's famed residence. That is, they resemble the county homes of the English gentry, dwellings patterned somewhat upon classic models. The tall-pillared portico or piazza is a principal architectural feature.

But the Mount Vernon in West Virginia resembles the Fairfax County Mount Vernon only superficially. The design of the Mount Vernon Dairy building in Charleston adheres somewhat more closely to that of the original.

H. E. Shadle named his farm and dairy "Mount Vernon" for several reasons. Among them were his admiration of General Washington, the fact that Shadle was born on Washington's birthday, and the historical fact that the land on which Mount Vernon Farms is located once belonged to Washington and later to Washington's heirs.

The Mount Vernon manor house on West Virginia 17, which has a full-size guesthouse attached, is actually larger than the Washington mansion. There are only 19 rooms in the original Mount Vernon, and there are 24 in the West Virginia namesake. It is the opinion of Mrs. Harold B. Shadle, who lives in the colonial mansion with a nurse, Mrs. Cleo (Poochie) Harper, that the rooms in her home are somewhat larger than those in the historic shrine.

In any case, the interior of the Mason County mansion is as imposing as the exterior. Surrounding the Shadle home are 1,400 acres of land, most of which are used for farm buildings, pasture, and crops. The south side of the Great Kanawha River bottom at this point is one and one-quarter miles wide.

On the Shadle property are plaques erected by the State which attest that the land was once part of a George Washington grant, and that it was also the site of an ill-fated "lost colony" originated and financed by the Father of his Country.

The "lost colony" story embodies an historical mystery which deserves a full article in itself. This full article exists, and was done, fortunately, by Dr. Roy Bird Cook, whose thorough research has probed the mystery, so far as this writer knows, as deeply as it has been probed.

Dr. Cook's article appeared in the February 1932, issue of the West Virginia Review, and is titled "Washington's Lost Colony." The information presented here is a summation of Dr. Cook's findings, although the opinions are my own.

In November 1770, George Washington, then a colonel in the Virginia militia, led a group of men, including at least one Indian, into the Great Kanawha Valley. Some of his men continued upriver toward what is now Charleston, but the main body, with Washington, explored the area only as far upstream as the locations of the present towns of Leon and Arbuckle, in what is now Mason County.

For the benefit of archeologists who are puzzled by the lack of buffalo bones at the Indian village site near Buffalo, George Washington left behind strong evidence that the big animals were numerous on the lower Kanawha at the time of his visit.

In Washington's notebook (now preserved in the Library of Congress), an entry dated November 2, 1770, states that his party "killed 5 buffaloes and wounded some others, three deer." There is much comment in the notebook on the abundance of game.

Washington and his men apparently did some exploring on both sides of the Great Kanawha, including the south side of the river, where broad bottom lands are hugged by a great bend in the stream. This bottom land is the location of the present Mount Vernon farms.

The purpose of Washington's visit, according to Cook, was to survey lands to be allotted to soldiers who had served in the French and Indian War. Whatever other soldiers got out of his trip, it is a matter of record that in 1772 Washington himself was granted 10,990 acres of those lands by Lord Dunmore, then royal governor of Virginia.

So Washington's 1770 visit apparently had a personal motive, for in June 1771, he had Capt. William Crawford lead a group which surveyed the area on the south side of the Great Kanawha River from below the mouth of Two Mile Creek to what is now the Putnam County line, a distance of 17 miles. This tract of land contained 10,990 acres, the same acreage granted to Washington by Dunmore a year later.

In July, 1773, Washington advertised his new property for sale or lease. He boasted of the game on the Great Kanawha and the possibility of forming a new State incorporating these lands, with its capital at the mouth of the Great Kanawha.

Washington was not a good real estate salesman. Prospective buyers reasoned that it profited them little if they gained the whole Kanawha Valley if they also lost their only scalps to Indians.

No frontier capital came into being at what is now Point Pleasant, but in November 1774, Fort Blair was built there. George Washington lived at Mount Vernon at the time (surrounded by 8,000 acres of plantation), and in January 1775, appointed an estate employee, James Cleveland, to oversee his western lands.

In the spring of 1775, Washington journeyed to Alexandria and, in his words, "bot a parcel of servants," he intended to send to the great bend of the Kanawha, in the middle of his 17-mile stretch of river bottom. About 20 of them, with James Cleveland heading the party, arrived at the big bottom which is now Mount Vernon farms on April 22, 1775.

The expedition was an unhappy one from the start. According to Cook, the inhabitants of the new colony were not slaves, but indentured servants, obliged to work out their passage to the New World, but with no other interest in the colonizing venture.

A month had not passed before James Cleveland wrote to Washington that he hated his job, and had been forced to construct a jail to lock up his unwilling settlers. Despite the jail, men continued to escape, and three were finally sent to Pennsylvania to be sold.

Cleveland complained that the game Washington had boasted of 5 years earlier could not be found, and food, clothing, and tools were scarce.

George Washington had the American Revolution on his mind, or he might have taken better care of his settlement on the Great Kanawha. James Cleveland's letters show that he expected Washington to pay the colony a visit. But on June 15, 1775, the Virginia planter was appointed Commander in Chief of the troops of the United Colonies. He never made it back to the Kanawha Valley.

Shortly after Washington's appointment, Lord Dunmore ordered that Fort Blair be evacuated, an action which meant an extremely serious loss of protection for James Cleveland and his little group. The fort was burned by Indians in August 1775.

But the settlement on the lower Great Kanawha existed until at least April 2, 1776. On that date, Cleveland appeared before the county court of Fincastle County, Va., with the certificate of appraisement for the George Washington colony.

Records at Christianburg, Va., show that 28 acres of land had been cleared, 14 buildings erected, 2,000 peach trees planted, and that large crops of potatoes, corn, and turnips had been raised. Monetary values was set at 1,100 pounds, 15 shillings, 7½ pence.

And there, in the words of Roy Bird Cook, the record ends. Historians have found no trace of the colony in written records or actual remains. Was it burned by Indians and the inhabitants slaughtered? Did the colonists abandon the wilderness site? Were they victims of starvation or disease? No one knows.

The location and possible reconstruction of the "lost colony" might be a worthwhile project for a local archeological society. Such a project would be of national historic interest and also a tourist attraction of the first magnitude.

Whatever happened to the "lost colony," George Washington still owned the 10,990 acres of the Great Kanawha when he died in 1799. It was divided into 23 equal parts in July 1802, and awarded to various heirs.

It is interesting to know, by the way, that Mount Vernon, that most American of U.S. historic shrines, was named for an Englishman. The main building was built by George Washington's half-brother Lawrence, who named the place the Little Hunting Creek Plantation. Later, Lawrence named it for Adm. Edward Vernon, his former commander in the British Navy.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE SUPPLEMENTAL APPROPRIATION BILL, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

Mr. HILL obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield without losing his right to the floor?

Mr. HILL. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, the bill, H.R. 10586, making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, as reported by the Committee on Appropriations, contains a total of $1,407,181,500, a reduction of $146,736,500 from the budget estimates, and an increase of $184 million over the amount of the bill as it passed the House.

The committee has approved for the Department of Labor a total of $156,526,000, the same amount allowed by the House. This involves supplemental requests to fund the expanding training and related activities authorized by the recent amendments to the Manpower Development and Training Act, approved April 26, 1965. There are also included funds to permit expansion of farm labor employment activities so that the Secretary of Labor may more quickly and accurately determine the need for temporary entry into the United States of foreign agricultural workers to aid in the planting and harvesting of crops.

The committee has approved for the Department of Health, Education, and Welfare a total of $1,250,655,500, an increase of $184 million over the House allowance, but a reduction of $146,294,500 from the budget requests.

The HEW chapter of the bill makes provisions for funds for the intensification of programs dealing with the report made by the President's Commission on Heart Disease, Cancer, and Stroke; for the new program under the recently enacted Elementary and Secondary Education Act of 1965; and for funding the new programs authorized by the Older American Act of 1965, and the National Technical Institute for the Deaf Act.

For the heart, cancer, and stroke program there was a request from the President in the amount of $44,120,000 to provide funds to the National Institutes of Health, the Vocational Rehabilitation Administration, and for three items in the Bureau of States Services of the Public Health Service—chronic diseases and health of the aged, communicable disease activities, and community health practice and research. The House provided $42,920,000, a reduction of $1,200,000 in the item for "Chronic diseases and health of the aged" inasmuch as the budget request contemplated for project grants $1.2 million more than is authorized by law for the purpose. The committee has approved $42,920,000, the same amount approved by the House, but has redistributed the funds, $20,250,000, within the National Institutes of Health, in compliance with the suggestion from officials of the NIH during our hearings.

The principal, and largest, item in the bill is "Elementary and secondary educational activities" for which the budget request was $1,295,684,000; the House allowed $967 million; the committee recommends $1,151 million, an increase of $184 million over the House allowance, but a reduction of $144,684,000 from the budget request.

The committee has provided that determinations and payments under title I of the Elementary and Secondary Education Act of 1965 shall be made on the basis of the full budget request for the purpose, $1,070,684,000, but the appropriation provided is $959 million. The appropriation of the lesser amount is predicated on the testimony of Department officials that a lesser amount will be required because of an anticipated delay in getting the State programs initiated, the limitation of not to exceed 30 percent of total expenditures by a school district for basic grants, and for other reasons. But each eligible school district will be assured of receiving its share of the total budget request for basic grants.

The bill contains $7 million for "Administration on Aging," an increase of $69,000 over the budget request.

The bill also contains the funds requested, $420,000, under the National Technical Institute for the Deaf Act to provide for the establishment and operation of a technical institute.

Mr. President, I ask unanimous consent that the amendments of the committee be agreed to en bloc, and that the bill as so amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 17, after the word "Act", to strike out "$967,000,000" and insert "$1,151,000,000"; in line 18, after the word "which", to strike out "$775,000,000" and insert "$959,000,000"; and, in line 22, after the word "of", to strike out "the amount authorized to be appropriated for such title" and insert "$1,070,684,000".

On page 5, line 20, after the word "Sciences", to strike out "$2,200,000" and insert "$4,550,000".

On page 6, line 3, after the word "Institute", to strike out "$4,000,000" and insert "$5,150,000".

On page 6, line 6, to strike out "$9,800,000" and insert "$5,050,000".

On page 6, line 10, after the word "Blindness", to strike out "$4,250,000" and insert "$5,500,000".

On page 7, after line 12, to insert:

"GENERAL PROVISION

"SEC. 201. The provisions of section 207 of the Department of Health, Education, and Welfare Appropriation Act, 1966, Public Law 89–156, shall apply to the items contained in this chapter."

LABOR-HEW SUPPLEMENTAL BILL IMPLEMENTS IMPORTANT GREAT SOCIETY PROGRAMS

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished chairman of the subcommittee [Mr. HILL] for the great service he is rendering in giving this bill the usual thorough and thoughtful consideration which he and his subcommittee give all bills which come before them and yet still bringing the Labor-HEW supplemental to the floor of the Senate only 2 weeks after it passed the House.

This is a very important appropriation bill, Mr. President, because in it Congress is appropriating funds for many of the Great Society programs which Congress has studied this year and authorized in this 1st session of the 89th Congress.

The sum of $1,151 million is recommended for the first year implementation of the Elementary and Secondary Education Act. The authorization for title I payments to school districts for the purpose of improving the educations of educationally deprived children from low-income families is increased over the House figure by the amount requested by the administration, $184 million.

Moreover, the committee has provided that payments to a given school district can be made on the basis of $1,070,684,000 if the school district can justify the full amount it would have coming to it under this total. Although this is $100 million less than the full authorization, it is the amount requested for this purpose by the President. In view of the fact that school has already started and part of the fiscal year has already elapsed, this slightly lower amount is reasonable.

I hope that the full amount authorized for strengthening State departments of education under title V of the act, can be restored in future appropriations. Elementary and secondary education is primarily a local and State matter, and with a revival of interest in multistate action as a result of the work of Dr. James Bryant Conant, we should take every opportunity to aid the States in upgrading education at the elementary and secondary level.

The $20,250,000 expenditure authorized for the National Institutes of Health will provide funds for implementing many of the recommendations of the President's Council on Heart Disease, Cancer, and Stroke. As a member of the subcommittee on Health of the Labor and Public Welfare Committee, I studied this report closely in connection with the Heart, Cancer, Stroke Amendments of 1965. Much of the thrust of this report is aimed at the problem of utilizing the knowledge turned up by our researchers. The best medical research in the world is worth nothing if we do not put its results into practice. The committee has acted wisely in reallocating funds among the various NIH programs to give higher priority to those programs which deal with getting the new medical knowledge out to the practicing physician. Research and implementation of the resultant knowledge go hand in hand; we can neglect neither. However the gap which exists at the present time in certain fields between the discovery of new things and the use we are making of these discoveries is so critical that justification exists for paying special attention to putting our newly discovered knowledge to work.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10586) was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments, and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. HILL, Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. COTTON conferees on the part of the Senate.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill (H.R. 10586) was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion to the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I have received inquiries concerning the location of vocational training centers. Would this bill have anything to do with that subject?

Mr. HILL. This bill does not deal with that subject. H.R. 10586 is a supplemental appropriation bill, and would not have anything to do with the provisions of funds for such centers.

A distinguished Representative from Kentucky is also interested in one of these schools.

LET US END THIS INJUSTICE—AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT

Mr. YOUNG of Ohio. Mr. President, pending on the Senate Calendar is S. 1935, proposed by the administration to amend the International Claims Settlement Act in connection with, among other things, the disposition of funds deposited in the U.S. Treasury by the Government of Italy to pay claims of Americans who suffered as the result of the fighting in Italy during World War II.

More than a million dollars remain in the fund, and this proposal would reopen the claims program. A suggestion was made during the hearings before the Senate Foreign Relations Committee of an inequity which occurred during the Foreign Claims Settlement Commission's earlier consideration of personal injury claims, and which a representative of the Commission acknowledged, but which could not previously have been cured because of the absence of congressional authority for further action on Italian claims.

What happened was that two Americans to my knowledge in the same situation were treated differently. The man whose claim was disallowed, Carl Hauss of Cincinnati, Ohio, fought valiantly against the Italian Fascists, and was arrested by them near Milan, Italy, after the armistice. Both the agreement with Italy under which the funds were deposited in the U.S. Treasury, and the legislation providing for the payment of claims, provided for payment of claims of this type, and yet, despite the suffering of Mr. Hauss in the cause of the Allies, his claim was not allowed, while others in the same situation were allowed and compensation was provided.

I know personally, having served with the U.S. Army in northern Italy during World War II, of the continuing participation of the Italian Fascist forces in combat in Italy there after the armistice was signed in 1943 and Italy officially was out of the war. I know of the activities of the partisans against the Fascists thereafter. It would be most unfortunate if Americans who were injured or suffered property damage in Italy could not be compensated from the fund provided by Italy for that very purpose.

A million dollars remains in that fund and I know of no reason for not providing such compensation. The International Law Committee of the District of Columbia Bar Association took this position in connection with this legislation which was proposed but not acted upon in the last Congress, and I ask unanimous consent to have printed at this point in the RECORD a copy of its resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

MINUTES OF THE MEETING OF THE COMMITTEE ON INTERNATIONAL LAW OF THE DISTRICT OF COLUMBIA, HELD FEBRUARY 13, 1964, IN THE BOARD ROOM OF THE NATIONAL SAVINGS & TRUST CO.

Mr. Herman moved the adoption of the resolution and the motion was seconded. After a full discussion, the resolution was unanimously adopted and the chairman was authorized and instructed to deliver a copy of the resolution and a report of the action of the Committee to the Board of Directors of the Bar Association of the District of Columbia with a recommendation that the resolution be approved by the board and that appropriate further action be taken to communicate the position of the Bar Association of the District of Columbia to the Committee on Foreign Relations of the U.S. Senate. The other matter involved S. 947 (proposed legislation relative to the Italian Claims Fund established by the Government of Italy for the payment of claims of U.S. nationals arising out of the war). The following resolution was moved and seconded:

"RESOLUTION

"Whereas the Senate Foreign Relations Committee is considering S. 947, one provision of which would pay over the balance of the Italian Claims Funds to the U.S. Treasury toward prisoner of war and detention payments made from other funds; and

"Whereas said fund was provided under international agreement the terms of which allowed the use of the fund only for the payment of claims not otherwise provided for; and

"Whereas there appear to be claims of American citizens not provided for, which should be given consideration by the Congress: Now, therefore, be it

"*Resolved,* That this matter should be called to the attention of the Senate Foreign Relations Committee in its consideration of S. 947, and that a member of the international law committee be authorized to present this situation at any hearings to be held on this legislation."

Mr. YOUNG of Ohio. Mr. President, a reexamination of this matter is clearly in order. Although it may not be practical at the end of this session for the Senate to debate the question, I hope that when either the legislation is considered by the House of Representatives or in connection with private legislation to provide for the payment of worthy cases out of the balance of the Italian Claims Fund, full consideration can be given to the inequity which occurred to these brave Americans who risked so much for the cause of freedom, and suffered so much as a result. The authority exists under the basic legislation and the funds are available without utilizing taxpayers' money. All that is required is for the Congress to authorize the procedure for the consideration of the claims.

COSTLY SHORTSIGHTEDNESS—TRADE WITH IRON CURTAIN COUNTRIES

Mr. YOUNG of Ohio. Mr. President, our neighbor to the north, Canada, is prospering as never before. Adding somewhat to her general prosperity is the fact that so far this year 187 million bushels of Canadian wheat have been sold and shipped to the Soviet Union for which Canadian wheatgrowers received $450 million in gold. Last year 239 million bushels of Canadian wheat were shipped to the Soviet Union for which Canadian wheatgrowers received more than $500 million in gold.

I have maintained all along that rightwing extremists are doing a disservice to their fellow Americans when they shrilly denounce having any commercial relations with the Russians. Of course, we should sell behind the Iron Curtain whatever products of American farms and factories the Russians can eat, drink or smoke or wear. Nevertheless, rightwing extremists shudder at the thought of this.

These shortsighted, superduper patriots, who consider themselves self-appointed vigilantes and who seek to play God with other people's patriotism, declaim against any trade whatsoever with countries behind the Iron Curtain—Rumania, Poland, or any other countries.

Mr. President, we have the great St. Lawrence Seaway, of which we are very proud, which we are not using to maximum capacity by any means.

The farmers and the industrialists of the Midwest are very proud that so many of our States have ocean ports. In my State of Ohio, we have the cities of Lorain, Cleveland, Ashtabula, Conneaut, and Toledo, which can handle ocean freight. Ships belonging to the Scandinavian countries, Germany, and many other countries can come to those cities, via the St. Lawrence Seaway, with products for the United States, and are available to take on wheat and other products of the Midwest.

Millions of bushels of wheat are rotting in storage bins in this country, gradually becoming nothing except food for rats, while the taxpayers of our country are paying huge sums of money for storage costs. This wheat is being held against sales for cash on the barrel. This is what our good neighbor to the north, Canada, is doing, and the same as West Germany is doing. Both of these nations are prospering as never before. Sometimes West Germany buys wheat from our country—sometimes not as much as we would like to sell her—and converts it into flour and sells it behind the Iron Curtain.

There is a restriction on U.S. sales of surplus wheat to Communist nations, namely, that 50 percent of such sales shall be carried in American bottoms. This is discriminatory against the farmers of the Midwest and against the manufacturers of our entire country.

Mr. President, it is high time to put an end to this costly shortsightedness. Let us follow the example of the Commonwealth to the north. Let us follow the example of other allies, such as Australia, which sells wheat behind the Iron Curtain, and West Germany, which sells wheat products to Communist bloc countries.

Let us try to stimulate the business of the great St. Lawrence Seaway and add further to the prosperity of American farmers and producers. Let us at the same time deserve the blessings of the taxpayers of the country for engaging in trade and selling freely to the nationals behind the Iron Curtain the products that they need—and they need wheat very much at the present time—products that they can eat, smoke, drink or wear.

We owe it to our children and our grandchildren to continue to seek cooperation in this nuclear age, for the choice may someday be limited to cooperation or coannihilation.

I hope that we shall give serious thought to putting an end to our costly shortsightedness that is depriving American farmers and producers of money which they would otherwise have and placing an unnecessary burden on the taxpayers of this country.

Mr. **MAGNUSON** subsequently said: Mr. President, I listened with considerable interest to the Senator from Ohio making the objective with reference to the so-called 50–50 cargo maritime preference program. I heard only part of his speech.

Much has been said in the past few days regarding the program, which is of great importance to the American merchant marine in relation to the wheat program. I hope some solution can be worked out.

There are two sides to the question, and at the proper time, those of us who have a complete understanding of the necessity to keep our merchant marine alive and adequate, economic and defensewise, will work out what we can. We believe that our merchant marine should not be jeopardized or weakened. It has enough troubles now.

When it is remembered that American bottoms now carry only 8 percent in tonnage of our exports and imports over the world, it seems to me it is high time something be done to strengthen it. It is hoped that something may be worked out to the end that the American merchant marine might carry more of these shipments of wheat.

STATE TECHNICAL SERVICES ACT OF 1965

Mr. **MAGNUSON**. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 949.

The **PRESIDING OFFICER** laid before the Senate the amendments of the House of Representatives to the bill (S. 949) to promote commerce and encourage economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise, which were, to strike out all after the enacting clause and insert:

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and interstate technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable businesses, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or interstate technical information centers for this purpose;

(2) providing a reference service to identify sources of engineering and other scientific expertise; and

(3) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency which has been designated as administrator of the program for any State or States under section 3 or section 7 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to a degree in science, engineering, or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of science, engineering, or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

(g) "Governor", in the case of the District of Columbia, means the Board of Commissioners of the District of Columbia.

SELECTION OF DESIGNATED AGENCY

SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

PLANS AND PROGRAMS

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

(a) A five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means of measuring the impact of such assistance on the State or regional economy; and (3) explain the methods to be used in administering and coordinating the technical services program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget, together with procedures for adequate fiscal control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

REVIEW OF PLANS AND PROGRAMS BY SECRETARY

SEC. 5. The Secretary shall not accept the five-year plan of a State for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

(c) established adequate rules to insure that no officer or employee of the State, the designated agency, or any participating institution, shall receive compensation for technical services he performs, for which funds are provided under this Act, from sources other than his employer, and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on request.

APPROVAL BY SECRETARY

SEC. 6. The Secretary shall review the five-year plan and each annual program submitted by a designated agency under section 4 or section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 10 to all of the cooperating States may be paid to the designated agency, participating institutions, or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates an interstate agency to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 an interstate five-year plan and an annual interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

CONSENT OF CONGRESS

SEC. 8. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance and in designating agencies, under section 7, for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved.

ADVISORY COUNCIL

SEC. 9. Each designated agency shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of each advisory council shall be available to the Secretary on request. Members of any such advisory council shall not be compensated for serving as such, but may be reimbursed for necessary expenses incurred by them in connection with attending meetings of any advisory council of which they are members.

AUTHORIZATION OF APPROPRIATIONS AND PAYMENTS

SEC. 10. (a) There are authorized to be appropriated for the purposes of this Act, $10,000,000 for the fiscal year ending June 30, 1966; $20,000,000 for the fiscal year ending June 30, 1967; $30,000,000 for the fiscal year ending June 30, 1968.

(b) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

(c) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated for each year under this section and is authorized to make payments from such amount to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

(d) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

(e)(1) No amount paid for any technical services program under subsection (b) or (c) shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed $25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 7, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

ASSISTANCE BY THE SECRETARY

SEC. 11. The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this Act.

RULES AND REGULATIONS

SEC. 12. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

SEC. 13. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilities under law of any other department or agency of the United States.

ANNUAL REPORT

SEC. 14. (a) Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

EVALUATION

SEC. 15. Within three years from the date of the enactment of this Act, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

TERMINATION

SEC. 16. Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with provisions of this Act, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

REPAYMENT

Sec. 17. Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 16, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

RECORDS

Sec. 18. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this Act.

SHORT TITLE

Sec. 19. This Act may be cited as the "State Technical Services Act of 1965".

And to amend the title so as to read: "An Act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to the bill S. 949, a bill to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

This bill would authorize a broad, imaginative program of matching grants to the States for a cooperative program so that the results and benefits of modern science and technology may be effectively used by American commerce and industry.

The bill was approved by the Senate on July 19 without opposition, after having been carefully considered, reviewed and modified by the Senate Commerce Committee. The measure was cosponsored in the Senate by most of the members of the committee and by other Senators. It was introduced by me and the cosponsors are Senators Byrd of West Virginia, Ribicoff, McGovern, Pastore, Monroney, Lausche, Bartlett, Hartke, McGee, Hart, Cannon, Brewster, Neuberger, Bass, Cotton, Scott, Prouty, Pearson, and Dominick practically all the members of the Commerce Committee.

As the bill has come back to the Senate from the House, it includes only a few significant changes—changes which do not, in the opinion of the committee, warrant a conference with the House.

The differences between the Senate and House bills may be briefly summarized as follows:

First. The Senate bill authorized appropriations for a 5-year period and required a full evaluation of the program by an independent review board after 5 years. The House bill reduced the period of authorization to 3 years and required evaluation of the program after the first 3 years. This is a reasonable change. An initial 3-year authorization will get the program well underway and a comprehensive review of this new undertaking after 3 years will be helpful in making sure that it is working effectively and properly.

The House bill also eliminated a provision in the Senate bill permitting the Secretary of Commerce to provide additional funds, up to 10 percent, to regional or interstate technical services program without matching funds.

The House made other, more technical amendments, that clarify and strengthen the bill. So I hope the Senate will agree to the motion, approve the House amendments, and complete Congressional action on this important, farsighted measure.

Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Pennsylvania [Mr. Scott], who has long been active in the promotion of this bill, and one of the prime movers, with myself, in seeking its enactment—really, the bill should be called the Magnuson-Scott bill—has prepared a written statement. The Senator, unfortunately, could not be present this afternoon because of official business. I ask unanimous consent that his statement be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Scott on S. 949

I am pleased that the Senate today has approved and cleared for the President's signature the Magnuson-Scott bill to establish a State technical services program.

The State Technical Services Act of 1965 will launch a program designed to put into the hands of local businesses and industry throughout the Nation the up-to-date results of scientific and technological research and development. In this manner, the program can contribute to economic growth and more jobs at home and the improvement of America's competitive position in world markets. My Commonwealth of Pennsylvania stands ready to participate actively in this program which I feel can be very beneficial to Pennsylvania's economy and industrial development.

As originally approved by the Senate, S. 949 provided a 5-year authorization of funds for this matching Federal-State grant program. The other body saw fit to cut this authorization back to 3 years. I believe that this change is satisfactory because it strengthens the reasonable controls which we added to the bill in committee without hindering the effective implementation of the program.

I am glad to have participated in the drafting of the State Technical Services Act of 1965, and I want to salute my colleagues in both bodies who, with the expert assistance of the Assistant Secretary of Commerce for Science and Technology, Mr. Holloman, and his staff, have made this beneficial program possible.

RESEARCH DEVELOPMENT IN HIGH-SPEED GROUND TRANSPORTATION

Mr. MAGNUSON. Mr. President, I ask that the Presiding Officer lay before the Senate the amendments of the House to the bill (S. 1588).

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1588), to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, which were, to strike out all after the enacting clause and insert:

That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

Sec. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

Sec. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

Sec. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources to the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

Sec. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

(c) Members of the Advisory Committee, while attending its meetings, shall be entitled to receive compensation at rates to be fixed by the Secretary but not exceeding $100 per day, including travel time; and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Sec. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

Sec. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest, in any line of railroad.

Sec. 8. (a)(1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

(2) Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry.

(3) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

(4) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act.

Sec. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

Sec. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

Sec. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

Sec. 12. This Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination.

And to amend the title so as to read: "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes."

Mr. MAGNUSON. I move that the Senate disagree to the House amendments and ask for a conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Magnuson, Mr. Pastore, Mr. Lausche, Mr. Hartke, Mr. Morton, and Mr. Scott conferees on the part of the Senate.

NEWSPAPER GROWTH

Mr. MAGNUSON. Mr. President, when we pick up the morning newspaper at breakfast, or read the evening paper after a busy day, we often reflect upon the enormous service rendered by those who perform this service.

We could well reflect too upon the size of this industry and how it has grown.

This growth was brought home to me through an editorial carried in the Everett, Wash., Herald some weeks ago.

I ask the unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Newspapers

The newspaper business is one of the largest manufacturing industries in our Nation's economy. Just the physical production of newspapers is so massive that it constitutes 1.53 percent of the Nation's total industrial activity. This activity is measured by the Federal Reserve Board's index of industrial production. For example the value added by the auto industry represents 1.82 percent of the Nation's total activity whereas newspapers represent 1.53 percent, all meat products 1.52 percent, drugs and medicine 1.48 percent, lumber 0.91 percent, TV sets 0.33 percent, etc.

Dr. John Udell of the University of Wisconsin notes that newspaper growth can be measured in other ways also. U.S. newspapers employ one-third million Americans. Thousands of additional persons are employed in the production of newsprint, printing press, and other products needed to supply the Nation's 1,763 daily papers. From 1947 through 1963 newspaper employment expanded 31 percent—more rapidly than total employment in the United States, which increased 19 percent, and 3½ times as fast as employment in all manufacturing industries.

A significant measure of newspaper growth is newsprint consumption, which has increased from 4.3 million tons in 1946 to over 8 million tons in 1964, a growth of 87 percent. The greatest growth of U.S. newsprint consumption has occurred in cities and towns of less than 100,000 population—which have experienced a 70-percent greater expansion than the average of all newspapers in the United States.

And the future of newspapers looks even brighter. Dr. Udell, pointing to projected population increase in the 15-year period between 1965 and 1980, forecasts from 16.4 to 22 million more newspaper subscribers by the latter year. He predicts flatly: "Daily circulation should increase more in the decade ahead than in any other decade in the history of the U.S. newspaper business."

RIVER OF THE WEST

Mr. MAGNUSON. Mr. President, the largest and greatest river of the Western Hemisphere pouring into the Pacific Ocean is the mighty Columbia, arising in the Canadian Rockies, crossing my State of Washington, and for several hundred miles forming the boundary between Washington and Oregon.

Tributaries of the Columbia, including the 1,038-mile Snake, bisect Idaho, and reach into Wyoming, Montana, Utah, and Nevada.

What this great river system means to Pacific Northwest and Inland Empire Industry, commerce and economy is told by my distinguished colleague in the House of Representatives, the Honorable Julia Butler Hansen, in a guest editorial in the July Newsletter of the American Mail Line.

Mrs. HANSEN, whose congressional district extends from a few miles above famous Bonneville Dam to the Columbia's mouth, and whose childhood and much of her adult life has been spent on the banks of this great river, also weaves into her editorial some of its history, including early trade with the Orient, and in conclusion forecasts a golden future for this enormous river basin with unsurpassed potential.

Mr. President, I ask unanimous consent that the editorial, "River of West," by the Honorable JULIA BUTLER HANSEN, of Washington, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIVER OF THE WEST

(By Congresswoman JULIA BUTLER HANSEN, Committee on Appropriations, Subcommittee on Interior, Subcommittee on Foreign Operations)

Years ago, as a barelegged small girl fishing mudcats from the cannery dock at Cathlamet on the lower Columbia River, I began to dream of trade and the world it touched. As the last brigantines sailed upriver to load lumber, when blue-clad pigtailed Chinese crews came each spring to man the sprawling whitewashed salmon canneries, I began to understand the language and customs of other people.

Ever since that almost unbelievably leisurely era, I've realized that perhaps one who stands on the shore of a great moving river or at the edge of a sea touching far nations has perhaps a wider vision than that possessed by men sitting on the prairie. At least, there is the obligation for a longer look and deeper comprehension as to the width of the world and the lives of its people.

The sails of those ships, steamboat whistles in the fog, towboats with logs are part of a world of woven sea-touched magic which is the story of the Columbia River. Two centuries ago, the Columbia was known as the mysterious, undiscovered "River of the West." Thomas Jefferson was sure that it existed—some place beyond the high mountains—a mighty stream for ports, growth, and trade.

William Cullen Bryant said, "Here rolls the Oregon and hears nothing but the sound of its own dashing."

When Capt. John Kendrick and Robert Gray sailed unknown western waters they were under orders, "to avoid offense to any foreign power, to treat the natives with kindness and Christianity, to obtain a cargo of furs on the American coast and to proceed with the same to China and to return from China with a cargo of tea and carry the tea to Boston."

That was the distillate of our trade beginnings.

In 1792, 300 years after Columbus sailed for America, Gray crossed the bar of the Columbia and on May 11 of that year said, "We found this to be a large river of fresh water."

Later Vancouver explored our river, Britain and America developed it and finally America made it her own. From furs bound for Canton and London and farm products bound for "Owyhee" it has become in the 20th century a tremendous contributing factor to our national export trade.

In that quiet country where was once no sound but that of its own dashing 7,000,000 busy people now live—farmers, fishermen, shippers, manufacturers and workers in the forests, mills, and mines.

From the loneliness of those days when the small, weathered sails of Captain Gray's ship stood against that wide western horizon, we have moved with speed and progress. The Columbia has become one of the major waterways of the world. Ports on this great river, due to the intelligent leadership of business, labor and public legislative bodies are now among the most modern in the United States. Thousands of tons of wheat and other products are shipped by barge, rail and trucks to our ports. There is no single day that passes without the flag of some foreign nation flying against the western hills—still forested and green—as another ship sails out of the Columbia with Northwest commerce to far ports of this earth.

One of our leading trade partners is Japan. The State of Washington's commerce with the Far East rose from $42,911,000 in 1960 to $76,500,000 in 1963.

Southeast Asia, the Philippines, India, and other nations, with names almost as magic as the spices of old, are part and parcel of this ever-growing trade.

In the Columbia Basin also lies 40 percent of the nation's hydroelectric potential, almost unlimited fresh water, abundant recreation areas, commercial fishing.

There is today no end to the dream of growth in the land that surrounds the Columbia and there is no end also to the river that bears cargo and men in the eternal tides of time bound for the future.

LEGISLATIVE PROGRAM—FOOD AND AGRICULTURE ACT OF 1965

Mr. KUCHEL. Mr. President, if I may have the attention of the distinguished majority leader, I should like him to express his views on what may transpire in the Senate during the remainder of today, and what he contemplates will be our labors in the Senate tomorrow.

Mr. MANSFIELD. Mr. President in response to the questions raised by the distinguished acting minority leader, the Senator from California [Mr. KUCHEL], I first ask unanimous consent that H.R. 9811, the farm bill, be laid before the Senate immediately upon being reported.

Mr. KUCHEL. Is that bill at the desk yet?

Mr. MANSFIELD. Not yet, but it will be here by midnight.

Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 9811, the Food and Agriculture Act of 1965, and that it be made the pending business when reported.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 9811), to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, for the information of the Senate, various reports of committees will be allowed to be filed until midnight tonight. It is my hope that the farm bill will be the pending business at the conclusion of the morning business tomorrow; but for the information of the Senate and in response to the questions raised by the distinguished Senator from California [Mr. KUCHEL], tomorrow the Senate will take up and consider the following measures:

Calendar No. 655, H.R. 8027, a bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques and practices in State and local law enforcement and prevention and control of crime, and for other purposes.

The Senate should be prepared to take up, as soon as they are cleared, the following measures:

Calendar No. 658, S. 1349, a bill to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length.

Calendar No. 659, H.R. 5989, an act to amend section 27, Merchant Marine Act of 1920, as amended.

Calendar No. 660, S. 2142, a bill to simplify the admeasurement of small vessels.

Calendar No. 662, S. 897, a bill to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes.

Calendar No. 669, S. 2118, a bill to clarify sections 9 and 37 of the shipping Act of 1916, and subsection O(d) of the Ship Mortgage Act of 1920, and for other purposes.

It is hoped that tomorrow the highway beautification bill will be reported, and that it will be taken up as expeditiously as possible.

In addition, Calendar No. 635, H.R. 8469, to provide certain increases in annuities payable from the Civil Service Retirement and Disability Fund, and for other purposes may be considered tomorrow.

Any of the bills I have mentioned may be taken up tomorrow.

No further legislative business will be transacted this afternoon.

Therefore, the Senate should be on notice that a workload is in the offing. It is the hope of the leadership on both sides of the aisle that it will be possible to start work on the farm bill tomorrow. I hope it will be possible to dispose of the farm bill this week, even if it means having a Saturday session.

Mr. KUCHEL. I thank the Senator.

Mr. MAGNUSON. I should like to ask the Senator from Montana a question. I presume that we shall have adequate debate—of course, I know that we shall have it—on the farm bill. That debate may go on for 2 or 3 days. The Senator from Wisconsin and I and many other Senators are disturbed about the report to the effect that the dairy program has been taken out of the bill. Many other Senators are concerned with that situation. The provision is contained in the House bill. I expect that this provision will take a little time to discuss on the floor because of the great concern about the dairy section.

Mr. MANSFIELD. Yes; the dairy section is not the only section in disagreement.

Mr. MAGNUSON. At least the other features have been tackled in some respects, but the dairy section has been taken out completely. The Senator from Wisconsin and I will have a little to say about it.

LET US SAVE OUR COTTON INDUSTRY, NOT DESTROY IT

Mr. KUCHEL. Mr. President, let the RECORD show that with respect to the farm bill, which will be here before the Senate tomorrow and perhaps for a while during the week, I speak not only as a Californian, but as an American, in registering my own violent and vigorous objection to what, regretfully, the Committee on Agriculture and Forestry saw fit to do on the subject of cotton.

The administration made some recommendations to Congress in an effort to help the weakening economic position of American cotton. They were good recommendations. They had a tendency to eliminate needless subsidies. They had a tendency to lower the amount of cotton surpluses. They had a tendency to encourage free competition in cotton, unfettered by Federal financial soporifics. Such action is in the interest of the American taxpayers.

The House of Representatives voted the recommendations of the administration. Those recommendations were agreed upon by such able Members of the Senate as my friend the distinguished junior Senator from Georgia [Mr. TALMADGE].

I regret that the committee overruled what the administration asked for, and what the House of Representatives approved, and what I believe the Senate at long last will have approved when the debate on the proposed legislation has been terminated.

I recognize the great difficulty in finding a base upon which to cope with what many people in this country are calling the mess in agriculture. At any rate, I salute Senators on both sides of the aisle who interest themselves in the traditional American concept of individual American initiative.

So far as I am concerned, the Senate should review the extremely regrettable action of the committee in dealing with the problem of the cotton industry, which is in great distress and, after doing so, rectify the committee's errors, and approve what the administration has recommended.

Mr. President, if we are going to save the cotton industry of the United States from destruction, we are going to have to continue and strengthen and improve the one-price system.

We are going to have to do this to keep cotton competitive in the world market and competitive with manmade fibers in our domestic mills.

We simply cannot go back to the old, ruinous, two-price system as called for in the Senate committee bill. A return to the two-price system would mean the end of cotton in America.

Our domestic mills would turn more and more to synthetic fibers. Our cotton stocks would pile up ever higher and higher in our warehouses at great cost to the taxpayers. Our cotton would be priced out of the market, and this would mean eventual ruin to the cotton farmers of America.

We cannot afford, Mr. President, to continue high price supports and high loans that price our cotton out of the market and survive in either the world or the domestic trade.

We have got to go to a lower loan rate, and to a provision in H.R. 9811, as passed by the House, which would permit our efficient cotton farmers to stay out of the Government program, and produce as much as they want to plant for the lower world market price. Is not that the American system?

As I pointed out to the Senate only a few days ago, Mr. President, there is an urgent need for more quality, strong cotton to compete with synthetic fibers. Our California farmers produce this type of strong, high quality cotton, Mr. President. And, I think they ought to be allowed to produce more of it for the world market price, if they can do this efficiently and economically.

H.R. 9811, the House passed bill, provides that any cotton grower who would forego the Government loan, all Government payments, and all Government subsidies on his cotton, could grow for the world price of about 22 cents a pound without acreage restrictions.

We have some few growers in California who I believe would be adventurous enough to try growing cotton not only for the world market at the world price, but also for our own domestic textile mills at the world price, Mr. President, if they were permitted to do so.

Our domestic mills need more of this high quality cotton to blend with other cotton fibers in the manufacture of modern textiles. And they would use it if they could buy it at the world price.

This type of cotton would be used by the mills; it would not pile up in the warehouses, and it would mean increased use of cotton and less use of synthetics. And this cotton would be produced at no cost to the taxpayers. Should not that be an attractive feature to our fellow citizens?

Mr. President, if an American farmer chooses not to take a Government subsidy, he ought to be allowed to plant cotton to his heart's content and sell it at the world price.

The overplanting provision of H.R. 9811 would permit this to be done, and it is my firm belief that this would not have an adverse effect on the cotton program. Indeed, I believe it would contribute to increasing the competitiveness of cotton in both the world and domestic markets.

Mr. President, I do not necessarily favor each and every provision of H.R. 9811, but it is imperative that we continue and improve the one-price system for cotton. H.R. 9811 will do this, and it is a far better program than the Senate committee bill, which, in my judgment, would destroy our cotton industry.

The President of the United States has recommended that the present cotton program be extended with new measures designed to reduce the cost of the program and to cut down on the cotton surplus.

H.R. 9811 would do this, but the Senate committee bill would not.

The cotton carryover on August 1 of this year was 14.2 million bales, and a 1965 crop of more than 14.8 million bales is anticipated. At the present rate of domestic consumption and exports, the cotton carryover probably will rise to about 15.5 million bales by August 1, 1966. CCC will hold about 13 million bales of these stocks.

This is far too much cotton to be stored in our warehouses at the taxpayers' expense. The Senate committee bill will not sufficiently reduce this huge surplus. It would not improve our world competitive position. It would not reduce costs, as the President has advocated. It would materially add to them.

If the Senate committee bill were approved, the costs of the cotton program would be increased year by year, and surpluses would not be reduced to the extent that the public interest would require.

The so-called Ellender program of the Senate committee would cost a little more now than the one-price program of H.R. 9811, and the costs would increase year by year.

On the other hand, the low loan, direct payment, one-price program would cost slightly less to begin with, and in each succeeding year its cost would be from $200 million to $300 million less than the Ellender plan.

The Ellender program would reduce our cotton surpluses down to around 12.5 million bales, but this is not enough reduction.

We need to get our surpluses down to around 9 million bales. The low loan, direct payment, one-price program of H.R. 9811 and the amendments rejected by the Senate committee would bring our surplus down below the 9 million figure.

One of the big problems of our cotton industry is how to increase our exports. We are losing out in the world market, which is a mounting tragedy in this era of imbalance of payments in our foreign trade.

Our cotton exports last year were 4.2 million bales and for this year are estimated at about the same level—down from 5.7 million bales in 1963–64. World production at record high levels, and increased consumption of manmade fibers are the major factors responsible for our export situation.

What to do about this is one of the most difficult questions confronting us. Everyone agrees that cotton should be offered for sale competitively in the world market. But, how is this to be accomplished?

Do we allow our cotton growers to produce for export on a competitive basis? Or, do we have the U.S. grower produce cotton for export at a price higher than the world prices—protected by Government price-support programs—and then have the price lowered to competitive world levels at Government expense and by bureaucratic decision?

The latter method already has been tried and found wanting. The Senate committee bill, would simply go back to this plan that already has been proven to be a failure, and a costly failure at that.

Price support loans nearer world price levels, with supplementary payments to producers participating in the cotton program, would be far more desirable, far more flexible, and would enable the market to determine prices.

Under the program as adopted by the House, we can increase our exports without such high Government expenditures, and at the same time we can maintain farm income at reasonable and decent levels.

Mr. President, I do not want to see the efficient cotton producers of California and other areas of our Nation penalized and hamstrung by continued restrictive policies of Government controls. I want to see them free to plant, without Government subsidies, for the world market.

I want to see us get the Government out of this business of buying, storing, and selling so much cotton. This ought to be the business of the cotton trade, not of the Government.

Mr. President, I appeal to my colleagues on both sides of the aisle—let us strike the chains from our cotton farmers. Let us vote down the ruinous cotton provisions of the Senate committee bill, and substitute for it the cotton section of H.R. 9811.

Do not destroy our cotton industry and our cotton farmers. Save this industry and the cotton farmers with a cotton program that makes some sense. Thus, will the national economy be strengthened, and the theory of American initiative be vindicated.

THE STEEL STRIKE—PRESIDENT JOHNSON'S EFFORTS IN SETTLING MANAGEMENT-LABOR DISPUTES

Mr. MANSFIELD. Mr. President, I should like to state how happy and pleased I am that the producers of steel and the makers of steel, management and labor, were able to get together over the past weekend.

I believe that much credit should go to them for their understanding of what the effects of a steel strike would be on the country. Great credit should go to the President of the United States who, for the second time, has performed a task of significance to the economic welfare of the country in exerting his personal efforts to bring about a settlement of the differences in the steel industry.

The Senate may recall that when the President first took office, he was largely responsible for bringing about a settlement of the differences within the railroad industry—differences which had plagued previous administrations for several years, and which were finally adjudicated through the personal interest he took in them.

I am delighted that this settlement in the steel industry has taken place. I am glad to note, from newspaper accounts, at least, that the settlement remains within the guidelines set down by the administration.

I am very hopeful that the settlement of this strike will serve as an indicator to other industries and to organized labor that it is much better to settle differences than to try to work them out on the bricks or on the pavement.

I am glad that a week or so ago it was finally possible, at long last, to bring about a settlement of the maritime strike, a strike which never should have occurred in the first place, and which caused untold damage to the economy of this country, a strike which now happily has been settled.

I hope that this pattern will continue and will be applied to other segments of the country.

Mr. BAYH. Mr. President, the most welcome news of the past weekend was the successful negotiation of a 35-month contract between the major American steel producers and the United Steelworkers of America.

President Johnson is to be commended for the role he played in this settlement. He asserted the public interest into the negotiation but did not break into the relationship between management and labor. He urged them to reach their own agreement, without projecting himself into the issues of the negotiations.

The possibility of a steel strike had hung heavily on the Nation's economic horizon for most of this year. With the negotiations beginning during the midst of the United Steelworkers of America union elections, it was difficult to see how the bargaining could be carried out effectively. The union and management wisely agreed to an extension of the old contract to allow the United Steelworkers of America's new president, I. W. Abel, to take control of the union's negotiations.

With the September 1 strike deadline approaching, the President found it necessary to ask for another extension—to September 8—and to invite the negotiators to Washington where he could personally assist in the talks. He made it clear that the public policy of this country is to prevent major work stoppages in essential industry. Although steel accounts for only 4 percent of America's industrial output, it is still so basic to our manufacturing process that any prolonged closing would have a disastrous effects on the entire country.

The President insisted that with the Vietnam crisis, steel and basic industrial production is essential to our national security. He suggested, and rightly so, that any interruption in the production of vital war materials at this time was unpatriotic and might be considered by other nations as a division of support for American foreign policy.

To their credit, the negotiators were able to come to an agreement on Friday. This agreement was formally accepted by the Wage Policy Committee of the Steelworkers Union on Sunday.

We must voice our appreciation to both the steel management and labor for considering the public consequences of their private business. Their response to the urgings of the President is typical of their reactions to the public need in recent years.

The agreement itself has been termed by the President as "a fair one, designed to prevent inflation which would damage our Nation's prosperity." It is gratifying that the pact can be noninflationary. With the general business upswing crowding capacity, any major price hike in steel could bring on inflationary pressures that we could ill afford.

As we view the situation from Washington, we reflect on the impact on the economy and world politics. But to the thousands of steelworkers and their families that I represent, the steel pact means continued good times.

The small grocer in Gary knows that next week he will be cashing paychecks for his regular customers instead of filling strike orders from the business agent. The wife whose husband works in the mill knows now that she can buy the children's back-to-school clothes.

A steel strike is a very human thing—a tragedy to the people whose livelihood depends on the men in the mill.

Because their President cared enough for them, for the economy, and for the fighting men in Vietnam—the strike has been averted. He was not content to sit idly by and let a strike take its toll. He did not bring the Government into interference with the free market system. He did bring the great moral strength of his office, his own good will, and his great powers of persuasion to bear on the problem and caused its solution.

I applaud and I offer thanks to the leaders of the steel industry and to the President for their significant contribution to the American economy by their successful negotiations last week. The example of the steel leadership working with its Government to keep the wheels of industry turning is good for all businesses to see.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I assume, barring the appearance of other Senators in the Chamber, that at the conclusion of the remarks of the distinguished Senator from Iowa [Mr. MILLER], the Senate will stand in adjournment.

I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSALS FOR SETTLEMENT OF THE WAR IN VIETNAM

Mr. MILLER. Mr. President, on August 16 I expressed a concern that some misleading interpretations are being placed on what the United States will settle for in Vietnam. I refer Senators to the CONGRESSIONAL RECORD of August 16, 1965, pages 20546–20552.

I was concerned, as I said at that time, over suggestions that we may settle for less than what the President has stated to be our minimal objectives.

I remarked that:

> This is no time to give comfort to those who promote aggression. Granted that our own leaders intend to follow a firm policy, they should avoid any statements which might be construed as a sign of deviation from that policy.

It was also pointed out at that time that:

> All peace-loving people are prayerful that there will be a prompt end to the war in Vietnam and that peace will come to that

> area. But few peace-loving people will tolerate an end to the war at the price of freedom or the profit for aggression. The national interest of the United States and South Vietnam—indeed the national interest of all nations, large and small, whose people live in freedom—repudiates a policy of peace at any price. There is a price to be paid for peace, and it is only with a clear understanding of what that price is that those who speak of "negotiations" can speak meaningfully.

President Johnson's statement at Johns Hopkins University was also repeated:

> We will not withdraw, either openly or under the cloak of a meaningless agreement.

All of us realize that great priority has been given by the President to bring about a cessation of hostilities in Vietnam and to bring the participants to the conference table.

But there is something of higher priority than that: It is the minimal objectives clearly stated by the President of the United States for the war in Vietnam. These objectives are: To persuade the North Vietnamese to leave their neighbor, South Vietnam, alone; to cease and desist from directing, controlling, and supplying war materiel and manpower to the Vietcong military forces in South Vietnam; and to assist the South Vietnamese in ending the attacks of the Vietcong so that the people can live in peace and freedom. This is the price of peace in Vietnam. Any cessation of hostilities and any action at the conference table must be premised on the achievement of these minimal objectives. And any timetable for cessation of hostilities and participation at the conference table cannot take priority over them.

It is with these thoughts that I turn to the statement on the floor of the Senate made by the distinguished majority leader on September 1. It has been widely reported that the views he expressed were those of the President, but whether this is so or not I do not know.

The majority leader set forth the four conditions for peace advanced by Hanoi in response to the President's Johns Hopkins speech. He then sought to show that these conditions might be reconcilable with President Johnson's minimal objectives.

I find it difficult to reconcile them. Hanoi's condition that the internal affairs of South Vietnam be determined by the South Vietnamese in accordance with the National Liberation Front program is repugnant to the concept of freedom for the people of South Vietnam. The peaceful, so-called reunification of all of Vietnam is a nice-sounding objective, but when one realizes the impossibility of holding genuinely free elections in a Communist dominated country, the objective lacks substance. It would seem to run counter to the only American interpretation which can be placed on President Johnson's stated objective that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all Vietnam under international supervision. How could there be any such international supervision without the foreign interference which Hanoi clearly demands be left out?

The distinguished majority leader also made this statement:

> But unless the military conflict is to expand and to continue into the indefinite future, whether it be 3, 5, 10, or 20 years of war, the degree of these automatic reflexes must be tested in negotiations.

I do not believe that such a choice exists at all. The choice is between the realization of the minimal stated objectives of the President of the United States by negotiations and settlement or by war and settlement. It is the leaders in Hanoi—not in the United States—who have made the choice. It is up to them—not us—to decide whether to stop their aggression. Their decision will determine the length and intensity of the war. When they realize that aggression does not pay off—that the price of their decision to continue the war is too dear, they will agree to the President's minimal objectives in a settlement—and not before. This need not be any 3, 5, 10, or 20-year war at all; but its length will depend greatly on the President's decision on how much more cost will be paid by North Vietnam and how soon in order to persuade the leaders in Hanoi that continued war is unacceptable to them.

In this connection, a timely lead editorial entitled "We're Talking Too Much," was published in Monday's Washington Evening Star. The editorial points out that all of the talk about negotiations which has been going on from within the United States might be taken as an indication of irresolution on our part. It lays a foundation for the hope in the hearts of the leaders in Hanoi that the United States will not have the patience and perseverance which the President says we shall have to see it through, so that our minimal objectives will be attained and the world will know that aggression does not pay off. I ask unanimous consent that the editorial be printed in the Record, along with an editorial from the Des Moines Register of September 5, entitled "Mansfield's Peace Plan," which points out that the majority leader's suggestions "are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam—Vietcong."

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington, D.C., Evening Star, Sept. 6, 1965]

We're Talking Too Much

Senator Mansfield, the majority leader, made a speech the other day which was essentially a restatement of our aims in Vietnam. He threw in two additional points, that there must be provision prior to negotiations for a "secure amnesty" and a willingness on all sides to accept a "cease-fire and a standfast." Otherwise, there was nothing new in it.

Since this speech is supposed to have had the prior approval of the President, there is reason to note with some concern Senator Mansfield's reiteration of the Johnson statement of July 28: "We insist and we will always insist that the people of South Vietnam shall have the right of choice, the right to shape their own destiny in free elections in the South, or throughout all of Vietnam under international supervision."

There is all the difference in the world between the free elections in the South and elections throughout all Vietnam. In the former case there would be a right of choice. In the second, there would be none, for such an election would surely be won by the Communists. To agree to any such condition as this would be to capitulate to the Communists, despite all our brave words, and to sell the South Vietnamese down the river. We hope that this was not the essential message that Senator Mansfield, with the President's approval, was trying to get across to Hanoi.

It seems to us, furthermore, that the time has come to stop making peace overtures to the Communists every hour on the hour. The fighting has not been going well for them, and they must know that they cannot win this war. Why not let them sweat it out for a while instead of giving them even slight reason to think that we are tiring of the struggle and ready to call it a day?

Senator Javits was among those who applauded the Mansfield speech. He said we should constantly reiterate our willingness to negotiate, which, in fact, the President has been doing. Then the New York Senator added: "I hope very much that these efforts are not misunderstood as indicating an irresolution on our part."

With this, he put his finger on what may well be the Achilles' heel of our repeated bids for peace. We should stop talking about our willingness to talk, and let our willingness to fight speak for itself for a while.

[From the Des Moines Sunday Register, Sept. 5, 1965]

Mansfield's Peace Plan

Two new sets of peace proposals have appeared recently for the Vietnam war: an interview given by South Vietnamese Premier Nguyen Cao Ky including his peace terms; and a speech in the U.S. Senate by Majority Leader Mike Mansfield, ostentatiously approved by the White House, summarizing U.S. terms for peace.

Ky wants time to overcome "many injustices" in South Vietnam before he faces peace negotiations and possible free elections. This doesn't fit in too well with U.S. efforts to get pease as soon as possible, perhaps this fall or winter—but the frank admission of injustices is a new and wholesome attitude for a South Vietnamese to take. South Vietnam can be lost on either the military front or the economic and social front; but it cannot be "won" without solid accomplishments in both.

Ky would like North Vietnamese troops withdrawn from South Vietnam under firm guarantees before he starts peace negotiations, and he wants American troops to stay on until his government asks them to leave. This goes beyond U.S. thinking. But as a hard bargaining position this makes some sense—providing Ky's forces and his U.S. allies win some more victories.

Senator Mansfield's speech is much more realistic in the terms it presents. Mansfield has been (1) against expanding the Vietnam war; (2) for full debate and full news coverage of it, without fear or favor; (3) for President Johnson's effort to make peace and to hang on in the meantime. In public, Mansfield has generally supported administration policy; in private he is said to be critical.

So there is special significance in his appearing this time as administration spokesman, with public congratulations by Vice President Hubert Humphrey and a White House statement that the speech "reflects the sentiment of the Johnson administration." Mansfield himself avowedly based the speech on recent presidential speeches, with "clarifications" of his own.

The Mansfield-Johnson peace terms call for a verified free choice by the South Vietnamese people of their own government and their own destiny, which may be independence of reunion with North Vietnam if they so choose. The terms call also for withdrawal of all foreign forces and bases throughout Vietnam, North and South, once peace is established and adequate international guarantees for noninterference in Vietnam, Laos and Cambodia are agreed on.

MANSFIELD added suggestions for an amnesty and a cease-fire as essential to negotiations.

These terms are still far from those offered to date by North Vietnam and its ally, the National Liberation Front of South Vietnam (Vietcong). They want to get the U.S. troops and bases out, but not the North Vietnamese, and they want reunification of Vietnam under elections stacked in favor of the Communists. But they may be doing some rethinking under the impact of the heavy U.S. poundings in the field, and the still heavier U.S. buildup for future hostilities if the war continues.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 4 minutes p.m.), in accordance with the previous order, the Senate adjourned until tomorrow, Wednesday, September 8, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations, confirmed by the Senate September 7, 1965:

EXPORT-IMPORT BANK OF WASHINGTON

Hobart Taylor, Jr., of Michigan, to be a member of the Board of Directors of the Export-Import Bank of Washington.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Ralph K. Huitt, of Wisconsin, to be an Assistant Secretary of Health, Education, and Welfare.

U.S. NAVY

Rear Adm. Alexander C. Husband, Civil Engineer Corps, U.S. Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy for a term of 4 years.

U.S. ARMY

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

Brig. Gen. Richard Charles Kendall, O1184680, Adjutant General's Corps.

Brig. Gen. Howard Samuel McGee, O387469, Adjutant General's Corps, to be major generals.

DEPARTMENT OF JUSTICE

Keith Hardie, of Wisconsin, to be U.S. marshal for the western district of Wisconsin for the term of 4 years.

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years.

Robert Nelson Chaffin, of Wyoming, to be U.S. Attorney for the district of Wyoming for the term of 4 years.

IN THE MARINE CORPS

The nominations beginning William L. Atwater, Jr., to be colonel, and ending William J. Zaro, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 23, 1965.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 7, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. ALBERT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following communication from the Speaker:

> THE SPEAKER'S ROOMS,
> *September 7, 1965.*
>
> I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.
>
> JOHN W. MCCORMACK,
> *Speaker of the House of Representatives.*

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of the Scriptures: II Thessalonians 3: 3: *But the Lord is faithful, who shall stablish you, and keep you from evil.*

Almighty God, we thank Thee for this moment of prayer and meditation in the midst of hurrying days. Give us open minds and responsive hearts and may we hear and heed Thy voice speaking peace unto our souls.

Always and everywhere we need Thee; in our weakness to support and sustain us and in our strength to discipline and direct us.

Grant that our eyes may be open to the higher values of life and the eternal worth of every human soul.

As we have entered into the labors of others, so may we work while it is yet day that those who succeed us may enter into a richer inheritance, and be brought into union with the abiding life of God without whom our lives are shrouded in impenetrable mystery and end in futility.

In a world of racial rancor and industrial strife and discord, where we have not learned to live together, show us how we may stop the madness of it all and live with one another in fraternal fellowship.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 3, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9567. An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9567) entitled "an act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MORSE, Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. KENNEDY of New York, Mr. PROUTY, Mr. JAVITS, and Mr. DOMINICK to be the conferees on the part of the Senate.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar scheduled for today be transferred until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar Day. The Clerk will call the first bill on the calendar.

OBSERVING THE 250TH ANNIVERSARY OF HOPKINTON, MASS.

The Clerk called House Resolution 439.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to inquire if the rather lengthy letter and research by the gentleman from Massachusetts [Mr. DONOHUE], compiled by the Library of Congress, has been made a part of the committee record? This is an excellent report. I have seen it personally. All of the House provisions of the Consent Calendar have been met, and I commend the gentleman and the committee for accomplishing this within the rules we establish for ourselves.

Mr. DONOHUE. I will advise the gentleman copies were mailed to the other objectors, and one has been forwarded to the Committee on the Judiciary.

Mr. HALL. I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

H. RES. 439

Whereas 1965 marks the two hundred and fiftieth anniversary of the founding of the town of Hopkinton, Massachusetts; and

Whereas this town and its people have made important contributions to all aspects of the life of this Nation; and

Whereas the observance of this anniversary will be celebrated in Hopkinton, Massachusetts, on June 25, 26, 27, 1965, with public ceremonies, parades, concerts, and other public gatherings with widespread participation of not only the townspeople but guests and visitors from many places; and

Whereas Hopkinton is a beautiful community, rich in historic interest, well known for its patriotic contributions, noted for its many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Hopkinton, Massachusetts, on the occasion of the two hundred and fiftieth anniversary of this community, and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Hopkinton during the past two hundred and fifty years.

With the following committee amendment:

On pages 1 and 2, strike all "Whereas" clauses.

The committee amendment was agreed to.

The House resolution was agreed to.

A motion to reconsider was laid on the table.

LIABILITY TO THE UNITED STATES UNDER THE VETERANS' LOAN PROGRAM

The Clerk called the bill (H.R. 7571) to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I note in connection with this bill the Veterans' Administration is opposed to it, and the Housing and Home Finance Agency has deferred to the views of the Veterans' Administration.

Under the rule established by the bipartisan committee of objectors, it is my understanding that only legislation on which there is a favorable agency report is considered to qualify on the Consent Calendar.

Therefore, Mr. Speaker, I withdraw my reservation of objection and ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROVIDING TRANSPORTATION FOR IMMEDIATE FAMILIES OF AMERICAN NATIONAL RED CROSS PERSONNEL

The Clerk called the bill (H.R. 8848) to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone what is meant by the words "to provide transportation for the immediate families of personnel of the American Red Cross serving with the Armed Forces." In what way do these representatives serve with the Armed Forces? Is there anything obligatory about their service with the Armed Forces? What is meant by this language?

Mr. FISHER. The purpose of the bill is to permit traveling space to be allocated to the dependents of Red Cross personnel who are now entitled to it but who must wait until the space becomes available.

Mr. GROSS. In other words, the Government is now about to embark upon paying the expenses for families or members of the Red Cross; is that correct?

Mr. FISHER. The members of the Red Cross who are involved in this situation that we are dealing with in this legislation only go when they are requested to go somewhere by the military, wherever that may be. Under the present law, their travel may be provided but it is on a space available basis. This would give them a priority for obtaining space when they are requested by the military to go.

Mr. GROSS. The gentleman says when they are requested to go by the military. Is there anything obligatory on representatives of the Red Cross to go anywhere on the orders of the military?

Mr. FISHER. There is nothing obligatory.

Mr. GROSS. That is what I thought. Is there anything obligatory upon the Salvation Army, which in my opinion on the basis of experience in World War I, does an equal if not a better job than the Red Cross in many respects, with respect to services provided members of the Armed Forces. I see nothing here to include the Salvation Army. Did you give any consideration to the Salvation Army?

Mr. FISHER. I think not.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ELIMINATION OF REIMBURSEMENT PROCEDURES REQUIRED AMONG THE ARMED FORCES FOR INPATIENT MEDICAL OR DENTAL CARE

The Clerk called the bill (H.R. 10234) to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I simply want to ask the distinguished chairman of the subcommittee, the gentleman from Texas [Mr. FISHER] if in his opinion this could in any manner or wise be interpreted as the first step of taking over military medical care in Government civilian hospitals by the now passed law for civilian medicare? In other words, the treatment of military dependents and/or even of the military and the retirees in HEW hospitals?

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman.

Mr. FISHER. In response to the gentleman's question, it is my opinion and the opinion of counsel for the committee who studied this, and in response to the gentleman's inquiry that was previously made, that it cannot have that effect at all and it is not designed to have that effect.

Mr. HALL. Mr. Speaker, I have the gentleman's reply in writing and the action of the committee of the Armed Services Committee and counsel of the Defense Department, and I am delighted that this is the situation, and the legislative record having been made, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1085 of title 10, United States Code, is amended to read as follows:

"§ 1085. Medical and dental care from another executive department: reimbursement

"If a member or former member of an armed force under the jurisdiction of a military department, or his dependent receives inpatient medical or dental care in a facility under the jurisdiction of the Secretary of Health, Education, and Welfare, or if a member or former member of a uniformed service not under the jurisdiction of a military department, or his dependent, receives inpatient medical or dental care in a facility of an armed force under the jurisdiction of a military department, the appropriation for maintaining and operating the facility furnishing that care shall be reimbursed at rates established by the Bureau of the Budget to reflect the average cost of providing such care."

SEC. 2. The analysis of chapter 55 of title 10, United States Code, is amended by striking out the following item:

"1085. Medical and dental care from another uniformed service: reimbursement."

and inserting the following item in place thereof:

"1085. Medical and dental care from another executive department: reimbursement."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE CHARTER OF THE AMERICAN HOSPITAL OF PARIS

The Clerk called the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone why there is any limitation at all on this hospital in Paris?

Mr. CELLER. The act was passed many years ago with a limitation of $2 million. We increased the amount of its capital to $8 million, I think, in 1929. Now we are asking to increase it beyond that. There are no Government moneys involved here. It is privately endowed. It probably might well have been originally arranged that there would be no limitation. I cannot answer the gentleman's question as to why there was originally a limitation. But that is the condition we find this in and we are asking now because of the increased expenditures and patients that the amount of the capital be increased.

Mr. GROSS. I was curious to know why there has ever been any limitation upon the amount of money that could be spent upon this hospital.

Mr. CELLER. I cannot give the reason. That was passed many years ago.

Mr. GROSS. I call the attention of the gentleman to the language which appears on page 1 of the report, as follows:

> The purpose of this bill is to remove a limitation on the total value of property which the American Hospital of Paris may own.

But a limitation of $8 million is placed in the bill. I do not understand the language which appears on page 1 in relation to the bill which provides a definite limitation. Perhaps someone made a mistake.

Mr. CELLER. Possibly that might be correct. I do not know.

Mr. GROSS. Mr. Speaker, I withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

H.R. 9877

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to incorporate the American Hospital of Paris", as amended, approved January 30, 1913 (37 Stat. 654), is further amended by striking out: ": *Provided,* That the total value of the property owned at any one time by the said corporation shall not exceed $8,000,000".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO MARKETING AGREEMENT ACT OF 1937

The Clerk called the bill (H.R. 10206) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, it is my understanding that there will be an amendment to take out of the bill the onion marketing order. If that is the case, then I certainly would not wish to have the bill passed over.

Mr. de la GARZA. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am glad to yield to the gentleman from Texas.

Mr. de la GARZA. In fact, the bill contains other matters. There were about six bills combined and the onion matter was inserted into this bill. I have an amendment prepared and have no objection to taking out that part.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, further reserving the right to object, I should like to interrogate the gentleman.

Am I correct in what I understand the bill, if passed, would do? Would it not make eligible for marketing agreements the following products: cherries, carrots, citrus fruits—not onions—Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corns, limes, and avocados?

Mr. de la GARZA. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Texas.

Mr. de la GARZA. No. They already have marketing agreements for those items. The bill would only allow them to advertise and assess the members of the industry through a vote and an agreement. It would let them advertise their products. That is all the bill would do. It would not create any new marketing order or marketing agreement.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, there is a provision for advertising. Do I correctly understand that as a result of the provision for advertising that the industry will pay the cost?

Mr. de la GARZA. Yes. The members of the industry will assess themselves.

Mr. JOHNSON of Pennsylvania. The gentleman has said that they will assess themselves as growers. Would the assessment be in the nature of tax on those commodities or fruits and vegetables to the end that the ultimate consumer would have to pay upward of a 4- to 5-percent tax on those items?

Mr. de la GARZA. No, it will not work out in that way. This is a very small or minimum effort on the part of the growers and producers themselves. Let me assure the gentleman that all of the associations referred to relative to each one of the items which it is desired to have included have asked that this action be taken. They are unanimous in requesting that this be done.

Also this does not apply to all the items that have been mentioned. Some already have them. Of necessity, the items included citrus, carrots, and all the other products named, including Tokay grapes, cherries, and pears. I think Mrs. May was interested in pears. As far as advertising is concerned, there would be no great overall increase in the cost of advertising that would raise the cost to the consumer or anything of that sort. It is only a small amount that the producers themselves would allow themselves to take off in order that they might advertise their particular product. That is all it is.

Mr. JOHNSON of Pennsylvania. With the understanding that the cost of the advertising will not be passed on to the ultimate consumer and added to the cost of the product, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

H.R. 10206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

(a) Section 2(3) is amended by inserting "such container and pack requirements provided in section 8(c)(6)(H)", immediately after "establish and maintain".

(b) Section 8c(2)(A) is amended by inserting "and onions" immediately after "(not including vegetables other than asparagus").

(c) The proviso at the end of section 8c(6)(I) is amended by inserting ", carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, or avocados" immediately after "applicable to cherries".

AMENDMENT OFFERED BY MR. DE LA GARZA

Mr. de la GARZA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. de la Garza: On page 1, beginning on line 10, strike out all of subsection (b).

The amendment was agreed to.

Mr. McFALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McFALL. Mr. Speaker, I wish to commend the gentleman from Texas [Mr. de la Garza] for sponsoring the needed legislation and the gentleman from Hawaii [Mr. Matsunaga] for his work as subcommittee chairman in bringing it before the House. The Tokay growers in my district in California desire to have this change in their marketing order to permit them to advertise. It is permissive only for them to do if they desire. It will facilitate their marketing procedures and should result in beneficial results to both growers and consumers.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENTAL OF FOREST SERVICE EMPLOYEES' PROPERTY

The Clerk called the bill (S. 1689) to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502).

There being no objection, the Clerk read the bill, as follows:

S. 1689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the Act of March 4, 1913, as amended by the Act of January 31, 1931 (16 U.S.C. 502), is amended to read as follows: "(a) To hire or rent property from employees of the Forest Service for the use of that Service, whenever the public interest will be promoted thereby: *Provided,* That the aggregate amount to be paid permanent employees under authorization of this subsection, exclusive of obligations occasioned by fire emergencies, shall not exceed $20,000 in any one year."

With the following committee amendment.

On page 1, beginning on line 8, strike out the colon and the proviso through page 2, line 2, and insert: "As soon as practicable after the end of each fiscal year the Secretary shall transmit to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a statement of rentals under the authority of this subsection during the fiscal year."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LANDS WITHIN THE UINTA NATIONAL FOREST, UTAH

The Clerk called the bill (S. 1764) to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I should like to interrogate one of the chief sponsors of this bill. I should like to have an explanation of the bill.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PRESERVATION OF RETIREMENT AND INSURANCE BENEFITS FOR HOLDERS OF CONGRESSIONAL STAFF FELLOWSHIPS

The Clerk called the bill (H.R. 10553) to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships.

Mr. GROSS. Mr. Speaker, perhaps we should have an explanation of this bill.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENDING FOR 2 YEARS THE EXISTING AUTHORITY FOR THE ERECTION IN THE DISTRICT OF COLUMBIA OF A MEMORIAL TO MARY McLEOD BETHUNE

The Clerk called the Joint Resolution (S.J. Res. 89) extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

There being no objection, the Clerk read the joint resolution, as follows:

S.J. RES. 89

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1965, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960 (74 Stat. 154), is amended by striking out "within five years" and inserting in lieu thereof "within seven years".

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE DISPOSITION OF JUDGMENT FUNDS OF THE KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS, AND FOR OTHER PURPOSES

The Clerk called the bill (S. 664) to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes.

Mr. PELLY. Mr. Speaker, at the request of a Member who could not be present today, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROVIDING FOR THE ASSESSING OF INDIAN TRUST AND RESTRICTED LANDS WITHIN THE LUMMI INDIAN DIKING PROJECT ON THE LUMMI INDIAN RESERVATION IN THE STATE OF WASHINGTON, THROUGH A DRAINAGE AND DIKING DISTRICT FORMED UNDER THE LAWS OF THE STATE

The Clerk called the bill (H.R. 3715) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PROVIDING FOR THE DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE OMAHA TRIBE OF NEBRASKA, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 8917) to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 8917

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall add to the roll of the Omaha Tribe of Nebraska, prepared pursuant to section 1 of the Act of September 14, 1961 (75 Stat. 508), the names of all children living on the date of this Act who were born after September 14, 1961, and who possess aboriginal Omaha blood of the degree of one-fourth or more: *Provided,* That no child who is enrolled with any other tribe of Indians shall be added to the roll under the provisions of this Act.

SEC. 2. The roll prepared pursuant to the Act of September 14, 1961, with the additions authorized by section 1 of this Act, shall constitute the membership roll of the Omaha Tribe of Nebraska as of the date of this Act, and children who are born after the date of this Act may be enrolled if they meet the requirements of article II, section 1(b) of the tribal constitution, or any amendment thereof.

SEC. 3. From the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than $270 to each person living on the date of this Act whose name appears on the roll prepared pursuant to the provisions of sections 1 of this Act. The balance of such funds and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary. The amount of $150,000 of said funds and any interest thereon shall not be distributed, advanced, or expended until said $150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138.

SEC. 4. Sums payable to enrollees or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the tribal governing body, with the approval of the Secretary, determines will adequately protect the best interests of such persons. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed and such amounts shall escheat to the Omaha Tribe of Nebraska.

SEC. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 6. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That from the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than $270 to each person living on the date of this

Act whose name appears on the roll of the tribe prepared pursuant to section 1 of the Act of September 14, 1961 (75 Stat. 508), and to each child living on the date of this Act who was born after September 14, 1961, and who possesses aboriginal Omaha blood of the degree of one fourth or more except for any such child who is enrolled with any other tribe of Indians. The balance of such funds and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary. The amount of $150,000 of said funds and any interest thereon shall not be distributed, advanced or expended until said $150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138."

The committee amendment was agreed to.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, in explanation of H.R. 8917, may I state that this is another piece of legislation to distribute judgment funds to an Indian tribe. The Omaha Tribe of Nebraska was awarded $1¾ million by the Indian Claims Commission in its suit against the United States. Under the treaties of 1825 and 1827, the Indians ceded portions of their land holdings in Iowa and Missouri to the United States. In 1952 attorneys for the tribe filed a case in the Indian Claims Commission claiming that inadequate compensation had been made by the Government in payment for the land. In 1963 the Commission rendered a decision favorable to the Omahas and recommended payment amounting to $1,750,000. On June 9, 1964 funds were appropriated to pay the judgment and the funds are now in the Treasury accumulating interest at 4 percent per annum.

Our bill provides that after payment of necessary attorney and litigation expenses the Secretary of the Interior shall make a per capita distribution of not more than $270 to each Omaha Indian whose name appears on the tribal roll prepared pursuant to the act of September 14, 1961, when an earlier settlement was made to the same tribe, and also to each living child born after September 14, 1961, who possesses Omaha blood in the amount of one-quarter or more unless the child is enrolled with another tribe. The remainder of the judgment plus accrued interest may be expended for purposes authorized by the tribal governing body and approved by the Secretary of the Interior.

Because of a possible conflicting claim, $150,000 of the principal amount is to be withheld pending settlement of a docket the Yankton Sioux has before the Indian Claims Commission.

Sections 2, 3, 4, and 5 of the bill are the usual provisions placed in judgment bills.

H.R. 8917 was amended in the committee in order to clarify a blood quantum difference between the tribal constitution and the rules under which an earlier judgment fund was distributed. In order to overcome this difference, it is strongly recommended that the tribal constitution be amended so as to insure that one-quarter bloods can participate in the tribal development programs that will stem from the judgment funds after the $270 per capita payments have been deducted.

Mr. Speaker, I am unaware of any controversy over H.R. 8917. I favor its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISBURSEMENTS TO THE ARMED FORCES OF FRIENDLY FOREIGN NATIONS

The Clerk called the bill (H.R. 5665) to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes.

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to know what is the present definition of "a friendly foreign nation" and just what foreign countries would come within this definition?

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. It there objection to the request of the gentleman from Missouri?

There was no objection.

CONSENTING TO ENTRY OF CONNECTICUT, RHODE ISLAND, AND VERMONT INTO BUS TAXATION PRORATION COMPACT

The Clerk called the bill (H.R. 10369) to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity.

There being no objection, the Clerk read the bill, as follows:

H.R. 10369

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity substantially in the form of the compact set forth in title II, section 201, of Public Law 89–11, approved April 14, 1965 (79 Stat. 60).

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING DESIGN PATENT OF INSIGNIA OF MASSACHUSETTS DEPARTMENT OF THE UNITED AMERICAN VETERANS OF THE UNITED STATES OF AMERICA, INC.

The Clerk called the bill (H.R. 7888) providing for the extension of patent numbered D–119,187.

There being no objection, the Clerk read the bill, as follows:

H.R. 7888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) a certain design patent issued by the United States Patent Office of date February 27, 1940, being patent numbered D–119,187, which is the insignia of the Massachusetts Department of the United States of America, Incorporated, is hereby renewed and extended for an additional period of 14 years from and after the date of enactment of this act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the Massachusetts Department of the United American Veterans of the United States of America, Incorporated; (b) no person who has manufactured the design of such patent between February 27, 1954, and the date of the enactment of this act shall be held liable for infringement of such patent by reason of the continued manufacture and sale thereof.

With the following committee amendment:

On page 1, line 6, after "United" insert "American Veterans of the United".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING COMMERCIAL MISUSE OF THE INTERSTATE ROUTE MARKER

The Clerk called the bill (H.R. 9867) to provide penalties for the use of the interstate route marker for commercial purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to interrogate the sponsor of the bill.

I note that the distinguished chairman and subcommittee chairman are both here. I am familiar by personal experience with the fact that the marking of our Interstate System highways is not a function of the Bureau of Public Roads or the Department of Commerce, but is a function of a committee established for this purpose which is seated in Detroit, Mich. I am sure that many of the Members here know that. However, I would like to know if this is at the request of this committee for the marking of the Federal Interstate System highways, or with their knowledge, or if there is any report thereon?

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the chairman.

Mr. CELLER. We have the request from the Secretary of Commerce and those under him who have control of the Interstate System. It would appear that a number of firms have put advertising on these highways markers. It makes in a certain sense the Federal Government a coconspirator in this deception. For that reason we feel commercial firms using these markers for their own business purposes are doing a mischief and they should be precluded from doing this, and sanctions should be invoked if they do so. I cannot answer directly the gentleman's question except that we had a very comprehensive communication from the Secretary of Commerce and particularly those under him having control of the Interstate System highways.

Mr. HALL. Mr. Speaker, I wonder if the chairman of the subcommittee has anything to add, particularly with respect to this nonpartisan or nonbureau committee that has to do not only with routing but with the marking of all the interstate and intrastate highways.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. WILLIS. I join with the explanation of the chairman of the full committee, the gentleman from New York [Mr. Celler]. This bill was introduced at the request of the Department of Commerce. I must say to the gentleman that I assume that the organizations to which he refers necessarily have joined in the request. I do not or cannot overstate the matter by saying that I know it, but I assume it must necessarily be so.

Mr. HALL. I see nothing wrong with the bill as presented, and I certainly think I understand the point that we do not want to create mischief by emulation of or attachments, as far as advertising is concerned or doing anything which would obstruct the vision on these Interstate System highways. However, I would say to the gentleman that oftentimes this committee in Detroit is not in agreement with the Bureau of Public Roads or the Department of Commerce as far as certain routings, maps, markings, and things of that type, are concerned. I think it serves a very useful purpose to have this nonpartisan or nonbureau agency, concerned in such matters insofar as it is dedicated to the traveling public.

Mr. Speaker, I withdraw my reservation of objection.

Mr. GIBBONS. Mr. Speaker, I reserve the right to object.

Mr. Speaker, will the gentleman from Louisiana please answer this question? In my State there are a number of tourist attractions that are nationally known and have national reputations such as Cypress Gardens. I have seen Interstate System signs pointing to Cypress Gardens, although this is a privately owned concern. Would this legislation outlaw that type of sign?

Mr. WILLIS. If the gentleman will yield, it would not. The bill is clear. It says specifically that whoever would erect or display any sign which is an imitation of the route marker in a manner reasonably calculated to convey and for the purpose of conveying the false impression that the sign denotes that a Government agency is sponsoring the project will be subject to this.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for his explanation and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 9867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code, is amended by adding the following new section:

"§ 713. Interstate route marker

"Whoever erects or displays any sign, emblem, or insignia which is or contains a colorable imitation of the route marker of the National System of Interstate and Defense Highways, in a manner reasonably calculated to convey, and for the purpose of conveying, the false impression that the sign, emblem, or insignia denotes a department, agency, bureau, or instrumentality of the United States, shall be fined not more than $250 or imprisoned not more than six months, or both. The section shall not make unlawful the use of any such sign, emblem, or insignia which was lawful on the date of the enactment of this section."

With the following committee amendment:

After line 5, page 2, add the following new section:

"Sec. 2. The chapter analysis of chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following:

"713. Interstate route marker."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF TITLES 10 AND 37, UNITED STATES CODE

The Clerk called the bill (H.R. 9778) to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code.

There being no objection, the Clerk read the bill as follows:

H.R. 9778

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 173(c) of title 10, United States Code, is repealed.

Sec. 2. Section 687 of title 10, United States Code, is amended—

(1) by striking out the first sentence of subsection (a) and inserting in place thereof the following new sentences: "Except for members covered by subsection (b), a member of a reserve component or a member of the Army or the Air Force without component who is released from active duty involuntarily, or because he was not accepted for an additional tour of active duty for which he volunteered after he had completed a tour of active duty, and who has completed, immediately before his release, at least five years of continuous active duty, is entitled to a readjustment payment computed by multiplying his year of active service (other than in time of war or of national emergency declared by Congress after June 28, 1962), but not more than eighteen, by two months' basic pay of the grade in which he is serving at the time of his release. However, a member who is released from active duty because his performance of duty has fallen below standards prescribed by the Secretary concerned, or because his retention on active duty is not clearly consistent with the interests of national security, is entitled to a readjustment payment computed on the basis of one-half of one month's basic pay of the grade in which the member is serving at the time of his release from active duty. A person covered by this subsection may not be paid more than two years' basic pay of the grade in which he is serving at the time of his release or $15,000, whichever amount is the lesser.";

(2) by amending clause (3) of subsection (a) by striking out "severance" and inserting in place thereof "readjustment";

(3) by amending subsection (b) to read as follows: "(b) Subsection (a) does not apply to a member who—

"(1) is released from active duty at his request;

"(2) is released from active duty for training;

"(3) under regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, is released from active duty because of moral or professional dereliction;

"(4) upon release from active duty, is immediately eligible for retired pay or retainer pay based entirely on his military service;

"(5) upon release from active duty, is immediately eligible for severance pay (other than under section 680 of this title) based on his military service and who elects to receive that severance pay; or

"(6) upon release from active duty is immediately eligible for disability compensation under a law administered by the Veterans' Administration and who elects to receive that compensation.

However a member covered by clause (6) may receive a readjustment payment under this section and disability compensation if an amount equal to 75 per centum of the readjustment payment is deducted from the disability compensation. This subsection does not prevent a member who elects to receive a readjustment payment under this section from becoming entitled to disability compensation based on his service performed after he makes that election."; and

(4) by strking out subsection (e), and by adding the following new subsection:

"(f) If a member who received a readjustment payment under this section after June 28, 1962, qualifies for retired pay under any provision of this title or title 14 that authorizes his retirement upon completion of twenty years of active service, an amount equal to 75 per centum of that payment, without interest, shall be deducted immediately from his retired pay."

Sec. 3. Section 1478(a)(4) of title 10, United States Code, is amended by striking out ", United States Code" in two places.

Sec. 4. Section 2031(d) of title 10, United States Code, is amended—

(1) by striking out "retired" at the beginning of clause (1) and inserting in place thereof "Retired"; and

(2) by striking out "notwithstanding" at the beginning of clause (2) and inserting in place thereof "Notwithstanding".

Sec. 5. Section 2109(b)(3) of title 10, United States Code, is amended by inserting "and" at the end thereof.

Sec. 6. Section 2110(a)(1) of title 10, United States Code, is amended by striking out "education" and inserting in place thereof "educational".

Sec. 7. (a) Chapter 163 of title 10, United States Code, is amended by redesignating section 2736, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as section "2737".

(b) Chapter 163 of title 10, United States Code, is further amended by redesignating item 2736 of the analysis, relating to property loss, or personal injury or death, incident to the use of property of the United States and not cognizable under other law, as item "2737".

Sec. 8. Section 3012(b) of title 10, United States Code, is amended to read as follows:

"(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Army, including—

"(1) functions necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development;

"(2) direction of the construction, maintenance, and repair of buildings, structures, and utilities for the Army;

"(3) acquisition of all real estate and the issue of licenses in connection with Government reservations;

"(4) operation of water, gas, electric, and sewer utilities; and

"(5) such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Army affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe. The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

Sec. 9. Section 3036(a) of title 10, United States Code, is amended to read as follows:

"(a) There are in the Army the following officers:

"(1) Chief of Engineers.

"(2) Surgeon General.

"(3) Judge Advocate General.

"(4) Chief of Chaplains."

Sec. 10. (a) Section 3038 of title 10, United States Code, is repealed.

(b) The analysis of chapter 305 of title 10, United States Code, is amended by striking out the following item:

"3038. Chief of Engineers: additional duties."

Sec. 11. Section 3533 of title 10, United States Code, is amended by striking out "upon the recommendation of the Chief of Engineers, and".

Sec. 12. Section 4508 of title 10, United States Code, is amended by striking out "Chief of Ordnance" wherever it appears and inserting in place thereof "Secretary".

Sec. 13. Section 4565(a) of title 10, United States Code, is amended by striking out "Quartermaster General" and inserting in place thereof "Secretary".

Sec. 14. Section 4712(a) of title 10, United States Code, is amended by striking out "the court-martial jurisdiction of the Army or the Air Force" and inserting in place thereof "military law".

Sec. 15. Section 4834 of title 10, United States Code, is amended by striking out the designation "(a)" and subsection (b).

Sec. 16. Section 5036(a) of title 10, United States Code, is amended by striking out "and the Assistant Secretary of the Navy for Air" and "and the Assistant Secretary for Air".

Sec. 17. Chapter 513 of title 10, United States Code, is amended by striking out "pay," in item 5149 of the analysis and in the catchline for section 5149.

Sec. 18. Section 9343 of title 10, United States Code, is amended by striking out "faculty" in the first sentence and inserting in place thereof "Academy Board".

Sec. 19. Section 9346 of title 10, United States Code, is amended by adding the following new subsection:

"(d) To be admitted to the Academy, an appointee must take and subscribe to an oath prescribed by the Secretary of the Air Force. If a candidate for admission refuses to take and subscribe to the prescribed oath, his appointment is terminated."

Sec. 20. Section 9712(a) of title 10, United States Code, is amended by striking out "the court-martial jurisdiction of the Air Force or the Army" and inserting in place thereof "military law".

Sec. 21. Section 209 of title 37, United States Code, is amended—

(1) by striking out ", United States Code," by striking out "twenty" and inserting in place thereof "20", and by striking out "section 6(d)(1) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456(d)(1))" and inserting in place thereof "section 456(d)(1) of title 50, appendix", in subsection (a); and

(2) by striking out ", United States Code," in subsection (c).

Sec. 22. Section 302(b)(3) of title 37, United States Code, is amended by striking out "and" at the end thereof and inserting in place thereof "or".

Sec. 23. Section 403(a) of title 37, United States Code, is amended to read as follows:

"(a) Except as otherwise provided by this section or by another law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the following monthly rates according to the pay grade in which he is assigned or distributed for basic pay purposes:

"Pay grade	Without dependents	With dependents
O-10	$160.20	$201.00
O-9	160.20	201.00
O-8	160.20	201.00
O-7	160.20	201.00
O-6	140.10	170.10
O-5	130.20	157.50
O-4	120.00	145.05
O-3	105.00	130.05
O-2	95.10	120.00
O-1	85.20	110.10
W-4	120.00	145.05
W-3	105.00	130.05
W-2	95.10	120.00
W-1	85.20	110.10
E-9	85.20	120.00
E-8	85.20	120.00
E-7	75.00	114.90
E-6	70.20	110.10
E-5	70.20	105.00
E-4 (over 4 years' service)	70.20	105.00
E-4 (4 years' or less service	45.00	45.00
E-3	45.00	45.00
E-2	45.00	45.00
E-1	45.00	45.00

A member in pay grade E-4 (less than four years' service), E-3, E-2, or E-1 is considered at all times to be without dependents."

Sec. 24. Section 404(d) of title 37, United States Code, is amended—

(1) by striking out "by the Chief of Finance of the Army" in clause (1);

(2) by striking out "section" in clause (2) and inserting in place thereof "subsection";

(3) by striking out "$12" in clause (2) and inserting in place thereof "$16";

(4) by striking out "section" in clause (3) and inserting in place thereof "subsection"; and

(5) by adding at the end thereof the following new flush sentence:

"Where due to unusual circumstances of a travel assignment the maximum per diem allowance would be less than the amount required to meet the actual and necessary expenses of the trip, reimbursement for such expenses may be authorized, under regulations prescribed by the Secretaries concerned, on an actual expense basis, but not more than the amount specified in the travel authorization, and in any event not more than $30 for each day in a travel status."

Sec. 25. Section 405 of title 37, United States Code, is amended by striking out "a" after "including" in the first sentence and inserting in place thereof "the".

Sec. 26. Section 406 of title 37, United States Code, is amended—

(1) by striking out "temporary or permanent change of station" in subsection (b) and inserting in place thereof "change of temporary or permanent station"; and

(2) by inserting "is" before "placed" in subsection (g)(1).

Sec. 27. Section 407 of title 37, United States Code, is amended by striking out "permanent change of station" in subsections (a) and (b)(2) and inserting in place thereof "change of permanent station".

Sec. 28. Section 409 of title 37, United States Code, is amended by striking out "goods" in the first sentence and inserting in place thereof "effects".

Sec. 29. Sections 415(a), 416(b), and 422(c) of title 37, United States Code, are each amended by striking out ", United States Code,".

Sec. 30. Section 419 of title 37, United States Code, is amended by striking out "716" wherever that figure appears and inserting in place thereof "717".

Sec. 31. Section 701(d) of title 37, United States Code, is amended by striking out "Chief of Finance (in cases involving the Army) or by the Secretary of the Air Force." and inserting in place thereof "Secretary concerned".

Sec. 32. Section 801 of title 37, United States Code, is amended—

(1) by striking out subsection (b); and

(2) by striking out "two" in subsection (c) and inserting in place thereof "three".

Sec. 33. Section 1001(b) of title 37, United States Code, is amended by inserting "and allowances" before "matters".

Sec. 34. Section 1007(c) of title 37, United States Code, is amended by striking out "basic" in the second sentence.

Sec. 35. (a) The Act of September 7, 1962, Public Law 87-649 (76 Stat. 451), is amended as follows:

(1) The first sentence of section 10 (76 Stat. 496) is amended by striking out "(64 Stat. 795)" and inserting in place thereof "(64 Stat. 794)".

(2) Section 14b, headed "Statutes at Large" (76 Stat. 498), is amended by striking out, in the item relating to the Act of September 8, 1950, "1, 4,", "794, 795,", and "231, 252,".

(3) Section 14d, headed "Sections of Title 14, United States Code" (76 Stat. 502), is amended by adding at the end thereof the following:

"(7) Section 471 (a) and (b)."

(b) Clause (2) of subsection (a) of this section is effective as of November 1, 1962.

Sec. 36. (a) Laws becoming effective after June 1, 1965, that are inconsistent with this Act shall be considered as superseding it to the extent of the inconsistency.

(b) References made by other laws, regulations, and orders to the laws restated by this Act shall be considered to be made to the corresponding provisions of this Act.

(c) Actions taken under the laws restated by this Act shall be considered to have been taken under the corresponding provisions of this Act.

Sec. 37. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this Act:

(1) Section 1409 of the Supplemental Appropriation Act, 1953 (66 Stat. 661), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(2) Section 1309 of the Supplemental Appropriation Act, 1954 (67 Stat. 437), as amended by section 2 of the Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(3) The Act of June 27, 1962, Public Law 87-500 (76 Stat. 111).

(4) Section 1 of the Act of June 28, 1962, Public Law 87-509 (76 Stat. 120).

(5) Section 1 of the Act of July 10, 1962, Public Law 87-531 (76 Stat. 152).

(6) The Act of October 9, 1962, Public Law 87-777 (76 Stat. 777).

(7) Section 6112 of title 10, United States Code.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENACTMENT OF TITLE 5, UNITED STATES CODE

The Clerk called the bill (H.R. 10104) to enact title 5, United States Code, "Government Organization and Employees," codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I note that this bill is some 367 pages. In the interest of economy and in accordance with precedent, I ask unanimous consent that we waive the printing of the bill in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPRUCE KNOB-SENECA ROCKS RECREATION AREA, W. VA.

The Clerk called the bill (H.R. 10330) to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, and I hope I will not have to object, I desire to ask a question or two of the sponsor of the bill. This bill, as well as the one following, carries no authorization for appropriation; is that correct?

Mr. STAGGERS. That is correct; there is no authorization for appropriation.

Mr. ASPINALL. Also, as I understand the situation, this bill is written in complete conformity with the provisions of the Land and Water Conservation Fund Act. The Land and Water Conservation Fund Act provides for the purchase of inholdings but does not provide for the purchase of adjacent lands which might be used for these purposes. The purpose of this bill is to bring in harmony the authority of the Department of Agriculture to purchase lands presently outside of the National Forests in order to include them within a recreational area; is that correct?

Mr. STAGGERS. That is my understanding; some 6,000 acres.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am not clear as to how many acres are proposed to be purchased for this recreational area; nor am I clear as to whether the Federal Government, having developed this very sizable tract for recreation, hunting and fishing, the people who use it are going to have to buy State fishing licenses from the State of West Virginia.

Mr. STAGGERS. Yes; I am sure that they will. The Government owns a great amount of this land at the present time. There are some 60,000 acres lying outside of the 100,000 acres proposed. It is all within two counties in West Virginia. The gentleman from Colorado [Mr. ASPINALL] asked whether there was any authorization for appropriation. There is not. This is contained within the Land and Water Conservation Act at the present time.

Mr. GROSS. Mr. Speaker, is the gentleman saying that there will be purchased, with Federal funds, 60,000 acres of land?

Mr. STAGGERS. It is 6,000 acres instead of 60,000. This is a bill which has been passed by the other body and sent over here.

Mr. GROSS. Which is it—6,000 or 60,000?

Mr. STAGGERS. It is 6,000.

Mr. GROSS. What would be the average cost of the acquisition of this land?

Mr. STAGGERS. It is all mountain land, in the scenic part of West Virginia. The highest part of the State's Spruce Knob is some 4,860 feet. There is no farming in that area and there is no salable lumber in that area.

Mr. GROSS. Mr. Speaker, I would like to ask this question. In other national recreation areas are those who use them, and who come from other States, required to buy fishing licenses?

Mr. STAGGERS. Yes.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman.

Mr. ASPINALL. This is written in complete conformity with the Land and Water Conservation Fund Act. Anyone fishing and hunting within a State must purchase a State license. If he is a nonresident he must purchase a nonresident license. Not only that, as I understand, in this particular area fees will be charged—entrance fees or user fees will be charged for the use of the areas as they are developed by the National Forest Service. This is a part of the Land and Water Conservation Act law, and as my friend will remember, that passed a year ago, which legislation, by the way, has had some criticism recently of its administration and enforcement. But, may I say, that our latest report is that by and large the Land and Water Conservation Fund Act is working very well.

Mr. GROSS. Then, in order to use an area that has been developed by the taxpayers' money of all the United States, those taxpayers who use it will be required not only to pay an admissions fee but to buy a fishing license, a nonresident fishing license, in that State; is that right?

Mr. ASPINALL. If my colleague will yield to me, this has been true throughout the years as far as the public land States in the West are concerned. In Colorado big game and small game and fishing licenses are required to hunt upon the public domain.

Mr. GROSS. Does not the gentleman from Colorado think it is about time that we arrived at some kind of legislation to provide for a Federal fishing license?

Mr. ASPINALL. If my friend will permit an answer in this respect, I do not believe that that time is yet here.

Mr. GROSS. The gentleman does not think it is?

Mr. ASPINALL. I do not think so. I believe that the game and fish operations are best preserved by the States themselves.

Mr. GROSS. Well, of course, the State is not preserving this. This burden or expense is falling upon the taxpayers of the entire country.

Mr. ASPINALL. If the gentleman will yield further, the game and fish values are preserved by the States. They are propagated by the States and they are conserved by the States, even though the lands are public lands.

Mr. GROSS. Would the gentleman say that they cannot obtain fish to stock a lake, reservoir, or pond in this recreational area from the Federal hatcheries?

Mr. ASPINALL. If the gentleman will yield further, I am saying that there are not enough Federal fish hatcheries to do any kind of a job throughout the United States. That is the fact.

Mr. GROSS. If the hatcheries had the fish they could be planted in such a water storage area and they would get them, would they not?

Mr. ASPINALL. They would get them under the same terms that they get the young fish, the fry, out of State hatcheries.

Mr. GROSS. I cannot agree with my friend, the gentleman from Colorado [Mr. ASPINALL], that the time is not yet here for a Federal fishing license which would not only yield something to the States but would also yield some revenue to the Federal Government from fishing areas that have been developed by Federal tax money.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, further reserving the right to object, I would like to further interrogate the gentleman from West Virginia.

This seems to be the first authorization of buying recreation lands under the new fund which we set up in 1964.

I believe the gentleman from West Virginia is in error with respect to the number of acres to be acquired.

According to the report; yes, only 6,000 acres have newly been authorized as being outside the inland definition, but there is going to be 100,000 acres and the Government only owns 40,000. The park is to be composed of 100,000 acres. So, therefore, there will be 60,000 acres purchased; is that not correct?

Mr. STAGGERS. If the gentleman will yield. The total amount to be purchased is 6,000 acres.

Mr. JOHNSON of Pennsylvania. And, also, the report goes on to say that the land and water conservation fund will have to come up with $3.5 million; is that not correct?

Mr. STAGGERS. If the gentleman will yield further, that is true, but according to the report they already have authority to buy the balance of this land.

Mr. JOHNSON of Pennsylvania. But we are talking about spending $3.5 million out of this fund; is that not correct?

Mr. ASPINALL. Mr. Speaker, if the gentleman from Pennsylvania will yield to me, by and large these will be Federal funds or the State's share of Federal funds from the land and water conservation fund.

Now, Mr. Speaker, the gentleman is correct insofar as the cost is concerned. But this is a very small expense when one considers it in relation to other recreational areas that we are providing for different sections of the United States at the present time.

Today we have on the calendar the Assateague Island Seashore area which is estimated to cost in the neighborhood of $20 to $25 million.

We just got through taking care of a recreational area in the gentleman's home State, where the cost would amount, of course, to much more than that before we get through with it.

What we are trying to do—and I have nothing to do with this legislation; in fact I did not know it was on the calendar until I studied this bill last weekend—what we are trying to do is to get these recreational areas scattered throughout the Nation so the people will not all congregate at just a few places.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, further reserving the right to object, under the conservation fund the State must match the money. This bill says that the Department of Agriculture may go ahead and buy this land. Is there any action on the part of the Legislature of West Virginia setting up $3.5 million of matching funds?

Mr. ASPINALL. There is none, because these moneys are available to the Department of Agriculture. The State of West Virginia, if it wishes, can operate it if it is a plan that is satisfactory to the Secretary of the Interior, but there is no provision in this particular instance for matching funds, nor is there in the bill which is to follow.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from California.

Mr. TEAGUE of California. I happen to be a member of the subcommittee of the Committee on Agriculture which heard not only this proposition, but the next, relative to the Mount Rogers National Recreation Area. The subcommittee considered both of these proposals very carefully. We were entirely satisfied with the testimony that was presented to us and the subcommittee, including the minority members, unanimously voted to approve both this and the next bill.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, may I ask another question? The rule of the objectors committee is that they never agree to an expenditure beyond $1 million. If we pass this bill are we not requiring the Department of Agriculture to dip into the land and conservation fund to the extent of $3.5 million to buy this land?

Mr. ASPINALL. My questioning of the gentleman from West Virginia [Mr. STAGGERS] included that very question. We are not doing what the gentleman has just stated. We are bringing this in line with the general authorizations we have given in the Land and Water Conservation Act. We are making it mandatory after passage of a bill similar to this to go before the Appropriations Committee just as they would in any instance to get money from the land and water conservation fund.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 7, be considered in lieu of H.R. 10330.

There being no objection, the Clerk read the bill, as follows:

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia comprised of the area including Spruce Knob, Smoke Holes, and Seneca Rocks, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 1965, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purpose of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him to implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 10330) was laid on the table.

A motion to reconsider was laid on the table.

ESTABLISHMENT OF THE MOUNT ROGERS NATIONAL RECREATION AREA IN VIRGINIA

The Clerk called the bill (H.R. 10366) to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, I would like to propound the same questions which I asked before, either of the gentleman from North Carolina [Mr. COOLEY] or of the gentleman from West Virginia [Mr. STAGGERS].

First, is there any direct appropriation authority granted by this bill?

Mr. COOLEY. No.

Mr. ASPINALL. Second, this bill complies with the provisions of the Land and Water Conservation Act?

Mr. COOLEY. I understand it does.

Mr. ASPINALL. Did the gentleman hear the dialog between the gentleman from Iowa [Mr. Gross], the gentleman from Missouri [Mr. Hall], the gentleman from Pennsylvania [Mr. Johnson], and myself relative to the matter of fishing, and so forth?

Mr. COOLEY. I did.

Mr. ASPINALL. Does the gentleman agree that the questions that were asked and the answers given are applicable likewise to this bill?

Mr. COOLEY. Yes, I do.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Jennings] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I rise in support of H.R. 10366, which would authorize the establishment of the Mount Rogers National Recreation area in Virginia, and which I have sponsored in the House.

Mount Rogers, at 5,729 feet in height, and nearby Whitetop Mountain, at 5,520 feet, are Virginia's highest mountains. They are located in southwest Virginia, which I have the privilege to represent in the House. Much of this area is located within the Jefferson National Forest; much remains to be acquired. This legislation will give emphasis to the long growing effort to preserve and develop this outstanding scenic area for the benefit of Americans from all States. It will authorize the Secretary of Agriculture to designate a "national recreation area" and acquire those lands and scenic easements that will be needed to bring the area fully into the Jefferson National Forest.

This proposed recreation area is within easy driving distance of more than 20 million people and is admirably suited for inclusion among the outdoor recreation areas are are contemplated for acquisition and development under the Land and Water Conservation Act approved by Congress last year.

I have introduced this legislation in previous sessions of the Congress. The area was originally proposed as one of several national forest "wonderlands." Later, I proposed that it be authorized as a national recreation area. The Departments of Agriculture and Interior reported favorably on my bill, but suggested amendments. I have incorporated other changes suggested after the approval of the House Agriculture Subcommittee on Forests, and the bill today is H.R. 10366.

I do not know of any opposition to this bill. Local supporters are constantly indicating their support, and the Commonwealth of Virginia has undertaken the development of a State park on nearby Haw Orchard Mountain. This will complement the recreation opportunities that will be available in the Jefferson National area we are proposing in today's legislation.

If my colleagues have questions on the bill, I would recommend a reading of the Agriculture Committee's report—House Report 910—especially the letter from the Secretary of Agriculture in which the many outstanding values of the region are fully enumerated.

It is anticipated that land acquisitions will be accomplished as funds become available from the Land and Water Conservation Fund Act.

Mr. Speaker, as a part of these remarks, I would like to include a copy of a resolution adopted earlier this year by the Izaak Walton League of America in support of the Mount Rogers plan, and a recent article in the Roanoke Times that provides an indication of the local and State interest and support.

This is a merited and needed piece of legislation. It will result in Mount Rogers, Whitetop Mountain, and the surrounding areas of national forest being preserved for all to enjoy. I urge passage of H.R. 10366.

The resolution and article referred to follow:

Resolution by the Izaak Walton League of America on the Mount Rogers National Recreation Area

Whereas those areas which possess nationally significant outdoor values should be preserved by the Federal Government and made available for public use and enjoyment; and,

Whereas there is a critical need to establish public outdoor recreation areas in the East within easy reach of major population concentrations; and,

Whereas the national recreation areas are established to provide opportunity for a wide range of public outdoor uses; and,

Whereas the Mount Rogers-Whitetop Mountain high country of southwestern Virginia possesses scenic, biological, and other natural outdoor values which are of national significance; and,

Whereas the Virginia Division of Parks and the U.S. Forest Service have developed a joint recreation management plan for such region, including establishment of the Mount Rogers State Park and the Mount Rogers National Recreation Area; and

Whereas the State of Virginia has already established the Mount Rogers State Park; and,

Whereas the remainder of the Mount Rogers-Whitetop region is located within the boundaries of the Jefferson National Forest: Now, therefore, be it

Resolved by the Izaak Walton League of America in convention assembled this 19th day of June 1965, at Cody, Wyo., That it respectfully urges the U.S. Congress to establish the Mount Rogers National Recreation Area under jurisdiction of the U.S. Forest Service; and be it further

Resolved, That the management plan for such national recreation area should include provisions to preserve the general area bounded by Mount Rogers State Park and by Routes 600, 603, 740, 739, and 58 as a roadless area free from mass recreation facilities.

The Land and Water Fund May Boost Mount Rogers Bill

[From the Roanoke Times, Aug. 22, 1965]

Mount Rogers pokes its peak 5,719 feet above sea level, the highest point in Virginia, where the days are cool and the nights are nippy even when the weather is sticky hot in the valleys far below.

The mountain vibrates with cold springs and its northern trees—Fraser fir, red spruce, and balsam—canopy out the sun in many places offering cool darkness.

But to enjoy this bit of Canada lost in southwest Virginia, you must hike a trail to the top. Fortunately, it is one of the few mountains in the East where you can't breeze to the summit in your automobile, take a quick look, then buzz on off and conquer new vistas.

This lack of accessibility and this natural ruggedness is so rare nowadays that some people would like to preserve it so future generations will know what it's like to have distance in their eyes.

The Jefferson National Forest has set aside some 1,300 acres of the mountain's crest as a scenic area—which means it is left in a natural state, undisturbed, where no trees are felled for lumber, where no powerline right-of-ways scar the forest, where no prying radar eyes blink and whirl.

Much of the Mount Rogers area below the crest is also owned by the U.S. Forest Service, but it is intermingled with private holdings and lacks definite boundaries.

Representative W. Pat Jennings, Democrat of Virginia has taken a special interest in the area and has introduced a bill that would acquire land at Mount Rogers and at its 5,520 foot neighbor, Whitetop Mountain.

The bill would then turn the area into a "forest wonderland" which Jennings says would "provide for the protection and conservation of the unusual biotic phenomenon on and in the vicinity of Mount Rogers; preserve the historic and associated cultures of the area; recognize more fully the outstanding and scenic recreational values; and expand for public use a magnificent area that is already partially under direction of the Forest Service."

Jennings' bill was approved by the House Agriculture Committee earlier this month and now must be voted on by the House and then clear the Senate.

The bill has received the blessing of Stewart L. Udall, Secretary of the Interior, and Orville L. Freeman, Secretary of Agriculture.

Its passage was also urged by the Izaak Walton League of America during a June meeting in Cody, Wyo.

The bill failed to receive Congress approval in 1963 and in 1964, and was reintroduced this year as H.R. 316.

"I certainly hope it can be approved by Congress this year. I am working toward this goal," Jennings said recently.

A big help may be the fact that money for land acquisition could now come from the land and water conservation fund which was approved by Congress last year.

This fund collects fees at certain Federal recreation areas and earmarks them for the acquisition and development of still more recreation areas.

"This (the Land and Water Act) was a most significant piece of legislation and will open the way for development of not only such areas as Mount Rogers but possibly others," Jennings told the Times.

The proposed Mount Rogers State Park, which in reality is located on Haw Orchard Mountain southeast of Mount Rogers, would serve as an interesting base for campers, hikers, and horseback riders wanting to penetrate into the almost wilderness of Mount Rogers.

The State park and the Federal forest wonderland would greatly complement each other, backers say.

Ben Bolen, the State park commissioner, told Jennings: "It is seldom that two different agencies, especially a Federal and a State, find themselves working so harmoniously on a similar project."

But just as Jennings has had difficulty nursing his bill through Congress, the State park department has had its own problems concerning the area.

The last State general assembly appropriated $200,000 to purchase land for Mount

Rogers Park, which from the beginning was an insufficient fund.

The Old Dominion Foundation has agreed to donate funds if communities in the area match the money.

Some $50,000 more is needed. Therefore, the five counties around the area must raise $25,000 by a target date of November 1. The campaign for funds has been underway for some time with only about $8,000 subscribed.

Many people feel the communities in the area will come through. Said JENNINGS recently, "In my statement to the Forest Subcommittee a few days ago I pointed out the tremendous local and State interest and cooperation." This was a factor, he added, "that caused me to begin pushing the Federal development a few years ago."

Provided that State and Federal programs can be realized, JENNINGS predicts that the Mount Rogers-Whitetop area will "become a major recreational area in the eastern United States within the next few years.

But, like climbing a mountain such as Mount Rogers, realizing such programs is going to take work.

However, most will agree, when you reach the top and the job is done, it is work well worthwhile.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the clerk read the bill, as follows:

H.R. 10366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment of the area in the vicinity of Mount Rogers, the highest mountain in the State of Virginia, and to the extent feasible the conservation of scenic, scientific, historic, and other values of the area, the Secretary of Agriculture shall establish the Mount Rogers National Recreation Area in the Jefferson National Forest in the State of Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Mount Rogers National Recreation Area within and adjacent to, and as a part of, the Jefferson National Forest in Virginia comprised of the area the boundaries of which shall be those shown on the map entitled "Proposed Mount Rogers National Recreation Area", dated 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein, including scenic or other easements within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. Lands, waters, or interests therein owned by the State of Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Mount Rogers National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or publish use and enjoyment, and shall issue regulations after consultation with the Commissioner of Game and Inland Fisheries of the State of Virginia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUMMI INDIAN DIKING PROJECT ON LUMMI INDIAN RESERVATION, STATE OF WASHINGTON

Mr. PELLY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 170 of the Consent Calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk called the bill (H.R. 3715) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessments may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

SEC. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

Sec. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, H.R. 3715, relating to assessment of Indian trust and restricted lands within the Lummi diking project on the Lummi Indian Reservation in the State of Washington has a fivefold purpose.

First. It will permit Indian trust or restricted land within the existing Lummi diking project to be included in a new diking and drainage district that will be created under the laws of the State of Washington if this bill is approved by Congress.

Second. It will direct the Secretary of the Interior to cancel outstanding construction, operation and maintenance costs against land—Indian and non-Indian—in the existing diking project. This will amount to $152,000.

Third. It also directs the Secretary to use collections on hand to pay forthcoming assessment costs related to the to-be-created diking and drainage district.

Fourth. It provides that all equipment presently on hand will be turned over to the new district. The value of this equipment is roughly $27,000.

Fifth. Finally, it transfers the title to the existing dikes and structures plus the land on which they are located to the new diking district. In return the district will release the Federal Government from further responsibility for operation, maintenance, and additional construction. The book value of existing structures is $175,000.

Mr. Speaker, for the Record, let me state that the Lummi Indian diking project was constructed and has been maintained by the Department of the Interior under authority of the act of March 18, 1926. The project consists of 14.7 miles of dikes, drainage ditches, and tide gates. The facilities protect 3,400 acres of lowlying land within the boundaries and 800 acres of adjoining lowland outside the reservation.

The committee has considered this legislation during the past 3 Congresses. The House passed the bill a few years ago but it was not acted on by the other body. During the 88th Congress, that body passed the bill but it did not reach the House floor. A Senate bill, S. 795, has already been passed this session.

I recommend that the Lummi diking bill be enacted since it will provide a means for transferring responsibility for future construction and operation to non-Federal hands.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 795) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

S. 795

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessment may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

Sec. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

Sec. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amout equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

Sec. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3715) was laid on the table.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 261]

Abbitt
Andrews, George W.
Ashbrook
Bandstra
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Cameron
Carey
Chamberlain
Chelf
Clawson, Del
Clevenger
Collier
Corman
Craley
Derwinski
Diggs
Dwyer
Edwards, Ala.
Farnum
Fascell
Flood
Foley
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Goodell
Grabowski
Greigg
Griffiths
Gurney
Halpern
Hanna
Harsha
Harvey, Ind.
Hébert
Hungate
Hutchinson
Jacobs
Kee
Keith
Keogh
Kornegay
Landrum
Lindsay
Love
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mills
Mize
Nix
O'Neal, Ga.
Patman
Pepper
Poage
Pool
Powell
Purcell
Quillen
Reid, Ill.
Reifel
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Senner
Slack
Sweeney
Thomas
Thompson, N.J.
Todd
Toll
Tuck
Tunney
Ullman
Van Deerlin
Vanik
Vivian
Wilson, Charles H.
Wydler
Zablocki

The SPEAKER pro tempore. On this rollcall 341 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MILITARY CONSTRUCTION BILL

Mr. HALL. Mr. Speaker, I rise to a question of the highest privilege of the House, based directly on the Constitution and precedents, and offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Motion by Mr. Hall:

Resolved, That the Committee on Armed Services be discharged from further consideration of the bill H.R. 8439, for military construction, with the President's veto thereon, and that the same be now considered.

Mr. RIVERS of South Carolina. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present. The rollcall is automatic.

So many as are in favor of the motion of the gentleman from South Carolina will when their names are called vote "aye" and those opposed will vote "no."

The Clerk will call the roll.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. The question is on the motion of the gentleman from South Carolina [Mr. Rivers] to table my motion, which is highly privileged?

The SPEAKER pro tempore. The gentleman is correct.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Is a highly privileged motion according to the Constitution subject to a motion to table?

The SPEAKER pro tempore. It is.

Mr. RIVERS of South Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RIVERS of South Carolina. Those desiring to table the motion of the gentleman from Missouri will vote "aye" when their names are called.

The SPEAKER pro tempore. The Chair is about to state the question. So many as are in favor of the motion by the gentleman from South Carolina to table the motion of the gentleman from Missouri will when their names are called vote "aye" and those who are opposed will vote "no."

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Mr. Speaker, would a "no" vote as just stated by the Chair be tantamount to overriding the Presidential veto of the military construction bill?

The SPEAKER pro tempore. The Chair cannot make such construction on a motion.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 323, nays 19, not voting 90, as follows:

[Roll No. 262]

YEAS—323

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Conable
Conte
Cooley
Corbett
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Leggett
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Miller
Minish
Mink
Minshall
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Passman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Tex.
Thomson, Wis.
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—19

Baldwin
Brock
Buchanan
Callaway
Cramer
Davis, Wis.
Devine
Dickinson
Duncan, Tenn.
Ford, Gerald R.
Griffin
Gross
Hall
Hansen, Idaho
Latta
Lennon
May
Michel
Morton

NOT VOTING—90

Andrews, George W.
Ashbrook
Bandstra
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Burton, Utah
Cameron
Carey
Chamberlain
Chelf
Clawson, Del
Clevenger
Collier
Colmer
Conyers
Corman
Craley
Derwinski
Diggs
Dwyer
Edwards, Ala.
Farnum
Fascell
Feighan
Flood
Frelinghuysen
Fulton, Tenn.
Gallagher
Goodell
Grabowski
Gray
Griffiths
Halpern
Hanna
Hébert
Hungate
Hutchinson
Jacobs
Kee
Keogh
Kornegay
Landrum
Lindsay
McMillan
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mills
Mize
Nix
O'Neal, Ga.
O'Neill, Mass.
Patman
Pepper
Poage
Powell
Purcell
Quillen
Reid, Ill.
Reifel
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Senner
Slack
Stephens
Sweeney
Thomas
Thompson, N.J.
Todd
Toll
Tuck
Tunney
Van Deerlin
Vanik
Weltner
White, Idaho
Wilson, Charles H.
Zablocki

So the motion was agreed to.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RIVERS of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10775) to authorize certain construction at military installations, and for other purposes.

The Clerk read as follows:

H.R. 10775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Sec. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities and equipment for the following projects:

Inside the United States

Continental United States, Less Army Materiel Command

(First Army)

Fort Devens, Massachusetts: Hospital facilities and troop housing, $11,008,000.

Fort Dix, New Jersey: Maintenance facilities, medical facilities, and troop housing, $17,948,000.

Federal Office Building, Brooklyn, New York: Administrative facilities, $636,000.

United States Military Academy, West Point, New York: Hospital facilities, troop housing and community facilities, and utilities, $18,089,000.

(Second Army)

Fort Belvoir, Virginia: Training facilities, and hospital facilities, $2,296,000.

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $211,000.

Fort Eustis, Virginia: Utilities, $158,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, troop housing, and community facilities, $15,422,000.

Fort Lee, Virginia: Community facilities, $700,000.

Fort Meade, Maryland: Ground improvements, $550,000.

Fort Monroe, Virginia: Administrative facilities, $4,950,000.

Vint Hill Farms, Virginia: Maintenance facilities, troop housing and utilities, $1,029,000.

(Third Army)

Fort Benning, Georgia: Maintenance facilities, troop housing and utilities, $5,325,000.

Fort Bragg, North Carolina: Maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, $4,106,000.

Fort Campbell, Kentucky: Operational and training facilities, maintenance facilities, troop housing and utilities, $1,992,000.

Fort Gordon, Georgia: Training facilities, troop housing and community facilities, $18,485,000.

Fort Jackson, South Carolina: Training facilities, maintenance facilities, medical facilities, and troop housing facilities, $17,281,000.

Fort Rucker, Alabama: Maintenance facilities, troop housing, and community facilities, $3,720,000.

Fort Stewart, Georgia: Hospital facilities and utilities, $2,317,000.

(Fourth Army)

Fort Bliss, Texas: Operational facilities, administrative facilities, and community facilities, $838,000.

Brooke Army Medical Center, Texas, Training facilities, $8,300,000.

Fort Hood, Texas: Maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $18,081,000.

Fort Sam Houston, Texas: Medical facilities, $1,300,000.

Fort Polk, Louisiana: Training facilities, troop housing, and utilities, $1,118,000.

Fort Sill, Oklahoma: Operational and training facilities, administrative facilities, troop housing and community facilities, $2,268,000.

(Fifth Army)

Fort Carson, Colorado: Maintenance facilities, $3,463,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, troop housing and community facilities, $4,017,000.

Fort Leavenworth, Kansas: Operational facilities and medical facilities, $2,893,000.

Fort Riley, Kansas: Maintenance facilities, troop housing and community facilities, and utilities, $9,555,000.

Fort Sheridan, Illinois: Utilities, $47,000.

Fort Leonard Wood, Missouri: Operational and training facilities, and troop housing facilities, $16,084,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, maintenance facilities, hospital facilities, community facilities, and utilities, $4,741,000.

Fort Lewis, Washington: Training facilities troop housing and community facilities, $710,000.

Presidio of Monterey, California: Training facilities and troop housing, $3,046,000.

Fort Ord, California: Maintenance facilities, $974,000.

Presidio of San Francisco, California: Administrative facilities, $1,299,000.

Two Rock Ranch, California: Operational facilities, maintenance facilities, and utilities, $385,000.

West Coast Receiving Station, California: Utilities, $166,000.

Yakima Firing Range, Washington: Troop housing, $56,000.

(Military District of Washington)

Army May Service, Maryland: Operational facilities, $182,000.

Cameron Station, Virginia: Medical facilities, $168,000.

Fort Myer, Virginia: Troop housing and community facilities, and utilities, $5,409,000.

Walter Reed Army Medical Center, District of Columbia: Medical facilities and utilities, $611,000.

Army Materiel Command

Aberdeen Proving Ground, Maryland: Administrative facilities and utilities, $3,419,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,941,000.

Anniston Army Depot, Alabama: Maintenance facilities, $837,000.

Bayonne Naval Supply Center, Bayonne, New Jersey: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,658,000.

Blue Grass Army Depot, Kentucky: Operational facilities and maintenance facilities, $779,000.

Cold Regions Research and Engineering Laboratory, New Hampshire: Maintenance facilities, research, development and test facilities, $1,184,000.

Fort Detrick, Maryland: Operational facilities, research, development and test facilities, and utilities, $11,771,000.

Dugway Proving Ground, Utah: Community facilities, $137,000.

Edgewood Arsenal, Maryland: Utilities, $164,000.

Granite City Army Depot, Illinois: Utilities, $56,000.

Fort Huachuca, Arizona: Troop housing, $320,000.

Jefferson Proving Ground, Indiana: Operational facilities, $52,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities, and utilities, $2,239,000.

Lexington Army Depot, Kentucky: Administrative facilities, and utilities, $526,000.

Fort Monmouth, New Jersey: Troop housing, $586,000.

Natick Laboratories, Massachusetts: Maintenance facilities, $1,371,000.

Navajo Army Depot, Arizona: Utilities, $56,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, supply facilities, and administrative facilities, $815,000.

Oakland Army Terminal, California: Community facilities, $912,000.

Picatinny Arsenal, New Jersey: Administrative facilities, $584,000.

Pueblo Army Depot, Colorado: Utilities, $337,000.

Red River Army Depot, Texas: Maintenance facilities and utilities, $465,000.

Redstone Arsenal, Alabama: Training facilities, $1,364,000.

Rock Island Arsenal, Illinois: Administrative facilities, and utilities, $826,000.

Rocky Mountain Arsenal, Colorado: Maintenance facilities, $36,000.

Savanna Army Depot, Illinois: Training facilities, $102,000.

Sharpe Army Depot, California: Maintenance facilities, $175,000.

Sierra Army Depot, California: Utilities, $115,000.

Tobyhanna Army Depot, Pennsylvania: Supply facilities, $199,000.

Tooele Army Depot, Utah: Utilities, $340,000.

Watervliet Arsenal, New York: Utilities, $1,713,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, $473,000.

United States Army, Hawaii

Schofield Barracks, Hawaii: Maintenance facilities, troop housing and utilities, $3,175,000.

Outside the United States

Okinawa, Various: Community facilities, and utilities, $2,558,000.

Germany, Various: Operational facilities, and troop housing, $2,046,000.

Fort Clayton, Canal Zone: Utilities, $387,000.

Classified Location: Operational facilities. $2,400,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $39,470,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 86–500, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Technical Services Facilities (Ordnance Corps)," with respect to "Watertown Arsenal, Massachusetts," strike out, "$1,849,000" and insert in place thereof "$1,952,000."

(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, "$80,460,000" and "$147,390,000" and inserting in place thereof "$80,563,000" and "$147,493,000," respectively.

SEC. 105. (a) Public Law 87–554, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri," strike out "$8,567,000" and insert in place thereof "$9,066,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (1) of section 602, "$101,816,000", and "$150,325,000" and inserting in place thereof "$102,315,000", and "$150,824,000," respectively.

SEC. 106. (a) Public Law 88–174, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri", strike out "$8,163,000" and insert in place thereof "$8,737,000."

(2) Under the subheading "Army Component Commands (Pacific Command Area)", with respect to "Hawaii Defense Area, Hawaii", strike out "$150,000" and insert in place thereof "$279,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (1) of section 602, "$154,993,000", and "$199,650,000" and inserting in place thereof "$155,696,000" and "$200,353,000", respectively.

SEC. 107. (a) Public Law 88–390 is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Military District of Washington, District of Columbia)", with respect to "Fort Meyer, Virginia" strike out "$4,052,000" and insert in place thereof "$4,524,000."

(2) Under the subheading "United States Army Materiel Command (United States Army Weapons Command)" with respect to "Watervliet Arsenal, New York," strike out "$77,000" and insert in place thereof "$161,000".

(3) Under the subheading "United States Military Academy, West Point, New York" strike out "$20,578,000" and insert in place thereof "$27,997,000."

(4) Under the subheading "Army Security Agency" with respect to "Two Rock Ranch Station, California," strike out "$1,014,000" and insert in place thereof "$1,210,000."

(b) Public Law 88–390 is amended by striking out in clause (1) of section 602 "$241,526,000", and "$292,587,000," and inserting "$249,697,000", and "$300,758", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Bureau of Ships Facilities

(Naval shipyards)

Naval Shipyards, Boston, Massachusetts: Maintenance facilities, and utilities, $5,105,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, troop housing and community facilities, and ground improvements, $1,692,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $5,917,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities, $2,931,000.

Naval Shipyard, Mare Island, California: Maintenance facilities, and utilities, $1,129,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $2,703,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $3,591,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities, and supply facilities, $3,487,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $998,000.

Naval Shipyard, San Francisco, California: Maintenance facilities, $450,000.

(Fleet support stations)

Headquarters, Commander in Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $873,000.

Naval Inshore Undersea Warfare Group, Norfolk, Virginia: Utilities, $216,000.

(Research, development, test and evaluation stations)

Navy Mine Defense Laboratory, Panama City, Florida: Supply facilities, $97,000.

Fleet Base Facilities

Naval Station, Charleston, South Carolina: Operational facilities, and troop housing, $765,000.

Naval Amphibious Base, Coronado, California: Maintenance facilities, $396,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $643,000.

Naval Station, Key West, Florida: Supply facilities, and medical facilities, $1.293,000.

Naval Station, Long Beach, California: Troop housing and utilities, $2,319,000.

Naval Submarine Base, New London, Connecticut: Troop housing and community facilities. and utilities, $2,350,000.

Naval Station, Newport, Rhode Island: Maintenance facilities, and troop housing, $2,112,000.

Naval Station, Norfolk, Virginia: Operational facilities and community facilities, $2,133,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Administrative facilities, and troop housing, $670,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Operational housing, $271,000.

Naval Station, San Diego, California: Operational facilities, troop housing, and utilities, $4,508,000.

Naval Station, Treasure Island, California: Administrative facilities, medical facilities, troop housing and community facilities, and utilities and ground improvements, $1,856,000.

Naval Weapons Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, and utilities, $152,000.

Naval Air Station, Corpus Christi, Texas: Real estate, $184,000.

Naval Auxiliary Landing Field, Ellyson Field, Florida: Operational facilities, troop housing, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Operational facilities, and troop housing, $637,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, troop housing, and utilities, $557,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $5,792,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, administrative facilities, and utilities, $2,263,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Training facilities, $664,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, and utilities, $1,355,000.

(Field support stations)

Naval Station, Adak, Alaska: Operational facilities, maintenance facilities, administrative facilities, and utilities, $5,000,000.

Naval Air Station, Alameda, California: Operational facilities, and troop housing, $784,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Troop housing and community facilities, $521,000.

Naval Air Station, Brunswick, Maine: Operational facilities, $161,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and administrative facilities, $1,124,000.

Naval Air Facility, El Centro, California: Operational facilities, $400,000.

Naval Auxiliary Air Station, Fallon, Nevada: Administrative facilities, and community facilities, $441,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, maintenance facilities, troop housing, and utilities, $11,595,000.

Pacific Fleet Tactical Range, Kauai, Hawaii: Operational facilities, troop housing, and utilities, $1,878,000.

Naval Air Station, Key West, Florida: Operational facilities, and troop housing, $834,000.

Naval Air Station, Lakehurst, New Jersey: Training facilities, $119,000.

Naval Air Station, Lemoore, California: Training facilities, $990,000.

Naval Station, Mayport, Florida: Operational facilities, and utilities and ground improvements, $892,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, and administrative facilities, $914,000.

Naval Air Station, Moffett Field, California: Operational facilities, $476,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $2,774,000.

Naval Air Station, North Island, California: Troop housing, and utilities, $853,000.

Naval Air Station, Oceana, Virginia: Operational facilities, maintenance facilities, and troop housing, $5,482,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and community facilities, $509,000.

Naval Auxiliary Air Station, Ream Field, California: Troop housing, $2,024,000.

Naval Air Station, Sanford, Florida: Operational facilities, maintenance facilities, troop housing, utilities, and real estate, $7,249,000.

Naval Air Station, Whidbey Island, Washington: Operational and training facilities, maintenance facilities, and troop housing, $3,754,000.

(Marine corps air station)

Marine Corps Air Station, Beaufort, South Carolina: Operational training facilities, maintenance facilities, and utilities, $2,773,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational facilities, $264,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, supply facilities, and troop housing, $4,569,000.

Marine Corps Air Station, El Toro, California: Operational facilities, supply facilities, and utilities, $659,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, medical facilities, and troop housing, $2,587,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $2,483,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, supply facilities, and utilities, $619,000.

(Fleet readiness stations)

Naval Ammunition Depot, Charleston, South Carolina: Medical facilities, administrative facilities, community facilities, and utilities, $1,355,000.

Naval Weapons Station, Concord, California: Maintenance facilities, and utilities, $609,000.

Naval Ammunition Depot, Oahu, Hawaii: Operational facilities, and troop housing, $597,000.

Naval Weapons Station, Seal Beach, California: Maintenance facilities, $100,000.

Naval Weapons Station, Yorktown, Virginia: Real estate, $75,000.

(Research, development, test and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development and test facilities, $495,000.

Naval Parachute Facility, El Centro, California: Research, development and test facilities, and real estate, $2,300,000.

Naval Air Engineering Center, Philadelphia, Pennsylvania: Utilities, $155,000.

Pacific Missile Range, Point Mugu, California: Maintenance facilities, and research, development and test facilities; and, on San Nicolas Island, operational facilities, and troop housing, $2,480,000.

Supply Facilities

Naval Supply Depot, Newport, Rhode Island: Operational facilities, $726,000.

Naval Supply Center, Oakland, California: Administrative facilities, $590,000.

Marine Corps Facilities

Marine Corps Supply Center, Barstow, California: Supply facilities, $200,000.

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,126,000.

Marine Corps Base, Camp Pendleton, California: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $8,487,000.

Marine Corps Base, Twentynine Palms, California: Training facilities, $2,912,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Training facilities, and utilities and ground improvements, $9,532,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, troop housing and community facilities, $11,457,000.

Naval Schools Command, Mare Island, California: Troop housing, $432,000.

Naval Postgraduate School, Monterey, California: Training facilities, $2,140,000.

Officer Candidate School, Newport, Rhode Island: Training facilities, $3,000,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $2,221,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $566,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Troop housing, $1,212,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $10,306,000.

Naval Schools Command, Treasure Island, California: Troop housing, $3,302,000.

Medical Facilities

National Naval Medical Center, Bethesda, Maryland: Troop housing, $800,000.

Naval Hospital, Charleston, South Carolina: Troop housing, $353,000.

Naval Hospital Corps School, Great Lakes, Illinois: Troop housing, $1,696,000.

Naval Hospital, Newport, Rhode Island: Hospital and medical facilities, $4,736,000.

Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii: Medical facilities, $2,800,000.

Naval Hospital, Philadelphia, Pennsylvania: Troop housing, $315,000.

Naval Hospital, Saint Albans, New York: Troop housing, $718,000.

Naval Hospital, San Diego, California: Medical facilities, $1,433,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Operational facilities, and supply facilities, $303,000.

Naval Radio Station, Mount Moffett, Adak, Alaska: Operational facilities, $1,185,000.

Naval Autodin Facility, Albany, Georgia: Operational facilities, $313,000.

Naval Radio Station, Annapolis, Maryland: Troop housing, $86,000.

National Naval Reserve Master Control Radio Station, Arlington, Virginia: Operational facilities, $40,000.

Naval Communication Station, San Francisco (Stockton), California: Administration facilities, and troop housing, $518,000.

Naval Autodin Facility, Syracuse, New York: Operational facilities, $45,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Operational facilities, supply facilities, troop housing, and utilities, $1,248,000.

Various locations: Utilities, $2,000,000.

Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research, development and test facilities, and utilities, $5,560,000.

Naval Training Device Center, Orlando, Florida: Research, development and test facilities, $851,000.

Yards and Docks Facilities

Naval Construction Battalion Center, Davisville, Rhode Island: Training facilities, community facilities, and real estate, $774,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $390,000.

Navy Public Works Center, Norfolk, Virginia: Operational facilities, and utilities, $1,868,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, $130,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $893,000.

Outside the United States

Fleet Base Facilities

Naval Station, Guantanamo Bay, Cuba: Operational facilities, $187,000.

Fleet Activities, Ryukyus, Okinawa: Troop housing, $1,287,000.

Headquarters Support Activity, Taipei, Republic of China: Administrative facilities, $199,000.

Naval Weapons Facilities

Naval Air Station, Agana, Guam: Maintenance facilities, and medical facilities, $138,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $2,047,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Maintenance facilities, and community facilities, $331,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $1,499,000.

Marine Corps Air Station, Iwakuni, Japan: Operational facilities, and troop housing, $639,000.

Naval Air Facility, Naha, Okinawa: Administrative facilities, and troop housing, $497,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,986,000.

Naval Station, Rota, Spain: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $5,616,000.

Supply Facilities

Naval Supply Depot, Subic Bay, Republic of the Philippines: Administrative facilities, $120,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Training facilities, maintenance facilities, administrative facilities, and community facilities, $841,000.

Communication Facilities

Naval Radio Station, Barrigada, Guam: Operational facilities, $526,000.

Naval Communication Station, Finegayan, Guam: Operational facilities, and troop housing, $1,701,000.

Naval Radio Station, Fort Allen, Puerto Rico: Operational facilities, and troop housing, $94,000.

Naval Radio Station, Isabela, Puerto Rico: Operational facilities and real estate, $1,237,000.

Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, and troop housing and community facilities, $1,364,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Community facilities, $603,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Operational facilities, $563,000.

Naval Radio Station, Summit, Canal Zone: Operational facilities and troop housing and community facilities, $383,000.

Various locations: Utilities, $4,500,000.

Yards and Docks Facilities

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $2,078,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $41,099,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Air Defense Command

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, maintenance facilities, and troop housing, $1,767,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities and troop housing, $1,297,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, supply facilities, and community facilities, $189,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities and maintenance facilities, $258,000.

McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, medical facilities, and troop housing and community facilities, $3,736,000.

Otis Air Force Base, Falmouth, Massachusetts: Maintenance facilities, $700,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, $104,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Operational facilities and maintenance facilities, $117,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $414,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities and community facilities, $294,000.

Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, supply facilities, and troop housing, $2,991,000.

Air Force Accounting and Finance Center

Air Force Accounting and Finance Center, Denver, Colorado: Administrative facilities and utilities, $225,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Operational facilities and research, development, and test facilities, $1,890,000.

Hill Air Force Base, Ogden, Utah: Maintenance facilities, supply facilities, administrative facilities, and community facilities, $6,258,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $5,759,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,655,000.

Newark Air Force Station, Newark, Ohio: Utilities, $181,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing, and community facilities, and utilities, $6,983,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $7,314,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $12,319,000.

Air Force Systems Command

Brooks Air Force Base, San Antonio, Texas: Operational facilities, research, development, and test facilities, and troop housing, $588,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, hospital facilities, and utilities, $2,897,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $2,684,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, supply facilities, administrative facilities, and troop housing and community facilities, $2,526,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development, and test facilities and community facilities, $1,517,000.

Patrick Air Force Base, Cocoa, Florida: Administrative facilities, community facilities, and utilities, $431,000.

Various locations, Eastern Test Range: Troop housing, and utilities, $415,000.

Air Training Command

Buckley Air Force Base, Auraro, Colorado: Operational facilities, medical facilities, and utilities, $106,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $5,442,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, troop housing and community facilities, and utilities, $1,781,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, administrative facilities, and community facilities, $3,567,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, troop housing and community facilities, and utilities, $5,510,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, and troop housing and community facilities, $1,852,000.

Laughlin Air Force Base, Del Rio, Texas: Troop housing and community facilities, $866,000.

Lowry Air Force Base, Denver, Colorado: Community facilities, $352,000.

Mather Air Force Base, Sacramento, California: Training facilities, maintenance facilities, and troop housing and community facilities, $2,933,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, supply facilities, troop housing and community facilities, and utilities, $1,782,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities and troop housing, $651,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, troop housing and community facilities, and utilities, $1,533,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,319,000.

Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,653,000.

Webb Air Force Base, Big Spring, Texas: Training facilities, supply facilities, and troop housing and community facilities, $1,342,000.

Williams Air Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $2,920,000.

Air University

Gunter Air Force Base, Montgomery, Alabama: Troop housing and utilities, $741,000.

Maxwell Air Force Base, Montgomery, Alabama: Troop housing, $770,000.

Alaska Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and supply facilities, $601,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, supply facilities, administrative facilities, community facilities, and utilities, $3,640,000.

Galena Airport, Galena, Alaska: Supply facilities, $374,000.

King Salmon Airport, Naknek, Alaska: Community facilities, $288,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $7,837,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Supply facilities, administrative facilities, troop housing and community facilities, and utilities, $2,923,000.

Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, troop housing, and real estate, $3,349,000.

Dover Air Force Base, Dover, Delaware: Training facilities and maintenance facilities, $1,180,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities and utilities, $2,094,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, troop housing and utilities, $2,240,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, medical facilities, and community facilities, $3,319,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, maintenance facilities, and troop housing and community facilities, $3,315,000.

Wheeler Air Force Base, Wahiawa, Hawaii: Community facilities, $396,000.

Strategic Air Command

Altus Air Force Base, Altus, Oklahoma: Operational facilities, $46,000.

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,015,000.

Beale Air Force Base, Marysville, California: Hospital facilities, community facilities, and utilities, $1,839,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $1,792,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, hospital facilities, and community facilities, $1,785,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities and troop housing, $662,000.

Castle Air Force Base, Merced, California: Community facilities, $49,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities and community facilities, $306,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements, $4,235,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Community facilities, $426,000.

Fairchild Air Force Base, Spokane, Washington: Community facilities, $187,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Community facilities, $263,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Troop housing and community facilities, and utilities, $4,453,000.

Homestead Air Force Base, Homestead, Florida: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,908,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities and supply facilities, $148,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and troop housing, $1,169,000.

Lockbourne Air Force Base, Columbus, Ohio: Community facilities, $565,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing and utilities, $577,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, and troop housing, $3,051,000.

McCoy Air Force Base, Orlando, Florida: Troop housing, $40,000.

Minot Air Force Base, Minot, North Dakota: Operational facilities and maintenance facilities, $109,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities and troop housing, $171,000.

Offutt Air Force Base, Omaha, Nebraska: Training facilities and utilities, $389,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, $126,000.

Turner Air Force Base, Albany, Georgia: Maintenance facilities, hospital facilities, and troop housing and community facilities, $4,643,000.

Vandenberg Air Force Base, Lampoc, California: Operational facilities, supply facilities, community facilities, and utilities, $691,000.

Walker Air Force Base, Roswell, New Mexico: Community facilities, $796,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Supply facilities, $298,000.

Whiteman Air Force Base, Knob Noster, Missouri: Community facilities, $218,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, $45,000.

Tactical Air Command

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, administrative facilities, and troop housing, $1,823,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $2,085,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, administrative facilities, and community facilities, $2,483,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, administrative facilities, and troop housing and community facilities, $3,696,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, administrative facilities, and troop housing and community facilities, $774,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $9,279,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, medical facilities, and community facilities, $755,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, ground improvements and real estate, $1,639,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities and supply facilities, $1,636,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, medical facilities, administrative facilities, and troop housing and community facilities, $2,560,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $1,189,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, $8,872,000.

United States Air Force Security Service

Goodfellow Air Force Base, San Angelo, Texas: Troop housing, $275,000.

Aircraft Control and Warning System

Various locations: Maintenance facilities, troop housing, and utilities, $1,377,000.

Outside the United States

Air Defense Command

Various locations: Maintenance facilities, troop housing and community facilities, and utilities, $970,000.

Military Air Transport Service

Wake Island Air Force Station, Wake Island: Supply facilities, troop housing and utilities, $1,391,000.

Various locations: Maintenance facilities and medical facilities, $953,000.

Pacific Air Force

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $21,935,000.

Strategic Air Command

Various locations: Utilities, $335,000.

United States Air Force in Europe

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $12,002,000.

United States Air Force Southern Command

Howard Air Force Base, Canal Zone: Operational facilities, maintenance facilities, supply facilities, and community facilities, $1,686,000.

United States Air Force Security Service

Various locations: Operational facilities, supply facilities, medical facilities, community facilities, and utilities, $3,411,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent of temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $71,063,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) Unforseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorizatioon will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 88-174, as amended is amended in section 301 under the heading "Inside the United States" as follows:

(1) Under the subheading "Air Force Systems Command", with respect to Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico, by striking out "$2,889,000" and inserting in place thereof "$3,167,000".

(2) Under the subheading "Strategic Air Command", with respect to March Air Force Base, Riverside, California, by striking out "$186,000" and inserting in place thereof "$255,000".

(b) Public Law 88-174, as amended, is amended by striking out in clause (3) of section 602 the amounts of "$161,940,000" and "$491,622,000" and inserting in place thereof "$162,287,000" and "$491,969,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Sandia Base, Albuquerque, New Mexico: Utilities, $188,000.

Clarksville Base, Clarksville, Tennessee: Troop housing, $36,000.

Killeen Base, Killeen, Texas: Troop housing, $45,000.

Defense Intelligence Agency

Arlington Hall Station, Arlington, Virginia: Operational and training facilities, $17,900,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $301,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $266,000.

Defense Depot, Ogden, Utah: Supply facilities, $329,000.

Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $950,000.

Defense Industrial Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $255,000.

National Security Agency

Fort Meade, Maryland: Operational facilities and production facilities, $6,075,000.

Office of Secretary of Defense

Armed Forces Radio and Television Service, Los Angeles, California: Operational facilities, $18,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island Air Force Base: Research, development and test facilities, $3,688,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities required for advanced research projects and in connection therewith may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in the total amount of $20,000,000.

SEC. 403. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $50,000,000: *Provided*, That the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto.

TITLE V

Military Family Housing

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units for—

(1) The Department of the Army, two thousand and fifty units, $39,864,000:

Presidio of San Francisco California, one hundred and fifty units.

Fort Benning, Georgia, three hundred units.

Fort Leavenworth, Kansas, fifty units.

Fort Meade, Maryland, three hundred and forty units.

Fort Monmouth, New Jersey, one hundred units.

United States Military Academy, West Point, New York, two hundred units.

Fort Jackson, South Carolina, one hundred and eighty units.

Fort Monroe, Virginia, fifty units.

Atlantic Side, Canal Zone, one hundred units.

Pacific Side, Canal Zone, three hundred units.

Fort Buckner, Okinawa, two hundred and eighty units.

(2) The Department of the Navy, four thousand five hundred and forty units, $79,950,000:

Marine Corps Supply Center, Barstow, California, fifty-two units.

Marine Corps Air Station, El Toro, California, two hundred and fifty units.

Naval Complex, Long Beach, California, two hundred units.

Naval Post Graduate School, Monterey, California, two hundred and eight units.

Naval Complex, East Bay, San Francisco, California, four hundred units.

Naval Complex, South Bay, San Francisco, California, three hundred units.

Naval Complex, West Bay, San Francisco, California, three hundred units.

Naval Base, Key West, Florida, four hundred units.

Naval Air Station, Pensacola, Florida, two hundred and fifty units.

United States Navy installations, Oahu, Hawaii, three hundred units.

Naval Training Center, Great Lakes, Illinois, two hundred units.

Naval Base, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Air Station, Corpus Christi, Texas, three hundred and fifty units.

Naval Complex, Norfolk, Virginia, five hundred units.

Marine Corps Schools, Quantico, Virginia, one hundred units.

Naval Station, Keflavik, Iceland, one hundred and fifty units.

Naval Complex, Naha, Okinawa, forty units.

Naval Station, Sangley Point, Republic of Philippines, one hundred and forty units.

(3) The Department of the Air Force, four thousand five hundred and ninety units, $85,770,000:

Eielson Air Force Base, Alaska, two hundred units.

Elmendorf Air Force Base, Alaska, two hundred units.

Beale Air Force Base, California, three hundred units.

Vandenberg Air Force Base, California, three hundred units.

Ent Air Force Base, Colorado, forty-nine units.

Eglin Air Force Base, Florida, three hundred units.

United States Air Force installations, Oahu, Hawaii, two hundred and fifty units.

Scott Air Force Base, Illinois, one hundred and fifty units.

England Air Force Base, Louisiana, three hundred and fifty units.

Andrews Air Force Base, Maryland, two hundred and fifty units.

Keesler Air Force Base, Mississippi, one hundred units.

Nellis Air Force Base, Nevada, one unit.

Cannon Air Force Base, New Mexico, one hundred and fifty units.

Langley Air Force Base, Virginia, one hundred units.

F. E. Warren Air Force Base, Wyoming, one hundred units.

Pacific Side, Canal Zone, two hundred and fifty units.

Andersen Air Force Base, Guam, two hundred units.

Goose Air Base, Newfoundland, Canada, one hundred units.

Kadena Air Base, Okinawa, two hundred units.

Naha Air Base, Okinawa, one hundred and seventy units.

Clark Air Base, Republic of Philippines, four hundred units.

Site 4–S, seventy units.

Site 6–S, two hundred units.

Site QC, two hundred units.

(b) Trailer court facilities for:

(1) The Department of the Navy, 200 spaces $360,000.

(2) The Department of the Air Force, 400 spaces, $720,000.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed—

$24,000 for general officers or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent, except that four-bedroom housing units authorized by sections 4774(g), 7574(e), and 9774(g) of title 10, United States Code, may be constructed at a cost not to exceed $17,000;

$13,200 for enlisted personnel, except that four-bedroom housing units authorized by sections 4774(f), 7574(d), and 9774(f) of title 10, United States Code, may be constructed at a cost not to exceed $15,000.

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) For all units constructed in the areas listed in subsection (a), exclusive of the project for the United States Military Academy at West Point, the average unit cost for each military department shall not exceed $17,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $28,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(f) Units constructed at the United States Military Academy, West Point, shall not be subject to the limitations of subsections (a) through (e) of this section, but the average cost of such units shall not exceed $36,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $8,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $4,800,000.

(d) For the Defense Agencies, $396,000.

SEC. 504. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1966 through and including 1967, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities may be leased on an individual basis and not more than seven thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation."

SEC. 505. Section 507 of Public Law 88–174 (77 Stat. 307, 326), is amended by deleting the figures "1964" and "1965", and inserting in lieu thereof the figures "1966" and "1967".

SEC. 506. The Secretary of Defense or his designee is authorized to relocate 200 units of relocatable housing from Glasgow Air Force Base, Montana, to other military installations where there are housing shortages: *Provided*, That the Secretary of Defense shall notify the Committees on Armed Services of the House of Representatives and the Senate of the proposed new locations and estimated costs, and no contract shall be awarded within thirty days of such notification.

SEC. 507. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $195,589,000 and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts, incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $488,799,000.

SEC. 508. Notwithstanding the authorizations for the construction of family housing contained in section 501(a) of this Act, the total number of units of family housing which may be contracted for under authority of such section shall not exceed nine thousand five hundred units.

TITLE VI

General Provisions

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $252,661,000, outside the United States, $7,391,000, section 102, $39,470,000, section 103, $10,000,000 or a total of $309,522,000.

(2) for title II: Inside the United States, $225,877,000, outside the United States, $34,436,000, section 202, $41,099,000, section 203, $10,000,000 or a total of $311,412,000.

(3) for title III: Inside the United States, $210,630,000, outside the United States, $42,683,000, section 302, $71,063,000, section 303, $10,000,000 or a total of $334,376,000.

(4) for title IV: A total of $100,051,000.

(5) for title V: Military family housing, a total of $684,388,000.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 605. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 606. (a) As of October 1, 1966, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before August 2, 1964, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1966, and authorizations for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of August 1, 1964 (78 Stat. 341, 363), the authorization of the following items, which shall remain in effect until October 1, 1967:

(a) operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements in the amount of $611,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(b) operational and training facilities, maintenance facilities, administrative facilities and utilities in the amount of $833,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(c) operational and training facilities. troop housing and community facilities, and utilities in the amount of $4,241,000 at Fort Dix, New Jersey, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (First Army)" of the Act of November 7, 1963 (77 Stat. 307).

(d) training facilities in the amount of $290,000 at Fort Belvoir, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(e) operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities in the amount of $236,000 at Fort Knox, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(f) maintenance facilities in the amount of $449,000 at Fort Story, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(g) maintenance facilities, medical facilities, community facilities, and utilities in the amount of $512,000 at Fort Benning, Georgia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(h) training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and utilities in the amount of $1,836,000 at Fort Bragg, North Carolina, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(i) operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilities in the amount of $553,000 at Fort Campbell, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(j) training facilities, troop housing and community facilities in the amount of $919,000 at Fort Irwin, California, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Sixth Army)" of the Act of November 7, 1963 (77 Stat. 308).

(k) operational facilities, maintenance facilities, troop housing and utilities in the amount of $719,000 at various locations that is contained in title I, section 101 under heading "Inside the United States" and subheading "Army Component Commands (United States Army Air Defense Command)" of the Act of November 7, 1963 (77 Stat. 309).

(l) maintenance facilities in the amount of $1,498,000 at Fort Richardson, Alaska, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Alaska Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(m) maintenance facilities in the amount of $721,000 at Schofield Barracks, Hawaii, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Pacific Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(n) operational facilities, supply facilities, administrative facilities, troop housing, community facilities and utilities in the amount $968,000 at various locations that is contained in title I, section 101, under heading "Outside the United States" and subheading "Army Security Agency" of the Act of November 7, 1963 (77 Stat. 310).

(o) operational facilities, maintenance facilities, supply facilities, troop housing and utilities in the amount of $5,995,000 in Germany that is contained in title I, section 101 under the heading "Outside the United States" and subheading "Army Component Commands (European Command Area)" of the Act of November 7, 1963 (77 Stat. 310).

(p) operational facilities in the amount of $6,900,000 at various locations that is contained in title I, section 102 of the Act of November 7, 1963 (77 Stat. 310).

(q) training facilities in the amount of $7,600,000 for the Naval Academy, Annapolis, Maryland, that is contained in title II, section 201, under the heading "Service School Facilities" of the Act of November 7, 1963 (77 Stat. 314).

(r) administrative facilities in the amount of $3,484,000 for the Naval Research Laboratory, District of Columbia, that is contained in title II, section 201, under the heading "Office of Naval Research Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(s) community facilities in the amount of $550,000 for Camp Smedley D. Butler, Okinawa, that is contained in title II, section 201, under the heading "Outside the United States" and subheading "Marine Corps Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to August 2, 1964, are repealed except (1) the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date, (2) the authorization for two hundred family housing units at a classified location contained in the Act of August 1, 1964 (78 Stat. 341, 359), and the authorization for 180 units at Site 4-S contained in the Act of August 1, 1964 (78 Stat. 341, 360).

SEC. 607. (a) It is the sense of Congress that all the land comprising the Bolling-Anacostia complex will be required for military purposes within the foreseeable future and should be retained by the Department of Defense for such use.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et seq.), the Housing Act of 1949, as amended (42 U.S.C. 1441, et seq.), the Act of June 8, 1960 (40 U.S.C. 2662), or any other law, no portion of the Bolling Air Force Base or the Anacostia Naval Air Station shall be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency prior to July 1, 1967.

SEC. 608. (a) All construction under this Act shall be designed using techniques developed by the Office of Civil Defense to maximize fallout protection, where such can be done without impairing the purpose for which the construction is authorized or the effectiveness of the structure, unless exempted from this requirement under regulations prescribed by the Secretary of Defense or his designee.

(b) The Secretary of Defense shall make appropriate provision for the utilization of technical design and construction methods in the preparation of design and construction plans and in construction under this Act, to assure carrying out the purposes of this section; and for such purposes expenditures on individual projects shall not exceed one per centum of the amount authorized for that project.

SEC. 609. Every contract between the Secretary of the Air Force and the Aerospace Corporation shall prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corporation unless such construction or acquisition has first been authorized to the Air Force by the Congress.

SEC. 610. Except in the case of hospitals authorized for construction under this or any previous Act, any military hospital hereafter constructed in the United States or its possessions shall include facilities for obstetrical care unless sound and specific justification is made by the Secretary concerned for omitting such facilities in any hospital authorized.

SEC. 611. (a) No camp, post, station, base, yard or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committee on Armed Services of the Senate and House of Representatives.

(b) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.

SEC. 612. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters: unless the Secretary of Defense or his designees determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 613. The last sentence of section 2674 (a) of title 10, United States Code, as amended by changing the figure "$10,000" to "$15,000".

SEC. 614. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1966."

TITLE VII

Reserve Forces Facilities

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army: Army National Guard of the United States, $9,200,000.

(2) for the Department of the Navy: Naval and Marine Corps Reserves, $8,890,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,000,000.

(b) Air Force Reserve, $3,400,000.

SEC. 702. The Secretary of the Navy is authorized to convey to the city of Little Rock, Arkansas, without consideration, all right, title, and interest in so much of the land and improvements comprising the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas, as is agreed to be required for a right-of-way for construction of a public highway, at such times as that portion of the land and improvements may no longer be required as a part of said training center.

SEC. 703. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1966."

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. BATES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RIVERS of South Carolina. Mr. speaker, I yield myself as much time as I may require.

Mr. Speaker, the military construction bill which we are considering today contains a new section 611 in lieu of the base closure language contained in H.R. 8439, which was objected to by the Attorney General of the United States, and based on this objection, was vetoed by the President. The only changes we have made in the bill is in section 611, plus technical changes and one other committee amendment which is on the Speaker's desk.

The total cost of the bill is $1,780,062,000, insofar as the authorization is concerned.

Now, of course, the true issue before the House is the veto message and I would like to discuss that matter with the membership.

The President's veto message is similar in some respects to other veto messages that are based on the allegation that a particular section of a bill is an unconstitutional invasion of the powers of the Executive.

I might point out, however, that in this veto message there are several rather important differences, or perhaps I might even say, concessions. I will discuss those in more detail in a few moments.

The Attorney General, being an appointee of the President, based his veto recommendation on the assumption that through section 611 the legislative branch sought to invade the prerogatives of the executive branch of Government.

And you can guess what would happen to any Attorney General who did not reach such a conclusion.

But, there is no Attorney General that the Congress can consult to raise objections to actions by the Executive when the Executive invades the prerogatives of the legislative branch.

Is there anyone here who is so naive as to believe that the real problem of today is the erosion of power of the Executive by the Congress? We all know the contrary is true. The executive branch, as well as the courts, have assumed, or have delegated so much power, that there remain only limited areas where the Congress is required to act.

I suggest that the time has come when the Congress should contemplate setting up an office of its own to determine the extent to which the Executive may have eroded or invaded the powers of the legislative branch of Government.

Now, let us look at this base closing provision, which was contained in the military construction bill and objected to by the Attorney General.

The original House language provided that a base could not be closed if either House adopted a resolution of disapproval. The conferees in a compromise effort agreed upon language that limited the submission of base closures to the period January 1 through April 30, but without reserving any veto power in the Congress.

The bill before you today, in section 611, says that no base shall be closed or abandoned until 30 days after the report has been filed with the Armed Services Committees of both Houses, and that report must include all facts and the justification for the base closure.

The conference language, in effect, established a period of time during which the Secretary of Defense could not submit any base closures. In this way, the language before the House today and the conference report differ, but in other respects the language before the House today and the language that was vetoed are similar, because in both cases the

Congress could not, by the adoption of a simple resolution, block the closing of a military base.

We must bear in mind that the Congress established each of these bases, in some cases by authorization, in other cases just with appropriations, but in all cases money had to be appropriated for their construction, and certainly their maintenance. In doing this the Congress acted under the clearest language in the Constitution, and the clearest grant of power; namely, article I, section 8, which gives to the Congress the power to raise and support armies and provide for a navy.

The President, in his veto message, made this very clear when he said:

> Under the Constitution Congress has the power to enact laws to "raise and support" armed forces, and only Congress can provide the necessary appropriations for maintaining our fighting forces.

When the President signs into law an authorization bill, and later an appropriations bill, according to the Attorney General, he is bound to execute that law. But in the execution of the law the Congress obviously contemplates that the base it has authorized is required and will remain open. Therefore, whether or not a base should be closed might well be a question for the Congress to determine.

When a base is abandoned, without any further action on the part of the Congress, is it not possible that the President is not executing the laws of the Nation? Is it not possible to conclude that the President has seen fit not to do something that the Congress has required by law? When a base is closed, is this faithful execution of the laws? Or, could it be said that the closing of these bases is a failure to execute the laws of the land?

If the President unilaterally entered into an agreement to disarm, and the Secretary of Defense closed all of our military bases, is the Congress powerless? How does the Congress fulfill its responsibility to "raise and support armies and provide for a navy" if the executive branch of Government can unilaterally negate this responsibility?

Perhaps there is a difference between closing some bases and closing all bases. But frankly, I do not know what that difference is.

This concerns me, because at some future date a President or a Secretary of Defense may decide to close more than just a few bases at one time. He might decide to close all military bases, and in this way, bring about almost complete disarmament.

I raise this point because we have not solved the problem, although I do think that we are closer to the solution than ever before.

I say this because the President's message stated that "a reasonable reporting provision consistent with the legislative powers of the Congress" would not warrant a veto.

And here is what the new language of section 611 now provides:

> That no camp, post, station, base, yard or other installation under the authority of the Department of Defense shall be closed or abandoned until 30 days from the date upon which a full report of the facts, including the justification for the proposed action, is submitted to the Armed Services Committees of the House and Senate.

The Presidential veto message and the new language recognize several principles which have not heretofore been explicitly spelled out. First, a reporting procedure on base closures is now required for the first time as a matter of law. Second, the reports will be made to the Armed Services Committees as agents of their respective bodies on military matters. Third, the reports will contain not only an announcement, but also—and I think this is the key to the entire problem—"a full report of the facts, including the justification for such proposed action." This will enable the committees to study, to analyze and, if necessary, to hold hearings on the reasons for such action.

Frankly, the time period, in my opinion, is relatively unimportant as I do not know of any closure action which has been even substantially commenced within 6 months after the announcement.

But beyond this, I can assure the membership of this House that there will be no further base closure announcements that you will read about in the newspapers before you have been advised that these base closures are to take place.

I have been given assurance from the highest source in our Government that from here on out you will receive advance notice and not be taken by surprise as many of us were in the past.

But beyond that, we have every reason to believe that responsible officials will not only notify the committees and the individual members in the event of any future base closures, but also that such announcements will not take place when the Congress is not in session.

I have been urged by some to take the position that there should be no military construction authorization bill. I personally feel that we must have this authorization bill because of our problems abroad, and the problems in our own land. I am convinced that the military might of this Nation is the most important single item of concern to the American people.

Just remember, there are 1,299 separate items in this bill, affecting vital military bases all over the world.

Under the circumstances, Mr. Speaker, I feel that it would be wise for us to adopt the modified section we propose.

I think you will all agree that the most important elements involved in this particular dispute is the question of whether or not the Congress should be considered a partner in the matter of national security. The President, in his veto message, makes this clear—the Congress is a partner in national security matters.

And the message also makes clear that the President has no objection to a reporting procedure. It is unfortunate that such a reporting procedure was not in effect last November when so many bases were closed without so much as a how-do-you-do to Members of Congress, who have the responsibility, just as the President has indicated in his veto message, to provide for our national security.

I hope, now, that the Secretary of Defense is also equally convinced that the Congress is a partner, and that from here on out there will be no need for stronger language to maintain this position.

Perhaps this veto message and the whole issue involved here has eliminated a great area of uncertainty that has existed between the executive and legislative branches with respect to the position of the Congress and the position of the Secretary of Defense in the national security area.

We, after all, respond to the American people. We are responsible to them. The Members of the House must answer to them every 2 years. This is a government of the people and the only way that the people can be informed is to be told. And the only way that Members of the House can be told of what the wishes of the people are is to answer to their will at the end of each 2 years.

Now, Mr. Chairman, I do not propose to conclude my remarks on this measure by saying that the House Committee on Armed Services has won a victory, nor do I agree that we have met with a defeat.

I think we have established certain principles. They were principles worth fighting for. The principle was one of partnership. The principle was one of recognition of article I, section 8, of the Constitution. The principle was one of separation of powers.

So, in a way, three principles have been established by this veto message, and we have responded, I believe, in a responsible manner. We could, of course, have made it a far greater issue. We chose not to take that path because we are dealing with the national security. And if there is ever an area in which there must be a partnership, it is in the area of national security.

In his message, the President said:

> The legislative and executive branches share responsibility for the security of the Nation and each has a vital role to play.

As I interpret that portion of the veto message, the President is saying that we are partners in the matters involving our national security.

The President, in the veto message, also said:

> Also a President, under his oath of office, must be concerned about the cumulative erosion of Executive power by legislation such as section 611 of this bill.

The President went on to say:

> The power of the Congress in which I served for nearly 2 dozen years is not served by assuming Exective functions. The need for wise legislative action and the dependency of our welfare upon it was never greater. The legislative burdens of the Congress were never greater. Not only the separation of powers fail when Congress impairs Executive function, but the sheer inability of the Congress to deal meaningfully with the multitudinous details of execution of its laws weakens government.

But on the other hand, Mr. Speaker, I think the Congress must also be concerned about the cumulative erosion of the legislative powers of the Congress, frequently based upon the assumption that Congress is unable to deal meaningfully with the multitudinous details of execution of its laws. I do not think Congress is so devoid of ability and capability that it cannot, on occasion, go into details that vitally affect the welfare of the Nation.

And, frankly, I grow tired of the implication that Congress really only has the power to appropriate funds.

I also weary of the "execution" of laws philosophy. To execute means to carry out—and I prefer to think that means carry out the will of the people expressed by their representatives in Congress and not the interpretation of Presidential appointees.

So, I suggest that there are times when the Congress must be jealous of its prerogatives and must also guard against the cumulative erosion of its powers. Perhaps we have vested too much power, not so much in the President himself, but in the executive branch of Government.

We must always be jealous at all times of the separation-of-powers concept. The theory of checks and balances in many ways is far more important than any single provision of the Constitution.

The whole concept of separation of powers, the whole theory of checks and balances, must be preserved if we are to remain a free people.

I could not agree more with those words of James Madison, who said in 1789:

> If there is a principle in our Constitution, indeed in any free constitution, more sacred than another, it is just that which separates the legislative, executive, and judicial power.

I concur 100 percent with that observation and I believe I can say that the entire membership of the Committee on Armed Services concurs in that observation.

The question is, How do we maintain this separation of powers? How does the Congress meet its responsibility to provide for a navy and raise and support armies if, after we have exercised our responsibility and the power vested in us by the Constitution, an Executive fails to comply with the law, or fails to comply with the wishes of the Congress in this manner?

Furthermore, how can the Congress be fully conversant in matters of national security if bases which we have authorized and approved, for which funds have been appropriated, are closed without the Congress having any prior knowledge of these matters?

There is wisdom in a multitude of advice and I do not believe that the Congress is so devoid of intelligence that it, too, cannot offer advice on occasion that might be helpful to the executive branch of Government when they come to making decisions of this nature.

So in conclusion, Mr. Speaker, let me repeat that, while we do not claim a victory, we do not admit nor imply a defeat, because in the long run what we are trying to establish, what we have said since last January, is that the Congress must be a partner in national security matters above all other matters.

I think that principle has been established. I think the President recognizes it. I firmly believe that our operations in the future will go much more smoothly than they have in the past.

I am perfectly willing to recommend the language contained in section 611 of the new bill. It is a step in the right direction.

I think we will be informed hereafter. I think Members will be informed hereafter when something is going to happen in their own area and I think that under these circumstances we can accept the bill that is now before the House, not with the idea that we have entered into a strategic withdrawal, but with the conviction that we have entered into a new era of understanding.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. O'HARA of Illinois. I would like to ask the chairman, for whom I have the profoundest respect, one question. Is there in this bill authorization for the expenditure of 1 additional cent other than already authorized for moving the headquarters of the 5th Army from my district?

Mr. RIVERS of South Carolina. This bill contains the same provisions that were in the bill which the gentleman voted for and which passed the House unanimously.

Mr. O'HARA of Illinois. While I may have been misinformed, and that is possible, I have been told that there is a provision tucked away in the bill for building some new sewerage out at Fort Sheridan, some million or two dollars of new sewerage, all to accommodate the 5th Army headquarters. I would feel easier in my mind, as would my constituents, if assured that such is not the case.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. There are no additional funds in this particular authorization bill for the purpose for which the gentleman from Illinois stated.

Mr. O'HARA of Illinois. I thank my colleague. I shall vote for the bill with the greatest enthusiasm.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I rise in support of the new military construction authorization bill for fiscal year 1966, H.R. 10775, as reported by the Committee on Armed Services.

At the outset, I wish also to state categorically, and without equivocation, my complete endorsement and support of the position taken by my chairman, the Honorable L. MENDEL RIVERS, on this revised bill.

As we all know, the bill being considered today is, except for section 611, identical with H.R. 8439, the military construction authorization bill previously recommended and passed by the Congress.

Unfortunately, the bill H.R. 8439 was vetoed by the President on the advice and recommendation of his Attorney General, who was of the opinion that the language in section 611 represented a fundamental encroachment by the Congress of powers specifically reserved under the Constitution to the executive branch.

Needless to say, I take strong exception to the opinion of the Attorney General that the original provisions of section 611 "are repugnant to the Constitution." However, it is not my purpose to belabor before this body some of the semantics of the legal and constitutional questions involved herein.

These intricate legal and constitutional questions have adequately been reviewed and discussed by my distinguished chairman. I am in complete accord with my chairman's assessment of these legal questions.

It is important, however, that this record clearly reflect the fundamental principles that have precipitated this confrontation between the executive and legislative branches of our Government. In order to do this we should review some of the historical considerations and events which required the Congress to take the aggressive and positive steps now identified by our Attorney General as "repugnant" to the Constitution.

In my judgment, and I am sure one shared by the vast majority of the Members of Congress, the issue involved here today is nothing more, nor less, than the Congress effectively effecting its constitutional responsibility to act as a full-fledged partner with the President of the United States to insure the development and continued maintenance of a military capability adequate to guarantee our present and future national security.

Under the provisions of the Constitution, we are all aware that the Congress has the sole authority to raise and maintain our Armed Forces. This is crystal clear. Yet at the same time the Constitution designates the President as "Commander in Chief" of these Armed Forces, with the clear constitutional responsibility for the operation of these forces.

Our Founding Fathers, in spelling out these positive areas of responsibility, recognized full well that neither the Congress nor the Executive acting as Commander in Chief could effectively discharge these individual and separate responsibilities without the full and complete support of the other. It therefore not only impliedly, but very clearly, created a situation which demanded the development of a full-fledged working partnership to insure that both partners could act promptly and effectively in coordinating, and I emphasize the word "coordinating," their common effort to provide for the national defense.

Our Nation has indeed been fortunate. This working relationship and partnership between the executive and legislative branches of our Government has proven effective and responsive to our national security requirements. However, as is the case in any partnership, each of the partners must remain continually vigilant to the understandable desire of the other to consciously or unconsciously arrogate to himself some of the responsibilities and powers properly to be shared with the other partner.

For almost 5 years the Congress, and more specifically the Committees on Armed Services of the House and Senate, have slowly but surely been forced into the role of a silent partner—a partner whose duties and responsibilities were becoming a mere formality with acquiescence taken for granted and assumed by the other partner.

The Executive, and in this instance the Department of Defense, has attempted to justify this tactic on the theory that the Congress is, in view of modern technology and related complications, simply incapable of dealing meaningfully with the profound intricacies of national defense. Consequently, like "big brother," he has "reluctantly" assumed the prerogatives of Congress.

I do not wish to be cast in the role of a prophet, but it should be evident to even the dullest student of constitutional history, that if the Congress permitted this condition to continue it would inevitably have completely forfeited its ability to discharge its constitutional responsibilities.

In other words, the Congress was forced to act positively, aggressively, and purposefully to remind the Executive and, in this instance, the Department of Defense, that it intends to fully discharge its constitutional responsibilities.

I am proud to be a member of the Committee on Armed Services. That committee, within the past few months, has reflected the determination of the Congress to defy and to reject any further encroachment by the Executive on its legislative and constitutional responsibilities.

The record of the Committee on Armed Services during these past 9 months gives eloquent testimony to the success of the Congress in this regard. For example, the Congress and the Committee on Armed Services has demonstrated its ability and determination to provide an equitable pay increase for the dedicated men and women in our armed services. This achievement, in spite of the opposition of the Department of Defense, is a matter of historical record.

Again, the Secretary of Defense, without consulting the Congress, announced to the country his intention to eliminate the Army Reserve. This, without a "by your leave" to the Congress.

Congress, the heretofore silent partner in the defense effort, replied with a resounding and unequivocal "No," despite the Department's abortive efforts to justify this action by offering the public vague assurances of new efficiencies and new economies.

Our military bases and installations represent the very heart of our military capability. A change in their composition, location, or level of activity inevitably and directly affects our military readiness and capability.

As a partner in our defense effort, the Congress, and notably the committee which has been given jurisdiction and responsibility over defense matters, the Committee on Armed Services, had throughout the history of our Republic kept itself intimately familiar and aware of changes in our military base complex.

Unfortunately, during the past 4 or 5 years, there has been a positive diminution in the information provided Congress in respect to proposed changes in our military installations. Obviously, the Congress has been kept informed as to proposed increases in the size and tempo of activity at military installations through the demands of the legislative and appropriation process which "required" the Executive to seek both the authority and the funds with which to effect such changes. On the other hand, the Executive has not similarly been forced by the legislative and appropriation processes to inform the Congress of reductions or closures of military bases—and he has therefore simply ignored the Congress in this regard.

Consequently, despite the constitutional requirement that defense matters be handled by the partnership envisioned by our constitutional founders Members of Congress had been reduced to the humiliating position of consulting our news media to obtain information concerning Department of Defense decisions to reduce or eliminate military bases. As a matter of fact, many constituents were apprised of these defense actions even before Members of Congress were given even the sketchiest details.

It is noteworthy that this appalling situation developed slowly and subtly through the gradual but positive drying up of information flowing from the executive branch to its defense partner, the Congress. Thank God, that silent partner has now awakened from his trusting and ill-advised sleep. His reaction was positively and unequivocally given in section 611 of H.R. 8439. The fact that this action was given the overwhelming approval of both bodies should erase any doubt as to the temper of the Congress on this subject.

It is significant that the Executive has now gotten the message.

The remarkable veto message with which the President regretfully returned H.R. 8439 to the Congress reflects the President's assurance that he will, once again, accept his obligation to fully inform his defense partner, the Congress, of proposed changes affecting our military installations.

The revised section 611 as contained in this bill, H.R. 10775, reflects a reporting procedure which requires that the Congress be provided a full report of the facts justifying the proposed action prior to the time such decision is executed.

However, more importantly, this statutory language is much broader in its implications than is evident in this required reporting procedure. The language marks, in my opinion, the resumption of a full-fledged partnership which had been permitted to atrophy for lack of use. It symbolizes, I believe, an honest effort on the part of both the legislative and executive branches to return to the former working partnership envisioned by our constitutional founders.

As an American, I am proud and happy to have been a party to this practical demonstration of the operation of our system of political checks and balances—a system which has no peer among all the governments on earth.

This political system of checks and balances insures that countless future generations of Americans will also enjoy the fruits of genuine freedom provided that we, and they, as Americans continue always to remain vigilant and jealous of our constitutional prerogatives.

It is for these reasons that I believe we have achieved our objective and won our fight. Let us accept the olive branch of peace offered by our President in his veto message and permit him an opportunity to work in harmony with the Congress.

I, therefore, ask every Member to support this legislation.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, the consideration by the House today of the military construction authorization bill for fiscal year 1966 culminates 9 months of hard labor. Twice before, this session, a similar bill has come before you—once when the House passed the military construction authorization bill, and again when it considered the conference report. And after the bill passed both the House and the Senate without a dissenting vote, the President saw fit to veto it as he claimed it was an unwarranted invasion by the Congress on the responsibilities of the President.

The very question of the rights and responsibilities of the President vis-a-vis the rights and responsibilities of the Congress is as old as our established Government. The questions have not been solved during our 178 years of existence and they probably will not be solved completely as long as we continue to exist under our present form of government.

In the past, we generally have been able to work out our problems with the executive branch through mutual accommodation—that is, without the necessity of writing specific restraints into the law. Thus, we have been able to avoid a head-on confrontation on the constitutional issues. And I think no real purpose is served by having such a confrontation. Really, all it proves is that, in certain periods in history, certain Presidents zealously and jealously guard their power, or try to expand on their power more than other Presidents. It seems that any President can secure, from his appointed Attorney General, an opinion that any provision providing for any form of legislative oversight is an unwarranted invasion of the power of the Executive. I agree with others who feel that we ought to have the equivalent of an Attorney General to serve Congress in the same way.

There are nearly 40 laws on the books which give to Congress the right to negate an administrative action. The principle of legislative review of executive action already having been established, there is really little to gain by discussing the President's objection to the use of that device in this instance.

But, in agreeing to accept the compromise as new language contained in section 611, I want to make clear the reason for including a provision in the military construction authorization bill providing for congressional review of base closures in the first instance.

Until 1961, I cannot recall any instances where the Armed Services Committee was not consulted or taken into the confidence of the officials in the Pentagon on matters of such import prior to the time of decisionmaking and before public announcement.

I regret to say that this pattern has been altered during the last few years. There are many other examples besides the announcement on base closures and the Reserve merger. But these two were sort of like the straws that broke the camel's back. It was time that the Congress put an end to the usurpation of its responsibilities—an end to Executive circumvention. That is what brought forth, almost spontaneously, section 611 which provoked the veto.

The new language of section 611 recognizes the principle of congressional review and requires the Secretary of Defense to report not only the facts, but a complete justification for his proposed actions.

In addition, the informal agreement recognizes the right of Congress to be informed prior to the public announcement on any base action and there is reason to believe that no such announcements will be made while the Congress is not in session. This is the better way to accomplish rapport between the Congress and the Executive—much to be desired over fixed legislative language. But such mutual accommodation broke down before; I hope it lasts this time, and thus our exercise in writing this section into the former bill will really have served its purpose.

Perhaps, through mutual accommodation, once again, we can work together. I consider it worthy of an attempt. But, in so doing, I make no admission that the bill which the President vetoed was unconstitutional. In fact, in my layman's view it is clearly constitutional; and it will remain constitutional until properly ruled otherwise by the courts, opinions of the Attorney General to the contrary notwithstanding. And I further remind this House, and the executive branch as well, that it will not be many months before we consider another military construction authorization bill. Whether or not our objectives have been accomplished through these exercises will be shown in the attitudes and the degree of cooperation displayed during the next several months. I hope we have not failed in our efforts. I hope we shall not again find it necessary to seek respect to our constitutional prerogatives by writing rigid legislation.

For the present, I support the new bill and urge you to do likewise.

Mr. BATES. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, since many Members on my side of the aisle wish to take a portion of the 20 minutes allocated to our side, I shall take only 5 minutes of that time.

Mr. Speaker, it was only after considerable thought that I came to the conclusion that I must subscribe to the substitute language in section 611 of the fiscal year 1966 military construction authorization bill.

My natural impulse was to make every attempt to override the Presidential veto message.

My concern at the beginning of this year, as it has been for the last several Congresses, was the constant diminution of the power of the Congress and of the committees of Congress by the executive branch of the Government. In 1962, the distinguished gentleman from Virginia [Mr. HARDY] and I submitted a report to the Congress entitled a "Report of the Special Subcommittee on Defense Agencies." The final sentence of that report stated:

> We can only conclude that the Congress has lost control of the organization of the Department (of Defense) and cannot carry out its responsibility unless we amend the National Security Act.

Hence, the President's veto message, stressing as it has the alleged "cumulative erosion of the executive power," could hardly be seriously entertained by those of us who have observed the constant diminution of legislative authority.

I believed then that if the Congress had the responsibility to maintain and support the armed services as provided in the Constitution, it becomes an almost impossible task if another branch of the Government can cause them to be disintegrated. I still maintain this belief.

So, at the time we included section 608, and later, at the time we accepted the conference report on section 611, I believed we were within our constitutional rights, and I thought it was absolutely essential that we exercise this power.

Frankly, I was surprised that the President vetoed this bill because, neither the Constitution nor precedent suggested it. I am advised that the President will accept the new section 611 on which we act today, and which provides for a 30-day notice of closing and yet termed as unconstitutional a 120-day requirement. In addition, I am told the President has agreed not to close any base when Congress is not in session. This could mean a delay of over 120 days. So to suggest that "times do not permit it" when we write the language and still find it is perfectly proper when he verbally condones it, somewhat mystifies me.

Section 611, really was undemanding language compared to section 608 when it passed the House. Under that provision the House could veto the proposed action by the executive branch. Section 611 gave no such authority. For all intents and purposes it carried no legislative veto authority but carried only a reporting responsibility by the Secretary of Defense. Who will challenge the fact that a veto authority is by far stronger? Yet, since 1941, over 40 bills carrying legislative veto provisions have been enacted into law with the signature of the President.

Some statutes requiring executive actions to lie before Congress are as follows:

Executive reorganization: Title 5, United States Code, section 133z requires reorganization plans to lie before Congress for 60 days while Congress is in session, but a resolution of disapproval of either House can nullify the plan.

Defense reorganization: Title 10, United States Code, section 125, requires the transfer, reassignment, consolidation, or abolition of a function, power, or duty of the Department of Defense shall lie before Congress for 30 days while Congress is in session, but a resolution by either Committee on Armed Services passed within 30 days and then passed by the respective House within 40 days shall nullify the plan.

NASA organization: Title 42, United States Code, section 2453, requires the plan for the transfer of NACA to NASA to lie before the Congress for 60 days without the adoption by either House of a resolution of disapproval.

NASA authorizations: The NASA authorization acts permit the Administrator to utilize NASA funds for certain new projects provided NASA gives 30 days' notice to each space committee and it receives an approval from each committee.

NASA appropriations: No NASA funds are to be transferred to any project previously rejected by either House or any committee of the Congress. No NASA funds are to be used in any joint lunar landing program without the consent of Congress.

Atomic Energy Act: No special military materials or information may be passed to another country—section 91c and 144b and c—unless the proposed transfer lies before Congress for 60 days while Congress is in session and Congress does not pass a concurrent resolution of disapproval.

Any new determination of material as special nuclear material—section 51—as source material—section 61; any new guaranteed price for special nuclear materials—section 58; any distribution of special nuclear material abroad—section 54; any distribution of source materials abroad—section 64; any contract for electric utility services—section 164—must lie before the Joint Committee on Atomic Energy for 30 days while Congress is in session and the Joint Committee can waive the requirements of the 30-day period.

AEC authorizations: Some of the programs established by the AEC authorization acts have also required the program to come back before the Joint Committee for 30 days while Congress is in session, but with the power in the Joint Committee to waive this time period.

In some AEC authorization acts, where it seemed likely that the executive branch would not carry out the program authorized, the authorization acts contained mandatory language: Fiscal year 1958, sections 101(b)8, 101(e)14, and

110; fiscal year 1959, sections 110 and 111.

Property disposal: 40 United States Code, section 551 requires the Administrator of the General Services Administration to come into agreement with the Armed Services Committees of the House and the Senate with respect to the disposal of surplus real property from the armed services.

It is interesting to note, too, that the same individual who vetoed the bill this year was a member of the Senate Armed Services Committee when the original bill, as well as the revised bill, was voted on in the Senate and raised no objection to either version when they were presented to the Senate. In fact, both versions passed the Senate by voice vote, and the then Senator Lyndon B. Johnson was present in the Senate on both occasions and no objection was raised.

But I suppose his change of heart as to what is reasonable has been determined by a change of address.

I want to be frank and say that I would have exercised any authority which I have to help override the President if the language of section 608 had been retained in conference. That was indeed a matter of principle. However, the cold hard facts of life are that the Senate just would not agree to the House position. In fact, it was reluctant to go as far as we did in section 611 which emerged from conference. There was a good deal of principle involved in section 608 but 611 became but a reporting duty of the Secretary of Defense. The new 611 on which we act today, and to which I understand the President has agreed, calls for similar reporting except it will now be done 30 days before the closing of a base instead of 120 days. Hence, we have accomplished the concept of prior notification and this in harmony with the conference report. It is this that makes me constantly wonder why the President vetoed the bill.

The Presidential veto of H.R. 8439 has caused me to reexamine the role of Congress in connection with the Department of Defense and especially in connection with military bases.

The only provision that the President found not to his liking was the one which required reports of base closings to be submitted to Congress between January 1 and April 30 of each year and to lie before the Congress for 120 days while Congress was in session before it could become effective. This provision, however, did not apply to the movement of troops and equipment for tactical purposes, or to bases with less than 250 personnel.

The President's reasons for the veto are:

> By the Constitution, the executive power is vested in the President. The President is Commander in Chief of the Armed Forces. The President cannot sign into law a bill which substantially inhibits him from performing his duty. He cannot sign into law a measure which deprives him of power for 8 months of the year even to propose a reduction of mission or the closing of any military installation, and which prohibits him from closing, abandoning, or substantially reducing in mission any military facility in the country for what could be a year or more and must be 120 days. The times do not permit it. The Constitution prohibits it.
>
> The limitations upon the Commander in Chief and the executive branch of the Government here sought to be imposed are a clear violation of the separation of powers. The Attorney General has so advised me. The Congress enacts the laws. Their execution must be left to the President. The President must be free, if the need arises, to reduce the mission at any military installation in the country if and when such becomes necessary.

Let us return to the Constitution for our thinking. It is too little noticed that the very first section of the very first article of the Constitution vests "all legislative powers herein granted in a Congress of the United States, which shall consist of a Senate and a House of Representatives." The right and duty and power to make laws then belongs to the Congress. This is clear from the meaning of the words themselves and from the development of this clause in the Constitutional Debates of 1787.

After clearly delineating the powers of the Congress in article I, the Constitution goes on in article II to set forth:

> The executive power shall be vested in a President of the United States of America.

This is followed in section 3 of article II with "he shall take care that the laws be faithfully executed." Hence the primary function of the President is to execute faithfully the laws as Congress enacts them. In the steel seizure cases, the Supreme Court in 1952 limited the President to just that function. When there was no law of Congress to execute, the President had no power to seize the steel companies. The President is to execute the laws of Congress, hence the enacting power of Congress is set forth first in the Constitution, and the executing powers second.

The areas in which Congress has the power to legislate are manifold, but it is worthwhile to examine them specifically in the light of the present problem. Section 8 of article I says:

> The Congress shall have Power * * *
>
> To declare War * * *
>
> To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than 2 Years;
>
> To provide and maintain a Navy;
>
> To make Rules for the Government and Regulation of the land and naval Forces;
>
> To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions;
>
> To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
>
> To exercise Legislation in all Cases whatsoever * * * and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.

In addition, article 4, section 3 gives Congress the general "Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

From all of the above provisions, the Founding Fathers made sure that the Congress had about as full legislative powers over the military as it was possible to set down in writing. Note especially that they were so anxious to keep the powers in the hands of the Congress that they provided that the appropriations for the armies could not be for more than 2 years.

But the powers of Congress over military installations are even more complete. Where the bases are purchased with the consent of the legislature of the State, the Congress has the power "to exercise exclusive legislation in all cases whatsoever as to the erection of forts, magazines, arsenals, dockyards, and other needful buildings." Furthermore, even if the State legislatures have not consented, the Congress in article 4, section 3, has the power "to make all needful rules and regulations respecting the property belonging to the United States." While these two powers were added in the constitutional debates without any real discussion, and have not been the subject of extensive litigation, they give the Congress full legislative authority over military installations on their face.

Under these various legislative powers, the Congress has, over a period of years, enacted various pieces of legislation respecting our military installations. There is no one piece of legislation to which any person could point and say that that provides the sole legislative program for any military installation. Until that legislative program is changed by Congress or under a statute of Congress the President is obligated to carry out the legislative program as set forth by Congress.

The President has claimed that his powers as Commander in Chief have been infringed by the legislation as passed by Congress. But his powers as Commander in Chief are subject to the legislation of Congress. He cannot spend more than the Congress allows or have more troops than are allowed by Congress—unless there is some immediate emergency in a war. Yet the President was wrong in calling upon his powers as Commander in Chief in vetoing H.R. 8439 since it clearly allows him to move troops and equipment for tactical purposes—section 611(b)(1).

The President maintains that he is interested in economy. So is the Congress. But the Congress wants to know how the economy is being applied. There are statutes on the books with respect to economy, and these should be complied with.

As a general statute, title 31 of the United States Code, section 18 requires the Bureau of the Budget, when directed by the President to study what changes may be needed—with a view of securing greater economy and efficiency in the conduct of the public service—in the executive department. Yet the reports of those studies are to be transmitted to the Congress in the discretion of the President with his recommendations thereon.

In other words the President is not authorized to put the plans into effect without further Congressional action.

In the matter of general organization of the executive branch, title 5, section 133z of the United States Code permits the President to reorganize the executive departments and agencies, from time to time within specified limits, but these reorganizations must come up and lie before Congress for 60 calendar days while Congress is in session before they can become effective. The reorganization plan may be defeated by the passage by either House of a resolution of disapproval.

In 1958 there was a special statute enacted in order to allow the Department of Defense to make some reorganizations. This statute, now section 125, of title 10 of the United States Code, permits the Secretary of Defense to streamline or economize the Department of Defense but he may not substantially transfer, reassign, consolidate, or abolish a function, power, or duty vested in the Department of Defense unless the move shall have been reported to the Committees on Armed Services of the Senate and the House of Representatives for a period of 30 days while Congress is in session. If during that time either committee should report a resolution of disapproval of a transfer of a major combatant role assigned to one of the Armed Forces which also says that the move would tend to impair the defense of the United States, then the effective date is suspended until either House of Congress adopts that resolution. In the case of such adoption by either house, then the plan fails.

Now it happens that on November 18, the Secretary of Defense made an announcement to the press that he was going to shut down 95 military installations. This announcement did not come to the Congress in accordance with the above provision of law. Nor do we know of any finding by the President under section 125(b) that these closings were necessary because of hostilities or the threat of hostilities. Yet the closing of 95 military installations which had been set up and programed by Congress could have had a very serious tendency to "impair the defense of the United States." The Congress was given no opportunity to pass on the matter in accordance with section 125(a) of title 10, nor was a Presidential finding under section 125(b) forwarded.

Some have suggested that there may be found adequate authority for the economies in a section of the Budget and Accounting Act of 1921, as amended—section 665(c) of title 31 of the United States Code. In subsection (2) an agency officer is permitted to apportion the appropriation and make savings whenever "changes in requirements, greater efficiency of operations or other developments" might permit.

Yet, by the very terms of this section, the recommendations for the recession of any appropriation arising out of these possible economies can become effective only when treated like any "estimate for appropriations." This means that the recession can become effective only when legislation has authorized the recession.

This method of operation has been in effect with the Atomic Energy Commission for some time now. Under section 261 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has been required since 1954 to come up to the Joint Committee on Atomic Energy for varying authorizations. At first these authorizations merely related, as in H.R. 8439, to construction for atomic energy programs. Since 1954 this section has gone through various stages of enlargement until now all operating and construction budgets of the Atomic Energy Commission require prior authorizing legislation. Starting with the authorization act of fiscal year 1958, and continuing annually thereafter, the Atomic Energy Commission has specifically requested the recession of those items previously authorized in earlier authorizing legislation and which the AEC no longer believes is needed or needed to the extent authorized.

If the President is not required to bring back to Congress for congressional approval the deletion of some program previously approved by Congress, the President is in effect gathering unto himself an item veto, which has never been allowed up to this point. The only veto permitted the President is that permitted by article I, section 7 which permits him to return a bill to the Congress with his objections thereto, as he has done with H.R. 8439. There is no line veto or item veto permitted under this section of the Constitution. Yet this is exactly the power the President is trying to gather unto himself in the name of economy.

In 1926 the Supreme Court ruled that the President could drop an officer of the executive department who had been appointed by and with the advice and consent of two-thirds of the Senate without asking for Senate approval of the removal. In this case the Supreme Court ruled that the appointment of the official was initially an Executive act and therefore the removal was solely an Executive act. Applying the identical logic, the establishment of a legislative program by the Congress is a legislative act, even though the President has to approve the legislation. It is, therefore, not a Presidential power to change the legislative program in any way without further congressional approval given either specifically or generally.

Out of all of this, there appears to me to be but one inescapable conclusion. The entire legislative aspects of the Armed Forces now must be revised so that the legislative intent of the Congress is always clear, and the proper steps are allowed to permit what flexibility should be permitted the executive department and the conditions for that flexibility.

In closing I would note that I have had to chase one section after another throughout the United States Code. It has been almost 10 years since the title on Armed Forces, title 10 of the United States Code, has been revised—and even then the task was more of a legal rewriting than an overall study of the substantive provisions.

Until that reexamination of the United States Code, I recommend the passage of the new version of H.R. 8439.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. BATES. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I voted for this bill in committee, and I shall vote for it today. I urge you to support it.

But I wish it distinctly understood my support of the bill now before us is not to be construed as expressing my concurrence in the President's veto of the measure we originally sent him for approval. Nothing is set forth in the veto message that we did not fully consider in committee, on the floor, and subsequently in conference. I do not believe any single provision of the entire bill was more thoroughly considered than section 611, relating to the closing of military installations.

There is no desire on my part, nor on the part of any one of us, to encroach upon the duties and responsibilities of the President as Chief Executive nor as Commander in Chief. In drafting section 611 we were merely asserting our constitutional prerogative to determine the nature and size of our Armed Forces.

We quite agree with President Johnson that "one of the great principles of the American constitutional system" is "the separation of powers between the legislative and executive branches."

But, Mr. Speaker, I do not agree with the statement embodied in his veto message that "the responsibility of each is distinct." On the contrary, in matters of national defense the role of the Congress and the role of the President are not only coordinate but interlocking.

Section 611 gives recognition to this all-important fact. It is sophistry to contend that there is a rigid constitutional line between the power of Congress to raise and support our Armed Forces and the power of the President as Commander in Chief. He can command only that which we in Congress provide. Surely the President does not believe that he should command the Congress as well as the operations of our Armed Forces. There is, of course, no denying that this 89th Congress has been as obedient to his recommendations as if they were commands.

It is sophistry to claim that the Congress has the power to authorize and provide funds for the construction and maintenance of military installations but should have no voice whatever in their termination, that this is a matter to be left solely in the discretion of the President and his Secretary of Defense.

By section 611 we were not attempting to assume any Executive functions. We were merely seeking to coordinate our respective functions, that the Congress and the President may work together and not at cross-purposes for the common objective of having a sound, well-balanced national defense.

Time and again—all too often, I might say—the Congress has delegated legislative authority to the Executive. Time and again—all too often—the Secretary of Defense has taken action contrary to the expressed will of the Congress.

This time we asked the President to share with the Congress an executive function that interlocks with our constitutional legislative function. He refused. He emphasized in his veto message that his role is distinct from ours. He ends his message with a quotation from James Madison as to the sacredness of the separation of the legislative, executive, and judicial powers.

I do not deny the sacredness of the principle, Mr. Speaker. But if this principle is so sacred to the President, and if the separation is so distinct and rigid as he contends in the veto message, is it not then fallacious and inconsistent, to say the least, for the President to intervene as he has in the legislative processes? Is it not a violation of this very principle he holds so sacred for President Johnson to apply the pressures he has applied to secure the enactment of legislation when he wanted it, in the form he wanted, legislative duties and responsibilities to the contrary notwithstanding?

In the original section 611, which the President vetoed, we asked him to coordinate his constitutional duties and responsibilities with the constitutional duties and responsibilities of the Congress. By his veto he refused our request. He says our duties and responsibilities are distinct and thereby indicates there is no need for such coordination.

Were we to pass the bill over his veto it could possibly be argued with some validity that we were encroaching on the executive powers. It is a constitutional question not subject to adjudication. The revised section as embodied in the bill is nothing more than an assertion of what I conceive to be a basic right of the Congress charged with responsibility under the Constitution for the kind of a defense we shall have.

I am not entirely satisfied with the section as now written. But I am realistic enough to recognize that it is probably the best arrangement that can be made for the present.

Mr. BATES. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. KEITH. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. BRAY. I yield to the gentleman from Massachusetts.

Mr. KEITH. Mr. Speaker, I rise in support of this legislation and in particular of the amendment which I understand is contained in the bill now before the House. The fact that the language that was in the original is to be reinstated in the present proposal will be helpful to Woods Hole Oceanographic Institute. At the same time I believe the bill will still accomplish the objectives of the Congress insofar as the Aerospace industry is concerned.

Mr. BRAY. Mr. Speaker, I rise to speak on H.R. 10775 that deals with military construction which the President vetoed a few days ago. However, I wish to restrict my remarks to section 611 of this bill which has to do with the closing of military bases and is the only section to which President Johnson objected in his veto of the bill.

I was very disappointed that the President vetoed this bill, for I feel that the veto was unwarranted. However, as a judge before whom I practiced as a young lawyer was prone to say, "it is a condition, not a theory that confronts us." The President has vetoed H.R. 8439, and until this condition is resolved no progress will be made toward much-needed construction for our Armed Forces at home and abroad.

Of course in retaliation the Armed Services Committee could have refused to bring this legislation before the House again, or it could have made material changes in the legislation before bringing it back to this body. However, despite our strong disagreement with the President such action on our part would have been unbecomingly petty and would have greatly hampered our national military effort at this most critical time. The committee has instead reached agreement with the President of the restrictive language of base closings. While this new phraseology will not accomplish the goals which we desired, it will tend to cause the Defense Department to study more carefully not only the closings but the expansion of existing and the building of new military bases. While the solution to which we have agreed in section 611 will not be as effective as that which was originally passed by the House, I believe that this new version will probably prevent Secretary McNamara and the Defense Department from the building, expanding and closing of military bases with the shortsighted planning and abandon that has been demonstrated.

Last year on the 19th of November, just 12 days after the 1964 elections and at a time when the Congress was adjourned, Secretary Robert McNamara announced the closing of 95 military bases. The country as a whole was amazed and much disturbed at such a tremendous "sacking" of our valuable installations, especially without warning and general discussion. While neither the area which I represent nor any part of the State of Indiana was greatly affected in these closings, I was at a complete loss in trying to justify the closing of some of these installations. For example, I was appalled at the closing of the Brooklyn Navy Yard. I do want it understood, however, that I do not believe that bases that we do not need should remain open. And I am opposed to building and maintaining bases for political or economic reasons. Our military installations are to serve only one purpose, and that is for the maintenance of the security of the United States.

In order that we may have the best, the most efficient, and the most effective military strength possible, our forefathers wrote into the Constitution a delegation of responsibilities for the defense of our country. Section 8 of article 1 of the Constitution gives to Congress the power to "raise and support armies; to provide and maintain a navy." The Constitution also says that the President of the United States is the Commander in Chief of our Armed Forces. This dual responsibility can work toward a strong, efficient military machine. But there also is the possibility of conflict in such dual workings if either the Executive or legislative branch becomes arrogant, dictatorial, or uncooperative.

The proper utilization of the inherent powers of the executive and legislative branches demands dedicated, wise and unselfish endeavor on the part of each. Each must respect the prerogatives of the other. Cooperation is not a one-way street. It has been most fortunate that generally the dedication of both the executive branch and Congress has prevented conflict of powers from injuring our defense effort. For many years this cooperation has been superior.

I am sorry to say that since Robert McNamara has been Secretary of Defense this cooperation has deteriorated. The previously mentioned closing of 95 bases just after Congress had adjourned without having even hinted at such a move while Congress was still in session is one example of his disregard for Congress.

Another example of his disregard for Congress was shown in the recently proposed merger of the Reserves and the guard which the Secretary of Defense announced while Congress was out of session.

Allow me to cite a further instance. This body will recall that we became concerned over the Defense Department's planned closing of the production of long-distance bombers 3 years ago. Congress for 2 successive years authorized and appropriated funds for the continued procurement of B-52 bombers and also for the development of a new and better long-distance bomber. Secretary McNamara refused to use this money. Production on the B-52 bomber ceased and the production lines were destroyed in 1962. Frankly, we are out of business in the production of long-distance bombers. Every time that you see in the paper of the destruction of a B-52 bomber, that is one lost that cannot be replaced. Almost every day we read about how effective these B-52's are and how badly they are needed in Vietnam. It is becoming more and more clear that Congress was right and McNamara wrong in the disagreement over the production of long-distance bombers. A clearer understanding and cooperation between the executive branch and Congress would have prevented this error.

At this point, I would like to call attention to another situation which, although not directly connected with section 611, does point out the value of close cooperation between the executive and legislative branches in matters of national defense. Almost 13 years ago, the Armed Services Committee created a special Real Estate Subcommittee which, among its many duties, passes on the disposition of military real estate after the Department of Defense has ruled that none of the services have further use for the property. These dispositions include not only military bases but industrial establishments such as factories that have been constructed by one of the military services. In these hearings regarding the disposal of these industrial properties, it has become apparent that many factories have been constructed by the military that were totally unnecessary. In some instances the taxpayers' money has been squandered and the military strength injured by such shortsighted planning that permits the expansion of installations, and yet, while the carpenters and other builders are still at work, the authorization for closing the base is being asked.

In other cases factories have been built with the taxpayers' money when private industry was producing in its own plants all of the products that were needed. Many other factories have been built on land that the Government did not even own and many have been constructed so that access could only be gained through private property. These dispositions of industrial properties have run into the many hundreds of millions of dollars. While it is often necessary and proper that the Government should at times construct factories to produce military equipment and supplies, it soon became apparent to the committee that the Government's construction of these factories had gotten completely out of hand and at times approached criminal negligence.

On September 7, 1961, Carl Vinson, then chairman of the House Armed Services Committee, wrote to the Department of Defense asking that the Armed Services Committee be informed of any future proposed industrial construction. While there was not any clear agreement on this subject between the Armed Services Committee and the Secretary of Defense, a working arrangement was evolved. I am satisfied that this working agreement is saving a great deal of money and also is adding to our military strength.

There are persons who believe that Congress should only be a rubberstamp for the desires of the executive branch. Not only is such a theory contrary to our Constitution but it would unquestionably injure our military strength. During the time that I have been personally acquainted with Congress, I have found it always as aware, alert, and dedicated to our country's needs as has been the executive branch. Each must fulfill its responsibility with wisdom, dedication, and cooperation. Because we, as Congressmen, are dedicated to the welfare of our country, we have agreed to this revised version of section 611. Let us trust that in the future we will be able to return to the type of cooperation and respect between the executive and legislative branches that did exist for many years.

Mr. ARENDS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, since the new section 609 will be offered as a committee amendment, I take this time for the purpose of asking a question of the gentleman from Virginia [Mr. HARDY], the author of the amendment. Will the gentleman be kind enough to explain the reason for reversion to the language of the original House-passed bill instead of the language adopted in conference?

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, as I am sure you recall, the investigating subcommittee, of which you are a valuable member, studied in considerable depth certain practices engaged in by the Aerospace Corp. under Air Force contracts. During that investigation, we learned that the Aerospace Corp. had constructed facilities and acquired real estate costing about $22 million, despite the fact that adequate Government-owned facilities were available or could have been made available at a fraction of the costs incurred. The costs of these facilities—including interest on mortgages are being charged to Government contracts.

To stop this, the committee inserted a provision requiring that every contract between the Secretary of the Air Force and the Aerospace Corp. prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corp. unless the construction or acquisition had first been authorized to the Air Force by the Congress.

The Senate previously deleted that provision. At the conference, it was the consensus that this prohibition should be broadened to include contracts with all nonprofit corporations entered into by each of the services. Such broadening language was rewritten by the conferees, and subsequently approved by both the House and the Senate. More recently, however, it appears that the language may be too restrictive, particularly on certain nonprofit organizations which are privately sponsored and which derived much of their capital structure from other than Federal Government sources.

While, I believe, and I think the committee believes that the broader objective is desirable, it seems preferable to limit immediate coverage of the provision to the one corporation. We hope soon to look at the contracts with other nonprofits so that in the bill next year we can take whatever action is needed.

We have reason to believe that the Senate will now accept the language of this amendment.

Mr. GUBSER. Mr. Speaker, I thank the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, I appreciate the gentleman's clearing that point up.

Mr. BATES. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, of course, I am in favor of military construction and our hearings, including our past votes, and the separate views in the committee report, are replete without past and present intent re: that portion of the bill. I compliment the chairman of the committee and the ranking minority members of the committee on their statements.

I agree explicitly with the statement of the distinguished gentleman from South Carolina, except perhaps in four instances, plus the overall observation that I have never heard so many speeches in favor of constitutionality and in favor of a position of the House, but they voted otherwise.

I think the record that has been made here today makes well and clear my case for constitutionality, for section 7 versus section 8 of article I of the Constitution. And I wonder whether we as the originating body of the Congress, could do less. I think these speeches, better than I perhaps, explain my position on the prerogatives of the Congress vis-a-vis the executive branch of the Government having been eroded; and the responsibility of the Congress for defense versus frugality in bases, camps, posts, and stations, where U.S. protection and policy of the Armed Forces are concerned.

Finally, as a member of the Special Joint House-Senate Committee on the Organization of the Congress, I am particularly alert to our relations with other Government branches. I do not agree that we will have a second chance. I do not agree that men fail to come and go, and therefore any verbal agreements between them as individuals and us as a body has no standing in the legislative record. I do not agree with the 30-day provision. I do not agree that we are consistent in avoiding the question, of defeat and overriding of the President's veto.

Therefore, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include first, an emphasized statement of the amendment that I would have preferred over section 611; second, an emphasized statement of the U.S. Constitution as referred to; third, an emphasized statement of the hearings in the committee; and, fourth, the statement that I made at that time and my other remarks as printed herein under the assumption that we would have greater control of it had we not been in favor of the bill and hence not demanded the second, as a privilege your esteemed and able ranking minority member.

The SPEAKER pro tempore. Is there objection to the unanimous consent request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the House listened to the veto message from the President setting forth his reasons for returning H.R. 8439 without his approval. The sad occasion of the passing of our colleague, the Honorable Clarence Brown, precluded any further comment at that time on the President's action.

It is perhaps encouraging to note that the President, after almost 2 years in office, is now concerned by what he calls "a fundamental encroachment on one of the great principles of the American constitutional system—the separation of powers between the legislative, judicial, and executive branches."

There are some of us here who have long been similarly concerned at the breakdown of our constitutional system, but until now we have received precious little response from the White House, which we regard as the chief promulgator, rather than the victim, of this encroachment.

Let us review this question of "encroachment." The Constitution clearly places responsibility for legislating upon the legislative branch. Yet, few would deny that most of the major bills of the 89th Congress have been written by the White House staff or its 10 Cabinet extensions, and not by any legislative staff. On at least two or three occasions, there has been a brazen admission that the White House wanted a bill passed in a certain form without changing a single comma, as for example in the Federal aid to education bill, when the Senator from Oregon advised his colleagues that the White House wanted the bill passed in exactly the form it cleared the House. Speaking of encroachment of powers, has there ever been a better example of the pot calling the kettle black?

And what about the many reorganization schemes proposed by this administration wherein the constitutional process would be reversed, with the President legislating and the initiative of the Congress limited to a veto authority, usually reserved for the executive branch? The Congress, perhaps derelictly, actually yielded this, in the so-called Reorganization Act of 1949 and the Government Controls and Accounting Act of 1921, as amended. In my opinion it is time we recouped.

The Constitution clearly states "no money shall be drawn from the Treasury, but in consequence of appropriation made by law," yet the administration has consistently used its powers of persuasion to gain support for back-door spending authority, which bypasses the constitutional requirement, or even commits future Congresses, yet to be elected.

So, now, at long last, the President, in his veto of the military construction authorization bill, has, like Rip Van Winkle, awakened from a long sleep, and has taken note of the encroachment by one branch of Government upon the other.

But, he has chosen the wrong example, used the wrong words, and found the wrong party guilty.

"Repugnant" is the word used by the President to describe the collective and unanimous judgment of this House and the whole Congress. Granted that the Congress has no appointed Attorney General to advise it, but it does have a competent professional staff in committee. And, it has many Members whose legal backgrounds compare favorably with the background of any appointed Attorney General in the past 5 years.

The bill which the President vetoed did not require concurrence by the Congress in the closing of any military base. It did require 120 days notification to the House and Senate Armed Services Committees before such action could be taken. Then, if the Congress in its widsom wished to defer any action, it specifically had to enact such legislation into law during consideration of the annual military construction bill. The President seems to regard this as "repugnant", but it was not nearly so repugnant as was the action taken by the executive branch a few months ago when many Members of Congress responsible for all military appropriations had to depend on the news media to learn of base closings of vital concern to them, and to our national defense, and while the Congress was in adjournment.

The Constitution in article 1, section 8, says the Congress shall have the power "to raise and support armies—to provide and maintain a navy—to make rules for the Government and regulation of land and naval forces."

The language in the bill passed by the Congress was nothing more than an exercise of this responsibility under the Constitution. The execution of policy under the bill remained with the executive branch, but Congress merely reserved the historic right to study and review through surveillance and oversight the administrative proposals, and to enact further legislation if it desired.

In the current hearings of the House-Senate Joint Committee on the Organization of the Congress and its relationship to other governmental agencies, I hear much more complaint by witnesses of repute about the loss of legislative perogative than I do encroachment on the executive.

If Congress succumbs to the veto of H.R. 8439, we increase the danger of Executive withholding of appropriations duly authorized by Congress, or capriciously closing bases which this Congress has authorized on the basis that the national security requirements determined by Congress outweigh the alleged economies. War and preparedness are perhaps always wasteful, but traditionally our people expect adequate defense, even though costly.

We may retreat; we may back up; we may "shy away" from a confrontation with one whose political prowess—and use of the "Texas twist"—is so well publicized. But, we will do a far better service to the Nation and to the principle of "equal but separate power," in government; if we uphold our original unanimous and collective judgment and protect the integrity of the legislative branch of government. I say, let us again pass H.R. 8439, over the President's veto.

Amendment by Representative Hall, of Missouri

Sec. 611. No camp, post, station, base, yard, or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of sixty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives, whenever it is not inconsistent with the national interests, such reports shall be submitted prior to April 1 of each year.

(b) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.

Quote From U.S. Constitution

Article I, section 7: All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; If he approve he shall sign it, but if not approved he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within 10 days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Statement

Mr. Hall. Mr. Chairman, I have thought very deeply about this situation ever since I learned Saturday evening, what had happened. I know well the position of the "big seven" on our committee. I have consulted with many of you in our committee. If I might paraphrase the Bard, methinks they protested too much.

I think our image has already been cast in the media and by the power of the Presidential stump (or platform), from which he speaks, of "slinking away from our responsibility."

I early realized and read in the House rules of procedure the facts of the legislative situation, and it was for this reason that yesterday I objected on the floor of the House to the conference committee of the Committee on Appropriations, between the two bodies, for consideration of the differences between the two Houses on the annual military construction appropriation bill; namely, simply that there is no authorizing legislation: The monkey is on the President's back. He vetoed the bill approved by both bodies, per unanimous votes.

We do have three options. They may be embellished one way or the other; namely, first, we can do nothing, until the executive branch of the Government screams for however many items they must have, on the construction list.

Secondly, as you have suggested, we can change one comma, one paragraph, or one section, and this of course makes it a new bill which will come back through the Rules Committee onto the floor of the House, and means capitulation to the veto.

And third, of course, any Member, as a privileged motion, may move to discharge the committee and override the veto.

Frankly, this is not a question of acceptance of anyone's word, including the President's, because they change and this committee goes on forever. It isn't a question of base closure announcements or of partnership with the other branch. It isn't a question of whether the agreement is verbal and acceptable or whether even it is in writing. The question in my opinion is one of the Constitution, the prerogatives of the Congress, and if anything has ever been evident, Mr. Chairman, my long service for 8 months of this year on the Special Joint House-Senate Committee on the Organization of the Congress has made it apparent that the mood of political science professors, the mood of the Congressmen themselves, and the mood of outside commentators who have appeared in testimony before this committee, is to strengthen the legislative branch, and remove power from the executive and judicial, which has perhaps been unjustly and unconstitutionally seized.

Not least among these questions is the question of the image of our committee and of our chairman. I have early and often told my chairman that I would do anything within equity and justice that I could to support him. I think I have done so. I have even gone further than that in advice as to strategy.

To me the poorest thing that we can do at this time is to step down and not meet this question head on, because it is no longer a question of the constitutionality, gentlemen, is a question of the veto, and what is the Congress going to do about it. It is a question of letting the people of the United States down on the question of what we in our collective wisdom, as elected representatives, feel is an adequate, albeit expensive, defense; or whether we are going to let some appointed official make a decision and override our collective and oftentimes unanimous judgment as to what constitutes adequate defenses and bases for the protection and preparation for defense of this country.

This Congress and our committee has many eminent attorneys among them, and we hire the best of counsel, of which I am proud, but we do not have a corps of appointed officials, including the Attorney General, who read as the Executive wishes whatever inflection into the Constitution and interpretation thereof, and indeed the Supreme Court are collectively appointed officials of the Presidents.

I want to say, Mr. Chairman, that there are some of us here who have long been similarly concerned at the breakdown of our constitutional system to the espoused statement of the President in his veto message. But up until this time, we received precious little response from the White House, which in this instance I regard as the chief promulgator of that breakdown, rather than a victim of this encroachment.

The opening sentence wherein he states he has been advised by his appointed Attorney General that certain provisions of the bill are repugnant to the Constitution is a phrase used by the President to describe the collective and unanimous judgment of this House and the whole Congress. And granted that we have no Attorney General to advise us, we do have competent professional staff, and I notice that none of you who, in the interest of the situation at the time were maintaining an image vis-a-vis respect, have claimed otherwise. And our Members' background compares favorably with the background of the appointed Attorney General.

Mr. Chairman, I feel that we may retreat, we may back up, we may obviate our responsibility and we may shy away from the confrontation with one whose political prowess is well publicized, but we would do a far greater service to the Nation and to the principle of equal but separate powers in Government if we would uphold our original unanimous collective judgment and protect the integrity of the legislative branch of government.

I say therefore let's again pass H.R. 8439 as it is and override the President's veto, and I would like to retain all rights and privileges so to say at any time.

Mr. LEGGETT. Mr. Speaker, I would take this time to compliment the leadership of the Armed Services Committee for first, the pioneering of a clause, section 611, in the military construction bill, bringing the base closure limitation to the floor of the Congress, and passing the same unanimously at the outset over a month ago.

Second, for standing up in conference with the Senate for a slightly modified version and obtaining passage of this limitation by both Houses of Congress.

Third, for commendable restraint in not stampeding to override the President on this very important veto issue but in an effort of strength and conciliation negotiating with both the White House and the Department of Defense on the current language of section 611.

We are arguing now over procedure and semantics.

Nobody doubts that the Congress has plenary authority to overrule the President on any and every base action in the United States to close, open, or modify the same. Argument is now only over how do we do it? By special law or the military construction bill we have the power obviously. The committee has negotiated and obtained the power outside of an act of Congress and is to be commended sincerely for this valuable addition to the working tools of the Congress.

Mr. BOB WILSON. Mr. Speaker, since I opposed the Presidential veto of this bill, I want to call the attention of the House to some of the weird happenings within the Department of Defense as a result of one of the first of the shipyard phaseout programs initiated by Secretary McNamara. Under the guise of economy, administrative and overhead costs resultant from numerous and unnecessary ship deployments are increasing astronomically.

Morale of naval personnel separated from their families as a result of these deployments is disintegrating daily. The peripatetic wanderings of Navy civilian employees are overshadowed only by our space voyagers.

My home district in San Diego presently holds the dubious distinction of having a 7.2 percent unemployment rate. Much of this unemployment is directly traceable to the phaseout of the naval repair facility.

Many former employees of this facility, trusting McNamara's promises, have chosen to remain in the area, and have been entered on supposed reemployment priority lists, in the hope that normal attrition would restore them to Federal service, and a resumption of their interrupted careers.

Most of these former employees are subsisting on unemployment insurance benefits, but, as it happens, when vacancies do occur, we find that many of these people are not selected.

Instead, we find many persons filtering back into San Diego, who have had relocation expenses paid to jobs which they held for just a few months of service. The transfer of these people has not solved their unemployment problem. We also find that many persons from activities undergoing phaseouts thousands of miles from San Diego are being relocated at Government expense to fill more of these vacancies. What has happened to the reemployment priority rights of the San Diego phasees?

If the Secretary of Defense is disrupting our defense mechanism in the name of economy, at least his procedure should be economical.

It is not economical to spend huge sums to relocate mechanics, only to have them leave their jobs within a few months to return to their original areas to fill jobs that could and should be filled by men drawing unemployment benefits, and who hold reemployment priorities.

It is not economical to relocate New Yorkers at Government expense, bringing them to San Diego to fill jobs that are sorely needed by San Diegans who supposedly have reemployment rights.

Secretary McNamara's programs obviously need careful scrutiny. Thus far, these programs in many instances have succeeded only in creating confusion, disrupting homes, increasing Government expense in many areas, and have placed many faithful civil service employees on a dole, while jobs they could fill are being given to persons whose astronomical relocation expenses are Government paid.

Moreover, in San Diego, the phaseout program has detracted from our defense capabilities, and lowered morale, at a time when we need all that we can muster.

These are only some of the practical reasons why I believe Congress should have the authority to approve closings or transfers of military bases. Many of the problems created by presently phased out bases could have been solved if Congress had been consulted.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 10775, the revised bill authorizing construction at military installations during fiscal year 1966.

This bill is identical to H.R. 8439 as amended by the conferees and accepted by the House, except that section 611, relating to the closure or abandonment of military installations by the executive branch, has been amended to comply in part with the objections to it expressed by the President in his veto message.

I should like to make a few remarks about the controversial section 611, as amended by our committee.

I supported section 611 in its stronger form, then known as section 608, when this body first debated the old H.R. 8439 on June 10. I remarked then, that more reasonable procedural guidelines ought to be established for consideration of future consolidations of military installations. I stated then, and I will state again today, that it is intolerable for so-called economy decisions to be announced to the press before they are announced to the appropriate committees of Congress or to the individual Members most affected by the decisions. I am still willing to assert that such decisions ought to be justified in detail to the appropriate elected representatives of the people prior to taking effect.

Whether the amended section 611 achieves these objectives is problematic and open to question. The question is whether this body has any real choice today about accepting this compromise or not. Our military organization and our boys in uniform fighting in far flung corners of the globe, need this bill now. They cannot wait while the Congress decides whether the highest officials of the executive branch mean what they say when we are assured there will be no future debacle of base closings similar to the one witnessed last November. There are 1,299 separate items in this bill, affecting vital military bases all over the world and it is questionable whether we ought to jeopardize them while we use this particular bill to convince the Chief Executive to take the inevitable next steps in increasing his consultation with the Congress on military affairs.

The new section does at least take some tentative first steps toward protecting the constitutional prerogatives of the Congress to raise and support armies and navies and to make rules for the Government and regulation thereof.

Section 611 does require that the executive branch must provide to the Committee on Armed Services a full report of the facts and a full justification for any proposed military base closure. If that obligation is faithfully discharged by the Secretary of Defense, the Congress will be able to carry out more effectively its own obligations to the national defense.

Moreover, the establishment of a 30-day statutory waiting period before execution of such consolidation orders establishes an important precedent which will no doubt affect the degree to which proper consultation with the Congress takes place in the future. No less encouraging are verbal assurances given by this administration that base closures will not be treated as surprises and as deep secrets to be sprung on an unsuspecting Congress with no notice or during periods of adjournment.

Yet we must not forget that these are only first steps, and that the Congress has a long way to go to stop the erosion of its powers by the executive branch. We are a long way from the mandatory consultation procedures established in the original House version of this bill. And we are even further away from exercising the kind of effective oversight of the national defense envisioned by the Founding Fathers.

Thus, while I do not agree with some of my colleagues on the Armed Services Committee who urge the Congress to override the President's veto and stick by the language adopted previously by the conferees, I do believe that unless there is increasing evidence of more extensive cooperation between the Department of Defense and the Congress of the United States the committee should get ready to reconsider our actions at some future time.

September of 1965 is not the time to wage a controversial fight to test the reasons recited in the text of the message of August 21 which returned H.R. 8439 without Presidential approval. As a Congress we have obligations to our men in Vietnam. Even the suggestion that the military construction bill might be long delayed could have the very worse psychological effect upon our fighting men. This long-drawn-out debate could be interpreted by our enemies in southeast Asia as disunity among ourselves. H.R. 10775 gives assurance that hereafter the Congress would be a partner in national security matters. This principle has been established. The entire committee believes the President will recognize that principle. Along with other Members, I believe we will be better informed hereafter. Section 611 of the new bill provides the means to a new and better era of understanding between the committee and the Department of Defense. H.R. 10775 should be passed without one single dissent.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 10775, as amended.

Mr. **RIVERS** of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 347, nays 0, not voting 85, as follows:

[Roll No. 263]

YEAS—347

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Celler
Clancy
Clark
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Cramer
Culver
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—85

Andrews, George W.
Ashbrook
Bandstra
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Cameron
Carey
Chamberlain
Chelf
Clausen, Don H.
Clawson, Del
Clevenger
Corman
Craley
Cunningham
Curtis
Derwinski
Diggs
Dwyer
Edwards, Ala.
Feighan
Flood
Frelinghuysen
Fulton, Tenn.
Gallagher
Goodell
Grabowski
Gray
Griffiths
Halpern
Hanna
Hébert
Hungate
Hutchinson
Jacobs
Kee
Keogh
Kluczynski
Kornegay
Landrum
Lindsay
McCarthy
McMillan
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mills
Nix
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Pepper
Poage
Powell
Quillen
Reid, Ill.
Reifel
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Senner
Slack
Stephens
Sweeney
Thomas
Todd
Toll
Tuck
Tunney
Van Deerlin
Vanik
Wilson, Charles H.
Zablocki

So (two-thirds having voted in favor thereof) the motion was agreed to.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Martin of Massachusetts.

Mr. Hébert with Mr. Ashbrook.

Mr. Keogh with Mr. Halpern.

Mr. Feighan with Mr. Berry.

Mr. Sweeney with Mr. Hutchinson.

Mr. Toll with Mr. Goodell.

Mr. Roncalio with Mr. Frelinghuysen.

Mr. Rostenkowski with Mrs. Dwyer.

Mr. George W. Andrews with Mr. Edwards of Alabama.

Mr. Fulton of Tennessee with Mr. Chamberlain.

Mrs. Griffiths with Mr. Derwinski.

Mr. Pepper with Mr. Cunningham.

Mr. Todd with Mr. Thomas.

Mr. Slack with Mr. Curtis.
Mr. Roosevelt with Mr. Del Clawson.
Mr. Vanik with Mr. Saylor.
Mr. Charles H. Wilson with Mr. Don H. Clausen.
Mr. Zablocki with Mrs. Bolton.
Mr. Senner with Mr. Reifel.
Mr. Barrett with Mr. Reid of New York.
Mr. Bonner with Mr. Quillen.
Mr. Cameron with Mr. Martin of Alabama.
Mr. Corey with Mr. MacGregor.
Mr. Madden with Mr. Latta.
Mr. Macdonald with Mr. McCarthy.
Mr. Kluczynski with Mr. Kornegay.
Mr. Bandstra with Mr. Nix.
Mr. Chelf with Mr. Corman.
Mr. Craley with Mr. Diggs.
Mr. Flood with Mr. Gallagher.
Mr. Gray with Mr. Grabowski.
Mr. Hanna with Mr. McMillan.
Mr. Mills with Mr. Passman.
Mr. Poage with Mr. Roberts.
Mr. Powell with Mr. Tunney.
Mr. Tuck with Mr. Van Deerlin.
Mr. Ryan with Mr. Jacobs.
Mr. Selden with Mr. Hungate.
Mr. Kee with Mr. Landrum.
Mr. O'Neal of Georgia with Mr. Clevenger.
Mr. Patman with Mr. Tuck.
Mr. Stephens with Mr. Mackie.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

INCREASING RATES OF SERVICE-CONNECTED COMPENSATION FOR VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 168) to amend title 38 of the United States Code to provide increases in the rates of disability compensation to reflect the increase in the cost of living from the year 1933, as amended.

The Clerk read as follows:

H.R. 168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$20" in subsection (a) and inserting in lieu thereof "$21";

(2) by striking out "$38" in subsection (b) and inserting in lieu thereof "$40";

(3) by striking out "$58" in subsection (c) and inserting in lieu thereof "$60";

(4) by strking out "$77" in subsection (d) and inserting in lieu thereof "$82";

(5) by striking out "$107" in subsection (e) and inserting in lieu thereof "$113";

(6) by striking out "$128" in subsection (f) and inserting in lieu thereof "$136";

(7) by striking out "$149" in subsection (g) and inserting in lieu thereof "$161";

(8) by striking out "$170" in subsection (h) and inserting in lieu there of "$186";

(9) by striking out "$191" in subsection (i) and inserting in lieu thereof "$209";

(10) by striking out "$250" in subsection (j) and inserting in lieu thereof "$300";

(11) by striking out "$525" in subsectons (k) and (o) and inserting in lieu thereof "$600";

(12) by striking out "$340" in subsection (l) and inserting in lieu thereof "$400";

(13) by striking out "$390" in subsection (m) and inserting in lieu thereof "$450";

(14) by striking out "$440" in subsection (n) and inserting in lieu thereof "$525";

(15) by striking out "$200" in subsection (r) and inserting in lieu thereof "$250"; and

(16) by striking out "$290" in subsection (s) and inserting in lieu thereof "$350".

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 2. (a) Section 315(a)(1) of title 38, United States Code, is amended—

(1) by striking out "$23" in subparagraph (A) and inserting in lieu thereof "$25";

(2) by striking out "$39" in subparagraph (B) and inserting in lieu thereof "$43";

(3) by striking out "$50" in subparagraph (C) and inserting in lieu thereof "$55";

(4) by striking out "$62" and "$12" in subparagraph (D) and inserting in lieu thereof "$68" and "$13", respectively;

(5) by striking out "$15" in subparagraph (E) and inserting in lieu thereof "$17";

(6) by striking out "$27" in subparagraph (F) and inserting in lieu thereof "$30";

(7) by striking out "$39" and "$12" in subparagraph (G) and inserting in lieu thereof "$43" and "$13", respectively; and

(8) by striking out "$19" in subparagraph (H) and inserting in lieu thereof "$21".

(b) Such section 315(a)(1) is further amended by (1) striking out "and" at the end of subparagraph (G), (2) striking out the period at the end of subparagraph (H) and inserting in lieu thereof "; and", and (3) adding at the end thereof the following:

"(I) notwithstanding the other provisions of this subsection, the monthly amount payable on account of each child who has attained the age of eighteen years and who is pursuing a course of instruction at an approved educational institution shall be $40 for a totally disabled veteran and proportionate amounts for partially disabled veterans in accordance with paragraph (2) of this subsection."

(c)(1) Section 101(4)(C) of title 38, United States Code, is amended by striking out "twenty-one years" and inserting in lieu thereof "twenty-three years".

(2) Section 414(c) of title 38, United States Code, is amended by striking out "twenty-one" and inserting in lieu thereof "twenty-three".

SEC. 3. (a) Section 360 of title 38, United States Code, is amended (1) by inserting immediately before the words "the Administrator" the following: "or (3) has suffered total deafness in one ear as a result of service-connected disability and has suffered total deafness in the other ear as the result of non-service-connected disability not the result of his own willful misconduct," and (2) by inserting immediately after the words "kidney involvement" the following: "or such total deafness in both ears".

(b) Such section 360 is further amended by adding the following at the end of the catch line: "or bilateral deafness".

(c) The analysis of chapter 11 of such title 38 regarding section 360 is amended by inserting immediately before the period at the end thereof: "or bilateral deafness".

(d) Section 314(o) of title 38, United States Code, is amended by deleting the words "has suffered total deafness" and substituting in lieu thereof the words "if the veteran has suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at 60 per centum or more disabling and the veteran has also suffered service-connected total blindness with 5/200 visual acuity or less,".

(e) Section 314(p) of title 38, United States Code, is amended by deleting "$525; and" and substituting therefor the following: "$600. In the event the veteran has suffered service-connected blindness with 5/200 visual acuity or less and (1) has also suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at no less than 40 per centum disabling, the Administrator shall allow the next higher rate, or (2) has also suffered service-connected total deafness in one ear, the Administrator shall allow the next intermediate rate, but in no event in excess of $600;".

SEC. 4. (a) Section 415(b) of title 38, United States Code, is amended to read as follows:

"(b)(1) If there is only one parent who has not remarried, dependency and indemnity compensation shall be paid to him at a monthly rate equal to the amount under column II of the following table opposite his total income shown in column I:

"Column I		Column II
Total annual income		
More than— but	Equal to or less than—	
	$1,000	$83.
$1,000	$1,250	$66.
$1,250	$1,500	$50.
$1,500	$1,750	$33.
$1,750	$2,000	$17.
$2,000	--------------	No amount payable.

"(2) If there is only one parent who has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to him under either the table in subsection (b)(1) or the table in subsection (d), whichever rate is the greater. In such a case of remarriage the total combined annual income of the parent and his spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the designated tables."

(b) The table in section 415(c) of title 38, United States Code, is amended to appear as follows:

"Column I		Column II
Total annual income		
More than— but	Equal to or less than—	
	$1,000	$55.
$1,000	$1,250	$44.
$1,250	$1,500	$33.
$1,500	$1,750	$22.
$1,750	$2,000	$11.
$2,000	--------------	No amount payable."

(c) The table in section 415(d) of title 38, United States Code, is amended to appear as follows:

"Column I		Column II
Total annual income		
More than— but	Equal to or less than—	
	$1,500	$55.
$1,500	$1,850	$44.
$1,850	$2,200	$33.
$2,200	$2,550	$22.
$2,550	$3,000	$11.
$3,000	--------------	No amount payable."

SEC. 5. Section 560(b) of title 38, United States Code, is amended by striking out ", who has attained the age of forty years,".

SEC. 6. Section 106 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) Each person who has incurred a disability as a result of an injury or disease described in subsection (b) shall be entitled to the same rights, privileges, and benefits under the Act of June 27, 1944 (58 Stat. 387–391), as a person described in section 2(1) of such Act."

SEC. 7. Subsection (c) of section 230 of title 38, United States Code, is amended to read as follows:

"(c) The Administrator shall establish and maintain an office in Europe at such location as he deems appropriate. The head of such office shall be responsible for the performance of such duties as may be prescribed by the Administrator in the administration and operation of veterans' programs in that area and shall, during his tenure in such position, be accorded by the Secretary of State the diplomatic designation of Attaché."

SEC. 8. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following:

"§ 4116. Defense of certain malpractice and negligence suits

"(a) The remedy by suit against the United States as provided by section 1346(b) of title 28 for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, or nurse in furnishing medical care or treatment while in the exercise of his duties in the Department of Medicine and Surgery, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, or nurse (or his estate) whose act or omission gave rise to such claim.

"(b) The Attorney General shall defend any civil action or proceeding brought in any court against any physician, dentist, or nurse (or his estate) of the Department of Medicine and Surgery for any such damage or injury. The physician, dentist, or nurse against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Administrator to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Administrator.

"(c) Upon a certification by the Attorney General that the defendant physician, dentist, or nurse was acting in the scope of his employment in the Department of Medicine and Surgery at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (a) of this section is not available against the United States, the case shall be remanded to the State court.

"(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect."

(b) The analysis of such chapter 73 is amended by adding at the end thereof the following:

"4116. Defense of certain malpractice and negligence suits."

(c) Section 4116 of title 38, United States Code, as added by subsection (a) of this section shall take effect on the first day of the calendar month which first occurs more than one hundred and eighty days after the date of enactment of this Act, and shall apply only to an act or omission occurring before such date with respect to which no suit or civil action has been commenced.

SEC. 9. (a) Subsection (c) of section 5033 of title 38, United States Code, is hereby repealed.

(b) Section 5034(1) of such title is amended by striking out "one-half bed" and inserting in lieu thereof "one and one-half beds".

SEC. 19. (a) Section 5001(a) of title 38, United States Code, is amended by redesignating paragraph (2) thereof as paragraph (3) and by inserting immediately after paragraph (1) thereof the following:

"(2) The Administrator, subject to the approval of the President, is authorized to establish and operate not less than one hundred and twenty-five thousand hospital beds in facilities over which the Administrator has direct and exclusive jurisdiction for the care and treatment of eligible veterans who are tuberculosis, neuropsychiatric, medical, and surgical cases."

(b) Paragraph (3) of such section (as redesignated by subsection (a) of this section) is amended by adding at the end thereof the following new sentence: "The nursing beds authorized by this paragraph shall be in addition to the hospital beds provided for in paragraph (2) of this subsection."

SEC. 11. The amendments made by the first section and sections 2, 3, 4, and 5 of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Amend the title so as to read: "A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes."

The SPEAKER pro tempore. Is a second demanded?

Mr. ADAIR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill, as reported to the House, provides an approximate 10-percent increase in the rate of compensation payable to service-connected disabled veterans. It is the result of a series of hearings held in April before the Subcommittee on Compensation and Pension and two executive sessions by that subcommittee.

I want to take this occasion to particularly commend the subcommittee chairman, the gentleman from South Carolina, Mr. DORN, and his colleagues Messrs. KORNEGAY, ROBERTS, RONCALIO, HANLEY, FINO, CHARLES M. TEAGUE, and SAYLOR.

The last increase voted for this particular group was in Public Law 87–645, which was effective October 1, 1962.

Section 1 increases the basic rates of compensation. In the case of the veteran with a total disability the increase is from $250 monthly to $300 monthly, with the highest rate being set at $600 monthly in lieu of the present $525. The committee has adhered to the policy first adopted in the 82d Congress by giving the greatest increase to those veterans who have the greatest disability.

Mr. Speaker, I include as a part of my remarks a table showing the rate structure:

Rates of compensation for wartime service-connected disabilities

		War service-connected rates—	
		Law	H.R. 168
(*a*)	10-percent disability	$20.00	$21.00
(*b*)	20-percent disability	38.00	40.00
(*c*)	30-percent disability	58.00	60.00
(*d*)	40-percent disability	77.00	82.00
(*e*)	50-percent disability	107.00	113.00
(*f*)	60-percent disability	128.00	136.00
(*g*)	70-percent disability	149.00	161.00
(*h*)	80-percent disability	170.00	186.00
(*i*)	90-percent disability	191.00	209.00
(*j*)	Total disability	250.00	300.00
(*k*)	Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, or complete organic aphonia with constant inability to communicate by speech, or deafness of both ears, having absence of air and bone conduction, rates (*a*) to (*j*) increased monthly by	47.00	47.00
	Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, or complete organic aphonia with constant inability to communicate by speech, or deafness of both ears, having absence of air and bone conduction, in addition to requirement for any of rates in (*l*) to (*n*), rate increased monthly for each loss or loss of use by	[1]47.00	[2]47.00
(*l*)	Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	340.00	400.00
(*m*)	Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place or has suffered blindness in both eyes having only light perception or has suffered blindness in both eyes, rendering him so helpless as to be need of regular aid and attendance, monthly compensation	390.00	450.00
(*n*)	Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation	440.00	525.00

[1] But in no event shall the total payable under subsec. (k) exceed $525.

[2] But in no event shall the total payable under subsec. (k) exceed $600.

Rates of compensation for wartime service-connected disabilities—Continued

	War service-connected rates—	
	Law	H.R. 168
(*o*) Suffered disability under conditions which would entitle him to 2 or more rates in (*l*) to (*n*), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation	$525.00	$600.00
(*p*) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	525.00	600.00
(*q*) Minimum rate for arrested tuberculosis	67.00	67.00
(*r*) If entitled to compensation under (*o*), or the maximum rate under (*p*), and in need of regular aid and attendance, while not hospitalized at Government expense, additional monthly aid and attendance allowance	200.00	250.00
(*s*) If totally disabled and (1) has additional disability independently rated at 60 percent or more; or (2) is permanently housebound	290.00	350.00

NOTE.—Peacetime rates are 80 percent of wartime rates.

Section 2 of the bill increases the rates payable to a veteran who has a wife from $23 monthly to $25 monthly. This is in addition to his basic compensation. Proportionate increases are paid to those veterans who have a disability rated at 50 percent or more and who have dependents. This same provision of law authorizes today a monthly allowance for a veteran who is totally disabled a rate ranging from $12 to $16 for each child. The committee has raised this $16 monthly payment to $40 in the case of a child who is between the ages of 18 and 23 and who is attending school on a full-time basis.

Section 2 also raises generally the length of time which a veteran may receive compensation for a child who is attending school. The present law provides for a cutoff at age 21. This bill would set it at age 23, in line with the benefits available under the war orphans' educational assistance act.

Section 3 provides increased new rates for blinded veterans who also have serious impairment of their hearing. The effect of this section which was suggested by the Blinded Veterans' Association, is quite limited in its application.

Public Law 881 of the 84th Congress established a program of dependency and indemnity compensation for the survivors of veterans dying from a service-connected disability. The vast majority of the payments made under this law obviously go to widows and children of such veterans. However, 38,000 parents are on the dependency and indemnity compensation rolls today who must meet an income limitation which today ranges from a minimum of $750 to a maximum of $1,750 for a single parent, and from $1,000 to $2,400 in the case of two parents living together. The committee has raised these income limits to a minimum of $1,000 and a maximum of $2,000 for a single parent and $1,500 to $3,000 for two parents living together. This is intended to reflect the changes which have occurred in the increase in cost of living since the dependency and indemnity compensation law became effective January 1, 1957. The rates were increased 10 percent by Public Law 88-21, approved May 15, 1963.

Section 5 removes the 40-year age requirement presently in the law with regard to the payment of $100 a month to all holders of the Congressional Medal of Honor. Only 23 veterans are under the age of 40 and who hold this Medal of Honor. This section would permit all of them to receive the $100-a-month pension.

Under existing law an individual who is on his way to be inducted into one of the branches of the Armed Forces and who is injured in the course of such reporting for duty is entitled to service-connected compensation. Section 6 of this bill would extend, under the same conditions, the benefits of the Veterans' Preference Act to such an individual.

This section provides that the head of our Rome VA office shall be accorded the diplomatic designation of attaché. Such status has long been provided for the head of the other VA Foreign Office located in Manila, Republic of the Philippines.

The area served by our Rome office is a large and important one. It includes the 21 nations of Western Europe where there are more than 9,000 American veterans and their dependents who receive annual payments totaling $20 million, as well as other benefits provided under laws administered by the Veterans' Administration.

The granting of diplomatic status to the manager of our Rome office and the key members of his staff will substantially aid the Veterans' Administration in carrying out its responsibilities. In the performance of their assigned duties, it is essential that key personnel in our Rome office travel extensively throughout Europe to some 60 State Department posts. In addition, our people must meet and deal with international groups, foreign government and quasi-government officials on matters of mutual interest concerning veterans and benefits provided for them. On occasions, assigned duties performed by our representatives have required them to travel beyond the limits of Western Europe. Travel in Bulgaria, Jordan, Israel, and Cyprus are examples. Official recognition and ready acceptance of our representatives by these groups and by these officials and also by foreign passport, visa, and customs authorities is highly desirable and most beneficial.

I am advised that the heads of all U.S. agencies and departments attached to the Rome Embassy, with the exception of the Veterans' Administration, have this status. In addition to the Army, Navy, and Air Force, these include Agriculture, Customs, Commerce, Labor, Maritime, Treasury, and USIA.

Diplomatic status will provide maximum personal safety and security for our personnel as they travel through Iron Curtain countries. It will also allow our representatives to contact and deal with foreign government officials in making appropriate investigations in VA benefit cases.

There is, of course, no additional cost related to the granting of diplomatic status.

The section also provides for greater flexibility on the part of the Administrator of Veterans' Affairs in assigning duties and responsibilities to our Rome office.

Section 8 seeks to provide protection for physicians, dentists, and nurses in the department of medicine and surgery in the Veterans' Administration in the event a malpractice suit is brought against them. In effect, the Attorney General would defend any civil action brought against a physician, dentist, or nurse arising out of his employment. If successful, this would end the matter. If the Government should lose the case and a claim be approved by the courts in favor of the plaintiff, the Government would bear the cost of meeting the claim. This provision is modeled after the so-called Drivers' Liability Act, Public Law 87-258.

One of the provisions of Public Law 88-450 was the authority for the construction of nursing home care beds by individual States. Five million dollars annually was authorized for a 5-year period to encourage the construction of such beds by the States, this construction to be based on a matching fund basis. To date, no formal applications have been received by the Veterans' Administration to participate in this program. Perhaps some of this lack of participation stems from the restrictions of the law which bar more than 10 percent of this $5 million fund from going to any one State. Section 9a repeals this 10 percent limitation and section 9b increases the formula for the allocation of such construction to 1½ beds for each 1,000 veterans in lieu of the present requirement of one-half bed for each 1,000 veterans.

Reference has already been made to Public Law 88-450, the principal feature of which was the authorization of 4,000 nursing care beds in addition to the 125,000 hospital beds in the VA medical system. The 125,000 hospital bed ceiling was established in 1959 by the President in an executive communication to the Administrator of Veterans' Affairs. Despite the exchange of a large amount of correspondence between the chairman of the committee and the Director of the Bureau of the Budget the latter is adamant in his belief that "it is not entirely clear whether the Congress intended the 4,000 nursing care beds to be in addition to the 125,000 hospital bed ceiling." I know of no Member of Congress who shares the Director's point of view. Section 10 is intended to make it clear to the Director and to others that Congress, in enacting Public Law 88-45 intended that the 4,000 nursing care beds be in addition to the 125,000 hospital bed ceiling.

The cost of the bill as reported is $178,166,663.

Mr. Speaker, at this point I include a summary of views by veterans organizations:

POSITION OF VETERANS ORGANIZATIONS

AMERICAN LEGION

Bill supported by this organization would provide for—

Increases in death and disability compensation;

Additional compensation for those veterans rated less than 50 percent who have dependents;

Equalization of the compensation payment structure;

Improvements in the dependency and indemnity compensation program for dependent parents.

DISABLED AMERICAN VETERANS

We recognize that service-connected disability compensation rates have been adjusted from time to time in order to keep pace with the fundamental changes in price levels. Public Law 87-645, effective October 1, 1962, granted the most recent compensation increases, ranging from $1 per month for the 10-percent disabled, $7 per month for the 50-percent disabled, and $25 per month for those totally incapacitated.

These increases, averaging 9.4 percent, were most welcome and particularly helpful to veterans with the greater disabilities. However, this percentage increase did not serve to bring compensation rates abreast of increases granted workers in the general economy since 1933 and does not reflect true comparability with the increase in the cost of living since that date.

VETERANS OF FOREIGN WARS

Subsequent to our convention, our commander in chief, John A. Jenkins, summoned our national legislative committee to meet here in Washington, D.C., for the purpose of reviewing the many resolutions adopted at our Cleveland national convention. This committee recommended and our commander in chief has appproved a top priority legislative program for this year.

No. 1 on the list relates to the compensation program and reads as follows:

"(a) Fifteen-percent increase in the compensation payments with due consideration to the continuing increase in the cost of living, that a 100-percent totally disabled veteran is entitled to only $250 a month or $3,000 a year which has been defined as poverty status, that the income of the average American family is $6,000 a year and that a GS-1, the starting classification for a Federal employee is $3,360 per year, and all other factors having a bearing on the lagging compensation rates would have fallen behind by approximately 15 percent during the last three decades."

Mr. Speaker, because of its pertinence to section 10 of the bill, I include the text of Committee Print No. 106 and the June 30, 1965, report on the age and number of veterans in civil life:

MAY 7, 1965.

Hon. LYNDON B. JOHNSON,
President of the United States of America, Washington, D.C.

MY DEAR MR. PRESIDENT: In the 88th Congress, after a great deal of study, the Congress passed Public Law 88-450, to provide nursing-home care and nursing-care facilities for elderly veterans. The bill received strong support in both Houses of Congress and from the national veterans' organizations and it was approved on August 19, 1964. However, it is the opinion of the Committee on Veterans' Affairs and myself that this law is not being complied with.

A year prior to passage of this legislation, on August 13, 1963, President Kennedy authorized the Veterans' Administration to activate and operate beds for 2,000 nursing-home-type patients, in addition to the 125,000 hospital beds then authorized. The pertinent portion of President Kennedy's directive is quoted below:

"Older veterans account for one-third of your hospital admissions and they comprise the bulk of the long-term-care patient load. Many have attained maximum benefits of hospitalization but attempts at community placement have been unsuccessful because of the lack of facilities, inadequate financial resources, absence of family ties, and other reasons. Retention of these patients in facilities designed for acute care is costly and places an undue strain on the 125,000-hospital-bed limit under which you are now operating.

"In order to relieve this situation, I authorize you to activate and operate facilities and beds for 2,000 nursing-home-type patients in addition to the 125,000 hospital beds presently authorized. This will proprovide arrangements more consistent with patient requirements and improve utilizations of acute care facilities."

In its study of the problem, Congress concluded that the 2,000 nursing-care beds authorized by President Kennedy in addition to the 125,000 hospital beds were insufficient to meet the needs of veteran patients requiring nursing-type care, and approved Public Law 88-450 on August 19, 1964, authorizing an additional 2,000 beds. During the course of the hearings and the debate there was a great deal of discussion as to whether the 2,000 beds authorized by Congress were to be in addition to the 2,000 beds previously authorized by President Kennedy and whether these 4,000 beds were to be in excess of the 125,000-hospital-bed ceiling. A review of the legislative history of this act leaves not the slightest doubt that Congress intended that the 2,000 additional nursing-care beds authorized by Public Law 88-450 should be in the same category as the 2,000 nursing-care beds authorized by President Kennedy, and that these 4,000 beds were in excess of the 125,000-bed ceiling.

House Report No. 680, to accompany H.R. 8009, which was enacted as Public Law 88-450, contains the following statement:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not more than 2,000 additional nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administratve ceiling of 125,000 hospital beds was established during the Eisenhower administration, as indicated on pages 30 to 37 of this report.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 2,000 additional nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practical date.

"The net increase provided by this bill shall be not less than 2,000 and whether or not the new hospital ceiling is 127,000 or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the additional amount indicated."

Senate Report No. 1293, to accompany H.R. 8009, contains the following statement:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not less than 4,000 nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 4,000 nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practicable date. It is fully expected by the committee that every bed of this type which is placed in operation by the VA will be fully utilized for the purpose stated.

"The net increase provided by this bill shall be not less than 4,000 and whether or not the new hospital ceiling is 127,000, or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the amount indicated."

I believe there is no doubt Congress intended that the 2,000 beds authorized by Public Law 88-450 would be in the same category as the 2,000 beds previously authorized by President Kennedy, and that these 4,000 nursing-care beds would be in addition to the 125,000-hospital-bed ceiling. The legislative history of Public Law 88-450 also clearly indicates that it was the intent of Congress that these 4,000 additional nursing-care beds become fully operational at the earliest practicable date.

In recent hearings we have sought assurances from the Bureau of the Budget that the nursing-care beds were to be in addition to the 125,000-hospital-bed ceiling, as intended by Congress, and these assurances have not been supplied. It is our understanding that the Veterans' Administration is currently operating under directives which include the 4,000 nursing-care beds in the 125,000-bed ceiling. The Veterans' Administration is not being permitted to activate the 4,000 nursing-care beds at the earliest practicable time. In fact, under current budgetary restrictions it will be several years from the date of enactment of the legislation before the 4,000 beds are in operation. As of this date the Veterans' Administration has activated only 357 nursing-care beds. In some of its earlier plans the Veterans' Administration had indicated its intention of activating some of these nursing-care beds in the hospitals now proposed for closing.

Respectfully,

OLIN E. TEAGUE,
Chairman.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 16, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your letter of May 7 to the President regarding the activation and operation of nursing-care beds by the Veterans' Administration.

While giving full consideration to the statements cited in your letter for the House and Senate committee reports accompanying H.R. 8009, the administration has found the legislative history on Public Law 88-450 taken as a whole, not entirely clear as to the intent of Congress. This is in part because the title of the act and the House committee report indicate a principal purpose of the 4,000 nursing-care beds is to provide facilities for more appropriate care of long-term veteran patients while reducing the cost to the United States of caring for such veterans. Even though nursing-care beds may cost less per patient-day to operate than hospital beds, it is apparent that this objective cannot be achieved if the nursing-care beds are in addition to the 125,000 authorized hospital beds. Only as hospital beds are converted to nursing-home beds can true savings be achieved.

It is clear both from the wording of section 1 of Public Law 88–450 itself and from the committee reports, that under the law it is, in fact, discretionary with the Administrator of Veterans' Affairs and the President as to whether the nursing-care beds are in addition to or within the 125,000 authorized hospital beds. This, we believe, is a desirable situation, particularly in light of the factors set forth below. In view of this discretion, we believe that the inclusion of the 4,000 nursing-care beds within the 125,000-bed authorization is not in violation of Public Law 88–450.

There are a number of reasons why it is neither necessary nor desirable to decide at this time that the 4,000 nursing-care beds should be added to the 125,000 authorized hospital beds.

One is the new program for care of veterans in private nursing homes authorized by Public Law 88–450. This new program will permit the transfer of long-term patients from VA hospitals thereby making available to other veterans the beds they occupied. The shorter length of stay of the new patients will mean that the beds thus unfrozen should, over a period of a year, care for several times as many veterans as they did when occupied by long-term patients. Although the 1966 budget provides funds for a daily average of 2,740 veterans in private nursing homes, it will not be possible until this new program has been in actual operation for some time to determine with accuracy either the number of veterans who can be so transferred or its effect on VA hospital bed requirements.

Neither is it possible to judge now the effect on the VA hospital system of enactment of the Social Security Amendments of 1965 currently under consideration by Congress. If only 10 percent of the veterans 65 and older now in VA hospitals for medical and surgical non-service-connected disabilities are able to finance their hospitalization in community facilities with the assistance provided under that bill, approximately 2,000 beds in VA hospitals will become available for other veterans. Until actual experience under this new program is available, it would seem unwise to expand the VA hospital system by adding 4,000 nursing-care beds on top of the 125,000 authorized beds.

A third consideration is the fact, as confirmed by your committee's survey of VA hospitals, that there are at least 4,000 patients currently hospitalized who could more appropriately be provided nursing-home-type care. In the absence of a clear need to increase the total number of beds available to non-service-connected veterans, the appropriate approach is to convert existing hospital beds to nursing-care facilities.

There is every indication that at present the 125,000 beds authorized for the VA hospital system nationwide are adequate to meet the needs of veterans with service-connected disabilities plus those veterans with non-service-connected disabilities who cannot afford to pay for their care. As indicated by the variations in waiting lists and other factors, the major problem is the maldistribution of the VA beds with more than enough beds in some geographical areas and a shortage of beds in other areas. The plan to relocate VA hospital beds to shortage areas is a step toward correcting this situation. Redistribution of the presently authorized beds on a more equitable basis should be accomplished before deciding to add to the total beds operated by VA.

I can assure you that the Veterans' Administration is not being restricted in proceeding with the activation of the 4,000 nursing-care beds at the earliest practicable time. The President has approved the Administrator's proposals for specific locations for 1,848 of these beds and the Administrator is undertaking as fast as possible the necessary studies to determine where the remainder of the 4,000 beds should be located.

Neither have there been any budgetary restrictions which have delayed the activation of the nursing-care facilities. Five million dollars was requested in the 1965 budget to convert VA facilities for the first 2,000 nursing-care beds and after Public Law 88–450 was enacted in August 1964 an additional $5 million was included in the 1966 budget to provide the second 2,000 beds.

It has not been budgetary restrictions nor lack of effort by the Veterans' Administration which accounts for only 357 nursing-care beds being in operation at the present time. The Administrator has proceeded as fast as possible consistent with sound planning, but it takes time to develop criteria for the facilities needed for a new program, determine an equitable nationwide distribution of the beds, survey existing facilities to ascertain their suitability for conversion to nursing-home care, prepare architectural plans, and accomplish the necessary alterations.

The first $5 million appropriated by Congress for conversion of facilities did not become available to the Administrator until August 30, 1964. By June 30 the Administrator expects to have 1,000 nursing-care beds in operation. We believe this is a creditable accomplishment in the less than 9 months that funds will have been available. With much of the initial planning for the new program accomplished, it is anticipated the establishment of the remaining 3,000 beds can be accelerated so that the entire 4,000 beds will be in operation by June 30, 1967.

The President appreciates your writing to him and we welcome this opportunity to present in detail the situation as we see it.

Sincerely,

CHARLES L. SCHULTZE,
Director.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., July 26, 1965.

To: Hon. OLIN E. TEAGUE,
From: Education and Public Welfare Division.
Subject: Congressional intent with respect to nursing homes under Public Law 88–450.

This is in answer to your July 12 letter asking for a review of the legislative history of Public Law 88–450 to determine the intent of Congress in enacting section 1 of this law. Enclosed with your letter was a copy of a letter to you from the Director of the Bureau of the Budget stating that "the administration has found the legislative history on Public Law 88–450, taken as a whole, not entirely clear as to the intent of Congress."

The specific point at issue is whether Congress intended that the 4,000 nursing-home beds authorized by this legislation were to come within the administrative ceiling of 125,000 hospital beds in the VA hospital system, which was established by President Eisenhower in a letter dated February 26, 1959, to the Administrator of Veterans' Affairs.

The letter which you received from the Director of the Bureau of the Budget states that "it is clear both from the wording of section 1 of Public Law 88–450 itself and from the committee reports, that under the law it is, in fact, discretionary with the Administrator of Veterans' Affairs and the President as to whether the nursing-care beds are in addition to or within the 125,000 authorized hospital beds.

"In view of this discretion, we believe that the inclusion of the 4,000 nursing-care beds within the 125,000-bed authorization is not in violation of Public Law 88–450."

There is no clear expression of intent in section 1 of Public Law 88–450 concerning whether the 4,000 nursing-home beds there provided should come under the administrative ceiling on hospital beds.

In response to your request, we have examined the committee reports and floor debates on Public Law 88–450 for expressions of this intent. These expressions are discussed below. In this discussion we have not attempted to make a judgment as to what the legislative intent was in this matter. We felt that we could best serve the purposes of your request by pointing to those statements in the legislative history of the act which do indicate that Congress intended that the nursing-home beds were not to come under the hospital bed ceiling and developing arguments along these lines. We might add that we found no expressions by the committees, or committee members during debate, indicating directly an intention that the nursing-care beds authorized by the act were to come under this ceiling.

EXPRESSIONS INDICATING INTENT THAT NURSING HOME BEDS WOULD NOT COME UNDER HOSPITAL BED CEILING

(1) In explaining section 1 of the bill on page 2 of the House report (H. Rept. No. 680, 88th Cong., 1st sess.), the committee stated:

"Section 1 of the bill, as reported, provides that the Administrator may, subject to the approval of the President, establish and operate not more than 2,000 additional nursing home care beds for veterans eligible for such care in facilities over which the Administrator has direct and exclusive jurisdiction. An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration, as indicated on pages 30 to 37 of this report.

"While the cited authority is discretionary let there be no doubt or misunderstanding as to the intent, purpose, and desire of the committee. The 2,000 additional nursing home care beds are to be provided in the immediate future and to be fully operated at the earliest practicable date.

"The net increase provided by this bill shall not be less than 2,000 and whether or not the new hospital ceiling is 127,000, or the nursing care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds), is of no concern to the committee so long as intermediate or nursing home care beds are provided in the additional amount indicated.

"Further, such nursing home beds may be based on renovation or modernization of existing Veterans' Administration facilities as is quite possible and as indicated on page 20, or may be new construction along the lines of the long term chronic care unit just beginning operation at the Kecoughtan, Va., Veterans' Hospital."

This statement on the part of the committee indicates in several respects the committee's intention that the nursing home beds are not to fall within the administrative ceiling on hospital beds. This appears to be indicated by the use of the word "additional" each time that the nursing care beds are referred to.

The third paragraph in the quoted excerpt of the committee report is perhaps the most direct statement made in the legislative history of the act concerning the point under discussion. A reasonable interpretation of this paragraph would be that the committee was expressing its understanding to the executive branch concerning the manner in which the bill would affect a matter—i.e., the administrative ceiling on hospital beds—which was within the discretion of the Executive and concerning which the committee chose not to act at that time. As expressed in this paragraph the committee's intention appears to be that either the administrative ceiling on hospital beds should be increased sufficiently to include the proposed nursing care beds without decreasing the existing ceiling, or that the nursing care beds should be included under the domiciliary program which is not subject to any bed limitation. In either of these cases the nursing care beds would have been provided without affecting the ceiling on hospital beds.

(2) On page 6 of the House report is contained a summary of the committee's recommendations for a nursing home care program. The first recommendation is for: "Authorizing the use of 2,000 additional nursing care beds in the existing Veterans' Administration system."

Again, the use of the word "additional" in this recommendation would appear to indicate an understanding that the beds were to be in addition to those already provided within the existing system.

(3) On page 30 of the House report is the beginning of a discussion centering around the question whether any of the nursing-care beds should be within or above the administrative ceiling on hospital beds.

The introductory paragraph of this section of the report reads as follows:

"There is an administrative 125,000-bed ceiling on the number of hospital beds which may be operated by the Veterans' Administration. The question has arisen as to whether any nursing-care beds should be within or above this ceiling. The ceiling was set during the administration of President Eisenhower and the history is indicated by the material which follows."

There follows a copy of the 1959 letters between the Administrator of Veterans' Affairs and the President concerning the hospital bed ceiling and an excerpt from the subcommittee hearings on nursing care. This is the complete extent of the discussion in this section of the report. There is no statement on the part of the committee itself answering the question which it stated had arisen and the quoted materials do not seem to answer the questions either. However, the colloquy during the subcommittee hearings between committee counsel and Dr. Zink which was inserted in the report does contain the point that the proposed nursing-home beds could not be made available without exceeding the current bed ceiling when that ceiling reaches the point of being fully utilized.

(4) The August 12, 1963, Memorandum of President Kennedy ordering into activation 2,000 nursing-home-type beds stated explicitly that these beds were to be "in addition to the 125,000 hospital beds now authorized." This memorandum was inserted at pages 60 and 60b of the House report. It seems reasonable to conclude that the committee had the same intention as was expressed by President Kennedy. If the committee had a different intention a statement to that effect would be expected in the report.

(5) The Senate report on the bill (S. Rept. No. 1293, 88th Cong., 2d sess.) contains most of the statements and materials that were in the House report concerning this question. However, the Veterans' Administration's report to the Senate committee, which was made after the August 13, 1963, memorandum of President Kennedy, took the position that section 1 of the bill was unnecessary since the executive branch already had the authority contained in section 1 and had already acted on it. This position would seem to imply that the nursing-home beds were to be in addition to the 125,000 hospital beds authorized as was stated in the memorandum of the President.

The VA report also mentions of the fact that the current law placed no limit on the number of nursing-home beds that could be established. At the time the VA reported on the bill, however, it would have had the effect of placing a limit on the number of nursing-home beds that could be established. This was changed by the Senate committee which substituted the words "not less than" for "not more than" which were in the bill as it passed the House.

(6) During debate on the bill, the chairman of the Subcommittee on Intermediate Care, which held hearings on nursing homes and helped formulate the bill, stated in his remarks on the bill that:

"An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration, and the action of President Kennedy on August 12, 1963, would appear to increase this figure to 127,000" (CONGRESSIONAL RECORD, vol. 109, pt. 13, p. 17224).

This statement appears to indicate an understanding that the effect of the bill would be the same, i.e., to increase the ceiling to 127,000.

JAMES W. KELLEY.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 2, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of July 12, requesting full documentation of the statement in my June 16 letter that the legislative history on Public Law 88–450, when taken as a whole, is not entirely clear that the intent of Congress is for the 4,000 nursing-care beds to be in addition to the 125,000 authorized bed ceiling.

Our statement is based on three points. First, the title of Public Law 88–450 gives as the purpose of the act—"to provide veterans with urgently needed nursing-home care and nursing-care facilities while reducing the cost of the United States of caring for such veterans."

On page 7 of its report the Senate committee states that "the enactment of this legislation will give at least 4,000 veterans who need it, better care at less cost to the Government."

The only way we can see by which the Government can achieve true savings in the care of such patients is by converting hospital beds to nursing-home care.

Second, the Senate committee says on page 2 of its report that the net increase in nursing-care beds provided by this bill "shall be not less than 4,000 and whether or not the new hospital ceiling is 127,000 or the nursing-care beds are included in the domiciliary allotment (which is not governed by any ceiling other than availability of funds) is of no concern to the committee so long as intermediate or nursing-home-care beds are provided in the amount indicated."

This would seem to indicate that the committee had in mind the possibility of adding 2,000 of the 4,000 nursing-care beds to the 125,000 hospital bed ceiling with the other 2,000 nursing-care beds being substituted for hospital beds within the ceiling.

Third, there is an identical statement on page 2 of the House committee report except that the net increase in nursing-care beds is given as 2,000 instead of the 4,000 used in the Senate committee report. This difference is because the House committee intended the 2,000 nursing-care beds it was recommending to be in addition to the 2,000 such beds previously authorized by the President while the Senate committee subsequently combined the two figures into an authorization for 4,000 nursing-care beds. Since the President, at the time of the House committee report, had already authorized the first 2,000 nursing-care beds it would seem that the House committee in referring to the possibility of a 127,000-bed ceiling had in mind 2,000 of the beds being substituted for hospital beds.

It is on the basis of these points that we believe the legislative history, when taken as a whole, is not entirely clear whether the Congress intended the 4,000 nursing-care beds to be an addition to the 125,000 hospital bed ceiling.

We appreciate the opportunity to further clarify this situation as we see it.

Sincerely,

CHARLES L. SCHULTZE,
Director.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., August 13, 1965.

B–125206.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your letter of July 1, 1965, with enclosures, acknowledged July 26, concerning implementation by the Veterans' Administration of Public Law 88–450 approved August 19, 1964, on nursing-home-care beds for veterans.

It is the opinion of your committee and yourself, as indicated in the letter and enclosures, that section 1 of this law is not being complied with. That is, that the Veterans' Administration is including the not less than 4,000 nursing-home-care beds authorized to be established and operated therein in the 125,000 hospital-bed ceiling established by the President in 1959, instead of providing these nursing-care beds in addition to the hospital-bed ceiling. In view thereof, you request that we make an appraisal of the matter.

In accordance with the terms of 38 U.S.C. 5001, an administrative ceiling of 125,000 hospital beds was established by the President in 1959. This ceiling represents the maximum number of hospital beds approved by the President which may be operated by the Veterans' Administration for current and future inpatient care. The President by letter of February 26, 1959, to the Administrator of Veterans' Affairs, stated that there was need for a clear policy governing the rule of the Federal Government in providing facilities for hospital care to war veterans for nonservice-connected disabilities.

He stated further that the Congress has generally left it within the discretion of the President to determine and recommend to the Congress the extent to which facilities should be constructed or otherwise provided for the care of veterans. The President, therefore, established a policy providing for the replacement or modernization of Veterans' Administration facilities within the limits of an authorized 125,000-bed capacity. This total was based on the structural capacities of then existing hospitals with adjustments for approved replacement and modernization projects. See the exchange of letters between the Administrator of Veterans' Affairs and the President set forth at pages 30–36 of House Report No. 680, 88th Congress, 1st session, on H.R. 8009 which became Public Law 88–450.

Subsequently, by memorandum of President Kennedy dated August 12, 1963, to the

Administrator of Veterans' Affairs, he authorized the establishment of 2,000 nursing-home-type beds, and expressly provided that such beds were in addition to the 125,000-bed ceiling theretofore established. See pages 60 a and b of the cited House report.

In this connection, we note that bills have been introduced in the 89th Congress that are concerned with establishing an authorized bed capacity in the Veterans' Administration hospital system. For example, H.R. 202 and Senate Concurrent Resolution 13. Senate Report No. 270 on the latter resolution at pages 2 and 8–9 states that the Congress has never placed a limit on the number or character of beds in the Veterans' Administration hospital system. The report states further that the resolution would declare it to be the sense of the Congress that the authorized bed capacity limitation should be increased by the President to 130,000 beds and requests the President to take such action as soon as practicable.

House Report No. 450, 89th Congress, 1st session, by the Committee on Veterans' Affairs on H.R. 202, states that the bill would authorize the Administrator, subject to the approval of the President, to establish and operate not less than 125,000 hospital beds and that this bill would write into law what was authorized by the President in 1959 by an Executive communication to the Administrator of Veterans' Affairs. The bill would also authorize no less than 17,000 beds for domiciliary care. The report states further that with the 4,000 nursing-care beds authorized in 38 U.S.C. 5001(a)(2), there will be an overall authorization of 146,000 beds in the VA system to provide a wide range of institutional care.

We have carefully reviewed the printed legislative record of Public Law 88–450, and it is our view that the intent thereof with reference to nursing-home-care beds is that (1) there be established not less than 4,000 such beds at the earliest practicable date, and (2) that such beds are excluded from the 125,000-bed ceiling established by the President in 1959. However, and as stated in both the House and Senate reports on H.R. 8009, the language of section 1 is discretionary rather than mandatory, so that the matter of implementing the provisions to accord full effect to the congressional intent of this enactment is one involving the good faith by an agency of the Government with the Congress.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

DATA SUPPLIED BY VETERANS' ADMINISTRATION
JULY 6, 1965

VA nursing-home-care bed-activation schedule projected through Nov. 1, 1965

Station projects	Activation date of permanent unit	Estimated construction cost [1]	Number of operating beds [2] as of— July 1, 1965	Aug. 1, 1965	Sept. 1, 1965	Oct. 1, 1965	Nov. 1, 1965
PHASE I							
Alexandria, La	Oct. 31, 1965	$279,800	(45)	(45)	(45)	(45)	80
Beckley, W. Va	do	91,500					42
Bonham, Tex	June 1, 1965	102,000	38	38	38	38	38
Buffalo, N.Y	Apr. 1, 1965	33,000	36	36	36	36	36
Butler, Pa	Oct. 31, 1965	124,200	(30)	(30)	(30)	(30)	64
Cincinnati, Ohio	Sept. 30, 1965	188,500				73	73
Dayton, Ohio	Oct. 31, 1965	109,800	(30)	(30)	(30)	(30)	84
Dearborn, Mich	Jan. 31, 1966	29,600					
Dublin, Ga	Aug. 14, 1965	188,800	(56)	(56)	56	56	56
Fargo, N. Dak	Sept. 1, 1965	91,800	24	24	50	50	50
Houston, Tex	Oct. 31, 1965	255,100	(40)	(40)	(40)	(40)	78
Indianapolis, Ind	Apr. 15, 1965	61,300	46	46	46	46	46
Lebanon, Pa	Sept. 30, 1965	58,900	(34)	(34)	(34)	37	37
Livermore, Calif	June 1, 1965	31,100	36	36	36	36	36
Los Angeles, Calif	Sept. 30, 1965	94,500	(50)	(50)	(50)	71	71
Mountain Home, Tenn	May 10, 1965	50,000	58	58	58	58	58
Poplar Bluff, Mo	June 1, 1965	67,100	49	49	49	49	49
Reno, Nev	do	14,300	22	22	22	22	22
Wadsworth, Kans	do	82,400	45	45	45	45	45
Total		1,953,700	639	639	665	762	965
PHASE II							
Brockton, Mass	Oct. 31, 1965	88,100	(30)	(30)	(30)	(30)	51
Cheyenne, Wyo	do	72,200	(30)	(30)	(30)	(30)	47
Chicago, Ill. (West Side)	do	73,500	(20)	(20)	(20)	(20)	40
Fayetteville, N.C	do	35,500	(30)	(30)	(30)	(30)	39
Kecoughtan, Va	do	76,400	(41)	(41)	(41)	(41)	41
Manchester, N.H	do	59,000	(30)	(30)	(30)	(30)	38
Pittsburgh, Pa	Nov. 30, 1965	121,100	(36)	(36)	(36)	(36)	(36)
Sepulveda, Calif	Oct. 31, 1965	57,600	(30)	(30)	(30)	(30)	45
Togus, Maine	Dec. 31, 1965	159,000	(40)	(40)	(40)	(40)	(40)
Wilmington, Del	June 30, 1965	85,100	[3] 39	39	39	39	39
Wood, Wis			(44)	(44)	(44)	(44)	(44)
Sioux Falls, S. Dak	Oct. 31, 1965	206,600					75
Total		1,034,100	370	370	370	370	535
Grand total		2,987,800	1,009	1,009	1,035	1,132	1,500

[1] Represents amount approved for project construction. Does not include portable equipment projected at $375 per bed.

[2] Numbers in parentheses are temporary beds. Where parentheses are removed from a project it indicates conversion of temporary to permanent beds.

[3] To be established on June 30, 1965.

NURSING-HOME CARE PER DIEM COSTS

The VA has not had suitably established nursing-home care units in operation long enough to determine accurate per diem operating costs. While some of these beds had been placed in operation in temporary locations at five hospitals as of March 1, 1965, many factors preclude development of valid per diem operating costs. Some examples of these problems are:

Units are too small to permit separate staffing.

Units are understaffed, and have low occupancy.

Space and arrangement does not permit efficient operation.

Lack of uniform operating instructions (program guide provided stations in April and May 1965).

Normal problems involved in a new program.

The first properly established project was the 36-bed unit at Buffalo, activated April 1, 1965. The second such project was the 46-bed unit at Indianapolis, activated April 15, 1965, and the third was 58 beds at Mountain Home on May 10, 1965. These units should have at least a 2- to 3-month shakedown in order to recruit and train staff, and get the beds in proper operation. Per diem data are not yet available at these stations.

For fiscal years 1965 and 1966, stations are being allowed $13.47 per diem to operate nursing-home-care beds, excluding housekeeping and maintenance requirements. The five stations that have been operating beds in temporary facilities since March 1, 1965, have reported per diem costs including housekeeping and maintenance. For the reasons stated above these cost data may or may not reflect a true picture. These stations are as follows:

Station	Number of beds	Per diem cost
Fargo, N. Dak	24	$13.92
Alexandria, Pa	45	13.85
Lebanon, Pa	34	11.90
Reno, Nev	22	15.67
Los Angeles, Calif	50	12.76

Remarks

(a) Thirteen States have indicated an interest in securing matching funds to construct nursing care facilities under section 4 of Public Law 88–450.

(b) No formal applications have been submitted. No funds were appropriated for this program in fiscal year 1965.

(c) Representatives of the following States have visited central office regarding construction plans:

(1) Nebraska is planning for the construction of a new 100-bed nursing home at Nebraska Soldiers' and Sailors' Home, Grand Island. Total estimated cost is $1,798,500. The VA can participate in only 76 beds requiring approximately $675,000. Preliminary drawings have been discussed with VA. It is planned to let bids for project about June 1966.

(2) Vermont is planning a new 22-bed nursing home at the Vermont State Soldiers' Home, Bennington, Vt. Total estimated cost is about $203,000. Project has been approved and budgeted by Vermont State Buildings Division/Board.

(d) Indiana is planning to construct a new 100-bed nursing home at the Indiana State Soldiers' Home, Indianapolis, Ind. Total estimated cost is $2,473,000. Limitation of 10 percent of appropriated funds to any State would require matching funds in more than 1 fiscal year. Preliminary plans have not been reviewed by VA.

(e) Michigan plans construction of approximately 260 new nursing care beds.[1] Preliminary architectural work is underway. Letter of intention only has been submitted.

4. As of the current date, indicate States and homes where, the $3.50 rate for nursing care is being paid and the number of patients at each station.

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[1] At Michigan Veterans' Facility in Grand Rapids.

Remarks

State	State home	Number of patients remaining, May 31, 1965
California	Veterans' Home of California, Napa County, Calif	[1]53
Indiana	Indiana State Soldiers' Home, Lafayette, Ind	[1]66
Massachusetts	Soldiers' Home, Chelsea, Mass	[1]43
New Hampshire	New Hampshire Soldiers' Home, Tilton, N.H	[1]9
New Jersey	New Jersey Home for Disabled Soldiers, Menlo Park, N.J	[1]15
New York	New York State Women's Relief Corps Home, Oxford, N.Y	[1]3
Oklahoma	Oklahoma State War Veterans' Home, Facility, Sulphur, Okla	[1]40
Rhode Island	Rhode Island Veterans' Home, Bristol, R.I	[1]133
Washington	Washington Veterans' Home, Retsil, Wash	[1]58
	Total, 9 State homes	[1]420

[1] At $3.50 rate.

VETERANS' ADMINISTRATION,
ADMINISTRATOR OF VETERANS' AFFAIRS,
Washington, D.C., June 30, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the recent oral request for information on the amounts requested by the Veterans' Administration and the amounts included in the budget estimates for fiscal years 1965 and 1966, respectively, to provide funds for outplacement nursing home care as authorized by section 2 of Public Law 88-450 (38 U.S.C. 620).

The Veterans' Administration asked the Budget Bureau to include in a supplemental request $1,911,000 to implement nursing care on outpatient basis for 1965 and $19,710,000 for this purpose in fiscal year 1966. No funds were provided specifically for this purpose in fiscal year 1965, and $8 million is included in the fiscal year 1966 budget, now under consideration by the Congress.

Within available funds during fiscal year 1965, we have been able to begin the implementation of this program on a modest basis.

Sincerely,

A. H. MONK,
Associate Deputy Administrator.

Hospital, domiciliary, and nursing-care listings

Hospitals and domiciliaries	Operating beds, July 31, 1965	Percent bed occupancy, July 1965	Average daily patient load, July 1965	Waiting list, July 31, 1965	Number of discharges, July 1965	Average monthly turnover rate, July 1965	Admissions, July 1965, total
Total	1,197	71.4	855	93	58	6.8	267
Alexandria, La	80	81.3	65	2	1	1.5	29
Aspinwall, Pa	36	80.6	29	----	2	6.9	4
Beckley, W. Va	42	33.3	14	----	2	14.3	16
Bonham, Tex	38	52.6	20	----	----	----	1
Brockton, Mass	30	86.7	26	----	2	7.7	6
Buffalo, N.Y	36	94.4	34	----	2	5.9	2
Butler, Pa	64	79.7	51	----	1	2.0	57
Cheyenne, Wyo	30	20.0	6	----	----	----	3
Chicago, Ill. (West Side)	20	70.0	14	----	5	35.7	3
Cincinnati, Ohio	27	100.0	27	----	----	----	27
Dayton, Ohio	30	66.7	20	----	2	10.0	5
Dublin, Ga	56	94.6	53	5	3	5.7	2
Fargo, N. Dak	50	54.0	27	10	----	----	1
Fayetteville, N.C	30	83.3	25	2	2	8.0	11
Houston, Tex	40	77.5	31	----	9	29.0	20
Indianapolis, Ind	46	76.1	35	2	5	14.3	13
Kecoughtan, Va	41	92.7	38	56	----	----	5
Lebanon, Pa	37	83.8	31	----	4	12.9	3
Livermore, Calif	36	41.7	15	16	1	6.7	6
Los Angeles, Calif	71	81.7	58	----	5	8.6	17
Manchester, N.H	30	10.0	3	----	----	----	5
Mountain Home, Tenn	58	98.3	57	----	5	8.8	5
Poplar Bluff, Mo	49	69.4	34	----	----	----	21
Reno, Nev	22	100.0	22	----	----	----	----
Sepulveda, Calif	30	50.0	15	----	1	6.7	3
Togus, Maine	40	22.5	9	----	----	----	6
Wadsworth, Kans	45	93.3	42	----	4	9.5	7
Wilmington, Del	39	28.2	11	----	----	----	19
Wood, Wis	44	95.5	42	----	2	4.8	1

NOTE.—There were no applications for admissions received, July 1965.

VA patient admissions to community nursing homes, Apr. 1 through July 31, 1965

Hospital from which patient was admitted	Admissions to nursing home				
	April	May	June	July	Total
Total	36	58	170	306	570
Bedford, Mass	----	----	4	----	4
Chillicothe, Ohio	----	----	----	3	3
Fort Lyon, Colo	----	----	----	3	3
Gulfport, Miss	----	----	7	6	13
Jefferson Barracks, Mo	----	----	----	1	1
Lexington, Ky	----	----	----	3	3
Northport, N.Y	----	----	----	5	5
Roseburg, Oreg	----	----	----	1	1
Sepulveda, Calif	----	----	----	2	2
St. Cloud, Minn	----	----	----	1	1
Togus, Maine	3	1	----	----	4
Topeka, Kans	----	----	1	2	3
Albany, N.Y	4	2	----	6	12
Albuquerque, N. Mex	----	----	----	1	1
Amarillo, Tex	----	----	----	3	3
Atlanta, Ga	----	----	----	2	2
Augusta, Ga	----	----	----	2	2
Baltimore, Md	----	----	----	2	2
Batavia, N.Y	----	----	----	3	3
Bath, N.Y	----	----	----	1	1
Bay Pines, Fla	----	----	12	14	26
Big Spring, Tex	----	----	2	1	3
Birmingham, Ala	----	----	----	1	1
Bonham, Tex	----	1	1	2	4
Boston, Mass	----	4	14	16	34
Bronx, N.Y	----	4	1	1	6
Brooklyn, N.Y	----	3	11	9	23
Buffalo, N.Y	----	1	1	4	6
Cheyenne, Wyo	----	----	----	1	1
Chicago, Ill. (West Side)	----	----	----	1	1
Chicago, Ill. (research)	----	----	2	2	4
Cincinnati, Ohio	----	----	----	1	1
Clarksburg, W. Va	----	----	----	1	1
Columbia, S.C	----	----	1	2	3
Coral Gables, Fla	----	----	14	24	38
Dallas, Tex	7	9	8	6	30
Dearborn, Mich	----	----	----	1	1
Denver, Colo	----	----	6	5	11
Des Moines, Iowa	----	----	----	1	1
Dublin, Ga	----	----	----	3	3
Dwight, Ill	----	----	----	2	2
Fargo, N. Dak	----	----	----	2	2
Fort Harrison, Mont	----	----	----	4	4
Fort Howard, Md	----	----	----	3	3
Fresno, Calif	----	----	2	7	9
Houston, Tex	----	13	3	7	23

VA patient admissions to community nursing homes, Apr. 1 through July 31, 1965—Continued

Hospital from which patient was admitted	Admissions to nursing home				
	April	May	June	July	Total
Huntington, W. Va		2	2	5	9
Iowa City, Iowa			1	2	3
Kansas City, Mo			4	4	8
Lake City, Fla			17	1	18
Little Rock, Ark			4	7	11
Louisville, Ky				8	8
Madison, Wis				1	1
Manchester, N.H				2	2
Marlin, Tex				1	1
Martinez, Calif			2	2	4
Memphis, Tenn			1		1
Minneapolis, Minn				5	5
Montgomery, Ala				1	1
Muskogee, Okla	8	4	5	3	20
Nashville, Tenn	1	2	6	13	22
Newington, Conn	1	4		1	6
New York, N.Y			3		3
Oklahoma City, Okla		1	7	4	12
Palo Alto, Calif			2	6	8
Philadelphia, Pa			1	6	7
Phoenix, Ariz				1	1
Providence, R.I	1	4	5	1	11
Richmond, Va			1	4	5
Rutland Heights, Mass				2	2
San Fernando, Calif				1	1
San Francisco, Calif			1		1
San Juan, P.R			8	8	16
Seattle, Wash				3	3
Shreveport, La	10	1	1		12
Sioux Falls, S. Dak				1	1
Syracuse, N.Y				1	1
Temple, Tex				19	19
Tucson, Ariz				2	2
Vancouver, Wash				1	1
Washington, D.C			5	1	6
West Haven, Conn			2	3	5
West Roxbury, Mass	1				1
Wilkes-Barre, Pa		1	1	3	5
Wilmington, Del		1	1		2
Wood, Wis				15	15

VA patients remaining in community nursing homes, July 31, 1965

Clinic of jurisdiction	Remaining at end of month
Total	470
VARO, Montgomery, Ala	1
VAH, Phoenix, Ariz	3
VAH, Little Rock, Ark	11
VAOPC, Los Angeles, Calif	3
VAH, San Francisco, Calif	20
VAH, Denver, Colo	11
VAH, Newington, Conn	9
VAH, Wilmington, Del	1
VAH, Washington, D.C	4
VARO, St. Petersburg, Fla	81
VARO, Atlanta, Ga	6
VAH, Chicago, Ill. (West Side)	6
VARO, Indianapolis, Ind	5
VAC, Des Moines, Iowa	4
VAC, Wichita, Kans	2
VARO, Louisville, Ky	5
VAC, Shreveport, La	9
VAC, Togus, Maine	3
VARO, Baltimore, Md	4
VAOPC, Boston, Mass	31
VAH, Dearborn, Mich	1
VAC, St. Paul, Minn	5
VAH, Kansas City, Mo	5
VAH, St. Louis, Mo	2
VAC, Fort Harrison, Mont	4
VAH, Manchester, N.H	2
VARO, Newark, N.J	4
VAH, Albuquerque, N. Mex	1
VAH, Albany, N.Y	12
VAH, Buffalo, N.Y	8
VARO, New York, N.Y	32
VARO, Syracuse, N.Y	1
VAC, Fargo, N. Dak	2
VAH, Cincinnati, Ohio	4
VARO, Muskogee, Okla	23
VARO, Portland, Oreg	1
VAOPC, Philadelphia, Pa	6
VAH, Wilkes-Barre, Pa	3
VAC, San Juan, P.R	10
VARO, Providence, R.I	10
VARO, Columbia, S.C	3
VAC, Sioux Falls, S. Dak	1
VAH, Nashville, Tenn	18
VAH, Dallas, Tex	19
VAH, Houston, Tex	16
VARO, Lubbock, Tex	6
VARO, Waco, Tex	20
VARO, Roanoke, Va	3
VAH, Seattle, Wash	4
VAH, Huntington, W. Va	10
VARO, Milwaukee, Wis	14
VAC, Cheyenne, Wyo	1

VETERAN POPULATION—AGE, REGIONAL OFFICE, PERIOD OF SERVICE, STATE OF RESIDENCE, JUNE 1965

Estimated age of veterans in civil life, June 30, 1965

[In thousands]

Age in 1965 (in years)	All veterans	War veterans						Peacetime veterans[3]
		Total[1]	World War II	Korean conflict		World War I	Spanish-American War	
				Total[2]	No service in World War II			
All ages	21,834	21,673	14,969	5,718	4,568	2,121	15	161
Under 20	(4)							(4)
20 to 24	13							13
25 to 29	314	275		275	275			39
30 to 34	2,458	2,426	1	2,426	2,425			32
35 to 39	3,967	3,944	2,189	2,071	1,755			23
40 to 44	5,137	5,126	5,036	485	90			11
45 to 49	4,036	4,022	4,006	265	16			14
50 to 54	2,059	2,050	2,043	114	7			9
55 to 59	1,152	1,145	1,145	52	(4)			7
60 to 64	387	381	369	21	(4)	12		6
65 to 69	958	954	153	7		801		4
70 to 74	996	995	20	2		975		1
75 to 79	317	316	5	(4)		311	(4)	1
80 to 84	23	22	2			18	2	1
85 and over	17	17	(4)			4	13	(4)
Average age[5]	45.8	45.9	45.9	35.9	33.9	70.9	87.1	37.7

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[1] Veterans with service in both World War II and the Korean conflict are counted once. Includes 8 Indian wars veterans—average age, 92.8 years.

[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.

[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.

[4] Less than 500.

[5] Computed from data in 1-year age groups.

Estimated number of veterans in civil life, by State, June 30, 1965

[In thousands]

State	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Total	21,834	21,673	14,969	5,718	4,568	2,121	15	161
State total	21,709	21,551	14,912	5,666	4,525	2,100	14	158
Alabama	316	313	214	89	70	29	(4)	3
Alaska	21	21	15	7	5	1	(4)	(4)
Arizona	176	174	120	49	37	17	(4)	2
Arkansas	173	171	119	37	28	24	(4)	2
California	2,299	2,282	1,583	679	499	198	2	17
Colorado	226	223	154	63	48	21	(4)	3
Connecticut	351	349	246	92	73	30	(4)	2
Delaware	56	56	40	15	12	4	(4)	(4)
District of Columbia	97	96	62	30	22	12	(4)	1
Florida	705	699	473	183	133	92	1	6
Georgia	381	377	264	104	82	31	(4)	4
Hawaii	47	46	31	16	12	3	(4)	1
Idaho	74	73	51	18	14	8	(4)	1
Illinois	1,266	1,261	871	317	265	124	1	5
Indiana	550	547	368	146	123	55	1	3
Iowa	303	302	196	78	67	39	(4)	1
Kansas	246	245	167	62	49	29	(4)	1
Kentucky	302	300	206	76	62	32	(4)	2
Louisiana	331	328	232	83	66	30	(4)	3
Maine	109	108	73	27	22	13	(4)	1
Maryland	410	407	288	114	88	31	(4)	3
Massachusetts	686	679	468	174	139	71	1	7
Michigan	920	914	629	238	202	82	1	6
Minnesota	402	399	261	108	90	48	(4)	3
Mississippi	180	178	125	42	32	21	(4)	2
Missouri	516	513	344	133	107	61	1	3
Montana	80	79	54	20	16	9	(4)	1
Nebraska	150	149	97	41	34	18	(4)	1
Nevada	49	49	35	15	10	4	(4)	(4)
New Hampshire	80	79	54	21	17	8	(4)	1
New Jersey	857	851	602	211	174	74	1	6
New Mexico	106	105	73	31	24	8	(4)	1
New York	2,119	2,105	1,473	513	432	199	1	14
North Carolina	429	425	297	113	93	35	(4)	4
North Dakota	53	53	34	15	13	6	(4)	(4)
Ohio	1,212	1,205	843	308	258	103	1	7
Oklahoma	268	266	181	69	52	33	(4)	2
Oregon	239	237	165	56	43	29	(4)	2
Pennsylvania	1,438	1,429	1,015	346	283	130	1	9
Rhode Island	111	110	77	28	22	11	(4)	1
South Carolina	210	208	145	57	45	18	(4)	2
South Dakota	68	68	43	19	16	9	(4)	(4)
Tennessee	377	374	259	97	79	36	(4)	3
Texas	1,088	1,079	763	283	219	96	1	9
Utah	102	101	68	31	25	8	(4)	1
Vermont	42	42	28	12	9	5	(4)	(4)
Virginia	438	434	307	124	92	35	(4)	4
Washington	366	363	247	99	74	41	1	3
West Virginia	196	194	134	48	39	21	(4)	2
Wisconsin	445	442	289	118	100	53	(4)	3
Wyoming	43	43	29	11	9	5	(4)	(4)
Outside United States, total [5]	125	122	57	52	43	21	1	3

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[1] Veterans with service in both World War II and the Korean conflict are counted only once. Includes 8 Indian wars veterans.

[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.

[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.

[4] Less than 500.

[5] Includes Commonwealth of Puerto Rico, U.S. possessions and outlying areas, as well as foreign countries.

NOTE.—These estimates are based on benchmark veteran population statistics for the States as of June 1960, developed from 1960 Census of Population data on veterans place of residence, up-dated to June 1965 on the basis of (1) 1960 Census of Population data on veteran interstate migration from 1955 to 1960; (2) Bureau of the Census data on 1960–64 (preliminary for 1963–64) civilian population migration which were used in preparing estimates of the population of States for July 1, 1964 (Current Population Reports, Population Estimates, Series 25, No. 289, Bureau of the Census, Aug. 31, 1964); and (3) published and unpublished Bureau of the Census estimates of annual U.S. population mobility, by sex and age, 1960–65. These State veteran population estimates are consistent with similar estimates for June 30, 1960, and June 30 and Dec. 31, 1964. They are independent of, and therefore not strictly comparable with, estimates for other dates since June 30, 1960. (The 1960 veteran population benchmark estimates have been published in Research Monograph 7, County Veteran Population, June 30, 1960, Research Statistics Service, Office of Controller, Veterans' Administration.)

Estimated number of veterans in civil life, by regional office, June 30, 1965

[In thousands]

Regional office (State and city)	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Total	21,834	21,673	14,969	5,718	4,568	2,121	15	161
Alabama: Montgomery	316	313	214	89	70	29	(4)	3
Alaska: Juneau	21	21	15	7	5	1	(4)	(4)
Arizona: Phoenix	176	174	120	49	37	17	(4)	2
Arkansas: Little Rock	176	174	122	38	28	24	(4)	2
California:								
Los Angeles	1,427	1,417	983	430	315	118	1	10
San Francisco	890	883	613	255	188	81	1	7
Colorado: Denver	226	223	154	63	48	21	(4)	3
Connecticut: Hartford	351	349	246	92	73	30	(4)	2
Delaware: Wilmington	56	56	40	15	12	4	(4)	(4)
District of Columbia: Washington	276	273	194	83	57	22	(4)	3
Florida: St. Petersburg	705	699	473	183	133	92	1	6
Georgia: Atlanta	381	377	264	104	82	31	(4)	4
Hawaii: Honolulu	47	46	31	16	12	3	(4)	1
Idaho: Boise	74	73	51	18	14	8	(4)	1
Illinois: Chicago	1,348	1,343	928	339	284	130	1	5
Indiana: Indianapolis	468	465	311	124	104	49	1	3
Iowa: Des Moines	303	302	196	78	67	39	(4)	1
Kansas: Wichita	180	179	121	45	36	22	(4)	1
Kentucky: Louisville	302	300	206	76	62	32	(4)	2
Louisiana:								
New Orleans	239	237	167	62	50	20	(4)	2
Shreveport	92	91	65	21	16	10	(4)	1
Maine: Togus	109	108	74	27	22	13	(4)	1
Maryland: Baltimore	305	303	210	85	68	25	(4)	2
Massachusetts: Boston	624	617	425	159	127	64	1	7
Michigan: Detroit	920	914	629	238	202	82	1	6
Minnesota: St. Paul	376	373	244	102	85	44	(4)	3

See footnotes at end of table.

Estimated number of veterans in civil life, by regional office, June 30, 1965—Continued

[In thousands]

Regional office (State and city)	All veterans	War veterans						Peacetime veterans [3]
		Total [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	
				Total [2]	No service in World War II			
Mississippi: Jackson	180	178	125	42	32	21	(4)	2
Missouri:								
Kansas City	273	272	185	70	54	33	(4)	1
St. Louis	309	307	205	80	66	35	1	2
Montana: Fort Harrison	80	79	54	20	16	9	(4)	1
Nebraska: Lincoln	150	149	97	41	34	18	(4)	1
Nevada: Reno	31	31	22	9	6	3	(4)	(4)
New Hampshire: Manchester	80	79	54	21	17	8	(4)	1
New Jersey: Newark	857	851	602	211	174	74	1	6
New Mexico: Albuquerque	106	105	73	31	24	8	(4)	1
New York:								
Albany	197	196	137	45	38	21	(4)	1
Brooklyn	310	307	207	80	71	29	(4)	3
Buffalo	316	314	217	80	67	30	(4)	2
New York	1,077	1,070	761	251	209	99	1	7
Syracuse	219	218	151	57	47	20	(4)	1
North Carolina: Winston-Salem	429	425	297	113	93	35	(4)	4
North Dakota: Fargo	79	79	51	21	18	10	(4)	(4)
Ohio:								
Cincinnati	539	535	373	139	116	46	(4)	4
Cleveland	673	670	470	169	142	57	1	3
Oklahoma: Muskogee	268	266	181	69	52	33	(4)	2
Oregon: Portland	239	237	165	56	43	29	(4)	2
Pennsylvania:								
Philadelphia	557	554	392	135	109	52	1	3
Pittsburgh	577	573	410	136	113	50	(4)	4
Wilkes-Barre	327	325	229	81	66	30	(4)	2
Puerto Rico: San Juan	89	87	38	47	41	8	(4)	2
Rhode Island: Providence	173	172	120	43	34	18	(4)	1
South Carolina: Columbia	210	208	145	57	45	18	(4)	2
South Dakota: Sioux Falls	68	68	43	19	16	9	(4)	(4)
Tennessee: Nashville	377	374	259	97	79	36	(4)	3
Texas:								
Houston	287	285	201	76	61	23	(4)	2
Lubbock	173	172	122	47	37	13	(4)	1
San Antonio	186	184	130	50	37	17	(4)	2
Waco	435	435	307	109	84	43	1	4
Utah: Salt Lake City	102	101	68	31	25	8	(4)	1
Vermont: White River Junction	42	42	28	12	9	5	(4)	(4)
Virginia: Roanoke	364	361	253	100	77	31	(4)	3
Washington: Seattle	366	363	247	99	74	41	1	3
West Virginia: Huntington	173	171	118	42	34	19	(4)	2
Wisconsin: Milwaukee	445	442	289	118	100	53	(4)	3
Wyoming: Cheyenne	43	43	29	11	9	5	(4)	(4)
Philippines: Manila	19	18	13	2	1	3	1	(4) 1
All other [5]	17	17	6	3	1	10	(4)	(4)

[1] Veterans with service in both World War II and the Korean conflict are counted only once. Includes 8 Indian wars veterans.

[2] Includes 1,150,000 veterans who served in both World War II and the Korean conflict.

[3] Includes only those peacetime ex-service men and women receiving VA compensation for service-connected disability.

[4] Less than 500.

[5] Outside regional office areas.

See note at end of previous table.

Mr. ADAIR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am happy to rise in support of H.R. 168. This measure will provide a well-deserved increase in the basic rates of monthly compensation for service-connected disabilities. It will increase the dependency allowances paid to seriously disabled veterans on behalf of wives and minor children. It will liberalize the income limitations that control the payment of dependency and indemnity compensation to dependent parents of veterans or servicemen whose deaths were service connected.

The philosophy has repeatedly been voiced, Mr. Speaker, that the Nation's service-connected disabled and their survivors are deserving of our highest priority consideration. In fact, this philosophy is the policy of the Committee on Veterans' Affairs. The bill before the House today represents the continuing implementation of that policy. It is a bill that recognizes that the Nation's disabled veteran is also affected by the rising cost of living.

In testimony presented to our committee, spokesmen for the administration recommended a measure that failed to provide any increase for the 80-percent disabled, the 70-percent disabled, or the 10-percent disabled veterans. I am happy to report that the committee rejected this recommendation.

The bill before you today will provide increases in compensation for all percentage ratings from 10 percent through 100 percent. In addition, the more seriously disabled suffering from multiple amputations or loss of use of more than one extremity or blindness will receive an increase in their so-called statutory award. Almost 2 million disabled veterans will share in monthly increases ranging from $1 for the 10-percent disability to $50 for the 100-percent disability.

Section 2 of the bill will provide an approximate 10-percent increase in the allowances for dependents payable to veterans who are at least 50 percent disabled. This allowance was last increased in 1957. The dependency allowance is normally paid on behalf of a child until the child reaches the age of 18 years. In the case of a child attending school, the allowance is continued to age 21. H.R. 168 will extend the age limit to 23 years for a child attending school and at the same time increase the monthly payment on behalf of a child in school to $40 in the case of a totally disabled veteran. Those with disabilities rated at 50 through 90 percent would receive proportionate increases.

This provision, Mr. Speaker, should provide some additional stimulus for children of seriously disabled veterans to remain in school. Another section of the bill will increase the income limits which determine eligibility of dependent parents for dependency and indemnity compensation payments. When a young unmarried serviceman is killed in Vietnam today, his parents must have a combined income of less than $2,400 annually to qualify for monthly payments from the Veterans' Administration. The bill before you today will increase this limitation to $3,000, thus permitting parents to more easily qualify for monthly benefits based upon the death of a son in service.

The bill also contains a number of miscellaneous provisions which represent either clarification of existing law or relatively minor revisions of existing law. The bill contains two provisions relating to the Veterans' Administration nursing care program. Despite the fact that the Congress authorized 4,000 nursing care beds in additions to the existing hospital beds, the Veterans' Administration and the Bureau of the Budget interpreted our action to mean that the 4,000 nursing care beds were included within the 125,000-bed ceiling.

Should this provision become law, the Veterans' Administration, of course, would have great difficulty in constructing nursing care beds at the expense of beds already devoted to active medical care.

The other provision should encourage States to participate in the veterans' nursing care program. You will recall that the nursing care legislation from the 88th Congress authorizing the appropriation of $5 million annually to be disbursed to States on an equal matching fund basis for the construction of nursing care beds for veterans. Under the terms of the legislation, not more than 10 percent of the total $5 million appropriation could be utilized in any one State. A very stringent limitation on the maximum number of beds that could be constructed in any one State was based on the veteran population within the State. As a result, many of the smaller States were limited to 28 or 30 nursing care beds under this program. Apparently, because of these limitations, the Veterans' Administration has received no formal applications for construction funds. Because there were no takers, the appropriation of $5 million has been trimmed to $2½ million for the current fiscal year.

In an effort to provide additional incentive to States to participate in this program, H.R. 168 removes the dollar limitation per State and revises the ceiling on the number of beds that could be allocated to any one State.

Mr. Speaker, I believe this bill represents an equitable adjustment in the rates of compensation for service-connected disability. It also provides other needed changes in existing law. I urge my colleagues to support it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Perhaps I am not conversant with this bill, but a raise of $1 per month, from $20 to $21, for a 10-percent disabled veteran would scarcely be a cost-of-living increase as related to 1933.

Mr. ADAIR. I would say to the gentleman that the last cost-of-living increase we had for the service-connected disabled was in 1962, while the last increase in dependency allowances was in 1957. The cost of living has increased 2.5 percent and 10.3 percent since those dates. Since 1933 there has been a 141 percent increase in the cost of living and a 126-percent increase in compensation rates. The proposed overall average increase would more closely establish comparability between these two figures. It was the committee's feeling that the more seriously disabled veteran should receive a substantial increase. In order to accomplish this purpose it became necessary to vary the percentage increase at each disability level. Consequently, the 10-percent disabled veteran will receive a 5-percent increase while the 100-percent disabled veteran will receive a 20-percent increase. So although those at the lower level are getting in most cases something less than the average 10 percent, those with serious disabilities will receive more than that figure. None, however, will receive less than the percentage increase in the cost of living since 1962, the year that the rates of compensation were last increased.

Mr. GROSS. I thought that was probably the case. We have gone into that compression in connection with pay increases for Federal employees. I thought that was probably the case, but I think it is something of a misnomer to say this is a cost-of-living bill when the increase is $1 from $20 to $21 and $2 per month, from $38 to $40, with a 20 percent disability.

Mr. ADAIR. Perhaps we should emphasize the remarks made earlier, that it is a modest increase and one which, therefore, we think every person in this body will want to support. The gentleman is well aware that if we do give larger increases, the dollar cost mounts very rapidly. I may say to the gentleman that we were under some pressure from the Veterans' Administration and the Bureau of the Budget to keep the dollar cost of this to a reasonable figure, and we have done so, while providing, at the same time, a reasonable increase in compensation rates, particularly to those who are seriously disabled.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, as long as we are going to try to police the world. I assume that these bills for veterans will only get larger. I happen to be one of those who believes we ought to be withdrawing our troops from at least some of the areas of the world and letting those people take on their own policing obligations. In that way we should be able to reduce the necessity for some of this spending.

Mr. ADAIR. Mr. Speaker, I would have to respond to the gentleman by saying that certainly as long as hostilities do continue throughout the world we are bound to have greater expenditures for veterans' benefits. I feel that we have an obligation to do the best we can to take care of them.

Mr. GROSS. Mr. Speaker, I will say to the gentleman that I am thinking in terms of Europe. I believe the non-Communist nations of Europe have the ability financially and otherwise to take care of their own defenses. We ought to get our troops back from Europe.

Mr. ADAIR. Certainly I would find myself in agreement with the gentleman that we ought to look to other nations of the world to carry a greater share of the load of taking care of themselves and, indeed, taking a greater share of the load of assisting underdeveloped nations.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from California.

Mr. HOSMER. Mr. Speaker, I am concerned about the situation where the recent increase in social security benefits has resulted in one amount which is much smaller than the amount of veterans' benefits that are lost by the social security recipients' increases in social security. Could the gentleman explain whether or not something is being done about that?

Mr. ADAIR. I would say to the gentleman that this is a matter which is very much before the committee and is receiving study. This bill, being a compensation bill, does not go to that point. We are aware of the inequity of which the gentleman speaks, and the committee is studying it and working on it.

Mr. HOSMER. I thank the gentleman, because it does concern a large number of veterans, and something should be done about it.

Mr. ADAIR. The gentleman is correct.

Mr. Speaker, I have no further requests for time.

Mr. HALPERN. Mr. Speaker, in this session of the 89th Congress, we have passed a great number of bills designed to enhance the quality of life in America and to make the boundless opportunities of America more fully available to all her citizens. We have endeavored to provide more security for our senior citizens, better housing for those living in substandard dwellings, and a greater promise of higher education for our young. But none of this would be possible if it were not for the past sacrifices of today's veterans—sacrifices which kept America free and secure.

It is therefore, most appropriate that in our strivings to advance our society, we remember the efforts of those who saved our society by their dedication, endurance, and countless acts of courage. The bill before us today, which I was privileged to cosponsor, takes into account the special sacrifices of a class of these veterans—those who were disabled in the service of their country.

This bill increases the rate of compensation to disabled veterans, to bring this compensation up to date with the increased cost of living. Rates of compensation for service-disabled veterans were last increased in 1962, since which time, the cost of living has increased some 2½ percent. In addition, the bill increases dependency allowances, which were last adjusted in 1957, when the cost of living was 10.3 percent lower than it is today.

Thus, the main object of this bill is to alter these rates of compensation to keep them realistic, and in accord with the changed purchasing power of the dollar.

This is indeed a modest measure. It is not designed to reward those who suffered injury or sustained disease in their service to this Nation, for those men are above seeking rewards for having done what they viewed as their duty, as Members of Congress, to compensate these veterans for lost earning power attributable to their service-connected disabilities.

Other provisions of the bill would adjust indemnity payments to the parents of those who died as a result of their service in the Armed Forces, and permit children of disabled veterans to continue their education to the age of 23 without losing their dependency status. Finally, the bill will substantially increase the number of nursing care beds which will be available to veterans, by changing the formula to 1½ beds per 1,000 veterans in each State, rather than the present one-half bed per 1,000.

As a member of the House Committee on Veterans' Affairs, I followed this legislation most closely, and studied it in depth. I believe the bill corrects many existing inequities and evidences the real concern which exists in this Congress for the welfare of our disabled veterans. I therefore strongly urge all my colleagues to support this bill designed to give a fair break to our veterans who have given so much to our country.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 168, which provides a 10-percent average cost-of-living increase in disability compensation payments for veterans having service-connected disabilities, for their dependents, and for parents upon whom they are dependent.

The 11 sections of this proposed bill are necessary, and merit the support of every Member of this House, yet the bill should also evoke some opposition because of what it does not do.

We note with some dismay that H.R. 168 contains section 8, permitting the Federal Government to defend physicians, dentists, and nurses in the Department of Medicine and Surgery of the VA in the event a malpractice suit is brought against them. Let me hasten to add I find no objection to the substantive content of section 8, but it should be observed and also emphasized that this section was originally a part of H.R. 202, the bill previously reported by the committee to require congressional approval in advance of any future closings or major modifications of VA facilities. Let us all hope that the shifting of this section from one reported bill to another is not a sign that the Veterans' Affairs Committee is going to give up its fight against needless and foolish "economizing" at the expense of the American veteran. H.R. 202 is a good bill, and ought to be enacted before the 89th Congress adjourns next year.

Section 10 of this bill is also illustrative of the difficulties faced by the veteran in trying to secure the measure and quality of medical care due to him.

In August of 1964, the Congress passed Public Law 88-450, authorizing 4,000 nursing care beds in addition to the presidentially established ceiling of 125,000 authorized veterans' hospital beds. Since that time, the Bureau of the Budget has contended, over the unanimous objections of the congressional committee which drafted the law, that the intent of Congress was to include these 4,000 new beds within the 125,000-bed ceiling. In other words, despite the clear and contrary position of the Veterans' Affairs Committee as to the intent of Congress, the bureaucrats at the Bureau of the Budget have unilaterally attempted to reduce the hospital bed ceiling from 125,000 to 121,000 beds.

Apparently the only way the Congress can make its intent clear to those mental giants in the executive branch of our Government is to write exceedingly detailed statutory language that provides for no assumption of basic intelligence and leaves absolutely no discretion to those bureaucrats who have in the past repeatedly interpreted language in legislation to be adverse to the veteran. Thus the committee has had to include section 10(b), which states explicitly that the 4,000 nursing care beds shall be in addition to the 125,000 bed ceiling for hospital beds, and section 10(a) which makes the ceiling of 125,000 beds statutory in the form of a minimum number of hospital beds the VA Administrator is authorized to establish and operate.

Mr. Speaker, on August 27, less than 2 weeks ago, 279,000 veterans of western Missouri and eastern Kansas marked that day as a bleak and dreary one. The VA regional office at Kansas City, a vital institution that had served that area for more than 40 years, was transformed into an impersonal, mechanized mail-order service.

In connection with the closing of this office that had served the people of two States since 1924, I made the observation that the only rejoicing over this closing would come from the super-bookkeepers in the Bureau of the Budget. I also made the observation that the veteran seemed to be the truly forgotten man in the Great Society.

Yet no matter how critical I may be of those in the executive branch who seem intent on shortchanging the veteran, to be fair and objective, I must hail H.R. 168 as a step in the right direction. The chairman of the House Veterans' Affairs Committee certainly deserves the commendation of all Members for his leadership in reporting out H.R. 168. As I indicated earlier some of its provisions may be subject to question but it is a forthright effort to increase the rates of service-connected disability compensation to correspond with the increase in the cost to live. The record will show that the chairman of the House Veterans' Affairs Committee introduced this measure as long ago as January 4, 1965. Quite sensibly it proposes an approximate 10-percent increase in the compensation payable to disabled veterans and quite appropriately provides a somewhat greater increase for those veterans with a rating of more than 50-percent disability.

Chairman TEAGUE's proposals make sense. Our move today on the House side of the Congress should be quickly concurred in by the other body. This effort certainly deserves the full and complete support of the executive branch. Surely this administration which has proposed funds for so many new and different programs can find the means to increase the rate of disability compensation by enough to equal the rise in the cost of living. Until H.R. 168 together with several other much needed bills are enacted into law there should be less talk from VA about the full and complete care being given our veterans.

Mr. ROBERTS. Mr. Speaker, I rise in support of H.R. 168 introduced by the distinguished chairman of the Veterans' Affairs Committee, the Honorable OLIN E. TEAGUE. This bill is similar to my bill, H.R. 10391. As a combat veteran, I am pleased that the Committee on Veterans' Affairs has reported this bill and recommended its passage.

Mr. Speaker, Congress has long recognized the sacrifices made by our veterans who have sustained disability as a result of service in the Armed Forces of this great Nation. We have sought to provide them compensation in the form of financial remuneration and to provide adequate hospitals and medical facilities. The present system of disability compensation dates back to 1933 under the Roosevelt administration. Rates of compensation for our service-disabled veterans were last increased in 1962.

H.R. 168 proposes a 10-percent increase in the compensation payments to our disabled veterans adjusted to the nearest dollar. These increases are designed to compensate for the increases in the cost of living. The figures recommended by the committee will bring our rates of compensation more closely in line with increased living costs.

I support this bill because I believe that there is no greater service than service to our country. We must assist our fellow veterans who have made great sacrifices for the sake of preserving our Nation and our way of life. I strongly urge the passage of this bill.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FASCELL. Mr. Speaker, I want to commend the Committee on Veterans' Affairs for reporting the bill H.R. 168, which has been considered and passed by the House of Representatives today, H.R. 168 is identical to my bill, H.R. 10881. I hope this legislation will receive speedy and favorable consideration in the Senate, so that its provisions may be enacted into law during the present session of Congress.

As Members are aware, H.R. 168 will provide for an average 10-percent increase in compensation payments for veterans with service-connected disabilities. The increases will vary from $1 in the case of the 10-percent disabled veteran to $85 in the case of some few very severely disabled veterans who receive special allowances because of the extreme impairment of health which they have suffered. A general increase in compensation payments was last granted in 1957. Certainly, these veterans, whose disabilities were incurred because of their service to this country, are entitled to every consideration possible, and particularly is this so in the case of those who suffered such severe disabilities that their earning power is seriously impaired.

There are 1,837,591 veterans on the compensation rolls of the Veterans' Administration whose disabilities were incurred in wartime, and a total of 1,934,074 veterans receive compensation payments for disabilities incurred in either wartime or peacetime. At the end of June of this year, 65,554 of these veterans listed Florida as their official residence, and received $65,297,673 during fiscal year 1965 in the form of compensation payments. The increases granted by H.R. 168 will place this figure at over $72 million, since $6.7 million more will go to these particular veterans because of enactment of this legislation.

In addition to increasing the basic compensation payments for service-connected disabled veterans, H.R. 168 would also increase the dependency allowances paid to veterans who are 50 percent or more disabled, and permit payment of this allowance until the dependent child attains the age of 23 if the child is pursuing a course of education in an approved educational institution.

Although H.R. 168 is primarily a bill to increase compensation payable to service disabled veterans, there is also included a provision which will benefit dependent parents of servicemen who lost their lives because of service in the armed forces, that is those dependent parents who receive dependency and indemnity compensation payments. H.R. 168 raises the income limitations applicable to this group of beneficiaries, and the effect of this action will be to provide increases for many who presently receive these payments, as well as to extend eligibility to certain parents who do not now qualify to receive these payments because their income is in excess of the maximum allowable under the law.

Mr. Speaker, I hope that H.R. 168 will soon be enacted into law.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 168, as amended?

Mr. TEAGUE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER pro tempore. The question is on the motion to suspend the rules and pass the bill H.R. 168.

The question was taken and the Speaker pro tempore announced in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. ADAIR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 0, answered "present" 2, not voting 82, as follows:

[Roll No. 264]

YEAS—348

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baldwin
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Cramer
Culver
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Passman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

ANSWERED "PRESENT"—2

Michel
Williams

NOT VOTING—82

Andrews, George W.
Ashbrook
Ashmore
Bandstra
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Cameron
Carey
Chamberlain
Chelf
Clawson, Del
Clevenger
Corman
Craley
Cunningham
Curtis
Derwinski
Diggs
Dwyer
Edwards, Ala.
Ellsworth
Feighan
Flood
Frelinghuysen
Fulton, Tenn.
Goodell
Grabowski
Griffiths
Halpern
Hanna
Hébert
Hungate
Hutchinson
Jacobs
Kee
Keogh
Kornegay
Landrum
Lindsay
McMillan
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mills
Nix
O'Neal, Ga.
O'Neill, Mass.
Patman
Pepper
Poage
Powell
Quillen
Reid, Ill.
Reifel
Resnick
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Slack
Stephens
Sweeney
Thomas
Todd
Toll
Tuck
Tunney
Van Deerlin
Vanik
Whitten
Wilson, Charles H.
Zablocki

So (two-thirds having voted in favor thereof) the motion was agreed to.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Martin of Massachusetts.
Mr. Hébert with Mr. Frelinghuysen.
Mr. O'Neill of Massachusetts with Mrs. Bolton.
Mr. Sweeney with Mrs. Dwyer.
Mr. Roncalio with Mr. Cunningham.
Mr. Madden with Mr. Saylor.
Mr. Zablocki with Mr. Berry.
Mr. Mills with Mrs. Reid of Illinois.
Mr. Vanik with Mr. Derwinski.
Mr. Charles H. Wilson with Mr. Del Clawson.
Mr. Feighan with Mr. MacGregor.
Mr. Chelf with Mr. Goodell.
Mr. Cameron with Mr. Chamberlain.
Mr. Fulton of Tennessee with Mr. Curtis.
Mr. Ashmore with Mr. Reifel.
Mr. George W. Andrews with Mr. Hutchinson.
Mr. Slack with Mr. Ashbrook.
Mr. Rostenkowski with Mr. Halpern.
Mr. Toll with Mr. Quillen.
Mr. Tuck with Mr. Martin of Alabama.
Mr. Whitten with Mr. Ellsworth.
Mr. Pepper with Mr. Lindsay.
Mrs. Griffiths with Mr. Edwards of Alabama.
Mr. Kee with Mr. Clevenger.
Mr. Carey with Mr. Jacobs.
Mr. Corman with Mr. Bonner.
Mr. Barrett with Mr. Hungate.
Mr. Diggs with Mr. Ryan.
Mr. Selden with Mr. Roosevelt.
Mr. Todd with Mr. Grabowski.
Mr. Poage with Mr. Hanna.
Mr. Powell with Mr. Macdonald.
Mr. Tunney with Mr. McMillan.
Mr. Mackie with Mr. Thomas.
Mr. Landrum with Mr. Craley.
Mr. Kornegay with Mr. Baring.
Mr. Bandstra with Mr. Nix.
Mr. O'Neal of Georgia with Mr. Resnick.
Mr. Flood with Mr. Stephens.
Mr. Roberts with Mr. Patman.
Mr. Van Deerlin with Mr. Matsunaga.

Mr. WILLIAMS. Mr. Speaker, I am recorded as having voted "yea."

In compliance with rule VIII of the House of Representatives, I ask that my vote be withdrawn and that I be recorded as voting "present."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend title 38 of the United States Code to provide increases in the rate of disability compensation; and for other purposes."

A motion to reconsider was laid on the table.

EDUCATIONAL ASSISTANCE ALLOWANCES UNDER WAR ORPHANS' EDUCTIONAL ASSISTANCE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 205 entitled "An act to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes," with the Senate amendments thereto and to disagree to Senate amendments numbered 1, 2, and 3, and to concur in Senate amendment No. 5.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$130", "$95", and "$60", and insert "$150", and "$110", and "$75".

Page 1, line 8, strike out "$105" and insert "$125".

Page 2, line 3, strike out "$130", and "$41", "$41", and "$54.25", and insert "$150", "$50", "$50", and "$5".

Page 2, line 11, strike out "section" and insert "and second sections".

Mr. TEAGUE of Texas. Mr. Speaker, the motion which I have made simply means that the House will return to the rates specified in the bill as originally passed by the House.

This legislation relates entirely to educational assistance for war orphans of veterans who lost their lives in defense of their country, or who are totally disabled.

The rates originally provided when this law was enacted in the 84th Congress as Public Law 84–634 were $110 a month for full-time training, and lesser rates for those taking a proportionate amount of time. The rates passed by the House represent precisely the increase in the cost of living which has occurred since the enactment of the original law. The Senate rates were considerably higher, and I think when all factors are considered, it is desirable that the House rates prevail in view of their relation to the increased cost of living.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Senate amendments Nos. 1, 2, and 3 were disagreed to, and Senate amendment No. 4 was concurred in.

A motion to reconsider was laid on the table.

ASSATEAGUE ISLAND NATIONAL SEASHORE

Mr. RIVERS of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2071) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

The Clerk read as follows:

H.R. 2071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS–AI–7100A, November 1964"; which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property asquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided,* That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided,* That Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided,* That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further*, That nothing in this Act shall add to or limit the authority of the Federal Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

((d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount equal to the cost of constructing such facilities less depreciation.

SEC. 11. There are hereby authorized to be appropriated the sum of not more than $16,250,000 for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. MORTON. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may require to the chairman of the full committee [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I rise in support of H.R. 2071, a bill to create the Assateague Island National Seashore.

There was a time when we thought of our national park system as being almost exclusively confined to the western part of the country. That time, fortunately, is past. We are building up an impressive list of areas along the eastern seaboard of which we can all be proud. Starting in the north and working south, we have Acadia National Park in Maine, the Cape Cod National Seashore in Massachusetts, the Fire Island National Seashore in New York, the Delaware Water Gap National Recreation Area in New Jersey and Pennsylvania, the Shenandoah National Park and the Colonial National Historical Park in Virginia, the Cape Hatteras National Seashore Recreational Area in North Carolina, the Great Smoky Mountains National Park in North Carolina and Tennessee, and the Everglades National Park in Florida, not to mention a host of smaller areas that have been acquired or set aside for preservation because of their historical worth.

It is with great pleasure, then, that I support the proposal to add Assateague Island to this list. I have often said that I am a mountain man, not a beach man, and there are times when I visit such an area as Assateague and wonder what anybody wants with 19,000 acres of sand and what they can do with it. But then I remember that nearly a fifth of the population of our entire Nation lives within 250 miles of this island and that the Cape Hatteras Seashore to the south, with much less population within the same radius, is already attracting over 1 million visitors a year. When I remember these things, my question is not so much what we can do with the acreage contemplated by this bill as what we can do with all the people who will want to visit it. There is no doubt in my mind that Assateague will be a useful addition to the national park system and that it will serve millions of Americans year after year from New York, Philadelphia, Wilmington, Baltimore, Washington, and Norfolk as well as the areas in between.

We have been concentrating much of our effort in the Interior and Insular Affairs Committee these last few years on recreation areas which not only have national significance but also offer a recreation potential for our great centers of population. In doing so, we have been following up on the recommendations of the Outdoor Recreation Resources Review Commission. Cape Cod was of this sort. So were Point Reyes in California and Fire Island in New York. Assateague Island falls neatly into the same pattern, and the same considerations that induced the House to enact the legislation creating the Cape Cod, Point Reyes, and Fire Island areas should persuade it to pass the bill that is now before it.

No one knows for certain precisely how much it is going to cost to acquire Assateague Island from its many owners. Our committee was advised, however, that the National Park Service has had three separate appraisals made, including one by a disinterested appraiser in private practice, and that the best estimate that could be made at this time was $16,250,000. We wrote this figure into the legislation as a ceiling on authorized appropriations for land acquisition. We hope that it will stick. If it does not, there will have to be a further enactment before more can be appropriated.

Likewise, we are requiring the National Park Service to furnish us with a detailed plan of development before any major expenditure along this line is made, and they have agreed to do so. This is important since, contrary to our frequent practice, we have not included a limitation on authorized appropriations for development. Though we had a reasonably good estimate of the amount needed for this purpose—$7,765,000—this was before the bill was amended in committee to provide for a road the entire distance between the two bridges which connect the island to the mainland—one in the north known as the Sandy Point-Assateague bridge, the other in the south known as the Chincoteague-Assateague bridge.

The Assateague Island National Seashore will be subject to the provisions of the Land and Water Conservation Fund Act regarding the charging of entrance and user fees, and this fund will be available for appropriations for the acquisition of the land that is to be included in the national seashore.

Mr. Speaker, I recommend favorable action by the House on H.R. 2071.

Mr. MORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with a deep feeling of honor and privilege that I rise today to speak in support of H.R. 2071, a bill to provide for the establishment of an Assateague Island National Seashore in the States of Maryland and Virginia.

This historic occasion is doubly satisfying to me because most of this priceless natural resource lies within the boundaries of the First Congressional District of Maryland which I have the good fortune to represent in the Congress.

The preservation of Assateague Island is a major landmark in the long and arduous battle by the American people and their Government to conserve the God-given treasures that once covered our land from coast to coast. These noble efforts, begun under that great Republican President, Theodore Roosevelt, are ever more vital today. Exploding population and sprawling cities every day threaten to destroy what is now only a tiny fraction of the natural beauty that once was the heritage of all Americans.

This critical situation is particularly acute in the eastern United States where the overwhelming proportion of our citizens live and work. Of the 3,700 miles of shoreline along the Atlantic and gulf coasts, there are only 105 miles, or less than 3 percent, that remain available for use by the general public. Between Richmond, Va., and Boston, Mass., lies what has come to be known as the great eastern megalopolis. This urban mass, of some 34 million people, or approximately one-fifth of our total population, lies within 250 miles of the proposed Assateague Island National Seashore.

Mr. Speaker, I believe we have a solemn duty today to take bold and positive action in the national interest, in the interest of all of our fellow citizens in the present, and in the interest of untold millions of Americans in the years ahead. Enactment of H.R. 2071 will preserve a wonderland of barrier beach and shifting sands thrusting outward from the sea. It will hold in trust a near-wilderness of only 37 miles off the shores of Maryland and Virginia, just about all that is left of one of the world's most beautiful coastlines.

But time is of the essence, Mr. Speaker, and time is running out. There are some who would put the preservation of Assateague in jeopardy in spite of our efforts to pass the legislation before us today. Only this past weekend, work was begun on a motel in the heart of the area earmarked under H.R. 2071 for inclusion in the national seashore. Every moment's delay can only increase the dangers that have faced this natural wonderland for years, and can only increase the doubts in the minds of many as to the future of this island asset.

So let us act now in the tradition of public responsibility that has in recent years established national seashores at Cape Hatteras, at Cape Cod, at Padre Island, at Point Reyes, and only last year, at Fire Island. Let us act now to set aside for future generations a tiny segment of the endowment which is still ours to bestow. Let us all support H.R. 2071 to create a national seashore on Assateague Island.

Mr. Speaker, I now yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I would like to ask a question concerning the toll bridge that has been constructed by the State. There is some indecision, according to the report, as to whether the Federal Government will take this over at a cost of $1 million.

Why not let the State continue to collect tolls until this bridge is paid for?

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Maryland.

Mr. MORTON. This is complicated by the fact that there is a State park and also the proposed national park at the extreme eastern end of the bridge. If we operate this as a toll bridge, and then also have user entrance fees which are authorized by the Secretary to be collected by the national seashore, the whole toll fee entrance proposition to the island becomes very cluttered up. It was felt that the taxpayers got more for their money this way and that we will have more visitors. We will collect more from the user fees than we would through this toll technique.

Mr. GROSS. It seems a rather incongruous situation that in Texas you cannot get on the southern end of Padre Island without paying a toll. I think it ought to be paid for by the State of Maryland and the bridge made free to the people.

Mr. MORTON. The bridge will be made free to the people.

Mr. GROSS. Yes; by the Federal Government putting in two-thirds of the cost of the bridge.

Mr. MORTON. The Federal Government is already bearing a large portion of the cost of the bridge. The State is not going to get back any more than it put in it and neither is the county.

Mr. GROSS. At one seashore tolls are permitted, as with Padre Island, but here there would be no tolls.

Mr. MORTON. I think the gentleman has to differentiate in his mind between user fees for the park and tolls to cross a bridge.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOSMER. In most of the Federal highways the Government puts up 90 percent of the cost and not 66⅔.

Mr. MORTON. Mr. Speaker, I yield back the balance of my time.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I rise in full support of this bill. I represent Virginia's first district—the coastal district in Virginia, running from North Carolina on the southern border to Maryland on the district's northern border. The Virginia end of Assateague Island lies in my congressional district.

Acquisition of Assateague Island by the Federal Government for the creation of a national seashore park will have a significant impact on the residents of my district. My constituency has followed the history of Federal acquisition of Assateague Island in close detail and they are now hopeful that the proposed Assateague National Seashore can be created in the shortest possible time. I therefore urge the House to accept the outstanding work of the Interior and Insular Affairs Committee and pass H.R. 2071.

Before continuing, Mr. Speaker, I want to congratulate the House Interior and Insular Affairs Committee for the brilliant legislative work it has done on H.R. 2071. My colleagues know that the proposed acquisition of Assateague Island has at times involved bitter controversy and deep emotion, but the wisdom and the fairness of our House Interior and Insular Affairs Committee have created an atmosphere of balance and objectivity. The emotionalism has subsided and we now have a bill that can be and should be supported by every member of this body. I commend Chairman ASPINALL and Subcommittee Chairman RIVERS and the full membership of the committee.

Mr. Speaker, there are very few seashore areas remaining along the Atlantic coast. We have a scarcity of seashore recreation sites open for recreational use by the public. The scarcity of seashore recreation areas clearly will become more acute with the expected population growth in the urbanized area along the central Atlantic coast. The bill we are considering today, along with the companion bill, S. 20, which has passed the Senate, represents our Nation's near final opportunity to acquire a seashore recreation area in the public interest.

Private development along our seashores has been accelerated in the recent past. The pressure of population undoubtedly will lead to further acceleration. We will soon be a nation with twice as many people as we were when the real estate boom along our Atlantic coast got underway. The Congress, it seems to me, must take the responsibility, in this instance, for balancing development in desirable seashore areas between private and public interests. I believe it is useful to give the 50 million people who live within a day's drive an opportunity to enjoy Assateague Island's superlative beach. However, I personally believe that this superb island should be developed for the benefit of all of our people—not just those Americans who like to get away from it all. I know that many Americans who would journey to Assateague want something more than a naturalist's holiday. They want and need controlled public accommodations. This, Mr. Speaker, is one of the reasons that H.R. 2071 represents such splendid committee work. Because H.R. 2071 balances Assateague Island's potential by providing nature in the raw for those Americans who prefer it that way and limited and controlled public accommodations for those Americans who are not necesarily camping enthusiasts. To me, it is important that Members of the House now have an opportunity to vote for a bill that will place a major national recreation area within easy reach of about one-fourth of our Nation's population and it seems important to me that the bill is designed to assure that both unspoiled natural areas and properly located public accommodations will meet the needs of all visiting Americans.

On this point, Mr. Speaker, I would like to clarify, if I may, the wishes of my constituency in connection with the land being set aside for public accommodations on the Virginia end of the island. My constituency is not interested at this time in commercial development on the Virginia end of Assateague. It is our hope that the Interior Secretary would set an area aside in its present natural state, without development or construction of public accommodations in the foreseeable future. The world famous Chincoteague oyster is farmed in Tom's Cove and in the Chincoteague Bay areas just below the Virginia end of Assateague Island. Construction of any kind would undoubtedly decimate a product that is famous throughout the Nation and we, of course, cannot allow this to happen. Of course, we assume in Virginia that the time will come when developments in the oyster industry and population demands for public accommodations may coincide, and we hope that the Interior Secretary would permit construction of public accommodations on our end of the island at that time, but the situation is not emergent and the 600 acres set aside in Maryland should provide adequately for public accommodations for a long time. I believe, Mr. Speaker, that H.R. 2071 adequately covers this point, but there has been some confusion on the purpose of the set-aside provisions for Virginia and I want the record to clearly indicate that we want the capability to provide public accommodations in Virginia at the appropriate time in the distant future, but we have no interest in commercial development in the immediate or near future.

The Chincoteague area is one of Virginia's richest oyster producing regions and we must preserve the Chincoteague oyster. I am hopeful that nothing we will do on Assateague Island will in any way diminish Chincoteague's oyster production. I hope and urge that the Interior Secretary will always keep in mind the importance of preserving the Chincoteague oyster industry.

Mr. Speaker, I would like to comment particularly on only one other section of H.R. 2071. Section 9 of the bill provides for construction of a road from the Chincoteague-Assateague Bridge to the Chincoteague beach area and for the construction of a road to connect the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge. The precise location of this dual road is left to the Interior Secretary's judgment and I assume the Interior Secretary will locate the roads on the basis of technical considerations and professional engineering recommendations. But, without regard to the Secretary's decision on road location, I want to thank the House Interior and Insular Affairs Committee for authorizing and directing this dual roadway system. I believe section 9 may be the single most important feature of the bill, because a road connecting the two bridges—one on the Virginia end and one on the Maryland end, and a road from the bridge on the Virginia end to the Chincoteague beach area will mean that the millions of Americans who will travel to Assateague Island by automobile will be able to enjoy not only the attractions of the island itself but the attractions of a southern coastal tour. A road from bridge to bridge makes possible a circumferential visiting pattern in the area. Travelers would be able to conveniently visit almost the entirety of the area that has so appropriately been called "the land of pleasant living." A loop road would also make it possible for Americans to conveniently visit one of the great engineering feats of all time—the unbelievable Chesapeake Bay Bridge Tunnel. I do not mean to regale my colleagues on the beauty of my home area—but to my mind the provision of the loop road on Assateague Island is an ingenious provision because it opens up the entire Chesapeake Bay area as well as Assateague Island itself to the central Atlantic urban area. This is clearly in the public interest and it clearly meets the first objective of the bill to open up recreation areas for the urbanized areas in our central Atlantic region.

Mr. Speaker, it is a pleasure for me to arise in full support of the bill. I hope my colleagues will share in my belief that it is a bill that deserves unanimous support of the House. I hope it will be passed unanimously.

Mr. RIVERS of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Speaker, I thank the gentleman from Alaska for yielding this time to me.

Mr. Speaker, I also rise in wholehearted support of H.R. 2071.

Now is the time of the year when many Americans spend part of their summer vacationing at the seashore.

Assateague constitutes the last significant stretch of undeveloped seashore on the eastern seaboard. It is easily accessible from such large metropolitan centers as Norfolk, Richmond, Washington, Baltimore, Wilmington, Philadelphia, New Jersey, and New York. An estimated 33 million people live within 250 miles of the island, now connected to the mainland by a newly constructed bridge across the bay.

The ease of access created by the opening of the Assateague Bridge on the Maryland mainland has now increased pressures on State officials to permit development of the island by private individual or commercial concerns.

If Assateague is indeed to be preserved unspoiled for the enjoyment of those millions who lack the opportunity to have access to a private ocean beach, the Congress must act promptly.

The State of Maryland itself is strongly in favor of an Assateague National Seashore and is anxious to move ahead with its plans to develop the State-owned portion of the island. Recently, a proposed master plan of the State Department of Forests and Parks was made public. The plan earmarks $6.7 million for development of the Maryland section of Assateague over the next decade.

At the present time part of the island is owned by the State of Maryland, part is owned by the Federal Government and the remainder is in private ownership. This bill is to acquire Assateague Island as a national seashore provides adequate funds for the just compensation of the present property owners.

In the not too distant future Assateague Island is expected to attract 3 million visitors annually. It is my hope that the Congress will approve Assateague Island as a national seashore so that this valuable asset can benefit our entire Nation and be preserved for future generations.

Ample provision is made to permit the leasing by private developers of 600 acres insuring adequate facilities for public use and the promotion of private enterprise without in any way marring the beauty of the island.

We all know that our country has been generously endowed by nature with beauty of awesome proportions, yet we find that as our population tends to cluster in great sprawling cities. Fewer and fewer of our citizens are able to enjoy nature's handwork. Because so few spots of this sort are either accessible or publicly available, it would be a sad waste to permit this lovely island to either remain unused or to limit its use to only a few. President Johnson has pointed out that it is especially those of us who live and work in cities who stand to benefit most from the "enrichment of mind and spirit" which naturally beautiful environments often provide. A national seashore on Assateague Island offers just such an opportunity, and I do not think we can afford to let it pass.

Mr. RIVERS of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to add my support to the efforts of our colleague from Maryland, Congressman MORTON, and of our colleague from Virginia, Mr. DOWNING, and of other Members of the Maryland and Virginia delegations to have Assateague Island declared a national seashore. They did an excellent job in presenting their case before our Subcommittee on National Parks and Recreation, and in showing us Assateague Island when we visited it about 2 months ago. I congratulate them on the successful outcome of their efforts and I thank them for the many courtesies they showed to us.

There are three points about the Assateague Island proposal that I want to stress. The first is that, without disturbing the present functions of the Chincoteague National Wildlife Refuge, on the southerly portion of Assateague Island, we will be combining it with a new national recreation area and in this way will be making available for public enjoyment practically the whole of the 33 miles of beach on the ocean side of Assateague Island. This will be a great contribution to the pleasure of people living in the metropolitan corridor that stretches from New York to Norfolk and to that of the many other visitors who will come here from more distant parts of the Nation.

The second point I want to stress is this: One of the jobs of the Fish and Wildlife Service and the National Park Service in their administration of the Assateague Island National Seashore will be the preservation of the herd of wild ponies that is such an attractive and interesting feature of the island. If Assateague Island were ever developed as was proposed when a large part of it was platted and subdivided, the pony herd would be much more restricted than it will be when the island is administered as a national seashore.

A third feature of this bill is its direction to the Secretary of the Interior to set aside as much as 600 acres in the Maryland portion of the national seashore for concession services. Many people who will visit Assateague will want to stay there overnight or longer and will not want to camp out. It is these people that we were thinking of when, in marking up the bill, we included not only the provision I just referred to but also a provision to set aside a similar area in the Virginia portion of the park for the same purpose. An additional benefit that will accrue from permitting concessioners to operate in these areas will be the tax base that will be preserved for the local political subdivisions.

In addition to these three matters, I want to discuss briefly the problem of a road on the island. This was thoroughly discussed in the committee. It was clear to all of us that a road will be badly needed. It was clear to all of us, also, that the road ought to connect the Maryland exit at the Sandy Point bridge with the Chincoteague bridge to the south and not be merely a 12-mile stub in the Maryland part of the national seashore. What was not clear, however, was where the road should be located. Some wanted it right back of the dune line as it presently exists. Others thought it should be farther to the west. Still others wanted to bypass as much of the national wildlife refuge as possible. It was thus impossible to make a decision on the location of the main road at the time we marked up the bill. This was left to be worked out by the Secretary of the Interior. His decision will have to be made with three main considerations in mind: First, the preservation of as much of the wildlife refuge area with its wilderness characteristics as possible; second, the convenience of the public visiting the national seashore and the role the road can play in acquainting them with the beauties of the area; and, third, the engineering and cost factors in favor of one route as against another.

Mr. Speaker, there are any number of other points about H.R. 2071 that I could mention but they either have been or will be so well covered by other speakers that I will not use up your time with my comments. I close, therefore, by asking your support for H.R. 2071. It deserves your support, for Assateague will be a very worthy addition to our national park system and will, in the years to come, serve the American people in an outstanding way.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There being no objection, the Clerk read the Senate bill, as follows:

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation and use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS–AI–7100A, November 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

Sec. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or by such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of the law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland, and convey to the grantor of such property and federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged..

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Asateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Asateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner. The term improved property as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the build ing is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxtent Bay including the offshore bay islands adjacent thereto, that are used chiefly for hunting and continues in such use and in the same ownership: *Provided,* That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such land or interest therein on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes; and the Secretary is authorized and directed to convey or lease such land or interest therein to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interest therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided,* That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost to the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment: *Provided,* That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland, and to provide such land fill within the area selected as he deems necessary to permit and protect permanent construction work thereon.

(b) Within the area designated under subsection (a) the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore, under such terms and conditions as he deems necessary in the public interest. Such terms and conditions shall include, but not be limited to, the right of the Secretary to approve all plans for the facility and to impose restrictions on the use thereof.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States; however, each such privately owned overnight or other accommodation facility shall be subject to taxation by the State and the political subdivisions thereof in which such facility is located.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. The Secretary of the Interior shall construct a suitable road on Assateague Island from the Chincoteague-Assateague Bridge in the State of Virginia to the existing public beach and through the Chincoteague National Wildlife Refuge to connect with the Sandy Point-Assateague Bridge in the State of Maryland.

SEC. 10. There are hereby authorized to be appropriated the sums of not more than $16,250,000 for the acquisition of lands and interests in lands and not more than $7,765,000 for the development of the area authorized under this Act.

AMENDMENT OFFERED BY MR. RIVERS OF ALASKA

Mr. RIVERS of Alaska. Mr. Speaker, I offer an amendment to strike out all after the enacting clause of S. 20 and insert the provisions of H.R. 2071 as just passed.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of Alaska: Strike out all after the enacting clause of S. 20 and insert the provisions of H.R. 2071 as just passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A similar House bill (H.R. 2071) was laid on the table.

AMENDING THE SMALL RECLAMATION PROJECTS ACT

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4851) to amend the Small Reclamation Projects Act of 1956.

The Clerk read as follows:

H.R. 4851

A bill to amend the Small Reclamation Projects Act of 1956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended (43 U.S.C. 422a et seq.) is hereby further amended as follows:

(1) In section 1, by striking out "in the seventeen western reclamation States" and inserting in lieu thereof "throughout the United States";

(2) In section 2, by striking out the second sentence of subsection (d) and the first two provisos thereto and inserting in lieu thereof the following: "The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000 and no loan, grant, or combination thereof for any project shall be in excess of $5,000,000 plus or minus, in any case, such amount as reflects whatever change in costs of construction of the types involved in the project may have occurred between January 1, 1957, and January 1 of the year in which the loan, grant, or combination thereof is made, as shown by general engineering indices:" and by striking out "*And providing further,*" and inserting in lieu thereof "*Provided,*";

(3) In section 4, by adding at the end of subsection (a) the following: "The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions.";

(4) In section 4, by changing the colon (:) in subsection (b) to a period (.) and striking out the remainder of said subsection;

(5) In section 5, by striking out the present text of item (b) and inserting in lieu thereof the following:

"(b) the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) one-half the costs of acquiring lands or interests therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which, if it were constructed as a Federal reclamation project, would be properly allocable to functions, other than recreation and fish and wildlife enhancement, which are nonreimbursable under general provisions of law applicable to such projects.";

(6) In section 8, by striking out "Act of August 14, 1946 (60 Stat. 1080)" and inserting in lieu thereof "Fish and Wildlife Coordination Act (48 Stat. 401), as amended (16 U.S.C. 661 et seq.)";

(7) In section 10, by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

The SPEAKER pro tempore. Is a second demanded?

Mr. HOSMER. Mr. Speaker, I demand a second.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield such time as he may require to the distinguished chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, this legislation will provide for continuing a very successful small water projects program which was initiated 9 years ago, and extending this program, which has been applicable only to the western reclamation States and to Hawaii, to the entire United States.

This program came into being on August 6, 1956, by the enactment of the Small Reclamation Projects Act. Its purpose is to encourage State and local participation in the development and rehabilitation of small water projects primarily for irrigation. The Federal Government assists such undertakings by providing loans and grants to the States or to local public agencies. The local agencies retain full responsibility for the planning, construction, and operation of these small projects. They receive substantially the same benefits and financial assistance from the Federal Government that they would receive if the projects were constructed as Federal reclamation projects. This program successfully complements the regular reclamation program which is primarily geared to larger, more complex, and more costly water resources developments. Since the program was initiated in 1956, 29 projects have either been completed or are presently under construction. Many additional projects are in the planning stage.

The success of this small water projects program in stimulating and encouraging local action in water resources development warrants not only an extension of its life but also its extension to the entire Nation to help meet the evergrowing water needs throughout the United States. In addition to extending the coverage of the program to the whole Nation, H.R. 4851 provides authority for appropriating an additional $100 million for small project loans and grants. It also amends the basic act to recognize changes in costs of construction and bring it more closely into line with recently adopted policies relative to recreation and fish and wildlife.

Many of the proposed amendments to the basic act embodied in H.R. 4851, as introduced, were rejected by the committee. It seemed to us that the success of this program in its present form indicates little need for change except to provide additional funds and to update the act with respect to new policies. The evergrowing water problems and needs throughout our Nation—the East as well as the West—prompted the extension of the program to the entire United States. We recognized the need for an increase in the $5 million ceiling on the amount of any loan, grant, or combination thereof to reflect changes in costs of construction, but not an increase to $7½ million as provided in H.R. 4851, as introduced. The language adopted by the committee provides an increase or decrease in the $5 million to reflect changes in cost of construction of the types involved in the project which may have occurred after passage of the basic act of 1956. This language provides a ceiling of about $6 million at the present time. It can go either up or down in the future.

Although the committee recognized that the interest rate formula in the basic act is different from the formula generally used for Federal water projects at the present time, we did not feel that there was justification for changing the rate. It seemed to the committee that there is little relationship between the interest date to be made applicable to loans for locally constructed private projects and the rate to be used in establishing the repayment requirements for federally constructed and federally owned projects.

The committee also rejected the provisions in H.R. 4851, as introduced, which would have provided for an advance to an organization of one-half the cost of project investigations, and which would have exempted from the congressional review procedure loan applications involving Federal participation of less than $250,000. These proposed changes in the basic act seemed unnecessary and unwarranted.

Mr. Speaker, this small water projects program has served most satisfactorily during the past 9 years a very real need in water resources development in the 17 reclamation States and Hawaii. We believe that it will continue to be a successful program in stimulating and encouraging local action water resources development. With water resources development and use becoming a more important factor in the economy of the entire Nation, we also believe that this program will benefit the eastern part of our Nation as well as the West.

I urge the approval of H.R. 4851, as amended by the committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my friend.

Mr. GROSS. From the looks of the States benefited by this bill, this might well be called the Western States irrigation bill.

Mr. ASPINALL. If my colleague would let me answer him—it might well be called a bill that has so far benefited only three or four States. It has not benefited the Western States generally as my colleague has suggested. It is because of this reason, that we think perhaps the benefits of this program should be available to all of the States of the Nation.

Mr. GROSS. Unless I am unable to read the English language, I would say California was very well taken care of as well as some of the other western States—but particularly California.

Mr. ASPINALL. I think my colleague is right. I think the reason for this is that California was able from the start to take advantage of the provisions of the law. Not only that, but California uses a great deal of its funds for its distribution systems which served their reclamation programs. We do not believe that California has unjustifiably taken advantage of the law; I think she was just in a position to be able to apply for its benefits.

Mr. GROSS. It can be used by other States; is that correct?

Mr. ASPINALL. The gentleman is correct. That is, if they qualify. My State, for instance, has only one project that is qualified, but that is not the fault of the legislation. It is just the fault of the State of Colorado not being in a position to qualify for new projects possible under this program.

Mr. GROSS. Does a State have to be a so-called reclamation State to qualify?

Mr. ASPINALL. At the present time they do.

Mr. GROSS. And this bill changes that?

Mr. ASPINALL. This bill changes it so that every State may have the advantage of the Small Projects Act.

Mr. GROSS. So if it happens to turn dry in Iowa, we can get some financing for irrigation?

Mr. ASPINALL. The gentleman is correct. I would think there might be a few places in Iowa that could prosper under this legislation.

Mr. HOSMER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in support of H.R. 4851, a bill to amend the Small Reclamation Projects Act of 1956, as amended.

It is encouraging to come before my colleagues and support this bill. It is encouraging because the program begun by the enactment of the Small Reclamation Projects Act on August 6, 1956, has been a satisfactory and successful program. It is a partnership which provides for cooperation between the Federal Government and State and local agencies in the construction, development, and rehabilitation of small water projects.

H.R. 4851, is both an extension and expansion of the present program. It does so by amending the act of 1956, as amended.

The first amendment of H.R. 4851 extending the Small Reclamation Projects Act to the 50 States needs a little discussion in view of the increasing water problems of our Nation—a problem which now afflicts equally both the arid West and the drought-stricken Northeastern United States.

With an expansion of the Small Reclamation Projects Act to the 50 States, it became apparent to the committee that additional funds should be authorized to carry out the purposes of the act. Thus, amendment No. 7 of H.R. 4851 authorizes the appropriation of an additional $100 million to carry out the purposes of this act as amended.

The second amendment to the act of 1956 contained in H.R. 4851 limits the loan or grant to $5 million plus or minus the average increase or decrease in construction costs occurring between January 1, 1957, and January 1 of the year in which the loan or grant is made. This amendment to the basic act is intended to expand the small projects program by increasing the ceiling on the amount of the loan or grant in line with the increase or decrease of construction costs since 1957. This permits projects of the same scope as in 1956 to come under the act notwithstanding inflationary pressures during the last 10 years. But no projects of larger scope are provided.

Amendment No. 3 of H.R. 4851 is in keeping with the Federal policy regarding fish and wildlife resources as project costs and allocated among the project functions.

Amendment No. 4 of H.R. 4851 is to delete a portion of section 4(b) of the basic act no longer applicable by the adoption of the committee amendments to H.R. 4851.

The fifth amendment provides for the amendment of section 5(b) of the basic act and requires the contract entered into by the Secretary to set out the maximum amount of the loan or grant and further, that the loan or grant shall not exceed the sum of recently adopted cost sharing policies. This amendment rejects the language of section 8 of H.R. 4851 as introduced which permitted the advance of funds up to one-half of the cost of project investigation and preparation of loan applications.

Amendment No. 6 of H.R. 4851 incorporates the procedural requirements and other provisions of the Fish and Wildlife Coordination Act to the extent that it is not inconsistent with the other provisions of this act.

Mr. Speaker, the Small Reclamation Projects Act of 1956 as originally enacted was to encourage State and local participation in the development of small reclamation projects. The amount of interest shown in this program since its enactment 9 years ago merits its extension and expansion.

H.R. 4851 amending the Small Reclamation Projects Act of 1956 continues and strengthens this program. I ask my colleagues to support this legislation and urge its enactment.

Mr. ROGERS of Texas. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I rise, as the author of H.R. 4851, in support of this legislation before us today.

The Small Reclamation Projects Act of 1956 was enacted originally to encourage State and local participation in the development and improvement of reclamation projects in many areas of the West where there has been a great need for the development of the water resources.

In the nearly a decade since this first program was initiated, local districts in Arizona, California, Colorado, Hawaii, Idaho, Nevada, Oregon, Texas, and Utah have taken advantage of this program and I understand that a district in the State of Nebraska also will soon present a project for consideration. You can see that the application has been broad in geographic scope.

Economically this has been a fine program. One of its most noteworthy features is the fact that basically this is a loan program under which loans are advanced to local districts and then repaid to the Federal Government from the proceeds received from the benefits of the project. Ninety-eight percent of the money used over the years has been in the form of loans. There has been not one single default or delinquent account in this program. In view of this fine record of achievement, we should look briefly at what we are talking about in dollars and cents. Eleven projects have been completed during the past 9 years, representing an investment of nearly $20 million. There are now another 18 projects under construction amounting to nearly $46 million. Congress has approved four others aggregating $14 million and two are pending before this Congress totaling $600,000. In varying stages of consideration at local or departmental level are 22 more projects amounting to more than $50 million.

It is apparent that this is a program which has proven to be a valuable supplement to the Federal reclamation laws. Its main purpose is to permit local agencies to undertake, with Federal loans, the smaller reclamation projects which the regular reclamation organization and statutes are not geared to handle expeditiously.

The enthusiastic endorsement of this program by local interests, as is demonstrated clearly by the ever-increasing activity in the program, points up the tremendous need for continuation of the program. In extending the life of this program, I feel that the need also is clearly present to expand it somewhat. The proposals which we have now before us would accomplish this and make an excellent program even more vital and able to serve the needs of our people even better.

In conclusion, Mr. Speaker, I would like to endorse wholeheartedly the legislation we have before us and urge its favorable consideration here today. Thank you.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill, H.R. 4851, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 602) to amend the Small Reclamation Projects Act of 1956, a similar bill to the bill just passed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044, as amended by 71 Stat. 48 and 49) is further amended as follows:

(a) Amend subsection (d) of section 2 to read as follows:

"(d) The term 'project' shall mean (i) any complete irrigation undertaking, including incidental features thereof, or distinct unit of such an undertaking or a rehabilitation and betterment program for an existing irrigation project, authorized to be constructed pursuant to the Federal reclamation laws and (ii) any similar undertaking proposed to be constructed by an organization. The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000: *Provided,* That no loan or grant or combination thereof in excess of $7,500,000 will be made: *Provided further,* That nothing contained in this definition shall preclude the making of a grant not in excess of $7,500,000 in accordance with the provisions of sections 4 and 5 of this Act, to organizations whose proposed projects qualify for the same but which are not applicants for a loan under this Act: *And provided further,* That nothing contained in this Act shall preclude the making of more than one loan or grant, or combined loan and grant, to an organization so long as no two such loans or grants, or combinations thereof, are for the same project, as herein defined."

(b) Amend subsection (a) of section 4 to read as follows:

"(a) Any proposal with respect to the construction of a project which has not theretofore been authorized for construction under the Federal reclamation laws shall set forth, among other things, a plan and estimated cost in detail adequate to provide a clear understanding of the project, to demonstrate that it is financially feasible, and to define the maximum amount of the loan; shall have been submitted for review by the States of the drainage basin in which the project is located in like manner as provided in subsection (c), section 1 of the Act of December 22, 1944 (58 Stat. 887), except that the review may be limited to the State or States in which the project is located if the proposal is one solely for rehabilitation and betterment of an existing project; and shall include a proposed allocation of capital costs to functions such that costs for facilities used for a single purpose shall be allocated to that purpose and costs for facilities used for more than one purpose shall be so allocated among the purposes served that each purpose will share equitably in the costs of such joint facilities: *Provided,* That costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions."

(c) Amend subsection (b) of section 4 by striking out the word "construction" from the phrase which now reads "and willing to finance otherwise than by loan and grant under this Act such portion of the cost of construction" and insert in lieu thereof "the project," and by inserting at the end of the parenthetical phrase "except as provided in subsection 5(b)(2) hereof".

(d) Amend subsection (d), section 4, by adding at the end of the first sentence the following: "*Provided,* That an appropriation may be made before the end of the said sixty days if both House and Senate committees shall have earlier approved the project by committee resolution".

(e) Amend subsection (a) of section 5 to read as follows:

"(a) the maximum amount of any loan to be made to the organization and the time and method of making the same available to the organization. Said loan shall not exceed the lesser of (1) $7,500,000 or (2) the estimated total cost of the project minus the contribution of the local organization as provided in section 4(b) and the amount of the grant approved."

(f) Amend subsection (b) of section 5 to read as follows: "the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) up to one-half the costs of acquiring lands or interest therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) up to one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) up to one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement or public recreation; and (5) that portion of the estimated cost of constructing the project which if it were constructed as a Federal reclamation project, would be properly allocable to functions other than recreation and fish and wildlife enhancement which are nonreimbursable under general provisions of law applicable to such projects."

(g) Amend subsection (c) of section 5 to read as follows:

"(c) A plan of repayment by the organization of (1) the sums lent to it in not more than fifty years from the date when the principal benefits of the project first become available; (2) interest, as determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the contract is executed, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such average rate to the nearest one-eighth of 1 per centum at the beginning of the fiscal year preceding the date on which the contract is executed, on that portion of the loan which is attributable to furnishing water service or facilities to land held in private ownership in each year by any one owner in excess of one hundred and sixty irrigable acres; and (3) in case of any project involving an allocation to domestic, industrial, or municipal water supply, or commercial power, interest on the unamortized balance of an appropriate portion of the loan at a rate as determined in (2) above;".

(h) Add, as a new section, section 8, to read as follows:

"SEC. 8. If he determines that it is justified, the Secretary may advance to an organization, eligible for a loan under this Act, funds up to half the amount required to undertake project investigations, to prepare the loan applications, and to do other work necessary to obtaining of a construction loan, the funds so advanced to become a part of the loan and grant or combination thereof; to be repaid as provided in section 5 of this Act, if not otherwise repaid. If no loan under this Act is made to the organization and no construction (whether or not financed under this Act) is performed as a result of such investigations or studies, such funds advanced may be nonreimbursable. Funds for this purpose shall not be advanced until the local organization has presented its program for these activities for approval by the Secretary. If a loan (or advance of funds) has been made by another Federal agency for planning with respect to a project theretofore or subsequently approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan or advance of funds and such amount shall be included as a part of the construction loan under this Act."

(i) Renumber existing sections "8", "9", "10", "11", and "12" as sections, "9", "10", "11", "12", and "13", respectively.

(j) Amend section 9 (formerly section 8) to read as follows:

"SEC. 9. To the extent not inconsistent with other provisions of this Act, the planning and construction of projects undertaken pursuant to this Act shall be subject to all procedural requirements and other provisions of the Fish and Wildlife Coordination Act."

(k) Amend section 11, formerly section 10, to read as follows:

"SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary, but not to exceed $200,000,000 to carry out the provisions of this Act, this limit to be extended by the amounts of repayment of principal received from loans and the amount of nonreimbursable expenditures under this Act: *Provided*, That the Secretary shall advise the Congress promptly on the receipt of each proposal referred to in section 3, and no contract, except as may be necessary under section 8, shall become effective until appropriated funds are available to initiate the specific proposal covered by each contract. All such appropriations shall remain available until expended and shall, insofar as they are used to finance loans made under this Act, be reimbursable in the manner hereinabove provided."

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Strike out all after the enacting clause of the bill, S. 602, and insert the provisions of the bill, H.R. 4851, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 4851, was laid on the table.

PROTECTION OF FORMER PRESIDENTS

Mr. CELLER. Mr. Speaker, I move that the House suspend the rules and pass the bill (S. 2420).

The Clerk read the bill, as follows:

S. 2420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second clause of title 18, United States Code, section 3056, is amended to read as follows: "protect the person of a former President and his wife during his lifetime and the person of a widow and minor children of a former President for a period of four years after he leaves or dies in office, unless such protection is declined;".

The SPEAKER pro tempore. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, the bill before the House was unanimously reported by the Judiciary Committee. It has bipartisan support.

Presently, the President and his immediate family are protected during the President's tenure. A former President, plus his wife, were given protection for only a reasonable period, unless he denied that protection. That protection was given by the U.S. Secret Service.

I was of the opinion—and I believe most people were of the opinion—that protection by the Secret Service continues throughout the lifetime of a former President. Such is not the case. It continues only for a reasonable period. Legislative history seems to indicate that a reasonable time might well be 6 months.

It now appears, unfortunately, that threats have been made on the life of our dear former President, President Eisenhower. President Eisenhower has been greatly annoyed by some of those threats. Not so long ago Members might have read in the public press that his automobile was invaded and ransacked by vandals.

Two years ago we passed a special statute providing for the protection of the widow of the late lamented President Kennedy and her infant children. That law expires this coming December 12. The bill which is before the House would offer protection to former Presidents and their wives during the lifetime of the President unless he declines that protection. Then protection would be given to the widow and the minor children of a former President for a period of 4 years after he dies or resigns from office.

That provision would take care of the usual situation with reference to Mrs. Jacqueline Kennedy.

Former Presidents and the wives of former Presidents are individuals who are sought after. They are in the limelight. They are singled out and often they are annoyed by the idle curious. Sometimes they are the targets of the mentally deranged. They are subject to threats by those who imagine grievances.

It strikes me, as it struck the members of the committee, that it would be small gratitude to show former Presidents and their dear ones to throw this cloak of protection around them for an appropriate period. We feel that in a case of the President himself and his wife, that period should be for his entire lifetime.

The case of Mrs. Kennedy involves some peculiar circumstances. This very gracious and lovely lady, who has suffered immeasurably, should be entitled to this cloak of protection beyond peradventure of a doubt. She is the wife of a legendary character, as it were. Wherever she appears, great crowds surge around her. She is frightened, not for herself, because she is a woman of great fortitude and courage; but, I am informed, she is frightened for the sake of her children. I am sure the world will never forget her stamina and her self-abnegation during the funeral of her late lamented husband. She has endured suffering that very few women can and should endure. The entire Nation has risen to applaud her.

The least we can do is to extend this protection which, as I said, will expire in a few months.

Mr. Kennedy would come in this picture because of the general legislation we adopt; namely, that widows and their dear ones should be protected for a period of 4 years after the death or resignation of a President. That would extend the protection to Mrs. Jacqueline Kennedy for an additional 2 years. That is deemed to be sufficient.

Members will find the cost of the protection shown on page 2 of the report. The U.S. Secret Service estimates the cost of protecting each former President at approximately $160,000 annually, and the cost of protecting Mrs. Kennedy and her minor children at approximately $210,000 annually.

I hope that this measure will be passed with a thumping majority.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. In all cases the cost figures set forth on page 2 would depend upon the travel by the individuals affected, would they not?

Mr. CELLER. That is true.

Mr. GROSS. It could be considerably more?

Mr. CELLER. It might be more and it might be less. It might go both ways.

Mr. GROSS. This would create permanent law. It would no longer be temporary?

Mr. CELLER. That is correct.

Mr. GROSS. It is subject only to the declination of the individuals involved?

Mr. CELLER. That is correct.

Mr. GROSS. I thank the gentlemen.

Mr. McCULLOCH. Mr. Speaker, I am pleased to join with my able chairman [Mr. CELLER] in support of this legislation. I should like to repeat what he said concerning the way the bill came from the committee.

The bill received a unanimous favorable report in the subcommittee which heard it. It received a unanimous favorable report in the full Judiciary Committee which has brought it to the floor of the House.

The chairman has accurately described the need for such legislation and he has told us accurately of the terms and provisions thereof.

I am sure that when the Congress passes this legislation by unanimous vote, it will be a great source of satisfaction to all the people involved. Particularly, the lovely and gracious Mrs. Kennedy will have a feeling of comfort and security for those two lovely children who have been threatened on at least one occasion. The generous people of our country will be happy that we took this timely legislative step.

I hope the measure will be unanimously passed today.

Mr. Speaker, I yield back the remainder of my time.

Mr. CELLER. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill S. 2420.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 10386) was laid to the table.

PRESERVING EVIDENCE PERTAINING TO THE ASSASSINATION OF PRESIDENT KENNEDY

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9545) providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy, with committee amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that the national interest requires that the United States acquire all right, title, and interest, in and to, certain items of evidence, to be designated by the Attorney General pursuant to section 2 of this Act, which were considered by the President's Commission on the Assassination of President Kennedy (hereinafter referred to as "items"), and requires that those items be preserved by the United States.

SEC. 2. (a) The Attorney General is authorized to determine, from time to time, which items should, in conformity with the declaration contained in the first section of this Act, be acquired and preserved by the United States. Each such determination shall be published in the Federal Register.

(b) Whenever the Attorney General determines that an item should be acquired and preserved by the United States, all right, title, and interest in and to, that item shall be vested in the United States upon the publication of that determination in the Federal Register.

(c) The authority conferred upon the Attorney General by subsection (a) of this section to make determinations shall expire one year from the date of enactment of this Act, and the vesting provisions of subsection (b) of this section shall be valid only with respect to items described in determinations published in the Federal Register within that one-year period.

SEC. 3. The United States Court of Claims or the United States district court for the judicial district wherein the claimant resides shall have jurisdiction, without regard to the amount in controversy, to hear, determine, and render judgment upon any claim for just compensation for any item or interest therein acquired by the United States pursuant to section 2 of this Act; and where such claim is filed in the district court the claimant may request a trial by jury: *Provided,* That the claim is filed within one year from the date of publication in the Federal Register of the determination by the Attorney General with respect to such item.

SEC. 4. All items acquired by the United States pursuant to section 2 of this Act shall be placed under the jurisdiction of the Administrator of General Services for preservation under such rules and regulations as he may prescribe.

SEC. 5. All items acquired by the United States pursuant to section 2 of this Act shall be deemed to be personal property and records of the United States for the purposes of laws relating to the custody, administration, and protection of personal property and records of the United States, including, but not limited to, sections 2071 and 2112 of title 18 of the United States Code.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. MATHIAS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado [Mr. ROGERS] will be recognized for 20 minutes, and the gentleman from Maryland [Mr. MATHIAS] will be recognized for 20 minutes. The Chair recognizes the gentleman from Colorado.

PURPOSE

Mr. ROGERS of Colorado. Mr. Speaker, the purpose of this bill is to authorize the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

In the course of its investigation of the assassination of President Kennedy, the Warren Commission acquired a large number of physical items pertaining to the assassination and related events. The most important of these belonged to Lee Harvey Oswald and his wife. The Commission recommended that a substantial number of these items of evidence, particularly those relating to the actual assassination of the President and the murder of Patrolman Tippit, should remain in the possession of the Government. In furtherance of this objective the Attorney General requested the introduction of this measure.

These items include the assassination weapon, the revolver involved in the murder of Officer Tippit, among other exhibits. The working papers, investigation reports, and transcripts of the Commission have been transmitted to the National Archives. The items of physical evidence are presently being retained in the custody of the Federal Bureau of Investigation.

The committee is persuaded that the national interest requires that these critical exhibits be permanently retained by the United States. It concurs in the view of the Attorney General that in years ahead allegations and theories concerning President Kennedy's assassination may abound. To eliminate questions and doubts the physical evidence should be securely preserved. A failure to do so could lead to loss, destruction or alteration of such exhibits and in time may serve to encourage irresponsible rumors undermining the public confidence in the work of the Warren Commission.

The authority conferred by this legislation is vital and needed promptly. One private party has already filed suit against the Attorney General for possession of the assassination weapon and the .38 caliber revolver, claiming to have purchased all right and title from Mrs. Marina Oswald. The Government has not yet responded to the complaint.

The bill, H.R. 9545, would authorize the Attorney General to designate, by publication in the Federal Register, which items considered by the Warren Commission are required by the national interest to be acquired and preserved by the United States. All right and title to these items would vest in the United States upon the Attorney General's filing of the determination with the office of the Federal Register. This acquisition authority would expire 1 year after date of enactment. Under the bill, claims for just compensation must be filed within 1 year of the date of the filing of the Attorney General's designation. As originally drafted, the bill granted exclusive jurisdiction to the Court of Claims over claims for just compensation. The committee, however, amended the bill to provide concurrent jurisdiction in the Federal district court in the district wherein the claimant resides and also to permit the claimant in the district court to request a trial by jury.

As amended, the bill constitutes a measure essential in the national interest and the committee strongly urges its enactment.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. Yes. I yield to the gentleman.

Mr. GROSS. Why should the Government pay for any of these items that were submitted in evidence?

Mr. ROGERS of Colorado. The Constitution of the United States provides that property may not be taken without just compensation. Under this bill these items which are private property, may be acquired by the United States. The bill also authorizes that just compensation be paid to the individual who may own the item, by a suit brought in the Federal district court in the district in which he resides or in the Court of Claims.

Mr. GROSS. It is reported that the weapon used in the assassination was purchased for $10,000 by a collector. Are we to understand that with the passage of this bill the Federal Government would pay out $10,000 for permanent possession?

Mr. ROGERS of Colorado. No. I may state that a man by the name of John J. King, who resides in Denver, Colo., claims that he has an arrangement with Mrs. Oswald in connection with the assassination weapon and the pistol. Now, whatever arrangement he may have made with Mrs. Oswald is not the question of what is just compensation. The bill leaves that issue for the courts. If we try to restrict, limit or specify the amount of just compensation, there is some question as to whether or not the legislation itself would be constitutional. Therefore, we say "just compensation."

Mr. GROSS. Would this involve the weapon used by Ruby in the slaying of Oswald?

Mr. ROGERS of Colorado. What this bill provides is that the Attorney General shall within a 1-year period publish in the Federal Register the list of items that he believes should be preserved, which were considered by the Warren Commission. Many of these items considered by the Warren Commission are presently in the custody of the Federal Government.

We desire that they be retained here and if any individual claims that his property rights have been taken away from him the bill gives him a cause to action, so that he may go into court and assert his rights. The Government would retain the property and the claimant would get just compensation.

Mr. GROSS. Do I understand that a weapon used in a murder in the District of Columbia, confiscated by the police and used as evidence in court is returned to some member of his family?

Mr. ROGERS of Colorado. May I say to the gentleman that usually the question of what happens to a weapon that may have been used in the commission of a crime is something for State law. There is a specific procedure in the District of Columbia. Of course, the gentleman understands that the District of Columbia jurisdiction is not asserted in this matter. We are controlled by the law of the State of Texas. In this instance there was no conviction and no trial and the matter of trying to confiscate in such circumstances is not available to us.

Mr. GROSS. I thank the gentleman.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WHITENER. Mr. Speaker, bearing upon that point, as I remember, the Assistant Attorney General who met with the committee and who is a distinguished Texas lawyer, stated that unlike most States, Texas law had no confiscation provision for weapons used in criminal cases.

Mr. ROGERS of Colorado. That is correct. Furthermore, in this instance there was no prosecution and hence we could not have proceeded in that manner as we would wish if a State law provided for forfeiture.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I think the act which was passed by the Congress a short while ago would obviate this eventuality ever occurring again, because in the future this sort of conduct would constitute a Federal crime and the Federal law would be effective as to confiscation of weapons. So as I see it, this bill which we brought out of our subcommittee will take care of all the present cases, and in the future if such unfortunate happening should occur we will not need further legislation.

Mr. ROGERS of Colorado. I thank the gentleman for his contribution. I think he has outlined correctly that since we have made the assassination of the President a Federal crime we probably would not need this type of legislation in the future.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I wonder if the committee has considered the question of making this applicable to all future presidents, since it is going to be permanent legislation?

Mr. ROGERS of Colorado. The gentleman's question is, should we cover all items in connection with future assassinations? We discussed the matter, and as pointed out by the gentleman from North Carolina [Mr. WHITENER] just recently the President signed a bill which would make the assassination of the President a Federal offense.

Heretofore this was not a Federal offense. At the time the late President Kennedy was assassinated in Texas the assassin, if he had been prosecuted, would have been prosecuted under the laws of the State of Texas.

Mr. HALL. We are simply catching up with our previously unfinished business?

Mr. ROGERS of Colorado. That is correct.

Mr. HALL. Mr. Speaker, may I ask another question for the legislative record? Would, for example, the fragments of those ill-spent bullets that assassinated our late President, under this bill, necessarily be retrieved from the Armed Forces Institute of Pathology where I understand they now reside and have been the object of intensive ballistics research and study, which in turn is of some considerable scientific value?

Mr. ROGERS of Colorado. If I understand the gentleman's question, the gentleman will recognize that the President's Commission recommended that most of these items be acquired and preserved by the Federal Government. All of the evidence and everything in connection with it is now in the Federal custody. I believe that any ballistic analysis made would be reflected in the testimony before the Commission and that it has been filed with the Archives at the present time.

This legislation would place all of it under the jurisdiction of the General Services Administration.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I have read the Commission reports and this legislation, and I am glad to hear what the gentleman from Colorado says. It would be under the jurisdiction of the General Services Administrator, as designated by the Attorney General, as I understand it.

Mr. ROGERS of Colorado. I did not quite understand the statement of the gentleman.

Mr. HALL. My question is simply, could the Director of the General Services Administration, upon recommendation of the Attorney General, remove from the Armed Forces Institute of Pathology, for example, and from further ballistic study the fragmented and exended missiles, or bullets, or projectiles?

Mr. ROGERS of Colorado. If the gentelman will look at section 4 of the bill he will see that it provides that all items acquired by the United States, pursuant to section 2 of this act, shall be placed under the jurisdiction of the Administrator of the General Services Administration for preservation under such rules and regulations as he may prescribe. Hence he is the custodian.

Mr. HALL. Would the gentleman agree with me that it would serve history well, as well as possibly even future scientific investigation of ballistics, if it were interpreted that such Director of the GSA could from time to time withdraw from the Archives and make available for such study as the Attorney General or the Director of the Armed Forces Institute of Pathology, or others, might request?

Mr. ROGERS of Colorado. Certainly. There would be nothing to keep him from doing it and I am confident that if it would advance any information to the public, there would be no question but that under his rules and regulations he could so prescribe.

Mr. HALL. I believe this represents a valuable record and I believe the deceased would want it so.

Mr. ROGERS of Colorado. Yes.

Mr. HALL. If the gentleman will yield further, do I understand that the Court of Claims will eventually set the fee for the Federal Government's acquisition of the actual firearms mentioned?

Mr. ROGERS of Colorado. The claimant whose property may be taken has an option as to whether to institute a suit in the district court of the United States in the district where in he resides or whether to file suit in the Court of Claims in the District of Columbia.

Mr. HALL. I thank the gentleman from Colorado.

Mr. MATHIAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, rise in support of this legislation and wish to associate myself with the remarks which have been made by the gentleman from Colorado [Mr. Rogers], the distinguished chairman of the subcommittee which considered this legislation.

Mr. Speaker, I agree with the gentleman completely, that this legislation is necessary in the interest of history, and in the interest of any future calm and deliberate reevaluation of the events which surrounded the very tragic occurrence of the assassination of President Kennedy.

Mr. Speaker, some question has been raised here today about the possible cost to the Government. Of course, it is impossible to estimate what that cost might be. We are leaving it to the adjudication of the Court of Claims or an appropriate district court. In conformance with the Constitution, we are leaving it to a proper legal adjudication. But I would say whatever cost might be incurred would represent cost which must be met by the country and a cost which the country would want to meet. The items that will be paid for are somewhat grisly relics of a tragic moment in our national history. Nevertheless, they must be acquired without question.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from Louisiana.

Mr. BOGGS. I would like to commend the committee on reporting this bill, along with the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford]. I served on the Assassination Commission that he has described, a very sad and gruesome task. I saw these items not once, but many times, being discussed here this afternoon. As gruesome as it is, it would be very tragic, indeed, for these items—and that is the only word I know of to use in describing them—did not remain the property of the Government of the United States, so that for a great many reasons, the most compelling reason being that they were very vital in the evidence which the Commission used in its deliberations and in its determination.

I hope the House will pass this bill.

Mr. MATHIAS. I thank the gentleman for his contribution, for his observation, and for his personal experience. Certainly, our recollection of the Lincoln assassination, where there are certain missing links, would lead us to believe what we are doing today is important. Even more important is the principle mentioned by the gentleman from Colorado that we live in a government of law, that we deal with all citizens under the law with equal and impartial hand. Regardless of the circumstances, regardless of who may establish their ownership of the properties involved here, we are going to obey the supreme law of the land and pay just compensation.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from North Carolina.

Mr. WHITENER. I thank the gentleman. What he has said about the possible cost of the items of evidence to the Government is absolutely correct. I would point out to my colleagues that after we had studied the legislation proposed originally, it was the unanimous opinion, as I remember it, of the subcommittee that this determination as to cost should be left to a jury if the claimants desire to have a jury trial. We also felt that the original proposal that the Court of Claims have exclusive jurisdiction was not in keeping with what we thought was proper. For that reason we proposed that the claimant might bring action in the U.S. district court of his own district, where he could request a jury trial. I personally feel this gentleman from Colorado, Mr. King—whom I do not know—if he has paid $10,000 in a bona fide transaction it would not comport with my idea of justice that he should not get his $10,000 back. That is a matter for the courts to determine. We have our own theories as to what should be done on a monetary payment to the owner of the property. For that reason the committee very wisely left this to the constitutional test of just compensation, as that compensation is fixed by the court. The court may include a jury of plaintiff's peers, if he so desires. I do not know of any way we could proceed more considerately with any claimant, or any way we could do it which would insure greater justice to the Government than this bill provides.

I believe we can all agree it is essential that prompt action be taken if we are to preserve these historical items of property.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Colorado that the rules be suspended and the bill be passed.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AUTHORIZING FUNDS FOR THE PRESIDENT'S CRIME COMMISSION

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 102) to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The Clerk read as follows:

Whereas the President by Executive Order 11236 on July 23, 1965, established the Commission on Law Enforcement and Administration of Justice to study crime in the United States and to recommend ways to reduce and prevent it; and

Whereas the President by Executive Order 11234 on July 16, 1965, established the Commission on Crime in the District of Columbia to study the causes of crime and delinquency in the District of Columbia; and

Whereas there has been a steady increase in crime in the Nation as well as in the District of Columbia; and

Whereas there is a need to ascertain its causes and to develop methods which can be undertaken by Federal, State, and local governments to combat such crime: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,500,000 for the expenses of both the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The SPEAKER pro tempore. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. Willis] will be recognized for 20 minutes and the gentleman from Virginia [Mr. Poff] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Speaker, this bill comes up by direction of the full House Committee on the Judiciary. It is an authorization bill coming within the jurisdiction of that committee, which has jurisdiction over matters relating to law enforcement and the prevention of crime.

The bill authorizes the appropriation of $1,500,000 to defray the expenses of the President's Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The total amount involved is $1,500,000. Of that sum, $1,100,000 is authorized to defray the expenses of the Commission on Law Enforcement and Administration of Justice and $400,000 to carry out the objectives of the District of Columbia Commission on Crime and Law Enforcement.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. BOW. Could the gentleman tell us something about the composition of this Commission and what the salaries are that are going to be paid?

Mr. WILLIS. These figures are set out on pages 7 and 8 of the committee report. They are broken down in this fashion.

For Commission members, travel and per diem and for meetings over an 18-month period—$67,000.

For citizens advisory committees, consultants, witnesses, for staff salaries, printing, general expenses, administrative services, contracts, and so on—they are all broken down in the committee report and the total is $1,100,000 for the National Commission.

On page 8 of the report, we have the breakdown of the District of Columbia Commission aggregating $400,000.

Mr. BOW. If the District of Columbia is about to take over its own government, what is the justification for the Federal Government and the taxpayers of the country to pay the $400,000 for the District of Columbia?

Mr. WILLIS. I would say, it is my hope if the bill the gentleman refers to comes to pass, that we should quickly pass this bill because it will not be repealed by that bill to come unless there is a move to repeal what we are doing today, and I doubt that it would prevail.

Mr. BOW. But as we do this and if there is this authorization, does the gentleman feel if the District of Columbia has its own government that the Federal Government wil be called upon to make an appropriation for the expenses of this so-called home rule government?

Mr. WILLIS. Any way we look at it, this bill will become law before action is taken on the bill the gentleman refers to. Therefore, this bill will be part of the law of the land and any bill that may come hereafter within the next 2 or 3 weeks or 2 or 3 days cannot override this bill.

Mr. BOW. It would seem to me it might be a good idea to hold up this $400,000 and to find out what is going to happen to that bill because if they want home rule and if they are going to have home rule, they ought to start paying their own bills.

Mr. WILLIS. If I had my way, I would think the situation should be reversed and this bill should be made a law first. In the second place, it would seem to me that even if the home rule bill is passed and becomes law, this bill that we are now considering could still be passed by the Congress.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

Mr. WILLIS. I yield to the gentleman from Ohio.

Mr. BOW. It seems that we have a national commission for which we must spend $1 million. At the same time, it seems rather wrong to pick out the one city, which hopes to be under home rule, and to provide $400,000 for a study of crime in that city. Why not provide funds for some of the other cities in the country that have problems? Should not an amount of money be appropriated to them for that purpose? Why do we pick out the District of Columbia when other cities have similar problems?

Mr. WILLIS. I do not wish to look into the future too distantly. I consider the situation as it is today. Today we have authority to pass the bill that is before the House. I do not know what the House is likely to do next week, next month, or next year. But today I think the bill is a good bill. The two proposals are good. I, for one, am for law enforcement and crime prevention. I, for one, applaud the idea of setting up these commissions. I, for one, do not wish to stand in the way of any bona fide effort to have law enforcement and crime prevention. I doubt that we shall ever completely prevent crime. I doubt that we shall ever enforce law completely. But let us try to come as close to that ideal as possible.

Mr. BOW. I quite agree with the gentlemen. We are all against crime. We are hoping that something can be done to prevent it. We are hoping that the kind of legislation proposed will be helpful. But it would seem to me that we should take a hard look at these amounts authorized and how they will be used to attempt to solve the problem. I agree with the gentleman completely in his desire, but the real question, it seems to me, is whether we are paying out a lot of money for the purpose in salaries, or whether we are getting some experts to help.

I am concerned about such questions as what the compensation of the members of the commission will be and what the top grades will be.

I thank the gentleman for his explanation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if we can ever attain the goal of reducing crime without some real cooperation from the judiciary.

Mr. WILLIS. The gentleman's "wonder" is justified and well founded. We must have a lively judicial branch of the Government pursue the enforcement of law. There is no question about it.

Mr. GROSS. The gentleman from Ohio [Mr. Bow] questioned the authorization of $400,000 for a study of crime in the District of Columbia to the exclusion of, say, Los Angeles. I imagine a crime investigation is needed in Los Angeles as well as other cities in the country. I do not understand on what grounds we would be justified in expending $400,000 of the taxpayers' money in the District of Columbia for a study of crime. I would go further and ask the gentleman if it is not a fact that some kind of white paper on crime in the District of Columbia is now in existence. No one seems to be able to get a copy of it. Or am I wrong in that statement? Does the committee have such a report? Has a report on crime been made available to the committee?

Mr. WILLIS. I am unaware of such a report. I should like to repeat what I said a moment ago. The Judiciary Committee has jurisdiction over crime legislation generally. Therefore, it has jurisdiction over authorizing the proposed expenditures. Notwithstanding our obvious jurisdiction, I took the precaution of talking to the chairman of the District of Columbia Committee in connection with that authorization. He certainly has no objection to the proposed action.

The gentleman has referred to Los Angeles. I think we are both on the right track. As conditions exist today, Congress has jurisdiction over the District of Columbia, so we are taking the proposed action. As of today, the authorities in California have jurisdiction over Los Angeles. I was pleased to learn that the Governor and the city fathers there have created some kind of a commission in that area.

Mr. GROSS. I have not received word yet that the Federal taxpayers are being asked to underwrite the crime commission in Los Angeles. That is all to the good. I am not advocating that the Federal Government get into the business of investigating the crime situation in Los Angeles or any other city.

For that reason I do not understand why the Federal taxpayers are called upon always to come to the rescue of the District of Columbia. This is particularly true, as the gentleman from Ohio [Mr. Bow] so well suggested, when we apparently are on the way to some form of home rule in the District of Columbia. I believe this part of the bill ought to be withheld until we find out what kind of determination is going to be made by Congress with respect to home rule in the District of Columbia.

Mr. WILLIS. I do not want to lull the gentleman into a sense of complete security in any belief that the people of California are not going to come around to ask the Federal Government to foot a part of their bill. I do not know about that.

As Will Rogers said of the weather, "If you don't like it, wait a while; it might change."

Mr. GROSS. To lend some credence to what the gentleman is saying, they are already employing some 2,000 people out there.

Mr. WILLIS. I do not know what proposals might be made in this body or in the other body in the future.

I might say—which may or may not have influence on the gentleman from Ohio and the membership generally—that this bill comes from the Senate and has already been acted upon there. It is a proposal by the senior Senator from North Carolina [Mr. ERVIN]. The Senate has already acted on this bill.

Mr. GROSS. Of course, in some cases that is not the best recommendation in the world for legislation.

Mr. WILLIS. I was very cautious to preface my remarks with that qualification.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Florida.

Mr. CRAMER. As to the National Commission, the Executive order establishing it, a copy of which I have just been handed, Executive Order No. 11236, raises a question. Does the gentleman know whether that specifically includes requirement that such a National Crime Commission consult with State and local authorities? I do not see that on a quick examination of the Executive order.

Mr. WILLIS. I have not really given hard study to the Executive order. It is my impression, and in that impression I am fortified by counsel, that the answer to the inquiry is "no."

Mr. CRAMER. That is what I understood, from a cursory examination of the Executive order and an examination of the composition of the Commission. It appears to me that what is left out is the necessity for and the requirement of consulting with State and local law enforcement authorities in an effort to get their recommendations to this National Commission. This is particularly significant in view of the fact that the authority for such a Commission includes suggestions with respect to what law enforcement authority standards should be set, the standards for employment of policemen and law enforcement authorities.

It would seem to me that a discussion with and consideration of recommendations by State and local authorities—as well as membership on the Commission by some acknowledged, outstanding State and local law enforcement authorities—would be a necessity. I fail to understand why it is not incorporated in the Executive order or in the composition of the Commission itself.

Mr. WILLIS. I would say that with reference to consultations with local and State officials, I believe that is completely understood and to be implied from the Executive order itself, especially the two paragraphs before the concluding paragraph on the very first page; namely, paragraphs (1) and (2) of section 2.

I think that is completely implied. It necessarily will happen.

Mr. CRAMER. I am sure the gentleman realizes my purpose in interrogating along this line is to try, if in fact it does not so state—and I do not believe it does, as the gentleman himself previously agreed—as a matter of legislative record to show that it is the wish of the House that State and local law enforcement authorities be consulted with regard to such recommendations. Hopefully, perhaps, consideration will be given to enlarging the membership to include some such individual.

Mr. WILLIS. If my voice can add anything to the legislative history, I will say at this time that unless I felt there would be such consultations, I would not be here advocating the passage of this bill.

Mr. CRAMER. I felt that was the gentleman's position, and I am glad to get the record clear with respect to that.

I would like to ask an additional question of the gentleman. As the gentleman knows, I was the cosponsor of the anticrime legislation some of which passed and some of which did not pass the Congress 3 or 4 years ago. It was very consequential legislation in this field. As a matter of fact, I went a step further than this and recommended and introduced legislation 4 years ago to establish a National Crime Commission through legislation which, incidentally, would have State and local representative memberships on it.

Mr. WILLIS. The gentleman planted a seed which we are today enjoying the fruits of, I hope.

Mr. CRAMER. I thank the gentleman for making that statement. It was my hope such Commission would be established by the Congress as a legislative matter than that an executive branch determination, feeling that in so doing all areas that have jurisdiction in interest would of necessity be consulted.

Mr. WILLIS. I may say that perhaps the Chief Executive has in mind that he has kept us so busy on other matters he will handle this for himself.

Mr. CRAMER. May I ask one additional question of the gentleman? Of course, I am all for this Commission and for implementing it and for providing adequate funds for it. I believe it is an essential function. However, does the gentleman have hopes, as I do, that the so-called White House white paper on crime, which we as Members of Congress have seen discussed in the press—apparently some of the press have been permitted to see it and others have not and certain interpretations of what is in it have been stated in there as it relates to what the causes of crime are, this being a study that was directed by the White House but the report on which we have not received in the Congress nor has the general public except through leaks to the press—does he believe this Commission, will now be able to see this?

As I read one leak in the press, that reporter interpreted the report as basically suggesting in some of these ghettos and serious crime problem areas one of the principal causes for this condition is the lack of continuous and proper family supervision of the people involved in crime. Another suggestion is that this was not what the report indicated at all but, rather, it occurs because they do not have proper housing or employment and so forth. I would like to know do you think this Commission will be able to see this report? Certainly the public and this Congress have not been permitted to do so.

Mr. WILLIS. I would hope so, and it would be my expectation, if such a report exists, that it will be exhibited to the Commission.

Mr. CRAMER. Maybe by that means we can get some idea in Congress of what the executive study of the causes of crime in these areas might be.

Mr. WILLIS. It is always helpful to get something indirectly when you cannot get it directly.

Mr. CRAMER. I thank the gentleman.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this legislation, and I do so because I am interested in the results which can be achieved by these two Commissions. I think it incumbent upon me, however, to call the attention of the membership of the House to a procedure which I regard as unfortunate and inadvisable and one which I hope will not be repeated in the future.

It will be seen from an examination of the bill that the legislation undertakes in one fell swoop to authorize expenditures for two separate Commissions. In this particular case it happens that these two Commissions serve a similar function, indeed one complements the other. But, Mr. Speaker, I can imagine if this is allowed to stand unquestioned as a precedent, that hereafter the Congress may be asked to authorize not 2, but 6 or 12 or 50 executive agencies, perhaps none of which bears any relationship one to the other. I think this is bad practice and should not, and so far as I am concerned will not, be recognized as a precedent.

The reason it is bad is because in the case I put as an example it might be that Members would regard 12 of 14 proposed agencies as good and the other 2 as inadvisable, but acting upon it as a package would be compelled to vote for the whole package or against the whole package. The questions and comments of the distinguished gentleman from Florida, who has been a leader in the field of Federal criminal legislation, illustrates the imprudence of the legislative procedure followed in connection with this matter.

I further call attention to the fact that when the request was made for Congress to consider this legislation the Department concerned made no effort, none whatever, to justify the moneys which were being requested. Indeed, the Department requested a lump-sum authorization for both commissions, and it was only after protest was made in the subcommittee——

Mr. WILLIS. Mr. Speaker, if the gentleman will allow me, I want to relieve the gentleman from saying that he was responsible. That should come from me.

Mr. POFF. I thank my chairman, and I appreciate his comment. I am sure that my chairman shared my concern that no effort had been made to make separate justifications. As pointed out in the letter incorporated in the committee report, the department will have to justify expenditures, in minute detail, before the Committee on Appropriations. Yet I think that the legislative committee, when it considers the advisability of favorably recommending other authorizing legislation, should have the benefit of the specific and particular plans that the Department has.

After the subcommittee had registered that protest, I am happy to say, the Department responded and the information will be found set forth in detail in the report.

Mr. Speaker, you will also find in the report one of the Executive orders mentioned in the bill. Through a simple inadvertence the other Executive order—that is to say, Executive Order No. 11236—was omitted from the committee report. Accordingly, I ask unanimous consent to insert at this point in the RECORD the contents of that Executive order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(The matter referred to follows:)

THE WHITE HOUSE.

EXECUTIVE ORDER NO. 11236 ESTABLISHING THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE

By virtue of the authority vested in me as President of the United States it is ordered as follows:

Section 1. Establishment of Commission: (a) There is hereby established the President's Commission on Law Enforcement and Administration of Justice (hereafter referred to as the "Commission").

(b) The Commission shall be composed of such members, not to exceed 20, as the President shall appoint, one of whom shall be designated by the President as the Chairman. The members and Chairman of the Commission shall serve at the pleasure of the President.

(c) The President shall appoint an Executive Secretary, who shall receive such compensation as the President shall specify. The functions and duties of the Executive Secretary shall be prescribed by the Commission.

Section 2. Functions of Commission: The Commission shall:

(1) Inquire into the causes of crime and delinquency, measures for their prevention, the national, State, and local levels, and administration of justice, and the factors encouraging respect or disrespect for law, at the national, State, and local levels, and make such studies, conduct such hearings, and request such information as it deems appropriate for this purpose.

(2) Develop standards and make recommendations for actions which can be taken by the Federal, State, and local governments, and by private persons and organizations, to prevent, reduce, and control crime and increase respect for law, including, but not limited to, improvements in training and qualifications of personnel engaged in law enforcement and related activities, improvements in techniques, organization, and administration of law enforcement activities, improvements in the administration of justice, improvements in correction, and rehabilitation of convicted offenders and juvenile delinquents, promotion of better understanding between law enforcement officials and other members of the community, and promotion of greater respect for law throughout the community.

Section 3. Executive departments and agencies; Judiciary: The Attorney General, the Secretary of the Treasury, the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity each shall designate a representative to serve with the Commission as liaison. All executive departments and agencies shall cooperate with the Commission and furnish it such information and assistance, not inconsistent with law, as it may require in the performance of its functions and duties. The Commission shall consult, as it deems appropriate, with members of the Federal, State, and local judiciary and their assistants concerning matters of common interest.

Section 4. Appointment of committees: The Chairman of the Commission, after consultation with the other members, and at such times as the Commission may deem appropriate, shall constitute citizens advisory committees (hereafter referred to as the committees) composed of persons (including persons from State and local governments and other public and voluntary organizations) who are authorities in professional or technical fields related to crime or juvenile delinquency, or persons representative of the general public who are leaders in activities concerned with crime or juvenile delinquency. The committees, and persons who are members, shall serve at the pleasure of the Commission.

Section 5. Functions of committees: The committees shall furnish the Commission information, advice, and recommendations with respect to the functions set forth in section 2 of this order and shall engage in such other activities as the Commission may deem appropriate.

Section 6. Compensation, personnel, and finance: (a) Members of the Commission not otherwise employed by the United States shall receive $100 per diem when engaged in the performance of duties pursuant to this order, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 55a; 5 U.S.C. 73b–2) for persons employed intermittently.

(b) The Commission is authorized to appoint and fix the compensation of such other personnel as may be necessary to enable it to carry out its functions.

(c) The Commission is authorized to obtain services, including the services of individuals as members of committees, in accordance with the provisions of section 15 of the act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed $100 per diem.

(d) All necessary expenses incurred in connection with the work of the Commission shall be paid from the special projects fund of the President or such other appropriated funds as may be available for the purposes of the Commission.

Section 7. Administrative services: The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

Section 8. Reports to the President and termination: The Commission shall make reports and recommendations to the President from time to time as it deems suitable and shall present a final report and recommendations not later than 18 months from the date of this order. The Commission shall terminate not later than 90 days after presenting such final report and recommendations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 23, 1965.*

Mr. POFF. Mr. Speaker, I have no further requests for time, but pending use of the time by our distinguished chairman of the subcommittee, I reserve the balance of my time.

Mr. WILLIS. Mr. Speaker, I yield such time as he may require to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I rise in support of Senate Joint Resolution 102. There is indeed a need to ascertain the causes for the increases in crime in our country and particularly in the District of Columbia. I have introduced, long ago, legislation to ascertain these causes and to seek methods of combating crime. Remedies are long overdue and I sincerely hope this legislation is promptly enacted.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the joint resolution, Senate Joint Resolution 102?

The question was taken; and the Speaker pro tempore announced that in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 339, nays 0, not voting 93, as follows:

[Roll No. 265]

AYES—339

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Cramer
Culver
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Fascell
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Hull
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Poff
Pool
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shriver
Sickles
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.

Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—93

Adair
Andrews, George W.
Ashbrook
Baring
Barrett
Berry
Bolling
Bolton
Bonner
Brown, Calif.
Cameron
Carey
Celler
Chamberlain
Chelf
Clawson, Del
Corman
Craley
Cunningham
Daddario
de la Garza
Dent
Derwinski
Diggs
Dwyer
Edwards, Ala.
Farnum
Feighan
Flood
Frelinghuysen
Fulton, Tenn.
Goodell
Grabowski
Gray
Griffiths
Hanna
Hawkins
Hébert
Holland
Howard
Hungate
Hutchinson
Jacobs
Jones, Mo.
Kee
Keogh
Kirwan
Kornegay
Landrum
Lindsay
McCarthy
McClory
McMillan
Macdonald
MacGregor
Mackie
Madden
Martin, Ala.
Martin, Mass.
May
Mills
Murray
Nix
O'Neal, Ga.
Patman
Pepper
Pirnie
Poage
Powell
Quillen
Reid, Ill.
Reifel
Resnick
Roberts
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Selden
Shipley
Sisk
Slack
Stephens
Sweeney
Thomas
Thompson, Tex
Todd
Toll
Tuck
Vanik
Wilson, Charles H.
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Kirwan.

Mr. Hébert with Mr. Adair.

Mr. Toll with Mr. Saylor.

Mr. Roncalio with Mr. Hutchinson.

Mr. Rostenkowski with Mr. Nix.

Mr. George W. Andrews with Mr. Edwards of Alabama.

Mr. Fulton of Tennessee with Mr. Martin of Alabama.

Mrs. Griffiths with Mrs. Dwyer.

Mr. Charles H. Wilson with Mr. Del Clawson.

Mr. Vanik with Mr. Goodell.

Mr. Barrett with Mrs. May.

Mr. Cameron with Mr. Lindsay.

Mr. Bonner with Mr. Derwinski.

Mr. Carey with Mr. Frelinghuysen.

Mr. Macdonald with Mrs. Bolton.

Mr. Tuck with Mr. Quillen.

Mr. Slack with Mr. Reifel.

Mr. Roosevelt with Mr. MacGregor.

Mr. Pepper with Mr. McClory.

Mr. Feighan with Mr. Ashbrook.

Mr. Sweeney with Mrs. May.

Mr. Todd with Mr. Chamberlain.

Mr. Zablocki with Mr. Cunningham.

Mr. Madden with Mr. Martin of Massachusetts.

Mr. Flood with Mr. Berry.

Mr. Powell with Mr. Daddario.

Mr. Ryan with Mr. Pirnie.

Mr. Kee with Mr. Holland.

Mr. Stephens with Mr. Baring.

Mr. O'Neal of Georgia with Mr. Brown of California.

Mr. Corman with Mr. Hungate.

Mr. Roberts with Mr. Sisk.

Mr. Dent with Mr. Shipley.

Mr. Celler with Mr. Selden.

Mr. McCarthy with Mr. Thomas.

Mr. Mills with Mr. Thompson of Texas.

Mr. Chelf with Mr. Jacobs.

Mr. Jones of Missouri with Mr. McMillan.

Mr. Mackie with Mr. Grabowski.

Mr. Patman with Mr. Hanna.

Mr. Gray with Mr. Farnum.

Mr. Craley with Mr. Diggs.

Mr. Poage with Mr. Resnick.

Mr. Kornegay with Mr. Landrum.

Mr. de la Garza with Mr. Hawkins.

Mr. HALL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

COPYRIGHT OFFICE FEES

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2853) to amend title 17, United States Code, with relation to the fees to be charged.

The Clerk read as follows:

H.R. 2853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of title 17, United States Code, is amended by substituting the amount "$75" in lieu of the amount "$25".

Sec. 2. Section 215 of said title 17, United States Code, is amended to read as follows:

"Fees.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees:

"For the registration of a claim to copyright in any work, including a print or label used for articles of merchandise, $6; for the registration of a claim to renewal of copyright, $4; which fees shall include a certificate for each registration: *Provided,* That only one registration fee shall be required in the case of several volumes of the same book published and deposited at the same time: *And provided further,* That with respect to works of foreign origin, in lieu of payment of the copyright fee of $6 together with one copy of the work and application, the foreign author or proprietor may at any time within six months from the date of first publication abroad deposit in the Copyright Office an application for registration and two copies of the work which shall be accompanied by a catalog card in form and content satisfactory to the Register of Copyrights.

"For every additional certificate of registration, $2.

"For certifying a copy of an application for registration of copyright, and for all other certifications, $3.

"For recording every assignment, agreement, power of attorney or other paper not exceeding six pages, $5; for each additional page or less, 50 cents; for each title over one in the paper recorded, 50 cents additional.

"For recording a notice of use, or notice of intention to use, $3, for each notice of not more than five titles; and 50 cents for each additional title. .

"For any requested search of Copyright Office records, works deposited, or other available material, or services rendered in connection therewith, $5, for each hour of time consumed."

Sec. 3. This Act shall take effect thirty days after its enactment.

The SPEAKER pro tempore. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WILLIS. Mr. Speaker, as I have just indicated, this bill would not cost money. It would bring in money. It would slightly increase fees in connection with the operation of the Copyright Office. I might mention that the Copyright Office is a subagency of the Congressional Library, which, in turn, is a legislative agency and not an executive agency. The Copyright Office fees are so much for registration and so much for certified copies and so on, which have not been raised since 1948.

In the meanwhile costs have increased substantially. The resulting decline in the ratio of Copyright Office fees to costs has caused concern on the part of the Committee on Appropriations over the years. At present the Copyright Office is only 63 percent self-sufficient.

The bill under consideration was introduced by the gentleman from Oklahoma [Mr. STEED] who is a senior member of that particular Subcommittee on Appropriations.

As I said, it would, generally, increase the fees presently charged. For example, it would increase the registration fee from $4 to $6, and so on, all resulting in making the Copyright Office about 80 percent self-sufficient as compared to about 63 percent.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I note that the catalog price is increased from $25 to $75, by the terms of this bill.

Mr. WILLIS. That is right. That is obviously a large increase, percentagewise. Of course, that is the maximum. But these figures were worked up by the Library of Congress and that is their recommendation based on their experience. I did not undertake to go back of what they thought was required.

Mr. GROSS. I think the important question is, how often this catalog is revised and reissued.

Mr. WILLIS. Annually.

Mr. GROSS. So it would be a $75 fee to those interested instead of $25 each year?

Mr. WILLIS. As a maximum for all the catalogs; not necessarily $75.

Mr. Speaker, I yield such time as he may require to the author of the bill, the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, as you know, the Copyright Office is required by mandate of the Congress to compel the users of its services to pay a substantial part of its operating costs. As a matter of fact, over the years, the desire has been to keep the revenues taken in by the Copyright Office within 4 percent of the total cost of operating that agency. The costs have gone up so much in recent years and there has been no rate adjustment since 1948. So the Copyright Office is far below the desired point of relationship between outgo and income. Unless these rates are increased the Copyright Office is going to find it virtually impossible to continue to render the service it was set up to do.

There have been times when the Copyright Office returned a profit to the Treasury. But for several years now it has been running deeper and deeper in the hole.

I introduced the bill because for many years I handled the budget for the Library of Congress and we found it almost imposisble to cope with the situation. The only recourse under the law as it now stands is to increase the fees they are to charge, and because of that I think it is most important that we enact this legislation today.

Mr. POFF. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, Members have been receiving a great deal of mail concerning copyright. I think it is important to emphasize that this bill is not the legislation about which your constituents have been writing. Although it is a part of the omnibus copyright revision legislation, the legislation before the House today makes no substantive changes whatever in copyright law.

As the distinguished chairman of the subcommittee has explained, it makes certain increases in the fees required to be paid to the Copyright Office which are long overdue.

The present statutory fees of the Copyright Office, which have remained unchanged for 17 years, do not reflect the continuously spiraling increase in the general price level over that span of time. The decrease in the ratio of return to the Government from the present fee schedule during that period has caused concern to the Appropriations Committees of this House and the other body as well as many Members of Congress. The bill now before you, H.R. 2853, has the express purpose of relieving this fiscally unsound situation by producing a more appropriate ratio between Copyright Office fees and expenditures.

After the last fee revision in 1948, Copyright Office income kept pace with the expenditures for only 1 year. Since fiscal year 1950 the ratio of the applied fees to expenditures has dropped from 100 to 63 percent for the fiscal year just ended, 1965. It is this downward trend that has given rise to the concern of the Appropriations Committee.

The cause of this decline, it seems clear, is that the Office's operating costs have increased at a considerably faster rate than the cash income from fees. For example, the income from fees in the fiscal year 1965 was only some 44 percent greater than the fees received in fiscal year 1949, but the appropriations for the Office were some 144 percent greater in 1965 than in 1949. The continued upward trend of our economy was of course a principal factor, as reflected by an increase in the average annual salary of the employee of the Office from $3,518 in 1949 to $6,880 in 1965, an increase of 95 percent. The increase in staff was only 20 percent—from 211 to 255—during this period, although the total registrations—which are an indication of the activity of the Office—increased some 45 percent. Other major factors in the increased costs were the accelerated upward trend in miscellaneous costs such as the printing of the Catalog of Copyright Entries and contributions under the 1957 amendments to the Retirement Act. These costs rose some 150 percent between 1953 and fiscal year 1965.

Allowing for an expected drop in the number of registrations, which normally follows a fee increase, it is estimated that the fee schedule provided in the bill would return to the Government approximately 80 percent of the moneys appropriated to the Office. This percentage is in line with the 75 percent of return provided for in the recently enacted Patent Office fee bill.

Mr. Speaker, the need for this legislation is clear and I urge its passage.

Mr. Speaker, I have no further requests for time.

Mr. WILLIS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Louisiana that the House suspend the rules and pass the bill H.R. 2853, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

TO PROVIDE FOR THE ESTABLISHMENT OF THE SPRUCE KNOB-SENECA ROCKS NATIONAL RECREATION AREA

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill (S. 7) to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes, was read a third time and passed for the purpose of offering an amendment.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 7 to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation area, in the State of West Virginia, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There being no objection, the Clerk read the Senate bill, as follows:

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia comprised of the area including Spruce Knob, Smoke Holes, and Seneca Rocks, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purpose of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

An amendment offered by Mr. STAGGERS: Strike out all after the enacting clause of S. 7 and insert in lieu thereof the text of H.R. 10330 with the committee amendment, as follows:

"That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation area in the State of West Virginia.

"SEC. 2. The Secretary of Agriculture (hereinafter called the 'Secretary') shall—

"(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia, not to exceed in the aggregate one hundred thousand acres comprised of the area including Spruce Knob, Smoke Hole, and Seneca Rock, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled 'Proposed Spruce Knob-Seneca Rocks National Recreation Area', dated March 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

"(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

"SEC. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

"(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

"(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

"(d) The portion of the moneys paid to the State of West Virginia under the provisions of section 13 of the Act of March 1, 1911, as amended (16 U.S.C. 500), for expenditure for the benefit of Pendleton and Grant Counties, West Virginia, may be expended as the State legislature may prescribe for the benefit of such counties for public schools, public roads, or other public purposes.

"SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

"(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

"SEC. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

"SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia."

The amendment was agreed to.

The bill was ordered to be read a third time, was read a third time and passed, and a motion to reconsider was laid on the table.

ADDITIONAL PROGRAM

Mr. MOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, I take this time to announce an addition to the legislative program.

On Thursday, H.R. 6277, the Foreign Service Act amendments of 1965 will be considered after disposition of H.R. 10871, the 1966 appropriations bill for foreign assistance. The bill will be considered under an open rule with 2 hours of general debate.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Iowa.

Mr. GROSS. Will this take precedence over the parks and concessions bill and the United Nations Participation Act?

Mr. MOSS. No; it is to follow.

Mr. GROSS. In other words, follow the bills previously announced?

Mr. MOSS. The previously announced H.R. 10871. It is to follow the appropriations bill.

Mr. GROSS. And it will take precedence and would come ahead of two other bills?

Mr. MOSS. It will take precedence over the other two bills.

Mr. GROSS. I thank the gentleman.

SETTLEMENT OF STEEL STRIKE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, at this time representatives of the great American steel industry and the union which is predominant in that industry are signing a contract of 3 years' duration.

Mr. Speaker, this is quite different from the situation that we faced this time last week; namely, a crippling strike which could have adversely affected our situation in Vietnam and which could have had a disastrous effect upon our expanding economy, our balance of payments, our world trade, our local, State, and National revenues and so on.

Mr. Speaker, this settlement could not have been effected without the cooperation of the representatives of management and the representatives of labor and the effective leadership of the President of the United States.

Mr. Speaker, I congratulate all of them.

THEY BURIED HIM IN A WOODEN CASKET

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, they buried him in a wooden casket.

Tenderly they placed the wooden casket in the soil of the Africa Dr. Albert Schweitzer had loved and served. The wooden casket they rested in the soil of Gabon, whose able and popular Ambassador Aristide N. E. Issembe came to my office only last week to thank me for the tribute so much deserved that I had given to his country on the occasion of the anniversary of its independence. Thus the bond between Gabon, in the soil to which had been committed the body of Dr. Schweitzer, became warmly woven in the heart of all humanity.

They buried him in a wooden casket. There was no pretense in the life of Dr. Albert Schweitzer and, fittingly, there was no pretense in the manner of his burial.

They buried him in a wooden casket.

SANTIAGO IGLESIAS-PANTÍN, POLITICIAN, PATRIOT, AND LABOR LEADER

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, Labor Day has double significance in Puerto Rico. It is the day in which we honor workingmen, through whose noble toil the country maintains the pace of constant progress. It is also the day in which we honor one of our most dedicated labor leaders: Mr. Santiago Iglesias-Pantín, who was my predecessor as Resident Commissioner from Puerto Rico during the period from January 1933 to December 5, 1939. On the latter date he died in Washington, D.C., before completing his second 4-year term as the elected Representative of Puerto Rico in Congress.

I have always had great admiration for Santiago Iglesias-Pantín in his dual role as politician and as labor leader. Born in La Coruña, Spain, on February 22, 1872, he attended the common schools and was apprenticed as a cabinet maker. But soon he emigrated to Havana, Cuba, where he immediately joined the ranks of labor. From 1889 to 1896 he served as secretary of the Workingmen Trades Circle, and then moved to Puerto Rico where he devoted his efforts to journalism and founded three newspapers, all of them labor oriented: Porvenir Social, 1898–1900; Union Obrera, 1903–06; and Justicia, 1914–25.

He was at the same time active and effective in the labor movement, becoming a pioneer in the effort to create in our working men a true conscience of their rights before a society which was only then first beginning to hear about such things as minimum wages, labor unions, shorter working hours, and labor contracts.

Even as early as November 4, 1898, Mr. Iglesias-Pantín was busy in San Juan exposing the unfair working conditions of his own carpenter's guild, to which he was deeply attached. Prevailing wages then were usually from $1 to $1.50 a day; a man would have to stay on the job for 10, maybe 11, hours, without getting any extra pay; and he would then go home to find a meager supper for himself and his family.

This was the sad picture which Mr. Iglesias-Pantín described before Special Commissioner Henry K. Carroll, appointed by President McKinley to study conditions prevalent in the newly acquired territory of Puerto Rico.

But there was hope, too.

> Our chief object—

Mr. Iglesias declared—

> has been to obtain for each of the guild members the greatest amount of education possible. * * * Under the new (American) institutions, we shall find this much easier, because we understand that in the United States the greatest part of the forces of the Government are directed to the propagation of instruction for its workingmen.
>
> We also will have to direct our attention—

He added—

> especially to the economic aspect of our trade, as that has been at a very low ebb.[1]

True enough, some years later, as a member of the Senate in the Legislature of Puerto Rico, he was able to sponsor legislation to improve working conditions in the island and to protect the workers' right to organize unions and enter into collective agreements.

As a politician, Mr. Iglesias-Pantín was astute and shrewd. He founded the Socialist Party, which gradually drew strength from the fast-growing unions, and was elected a senator when Congress gave the island a new Organic Act in 1917.

He was for some years the only representative of his party in the legislature, and the anecdote went round that whenever an important situation came up he would close his eyes and hold his head with both hands, elbows firm against the flat top of his desk.

"Sh, sh," he would answer to anyone interrupting his meditation, "I'm holding a party caucus."

His task as Resident Commissioner was difficult, but somehow he was able to overcome formidable obstacles to reach his goals. When Mr. Iglesias died, he earned praise from all those colleagues who had been fortunate to be his friends.

> I always found him concerned only for the welfare of the people of Puerto Rico, and never for himself—

Said Delegate Dimond, of Alaska, adding:

> Nobody who knew him can truthfully deny that while he was Commissioner from Puerto Rico, the people of that island had an able, high-minded and devoted advocate in the Congress.

Even a man as reticent as Adm. William D. Leahy, then Governor of Puerto Rico, said:

> His death is a great loss. He was a true public servant, loyal to the legions who honored him.

I should like to bring memory in the House of Representatives today, of this former colleague who devoted himself so untiringly to the cause of labor, to the laborer's uplift in dignity, and who gave his best effort for the betterment of Puerto Rico in general.

CBS REPORT ON THE WAR IN VIETNAM

Mr. DUNCAN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, last night I watched for an hour a CBS report on the war in Vietnam. Liberally sprinkled through the report were comments by American servicemen about the significance of the battle they are fighting and the difficulty the American people seem to be having in understanding the significance and the importance of the American presence and activity in Vietnam. Occasionally a soldier suggested rather hopefully that the voices of withdrawal were a distinct minority.

Debate of American policy is a healthy characteristic of our form of government. This debate is valuable, however, only as it is predicated upon accurate information. Recently the White House, in cooperation with the Departments of State and Defense issued a publication entitled "Why Vietnam." This booklet performs two useful services. It spells out clearly the background of our commitment in South Vietnam and contains excellent factual statements both by Secretary Rusk and Secretary McNamara.

I am advised that the demand for copies of this publication from Members of Congress has been heavy and the supply is limited. I am further advised that the cost of publication as a House document is very substantially less than if additional copies were to be printed for congressional use by the State Department. In view of the congressional demand and the savings to be expected, I think it proper for the House to reprint this publication as a House document.

PRESS AGENT, BUT STILL PRESIDENT

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise an extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, as anyone knows, who has read the Constitution, the President of the United States also serves as the Commander in Chief of the Armed Forces, but a great many eyebrows are being raised over the President's apparent assumption of the additional role of "editor in chief" of the Nation's newspapers.

In the summer issue of the Columbia Journalism Review, published under the auspices of the Graduate School of Journalism of Columbia University, is a most enlightening article entitled "Press Agent, but Still President." It deserves to be read by every member of the fourth estate faced with the problem of choosing between respect or his readers and respect for the Presidency.

To indicate how closely this article describes the present situation, the Washington Post this morning contains an article by Rowland Evans and Robert Novak entitled "The Planned Press Conference." This article penetrates the image of Presidential press conferences and portrays them for what they are—planned propaganda.

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[1] Henry K. Carroll, "Report on the Island of Puerto Rico," submitted to Hon. William McKinley, President of the United States, Oct. 6, 1899. Washington, Government Printing Office, 1899.

I commend both articles to the attention of my colleagues:

[From the Columbia Journalism Review, 1965]

PRESS AGENT, BUT STILL PRESIDENT

(By Ben H. Bagdikian)

For a time during World War II this writer was an instructor in aerial navigation, an exercise that required one student navigator to direct the plane to a practice target while a second navigator, in the same plane but out of touch with the first, tracked where the plane had been and where it was headed. One night the first navigator said the plane would hit the target at 11 p.m. and the target would be El Paso. Asked where we would be at 11, the second navigator wrote, "Albuquerque." At 11 o'clock a large city loomed out of the night. Both men looked jubilant. On the ground I had to tell the second man we were not in Albuquerque but in El Paso. He was stunned. He pulled out his log, full of statistics like compass headings and celestial fixes, waved it in front of my face and cried, "But that's impossible. I've got the figures to prove we're in Albuquerque." He did have the figures to prove it. But the sign on the tower said El Paso and all the natives claimed to be Texans.

This episode came to mind when the President in his June 1 press conference described the care with which he decided to send the Marines to Santo Domingo: "I had 237 individual conversations during that period and about 35 meetings with various people."

The President is a lover of statistics and of appearances and in the fierce gamesmanship that has developed in the White House he has proved himself an indefatigible practitioner of the art of public relations. This has presented special problems for the press corps, but not simply because a President tries to put himself in the best light, because all do that. It has dawned only recently on Washington correspondents just how deeply committed the President is to his public relations practice.

Joseph Kraft, writing in Harper's, believes the President's troubles with the press "stem largely from the inability of the press to see the President as just another flack."

What happens if the press has to view the President of the United States as "just another flack"?

The problem is not the existence of public relations in the White House, which has to consider its "image" if for no other reason than to know whether it is being understood. But there is flackery and flackery and the White House has pushed the techniques of PR to the point of negative returns.

Some White House deceptions are forgiven as part of the job. President Eisenhower would have been wiser to refuse comment on the U-2 shot down over Russia. As a national leader the President has to keep himself open to negotiations for the national good and if he publicly associates himself with all the dirty tricks that go on behind the scenes he damages his power—not because he tells the other side anything it doesn't privately know, but because he becomes a public symbol of the dirty tricks with whom other national leaders cannot negotiate. Precisely because the President is more than a promoter of his own program and reputation, more than proprietor of Government agencies, but also a symbol of national aims and values, it is important that he be listened to—and speak—as something more than a shrewd public relations man.

Some of the deceptions have been important. For weeks President Johnson told the public it was being misled by reporters who said the Government was considering widening the war in Vietnam. The reporters were correct and the President wrong. The White House has implied that it consulted the Organization of American States before committing troops to the Dominican Republic, but it never told the OAS beforehand that it was considering troops.

Other illusions are of interest chiefly within the trade, such as the time the President gave a backgrounder in Texas but asked correspondents to put on a Washington dateline (which most did).

The problem is partly the astonishing portion of Presidential attention given to public relations. No President has monitored his public image with more zeal. He often pulls popularity poll results out of his pocket. He adds up hours of time given to the press and it is enormous, though much of it is ritualistic or nonuseful. In one extended session a French correspondent whispered to an American that he had a Paris deadline coming up and had to leave. The President was holding forth on the White House south balcony. The American whispered back that the Frenchman couldn't possibly leave. "But we've been here for an hour and a half and he is saying nothing and I have a deadline." The American hissed, "Would you leave if Charles de Gaulle were doing this?" The Frenchman stiffened and whispered, "Charles de Gaulle would not spend 15 minutes talking about the rust on his balcony."

The President and his staff seem to ring like burglar alarms whenever and wherever the name "Johnson" appears in print or is uttered on the air. A small item in a west Texas paper mentioned Billie Sol Estes in connection with the President in a three-paragraph story on the inside; the editor claims he got a telephone call from the White House in time to kill the item in later editions. One television correspondent was awakened in the middle of the night by the White House, which had heard that he planned to make some critical remarks the next day. A newspaper correspondent wrote a critical morning story and got three telephone calls from White House aids before breakfast. The New York Review of Books, a medium-highbrow publication, ran a scathing review of Johnson's Vietnam policy and its editors got a phone call from a White House aid suggesting that in the future they have Vietnam books reviewed by Joseph Alsop (who approves of the Johnson policy).

The President has three television sets for simultaneous viewing of the three networks, plus an AP and UPI ticker. Apparently he watches them more closely than some of the editors. One night a startled wire service editor in Washington got a White House call later preserved in the house organ, UPI Reporter, as follows:

"Hello?"

"Hello, Pat, this is Lyndon Johnson."

"Yes, Mr. President."

"Say, I have here (pause) A1O1N from Johnson City, Tex., about the homestead, by Kyle Thompson. Let's see (pause) you say in there that there's going to be a fee for the tour. Well, that's not right at all. The idea is to give it to the people."

"Just a minute, Mr. President, and I'll get the story."

"You see what it says. It says 'the home was opened to the public for fee tours.' That isn't right. You see, it's for free. That's the idea. Do you see that?"

"Yes, Mr. President. It looks like they dropped the 'r' in the word 'free.' I guess they omitted it in transmission."

"Well, Pat, it sure does mean just the opposite of what we mean."

"It sure does, Mr. President, I'll fix it."

"Well, we want it to be free."

"Certainly, Mr. President. I'll straighten it out right away."

"I'd appreciate it if you would clean this up for me."

"I certainly will, Mr. President."

"We hope you will take the necessary steps to straighten this out."

"Yes, sir; Mr. President."

"Thank you, Pat."

"Thank you for letting us know, Mr. President."

But the problem is not just quantity of Presidential time and intervention. Some of it is less meticulous than his editing of UPI typos and some of it has such an implausible ending that it can only harm his credibility. He likes to be the miracle worker, so takes pains to knock down stories predicting what he will do. In December he complained that the Washington Evening Star reported falsely that he would propose a 3-percent pay raise for Federal workers. The Star dutifully reported the Presidential complaint. Then the President proposed a 3-percent pay raise for Federal workers.

At about the same time, the President complained that the Washington Post falsely reported that he planned to ask for a $4 billion cut in excise taxes. "The President is described as feeling that the $4 billion figure couldn't be further wrong," the news story said. The then press secretary, George Reedy, said, "That figure bears no relationship to any decision that has been made." The President proposed an excise tax cut of $3,964 million which bears a relationship to $4 billion as 99.1 to 100.

Nor is it unknown that a responsible White House aid will confirm a reporter's story before it is printed, and after the published story causes unexpected embarrassment another equally responsible White House aid will tell reporters that the story is wrong and was never checked with the White House.

While doing this, the President maintains sympathetic relations with editors and publishers beyond anything known before. Lyndon Johnson is the only Democratic President in this century who seems to be on better terms with newspaper publishers than with the working press. This isn't bad; it is merely astonishing. I. F. Stone, an incorrigible heretic in a town with increasing pressures for journalistic orthodoxy, has written, "Johnson sometimes seems to think the Constitution made him not only commander-in-chief of the Nation's Armed Forces but editor-in-chief of its newspapers."

Among the institutional casualties of this crushing program of public relations are the press briefings by the press secretary, which have decreasing content, and the Presidential press conference, which becomes increasingly rhetorical. Even the semi-confidential backgrounder has often been reduced to an absurdity. On April 7, for example, such a session was held to give prior interpretation of the President's Johns Hopkins University speech offering unconditional discussions on Vietnam. The briefing was given in the White House by Secretary of Defense Robert McNamara, then Acting Secretary of State George Ball, and Special Assistant McGeorge Bundy. Ordinarily it is not cricket to print names of briefing officers but in this case the White House disclosed them by staging a make-believe start of the briefing for television and radio for the 6 p.m. newscasts to help build public interest in the speech.

When it came to the nonattributable question and answer, the cameras were shut off but the same spirit of charade continued to pervade the session. Max Frankel, of the New York Times, asked why the Government had waited so long to make public its aims and its basis for settlement in Vietnam. Secretary Ball said that there was no delay, that the Government had always had the position presented in the President's speech.

"Are you saying," Frankel asked, "that this speech is not news, that we should treat it as old stuff?" Ball replied that the Government had always held the same position, though the "formulations" might be new and, he added as a parting shot, "it may be a little clearer to you." To which John Scali, ABC diplomatic correspondent, rose to say, "Since this has all been said before, would the Secretary please refresh the reporters' memories on the last time anyone in the Government offered unconditional discussions on Vietnam?" There was general laughter and no answer.

The White House seems so obsessed with keeping the news record favorable that it is defensive about first-hand journalism that it could find useful. The press helped dispel some of the wild confusion within government on the Dominican coup d'etat with reporting from the scene that was better than official diplomatic and military reporting.

The same was true in Vietnam. John Mecklin, chief information officer in Saigon during the time when David Halberstram of the Times and Malcolm Browne of the AP were official dirty words, writes in his book, "Mission in Torment," that Halberstram and Browne were essentially correct in their reporting and the Government essentially wrong.

The White House obsession with PR would be easier to handle if it came from another source. Most correspondents learned to cope with flackdom a long time ago: they react when special pleaders originate news; they recognize the implausibly rosy release; they instinctively check with the opposition; they treat with contempt a man who deliberately flim-flams them.

What is special here is Kraft's observation: most reporters have trouble looking at the President as just another flack. He is not just another flack. He is a PR man in his obsession with image, his unrestrained attempts to create illusion for tactical reasons, and his concern with appearances no matter how implausible. But he is also President of the United States, carrying the burdens of his office seriously.

The problem is that Lyndon Johnson appeals to reporters with all the dignity and power of his position as President and when this does not produce the results he wants, begins manipulating them and the news in ways that are not highly regarded even at the Press Club bar. He is trying to have it both ways. The weakness of many correspondents is that the President is too valuable a source in the competition for news to be ignored as a lesser PR man would be. But deeper than that is the conflict the President creates in many serious correspondents who respect the Office of President and the man in it, but whose professional standards tell them that what is going on is common, ordinary press agentry.

The President and his aids often seem to ignore the demands of professionalism upon correspondents, which require exercise of independent judgment based not on personality or pressure but on honest discrimination. Too often correspondents are asked to choose between disrespect for the reader and disrespect for the President.

One simple answer may be to report the unabashed intervention of the White House into the news process. The dialog in UPI reporter was seen widely in the trade, but it was not on the UPI wire. Ordinarily this would be healthy avoidance of narcissism. But perhaps the time has come to report the President not only as originator of news but also as editor of it.

[From the Washington Post, Sept. 7, 1965]

Inside Report: The Planned Press Conference

(By Rowland Evans and Robert Novak)

If President Johnson's last nationally televised press conference from Washington on August 25 seemed a trifle bland and just a little staged, this was no accident.

The art of planting questions calculated so that the President could make a particular point hit a new high in that news conference. Far from being the spontaneous free-for-all the general public supposed it to be, the August 25 session was very nearly as carefully staged as a Broadway play.

This completes the transmogrification of the Presidential news conference, which began as an informal cluster of reporters crowding around the President's desk in search of answers to questions. As the news conference moved to ever larger auditoriums and television-radio coverage was permitted, it became less of a newsgathering device and more of a showcase for Presidents.

Consequently, President Johnson cannot be blamed for pushing along the next logical step in this development, taking the risk out of press conferences by planning them in advance. That's what happened on August 25.

Although aids of Presidents Eisenhower and Kennedy frequently tried to plant a question or two before a news conference, old timers in the White House press room can't remember anything like the activity immediately preceding the August 25 conference.

Bill Moyers, the President's highly competent new press secretary, and Joseph Laitin, Moyers' assistant, were scurrying about among correspondents openly planting questions—obviously acting under the President's own orders.

For instance, the House Republican "white paper" attacking Mr. Johnson's position on Vietnam had come out a day earlier. Some question about it was bound to be asked. But the presidential aids planted a question that put the Republicans in the worst light—a soft pitch that the President could, and did, knock out of the park.

The question planters did run into some resistance. Laitin requested the correspondent for one large eastern paper to ask a question that would enable the President to expound on the necessity for a settlement in the steel contract talks. The correspondent flatly refused on general principles.

The White House aids then went to another correspondent, who also balked at this request. After much cajoling and convincing, however, he finally agreed to play the game and ask the question.

Furthermore, the Moyers-Laitin team engaged in the opposite version of the question-planting technique. They tried to pump habitual question askers to find out what they had in mind so that the President could be alerted.

One veteran correspondent known for tough, aggressive questioning was approached. He politely declined to reveal his question for the day. Because this correspondent represents a wire service and unwritten custom dictates that wire service reporters be recognized at each press conference, he was called upon to ask his question anyway.

However, the President has no obligation to call upon nonwire service correspondents. For example, one correspondent for a major midwestern paper who doesn't play ball with the White House and has a reputation for searching questioning was not recognized August 25. Nor has he been at any of the last few press conferences.

It should be pointed out here that since Moyers took over as press secretary July 8, Mr. Johnson's press relations have turned from black to rosy.

Because Moyers actually is one of the President's closest advisers, the White House press corps is filled in on top level developments as never before. On top of the White House staff hierarchy, Moyers on one occasion countermanded an order to dump correspondents from a Presidential helicopter and replace them with Secret Service agents. Such treatment is something new for the White House press.

Consequently, it's understandable that many reporters would want to help Moyers by asking a question that won't hurt anybody. But they do it at the risk of destroying the press conference as the only way of subjecting the President to tough, unrehearsed examination.

ALEXANDER K. CHRISTIE

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, when an important piece of legislation passes the House, only a few of the many responsible persons receive the credit. Without detracting from the great accomplishment of the Members of Congress, their staffs, and the staffs of the committees involved, I should like to single out at least one person from outside the official legislative family for his devoted work in behalf of H.R. 8989, the Federal Metallic and Nonmetallic Mine Safety Act which was passed by the House on September 2. I am thinking of Mr. Alexander K. Christie, a legislative representative of the United Steelworkers of America. Alex helped to draft the ancestor of our present bill for the late Senator James E. Murray, of Montana, way back in the 82d Congress. He has worked longer and probably harder than any other man to bring this important legislation to a point of success. Patiently, but ceaselessly, he has spread the gospel of mine safety, of higher standards to protect the lives of the fearless men who mine the ores and minerals that, in large measure, feed our industrial might and our vast prosperity. His tireless efforts have served the national interest. I commend him for his devotion to a noble cause.

WASHINGTON SMEAR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 20 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the Reader's Digest for September 1965, published an article which ought to be read by every citizen of this country.

It is an article based upon the scandalous manipulations of Bobby Baker, protege of Lyndon B. Johnson and confidant to other Members of the U.S. Senate as well as Johnson. But it also deals with a little publicized facet of the sordid Baker scandals—the outrageous attempts to harass and vilify personally one of the most courageous Members the U.S. Senate has ever known—Senator John J. Williams, of Delaware.

No man has contributed more in time, energy, and courage to digging out the unsavory facts in the Bobby Baker case as well as corruption in other areas of Government. For this, President Johnson personally invaded Delaware in the fall of 1964 in an unsuccessful attempt to defeat Williams for reelection, and the Internal Revenue Service has gone over his tax returns with a fine tooth comb. The result: a bill for income taxes owed of $30.16, plus $1.74 interest. After this tedious and time-consuming audit of all his books and checks, Williams received a refund check, without apology, from the Internal Revenue Service.

But Senator Williams is not the only Member of Congress, who has had more than a passing interest in the Bobby Baker scandals, to have had his tax return investigated. Yet there is no evidence that the Internal Revenue Service has had more than a passing interest in the tax returns of Baker and others associated with him as he rocketed from virtual rags to riches in a few short years.

In addition to the auditing of his tax returns, and the interception of his mail, a vicious, cowardly effort was made to "expose Senator Williams' sex life." This by Carole Tyler, one of Baker's so-called confidential secretaries, who said she saw Williams eating breakfast with a woman, not his wife, at a restaurant at 6 o'clock in the morning.

The young woman was Senator Williams' granddaughter.

Carole Tyler as well as Bobby Baker repeatedly resorted to the fifth amendment and thus declined to answer questions when they were summoned before the Senate Rules Committee. While they were thus protected, the man who was honestly and courageously attempting to ferret out corruption was the object of harassment and cowardly vilification.

Mr. Speaker, I submit herewith for printing in the Congressional Record the Reader's Digest article written by a noted newsman, Mr. John Barron:

THE CASE OF BOBBY BAKER AND THE COURAGEOUS SENATOR

(By John Barron)

Skeletons of the Bobby Baker case have at last been locked away in Washington's darkest closets. The carefully manipulated Senate "investigation" of the man who long was Lyndon Johnson's protege has ended in a rain of whitewash. The squalid stories of payoffs, kickbacks, party girls, and influence-peddling on Capitol Hill have all been officially forgotten.

One man, though, cannot forget—Senator John J. Williams of Delaware. Nearly 2 years after he unearthed the scandals, Williams continues his lonely search for the truth. But for exposing Baker in the first place, and for daring to persist in probing for facts, he has paid and is paying a fearful price.

At one time or another, patrons of Baker have schemed to silence Williams' sources, to deceive him with false leads, to smear his character, even involve his family. The harassment got so ugly a few months ago that Senator Frank Lausche, a Democrat, openly accused fellow Senators of trying to make Senator Williams "the culprit" while letting the true culprit go free.

It was an accurate summation. The strategy employed by Williams' opponents throughout has been to save Bobby Baker and his pals by destroying the accusers. And Williams was the chief accuser. If he could be discredited, so could his revelations.

EARLY WARNING

Even before the Baker story burst into headlines, Williams received a hint of the ordeal he was to endure. A Delaware farmer drove to Washington to tell him about it. "Some strange men are going around asking questions about your farms," he said. "They make out like they're investigators from Washington trying to find out how much Government farm subsidies you collect. I told them you don't accept any subsidies at all, but they wouldn't believe me."

While Williams was home for the weekend, other neighbors dropped by to tell him that the strange inquisitors had interrogated them about drainage ditches. Then he realized what it was all about. He had cosponsored a legislative amendment providing Federal payments to help drain low-lying Delaware farms. Government-subsidized ditches had to be dug through farmland he owned so that the surrounding area could be served, and he was entitled to collect several thousand dollars for this. In fact, though, he had personally paid the whole bill for the work done on his land.

Williams knew that, if he had not been able to prove he had paid, he would soon be publicly accused of profiting from his own legislation. It was an old Washington trick, letting the scandal prober know that the heat can also be applied to him.

But Williams did not worry, at first, and for good reason.

FURTIVE MEETING

A soft-spoken farmer and chickenfeed dealer, Williams, when he first went to Washington as a Senator, seemed hopelessly out of place in the worldly atmosphere. Detractors privately ridiculed him as a "pious hick." Top officials laughed when, working without investigators, funds or power of subpena, he started rounding up records and asking simple questions about how they were running Government business. Some of them had to stop laughing when they found themselves on the way to the penitentiary.

Because of such activity, Williams came to be called "the conscience of the Senate." Again and again, enemies had tried to compromise him, but none had succeeded. So, in the fall of 1963, when he began digging into the affairs of Bobby Baker, he was confident and unafraid.

Then, early one evening in February 1964, Williams was summoned to a furtive meeting with a Johnson administration official, a man who had fought him politically. "I couldn't risk going to your office," the man began, "but I can't stomach what they're doing to you. Senator, your mail is being intercepted. Every letter you write to any Federal official asking about the Baker case is immediately routed to a special handler. He sends the Senate Rules Committee copies of any information sent to you. Sometimes he even checks with the committee before deciding whether your inquiry is to be answered at all. You'd better be careful about what you put in writing."

"The Senate should be totally outraged," cried the Washington Evening Star in a lead editorial after Williams confirmed that his mail was indeed being watched. "Obviously someone high in the executive branch issued the instructions for this monitoring. Nothing of the sort, as far as anyone knows, has ever been done before. Who issued the order?"

No one has ever dared look high enough and hard enough to find out.

TAX AUDIT

The ensuing step in the Senator's harassment came from the Internal Revenue Service. IRS ordered Williams to produce all records he had used to prepare a return submitted 2 years before.

Now Williams had to put aside the Baker case and dredge up the mass of old data needed to defend his tax statement line by line. Dutifully he drove back to Delaware to submit to interrogation by an IRS agent. As the tedious audit wore on, he produced check after check to prove that he had honestly and correctly paid his taxes. But in vain. The agent insisted that he owed $30.16 more, plus $1.74 interest.

"That's wrong, Senator," said an angry accountant whom Williams had asked to help him. "I wouldn't pay a cent more."

"No, it's worth $30 just to get it over with," the Senator said, wearily writing out a check.

A few days later, he was dumfounded to receive an elaborate 9-page rigmarole of computations from IRS indicating that the Government owed him $30.16. Enclosed, without apology, was a refund check.

Williams never could be sure of the reason for this preposterous exercise. He realized, though, that had any flaw in his tax return been detected it would have been most useful to Baker's friends.

SMEAR BY ASSOCIATION

Next tactic of Baker's cronies was to destroy a key witness whom Williams had persuaded to talk. The marked man was Don B. Reynolds, an insurance broker who had been active among Washington's wheeler-dealers. Long an intimate member of the Bobby Baker crowd, he admitted that he was "no angel." And when he finally began to talk about his cronies, he startled the Nation.

In sworn testimony before the Senate Rules Committee, he said he had made huge payoffs to Baker. He told how, in obedience to Baker's orders, he had given Lyndon Johnson an expensive stereo set. He testified that, after selling insurance on Johnson's life, he had been pressured by Walter Jenkins, then Johnson's administrative assistant, into purchasing unneeded advertising time from a Johnson television station. And he spoke of the use of bribery and prostitutes to influence various Government officials.

Whether or not all that Reynolds said was true probably never will be determined. But he produced checks and invoices to prove that he had paid Baker, given Johnson the stereo, and bought the useless advertising time. Because some of his testimony was documented, there was only one way to neutralize it: his character would have to be so totally demolished that no one would believe anything he said. And if he could be depicted as a puppet of Williams, the muck smeared on him would rub off on the Senator.

Shortly before release of Reynolds' first testimony, several administration officials began trying to peddle to newsmen a purported confidential Government personnel report listing Reynolds' alleged misdeeds as a onetime Air Force and Foreign Service officer. He was portrayed as a pathological liar, black marketeer, and adulterer.

Then the Rules Committee itself joined in by leaking to newsmen reports of its own, denouncing Reynolds, the witness who had talked, more harshly than Baker, the subject of investigation. They stigmatized Reynolds as a "character assassin," "paranoid personality" and "an irresponsible witness." The committee insinuated that Senator Williams was in some way linked with Reynolds.

PRIORITY TARGET

Fearful of what the power of Government might do to them, many persons who had volunteered information in the Baker case now began to back off. One important businessman who earlier had promised evidence said, when Williams called him, "I don't know what you're talking about, Senator, I never talked to you before in my life. I'm sorry, but I'm sure you understand."

When administration forces tried to bury the investigation in the summer of 1964 and Williams came up with new evidence, alarmed Democrats developed a plan. They would suspend the investigation until after the approaching elections—and get rid of WILLIAMS at the polls in November.

Of all the Republican members of Congress, WILLIAMS became the priority target. Administration speakers paraded into Delaware to belittle him as a hopelessly outmoded crank. On the Saturday before the election, President Johnson himself suddenly decided to appear. Reporters accompanying him were astounded that he would choose to spend the last vital day of the campaign in a State with only three electoral votes.

But there he stood in Dover, a town of only 7,000 inhabitants, appealing for WILLIAMS' defeat. "Give me men I can work with," he said.

WILLIAMS was sure of defeat. On election day, however, when Johnson carried Delaware by a landslide, enough Democrats split the ticket to send WILLIAMS back to the Senate with a 6,932-vote victory.

STORY OF THE YEAR

After the Johnson inaugural ceremonies, WILLIAMS walked across Capitol Hill to his office. "What is going to happen to the Baker case now?" a newsman with him asked.

"Well, whitewash put on over dirt will not stick. We country boys know that," WILLIAMS said. Then he motioned the reporter into his study, where he pushed four typewritten pages across his desk. The document made it appear that three prominent Government officials had made millions through a corrupt deal.

"It will be the story of the year," the reporter said. "When are you going to break it?"

"I'm not going to," WILLIAMS replied. "The whole thing's a plant. I've checked it, and it's the darnedest cock-and-bull story you ever heard. They hoped I'd go to the floor with it. Then nobody would ever again believe what I said."

SEX LIFE

The next snare that was set for the Senator was immeasurably more vicious. Carole Tyler, who had been Baker's confidential secretary, flew to Nashville to address the Tennessee Press Association. At Rules Committee hearings she had repeatedly ducked behind the fifth amendment to avoid saying anything. But now, rumors said, she was going to "expose Senator WILLIAMS' sex life."

In a hotel ballroom crowded with expectant reporters, Miss Tyler began reading a typewritten speech. After some banalities, she paused and with an arch smile said:

"I wonder what you would think if you knew that the principal instigator of the Senate investigation was seen by me on July 6 at 6:30 a.m. with a lady—not his wife—just after they finished breakfast? And just think, this is the gentleman who has been criticizing the Senate Rules Committee for not going into the so-called sex angle of the Baker case. I leave it to his conscience, if any, as to why he was with this lady—not his wife—at such a time near a summer resort."

"Would you name the Senator?" reporters asked.

"I think you know who I mean," she replied.

Back in Washington, the first inquiry about the speech stunned WILLIAMS. The first impulse of the 61-year-old Senator, 38 years married to the same wife, was to denounce it on the Senate floor. But he realized that denying the charges would merely give them greater circulation. Finally, he wrote a one-sentence statement: "Any newspaper, any wire service, any network that carries any report questioning my character assumes full responsibility for its truthfulness and had better be prepared to prove it."

Most publications decided to kill the story, but rumor quickly swept it over Washington. That night, a worried friend found WILLIAMS and his wife alone in their apartment. "JOHN, it's all over town that Carole Tyler says you're involved with some woman and that you won't deny it," the friend said. "Why don't you denounce this for what it is—character assassination?"

"I can't," WILLIAMS said. "On the morning of July 6 I was in a roadside diner with a girl, and I don't doubt that I was looking at her with loving eyes. She was my granddaughter. I was taking her back home after the Fourth of July weekend at the beach. But, my Lord, man, I'm certainly not going to drag my own grandchild into this."

FINAL REPORT

Last spring the Rules Committee staff secretly drafted a second "final" report on the Baker case. While mildly rebuking Baker, the committee authors loaded the report with innuendo and insinuations that WILLIAMS had withheld information and made false charges.

This draft was set in type at the Government Printing Office. But if the committee released it, the sponsoring Senators would have to back up what they said, and WILLIAMS would have a chance to defend himself. Therefore, in a careful maneuver, the committee leaked copies of the report to newsmen.

WILLIAMS stormed into the Senate and demanded a showdown with the majority members of the committee. "Retract the charges or else repeat them in my presence," he demanded. Only Senator CLAIBORNE PELL, of Rhode Island, had the courage to say that he had no charges to make. None of the others took up WILLIAMS' challenge.

When the committee officially released its final report, all of the attacks on WILLIAMS were deleted. Nevertheless, the committee had succeeded in spreading defamatory comment about him while evading responsibility for it.

PLENTY OF TIME

Today what has become of the chief characters in the case?

Don Reynolds has been ruined. Under the heat of hostile publicity and incessant investigation, he lost his once profitable insurance business. He now exists in exile in the Bahamas.

Carole Tyler died last spring in a freak accident when a stunting airplane crashed in Ocean City, Md., not far from Baker's million-dollar motel.

Bobby Baker himself prospers. He has bought control of another motel in North Carolina. He has acquired additional interest in the vending machine company which still enjoys lucrative concessions from defense manufacturers dependent upon Government contracts. Friends describe him as utterly confident that even should he be indicted, nothing in the end will happen to him.

For JOHN WILLIAMS, the ordeal goes on. This summer he again had to appear before the IRS, this time to defend his 1963 tax return. He had paid his taxes properly again. Today, despite all the booby traps set for him, he is continuing to probe in the debris of the Baker case.

"I have plenty of time," JOHN WILLIAMS warned the Senate in a speech a few weeks ago. "And I am not about to be intimidated. In fact, my curiosity and determination grow as resistance intensifies."

In this sentiment, Senator WILLIAMS, of Delaware, may well be speaking for the Nation.

WASHINGTON'S WONDERBOY

To many, Bobby Baker was the "wonderboy of Washington." He came to the capital from South Carolina at 15 as a Senate page. He grew up with Senators as his tutors, became the protégé of one of the most influential, Lyndon B. Johnson, and was elected secretary of the Democratic majority in 1955. As general agent of the Senate "Establishment," Baker exchanged confidences with Senators, advised how the leadership wished them to vote, performed personal services such as arranging loans and useful introductions, as well as picking up and parceling out "campaign contributions." By 1962 he could boast, "On any given issue, I have at least 10 Senators in the palm of my hand."

Baker's troubles began when he was sued by a Washington businessman who alleged that he had paid Baker fees totaling $5,600 to maintain a vending-machine contract at a defense plant, then suffered cancellation of the contract because of Baker's "interference." Wondering what was behind the allegation, Senator JOHN J. WILLIAMS quietly began asking questions. He soon put together the outlines of a fantastic story.

WILLIAMS secretly told the Democratic leadership some of what he had learned and suggested that Baker be offered an opportunity to explain privately before he was publicly accused. Minutes before the scheduled confrontation, Baker resigned rather than face WILLIAMS.

The Senate Rules Committee then began an investigation based almost entirely on evidence provided by WILLIAMS. Subsequent Rules Committee reports sketched highlights of Baker's financial dealings: That on a top salary of $19,600 he had amassed, at 34, a fortune which he claimed was worth $2,100,000. That a formed lobbyist had sold him for $4,600 stock worth $31,000. That, with others, he had started a vending-machine company which won lucrative concessions from contractors dependent upon the Government. That he had obtained a Government loan for a luxurious oceanside motel he was building in Maryland by falsely representing its assets. That, 2 days after a bill beneficial to a trade association had been signed, a representative of the association paid him $5,000.

As the resultant scandals threatened to reach higher and higher into Government, pressures to halt the investigation became irresistible. The Senate ended the probe in July 1964, declaring that any further evidence would be "repetitious and cumulative." Whereupon WILLIAMS came up with new evidence which compelled the Senate to reopen the investigation in the fall of 1964. But the committee still considered many areas of inquiry taboo, and the investigation again stumbled to an innocuous end last June.

Baker repeatedly took the fifth amendment to avoid telling anything to Senators who once told him everything. To this day he remains silent.

PRIVATE INITIATIVE IN FOREIGN AID

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, we are all proud of our great American heritage and the dauntless spirit of independence which made our country what it is today. We have all read of the roles played by our ancestors who had the courage, strength, and initiative to strike out for themselves and to carve our tremendous country out of what was an uncharted wilderness.

We believe, because we have seen it work and we know the effect and the effectiveness of the course of action, that it takes great individual effort to provide the backbone and sinew of the growth and development of a country.

It is this very course of independent action which we are striving for in our foreign aid program today. The developing countries themselves have become more aware that the maximum progress toward active and self-sustaining economies comes through major reliance on the private sector.

There is an increased willingness to support private enterprise when it can do the job and where its performance is effective. Our own experience is proof of this fact and our experience in our program of foreign aid tends to bear this out, for the developing countries which have made the greatest advances are those which encouraged the growth of private enterprise as for example: Nationalist China, the Philippines, Malaya, Pakistan, and India.

As a matter of fact, the government-to-government aid which has been given has provided the foundations for a greater participation by private enterprise. Roads, powerplants, fertilizer factories, dams and the like have all been tremendously important to the growth of a country but even more important they have been a major factor in the development of private enterprise which is helping recipient countries to stand on their own feet.

One of the most important factors in this development of private enterprise, of course, is proper financing and AID has taken action in this crucial area. Many of the developing countries lack effective capital markets, they are simply not organized to provide capital for local entrepreneurs who wish to expand or to go into business. AID has provided both technical assistance and seed capital to establish development banks to fill this need.

Thirty-six AID-assisted industrial development banks in 30 countries have made 2,400 subloans for private industrial ventures including the expansion of existing enterprise as well as the initiation of new ventures.

AID-assisted agricultural credit banks in 10 countries—nine of them in Latin American—have made more than 40,000 subloans for farm improvements.

Savings and loan associations organized with U.S. assistance and almost nonexistent in Latin America a few years ago, have accumulated local deposits of $75 million for investment in housing and other ventures.

AID commodity loans have become an increasingly important factor in the growth of private enterprise in countries such as India, Pakistan, Chile, and Brazil. They are made available to countries with sound development programs and they make it possible for private enterprise to import a wide variety of American goods and equipment needed to maintain or expand existing plants, repair or increase the supply of farm equipment and the like. In India alone, for example, $220 million—about 80 percent—of $275 million in commodity loans made during 1964 went directly to finance American exports badly needed by India's private enterprise sector.

Another one of the most effective methods that has yet been utilized by AID in our foreign aid program is the organization of cooperatives. They are an invaluable means of mobilizing individual initiative and capital and act in such a way as to rapidly speed the development of progress.

We are all familiar with the concept and the working of the cooperative idea. The very name itself suggests a common goal and an amalgamation of talent, ideas, wealth, initiative, and enterprise to accomplish something which will be of benefit to many.

As the many are benefited, so is the immediate area and in turn the economy of the country and the entire goal of our foreign aid program.

One of the best illustrations of what cooperatives can do occurred in the Ecuador town of Santo Domingo de los Colorados, a town of 10,000 about 75 miles from the capital city of Quito. A brisk banama industry had brought some money to Santo Domingo, but very little change. The townspeople did want more electricity but there seemed little hope of getting it. Token service for electric light bulbs was provided by municipal generators that were out of repair and often out of commission. No one was inclined to fix them since 40 percent of the electric bills were uncollected.

Under an AID contract, John Taylor of the National Rural Electric Cooperative Association organized an electric cooperative in Santo Domingo. An initial local subscription of $60,000 for stock in the cooperative and an AID "seed" loan provided the capital to buy out the existing service, overhaul the generators, modernize and enlarge the distribution service in the town. From their own warehouses, the 24 rural electric cooperatives in Kentucky collected more than $18,000 in surplus transformers, meters, conductors, and the like as a contribution to the project and an American steamship company shipped them to Ecuador without charge. NRECA experts trained managers and technicians for the Santo Domingo cooperative, showed them how to maintain equipment, set up books, handle billings.

The cooperative system is now supplying 63,000 kilowatt-hours a month against 25,000 before it was organized, and has doubled the number of customers. The percentage of bills paid has jumped from 60 percent before the cooperative to 97 percent, and monthly revenues have increased from $955 to $2,000—the cooperative's financial growth is running consistently 20 percent ahead of what the NRCA experts had anticipated.

You can see the change in Santo Domingo. Electricity now powers water pumps at a banana processing plant, a meat storage plant, a 30-room hotel and a new radio station. Lines have gone into a 50-home housing cooperative. Women are buying radios, electric stoves, and refrigerators. Around the town, well lit playgrounds, community meeting rooms and recreational centers are new gathering places, particularly for the town's young people.

From the viewpoint of development, this is an extraordinary effective and rapid change of exactly the kind we must bring about in countries like Ecuador if they are to solve their own problems.

Santo Domingo, of course, is just one town, and the less developed world of Asia, Africa, and Latin America is a very large place which will not be transformed overnight. But I have no question that we are on the right path, and that in enlarging the role of cooperatives in the foreign aid problem, we have taken a significant step forward in our historic effort to help others help themselves to a better life, and achieve a more hopeful, secure future for all of us in the free world.

This encouragement of private enterprise in the less developed countries is not without problems—several of them I have already mentioned. One of the more important problems is the shortage of experienced managerial help—people skilled in management, marketing, and production control.

This shortage is being met. With strong encouragement from AID, the International Executive Service Corps was established under private auspices during 1964 to provide the help of experienced American businessmen to entrepreneurs in the less developed countries. Private business firms in more than 30 countries have expressed interest in assistance from the Corps.

The AID program already includes substantial participation by American private business, institutions, and groups. About one-fourth of AID's technical assistance is provided by American universities, business firms, and private associations on contract and this role is being enlarged further.

American engineering and construction firms overseas are supervising the design and construction of some $4 billion in capital projects AID is helping to finance in the developing countries. Under the partners of the Alliance program launched in the spring of 1964, 25 American States and communities are consulting with Latin American nations and communities and arranging to provide scholarships, technical assistance, investments in joint ventures, and other kinds of assistance; 8 more partnerships will soon be underway.

Private firms, labor unions, and local governments as well as universities provide training for some 6,000 participants a year; the value of training services donated for these programs has been estimated at more than $10 million.

AID is doing much to provide greater incentive for the encouragement of greater American private investment in the less developed countries and to increase the flow of development assistance from private American relief agencies, nonprofit associations, labor unions, civic groups, and business organizations.

There is a continued sharp increase in the use of AID investment guarantees by American investors. In fiscal year 1964, AID wrote three times as many guarantee contracts and issued twice as much coverage as in any preceding year.

Increased use is being made of the AID investment survey program which is helping to generate new private American investment in less developed countries.

Placement of volunteers overseas is being made by the new International Executive Service Corps, operated and supported by American business and assisted by AID.

We are witnessing an expansion of the role of American voluntary agencies in promoting self-help and development work in addition to straight relief work in the underdeveloped countries.

There is increased State and local participation in AID's partners in the Alliance program through which Americans at the State and local community leadership level work directly with their counterparts in Latin American countries on specific development problems.

So the stage is set. Private enterprise both here and in the recipient countries has become an essential ingredient in our foreign-aid program.

The same spirit that went into the building of our own country has gone and will go into the strengthening and the building of the underdeveloped countries which we are assisting.

The foreign-aid program deserves and commands our support. Through it and because of it there is hope for a better life for all people, a life which will insure each one of them an important role in carving out the future for their own country.

COTTON TEXTILES

The SPEAKER pro tempore (Mr. Smith of Iowa). Under previous order of the House, the gentleman from North Carolina [Mr. Whitener] is recognized for 30 minutes.

Mr. WHITENER. Mr. Speaker, I am informed that tomorrow in the other body the Agricultural Act of 1965 will be on the floor of the Senate for consideration. On last Thursday the Committee on Agriculture of the other body reported a cotton title in that legislation which was very disappointing to me and to many other Americans.

We in North Carolina are very proud of our great textile industry. Our State has approximately 230,000 people employed directly in the textile industry. When you realize that in the Nation there are only approximately 1 million persons so employed, you can appreciate that State has a bonafide interest in cotton legislation.

The State of North Carolina and the neighboring State of South Carolina are also cotton-producing States. So we have a great interest in the health of our agricultural cotton economy.

For this reason, the action of the committee in the other body has caused us to look at it with interest and with a great deal of concern.

A short while ago when we had the agricultural bill before us in the House of Representatives we passed a bill which had in it a provision continuing the one-price cotton system for a period of 4 years. The bill reported out in the other body would destroy this very beneficial provision in the House bill.

Since the beginning of my service here I have tried very diligently to point out the seriousness of the two-price cotton system. We felt that we had put it to rest in 1963.

There are many who say there is no bonafide farmer or agricultural interest in the position that we take. This is as far from the truth as one can get.

Back several years ago, as a boy, I was employed in a textile plant which was a pioneer in the development of the use of synthetics on conventional spinning equipment. At that time those of us who were working with this new manmade fiber—rayon, celanese, and blends with some types of natural fibers such as mohair, felt we were fighting a losing battle. It was felt by many leaders in the industry that this was just a fool's adventure which would never produce worthwhile results. It was about this time that a native son of my home community was getting an organization known as Burlington Mills off the ground. He was pioneering in the use of synthetics. I can remember hearing many say that Spencer Love was a very foolish man to think he ever could accomplish satisfactory results with the new fibers.

Then we read of Spencer Love's pioneering in many national publications. They said that he was an adventurer in the textile industry who was of questionable soundness in his philosophy. But yet today, my friends, 45 percent of all the textile products manufactured in America are synthetic or manmade fibers. That is how far we have come within a very, very short time.

Let me point out another factor which is happening all about us. All of us who are interested and knowledgeable at all in the textile field know that there is a much greater demand today for manmade fibers than the producers of those fibers are able to meet. Recently in my own congressional district an organization known as Fiber Industries, Inc., was formed by the Celanese Corp. of America and the Imperial Chemical Industries, Ltd., of Great Britain. They built a rather large plant in my congressional district at Shelby, N.C.

A very short time later they went down to the district of my friend, the gentleman from South Carolina [Mr. Ashmore], and built another large plant to produce manmade fiber. More recently they commenced construction of a new plant near Salisbury, N.C., and even though that plant is still under construction, just about 10 days ago this company announced that they were doubling the size of the plant before they even completed it.

Mr. Speaker, I mention this only to point out to our friends who have as their primary interest the welfare of the farmer that they should heed warnings of men like Dr. M. K. Horn, of the National Cotton Council, and others who are telling us that synthetics are about to take over the textile trade.

One of the distinguished Members of the other body, who is the architect of this unfortunate proposal which the Senate Committee on Agriculture reported out, was quoted in the press when confronted with his contention about the threat of synthetics as saying, according to the newspaper reporter, "The textile people would not dare do that; they are too patriotic."

I do not know when some will get their head out of the sand. If any believe that the chemists now engaged in the development of new fibers cannot develop fibers which will compete with cotton in every respect, they had better take another look at the situation. Those of us who remember the first rayon shirts and the first rayon dresses that were produced and look at those fabrics today know these fibers are a present and real threat. Those of us who have had an opportunity recently, as the chairman of the House Committee on Agriculture, my good friend from North Carolina [Mr. Cooley] has had, to personally examine alongside of each other a poplin cloth made of cotton and a piece of poplin cloth made of a blend of cotton and synthetic fibers know that the uninitiated would not be able to differentiate between them.

This onward march in the technological field in textiles is growing, and we must take note of it if we would preserve the American cotton farmers.

I have heard testimony in the Agriculture Committee since I came to this body 10 years ago by many of these so-called experts, who purport to represent our farmers, saying that you could never satisfactorily market sheets and pillow cases made of anything other than cotton. Yet last year in the congressional district of my good friend from South Carolina [Mr. Gettys], Spring Mills opened a $15 million plant which will be entirely engaged in the manufacture of sheets and pillow cases from synthetic fibers.

So it is time, I believe, for some of us who are interested in both the textile industry and the cotton agricultural economy, to begin trying to bring some light into this situation.

When the committee of the other body acted a few days ago, one of the men who commented on the action was the president of Springs Mills in South Carolina. He said:

> Anything close to the Ellender bill would force our company to move as quickly as possible and as far as we could away from cotton.

Another distinguished textile man, Mr. Charles Myers, the president of Burlington Industries, commented upon this. Mr. Myers' company, Burlington Industries, while it is one of the great textile companies, is operating only 30 percent of its equipment on cotton. Seventy percent of it is engaged in the production of synthetics. But Mr. Myers said that the failure to continue one-price cotton "will unquestionably hurt the cotton economy of this country from grower to manufacturer. Mills which have been increasing cotton consumption will be forced to use less cotton, as it must be competitive with other fibers in order to hold its own or to take a larger share of the textile market."

This is the situation with which we are faced. We have heard in the House and we have read in publications about the great bonanza that the one-price cotton legislation has been to the textile industry. But no one points out that of the 20 leading industries in America, as of the present date, the textile industry has its profit level in the 16th position.

They do not mention the fact that other industries during these last few months since the one-price cotton legislation has been in effect have had profits far in excess, on a percentage basis, of those of the textile industry. They do not take into account that the profits of textiles in the past 18 months have just about equaled the percentage of tax relief which was given to the industry—and to other industries—under the depreciation writeoff schedules which were established under President Kennedy, and under the tax reduction legislation which we passed here, which applies to all industries alike.

So some of these accusations of profiteering just do find support in fact.

It is easy for some of our friends to be critical. They do not point out that there have been three textile wage increases of 5 percent each since the one-price cotton program was about to become a reality—one in anticipation of it, and two after it.

They do not take into account, when they talk about profits, that yarn prices at the spinning mill are lower today than they were when the Agriculture Committee of the House brought out the one-price cotton bill in April of 1963.

They do not point out that today the finished textile products with the heaviest amounts of cotton in them are cheaper than they were in April of 1963. The higher cost is found in the finer goods, where the cotton content is smaller than in the heavier goods.

This points out that the increased cost is in the wages of those who work with the cotton fabric, and the finer the fabric and the garment the higher the cost.

Some 18 months ago one of my friends in the industry sent some material to me for a suit of clothes. I went to a tailor in Washington and had the suit tailored. Only a few weeks ago the same friend sent another supply of similar material. I returned to the same tailor. Furnishing my own goods, which of course were not cotton, I found the tailor apologized to me because he had to charge exactly 12½ percent more for tailoring my suit than he charged 18 months previously. He pointed out that this was because of increased wages of tailors.

These are factors which affect the industry. I say to you, my friends of the House of Representatives, I hope that the other body, when it considers this legislation, will follow the lead of the House of Representatives and amend the bill to conform to the House bill. If, for some reason, this act of wisdom is not committed, I hope that when the legislation goes to conference we will find that the conferees on the part of the House will recognize the absolute essentiality of a fair policy by the Government toward the great textile industry, upon which the entire Nation is so dependent.

A sick textile industry will damage not only North Carolina and South Carolina and the so-called textile belt, but it will be of economic injury to the entire Nation.

We know that the textile industry is one of the large customers of many other industries, such as chemicals, rubber, petroleum, and many other essential industries in this country. It is therefore, vitally important to our total economy.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am happy to yield to the distinguished Chairman of the Committee on Agriculture.

Mr. COOLEY. First, I should like to congratulate and commend my friend for the splendid presentation of the problems facing this industry, which is vital to many parts of this country. I add that under this one-price cotton system the textile industry has modernized its equipment.

The industry has spent over $1 billion in expanding its activities. That means they have bought $1 billion worth of machinery from some of the industrial areas of this country. This machinery has gone into some of the old and dilapidated mills that have been in operation for many, many years. Under the present law the industry has been revitalized and we have increased our consumption of cotton. If we should fail to continue the one-price cotton system, I am quite certain that the industry will be worse off than it was when we started out to help it in the spring of 1963.

Down in North Carolina, as the gentleman knows, we have the greatest stake in this program, perhaps more than any other State of the Union does, because we have more textile workers there, numbering 240,000, and we have more textile spindles than they have in any other State in the Union. This means an economic disaster for the whole great State of North Carolina if we should return to the two-price system.

I hear people making regular statements about returning to this two-price system, but we all know that the foreign mills in Osaka, Japan, in Germany, and in Liverpool, England, and those all around the world have a great advantage over our own manufacturers here at home. It was President Kennedy who referred to it as a "unique burden" which can only be lifted by legislation and by such a program as we have in operation.

I agree with the gentleman from North Carolina [Mr. WHITENER] that it would be very unfortunate if the Senate should try again to bring the two-price system back into operation. I assure you that I will do everything I can possibly to maintain the one-price system and bring in an equitable bill.

Mr. WHITENER. I thank the gentleman and I would like to ask him if it is not correct that since the one-price cotton system was written into the law, the increased consumption of cotton has been approximately 1½ million bales greater than it was in the previous period.

Mr. COOLEY. I am not certain how great it is, but I know it is a substantial increase. There is some controversy as to what the increase has actually been, but I know that there has been an increase in the consumption of cotton in the American market.

Mr. WHITENER. And the gentleman, as a student of this problem, I am sure must share my apprehension for the cotton farmer unless something is done to keep a further extension of the use of synthetics from developing.

Mr. COOLEY. In that connection, if the gentleman will yield further, I need only point out to the House that we now have in storage 14.2 million bales of American-grown cotton. That burden is hanging on the taxpayers and over the heads of the American cotton producers. Without Government assistance the cotton farmer would be in bankruptcy today. We certainly must have a program or we will all suffer throughout the whole Nation.

Mr. WHITENER. I thank the gentleman. I certainly am delighted that he, as chairman of the Committee on Agriculture, has been so diligent in looking after the total cotton economy, that is, the agricultural as well as the processing end. The two are so intertwined that we cannot deal with them as separate units as some of our friends seem to be inclined to want to do.

Mr. ASHMORE. Mr. Speaker, will the gentleman yield to me?

Mr. WHITENER. I will be glad to yield to the gentleman from South Carolina.

Mr. ASHMORE. I want to commend my friend and colleague from the sister State of North Carolina for his fine statement regarding this very, very important question. Of course, it is one of the most essential industries in both of the Carolinas and is also very vital to a number of other areas of our country. I was amazed when I read the article of recent date, in the past few days, as to what the other body had done with reference to the two-price cotton system.

I thought, as my friend has stated, that this problem had been taken care of in legislation some 2 years ago. The success of that legislation should be sufficient proof, it seems to me, to the other body and certainly to a large majority of the Members on this side of the Capitol because it has shown a remarkable improvement in the textile industry throughout this land. It has pointed up the fact that the only way to help the people who work in the plants as well as the cotton grower is for these two industries to work hand in hand.

In my opinion it is impossible for the cotton producer in this country to be successful unless the textile manufacturer uses that cotton. America is the greatest market for the cotton that is produced and grown in the United States. I believe I heard the chairman of the Committee on Agriculture state during the debate in the House on the Omnibus Agriculture bill that the United States used last year approximately 9 million bales of cotton; is that right?

Mr. COOLEY. That is right.

Mr. ASHMORE. I thought my memory was correct. There is no other country in the world that uses that much cotton grown in America. If the textile manufacturer in the United States has to pay 6 cents or 8 cents—it had gotten up to the 8-cent figure, I believe, when this one-price cotton bill was passed—if our manufacturer has to pay 8 cents a pound more for cotton than does Japan or India or Italy or Hong Kong, or any other textile manufacturing country you may refer to——

Mr. WHITENER. If the gentleman will pardon me, he is talking about American cotton now?

Mr. ASHMORE. That is right, American cotton. That is what has been true in these past years before the one-price cotton system was put in. The American manufacturer had to pay 8 cents a pound more for American cotton, for every pound of cotton than a foreign manufacturer had to pay for identically the same cotton.

That is not only unfair; it is unjust, it is inequitable. It makes it impossible for the American textile manufacturer to compete with foreign textile manufacturers, when they start off with that advantage, and particularly when you take into account the wage differential between this country and other countries, whose wages are far below the American standards.

Without the one-price cotton system the American textile manufacturer is forced, from the economic standpoint, to convert to manmade fibers—rayon, nylon, dacron, whatever it may be, because he can buy some of these manmade fibers at substantially lesser prices compared with American-grown cotton. There is less waste in the man-made fiber than there is in natural cotton, which adds to the cost of the American textile manufacturer.

Some of the people said during the debate in the House on the one-price cotton bill, that it is not fair to pay this subsidy to the textile manufacturer in the United States. I want it made absolutely certain that not one single textile manufacturer in this country has asked for a subsidy. He does not want a subsidy. All the textile manufacturer in this country wants is a fair shake, an even break with his competitor in foreign countries, and that means to sell him, our manufacturers of textile products in this country, the raw cotton at the same price at which it is sold to foreign manufacturers. That is all he wants.

I trust and hope that the Members of the other body will change this committee report and put back into the bill the one-price cotton system so that all of our textile people will be treated justly and fairly and equitably, as they should.

Mr. WHITENER. Mr. Speaker, I thank the gentleman. I would point out that after we passed the agriculture bill in 1963 many of us here in the Congress joined with many members of the textile industry in urging that this payment of the differential not be made to the textile industry, but be paid to the first handler or the last handler, before it got into the hands of the processor. This was not done. If it is a subsidy, it is a subsidy to the producer and not to the processor.

The gentleman from South Carolina [Mr. Ashmore] has mentioned wages abroad. I know that the gentleman and I have oftentimes discussed our concern about the fact that compared to other industries in America our textile industry is a low-wage industry. This is not because the industry wants it to be that way. I believe it is a compliment to our industry people that they have raised wages as fast as they could when they had a fair break on the price of the raw materials. I believe they want to raise wages more. I believe it is going to be essential to raise wages more, because we have witnessed just in the past few hours a wage increase which is represented to be anywhere from 46 to 50 cents an hour for steelworkers. Our people working in the textile industry are going to have to have an adequate wage increase if they are to buy these products manufactured in other industries.

They cannot obtain that wage increase from a sick industry. It must be from a vital, vibrant, growing industry such as we have had as a result of the Cooley bill during the past 18 months.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am glad to yield to my colleague, the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I understand that the time of the gentleman is limited, but before he concludes I want to join my distinguished colleague, the gentleman from South Carolina [Mr. Ashmore] and the distinguished and able chairman of the Committee on Agriculture, our colleague from North Carolina [Mr. Cooley], in complimenting our very able and distinguished colleague, the gentleman from North Carolina [Mr. Whitener], for the very profound and thought-provoking statement which he has made in support of one-price cotton.

As the gentleman knows, I come from a district which is primarily agricultural. We do have some textile industry in my district. However, I hasten to join the gentleman from South Carolina [Mr. Ashmore] and my colleague [Mr. Whitener] in concurring in the fact that the cotton farmer and the cotton manufacturer have problems which are mutual and they must work hand in hand.

Mr. Speaker, it is inconceivable to me that we can expect an industry as important as the textile industry, not only to one section of the country but to America generally, to return to paying a substantially higher price for cotton produced in this country than is paid by their foreign competitors.

Mr. Speaker, it simply is not right.

Mr. WHITENER. Mr. Speaker, may I express to my friend, the gentleman from North Carolina [Mr. Fountain], and the gentleman from North Carolina [Mr. Cooley], as well as the gentleman from South Carolina [Mr. Ashmore] my appreciation for their participation in this discussion and say that my position, and I am sure it is their position, that we must have a sound cotton economy in America. When we say that we must have a sound cotton economy, we are referring to the cottongrowers, to the cotton merchant, to the cotton manufacturer, and all who participate in it.

Mr. Speaker, we in America must have a healthy textile industry if we are to enjoy in peacetime the wonderful standard of living that we have always enjoyed in this country.

We certainly must have a continuing and growing textile industry if we are to have security in time of international conflict. There is no more vital segment of a nation's economy in time of crisis than its ability to properly clothe its military personnel as well as its civilians.

Mr. Speaker, I hope the other body will look at this monstrosity which is called the cotton section of the agricultural bill over there and correct the wrong that has been done. I urge that they bring out legislation such as we in this body have already acted upon. Our bill is fair to all segments of the cotton economy. It is conducive, in my judgment, to a sound cotton economy from an agriculture as well as a business standpoint.

Mr. Speaker, as I conclude these extemporaneous remarks may I express my thanks to those who have joined me in giving voice to our mutual hope for a fair cotton bill. To those who have so patiently heard these off-the-cuff statements I also express my sentiments of appreciation.

THE CONSUMERS OF CULTURAL ENTERTAINMENT SHOULD HAVE A VOICE IN DETERMINING THE BEST SITE FOR THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the controversy over the site for the John F. Kennedy Center for the Performing Arts is still with us, as it has been since 1958, when the Mall location originally proposed by its sponsors for the National Cultural Center was preempted for an airplane museum. The Center project was moved into Potomac parklands along the river to an assigned site which has been the subject of heated discussion ever since. The issue became active again in August when the American Institute of Architects, the prevailing professional organization in its field, issued this statement calling for reconsideration of the site:

STATEMENT OF THE AMERICAN INTITUTE OF ARCHITECTS ON THE LOCATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The American Institute of Architects has received information that serious consideration is being given to the possibility of relocating the John F. Kennedy Center for the Performing Arts. The Pennsylvania Avenue plan suggests possible sites which were not available when the project was first conceived.

While the institute recognizes that plans for the Center are already well advanced, it questions whether the present location is adequate to receive properly a building of the size and importance of the contemplated Center, and it believes that another location might provide a more appropriate site for this great memorial to the late President Kennedy.

The institute therefore strongly urges that studies be made by the architect of the Center, the Pennsylvania Avenue Council, and the National Capital Planning Commission to investigate the possibility of placing the Center on the proposed national square or in some other location where it might better serve its purpose as a memorial to John F. Kennedy and as a center for the performing arts, and where this important building might make a greater contribution to the life and appearance of the city of Washington.

The architects' statement won the editorial support of the Washington Post, which has consistently opposed the riverside site as being difficult of access and inferior to a downtown location. The following appeared on August 16:

[The Washington Post, August 16, 1965]

CENTER SITE

The American Institute of Architects deserves a respectful hearing on its proposal for a review of the location of the John F. Kennedy Center for the Performing Arts. The professional standing of the group and its serious interest in the community entitle it to attention when it offers its views on a community decision of this kind.

The organization which has raised the matching funds for the Center has done a magnificent job in bringing the idea of the Center forward to the point of action and it would have a right to resent unfriendly or hostile obstruction. But the architects and and other advocates of an alternative location complain with some justice that full consideration has not been given to the Pennsylvania Avenue site under new conditions that now prevail. The Pennsylvania Avenue project was still under wraps when the basic issues on the Center site were last studied.

Earlier suggestions of another site were withheld while the program was proceeding through the legislative and fund raising stages because no one wished to disrupt these efforts. Now that this phase is concluded a final look at other locations can be undertaken without injury or delay. So much has been done to fix the Center at the Potomac site that change may be difficult if not impossible. But the community will go forward in better heart if it is demonstrated by the sponsors that their choice of a site is so good that they do not fear a reexamination of the issues.

In answer to the AIA and the Washington Post, there has been a rigid defense of the riverside site by Roger L. Stevens, the New York real estate executive, theatrical producer, and political fundraiser who came to Washington a couple of years ago as a volunteer to head up the Cultural Center. Mr. Stevens has testified frequently before Congress in support of the waterfront site and he has been indirectly quoted recently as making the following points: First, a Pennsylvania Avenue location would cost more; second, construction would have to be postponed; third, the river site is more esthetic; fourth, locations should be picked by businessmen, not by architects; and fifth, Congress has approved the Potomac River site and offered no other.

It is my belief that the American Institute of Architects should be allowed to state its case in detail to the Congress along with other experts who support its views, and that Roger L. Stevens and other proponents of the river site should be able to defend their position in free and open hearings. It is correct that such hearings, in order to be meaningful, should be based on new legislation by Congress. For this reason on August 19, I introduced a bill—H.R. 10558—which would permit the relocation of the Kennedy Center as part of the President's Pennsylvania Avenue plan. The bill has been referred to the House Committee on Public Works. However, the gentleman from Maryland, Representative FALLON, the chairman of the committee, has stated that he does not propose to schedule hearings on what he calls a closed issue. In this view he has received the support of the Washington Evening Star, which published the following editorial on August 25:

[The Evening Star, Aug. 25, 1965]

CLOSED ISSUE

With the initial construction contracts for Washington's cultural center only weeks away, Representative FALLON says it is simply too late for his House committee to reopen the quest of the Center's location. We trust that his decision, which is eminently sound, will officially end this fruitless controversy once and for all.

For Mr. FALLON's position is supported by much better arguments, of course, than the one he cites. It would not be too late, even now, to at least consider the merits of switching the congressional approved location from the Potomac River shore in Foggy Bottom to the downtown area if this could be done with any assurance of success. But there is no such assurance whatever. Indeed, the more likely prospect is that an official reconsideration at this late date would lead to such confusion that the project would be lost altogether.

Representative WIDNALL, supported by a smattering of local architects, suggests that the Center's facilities be located somewhere along Pennsylvania Avenue, on land acquired through urban renewal. Precisely where? Mr. WIDNALL doesn't say. In what architectural form? There are only the haziest of proposals. What would it cost, and when could it all come about? No one knows. To trade for these uncertainties the carefully planned, financially secure Kennedy memorial project which is now on the verge of construction in one of the loveliest areas of the Nation's Capital would be simply ridiculous.

To be sure, there are tricky problems of design, particularly as to access and egress, which must be carefully worked out in order for the Center to accommodate the crowds it will attract. But these are not insurmountable. The trustees are right to proceed with their contractual procedures as planned—for this is one of those instances where the issue of what might have been will still be argued, we suppose, long after the curtain goes up in Foggy Bottom.

This current editorial comment by the Star varies somewhat from the position it took on January 7, 1964, when it urged passage of the bill renaming the National Cultural Center as a Kennedy memorial. At that time the Star said:

The bill does not bar a later second look at the question of an alternate site for the structure.

Relating to its recent editorial, the Star, on September 1, published the following letter:

ARCHITECTS AND KENNEDY CENTER

SIR: Your August 25 editorial, "Closed Issue," concerning the site of the Kennedy Center is inaccurate and misleading.

The proposal for a study of other sites came not from "a smattering of local architects" but from the American Institute of Architects, which acted entirely independently of Congressman WIDNALL. The American Institute of Architects includes nearly 18,000 members representing about 90 percent of the architectural firms in the country. The same position has been taken at various times by the American Society of Landscape Architects, the Architectural League of New York, the Committee of 100 on the Federal City, the Washington Building Congress, the Washington Planning and Housing Association, the Federation of Citizens' Associations, and many distinguished writers on architecture and city planning. This position unquestionably represents the opinion of most informed experts in the field of architecture and planning.

The American Institute of Architects reopened the question of the cultural center site because it recognized that this will be one of the most important buildings in Washington. This being so, the Center must be placed in an appropriate setting where it can be easily reached and where it will make the greatest contribution to the life of the Nation and the city.

Since the present site fails to meet these requirements in many ways, it is obviously good sense, good economics, and good planning to find a location that is suitable. To admit at this late date that a mistake has been made is embarrassing, and some time and money will be lost in correcting the original error. This is a low price indeed to pay for the benefits that would result from making a change.

DAVID NORTON YERKES,
Director, Middle Atlantic Region, American Institute of Architects.

Meanwhile, the gentleman from Missouri, Representative CURTIS, was preparing his own version of a bill which would permit Congress to take a "later second look at the question of an alternate site." In a speech made when introducing his bill—House Joint Resolution 646—on August 31, Mr. CURTIS reminded Congress that in 1958 the legislative situation demanded that an alternative site be found quickly. He said:

The present Potomac site was thus hastily chosen as the best of the alternatives then available.

Mr. Speaker, during all of the provocative discussions of geographic pros and cons it seems to me that there has been, as usual, a forgotten man. In this case by "forgotten man" I mean the many thousands of Washington, Maryland, and Virginia residents who today support and attend cultural entertainment in the National Capital area and who are expected to be the audiences for the Performing Arts Center. Should we not undertake at least elementary research among the membership and supporters of the most active performing arts organizations in Metropolitan Washington? Since these are the citizens who in the long run are going to spell success or failure for the Center, I think that they should be polled. Although such information is overdue, it is not too late to seek it and to be guided by it.

Under the supervision of Congress, the Federal Communications Commission requires television and radio stations to prove periodically—usually through polls—that they are responsive to the needs and desires of the communities they serve. I think that Congress and the trustees of the Kennedy Center should be similarly responsive to the needs and desires of the community of consumers of cultural entertainment which the Center proposes to serve and to expand. I am therefore asking a representative group of publicly supported performing arts organizations to cooperate by promptly polling their mailing lists on the following propositions:

I vote for prompt hearings at which qualified experts can help Congress reexamine the site for the Kennedy Center.

I do not believe that hearings are necessary; the Center should be built at the river site.

With the cooperation of such organizations as the Washington National Symphony, the Washington Opera Society, the American Light Opera Co., the Washington Ballet, the Washington Civic Opera Co., the National Ballet, the Washington Cathedral Choral Society, as examples, I am told that some 50,000 known patrons of cultural entertainment can be quickly polled. I will seek the cooperation of the directors of these and other organizations and I hope to be able to report the results shortly to the Congress and to the trustees of the Kennedy Center.

HORTON MILK PROMOTION BILL WOULD END CONFUSION AS TO AUTHORITY FOR MILK PROMOTION DEDUCTIONS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HORTON. Mr. Speaker, earlier this year I introduced a bill—H.R. 6081—which would provide authority for dairy farmers in a Federal milk marketing order to use their own funds to support promotion, advertising, and research of milk and dairy products, provided that such a program is approved by producers in a referendum.

Last year the Department of Agriculture filed an adverse report on a similar bill on the grounds that there already existed two private organizations engaged in similar types of activities. In addition, the Department pointed out in its report on this bill that the Department supported the programs of these private organizations and, in fact, facilitated the participation of dairy farmers in these private programs through the market administrators of Federal milk orders.

There does not exist any clear-cut legislation authorizing the Department of Agriculture to facilitate, or even allow, reductions to be made from the pay checks of dairy farmers to support the promotional efforts of these private organizations. Moreover, deductions are made from the pay checks of producers without any written authorization from these dairy farmers. Under these circumstances it would seem that the Department of Agriculture would strongly support my bill, especially since it would provide them with the clear-cut legislative authority that the Department does not now have.

I have written the Secretary of Agriculture expressing my concern over the Department's support of these private promotional and advertising efforts, and have requested that the Secretary reconsider his previous disapproval and support my bill. Obviously, when any deduction is made from a producer's pay check without his specific written approval and such a deduction is condoned or overlooked by the market administrator of a Federal order, the producer receives less than the minimum prices that he is required to be paid. This seems to me to be a clear violation of section 8c(5)(A) of the Agricultural Marketing Agreement Act of 1937 which provides that set minimum prices must be paid to dairy farmers.

Mr. Speaker, I bring this to the attention of my colleagues at this time in order to further solicit their support for the purpose of H.R. 6081 which would provide the Department of Agriculture with the unquestioned legal authority to participate in market promotion, advertising, and research in Federal order markets.

FOREIGN AID TO INDIA AND PAKISTAN

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, billions of dollars in foreign aid provided by the United States to India and Pakistan appears to be given in vain. Both countries are now at war in a senseless armed showdown that endangers peace throughout the world.

I strongly recommend that President Johnson immediately appeal to leaders of India and Pakistan to halt the fighting or be denied U.S. economic assistance, which so far since World War II totals nearly $10 billion.

Money from America has helped both countries with ambitious development programs. India and Pakistan undermine America's contribution to their economic development by conducting a war that should alarm every nation.

The President should give a "cease-fire-or-else" message to the two governments as quickly as possible in the interest of returning peace to the world.

WHO REALLY SETTLED THE STEEL STRIKE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GROVER. Mr. Speaker, the distinguished gentleman from Louisiana, the majority whip, has proudly announced to the House the great consensus achievement of our President—a latter-day Solomon—a new Henry Clay—in settling the steel controversy.

To have a nonpartisan, nonconsensus, not cynical, but balanced point of view, I think the membership should read the following article by Ted Lewis in the Monday, September 7, Daily News:

CAPITOL STUFF

(By Ted Lewis)

WASHINGTON, September 6.—Over this Labor Day weekend, the self-serving White House claque of Presidential hero worshippers and image protectors has been most active.

They put out a detailed timetable of how President Johnson, all by himself, prevented a steel strike. And they embellished the official account with some supposedly direct quotations from L.B.J. himself—typical Johnsonisms which served to point up the effective and dramatic way he alone was able to smother a labor-management controversy after everybody else had given up.

Not content with giving the White House version of how the steel settlement was brought about, claque members, clearly on the boss' bidding, reported that the President concluded last week—on all operational fronts—his most difficult and his most successful week of the entire year.

One of the big cited successes was establishment of a provisional government in the Dominican Republic. The impression was left that Johnson deserved credit for this, rather than the hemispherical peace team, composed mainly of Latin American members to whom the buck was passed when L.B.J.'s own troubleshooters McGeorge Bundy and Thomas Mann failed to find a solution.

The chief legislative problem in Johnson's most difficult and successful week was that of persuading a sufficient number of House Democrats to sign a petition so that a District of Columbia home rule bill could come to a vote.

This success for the President was actually more a tribute to his showmanship technique. It was a contrived operation from the start. The plot ran this way—House Democratic leaders, Speaker JOHN MCCORMACK and CARL ALBERT, would fail to get the required 218 signatures of House Members and appeal to the President to save the day. He would then move in dramatically with personal phone calls and get credit for snatching victory from defeat.

Which he did.

NONE WOULD STEP UP AND TAKE A BOW

Was the steel settlement similarly contrived?

Obviously neither I. W. Abel, president of the United Steel Workers nor R. Conrad Cooper, chief negotiator for the industry, would ever admit this on a stack of Bibles. The same goes for the President's own troubleshooters in the steel dispute, including Senator WAYNE MORSE, Democrat, of Oregon, Labor Secretary Willard Wirtz, and Commerce Secretary John Connor. Who would dare deprive the President of total credit?

Nevertheless, there is fairly substantial reason to believe that the basis for a collective bargaining agreement had been reached last Wednesday—2 days before the President made his settlement announcement.

What had happened exactly a week earlier than last Wednesday helps to explain the indicated sequence of events. On August 25, the President, at a press conference, had emphasized in connection with the threatened steel strike the necessity of "continued cost and price stability in our American economy."

"I expect," the President added, "full and complete responsibility in the current wage negotiations and I expect continued stability in steel prices."

That statement was interpreted by management negotiators as an argument for sitting tight on their already submitted offer to the steelworkers. There was the feeling they had Presidential support, and that it was labor's demands which would, if granted, upset the economy. So there was a freeze in the settlement talks.

INDUSTRY FREEZE BEGAN TO THAW

By last Wednesday, however, the management freeze in the dispute began to thaw. Wirtz and Connor helped explain that there was a flexibility in the administration's views on price stability and that management could give a little as well as labor.

The word then went back to Pittsburgh that the negotiators, holed up under Johnson's orders, had pretty well got together except for ironing out a few details.

But that isn't the White House version, although it has been axiomatic in past labor disputes of similiar importance that the President does not put his prestige on the line unless the soundings show his intervention will be effective.

As a Presidential spokesman relates the developments here, last Thursday and Friday, were the crucial days when L.B.J. really bore down in a dramatic effort to break a stubborn management-labor impasse.

There is Johnson, operating like mad. His direct quotes, as now relayed, carry the conviction that the situation has worsened on Thursday. He tells the negotiators that "we've got 55 months of unparalleled prosperity behind us and I don't see how in the name of heaven you can gamble it away."

TIME HAS COME TO PUT THE STACK IN

And on Friday he has a private huddle with Wirtz and Connor. He recalls that the late Speaker Sam Rayburn told him once "that the most important thing in politics is to know when to put your stack in. The time has come for us to put our stack in."

Then he sends Wirtz and Connor back to the negotiators with his final "suggestions." Finally at 5:01 p.m. the representatives of labor and management succumb to the Johnson treatment.

Wirtz passes on by telephone from the negotiating room the first word of the great Johnson triumph. "Mr. President," he says, "you've got an agreement."

The whole White House-planted story is too pat. It smacks too much of a Greek legend about one of the miraculous labors of hero Hercules. It is far easier to believe the Pittsburgh version that both sides had reached informal agreement last Wednesday and what happened thereafter was just window dressing to gild the Johnson image.

HORTON RESOLUTION WELCOMING DELEGATES TO WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HORTON. Mr. Speaker, I have the pleasure to announce to my colleagues in the House that I have introduced today a concurrent resolution expressing the sense of Congress that the people of the United States welcome to our land members of the legal profession from 120 nations who will be participating in the Washington World Conference on World Peace through Law.

This Conference, which is being held as a part of the International Cooperation Year as proclaimed by the United Nations General Assembly, begins in Washington on September 13, 1965. That day has been proclaimed World Law Day by the President of the United States, to further world interest in international law and to promote the establishment of a world legal system.

The importance of this Conference and of World Law Day, and the hope that they hold forth as a road to world peace through cooperation is singularly significant. The jurists, lawyers, and legal scholars who will attend this conference from every corner of the earth are the creators and leaders of their own national institutions of law and justice. It is precisely this group of men, who hold the keys to the formation of a meaningful system of international justice, that can lead us toward the goal of peace through cooperation.

I would like to quote briefly from a statement made by Charles S. Rhyne, chairman of the World Peace Through Law Center, regarding the purpose and importance of World Law Day:

> Law must replace force as the controlling factor in the fate of humanity. World Law Day will cause man to think and act to build through international cooperation a peaceful world which can only mean a world where the rule of law has replaced the rule of force. * * * No more meaningful project to save humanity from nuclear holocaust could take place as a part of International Cooperation Year.

As Americans, whose Nation is structured on the principles of law and justice, we should evidence every enthusiasm in welcoming the leaders of the world's legal profession to our shores. As Americans, we must be especially interested in their work, and especially concerned for their success in reaching for the crucial but elusive goal of world peace.

Mr. Speaker, I believe it can be no less than the sense of Congress that these delegates be warmly welcomed to the United States and supported in the worthy task they have set about to accomplish.

DOMINICAN REPUBLIC COULD BECOME A LATIN AMERICAN LAOS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CRAMER. Mr. Speaker, I am greatly disturbed by a report in today's paper that the United States has offered Dominican Brig. Gen. Elias Wessin y Wessin $50,000 to leave the Dominican Republic. If this report is true, it is an alarming indication of the extent this administration will go to obtain support for a provisional government in the Dominican Republic which, in my judgment, could result in that country becoming a Latin American Laos.

The Communists have surfaced in the Dominican Republic. The rebel held zone has been turned into an annex of Havana with training in subversion, sabotage, and political indoctrination going on under the noses of the OAS peacekeeping force and the United States.

The Castro inspired 14th of June movement, the Red Chinese MPD—Dominican Popular Movement—and the Dominican Communist Party now control the rebel military organization in that country. As such, they will play a key part in the coalition government established this week.

Mr. Speaker, this administration has stumbled and bumbled the Dominican Republic situation and must bear the blame for what I fear will be an eventual Communist takeover there.

That the administration is now attempting to buy off what may be one of the last pro-American leaders in that country, in view of the facts I just recited, is alarming indeed.

The administration first asked Dominican General Berreras to drive the pro-Communist rebels out of the Dominican Republic. Following repeated attacks on the President's sending of marines into that country by so-called teach-in groups and other ultraliberal organizations and individuals in this country and Latin America, our goal quickly changed and what was formed as a protective zone to save American and foreign lives in downtown Santo Domingo became a wall of protection for the rebels themselves. Thus, Berreras' attempts to drive the rebels out were frustrated by the very same U.S. troops sent in to prevent that country from falling into the rebels' hands. Because Berreras refused the rebel demands voiced by the OAS team, he was forced out by the withholding of U.S. funds.

Having entered the Dominican Republic in the first place, it is inconceivable that the United States should have backed down in this manner.

Today, the Communist-led rebels are stronger than ever, both politically and militarily, and have been elevated to a position of dignity dictating much of the settlement terms and by becoming a partner in the provisional government in the Dominican Republic. They are certain to use this position as a platform from which to launch an intensive campaign to take over the Dominican Republic and to abort the election process supposedly guaranteed.

Mr. Speaker, the same considerations which justified our intervention in that country in the first place justify the continued presence of U.S. troops in Santo Domingo until we are certain that the country will not be taken over by the Communists.

All of this points to the failure of our policy with regards to the real trouble spot in this hemisphere—Communist Cuba.

Castro continues to be the real cancer in this hemisphere. He is now spreading his tentacles to Africa. So long as we refuse to take short-of-war action against Cuba, we can expect further Dominican Republics to erupt throughout the world.

I am hopeful the administration will consider a meaningful trade ban, the recognition of a non-Communist Cuban government in exile, and a stop to the flow of Communist trainees and arms between Cuba and other Latin American nations as well as Africa.

Following is an article from the September 6, 1965, issue of the U.S. News & World Report which discusses this situation. Following also is the press report on the U.S. offer of $50,000 to Gen. Wessin y Wessin which appeared in the Washington Post, September 7, 1965:

[From U.S. News & World Report, Sept. 6, 1965]

AS COMMUNISTS SURFACE IN DOMINICAN REPUBLIC

(NOTE.—Communists are out in the open now in the Dominican Republic, plotting to spread the fighting on a countrywide basis. Arms stockpiles, guerrilla schools, sabotage—all are involved in the Red strategy for an eventual takeover.)

SANTO DOMINGO.—A festering sore of communism, centered in downtown Santo Domingo, now is threatening to infect the whole of the Dominican Republic, adding to the problems that the U.S. faces here.

Active and powerful in the rebel zone of this capital city are three Communist groups. Each is hiding arms around the country, and training young men to use them later, in guerrilla war, or terrorism.

The Communists began surfacing their plans to fight on even as the rebel "President," Col. Francisco Caamaño Deño, was negotiating to end the civil war. There was increasing evidence that Caamaño himself was a captive of his Communist supporters.

Two of the Communist groups publicly rejected the plan to end the civil war by setting up a provisional government. Instead, they called for a Castro-style armed struggle to go on.

On August 11, one of these parties even dropped its old name, "Socialist," and came out openly as the "Dominican Communist Party."

Five days later, this party proclaimed its "main task": to prepare for further armed struggle, so that the Communists can win "victory in the next popular insurrection."

The second Communist group that calls for continued war is the Dominican Popular Movement, or MPD, which follows the Red Chinese line.

Third and largest of the Communist organizations is the "14th of June Movement," made up mostly of tough young men who want to follow the path of Fidel Castro.

POPULAR FRONT?

The 14th of June movement is saying little now about its long-range goal of violent revolution. Instead, it is trying to lure non-Communist leftists into a "popular front," with softer talk.

But the 14th of June movement, like the other two groups, is setting up forces to go on fighting.

Like the others, the 14th of June movement is stockpiling arms, in and out of Santo Domingo. Like the others, it is recruiting young men from all parts of the republic, and bringing them into the rebel zone for short courses in guerrilla war, sabotage, and terror.

Taxicab drivers do the recruiting. They tour the country, offering free rides back to the rebel zone to anyone who wants to get guerrilla training.

Intelligence reports from inside the rebel zone indicate many young men jump at the chance. An estimated 1,200 to 1,500 are in training at the center run by the 14th of June movement in a park in the rebel zone. At night, they go to classes in political indoctrination.

The group also operates an advanced school in demolition, judo, sabotage and hand-to-hand combat. This school, in the National Conservatory of Music, had 260 men and 30 women in training, in mid-August.

Col. Manuel Montes Arache heads the faculty. An expert frogman, he also is chief of armed forces in the Caamaño government.

Smaller guerrilla schools are run by MPD and the Communist Party.

These recruits are in addition to the hard core of Communists already trained to fight as guerrillas or terrorists.

Rock-bottom estimates of this strength, counting only trained partisan fighters, are listed this way:

MPD—about 500.

Communist Party—700 to 1,000.

Fourteenth of June Movement—more than 3,000. Not all are fully trained or politically indoctrinated, but all are under tight Communist control.

These people add up to a formidable armed force—particularly in a country as politically divided as the Dominican Republic. And, increasingly, there are reports that the power of the Communist groups is growing within the rebel camps.

Many of the reports come from Dominican military officers who have been with the rebels, but now are defecting in ever-increasing numbers.

Consensus of the reports from these defectors is that the Reds command at least 75 percent of the rebel zone's "commando" posts—the basic units of the rebel military organization.

In addition, the defecting officers say, Communists control all the rebel distribution points for arms.

WHAT REDS ARE PLANNING

Reports of new Communist strategic plans are seeping out of the rebel zone.

One of these plans is to seize a few small towns, far from the capital, and set up bases for Castro-type guerrilla war.

The best of the Communist guerrilla fighters would be slipped out of the rebel zone of Santo Domingo to lead these attacks. The targets would be lightly defended country towns, near mountains in which guerrillas could hide.

From all the data now in the hands of intelligence officials, one thing is clear:

Despite political compromises between opposing factions in the Dominican Republic, the Communists, now out in the open, are determined to fight on for an eventual Red takeover.

[From the Washington (D.C.) Post, Sept. 7, 1965]

UNITED STATES REPORTEDLY OFFERED WESSIN $50,000 TO QUIT

CHICAGO, September 6.—The Chicago Tribune said today that Dominican Brig. Gen. Elias Wessin y Wessen has been offered $50,000 by the United States in an attempt to get him to leave the Dominican Republic.

In an article from Santo Domingo signed by Jules DuBois, the newspaper said Wessin had turned down the alleged offer.

DuBois said Wessin told him in an interview that he was visited between midnight and 2 a.m. Wednesday by two men he identified as Lt. Col. Joe Wyrick, an Army attaché, and David Phillips, of the Central Intelligence Agency.

The article said Wessin said he had been offered the money for his three-bedroom home and a lot across the street.

CUBA BUSILY EXPORTING SUBVERSION TO AFRICA STILL—CONGRESSIONAL INVESTIGATION NEEDED

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CRAMER. Mr. Speaker, evidence of Communist Cuba's subversive goals continues to mount. No longer content with spreading his tentacles to other Latin American nations only, Castro is again actively working to overthrow African governments as well, having been successful already in Zanzibar.

In an article by Dan Kurzman in the September 3 issue of the Washington Post, this latest effort by Castro is ably explored. I will insert this article at the end of my remarks.

Mr. Speaker, I have lost count of the number of times I and others interested in and concerned about this problem have called for the implementation of steps to halt Castro's ability to speed subversion. Our appeals have continued to fall on the ears of an administration deaf to the problem and to the very real dangers associated therewith.

In my May 1965 report to the people of my district, I said:

> Castro's efforts to subvert other governments in this hemisphere were dramatically illustrated in the Dominican Republic and I predict that the festering troubles now besetting that Caribbean nation will erupt in much the same form in other parts of Latin America unless this country becomes determined to treat the disease as well as the symptoms.
>
> The disease is Communist Cuba where training in infiltration and subversion has become that island nation's major export.

As evidence of Castro's subversive activities in other parts of the world continues to mount, I broaden my prediction and suggest that Dominican Republic type situations will erupt in African nations as well as in other Latin American nations so long as Castro's activities remain unchecked.

Mr. Speaker, I am calling for a congressional investigation of Castro's subversion throughout the world in hopes that an in depth investigation by an appropriate committee of Congress will result in the implementation of steps by the administration to halt this spreading cancer.

Following is the above referred to article by Dan Kurzman which appeared in the September 3, 1965 issue of the Washington Post:

Cuba Busily Exporting Subversion to Africa

(By Dan Kurzman)

Cuba is supplementing its program of subversion in Latin America with a major effort to help bring down African governments.

Indications are mounting that Cuba is busily exporting its subversion techniques to Africa. Among them, according to informed sources, are these:

In late May or early June, a Cuban vessel reportedly discharged from 30 to 90 tons of arms at Dar-es-Salaam, the capital of Tanzania.

Up to 100 Cuban Communists have arrived in Tanzania since late April mainly to give guerrilla training to African rebels of several countries.

Some 1,000 Africans are believed to have received guerrilla training and indoctrination in Cuba since 1962, and this program seems to have been accelerated in recent months.

The destination of the arms shipment is not clear, the sources said. Weapons, apparently consisting of small arms, machineguns, and mortars, could be intended for the Tanzanian Army or for rebel groups in other countries.

The Cubans who have arrived in Tanzania are understood to be training select rebel groups from the Congo (Leopoldville) and the two Portuguese colonies of Mozambique and Angola. One training center is believed to be located on the island of Zanzibar, which merged with Tanganyika to form the nation of Tanzania.

TWO CUBANS KILLED IN CONGO

In late June, two Cubans were killed by Congolese government troops in the eastern Congo. They had been fighting alongside rebel forces.

According to the Congo government, documents found on the bodies indicated that the two Cubans had left Havana for Moscow in late April, and that they then proceeded to Prague and Dar-es-Salaam before heading for the Congo.

Guerrilla training in Cuba, the informed sources said, is known to have been given in the last 2 years to Africans from Mozambique, Tanzania, Senegal, and Malawi. Unconfirmed reports have indicated that citizens of Portuguese Guinea, Kenya, and the Congo (Leopoldville) have also had such training. In addition, youths from Mali and the Congo (Brazzaville) have been studying in Cuba.

SENEGAL CONVICTS 27

In late June, 27 Senegalese were tried in Dakar and found guilty of subversion. One of the accused testified that the group had been recruited for guerrilla training in Mali and then been sent to Cuba for further training. He said they, as well as other Senegalese, stayed in Cuba for about 8 months. They returned to Mali in late 1964, then to Senegal, where they were arrested during December and January.

The witness said the Senegalese had been given instruction in the maintenance and handling of small arms. They also underwent combat exercises.

After the overthrow of Algerian President Ahmed Ben Bella, sources indicated Cuba may have moved its base of subversive activities from Algeria to Tanzania.

CHANNELS FOR CUBA

The Cuban effort to subvert Africa is believed motivated by several factors. First, it is seeking additional channels for release of its revolutionary energies. Second, success in Africa could increase its sagging prestige within the Communist bloc. And third, Cuba, by increasing its influence in Africa, hopes to win the support of more Africans in its conflict with the United States.

The campaign in Africa seems to have started seriously with the trip of Industries Minister Ernesto Che Guevara to Africa early this year. Only 2 months after his return to Cuba, the Cubans started appearing in Tanzania.

AUBURN DAM WILL HARNESS RESOURCES OF AMERICAN RIVER, IRRIGATE THIRSTY LANDS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Johnson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, last Thursday morning Presidene Lyndon B. Johnson affixed his name to H.R. 485, the Johnson-Kuchel bill to authorize construction of the Auburn-Folsom south unit of the Central Valleys project. By so doing the President signed into law legislation for which we in the State of California have been working for many years. Completion of this project will completely harness the water and power resources of the American River, eliminating serious flood threats to our State Capitol of Sacramento, and putting to beneficial use the water resources which have been wasting into the sea.

As the sponsor of this project I am proud that this is an outstanding example of multiple-purpose development of water and power resources for flood control, irrigation, recreation, generation of electrical power, domestic and industrial uses.

I take great pride, Mr. Speaker, in the comments made by our President at the signing ceremonies, and respectfully insert them at this point in the Congressional Record:

We are delighted this morning to have our distinguished and very progressive Secretary of the Interior here with us, and some of the responsible Members of Congress, who have been very helpful to us in our endeavors during the past 8 months that the Congress has been here.

Those months have been marked by some savage and tragic contrasts in our water problems across the Nation. In the West and the Midwest, the raging floods have swept through town after town, claiming lives, destroying millions of dollars worth of property.

And while that was happening in the West and Midwest in our great country, here in the East we were in the grip of an unprecedented and deepening drought. And when these emergencies arrive, the Government is pledged to do what has to be done and what can be done.

Let me make it clear that I do not like emergencies:

First, because they are expensive. In the past 12 months the flood damages in the United States alone have amounted to $1¼ billion.

Second, because they are wasteful. Last year's floods in northern California alone carried enough water into the sea to meet the domestic and municipal and complete industrial demands of the entire Nation for a whole year—16 trillion gallons.

Third, because they are really unnecessary. We now have the capability to plan ahead and to build together so that these disasters can be prevented.

Our generation is challenged to really make a steady, determined, and, I hope, successful, effort to eliminate drought and flood from this land. In the last few months we have had challenges equally important that have been met. And if our astronauts can do what they did the other day—spend 8 days in space—we have got enough ingenuity, imagination and determination here to get the job done with drought and flood.

Now, the 89th Congress has responded more to this challenge than any Congress in our history. It has compiled the greatest 8-month record of conservation since the Nation was born. And today, as part of that record, we have gathered here in the White House to sign into law the Auburn-Folsom south project for California's Central Valley.

I saw Carl Hayden here and I was wondering if that was the billion dollar Arizona bill. But in every sense, this is really a modern answer to an age-old problem.

The city of Sacramento has been living under the perennial threat of floods from the American River. Now we are going to eliminate that threat with the construction of the massive Auburn Dam, and the water that is stored behind that dam will drought proof the entire Central Valley.

If this day had been in existence last year, when the American River rampaged, we could have saved enough water to serve the city of Sacramento for more than 5 years.

New homes and townsites, of course, will result and be developed. Industry and agriculture will be assured of the water they need. The reservoir itself, located on the western slope of the Sierras, will provide wholesome outdoor recreation for millions of nearby citizens. And, finally, the water of the American River will be spinning huge turbines, generating cheap electric power for the farm and for the city.

Thus, we add to the legacy of America—a legacy of protection against drought, of recreation, of electric power, and we will do it all with one single project.

Gov. Pat Brown, the very able and progressive members of the California congressional delegation, have worked long and have worked hard for the Auburn-Folsom south.

I am glad that I can be a small part of their diligence and their success, and I am happy to be able to participate in making their dreams come true.

I have never seen a dollar invested anywhere in this Nation in water conservation, in multiple-use projects, that in a period of even a decade didn't prove that it was a good investment, and would pay very high returns on what we had spent for it.

So, this is not the last conservation project that we will approve. It is not the last legislation in this field. We are going to continue it until we have stopped the floods, until we have prevented the drought, and we have the kind of conservation program that is worthy of the 20th century, and worthy of the foresight of the American people.

Thank you very much.

THE 4-H CLUBS—A VITAL FORCE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Natcher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. NATCHER. Mr. Speaker, earlier this year I was visited by a group of 4-H Club members from my home district—the Second District of Kentucky. I was proud, Mr. Speaker, to be their host, for by their every word—by their every action, they evidenced their appreciation of the nobility and greatness that is America.

Just as my young friends were impressed by their Capitol, I, too, was impressed. For these young people had come to Washington not to find fault but rather to find facts. The thirst for knowledge and truth is inherent to the young, and in this group, this inate quality had been developed and strengthened through their participation in the 4–H Club program.

Certainly, we all know and respect the 4–H Clubs of America. Established in 1914 by the enactment of the Smith-Lever Act, the 4–H clubs now have a national membership of more than 2,500,000 and its practices have been adapted for use in 76 countries around the world. The 4–H was at first an organization for farm youth. Gradually from cities, towns, and suburbs, young people, in the familiar pattern of their years and seeking—needing—the companionship, the discipline, and the benefits of this program, sought to belong, and today, membership in the 4–H Clubs of America is open to all between the ages of 10 to 21 years of age.

In Kentucky alone, over 100,000 boys and girls took an active part in the 4–H Club program during the past year. I have no doubt but that every boy and every girl of that 100,000 will be better for the experience. These young people know that they are playing—and will continue to play—a significant role in our society, for 4–H activities range from service on a community level to that on the national level, and 4–H Club projects cover more than 100 areas of interest.

In this program, vast and varied as it may be, this age group is given the opportunity to find themselves. Energies of a new and rising generation are directed into constructive channels. The sturdy, solid concepts of true citizenship and the strong values of fine character are stressed. The movement, in itself, deserves our respect and the leaders, those men and women of vision, wisdom and understanding, merit our highest praise.

Mr. Speaker, it is a very real privilege for me to salute the 4–H Clubs of America. I wish for them continued success. As long as the world, as we know it, exists, some things will not change: there will be the crops—for the hungry will need to be fed; and there will be the leaders—for there will be those to be led. This is, in essence, the obligation 4–H Club members are preparing to accept.

They will meet this challenge. Cynicism and fear have no place in their lives and with magnificent maturity, they offer their heads, their hands, their hearts, and their health to the betterment of their country and to mankind everywhere.

TRADING STAMPS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RESNICK. Mr. Speaker, my colleague, Congressman Lester L. Wolff from New York State deserves the thanks of every American consumer for his courageous inquiry into one of the Nation's biggest but least understood enterprises—trading stamps.

Mr. Wolff stresses that he does not want to outlaw stamps but merely to make sure the housewife knows it if she is footing the bill for the widespread use of trading stamps. The following editorial from the National Association of Retail Druggists Journal, a drug industry publication, summarizes the service Mr. Wolff is performing for the consumers of America.

Tribute to Congressman Lester Wolff

> "A veil of silence, a stamp curtain, has been dropped over the affairs of trading stamp firms. An investigation must be held of these companies, and it should start at once. I am also going to ask the Internal Revenue Service to justify and reexamine the determinations of trading stamp taxes. For if the statements of the stamp companies themselves are true, they are accumulating $50 million tax free dollars annually in their redemption accounts—to redeem stamps that will never be turned in.
>
> "What stirred the New Yorker more than anything else was the flat refusal of the stamp company officials to sit down in a committee room with Members of the House and discuss on friendly terms exactly what is happening in the trading stamp field. He wrathfully told the House on July 27 that when discussions opened, five of his colleagues 'departed from their busy schedules to participate'; but that trading stamp companies wrote they had 'neither the time nor money to spend on such a conference.'
>
> "Dr. Eugene Beam, economist of the S&H Stamp Co. (whose bought-and-paid-for testimony defending stamps I have answered on numerous occasions), wrote Mr. Wolff that 'fundamental issues belong in the market place and not in legislative halls'; and, 'In a free society the decision whether or not to use stamps belongs to the retailer.'

OIL COMPANIES TACTICS

> "In the first instant, Dr. Beam is fully aware of the racketeering tactics used by oil company officials (in cahoots with stamp company salesmen) who forced trading stamps upon thousands of service station operators on the threat of losing their leases. They had no choice—and when dealers threw the stamps out, both stamp company and oil company representatives showed up together to 'get the stamp signs up again, or get out of this station.'
>
> "The Federal Trade Commission has a file of affidavits attesting to such threats; and FTC knows also that hundreds of millions of dollars in free stamps, discriminatory prices on stamps, et cetera, have gone to the biggest stamp users who have killed off thousands of small dealers unable to obtain stamps, or give them out in special offers to consumers because small users paid the highest prices for stamps.

WILLIAM D. HASSETT—CONFIDANT OF TWO PRESIDENTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, one of the great privileges in being a Member of Congress is the opportunity to become friends of exceptional persons in public life. One such person that I came to know and respect was William D. Hassett of Vermont, correspondence secretary and confidant of Presidents Franklin D. Roosevelt and Harry S. Truman, who died at his home in Northfield, Vt., on August 29, 1965.

A modest and scholarly man, he was the soul of tact in dealing with juniors as well as seniors, and thoroughly trustworthy. When once commenting on his retirement after a most distinguished career, he stated:

> Now, I am joining the ranks of those who are burdened with carrying the secrets of their Presidents to the grave.

In order that a summary of his career, as published in Washington, may be suitably recorded in the permanent annals of the Congress, I quote the following obituary notice:

> [From the Washington Post, Aug. 30, 1965]

W. D. Hassett, Aid to F.D.R.

(By Edward T. Folliard)

> William D. Hasset, who served as a White House secretary in the Roosevelt and Truman administrations, died last night of a heart attack at his home in Northfield, Vt. He was 85.
>
> Mr. Hassett was with President Franklin D. Roosevelt at Warm Springs, Ga., when F.D.R. died there on April 12, 1945. It was he who made the announcement that the 32d President was dead.
>
> He could hardly have been surprised at the passing of Mr. Roosevelt. In a book he wrote later, "Off the Record With F.D.R.," he told of taking the White House mailpouch to the President that April morning, and said:
>
> "I was shocked at the President's appearance. The weariness crept upon him from midday onward, as I saw too plainly when I had to return to the cottage after my morning visit."
>
> Mr. Hassett, who was a newspaperman for 25 years, 11 of them with the Washington Post, was born in Northfield on August 28, 1880. He attended Clark University at Worcester, Mass., from which he received an honorary master of arts degree in 1945. Norwich University in Northfield gave him the honorary degree of doctor of letters in 1946.
>
> He began his newspaper career on the Burlington (Vt.) Free Press, and joined the staff of the Washington Post in 1906. In 1911 he went to the Associated Press, where he remained for 5 years. Then came 2 years with the International News Service, after which he returned to the Post. From 1917 to 1921 he covered Congress and wrote occasional editorials for this newspaper.
>
> In 1921 he became a foreign correspondent for the old Philadelphia Ledger. He was based in London but spent much of his time in Ireland covering the "troubles" between the Irish and the British. In 1924 he covered the inauguration of the Dawes reparations plan.
>
> Mr. Hassett returned to Washington and went to work for the Federal Government in the early days of the New Deal. In 1935 he joined the White House staff. He soon became a favorite of President Roosevelt, who

was impressed by his amiable personality, erudition and keen memory.

Mr. Hassett treasured a photograph on which the President wrote: "To Bill Hassett * * * a rare combination of Buckle, Bartlett, and Roget * * * from his old friend, Franklin D. Roosevelt."

The reference was, of course, to Henry Thomas Buckle, the English historian; John Bartlett, author of "Familiar Quotations," and Peter Mark Roget, who got up the "Thesaurus of English Words and Phrases."

In the Roosevelt administration Mr. Hassett occasionally took over the duties of White House Press Secretary Stephen Early. His main job, however, was handling correspondence for the President, including a delicate exchange between F.D.R. and Myron Taylor, who was a liaison between the White House and the Vatican in the war years.

President Truman retained Mr. Hassett as a White House secretary, and he too assigned him to letterwriting, a task at which the Vermont scholar had great skill.

Mr. Hassett remained at the White House until July 15, 1952, when he resigned. He was then 71.

Thereafter, Mr. Hassett devoted his time to writing his book on F.D.R. and magazine articles.

Mr. Hassett always seemed to be surprised that he lived to be an old man. He and his close friend, radio commentator H. R. Baukhage, of 3100 Connecticut Avenue NW., used to make a point of reading the death notices on the bulletin board at the Cosmos Club. Mr. Hassett said he did this to make sure that he was still alive.

In 1959, after the death of his friend, Fleet Adm. William D. Leahy, Mr. Hassett was described as "the late Bill Hassett" in his old newspaper's obituary of the admiral. Mr. Hassett showed up in Washington and laughed off the report of his death as exaggerated.

Mr. Hassett had experienced heart attacks and a fall in recent years, but seemed to feel well on his 85th birthday Saturday.

Yesterday he attended mass at Norwich University, across the street from his home. After an early dinner he called his niece, Maxine McNamara, and asked her to summon a doctor, explaining that he felt "terrible." He died at about 9 p.m.

Funeral services will be held at 9 a.m. Wednesday at St. John the Evangelist Catholic Church in Northfield.

THREE BILLS INTRODUCED ATTACKING OVERHEAD POWERLINE PROBLEM TO BEAUTIFY AMERICA

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on August 17, I introduced three bills attacking the problem of overhead powerlines which are a continuing challenge to our efforts to beautify America.

The first of these bills, H.R. 10513, directs the Secretary of the Interior to undertake an immediate survey of the number and effect of overhead transmission lines in the Nation and to develop some objective standard for measuring the destructive impact such lines have upon community planning, upon property values, and upon the natural beauty of our Nation. It also directs the Secretary to gather sufficient data to evaluate the affected overhead installations planned for the future.

The second bill H.R. 10514 authorizes the Secretary to undertake research, development, and demonstration projects in the field of underground transmission so as to perfect the necessary techniques to make such transmission economically and technically feasible. The Secretary of the Interior is the logical person to carry forward these programs, first, because of the traditional concern of his office with conservation of natural resources and, second, because his Department operates the largest single power system in the Nation.

My third bill, H.R. 10515, would enable the investor-owned public utilities to participate in this effort by providing significant tax incentives to those companies that start underground installation. This is founded in a firm belief that private enterprise can and will take a position of leadership in the battle to achieve the President's goal of a more beautiful America, if these industries are encouraged by enlightened Government policy.

Two distinguished Members of this House have joined me in this program, the gentleman from Ohio, Thomas L. Ashley, and the gentleman from Maryland, Clarence D. Long.

I am pleased to report that our program for action has been warmly received in many quarters. The International Union of Electrical Radio & Machine Workers has endorsed all three proposals. Under the direction of its president, Paul Jennings, this great union has established a reputation for leadership in conservation matters. Mr. Jennings' statement is a cogent and succinct analysis of the challenge of the problem which I hope will be read by all who are concerned with maintaining the beauty of our Nation.

Statement of Paul Jennings, President, International Union of Electrical, Radio and Machine Workers (AFL–CIO) on Underground Powerlines, August 20, 1965

> The IUE has long been concerned about the problem of overhead transmission lines and the damage that such lines can cause not only to natural beauty, but to property values, real estate revenues and local community zoning and planning efforts. The IUE believes that as a result of modern technology such damage is no longer necessary.
>
> Today, there is no technical barrier to the development of economically feasible methods of underground power transmission. The art of power transmission has passed beyond such limitations. Unfortunately, the actual operating experience of the industry has not kept pace with this technical know-how.
>
> The utility industry has not undertaken the experimental installation programs that would lead to actual construction, installation and operating cost reductions.
>
> As a result, there has been no significant effort to determine, or reduce, the supposed cost differential between overhead and underground high voltage transmission lines.
>
> The IUE knows that the utility industry of the United States can meet this challenge if granted the proper incentives. Ten years ago, it cost 10 times as much to put distribution lines underground as to bring them in on overhead poles. Using the new equipment developed by skilled workmen of the electrical manufacturing industry, the utilities have been able to develop operating and installation techniques that have reduced this differential to a negligible 1½ to 1.
>
> For these reasons, the IUE supports the three bills (H.R. 10513, H.R. 10514, and H.R. 10515) introduced by Congressman Richard L. Ottinger, Democrat of New York, on August 17, 1965.
>
> H.R. 10513 would provide the necessary information about the extent of the overhead transmission problem in the United States and would result in the development of invaluable criteria for measuring the relative costs of underground and overhead systems in various situations.

FOR CENTRALIZED FEDERAL PROCUREMENT, LEASING, AND SERVICING OF AUTOMATIC DATA PROCESSING EQUIPMENT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FASCELL. Mr. Speaker, I rise in support of H.R. 4845, a bill to provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies. This proposed legislation is urgently needed. I fully and wholeheartedly supported H.R. 4845, when it passed the House of Representatives on September 2, 1965. H.R. 4845 is identical to my bill, H.R. 10240, which I introduced for the same express purpose.

The bill we are considering would authorize and direct the Administrator of the General Services Administration to coordinate and provide for the economic and efficient procurement, maintenance, and utilization of the automatic data processing equipment needs of the Federal departments and agencies.

The complexities and rapid pace of the technological world in which we live, place a high demand on the immediate availability of data of all types. Government services are constantly expanding to meet the needs of a growing population which is now nearing 200 million persons in the United States. The electronic computer has been a great benefit to the Federal Government in coping with the ever present task of reducing the cost of providing Government service. President Johnson has said:

> The use of automatic data processing equipment during the past 10 years has contributed significantly to increased effectiveness and rising productivity in governmental operations. The electronic computer has enabled the Government to carry out programs which otherwise would have been impossible. Better and more economical services to the public have been achieved through the use of this equipment.

We rely heavily on automatic data processing equipment. Without the present generation of computers, man could never hope to reach the moon. There would be no ballistic missiles or Polaris submarines. It has been estimated that to process without computers the flood of checks that will be in circulation by 1970, banks would have to hire all the women in the United States between the ages of 21 and 45. After the installation of an IBM 7094, the University of Chicago estimated that it takes about 1 hour of computer time to do the equivalent of 1 million man-hours of desk calculator work. Computers have a widespread usage in industrial applications.

In view of the great flexibility of digital computers, and the rapid advances being made in computer technology, undoubtedly there will be an expanding development of new applications. It has been estimated that nearly one-half of the computer business in the United States is with the Government, and the major portion of this business is with the Federal Government. Computers make out 95 percent of the Government's paychecks, keep track of military supplies and weapons all over the world, register the course, direction, and speed of all shipping in the North Atlantic, and now check all business income tax returns and a third of the individual returns. The number of computers in use by the Federal Government has been expanding rapidly. In 1961 the Federal Government had 730 computers in use; this figure rose to 1,006 in 1962, 1,169 in 1963, and 1,767 in 1964. A couple of years ago the Bureau of the Budget estimated that by 1966 the U.S. Government would have 1,500 computers in use; this number was surpassed in 1964. The figures above do not take into account the computers in use by military services on classified projects nor the computers in use by contractors of the Federal Government. It has been unofficially estimated that each of these two categories of computer users are equal to the number of Government computers cited above.

In June of this year the National Aeronautics and Space Administration ordered new computer equipment that will make it possible to process data sent back by spacecraft 40 times faster than the systems currently used. The cost of this order will range from $8 million initially to $18 million if all contract options are exercised. The Federal Government spends about $1 billion annually on the procurement, maintenance, and leasing of computers. We must expect a continued heavy and probably increasing Federal outlay for this type of equipment. Our responsibility here is to provide the authority for the most economical, efficient, and effective procurement and utilization of this equipment.

The General Accounting Office has noted that 867, or 86 percent, of the 1,006 computers installed in U.S. Government facilities as of June 30, 1962, were leased. The GAO revealed that cost comparisons of 16 models, which accounted for 523 of the 1,006 machines in use, showed the Government could save $148 million over 5 years if it bought the machines rather than leased them. Since then, the Federal Government has increased purchases of previously leased equipment.

The Comptroller General has recommended that the President establish a central management office suitably empowered with authority and responsibility to make decisions on the procurement and utilization of data processing equipment. Mr. Speaker, this bill would give such authority to the only logical agency to coordinate the procurement and utilization of automatic data processing equipment of the Federal Government; namely, the Administrator of the General Services Administration.

THE VOLUNTEER GENERATION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, all too often today we hear of the shortcomings, the failures, the delinquency, the violence of our young people. It is to be expected that seaside riots, senseless vandalism and crime, as well as student protests, picketing, and other demonstrations on public issues, would receive widespread publicity. They make timely, emotional and sensational news stories.

But there are other qualities and activities of our young people which, unfortunately, do not receive as much attention. Here at home college students pitched in to help build levees during last spring's devastating Mississippi River floods. Abroad, they are helping people of the newer nations develop their individual and national resources. And no one of us should ever forget that night after night young Americans are risking their lives for us in patrols through Vietnamese jungles.

Mr. Speaker, Vice President HUBERT H. HUMPHREY has put the picture in proper perspective for us, in a most enlightening and penetrating discussion of his views on the younger generation, "What's Right With Today's Youth." At a time when the tendency is to condemn our youth for the minor element which creates havoc and crime, our Vice President has reaffirmed his faith and confidence in the potential of the vast majority to build a "greater, more dynamic nation." And if one were to choose a term for our youth, the Vice President would call them the volunteer generation. Under unanimous consent, I include this fine article, which appeared in Parade magazine of September 5, 1965, in the RECORD.

WHAT'S RIGHT WITH TODAY'S YOUTH—SOME RIOT—OTHERS DO GOOD DEEDS—THE VICE PRESIDENT LOOKS AT OUR CONTROVERSIAL YOUNGER GENERATION

(By HUBERT H. HUMPHREY)

WASHINGTON, D.C.—Young Americans give their lives for freedom in South Vietnam, while other young Americans demonstrate against our involvement there. Some young people rip apart seaside resorts, others work night and day to repair the flood-ravaged dikes of the Middle West. Our universities turn out the brightest, best-educated graduates in history, but at the same time we face a problem of school dropouts.

Which is the true picture of the younger generation? Are more and more young people finding their release in rioting, protests, and crime? Or is the trend upward toward honor and achievement? Will they send America into decline, or will they build a greater, more dynamic nation?

I believe the latter is true, and I can back up my belief with facts and personal experience. This is no reason for complacency. For we cannot allow even a fraction of our youth to squander themselves while we, who like to boast that we are older and wiser, stand by lamenting.

My interest in youth is by no means academic. As the father of four children (three still in school), I am concerned at the increase in juvenile crime not only in the slums, where there is the goad of dismal poverty, but among children who have never known want, children who should know better.

Like any other father of my generation, I have my share of skepticism about Beatle mops and dances like the Swim, the Frug and the Watusi. But then I find myself asking: Was there ever a young generation that didn't have crazes, and was there ever an old one that approved of them? What of the flappers of the roaring twenties, many of them now sedate grandmothers? What of the grandfathers who once sported Rudolph Valentino sideburns and those wide trousers known as Oxford bags? What about the Black Bottom and the Charleston? But we grew out of them.

I do not condone the excesses of youth. I don't mean the fads; I mean the rioting, violence and crime that cause us worry in our society. But again, I must ask how much we, the older generation, are responsible for the startling increase in juvenile lawlessness?

The war broke up families and reduced parental discipline. Then came the postwar years of the "fast buck" with an inevitable eroding of morality and family responsibility. Children were left to bring themselves up while their parents made up for lost time.

Now we are in a period of unprecedented prosperity, and I cannot help feeling that prosperity is a more severe test of character than adversity. Hard times, as I remember from my own youth, bring families together. In good times, it is all too easy to drift apart. Though the young people today enjoy luxuries never known to their parents, they are are also exposed to pressures and frustrations their parents never encountered.

MORE PEOPLE THAN JOBS

Our youth are quite conscious they live in a world that has the capacity to destroy itself and that the detonators are in the hands of the older generation. They are also conscious of the fact that, in our affluent society, there are more people of their age than there are jobs to go around. The number of workers 18 and 19 years old is expected to increase by half a million this year—twice the increase of last year. Before 1970, more than 3 million young people will swell the labor force each year.

Those without training and skills will face a bleak future. The unemployment rate for the young already is more than three times as high as for older workers. We are past the time when a living, even a humble one, can be made without anything but willing hands.

Our country does not owe anybody a living, but it does owe its youth at least the opportunity to work. Government and private industry are now alert to this problem, and we are doing everything we can to help these young people. There are youth opportunity centers, the poverty program, the Job Corps, the Neighborhood Youth Corps, the community action programs.

Of course, youth must be willing to work, and most of them are. I have spoken to thousands of young people at Job Corps camps and other training centers. Many come from broken homes; many are barely able to read and write. Almost all have been bitterly disappointed in their short lives.

Yet most are determined to pick up their second chance, acquire new skills, and face the world with hope.

Even more impressive are the thousands of young Americans who have an acute conscience about their own generation and want to help the less fortunate. They are intelligent, courageous, well-informed young people, willing to work long hours for little or no pay to correct what they feel is injustice.

Some of the student protests, picketing, marches, sit-ins have caused dismay among us older folk. Frankly, I have shared it, because some of the issues, in my view, have been false. But I must admit that America today might be a better place if the people of my generation had shown the same awareness. Fiery speeches and angry placards on the campus are, to my mind, far less dangerous to the Nation's future than the silence that stifles new ideas. Age in itself is no guarantee of wisdom. In a world changing as rapidly as ours, there can be as many old fools as young fools. Young Americans who get into trouble, who kick against the established order, are often the most alert.

Who of our older generation has not been a rebel? I have been one, and so has our President. Lyndon Johnson was a school dropout who left his native Texas to work with his hands in the fields of California. But he returned to enter college and begin his career as a teacher in a Mexican-American public school. His former students still remember him as a man who gave them knowledge and encouragement to face a world that all too often seemed stacked against them.

Lyndon Johnson held his first presidential appointment at 27, his first political office at 29. He has said: "No one knows better than I the fires that burn in the hearts of young men who yearn for the chance to do better what they see their elders doing not well, or not doing at all."

FAMOUS BEATNIKS

Today's young people—as students, as citizens, yes, even as demonstrators—are showing that they, too, want to do better. Of course, we have our beatniks. There have been beatniks in every age. Some of them are now listed among the world's leading artists, writers, musicians. Gauguin was a beatnik. So were Van Gogh and Edgar Allan Poe.

But I am less concerned with the eccentricities of genius, which can flower in the most unlikely soil, than I am with the mass of our young people today. I don't find them a beat generation at all, and I have met them by the thousands across this great country.

Our young people are a healthy and wholesome generation, less hypocritical, more frank than we were at their age. They speak more openly about sex, religion, politics, and other subjects that used to be taboo. In the age of computers, satellites, and almost instant communications, they are also more intelligent and competent. For this is the age of excellence.

Not long ago, I visited the nuclear aircraft carrier *Enterprise* and was amazed to find boys under 20 manning consoles of multimillion-dollar radar equipment. They were responsible for the safety of American pilots and million-dollar aircraft miles away at sea. At Loring Air Force Base, I talked with a grease-stained enlisted man whom I found working under a jet plane. "I understand you are pretty good," I said, "at keeping these planes in tiptop shape."

"No, Mr. Vice President," the GI replied. "We're not pretty good. We're the best." His commanding officer, Brig. Gen. Frank Elliott, completely agreed. "I have been in the Air Force a long time," he said. "This crop of youngsters is the best yet. They are more responsive and responsible."

No fewer than one-quarter of the members of our armed services are under 20. Our generals and admirals agree they are the finest young fighting men this country has ever produced, as tough as their fathers of World War II and Korea, more alert and adaptable and so more fit to use the complex weapons of the space age.

If I had to give the younger generation a label, I would call them, as the President has, volunteer generation. I may not always agree with the causes they serve, but I must always admire the spirit with which they fight. It could shame some of us older people who pride ourselves on being concerned citizens.

HOW FAR?

For example, a poll in a national news magazine asked American students how far they would go—beyond mere talk—to support a cause in which they believed. Some 93 percent said they would sign a petition; 72 percent had already done so. Some 87 percent said they would contribute money; 58 percent had already done so. An amazing 43 percent were even ready to go to jail.

More than 10,000 young volunteers are now serving in the Peace Corps. Another 3,000 have already returned after tours of duty. But most significant, more than 100,000 have asked to take part in this bold and idealistic experiment. When VISTA (Volunteers in Service to America—the domestic Peace Corps) was launched, more than 3,000 inquiries were received from young people on the first day of business.

When Parade's own editor, Jess Gorkin, had the inspired idea to ask the young people of America to "Work a Day for J.F.K.," the response was staggering. They went out by the thousands to mow lawns, clean cars, run errands, sell cookies and lemonade so they could donate their earnings to the John F. Kennedy Memorial Library. There was no compulsion such as is brought by the Commissars in a Communist society. It was merely a suggestion in one magazine for young people to accept or reject.

All it takes to rouse today's young people is motivation. They need to know that their contribution has a purpose. I grew up when it was important to help the family. It was important that we dug vegetables out of the sand and stored them in the root cellar. It was important that we earned money to help feed the family. Now in our prosperous suburbs, it is no longer important for young people to contribute to the livelihood. They are inclined to look upon the daily chores as merely an exercise in discipline.

I have complete faith in our young generation. Whenever I am weary or worried, I seek out young people. Many times, I have walked out of a meeting, depressed and discouraged, looking for some teenagers. I have found them to be a tonic; they rekindle my spirit and sharpen my wits. I am able to go back refreshed and revitalized.

We parents expect the young to learn from us and from their teachers. But this holds good only if we are prepared to learn from the young—to probe their problems and to admit, as history has proven time and again, that the follies of today can be the truths of tomorrow.

A WEEK OF GOOD NEWS AND SIGNIFICANT EVENTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, regrettably, it is not always good news that makes interesting reading. But last week was full of good news and significant events.

I think that it might be a good idea to revive for a moment the now defunct television program "That Was the Week That Was." Last week the United States and the world were witness to some things which it seems impossible to squeeze into the space of a single 7-day period.

The world and the Nation breathed a sigh of relief when the Gemini 5 splashed safely into the Atlantic Ocean after setting a world endurance record.

The threatening steel strike was delayed and final settlement assured through the efforts of President Johnson and the parties to the dispute.

The strife-torn Dominican situation was finally brought to an accord and a new and hopefully lasting peace established.

On August 30 and 31 the House and Senate passed and sent to the President legislation creating a long needed Cabinet-level Department of Housing and Urban Development.

Home rule for the District of Columbia was brought a long way toward fruition with the completion of the discharge petition from the House District Committee. The 218 names on the petition will enable the bill to proceed to the floor of the House for a final vote.

In the area of foreign affairs, further successes were noted in the war in Vietnam. Confidence in the American and South Vietnamese armies continues to climb.

Secretary of Health, Education, and Welfare Gardner has called for a much needed Hudson River pollution conference to discuss a solution to end pollution in that great artery.

On the economic scene, figures were released showing that in the last month U.S. exports were ahead of imports. This situation could help to relieve the pressure from poor balance of payments.

Each of these events in itself could be considered "great" or "deserving." However, not one, but all, were accomplished during the past week.

In each of these events there is one man who weaves a thread of continuity throughout them all. The leadership of one man was behind each of these triumphs, in some, solely responsible, in others partly so. But on each of these there was left an historical imprint—L.B.J.

Acting in his capacity as President of the United States, Lyndon Johnson provided the leadership to bring each of these events to a fruitful conclusion. The President deserves the congratulations and respect of this Nation for leaving us with a long-to-be-remembered "week that was."

RIVERS AND HARBORS CONGRESS SALUTES MIKE KIRWAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the National Rivers and Harbors Congress this year selected one of our colleagues to receive a special citation and the George Washington Memorial Award for Distinguished Service to the Cause of Water Resources Development in the United States.

To my way of thinking, the Rivers and Harbor Congress could not have made a finer selection of a recipient for this high and distinguished honor than Congressman MICHAEL J. KIRWAN, of Ohio, a man who has been dedicated to the cause of water development throughout his long and distinguished service in the House of Representatives.

Mr. KIRWAN'S record in the vital field of development and conservation of water, perhaps our most vital resource, is unexcelled, and he is, in the words of the National Rivers and Harbors Congress citation, "a consistent and outstanding exemplar of prudent Government concern in the use and conservation of the water resources of the Nation."

Mr. Speaker, I would like to have this citation of our esteemed colleague's record printed in the RECORD at this point:

> The Committee on Awards of the National Rivers and Harbors Congress, with the concurrence of the directorate, having designated MICHAEL JOSEPH KIRWAN as most worthy to receive the 1965 Award of the George Washington Memorial the executive committee have ordered the issue of the following citation: For high courage and unselfish effort; for long years of public service, and for a clear vision of the needs of the future America, the George Washington Memorial is awarded to MICHAEL JOSEPH KIRWAN, of Ohio. Long a Member of the House of Representatives of the Congress of the United States and a consistent and outstanding exemplar of prudent Government concern in the use and conservation of the water resources of the Nation, he has contributed greatly to the welfare and security of his country.
>
> Given in the city of Washington, D.C., this 11th day of June 1965.

LOWER MANHATTAN EXPRESSWAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, few public policy proposals have been killed and reborn as many times as New York City's plan to build, with Federal assistance, a highway across Manhattan.

The Lower Manhattan Expressway was originally proposed over 25 years ago. The idea was antiquated then and is even more so now, especially if the new traffic patterns created by the recently constructed Verrazzano Bridge are considered. Public opinion in the affected area was against the proposal from the start, and the New York City Board of Estimate finally voted unanimously to reject the plan in December 1962. Since then, though, Mayor Wagner has attempted to bring the program back to life. Unless the Congress acts, his "lame-duck" efforts will make the ill-conceived expressway a reality.

I have, therefore, today introduced a bill to prohibit the Secretary of Commerce from approving any further plans or obligating any further Federal expenditure for the expressway, and to make the funds earmarked for the highway available for mass transportation facilities in New York City.

The expressway project has, from the beginning, been a study in poor planning. The highway is not integrated esthetically or functionally with the surrounding area. The proposed road is in direct conflict with another city proposal, an urban renewal slum-clearance plan, the Seward Park project.

The expressway is also a planning failure in terms of its own function. Only 55 percent of its envisioned capacity would be available to carry existing traffic during the peak hours. Its five single-lane entrances and exits in Manhattan can handle only 3,500 of the 8,600 east-west vehicles per peak hour. As a result, the average trip time would be reduced by only 30 percent.

Furthermore, and contrary to all the principles of sound transit planning, the expressway would bring between 70,000 and 120,000 more cars into the center of New York City. This is the very last thing the city needs, as the New York Times has commented:

> The city should * * * by every means possible try to discourage automobiles from entering the heart of the city.

The human cost of the roadway would be almost incalculable. Over 2,000 families would be displaced and 48 commercial buildings would be destroyed. Mr. Speaker, that is 2,000 housing units being destroyed at a time when the city needs 300,000 more. In addition, 10,000 jobs and 800 small businesses would be eliminated—at a time when the city is already losing 20,000 jobs a year.

Yet, Mr. Speaker, the roadway would be the most expensive ever proposed. Besides removing some $28 million worth of property from the city's tax rolls, the project would cost the taxpayers $100 million or $40 million a mile.

We cannot lend Federal assistance to such a foolhardy scheme. The ultimate answer to urban transit problems lies not in the car and the highway, but rather in fast, comfortable, and convenient systems of rapid transit. Congress recognized this when it passed the Urban Mass Transportation Act last year; we must recognize it again in halting Federal aid to this ill-conceived project.

My bill would direct the Secretary of Commerce to certify the total amount of funds which would be expended on the proposed roadway and add these funds to money already granted to New York City under the Urban Mass Transportation Act. In this way, no Federal aid to New York City would be lost. Yet there would be a change in emphasis—a necessary change—as the Federal Government further places its support behind a forward-looking mass transit program.

Mr. Speaker, I urge quick action on this important measure.

The text of the bill follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce shall not approve, for the purposes of section 106, section 117, or any other section of title 23 of the United States Code, any survey, plan, specification, or estimate for the inclusion in any Federal-aid highway system of any highway in the State of New York which would be located along the following general route:
>
> Beginning at a point on Interstate Route 78 at the New York-New Jersey boundary, thence generally easterly via Manhattan Island to the Williamsburg Bridge, with a branch generally southeasterly to the Manhattan Bridge and a connection with Interstate Route 478.
>
> No Federal funds shall be otherwise obligated or expended on any such highway after the date of the enactment of this Act.
>
> SEC. 2. The Secretary of Commerce shall determine and certify the total amount of (1) the funds which on the date of the enactment of this Act have been obligated but not expended with respect to such highway and (2) the funds which would be made available after such date for obligation and expenditure with respect to such highway but for the first section of this Act; and such total amount shall thereupon be available under the Urban Mass Transportation Act of 1964 exclusively for assistance in accordance with such Act (in addition to any other assistance provided for by such Act) with respect to facilities and equipment for use in urban mass transportation service within New York City.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Messrs. ADAIR, PIRNIE, MCCLORY, DERWINSKI, and Mrs. MAY for September 7 to September 17, on account of their appointment as Republican Members of the House to attend the Interparliamentary Conference in Ottawa, Ontario, Canada.

Mr. HANNA (at the request of Mr. WAGGONNER), for the remainder of the week, on account of official business.

Mr. PEPPER (at the request of Mr. BOGGS), for today, on account of official business.

Mr. KORNEGAY (at the request of Mr. BOGGS), for the rest of the week, on account of illness.

Mr. JONES of Missouri (at the request of Mr. ALBERT), for September 8 to 17, inclusive, on account of attendance at Interparliamentary Union Conference at Ottawa, Canada.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WHITENER, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CURTIS (at the request of Mr. CLEVELAND), for 60 minutes, on September 9.

Mr. BOW (at the request of Mr. CLEVELAND), for 60 minutes, September 8.

Mr. RYAN of New York (at the request of Mr. MATSUNAGA), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. OLSEN of Montana (at the request of Mr. MATSUNAGA), for 20 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MAHON and to include certain tabulations involving our foreign aid.

Mr. TEAGUE of Texas.

Mr. STANTON.

(The following Members (at the request of Mr. CLEVELAND) and to include extraneous matter:)

Mr. MARTIN of Alabama in four instances.

Mr. FINO.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. HOLLAND.

Mr. WRIGHT.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 8, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1554. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated June 30, 1965, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Potomac and Anacostia Rivers—removal of drift in the Washington metropolitan area, requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961 (H. Doc. No. 286); to the Committee on Public works and ordered to be printed with one illustration.

1555. A letter from the Secretary of the Army, transmitting a letter from the acting Chief of Engineers, Department of the Army, dated June 30, 1965, submitting a report, together with accompanying papers and illustrations, on an interim report on Hocking River Basin, Ohio, in partial response to a resolution of the Committee on Public Works, House of Representatives, adopted August 16, 1950. It is also in full response to resolutions of the Committee on Public Works, House of Representatives, adopted August 6, 1948, and June 13, 1956 (H. Doc. No. 287); to the Committee on Public Works and ordered to be printed with illustrations.

1556. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a review of the reports on Rondout Harbor, N.Y., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962 (H. Doc. No. 288); to the Committee on Public Works and ordered to be printed with one illustration.

1557. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 21, 1965, submitting a report, together with accompanying papers and illustrations, on a feasibility report on Woodbine Reservoir, Lyon Creek, Kans., in response to an item in section 203 of the Flood Control Act approved October 23, 1962 (H. Doc. No. 289); to the Committee on Public Works and ordered to be printed with four illustrations.

1558. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the "Limitation on salaries and expenses, Social Security Administration," Department of Health, Education, and Welfare, for the fiscal year 1966, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriations, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1559. A letter from the Assistant Chief for Construction, Department of the Navy, transmitting report covering military construction awarded without competition during the 6-month period January 1, 1965, through June 30, 1965, pursuant to section 605 of Public Law, 88–390; to the Committee on Armed Services.

1560. A letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting a report of audit of the American Symphony Orchestra League for the fiscal year May 31, 1965, pursuant to Public Law 87–817; to the Committee on the Judiciary.

1561. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability; to the Committee on Veterans' Affairs.

1562. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to provide statutory authority for the Deputy Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 8445. A bill to amend the Internal Code of 1939 and the Internal Revenue Code of 1954 to change the method of computing the retired pay of judges of the Tax Court of the United States; without amendment (Rept. No. 959). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 10879. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. DOW:

H.R. 10880. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. FASCELL:

H.R. 10881. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RYAN:

H.R. 10882. A bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a highway along a certain route in the State of New York, and from any further obligation or expenditure of Federal funds in connection therewith, and to make the funds otherwise provided for such highway available for mass transportation facilities in New York City; to the Committee on Public Works.

By Mr. GARMATZ:

H.R. 10883. A bill to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920; to the Committee on Merchant Marine and Fisheries.

By Mr. DENT:

H.J. Res. 655. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall no be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 656. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. KING of Utah:

H. Con. Res. 488. Concurrent resolution requesting the President to refer the matter of the diversion of surplus Arctic water to the International Joint Commission; to the Committee on Foreign Affairs.

By Mr. VIVIAN:

H. Con. Res. 489. Concurrent resolution requesting the President to refer the matter of the diversion of surplus Arctic water to the International Joint Commission; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Con. Res. 490. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BRADEMAS:

H. Con. Res. 491. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H. Con. Res. 492. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California:

H. Con. Res. 493. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. HORTON:

H. Con. Res. 494. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H. Con. Res. 495. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Con. Res. 496. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Con. Res. 497. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. DUNCAN of Oregon:

H. Res. 570. Resolution authorizing the printing of the document, "Why Vietnam," as a House document; to the Committee on House Administration.

By Mr. FASCELL:

H. Res. 571. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONABLE:

H.R. 10884. A bill for the relief of Miss Rosaria Laviano; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10885. A bill for the relief of Leonard Henry Jadusingh and Rose Leith Jadusingh; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 10886. A bill for the relief of Dr. Conrado del Rosario; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 10887. A bill for the relief of Jahangir Mohtadi; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 10888. A bill for the relief of John R. Groves; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 10889. A bill for the relief of Agnes Weltner; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.R. 10890. A bill for the relief of Dusan Isakov; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 10891. A bill for the relief of Miss Mercedes Roxas Arguelles; to the Committee on the Judiciary.

H.R. 10892. A bill for the relief of Alejandro Lubrica Castillo; to the Committee on the Judiciary.

H.R. 10893. A bill for the relief of Juan Nello Nuezca; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10894. A bill for the relief of Emanuele Appari; to the Committee on the Judiciary.

By Mr. SCHISLER:

H.R. 10895. A bill for the relief of Christine Anastapoulos and Panayotis Nicolaos Anastapoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

268. The SPEAKER presented a petition of the City Council of Commerce, Calif., relative to funds for tax relief and alcoholic rehabilitation; which was referred to the committee on Ways and Means:

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report to the people of the Seventh District of Alabama for March 11, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

HELP FOR THE AGED IN PAYING MEDICAL BILLS

Few of us would disagree that something must be done to help those in the upper age brackets who have passed their productive years and are faced with heavy medical costs. The question is, how is the best way to do it? The highly publicized medicare bill proposed by the President will not do the job. In fact, people are being greatly misled as to exactly what is in the medicare bill. It is misnamed because it does not pay any medical costs. It provides a limited payment for some hospital care. It is not confined to helping the needy, even millionaires can draw benefits paid for by taxing low and middle income wage earners.

On the other hand the eldercare bill, which I have introduced along with other Members of Congress (my bill is H.R. 5046) provides more benefits, including doctors' bills, does not increase social security taxes and will cost less money to operate. It does not set up a new Federal bureau to come between the patient and the doctor, nor does it increase Federal intervention in the rights and responsibilities of the States.

Little noticed in the well-organized propaganda campaign for medicare is the announced objective of its proponents—complete Government operated medical care for all the people. Whatever this is called, it is socialized medicine. No less an authority than Labor Leader Walter Reuther, one of the key planners of the Great Society, told members of his union that the adoption of the present medicare bill is only the beginning. The real goal, Reuther said, is to provide all medical care for all the people. The only way the people can head off turning the finest medical system in the world over to the social planners and the advocates of socialized medicine is to begin a nationwide letter writing campaign with every interested citizen contacting his own Representatives and Senators to urge the adoption of eldercare and the defeat of the administration's medicare scheme.

TAX HOAX

Have you filled out your income tax forms yet? If you have you now know how you were tricked last year into believing you got a bigger tax cut then you actually did. Do you suppose the Johnson tax cut was just a political gimmick to win votes in an election year? Here is what happened. When the tax cut was passed last year, the withholding tax rate was reduced. The trouble is that it was reduced more than the actual tax cut fixed in the bill. This oversized cut in withholding rates (underwithholding) made the tax cut appear to be greater than it actually was. Whether purposeful or accidental, this worked a cruel hoax on the unsuspecting taxpayer in the middle and lower income brackets. The result is that most people will now have to borrow money and pay interest to meet the demand of the Government for payment in full of the surprise tax liability due April 15. I am supporting a bill which would permit you to pay this extra tax in installments over the next 12 months.

BRIEFS OF THE WEEK

The great stampede

Under pressure from the White House and ruling out any move to alter, change, or in any way improve the bill, the House voted 257 to 165 to pass the Appalachia bill. The Great Society has now become the Great Stampede to increase the role of the Federal Government in our lives, build up the welfare state, up Federal spending and take over all the responsibilities of the States and the people. I voted against the bill when it became apparent that the bill was not designed to help a limited number of counties suffering from chronic unemployment, but rather the groundwork for a national boondoggle to spend the taxpayers' money in every part of the country, in rich counties as well as poor counties.

Although the President insists the United States is loved around the world, a State Department report just released shows that from July 1962 to December 1964 there were 53 cases of damages to United States buildings through mob violence in foreign countries. Since President Johnson's state of the Union message on January 4, 1965, there have been more than a dozen new assaults which have damaged American Embassies and other U.S. property. We have done nothing more than protest. Maybe we should think about these attacks on American property and American prestige, much of it encouraged by Communist governments, when we vote on the foreign aid bill.

One of the Great Society plans is to create instant veterans. Under the program to train 8,000 young men who cannot meet the minimum physical and mental requirements for military service, a youth could serve 1 day and then be discharged as a veteran, eligible for veterans' benefits for which other servicemen have had to serve long periods in uniform.

A Salute to the Teenagers of Conneaut, Ohio

EXTENSION OF REMARKS

OF

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. STANTON. Mr. Speaker, a well-known summer resort on Lake Erie in my district received nationwide attention over the July 4th weekend due to the disturbances of teenagers that eventually led to a full scale riot. These teenagers were not from our district.

In contrast to this activity, this past Labor Day weekend saw the teenagers in this same county of Ashtabula perform a public service that I think deserves equal attention by the American press.

On Labor Day over 1,200 travelers on Interstate 90 were served free coffee, doughnuts, and cake by high school seniors from Conneaut, Ohio. David Olds, the class president said:

> It was great to see people so happy.

This project was the teenagers own idea. They worked in shift from 8 a.m. to 6 p.m. In addition to the refreshments each traveler was given a brochure published by the State entitled, "The Wonderful World of Ohio." People from California to New England were heard to comment with amazement, "and they won't take a penny." Class funds, as well as donations from local merchants, provided the supplies.

The generosity of the seniors from the Conneaut High School and their concern for their fellowman speaks highly of the fine people who live in the city of Conneaut. Conneaut is known as the gateway to the State of Ohio due to its strategic location in the northeastern corner of our State and with such thoughtful and industrious teenagers the future of Conneaut is indeed a bright one.

Mr. Speaker, I felt I must point out to my colleagues this action by a group of teenagers. It is time we pay them the compliment of recognizing their outstanding and valuable services to their community instead of downgrading them as a group for the careless and irresponsible action of a few.

I am proud that Conneaut, Ohio, is in the 11th Congressional District.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the Record I would like to include my newsletter to my constituents of March 18, 1965:

Washington Report

(By Congressman Jim Martin, Seventh District, Alabama)

ANARCHY

When does the right of citizens to peacefully assemble cease to be a right and become anarchy? This is a question all Americans must ask themselves as a result of the tragedy of Selma. In remarks in the Congressional Record I reminded Members of Congress of the reason for the formation of this Government by quoting from the Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these rights are life, liberty, and the pursuit of happiness—that to secure these rights governments are instituted among me."

Governments are instituted among men to preserve the rights of all the people through law. Without the rule of law, there is no legitimate function for a government, and only those individuals would survive who could successfully take from their fellowman whatever their needs and desires demanded.

Now, from Webster's Dictionary we remind ourselves of the definition of anarchy: "Anarchy: (a) absence of government (b) a state of lawlessness or political disorder due to the absence of governmental authority—absence or denial of authority."

NO RIGHT TO INCITE VIOLENCE

What has gone on in Selma is anarchy. There has been a denial of authority and political disorder in revolt against governmental authority. Unless there is a return to reason and respect for law and order in Selma and in other places throughout the Nation, the anarchy which has been encouraged may well consume the fires of freedom of all the people of America, and the rights of all will perish including the rights of the minority with which we are presently concerned. Completely ignored in the demand for demonstrations in defense of so-called civil rights is the fundamental fact that the right to demonstrate does not include the right to incite anybody to violence.

There has been no reason for the demonstration in Selma; no reasons for the illegal sit-ins in the Justice Department or the White House; no reason for the marching in Detroit and Chicago and New York and Los Angeles. The Negroes in Selma have and have had the right to register and vote, and they are registering. I am told 350 were registered in that little community in the past weeks. The President of the United States promised Martin Luther King that the voting bill he demanded would be sent to Congress. All the demands of the civil rights leaders have been met and are being met. So why the demonstrations? Why the resort to anarchy?

BLUEPRINT CALLED FOR PROVOCATION

The goal was set forth in the blueprint for Selma, reprinted last week in the National Observer. The entire Selma operation was planned to arouse public sentiment around the country for the passage of a Federal voting law to take from the States the constitutional right to determine voter qualifications.

The law the President proposes does away with all qualifications. It will make it possible to register anybody of voting age, regardless of his ability to read or write or comprehend. If such a law is passed the South will never be the same, and neither will the rest of the country. We cannot remove completely all qualifications of intelligence for those who vote without bringing disaster down upon the South and the whole United States. The history of all countries which have provided no guarantees for rule by the illiterate proves that democratic procedures cannot operate unless the voters have at least the intelligence to know for whom they are voting and why. I am opposed to the President's bill.

What to do about it? We must come up with a better bill to keep our country from disaster. We must present a bill that will guarantee the rights of all qualified citizens to vote. At the same time we must protect the constitutional right of the States to determine voter qualifications. I am working on such a bill and have met with the Republican leadership to enlist party support behind such legislation. I am convinced we can stop the unthinkable measure proposed by the President and that we can get support from enough Southern Democrats to pass a bill which will not change our American system of government, nor return the South to the reconstruction period.

Federal Government and South Dakota: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the interrelation of gambling and crime in the State of South Dakota. The partnership of the Federal Government and the State of South Dakota in resisting legalized gambling merely insures that illegal gambling profits support underworld rather than public projects.

Last year's parimutuel turnover in South Dakota came to about $5 million. By my estimates, computed on the basis of testimony given before the McClellan committee, illegal gambling has a turnover of $120 billion a year in the United States. On a population basis, South Dakota's share of this total would be $480 million a year. This figure is too high, to be sure, but despite this, it is safe to say that there are tens of millions of dollars illegally gambled each year in South Dakota, and that much of this turnover contributes a profit to the mob, thus subsidizing all kinds of crime and vice.

What we need is government-operated gambling, so that satisfaction of the ineradicable gambling urge is not a function—a profitable function—of the underworld, but a government-run concession to social and financial reality. I feel that the best such device is a national lottery or a series of State lotteries. The time to act is now.

John Blatnik Shows Keen Grasp of Water Resource Utilization

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. WRIGHT. Mr. Speaker, on August 26, my distinguished colleague, the Honorable John A. Blatnik, of Minnesota, addressed the International Water Quality Symposium in Washington.

Probably there is no Member of the Congress better qualified to speak on the subject of our national water problems than the gentleman from Minnesota. He has given both tirelessly and skillfully of his time and talents and energies to improving the quality of the Nation's water supply, and is in a very real sense, the "father" of our nationwide antipollution program.

Because Mr. Blatnik's remarks displayed such a perceptive grasp of America's problem in effectively utilizing its water resources, I would like to commend them to my colleagues:

We have come together in this symposium on a mission which a short time ago would have seemed incredible to most people—finding ways to assure that when our children have grown to manhood in this bountiful country we inherited in our own childhood, they shall not want for a glass of water.

From the once green hills of New England, running down the Eastern seaboard as far as Richmond, Va., millions of Americans are for the first time joining those from other sections of our country in raising the cry of water shortage.

Is America really suffering a water shortage?

The answer is "No."

Our country is suffering from a hundred years of mismanagement, waste, devastation, and neglect of its water resources.

There is a shortage of scientific and technical know-how. There is and there has been for a long time a shortage of public funds and public attention directed to solving our water problems. But there is no shortage of water anywhere in the United

States, except in the traditionally arid sections of the West. Nor need there ever be a shortage.

This may come as a surprise to the 20 million people in eastern Pennsylvania, eastern New York State and New Jersey who are anxiously watching their reservoirs, worrying about the coming winter, and belatedly trying to conserve water in their homes and factories. Yet in this same area, drained primarily by the Delaware and Hudson Rivers:

As much as 20 billions gallons of water are being lost to the ocean each day because of inadequate reservoirs and water retention schemes,

An additional 20 billion gallons each day are lost to human use because of water pollution, and

An unlimited, endless supply of water lies off the coast, water which experts tell us could be turned into clean, fresh water at a cost of about 30 cents per thousand gallons.

Here, then, are three sources of good, fresh water—rain water which needs only retention and good management, waste water which needs only proper cleaning and pollution control, and salt water which scientists can transform if we have the will to match our need.

Why are not all three of these sources now pouring their billions of gallons into our drought-stricken areas?

One reason is the piecemeal, uncoordinated approach to water problems through which we have spent billions and billions for flood control to protect people from too much water, while neglecting the even greater evil of too little water.

Another reason why the available sources of water are not being used is our lack of technical know-how. We still do not know as much as we should about the earth's most plentiful element—about how to take salt out of water or to clean up sewage, or how to restore waste water. A society which has spent billions on space research has until now been miserly in financing research into man's most fundamental need, excepting oxygen.

A third reason and perhaps the basic reason is the public apathy of the past. The old saying that one never misses the water until the well goes dry is as true of metropolitan New York and Philadelphia today as it was on the Iron Range in Minnesota, when I was a boy. Few people then and few people now spend much time worrying about water so long as it keeps coming from the tap.

But in many parts of the country water from the tap is slowing down to a trickle. What shall we do?

First of all we must expand and enlarge and coordinate our public works programs. When our highway programs were uncoordinated, our road problem was in the same shape as our water problem is now. We are solving that problem by a massive integrated Federal and State program based on a realistic estimate of future needs. That is the only way we can solve the water shortage. The total cost of the highway program will exceed $41 billion—and the battle against water shortages must be waged on the same scale.

One of the promising future avenues for water management is the linking together of our water supplies into a national network, making excess amounts of water in one basin available to a neighboring basin which may be suffering a water shortage. California is planning such a system today, which will transport water over the entire length of the State, a distance equal to that from Chicago to New Orleans. Public power used a similar grid system for years, in bringing excess generating capacity in from one area to meet peakloads in another.

We need to speed up our research. The water desalinization program recently approved by the President calls for up to $185 million in the next 5 years. It is estimated that by 1970 this program will be producing millions of gallons of fresh water.

Under the Federal Water Pollution Act of 1962, two national and five regional water research laboratories are now being constructed to serve every region of the country. I am hopeful that an even stronger research effort may be made in water pollution control—research which can recapture the water we now waste and at the same time clean up our rivers and lakes and make them suitable again for recreation, fishing, and other good uses.

We are already making some progress in new water purifying devices and techniques. The little California town of Santee now has four lakes for boating, fishing, and swimming whose water consists entirely of reclaimed municipal wastes—water which has been so well and thoroughly cleaned up as to make it safe for all these uses. We need much more progress, however, in this field—progress which can only be accomplished by recruiting more scientific brains and by sponsoring more research and demonstration programs.

This California town is proof of what can be done to overcome the threat of pollution. To state the case for water pollution control simply, it's one of action. Action at every level of government. If no other good has come from the worst water crisis that has gripped New England in two centuries, at least it has brought a much needed awareness of the importance of water. It has caused people to act. It has created an appreciation of water that is long overdue. Now water vies with the weather as a conversation piece.

This has not always been the case. A decade ago it was a real struggle to pass the first Federal water pollution control bill. It was my honor to author that bill. Much has happened since those warring days of getting Congress to accept legislation that would make the Federal Government a full partner in the fight against dirty water. But the greatest part of the task still lies ahead.

If there is one lesson that can be gleaned from the legislative gains of the past decade, it is this: The most realistic, the most practical solution to the impending national water crisis is the prevention, control, and abatement of pollution. To pollute water is to destroy it. What good is it to have water at your doorstep if it is unusable? Some areas are forced to use water as many as six times. Reason then dictates that unless we solve or at least abate the ravaging effects of pollution, the water crisis will never be solved. The key phrase is "Reuse of water"—over and over and over again, until this process of reuse has become a standard procedure in all consumption of water.

Five years ago I predicted on the House floor that we would have a man on the moon before we have a solution to the water problem. I still stand by that statement. It is an irony of our time that while we have unlocked the mysteries of outer space and the mysteries within the smallest atom, we are still baffled by the problems of sensible use of our natural resources. We have allowed every major river system in the United States to become polluted. We have not learned to substitute synthetics for water as we have plastics for steel, saccharine for sugar, and nylon for silk. We have failed to do these things because we have lacked the sense of national direction that world crises forced us to assume with respect to the atom and the space race.

Let us hope that it will not take an urgent crisis to galvanize our country to action against water scarcity.

This Congress has been an active one in the field of water legislation.

Presently in conference and expected to be favorably reported is an additional forward measure to assist in efforts to prevent control, and abate pollution. S. 4, the Blatnik-Muskie bill, will provide leadership to the national move to halt pollution by creating the Federal Water Pollution Control Administration. This agency will be better equipped to more forward vigorously and effectively to enforce the Federal law. The enforcement procedures followed under the act have been remarkably successful in bringing about cooperative remedial action both by municipalities and industries involved. We fully expect that this will continue at an even more accelerated pace.

All of these programs will play an important role in meeting this challenge of dwindling water supplies in a Nation whose population will double in the next 35 years. But as I said earlier, programs far more costly and far more ambitious must be enacted in the years to come. Symposiums such as this will prepare the Nation for the effort which lies ahead, an effort calling for the same kind of teamwork among Federal, State, and local governments and private businesses that has made it possible for us to conquer another dilemma, our highway shortages with the greatest public works program in the history of the world.

Two thousand years ago North Africa was a blooming, prosperous region, the center of a rising civilization. But over the course of 20 centuries, because of the waste and neglect of natural resources, this fruitful garden area degenerated into a bleak desert, and a great civilization withered and disappeared. The Arabs who inhabited that region have been ridiculed by history, and perhaps justly so. But we in America in one short century have succeeded in destroying the major part of our natural resources. The heedlessness which stripped the famous cedars of Lebanon from the land, causing the water to run off the soil, has been repeated many times on a far larger scale in our country. We have ruined our natural resources, destroyed our grazing lands, ruined our farm soil in many regions, depleted our mineral resources, recklessly destroyed the beauty of our countryside, and now we are on the verge of the ultimate folly—destruction of our water resources.

It is an honor for me to take part with you in this symposium, in an attempt to promote the reforms that the situation demands. Your presence here is evidence that you are determined to develop the means and arouse the public support that will make it possible for the Congress to move boldly and energetically in the preservation of our natural resources. I congratulate you on your program, and I am grateful for being allowed to participate in it.

Survivorship Benefits for Servicemen III

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. TEAGUE of Texas. Mr. Speaker, Members will recall that I had the Veterans' Administration prepare tables showing the commuted value of benefits available to survivors of servicemen. My example today is that of a sergeant who has served 7 years and leaves two dependent parents:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Sergeant, U.S. Army.
2. Age 25 at death.

3. Death was service connected.
4. Seven years' service at death.
5. Three years in grade at death.
6. Average earnings, $251.10 a month (base pay).
7. Left dependent parents, each age 50 (no income other than shown).
8. Left no widow or child.
9. Parents live out their expectations of life (mother: 27.7 years; father: 23 years).

Benefits

Payee	Paying agency	Type of payment	Payment period (months)	Payment rate	Benefits		
					VA	HEW	Total
Father	Veterans' Administration	Disability insurance compensation.	[1] 144 [2] 132	$55.00 22.00	$7,920 2,904		
	Health, Education, and Welfare.	Social security (38 U.S.C. 412(a)).	[3] 132	76.30		$10,071	
Total					10,824	10,071	$20,895
Mother	Veterans' Administration	Disability insurance compensation.	[1] 144 [2] 132 [4] 56	55.00 22.00 50.00	7,920 2,904 2,800		
	Health, Education, and Welfare.	Social security (38 U.S.C. 412(a)).	[3] 132 [4] 56	76.30 84.00		10,071 4,704	
Total					13,624	14,775	28,399
Grand total.					24,448	24,846	49,294

[1] As 1 of 2 parents to age 62.
[2] Rate adjustment, due to social security income.
[3] Social security as 1 of 2 parents from age 62.
[4] Rate of payment as sole surviving parent.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to my constituents for March 4, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

WATER POLLUTION

Water pollution is becoming a serious problem throughout the United States. This past week an important hearing on water pollution featured testimony of Gov. Nelson Rockefeller of New York. He and his representatives came before my Public Works Committee and cited several problems existing in his State arising over the mounting population, increased industrial activity, and other factors in an expanding economy. An administration bill has already been introduced in Congress to expand the Federal participation in the water pollution problem as it exists in New York and other States.

Alabama has water problems, too. However, as compared to New York, we are in a much better condition regarding the pollution of our streams. Already several groups are at work on this problem back home, and since my appointment to the Public Works Committee, I have been studying, not only ways of alleviating water pollution, but assisting in water conservation, water transportation, water recreation, and other factors involving water. In some of these areas the Federal Government has a legitimate role. In others Federal participation is questionable. I expect to have more detailed reports on this from time to time as new legislation is considered.

RULES CHANGES

Many of us were disturbed, earlier in this session, because of the reduction by the liberal leadership of the power of the Rules Committee. Now the Speaker and a majority of the House can arrange between them to take a bill away from the Rules if it hasn't been reported out in 21 days. They can bypass the Rules Committee and the proven orderly legislative procedures and bring a bill directly to the floor for action or send it directly to conference, regardless of objections, when it has passed the House and Senate but is in dispute.

The Democrat leadership also shook the seniority system (which has been a major campaign issue with all southern Democrats) by demoting to a rank below freshmen, both JOHN BELL WILLIAMS, of Mississippi, and ALBERT WATSON, of South Carolina. This punishment was exacted on two southern Congressmen for voting their convictions in the November election. Congressman WATSON has now resigned from Congress and will seek reelection by his constituents as a Republican. The ultimate result of this juggling of congressional traditions and procedures is to weaken the South's entire position in the Congress, both House and Senate. It diminished the influence of a great southern statesman, Congressman HOWARD SMITH of Virginia and longtime chairman of the House Rules Committee. It has placed undue power in the hands of Eastern liberals. This Congress has witnessed almost the completion of the shift of control from the hands of many outstanding conservative statesmen, most of them southerners, placing the power in the hands of Eastern liberals who now make policy for the National Democratic Party and the voice of the conservative South is almost extinct within that party.

ELECTED TO REPUBLICAN POLICY COMMITTEE

I was highly pleased to be elected to the House Republican Policy Committee as the unanimous choice of the 89th Club. This club is composed of all the Republican Members, from every section of the Nation, elected to the House last November. The Republican Policy Committee is made up of Members of the House representing each of the major standing committees of the House, the various regions of the country and one at large Member to represent the newly elected Republicans. I appreciate very much this honor accorded me by my colleagues. It affords me an opportunity to become an effective voice for the South in Republican decisions as they affect legislation. I shall endeavor to represent my district and my State with determined leadership on this important committee. I consider it one of the important steps in our objective to achieve stronger recognition for the South in national affairs.

DINNER WITH THE PRESIDENT

Last Thursday evening my wife Pat and I, along with some other Congressmen and their wives, enjoyed dinner with the President and Mrs. Johnson. It was an exciting experience to visit the White House with all its history. We were briefed on the current situation in Vietnam by Secretary of State Dean Rusk and Secretary of Defense McNamara. While Pat, Mrs. Johnson, and other ladies toured the White House, I had an opportunity to talk to the President on some of the more pressing problems confronting Alabama. He agreed to meet with me for a more detailed explanation of those matters in which Alabamians are deeply concerned. I shall do my best to keep him informed and to enlist his support in our continued efforts in behalf of the people of Alabama.

Foreign Assistance Funds Available for Obligation, Fiscal Years 1957–66

EXTENSION OF REMARKS

OF

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MAHON. Mr. Speaker, under leave to extend, and with the thought that it might be of ready reference when the House debates the foreign assistance appropriation bill tomorrow, I include a tabulation showing total funds available for obligation for the mutual defense and development program for each of the last 9 years, and for the current fiscal year, 1966, as estimated under the bill reported by the Committee on Appropriations. In other words, it reflects what the committee proposes for this year and what Congress has done over the 10-year period.

One-third of the total for the current year 1966 is for military assistance in South Vietnam and several other countries.

Two-thirds of the total is for economic assistance and development, including substantial amounts for South Vietnam and southeast Asia and for the Alliance for Progress initiated in 1960 in Latin America.

The right-hand column—column 5 of the table—shows that total obligational authority proposed in the committee bill for 1966 is far below what Congress allowed for obligation 5 years ago in fiscal year 1961, for example—over $1 billion below.

The committee bill is likewise far below fiscal 1962. It is also far below

fiscal 1963. It is slightly below last year. It is even below fiscal year 1960, the last year of the previous administration.

In fact, the total estimated available for obligation this year under the committee bill is lower than the amount for any of the last 9 years.

The table follows:

Foreign assistance—Mutual defense and development program [1]

STATEMENT OF AVAILABILITIES—10 YEARS (FISCAL YEAR 1957 THROUGH 1966)

[In millions of dollars]

(1)	Budget estimate [2] (2)	Appropriation (3)	Unobligated carryovers, recoveries, reimbursements, etc. (4)	Total available for obligation (5)
1957				
Military	3,000.0	2,017.5	388.7	2,406.2
Economic	1,860.0	1,749.1	271.2	2,020.3
Total	4,860.0	3,766.6	659.9	4,426.5
1958				
Military	1,600.0	1,340.0	722.1	2,062.1
Economic	1,786.9	1,428.8	398.6	1,827.4
Total	3,386.9	2,768.8	1,120.7	3,889.5
1959				
Military	1,800.0	1,515.0	272.2	1,787.2
Economic	2,375.1	1,933.1	218.8	2,151.9
Total	4,175.1	3,448.1	491.0	3,939.1
1960				
Military	1,600.0	1,300.0	317.6	1,617.6
Economic	2,830.0	1,925.8	180.0	2,105.8
Total	4,430.0	3,225.8	497.6	3,723.4
1961				
Military	2,000.0	1,800.0	173.9	1,973.9
Economic	3,025.0	2,631.4	96.9	2,728.3
Total	[3] 5,025.0	[3] 4,431.4	270.8	4,702.2
1962				
Military	1,885.0	1,600.0	290.3	1,890.3
Economic	2,890.5	2,314.6	768.0	3,082.6
Total	4,775.5	3,914.6	1,058.3	4,972.9
1963				
Military	1,500.0	1,325.0	393.5	1,718.5
Economic	3,461.3	2,603.9	251.5	2,855.4
Total	4,961.3	3,928.9	645.0	4,573.9
1964				
Military	1,405.0	1,000.0	317.9	1,317.9
Economic	3,120.3	2,000.0	418.6	2,418.5
Total	4,525.3	3,000.0	736.5	3,736.4
1965 [4]				
Military	1,055.0	1,055.0	270.5	1,325.5
Economic	2,461.7	2,195.0	131.8	2,326.8
Total	3,516.7	3,250.0	402.3	3,652.3
1966 [5]				
Military	1,170.0	1,170.0	88.0	1,258.0
Economic	2,289.5	2,115.0	257.6	2,372.6
Total	3,459.5	3,285.0	345.6	3,630.6

[1] Title I of the bill, representing funds for the economic and military assistance programs traditionally understood to constitute the "foreign aid program" (sometimes called the "mutual security program").

[2] Represents executive requests as reflected in "House documents" and summarized in "Budget estimates" column of annual House Appropriations Committee reports adjusted to include supplementals.

[3] Includes $600,000,000 for special Latin America program (just preceding the Alliance for Progress).

[4] Preliminary.

[5] Committee bill.

Source: Prepared by the Agency for International Development, Sept. 2, 1965.

Mr. MAHON. Mr. Speaker, a word about the coverage of this table.

The figures pertain to military and economic assistance programs—title I of the bill, foreign assistance. These are the programs traditionally understood to constitute the "foreign aid program," or, as it is sometimes referred to, the "mutual security program." As such, they do not, of course, take in all oversea or foreign-type expenditures of the Government—nor has the so-called foreign aid program ever been considered or understood to be so all embracing.

There are, and for many years there have been, a number of activities involving U.S. operations overseas or other expenditure programs having oversea aspects to them. Obvious examples are the Peace Corps; the Public Law 480 program of sales of our surplus agricultural commodities for the currencies of the countries concerned; construction of oversea military bases; and so on. These are outside the so-called foreign aid program; traditionally, they always have been outside of it.

The table I have inserted is consistent with the one used last year. And it is on all fours with the traditional concept and understanding of the so-called foreign aid or mutual security program. I hope it will be helpful.

The Older American Worker: Age Discrimination in Employment

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 1965

Mr. HOLLAND. Mr. Speaker, yesterday W. Willard Wirtz, the Secretary of Labor, issued the traditional Labor Day statement. I found his remarks concerning efforts now being made to eliminate discrimination in employment on the basis of race, sex, and age were exceptionally pertinent.

Discrimination against the older worker is now being studied by the Select Subcommittee on Labor, of which I am chairman.

Under unanimous consent I place the Secretary's Labor Day statement, his testimony before my subcommittee, and the introduction to his report of June 30, "The Older American Worker: Age Discrimination in Employment," in the RECORD:

REMARKS OF W. WILLARD WIRTZ, LABOR DAY, 1965

This year, Labor Day means looking back with satisfaction and it means looking ahead with great encouragement and with hope.

In the last year, there have been more jobs created than ever before in the history of this country.

Unemployment, lower today than it has been in the last 8 years, gains on every front. And yet we look ahead too, with even more promise for the future. This summer more than 800,000 boys and girls went to work who wouldn't otherwise have gone if it hadn't been for the special programs that American industry put before them.

We look ahead now toward a year in which we are going to put youth employment behind us and give every boy and girl in this country an opportunity for the work which is that boy or girl's birthright. We look back on a year in which we have virtually eliminated racial discrimination as far as unemployment is concerned and we look ahead toward a year in which we will take great strides—make great strides—toward the elimination of racial disadvantage as far as work is concerned.

We face squarely this year the problem of discrimination on the basis of sex and we look ahead toward a year in which that problem will be behind us. We look ahead particularly this year toward the facing of the problem of discrimination against older workers, and we mean by older workers not just those over 60 or 65, but those who work at a disadvantage even after 45 or 50, and I count one of the real challenges of the next year ahead the elimination of that kind of discrimination.

And so on this day of parades and picnics, a day, too, when we look back at what we've done, we look ahead at what we, at the height of the affluence of the greatest nation in the world and history, can do with all that we have before us to assure full work opportunity for every man and woman; every child who has finished his education in this country.

Thank you.

STATEMENT OF W. WILLARD WIRTZ, SECRETARY OF LABOR, BEFORE THE SELECT LABOR SUBCOMMITTEE, HOUSE COMMITTEE ON EDUCATION AND LABOR, ON EMPLOYMENT PROBLEMS OF THE OLDER WORKER, AUGUST 25, 1965

I welcome the opportunity to participate in these hearings which deal with what my June report to the Congress, on the older American worker, called a pressing piece of unfinished business for those who consider it not heresy, but the fullest reverence, to include the perfectibility of life within the human competence.

This unfinished business is the combined task of establishing a public policy regarding discrimination based on age and of meeting the problems of American workers which are associated with advancing years. These years can in many ways be the best, if we only use the means at hand to make them so.

Employment—usefulness—is the difference for most people between life's having meaning or no meaning. Yet today, all too often, as a worker grows older he finds the doors of employment opportunity closed to him.

Only a small proportion of new employees hired today are 45 or older. In 70 percent of the establishments surveyed by the Employment Service for my report to the Congress, less than 5 percent of the new hires were workers 45 and over. One-fifth of the employers hired no workers over 45. Overall, only 8.6 percent of the total new hires represented workers 45 and over.

About half of all job openings which develop in the private economy each year are closed to those over 55. A quarter are closed to those over 45.

The consequences both to the economy and to the individuals involved of this waste of human resources show up in lost potential production, human hardship, and frustration.

Last year we averaged 1 million unemployed workers 45 years of age and over. During the course of the year about four times that many experienced some unemployment. The majority of these found work again within a few weeks.

But two-fifths of those between 45 and 65, and three-fourths of those 65 and over, were out of work for 15 weeks or longer. One in six of those under 65, and one in three of those 65 or over were out of work for 27 weeks or longer.

About a billion dollars was paid out to workers 45 and over in unemployment insurance in 1964. A substantial proportion of this can probably be charged to age restrictions. The loss in potential production would amount to two or three times the size of these payments. The loss from involuntary retirement might be even greater; it might run to several billion dollars a year.

Although the employment of older workers has shown marked improvement during the first half of this year—they have begun to benefit from the general improvement in employment over the last 4 years—for all too many, reemployment will continue to be difficult or impossible because of various forms of direct and indirect age discrimination.

What became crystal clear from our yearlong study was that the problems faced by older workers will yield to no single, simple solution.

Arbitrary and unjust discrimination, where it exists, must be stopped, but to rest at this would be to rest with less than halfway measures. Private retirement, pension, insurance and health plans, and seniority practices which on the whole protect and reward workers, operate against the reemployment of older workers, and need to be modified. The means of bringing jobs and workers together should be strengthened. Finally, we must enable our citizens of all ages to keep themselves better attuned to rapid progress, periodically to be refreshed through further knowledge and a new outlook, to catch up on education of which they were deprived or which they did not fully appreciate earlier.

Our study made it very clear that age discrimination bears little resemblance to discrimination based on ethnic or religious grounds. We did not find the dislike or malice that one encounters in racial discrimination.

The issue of discrimination revolves primarily around judgments regarding the effect of age on ability to work productively.

Yet we know that chronological age is a poor measure of ability or potential performance. On the key issue of physical capability, medical research gives no support to restrictive age lines which have been drawn. To the contrary. The aging process has, in most cases, little effect on skill before age 60.

Yet physical capability was by far the most frequent basis cited for age limits. Seventy percent of the firms which set age limits on this ground reported no study or investigation as a basis for judgment. Age limits purportedly based on physical demands of the job varied widely for the same types of jobs. Some employers hired older workers for jobs from which other employers barred them because of age.

Nor are chronological age limits supported by studies of work performance and productivity. There are wide variations among individuals in every age group, only very small declines in average performance up to age 60 even in factory production work which taxes physical stamina, and no decline in clerical occupations where a great many age limits are found.

Our study shows also that age restrictions are clearly related to the supply of labor and availability of jobs.

Higher proportions of older workers were hired in the skilled occupations, in the traditional crafts and in the professional and semiprofessional occupations where widespread shortages exist, and in the expanding but traditionally lower paid sales and services occupations.

The lowest proportions hired were in semiskilled and unskilled industrial occupations and in clerical occupations.

Employers were often quite frank in telling us that they would waive performance for younger workers if older workers were the only group available. Age limits were set at higher points for scarce skilled and managerial talent than for semiskilled or unskilled workers.

It thus becomes clear, as our report states, that "The fundamental fact that will determine the situation of the unemployed worker is the condition of the national economy * * *. Full employment comes first in any serious intention to eliminate the disadvantages which unemployed older workers must overcome."

But there are also many specific problems which need positive action to resolve.

Our report recommended action in four areas. As the report indicated, these recommendations derive only from the directive and the study. They do not constitute proposals by the administration. Their ultimate consideration will necessarily be as part of a broader balancing with other important measures involving other needs.

First, we need to eliminate arbitrary age discrimination in employment where it exists.

We have explored the possibility of new nonstatutory means of dealing with arbitrary discrimination. That area is barren.

Twenty States and Puerto Rico now have statutes prohibiting arbitrary discrimination in employment on the basis of age. We have conferred with the administrators of these laws and made detailed reviews of experience in seven States. The administrators are agreed that the statutes provide a strong foundation for an aggressive education program. The laws clearly have reduced the more obvious forms of discrimination, such as age specifications in help wanted ads. Most of the States are hampered by inadequate funds and staff. Some States report, however, that job opportunities have increased for older workers since their laws were enacted.

About two-fifths of the complaints filed under these laws by workers alleging age discrimination have been found by the State authorities to warrant administrative action to bring the employer into compliance.

The Federal Government needs to declare and implement a national policy with respect to hiring on the basis of ability rather than age. It is clear from State experience with statutes prohibiting age discrimination in employment that they can help reduce such practices when well administered and well enforced. It is also clear that an educational program, most essential to good administration and achievement of good results, is far more effective when based on a statute.

Even though a claim of arbitrary discrimination is found to be unsubstantiated, public responsibility should extend to acting upon other needs of the worker which may have given rise to the claim—reeducation, training, counseling, health care, or just placement assistance.

Second, we need action to adjust certain institutional arrangements where they work to the disadvantage of the older worker.

Pension plan limitation were cited by some employers as a reason for not hiring older workers. This is only in part a cost question, perhaps in lesser part. Many private pension plans exclude new employees beyond a certain age from coverage—one-third of them at age 55; one-half at age 60.

Similarly, promotion-from-within policies and staffing policies designed to maintain a work force age balance often restrict hiring to lower paid entry levels considered unsuitable for older workers.

Seniority systems which protect workers with long service may—where units are narrow and rules rigid—result in layoffs of older workers with long service from one unit while new workers are being hired in another.

Early retirement is also a mixed blessing for the older worker. On the one hand it makes it possible for some to retire when faced with displacement or layoff; on the other it tends to push downward the maximum age at which employers will hire new workers.

The President's Committee on Corporate Pensions made a number of recommendations to the President last January. These, particularly those for vesting and portability of pensions, deserve serious consideration.

New forms of private annuity coverage should be encouraged to provide some retirement income for older workers without increasing the new employer's pension costs inordinately or requiring modifications in his pension plan.

A comprehensive formal review is also needed for our systems of providing income during disability, to fill gaps in coverage and income protection in such a way as to remove obstacles to employment of both older and handicapped workers.

We should like to see assistance provided to private parties in collective bargaining in the complicated area of seniority. Surely procedures can be devised which will open up added employment opportunities for displaced workers with years of industrial service while protecting the seniority rights of employed workers.

The third area of action involves the increased availability of work by creating more jobs and improved matching of skills and jobs.

The U.S. Employment Service and its affiliated State services constitute the first line of operations. We know from experience that much more can be done for the older worker when a concentrated effort is made. The resources of the employment service have been taxed by the employment needs of many disadvantaged groups and of the postwar baby crop that has been swelling the labor force.

Additional part-time work opportunities are needed for persons approaching or already in retirement, not only in private employment but in community and public services. The poverty programs, health and medicare programs, education, social services, recreation, homemaking, repair and maintenance services suggest possibilities.

Further, our collective efforts and our thoughts must take some new directions.

Job redesign can enable more older workers to function effectively at high levels of productivity. In the past we have tried to fit people to jobs—we need also to fit jobs to people.

Beyond the work span, the prospects of increasingly longer periods of retirement dictate better preparation and planning for those years—many more programs are needed, possibly under joint labor-management sponsorship patterned after some which have already proven their value.

It is far better for individuals and for society to seek ways to develop, preserve, and utilize human abilities, than to cast them aside, lose their contribution, undermine their sense of human dignity, and add to mounting welfare costs.

As long as many community tasks remain undone, many services remain unprovided, and people who are willing and able to work are idle, local communities should be encouraged and assisted financially to undertake such tasks and provide such services.

We recognize that such opportunities cannot be provided everywhere to everyone who needs them. Special consideration should therefore be given to meeting the income needs of the tens of thousands of unemployed workers between age 55 and 65 who have inadequate financial resources, have exhausted their unemployment compensation, are not yet eligible for retirement benefits, and have no prospects of employment.

The fourth and last area of action may involve the most important steps we can take and therefore may call for the most far-reaching solutions.

Men and women are living longer than in the past while the world of ideas, of knowledge, of work is changing more rapidly. No person today can afford to fall very far behind in the race between education and catastrophe.

One of the older worker's greatest handicaps is that he often has insufficient education to meet the requirements of today's jobs. This is perhaps the most important single barrier to the reemployment of displaced workers when they are competing with better educated youngsters. Three-fifths of our work force 55 years of age and over has less than a high school education; more than one-fifth has less than 8 years of schooling.

Our experience under the Manpower Development and Training Act has taught us that retraining programs for many older workers must be custom tailored. Though there are still too few in Manpower Development and Training Act training programs, we now have some means of assisting those who are unemployed. As yet, however, we have no adequate means for enabling workers to complete their educations while they are still employed and before they become vulnerable to displacement as technology changes or plants relocate.

The situation calls for a new system of continuing training and educational opportunity to prepare workers, while they are still employed, for job changes, to reduce their vulnerability to displacement, to protect them against discrimination, and to open the way to satisfying activity in retirement.

Such a program should be available, with appropriate financial assistance, to workers who failed to obtain good educations earlier or who need to refresh or modernize their knowledge or their skills.

The methods of financing the program would require thorough study. Some form of contributory educational insurance might be envisaged. Exploration is also needed of methods of interweaving work with new types of adult education, with educational sabbaticals.

All of these proposals constitute an investment in people which would benefit not only the individuals it would serve, but the entire economy and all of society.

I realize that bringing the variety of programs I have sketched here to fruition is a long task which cannot be completed in 1 year or even 2. We have tried to take a long look ahead, and suggest a course along which to proceed. The time is at hand to start the journey.

INTRODUCTION TO "THE OLDER AMERICAN WORKER"

The poet Browning could write of growing old, and say of it: "The best is yet to be, the last of life, for which the first was made."

A century later, reality has still not caught up with that poetry. Although scientists and doctors have extended life with almost incredible ingenuity, and have eased some of the physical pains of old age, there has been no comparable invention regarding the uses of these long years of vigorous active life that now commence at the point where, until almost this generation, life began rapidly to ebb. Yet, this is in truth a miracle, a new age of man; and it is hardly to be wondered that it has brought with it new problems as yet unsolved, indeed as yet hardly examined.

The Social Security Act of 1935 established a historic precedent, but security is no more than a foundation for satisfaction, and not itself enough. Subsequent legislation—various housing acts, parts of the antipoverty program, provisions to cover some of the costs of illness that comes with age—has recognized the right to grow old in decency. Yet decency, too, is meager reward.

Meeting the problems associated with advancing years remains, accordingly, a pressing piece of unfinished business for those who consider it not heresy, but the fullest reverence, to include the perfectibility of life within the human competence.

There is, in this connection, no harsher verdict in most men's lives than someone else's judgment that they are no longer worth their keep. It is then, when the answer at the hiring gate is, "You're too old," that a man turns away, in another poet's phrase, finding "nothing to look backward to with pride, nothing to look forward to with hope." If that verdict is fair on the facts, it can only be viewed as part of life's bruising mystery. But if that verdict is unfair or unnecessary, it is part of man's inhumanity to man that can be and must be stopped.

All of this is the context of the Congress provision, in section 715 of the Civil Rights Act of 1964, that:

"The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of age and of the consequences of such discrimination on the economy and individuals affected. The Secretary of Labor shall make a report to the Congress not later than June 30, 1965, containing the results of such study and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable."

This report is presented in response to this requirement.

The congressional directive was carefully and precisely worded, avoiding prejudgment of the influence of discrimination on the employment of older workers, recognizing subtly that not all discrimination in this area is "arbitrary," asking a broad consideration of all "factors which might tend to result in discrimination" in employment because of age, and requesting a report on the consequences of these factors both on the economy and on the individuals affected. These guides have shaped this report.

The development of responsible and effective public policy regarding discrimination based on age requires as steadfast and unfearing confrontation of reality as did the development of a national policy opposed to discrimination based on race, color, religion, sex, or national origin. But there is an essential difference.

The Nation has faced the fact—rejecting inherited prejudice or contrary conviction—that people's ability and usefulness is unrelated to the facts of their race, or color, or religion, or sex, or the geography of their birth. Having accepted this truth, the easy thing to do would be simply to extend the conclusions derived from it to the problem of discrimination in employment based on aging, and be done with the matter. This would be easy—and wrong.

The gist of the matter is that "discrimination" means something very different, so far as employment practices involving age are concerned, from what it means in connection with discrimination involving—for example—race. It means in connection with the age question, furthermore, several different things.

Employment discrimination because of race is identified, in the general understanding of it, with nonemployment resulting from feelings about people entirely unrelated to their ability to do the job. There is no significant discrimination of this kind so far as older workers are concerned.

The most closely related kind of discrimination in the nonemployment of older workers involves their rejection because of assumptions about the effect of age on their ability to do a job when there is in fact no basis for these assumptions. It is this which Congress refers to, in section 715 of the Civil Rights Act, as "arbitrary discrimination."

A third type of discrimination—which should perhaps be called something else entirely—involves decisions not to employ a person for a particular job because of his age when there is in fact a relationship between his age and his ability to perform the job. The only reason for marking out this third area is that it clearly does exist so far as the age question is concerned, but does not exist so far as, for example, racial or religious discrimination are concerned.

There is finally, so far as age is concerned, that kind of "discrimination" which results when an employer turns an older man or woman away, not because of concern about the individual's ability to perform the work, but because of programs and practices actually designed to protect the employment of older workers while they remain in the work force, and to provide support when they leave it or are ill. Seniority and promotion-from-within systems, and pension and insurance programs, are a mark of civilization. They vastly enhance the dignity, the security, the quality of the later years of life in the United States. At the same time, ironically, they sometimes have tended to push still further down the age at which employers begin asking whether or not a prospective employee is too old to be taken on.

With these distinctions between various kinds of "discrimination" in mind, it is important, next, to recognize that there are two sets of value judgments to be made regarding any particular kind of discrimination based on age.

The most obvious of these judgments must be made in terms of the justification for particular employment practices in relationship to the efficient operation of a particular enterprise and of the economic system as a whole. This includes the value to the system of making maximum use of the Nation's full manpower potential, of each individual's full capacity.

What is less obvious, indeed still unclear, is the extent to which account is properly taken of the value to the individual of opportunity which the most efficient operation of the system as a whole might not provide. The prevailing assumption is that people are created for jobs not jobs for people. The difference between a great and a lesser society—particularly one which prides itself on being individual-oriented rather than system-oriented—includes its readiness to review this traditional assumption. The point is clearest in the case of an older person whose economic value becomes marginal in traditional marketplace terms, but for whom employment is the difference between life's having meaning and no meaning. This is not just a matter of human concern for the individual. There may well be involved a choice for the rest of us between paying, as customers, a few cents an hour of that individual's wages (and getting the value of his productive potential) or, in the alternative, paying, as taxpayers, the full amount of his welfare upkeep (and getting nothing in return).

It is proper reminder, as part of a preface to policymaking regarding a question involving age, that while each of us is growing older as an individual we are growing

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younger (at least for the present) as a whole population.

It is true, on the one hand, that the absolute number of older persons—and therefore the number of persons who may be the victims of age discrimination in employment—is growing rapidly.

There are today 22 million men and women between the ages of 45 and 55, almost 17 million between the ages of 55 and 65, and 18 million 65 and over.

These numbers are all significantly greater, both in absolute terms and as a proportion of the entire adult population, than was true 10 years ago, or 20, or 50.

By 1975, there will be almost 24 million men and women between 45 and 55, about 20 million between 55 and 65, and about 21 million 65 and over.

Because young persons go to work later than they used to, and more and more older women are going back to work, the number of workers age 45 and over continues to grow; and older workers will still make up more than a third of the work force in the years ahead.

So the problem area is increasing significantly.

At the same time, however, the median age of the population in the United States is going down.

Half of us are today under 29.

By 1975, half of us will be under 26.

What this mean is that a Nation which already worships the whole idea of youth must approach any problem involving older people with conscious realization of the special obligation a majority assumes with respect to "minority group" interests. This is, to be sure, one minority group in which we all seek, sometimes desperately, eventual membership. Discrimination against older workers remains, nevertheless, a problem which must be met by a majority who are not themselves adversely affected by it and may even be its temporary beneficiaries.

The discrimination older workers have most to fear, however, is not from any employer malice, or unthinking majority, but from the ruthless play of wholly impersonal forces—most of them part of what is properly, if sometimes too casually, called progress.

Over a sixth of the railroad engineers in the United States are 65 or older. But airline transport pilots must retire at 60. Astronauts are not hired after 35.

The same advancing science that is extending people's productive lives is contributing to putting lower age limits on employment.

This results partly, at least for the present, from the increase in educational requirements for many jobs, and from the fact that older workers today have less formal education, on the whole, than younger workers. Among male workers 45 to 54, nearly one-third of those who are white, and almost two-thirds of the nonwhite group, have not gone beyond the eighth grade. Among male workers 55 to 64, nearly half of the white group and more than three-quarters of the nonwhite group have not gone beyond the eighth grade. This is in sharp contrast to the education of young persons now entering the work force.

Any formal employment standard which requires, for example, a high school diploma will obviously work against the employment of many older workers—unfairly if, despite his limited schooling, an older worker's years of experience have given him the relevant equivalent of a high school education.

In 1964, about 3½ million workers 45 years old or older were involuntarily unemployed at one time or another. As the number of older workers increases, the problem of their job readjustment and unemployment will be compounded. The achievement of fuller employment opportunity in the economy as a whole will provide more jobs for older workers. At the same time, the pace of changing technology, changing jobs, changing educational requirements, and changing personnel practices increases the need for special efforts if older workers' employment prospects are to improve significantly.

The findings which follow in this report identify the extent to which there is evidence of age discrimination of various kinds, particularly arbitrary discrimination, as a factor in the unemployment of older workers.

The conclusions and recommendations suggest measures which can and should be taken to increase the economic and social well-being of the Nation and the satisfactions of life for millions of older American workers who will otherwise be the victims of discrimination in employment based on age.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report, my weekly newsletter to my constituents, of March 25, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

THE ASSAULT UPON THE SOUTH

The massive assault upon the South, and in particular upon Alabama, was continued in Congress last week. It began with the Monday night address by the President to a joint session of Congress. Never before has a Chief Executive of the United States made such a concerted attack upon a sovereign State, its elected officials, and its people. The whole effort was designed to get enactment of the President's voting rights bill.

The President's demand that Congress pass his bill at once and without changing a line, was clearly out of order. Under the Constitution the Congress is the legislative body. The President is to administer the laws of the land and the functions of Government. He cannot demand or force Congress to pass certain bills and he has no right, under the Constitution, to demand that Congress take bills prepared by him without adequate study and debate.

If Congress is stampeded into passing legislation because the President is subject to pressure by street mobs, we will have taken a long step toward dictatorship.

The President's voting rights bill, H.R. 6400, is wrong. It is unconstitutional. It is not a bill to insure the rights of all citizens to vote. It is directed against six Southern States. Under the President's bill, these Southern States may not deny the right to vote to illiterates, felons or anyone for any reason, but other States may. This startling admission was made by Attorney General Katzenbach in the first day's hearings before the House Judiciary Committee. Hearings, incidentally, which were started before Members of Congress could even get a copy of the bill.

To legislate in such an atmosphere of hysteria is irresponsible and without precedent. I am opposed to the President's bill. I have been working on a countermeasure with leaders of both the Republican and Democratic Parties. My suggested bill would remove any existing injustices in the application of voting laws, but it would protect the rights of the States to exercise their constitutional authority to determine voter qualifications.

ALABAMA DELEGATION DEFENDS OUR STATE

On Wednesday the entire Alabama delegation in the House took the floor in defense of our State and our people to answer some of the charges made by the President. I was more proud than ever on that day to be an Alabamian and a southerner.

In my own remarks I made an effort to present facts on voter registration of Negroes in Alabama to refute the President's televised statement that "the only way to break the barriers in the South is to have a white skin." Even the Washington Evening Star in a strong editorial pointed out that that statement by the President "was not a fact."

The fact is that 115,000 Negroes are registered and voting in Alabama. This figure represents more than 20 percent of the total vote cast in Alabama in the presidential election of 1960. Research to which I have had access and the facts I presented to the Members of the House show that the vast majority of qualified Negroes in Alabama are registered. Those who are not registered, for the most part, are ineligible because of convictions of felonies or by reason of illiteracy. To abolish literacy tests and to give the franchise to those who cannot read or write or comprehend, is to turn the government over to those who are not capable of governing. We have seen the result of this in countries where illiterates do have the vote and where there is constant turmoil and revolution.

COMMUNIST INFLUENCES AT WORK

During the past week I have made a number of statements in Congress and in the RECORD pointing out the Communist influences at work among the leadership of the demonstrations. Even such liberal writers as Rowland Evans and Robert Novak, in their column in the Washington Post, pointed out the leftwing influence of the leaders of the Selma demonstrations on Martin Luther King and in fomenting the violence which has occurred there. The President, himself, admitted to me, that Communists were active in the demonstrations, but said you cannot keep them out.

Maybe they cannot be kept out, but that is all the more reason why the President and Congress should not knuckle under to the mob rule they created.

BRIEFS OF THE WEEK

By a vote of 203 to 177 the House defeated a bill which would raise the salaries of Supreme Court Justices. I was proud to vote against it. One of the tragic parts of the President's appearance before Congress was to see the Justices of the Supreme Court applauding his demands for legislation. This is supposed to be an impartial body which must judge the constitutionality of legislation on its merits, but evidently they have already prejudged this bill.

Our current Government under the Johnson administration has been labeled the "Great Busted Society" by the nationally read columnist, Jenkin Lloyd Jones. Jones says the national debt is ignored, controlled inflation is called necessary, and the fact that every nation which has so ignored economic laws has gone busted is ignored. The last balanced budget was in the final fiscal year of the Eisenhower administration which produced a surplus of $1.2 billion. Since then we have had deficits of $3.8 billion, $6.3 billion, $6.2 billion, and $8.2 billion.

SENATE

WEDNESDAY, SEPTEMBER 8, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, whose paths are mercy and truth, before the white splendor of Thy purity every vileness shrinks away.

Lift us, we pray Thee, as we come above the smog of the immediate and set our gaze on the wide horizons of abiding verities. In the anxious contemplation of conditions that baffle us, in the grip of swift currents which sweep us on, contending with evil forces whose hideous cruelty stabs our hearts with anguish, it is only the ultimate reality of Thy presence in such a world, and the final invincibility of Thy truth, which keeps our feet from slipping in the whelming flood.

This day fix our eyes, we beseech Thee, not chiefly on what we vow before Thee to tear down, but upon what in Thy name, and for the sake of all Thy children, we pledge as channels of Thy might to build up.

We bring our prayer in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 7, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 1, 1965, the President had approved and signed the following acts:

S. 69. An act for the relief of Mrs. Genevieve Olsen;

S. 97. An act for the relief of Lt. Raymond E. Berube, Jr.;

S. 134. An act for the relief of Lloyd K. Hirota;

S. 572. An act for the relief of Robert L. Wolverton;

S. 1138. An act for the relief of Lt. Robert C. Gibson;

S. 1196. An act for the relief of Wright G. James; and

S. 1267. An act for the relief of Jack C. Winn, Jr.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolutions of the Senate:

S. 795. An act to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State;

S. 2420. A bill to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes;

S.J. Res. 89. Joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; and

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The message also announced that the House had agreed to the amendment of the Senate numbered 4 to the bill (H.R. 205) to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes; and that the House had disagreed to the amendments of the Senate numbered 1, 2, and 3 to the bill.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1627. An act for the relief of Esterina Ricupero;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 3292. An act for the relief of Consuelo Alvarado de Corpus;

H.R. 4465. An act to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia;

H.R. 5024. An act to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely;

H.R. 9570. An act to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner; and

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain measures on the calendar, beginning with Calendar No. 658.

The VICE PRESIDENT. Without objection, it is so ordered. The clerk will state the first bill.

CHANGING INLAND, GREAT LAKES, AND WESTERN RIVERS RULES

The bill (S. 1349) to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 20 of section 1 of the Act of June 7, 1897 (33 U.S.C. 205), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

SEC. 2. Article 25 of section 1 of the Act of June 7, 1897 (33 U.S.C. 210), is amended by adding the following paragraph at the end thereof: "In narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

SEC. 3. Rule 19 of section 1 of the Act of February 8, 1895 (33 U.S.C. 284), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

SEC. 4. Rule 24 of section 1 of the Act of February 8, 1895 (33 U.S.C. 289), is amended by adding the following paragraph at the end thereof: "In all narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

SEC. 5. The rule numbered 20 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 345), is further amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper the safe passage of a large steam vessel or vessel with tow that is ascending or descending a river."

SEC. 6. Section 4233 of the Revised Statutes, as amended, is further amended by adding the following new rule after rule numbered 23:

"Rule twenty-three (A). A steam vessel of less than sixty-five feet in length which can maneuver easily shall not hamper the safe passage of a large vessel or vessel with tow that is ascending or descending a river."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 675), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill, S. 1349, is to amend the inland, Great Lakes, and western rivers rules to clarify the duties of small craft when operating in narrow channels in which large vessels are also navigating.

LEGISLATIVE BACKGROUND

The bill, S. 1349, was introduced at the request of the Secretary of the Treasury. A hearing was held on the bill on August 6, 1965, by the Merchant Marine and Fisheries Subcommittee. In addition to administration support, the bill has been endorsed by the Lake Carriers' Association, which represents Great Lakes vessel operators.

GENERAL STATEMENT

Under the general rules of the nautical road, no distinction is made in regard to size of the vessels concerned. In most situations such uniform application presents no serious problem. However, difficulties have arisen in which small vessels have insisted upon what they considered to be their right-of-way over larger oceangoing ships or tugs with tows. This difficulty has been critical in narrow channels where maneuvering ability is limited. Under such circumstances the present rules of the road provided that all vessels shall be operated with due regard to any special circumstances including limitations of the craft which may render a departure from the general rules necessary. This legislation would make explicit those duties upon the small boat operators in those circumstances in which large vessels are required to maneuver in narrow channels.

This proposal is similar in wording to the rules recently adopted for international use by the International Conference on Safety of Life at Sea, 1960, which became effective September 1, 1965.

AMENDMENT OF MERCHANT MARINE ACT

The bill (H.R. 5989) to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883), was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 676), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, H.R. 5989, is to permit empty vans and shipping tanks to be transported between points in the United States by vessels not qualified or permitted to engage in the coastwise trade.

BACKGROUND OF LEGISLATION

This bill, H.R. 5989, passed the House on May 17, 1965. The Subcommittee on Merchant Marine and Fisheries held a hearing on the bill on August 6, 1965. The legislation is supported by the Departments of Commerce and State, and the Treasury Department has no objection to enactment. At the hearing the legislation was endorsed by the Pacific American Steamship Association and the Foreign Shipowners Association of the Pacific coast. No objection to favorable enactment was received from any source.

GENERAL STATEMENT

Section 27 of the Merchant Marine Act, 1920, prohibits the transportation of merchandise in the coastwise trade by vessels other than those built in and documented under the laws of the United States. This bill amends section 27 by adding a proviso which would allow empty vans and shipping tanks to be transported coastwise by vessels not otherwise qualified or permitted, if the government of the nation of registry extends reciprocal privileges to U.S. vessels.

In recent years a strenuous effort has been made by American and foreign operators to reduce the cost of ocean transportation. Since the use of containers and similar modern equipment substantially reduces the time required for loading and discharging cargo, it is anticipated that their use in foreign trade will increase significantly in the near future. This development is to the advantage of American shippers, importers, and carriers. This legislation will encourage this modernization effort by permitting operators to more effectively locate and position this equipment. The fact that section 607 of the Merchant Marine Act, 1936, considers cargo vans as equipment of the vessel rather than cargo suggests that this legislation is consistent with the present interpretation and encouragement of the use of this equipment. No opposition to the legislation was expressed from any source.

CUSTOMS CONVENTION ON CONTAINERS

During the committee consideration of this legislation, attention was called to the Customs Convention on Containers signed in Geneva on May 18, 1956. The purpose of this convention is to facilitate the use of containers in international trade. The convention has been ratified by all major European trading nations, but has not been submitted to the U.S. Senate for ratification. In light of the testimony developed during the hearing, the committee believes that the employment of containers in the U.S. foreign trade should be encouraged and therefore believes that the administration should give serious consideration to submitting this convention for ratification by the Senate.

ADMEASUREMENT OF SMALL VESSELS

The Senate proceeded to consider the bill (S. 2142) to simplify the admeasurement of small vessels which had been reported from the Committee on Commerce, with amendments, on page 1, at the beginning of line 7, to strike out "it shall be" and insert "she shall be"; on page 3, after line 17, to strike out:

SEC. 2. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"SEC. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

After line 21, to strike out:

SEC. 3. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"SEC. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner as the Secretary of the Treasury may prescribe."

On page 4, after line 2, to strike out:

SEC. 4. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

On page 4, at the beginning of line 11, to change the section number from "5" to "2"; and, on page 5, at the beginning of line 7, to change the section number from "6" to "3"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4148 of the Revised Statutes (46 U.S.C. 71) is amended to read as follows:

"SEC. 4148. (a) Before a vessel is documented under the laws of the United States or issued a certificate of record she shall be admeasured by the Secretary of the Treasury as provided in subsection (b) or (c) of this section. A vessel which has been admeasured need not be readmeasured solely to obtain another document, unless it is a vessel admeasured under subsection (b) which is required to be readmeasured under subsection (c); but a vessel which is intended to be used exclusively as a pleasure vessel may at the owner's option be readmeasured under subsection (b).

"(b) Subject to the owner's option to have his vessel admeasured under subsection (c) of this section, a vessel which is intended to be used exclusively as a pleasure vessel shall be assigned gross and net tonnages which are the product of its length, breadth, and depth in feet and appropriate coefficients. The Secretary of the Treasury shall prescribe the manner in which the length, breadth, and depth shall be measured and the appropriate coefficients to be applied, taking due account of variations in vessel construction, to the end that, taken as a group and so far as practicable, the resulting gross tonnages shall reasonably reflect the relative internal volumes of the vessels admeasured and the resulting net tonnages shall be in the same ratio to the corresponding gross tonnages as the net and gross tonnages of comparable vessels if admeasured under subsection (c) of this section.

"(c) A vessel not admeasured under subsection (b) of this section, or a vessel admeasured under subsection (b) which is thereafter to be documented for use other than exclusively as a pleasure vessel, shall be admeasured as prescribed in sections 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 74, 75, 77).

"(d) Whenever a vessel documented under the laws of the United States undergoes a change affecting tonnage, or its owner or the Secretary of the Treasury alleges error in its tonnage, it shall be readmeasured to the extent necessary and its tonnage redetermined under this section.

"(e) The tonnage of a vessel for which a document or certificate of record has been issued before the effective date of this subsection need not be redetermined solely because of amendments to Federal law enacted at the same time as this subsection; but if it is eligible for admeasurement under subsection (b) of this section its owner shall have the option of having it readmeasured under that subsection.

"(f) The Secretary of the Treasury shall make such regulations as may be necessary to carry out the provisions and intent of this section and of sections 4149, 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 72, 74, 75, 77)."

SEC. 2. The following statutes and parts of statutes are repealed:

(a) Section 4152 of the Revised Statutes (46 U.S.C. 76).

(b) The second and third paragraphs following paragraph (i), and the first sentence of the last paragraph, reading "The register of the vessel shall express the number of decks, the tonnage under the tonnage deck, that of the between decks, above the tonnage decks; also that of the poop or other enclosed spaces above the deck, each separately.", of section 4153 of the Revised Statutes, as amended (46 U.S.C. 77).

(c) Section 4181 of the Revised Statutes (46 U.S.C. 73).

(d) Section 4331 of the Revised Statutes (46 U.S.C. 273).

(e) Section 2 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743; 46 U.S.C. 78).

(f) Section 4 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743), as amended (46 U.S.C. 79).

SEC. 3. This Act shall take effect upon the expiration of ninety days after the date of its enactment.

Mr. ELLENDER. Mr. President, may we have an explanation of S. 2142?

Mr. MANSFIELD. Mr. President, the bill was introduced at the request of the Secretary of the Treasury. The legislation is identical to that introduced at the Treasury Department's request in the 88th Congress, S. 2793, which was not acted upon because it was submitted late in the session. A hearing was held on S. 2142 on August 6, 1965, by the Merchant Marine and Fisheries Subcommittee. Favorable testimony was received by representatives from the Treasury Department. No opposition has been expressed to the legislation.

Under the present law, vessels, regardless of their size, must be measured before the vessel may be registered or documented. The measurement of vessels is a responsibility of the Bureau of Customs and involves a rather intricate system of tonnage computation based on detailed and time-consuming physical measurement of the hull and deck structure. The bill would permit the substitution at the owner's option of a simplified method of admeasurement for small pleasure craft. The Treasury Department estimated that formal admeasurement of pleasure vessels, under the present law, takes an average of 7½ hours of an admeasurer's time. Under the simplified admeasurement requirements, this time will be reduced to less than 1½ hours a vessel. Based on a conservative estimate of employing the simplified admeasurement principle in the documentation of 1,200 pleasure craft a year, the Department anticipates an annual savings to the Government of approximately $45,000.

Mr. ELLENDER. As I understand, the bill deals merely with the measurement of vessels and has nothing to do with licensing.

Mr. MANSFIELD. The Senator is correct. These bills have been considered thoroughly by the distinguished Senator from Delaware [Mr. WILLIAMS].

The VICE PRESIDENT. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2142) was ordered to be engrossed for a third readng, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 677), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill, S. 2142, is to simplify the admeasurement of small vessels for the purpose of expediting documentation.

LEGISLATIVE BACKGROUND

The bill was introduced at the request of the Secretary of the Treasury. The legislation is identical to that introduced at the Treasury Department's request in the 88th Congress, S. 2793, which was not acted upon because it was submitted late in the session. A hearing was held on S. 2142 on August 6, 1965, by the Merchant Marine and Fisheries Subcommittee. Favorable testimony was received by representatives from the Treasury Department. No opposition has been expressed to the legislation.

GENERAL STATEMENT

Under the present law, vessels, regardless of their size, must be measured before the vessel may be registered or documented. The measurement of vessels is a responsibility of the Bureau of Customs and involves a rather intricate system of tonnage computation based on detailed and time-consuming physical measurement of the hull and deck structure. The bill would permit the substitution at the owner's option of a simplified method of admeasurement for small pleasure craft. The Treasury Department estimated that formal admeasurement of pleasure vessels, under the present law, takes an average of 7½ hours of an admeasurer's time. Under the simplified admeasurement requirements, this time will be reduced to less than 1½ hours a vessel. Based on a conservative estimate of employing the simplified admeasurement principle in the documentation of 1,200 pleasure craft a year, the Department anticipates an annual savings to the Government of approximately $45,000. In addition to saving the Government money, the enactment of the bill will speed up the documentation of small vessels freeing Treasury Department personnel for faster processing of the admeasurement of commercial vessels and reduce the cost of documentation to small pleasure craft owners.

The committee amended the legislation to delete sections 2, 3, and 4. The reason for these deletions was that identical changes in the law are proposed in S. 906, a bill to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, which has also been favorably reported by the committee.

ANALYSIS

Subsection 1(a) provides for the admeasurement of vessels generally, permits a consolidation of the pertinent provisions of 46 U.S.C. 71, 73, and provides that a vessel need not be readmeasured to obtain another document unless it is one assigned a formula tonnage which is to be documented for use other than exclusively for pleasure.

Subsection 1(b) provides for the admeasurement of pleasure vessels by means of assigning tonnage based on a formula. This subsection also preserves to the owner the right to choose formal admeasurement under subsection 1(c).

Subsection 1(c) provides for the admeasurement of vessels now or henceforth to be used for other than pleasure purposes, and of pleasure vessels whose owners so choose, by the procedure for formal admeasurement heretofore applicable.

Subsection 1(d) adds a new provision to existing law so as to provide for tonnage adjustments in accordance with existing administrative practice.

Subsection 1(e) gives the owner of a vessel which has already been formally admeasured the option of retaining his present tonnage outturn or of requesting a formula tonnage assignment if his vessel is a pleasure vessel. Thus any change in the tonnage of existing vessels will depend on the owners' option.

Subsection 1(f) grants regulatory authority to the Secretary superseding the authority formerly contained in section 4 of the act of March 2, 1895 (46 U.S.C. 79), which is repealed in subsection 5(f).

Section 2 eliminates the statutory prescription for the form and execution of a certificate of admeasurement and substitutes authority in the Secretary of the Treasury to prescribe how and by whom evidence of admeasurement shall be given.

Section 3 gives the Secretary of the Treasury authority to eliminate unnecessary admeasurement data from the vessel document. This is particularly necessary in the case of vessels to be covered by formula admeasurement, which will use dimensions more readily ascertainable by owners and builders than register dimensions. This overrides specifications in 46 U.S.C. 25, 259, as to dimensions to be shown in vessel documents.

Section 4 restates at the beginning of 46 U.S.C. 77 the location of the "tonnage deck" and the requirement that measurements be taken in feet and decimal fractions of feet, both from 46 U.S.C. 74, as it stood before amendment by section 3.

Section 5 repeals those parts of existing law superseded by the bill. They are:

(a) 46 U.S.C. 76—Admeasurement limited to documented vessels or others specially provided for. Covered by section 1.

(b) 46 U.S.C. 77—Second and third paragraphs and first sentence of last paragraph following paragraph (i)—Statutory requirements for specific admeasurement data on vessel document repealed to permit regulation by Secretary under section 3.

(c) 46 U.S.C. 73—Provision for admeasurement of recorded vessels. Covered by section 1.

(d) 46 U.S.C. 273—Authority for admeasurement of 5 to 20 net ton licensed vessels superseded by section 1.

(e) 46 U.S.C. 78—Provisions for readmeasurement required by 1895 act. Now obsolete.

(f) 46 U.S. 79—Existing regulatory authority superseded by subsection 1(f).

Section 6 provides for an effective date 90 days after enactment.

While it is certain that adoption of the bill would result in substantial savings of admeasurers' time, it is impossible to project the budgetary effect with any precision.

THE ST. CROIX NATIONAL SCENIC RIVERWAY

The Senate proceeded to consider the bill (S. 897) to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 12, after the word "Scenic," to strike out "Waterway" and insert "Riverway"; at the beginning of line 13, to insert "The boundaries of the Saint Croix National Scenic Riverway shall be as generally depicted on map numbered NRS–STC–7100–C, revised July 15, 1965, in seven sheets, and entitled 'Proposed Saint Croix National Scenic Riverway Preliminary Boundary Plan'. The Secretary may thereafter revise such boundaries from time to time, but the acquired lands and waters or interests therein within the revised boundaries may not exceed the limits mentioned in subsection (b) of this section."; in line 24, after the word "Scenic," to strike out "Waterway" and insert "Riverway"; at the top of page 3, to strike out:

(1) Along the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, the Secretary may acquire not more than six hundred and forty acres which may include not to exceed two miles of lake frontage;

At the beginning of line 6, to strike out "(2)" and insert "(1)"; in line 10, after the word "than," to strike out "three hundred and twenty" and insert "four hundred"; in the same line, after the word "per," to strike out "m" and insert "mile;"; at the beginning of line 12, to strike out "(3)" and insert "(2)"; in the same line, after the word "the", to insert "north end of the lake created by the"; in line 15, after the word "River", to insert "except for lands which are located within an incorporated city, village, or borough as of January 1, 1965."; in line 21, after the word "thousand", to strike out "and six hundred"; in line 22, after the word "of", to insert "lake and"; on page 4, at the beginning of line 3, to strike out "(4)" and insert "(3)"; at the beginning of line 7, to strike out "three hundred and twenty acres per mile, except that not more than six hundred and forty acres which may include not to exceed two miles of lake frontage may be acquired along the lake created by the dam at Trego, Wisconsin." and insert "three hundred and twenty acres per mile: *Provided*, That the Secretary's authority to acquire lands by condemnation along the lake created by the dam at Trego, Wisconsin, with the exception of not more than six hundred and forty acres which may include not to exceed two miles of lake frontage, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary."; in line 24, after the word "otherwise.", to insert "In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the Saint Croix National Scenic Riverway, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged."; on page 5, line 11, after the word "Minnesota", to insert "and Wisconsin county forest lands"; in line 22, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 6, after line 3, to insert:

(f) The Secretary's authority to acquire improved property by condemnation shall be suspended, notwithstanding the absence of a valid zoning ordinance that is satisfactory to the Secretary, if the owner thereof uses such property solely for noncommercial residential use unchanged from the character of the use as it exists on the date of passage of this Act, and if any modification of the structures on the property is consistent with the standards regarding acreage, frontage, and setback requirements issued pursuant to section 2 of this Act. Such owner may sell, mortgage, lease, or devise said property, and such suspension shall remain in effect as long as such property is so used.

At the beginning of line 16, to strike out "(f)" and insert "(g)"; in line 18, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; at the beginning of line 21, to strike out "(g)" and insert "(h)"; on page 7, at the beginning of line 14, to strike out "and" and insert "an"; at the beginning of line 18, to strike out "subsection" and insert "Act"; on page 8, line 13, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; in line 15, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 9, line 3, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; at the beginning of line 20, to strike out "Waterway" and insert "Riverway"; in line 24, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 10, line 7, after the word "the", to strike out "recreation area" and insert "scenic riverway"; after line 9, to strike out:

Sec. 4. The Saint Croix National Scenic Waterway shall be administered, protected, and developed in accordance with such statutory authorities as may be available to the Secretary for the conservation and management of natural resources; utilizing to the fullest extent such authorities he finds will best further the purpose of this Act.

And, in lieu thereof, to insert:

Sec. 4. The Saint Croix National Scenic Riverway shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

On page 11, line 5, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; after line 5, to strike out:

Sec. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Saint Croix National Scenic Waterway in accordance with the appropriate laws of the State in which the lands and waters are located to the extent applicable; except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

And, in lieu thereof, to insert:

Sec. 6. Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

After line 20, to strike out:

Sec. 7. The Federal Power Commission shall not have authority under the provisions of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 791a et seq.), to license the building of any dam or other structure which the Secretary determines would adversely affect the segments of the Saint Croix and Namekagon Rivers included in the Saint Croix National Scenic Waterway unless the application is referred to the Congress and the issuance of the license is expressly authorized by statute. Any application referred to the Congress shall include the objections of the Secretary.

And, in lieu thereof, to insert:

Sec. 7. The Federal Power Commission shall not authorize the construction, operation, or maintenance of any new dam or any project work unrelated to an existing project under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the wild river segment of the Saint Croix National Scenic Waterway except as specifically authorized by the Congress.

On page 12, after line 13, to strike out:

Sec. 8. The Chief of Engineers, Department of the Army, and the Secretary of the Army shall not have authority to issue permits for, or to undertake directly, the construction of any dam, dike, structure, or activity which the Secretary determines would adversely affect the segments of the Saint Croix and Namekagon Rivers included in the Saint Croix National Scenic Waterway unless the proposal is referred to the Congress and is expressly authorized by statute. Any proposal submitted to the Congress shall include the objections of the Secretary of the Interior.

At the beginning of line 24, to change the section number from "9" to "8"; on page 13, line 4, to strike out "Waterway" and insert "Riverway"; at the beginning of line 5, to change the section number from "10" to "9"; and, in line 7, after the word "this", to strike out "Act." and insert "Act, not to exceed $6,500,000"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) for the purpose of preserving the portion of the Saint Croix River, beginning at the dam near Taylors Falls, Minnesota, and extending upstream to the dam near Gordon, Wisconsin, and its Namekagon tributary in Wisconsin, as a wild river in a primitive condition, or restoring it as nearly as possible to such condition, in order to conserve its unique scenic and other natural values;

(2) for the purpose of promoting broad recreational use and more intensive types of recreational use of the portion of the Saint Croix River downstream from the dam near Taylors Falls, Minnesota, to its confluence with the Mississippi River; and

(3) for the purpose of protecting, developing, and making accessible the nationally significant outdoor recreation resources of such river segments for the use and enjoyment of all of the American people, the Saint Croix National Scenic Riverway is hereby established. The boundaries of the Saint Croix National Scenic Riverway shall be as generally depicted on map numbered NRS-STC–7100–C, revised July 15, 1965, in seven sheets, and entitled "Proposed Saint Croix National Scenic Riverway Preliminary Boundary Plan". The Secretary may thereafter revise such boundaries from time to time, but the acquired lands and waters or interests therein within the revised boundaries may not exceed the limits mentioned in subsection (b) of this section.

(b) The Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire lands and waters or interests therein for the Saint Croix National Scenic Riverway as follows:

(1) From the north end of the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, upstream to the

dam near Gordon, Wisconsin, the Secretary may acquire an average of not more than four hundred acres per mile;

(2) From the north end of the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, downstream to its confluence with the Mississippi River, except for lands which are located within an incorporated city, village, or borough as of January 1, 1965, the Secretary may acquire an average of not more than three hundred and twenty acres per mile: *Provided,* That the Secretary's authority to acquire lands by condemnation, with the exception of not more than one thousand acres which may include not to exceed five miles of lake and river frontage that the Secretary determines are needed for public access to the river, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary;

(3) On the Namekagon tributary of the Saint Croix River, from above the dam at Lake Namekagon downstream to its confluence with the Saint Croix River, the Secretary may acquire an average of not more than three hundred and twenty acres per mile: *Provided,* That the Secretary's authority to acquire lands by condemnation along the lake created by the dam at Trego, Wisconsin, with the exception of not more than six hundred and forty acres which may include not to exceed two miles of lake frontage, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary.

(c) The Secretary may acquire lands and waters or interests therein pursuant to subsection (b) by donation, purchase with donated or appropriated funds, exchange, or otherwise. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the Saint Croix National Scenic Riverway, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided,* That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

(d) Lands owned by the States of Wisconsin and Minnesota and Wisconsin county forest lands may be acquired by the Secretary only with the consent of such States, and the Secretary may agree with said States to refrain from exercising any authority to acquire lands not owned by the said States that are within the boundaries of an area administered by them, or proposed for such administration, for such time and upon such terms and conditions as he may deem to be in the best interests of the preservation and development of the area.

(e) The Secretary's authority to acquire lands by condemnation shall be suspended with respect to any lands within the Saint Croix National Scenic Riverway which are located within an incorporated city, village, or borough when such entities shall have in force and applicable to such lands a duly adopted, valid zoning ordinance that is satisfactory to the Secretary.

(f) The Secretary's authority to acquire improved property by condemnation shall be suspended, notwithstanding the absence of a valid zoning ordinance that is satisfactory to the Secretary, if the owner thereof uses such property solely for noncommercial residential use unchanged from the character of the use as it exists on the date of passage of this Act, and if any modification of the structures on the property is consistent with the standards regarding acreage, frontage, and setback requirements issued pursuant to section 2 of this Act. Such owner may sell, mortgage, lease, or devise said property, and such suspension shall remain in effect as long as such property is so used.

(g) The Secretary shall not exercise any authority to acquire county-owned lands within the Saint Croix National Scenic Riverway as long as the county is following a plan for the management and protection of such lands that is satisfactory to the Secretary.

(h) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained pursuant to this subsection shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(3) The term "improved property", as used in this Act, shall mean a detached, one-family dwelling, the construction of which was begun before January 1, 1965 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Sec. 2. (a) In order to carry out the provisions of section 1, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the Saint Croix National Scenic Riverway, and (2) promoting the protection and development for purposes of this Act of the land within the Saint Croix National Scenic Riverway by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinance or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the Saint Croix National Scenic Riverway; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in the regulations of the Secretary issued pursuant to this section and in effect at the time of the passage of such ordinance, the suspension of the Secretary's authority to acquire such property by condemnation shall automatically cease.

Sec. 3. Any portion of the Saint Croix National Scenic Riverway which is within a national forest shall be administered in such manner as may be agreed upon by the Secretary of the Interior and the Secretary of Agriculture. Lands owned by an Indian tribe may be included in the Saint Croix National Scenic Riverway with the consent of the Indian tribe involved, and with respect to such lands the Secretary may enter into a cooperative agreement with the Indian tribe to encourage the protection and development of such lands in accordance with the purposes of this Act. The cooperative agreement may provide that the Indian land will be developed and administered in accordance with the laws and rules applicable to the scenic riverway, subject to any limitations specified by the tribal council and approved by the Secretary.

Sec. 4. The Saint Croix National Scenic Riverway shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

Sec. 5. In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the States of Minnesota and Wisconsin, their political subdivisions, and other Federal agencies in formulating and implementing, through agreements or otherwise, comprehensive plans for the use, development, and conservation of the outdoor resources of the Saint Croix National Scenic Riverway.

Sec. 6. Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

Sec. 7. The Federal Power Commission shall not authorize the construction, operation, or maintenance of any new dam or any project work unrelated to an existing project under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the wild river segment of the Saint Croix National Scenic Waterway except as specifically authorized by the Congress.

Sec. 8. The Secretary shall cooperate with the Secretary of Health, Education, and Welfare, and with the appropriate State water pollution control agencies, to prepare and develop agreements for eliminating or diminishing the pollution of waters within the Saint Croix National Scenic Riverway.

Sec. 9. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act, not to exceed $6,500,000.

Mr. NELSON. Mr. President, I am delighted to have this opportunity to recommend to the Senators the passage of S. 897, the St. Croix National Scenic Riverway bill.

The bill represents the hard work and careful thought of many of us about the best way to mold into legislation our common concern that action be taken now to preserve for future generations this priceless resource.

The junior Senator from Minnesota [Mr. Mondale] cosponsor of this bill has worked with imagination and vigor to perfect it.

The St. Croix bill presents a magnificent opportunity to preserve forever this river, one of the most beautiful in the Nation.

Its loveliness is made the more valuable by the fact that it runs within an easy half-hour's drive of the rapidly expanding Twin Cities area. Water-based facilities near large cities are the recreation resource in greatest demand and shortest supply in the Nation.

The need to protect such magnificent resources as the St. Croix demands imaginative legislation.

The St. Croix bill, while it does not include any new or untested techniques, does represent a significant advance in Federal, State, and local cooperation for conservation.

The bill, in effect, will supply a Federal umbrella over this interstate river under which local agencies and authorities can cooperate in the development and preservation of the area.

The most concise way to explain the bill is, perhaps, to quote from the unanimous Interior Committee report. I ask unanimous consent that excerpts from that report appear in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

BACKGROUND

The Outdoor Recreation Resources Review Commission, in its landmark report urging a great expansion of our Nation's outdoor recreational facilities to meet the threefold increase in outdoor recreation activities by the year 2000 pointed out that the facilities in shortest supply and greatest demand were water-based recreation areas near centers of population. Among its specific recommendations were the following:

Immediate action should be taken by Federal, State, and local governments to reserve or acquire additional waters, beach, and shoreline areas, particularly near centers of population.

Certain rivers of unusual scenic, esthetic, and recreational values should be allowed to remain in their free-flowing state and natural setting without manmade alterations.

The Federal Government should assist in meeting interstate demand situations.

Pursuant to these and other recommendations, the Congress has authorized the establishment of the Cape Cod National Seashore on the Atlantic coast, the Point Reyes National Seashore on the Pacific coast, the Padre Island National Seashore on the Gulf of Mexico, and the Ozark National Scenic Riverways. Other areas will be needed if the demands of the next 35 years are to be met, particularly in the north-central census region where, according to the ORRRC report the greatest demand for outdoor recreation facilities in the Nation will be found by 1970.

THE ST. CROIX AND NAMEKAGON RIVERS

The St. Croix River, running south to the Mississippi River at Prescott, Wis., marks the Minnesota-Wisconsin border for some hundred miles.

The upper St. Croix and its Wisconsin tributary, the Namekagon, have been carefully studied by the wild river study team and recommended for inclusion in the National Wild River System. These spectacularly beautiful streams run through mixed conifer-hardwood forests interspersed with small swamps and farm openings.

White-tailed deer abound, bear, game birds, and furbearing animals are at hand.

Fly fishing for small mouth black bass has given the St. Croix River a national reputation. Trout fishing on the upper Namekagon is considered excellent. Unusual diversity is provided by the occurrence of large muskellunge sturgeon, channel catfish, walleyed pike, northern pike, rock bass, and perch.

For some 70 miles above the dam at Taylors Falls, Minn., the Northern States Power Co. has owned the land on both sides of the river for 50 years and has maintained it in a primitive condition.

The lower St. Croix has been described as the last large clean river near a major population center in the Midwest. It runs within an easy half-hour's drive of the burgeoning 1.7 million population Twin Cities area. A broad, a beautiful river, its level maintained by lock and dam No. 3 on the Mississippi, the lower St. Croix is already one of the most popular boating waters in the Nation.

THE ST. CROIX NATIONAL SCENIC RIVERWAY PROPOSAL

S. 897, herein recommended by the committee, would incorporate not more than 85,000 acres of land and 21,200 acres of water, including 152 miles of the St. Croix River and 90 miles of the Namekagon River, into the St. Croix National Scenic Riverway. The riverway would be a narrow strip about one-quarter mile wide, along the banks of the rivers. The boundaries are indicated on Interior Department map NRS–STC 7100–C. Of the total acreage, 15,000 is already in State park and county forest land.

Aside from 31,270 acres of the Northern States Power Co. land, fee acquisition as now contemplated would be held to less than 3,000 acres in the entire riverway. The Northern States Power Co. has indicated its willingness to sell.

On privately held land along the upper St. Croix and Namekagon Rivers the Secretary of the Interior would acquire scenic and recreation easements, not disturbing the existing use patterns. On the lower St. Croix, the same recreational zoning technique that has worked well at the Cape Cod National Seashore would be utilized. In the event that zoning does not meet the Secretary's standards, the acquisition of easements rather than the purchase is intended.

Plans call for six access points on the lower St. Croix and eight sites on the upper St. Croix and Namekagon. On the lower St. Croix these sites would affect some 635 acres, not over 20 ownerships and not more than 10 improvements. On the upper riverway, exclusive of the Northern States Power Co. holdings, 1,173 acres, 20 ownerships, and 9 improvements are involved. On the upper St. Croix and Namekagon scenic easements would be purchased on 18,200 acres. There would be a total of 16,825 acres protected by zoning.

The bill provides that land within incorporated areas on the lower St. Croix are exempt from the riverway entirely.

The bill also provides that owners of improved property in areas to be acquired may retain the right of use and occupancy for noncommercial residential purposes until the death of the owner or spouse, or the death of the survivor or either of them, or else a 25-year transferrable right to use and occupancy.

On the lower St. Croix, where the Secretary of the Interior's right to condemn is suspended as long as zoning ordinances satisfactory to him are enforced, private residential, noncommercial property owners are further protected from condemnation in the event that zoning ordinances are either not in effect or not enforced. The Secretary is precluded from acquiring their property by condemnation as long as they use it in a manner in keeping with his standards including regulations covering new construction, acreage and setbacks.

State land within the riverway would not be acquired by the Secretary of the Interior without the consent of the State involved, and the Secretary may agree not to acquire any land which the State indicates it plans to acquire.

Hunting and fishing shall be permitted in the area in accordance with the laws of Minnesota and Wisconsin.

The bill includes provisions to facilitate cooperative planning for the recreational and conservation development of the riverway between all levels of government involved.

COST

The cost of acquisition of lands over a 5-year period for the St. Croix National Scenic Riverway is estimated at $3,450,000. Development costs are estimated at $3,500,000 for a total of $6,950,000. Operating costs in the fifth year are estimated at $230,030. Since these estimates were made the number of access sites to be acquired in fee has been reduced by four and it is expected that the $6,500,000 authorized by the committee for acquisition and development will be adequate.

Mr. NELSON. Mr. President, a final word about zoning. There has been some misunderstanding that zoning is aimed at prohibiting the economic development of the lower St. Croix. This is absolutely false.

First of all, land lying within incorporated areas on the lower St. Croix would be excluded from the riverway entirely.

Second, the riverway would extend only about a quarter mile back from the bank of the river.

Finally, and most important economic potential of recreation has been conclusively demonstrated. For the entire St. Croix area, the beauty of the river is the chief capital for this growth industry.

The St. Croix National Scenic Riverway represents another step forward in our efforts to improve this Nation's black record in conservation.

It will, if approved, add luster to the already fine record compiled by this Congress in the field of conservation. I wholeheartedly recommend it to the Senators.

Mr. MONDALE. Mr. President, during the last 7 months, following the introduction of the St. Croix national scenic riverway bill on January 29, public and private interest in preserving the historic character and scenic beauty of the river has been very encouraging to me.

I am pleased to announce that the bill has been reported recently by the Senate Committee on Interior and Insular Affairs with a favorable recommendation. We have worked long, hard hours on the bill trying to improve it, and trying to take into account all the reasonable and legitimate interests affected by the bill.

Representative Joseph E. Karth has introduced companion legislation, similar in purpose and scope to the bill we passed through committee. He will work for House backing.

The bill, as reported from the committee, seeks to protect the entire St. Croix-Namekagon River system. But it does so by two wholly different methods. Along the river north of Taylors Falls, the scenic and natural beauty will be protected by treating it as a "wild river," and by acquiring land and scenic easements from private property owners.

South of Taylors Falls, however, the wide range of governmental units and private property owners required different concepts. The closest possible cooperation between the Federal Government and the local governments was made necessary, and therefore an entirely new principle of creative federalism was used. Local zoning will protect the river, with Federal standby enforcement authority, to guard both scenic and recreational values.

Since the provisions of the bill affecting the lower river represent a new approach to natural resource conservation, this report will explain in brief fashion how the bill will operate in the lower St. Croix Valley.

The St. Croix River is the last major unpolluted river in the United States today. Its beauty is without question. It is a clean, large, swiftflowing waterway—within easy access to thousands of Minnesotans. But if we are to stop the flood of pollution and destruction of this river, we need the cooperation and assistance of the Federal Government. This is first of all an interstate waterway, lying between Minnesota and Wisconsin. There are dozens of local governmental units along its shores. It would be difficult for all of them, on both sides of the river, to agree on a course of action to follow.

So the Federal umbrella of protective zoning, providing local bodies with backup authority to keep the river safe, will guarantee that we protect this magnificent natural heritage of ours.

We used to fight our battles against floods, destruction of topsoil, and decimation of forests. We still face these threats. Our new challenges are even more serious, involving possible loss of those common resources that are the irreplaceable heritage of tomorrow's America—the air, the water, and the land itself.

It is up to each one of us to do our part—because only together can we prevent this from happening in Minnesota and in the St. Croix Valley. No one person can be blamed for the death of our rivers, lakes, and natural resources, and so we must all act together.

But, as every person insists upon his economic right to waste a tiny portion of our resources, and cries for conservation elsewhere, the American people are discarding their birthright—committing collective murder of our natural wealth and beauty.

We cannot allow the St. Croix to go the way of our other polluted, detergent-foam-filled, sewage-filled rivers in the United States simply because we could not see that we are losing each little skirmish to save the St. Croix, and before long, it will be too late.

We have seen the death of rivers by small inches elsewhere. The mighty Hudson River in New York is called an open, running sewer. Lake Erie, fed by the chemical and industrial wastes, of Ohio, Pennsylvania, and New York, is choking and is almost a dead lake, in which vegetation and fish life would be impossible.

If this were only a question of preserving some small portion of the great natural riches this country once had, it would be reason enough. But we are beginning to discover facts explaining the dollar value of green space, trees, and clean rivers and lakes. A special commission told the President that outdoor recreation is a business bringing in $20 billion annually—and the end is nowhere in sight. We are now realizing that recreation is going to be the single biggest dollar-earner in many water-based areas of our Nation, holding out more hope than any amount of short-range industrial development.

In the face of ever-increasing urban sprawl, in the face of the oppressive nature of concrete, steel, and auto exhaust gases in our cities, we need more than ever a place of refuge and natural beauty, removed from the clamor of the towns and cities. We must move now to protect that river.

Many people have asked how zoning will actually work under the bill. In areas within the riverway, the Secretary of the Interior will consult with State and local officials to determine what standards of protection are necessary to preserve that part of the river and its values.

Standards will then be established to prohibit new commercial and industrial expansion and uses outside cities and villages where such would be inconsistent with the beauty of character of the riverway. Standards would also establish agreement on setback, frontage, and acreage limitations for new construction of residences and other buildings.

Then, any localities that passed zoning ordinances doing these things would be exempt from regulation, in the same manner as are cities, villages, and individual residences.

If the towns or counties failed to pass ordinances or granted variances to the detriment of the river, the Secretary could then, and only then, buy such lands or interests in land as might be necessary to keep the river in its present beautiful and uncluttered state.

Of necessity the bill will demand the closest cooperation between Federal, State and local agencies, and private citizens. The necessity for Federal involvement is, however, clear.

There has been some confusion on the exact effect of the bill, and I think it would be helpful to the residents of the St. Croix Valley and neighboring areas to know what the bill does not do:

First. It does not affect individual homeowners of cottages, cabins, or other dwellings within the riverway as long as: They do not convert their property to commercial or industrial uses, and as long as new residential structures meet the minimum standards for setback and frontage.

Second. It does not wipe out or destroy present business, commerce, or industry. It prevents only new construction or expansion which is inconsistent with the preservation of the riverway.

Third. It has absolutely no effect on the local tax base, or the collection of local taxes. In any event, preservation of land values may cause property values and the tax base to rise.

Fourth. It does not affect any person or business living outside the clearly defined boundaries of the riverway.

Fifth. It does not affect any person or business within the boundaries of incorporated cities or villages.

Sixth. It does not allow unlimited acquisition of public access. In fact, only two such properties will be used. One is an overlook near Bayport, the other an access at Trout Brook.

Seventh. It does not prevent hunting and fishing with the riverway, and this remains within the exclusive authority of the States.

Eighth. It does not deprive the Federal Power Commission of authority in connection with dams and other existing structures.

Ninth. It does not prevent the Corps of Engineers from carrying out their statutory responsibilities and duties.

Tenth. Last of all, it does not allow arbitrary zoning by the Secretary, but depends upon cooperation by local zoning agencies.

The VICE PRESIDENT. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for the establishment of the Saint Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes."

Mr. NELSON. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which S. 662 was passed.

Mr. MONDALE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SHIP MORTGAGE BONDS

The Senate proceeded to consider the bill (S. 2118) to clarify sections 9 and 37 of the Shipping Act, 1916, and subsection O(d) of the Ship Mortgage Act, 1020, and for other purposes which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 9 of the Shipping Act, 1916 (46 U.S.C. 808), is amended by inserting a new paragraph between the existing third and fourth paragraphs thereof as follows:

"The issuance, transfer, or assignment of a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, to a person not a citizen of the United States, without the approval of the Secretary of Commerce, is unlawful unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. The trustee or substitute trustee approved by the Secretary of Commerce shall not operate the vessel under the mortgage or assignment without the approval of the Secretary of Commerce. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, is issued, transferred, or assigned to a person not a citizen of the United States in violation of this section, the issuance, transfer, or assignment shall be void."

SEC. 2. Section 37 of the Shipping Act, 1916 (46 U.S.C. 835) is amended as follows:

(a) By relettering the existing subsections (c), (d), and (e) as (d), (e), and (f) and by inserting a new subsection (c) as follows:

"(c) To issue, transfer, or assign a bond note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction or by a mortgage to a trustee on a shipyard, drydock, or shipbuilding or ship-repairing plant or facilities, to a person not a citizen of the United States, unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce: *Provided, however,* That the Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000; or for the trustee or substitute trustee approved by the Secretary of Commerce to operate said vessel under the mortgage or assignment: *Provided further,* That if such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful; or".

(b) By inserting a new paragraph between the existing second and third paragraphs thereof as follows:

"If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, or by a mortgage to a trustee on a shipyard, drydock or shipbuilding or ship-repairing plant or facilities, is issued, transferred, or assigned to a person not a citizen of the United States in violation of subsection c of this section, the issuance, transfer or assignment shall be void."

SEC. 3. Subsection O of the Ship Mortgage Act, 1920 (46 U.S.C. 961), is amended by relettering the existing paragraph (e) as paragraph (f) and by inserting a new paragraph (e) as follows:

"(e) No bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee may be issued, transferred, or assigned to a person not a citizen of the United States, without the approval of the Secretary of Commerce, unless the trustee or substitute trustee of such mortgage is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (2) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee is issued, transferred, or assigned to a person not a citizen of the United States in violation of this paragraph, the issuance, transfer, or assignment shall be void."

SEC. 4. Bonds, notes, and other evidence of indebtedness which are secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction which have heretofore been issued, transferred, or assigned, or are issued, transferred, or assigned within one year after the enactment of this Act, to a person not a citizen of the United States without the approval of the Secretary of Commerce are valid in the hands of such person and the validity and preferred status of such mortgage and the validity and lawfulness of such issuance, transfer, or assignment shall not be affected by such issuance, transfer, or assignment if the trustee or a substitute trustee is approved by the Secretary of Commerce within one year after enactment of this Act, under the standards for trustees specified in the amendments made by this Act to sections 9 and 37 of the Shipping Act, 1916, and to subsection O of the Ship Mortgage Act, 1920. This section shall not apply to any bond, note, or other evidence of indebtedness, mortgage, or assignment if the validity of such bond, note, or other evidence of indebtedness, mortgage, or assignment, or the foreclosure, validity, or preferred status of such mortgage, is in litigation on the date of enactment of this Act.

Mr. ELLENDER. Mr. President, may we have an explanation of the bill?

Mr. MANSFIELD. Mr. President, the bill, S. 2118, was introduced by request on June 10, 1965. The purpose of the legislation is to meet certain problems created by a recent U.S. court of appeals decision, Chemical Bank New York Trust Co. against the Steamship Westhampton, that could affect trust indentures and bond financing on American-flag vessels.

Hearings were held on the bill on June 23, July 15, and July 23 by the Subcommittee on Merchant Marine and Fisheries. The legislation as introduced was supported by the Maritime Administration, the Committee of American Steamship Lines, the American President Lines, and several trust companies including the Chemical Bank New York Trust Co., which is a party in the Westhampton case. The trustees of Seatrade Corp., also a party in the Westhampton case, supported the bill if amended to save certain rights in litigation on the date of enactment. The Seafarers International Union opposed the bill as introduced on the grounds that it would nullify the Westhampton decision and would enable aliens to acquire control of American-flag vessels through the trust indenture mortgage device. The bill has been amended by the committee to meet these objections.

The policy of the United States has been to encourage low-interest rates in financing the construction and reconstruction of U.S.-flag merchant vessels and, at the same time, to prohibit foreign control over the American merchant marine fleet. The purpose of this bill, as amended, is the same.

The Senator from Ohio [Mr. LAUSCHE], a member of the Committee on Commerce, is well aware of the purpose of the bill.

Mr. LAUSCHE. Mr. President, I ask that the bill be passed over temporarily, so that I may examine it.

Mr. MANSFIELD. The bill was reported unanimously by the Committee on Commerce, of which the Senator from Ohio is a member. The Senator from Delaware [Mr. WILLIAMS] has looked into it and has given it his approval.

Mr. LAUSCHE. I suggest that it go over.

Mr. MANSFIELD. Very well.

Mr. LAUSCHE. I shall notify the Senator from Montana after I have examined the bill.

The VICE PRESIDENT. Without objection, the bill will be passed over.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 669, S. 2118.

The VICE PRESIDENT. Without objection, the Senate will resume the consideration of the bill.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 686), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, S. 2118, is to facilitate the sale of bonds issued under a trust indenture in connection with a mortgage on a vessel.

LEGISLATIVE BACKGROUND

The bill, S. 2118, was introduced by request on June 10, 1965. The purpose of the legislation is to meet certain problems created by a recent U.S. court of appeals decision, *Chemical Bank New York Trust Company* v. *The Steamship Westhampton*, that could affect trust indentures and bond financing on American-flag vessels.

Hearings were held on the bill on June 23, July 15, and July 23 by the Subcommittee on Merchant Marine and Fisheries. The legislation as introduced was supported by the Maritime Administration, the Committee of American Steamship Lines, the American President Lines, and several trust companies including the Chemical Bank New York Trust Co., which is a party in the *Westhampton* case. The trustees of Seatrade Corp., also a party in the *Westhampton* case, supported the bill if amended to save certain rights in litigation on the date of enactment. The Seafarers International Union opposed the bill as introduced on the grounds that it would nullify the *Westhampton* decision and would enable aliens to acquire control of American-flag vessels through the trust indenture mortgage device. The bill has been amended by the committee to meet these objections.

SUMMARY OF LEGISLATION

The policy of the United States has been to encourage low-interest rates in financing the construction and reconstruction of U.S.-flag merchant vessels and, at the same time, to prohibit foreign control over the American merchant marine fleet. The purpose of this bill, as amended, is the same.

The legislation, as amended by the committee, provides (1) that bonds secured by a mortgage on a vessel to a trustee may be sold to noncitizens (corporations other than those defined as a citizen of the United States by sec. 2 of the Shipping Act, 1916) if the trustee is approved by the Secretary of Commerce under standards specified in the bill; (2) that any trustee approved by the Secretary of Commerce shall not operate the mortgaged vessel without approval by the Secretary of Commerce; (3) that any sale of a bond to a noncitizen in violation of the amendment is void; (4) that such bonds held by noncitizens and sold before the effective date of the act or within 1 year thereafter are valid if the trustee within 1 year is approved by the Secretary under standards provided in the bill; and (5) that such bonds whose validity is in litigation on the date of enactment of the act are not affected by the enactment of the legislation.

SUMMARY OF PRESENT LAW

The United States has encouraged low-interest rates, flexibility, and certainty in financing the construction and reconstruction of U.S.-flag merchant vessels through the enactment of the Ship Mortgage Act, 1920, which provides for the recording of mortgages on vessels, establishes an order of priority among claims against the vessels, and affords ship mortgages certain preferences and by the enactment of title XI of the Merchant Marine Act, 1936, as amended, which was intended to make Government-insured title XI bonds fully negotiable reaching the broadest possible market.

On the other hand, the United States has attempted to prohibit foreign control of the American merchant marine fleet through enactment of certain sections of the Shipping Act, 1916. Section 9 of the Shipping Act, 1916, provides that it is unlawful, without the approval of the Secretary of Commerce to sell, mortgage, or transfer to any person not a citizen of the United States, any vessel or interest therein owned by a citizen of the United States and documented under the laws of the United States. Section 37 of the act provides that during a national emergency declared by the President, it is unlawful without the prior approval of the Secretary of Commerce, to sell, mortgage, or transfer to a person not a citizen of the United States any vessel owned by a citizen of the United States or documented under the laws of the United States, or any interest therein, or any shipyard, or any interest therein. The Ship Mortgage Act, 1920, relates to sections 9 and 37 of the Shipping Act, 1916, in that subsection O(d) provides that no rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the Secretary of Commerce.

GENERAL STATEMENT

One of the least costly and most widely used methods of financing available to shipowners in the United States is the issuance under a trust indenture of bonds secured by a mortgage on the vessel. These ship mortgage bonds are issued either with Government mortgage insurance under title XI of the Merchant Marine Act, 1936, or by private financing without Government insurance involved. In recent years, the Maritime Administration has taken the position that under sections 9 and 37 of the shipping Act, 1916, ship mortgage bonds, whether insured or uninsured, could be sold to noncitizens without approval by the Secretary of Commerce. On April 5 of this year, the U.S. Court of Appeals for the Fourth Circuit in the *Westhampton* case held that the sale of such bonds to noncitizens without approval was unlawful. A petition for reargument has since been filed. The court specifically held that the mortgage in question was not entitled to a preferred status under the Ship Mortgage Act, 1920, because the bond which was secured by the mortgage was an interest in a ship under section 37 of the Shipping Act, 1916, and the issuance of the bond to the noncitizen had not been approved by the Secretary of Commerce.

Even though the bond in the *Westhampton* case was not insured under title XI, the decision created uncertainty in the future marketability of both insured and uninsured bonds secured by a mortgage on a vessel and has raised certain questions regarding the validity of outstanding bonds previously issued or transferred in reliance upon the publicly announced interpretation of the Shipping Act, 1916, by the Maritime Administration.

Testimony given during the committee hearing indicated that the *Westhampton* decision by the court of appeals seriously discourages an important segment of the present bond market from being interested in future bond issues secured by ship mortgages and would thereby cause a significant increase in the interest to be paid on the bonds. The problem is complicated by the fact that there is no express statutory criteria in section 2 of the Shipping Act, 1916, for determining the citizenship of organizations such as pension funds, mutual insurance companies, certain savings banks, States of the United States, or State agencies. In the past these organizations have been major purchasers of ship mortgage bonds. Under the *Westhampton* decision, these organizations would feel it necessary in the future to obtain approval by the Secretary of Commerce before investing in these bonds. One witness testified that any such need would destroy public bond issues as a method of ship financing because it would tend to make such bonds unacceptable to the public.

It was estimated that the uncertainty occasioned by the decision issued might well cause a significant increase in the interest to be paid on the bonds and therefore the cost of financing new ship construction and reconstruction in the United States. Several authorities in bond financing agreed that the court decision would have the effect of increasing the cost of financing new ship construction through the issuance of ship mortgage bonds by one-half of 1 percent at a minimum. Likewise, it was pointed out that as in other financial transactions, if there is any uncertainty the lender or his counsel will either say "No" or demand an interest rate commensurate with what he believes to be the risk.

The legislation would meet the problem of uncertainty in future financing by providing a means by which these bonds could be sold in the future with certainty to noncitizens without permitting foreign control of the vessel. The legislation permits the bonds to be sold to noncitizens upon the approval by the Secretary of a U.S. citizen trustee who meets certain minimum standards. These standards are based upon the criteria for trustees presently required by the Maritime Administration under trust indentures in title XI bond financings and upon the qualification of trustees under the Federal Trust Indenture Act of 1939. Once the trustee is approved, any issuance, transfer, or assignment of a bond under the trust indenture to a noncitizen is valid. If the trustee ceases to be qualified the Secretary will formally disapprove the trustee and thereafter the transfer of the bonds will be unlawful. This approval will give certainty to the validity of any bond issuance or transfer and thereby assure the future marketability of ship mortgage bonds.

During the hearing testimony was given warning of the danger of foreign control over the U.S. merchant marine by the sale of bonds to noncitizens under the trust indenture device. Witnesses pointed out that unless amended the bill as introduced might permit foreign control of the American merchant marine by either selling U.S.-flag vessels financed under a trust indenture to a foreign interest or permitting alien control by operation of a vessel through the trust indenture.

In response to these statements, the General Counsel of the Maritime Administration testified that sections 9 and 37 of the Shipping Act, 1916, specifically prohibits any U.S.-flag vessel being transferred to an alien or noncitizen without the approval of the Maritime Administration and that therefore there was no problem regarding the loss of U.S.-flag vessels when bonds are held by noncitizens. The General Counsel added that the statutory prohibition in its present form is sufficiently broad and applies to the sale of any U.S. vessel regardless of whether any bond financing is involved or whether noncitizens hold any bonds and is effectively enforced by the Justice Department in foreign courts as well as U.S. courts.

In regard to the question of foreign control by operation of U.S.-flag vessels by the trustee under the trust indenture or mortgage, the General Counsel of the Maritime Administration testified that this was improbable because any bondholder advised by a responsible trustee will upon default direct the trustee to foreclose and sell the ship through court action to a U.S. citizen as required by law rather than operate the vessel and endanger his security or subject the trustee and/or bondholders to the penal provisions of the 1916 act. To avoid any possible problem, however, the legislation, as amended by the committee, requires that any U.S. citizen trustee approved by the Secretary obtain the approval of the Secretary of Commerce before it may operate the vessel.

The legislation also provides that if there is a future sale of a bond to a noncitizen contrary to the provisions of the bill, the effect of the sale is that the transaction is void and the noncitizen receives nothing. The unlawful transaction therefore has no effect on the validity of the bond itself or any other bonds held under the mortgage or trust agreement. In addition to the new penalty provision, the general penalty provisions on sections 9 and 37 of the Shipping Act, 1916, relating to the sale of bonds or operation of the vessel in violation of the act remain in full force and effect.

The second major difficulty created by the *Westhampton* case involves the validity of ship mortgage bonds presently held by noncitizens. Approximately $300 million in bonds issued under trust indentures pursuant to title XI are outstanding and ship mortgages bonds substantially exceeding that sum have been issued under trust indentures and are outstanding without Government insurance. Many of these bonds are presently held by mutual insurance companies, State institutions, pension funds, and other public or private entities that are not clearly specified within the definition of a citizen under section 2 of the Shipping Act, 1916. The bonds are frequently bearer bonds, freely transferable, and therefore the precise number in noncitizen hands is undeterminable. Section 4 of the bill retroactively validates all trust or mortgage indenture ship mortgage bonds held by noncitizens to the extent that their validity might be subject to question under the *Westhampton* decision. The provision adds, however, that the trustee must be approved by the Secretary of Commerce under standards provided by the act within 1 year after the effective date of the bill.

The committee was advised that in addition to the *Westhampton* case, there are at present two other U.S.-flag ships, the *Bridgehampton* and *Easthampton*, in litigation in foreign courts involving the question raised in the *Westhampton* case. The General Counsel of the Maritime Administration advised that the foreign courts as a matter of comity will apply American law and that the Justice Department will intervene in such proceedings. The committee determined that rights in all litigation pending at the time the legislation is passed should not be retroactively affected by the act. The parties have voluntarily submitted their dispute under the present law by invoking the jurisdiction of the judicial branch. The committee concluded that Congress should not intercede while the court has the matter under consideration and the last sentence of section 4 so provides. If the court determines finally that the bonds in litigation are valid, there will be no need under section 4 or any other provision of the act for the bondholders to take any steps under the act to validate the bonds. Section 4 provides that neither the validation nor the requirement that the trustee be approved within 1 year applies to bonds in litigation. However, other sections of the act will require the trustee to be approved before any transfer or assignment of these or any other ship mortgage bonds to a noncitizen subsequent to the enactment of the act may be lawfully accomplished.

Witnesses appearing before the committee were apprehensive over the effect of the legislation on the *Westhampton* case. The committee is therefore concerned that any congressional action could be misunderstood as an attempt to influence the final outcome of the litigation by interpreting the meaning of sections 9 and 37 of the Shipping Act, 1916. It should be made clear that any such argument would be misleading the court.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

LIMITATION OF STATEMENTS DURING CONSIDERATION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to limit to 3 minutes statements made during the transaction of routine morning business.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the item "Limitation on salaries and expenses, Social Security Administration," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

PROPOSED DISPOSITION OF CERTAIN GRAPHITE FROM THE NATIONAL STOCKPILE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of graphite from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

AUTHORITY FOR DEPUTY ADMINISTRATOR OF VETERANS' AFFAIRS TO ASSUME DUTIES OF ADMINISTRATOR UNDER CERTAIN CONDITIONS

A letter from the Administrator of Veterans Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes (with accompanying papers); to the Committee on Finance.

EXTENSION OF STATUTORY BURIAL ALLOWANCE TO CERTAIN VETERANS

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability (with an accompanying paper); to the Committee on Finance.

REPORT ON PALMETTO BEND PROJECT, TEXAS

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the Palmetto Bend Project, Texas (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON DETERMINATIONS RELATING TO PARTIAL DEFERMENT OF CONSTRUCTION PAYMENTS DUE FROM THE EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1, RIO GRANDE PROJECT, NEW MEXICO-TEXAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on determinations relating to partial deferment of the March 1 and September 1, 1966, construction payments due the United States from the El Paso County Water Improvement District No. 1, Rio Grande Project, New Mexico-Texas; to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

ADJUSTMENT OF STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting adjustment of status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS CONCERNING VISA PETITIONS APPROVED ACCORDING FIRST PREFERENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions which had been approved according the beneficiaries of such petitions first preference classification (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Andrejo Badmuts, a citizen of the State of Connecticut, relating to the liberation of the Baltic States, which was referred to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 3684. An act for the relief of Maj. Alexander F. Berol, U.S. Army, retired (Rept. No. 692); and

H.R. 8351. An act for the relief of Clarence L. Aiu and others (Rept. No. 693).

By Mr. LONG of Missouri, from the Committee on the Judiciary, without amendment:

H.R. 8218. An act for the relief of Walter K. Willis (Rept. No. 695).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired (Rept. No. 694).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 9854. An act for the relief of A. T. Leary (Rept. No. 691).

By Mr. DODD, from the Committee on the Judiciary, without amendment:

H.R. 1384. An act for the relief of Theodore Zissu (Rept. No. 696).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

James M. Nabrit, Jr., of the District of Columbia, to be a Deputy Representative of the United States of America in the Security Council of the United Nations; and

John A. Gronouski, of Wisconsin, to be Ambassador Extraordinary and Plenipotentiary to Poland.

By Mr. EASTLAND, from the Committee on the Judiciary:

Sidney O. Smith, Jr., of Georgia, to be U.S. district judge for the northern district of Georgia; and

George M. Stuart, of Alabama, to be U.S. marshal for the southern district of Alabama.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Richard E. Eagleton, of Illinois, to be U.S. attorney for the southern district of Illinois.

By Mr. CHURCH, from the Committee on Foreign Relations:

Vienna Convention on Diplomatic Relations, together with the optional protocol concerning the compulsory settlement of disputes, signed at Vienna on April 18, 1961 (Executive H, 88th Cong., 1st sess.); (Ex. Rept. No. 6).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2500. A bill for the relief of James A. Todd, Jr.; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. CLARK, Mrs. NEUBERGER, and Mr. HART):

S. 2501. A bill to provide for a separate session of Congress each year for the consideration of appropriation bills, to establish the calendar year as the fiscal year of the Government, and for other purposes; to the Committee on Rules and Administration.

By Mr. RUSSELL of South Carolina:

S. 2502. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of Georgetown, S.C.; to the Committee on Armed Services.

By Mr. MONDALE:

S. 2503. A bill for the relief of Lorenzo D. Williams; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2504. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

S. 2505. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes; and

S. 2506. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under a separate heading.)

By Mrs. NEUBERGER:

S. 2507. A bill to authorize the Secretary of the Interior to conduct a program of research regarding overhead electric transmission lines and the effect of such lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country; and

S. 2508. A bill to authorize the Secretary of the Interior to conduct a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmissions; to the Committee on Commerce.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate heading.)

DISTRIBUTION OF CERTAIN INDIAN JUDGMENT FUNDS

Mr. JACKSON. Mr. President, I send to the desk, for appropriate reference, three bills providing for the distribution of judgment funds awarded by the Indian Claims Commission to the Duwamish, the Quileute-Hoh, and the Nooksack Tribes in the State of Washington.

I ask unanimous consent that the text of the letters from the Assistant Secretary of the Interior, dated August 10 and August 26, 1965, explaining the need for these measures, together with the text of the bills themselves, be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bills will be received and appropriately referred; and, without objection, the bills and letters will be printed in the RECORD.

The bill (S. 2504) to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and living on date of this Act, and (b) They are descendents of members of the Duwamish Tribe as it existed in 1855. Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Portland, Oreg., on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Duwamish Tribe, which were appropriated by the Act of June 9, 1964 (78 Stat. 213), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with Section 1 of this Act.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than 21 years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed, and shall escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, such funds shall also escheat to the United States.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The letter accompanying Senate bill 2504 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., August 10, 1965.

Hon. HUBERT HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To provide for the disposition of funds appropriated by pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes."

We recommend that the bill be referred to the appropriate committees for consideration and that it be enacted.

Funds were appropriated by the act of June 9, 1964 (78 Stat. 213), to cover the sum of $62,000 awarded the Duwamish Tribe in settlement of a judgment of the Indian Claims Commission in docket No. 109, for inadequate compensation for lands in Washington State and for valuable resources acquired by the United States from said Indians by the treaty of January 22, 1855 (12 Stat. 927). The judgment funds are credited to the account of this group and draw interest at 4 percent per annum.

The Duwamish Indians belong to the Salishan linguistic family. The group originally inhabited the east coast of the Puget Sound area in central Washington State. Although the Duwamish were assigned by the treaty of 1855 to the Port Madison Reservation, few apparently settled there. A number of Duwamish moved to and were alloted on the Port Madison, Muckleshoot, Lummi, Swinomish and Tulalip reservations where they have continued to live as members of these groups. Four of the reservations with which Duwamish Indians became affiliated are engaged in reservation programs which involve the development of tribally owned lands, tidelands, fishing resources, native arts and crafts and other industrial opportunities. An indeterminate number of Duwamish Indians have never affiliated with any recognized reservation group. The population of the Duwamish is thus widely scattered throughout the Northwest and many have intermarried with the Canadian Salish.

An organization entitled "The Duwamish Tribal Organization of the Duwamish American Indians" presently exists, and a written constitution was drawn up on February 6, 1925. However, this organization has not been approved by the Secretary of the Interior and therefore we are not bound by its enrollment criteria. The organization has no official tribal headquarters and no reservation lands or tribal assets. This organization was formed for the principal purpose of prosecuting claims against the United States. It has also been concerned with maintaining the identity of the Duwamish Indians.

The proposed bill authorizes the Secretary of the Interior to prepare a roll of all descendants of members of the Duwamish Tribe as it existed in 1855. Of the rolls on file at the Western Washington Agency, Roblin's 1919 Schedule of Unenrolled Indians and agency allotment and census records appear to be the best sources available. However, the bill provides that other official proof of Duwamish ancestry, if approved by the Secretary, will be acceptable.

We have examined the possibility of programing; however, since we are not dealing with a tribal group but with scattered descendants having no land base or natural resources, such use of judgment moneys would not be feasible. The proposed bill provides that the Secretary shall distribute per capita shares of living enrollees directly to such enrollees and gives authority to the Secretary to develop procedures for the disposition of the shares of minors or persons under legal disability. Since there is no presently existing tribal entity, the proportional shares of heirs and legatees amounting to $5 or less will escheat to the United States. The proposed bill also provides that in the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amounts actually necessary to accomplish this purpose, the money remaining shall also escheat to the United States.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Duwamish (Docket No. 109) judgment fund—Balance as of Jan. 4, 1965

Net award, 14X7049 awards of Indian Claims Commission, Duwamish Tribe of Indians	$62,000.00
Attorney fees	6,200.00
Attorney expenses	1,565.77
Interest through Dec. 31, 1964 (not yet credited) 14X7549 interest and accruals on interest, awards of Indian Claims Commission, Duwamish Tribe of Indians	0
Balance as of Jan. 4, 1965	54,234.23

The bill (S. 2505) to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quileute and Hoh Tribes that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket No. 155, and the interest thereon, after payment of attorney fees and expenses, shall be divided on the basis of tribal base membership rolls for the respective groups after approval of such rolls by the Secretary of the Interior, and the funds so divided, including the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior: *Provided,* That until the Hoh Indians develop a formal organization with a recognized governing body, their share of the judgment funds, and any other Hoh tribal funds, may be expended by the Secretary for the benefit of the Hoh Reservation and the Hoh tribal members.

SEC. 2. The Secretary of the Interior shall prepare base membership rolls for the Quileute and Hoh Tribes. No person shall be eligible to have his name placed on either membership roll who at the same time is a member of any other tribe, and no person shall be permitted to be enrolled in both the Quileute and Hoh Tribes: *Provided,* That persons eligible for enrollment or already enrolled with other tribes may relinquish that membership through filing a formal statement of relinquishment with the Secretary according to rules and regulations which he may prescribe.

SEC. 3. When preparing a Quileute tribal base roll, the Secretary shall employ the criteria in article II of the approved Constitution and Bylaws of the Quileute Tribe of the Quileute Reservation, except that, in the absence of the 1935 census referred to in article II, section 1(a) of the Constitution and Bylaws, the Secretary, with the assistance of the govening body of the Quileute Tribe, shall construct a base roll from pertinent records, including other census data, of the same period. No person shall be eligible to have his name placed thereon if born after December 31, 1940. Upon approval of such base roll by the Secretary and the Quileute tribal governing body, it shall henceforth serve as the Quileute base roll for all purposes, the provisions of article II, section 1(a) notwithstanding.

SEC. 4. When preparing a Hoh tribal base roll, the Secretary shall include only the names of applicants who demonstrate that (1) their names or the names of lineal ancestors from whom they are descended appear on the Census of the Hoh Indians of Neah Bay Agency, Washington, June 30, 1894, and (2) they were domiciled on the Hoh Reservation on the date of this Act. Upon approval by the Secretary, such roll shall henceforth serve as the Hoh base roll for all purposes.

SEC. 5. Upon completion of a Hoh base roll in accordance with section 4 of this Act, the Secretary shall assist the Hoh Indians in developing a tribal organizational document and shall call an election for the purpose of voting on the adoption of such document.

SEC. 6. The Secretary is authorized to advance or expend, as provided in section 1 of this Act, the Hoh tribal funds now on deposit, or hereafter placed on deposit, in the Treasury of the United States under the following symbols and titles:

14X7235—Proceeds of Labor, Hoh Indians, Washington
14X7735—Interest and Accruals on Interest, Proceeds of Labor, Hoh Indians, Washington

SEC. 7. Any part of the funds that may be distributed to individual members of the Quileute and Hoh Tribes under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The letter accompanying Senate bill 2505 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., August 10, 1965.

Hon. HUBERT HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes.

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

Funds were appropriated by the act of January 6, 1964 (77 Stat. 857), to pay a judgment for $112,152.60 awarded the Quileute Tribe of Indians, including the Hoh Tribe, by the Indian Claims Commission in docket No. 155 for inadequate compensation for lands in Washington State, and for valuable resources acquired by the United States from said Indians by the treaty of July 1, 1855 (12 Stat. 971), ratified March 8, 1859. These judgment funds are credited to the account of this group and draw interest at 4 percent per annum.

The proposed bill authorizes the governing bodies of the Quileute and Hoh Tribes to decide how their respective shares of the award will be expended, subject to the approval of the Secretary of the Interior.

The Quileute Tribe is organized under a constitution and bylaws approved November 11, 1936, under the provisions of the act of June 18, 1934 (48 Stat. 984). The Quileute constitution provides for a basic membership roll of all persons of Indian blood whose names appear on the official census roll of the tribe as of April 1, 1935. However, we have determined that no official Quileute Reservation census was made in 1935.

A basic membership roll can be reconstructed for the Quileute Tribe through use of the 1938 Quileute census and the 1934, 1937, and 1940 Quinaielt censuses. Inasmuch as it is necessary to determine membership in order to determine which persons are eligible to participate in reservation programing, or in a possible per capita distribution, the proposed bill provides for the establishment of a base roll for the Quileute Tribe.

Originally, Hoh was a fishing site for the Quileute Indians. Since the Treaty of July 1, 1855, however, the Federal Government has dealt with the group of people in that area (at the mouth of the Hoh River) as a separate entity. By Executive order dated September 11, 1893, the Hoh Reservation was established for "Hoh Indians not now residing upon any reservation." There are in existence a number of separate Hoh rolls which in fact predate the establishment of the reservation. These, however, are composed primarily of Indian names. We regard the Census of the Hoh Indians of Neah Bay Agency, Washington, taken on June 30, 1894, 1 year after the establishment of the reservation, as representative of the Hoh Indians who were then still maintaining a fishing village at what had become the reservation site. The majority of the present reservation group, which consists of a few families, can trace their ancestry to the 1894 roll.

The Hoh Indians voted in 1935 to accept the Indian Reorganization Act but have taken no action to organize under it and have never developed an approved organization or membership criteria. The proposed bill provides criteria for establishing a base roll for the Hoh Tribe through the use of the 1894 census roll and by requiring applicants to demonstrate that they are domiciled on the Hoh Reservation. In the opinion of this Department, other Hoh descendants affiliated with the Quileute, Quinaielt and other tribes elsewhere, will benefit from judgment awards and other resources as members of those tribes and should not be permitted to share in the present award. The Hoh Reservation consists of only 443 acres and those few families now on the reservation, consisting of 30 to 40 people, are for the most part longtime residents and are the only people interested in reservation affairs.

Until approved rolls are developed for both the Quileute and Hoh Tribes, the proportional share of each tribal group cannot be determined. Therefore, the proposed bill provides that the judgment award in docket No. 155 be divided on the basis of tribal membership rolls. The division can be accomplished when the Secretary, through his rules and regulations, determines that the rolls are adequate to effect an equitable division.

Both the Quileute and the Hoh Indians were allotted on the Quinaielt Reservation, and have been carried on some Quinaielt census rolls. The proposed bill, therefore, provides that eligible persons will need to relinquish membership elsewhere in order to have their names placed on either the Quileute or Hoh membership rolls. Those persons eligible for enrollment or already enrolled with other tribes may relinquish that membership through filing a formal statement of relinquishment with the Secretary according to his rules and regulations.

There is presently on deposit in the United States Treasury and in a commercial bank, to the credit of the Hoh Indians, an unexpended balance of $236,944.27, including accrued interest, representing the proceeds of timber sold on the reservation in the early 1950's. The proposed bill also provides for Hoh tribal governing body, subject to the approval of the Secretary of the Interior, to decide how these funds will be expended. Pending establishment of a Hoh tribal organization, the bill provides for the expenditure of both judgment funds and timber funds by the Secretary of the Interior for the benefit of the Hoh Reservation and the Hoh tribal members.

The Quileute Tribal Council has proposed tribal programing, in consultation with the Bureau of Indian Affairs, for the use of the Quileute share of the judgment funds. Projects to be undertaken through use of the funds include the construction, furnishing, and maintenance of a large, well-equipped community building in the town of LaPush on the Quileute Reservation, and improvement of the town's water system in cooperation with the U.S. Public Health Service. The great majority of the Quileute people live in LaPush, the only settlement on the reservation. Projects for the Hoh Reservation have not yet been proposed but there is need for community facilities and family development plans.

For both tribes, the proposed bill permits a per capita payment; however, in neither case do we envisage a per capital payment due to the need for extensive programing on both reservations and the relatively small amount of the award.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Quileute and Hoh Tribes of Indians (Docket No. 155) judgment fund, and other Hoh tribal funds representing proceeds of timber sold on the reservation—Balance as of January 29, 1965

Net award, 14X7114 awards of Indian Claims Commission, Quileute and Hoh Tribes of Indians	$112,152.60
Attorney fees	11,215.26
Attorney expenses	0
14X7614 interest and accruals on interest, awards of Indian Claims Commission, Quileute and Hoh Tribes of Indians, interest through June 30, 1964	1,850.82
Balance as of January 29, 1965	102,788.16
Other Hob tribal funds representing proceeds of timber sold on the reservation, 14X7235 proceeds of labor, Hoh Indians, Washington	180,568.61
14X7735 interest and accruals on interest proceeds of labor, Hoh Indians, Washington	3,223.15
Subtotal, funds in U.S. Treasury as of January 29, 1965	183,791.76
Interest deposited in commercial bank	53,152.51
Total balance of trust funds belonging to Hoh Indians as of January 29, 1965	236,944.27

The bill (S. 2506) to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and were living on the date of this Act, and (b) They are descendants of members of the Nooksack Tribe as it existed in 1855. Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Portland, Oregon, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Nooksack Tribe, which were appropriated by the Act of April 30, 1965 (P.L. 89–16), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than 21 years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed and shall remain to the credit of the Nooksack Tribe. Any sum of money remaining to the credit of the Nooksack Tribe as a result of this judgment, three years after the date of this Act, shall escheat to the United States and shall be deposited in the Treasury of the United States in miscellaneous receipts.

SEC. 4. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

SEC. 5. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The letter accompanying Senate bill 2506 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., August 26, 1965.

Hon. HUBERT HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To provide for the disposition of funds appropriate to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

Funds were appropriated by the act of April 30, 1965 (Public Law 89–16), to cover a net award of $49,383.50 granted to the Nooksack Tribe of Indians by the Indian Claims Commission in docket No. 46. These judgment funds are credited to the account of this group and draw interest at 4 percent per annum.

The judgment was for inadequate compensation for lands in Washington and for valuable resources taken by the United States under the Point Elliott Treaty of January 22, 1855 (12 Stat. 927). Although the Nooksack Indians were not a direct party to this treaty, the Federal Government, by virtue of the Point Elliott Treaty, extinguished rights of occupancy to those lands held by the Nooksacks. Thereafter, these lands were treated as public lands and were disposed of by the Federal Government.

At present, some Nooksack descendants have a loosely knit organization which was formed primarily to maintain the identity of the group and to prosecute claims against the United States. Membership in the organization is open to all descendants of Nooksack Indians and to any other American Indian descendants whom the organization elects to membership. This organization has not been approved by the Secretary of the Interior.

The Nooksacks have no reservation, tribal land, or tribal resources. Some Nooksacks are living on public domain allotments located in Whatcom County near Everson, Wash. There has been a great deal of intermarriage with other Puget Sound and Canadian Indians.

The proposed bill authorizes the Secretary of the Interior to prepare a roll of all descendants of members of the Nooksack Tribe as it existed in 1855. Of the rolls on file at the Western Washington Agency, Roblin's 1919 schedule of unenrolled Indians and Agency allotment and census records appear to be the best sources available. The proposed bill, however, does not limit an applicant to either of the above cited sources; other proof of Nooksack ancestry may be utilized.

We have examined the possibility of programing. Since we are not dealing with a tribal group, but are dealing with scattered descendants having no group land base or natural resources, such use of the judgment moneys would not be feasible. The proposed bill, therefore, provides for a per capita distribution. Payments may be made directly to living enrollees, but the Secretary may develop procedures for the disposition of the shares of minors or persons under legal disability.

Any residue funds after payment is completed shall escheat to the United States. The residue fund should be very small due to the fact that an up-to-date roll of living persons is to be used. It is our opinion that nothing else is practical under the circumstances.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Nooksack Tribe (Docket No. 46) judgment fund—Balance as of June 30, 1965

Gross award	$52,383.50
Less offsets	−3,000.00
Net award (14X7097 awards of Indian Claims Commission, Nooksack Tribe of Indians)	49,383.50
Less attorneys' fees	−4,938.35
Less attorneys' expenses	−1,375.08
Total principal judgment fund (subject to legislation)	43,070.07
Interest earned since appropriation not yet credited (14X7597, interest above fund)	----------

Nooksack Tribe (Docket No. 46) judgment fund—Balance as of June 30, 1965—Con.

Other tribal accounts in U.S. Treasury	----------
Grand total as of June 30, 1965	$43,070.07

UNDERGROUND TRANSMISSION LINES

Mrs. NEUBERGER. Mr. President, I send to the desk two bills, which are companion bills to those introduced in the House of Representatives by Representative OTTINGER, of New York.

Mr. OTTINGER has been an active leader in conservation and preservation of natural resources.

In the message on natural beauty of February 8, President Johnson singled out the problem of overhead power lines as one of the threats to the beauty of the Nation requiring most urgent attention.

In many sections of the country citizens are protesting the defacement and devaluation that results from the inexorable progress of towers and lines. Nor can it be disputed that electrical power produced by plants at or near the point of use will no longer meet the need. It is becoming necessary to tap cheaper and more abundant supplies farther and farther from the point of use. This is essential to our continued growth and no citizen would have it otherwise.

However, there are conflicting needs of equal urgency.

These needs were eloquently summed up by the President in the introduction of his February message. He said:

> For centuries Americans have drawn strength and inspiration from the beauty of our country. It would be a neglectful generation indeed, indifferent alike to the judgment of history and the command of principle, which failed to preserve and extend such a heritage for its descendants.
>
> Yet the storm of modern change is threatening to blight and diminish in a few decades what has been cherished and protected for generations.
>
> A growing population is swallowing up areas of natural beauty with its demands for living space, and is placing an increased demand on our overburdened areas of recreation and pleasure.

To deal with this challenge the President called for a new conservation, which goes beyond the classic conservation of protection and development. He envisaged this as concerning itself not with the preservations of nature alone but with the total relation between man and the world around him. Its goals: the preservation and enhancement of man's opportunity to be in contact with nature and beauty.

There is probably no more dramatic confrontation between this new conservation and our expanding technology than that posed by the high voltage powerlines.

The problem we are facing here is more than just a simple question of beauty versus power. It is an issue of the utmost economic importance to communities through which power corridors will pass.

More than 300,000 miles of overhead transmission lines cut across the open spaces through the towns and villages of America. These lines have already destroyed about 7 million acres. In some settled communities evaluation has shown that a power corridor has devalued as much as 300 acres for every mile of powerline.

It is not mere chance that the battles between citizens and overhead powerlines are occurring in Woodside, Calif.; Westchester County, N.Y.; Baltimore County, Md.; and Chester County, Pa.

These are the choice suburban residential sites around the giant metropolitan areas. Nor will these be last battles. As the demand for power grows, these communities and hundreds of others will be threatened with defacement by new lines.

The Federal Power Commission has estimated that existing transmission will treble by 1980. This means close to 1 million miles of high voltage lines that could consume about 20 million acres of our Nation's land—nearly twice as much as is presently preserved in our entire national parks system.

Of course, these figures are estimates. In fact, so little real concern has been shown over this problem by the industry and by responsible Government officials that even today there is no reliable source of information and statistics.

To deal with this lack of information, my first bill directs the Secretary of the Interior to undertake a program immediately to compile data about the extent of the overhead transmission line problem. It instructs him to find out how many miles of line there are, how many acres of land are consumed in power corridors, and how many communities are effected—and to what extent. Beyond that, it directs the Secretary to compile the necessary information to project the impact of future transmission lines on our Nation.

Another area about which we know shockingly little is the cost of overhead wires.

Utility companies and Government agencies, when dealing with transmission line problems, have always compared the costs of underground with those of overhead construction. They have never taken into account the very real economic costs that overhead transmission lines inflict on the communities through which they pass. The first bill provides for measurement of these local costs so that they may be weighed in the balance of future transmission line decisions.

Esthetics is good economics. The first of the bills that I have introduced would develop some objective standards to measure the value of scenic beauty to communities.

The power industry itself is obviously not prepared to act on its own. Private power companies, insulated from competition by a blanket of Federal and State regulation, have spent far too little on research to date.

In 1962, according to Federal Power Commission figures, the private utility companies spent a total of $30 million on all research projects. This represented about 1.5 percent of the companies' net income of over $2 billion. Most of this was devoted to nuclear projects. Only $4 million, two-tenths of 1 percent of net revenue, went into all other forms of research, including underground power.

The tendency to treat transmission problems as the poor cousin of the power industry is reflected in a breakdown of industry costs. Today, less than 14 cents out of the utility construction dollar is spent on transmission facilities. By comparison, the industry spends 47 cents of its construction dollar on generation facilities and 39 cents on distribution facilities.

Public welfare demands that this lag be overcome with larger expenditures in research and development as well as construction.

My second bill directs the Secretary of the Interior to enter into research and demonstration projects to develop the technical and economic feasibility of underground transmission. Working with the 21,000 miles of overhead transmission facilities under his jurisdiction and in cooperative projects with the 1,000 public and cooperative utilities, the Secretary will undertake the experimental and demonstration projects in actual installation of underground facilities.

Ten years ago the utilities were fighting efforts to make them put distribution lines underground. They reported that such installations cost 10 times as much as overhead lines and were uneconomic.

In this case they lacked the Federal protection and, under pressure from local zoning ordinances, they quickly learned cost-saving techniques. Today, these utilities boast that they have reduced the cost ratio to less than 1½ to 1 and they vie with each other in praise of their efforts at beautification.

The same can be accomplished for transmission lines.

My bill calls for the expenditure of $150 million on this project over the period of 10 years—average of $15 million a year.

Experience has shown us the folly of "penny wise, pound foolish" spending on important national programs such as this. When the Federal Highway Act was passed in 1950, there were many who urged that it include additional appropriations for cleaning up, restoring and beautifying our highways. They were not heeded. In this session of Congress we are asked to spend about $90 million a year to correct what could have been prevented by modest expenditures 15 years ago. When will we learn to act in time?

Overhead transmission lines pose a problem that deserves forceful and immediate action by the Federal Government. With increasing frequency American citizens are turning to the Federal Government—to administration officials, to the Federal courts and to Congress—for help in defending their homes and property against defacement and devaluation.

Can they be anything but disillusioned and discouraged to find that the Government that speaks of natural beauty, that calls for action, is unwilling or unable to act?

In February, President Johnson said:

> I am hopeful that we can summon such a national effort. For we have not chosen to have an ugly America. We have been careless, and often neglectful. But now that the danger is clear and the hour is late this people can place themselves in the path of a tide of blight which is often irreversible and always destructive.

Mr. President, I ask unanimous consent that the bills may be printed in the RECORD and held at the desk until September 15 for additional cosponsors.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD and held at the desk, as requested by the Senator from Oregon.

The bills, introduced by Mrs. NEUBERGER, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2507. A bill to authorize the Secretary of the Interior to conduct a program of research regarding overhead electric transmission lines and the effect of such lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country:

S. 2507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That overhead electrical transmission lines are a source of danger to the lives, health, and property of citizens; such lines damage scenic assets, disrupt community planning efforts, destroy public confidence in zoning, and reduce property values and real estate revenues; and the rapid growth of such lines, which generally are a part of or otherwise affect interstate commerce, poses a problem of the utmost urgency to the Nation.

SEC. 2. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall undertake a program of research to determine the extent of the economic and other damage that has resulted and will result from overhead transmission lines in the United States, giving particular consideration to the impact of such lines upon scenic assets, zoning and planning and public confidence therein, property values, real estate revenues, and the natural beauty of the Nation, and such other factors as he deems relevant.

(b) In connection with the program under subsection (a), the Secretary shall—

(1) conduct such research as may be necessary to develop objective standards for measuring the economic values of scenic assets, particularly in regard to land values, tax revenues, recreational potential, and the health and welfare of citizens; and

(2) gather such information as may be necessary to project the extent of future construction of overhead transmission lines.

SEC. 3. For the purposes of this Act, the Secretary is authorized—

(1) to engage or contract with engineers, scientists, and such other personnel as may be considered necessary, and with educational institutions, scientific organizations, and industrial or engineering firms deemed suitable, to carry out any part of the research or other related work; and

(2) to cooperate with the Federal Power Commission, the Atomic Energy Commission, the Department of Commerce, and any other Federal, State, or municipal department, agency, or instrumentality, and with any private person, firm, educational institution, or other organization.

SEC. 4. The Secretary shall submit to the President and the Congress within six months after the date of the enactment of this Act a report on the research program under this Act, together with such recommendations for legislative and other action as he deems appropriate, and shall make such report available to the public at cost.

SEC. 5. There are authorized to be appropriated such sums, not in excess of $200,000, as may be necessary to carry out this Act.

S. 2508. A bill to authorize the Secretary of the Interior to conduct a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmissions:

S. 2508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Underground Power Transmission Act of 1965".

SEC. 2. The Congress finds and declares that the growing number of high-tension powerlines and towers supplying electrical power to meet the ever-increasing demands of our technological society results in economic damage and loss to property owners; that these powerlines and towers are destroying precious reserves of open space; that they are unnecessarily defacing scenic beauty, and marring public parks and historical and religious shrines; that they are weakening local zoning and planning efforts and needlessly reducing property values and local real estate revenues, and are a source of grave and continuing danger to the lives and safety of citizens; and that they generally are a part of or otherwise affect interstate commerce. It is therefore of the greatest importance that economically and technically feasible methods be developed to transmit electrical power by underground or other suitable means not requiring the installation of towers and the defacement of property, and it is the purpose of this Act to assist in the development of such methods.

SEC. 3. The Secretary of the Interior (hereinafter referred to as the "Secretary") shall undertake research programs to develop economically and technically feasible methods of transmitting power underground or by such other means as would accomplish the purpose of this Act. In carrying out this section the Secretary is authorized—

(1) to conduct research, technical development work, and engineering studies to determine optimum design and conditions of operation, and the most economical methods of construction and operation;

(2) to acquire, by purchase, license, lease, or donation, such processes, technical data, inventions, patent applications, patents, licenses, land and interests in land, facilities, and other property or rights as are required for the purpose of this Act;

(3) to engage, or contract with engineers, scientists, and such other personnel as may be considered necessary, and educational institutions, scientific organizations, and industrial or engineering firms deemed suitable, to carry out any part of the research or other related work, and to the extent appropriate to correlate and coordinate their efforts; and

(4) to cooperate with any other Federal, State, or municipal department, agency, or instrumentality, and with any private person, firm, educational institution, or other organization, in effectuating the purpose of this Act.

SEC. 4. The Secretary shall also undertake projects to ascertain and demonstrate the reliability, safety, and engineering and economic feasibility and potential of underground transmission of power. In carrying out this section the Secretary is authorized—

(1) to provide for the construction, operation, and maintenance of underground transmission facilities by the Department of the Interior to demonstrate and evaluate programs and techniques in furtherance of the purpose of this Act;

(2) to enter into contracts with public, private, or cooperative power producers for the construction, operation, and maintenance of demonstration facilities, with the requirement that each contractor compile complete records as required by the Secretary and make such records available to the Secretary upon demand; and

(3) to dispose of demonstration facilities which are no longer needed for the purposes of this Act and are surplus to the needs of the Federal Government, in such manner as will promote the purpose of this Act. The terms of any such disposal shall provide for a fair return on the Federal investment, and preference shall be given to units of State and local government and nonprofit and cooperative power companies.

SEC. 5. In carrying out the provisions of this Act, the Secretary is further authorized—

(1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, and with individuals;

(2) to accept and use donations of funds, property, and personal services or facilities;

(3) to accept financial and other assistance from any State or public agency in connection with the purposes of this Act, and any funds so provided shall be available for expenditure as if they had been specifically appropriated;

(4) to acquire lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired land or public lands under his jurisdiction which he finds suitable for disposition; and

(5) to issue such regulations as he deems necessary with respect to the administration of land, facilities, or projects under his jurisdiction in furtherance of the purpose of this Act.

SEC. 6. The Secretary shall retain sole authority for the direction of programs and projects undertaken under, or in any way supported by or financed under, the provisions of this Act.

SEC. 7. All information and data resulting from programs and projects described in section 6 shall be made available to the public, and access by the public to demonstration facilities under the jurisdiction of the Secretary shall be assured during all phases of construction and operation, subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

SEC. 8. The Secretary shall make a report to the President and the Congress at the beginning of each regular session of Congress on the programs, projects, and other activities undertaken or instituted by him under the provisions of this Act. In these reports the Secretary shall recommend such further legislation regarding research, demonstration, or standards of operation as he deems necessary to achieve the purpose of this Act.

SEC. 9. The authority granted the Secretary under this Act shall terminate on July 31, 1975.

SEC. 10. There are authorized to be appropriated such sums, not in excess of $150,000,000, as may be necessary to carry out this Act.

PRINTING OF REVIEW OF REPORTS ON ST. FRANCIS RIVER DRAINAGE DISTRICT NO. 7, POINSETT COUNTY, ARK. (S. DOC. NO. 57)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the

Army, transmitting a report dated August 31, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the reports on St. Francis River, Drainage District No. 7 of Poinsett County, Ark., requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 432

Mr. TALMADGE. Mr. President, for myself, and for the distinguished junior Senator from North Carolina [Mr. JORDAN], the distinguished junior Senator from South Carolina [Mr. RUSSELL], the distinguished junior Senator from Alabama [Mr. SPARKMAN], and the distinguished senior Senator from Alabama [Mr. HILL], I send to the desk an amendment to the bill (H.R. 9811), the Food and Agriculture Act of 1965. I ask unanimous consent that the amendment be printed in the RECORD, together with a brief explanation of the amendment; and further ask unanimous consent that it be ordered printed and lie on the desk.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment and explanation will be printed in the RECORD.

The amendment (No. 432) is as follows:

Strike out all of pages 104, 105, and 106 and insert in lieu thereof the following:

"TITLE VI—COTTON

"SEC. 601. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(1) Section 348 of the Act is amended by adding the following new sentences at the end thereof: 'The Secretary may extend the period for performance of obligations incurred in connection with payments made for the period ending July 31, 1966, or may make payments on raw cotton in inventory on July 31, 1966, at the rate in effect on such date. No payments shall be made hereunder with respect to the 1966 crop cotton.'

"(2) Section 346 of the Act is amended by adding at the end thereof a new subsection as follows:

" '(e) Notwithstanding any other provision of this Act, for the 1966, 1967, 1968 and 1969 crops of upland cotton, if the farm operator elects to forgo price support for any such crop of cotton by planting an acreage not exceeding 50 per centum in excess of the farm acreage allotment established under section 344, all cotton of such crop produced on the farm may be marketed free of any penalty under this section: *Provided*, That the foregoing shall be applicable only to farms for which farm acreage allotments were established for 1965 and the farm operator for the current year was the operator of such farm for 1965 or has acquired such farm by inheritance from the operator since such year. The operator of any farm who elects to forgo price support for any such year under this subsection shall not be eligible for price support on cotton on any other farm in which he has a controlling or substantial interest as determined by the Secretary. Acreage planted to cotton in excess of the farm acreage allotment established under section 344 shall not be taken into account in establishing future State, county and farm acreage allotments.'

"(3) Section 350 of the Act is amended, effective with the 1966 crop, to read as follows:

" 'SEC. 350. In order to afford producers an opportunity to participate in a program of reduced acreage and higher price support, as provided in section 103(d) of the Agricultural Act of 1949, as amended, the Secretary shall determine a national domestic allotment for the 1966, 1967, 1968 and 1969 crops of upland cotton equal to the estimated domestic consumption of upland cotton (standard bales of four hundred and eighty pounds net weight) for the marketing year beginning in the year in which the crop is to be produced. The Secretary shall determine a farm domestic acreage allotment percentage for each such year by dividing (1) the national domestic allotment (in net weight pounds) by (2) the total for all States of the product of the State acreage allotment and the projected State yield. The farm domestic acreage allotment shall be established by multiplying the farm acreage allotment established under section 344 by the farm domestic acreage allotment percentage: *Provided*, That no farm domestic acreage allotment shall be less than 65 per centum of such farm acreage allotment: *Provided further*, That, except for farms the acreage allotments of which are reduced under section 344(m), the farm domestic allotment shall not be less than the smaller of 10 acres or the farm acreage allotment established under section 344. Such national domestic allotment shall be determined not later than October 15 of the calendar year preceding the year in which the crop is to be produced.'

"SEC. 602. Section 103 of the Agricultural Act of 1949, as amended, is amended by adding the following new subsection at the end thereof:

" '(d)(1) Notwithstanding any other provision of this Act, if producers have not disapproved marketing quotas, price support shall be made available for the 1966, 1967, 1968, and 1969 crops of upland cotton as provided in this subsection.

" '(2) Price support for each such crop of upland cotton shall be made available to cooperators through loans at such level, not exceeding 90 per centum of the estimated average world market price for Middling one-inch upland cotton at average location in the United States for the marketing year for such crop, as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States taking into consideration the factors specified in section 401(b) of this Act:

" '*Provided*, That the national average loan rate for the 1966 crop shall reflect 21 cents per pound for Middling one-inch upland cotton.

" '(3) The Secretary shall provide additional price support for each such crop through payments in cash or in kind to cooperators at a rate not less than 9 cents per pound: *Provided*, That the total of the national average loan rate for any crop under paragraph (2) and the rate at which payments are made under this paragraph shall not be less than 65 per centum or more than 90 per centum of the parity price for cotton. Such payments shall be made on the quantity of cotton determined by multiplying the projected farm yield by the acreage planted to cotton within the farm domestic acreage allotment: *Provided*, That any such farm planting not less than 90 per centum of such domestic acreage allotment shall be deemed to have planted the entire amount of such allotment.

" '(4) The Secretary shall also make price support payments in cash or in kind in addition to the payments authorized in paragraph (3) to cooperators who reduce their cotton acreage by diverting a portion of their cotton acreage allotment from the production of cotton to approved conservation practices to the extent prescribed by the Secretary: *Provided*, That the total reduction in such cotton acreage shall not exceed 35 per centum of the farm acreage allotment, but no reduction shall be required on small farms with minimum domestic acreage allotments under section 350 of the Agricultural Adjustment Act of 1938, as amended. The rate of payment under this paragraph shall be such rate as the Secretary determines to be fair and reasonable, but shall not be less than 50 per centum of the national average loan rate established under paragraph (2). Such payment shall be made on a quantity of cotton determined by multiplying the acreage diverted from the production of cotton by the projected farm yield, except that payment to small farms with minimum domestic acreage allotments under section 350 of the Agricultural Adjustment Act of 1938, as amended, shall be made on a quantity of cotton determined by multiplying an acreage equal to 35 per centum of such farm domestic acreage allotment by the projected farm yield.

" '(5) The Secretary may make not to exceed 50 per centum of the payments under this subsection to producers in advance of determination of performance and the balance of such payments shall be made as soon after determination of performance as practicable.

" '(6) Where the farm operator elects to participate in the acreage reduction program authorized in this subsection and no acreage is planted to cotton on the farm, price support payments for the 1966 crop shall be made at a rate equal to 50 per centum of the national average loan rate established under paragraph (2) on the quantity of cotton determined by multiplying 15 per centum of the farm acreage allotment by the projected farm yield, and the remainder of such allotment may be released under the provisions of section 344(m)(2) of the Agricultural Adjustment Act of 1938, as amended: *Provided*, That for the 1967, 1968 and 1969 crops such rate of payment shall be that which the Secretary determines to be comparable to the rate of payment under paragraph (4). The acreage on which payment is made under this paragraph shall be regarded as planted to cotton for purposes of establishing future State, county and farm acreage allotments and farm bases.

" '(7) Payments in kind under this subsection shall be made through the issuance of certificates which the Commodity Credit Corporation shall redeem for cotton under regulations issued by the Secretary at a value per pound equal to not less than the current loan rate therefor. The Corporation may, under regulations prescribed by the Secretary, assist the producers in the marketing of such certificates at such times and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this subsection.

" '(8) Payments under paragraphs (4) and (6) of this subsection shall be conditioned on the farm having an acreage of approved conservation uses equal to the sum of (i) the reduction in cotton acreage required to qualify for payments under paragraph (4) or the acreage with respect to which payments are made under paragraph (6), as the case may be, and (ii) the average acreage of cropland on the farm devoted to designated soil-conserving crops or practices, including summer fallow and idle land, during a base period prescribed by the Secretary: *Provided*, That the Secretary may permit all or any part of such reduced acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, and flax, if he determines that such production is necessary to provide an adequate supply of such commodities, is not likely to increase the cost of the price-support program, and will not adversely affect farm income.

"'(9) The acreage regarded as planted to cotton on any farm which qualifies for payment under paragraph (4) of this subsection shall, for purposes of establishing future State, county and farm acreage allotments and farm bases, be the farm acreage allotment established under section 344 of the Agricultural Adjustment Act of 1938, as amended, excluding adjustments under subsection (m)(2) thereof.

"'(10) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing on a fair and equitable basis in price support under this subsection.

"'(11) Notwithstanding any other provision of this section, the amount of price-support payments made with respect to any farm may be adjusted for failure to comply fully with the terms and conditions of the program formulated pursuant to this subsection.

"'(12) Notwithstanding any other provision of this Act, if as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of combined price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton, (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; (B) in order to keep upland cotton to the maximum extent practicable in the normal channels of trade, such price support may be carried out through the simultaneous purchase of cotton at the support price therefor and resale at a lower price or through loans under which the cotton would be redeemable by payment of a price therefor lower than the amount of the loan thereon; and (C) such resale or redemption price shall be such as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States.

"'(13) An acreage on a farm in any such year which the Secretary finds was not planted to cotton because of drought, flood or other natural disaster shall be deemed to be planted to cotton for purposes of payments under this subsection if such acreage is not subsequently devoted to any price supported crop in such year.

"'(14) Section 408(b) of the Agricultural Act of 1949, as amended, is amended by changing the period at the end of the first sentence thereof to a colon and adding the following: "*Provided,* That for upland cotton a cooperator shall be a producer on whose farm the acreage planted to such cotton for the 1966 crop does not exceed 90 per centum of such farm acreage allotment and for the 1967, 1968 and 1969 crops does not exceed such percentage, not less than 90 or more than 100 per centum, of such farm acreage allotment as the Secretary may determine, except that this proviso shall not apply to any farm receiving a minimum farm domestic acreage allotment under section 350 of the Agricultural Adjustment Act of 1938, as amended."

"'(15) The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments) shall also apply to payments under this subsection.'

"Sec. 603. Section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended, by adding the following new subparagraphs to paragraph (13) of subsection (b):

"'(L) "Projected National, State, and county yields" for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop in the United States, the State and the county, respectively, during each of the five calendar years immediately preceding the year in which such projected yield for the United States, the State, and the county, respectively, is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices.

"'(M) "Projected farm yield" for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop on the farm during each of the three calendar years immediately preceding the year in which such projected farm yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices, but in no event shall such projected farm yield be less than the normal yield for such farm as provided in subparagraph (I) of this paragraph.'

"Sec. 604. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1970 (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate, and (2) the Commodity Credit Corporation shall sell or make available for unrestricted use at current market prices in each marketing year a quantity of upland cotton equal to the amount by which the production of upland cotton is less than the estimated requirements for domestic use and for export for such marketing year. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of part (2) of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.'"

The explanation presented by Mr. Talmadge is as follows:

Summary of Proposed Substitute Title VI in H.R. 9811 as Reported by the Senate Committee

The substitute would provide a cotton program as follows:

1. Four-year cotton program applicable to the 1966, 1967, 1968, and 1969 crops.

2. Price support loans to cooperators at not more than 90 percent of the estimated average world market price for Middling 1-inch cotton at average location in the United States for the marketing year for such crop, as determined by the Secretary of Agriculture. For the 1966 crop the loan rate would be 21 cents.

3. Minimum national acreage allotment of 16 million acres. State, county, and farm acreage allotments established as under current procedures. Present provisions of law regarding release and reapportionment of farm allotments would continue in effect.

4. A farm domestic allotment percentage would be established on the basis of the estimated domestic consumption of cotton and the total allotted acreage. This percentage, which cannot be less than 65 percent, would be applied to the farm acreage allotment (after release and reapportionment) but farms not releasing acreage allotments would receive a minimum domestic allotment of the smaller of 10 acres or the farm acreage allotment.

5. Additional price support above that provided by the basic loan level would be available to cooperators, i.e., producer on whose farm the acreage planted to cotton does not exceed 90 percent (90 to 100 percent for 1967, 1968, and 1969) of the farm acreage allotment. Payments, in cash or in kind, would be made to cooperators on the basis of participation (i) in the cotton acreage reduction program and (ii) in diversion from the production of cotton to approved conservation practices. Payment at the rate of not less than 9 cents per pound would be made on the acreage planted up to the farm domestic acreage allotment. This payment, when added to the national average loan rate, would provide price support at not less than 65 percent of parity for cotton. Additional payments would be made to cooperators who divert an acreage up to 35 percent of the farm acreage allotment. This diversion payment would be at a rate not less than 50 percent of the loan rate for cotton and the amount of payment would depend upon the extent of diversion, as the amount would be determined by multiplying the rate of payment by the projected yield of the acres diverted. Small producers, i.e., those receiving minimum farm domestic acreage allotments of the smaller of 10 acres or the farm acreage allotment, would receive the diversion payment without being required to reduce their cotton plantings.

6. If no cotton is planted on the farm, payment would be authorized at a rate comparable to the diversion rate but would be 50 percent of the loan rate for the 1966 crop. The amount of payment would be figured on the quantity of cotton determined by multiplying the rate of payment by the projected farm yield on 15 percent of the farm acreage allotment.

7. For purposes of establishing future State, county and farm acreage allotments and farm bases, the full farm acreage allotment would be regarded as planted to cotton if the farm qualifies for payment, except that under item 6 only the acreage on which payment is made (15 percent of the farm acreage allotment) will be regarded as planted to cotton on the farm; however, further protection of history for such farm may be accomplished by releasing up to 85 percent of the farm acreage allotment.

8. Payments would be conditioned on the farm having an acreage of approved conservation uses equal to the sum of (i) the reduction in cotton acreage required to qualify for such payments (15 percent in the case of a farm on which no cotton is planted) and (ii) the average acreage of cropland on the farm devoted to designated soil-conserving crops or practices during a base period. The Secretary could permit planting of designated minor crops.

9. Not to exceed 50 percent of the payment for a farm could be made to producers in advance of the determination of performance on the farm and the balance when performance is checked.

10. CCC would redeem payment-in-kind certificates for cotton valued at not less than the loan rate therefor and would be authorized to assist producers in the marketing of certificates. CCC would be required (a) to sell cotton for unrestricted use at the same prices as it sells cotton for export, but in no event at less than 110 percent of the loan rate, and (b) to sell or make available for unrestricted use at current market prices in each marketing year a quantity of cotton equal to the amount by which production is less than estimated domestic consumption and exports.

11. A farm operator could elect to forgo price support loans and payments for any crop year and plant cotton in excess of the farm acreage allotment by as much as 50 percent without incurring marketing quota

penalties. This election by the farm operator could be made only for a farm which received a 1965 farm acreage allotment and for which the farm operator for the current year was the operator in 1965 or is the heir of such operator. If an operator so elects to forgo price support on a farm, he would not be eligible for price support on any other farm in which he has a controlling or substantial interest as determined by the Secretary. Excess acreage so planted would not be taken into account in establishing future State, county and farm acreage allotments.

12. To facilitate transition from the equalization payment program in effect through July 31, 1966, to the new program, the Secretary would be authorized to extend the period for performance of obligations incurred in connection with payments made for the period ending July 31, 1966, or to make payments on raw cotton from the 1965 or prior crops held by cotton handlers at the rate in effect on such date.

13. Any producer who was prevented from planting cotton because of flood, drought, or other natural disaster would be deemed to have planted cotton for payment purposes provided the acreage was not subsequently planted to any price supported crop for the year involved.

14. "Projected yields" per acre would be used as the basis for making payments. Generally, such yields would be higher than "normal yields" now in use. The projected yield for a farm would not, however, be less than the farm normal yield.

15. If for any year during the 4-year period the Secretary is unable to make payments as planned, he would be authorized to alter the program and carry out price support provisions through loans or by purchase and resale.

16. Payments earned by farmers could be assigned to persons from whom crop production loans are obtained.

AMENDMENTS NOS. 433 AND 434

Mr. CARLSON submitted two amendments, intended to be proposed by him, to House bill 9811, the Food and Agriculture Act of 1965, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 435

Mr. BASS submitted an amendment, intended to be proposed by him, to House bill 9811, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 436

Mr. JAVITS. Mr. President, on behalf of the Senator from Delaware [Mr. Boggs], the Senator from Texas [Mr. Tower], and myself, I submit an amendment, intended to be proposed by us, jointly, to House bill 9811, the Food and Agriculture Act of 1965. I ask unanimous consent that the amendment be printed in the Record.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the Record.

The amendment (No. 436) is as follows:

At the end of the bill add a new title as follows:

"TITLE VIII—ESTABLISHMENT OF COMMISSION ON UNITED STATES FOOD AND FIBER POLICY

"Declaration of policy and purpose

"Sec. 801. It is hereby declared to be the policy of the Congress to promote the effective utilization of the agricultural production of the United States so that (1) the markets for United States agricultural commodities, insofar as possible, will be competitive in the markets for such commodities in the world, (2) the present and future requirements for such agricultural commodities in the United States and the world can be fully met, (3) the interests of taxpayers and consumers may be fairly safeguarded, and (4) the producers of agricultural commodities in the United States will receive a return on their investment and labor commensurate with their contribution to the national welfare. It is further declared to be the policy of the Congress to promote programs recognizing the necessity for consumers in this country to be assured an adequate supply of agricultural commodities of the best possible quality and at the lowest possible prices. It is, therefore, the purpose of this title to provide for a study and investigation of the Federal laws and programs pertaining to agriculture with a view to revising and modernizing such laws and programs in order to achieve the policies stated above, and to provide for a better coordinated national food and fiber policy.

"Establishment of the Commission on United States Food and Fiber Policy

"Sec. 802. In order to achieve the purpose set forth in section 1 of this joint resolution, there is hereby established a bipartisan commission to be known as the Commission on United States Food and Fiber Policy (hereinafter referred to as the 'Commission').

"Membership of the Commission

"Sec. 803. (a) Number and Appointment.—The Commission shall be composed of twelve members as follows:

"(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life.

"(2) Four appointed by the President of the Senate, two from the Senate and two from private life.

"(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

"(b) Political Affiliation.—Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

"(c) Vacancies.—Vacancies in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

"Organization of the commission

"Sec. 804. The Commission shall elect a Chairman and a Vice Chairman from among its members.

"Quorum

"Sec. 805. Seven members of the Commission shall constitute a quorum.

"Compensation of members of the Commission

"Sec. 806. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

"(b) Members From the Executive Branch.—Any member of the Commission who is in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any, as is necessary to make his aggregate salary not exceeding $22,500; and he shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties vested in the Commission.

"(c) Members From Private Life.—The members from private life shall each receive not exceeding $75 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

"Staff of the Commission

"Sec. 807. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

"Expenses of the Commission

"Sec. 808. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this joint resolution.

"Expiration of the Commission

"Sec. 809. Sixty days after the submission to Congress of the report provided for in section 10(b), the Commission shall cease to exist.

"Duties of the Commission

"Sec. 810. (a) Investigation.—The Commission shall make a comprehensive study and investigation of all Federal laws and programs pertaining to agriculture, including all matters relating to the food and fiber policies of the United States and the effect of such policies on all segments of our society, with a view to revising and modernizing such laws and programs to achieve the aims set forth in section 701 of this title. In carrying out such study and investigation the Commission shall consider such matters relating to agriculture as it deems necessary or appropriate, but shall specifically consider, with regard to the various agricultural commodities produced in the various regions of the United States, (1) effectiveness of price support and production controls, including acreage allotments and production and marketing quotas, which may be in effect for such commodities, (2) the future requirements of the United States and the world for such commodities, (3) suitable uses for land which may not be needed at the present time for the production of such commodities, but which may be needed for such purpose in the future, (4) methods for effectively coordinating domestic agricultural policies with the export opportunities for such commodities, (5) the effectiveness of our present policies in the use of food and fiber internationally and how such policies might be improved, (6) the problems of rural economic opportunity in the United States, (7) the national requirements for the stockpiling of agricultural commodities, (8) import and export policies of the United States with respect to food and fiber and the effect of such policies on the foreign policy of the United States, (9) methods of extending and expanding programs under the Agricultural Trade Development and Assistance Act of 1954, as amended, without adversely affecting commercial markets, and (10) the need for consolidating the activities of the United States Department of Agriculture with other Federal agencies on the development of rural resources. The Commission shall also give particular attention to the formulation of programs to facilitate the economic adjustment of agricultural producers who decide to transfer to other occupations. Such programs may include, but shall not be limited to, retraining programs, relocation allowances, assistance in obtaining alternative employment opportunities, early retirement, and provision for minimum compensation for land, dwellings, and equipment which such producers no longer want or need.

"(b) Report.—The Commission shall make a report of its findings and recommendations to the Congress on or before February 1, 1967, and may submit interim reports prior thereto.

"Powers of the Commission

"Sec. 811. (a) (1) Hearings.—The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpoenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

"(2) In case of contumacy or refusal to obey a subpoena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

"(b) Official Data.—Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this title."

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTIONS

Mr. MONTOYA. Mr. President, I ask unanimous consent that my name appear as a cosponsor on Senate Concurrent Resolution 46, Senate Concurrent Resolution 47, and Senate Concurrent Resolution 48.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL, CONCURRENT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill, concurrent resolution, and resolution:

Authority of August 31, 1965:

S. 2482. A bill to prohibit obstruction of the performance of duty by the Armed Forces by obstruction of the transportation of personnel or property thereof: Mr. Scott.

S. Res. 142. Resolution proposing a study to determine feasibility of utilizing trade credits issued by the International Monetary Fund to facilitate international trade: Mr. Bayh, Mr. Hart, Mr. Long of Missouri, and Mr. Scott.

Authority of September 2, 1965:

S. Con. Res. 57. Concurrent resolution to recognize the World Law Day: Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Dominick, Mr. Hart, Mr. Inouye, Mr. Long of Missouri, and Mr. McCarthy.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 8, 1965, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 53) to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

"THE KINDLY CHARMER FROM VERMONT"—TRIBUTE TO SENATOR AIKEN

Mr. MANSFIELD. Mr. President, the Christian Science Monitor for Saturday, September 4, 1965, contains on its editorial page a brief article entitled "The Kindly Charmer From Vermont," written by Josephine Ripley.

In the course of the article—and it is really a splendid piece of newsmanship—Miss Ripley writes:

> It was the birthday party for one of the Senate favorites. That quiet and genial man of few words, sound convictions, and unruffled good nature, Senator George D. Aiken, Republican, of Vermont.
>
> Some 70 Senators turned out for the occasion at the invitation of the party giver and hostess, Maine's Senator Margaret Chase Smith.

I would assume that that puts Senator Smith in a class by herself and deservedly so, because in getting in excess of 70 Senators, which is more than the leadership can get on the floor of the Senate most of the time, Senator Smith showed not only how high she rates in this body but how persuasive as well.

It has been said on occasion that sometimes Senator Aiken says on the floor of the Senate what Senator Mansfield, of Montana, thinks. That is not true. But I am delighted to have this opportunity to express on the Senate floor, on the basis of my own thinking and through the use of my own voice, my extremely high regard for a man whom I consider one of the outstanding Senators of this or any other generation, a man who has contributed much to the welfare of his State and country, a man who keeps his feet on the ground at all times, and a man whose counsel I cherish and value.

Mr. President, I ask unanimous consent to have this article printed in the Record, so that Miss Ripley's story will be given somewhat greater circulation.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Sept. 4, 1965]

The Kindly Charmer From Vermont

A third party sprang briefly into being in the Senate the other day. In fact, it took over. Members of both parties bolted to it in a happy merger.

It was a birthday party for one of the Senate favorites. That quiet and genial man of few words, sound convictions and unruffled good nature, Senator George D. Aiken, Republican, of Vermont.

Some 70 Senators turned out for the occasion at the invitation of the party-giver and hostess, Maine's Senator Margaret Chase Smith.

Not only did the majority of the Senate join this special "third party" on August 20, but the topmost Democrat of them all, President Johnson, bolted too, for this occasion.

He decided that morning to join up. "Come along," he said to Mrs. Johnson in the casual fashion of a man whose wife is washing dishes with her apron on.

Anyway, it is reported that she quickly ran upstairs to change her dress. Lynda Bird came, too.

A Secret Service detail was rushed to the Capitol. The men were deployed on the main and second floors of the Senate side of the Capitol when I arrived.

Bewildered tourists were herded off. "You can't go to the second floor," they were told, as Secret Service men with outstretched arms fenced off the corridors.

I managed to squeeze by upon producing the typed invitation of Senator Smith, apparently a then familiar admission ticket.

Upstairs the corridor leading to the walnut-paneled room where the luncheon birthday party was held was jammed with Members of the Senate.

It might have been a quorum call, with Senators stumbling over each other to answer it.

There was Senator Dirksen, his generally unruly curls carefully smoothed into place on this occasion. There was Senate Majority Leader Mike Mansfield with a happy grin.

Senator Mansfield and Senator Aiken are longtime breakfast pals in the Senate restaurant. It is a well-known bipartisan friendship.

A newspaper columnist noting these breakfast get-togethers recently wrote that Senator Aiken often says on the floor of the Senate what Senator Mansfield is thinking in private.

Senator Aiken took note of this when he rose to speak. He was interested to learn that he was Senator Mansfield's spokesman, he said. "Senator Mansfield's speeches will be briefer from now on," he wisecracked.

All those sitting at the head table—Senate leaders of both parties—had a birthday wish of good will and friendship as they rose at Senator Smith's invitation to "say a word."

Others present said it in song: "For he's a jolly good fellow * * * which nobody can deny, which nobody can deny." It was loud and strong. An unusual and touching tribute to a respected Member.

The President's arrival "for a bowl of soup," came at the end of the luncheon. The President, Mrs. Johnson, and Lynda Bird bore gifts—a set of presidential cuff links, two autographed books, an autographed color photograph of the President, an L. B. Johnson pen.

Senator Aiken, whose shy enjoyment of the occasion was obvious, beamed. He couldn't resist a quip. "Glad to have this L.B.J. campaign pen," he cracked.

It nearly broke up the President who exploded with laughter.

It was that kind of a party, with good will and good humor a constant theme.

After it was over, Senator after Senator was heard to say they had never known anything like this before. "Why don't we do this kind of thing more often?" they asked as they went back to the Senate Chamber to take their seats—the Republicans on one side of the aisle, Democrats on the other.

The answer may be, there's only one Senator Aiken. Few men in the Senate are as highly regarded, as beloved as the kindly charmer from Vermont.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from California?

Mr. MANSFIELD. I am glad to yield to the acting minority leader.

Mr. KUCHEL. Mr. President, Senators will applaud the sentiments which have been expressed by the leader of the majority in the Senate.

I have often said, and now repeat, the No. 1 Senator of the U.S. Senate is the distinguished senior Senator from Vermont [Mr. Aiken]. On this occasion, I hope that I may be permitted to call him "Uncle George."

He is genial, yes. He is kindly, yes. He is helpful, yes. He is able to express himself in phrase and sentence with clarity, yes. No words are wasted by the Republican Senate dean. On occasion, he has been most vigorous as the exigencies of the moment required.

George Aiken graces the U.S. Senate. I am most thankful that he sits on the Republican side of the aisle.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I fully subscribe to what the Senator from California has just said. However, I wish that I could erase from my mind the initial contact I had with the Senator from Vermont when I was the Governor of Ohio and came to Washington to testify before a committee of the Senate over which the Senator from Vermont presided. With me was a union labor leader. Remember, I was the Governor. We came into the room and the Senator from Vermont went right by me—the Governor—and shook hands with the labor leader and said to him, "I am glad you are here, Mr. Governor."

I could not judge what was wrong; but, the next time I met the Senator from Vermont was when I went to the White House, shortly after I became a U.S. Senator. I was wearing my tuxedo or——

Mr. AIKEN. They were tails.

Mr. LAUSCHE. Yes, they were tails. So was the Senator from Vermont in tails.

Mr. MANSFIELD. The Senator from Ohio does not know the difference between a tuxedo and tails.

Mr. AIKEN. He does not know.

Mr. LAUSCHE. I have not had them on since.

To continue my story, I left the White House later and walked to the porch to hand my automobile ticket to the man who would get my car. I stood there waiting, when out came the Senator from Vermont and handed me his automobile ticket to get his automobile for him. [Laughter.]

Mr. President, the distinguished senior Senator from Vermont [Mr. Aiken] is a worthy gentleman. I am glad that this colloquy will be placed in the Record. You are a great citizen and a great Senator.

Let me close by saying, "I forgive you, George." [Laughter.]

Mr. TALMADGE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I desire to associate myself with the remarks of the distinguished majority leader, the distinguished acting minority leader, and the Senator from Ohio, regarding the devotion to duty and service in the Senate of the distinguished senior Senator from Vermont.

It has been my privilege to serve on the Committee on Agriculture and Forestry with the Senator from Vermont since I came to the Senate, and I therefore know of his devotion and dedication to duty.

The Senator from Vermont attends to his homework. He is a clear, articulate, and vigorous speaker.

His presence in the Senate makes it a better body.

Mr. CARLSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. I associate myself with the remarks which have been made, first, by the majority leader, and then by other Members of the Senate on this happy occasion when we speak of the outstanding service of the Senator from Vermont and commend him for it.

The Senator from Vermont and I have been friends and associates for many years. We confer often on many matters dealing with agriculture. He is one of the outstanding agriculture leaders of the Nation. I have profited by his advice, not only on the subject of agriculture, but also concerning foreign relations, as I have the privilege to sit next to him on the Foreign Relations Committee. I therefore know that his advice is always sound and worthy of consideration—consideration I always give to what he tells me.

Therefore, Mr. President, it is a privilege to participate in this colloquy today.

Mr. AIKEN. Mr. President, will the Senator from Montana yield so that I may say a word in self-defense?

Mr. MANSFIELD. Reluctantly.

Mr. AIKEN. I am so nearly speechless at this time that I do not believe I could even tell the Senate what the majority leader is thinking. Of course, I will not give up trying.

In a way, I am glad that the Senator from Montana referred to the luncheon we had the other day, under the watchful eye, astute guidance, and loving friendship of the Senator from Maine [Mrs. Smith]. Nor will I ever forget the distinguished visitors we entertained on that happy occasion. The President of the United States and his family were there. I am not likely to forget that the President took that occasion to say that he wished Congress to pass a certain bill, S. 1766, sponsored by 93 Senators.

At this point, we are waiting for the House to complete action on that bill.

I hope House Members will read the Record of today and refer back to what the President said at the luncheon on August 20. It would do the world a great deal of good if we could have early action on that little bit of legislation.

I thank the Senator from Montana for his gracious remarks concerning me.

Mr. MANSFIELD. Mr. President, what the distinguished senior Senator from Vermont, the ranking Republican Senator in the Senate, and in all other respects the ranking Senator, refers to, of course, is the bill which is sometimes called the Aiken water bill. It has 93 Senate signatures.

Mr. AIKEN. Sixty-three of them are Democrats.

Mr. MANSFIELD. I anticipate that there is a good possibility that the Senator from Vermont will receive good news tomorrow from the House Rules Committee.

Mr. AIKEN. I wish the House would try to beat us, so that they could pass that bill before we pass the agricultural bill—their bill—H.R. 9811. It would be wonderful if they could defeat us.

Mr. MANSFIELD. The Senator's bill is a simple one. The pending bill is not.

Mr. AIKEN. We could dispose of it quickly, if we did not get into too much discussion about it.

FOLLY OF INDISCRIMINATE U.S. MILITARY AID

Mr. GRUENING. Mr. President, I wish to commend President Johnson most highly for his prompt action in suspending military assistance to both India and Pakistan yesterday. I hope that such assistance will not be resumed until there has been adequate assurances by both parties that such arms as have been given to them will be used for the purposes for which they were given—resistance to Communist aggression.

For years now, two or three Senators have consistently been critical of the U.S. military assistance programs throughout the world.

In the tragic events of the last few days in India and Pakistan, U.S. weapons given to Pakistan to strengthen its ability to resist international Communist aggression are being used against weapons given to India for the same purpose. In many respects the United States talks grandly about our desire for peace, while at the same time the United States has become the indiscriminate purveyor of arms to innumerable trigger-happy nations of the free world.

Time and again we have pointed out that U.S. arms, theoretically given for internal security purposes, have been used by ruthless dictators to maintain themselves in power by cruelly suppressing the human rights and freedom of their own peoples.

Over 3 years ago—on August 2, 1962—in commenting on the use of U.S. donated Sherman tanks to crash through the gates of the Pzarro Palace to take President Manuel Prado y Ugarteche, of Peru, prisoner in the military coup there, I said:

> A reexamination of U.S. military assistance to Latin America is sorely overdue. None of the goals of the program have been achieved—not hemisphere defense, not standardization, not modernization, not a reduction in forces; not even that much-to-be desired byproduct, indoctrinization of the military in their role in a modern democracy. Instead, we have witnessed some tragic results.
>
> I am convinced that the evils of the military assistance program in Latin America far outweigh whatever benefits we hope to achieve when first the program was started.
>
> I call for an end to this unsuitable and fruitless venture.

U.S. arms have been given to Greece and Turkey ostensibly for the purpose of enabling each of them to resist aggression from the north—from Soviet Russia—only to see those very arms used by both sides in the fighting over Cyprus.

In addition, over the years, where we have not given arms away outright to nation after nation we have turned into arms salesmen under the misguided concept that, first, we were thereby helping the balance-of-payments problem, and, second, if the United States did not sell these weapons some other nation would.

Neither concept is valid.

The United States manufactures many things, other than arms, which could be sold abroad to aid our balance-of-payments problem.

Second, instead of the weak excuse that if we did not sell arms some other nation would, the United States should take the leadership in the international cessation of the armaments race. It may be difficult to bring about general disarmament throughout the world but at least we should stop the proliferation in the furnishing of arms to countries which themselves do not manufacture weapons.

This policy of indiscriminately giving or selling arms to foreign nations is not new. It is a policy which President Johnson has inherited from his predecessors. It is a policy however, which President Johnson should immediately reverse. His suspension of arms shipment to Pakistan and India is therefore most gratifying.

The amount of military assistance given to India and Pakistan over the years is a deep, dark military secret. It is classified and cannot be made public.

The public can be told that over the years we have given or loaned $5.1 billion to India and $2.6 billion to Pakistan. The public can be told that over the years we have given Turkey $2.5 billion in military assistance and $1.7 billion to Greece, but the public cannot be told whether Pakistan and India over the years have received in military aid from the United States $1 million, $100 million, $1 billion or $10 billion—or whatever the figure may be.

Pakistan—a member of the Southeast Asia Treaty Organization—has not sent any of those arms, or any of its armed forces trained with U.S. military assistance, to fight in Vietnam in keeping with its treaty obligations. Instead it is using those arms and those men to fight in India.

This is no time for the United States to assess the rights and wrongs of the armed conflict between India and Pakistan. President Johnson acted correctly and promptly in announcing that the United States is suspending—effective at once—any further military aid to both countries until an effective cease fire has been agreed upon by both sides and there has been adherence to that cease fire by withdrawal of troops.

In addition, it makes no sense at all for the United States to continue to supply both India and Pakistan with economic aid while they are both wasting their economic substances in military engagements. Economic aid to both countries should also be suspended until hostilities cease.

Both these countries should be told that they must choose—and choose at once—between economic development or military escapades.

It is bad enough that we have permitted the United States food for peace program to support, indirectly, President Nasser's war in Yemen.

But to support—directly or indirectly—a continued war between India and Pakistan would be intolerable.

TRIBUTE TO SENATOR HARRIS—ADDITIONAL COSPONSOR, S. 2231

Mr. RIBICOFF. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma [Mr. Harris] be added as a cosponsor of S. 2231, the National Highway Traffic Safety Act of 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, the Senator from Oklahoma has been an extremely valuable member of my subcommittee which is now conducting a study of the Federal role in traffic safety. He also has contributed importantly to the subcommittee's work in developing legislation to create a new cabinet level Department of Housing and Urban Development which I understand will be signed into law by the President in the next few days. The Harris amendments emphasize the important role of private enterprise in the housing and urban development field and help make the bill a more meaningful document to guide future heads of the new department in administering the important programs within it.

Recognition is coming to the junior Senator from Oklahoma in other respects also. Recently he was named head of a Special Subcommittee on Government Research of the Committee on Government Operations. I ask unanimous consent that a statement by Chairman McClellan announcing the establishment of the new subcommittee be included in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, the junior Senator from Oklahoma has been presented with a symbolic gavel by the Senate Democratic pages for having presided 100 hours over the Senate this year. We all know what an effective Presiding Officer he is. It is a real privilege to be associated with Senator Harris, and I add my personal commendations to him and express appreciation for his excellent work.

Exhibit 1

Statement by Senator John L. McClellan, Chairman, Committee on Government Operations

Senator John L. McClellan announced today that he has appointed a special Subcommittee on Government Research of the Committee on Government Operations, to be composed of Senators Fred R. Harris of Oklahoma, as chairman, McClellan, Abraham Ribicoff, Joseph M. Montoya, Karl E. Mundt, and Milward L. Simpson.

The subcommittee will be authorized and directed to undertake intensive studies, including hearings as may be necessary, into the operations of research and development programs financed by departments and agencies of the Federal Government. The studies will include research in such fields as economics and social science, as well as basic science, research, and technology. Special emphasis will be placed on those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals, to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities.

The subcommittee will be further directed to examine existing research information operations, the impact of Federal research and development programs on institutions of higher learning, and to recommend the establishment of programs to insure equitable distribution of research and development contracts among such institutions and other contractors.

The staff of the full Committee on Government Operations will be assigned to provide the necessary staff services to the subcommittee, and the subcommittee chairman will be authorized to appoint, without compensation, such technical advisers and consultants as may be required to attain the subcommittee's objectives. Should these studies indicate that legislative action may be required to develop an adequate and comprehensive program covering these operations, the subcommittee will be directed to submit appropriate recommendations to the Committee on Government Operations.

THE NEED TO CUT OFF U.S. AID TO INDIA AND PAKISTAN

Mr. CHURCH. Mr. President, all Americans share deep concern over the tragic war which is now taking place between India and Pakistan. We should support every effort, originating at the United Nations or from any other quarter, to bring about cessation of the hostilities. I know that President Johnson and his advisors are now considering inducements we might undertake toward this end.

The United States is deeply disturbed by this new war, because of the needless loss of life, because we regard both combatants as friends, and because these two nations—not Vietnam—are, in reality, the principal plugs against a Communist takeover in Asia. If these plugs are pulled, all of Asia may well go down the drain.

Americans are keenly distressed at the prospect that this war may be fought with American-supplied weapons, originally furnished both countries to defend themselves against possible Communist aggression. Although it is now too late to call back these arms, the President has certainly made the correct decision in suspending the further shipment of arms to India and Pakistan for the duration of this conflict.

Earlier this year, I sponsored an amendment to the foreign aid bill which would have held in check the military assistance program. My amendment was directed primarily against proposed increases in military assistance to such countries as India and Pakistan. The amendment, vigorously opposed by the Administration at that time, was narrowly defeated on the floor of the Senate by a vote of 43 to 38. This tragic war between India and Pakistan, to which the United States has extended a total of some $12 billion in various forms of foreign aid, should, at the very least, force us to undertake a fundamental review of our continuing military assistance programs in many parts of the world.

It is my opinion, however, that we should not only cut off all military aid to India and Pakistan, but also all economic aid as well. We should make it clear that we will not allow American money to be used by either side, directly or indirectly, to finance or prolong this war. Not only would such an embargo serve as a forewarning to other nations now receiving large quantities of American aid, but it might also act as yet another lever to help induce the Indians and Pakistanis to bring their conflict to a close.

Although the problem of continued food shipments to these countries is more difficult to decide, because of the humanitarian considerations involved, our Government should immediately undertake a thorough study of this question to ascertain whether a cessation of such shipments would help promote an end to the war. Forthright action by the United States to cease military and economic aid to both these warring powers will, I am sure, meet with the full approval of the great majority of the American people. The fate of India and Pakistan, and the future security of all of Asia, may well rest upon an end to this tragic conflict at the earliest possible moment.

ALLEGIANCE OF THE PEOPLE IS ESSENTIAL TO VIET VICTORY

Mr. CHURCH. Mr. President, R. H. Shackford, one of America's most knowledgable writers about Vietnam, has written an excellent column entitled "It's a 'People's War': Allegiance of the People Is Essential to Viet Victory" upon the occasion of the appointment of Gen. Edward G. Lansdale as an adviser to Ambassador Henry Cabot Lodge.

I ask unanimous consent to have this article, as published in the Washington Daily News of August 19, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IT'S A "PEOPLE'S WAR": ALLEGIANCE OF THE PEOPLE IS ESSENTIAL TO VIET VICTORY

(By R. H. Shackford)

Ambassador Henry Cabot Lodge has chosen as one of his principal advisers an unorthodox military man who is convinced that application of superior military force alone will never force the Communists in Vietnam to give up.

He is Air Force Maj. Gen. (retired) Edward G. Lansdale.

General Lansdale believes it is a "people's war"—not an ordinary one—and can be won only by gaining the allegiance of the people. And that, he says, cannot be done by guns alone.

He thinks air strikes, artillery, and big conventional military operations—especially if conducted without equally vigorous and effective civic, nonmilitary programs—will boomerang and drive people into the arms of the Vietcong.

VETERAN

General Lansdale is a veteran of antiguerrilla campaigns—first in the Philippines as confidante of the late President Ramon Magsaysay in the successful struggle against the Communist Huks, and in the 1950's as an adviser to the late Vietnamese President Ngo Dinh Diem in the unsuccessful guerrilla war against the Vietcong.

Mr. Lodge contends that the political-economic-social problems of Vietnam are equally as important as military problems. General Lansdale long has preached this theory but, in recent years, without much support from Vietnamese leaders or even some elements of the American military establishment.

"NO"

Late last year General Lansdale set forth his philosophy in an article in Foreign Affairs Quarterly titled "Vietnam: Do We Understand Revolution?" The article made it clear that General Lansdale feared the answer was, "No."

Much has changed in Vietnam since he wrote the article but he said today that his basic ideas remain unchanged about the nature of the struggle and the kinds of action needed to resolve it.

"The most urgent military need," he wrote at year's end, "is to make it the No. 1 priority for the military to protect and help the people. When the military opens fire at long range, whether by infantry weapons, artillery, or air strike, on a reported Vietcong concentration in a hamlet or village full of civilians, the Vietnamese officers who gave those orders and the American advisers who let them get away with it are helping defeat the cause of freedom. The civilian hatred of the military resulting from such actions is a powerful motive for joining the Vietcong.

"The U.S. military can give a major boost to the political effort simply by upgrading the importance they assign to military-civic action and to guiding the Vietnamese military into accepting it as a basic soldierly quality in this war, just as the Vietcong do.

"Civic action means more than giving economic help; it is an attitude of behavior, an extension of military courtesy, in which the soldier citizen becomes the brotherly protector of the civilian citizen. The Vietcong practice it, under severe penalties for misbehavior."

General Lansdale's article took a dim view of the way Americans generally proposed coping with the Vietnam problem—disengagement through international accommodation; identifying the struggle as war and making use of "our military proficiency to force the Communist regime in Hanoi to cease its adventure in the south"; continuing along the present course (as of the end of 1964) to smother and kill the Communist insurgency. He wrote:

"The anomaly in these reactions is that each falls short of understanding that the Communists have let loose a revolutionary idea in Vietnam and that it will not die by being ignored, bombed or smothered by us. Ideas do not die in such ways."

He suggested a fourth "reaction"—"To oppose the Communist idea with a better idea and to do so on the battleground itself, in a way that would permit the people, who are the main feature of that battleground, to make their own choice." In effect, the "anti-Communist" struggle must be converted into a "pro-people" campaign whose objective is to give the people what they want, rather than just defeat the other side.

General Lansdale thinks the United States cannot sit aloof from this kind of program for fear of interfering in internal Vietnamese affairs—that we must inculcate in the people the will and incentive to resist the Vietcong.

CHARLES BARTLETT ON THE ALLIANCE FOR PROGRESS TITLE

Mr. CHURCH. Mr. President, Charles Bartlett recently wrote an excellent column entitled "Alliance for Progress Enters New Era," which was published in the August 19 edition of the Washington Evening Star.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington (D.C.) Aug. 19, 1965]

(By Charles Bartlett)

ALLIANCE FOR PROGRESS ENTERS NEW ERA

The fourth anniversary of the signing of the Charter of Punta del Este is brightened by indications that an attempt will soon be made to restore the mystique of the Alliance for Progress.

The old mystique, which went into mothballs when Thomas Mann assumed command of Latin policy at the outset of President Johnson's administration, was a fervent, emotional commitment to the poor people and nations of the hemisphere. It was a clarion of urgency, eloquently proclaimed in the charter and reiterated many times by President Kennedy and his officials.

The distinctive aura that was purposefully wrapped about the program contributed significantly to its beginning and many eyebrows were raised when Mann undertook to lay it aside. A matter-of-fact diplomat who had been somewhat uneasy in the liberal ferment of the New Frontier, Mann was determined to operate a pragmatic, unromanticized version of the Alliance.

The mystique was acknowledged to have some weaknesses. It was fuzzy and it implied a response to Latin poverty that exceeded the resources allotted to the Alliance. Its revolutionary flavor, injected by the Kennedy people to stir action and hopes, had raised intimations of a class struggle. The glamour of the mystique attracted interest but it also attracted critics.

Mann has now left Latin affairs for larger spheres of State Department influence and his "cold turkey" phase of Alliance management is judged by most critics to have been a constructive interlude. He made the program duller but more stable and assured. He transformed the anguished soul searching of his agency into poise. He presided over a period in which the Latins learned their obligation to scrutinize their own shortcomings.

Mann's successors Jack Vaughn and David Bronheim, must contend, however, with a flatness that has crept into the Alliance, a deflation of the hope and zeal that marked its initial phase. The Alliance is a going concern and South America is producing growth rates that match the expectations of Punta del Este. But the program is losing its sparkle, its capacity to incite the Latins to new enthusiasms and exertions.

The aims of the Vaughn-Bronheim team and the exhortations of CIAP, the Inter-American panel that has called for redoubled efforts "to avoid the spread of a sense of frustration," now indicate the start of a third phase of the Alliance. This will be a new campaign to involve more Latins in the program.

The experiences to date have shown that the best means to this end is to create new institutions that will enlist new talent and new forms of cooperation. The Alliance has slowly abandoned its initial insistence that all aid be channeled through existing governments. The trend will be accelerated by the deepening awareness that it is less useful to build buildings than it is to back people who have ideas and spark.

This lesson is emphasized by the contrast between the Kennedy housing project in Bogota, Colombia, and the People's Savings & Loan Association in Lima, Peru. The Bogota project produced some homes at considerable cost but it has not inspired any Latin imitators or local initiatives. It is a monument to the aid program and little more.

In contrast the Lima savings association, founded in 1961 by a dogged Maryknoll priest, Father Dan McLellan, has inspired the people themselves to found their own financial institution. Its resources, now almost $7 million, have underwritten the erection of about 2,900 homes already. The association's success has caused it to be widely imitated. Since the institution is run by its members its operations have uncovered able young people who will be potential leaders of the new Peru.

Pope John XXIII stressed the necessity of involving the people in his encyclical, which urged special efforts to see "that workers in underdeveloped areas are conscious of playing a key role in the promotion of their personal socioeconomic and cultural betterment. For it is a mark of good citizenship to shoulder a major share of the burden connected with one's own development."

The pressing need as Father McLellan explains it, is to fill the vacuum between the people on top and the people on the bottom. "We have good first teams in many of these countries but we have no depth," the priest maintains. "The way to fill the vacuum is to prevail upon the Latins to build their own institutions." This will be the aim of the new mystique.

STATEMENT BY SENATOR PROXMIRE ON BANK MERGER ACT

Mr. JAVITS. Mr. President, I call the attention of the Senate to a very important statement by the Senator from Wisconsin [Mr. Proxmire] on S. 1698 the so-called Bank Merger Act, passed on June 11 by the Senate and which was submitted to the House Committee on Banking and Currency. Opposition to the bill was expressed as well as expressions of strong support.

I ask unanimous consent that, for the benefit of Senators should this legislation return in the form of a conference report, this statement may be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator William Proxmire on S. 1698, a Bill To Amend the Bank Merger Act, for Presentation to the House Committee on Banking and Currency, August 31, 1965

I am here to support S. 1698 Senator Robertson's bill to amend the Bank Merger Act which, as revised by my amendment—the Proxmire amendment—the Senate Banking and Currency Committee adopted without dissent and the Senate passed without objection after the Hart amendment to eliminate the exemption for cases now pending in court had been defeated.

When this bill came before the Senate Banking Committee, I was, frankly, deeply concerned about it. It had been argued that the intent of the 1960 act was to clarify the responsibility of bank regulatory agencies to act on mergers with the advice but not with the veto of the Department of Justice.

Four of the 15 members of the Senate Banking Committee in 1959 felt strongly enough about that bill to file supplementary views at that time. I was one of those four Senators.

Let me read one paragraph from those views:

> Previous bank merger legislation approved by this committee and passed by the Senate would have given the banking agencies discretionary authority to consult with the Attorney General. We agree with the testimony of the Department of Justice that the agencies should consult the Attorney General in every instance so that the enforcement of the statute shall be uniform and in line with the enforcement of the other antitrust laws. While we would have preferred to have given the Attorney General even more influence to stop mergers when he thought competition might be substantially lessened, the bill amended by the committee is a vast improvement over previous legislation which only permitted participation of the Department of Justice when desired by the banking agencies.

Those views were also signed by Senators Douglas, Clark, and Muskie. Now remember that was in 1959, and it was written in relation to the bill that became law the following year and became the Bank Merger Act of 1960.

So when the Department of Justice apparently went farther than that 1960 act seemed to provide, frankly I was pleased. The 1960 act had made some progress in bringing the Department of Justice into the act as an adviser in every case, I repeat in every case. Somehow their own initiative had carried them beyond that and brought them into direct action beyond our fondest hopes as expressed in those supplemental views.

So I was concerned about a 1965 bill which appeared to confine the Department of Justice to the advisory role set forth in the 1960 legislation.

It was in this context that I offered my amendment to keep the Justice Department in the Bank Merger Act from now in perpetuity. Needless to say, I think it represents a clear and decisive gain for those who believe in competition and vigorous antitrust action.

Frankly, I was astounded that the Attorney General suddenly but belatedly appeared to attack this bill. When the bill was pending in the Senate, he was invited and reinvited to appear before our committee. He had an observer present. I did my best in interrogating witnesses to bring out the importance of putting the Department of Justice squarely—by statute—in the act if it were possible. But there wasn't a word, no letter, not even a phone call of encouragement from the Justice Department.

My amendment keeps the Department of Justice in the business of stopping bank mergers that conflict with the antitrust laws in perpetuity—forever.

What is more, my amendment not only keeps the Justice Department in the ball game, it significantly improves the Department's position.

The amendment does this by preventing banks from merging while suits are pending. As a practical matter, it is sure that the Justice Department will lose cases precisely because banks have merged following a favorable initial court decision, but before the court acts on the Justice Department appeal.

A court confronted with the sure injury that unscrambling a merger is likely to impose on innocent borrowers, depositors, and stockholders may reluctantly acquiesce in the merger.

Since banks are permitted to go ahead with mergers now when antitrust cases are pending and, of course, do, this provision of the bill constitutes a clear and decisive gain for the antitrust action.

The desirability of this provision of my amendment has been strongly attacked by a financial writer, J. W. Livingston, on the ground that it makes it more difficult to merge banks than is now the case. I agree. My amendment was not designed to benefit banks, but to benefit the public. As the committee report states, we recognized this provision placed in the hands of the Justice Department a considerable measure of authority which would have to be used with care and discretion, since many banks might feel they have to abandon a merger at the mere threat of a suit by the Justice Department. The committee, therefore, called on the Justice Department to use this opportunity to hold up bank mergers with care and discretion.

And I am glad to say that the Attorney General, in his reply to my request for his comments on Mr. Livingston's suggestion to eliminate this provision of my amendment, stated that this provision provided a "significant advantage" over the present situation. Let me repeat the Attorney General writes me this provision of my amendment provides a "significant advantage." Those are Attorney General Katzenbach's words. I should like to ask that copies of the letters from the Chairman of the Federal Reserve Board and the Attorney General on this point be included in the record.

Now in return for this quid we give two very modest quos. First, we limit the Department of Justice to 30 days after the favorable decision of the regulatory agency to bring suit, and with the 30 days they have to report to the banking agency—in fact, a minimum of 60 days.

Since the Department is in this from the beginning in advising the regulatory agency on the competitive facets involved this should be ample time. And it removes a serious, overhanging threat, which tends to undermine confidence so essential to banking soundness.

Secondly, the bill provides that banks that have merged will be spared the agony of unscrambling. This I shall discuss a little further later.

But all in all, it seems to me that any fairminded man would consider this a pretty good trade for a law placing the Department of Justice for the first time in a position to act on mergers with full legal sanction from now on, and also for a law preventing mergers until final court action.

Why isn't this an excellent advance for antitrust, all things considered?

My amendment is a practical solution to a confused and controversial situation. My amendment would leave untouched the principle of the applicability of the Sherman Act and section 7 of the Clayton Act to future bank mergers, in accordance with the decisions of the Supreme Court in the Philadelphia and Lexington, Ky., cases, but it would eliminate the necessity of unscrambling any future bank merger by providing the Justice Department a reasonable opportunity to sue before consummation of the merger. My amendment would prevent the breakup of banks which have already merged, either before these landmark decisions, or pursuant to a district court judgment specifically authorizing the merger while litigation was being carried on, or otherwise.

The present bank merger situation arose out of the completely new and unexpected interpretation of section 7 of the Clayton Act, announced in the Philadelphia decision and the almost equally unexpected decisions as to the Sherman Act in the Lexington case. Up until these decisions it was generally understood that section 7 of the Clayton Act, as amended by the Celler-Kefauver amendment in 1950, did not apply at all to the usual bank merger. It was also generally understood that the Sherman Act was ineffective as far as bank mergers were concerned; in any event, the Sherman Act had never been applied to bank mergers by the Supreme Court and had never been used in any court in connection with a bank merger up to March of 1959. Additional legislation controlling bank mergers was necessary because the antitrust laws were either inapplicable or ineffective with respect to bank mergers. This was the advice given to the Senate Banking and Currency Committee in 1959 by Congressman CELLER, chairman of the House Judiciary Committee, and it was the advice given by the Department of Justice on six different occasions and by the President in his economic reports for 1956, 1957, 1958, 1959, and 1960.

On the basis of this understanding, the Senate decided in 1959, and the House agreed in 1960, to pass the Bank Merger Act of 1960. Under this act, the three banking agencies were clearly established as the final authorities to approve or disapprove mergers of insured banks. Each Federal banking agency had to obtain a report on the competitive factors involved in each bank merger from the other Federal banking agencies and from the Attorney General. However, it was clear that these advisory reports on competitive factors were not binding on the banking agencies, which were instructed to consider banking factors, such as the public convenience and necessity, as well as the competitive factors, and which could approve the mergers after this consideration only if they found the merger in the public interest.

The Congress specifically decided not to make applicable to bank mergers the strict standards of section 7, under which a merger would be denied if it would tend to substantially decrease competition in any one section of the country in any one line of commerce, regardless of good motives and demonstrable benefits of one kind or another which might flow from the merger.

I have earlier in this statement expressed my personal views on that 1960 legislation.

The Supreme Court in the Philadelphia case held that section 7 of the Clayton Act, as amended by the 1950 Celler-Kefauver antimerger amendment, applied to bank mergers. While this was contrary to the understanding of the Congress and the position the Congress had taken in the Bank Merger Act of 1960, it is the decision of the Supreme Court.

The Sherman Act also was applied in the Lexington case under circumstances not contemplated in 1959 and 1960. Instead of the more general standards adopted in the Columbia Steel case, the rigid standards of four railroad cases, widely thought to be obsolete, were applied to a bank merger with results closely approximating the Clayton Act standards.

The net result of the present situation is that the Attorney General, instead of serving in an advisory capacity to the Federal banking agencies, may start a suit on his own initiative against any merger, either a future merger or, under the 1950 amendment to section 7 of the Clayton Act, any merger effected after 1950, or under the Sherman Act any merger effected since 1890. It may be recalled that the divestiture order in the Du Pont-General Motors case applied to stock acquired in the 1920's, 30 or 40 years before the divestiture was ordered.

Senator ROBERTSON's original bill, S. 1698, as he introduced it, would have exempted completely from the antitrust laws, including both the Sherman Act and section 7 of the Clayton Act, all mergers approved under the Bank Merger Act, past, present, and future, and all mergers approved by the appropriate Federal or State authority before the Bank Merger Act. Senator ROBERTSON felt that this would restore the situation to what it was thought to be, and what it was for all practical purposes, at the time of the enactment of the Bank Merger Act and before the Supreme Court's decisions in the Philadelphia and the Lexington cases.

My amendment, as I have said, would prohibit the consummation of a merger approved within 30 days after its approval. This would give the Justice Department time to start a suit under the Sherman Act or section 7 of the Clayton Act without being prejudiced by the fact that the merger had already been consummated. If such a suit were started, the merger could not be completed until after the suit had been concluded. If, however, the Justice Department did not sue within this 30-day waiting period or if, at the end of the suit, the Court decreed that the merger might be carried out, then the merger would be exempted from the antitrust laws, including both the Sherman Act and section 7 of the Clayton Act. The merger could no longer be the subject of any proceedings under the antitrust laws, either by the Department of Justice or by private parties through a triple damage suit.

In the case of mergers already consummated at the date of enactment of the bill, a similar exemption would be provided by my amendment from all proceedings under the antitrust laws, including both the Sherman Act and section 7 of the Clayton Act, and including both suits by the Justice Department and triple damage suits by private parties.

As far as future mergers are concerned, my amendment leaves the Justice Department just as free as it is now to institute suits under the Sherman Act or the Clayton Act during the 30-day waiting period. In this connection, it is pertinent to note that the Justice Department has 30 days to file a report under the Bank Merger Act, so it would in fact have 60 days in every case. And the experience of the Federal Reserve Board, as shown in hearings this year, is that merger cases average about 3½ months before approval.

And, as I have said, my amendment would be even more rigorous than the present situation because it would not permit banks to merge under any circumstances while such a suit was pending. In the Continent-Illinois case, in the Nashville case, in the Crocker-Citizens case, and in the St. Louis case, district courts, after hearing arguments from the Justice Department and from the banks involved, permitted the banks to go ahead and merge while the suit was pending. This would be impossible under my amendment. I inserted this provision for two reasons. First, I thought that to permit the merger to be effected while the suit was pending would prejudice the Department of Justice in its efforts to win the case and to convince the court to order the breakup of the merged bank. I think the Justice Department is finding this a real problem. Second, I am opposed to any attempt to unscramble or to break up merged banks. Banks are of real importance to the country, to the Government, and to business, trade and the public generally. Most of our money supply is in the form of demand deposits in banks. Most industrial, commercial, individual and governmental receipts and payments are made by check. Most of the Nation's business depends on bank credit and financing. It is because of the importance of banking to the Nation that we have a national bank system, a Federal Reserve System and a Federal Deposit Insurance Corporation. I thought it would be bad, not only for the banks' officers and employees and stockholders, but also, and more importantly, for the banks' depositors, borrowers and trust accounts and for the Government and the public generally. The difficulties which the Government is having in Lexington and New York are, I think, clear evidence that these are real and substantial problems.

I included in my amendment an exemption for all mergers which had been consummated at the time of enactment of the bill and had not yet been unscrambled. I did so for two reasons. First, I felt that most of these mergers had been approved and had been carried out at a time when there was a general understanding in Congress, in the executive branch and among the legal profession that bank mergers were for all practical purposes exempt from the antitrust laws.

This was, as you know, the position taken by Kaysen and Turner in their book on antitrust policy. Without wishing to question the decision of the Supreme Court in the Philadelphia and Lexington cases, I think it is fair to say that for practical purposes these cases had the effect of new legislation. And I think it is appropriate under these circumstances to apply to rules established for the first time by the Supreme Court decisions the same principles against retroactive legislation and against ex post facto laws as the Constitution applies to laws generally. Furthermore, in several of these cases preliminary injunctions were sought by the Justice Department against the merger even before the consummation of the merger, and in some of these cases the trial court authorized the merger on the ground that there was no reason to believe that the Government would be successful. In the case of the approved mergers on which no suits have been started, including those approved under the 1960 act and those approved by the Comptroller or the appropriate State bank supervisor in the 1930's, 1940's, and 1950's, I felt that the need for certainty and confidence in the banking system outweighed any possible interest the Attorney General might have in attacking a merger consummated 5 or 10 or 20 years ago.

My second and more important reason was that I do not think it is good for the Government, for business, industry, and commerce or for the public to attempt to break up or unscramble banks which have already merged. I have already discussed this point, and I need not elaborate on it further here.

My amendment would exempt future mergers from the antitrust laws, including the Clayton Act and the Sherman Act, at the expiration of the 30-day waiting period. It would not, however, immunize banks created by such mergers from future attacks under the antitrust laws for later conduct which might violate the antitrust laws. If, for instance, a bank resulting from an exempted merger should engage in action found to be a violation of the prohibitions of section 1 of the Sherman Act against illegal restraints on trade or commerce, or the prohibitions of section 2 of the Sherman Act against monopolization, or some other action which might be a violation of an applicable provision of the Clayton Act, my amendment would not provide any protection against action by the Department of Justice, or by private parties through a triple damage suit, arising out of activities of this sort subsequent to the merger.

Senator JAVITS and I discussed this point on the Senate floor during the debate on S. 1698, and made it clear that the Senate understood and agreed with the position I have expressed above.

I am in favor of strong and effective competition in banking. I believe this is good for the banks and their officers, employees and stockholders. I believe competition in banking is also good for those who wish to deposit money in banks, or to borrow money from banks, or to make banks their trustees, and for those who wish to carry on business and make their financial transactions through the 130-odd billion dollars worth of demand deposits. Incidentally, I believe competition in banking is good for the Government, which must sell vast quantities of Government obligations in the money market. These same considerations convince me that sound banking is just as important as competitive banking. My support for competition in banking does not make me wish for the return of the good old days of "free banking" when one could start a bank and issue bank notes freely without any Government review or supervision. More recent experience with unregulated savings and loan associations in Maryland should disabuse us as to the supposed merits of full and free competition in the financial world.

The history of our Nation shows our unending concern with sound banking and competitive banking. The First and Second Banks of the United States tended, it was thought, toward monopoly and undue concentration. The area of free banking in the 1830's and 1840's went the other way. The national bank system, the Federal Reserve System, the Federal Deposit Insurance system showed the United States groping toward a workable combination of competition and soundness, and obviously the Bank Holding Company Act of 1956 and the Bank Merger Act of 1960 reflected Congress' concern with banking even more sharply.

With all its faults, I think our present dual banking system, made up of some 14,000 commercial banks, divided into 51 different bank systems, each with its National and State bank elements, with branches and holding companies limited to the several systems, provides a very high degree of competition and a very high degree of soundness and security.

This country has the only truly competitive banking system in the world. Other free nations either rely on government banks or on a very small number of huge private banks.

Furthermore, our banking system with some 14,000 independently owned banks is far more competitive than most American industries. Aluminum, steel, automobiles, insurance, newspapers, and virtually all other major industries have far higher degrees of concentration.

In my judgment, this banking competition is good and is a principal reason for the vigor and strength of American competition generally. The bank merger bill would keep it that way by taking by far the strongest action to stem bank mergers the Congress has ever taken.

GUIDELINES FOR IMPROVING THE INTERNATIONAL MONETARY SYSTEM

Mr. JAVITS. Mr. President, I take this opportunity to call to the attention of my colleagues the report issued on September 3, 1965, by the Joint Economic Committee's Subcommittee on International Exchange and Payments, entitled "Guidelines for Improving the International Monetary System."

This report is most timely as it comes just about 3 weeks before the Governors of the International Monetary Fund convene in Washington for their annual conference. These meetings are of unusual importance as they provide an opportunity for the world's financial leaders to begin meaningful negotiations concerning the reform of the International Monetary System. Secretary Fowler in his July 10, 1965, speech announced that the United States is now ready to attend and participate in an international monetary conference. At the same time he expressed the hope that the conference would provide the occasion for the beginning of the necessary preparatory steps without which it would not be possible to bring about changes in the world's financial system that would be of a lasting character.

The Secretary of the Treasury is presently on a 2-week tour of seven European capitals for the purpose of sounding out opinion on the nature of reforms our European allies think would be desirable. Newspaper reports indicate that thus far these talks have resulted only in agreement that discussions leading toward negotiations on how the International Monetary System may be improved should start soon. Considering that "discussions" have been underway for the past 2 years, at least, these are limited results.

One issue that is very clearly present in Secretary Fowler's conversation with European financial officials is the state of the pound sterling. It is clearly recognized that the persistent weakness of the pound is as important an issue at the present as the reform of the international monetary system itself.

It is my view that our own measures to eliminate the United States balance-of-payments deficit have necessarily been an important factor in the efforts of the United Kingdom to solve its balance-of-payments problem, which is fundamentally the result of obsolescence, outdated production methods, and unproductive labor practices. To the extent that the normal flow of capital from the United States to the United Kingdom has been cut off—and already there is some evidence of that—it has increased the problems of British firms to finance the modernization of their equipment and thereby to deal with a fundamental aspect of the British balance-of-payments problem. It is for this reason that I called on the President in a speech I made on August 12 to exempt the United Kingdom from the interest equalization tax at least up to the level Japan has already been exempted—$100 million per year.

In this connection I call the attention of my colleagues to the annual report of the IMF issued on August 29 in which it suggests that if the improvement in the United States balance of payments were to go so far as to threaten excessive pressures on other countries in general—and I believe this could occur shortly as far as the United Kingdom is concerned—one of the measures that could be taken is a relaxation of U.S. voluntary and other controls on the outflow of dollars for lending and investing. Exemption of the United Kingdom at least up to $100 million annually from the interest equalization tax would represent a very effective and meaningful relaxation of U.S. controls. The British Government is presently demonstrating that it is willing to take the necessary deflationary measures to prove to the world that the British people are ready to make the necessary sacrifices to defend the pound. It is only fair that the United States lend every assistance to our British ally to make these sacrifices worthwhile.

For the long-term solution of the British balance-of-payments problem I also proposed that a sizable modernization fund be established in the World Bank—I estimated that a $10 billion fund would be required—to enable it, and countries in similar situations, to deal with its structural economic problems. I am pleased to note that in his newly published book, "Monetary Reform for the World Economy," former Under Secretary of the Treasury Roosa proposes similarly that a multibillion long-term loan be granted to the United Kingdom and possibly to Japan to correct their chronic shortage of reserves.

For the past 3 years I have spent considerable time urging our Government to recognize the existence of serious deficiencies in the present international monetary system and to take the lead in its reform which I believe is consistent with our national interest and the welfare of the entire non-Communist world. The report issued by the Joint Economic Committee on September 3 fully agrees with the viewpoint I have been expressing with regard to deficiencies which exist in the system and the need for action. The report is entirely correct in saying that, first, the system provides no mechanism for assuring that world reserves will increase as needed in the long run—world exports increased by 173 percent between 1948 and 1964; official world reserves increased by only 44 percent; second, the system suffers from the danger of instability; and third, most importantly, the present process of adjustment is unsatisfactory inasmuch as the burden of adjustment falls far more heavily on deficit countries than on countries with persistent balance-of-payments surplus.

It is a far more difficult process to determine how the system is to be reformed to meet these deficiencies, and at the same time to obtain agreement of all the industrialized countries of the free world who are members of the IMF. There have been a great many proposals put forth by prominent economists on both sides of the Atlantic during the recent years, including those of Posthuma, Bernstein, Triffin, and Zolotas. The Governments of Britain, France, and the United States have also indicated support for various plans during the past 2 years without having been able to agree on a scheme acceptable to all. To some degree, lack of agreement has been due to the weaknesses of some of these plans, but to a large degree it has been due to political considerations.

It is therefore not surprising that the committee's report has not endorsed any particular plan but, instead, has laid down 12 guidelines which should govern U.S. action to strengthen the international monetary system. I am particularly pleased that these guidelines reflect several of the key recommendations I have made over the past 3 years, including the preferability of new ways of creating international reserves centered in the IMF to any other approach presently advocated; the need for automatic expansion of international reserves as opposed to reliance simply on the balance-of-payments deficits of the United States and the United Kingdom; and the necessity for substantial improvements in the adjustment process as part of international monetary reform.

I ask unanimous consent that the 12 guidelines for improving the international monetary system as well as the position taken by the minority of the Joint Economic Committee on international monetary reform in the 1965 Joint Economic Report be inserted in the RECORD at the conclusion of my remarks.

There being no objection, the two documents were ordered to be printed in the RECORD, as follows:

EXHIBIT A

1. World liquidity needs cannot adequately be met by existing sources of reserves (gold, dollars, and pounds sterling) or even by the addition of new reserve currencies. New ways of creating international reserves must be sought.

2. The United States should seek neither to expand nor reduce the international role of the dollar. At the same time, we must work for a plan for new reserve creation that would not encourage or require countries to convert existing balances or new acquisitions of reserve currencies into gold or the new reserve medium. In this way, the dollar will continue to play an important, perhaps even a growing, international role, according to the voluntary decisions of traders and bankers abroad.

(a) The role of the dollar in private transactions will be unimpaired, even if foreign monetary authorities choose to reduce their dollar reserves.

(b) The demand for the dollar as an official reserve medium is likely to remain high.

3. Gold should continue its present role as a universal medium of international exchange. The United States should not seek to undermine it. But nothing must be done to enhance its value in relation to other forms of reserve assets; no arrangements can be acceptable that provide incentives to convert reserve currencies into gold.

4. The new method of reserve creation should combine agreed minimum annual increases with supplements to be determined by annual decision.

5. The new arrangements should be carried out under the International Monetary Fund.

6. Newly created reserves should be distributed to all fund members who qualify under criteria applicable equally to all countries.

7. While the new reserves cannot be used as a primary foreign aid device, because securing them by the credit of less developed countries might impair their acceptability, economic development can be respected by selecting suitable standards for allocating the new reserves.

8. The International Monetary Fund can create new international reserves by developing a new reserve unit or claim, making drawing rights more automatic and larger in amount without requiring additional gold deposits, or by special operations in currencies, fold, or deposits. In choosing among these possible methods, the distinction between owned and borrowed reserves should not be critical.

9. The Fund's conditional credit facilities should be expanded at the same time that new reserves are created.

10. A better sharing of international financial responsibilities should be achieved through an improved structure of Fund quotas.

11. The present system of bilateral arrangements as a second line of defense against short-term instability, while not the solution to long-term liquidity needs, should be expanded.

12. International financial reforms, however desirable, are not sufficient. Substantial improvements are needed in the adjustment process which brings international payments imbalances to an end.

(a) We must work toward an improved system for harmonization of national fiscal and monetary policies.

(b) We should agree with other countries upon codes of national behavior with respect to restrictions on capital movements for balance-of-payments reasons.

(c) The advantages and disadvantages of widening the permissible limits of exchange rate variation must be examined thoroughly as an essential part of a comprehensive program for improving the international monetary system.

EXHIBIT B

INTERNATIONAL MONETARY REFORM

Reform of the existing international monetary system is urgently needed. We are pleased that the administration has embraced this broad objective, but we regret its lack of specific proposals as well as the disposition to delay action until the U.S. balance-of-payments deficit is corrected.

Because liquidity for the existing system is largely supplied by U.S. balance-of-payments deficits, the system could break down when the United States finally eliminates its chronic deficit. Although there is no shortage of liquidity at this time, a shortage could result in the future both for this reason and because of the growth in the volume of world trade and payments. We believe that positive action should be taken now to reform the system before a crisis leading to world economic collapse can arise.

In a resolution which we have introduced in the Congress, we urged the convocation of a well-planned and well-organized international monetary conference to find a basic solution to the weaknesses of the world monetary system. The limited results of the deliberations of the Group of Ten and that of Western financial leaders in Tokyo in 1964 only underscore the need for a conference on the scale of the Bretton Woods Conference.

The recent Tokyo meeting of the financial leaders of the West has resulted in but a modest beginning toward the reform of the system which was established to meet conditions in the immediate post-World War II period. The decisions made there, together with the ad hoc improvisations of recent years, have succeeded in avoiding the breakdown of the system but have not produced the fundamental reform which is dictated by existing conditions.

We do not wish to deprecate, however, the very real contribution that the existing system has made during the past 20 years in the area of international monetary cooperation. The International Monetary Fund and the International Bank for Reconstruction and Development have been most helpful in easing the transition toward the convertibility of all major currencies, in reducing reliance on bilateralism, and in stabilizing swings between inflation and deflation in many areas of the world.

Our own dissatisfaction with the attitude of the world's financial managers is that their approach to adapting the system to current world conditions has been timid, being more disposed toward tinkering than facing such basic questions as these: Is the adjustment mechanism built into the existing system flexible enough to bring about a correction in the imbalance in international payments within a reasonable time? Does the existing adjustment mechanism place equal burdens on the countries which are in a temporary surplus position and those which suffer temporary payment deficits? Does the existing system generate sufficient credit to meet the needs of developing nations? Will it be adequate in the future to meet the needs of the developed countries?

At the present time, imbalances in international payments take years to eliminate and require, particularly on the part of deficit countries, measures which may hamper their economic growth and the expansion of world trade. The existing adjustment mechanism does not place equal burdens on surplus and deficit countries, but at times is contrary to the best interests of all concerned.

The chances for securing European cooperation for a conference to consider these questions are improving. Even while pressing the United States to eliminate its balance-of-payments deficit, European financial leaders are growing increasingly concerned about the impact that success in this endeavor will mean for their own international balances and for the stability of the world monetary system itself. Although enlarging the International Monetary Fund quotas is helpful, it in no way diminishes the need for a more basic reform.

The alternative to basic reform is the continuation of the existing system with more stringent forms of financial "discipline" added. The free world has already paid a high price for the existing system in terms of restrictions on trade and capital movements—such as the U.S. interest equalization tax—and in Government procurement policies which are undermining 30 years of progress toward trade liberalization.

The international monetary system has an enormous impact on economic conditions in both the developed and developing nations of the non-Communist world, on the well-being of their citizens, and on their ability to meet the many and varied challenges of Communist power. It determines, to a large degree, our freedom to pursue appropriate domestic economic policies, and it has a major impact on domestic political stability in many Western nations.

A well-functioning and flexible international monetary system has a major impact on our ability to supply an ever-increasing volume of economic assistance to the developing nations, which is essential to insure them a satisfactory rate of economic growth in a democratic framework.

For what distinguishes the free world from the Communist world and gives freedom its greatest inducement is the opportunity to extend credit to, and confer ownership on, the individual.

In order to bring about the required improvement in the performance of the existing international monetary system, the international conference that we have suggested should consider the following points:

1. The availability and expansion of the world's supply of international credit should be managed and not left to such haphazard factors as how much gold is mined and how big the U.S. balance-of-payments deficit is. The appropriate role of the IMF and other international organizations in the management of international credit should be thoroughly reviewed.

2. IMF and the Group of Ten should cooperate closely in developing new forms of international credit along with safeguards to insure that credits are used to give deficit countries time to correct imbalances and not as a substitute for such correction.

3. The need to increase availability of long-term, low-cost credit to the developing nations.

New forms of organization and new methods of channeling private capital to developing countries must be found if private enterprise is to retain a major role in the economic development of less-developed countries. The example provided by the newly organized, multinational investment group called ADELA, the Atlantic Community Development Group for Latin America, should be ample proof that given sufficient energy and determination new devices and methods can and will be found.

The initial success of this venture in attracting major corporations and financial institutions in North America, Europe, and Japan is indicative of the will that exists in many countries of the world. Its power to attract additional public and private capital is great and its potential in proving that there exists widespread confidence in the potentiality of one developing region of the world—Latin America—is even greater.

In this connection, it is important that study be devoted to determining the effect of Government aid on private investment flows into the developing nations. Although Government aid need not inhibit private investment, this may be the result if the Government aid is given and administered in a manner prejudicial to private capital.

The existing system does not meet the credit requirements of the developing nations. According to the 1964 Annual Report of the Council of Economic Advisers, the total long-term receipts of developing countries from public and private bilateral and multinational sources now total in the area of $8 billion a year. On the other hand, estimates made by a number of highly reputable experts place the capital needs of the developing countries at between an additional $7 to $11 billion per annum. This gap is based on the modest assumption that such additional funds would be required to permit developing countries to grow at an overall rate of between 4½ and 6 percent per year. Given the present 2.1 percent annual increase in the world's population, the increase in per capita gross national product that will result from this additional flow of capital would amount to between 2.1 to 3.9 percent per year. The average per capita gross national product of developing countries is now estimated at $130 per year. The need for additional capital indicated above is, therefore, by no means exaggerated.

There is a related problem which should be considered: the interest cost and duration of credit presently being extended to developing nations. Today these countries are paying about $2½ billion a year, or one-fifth of their gross capital inflows, for servicing their externally held public debt; and the charges are mounting rapidly. Still worse, the charges are mounting much more rapidly than are the export earnings required to service the total debt. Between 1956 and 1962 debt service rose from 3 to 7 percent of the value of developing countries exports of goods and services. The need for an increase in the volume of long-term, low-cost credits—both public and private—is, therefore, very real.

The opportunity for private enterprise in the United States and in other OECD countries to play an increasingly significant role in providing substantial credit is enormous; but this role requires a basic change in attitude by business and Government and new devices to meet the problems of the day.

We must begin devising an international payments system which takes cognizance of changes in the world economy since the Bretton Woods Conference in 1944 and which will be flexible enough to fit into the economic order of 5 to 10 years from now. A well-planned international monetary conference, in our view, is a necessary—and vital—first step toward such a workable system.

IMMIGRATION BILL AND REAPPORTIONMENT AMENDMENT

Mr. MANSFIELD. Mr. President, I am happy to note that at long last the immigration bill has been approved by the Committee on the Judiciary by a substantial majority and that it will be reported by the committee to the Senate a week from today.

I think I should take this occasion, speaking as a part of the leadership, to express my thanks to the distinguished Senator from Connecticut [Mr. Dodd], who changed his vote although his principles remain the same and he is opposed to the reapportionment measure, to allow that measure to be reported out of committee and onto the calendar.

I think this increases the prospects of bringing about an adjournment at a more reasonable time, although that time has already been extended too long as far as I am concerned. Nevertheless, the decision has been made. The reapportionment amendment offered by the distinguished minority leader [Mr. Dirksen] will be on the calendar. It will not be taken up this year, and the Senate will be able to go ahead with the rest of its work somewhat along the schedule which has come to be accepted in recent days.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I am a member of the Judiciary Committee. We had what in my opinion was one of its most historic meetings this morning. I think the record would not be complete without reference to the Senator, who made many things possible which would not have been otherwise possible, notwithstanding his deep conviction with respect to the issue. So many of us who hoped the immigration bill would come up in this session of Congress will applaud what the distinguished Senator from Connecticut did, without any change in heart consistent with his feelings and convictions. I think we should join the distinguished majority leader, who also has brought this situation about without any change in heart consistent with his feelings and convictions.

Mr. MANSFIELD. Mr. President, I would agree thoroughly with what the Senator from New York has just said. I would reemphasize for the record that while the distinguished senior Senator from Connecticut [Mr. Dodd] voted to report the reapportionment amendment out of committee, this did not and does not in any way indicate a change in his conviction in being opposed to the reapportionment measure; but in the interest of expediting procedure, as a courtesy to the leadership, he did vote to report the reapportionment amendment without recommendation, with the result that legislation remaining before the Senate will be expedited much more speedily.

TRIBUTE TO SENATOR DODD

Mr. SMATHERS. Mr. President, I want to associate myself with the remarks of the very able and distinguished majority leader and want to take this opportunity to congratulate my colleague and friend, the very able and distinguished senior Senator from Connecticut, Thomas J. Dodd, for the statesmanship which he displayed in the Senate Judiciary Committee this morning.

Senator Dodd originally voted in the subcommittee to move the Dirksen reapportionment amendment to the full committee for consideration. An impasse occurred blocking consideration by the full committee of the very important immigration bill for consideration by the Congress. Realizing this situation, and the extreme importance of the immigration bill, even though he stated that he disagreed with the Dirksen proposal, and did not support it on a prior occasion in the full committee, Senator Dodd voted to break the impasse so that the Dirksen proposal could be referred to the Senate for consideration in the next session. Thus the path was cleared for the Senate Judiciary Committee to take up the very important immigration bill.

Mr. President, the immigration bill is among the more important legislative business pending before the 89th Congress. As President Johnson observed on August 3, he has been working since his earliest weeks as Chief Executive in order to "bring realism and understanding to the immigration procedures of this Nation."

By his action today, Senator Dodd has demonstrated the depth of his commitment to the pledge of this Nation to posterity.

The first and essential quality of a statesman, Richard Steel observed in "The Tatler" is to have public spirit.

Senator Dodd has such a spirit in full measure and he demonstrated it today.

In taking such action, Senator Dodd, in my opinion, displayed full knowledge of the legislative process to the benefit of his State and the Nation. This display of true statesmanship is basic to his outstanding character and integrity. It is heartening to know that men of Senator Dodd's caliber are in the U.S. Senate. I am indeed proud to have him as a friend.

THE STEEL DISPUTE SETTLED—THE PRESIDENT'S ROLE

Mr. YARBOROUGH. Mr. President, I feel that all Americans are relieved by last week's conclusion of the steel industry labor contract negotiations without a strike. The losses our economy would have sustained in the event of a strike would have been enormous. All Americans can join in saluting the wisdom of the labor and the management negotiators who found it possible to accept a reasonable solution to their differences. Especially, Americans can salute our President, who set up the conditions that enabled the negotiators to reach agreement. He followed the pattern set by previous Presidents, in keeping before the negotiators the interest of the public in a settlement, and used his own skill and persuasion to help the parties reach agreement.

The Houston Chronicle of September 5 expressed the thoughts of all of us in an editorial entitled "Good News—No Strike in Steel" I read from the editorial:

> It is extremely good news that the threat of a steel strike has been ended with "essential agreement" between the industry and the United Steelworkers Union.
>
> "The American Nation has won," said President Johnson of the agreement which was based upon suggestions he made after the negotiation had become deadlocked again. The Nation always wins when a strike that could cripple the economy, such as a strike of 350,000 steelworkers, is averted on terms that are economically sound.

The settlement upon which finishing touches are being placed conforms to that definition, we are assured. That is, the wage and fringe benefit increases are "within the wage-price guidelines" set by the President's Council of Economic Advisers to prevent inflation.

The President is to be commended for his vigorous leadership and the union and management for reaching the compromise settlement. The Nation can breathe more easily over the Labor Day weekend in the knowledge that a serious blow to the economy has been averted.

I point out that, while 350,000 steel workers would have been involved, it would have involved 900,000 workers in the steel industry. Now we are sure of 3 years of peace in that industry. Steel is a basic item which is used in the automobile industry, farm equipment industry, defense industry, and construction industry—the basic industry in which most persons are engaged in manufacturing. I refer particularly to the steel and automobile industries, which are regarded as indexes of employment, on which so many related industries depend.

In addition, many white-collar workers would have been laid off pending the settlement of the dispute.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. The President is to be commended for his leadership, under which, in his words, "The American nation has won."

I ask unanimous consent to have printed in the RECORD an article from the New York Times of September 5, 1965, entitled "President and Labor: A Survey," giving a background which points out that ever since President Benjamin Harrison the White House has intervened in labor disputes, beginning in 1894. Since that year the White House has played some part in all major labor-management disputes.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 5, 1965]

President and Labor: A Survey—White House, Since 1894, Has Played a Part in Disputes—Johnson Intervention Ended the Railroad Deadlock in 1964

WASHINGTON, September.—President Benjamin Harrison was a gracious, effective speaker who found nothing to say when Carnegie Steel and its workers took up rifles and cannon against each other at Homestead, Pa., in 1892.

Mr. Harrison, soon after, was defeated for reelection and no President since then has chosen to ignore a labor-management crisis in industries like steel, coal, and railroads.

President Johnson is no exception. He has paid close attention to all major disputes, intervening whenever he thought it necessary. Settlement of the steel dispute yesterday was his second big success in a mediation role in less than 2 years in office. The first was the settlement of a threatened rail strike last year.

Presidential intervention in wartime has always been understandable and acceptable to public opinion. But Presidents have intervened without using the rationale of a world war. This is what Mr. Johnson did, following precedents established by other Chief Executives before him. Grover Cleveland, in the name of keeping the mails moving, sent troops to Chicago in 1894 to put down the strike of the American Railway Union against the Pullman Co.

THE ECONOMY'S HEALTH

The main objective of Presidential intervention in major labor disputes has been to defend the health of the economy from internal strife. In the absence of extraordinary wartime powers they have relied on limited statutory authority and the indefinable near-majesty that attends the office of the President.

There are powers inherent in the Presidency, powers of moral and personal persuasion as well as force, that can best be seen by looking at the history of the office. These powers have always varied with the man. Each has dealt with, or ignored, industrial crises in his own way, and with varying degrees of success and failure.

For example, there had been no steel strike at all in 1962 when President Kennedy angrily intervened to prevent a steel price increase.

VIGOROUS ACTION

Mr. Kennedy reacted with hot temper, speed, and vigor, relying only on the prestige and the awesome general powers of the Presidency. The Government made gestures in the direction of antitrust prosecutions. The steel companies withdrew the higher prices.

This was not an unmitigated success for President Kennedy. The business community reacted with suspicion and sullenness. Mr. Kennedy, to the day he died, devoted a great deal of time and energy to the repair of that rupture.

The legal power available to a President to prevent strikes and lockouts is slight. The 80-day injunction—under the Taft-Hartley Act is one example. After the 80 days expire, the parties are free to resume their war.

President Truman, under pressure from union leaders who despised the Taft-Hartley Act, bypassed it in 1952 and invoked the "inherent powers" of office and the necessities of the Korean war. He seized the steel mills. But the Supreme Court made Mr. Truman let go.

RESOURCEFULNESS DEFIED

Another example was the longstanding railroad dispute that defied the resourcefulness of Presidents Eisenhower and Kennedy. General Eisenhower set up a commission that made recommendations to no avail. Mr. Kennedy asked Congress to send the dispute to the Interstate Commerce Commission. Congress, instead, wrote a compulsory arbitration law for that particular dispute, or part of it.

Even that did not dispose of all the issues. The five operating unions, pressing other points, were on the verge of closing down the railroads in the spring of 1964. President Johnson less than 2 weeks after intervening, clinched a settlement.

In the 4-month steel strike in 1959, President Eisenhower sent Vice President Richard M. Nixon into the negotiations. The operators had already lost their case without realizing it. Mr. Nixon and Secretary of Labor James P. Mitchell felt that the union had won the political and public relations skirmishes and that the effect would be translated into law if Congress, about to reconvene, found the issue on its doorstep. A settlement was announced on January 4, 1960, after 116 days of idleness.

Theodore Roosevelt, for all his compelling personality, could not at first bend the anthracite operators to his will in 1902. In the view of Roosevelt partisans, the operators had insulted him. However, Mr. Roosevelt won his point and averted serious damage to the prestige of office, but only after enlisting the help of so improbable a mediator as J. Pierpont Morgan.

THE TOUGH JOHN L.

In the Roosevelt-Truman era, it was a labor leader, John L. Lewis, who snorted defiance at the White House and the courts. A Federal judge levied a $3 million fine on the miners' union. The Supreme Court cut that to $700,000 but otherwise upheld the lower court.

On another occasion, Mr. Truman, angered by two stubborn railroad union leaders, marched up the hill to Congress and proposed, among other things, that the Government draft the Army. Congress paid no heed but Mr. Truman had made his point with the labor leaders.

The public, having accepted White House intervention during World War II, did not seriously question its continuation after the war. Some labor economists and other professional observers, however, often did question the wisdom, if not the legality of Presidential pressures.

Arthur J. Goldberg, as counsel to the United Steelworkers in 1959, questioned the existence of a national emergency that year and blocked the effectiveness of a Taft-Hartley injunction for 18 days while carrying his case to a Supreme Court decision.

Awareness of White House concern and prospective intervention, some argue, tends to impede bargaining. One or both of the parties may hold back until the inevitable day of intervention arrives. One or both sides may feel that the President will get them something more, or save them from something worse. Or they may see an advantage in yielding only to the President, thus putting themselves in a position to make some demand on him.

Presidential intervention in national emergencies may be inevitable, as some experts say, but it is difficult to get agreement on what an emergency is, other than war.

PRESTIGE CAN SUFFER

Given these demands, intervention can be premature or become so common that it is ineffective, and the prestige of the presidency suffers.

President Kennedy, in his 1960 campaign, leaned to legislation that would give the President increased powers in dealing with labor disputes. Thus he kept stubborn negotiators guessing about the fate awaiting them if they permitted the conflict to go to the White House. The legislation never progressed far beyond the talking stage.

Harold L. Enarson, who witnessed the 1952 confrontation of steel companies, the union, and the Government from his vantage point on the White House staff, wrote:

"Intervention is severely handicapped if the extent of the emergency is exaggerated. The Government cries 'wolf' at its peril. The penalty of exaggeration is disbelief.

"From the exaggerated fear that even a day's stoppage spelled disaster, the Nation swung to the far more dangerous exaggeration that the prolonged strike really didn't hurt much. At the root of the struggles was a wide split on the extent of the national danger and its implications for presidential power."

PRESSURE POINTS

A President is always aware of these points and others. He can pull out a lot of stops and look like a wizard. But if real pressures on the disputants do not exist, and if he cannot manufacture them, he is taking vain risks.

E. Robert Livernash of the Harvard Business School, with a sizable force of associates, made a study of relationships in steel. He said in his report to the Secretary of Labor in January 1961:

"While the conclusions of this study indicate that the consequences of steel strikes to the public need not cause alarm and are typically exaggerated, the crisis atmosphere which is created can outweigh a logical appraisal. A succession of long steel strikes can easily lead to a political situation which demands drastic legislation. The consequences of such legislation are very difficult to appraise, but they are not appealing, because they substitute the uncertain consequences of public power for private responsibility.

"The exaggerated national emergency interpretation of steel strikes, with consequent Government intervention," he concluded, "has tended to reduce the compulsions for avoiding strikes."

STUDENTS TESTIFY TO NECESSITY FOR NEW GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, in appearing before the House Veterans Affairs Committee in its hearings on legislation extending benefits of the GI bill to cold war veterans, Mr. and Mrs. William R. Withee presented statements of a moving and strongly convincing character. Mr. Withee is a Marine Corps veteran and a student at the University of Maryland. He is also president of the Veterans Club at that university. I request that the statements of these two outstanding young people be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF THE VETERANS CLUB OF THE UNIVERSITY OF MARYLAND IN SUPPORT OF THE COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT, BEFORE THE HOUSE VETERANS AFFAIRS COMMITTEE

(By William R. Withee, College Park, Md., Sept. 7, 1965)

Mr. Chairman, members of the committee, I would like to thank you for allowing me the privilege of speaking today on behalf of the cold war GI bill. As president of the Veterans Club of the University of Maryland, I have heard a great many comments from its members, and from servicemen concerning the Armed Forces, education and other timely topics. I believe that this committee would be interested in hearing the views of men who would be affected by the legislation under consideration.

In a changing society such as ours, with its stress on technology and automation, servicemen who return to civilian life find that machines do the work of men, and employment qualifications have become more selective. In addition, college enrollments, doubled in some States since 1960, force both tuition and entrance requirements to go spiraling upwards. These factors put added burdens on the servicemen who, having done their duty, wish to resume their lives as civilians. It is true that some of our servicemen have been given the decided advantage of specialized training which will better enable them to attain decent employment on the outside. But this is the exception, not the rule. For a marine whose only job is caring for a machinegun, or for a soldier whose sole occupation is driving a jeep, there can be but the slightest chance of his training helping him in obtaining civilian employment. It is no wonder that in California the unemployment rate for veterans is twice that of nonveterans.

Some have stated that legislation such as the cold war GI bill is not needed because servicemen have many opportunities while in uniform to pursue their educational goals. Gentlemen, may I state that this indeed may sound attractive to men entering the Armed Forces. Because of the present world situation, many patriotic Americans enter the service with duty in mind first, and education second. But the sad part about it is that for far too many, too often, education is unavailable or impossible. It is rightly so that servicemen must realize that duty to one's country comes first. But much despair and disappointment can be found among servicemen because when they enlisted or were drafted, they were told of opportunities to receive education, and later found that opportunities in the service are, for the most part—unsatisfactory.

I recall that in 1959, shortly after my graduation from recruit training, I enrolled in a history course from East Carolina College. I was informed that, because each class was three hours long, given twice a week, I was allowed only four absences from the course. I was a truck driver then, and when a minor crisis arose somewhere in the Caribbean, I was put on standby at motor pool so often that I missed five classes. I received an unsatisfactory report for the course. This is not the only stumbling block to service connected education; there are others, such as antagonistic career servicemen, sudden troop movements and transfers, inadequate studying facilities, and additional duties such as mess duty and guard duty.

We then have a picture—an enlightened serviceman who, after realizing that an education or training is necessary for advancement, and is frustrated in his attempts to obtain it in the service, resigns himself on a wait for the day he gets "out", so that he can pursue these objectives on a regular basis.

It is our belief that legislation such as the cold war GI bill would not induce servicemen to leave the Armed Forces in droves, as has been implied. On the contrary, we feel that many would enter the service so as to be eligible for schooling and training benefits under such a bill. These men would be assets to the Armed Forces by virtue of their morale, motivation, and seriousness. They would, speaking in a larger sense, be assets to this great country of ours, which must maintain it's position as a world leader and a defender of democracy.

Gentlemen, the great majority of servicemen with whom our organization has been in contact have declared emphatically that they do not wish to remain in the Armed Forces under any conditions. They have, in effect, been exposed to the experience of a disciplined, highly regimented existence, historically alien to our way of life, and necessarily unconcerned with individual needs and desires. No matter how many pay raises these young men might receive, nor how many fringe benefits they might be given, such as expanded PX privileges, they are eager to return to civilian life. They want to assume the role of responsible citizens; to build equity in homes and farms; to raise families. However, in spite of this determination and motivation, the 40 percent of our draft eligible young men who do serve their country find it increasingly harder to accomplish the transition from military to civilian life. When our servicemen return to the civilian labor force, they find, as I have found, that opportunities for employment are increasingly harder to find. These men, I am sure, are not bitter at the Armed Forces for their difficulty. On the contrary, they are proud to have served their country. They believe that it is every Americans' duty to do his part, no matter where or when.

The value of the two previous GI bills has been proudly pointed out many, many times. The statistics are impressive and often surprising, so I will not repeat any of what has already been said regarding monetary and other gains accrued from these bills. This would be redundancy. But, I would like to conclude my statement with a request that you consider the cold war GI bill, not as a favor or a reward, but as an opportunity for the millions of cold war veterans to help themselves, so that they may be better able to help this great country of ours.

May I again thank the chairman and the members of this committee for allowing me to speak today.

Thank you.

STATEMENT OF VETERANS CLUB OF THE UNIVERSITY OF MARYLAND IN SUPPORT OF THE COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT, BEFORE THE HOUSE VETERANS AFFAIRS COMMITTEE

(By Mrs. Doris Withee, College Park, Md., Sept. 7, 1965)

Good morning, Mr. Chairman, members of the committee, for the record, my name is Doris Arlene Withee, and I sincerely appreciate the opportunity to be here this morning to express my views, and I am sure the views of many, many young women like myself, on the need for legislation to provide readjustment assistance to cold war veterans.

I am a veteran of the U.S. Marine Corps, honorably discharged with the rank of lance corporal in 1961. I am married to a cold war veteran who spent 4 years active duty in the U.S. Marine Corps, and 2 years on inactive reserve duty. I know how the desire to obtain a higher education affects a young man—say, one who has completed 2 of his 4 years on active duty. I know what it means to look ahead in the future and see it in a dim light because the funds for a college education seem to be so far out of one's grasp. I have gone through many sleepless nights, planning budgets and counting pennies, hoping to find a way to help this man obtain his goal, which in our case is a Ph. D. in clinical psychology. Well, the sleepless nights have begun to pay off—after 5 long years of both a part-time and full-time education, my husband is now a second semester junior at the University of Maryland.

Now once again, the future looks dim. We'll make it through the bachelor of arts degree, but with two small children, Lisa nearly 4 years, and Michael, 15 months, the problem of financing graduate work in college looms before us again. Enactment of the cold war GI bill would once again clear the way for us.

Here is my husband, potentially a man who will be trained to fill one of the thousands of vacancies which exist for persons qualified in the field of clinical psychology—if he can find the way to complete the years of preparation. We read so often of the shortage of teachers, sociologists, psychologists, scientists, engineers, doctors and other professionals. And we cannot understand why the great reservoir of talent which exists among the cold war veterans is allowed to go to waste. We hear of the shortage of skilled technicians which concerns industry. Yet there are thousands of young men and women, veterans of the Nation's Armed Forces, who cannot become trained for these seimprofessional positions because they cannot afford the cost of training. So they are either unemployed or working at frustrating, menial jobs and their potential talent is wasted.

Others have spoken, I'm sure, of the fact that the higher standards of recruitment for the Armed Forces has resulted in the services rejecting all but those with potentially the better mental and physical ability. Thus, the Nation is taking the best of those available, placing them in the country's service, and discharging them to fend for themselves in a high competitive unskilled labor market. It is hard not to be bitter—though we are not, I assure you—when one sees those who, since they come from families who can afford to pay their way, go to college and avoid military service, especially if they go on to graduate school, marry and have families. These people get a 2 to 4 year head start on the ex-serviceman, any way you look at it.

My husband and I are proud that we have served in the U.S. Marines. We believe that service to one's country is something of which to be proud. But perhaps if we had realized how tough it would be, we would not have enlisted. (I'm glad we did, because that's where we met.)

The point is sometimes made that a program of scholarships or student loans available to college students can take care of the veteran student. This is not quite so. Many veterans have to work while enrolled, because they are married, with children. Even those who are single also must work while attending school and have less time for study. In my husband's case—and this is not uncommon—he enrolled in a language correspondence course under the USAFI program while in the service in an effort to get started on his college education. But he was called to extra duty, missed lessons and became so discouraged, his heart was not in it. This was in addition to the military lessons through the Marine Corps Institute he was required to keep up in his so-called spare time. This is a very common situation. The USAFI programs are all right, but since obviously the servicemen's duty comes first, you will find a great many times their academic records are not as good as they should be. Thus, as a veteran he is at a disadvantage as a new student as far as getting student loans or scholarships is concerned.

On top of this, since he is busy from 6 a.m. until classes begin, and again in the evenings until 10 or 11 o'clock, he has not enough time to study in order to achieve the top grades I know he is capable of. I work full time as a secretary, but even with our combined earnings, we cannot make ends meet. We have no phone, which is a problem with two small children. I have done the laundry in the bath tub on weekends, because we could not afford the laundromat. I've collected soda bottles to trade for baby food more than once. And I am not complaining, for there are thousands of young people trying to make a success of life the same way.

However, I sometimes wonder how long we can keep this up. We are both healthy as are our children, but we will not always be young. We are fortunate that our children are in a nursery school—but we have far too little time to give to them in these most important early childhood years, when the family ties are so important.

With enactment of a cold war GI bill similar to S. 9, we would be able to cut down on my husband's workload, shorten the years he must spend in college if he can go full time, and solve many of the problems that are outlined in this statement.

I deeply appreciate the opportunity to testify before this committee. It is a rare privilege for an ordinary citizen to see his Government in action, and it makes me even more proud of my country to think that Members of Congress will listen to me as you have. But please consider that I am speaking not only for ourselves.

I assure you that we are not alone. There are hundreds of thousands of young couples in the same situation. If the cold war GI bill is enacted into law, not only the veterans but their wives and children will be assured that this country cares. And in turn these young people will return to the Nation, in increased ability as well as taxes paid on increased income, far more than the GI bill could possibly cost.

Thank you.

ON GUERRILLA WAR

Mr. CHURCH. Mr. President, an excellent article by Eqbal Ahmad of Cornell University on guerrilla warfare was published in the August 30 issue of the Nation magazine.

I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Revolutionary Warfare—How To Tell When the Rebels Have Won

(By Eqbal Ahmad)

(Note.—Eqbal Ahmad, a Pakistani citizen, is assistant professor at the School of Labor and Industrial Relations, Cornell University. He spent 2½ years in North Africa (1960–63), first as a Rockefeller Fellow and later as Associate Director of the International Cultural Center. Mr. Ahmad is currently at work on a political biography of Habib Bourguiba.)

Vice President Humphrey expressed the national concern over guerrilla warfare recently when he spoke of this "bold new form of aggression which could rank with the discovery of gunpowder" as constituting the "major challenge to our security." It is viewed as the latest weapon in the Communist arsenal with Vietnam as its testing ground [see "Goliah and the Guerrilla," by Eric Hobsbawm, the Nation, July 19]. "If guerrilla techniques succeed in Vietnam," wrote James Reston in the New York Times, "nobody in Washington dare assume that the same techniques will not be applied in all Communist rimlands from Korea to Iran." This view is based on two assumptions and at least one serious misconception. It assumes that the Vietnamese situation is typical, historically and politically, of other underdeveloped countries, and that American policy toward other nations would be comparable to the one pursued in Vietnam. The misconception concerns the nature of revolutionary warefare.

America's interest in revolutionary warfare began from a defensive posture as a result of reverses in China, Korea, Cuba, and Laos, and of protracted involvement in Vietnam. It was natural for its officials to be attracted more to the myths and methods of those who have had to defend themselves against guerrillas than to an understanding of the causes and characteristics of such a war. Americans are therefore unable to avoid the psychological and political pitfalls of colonial powers and feudal regimes like France and Nationalist China. A symptom of this negative posture is that while recognizing "a bold new form" of warfare, Government publications, including the course books of Fort Bragg, reject the term "revolutionary war" in favor of old terms which do not suggest the vital distinction between revolutionary and other types of guerrilla conflict.

The official American interpretation of revolutionary war can be summarized as follows: (1) It is essentially a technical problem, i.e., a problem of plotting and subversion on the one hand and of intelligence and suppression on the other. As the chief conspiratorial group, the Communists are believed to be the most likely initiators and beneficiaries of revolution. It was this attitude which led to the recent attempt to nip in the bud what was construed as the Dominican Communist conspiracy. A logical extension of this theory is the belief that any revolutionary movement is inspired, directed, and controlled from abroad. (2) The active sanctuary—from which guerrillas can smuggle supplies and train their troops—is considered the primary factor in their success. (3) The guerrilla movement is believed to enjoy considerable advantage because in the words of W. W. Rostow, "its task is merely to destroy while the government must build and protect what it is building." (4) The civilian population is considered important for providing information and protection to the guerrillas; it is believed that civilian-guerrilla cooperation is enforced by terror. (Dean Rusk, while complaining of the "gullibility of educated men and their stubborn disregard of plain facts," asserted that the Vietcong "has no significant popular following * * * it relies heavily on terror.") Serious inquiry into other bases of guerrilla support and mass mobilization is therefore deemed of no great importance.

Judging from the failure of Washington's prophecies in Vietnam and from the policies followed to date, it would seem that these assumptions represent the actual official view and cannot be dismissed as myths conciously constructed for public consumption. Wrong premises do not usually produce right policies, and these assumptions are, at best, half truths—credible and misleading. (Oliver Wendell Holmes once remarked that a half truth is like half a brick: it can be thrown a considerable distance.) Studies in the field of revolutionary wars and my personal observation of the Algerian struggle lead to very different conclusions which may be summarized as follows: (1) Revolutionaries consider mass support the primary condition for their success; winning and maintaining popular support remains their central objective throughout the struggle. (2) The requirements of guerrilla war, as well as the history of its failures and successes, confirm the primacy of political factors in such a conflict. (3) Popular support for the guerrillas is predicated upon the moral alienation of the masses from the existing government. The revolutionaries' chief aim is to activate and perpetuate the moral isolation of the enemy regime until such isolation has become total and irreversible. (4) The conditions leading to revolutionary wars are not created by conspiracy. They are partly inherent in a situation of rapid social change, but the outbreak normally results mainly from the failure of a ruling elite to respond to the challenge of modernization. (5) A revolutionary guerrilla movement concentrates on "outadministering," not on "outfighting" the enemy. This is a constructive and not simply a destructive undertaking. (6) The use of terror by guerrillas is highly selective; it does not constitute the main reason for the favorable reaction of the masses to their cause. (7) The external sanctuary has greater psychological and diplomatic than military or political value to the guerrillas. A discussion of these points follows.

Organizers of guerrilla warfare give prime attention, in practice no less than in theory, to the human factor. T. E. Lawrence (of Arabia) spoke of guerrilla war in terms of "the algebraic element of things, the biological element of life, and the psychological element of ideas." In other words, although Lawrence's goals were essentially military, military considerations constituted, for him, only one-third of the problem of organizing and sustaining guerrilla troops. When Tito was told of the exceptionally unfavorabe terrain in the region of Srem (the area is level as the palm of your hand * * * and with little forests) he remarked, "What a first-class example it is of the relative unimportance of geographical factors in the development of a rising. The basic factor is studious political work, the attitude of the mass of people and the fighting leadership—if these are present the population would fight to the last man." Mao Tse-tung states, "Because guerrilla warfare basically derives from the masses and is supported by them, it can neither exist nor flourish if it separates itself from their sympathies and cooperation." This belief in the need to command popular support governs the movement through all stages of its development.

History confirms the sovereignty of the human factor in revolutionary warfare. While shying away from the wars that were "lost," American military analysts are prone to cite cases of successful antiguerrilla operations. A heavy favorite—the British "counterinsurgency" in Malaya—is faithfully imitated in Vietnam. (Sometimes too faithfully, as in the case of the strategic hamlets program launched in April 1962.) But comparisons with Malaya are fallacious, because there the guerrillas were at a severe disadvantage. Their support was limited to a minority of 423,000 Chinese squatters, who were ethnically distinct from and distrusted by the majority of Malays, and popular grievances were not acute enough to make the guerrillas look like liberators to the Malay peasants. Furthermore, the British acted quickly to remove the grievances on which the rebellion was based. Even then it took 13 years and a total of 260,000 soldiers and police (80,000 British, 180,000 Malays) to put down 8,000 guerrillas (a ratio of 30 to 1). Another success story, the joint United States-Philippine victory over the Huks, is less frequently cited because of its embarrassing aspects. The Huk movement collapsed dramatically when Magsaysay convinced the peasants of his will and capacity to introduce reforms. However, the promises made to them were not kept and the Garcia administration witnessed a resurgence of guerrillas. In April 1962, Macapagal swallowed his embarrassment and ordered a mop-up operation in central Luzon. According to the latest reports, guerrilla strength in the Philippines is increasing.

The Algerian revolution, the least studied in this country though it comes closest to the Vietnamese situation, had actually been crushed militarily but had won politically when De Gaulle negotiated independence. By 1961, the guerrillas had been reduced to some 5,000 and their ability to engage the French at will had markedly declined. But France faced a sullen Algerian population that it had conquered but could not rule. The FLN was defeated in the field, but it continued to outadminister and "illegitimize" the French.

Why did the Algerian peasants risk, for 7 remorseless years, their lives, the honor of their women, and the security of their paltry belongings? Nationalism alone could not explain their violent and resolute rejection of French rule. In no other colony, except Indochina, did the movement for independence take so violent a turn. And why did not the peasants respond earlier to the militants' calls to arms? The answer comes from one of the historic chiefs of the Algerian revolution. The time was not "ripe," he said. "These events occur where foreign rule is resented, where acute grievances exist and institutional channels for ventilating and satisfying them are ineffective."

Peasant rebellions had occurred in past years of famine and high taxation, but these spontaneous and periodic disturbances, as expressions of frustration over social and economic conditions, are not a sufficient condition for guerrilla revolution. "Revolutionary warfare does not require simply discontent among the masses but a sense of desperation and a grim determination to end injustice and humiliation. It demands patience with prolonged suffering, and a determined conspiracy of silence, and militancy."

A people can summon up that resolution only if they feel morally alienated from their rulers. "The success of a revolutionary war is predicated upon the continual and increasing moral isolation of the enemy. When it becomes total the war has been won, for the population will then fight to the last man." Later, other Algerian leaders told me they had spent more effort fighting the French promises of eventual independence and reforms than fighting the military. The Algerians became increasingly alienated from the French as the latter increased their military effort, which in revolutionary warfare means large-scale killing of civilians (if for no other reason than because the guerrilla is undistinguishable from other peasants), and the FLN became more confident of winning not the military battles but the revolutionary war.

The conditions leading to revolutionary warfare are not created by conspiracy. They are inherent in the dislocations and demands produced by rapid social change, and are predicated on the failure of ruling elites to respond to the challenge of modernization. The pressures for change in the political, economic and social relationships of the past inevitably lead to a confrontation with those whose interests lie in the maintenance of the status quo. In countries and colonies whose rulers are willing to abdicate their monopoly of power and privileges, where genuine reforms are introduced, and new institutions begin to provide for a sharing of power and responsibility, the change is effected in an orderly (if not entirely peaceful) and democratic manner. But when a ruling class resists reforms (which invariably mean reduction in its power and privileges), its confrontation with the new political forces becomes increasingly violent. A regime unwilling to satisfy popular aspirations begins to lose legitimacy; revolutionary forces deliberately accelerate this process, by weakening the efficacy and cohesion of the ruling elite, and by giving form to the amorphous revolutionary conflagration. In the competition for leadership which often takes place in this volatile situation, non-Communist revolutionary groups are handicapped by several factors, the most important of which are the attitudes and policies of Western powers. By supporting the defenders of the old order, a great Nation like the United States weakens the fighting power of the democratic forces, drives the cold-war neutralists to seek the help of the Communists, and gives the latter new heroes and martyrs.

Once a revolutionary movement enters the guerrilla phase its central objective is to confirm, perpetuate and institutionalize the moral isolation of the enemy by providing an alternative to the discredited regime through the creation of parallel hierarchies. The major task of the movement is not to outfight but to outadminister the government. The main target in this bid is the village, where the majority of the population lives, and where the government's presence is often exploitative (collection of taxes). Here the chief and his council are the main link between the people and the government. Breaking this link demands careful planning, organization and hard work. The government is systematically eliminated from the countryside by the conversion or killing of village officials, who are then controlled or replaced by the political arm of the movement. The rebels must then build an administrative structure to collect taxes, to provide some education and social welfare, and to maintain a modicum of economic activity. A revolutionary guerrilla movement which does not have these administrative concerns and structures to fulfill its obligations to the populace would degenerate into banditry. The official American view that the guerrillas' tasks are easier because they only destroy contradicts the findings of those who have studied and observed these movements. During this phase, military confrontation is normally avoided, and the government also treats assassinations as a police problem, and ascribes nonpayment of taxes to administrative lags, bad harvests, etc. The Vietcong is known to have gained control over 70 percent of rural Vietnam during 1957–60—a period when Americans were presenting Uncle Diem as a rival of Uncle Ho and were going around saying: "Look, no Vietnamese army units are attacked. Therefore, there is no guerrilla threat."

Most compelling, but also most self-defeating, is the myth that terror is the basis of civilian support for the guerrillas. Guerrilla warfare requires a highly committed but covert civilian support which cannot be obtained at gun point. Only degenerate and defeated guerrillas are known to have risked the loss of mass support by terrorizing civilians (some Huk and Malayan diehards were reduced to it). An outstanding feature of guerrilla training is the stress on scrupulously "correct and just" behavior toward civilians. Political work believes General Giap, is "the soul of the army," and a Chinese guerrilla expert explains that "army indoctrination is primarily aimed at training the troops to act in such a way that they will gain this total support [of the people]." Guerrilla use of terror, therefore, is sociologically and psychologically selective. It strikes those who are popularly identified as the "enemy of the people"—officials, landlords and the like.

Killing a village chief, however, is often a more complicated affair. Since most chiefs are local farmers who command legitimacy and loyalty through tradition and kinship, the militants ideally want to persuade them into the movement. When that fails, it takes painstaking political work to engineer their assassination and to prepare the villagers to accept it. In the early years of the Algerian revolution it took the FNL from 2 months to a year to kill a village chief without incurring the liability of public hostility, and that was an anticolonial war. I was, therefore, amazed to learn that in Vietnam, about 13,000 local officials were killed between 1957 and 1961. Prof. Bernard Fall gives a simple explanation: These chiefs, as appointees of Diem, had little legitimacy compared with the Vietminh cadres who had liberated the country from France. Furthermore, the local officials became involved, along with the American-equipped and trained army, in the sordid business of restoring the landlords who had fled the country during the war. (A de facto land reform was achieved under the Vietminh.) These absentee aristocrats even demanded 8 years worth of back rent, covering the period from 1945 to 1954. Before the war, the rent had been 50 percent of the yield; the peasant was thus required to pay 400 percent of his produce and to surrender his rights to the land. The Vietcong had no problem preparing them to accept the killing of officials engaged in such work.

Terror is also used to insure survival of the militants and of the movement. Robert Kleiman of the New York Times (May 3, 1965) informs us that in Vietnam's "contested areas, with 40 percent of the population, Saigon usually gets cooperation by day and the Vietcong by night—because that is when their troops and officials are present. It is an old Asian custom." I was amused by the last sentence, for I know it is not our custom, but a universal practice of guerrilla warfare. The population must seem at least neutral if it hopes to escape full enemy treatment from government troops. Rebel troops and officials do not arrive at night from "somewhere in the mountains"; they are present during the day, too, and often lead the show of obedience to the government. At night, the loyal peasant turns into a guerrilla and all know him as such. To insure that the popular conspiracy of silence develops no seams, exemplary punishments are given to those suspected of having informed.

Second-degree terror, which normally does not result in killing, is used to sabotage the government's belated effort to gain popular support. Government schoolteachers and health workers are favorite targets of kidnapping and indoctrination. In June 1962, a South Vietnamese U.N. observer informed UNESCO that the Vietcong had kidnaped more than 1,200 teachers; the government's malaria eradication campaign collapsed after 22 health officers had been killed and 60 kidnaped. Guerrilla sabotage normally guards against causing too much hardship on the population and long-range damages to the economy. Industry and even foreign-owned plantations are spared if they pay their "taxes" to the liberation front. And they normally do so when the government is unable to protect them. (In Vietnam the large European rubber plantations, Michelin, SIPH, Terres Rouges, resisted for a while, but started paying taxes to the Vietcong after their French supervisors were kidnaped.)

It is difficult to say at what point the moral isolation of a government becomes total and irreversible, so that no amount of promises and reforms would restore the lost confidence and reduce the peoples' resistance. In Algeria, at least, the point seems to have been reached when the French were reduced to torturing and killing civilians and to "regrouping" the population. Many Algerian leaders believe that their revolution became irreversible at the moment of France's greatest military victory—General Massu's conquest of the Casbah (the Muslim section of Algiers was reduced to rubble during 1957–58). France could no longer expect the confidence, much less the loyalty, of a people it was destroying indiscriminately, albeit unwillingly and despite itself.

The desertion of the intellectuals and moderates often signals, not so much the irreversibility of a revolutionary war, but its takeoff. Intellectuals, especially the Asian variety, are a democratic, liberal group, who view organized violence with distaste. Somewhat alienated from their culture, Westernized and city centered, they distrust the peasants but desire an improvement of their condition. When an armed revolution breaks out, they are likely to play in the middle, hoping to get some reforms underway by using the armed threat as a counter for bargaining. They begin to go on exile or to defect to the rebels after the failure of the regime and the success of the revolution become imminent.

The defending army's pressures for conventional attack on an external sanctuary is yet another sign that a revolutionary war has been lost on home grounds. In revolutionary warfare, armies trained for conventional combat follow a vicious logic of escalation, which derives from acute frustration over an elusive war that puts in question not only their effectiveness but the very validity of their training and organization. Moreover, the morale of professional soldiers cannot be maintained if they know they are fighting a popular rebellion. Hence the compulsion to believe that behind the popular behavior lies the terror of an army trained, equipped and directed by a foreign power, and the wish to draw the enemy into open battles. Since reprisals against the population fail to produce the desired result, carrying the war to a sovereign nation becomes the only road to a conventional showdown. In Algeria this demand led to French participation in the invasion of Suez, then to the bombing of the Tunisian border town of Sakiet Sidi Youssef, and produced a succession of army revolts, the last of which destroyed the Fourth Republic. Had the French Government succumbed to these pressures, France would have been the first power to violate the international practice of respecting the rights of sanctuary—a principle that was observed in Korea, Greece, Cyprus and Malaya.

The importance of an active sanctuary should not be underestimated, although it is not essential to guerrilla success. In Cuba, Yugoslavia and China the revolutionaries did not have active sanctuaries. In Burma and to a lesser extent in Greece, sanctuaries proved of limited value. Politically and militarily, revolutionary guerrillas are, by and large, a self-sustaining group who can go on fighting indefinitely even if infiltration from across the border stops. External help, however, has great psychological and diplomatic value. In a war of attrition, there can be no decisive victory over a strong foreign enemy. At best, one hopes to inflict on it heavy losses, tire it out and, through international pressure, force it to negotiate withdrawal. External help is important in internationalizing guerrilla demands, and keeps alive the hope of liberation. When a revolutionary army loses an ally, it loses not so much military support; it loses hope. When the world is not watching, when the fear of diplomatic sanctions and the threat of a widened war are absent, a foreign power trapped in counter-guerrilla operations is likely to make the final and the only move that may "win"—it starts to commit genocide.

Finally, the assumption that a guerrilla outfit, like a conventional army, can be controlled and commanded by a foreign or externally based government, ignores the organizational, psychological and political facts of revolutionary warfare. The distrust of the home based guerrillas, even for their own government in exile, cannot be overstated. The resourceful and tough interior leaders and cadres who face the enemy daily, collect taxes, administer, make promises and give hopes to the population are not easily controlled from abroad and make suspicious, exacting, and hard-to-please allies. Therefore, zone commanders and political commissars are, for the most part, monarchs of what they survey. As a group, they are joined together by shared experiences by a common mood which is defiant and insular, by a shared suspicion of politicians and diplomats over there selling them out, and by a collective will to defy a settlement that is not of their making.

In Vietnam, the signs are clear. The South Vietnamese regime has no legitimacy, and no government backed by a Western power can hope for popular support in a country where the Communists have capitalized on the nationalist appeal of restoring independence and unity, and where the pro-Western leaders have been Bao-Dai, Diem and the musical-chair generals. The massacre of civilians began as early as 1960 (not counting the earlier repressive measures of the Diem regime), as attested by reputable scholars and even a former Chief U.S. Military Adviser (Lt. Gen. Samuel T. Williams; see U.S. News & World Report, Nov. 9, 1964). It has since escalated. The intellectuals and moderates have deserted or defected. And North Vietnam is subjected to daily bombings. America and its South Vietnamese allies have lost the revolutionary war because they could not win the support of the Vietnamese people, and now their moral isolation is total.

As an Asian, I am aware of the appeals and threat of communism, and I would support policies likely to prevent its expansion. But I do not believe that communism is the wave of the future, and therefore I am neither panicked nor paralyzed. I believe that Vietnam is a unique case—culturally, historically and politically. I hope that the United States will not repeat its Vietnam blunders elsewhere. I do not subscribe to the domino theory and I am anguished by Americans who call Vietnam a test case. Vietnam is the only country in the world where the nationalist movement for independence was led by the Communists during its most crucial and heroic decades. In new countries where institutional loyalties are still weak, the legitimacy and popularity of a regime derives from its nationalist heroes and martyrs. Unfortunately for the free world the George Washington of Vietnam, its Gandhi, was a Communist nationalist. Ho Chi Minh and his associates (including General Giap of Dienbienphu fame) are understandably considered the founding fathers of modern Vietnam. It was morbid optimism to expect an absentee aristocrat to supplant a leader who had devoted a lifetime to the liberation of his country, and to defeat a leadership and cadres whose organic ties with the peasants were cemented by the bitter struggle for independence. It is not fair to blame Diem for driving the Vietnamese to desperation. He had no choice. Given his circumstances his only possible weapons were a power apparatus to regiment the population, all-out support of minorities, and widespread terror. These were not aberrations of a program but the program itself.

Vietnam is also the only country in which the United States gave substantial support to a colonial power in a war of independence. This could not have endeared America to the Vietnamese people. Then in the southern zone America replaced France, and supported the ex-French Puppet Bao-Dai; next it put up Diem as "the democratic alternative to Vietnam," and also failed to honor its pledge to hold elections for the unification of the country. To most Vietnamese the present war, therefore, is a continuation of the struggle for independence. I know how Asians feel about America's action. They call it neo-colonialism; some think it is imperialism. I know this is very wrong because Americans are naturally sympathetic to peoples' struggles for freedom and justice, and they would like to help if they could. I prefer the term "maternalism" for American policy in countries like Vietnam because it reminds me of the story of an elephant who, as she strolled benignly in the jungle, stepped on a mother partridge and killed her. When she noticed the orphaned siblings, tears filled the kind elephant's eyes. "Ah, I too have maternal instincts," she said turning to the orphans, and sat on them.

THE STATE TECHNICAL SERVICES ACT

Mrs. NEUBERGER. Mr. President, it was my privilege to chair the Senate hearings on S. 949, the State Technical Services Act. This measure enabled States to establish programs to bring the latest developments in science and technology to the doorstep of local business and industry. The expected resultant benefits will be increased production, greater efficiency, an improved competitive position in world trade, and a healthy realization that our Nation's research and development programs must be less dependent on our national defense expenditures.

It is not the purpose of this legislation to support scientific research or industrial research, nor is it concerned with developing proprietary products or processes. Its purpose is to promote wider use of the result of research which has already been done or will be done in the future. General Electric and Du Pont can look after themselves, but locally operated business and industry are often ill-equipped and lack the experience to take advantage of new developments.

Technological improvement is a very complex process. It does not occur overnight. It is made more difficult by the risks inherent in innovation. It is also costly, particularly since the cost of basic research and development is rising more rapidly than the price of manufactured goods.

In a modern industrial nation such as ours, technical activity and economic well-being seem to go hand in hand. With the results of so much expensive research being inefficiently used throughout the country, it is easy to see why imbalances have developed and why there is now a national need for a program to spread the results of science and technology for all regions, industries, and businesses.

This process of technological dissemination will be conducted in most States by the universities most suited for it, rather as has been done so spectacularly in this century by the Agricultural Extension Service through the land-grant colleges. The universities would work within a State-prepared 5-year plan outlining the technological and economic prospects of the State, and the major regional industrial problems faced.

I was particularly pleased that the Commerce Committee adopted my suggestion that clarification was needed in the relationship between community operated services and the administration of the act. As I pointed out to Secretary of Commerce Connor at the Senate hearings, it would seem rather strange that we should make efforts to improve the efficiency and effectiveness of private business with the use of public funds, without offering that same opportunity to public business and services, such as port and dock facilities, community-owned power and water, and airports. Language has been incorporated into the act and the committee report which makes it clear that while it is not anticipated that such activities will become dominant in the State programs, the bill would authorize technical services to the public facilities.

CASPER TROOPERS WIN WORLD OPEN DRUM AND BUGLE CORPS COMPETITION

Mr. SIMPSON. Mr. President, on August 21 a group of 130 young people, organized only 8 years ago as the Casper Troopers Drum and Bugle Corps, won the international recognition that they so richly deserve when they captured the world open drum and bugle corps competition in Bridgeport, Conn.

Wyoming has had many occasions on which to be proud of the Casper marchers. They have captured honors in Las Vegas, Nev.; Seattle, Wash.; and in Colorado and Oregon, but the victory in Bridgeport, Conn., was what might be called the frosting on the cake.

To Casper contractor James Jones, who organized the corps as a nonprofit organization in September of 1957, the world championship was more than another accolade, however. Mr. Jones had a theory that the corps would be an excellent character building activity for Casper young people and a source of pride for the entire city and area.

The corps has proven to be everything that Mr. Jones envisioned. Not only has the group's precision and excellence won honors throughout the country, but, as the Casper press has pointed out:

> No regular member of the Troopers has ever been in difficulty with the authorities. They have traveled far and near piling up honors for themselves and their city and acting as ambassadors of good will.

Seven thousand Casperites turned out to greet the Troopers when they returned home triumphant September 2. They were feted at a gigantic welcome home program at Natrona County High School. As a full 2-page advertisement in the Casper Star-Tribune of September 2 pointed out, "Casper and Wyoming are proud of your world championship."

Mr. President, for a city no larger than Casper—a city of some 40,000—to produce a 130-member marching unit that can capture world honors is truly phenomenal. It attests, not only to what Casper's Mayor Patrick Meenan called the city's "mutual admiration society"—Casper is the type of city that demands and gets excellence—it speaks volumes for Director Jones and particularly for the caliber of the young people found in a State that places a high premium on ability, initiative, resourcefulness, and decency.

I ask unanimous consent Mr. President, that press dispatches from the September 2 and September 3 Casper Star-Tribune, plus a list of the young men and women who comprise the Casper Drum and Bugle Corps, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Casper (Wyo.) Star-Tribune, Sept. 2, 1965]

TROOPERS PERFORM TONIGHT

Welcoming home ceremonies for the Casper Troopers will begin promptly at 8 p.m., Thursday evening at the Natrona County High School stadium with a performance by the Trooper cadet color guard, according to Jerry Hanson, assistant manager of the Casper Chamber of Commerce.

Immediately following the color guard's performance, the cadet drum and bugle corps will perform. Then at 8:25 p.m., the cadets will play "When the Saints Come Marching In," and the world champion Casper Troopers will march onto the field and demonstrate a few of their championship formations, Hansen said.

Following the Troopers' performance, Jim Jones, Troopers staff director, will receive, in behalf of the Troopers, a gold key to the city of Casper from Mayor Patrick Meenan.

Mayor Meenan and Secretary of State Thyra Thomson will each offer their congratulations to the Troopers, following the presentation, Hanson said.

The ceremonies will be brought to a close about 9 p.m., with the performance that brought the Troopers the championship.

(By Jack Fairweather)

"Mrs. Nixon and I shall always have the most happly memories of our snow-capped visit to Casper earlier this month. The splendid performance by the drum and bugle corps was certainly a highlight of the visit for us."

This excerpt from a letter by the then Vice President Richard Nixon to Jim Jones, director of the Casper Troopers Drum and Bugle Corps in November 1960 is just one of many congratulations and honors received by the corps prior to and since the Nixon campaign stop.

The dream child of Jones, a Casper contractor, the corps was organized and incorporated as a nonprofit organization in September 1957.

The purpose of the corps as originally described by Jones was to provide a character-building activity for Casper young people which would be a source of pride for the entire city and area.

Jones and his Troopers, now numbering 130, have accomplished this and more.

No regular member of the Troopers has ever been in difficulty with the authorities. They have traveled far and near piling up honors for themselves and their city and acting as ambassadors of good will.

On August 21 they put the finishing touch on their 8-year campaign to reach the top. They won the world open drum and bugle corps competition in Bridgeport, Conn.

Today the Troopers are on their way home and tonight they will receive a well-deserved welcome by officials of their State and city.

Their homecoming started this morning in Sioux City, Iowa, where they received an honorary police escort from Morningside College to the city limits.

The Troopers have returned home triumphant several times in the past but this evening's welcome at the Natrona County High School auditorium is expected to surpass anything in past years.

The Troopers bus will be met in Lusk at 6 p.m. where the corps will take time out for a chicken dinner, courtesy of Rex Canfield of the Red Barn Restaurant.

At 8 p.m. the world champions are due to arrive at the NCHS stadium where Secretary of State Thyra Thomson and Casper Mayor Patrick Meenan along with an expected 5,000 Casper residents will officially welcome them home.

As the Troopers disembark from the buses they will perhaps recall past welcomes in the wake of victories at Las Vegas, Nev., Seattle, Wash.; Denver; University of Colorado and Portland, Oreg. But tonight will, no doubt, be the one they'll remember the best.

The feeling of Casperites for their drum and bugle corps is summed up by the contributions of many persons who worked to organize this evening's activity.

Pacific Power & Light Co. donated the power for the use of the lights at the stadium, Casper Neon Sign is furnishing the labor and the talent to prepare a welcoming sign, the Mustangs gave up their crucial last practice before their first game of the football season and of course many, many people have worked on the arrangements for the welcome.

The "welcome home" program gets underway at the NCHS stadium tonight at 8 o'clock. The public has been urged to arrive early and bring their best cheering voices with them.

The Casper Star-Tribune has printed extra copies of today's paper as a service to Trooper's parents and fans who will want to save the two-page "welcome home" tribute to the corps.

[From the Casper (Wyo.) Star-Tribune, Sept. 3, 1965]

SEVEN THOUSAND FILL STADIUM TO GREET TROOPERS

A roar went up from 7,000 throats when the world champion Troopers stepped off their buses at Natrona County High School Stadium last night.

The crowd had been entertained by a sparkling performance by the Trooper cadets for more than a half hour before the A corps arrived. When the buses arrived the cadets played "He Holds the Whole World in His Hands" when the Troopers arrived at the stadium.

The convoy of two buses and a truck had been met at the State line by a highway patrol car, which took them to Douglas, where they changed to their performing uniforms. There more highway patrol cars met them to bring them on into Casper.

Just on the Casper side of where the four-lane highway starts, the party was met by several cars from the city police and by the city manager, who accompanied them to the stadium.

The color guard gave a performance after they got off the buses. The Troopers drum and bugle corps then joined the color guard to give a flawless performance of the routine that had won for them the world championship.

The welcoming chant that went up when the Troopers arrived was simply, "Welcome Home, Troopers," repeated over and over again.

Both Secretary of State Thyra Thomson and Mayor Patrick Meenan reflected the pride of Wyoming and Casper in the achievements of the Troopers.

Mrs. Thomson said, "Welcoming home the world champion Troopers and Jim Jones is a proud occasion for all Wyoming. They have brought honor and glory to themselves and to the entire State."

Mrs. Thomson added that it was with tears in her eyes and pride in her heart that she was able to be there to welcome them.

Meenan told the group, "We have a mutual admiration society. Casper is the type of city that demands and gets excellence. The Troopers are too talented to knock themselves out for anything but a top-notch city."

"It is in tribute to you that we all turn out this way," Meenan continued. "It is the way a grateful community expresses itself."

He told the Troopers he hoped they would live their future lives by the same standards of excellence they had observed in the Troopers.

Bill Shutts was master of ceremonies for the occasion. He gave a commentary on the achievements of the group while they were on tour of the East. Shutts also praised Jones and his devoted leadership of the Troopers over the past 8 years.

After the ceremony, Mrs. Thomson was taken to the airport by the highway patrol to catch the late commercial flight to Cheyenne. There was anxiety over her being able to catch the plane, as the Troopers were late in arriving. But the plane she was taking was delayed at Riverton, and she arrived at the airport in good time.

Parking was at a premium around the stadium, and cars were jammed into any nook or cranny available for blocks around. Many people despaired of getting into the stadium and sat in their cars to listen to the ceremonies on their radios.

Many remarks passed around among the welcomers regarding the stamina of the Troopers in making the long trek from Sioux City, Iowa, Thursday and still giving a superb performance on their arrival here.

Well, they're here, now—tired but flushed with success—and ready to join in the long academic year ahead.

THE CASPER TROOPERS DRUM AND BUGLE CORPS

COLOR GUARD

Cathy Anderson, Barbara Baker, Edie Booth, Virginia Bush, Michelle Charbonneau, Susan Cunningham, Janet Ferrell, Sharon Garrison, Becky Haley, Laurel Jones, Kathy Jones, Vickie Jones.

Florence Lau, Sandy Maxon, Rhonda Murray, Barbara Rinker, Billie Jo Santistevan, Mary Schneider, Mary Shea, Jo Ellen Williams, Donna Knobel, Evet Weeks.

DRUM MAJOR

Pete Emmons.

DRUMS

Eddie Bostwick, Dennis Dusel, Johnny Patterson, Ruth Anne Smith, Bill Bailey, Bob Kalkofen, Fred Sanford, Jim McDaniel, Gary Shockey, Dan Wilson, Lucy Gerdom, Norman Kindt, Eileen White.

SOPRANOS

Paul Boyer, Terry Carr, Bill Fyock, Bob Holland, Ron Kalkofen, Rick Lemke, Barry Miller, David Ramsey.

John Shea, Jim Wade, John Belz, Kandra Carr, Allen Goodrich, Steve Kildow, Jim McIntyre, Vern White, Tom Anderson, Carolyn Bailey, Dick DePaemelere.

FRENCH HORNS

Pete Banta, Tom Dodson, Bill Garner, Lloyd Banta, Dick Hinerman.

BASS

Ken Davis, Ray Maxon, Walt Heath, Randy Murray, Greg Carr, Blaine Gillingham, Jim Herdt, Jake Johnson, Brett Carr, Mike Carr, Dean Jackman.

CONTRA BASS

Ted Booth, Nick Krause, Gary Priess.

STAFF DIRECTOR

Jim Jones.

BEYOND LOS ANGELES

Mr. MONDALE. Mr. President, many of America's most influential columnists and reporters, and many Senators on this floor, have spoken of the urgent need for action to avert further catastrophes like the rioting last month in Los Angeles. I myself discussed this matter at length in my floor statement of last August 17.

Today I would like to call the attention of the Senate to one of the most illuminating discussions I have yet seen on the immense challenge which lies before us, a column by Richard Wilson in the Washington Star of August 20, entitled, "The Next Step: Erasing the Intolerable."

Mr. Wilson says:

> One can wring one's hands over the riots, speak of the need for respect for law and order, or deplore the animalistic and criminal impulses that sent the pillagers and arsonists careening through the streets.

But, he adds:

> The point is that the safety and welfare of the whole community depends upon improving the conditions of life in those immense areas of our big cities—and small ones, too—where existence is becoming increasingly intolerable.

Our effort to improve these conditions, Wilson states, must be "direct and prompt." He cites the need for "massive programs for improved education and for keeping Negro children in school," better housing, relief from overcrowding, beautification and cleaning up, and strong efforts "to restore the stability of Negro family life and use welfare programs constructively instead of destructively."

Mr. President, I ask unanimous consent that this fine article be given the wide circulation it deserves through its publication in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEXT STEP: ERASING THE INTOLERABLE

(By Richard Wilson)

All through this long hot summer, and weeks before the rioting in Los Angeles, President Johnson has had task forces at work on the problem of the Negro in the city.

New legislation is being prepared on cushioning the shocks of population shifts into cities that cannot fulfill the hopes and aspirations of Negroes who are moving into them. The President has said that he considers the problem of the Negro in the city one of the two or three most important matters to be taken up in Congress next year. It may be the most important.

Evidently the President has some new measures in mind to improve educational opportunities for Negroes, and to cope with the increasing crime, disease, and social and family breakdown which are so characteristic of large urban Negro concentrations in virtually every city of the country.

We are quite clearly passing out of the stage of guaranteeing and enforcing, even by unconstitutional methods, the constitutional rights of Negroes and moving into the second stage of directly addressing the social, human, and emotional aspects of the Nation's most difficult domestic problem.

This would have happened without the Los Angeles riots. One can wring one's hands over the riots, speak of the need for respect for law and order, or deplore the animalistic and criminal impulses that sent the pillagers and arsonists careening through the streets.

One can say that the Reverend Martin Luther King has opened Pandora's box, or go along with the sociologists in finding that the seething discontent in the cities is attributable to the widening gap between newly aroused Negro expectations and stark Negro reality. This is all beside the point. The point is that the safety and welfare of the whole community depends upon improving the conditions of life in those immense areas of our big cities—and small ones, too—where existence is becoming increasingly intolerable.

These conditions would have existed and do exist without relation to enforcing the constitutional and legal rights of Negroes, or any broad concepts of social equality, or any dream world of universal intermixture and brotherhood. Every metropolitan area in the country has a rotten heart of poverty and degradation, a locus of violent crime and disorder that threatens the existence of the city itself—the place where so many millions must work and make their livelihoods whether of not they reside there.

These festering centers of the great cities have grown and continue to grow beyond the capacity of local authorities to control or improve them. No large city in the United States has enough competent police to control crime, nor enough competent welfare workers or preachers or doers-of-good to repair the shattered fabric of Negro family life in the city.

Nor will a statute book full of laws guaranteeing the right to vote, the right to go into all public places, the right to equal education, the right to equal employment opportunity, the right to live where one pleases remove the rotten heart of our cities. In many cities where conditions are the worst, Negroes have had full constitutional rights for many years.

The approach will have to be direct and prompt. It means massive programs for improved education and for keeping Negro children in school. It means massive efforts to restore the stability of Negro family life and the use of welfare programs, constructively instead of destructively.

It means physical improvement of the areas, most of all relief from overcrowding, poor sanitation, rat infestation. It means beautification and cleaning up.

Housing must be improved; it is absolutely intolerable. Order must be maintained and that means more police, whether white or Negro.

The experts will tell you that the answer does not lie in abandoning these areas of Negro concentration and dispersing the residents throughout the community at large in our generation or the next. We cannot wait for that, it will be too slow coming.

It is the unfortunate truth that the Negro ghettoes will continue to exist, and conditions in them will grow worse, for many years to come unless determined action reverses the trend.

The cities themselves seem unequal to the task without Federal help, inspiration and direction, and that appears to be the next stage in addressing the problem.

PHOENIX PROGRAM TO ENCOURAGE RESPECT FOR POLICE

Mr. FANNIN. Mr. President, recent tragic events have called attention to an alarming national trend of growing disrespect for law enforcement officers. In some cities this has resulted in an active campaign to discredit policemen in the legitimate performance of their duty.

My home city of Phoenix, Ariz., has recognized this problem, and I am pleased to report that the city has moved promptly and intelligently to combat the trend. They have instituted a cooperative program involving city officials, the public schools, and the courts.

Regular tours of the police department by students will acquaint them with the importance of the law enforcement and crime prevention function. In addition, persons who abuse policemen, either orally or physically, will be vigorously prosecuted, and the courts will be asked to crack down on convicted offenders, including juveniles.

This new program for Phoenix was outlined in a public statement on August 12 by Mayor Milton H. Graham, and I believe it is a commendable example which other cities may wish to follow.

In order that it may receive the wider attention it deserves, I ask unanimous consent to have the statement by Mayor Graham printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Mayor Milton Graham, August 12, 1965

The city of Phoenix will initiate steps immediately to increase a proper respect for law and order among citizens in the community and to fight locally the nationwide trend of growing disrespect for policemen employed to keep law and order.

During the past few weeks, the city manager, the police chief, and I have been working on the development of programs to achieve greater respect for the police and the work they do. These programs, which will require the cooperation of the courts and the schools, will include:

1. A revamped public relations program designed to give high school students a greater understanding of the police department's work and its role in the community.
2. Persons who orally or physically abuse policemen, while they are carrying out their duties will be prosecuted.
3. The courts, including the juvenile court, will be asked to cooperate in cracking down on the offenders.

A cooperative program will be worked out with the high schools to emphasize community citizenship. As part of this program, we want the high schools to schedule regular tours of the police department facilities to get a better understanding of the importance and complexity of the police officer's job. We think that one of the best ways to accomplish this is by showing the students the tools the police work with—such as the crime laboratory, the communications system, and the jail facilities.

We are not going to have law-abiding adults, who respect the police officers of our city, if we can't somehow educate our young people to treat them with respect.

The idea of youngsters fighting with the police, jumping on their backs, throwing things at them, and then being able to brag to their friends about how bold they are and how they get away with it, has to become a thing of the past.

Phoenix police have been tolerant and usually have not sought to prosecute persons who used vile and obscene language toward the police officers in the presence of women and children. Nor have the police brought charges against persons who have engaged in nonviolent-type physical contact with officers.

I'm hoping we can create a climate in our community that will let law offenders know that our police are going to be treated properly, are not going to be pushed around, and are not going to bear the brunt of vile language.

One reason it has been difficult for the city to get high caliber policemen is because that qualified applicants know that police in too many instances are not treated with the respect due them.

If we can get the cooperation of the judges, and I have every reason to believe we can, the police chief will instruct his men to prefer charges where they think they will hold up in court. Both adults and youths will be prosecuted when possible if they abuse police officers, either verbally or physically.

The juvenile court has assured us that it will deal severely with young people who abuse policemen.

A lack of respect for parents and for teachers eventually shows up in a lack of respect for police authority. This, then, leads to a breakdown, not only in the moral fiber of the community, but grows like a cancer to eventually end in riots and ineffective police control. We can't sit back and let this type of deterioration get a foothold in our city.

Disrespect of law and order and police officers has become a national problem. We must take note of it now and take necessary steps to correct the situation.

I'd rather that we deal with a few isolated cases now than be faced with the problems that the police in our large population centers, such as Los Angeles, Washington, Chicago, and New York have been faced with.

EXPORTS AND CREDIT

Mr. HARTKE. Mr. President, on Friday, September 3, the Wall Street Journal carried a story on its front page which provided a full-scale review and analysis of the rapid expansion of credit financing of U.S. exports of manufactures. The article, written by Roger W. Benedict, noted that in the past 5 years American companies other than banks had more than quadrupled their holdings of short-term export paper from foreigners. Mr. Benedict continued:

> Only slightly smaller gains were recorded in export credit by banks. The credit increase far outstrips the growth in export shipments themselves, which climbed a much smaller 55 percent during the same 5-year period.

The plain fact is, Mr. President, U.S. sales abroad are coming more and more to be made on terms competitive with domestic sales. And those terms mean credit—not cash—must be used if American manufacturers are going to be able to compete in the world market. Country after country around the world has realized the critical importance of providing adequate and expanding government support and encouragement of export financing. Only in the United States are exporters faced with restrictions upon their ability to obtain export financing—although continually rising exports are vital if we are to maintain the massive trade surplus that is fundamental to equilibrium in our balance of international payments. And the truth is that in the past 7 months U.S. exports have stagnated. U.S. imports have risen sharply, and the U.S. trade surplus—at annual rates—has narrowed by $2 billion.

As the article reports, export credits are given top priority under the Federal Reserve System's restrictions on bank loans to foreigners. But as the article also reports:

> Nonetheless these restrictions * * * may well slow the growth in export credit this year.
>
> To get around the restrictions, in fact, many companies are beginning to fall back on their own working capital to finance foreign sales rather than turning to banks for such financing.

The clear truth is that our Government is the only one among the industrial nations which is not actively expanding the availability of credit to exporters, that the policy of including export credit under the voluntary program of restraint on foreign lending is both shortsighted and self-defeating, and that the stagnation of U.S. exports this year must be reversed if the success of the President's emergency balance-of-payments program is to be undermined and wiped out.

I ask unanimous consent to insert the Wall Street Journal article entitled "Manufacturers Boost Foreign Sales by Easing Restrictions on Credit," in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Sept. 3, 1965]

Expanding Exports—Manufacturers Boost Foreign Sales by Easing Restrictions on Credit—Company Holdings of Foreign Notes Quadruple Since 1959; Insurance Helps Cut Risks—Working With Three Sets of Books

(By Roger W. Benedict)

United States exporters, long timid about selling on credit to foreign buyers, are increasingly being forced to reverse course.

The pressure is coming, not surprisingly, from astute marketers in other free world countries who are intent on expanding volume outside their borders and are finding credit is an almost irresistible sales lure.

"Credit is becoming as important to making an export sale as the price of the product," asserts Matthew Provenzano, credit manager of Jefferson Chemical Co. in Houston. He reports his company is extending more export credit and granting longer terms to meet competition. Altogether, he estimates Jefferson's export accounts receivable in the past 3 years have risen 21 percent faster than the growth in total foreign sales.

At the beginning of this year, American companies (other than financial institutions) held $2.7 billion of short-term paper from foreigners, more than four times the $593 million they held 5 years before. Only slightly smaller gains were recorded in export credit by banks. The credit increase far outstrips the growth in export shipments themselves, which climbed a much smaller 55 percent during the same 5-year period.

ROLE IN PAYMENTS DEFICIT

The rising use of credit has helped spur a rapid growth in exports, a strong plus in the Nation's efforts to reduce a persistent balance-of-payments deficit. With this in mind, the Federal Reserve Board granted such credit top priority when early this year it called for voluntary restrictions on foreign lending by U.S. banks. The restrictions are aimed at holding foreign loans to no more than 5 percent above the total on last December 31.

Nonetheless, these restrictions—plus the crippling effects of the now-ended dock and ship strikes—may well slow the growth in export credit this year, but exporters say any slowdown is certain to be temporary. They argue the use of credit is so essential to overseas selling that it's bound to grow.

To get around the restrictions, in fact, many companies are beginning to fall back on their own working capital to finance foreign sales rather than turning to banks for such financing. "We carry our own paper on export sales, and I think this is true of most big companies these days," says Louis Candee, credit consultant for Witco Chemical Co. in New York City. "We don't expect the Government's voluntary restrictions to slow the export credit trend. We're certainly not going to lose export business because of inability to extend longer terms. We'll find ways to do it, and others should be able to do the same."

BILLING ON "OPEN ACCOUNT"

What's more, U.S. exporters are increasingly selling and billing foreign customers directly on open account, the same as they do with nearly all domestic buyers. On such selling, the goods or services are simply charged to the customer's account for payment at some future date. Its use in overseas transactions is in marked contrast to the traditional practice of requiring confirmed and irrevocable letters of credit, under which the customer's foreign bank and the exporter's U.S. bank assume the risks and guarantee payment. These letters of credit are more secure ways of doing business, but they are costly, time-consuming and irksome to many foreign customers.

"Until a year ago, we were only selling open account overseas to our own distributors," reports Kenneth H. Knox, credit manager for Tektronix, Inc., Beaverton, Oreg., manufacturer of electronic test instruments. "Now we're selling nearly half of our export volume that way, and it's working out well. It has definitely gained us new customers, particularly in Latin America, where the cost of money is often the difference between a customer buying or not buying."

Extension of longer credit terms and assumption of more direct credit, of course, requires a sharp increase in the amount of credit checking U.S. firms must do overseas, and many are finding the field has its own special hazards. "In West Germany, companies keep one set of books for the government, another for their banker, and still a third for themselves," reports one New York banker. Adds the president of a small leather goods company: "When we checked up on a potential customer in Nigeria who was ordering $3,000 worth of leather on credit, we found his assets totaled just $25." The credit manager of a Houston manufacturing company says ruefully, "One of our Latin American customers paid our bill to his bank on time, but the bank went bankrupt."

BAD DEBT LOSSES ARE LOW

Despite such problems, bad debt losses in foreign countries remain remarkably low. J. Stewart Gillies, director of the Foreign Credit Interchange Bureau, New York, which collects overdue debts for 1,500 U.S. exporters, says, "Our volume of uncollected bills never runs over $1.5 million, and for most U.S. companies foreign credit losses are infinitesimal."

On top of worrying about the customer's credit status, exporters must also ponder the political and economic stability of the country in which a customer is located.

"Nine times out of ten, foreign customers are willing to comply with terms of an export transaction, but getting your money out of some countries can be a problem," says Leo E. Kucera, general credit manager for Consolidated Foods Corp., Chicago. "Restrictive currency regulations, changes in exchange rates, and internal political troubles can raise havoc."

But U.S. exporters are getting some important protection against such adverse developments from an insurance program set up 3 years ago. Provided jointly by the Government's Export-Import Bank and by the Foreign Credit Insurance Association, a voluntary group of more than 70 stock and mutual insurance companies, the program covers exporters on up to 85 percent of their loss from any commercial risk and up to 95 percent on losses from political cause such as expropriation.

About 3,100 companies currently are insuring export loans with the Foreign Credit Insurance Association, double the 1,549 at the start of last year, and insurance in force has climbed to more than $1.5 billion from $660 million during that time, says Henry Sheehy, the association's president. He predicts 10,000 companies will be participating by 1970.

This Government backing is helping U.S. exporters better compete against West German and British firms that have had such coverage for many years, but Mr. Sheehy says U.S. companies still aren't making enough use of export credit. "U.S. companies had it so good so long in foreign markets, they are just beginning to realize the need for credit terms in foreign trade," he asserts.

Certainly most companies who have relaxed credit restrictions on foreign selling seem enthusiastic about the results. George E. Gaba, credit manager of J. P. Stevens & Co., New York textile maker, says that since it began making open account sales to foreigners in 1963 it has had no credit losses on the transactions. "We now sell on open account in Scandinavia, Germany, France, and Israel and we're lengthening terms in other countries," he says. "For instance, we're giving up to 120 days in Italy now, compared with payment on delivery a few years ago."

But the remarkably low ratio of losses in foreign selling doesn't mean U.S. companies haven't experienced some credit headaches, particularly in sales to Latin America. Notes an Atlanta banker: "You just have to expect a normally higher rate of delinquency on paper outstanding in Latin America, because companies down there are continually short of working capital, and are also slow to collect their own receivables. So they just take a free ride on the exporter's capital as long as possible."

Insisting on prompt payment isn't always the solution. Filing of a formal protest for slow payment is considered in many countries to be the equivalent of an involuntary bankruptcy proceeding, and almost certainly would cost the exporter a customer. Some exporters try to speed payments by charging interest for late payment, but this has hazards, too.

"Charging interest on overdue export drafts is just an invitation to foreign buyers to delay payment still longer," says Sylvester F. Majestic, vice president of Chemical Bank New York Trust Co. "After all, 6 percent is darn cheap interest in most foreign countries. We don't like drafts going beyond the due dates and insist on prompt payment."

Perhaps the greatest roadblock to extension of more export credit in many countries is the fact that foreign governments often insist on letter-of-credit transactions to better control currency and trade.

"We could treble our sales of commercial aircraft overseas except for restrictions foreign countries place on use of credit due to their dollar-shortage problems," reports Frank A. Boettger, senior vice president of Cessna Aircraft Co., Wichita. "The less-developed countries that could most use airplanes, due to lack of roads and railways, usually bar use of credit, and that greatly reduces the number of potential buyers."

THE PRESERVATION OF WEST POTOMAC PARK

Mr. CASE. Mr. President, Secretary of the Interior Stewart L. Udall is the little boy who saw that the king had no clothes on. From now on no one can any longer make believe that the king is fully dressed. Of course, it should have been clear to everyone all along that when you take park land—or any other publicly owned land—worth *x* dollars and spend *y* dollars building a road on it, the real cost of the new road is *x* plus *y* dollars.

But the roadbuilders have been insisting so long and so loudly that the cost of such a road is only the *y* dollars, that they have persuaded themselves and a good many others that this is so.

Of course, it is not so.

The full value of any land, including any park land, taken for a road is just as much a part of the cost of the road as is the cost of labor, or of materials, or of engineering, or any other out-of-pocket expenses.

And the public is paying both costs, the one consciously, the other in great part without realizing it. Too many people have shared the infant innocence of Housman's poem:

> The grizzly bear is huge and wild;
> He has devoured the infant child,
> The infant child is not aware
> It has been eaten by the bear.

Therefore, I welcome Secretary Udall's recent proposal that the interstate highway between the Lincoln Memorial and the 14th Street Bridge be put wholly underground.

And I especially applaud Secretary Udall's unanswerable demonstration that the real cost of the new highway in the tunnel would be less than if it were built on the surface through Potomac Park. The Secretary's point is simply that in calculating the real cost of the new highway full account must be taken of the far greater acreage of park land which would be required by the Highway Department's proposed surface road, as well, of course, as of the value of the land now covered by existing roads which under both plans would be restored to the park.

The Highway Department argues that its surface road plan must be chosen because its construction cost is only $40 million compared with $58 million of construction cost for Secretary Udall's tunneled road.

But the Highway Department's surface road would take from the park 8.1 net acres of present park land worth, according to the Secretary, $13 million, making the real cost of the Highway Department's road $53 million.

Secretary Udall's tunneled road would restore to the park 9.7 acres more than the small amount of park land it would actually use. The value of this acreage restored to the park is $17 million. So the real cost of the Secretary's tunneled road would be reduced to $41 million.

Secretary Udall's tunneled road would actually cost the public $12 million less by any reasonable standard of accounting. And it would save the park as well.

Fortunately, Secretary Udall—subject only to the approval of the National Capital Planning Commission, which has demonstrated its lively sense of the vital importance of our Capital City's parks—has full legal authority to insist on his position. He could, of course, be overruled by the President, but it is inconceivable that President Johnson, who has so admirably launched the "Beautify America" campaign, would in this crucial test fail to support his Secretary of the Interior.

Secretary Udall has pointed out that areas of Potomac Park already occupied by recent interstate highway projects for the approaches to the Theodore Roosevelt Bridge, the 14th Street Bridges and the Washington Channel Bridge total 37.3 acres, valued by the Secretary at almost $70 million. No compensation to our city's park system has been made for any of this land. It is none too soon to apply the principle for which I have long been contending; namely, that if park land is to be taken anywhere for highways or any other purpose, at least the dollar value of the land so taken must be fully accounted for.

But, though the hour is late, the Secretary's proposal can still save what remains of Potomac Park.

U.S. POLICY IN VIETNAM

Mr. CANNON. Mr. President, in recent weeks we have all heard public assertions that U.S. policy concerning Vietnam has taken a swift and dangerous turn. Some Americans would have us believe that the course we are pursuing in that beleagured country was born in February of this year when air strikes were initiated on a regular basis against North Vietnam.

While the pace of our response to Communist aggression has been stepped up, our commitment to respond by all necessary means is not of recent origin. It stretches back to the early 1950's when we provided military assistance to the French, who in those days were militarily engaged in Indochina.

The implications of a Communist takeover were well realized then, as they are today. In June 1953, former President Eisenhower warned those who would have us disregard the fortunes of the small nations of southeast Asia:

> There is no free nation too humble to be forgotten. All of us have learned * * * that all free nations must stand together, or they shall fall separately.

President Eisenhower went on to state that to surrender Asia would mean leaving a vast portion of the population of the world to be mobilized by the forces of aggression.

In a similar vein, John Foster Dulles, then our Secretary of State, observed a month later:

> The situation in Indochina today represents one of the most serious present threats to the free world.

Upon reflecting on these statements, one gets the eerie feeling that both speakers were describing the situation that prevails today—more than 12 years later. Vietnam is still a small humble nation and the threat to its freedom from Communist-sponsored insurgency continues to be the most serious immediate threat to the free world. But the important thing to remember, 12 years later, is that it is still free.

Each succeeding U.S. administration has had to answer for itself the difficult question of the worth of this freedom. All have come to the same conclusion. President Eisenhower affirmed this in the unilateral declaration of the United States following the signing of the Geneva Accords when Walter Bedell Smith, then Under Secretary of State, solemnly promised that the United States would view any renewal of aggression with grave concern and as seriously threatening international peace and security.

A more specific U.S. commitment was made in September 1954 when South Vietnam was included as a protocol state under the umbrella of the SEATO agreement. Consider, if you will, the wording of article IV of that treaty:

> Each party recognizes that aggression by means of armed attack in the treaty area * * * would endanger its own peace and safety, and agrees that it will, in that event, act to meet the common danger * * * at the request of the government concerned.

President Kennedy, 7 years later, faced the same question. He responded:

> We are prepared to help the Republic of Vietnam to protect its people and to preserve its independence.

This same promise has been stated many times over by President Johnson.

And so, the American policy of commitment to South Vietnam is woven from the pledges of three Presidents. But pledges are cheap unless backed up by concrete actions.

We can all be thankful that the United States has, over the years, matched words with deeds. To have done otherwise would have destroyed our national integrity.

Between 1953 and 1961, we provided the Government of South Vietnam almost $1.5 billion in economic aid and a comparable amount in military assistance. U.S. economic and military missions have been present in Vietnam since the days of the French. The amount of monetary assistance provided, and the number of U.S. personnel sent, have increased in response to the mounting aggression from North Vietnam.

The theme of U.S. Presidents has been: We will provide all that is required to achieve our objectives.

What, one may ask, are these objectives? In 1955, the Assistant Secretary of State for Far Eastern Affairs stated them succinctly:

> What we want in Asia is what we want everywhere—a world made up of independent, responsible, democratic countries whose governments are devoted to the peaceful development of their own territory and to the welfare and freedom of their own people.

Almost 10 years later, Ambassador Taylor put it this way:

> We are not looking for anything for ourselves. We are not attempting to gain a military foothold on the Asian continent, we do not seek to widen the war. This war was started by the Communists, and it will end when they cease their aggression. * * * Our assistance to the Republic of Vietnam has cost the lives of many Americans. One must recognize that others will be lost before this effort is completed. But these sacrifices are being made in the knowledge of the far greater sacrifices which have been made by the Vietnamese people in their struggle to preserve their independence and to resume the progress toward well-being and prosperity which has been interrupted by aggression from the North.

What the future holds, none can say, but the words of the Assistant Secretary of State in October 1953 are just as apt now as they were then when he observed, referring to the French effort in the Red River delta:

> The future of the world is in the hands * * * of the infantrymen on the line * * * in the paddy fields.

Our policy of providing the support necessary to repel the aggression and enable the Republic of Vietnam to live in peace has been consistent and just, and is still right.

AMERICAN LEGION ENDORSES OBJECTIVES OF COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, for several years the American Legion has not taken a position on the cold war GI bill, mainly because the veterans who would benefit from this bill were ineligible for membership in this fine veterans' organization.

At the national convention of the American Legion during the last part of August of this year, the position of the American Legion changed. In their testimony before the House Veterans' Affairs Committee on September 2, 1965, on the cold war GI bill, the American Legion endorsed and pledged their support for the objectives of the cold war GI bill.

To illustrate their fine testimony, I ask unanimous consent that the statement made by John J. Corcoran, director of the National Rehabilitation Commission of the American Legion, before the House Veterans' Affairs Committee, and the resolution be printed in the RECORD.

There being no objection, the statement and resolution were ordered to be printed in the RECORD, as follows:

STATEMENT BY JOHN J. CORCORAN, DIRECTOR, NATIONAL REHABILITATION COMMISSION, THE AMERICAN LEGION, BEFORE THE COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, ON THE COLD WAR GI BILL AND RELATED PROPOSALS, SEPTEMBER 2, 1965

Mr. Chairman and members of the committee, thank you for giving us this opportunity to present the views of the American Legion on the bills now before you, which would provide certain benefits and services for cold war veterans. The American Legion endorses and supports the general objectives of those bills, and we urge your early, favorable action upon them.

For several years, our organization took no position upon proposals to expand the spectrum of benefits available to cold war veterans. Although frequently not understood, the reason was, I think, a simple and logical one. It was based upon the fact that the proposals related to persons who had not had war service. The American Legion has long adhered to the policy of not actively supporting legislation which would not directly affect war veterans. Thus, completely without regard to the merits of the proposals, we declined to take a position on bills such as those now receiving your consideration.

All that has changed, Mr. Chairman. Circumstances, such as those that exist in Vietnam, now justify and, in fact, compel the American Legion to take an active part in seeking fair treatment for present members of the Armed Forces. And, again, the explanation is a simple one: we believe that the conditions which exist in certain areas of the world today are creating war veterans. Thus, we will actively support proposals aimed at benefiting those persons.

I do not find it surprising that our organization has concluded, even in the absence of a declared war, that current members of the Armed Forces are war veterans. The Korean conflict was not a declared war. On the other hand, the President of the United States, in a recent press conference, referred to the conditions in Vietnam as a war. In short, Mr. Chairman, it appears that the term "war" has taken on a new and unconventional meaning. While we hope and pray that there will never be another general war in the conventional sense, we must not close our eyes to the combat conditions that widely prevail, the hostilities that are taking place, and the acts of warfare being committed. Nor can we ignore the fact that our servicemen are being subjected to special disciplines and special deprivations; we have assigned them to special obligations, duties, and hazards. They have earned special consideration by the Nation they serve.

In consonance with these considerations, our national executive committee, on May 6, 1965, approved the report of a special committee, the essential point of which was the conclusion that persons now serving in the Armed Forces are war veterans. In addition, our national convention, on August 26, 1965, approved resolution No. 125, which seeks an expansion of benefits for our servicemen. With your permission, Mr. Chairman, I would like to submit for the record a copy of resolution No. 125.

You will note that our resolution seeks additional benefits for persons who have served since August 5, 1964. That date relates to an incident which occurred in Vietnam. The Vietnamese theater was selected, rather than some other post-Korea campaign or expedition, because of the size and scope of the combat activity there. August 5, 1964, was selected on the grounds that, prior to that time, our function in Vietnam was advisory and our military operations defensive. As a result of aggressive acts of war committed against us in the Bay of Tonkin on August 5, however, the nature of U.S. military activity changed. Consistent with long-established Legion policy, we feel that, with respect to any additional benefits made available by Congress, all persons who serve after August 5, 1964, should be treated equally, regardless of place of service. We do not favor the "hot spot" concept.

You will note also, Mr. Chairman, that resolution No. 125 directs us to seek comparable benefits. That word was chosen deliberately because it was recognized that the possibility exists that we should not seek identical benefits. My staff and I have been instructed to study this matter and to recommend to the October 6, 1965, meeting of our national executive committee specifically what benefits, and in what degree, we feel ought to be extended. We returned to our office from the national convention on Monday, August 30, and we are, therefore, not yet prepared to comment. We will move ahead rapidly, Mr. Chairman, and I do hope the committee will permit us, as it always has, to offer suggestions as we crystallize our thinking.

I would like to express a personal opinion on one of the types of benefits being considered, the cold war GI bill. This readjustment benefit appears to be the most controversial and was singled out by the Veterans' Administration witness for special opposition. I cannot agree with the reasons advanced by the VA for opposing a cold war GI bill. VA testified that readjustment benefits should be limited to situations where wartime service sharply disrupted career planning and called for special Government aid to ease the transition from wartime service back to civilian life. The American Legion believes that the men who are serving in our Armed Forces have had both their career planning and their careers irreparably disrupted; they will lose years out of their lives that they will never be able to make up; they are serving under war-like conditions and, they deserve every help our Government can provide to ease their readjustment to civilian life.

The VA witness said, "we recognize that the present international situation is extremely delicate and that some of our servicemen are operating under combat conditions." It has been some time since I heard an understatement of that magnitude. It sounds like the statement of an agency whose opposition to attempts by this committee and the Congress to improve the veterans benefits program is becoming routine. It does not sound like the statement of an agency whose mandate is to be the spokesman for veterans and whose self-assigned mission is "to exercise constructive leadership in the field of veterans affairs." National Commanders and other representatives of the American Legion have visited our Armed Forces in Guantanamo, in West Berlin, in Strategic Air Command Headquarters, and in Vietnam. They would scarcely describe the situation as "delicate," nor would they conclude that only "some" servicemen are operating under combat conditions. The Veterans' Administration seems to be out of touch with what's going on in the outside world.

I would like to emphasize, Mr. Chairman, that I make no criticism of the VA personnel in the operating and program services, such as the Department of Veterans Benefits and the Department of Medicine and Surgery. Those people give every appearance of attempting to administer veterans laws in a generous and compassionate manner. In addition, in the past two decades, they have earned a reputation for innovation and creative thinking, both of which have substantially improved the veterans benefits program. My criticism is intended for those who influence and help establish national policy toward veterans; in short, the policymakers and the decisionmakers.

The witness for the Department of Defense opposed a cold war GI bill on the theory that it would induce men to leave the military service. The witness said that these men should be given assistance for education and training, but in a way which would not interfere with the mission of the Department of Defense. We believe, Mr. Chairman, that the argument that a readjustment law would induce men to leave service is speculative, and that it is questionable, in any event, whether there would be any substantial impact upon the Military Establishment. It would seem, also, that if there were an alternative plan to a cold war GI bill the Department of Defense would have found it by this time.

It is my personal conviction, Mr. Chairman, that there is sufficient justification for some kind of cold war GI bill. In this great country of ours, where our Government is trying so hard to do so much for so many, is there any group more deserving of special consideration than the members of our Armed Forces? The American Legion thinks not.

Thank you, again, for permitting me to present our views on this most important subject.

RESOLUTION No. 125

(Adopted at the 47th annual national convention of the American Legion at Portland, Oreg., Aug. 24–26, 1965)

Whereas the United States is now and has been for some time engaged in actions in various areas of the world to keep peace and preserve the freedom of friendly nations against aggression; and

Whereas American fighting men have been and are increasingly being subjected to wartime conditions, are suffering casualties and are dying in defense of freedom loving people everywhere; and

Whereas the conditions to which our servicemen are being subjected are similar to those which existed when certain rights and benefits were granted to those who served in World War II and Korea; and

Whereas the war veterans program is comprehensive, justified, and a proven program supported by the American Legion and the general public; and

Whereas on August 5, 1964, in Tonkin Bay off the coast of Vietnam aggressive acts of war were taken against U.S. warships which retaliated and since that time our country has engaged in conflict with hostile forces both in Vietnam and elsewhere: Now, therefore, be it

Resolved, by the American Legion in national convention assembled in Portland, Oreg., August 24–26, 1965, That the American Legion recognizes the sacrifices of our Armed Forces personnel who are defending the principles of freedom and democracy and that it shall sponsor and support a benefits program comparable to that available to other war veterans for those veterans who have served since August 5, 1964, or such other date as may be selected by the national convention.

OUTSTANDING WORK BY FARMERS HOME ADMINISTRATION IN MISSOURI

Mr. SYMINGTON. Mr. President, in Missouri we are particularly proud of the outstanding work being done by the Farmers Home Administration under the capable direction of J. Everett Jose, formerly a successful businessman with a broad background in farming and business services to farmers, and now our State director.

Mr. Jose and those associated with him in the Missouri office of the Farmers Home Administration work closely with farm leaders, business and civic leaders in Missouri, as well as with the farmers this agency was organized to serve. Because of that understanding and cooperation, Missouri at the end of fiscal 1965 had 99.7 percent of collections, as compared to matured installments, and the FHA in Missouri served 10,456 families in 1965, as compared to 5,876 in 1961.

With the thought that other States might be interested in the services possible under this fine program, I ask unanimous consent that a letter from Mr. Jose dated August 30, and a report on Farmers Home Administration loans made in Missouri, comparing the fiscal years of 1961 and 1965, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Columbia, Mo., August 30, 1965.
Hon. STUART SYMINGTON,
U.S. Senate, Washington, D.C.

DEAR SENATOR SYMINGTON: We are pleased to provide you with the enclosed data sheet showing the extent of the lending program of the Farmers Home Administration in Missouri for the fiscal year 1964–65 as compared with 1961–62. Our program continues to expand, primarily in the field of assisting rural communities, although loans to individuals also account for some increase.

Interest continues to build for rural water systems and we are presently working with 115 rural towns and communities which, if completed, will furnish running water to about 30,000 families. The part of the program that is surprising is that these systems have provided water to farmers in sparsely settled areas where it did not appear feasible nor possible in the past. Many farmers who have expensive systems of their own take water from these central systems without hesitation; in fact, it is very seldom that anyone who has the opportunity fails to avail himself of it. We have approximately double the applications we had on hand a year ago.

Missouri continues to lead the Nation in funds extended for real estate loans, although we exhausted funds for this purpose last April.

For the first time in several years, we have a substantial increase in the amount loaned to farmers for operating expenses. This is a result of severe drought over most of the State last year and, in some sections, for the past 2 or 3 years. Many farmers have had to substitute credit for income.

Our collection record is not quite as good as it has been in other years. Several water systems did not get in operation as fast as planned but all except one are now current. Collections from farmers were down some in the drought areas.

Twenty-five additional full-time employees were recruited, which alleviated somewhat the serious shortage of help which had built up over the past several years. One additional full-time office was opened at Richmond in Ray County.

We are extremely pleased that our rural housing program has been converted largely to an insured loan program and will be adequately financed for the first time. Congress has earned the undying gratitude of the people of this agency and thousands of rural residents by enacting this important legislation.

Sincerely yours,

J. E. JOSE,
State Director.

Farmers Home Administration loans made in Missouri—Comparison of the fiscal years ending June 30, 1961, and June 30, 1965

	1961		1965	
	Number	Amount loaned	Number	Amount loaned
Farmownership	119	$1,959,039	821	$11,406,350
Rural housing:				
Individual	416	2,759,657	789	5,887,030
Senior citizen:				
Individual	(1)	(1)	160	617,480
Rental	(1)	(1)	7	225,220
Soil and water:				
Association	(1)	(1)	29	3,340,000
Individual	10	22,350	39	125,070
Recreation association	(1)	(1)	3	1,042,000
Operating	2,727	8,985,620	2,432	10,194,740
Emergency	576	1,341,290	742	2,559,235
Economic opportunity	(1)	(1)	246	390,050
Grand total	3,848	15,067,956	5,268	35,787,175

	1961	1965
Unduplicated caseload (number of families with loans as of June 30)	5,976	10,456
Number full-time employees as of June 30	162	202

[1] Lending authorizations were not in effect in 1961.

NOTE.—Percent of collections as compared to matured installments, 99.7. Figures include initial and subsequent loans.

PRESIDENT EISENHOWER MADE THE ORIGINAL COMMITMENT TO SOUTH VIETNAM

Mr. CHURCH. Mr. President, the St. Louis Post-Dispatch is a newspaper which has expressed many reservations about U.S. policy in Vietnam. However, the Post-Dispatch does not question the fact that President Johnson inherited a commitment to South Vietnam, made during the time that Mr. Eisenhower served as President. Recently, the Post-Dispatch published an excellent editorial on the nature of President Eisenhower's commitment to South Vietnam. After discussing the certainty of this commitment, the Post-Dispatch concludes:

Thus we have always had a military commitment in Vietnam. What we have not had—and this may have been what General Eisenhower was trying to say—is a commitment to take over as our own a war against an indigenous revolution which only an indigenous government can fight.

President Eisenhower's offer of aid was conditioned upon the Saigon government's undertaking reforms that would make South Vietnam "a strong, viable state." The reforms were not carried out, the viable state was not created. In these circumstances, and after 11 years of massive aid, no moral obligation whatever requires the United States to escalate our commitment from one of assistance to one of sole responsibility for a major land war in Asia.

The national honor which President Johnson invokes has been fully satisfied by what we have done already. Today the objective of our military operations should be, not to win the total victory over the Vietcong which the Saigon regime could not win, but to bring about negotiations in which a reasonable political settlement, based upon the principles of the 1954 Geneva accords, can be worked out.

That is how President Johnson now describes his purpose. But he is under constant pressure to convert these limited objectives into the unlimited ones of war against North Vietnam, war against China, or war against communism. General Eisenhower could make his best contribution not by beclouding the origins of the Vietnam policy but by enlisting unequivocally behind the limited objectives proclaimed by the President.

I ask unanimous consent to have this editorial published at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMITTED TO WHAT?

There is a legitimate question to be raised about the nature of the American commitment in Vietnam, but it is not the one raised by General Eisenhower when he briefly slid off the reservation last week.

General Eisenhower indicated to a press conference that, while he fully supports President Johnson's present policy, he had never intended to make a military commitment. His famous letter of October 23, 1954, to President Diem pledged "foreign aid," he said, but not military assistance. President Johnson has frequently quoted this letter to document his claim that he is carrying out pledges made by Presidents Eisenhower and Kennedy before him.

The facts of history do not support General Eisenhower's interpretation of the origins of the Vietnam adventure. His own memoirs amply document his readiness to become involved in military as well as economic aid to the Saigon regime.

Before the fall of Dien Bien Phu, President Eisenhower fully backed John Foster Dulles' effort to organize an international cover for American intervention in support of the failing French. That was Dulles' alternative to a negotiated settlement at the Geneva talks, which he did his best to scuttle. The Eisenhower administration gave up the alternative, not from any reluctance to engage American Armed Forces, but because neither the British nor the French, nor any other significant power, would join us in prolonging the war; and without such collective sanction Congress would not agree to it.

The record also shows that after a Geneva agreement was reached in spite of Dulles, the United States set out unilaterally to build up a military bastion in South Vietnam, thus destroying the neutrality envisioned at Geneva. As President Eisenhower said in his letter to Diem, the purpose of our offered aid was "to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means." This meant, inevitably, helping Saigon to fight a civil war. The great bulk of our aid was military, and it involved a growing number of American military "advisers," rising from 650 to some 2,000 during the Eisenhower administration.

Thus we have always had a military commitment in Vietnam. What we have not had—and this may have been what General Eisenhower was trying to say—is a commitment to take over as our own a war against an indigenous revolution which only an indigenous government can fight.

President Eisenhower's offer of aid was conditioned upon the Saigon government's undertaking reforms that would make South

Vietnam "a strong, viable state." The reforms were not carried out, the viable state was not created. In these circumstances, and after 11 years of massive aid, no moral obligation whatever requires the United States to escalate our commitment from one of assistance to one of sole responsibility for a major land war in Asia.

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That is how President Johnson now describes his purpose. But he is under constant pressure to convert these limited objectives into the unlimited ones of war against North Vietnam, war against China, or war against communism. General Eisenhower could make his best contribution not by beclouding the origins of the Vietnam policy but by enlisting unequivocally behind the limited objectives proclaimed by the President.

PUBLIC CONFIDENCE IN THE JUDICIARY

Mr. LONG of Missouri. Mr. President, as a member of the legal profession, and as a member of the Senate Judiciary Committee, I am quite concerned about the confidence and esteem with which our citizens view their courts and the legal profession. Some time ago, the Missouri Bar and the Prentice-Hall Publishing Co. joined in a study to survey opinion among citizens to determine the regard in which they held our courts and the legal profession in general. The results of this study were discouraging and indicated that our courts, especially our lower courts, were held in much less regard than most judges and attorneys had imagined. The report indicated that public confidence in securing fair treatment and substantial justice increased with the level of the court involved. Unfortunately, local municipal and magistrate courts were found to be held in extremely low regard by persons whose views were determined by their own personal experience as a party or witness before such courts. The chief complaint of persons describing their experiences in municipal and magistrate courts was that they were treated, they felt, in an arbitrary and humiliating manner by a harassed judge or magistrate before a crowded court. These persons stated that the reality they experienced in these courts differed considerably from the traditional concepts of dignity, decorum and orderly procedure they were led by teachers, textbooks, movies, and television programs to expect if they should ever have occasion to enter a courtroom.

In the Washington Daily News of last Friday, September 3, there is described a recent incident involving a citizen who appeared as a witness in a case before the District of Columbia Court of General Sessions which may in part explain the results of the study which I have just mentioned. Because I am neither acquainted nor interested in the merits of the case as such which was before the court, I ask unanimous consent that the article be printed in the RECORD for such consideration as those interested in maintaining public confidence and respect for our judicial system may care to give it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS THIS WHY CITIZENS FEAR INVOLVEMENT?—YOU AGREE TO BE A WITNESS—AND THE JUDGE PUTS YOU IN JAIL

(By Ted Knap)

I agreed to be a witness for a peace demonstration—and wound up behind bars.

It was only for about 15 minutes—until the judge found out I was a newspaper reporter—but it still was frightening.

I keep wondering how long I would have been held if I hadn't been a newsman.

PEACE PICKETS

This begins Monday, August 9, when I covered the demonstration and subsequent arrest of nearly 300 Vietnam peace pickets at the foot of the Capitol Grounds. One of those arrested was Miss Jacqui Broucharde, 25, of New York whom I had been interviewing.

Last week, an attorney from the American Civil Liberties Union called and asked if I would be willing to testify about Miss Broucharde's conduct when arrested. I said I would.

FALSE ALARM

First, I was called to court Wednesday afternoon. That proved a false alarm, but I wasted only an hour and two cab fares.

Next, I was summoned yesterday, arriving before 3 p.m., Judge Edward A. Beard was presiding over the case of Miss Broucharde and five other "peaceniks" being tried together.

Several times Judge Beard upbraided defense attorneys for introducing a variety of motions. Shortly before 6 p.m., he announced that he did not intend to sit there until midnight, and proposed adjourning till next Thursday.

STEP FORWARD

Miss Broucharde's attorney asked the judge to hear testimony from a witness who would be out of town next week and could not be in court. The judge asked for the witness' name and called out for Ted Knap to "step forward."

I was still stepping forward and had not uttered a word. The judge aimed a finger at me and said in a loud voice:

"You are a material witness. I order you held under $300 bond and order you to be here next Thursday." Then to the attorney: "That's how you handle witnesses who can't be here."

A bailiff took me behind bars in a room adjoining the court. It was bare except for benches and toilet. I sat a while. Then I paced the floor.

"How did I get here?" I wondered.

"Is this why citizens hate to get involved in police or court cases?"

Then the defendants came in, and expressed sympathy. We were taken downstairs to another lockup. We were ordered to take everything out of our pockets and we were searched.

A man took my name and wrote down, "District of Columbia versus Ted Knap." I wondered what in the world does District of Columbia have against me.

CASH

I asked the man in charge of the lockup if he would accept a check for $300 for the bond. He said I could post $300 cash—which was $297 more than I had—or have a professional bondman post it. The fee for that would be $24.

I asked for my one telephone call, borrowed a nickel from a fellow prisoner and phoned Earl Richert, editor of the Scripps-Howard Newspaper Alliance.

Our conversation was interrupted by Judge Beard, who had left his court and come down to the lockup.

"I didn't know who you were," the judge said. "You saw the spot I was in. If you want to go out on your own recognizance and be here Thursday afternoon, I'll let you."

"If I'm instructed to be here, I will."

"Well, I have to instruct you to be here. Will you?"

"Yes, I will."

"Then I release you on your own recognizance. You are free to go."

I left. I didn't even have to sign anything. It was very nice of the judge to trust me.

TRIBUTE TO W. TAPLEY BENNETT, U.S. AMBASSADOR TO DOMINICAN REPUBLIC

Mr. TALMADGE. Mr. President, all Georgia is proud of the role played by W. Tapley Bennett, the U.S. Ambassador to the Dominican Republic, in the crisis in Santo Domingo last spring. It was Ambassador Bennett who very properly advised the President to send troops to the Dominican Republic in order to protect American lives and property and to prevent another Communist stronghold from developing in the Caribbean. The American people applauded this positive action and subsequent events have proven that the Ambassador was correct in the advice and counsel that he gave the President.

There appeared in the Sunday, September 5 edition of the Atlanta Journal-Constitution a splendid column by Eugene Patterson, editor of the Constitution, commending Ambassador Bennett for his dedication to duty and his devotion to serving the best interests of the United States and the people of the Dominican Republic.

I ask unanimous consent that this column be printed in the CONGRESSIONAL RECORD.

There being no objection, the column was ordered printed in the RECORD, as follows:

[From the Atlanta (Ga.) Journal-Constitution, Sept. 5, 1965]

TAP BENNETT: THE AMBASSADOR DESERVES A WORD

(By Eugene Patterson)

Georgia's Tap Bennett had to take some hard decisions in April.

Telephoning from the cover of his desk, while gunfire shattered pictures on his U.S. Embassy walls, Ambassador Bennett advised President Johnson to land troops in the Dominican Republic, which he did.

Instantly, Bennett found himself being fired on from another direction—from some second guessers at home who demanded to know if this intervention was necessary.

Lacking the Ambassador's information, they impugned his judgment and gave his reputation some bad handling.

They asked, how do we know there really was a Communist danger that couldn't be handled by the local progressives (or local reactionaries, depending on the question's own politics)?

If Ambassador Bennett could speak in defense himself now, 4 months later, he might suggest that the frustrating delays in reaching a final solution are proof enough in themselves of the Communist aspect of the situation.

DANGEROUS

The country clearly was out of control, neither Caamano's leftists nor Imbert's rightists were in charge, Communists were on the move as they usually are in scenes of chaos, and a lot of people were dying. There certainly is no doubt that a great many lives were saved by the U.S. intervention and that might be reason enough in itself to justify the landings.

Tap Bennett knew full well the price the United States would pay for this in lost good will among Latin Americans. But his conviction stands that the situation would have been much more dangerous had the United States not taken action.

Subsequent events have also silenced those critics who had a field day smearing Bennett as a rightist tool of the Dominican rich, bent on smashing Caamano's leftist uprising and installing Imbert in a rightwing tyranny.

Bennett had neither intention, as events have shown, and as anyone who knew the quiet, firm Georgian would have known. Imbert and Caamano have both been firmly held back from any takeover, along with the Communists, while the United States has striven to get a compromise government built around an acceptable, responsible element.

Bennett has a clear and democratic vision of what the Dominican people need and is as deeply committed to it—agricultural improvement and educational beginnings. For the United States to be placed in a purely negative posture, in a nation that has so many positive, crying needs, would seem to him the real disaster. He has stood unswervingly with the people, and even during these months of crisis he has ordered school construction to continue.

NEEDS OUTLINED

Those who were picturing him a few months ago as a champion of the privileged businessman at the expense of the poor Dominican—as an ambassador who mingled too much with the wealthy—could have avoided their error in their judgment of him if they had simply heard what he said to the businessmen he mingled with in Santo Domingo last December 15.

Speaking to the Santo Domingo Rotary Club, he didn't scratch any backs. He did the opposite. He outlined the needs of the country's poor, the aims of the Alliance for Progress, and then he read a firm riot act to his well-to-do friends about their own responsibilities.

"If an outworn concept of small unit production and high unit profit prevails," he said, "if individuals prefer to send their money abroad, then rapid economic expansion will be much harder to achieve."

"No one likes to pay taxes," he told the men who should pay most, "but action of this type is necessary."

And he quoted President Kennedy, pointedly relating the words to the Dominican Republic, on the need to modify social patterns "so that all, and not just a privileged few, share in the fruits of growth."

This, then, is the Ambassador who was being widely criticized short months ago as a rightist, saber-rattling blimp. He never was, and isn't now, as events are beginning to prove of themselves.

INTERNATIONAL MONETARY REFORM

Mr. HARTKE. Mr. President, John E. Smith is a well-known and well-respected expert in the field of international finance. As the New York foreign exchange expert of one of the leading French banking groups—a group which is owned by the French Government—Mr. Smith has gained a thoroughly deserved reputation as one of the most perceptive observers and analyzers of the international monetary scene. It was, therefore, with the highest sense of honor that I received from Mr. Smith a copy of a letter which he had written to Dr. Gardner Ackley, Chairman of the President's Council of Economic Advisers.

In this communication, which Mr. Smith has graciously permitted me to insert in the Congressional Record, he endorsed the principles and policy recommendations which my distinguished colleague from Minnesota [Mr. McCarthy] and I have espoused on the subject of international monetary reform and the U.S. balance of payments. Speaking as a professional student of international finance, Mr. Smith was kind enough to say:

> The Hartke-McCarthy statement to the Subcommittee on International Exchange and Payments of the Joint Economic Committee of Congress contained those very words of refreshing acumen in high U.S. places, that have been long awaited by the practical technocrats of the international exchange and money markets.

I ask unanimous consent that Mr. Smith's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

New York, N.Y.,
August 19, 1965.

Dr. Gardner Ackley,
Chairman, Council of Economic Advisers, Executive Office of the President, Washington, D.C.

Dear Dr. Ackley: Again I hope not turning up like a bad penny, but rarely a day passes without cause for attempt to keep the record straight as far as conduct of international economic and financial affairs is concerned. One day, highly elated to note the enlightened practical wisdom of such as Senators Hartke and McCarthy. The next, frustratedly cast down following exposure to Secretary Fowler's views on international monetary matters.

Indeed the Hartke-McCarthy statement to the Subcommittee on International Exchange and Payments of the Joint Economic Committee of Congress contained those very words of refreshing acumen in high U.S. places, that have been long awaited by the practical technocrats of the international exchange and money markets. Frank expression of fundamental commonsense and practical reason, so gratifyingly dissimilar from the rambling and unenlightened doubletalk to which the U.S. Congress has been so long confusingly subjected. And all the real nails were hit unerringly on the head—"mobilize the world's gold through the medium of the IMF" (drastically reformed)—"a modest controlled balance-of-payments deficit" (basically essential to the world's present liquidity needs)—"a new working medium to supplement the dollar and the pound as vehicles for trade * * * not to supplant them as international reserves" (whether the rest of the world likes it or not neither the dollar nor the pound can possibly be replaced as the vital working media of international trade and finance) * * * "gold today has become the worldwide symbol of deflation" (as well as the only chink in the American currency armour) * * * "the IMF may have to take on some banking characteristics it does not now have" (eventually and inevitably the IMF, or a freshly formed other similar body must operate as the central bank of central banks) * * *. "The September meeting of the IMF Executive Board will provide the proper forum for such a call" (to international monetary sanity) * * * "the overriding problem of today—a shortage of internationally accepted means of transferring goods within the world economy" (members of the international (including American) banking establishment, please note).

This alone is sufficient indeed to inspire renewed hopes of early exercise of peerless American power in the realm of international trade and finance. But sadly enough there would appear to be always a dismally looking obverse to the coin. For immediately thereafter such hopes are miserably dashed by Secretary Fowler's critique of the Hartke/McCarthy enlightened contentions. His principal points (together with pertinent rebuttals):

(a) "Any economic slowdown in the surplus countries has been caused by their own anti-inflation actions" (partly true, but what about their (and the whole world's) desperate scrambles in the Eurodollar market following the universal impact of the voluntary program? Is not every well-informed international monetary authority fully aware of the obvious fact that world liquidity since World War II has been utterly dependent on the existence of a U.S. deficit in its balance of payments? That exaggerated recourse to U.S. dollars, which constitute the deficit (instead of to their own bloated exchange reserves), has given rise to self-inflicted inflationary tendencies, which they now seek to correct).

(b) "The troubles of Britain and Japan have nothing to do with the American balance-of-payments program." (Certainly not all, but had Secretary Fowler been exposed like the practical market technocrats to the impact on these countries of the voluntary program he would have wisely refrained from expression of such a sweeping statement. He would also have been aware of the fact that the consequent resurgent strength of the dollar could not fail to produce adverse repercussions on its weaker key reserve currency partner (he would only have to ask the Fed or the Bank of England and they would soon have put him right concerning the pressure on sterling directly resulting from success of the U.S. voluntary program). Similarly Japan, which had been particularly prominent in exploitation of the Eurodollar market, could not have failed to have her troubles as soon as the formerly freely flowing U.S. dollar tap was turned off. Are the present currency and liquidity crises that now beset the world at large not to be considered as troubles of any importance whatsoever?)

(c) "Canada has not suffered at all." Why then the Atlantic acceptance default? Why the unprecedented action of the hard money-minded Governor of the Bank of Canada in desperately increasing the Canadian money supply by $600 million (lest the whole flimsy Canadian finance "house of cards" alarmingly collapse and Canadian external insolvency nakedly revealed as a cold fact)? Yes indeed, Canada has already suffered, and despite the vaunted Russian grain deal coup still cannot succeed in closing her chronically deficitary payments gap vis-a-vis the United States. But the real problem will arrive whenever the hitherto greedily blind U.S. investor in Canada becomes belatedly face to face with this fact (to the disgruntlement of the head of the U.S. Treasury Department).

(d) "The less developed countries are exempt from the effects of the program." (Quite true, but of what use to them when Mr. Fowler's conservative outlook on world liquidity in general serves to bar them from access to desperately needed capital of all kinds? Of what practical value such exemption, when even countries such as Japan cannot now raise in New York a miserable $100 million of new loans vitally needed to fill the gap created by the voluntary program (and the turning off of the Eurodollar tap)? And what are now the hopes of such liquidity starved nations when Mr. Fowler hits back so fast at his "liberally" enlightened critics, and then prepares to go to his "conservative" banker soulmates in Europe in order to assure that liquidity will ever be there for the rich developed nations, but tragically debarred from the desperate "have-nots")?

(e) "Eurodollars are dollars held and loaned by foreigners * * * the withdrawal of U.S. funds from the 'pool' has been replaced from other sources" (how lightly in the latter reference to dismiss the desperate scramble that took place as a consequence of the voluntary program. Mr. Fowler evidently was not informed about this but even the lowliest practical technocrat of the international money markets considered this to be a most notable episode in financial history. And in the former reference the term "held and loaned" has a most misleading connotation reminiscent of the many "learned" books written on the Eurodollar subject by otherwise well-informed monetary pundits. That Eurodollars merely pass from American Bank A to American Bank B, in such process do no harm whatsoever to the United States and its balance of payments. In fact someone in the Treasury Department some 4 years ago (before Mr. Merlyn Trued), in a memorandum addressed to me following a written warning sent to the Federal Reserve on the dangers to the United States of the Eurodollar market, politely inferred that I was living in a world of my own, and a wide world short position in U.S. dollars was a figment of my imagination. For the Eurodollar market if anything really served to finance U.S. trade, and certainly did nothing adversely to affect the American balance of payments. But the same people now claim credit for the voluntary program, the success of which is only due to the fact that the short-term capital outflow was of considerable proportions, and the foreigners when cut off from such supply would be in trouble, but not the balance-of-payments position of the United States).

But (with all due apologies to the President) is it not time that those in high office commence intelligently to "reason together," instead of continuing to wash dirty American linen before the American and foreign public? And when American exalted officials such as the very heads of the U.S. Treasury and central bank reveal to the world their unenlightened conservative philosophy how can Americans and foreigners alike possess any faith or confidence in the economy or currency of the United States. Conversely, what a profound but uplifting spirit would be engendered were such as Mr. Donald Cook and Prof. Seymour Harris the spokesmen of American power and liberally enlightened intelligence. Would the European central bankers, whom the American monetary authorities continue to cosset in search of aid and comfort of a sorrily considered weak U.S. dollar, then look contemptuously down on American monetary amateurs, who fail to convey the overwhelming strength of the economy and currency of their country, while inviting pious foreign lectures on fiscal responsibility and balance-of-payments discipline (how shortsighted they too are, for were the United States to observe their behests, Europe would soon be a truly broken continent). So, before more water (or rather hot air) goes over the dam let the United States proceed from peerless strength and the righteousness of its cause. As Senators HARTKE and MCCARTHY so rightfully exhort let America at last demonstrate to the world bold and enlightened leadership in monetary affairs, and call for an early showdown on the issue of IMF reform and the role of gold. And as they perceptively point out, "the September meeting of the IMF Executive Board will provide the proper forum for such a call."

Respectfully,

JOHN E. SMITH,
Bank Adviser.

OUR RESPONSIBILITY IN VIETNAM

Mr. McGEE. Mr. President, President Eisenhower decided in October 1954, "to assist the Government of Vietnam in developing and maintaining a strong viable state capable of resisting attempted subversion or aggression through military means." Since then three U.S. administrations have repeatedly examined and reexamined the alternatives open to this country in southeast Asia. Each reexamination has confirmed the basic necessity of the commitment we made 10 years ago, a commitment based on the conviction that the vital interests of the free world and our own country could be broadly affected by the course of events in southeast Asia.

That part of the world has great strategic significance in the forward defense of the United States. Its location across east-west air and sea lanes flanks the Indian subcontinent on one side and Australia, New Zealand, and the Philippines on the other. It dominates the gateway between the Pacific and Indian Oceans. In Communist possession, this area would present a serious threat to the security of the United States and to the entire non-Communist world.

Also, South Vietnam is a test case for the Communist strategy that was spelled out by Khrushchev in 1961 when, in a major elaboration of Communist doctrine, he dedicated communism to the provoking and encouragement of "wars of liberation" and specifically referred to Vietnam as one such war. "It is a sacred war," he said. "We recognize such wars." The West cannot let communism succeed with this aggressive expansionism.

Finally, and most to the point, South Vietnam, with extremely limited resources in terms of education and experience, is struggling to develop a viable economy and a national identity. The Vietnamese have asked for our help. We are giving it. We do so in their interest, and we do so in our own clear self-interest.

Our goal there is simple and forthright. The United States has no designs whatever on resources or territory in that part of the world. Our national interest does not require that South Vietnam or Thailand or Laos or any other country of southeast Asia serve as a Western base or a member of the Western alliance. Our ultimate goal in southeast Asia, as in the rest of the world, is to maintain free and viable nations which can develop politically, economically, and socially, and which can be responsible members of the world community.

We could, of course, abandon Asians to a Communist and Chinese expansionism by pulling out of South Vietnam and vacating our commitments there. To do so, as President Eisenhower stated in 1959, would almost certainly "set in motion a crumbling process that could, as it progressed, have grave consequences for us and for freedom. The remaining countries in southeast Asia would be menaced by a great flanking movement." As this happened, the sphere of the free world would begin to shrink. We would simply postpone, perhaps only briefly, the time when we would be forced to stand fast or forfeit the leadership of the free world and, by default, deny millions of people the opportunity to pursue their own national destinies in free societies.

The alternative followed by this administration—and its predecessors—is to draw on our rich resources, our dedication to freedom, the power of our prestige, and our military capabilities to help the people of South Vietnam defeat this aggression and build a stable, independent society. This is not going to be easy or quick. But because the conditions are difficult and the processes agonizingly slow is no reason to abandon our carefully chosen course, and choose instead to withdraw to the certainty of facing the same situation in other lands.

We are a big and great country, and today we shoulder the burdens of leading the free world. We do this not for the pride of power but because of our responsibility to the cause of human freedom that is the keystone of our way of life. Problems of war and peace, and the task of defending the course of freedom under adverse conditions perhaps far from home are an unshakable part of that burden. Most Americans know this to be true. We cannot quit or panic because the going is tough, the cost is high, and the progress is slow. We are going to stick to our commitment, to use our power wisely and to save and extend freedom wherever and whenever we can. That is not merely the honorable course, it is the wise and necessary one for America.

So I support President Johnson in the course of action that he has outlined. I support him soberly, recognizing that the decisions that have been reached will mean personal sacrifice for many American families. The decisions to enlarge draft calls, call up reserve units, and extend duty tours were not taken lightly. They are the product of thorough, searching study, and a full and careful weighing of alternatives. For, as the President has stated over and over again, this is not a war that we seek. In Vietnam as elsewhere we prefer the paths of peace. We have come only with reluctance to the course of action now before us. We have done so only after exploring all valid alternatives and rejecting them as incompatible with our commitment to freedom and human dignity and our interest in increasing the stability of a divided world in the atomic age.

BIG BROTHER: FDA

Mr. LONG of Missouri. Mr. President, recent hearings before the Subcommittee on Administrative Practice and Procedure exposed certain activities of the Food and Drug Administration to be disgraceful and completely contrary to the protective guarantees of our Constitution.

Perhaps the most shocking of these exposures involved the raiding of a premises here in the Nation's Capital.

This raid was reminiscent of a bygone era when large numbers of Federal and local law enforcement officials set upon centers of gangland activity. True to form, this recent raid was preceded by intelligence from an FDA spy planted on the premises. In authentic Hollywood style, FDA agents and marshals descended on private property while local police roped off the street and held back the crowds. Press reporters and photographers accompanied the agents while they ran through the premises, banged on doors, shouted and seized what they viewed as incriminating evidence.

Three particular aspects of this episode were especially shocking to the subcommittee. First, the incursion took place on church property. Second, the agents had no valid search warrant. Third, the particular objects sought and seized were devices used in the churches confessional procedure.

Now I have no objection to the use of forceful tactics when the circumstances warrant them. These are necessary when bootlegging, gambling, and other forms of organized vice pose a real threat.

However, it is difficult, if not impossible, to justify such offensive behavior by FDA agents on the property of the Founding Church of Scientology.

This senseless example of bureaucratic bungling is completely contrary to the letter and the spirit of the constitutional guarantees of this Nation and those of other democracies. The whole disgraceful affair is offensive to the sensibilities of all freedom loving men, wherever they might live.

At this point in the RECORD, I ask unanimous consent to insert copies of letters sent to me by a Canadian ministerial student. The original of one of these letters was sent to the Canadian Ambassador to the United States; the other was addressed to the U.S. Secretary of State.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SCIENTOLOGY CENTRE,
Kentville, Nova Scotia, Canada, August, 5, 1965.

The SECRETARY OF STATE,
State Department of the United States of America, Washington, D.C.

DEAR SIR: The enclosed copy of my letter of protest addressed to The Canadian Ambassador to the United States, Washington, D.C., dated January 6, 1963, is self-explanatory.

It is my understanding that this case is still pending and has never been brought up for a hearing and a decision before any court.

Due to the obviously unduly long period of time which has elapsed since the described subject incident has occurred and the internationally basic principles involved, I hereby request that you take immediate action to clear up this situation by an official apology to me and all others concerned together with definite assurances that this entirely un-American and internationally unconstitutional act will not be repeated, and that my personal property; namely (1) E-Meter Serial No. 782 either be returned to me or its purchase price of $150 (U.S.) be refunded to me. And, in the case of the meter being returned to me that all costs of repairing this instrument to restore it to its proper, original working order be borne by the U.S. Government.

Looking forward to your early reply in this matter, I am,

Sincerely,
JOHN P. WOOTEN, D.C., H.S.S.

STUDENT ACADEMY OF SCIENTOLOGY,
FOUNDING CHURCH OF SCIENTOLOGY,
Washington, D.C., January 6, 1965.

The CANADIAN AMBASSADOR,
Canadian Embassy Chancery,
Washington, D.C.

DEAR MR. AMBASSADOR: I hereby wish to report and register the strongest protest possible against officials of the U.S. Government responsible for the following incident:

On Friday afternoon, January 4, while attending as a resident student the Academy of Scientology, Founding Church of Scientology of Washington, D.C., at the above address, my pastoral counseling session in which I was receiving counseling at the time from my auditor, was rudely interrupted by the noisy entrance of a Robert Haislip, deputy U.S. marshal, U.S. Department of Justice, and another man who had a camera in his hand, loudly announcing that they were U.S. marshals and that they were confiscating all E-Meters (the Hubbard Electrometer: an electronic device for measuring the mental state and change of state of homo sapiens; used by Scientology auditors in pastoral counseling sessions) and Ability magazines (official publication of Scientology in the Americas), and that we should stop what we were doing and give up this equipment and materials. Mr. Haislip then proceeded to take my auditor's E-Meter, gave no receipt for same and only permitted, when asked to do so, that a record of the E-Meter serial number for identification be made. Then later in the lecture hall of the Academy of Scientology, a John R. Pannetta, deputy U.S. marshal, U.S. Department of Justice (phone: STerling 3-5700) took (1) E–Meter serial No. 782 (personal property belonging to me) from me, gave no receipt for same and only allowed me to record its identifying serial number, in the same manner as reported above. When I queried one of the marshals by whose authority was this action being taken, he showed me an unsigned court order.

I thoroughly resent and object to this unwarranted and extremely highhanded intrusion on my personal, basic rights as a Canadian citizen, and the forceful confiscation of my personal property (1) E-Meter serial No. 782 whilst I was a student here in the Academy of Scientology under the guidance of the Founding Church of Scientology, Washington, D.C., and an authorized visitor to the United States, and hereby do request you to take immediate action in strong protest of the unmitigated actions of U.S. Government officials reported above, and have my personal property immediately returned to me.

Thanking you for your services on my behalf, I remain,

Sincerely,
JOHN P. WOOTEN, D.C.

JOSEPH KRAFT ON U.S. POLICY IN ASIA

Mr. CHURCH. Mr. President, Joseph Kraft is one of our most knowledgeable and perceptive commentators on events in Asia and on U.S. policy toward that area. I ask unanimous consent to have two of his recent articles from the Washington Post printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

REVERSE DOMINOS

(By Joseph Kraft)

The divorce of Singapore from Malaysia may turn out to be a blessing in disguise.

On the debit side, a loss of potentially staggering size is now cut in a relatively safe way. On the asset side, the domino theory that has been the base of so much wrong-headed American action in Vietnam is now exposed as a crude and unreliable guide.

From the outset, back in 1963, the Malaysian Federation was a chancy thing. It rested on the natural economic association of the great island port of Singapore with the hinterland of the Malayan peninsula. But Singapore is dominated by Chinese led by a Socialist trades unionist, Lee Kuan Yew, while the peninsula is dominated by Malay Moslems led by a golf-playing dynast, Tunku (or Prince) Abdul Ranman.

To achieve federation at all it was thus necessary to fuse two hostile nationalities under two different kinds of political leadership. For cold war political purposes it was deemed necessary to keep the Chinese and their leftwing leader in the minority. To do that, it was necessary to add to the Federation two former British protectorates in Borneo—Sarawak and Sabah.

Their inclusion precipitated Indonesian territorial claims against the Federation. As a guarantee of the Federation's security, British forces based on Singapore came into action. That in turn invited the charge that the whole Federation was a put-up Western piece of imperialism directed by the United States against the Indonesians and their chief ally in the world, Communist China.

Thus, step by step, there was built up, from local economic necessity, a network of commitments that came to involve the great powers. In Malaysia, the peace of the world was made to rest on a ramshackle structure of conflicting claims and competing nationalisms.

The withdrawal of Singapore from the Federation moves toward a safe scaling down of that crazy system. All the details of divorce seem to have been worked out by advance agreement between the Tunku and Lee. Indeed, it was precisely because they made their arrangements in advance and in secret, that the whole world was surprised by the divorce.

But what does all this have to do with the domino theory? Well, the theory is that the states of southeast Asia are like a row of dominoes with Vietnam in the van; and that Vietnam must be given external support, because if she falls, the others will come tumbling after. The events in Malaysia, however, offer vital evidence against the theory in two ways.

First, it is plain that the weakness of the Asian states springs more from internal division than external pressure. The best way to shore up these states is by moving toward solidly based local regimes—as the Tunku is trying to do in Malaysia, and as Lee is trying to do in Singapore. Had they failed to arrange a divorce, the Federation would probably have been blown apart by friction between Malays and Chinese. The dominoes would have been falling in reverse.

Second, the events show that the smaller Asian states are stabilized by simplifying their internal politics, not by loading them down with external commitments. Vietnam has been in trouble steadily since World War

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II mainly because it was encumbered in impossible outside commitments—first to French colonialism, next to American anticommunism. Thailand, by providing a base for American military and propaganda efforts, now court the same danger.

Malaysia and Singapore, by reducing their entanglement in the East-West opposition, have probably improved their chances for survival. They have followed the Burmese way of noninvolvement. And the Burmese way, as the foremost of Burmese, Secretary General U Thant of the United Nations, once said: "is very appropriate in the circumstances prevailing in southeast Asia."

The Technique of "As If"

(By Joseph Kraft)

The recent week of secret White House talks on Vietnam has been widely written off as a charade designed to provide an appearance of deep deliberation for decisions already taken. In fact, the White House talks yielded a basic change in the pace and direction of American policy in the Far East.

President Johnson has now explicitly broken away from a policy that was leading to an early and direct military clash with mainland China. And he did it in a way that enabled all of his advisers to go along with the new policy, though most of them had been leading advocates of the old policy.

To understand the breadth of the decision, it is necessary to have a grasp of the strategic view of Asia held in the highest military circles. In this sophisticated and cogent view, the only threat to the American position in the western Pacific comes from Communist China. American superiority in the air and in nuclear weapons would make it relatively easy to handle China at present. But 10 years from now it may not be so easy. China, the theory runs, could then be a real danger.

While rarely stated, this strategic concept has at all times been in the background of American decisions in Vietnam. The war there has been seen as an extension of Chinese power. At every critical juncture, this country has been obliged to go in deeper in order to contain the Chinese. Virtually all possible proposals for negotiations have been scotched as signs of weakness that would only feed the Chinese appetite for conquest.

The most recent White House review began just as all the previous ones. As usual, there was a military crisis in Vietnam. As usual, Secretary McNamara and his aides went out to examine the situation. As usual, they came back to Washington with new recommendations. As usual, these recommendations amounted to a deeper American military commitment. As usual, the President's chief foreign policy advisers, McGeorge Bundy and Dean Rusk, endorsed the proposals.

For many reasons, however, the President was instinctively suspicious of the whole approach. His most important former Senate colleagues—Richard B. Russell, Clinton P. Anderson, J. William Fulbright, Everett M. Dirksen, Mike Mansfield—were expressing their doubts on the matter. The press was just then full of stories showing how President Kennedy had been trapped by his advisers in the Bay of Pigs fiasco.

But the real art was not to have doubts. The real art was to communicate these doubts in a way that would carry weight with the President's military and political advisers. Mr. Johnson alone, achieved that trick. He did it by the device of posing what may be called "as if" questions.

He listened carefully to all the recommendations. He then asked his advisers to consider the situation, as if all the proposals had been adopted. What would the other side do then? And where would that leave the United States?

At one point, in fact, the President said: "I want every man in this room to think where we will be 3 months from now; where we will be 6 months from now; where we will be a year from now; where we will be 5 years from now; where we will be 10 years from now."

When the answers to the "as if" questions finally came in, the President had on hand not only what he was being asked to do now, but also the whole scenario for the future. It was apparent that what the military wanted was: First, a major effort to drive the Vietcong guerrillas out of South Vietnam; second, an all-out bombing attack on North Vietnam; and third, in the likely event of intervention by Peiping air raids on modern military installations that would set China back for at least a decade. A big Asian war, in other words, was just around the corner.

With that ugly prospect exposed, the President's advisers were at last able to back away from the position they had endorsed so many times before. They agreed with the President that it was necessary to change the scenario. Though they accepted the immediate military requests, they also moved, for the first time really, to open a number of doors for a settlement in Vietnam.

The new moves may not work. They may not—and this would be tragic—be pushed very long or very hard. But for the time being the United States is not on a collision course with China. By the technique of "as if," the President has been able to assert the political over the military logic.

TRIBUTE TO ADLAI STEVENSON

Mr. MONDALE. Mr. President, the past weeks have seen an outpouring of countless eulogies honoring a great American, Adlai E. Stevenson. They have come from all parts of the world. They have lauded the way he uplifted American politics, by his nobility of expression and his stanch dedication to the betterment of America and mankind. Many of these eulogies have been printed in the Record, and they form an enduring monument to the respect and affection felt by men all over the world toward Adlai Stevenson.

I would like to add one more, an exceptionally fine statement by a distinguished Minnesotan, Edward Barsness, former editor of the Pope County Tribune of Glenwood, Minn. I have known Ed for a good amount of time, and I have always admired the fine human quality of his writing. I feel that his editorial, "Stevenson Belongs to the Ages," is one of the best he has ever written.

In particular, he points to striking similarities in the lives of Adlai Stevenson and our late President, John Kennedy.

Kennedy and Stevenson were products of the same school of thought, ideals, and aspirations. Both men were keen students of the Bible, and quoted frequently from the oldest book in the world. They were steeped in the great literature of the world and especially that of England. The utterances of the great thinkers of the past, great thoughts that had stood the test of time, became a part of them and their lives. Both were men who dared to back up their convictions and in no uncertain terms. Neither of them were politicians in the true sense of the word. When asked about their stand on a controversial question, they came forth with an answer that could easily be understood. Support and votes might be lost temporarily, but the future of humanity meant more to them. Both are now dead but what they stood for lives on.

Mr. President, I ask unanimous consent that this editorial by Ed Barsness be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Stevenson Belongs to the Ages

(By Edward E. Barsness)

A great American once said, "I would rather be right than to be President." The same might well be said about Adlai Stevenson who passed away suddenly in London last week, while on duty as U.S. Ambassador to the United Nations. Stevenson and the late President Kennedy were the two most outstanding men in the world in this generation and will live on in history with men like Lincoln and Gladstone.

Kennedy and Stevenson had very much in common. They were both great intellectual men, men who understood the past and who had the ability to look into the future and to see the turn of events. Both loved justice and peace and were against tyranny the world over. With them their objectives became an obsession and as for their dreams, they never let them die in spite of setbacks and opposition. Both men lived for something bigger than themselves. History is too near to both these men to give them the proper place in the annals of the coming generation, but when their history is written, they will be credited with changing world thought and giving humanity a new vision. This was what both men lived and died for. When these two men appeared on the scene, politics and much legislation had sunk into a sordid mess and people were becoming disillusioned and becoming resigned to a world without hope or escape. Kennedy and Stevenson brought hope and cheer where there was despair, and our Nation and the thinking world, moved into new fields.

Kennedy and Stevenson were products of the same school of thought, ideals and aspirations. Both men were keen students of the Bible and quoted frequently from the oldest book in the world. They were steeped in the great literature of the world and especially that of England. The utterances of the great thinkers of the past, great thoughts that had stood the test of time, became a part of them and their lives. Both were men who dared to back up their convictions and in no uncertain terms. Neither of them were politicians in the true sense of the word. When asked about their stand on a controversial question, they came forth with an answer that could be easily understood. Support and votes might be lost temporarily, but the future of humanity meant more to them. Both are now dead but what they stood for lives on.

Adlai Stevenson was a candidate for President of the United States in 1952 and 1956. Unfortunately for Stevenson he ran against a returning war hero, Dwight Eisenhower, and all his qualifications did not count. The fact that one party had been in power so many years worked against Stevenson. Although he lost heavily, he drew to his side the most ardent followers and admirers that any candidate has ever had. These followers caught the great dreams of Stevenson and they never lost them. Stevenson's dream revived the Democratic Party and gave it the great strength that it has today. The Stevenson dream for humanity will go on. He was a modern crusader.

Stevenson's greatest dream and hope was the United Nations and he was there when the United Nations was born in San Francisco in 1945. He knew at that time that all the objectives of the United Nations could not be realized in one generation and that law could not make all the peoples of the world behave. He knew that erring humanity in an imperfect world could only realize perfection by degrees. It was fortunate for humanity and the world that President Kennedy appointed Stevenson as our representative to the United Nations and that he was able to labor there in these troublesome years. By his work here, he became a world figure and was looked up to by the nations of the world as an outstanding statesman whose first objective was world peace.

Stevenson put every ounce of energy he had into the United Nations and he was constantly on the go trying to the last to get the majority of the nations to work together for the good of humanity. He was aware of the storm clouds that hovered so near, but he knew that the masses of the world want peace more than anything else and he kept on working until he died with his boots on—the way he would have wanted to go.

Many great men have not been recognized in their time and among them can be mentioned Lincoln and Kennedy. After they are gone, the world wakes up to the fact that they had lived with intellectual giants. Now Stevenson joins that group. Stevenson did not live in vain and he did not die in vain. The name of Stevenson will grow with the years as he joins the immortals of all time.

WATERSHED PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA. Mr. President, in order that Senators and other interested parties may be advised of various projects approved by the Committee on Public Works, I submit for inclusion in the CONGRESSIONAL RECORD, information on this matter.

Projects approved by the Committee on Public Works on September 8, 1965, under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, as amended:

Project:	*Estimated Federal cost*
Upper Choptank River, Del. and Md	$3,045,300
Little Raccoon Creek, Ind	2,521,448
Timber Creek, Kans	3,489,300
Tamarac River, Minn	1,177,486
Quapaw Creek, Okla	3,364,699
Rock Creek, Okla	1,224,703
Duck Creek, Tex	1,810,207
Cherrystone, Va	581,145
Total	17,214,288

IN VIETNAM, THE POLITICAL STRUGGLE IS OF PRIMARY IMPORTANCE

Mr. CHURCH. Mr. President, Mr. James Reston, one of Washington's best columnists, is currently writing a series of highly worthwhile articles from South Vietnam. Two such articles, entitled "Chulai: the Politicians and the Marines" and "Vietnam's Other War: In the Quest for Peasants' Allegiance, U.S. Aids Find Saigon a Languid Ally" appeared in the August 22 and August 23 editions of the New York Times. Mr. Reston cogently argues:

> But in the end, the decisive question is not with the determination of the American Government or the American people but with the determination of the South Vietnamese Government and the South Vietnamese people. * * *
>
> In fact, it is almost a cliche to say in Saigon, not only in the American Embassy but even in the American military compound, that while victory at Chulai was important and even essential, it will be necessary in the end to win the people in order to win the war.

I ask unanimous consent to have these articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Aug. 23, 1965]

VIETNAM'S OTHER WAR—IN THE QUEST FOR PEASANTS' ALLEGIANCE, U.S. AIDS FIND SAIGON A LANGUID ALLY

(By James Reston)

SAIGON, SOUTH VIETNAM.—The political conduct of the war in Vietnam is a worry to most American officials in Saigon.

They have gone through so many changes of government that they hate to talk about politics in public, but they agree that it is a critical factor in the outcome of the conflict, and it is the central question before Ambassador Henry Cabot Lodge. The main fact seems to be that the mass of the people on the land and in the hamlets, more than two-thirds of the population of South Vietnam, are frightened spectators and often victims of the struggle.

They are not engaged in the defense of their communities. They are not protected by their central Government after dark and often not even in the daylight. So they stand aside, obeying the orders of whichever side happens to have the guns at the door, which is usually the Vietcong.

FARMER'S SHARE SPARSE

The Saigon Government does not have a popular political base among the people; it has seldom had one. Saigon has not been responsive to their problems. The wealth of this country lies in its agricultural production, yet the people on the land and in the hamlets have benefited very little from their own production or from American aid.

They regard their leaders in Saigon as merely the successors of the French colonial regime, with upper-class urban Vietnamese replacing the French.

U.S. officials here, not only in the Embassy but also at military headquarters, are well aware of this problem. The military command concedes that it can win battles like the one last week near Chulai, around bases on the sea, but that it cannot win the constant night-and-day battles in the hamlets all over the country unless the people believe in their Government and fight for their homes and communities. The Americans in the Embassy, and particularly those working in the distant hamlets, agree.

WAR IN EVERY HAMLET

The central question, therefore, is to think about this political problem as steadfastly as the Marines thought about their military problem at Chulai last week. American military power can hold bases on the sea, it can win time, but the war is going on every night in every hamlet in the country, and that is a different problem.

Ambassador Lodge will be confronted by the problem this week when he calls on the leaders of the South Vietnamese Government. It will not be easy. Premier Nguyen Cao Ky indicated before Mr. Lodge arrived that he was not enthusiastic about Mr. Lodge's mission.

When the Ambassador arrived the Premier was out of the country, giving advice to other leaders, in Taiwan and Thailand, about the importance of unity and social justice, which are central problems right here.

Accordingly, there is a tendency in the U.S. mission here to say with considerable reluctance and self-doubt that while the South Vietnamese really should deal with the problem in the hamlets, they will probably not do the job, and the United States will have to take it on.

Mr. Lodge's conviction is that the South Vietnamese must take over the social revolution from the Communists. He emphasized this when he arrived. But his problem is that the Vietnamese leaders are willing neither to take the leadership nor to accept American leadership in this exercise.

Faced with this problem, American leaders are tempted at the moment to give up trying to persuade the Vietnamese Government and, though they do not quite admit it, to sidestep the Vietnamese Government and in the process to replace it.

The victory at Chulai has encouraged this tendency. The U.S. Army and Air Force give the impression that they are yearning to prove elsewhere that they can be as effective as the Marines, and in limited areas, where the military situation favors American power, as at Chulai, this may help.

But the huge problem of the hamlets and the country as a whole remains, and no one in the American leadership here really believes that it can be solved without the cooperation and enthusiasm of the South Vietnamese Government and people.

AFTER VICTORY, WHAT?

There is another aspect, a long-range aspect, to this issue. The basic policy of the United States in Vietnam is to create a military stalemate that will lead to a negotiated settlement in which American power can be withdrawn from this peninsula.

Such a policy assumes that the South Vietnamese will be able to govern and protect the country after the Americans leave, but there is no evidence that they have this capacity, no evidence that they are developing this capacity—indeed, no evidence that the United States is determined to prepare them for the day when they will have to take over.

Ambassador Lodge, therefore, is a key figure in this problem as he begins his mission with the Vietnamese leaders this week, and he has to work within two policy guidelines that may well be contradictory.

He is expected to cooperate primarily with any government here that is anti-Communist. The present South Vietnamese Government certainly meets this test: It is opposed to the effort of the Communists to take over the country by force.

But at the same time it is essentially a Saigon group, remote from the problems of the people on the land and in the hamlets and backed by the urban upper class, which is undoubtedly anti-Communist too. That class is opposed to the social revolution that the peasants want and the Communists promise.

The second policy guideline before the Ambassador takes account of this point. President Johnson is constantly replying to critics by maintaining that he is following in Vietnam a policy originally introduced by President Dwight D. Eisenhower. But that policy emphasized—and the Johnson administration endorses the emphasis—that American aid is to be given to South Vietnam "provided that your Government is prepared to give assurances as to the standards of performance it would be able to maintain."

REFORMS DEMANDED

An Eisenhower directive of October 23, 1954, added that "the Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms * * * responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on the people."

None of this requirement has been carried out, and how this policy is interpreted depends very much on what Ambassador Lodge decides in these next few days.

His mission is divided. The military men are thinking primarily about the power struggle, but the political struggle is equally important. This is the area where both the United States and the South Vietnamese have been weakest in the last decade.

[From the New York (N.Y.) Times]

CHULAI: THE POLITICIANS AND THE MARINES

(By James Reston)

CHULAI, August 21.—The victory of the marines here on this lonely shoreline of the central Vietnamese lowlands helps clarify the military situation, but does not clarify—and may even confuse—the political problem.

The power of America in these limited military enclaves by the sea is formidable. Particularly when the effective field of battle is limited by a mountain range close to the shore, as it is here, and the enemy cannot launch equal air and naval power from the water, the firepower of the American forces is almost insurmountable.

This is particularly true when such power is exercised by brave and professional men and nobody who has had even a glimpse of the marines here this week is likely to question that they know what they are doing and have the skill to do it.

SECURITY HAVEN

The American positions on this coast, therefore, are as secure as anything can be in an uncertain world. They are being increased. Another base is being constructed in the natural harbor of Cam Ranh south of here, which the Russians used in their war with Japan at the beginning of the century, and the Japanese used in the last World War. And when the engineers get through with the task of submerging its fuel tanks and constructing its docks, roads and airstrips, nothing short of a massive commitment of manpower from North Vietnam and China could overrun it—and that would change the entire strategy of the war.

The only trouble with this reassuring picture is that the land is not the sea. Outside of the bases on the sea, and outside of Saigon and one or two other cities, this country is terrorized if not controlled by the Vietcong, and even Saigon is riddled with guerrillas and could be overwhelmed by mortars and by plastic bombs and shut off from the sea by sinking a single ship in the channel of the Saigon River any time the Communists chose to adopt a policy of unlimited guerrilla war.

What has happened here at Chulai this week is spectacular news in the United States but hard as it is for us to understand or believe it in America it is not spectacular news among the mass of the people here.

ONE MORE BATTLE

They are not participants, but merely spectators and victims in the struggle. They have been dominated for so many long generations by their own squabbling leaders, by the French and the Japanese, by war and rebellion of every descrpition that one more battle on this lonely coast means very little.

The main hope is that it will mean something to the leaders of North Vietnam, the Communist National Liberation Front in South Vietnam, and the South Vietnamese Government and armed services.

CHANGING ASSUMPTIONS

The Communists have been operating on the assumption that the United States was merely making a political and military demonstration in this country and that it wouldn't fight or wouldn't stick it out.

After what happened to the Vietcong here in Chulai maybe they will change their minds about the American capacity to fight, and if they know anything about American psychology, which is doubtful, they may even conclude that Chulai will increase America's determination to see it through.

But in the end, the decisive question is not with the determination of the American Government or the American people but with the determination of the South Vietnames Government and South Vietnamese people.

The American effort can hold places like Chulai, and can therefore gain time, but the decisive question is what the South Vietnamese are going to do with the time.

This apparently was what Ambassador Henry Cabot Lodge was hinting at discreetly in his statement at the airport in Saigon when he arrived.

He said that the United States was committed to seeing that the military attack on South Vietnam "must and will be warded off," but he emphasized that this fight merely "gives us all the opportunity to bring about a true revolution which will make possible a new and better life for the Vietnamese people."

ESSENCE OF VICTORY

This may sound like the usual soaring jargon out of the State Department, and it annoys a lot of people, who say quite rightly that without military victories there will be no feeling of security among the people, and therefore that military victory is paramount.

Yet it is also true that military victories, particularly at lonely military bases along the coast, will not win the country.

In fact it is almost a cliché to say in Saigon, not only in the American Embassy but even in the American military compound, that while victory at Chulai was important and even essential, it will be necessary in the end to win the people in order to win the war.

PAY RAISES FOR FEDERAL EMPLOYEES

Mr. LAUSCHE. Mr. President, the proposal that the administration be given control in initiating pay raises for Federal employees is unsound, unreasonable, and should not be adopted.

Under the Constitution, the people of our country placed the control of the purse strings in the hands of the Congress and not in the executive branch of the Government. It is generally conceded that the Congress by appropriate legislation must decide what the money-spending program shall be and then provide under appropriate legislation the moneys to support that spending.

Now it is proposed that the administration determine the wage rates and the Congress be given power to veto the administration's action.

Admitting that under the President's proposal the Congress would have the power within 60 days after pay raises were granted to veto such raises, it is nevertheless an unchallengeable fact that such veto power is not an adequate substitute for the basic control over expenditures that was vested in the Congress from the time of our Nation's birth. The procedure has been historically that pay boosts are recommended by the President when he thinks they are needed. However, those recommended pay boosts do not go into effect until affirmative action is taken by the Congress approving the proposals.

Inasmuch as the responsibility lies with the Congress to provide a program in which the income and the expenditures of the Federal Government are balanced, it is clear that the absolute power of fixing salaries should be with the Congress and not given to the administration.

The power of the Congress to veto a decision already made by the administration is a weak and unsatisfactory substitute for the initial and final power now residing in Congress either to raise or lower the pay of public servants and officials.

Throughout the history of our country, the Congress has exercised the power to fix pay levels and assume the responsibility to provide the moneys needed to meet the pay levels which it fixed. Under the administration's proposal, it is intended that this historic power and responsibility of the legislative branch will be modified.

The proposal is not sound and I will not support it. I am in agreement with the views expressed by Senator A. S. MIKE MONRONEY, the chairman of the Post Office and Civil Service Committee, on this important subject.

THE TRUTH ABOUT RUBBER FOOTWEAR

Mr. HARTKE. Mr. President, I invite the attention of the Senate to an editorial published in this morning's Washington Post, which does a great disservice to that paper's reputation for accuracy as well as to the cause of intelligent legislation. The Post inveighed against the "spokesmen for the domestic rubber boot industry" in connection with the ad valorem substitute for American selling price which this body adopted and sent to conference as part of the amended Tariff Schedules Act.

I believe that it is important the record be set straight with respect to some of the grossly inaccurate charges made by the Post.

According to the Post editorial:

> The spokesmen for the domestic industry are attempting to increase the American tariff by nearly 400 percent.

Nothing could be further from the truth. The fact is that the domestic industry has been trying for 3 years to correct a serious anomally resulting from a 1962 Treasury ruling which treats absolutely identical products; namely, synthetic rubber boots and natural rubber boots, in differing ways for tariff purposes. The proof of the inequity of this ruling is that, as a result of the tariff loophole it created, the Japanese have been able to capture just short of 40 percent of the domestic market for this kind of footwear. For 30 years prior to the 1962 Treasury ruling, American selling price had applied to all protective rubber footwear. The singular success of the Japanese in capturing our market only demonstrates the merits of giving uniform treatment to both natural and synthetic rubber footwear. The domestic industry has merely been trying to restore equal treatment to synthetics. Experience prior to the Treasury ruling demonstrates that even with American selling price applied to synthetics the Japanese would still have about 30 percent of our market.

The proposal for converting American selling price to ad valorem rates was not made by the industry but the administration. I am advised that this proposal resulted from a meeting of all interested agencies, including the State Department, the Treasury Department, Governor Herter's office, the Commerce Department, the Labor Department, and the Tariff Commission. It was adopted by these agencies without dissent and was urged by the administration upon Senator RIBICOFF and myself as a substitute for the American selling price amendment we had proposed. The administration then succeeded in persuading the industry to drop its fight for the reapplication of American selling price to synthetics and to accept, instead, the administration's proposal of converted rates. Having won that battle, the administration pulled the rug out from under the domestic industry and withdrew its support of its own proposal.

The Post alleges that the converted rates would provide absolute protection to an already prosperous domestic industry. These assertions are made of whole cloth. The total market for these products has been declining over recent years and what remains has been going in steadily increasing amounts to Japanese producers.

The results can be determined only after some experience under the converted rates, and the Trade Extension Act requires that these rates would have to satisfy rather rigid tests or else be offered for a cut up to 50 percent during the present GATT negotiations.

The Post alleges that the tariff would be increased from 12½ to 60 percent. Evidently the editorial writer was furnished incorrect and incomplete facts. Under the proposed schedule, much of what now comes in at 12½ percent would continue to do so. Some would come in at a rate of 25 percent, and only those items whose natural rubber equivalents carry an average duty of 60 percent would be converted to that rate.

In short, Mr. President, there are two issues involved in this rubber footwear question, both of which should concern Congress. The first is the question of whether a domestic industry can rely on the word of the executive branch of our Government. The second issue goes to the merits of the Government's proposal. As to this, it is abundantly clear that the rates originally proposed by the administration and adopted by the Senate are the minimum which can be adopted without creating a further gross inequity to an already beleaguered industry, that these rates will still leave the Japanese with about 30 percent of the American market, and that these rates may yet be cut in half during the Kennedy round.

It is high time, Mr. President, that the Congress of the United States express its concern for the activities of importer and foreign lobbies which are designed to frustrate the ability of industries such as rubber footwear to compete according to fair rules of the game.

THE COMING WAR ON HUNGER

Mr. MONDALE. Mr. President, to those of us who have been working for reorganization and expansion of our food-for-peace program, it is most heartening to see newspapers and magazines all over the country giving increased attention to the world food crisis. We face a problem of great complexity, yet its essential elements are simple enough. Underdeveloped countries are increasingly unable to feed their growing hungry populations, while we in the United States have a vast, still untapped potential to increase our food output.

On Sunday, August 29, the Empire magazine of the Denver Post published one of the finest articles I have yet seen on this major world problem. I ask unanimous consent that this article by Bill Hosokawa, "The Coming War on Hunger," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Empire magazine of the Denver Post, Aug. 29, 1965]

THE COMING WAR ON HUNGER

(By Bill Hosokawa)

(NOTE.—Although fragmentary reports have been published on the changing picture of American food surpluses, this is believed to be the first comprehensive story to appear. Bill Hosokawa, editorial director of Empire and associate editor of the Denver Post, dug out the details in Washington, D.C., a few weeks ago.)

You were so busy yesterday that you skipped lunch and settled for a candy bar. Last night you went to bed feeling just a bit self-righteous for having missed a meal; you hoped it might help trim a little of the fat off your middle.

You probably did not realize that more than half the people on earth—nearly 2 billion men, women, and children—also went to bed hungry. But not out of choice. In this land of superabundance, it is difficult to imagine that hunger is a chronic experience for the majority of humans today, and every day, some 10,000 people will die of starvation or of the side effects of malnutrition.

It is knowledge of this hunger, and the consequences that hunger anywhere in the world holds for all of us, that causes lights to burn late in Washington these days. The grim companions of hunger are misery and death, political chaos, the end of morality. For, no more than a nation can remain half slave and half free, half the world cannot be surfeited and half starving, and long survive.

What troubles the food experts in Washington is that the enormous U.S. surpluses that helped feed the famished for a decade are now largely gone. Remember those pictures showing great mountains of wheat piled along railroad sidings of the West? You haven't seen any lately, partly because of the success of Federal restrictions on farm production, and partly because of massive shipments of food sent overseas.

The question now is not how to curtail output, but how to make American farms produce more to help fill empty stomachs in India and South America and Africa and other undernourished areas of the world. Congress is likely to be hearing a great deal about this problem before long.

It was only a few years ago that widespread food shortages seemed to be a distant specter that only a few visionaries worried about. Suddenly that specter is upon us and its threat is ominous.

Listen to the warning of Thomas M. Ware, a hardheaded industrialist and Chairman of the Freedom From Hunger Foundation: "There is a global food catastrophe building up on the horizon which threatens to engulf the free world and the Communist world alike."

Within 15 years, Ware predicted in a recent speech, Red China may have an H-bomb arsenal, the capacity to deliver it, and a population of 1 billion. Then he asked some chilling questions:

"With these pressures at work, will the Red Chinese feel compelled to reach outside to gain the land and food-producing potentials now in the hands of India or even the United States?

"Will they be deterred from launching nuclear attacks on the United States because they fear retaliation? Or might they welcome such an exchange as a means of destroying American power while they simultaneously reduce their own population to manageable levels?"

THE EFFECTS OF MALNUTRITION

What is true of China's food problem is true of many other lands, but there is another aspect of hunger that is less well known. It is malnutrition, quite apart from undernutrition. A great many people who, somehow, are able to fill their bellies reasonably often are not getting the proper food. Their diets are heavy on starches and seriously lacking in proteins, vitamins and minerals.

Among children thus deprived, the United Nations Food and Agricultural Organization (FAO) reports, as many as 25 percent of those who survive suffer nonreversible mental and physical retardation.

Herbert J. Waters of the State Department's Agency for International Development (AID) calls malnutrition "the silent but most lethal enemy of mankind." Looking forward to the time when a large part of the world's population may be crippled mentally and physically from faulty diets, Waters warns that the ultimate result of malnutrition "is stagnation and death to the civilization that contains it."

The United States, the United Nations, and some of the food-surplus nations have tried to attack the hunger problem in a variety of ways, sharing of both their bounty and technical knowledge. So far, it is a losing battle. The latest report of the FAO shows that each year, because of the population explosion, the world is producing less food per person than it did the previous year.

America's current effort to ease the world's hunger dates back to 1954 when Congress enacted what is known as Public Law 480, the Agricultural Trade Development and Assistance Act.

Frankly, however, in addition to its humanitarian aims, Public Law 480 was an effort to get rid of the farm surpluses that were clogging the economy. American farmers had learned to coax far more food and fiber from the good earth than the Nation could possibly use or sell. We were in danger of being buried under mountains of food. So we began to limit production under various agricultural acts, and Public Law 480 enabled us to send the unwanted surpluses overseas.

It turned out to be a mighty effort without precedent in history. We have sent abroad more than 120 million tons of American farm products—valued at $13 billion and enough to fill 3 million average railroad boxcars. In each of the last 3 years we have shipped more than a billion and a half dollars worth of agricultural commodities.

At this point it might be well to correct a popular misconception that this is entirely a food "giveaway" program. Only about one-fourth of it is.

"The people most in need of food cannot afford to buy it," says Richard W. Reuter, special assistant to the President and Director of the food-for-peace program. "Our contributions are programed into school lunch, preschool child feeding, food-for-wages projects of economic and community development, CCC-type youth training camps, feed grain projects to stimulate chicken and pig cooperative projects, and family feeding.

"Our great voluntary agencies—Catholic Relief Services, Church World Service, Lutheran World Relief, CROP and CARE—have made particularly important contributions toward proper food use programing. More than 800 trained Americans—paid by these agencies from voluntary American contributions—work to see this food is properly used."

But we realize a material return on three-fourths of the food we send overseas. In at least 18 countries our food surpluses are sold for dollars. Some food is bartered for strategic goods that we need. The balance, almost a billion dollars a year, is sold for local currency.

Some of this local currency is used by Government agencies, the U.S. Embassy for example, to pay bills in that country. Some is loaned to American businesses to expand trade. About half the local currency we receive in payment for American agricultural surpluses has been loaned back to the purchasing countries for mutually agreed on development projects such as irrigation systems, roads, powerplants and other efforts that will help national development.

And now we are beginning to scrape the bottom of the surplus barrel.

There is no reason for America to panic. Our bins hold more than enough to meet this Nation's own requirements. But for overseas donation programs, the stock of rice, beans and butter is virtually gone. Nonfat dried milk, used to supplement the diets of 70 million children around the world, is in short supply; in the last decade we shipped out 5.5 billion pounds of this commodity.

Wheat, of paramount interest to the Rocky Mountain empire, deserves a closer look. In 10 years the food-for-peace program has used up well over 3 billion bushels. This spring, before the new harvest, our stocks were down to less than 1 billion bushels. If we set aside 600 million bushels—1 year's domestic requirements—as a strategic reserve, our surplus amounted to roughly a 6-month supply for American consumers. Today only one-third of our grain storage capacity is being used and, as Reuter points out, storage space rather than grain is our new surplus. In Colorado, wheat stocks in storage on July 1 were the lowest in 13 years and 53 percent under the figure for July 1, 1964.

(Overall, Commodity Credit Corporation inventories are still valued at more than $7 billion, but 40 percent of these stores are nonedible products such as tobacco and cotton.)

AN UNTHINKABLE ALTERNATIVE

But even with food surpluses gone, the idea of leaving the less developed nations to fend for themselves while we retreat behind our walls of plenty is an unthinkable alternative for most Americans. The Nation's course was set a quarter century ago when, in Presidential Adviser McGeorge Bundy's words, the United States accepted a "commitment of concern" for the needs and aspirations of other nations. Hunger is foremost of these concerns, and there are two ways to attack it: Grow more food; reduce the demand.

Neither is easy.

Unfortunately for the immediate need, population control is a long-range solution. The hungry ones are already born and the experts point out that aggressive family planning programs must be underway for a decade or more before there will be a noticeable change in food demands. Nonetheless, population control plays a key part in the overall assault on hunger, especially in the overpopulated, underdeveloped nations.

The need is now, and in pursuit of our commitment, a number of things are being done to increase both the supply of food and its dietary quality.

In addition to food itself, the United States is exporting quality seed, fertilizer, pesticides, farm machinery, and most important, the know-how to enable peasant farmers to increase their production.

"It is not enough simply to feed people," says Martin Abel of the Department of Agriculture's Economic Research Service. "We must help the less developed nations to produce more to keep them from having to depend on us forever. The problem is not hopeless, even in India, which must import 7 million tons of grain a year. India could produce enough food for itself by developing irrigation systems, using more fertilizer, better seeds and better farming methods. This will take time, but it can be done."

Abel reports that under ideal field conditions, Indian farmers instructed by Americans have harvested as much as 100 bushels of corn per acre. (The U.S. average is about 65 bushels.) In another experiment in India this year, 175 acres of land planted with rice seed developed by Nationalist Chinese of Taiwan yielded nearly three times the Indian average—7,000 pounds per acre compared to 2,500.

With present types of fertilizer, farmers can get back in increased yields from 2 to 10 times as much as they spend, and more effective fertilizers for specific types of soil and crops are being developed.

Meanwhile, the problem of malnutrition is being attacked by a program of enriching available foods.

For example, vitamins are being added to nonfat dried milk used in school lunch programs. Because milk is in short supply, a nutritious beverage based on soy flour, developed by the Soybean Council of America, soon will be distributed in many parts of the world. In Rio de Janeiro, a flour mill is packaging without cost an enriched breakfast cereal called Eubra. It combines food for peace milk powder, Bulgur wheat, and butter oil. Packed in plastic bags on which cooking instructions are printed, this cereal is distributed to the poor. Another somewhat similar enriched food, Incaparina, is supplementing the diets of the poverty-stricken in other parts of Latin America. Research is continuing into development of inexpensive protein sources, such as fish meal from species not now being used as food.

Before Congress now is a bill cosponsored by 13 Senators authorizing the Commodity Credit Corporation to spend up to $50 million annually for high protein foods, and protein and vitamin fortification of other foods sent abroad for school lunch and child feeding programs. The bill is described as insurance against suddenly terminating child feeding programs because of exhaustion of surplus stocks.

To gear this Nation for the food-supplying tasks ahead, Senator GEORGE S. McGOVERN, Democrat, of South Dakota, introduced last June 17 a bill designated as S. 2157. Its purpose is "to provide for U.S. participation and leadership in an international effort to end malnutrition and human want * * *." It would do this by utilizing "the excess production and capacity of American agriculture and food industries" and by assisting "underdeveloped nations in increasing their own production of food."

McGOVERN's bill calls for appropriation of $500 million in fiscal 1966. Each year until 1970, the appropriation would be increased by $500 million. Thus, in 1970, the appropriation would be $2.5 billion, and this level would be continued through 1975. While some of this money would be used in technical aid projects, the bulk would go to buy domestic agricultural products for resale, barter, or outright donation to needy countries.

McGOVERN's bill has been referred to the Committee on Foreign Relations and it is not known at this time when hearings will be held. Senator McGOVERN, incidentally, was named by President Kennedy as first director of the White House food for peace office. He resigned to run for the Senate, and was succeeded by Reuter.

Washington observers are less than sanguine about the chances of the McGovern bill passing in its original form. However, many of the benefits and principles encompassed in S. 2157 are considered likely to be part of the legislation that ultimately is passed.

THE MEANING FOR U.S. FARMS

The implications of such a program on the American economy are tremendous, keeping in mind the fact that most of our surplus food is gone. In effect, such a program would be a green light to American farmers to grow all they can, with their produce to be used overseas because it is needed rather than because it is surplus.

Just what would a change in U.S. agricultural policy from limitation to full production mean?

Senator McGOVERN in introducing his bill told his colleagues: "A recent study by the Agriculture Department * * * projects a food gap in the free world at about $2.5 billion worth of foodstuffs at the end of the decade. What would it mean in the United States to try to close this gap? Roughly, agricultural economists estimate that American farmers would have to produce one-third more wheat, increase milk output by 50 percent, raise 25 percent more soybeans, and step up production of vegetable oils by a third.

"American farmers could fill this order by putting land and resources now idle into productive use again. Only about 75 percent of our agricultural capacity is being used today. This compares with steel production at about 85 percent of capacity, and overall industrial output of 87 percent of capacity, as measured by the Federal Reserve Board."

Martin Abel at the Department of Agriculture bears out Senator McGOVERN's basic contention—that we can increase farm output vastly without taxing our resources or going back to tilling marginal land. Each year we have been producing more food on less land, he points out. In feed grains, for example, the acreage harvested has fallen steadily from 130 million acres in 1959 to 100 million acres in 1964. During the same period production rose from 1.15 tons per acre to 1.37 tons, so that total production in 1964 was not substantially lower than 5 years earlier.

The record for wheat production is even more impressive, as the following Department of Agriculture table shows:

Year of harvest	Acreage harvested	Yield, bushels per acre	Total bushels produced
1950	61,607,000	16.5	1,019,344,000
1951	61,873,000	16.0	988,161,000
1952	71,130,000	18.4	1,306,440,000
1953	67,840,000	17.3	1,173,071,000
1954	54,356,000	18.1	983,900,000
1955	47,290,000	19.8	937,094,000
1956	49,768,000	20.2	1,005,397,000
1957	43,754,000	21.8	955,740,000
1958	53,047,000	27.5	1,457,435,000
1959	51,781,000	21.7	1,121,118,000
1960	51,896,000	26.2	1,357,272,000
1961	51,551,000	24.0	1,234,743,000
1962	43,541,000	25.1	1,093,667,000
1963	45,256,000	25.1	1,137,641,000
1964	49,041,000	26.0	1,275,304,000

"American farmers," says Abel, "could increase their wheat production by 400 million bushels a year, and feed grains by 100 million tons a year, with very little trouble. It's just a matter of using our agricultural plant more efficiently. Our resources are such that the problem is less of production than of transportation, storage, and distribution.

"And remember, give-away food isn't all give-away. It costs us money not to produce food because of various farm aid programs. The soil bank is one example. We have the alternative of investing dollars in food aid for hungry nations, or using the same dollars to keep production capacity idle."

For America's farmers, the McGovern bill or some similar project would be, in effect, a billion dollar annual contract to produce the material for worldwide war on hunger. And just as a new contract for rockets at the Martin plant in Denver spurs the local economy, new activity in food-growing areas would stimulate business generally. Says Senator McGovern:

"The money such a program would put into the hands of farmers would be plowed back almost immediately into business and consumer spending. Farmers would need as much as a million additional tons of fertilizer and more machinery, equipment, gasoline, oil, and other supplies. Employment on farms and in factories would increase."

There would be new jobs handling the grain, and in processing it for food. Then a second round of spending would follow as a result of increased income—expanding the domestic demand for cars and trucks, dresses and household appliances, houses and vacation trips, and even for food itself.

BUILDING NEW MARKETS

These are the incidental but important side benefits of a project whose primary purpose is to alleviate suffering.

If the idea of a global war on hunger has the distasteful aroma of a worldwide welfare state financed by the United States, Food for Peace officials answer that the ultimate aim is to make each nation as nearly self-sufficient as possible, as soon as possible.

Can it be done? Has it been done?

Yes, indeed, replies Richard Reuter: "Japan shows what can be done. This country was given substantial amounts of American food to help it regain its feet after the war. Now it is our No. 1 customer for farm goods. During 1964 we sold Japan $700 million worth of agricultural commodities. The Japanese now buy 11 per cent of our total soybean crop, and by 1970 it is estimated Japan will buy half of our present total production of soy.

(Japan is the leading overseas buyer of Colorado wheat.)

"Italy, Greece and Spain are further examples of countries that moved from recipients of our food under Public Law 480 to cash customers.

"A study by the Department of Agriculture indicates that when per capita income in the less developed countries increases 10 percent, dollar sales of U.S. farm products go up 21 percent. In other words, as income goes up, imports of U.S. farm products increase twice as fast.

"Last year we exported $6.3 billion worth of agricultural commodities, of which more than $4.5 billion were straight commercial dollar sales. This is a record, and more than double what our agricultural exports were a decade ago when we started Public Law 480.

"As economies strengthen, markets expand. As living standards rise, dietary preferences change from cereals to high protein foods such as meats. And this opens up new markets for American feed grains to supply developing livestock industries."

Reuter's offices, not far from the White House itself, are equipped with numerous charts and displays illustrating how food grown on American farms is being used globally to help create a better world. But the most impressive is a small sign, probably quoting someone impatient with bureaucratic delay, that says simply:

"Dammit, these are hungry kids we're talking about."

Mr. NELSON. Mr. President, as the Senator from Minnesota has stated, the Denver Post on Sunday, August 29, carried an unusually fine article in its Empire magazine section entitled "The Coming War on Hunger."

In an editorial on the same day, it recommended the article, by the Post's associate editor, Bill Hosokawa, to its readers as putting into startling perspective three facts, one old and two new.

The old fact was that 2 billion of the world's 3 billion people have inadequate food, and that 10,000 daily die of hunger and malnutrition.

The two new facts are, first, that U.S. surpluses are nearly gone and, second, that reversing the trend of farm legislation from strict control of crops to expansion of production to meet world food needs is under serious consideration.

The article deals at some length with the proposal in which I have joined with our distinguished colleague, the junior Senator from South Dakota [Mr. McGovern] to end the world food gap. It deals with the fact that increased agricultural production in this Nation would mean a strengthened domestic economy.

I commend the article to the attention of all my colleagues in Congress. I ask unanimous consent to put the Post's editorial in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Denver Post, Aug. 29, 1965]

A Whole New Farm "Problem"

An article in this Sunday's Empire magazine, "The Coming War on Hunger," puts in startling perspective three facts—one old and two new—about America's farm production and the world's hungry people.

The article by Bill Hosokawa, Denver Post associate editor, will—and should—make us all take a new and thoughtful look at the whole issue.

The old fact—and problem—is that nearly 2 of the 3 billion human beings on earth go to bed hungry every night of every year they live. And every day, 10,000 of them die of that hunger—either of outright starvation or of the side effects of malnutrition.

The first new fact Hosokawa's survey reveals is that the vast American farm surpluses, which since World War II have been used to keep millions of people all over the globe from starving, are nearly gone—that "we are beginning to scrape the bottom of the surplus barrel."

This will come as news to those, on and off the farm, who have been worrying for 20 years about how to cut our farm production to somewhere near the needs of the domestic market. But from this fact of dwindling surpluses springs the second new fact Hosokawa discusses:

People in Congress and in the executive branch of Government are beginning to talk about reversing the whole recent trend of agricultural resources management to encourage more food production for the hungry billions overseas.

Food and population experts have been saying that a situation like this would be coming, but no one to our knowledge had forecast its arrival in this decade.

Although, as Hosokawa points out, the United States has shipped abroad since 1954 more than 120 million tons of American farm products, valued at $13 billion, we have tended to regard that more as a matter of disposing of surpluses, rather than producing for others' needs—real though these needs were and are.

If American farmers are now to be called upon to produce consciously for the world's hungry billions, this will mean the start of an entirely new ball game in American agriculture. There likely will have to be adjustments in farm legislation, in the distribution system, and in methods of payment from foreign consumers.

In short, there is much food for thought in "The Coming War on Hunger." And the time for thought is evidently upon us, whether we be producers, distributors, or simply taxpayers. We seriously commend this article to the attention of all our readers.

THE UNITED STATES BREAKS THE U.N. DEADLOCK

Mr. CHURCH. Mr. President, all Americans, I am sure, share my pleasure about the vigorous and decisive manner in which Arthur Goldberg has assumed his new job as U.S. Ambassador to the United Nations. Ambassador Goldberg's own incisiveness is bolstered by the fact that he has the full support of President Johnson in his efforts to enhance the opportunities for world peace. After Ambassador Goldberg's recent speech on the article 19 controversy, several thoughtful editorials on this subject came to my attention. One editorial appeared in the Lewiston, Idaho, Morning Tribune, written by Bill Hall; a second in the Pocatello, Idaho, State Journal by Lee Ester; another in the Christian Science Monitor, and a final editorial from the Salt Lake Tribune.

I ask unanimous consent to have these well-written editorials printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Lewiston (Idaho) Morning Tribune, Aug. 17, 1965]

The U.S. Breaks the U.N. Deadlock

The United States demonstrated once again yesterday that it considers the United Nations a vital instrument for international peace that must be preserved, even at the cost of giving the Soviet Union and France an unpalatable procedural advantage.

U.S. Ambassador Arthur J. Goldberg informed a U.N. committee the United States will no longer insist that the Soviet Union, France and 11 other nations pay 2 years in back assessments or lose their votes in the General Assembly. It means the end of a year-long stalemate that has rendered the organization largely ineffective.

The heart of the dispute has been article 19 of the U.N. Charter, which specifies members 2 years behind in assessments will lose ther vote. The article still exists, but the Goldberg statement means the United States will stop insisting on its enforcement.

It is decidedly an erosion of that one article and, perhaps, a weakening of the charter as a whole. And there is some loss of face for the United States in backing down. Apparently, however, it was that or a serious threat to the existence of the one organization that has produced some stability in a potentially explosive international community.

The United States could have maintained its rigid posture, but that would have produced no more than a continuation of the deadlock which has rendered the organization almost inoperable and of limited use.

The overriding fact, right or wrong, was that a majority of the member nations were unwilling to join the United States in insisting on enforcement of article 19. Perhaps they should have insisted, but they did not, and the U.S. position accomplished nothing once the point of registering a prolonged protest had been made.

In the unlikely event a majority could have been convinced to insist on enforcement, the result probably would have been the loss of France and Russia as members. Some undoubtedly would say good riddance. But it is doubtful there is anything good about eliminating two major powers from an organization that serves best when it provides the major powers with a forum for settling their differences.

The United Nations may be a somewhat weaker organization today because one of its rules is being ignored. That could be a precedent for other nations to violate the rules that do not meet their approval. But the U.N. has been preserved for the time being, when it appeared it might be doomed. The future will tell whether the United States retreat has purchased only a little more time for the organization or has carried it past an obstacle to a long and successful operation. But even a little more time is preferable to paralysis and an early end.

[From the Pocatello (Idaho) Sunday Journal, Aug. 22, 1965]

A Sane Decision

The U.S. decision not to try to force Russia, France and 11 other nations to pay their share of United Nations peacekeeping assessments invites condemnation and misinterpretation. Another sellout to the Russians, it is called. We've backed down again, it is said.

Such charges are easily made, but they take into account neither the complexities of the issues involved nor the consequences of a no compromise position. The issues were not at all simple, and a hard line on our part might well have been disastrous to the United Nations and to the cause of world peace.

The central issue was whether the Soviet Union, France and 11 other smaller nations should be forced to pay up or lose their votes in the U.N. General Assembly. The United States had pressed the matter under Article 19 of the U.N. Charter, which says that members 2 years behind in paying assessments will lose their assembly vote.

The Soviet Union and France refused to pay because they objected to being billed for peacekeeping operations which were voted by the General Assembly rather than the Security Council, where both nations have veto power. Strictly interpreted, the U.N. Charter supports their case: the Security Council and not the General Assembly was meant to be the U.N.'s executive body.

It was the General Assembly, however, acting under resolutions pushed through by the United States, that undertook to keep the peace in the Congo. (How, it will be asked, did the U.N. authorize the "police action" in Korea in 1950? That happened at a moment when the Russians staged a walkout.)

Standing firm for a strict interpretation of the U.N. charter, the Soviet Union and France refused to yield to our demand because they refused to recognize the General Assembly's power to assess members for peace-keeping operations. In doing so, they pressed their cause with as much vigor as we would expect the U.S. delegation to display if the General Assembly embarked on an operation the United States opposed.

When the matter came to a showdown this week, U.S. Delegate Arthur Goldberg announced that his country would permit the General Assembly to resume normal operation without a confrontation on voting rights. The decision undoubtedly was motivated by two important considerations. One was that the majority of the U.N.'s 114 members would not have supported the United States in its stand. The other was that a hard line on our part might have led to the disintegration of the U.N. Neither the United States nor the cause of peace in the world would benefit from (1), a loss when the issue came to a vote, (2), the breakup of the United Nations. The United States therefore bowed to the realities of world politics and it wisely avoided a situation that might have resulted in the dissolution of an agency that is more desperately needed now than ever before. As Christian Science Monitor observed concerning the U.S. decision: "It put the cause of the United Nations as a whole before insistence upon the letter of the law, however right this latter may be."

American citizens, of course, do not care to see their country outdone in a showdown with the Soviet Union or with any other nation. They should consider, however, that we are not engaged in a game in which points are chalked up for the winning side. We, and other nations too, are involved in a search for ways to assure survival. This crucial task will not be accomplished if always we insist upon our own way.

The U.S. decision not to press the issue was sane and it was wise. It deserves the support, not the condemnation, of the American people.

[From the Christian Science Monitor, Aug. 19, 1965]

A Wise Decision

The U.S. decision to drop its efforts to force the Soviet Union, France, and 11 other nations to pay up what they owe on United Nations peace-keeping operations was wise and constructive. It put the cause of the United Nations as a whole before insistence upon the letter of the law, however right this latter might be. We believe that the majority of world body members will recognize the wisdom and the restraint which Washington has shown.

It has been apparent for some time that, regardless of its views on who was right and who was wrong, the majority was not prepared to back the American effort. To have done so, this majority apparently felt, would have been to immobilize the forthcoming General Assembly session and might even have resulted in the world body's break-up.

Since Washington rightly agreed that an operating United Nations is indispensable in this troubled world, America decided to cease defending a position which, however much might be said in its favor, was no longer practical.

This leaves the world body facing two problems:

The first is immediate. It is how to make up the $108,000,000 deficit due in large part to the refusal of these 13 lands to pay their debts. It is hoped that voluntary donations will do the trick. Britain and the Scandinavian countries have offered $18 million. Nigeria has announced that it will contribute. There is a strong hope that, under the cloak of voluntary action, Russia will contribute substantially. America itself may also do so, even though it pays nearly one-third of the United Nations' regular budget.

The second is long range. Will the decision not to try to force all countries to pay their share of peace-keeping operations discourage such operations in the future? This would be a severe setback to those who had hoped to see the world body become a strong, on-the-spot force for peace and order. Means should be found not to let this happen.

In judging the actions of those nations which refused to support the American position, it should be remembered that the majority of the new members from Asia and Africa are terrified of a knock-down, drag-out struggle within the United Nations between America and Russia. Thus one of their main purposes invariably is to seek to prevent a head-on clash between these two giants. They refused to support an American action which they felt might drive Russia from the world body. They would similarly have refused to support a like Soviet maneuver against the United States.

This conciliatory attitude may have its drawbacks, but it also can be advantageous to the United Nations in times of serious crisis.

[From the Salt Lake Tribune, Aug. 18, 1965]

U.S. Retreat May Save United Nations

The U.S. retreat from its former position of "rigid adherence to the law" in the financing of United Nations peacekeeping was necessary to forestall disintegration of the world organization.

There is no definite assurance now that Ambassador Goldberg's conciliatory but firm maiden speech before "the committee of 33" will save the U.N. It was, however, essential to ending the deadlock. If the organization is not strengthened from this point on, the onus will rest more firmly on Soviet Russia, France, and the other delinquents.

After the Goldberg address the Russian delegate made noises like the Soviets might now be willing to make some "voluntary contribution" to the solvency of the U.N., but any speculation in this regard would be risky.

U.S. POSITION WAS LEGAL

Based on the letter of the law, upheld by the International Court of Justice, the United States was right in demanding that Soviet Russia, its satellites, France, and several other nations, pay their share of the cost of keeping the peace in the Middle East and the Congo or be deprived of their voting rights in the General Assembly. Mr. Goldberg declared that the U.S. position was "constitutionally, legally, procedurally, and administratively correct." He acknowledged, however, that the majority of the General Assembly is not prepared to apply article 19 and that the consensus was that the Assembly should proceed normally. (For more than a year all votes on substantive matters have been avoided.) And, in the spirit of his predecessor, the late Ambassador Adlai Stevenson, Mr. Goldberg declared: "It is time for the General Assembly to get on with its heavy agenda, which is indeed the unfinished business of mankind."

"We must find new strength," he said, "and new capacities for building, brick by brick, the community of men."

The lofty words did not hide the fact that this country had made a major retreat. Goldberg placed "responsibility where it properly belongs" (on the delinquents) and he made it clear that the United States would not allow a double standard to exist in paying United Nations costs in the future. He even reserved the right for the United States to refuse to pay if it had strong reasons for doing so.

POWERS CANNOT BE COERCED

Actually, however, Washington has painfully concluded it was wrong in the first place to stretch article 19 of the charter to pressure other powers into paying the extraordinary expenses of which they disapproved. At this stage of the evolution of the U.N. the world powers cannot be coerced. The organization must operate by consent—and this means by compromise. This admits a weakness, but the weakness has been apparent a long time.

The Soviet Union, France and 11 other nations in arrears on the peacekeeping assessments have in effect held that such activity is a function of the Security Council (where all five permanent members have a veto), not the General Assembly. The rationale extended, however, to financing peacekeeping approved by the Council, in effect holding that such payments must be voluntary. Meantime, Britain, Canada and the Scandinavian countries have shown the way of donating almost $18 million. If sufficient other payments are forthcoming voluntarily, the $108 million deficit will be wiped out. In any respect, operations in Cyprus and other troubled spots have been financed with voluntary payments.

The biggest challenge to the United Nations—Vietnam—is still ahead. The Johnson administration has wisely given priority to the future of the U.N. over a row about past liabilities.

Mr. Goldberg discharged with dignity an onerous but necessary assignment.

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

Mr. **YARBOROUGH**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

CERTAIN INCREASES IN ANNUITIES PAYABLE FROM THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the unfinished business, H.R. 9811, be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 635, H.R. 8469.

The **PRESIDING OFFICER**. The bill will be stated by title.

The **Legislative Clerk**. A bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with amendments on page 5, after line 9, to strike out:

> Sec. 2. Section 10 of the Civil Service Retirement Act, as amended (5 U.S.C. 2260), is amended by striking out "55" wherever it appears therein and inserting in lieu thereof "60". This amendment shall not apply with respect to employees or Members retired or otherwise separated prior to the date of enactment of this Act.

And, at the beginning of line 16, to change the section number from "3" to "2".

Mr. **WILLIAMS** of Delaware obtained the floor.

Mr. **WILLIAMS** of Delaware. Mr. President, I yield to the senior Senator from Oregon.

STEEL DISPUTE SETTLEMENT NEGOTIATIONS

Mr. **MORSE**. Mr. President, I wish to make certain comments in connection with the roles played in the settlement of the steel dispute last week by the President of the United States, the Secretary of Commerce, Mr. Connor, and the Secretary of Labor, Mr. Wirtz.

In my more than 35 years of experience in being involved in negotiations of major labor disputes in this country, I have never seen such a magnificent and masterful job of industrial statesmanship as that performed by the President of the United States in the settlement of the steel case.

Some of us in the Senate may say what the President would not be in a position to say. I believe this case will be a subject of study for many years to come, in labor relations courses, in writings on mediation, conciliation, and arbitration and by students and authorities of industrial relations. I hope to be of some help to students who may study the case, by my comments today.

Although the Secretary of Commerce, Mr. Connor, and the Secretary of Labor, Mr. Wirtz, performed negotiating services—as I have told them in a letter that I sent to each of them—that likewise have not been excelled, nevertheless, when all is said and done, the country would be in the throes of a shutdown of the major industry in the United States at this very hour, were it not for the industrial statesmanship of the President of the United States. I have never seen its equal. I state, in anticipation, to any critics who might seek to give the impression that the President used persuasion not related to the facts of the case, that they could not be more wrong.

The President of the United States discussed the details of this controversy, before he intervened, at a breakfast held in the White House the morning of August 30, at which the substantive issues were outlined for him in detail—issues which had resulted in a complete deadlock between the steel companies and the steel workers' union.

On August 28, the President had sent to Pittsburgh the Under Secretary of Commerce, the former Governor of Florida, Mr. Leroy Collins, and the senior Senator from Oregon to participate in a fact-finding mission. Some Senators may not be aware that Governor Collins and the senior Senator from Oregon were not authorized to make any suggestions to the representatives of the union and of the steel companies for a settlement of the dispute.

We spent hours with the parties to find out what their differences were, and to determine for the President whether they had actually reached a good-faith deadlock in their negotiations.

The President instructed us to find out if there was any hope of further free collective bargaining between the disputants or if it appeared that Government intervention were necessary in order to avoid the irreparable damage to the Nation which would result from a shutdown of the steel industry.

When we reported to the President on the morning of August 30, Governor Collins and I were in complete agreement on every detail of all the minutiae of the findings we brought back from Pittsburgh. We reported to the President that in our opinion, if the parties were left to themselves there would be a steel industry shut down at midnight on Tuesday, August 31, 1965.

We tried to be of service to the President in outlining at great length and in detail the White House procedure we thought should be followed. Essentially, it called for continued negotiations, under the direction of the White House. We made recommendations, within flexible brackets, for terms of settlement of the dispute, should the Government finally be in a position where it would have to suggest a settlement. But that was the sum and substance of the contribution that Governor Collins and I made; and that is a minor contribution, compared with the great work of the President and the negotiating efforts of the Secretary of Labor and the Secretary of Commerce which followed that breakfast meeting on August 30.

I shall always be a richer man, from the standpoint of a valuable experience, because I had the opportunity of serving with Leroy Collins, of Florida, on this mission. In my judgment, he is a great American. One cannot pay a higher compliment to a man and to a friend than to say he is a great American. Leroy Collins is a dedicated American, and I learned much from him during our work together in Pittsburgh.

Also I wish to pay tribute to Mr. William Simkin, Director of the Federal Mediation and Conciliation Service, for his mediation work with the parties during the many days of negotiation conferences with them. Governor Collins and I found that the negotiators for both the union and the steel industry had great respect for and confidence in Bill Simkin. The factual material that he had gathered over the weeks and the mediation service which he and his able staff had rendered to the parties helped to provide the seeds for the sowing of commonsense suggestions in the minds of the industry and union negotiators by the President and by Secretary Wirtz and Secretary Connor.

One other official deserves special mention by me and that is Mr. Joseph Califano of the President's staff. While Governor Collins and I were in Pittsburgh, Mr. Califano stayed on the Washington, D.C., end of the long-distance telephone much of the time day and night, advising with us on our findings as we developed them as a result of our conferences with the parties to the disputes. He in turn relayed them to the President and relayed back to us further instructions and advice which we sought from the President. Mr. Califano was of great help to all of us and particularly to the President throughout the handling of the steel case by the White House. Now I want to say a few words about the negotiations here in Washington, under the leadership and statesmanship of the President of the United States.

The President agreed with the recommendation that Governor Collins and I made to the group that had breakfast with him on August 30, that it was important for the parties to the dispute to hear from the President himself as to how serious the consequences of a steel industry shutdown would be to the security and economy of the Nation.

As I said in this Chamber last Thursday, I do not advise Presidential interventions in labor disputes as a general rule. I believe they should be very rare. The President of the United States should not have imposed upon him such a burden. He is entitled to have labor and industry settle their differences without White House intervention through their voluntary exercise of a precious freedom, namely, free collective bargaining.

When the Federal Government does intervene, it should in most instances be kept at the Department of Labor and Department of Commerce level. There are instances, however, in which the President himself would fail the American people if he did not personally intervene, if he thought the public interest warranted intervention. This steel industry dispute was one of such cases. In my many years of service in this field, there have been only a half dozen cases in which one could say with assurance that a White House intervention was justified. But this was one such case, because there would have resulted both a strike and a lockout. Do not forget that when the parties to a labor dispute come to a point where they really break off negotiations between themselves, the employer has to assume equal responsibility with the union for the cessation of operations of that industry.

I stated before I left Pittsburgh, I stated at the White House breakfast the other morning, and I was heard to state on two occasions on the floor of the Senate last week, that in my judgment there was equality of responsibility resting upon the steel companies and the steel union with respect to this dispute. The facts involved in the case simply did not justify either the union or the Steel Companies throwing our country into the economic losses that would result from a breakdown in collective bargaining between them.

There is no question about the President's laying the facts before the parties when he asked them to come to Washington to meet with him at the White House in the presence of his Secretary of Labor and Secretary of Commerce. Such a conference between the President and the parties to the dispute was a procedural recommendation that Governor Collins and I had made to him at the breakfast meeting on August 30.

The President laid it on the line, so to speak, and he demonstrated to the parties his complete knowledge in detail of what was involved in the dispute. He showed complete knowledge of the union problems and the steel companies' problems. The President knows the problems that confront the industry with regard to foreign importation, the question of the stockpiling of the inventories that have taken place, and the facts about the healthy profits within the industry. He knows the facts about historic inequities that have grown up within the job classifications within the labor force. This involves inequities between incentive and nonincentive pay rates. He assigned to Secretary Wirtz and Secretary Connor the great task of taking the parties to the Executive Building across the street from the White House and starting under Presidential instructions the series of negotiation sessions which are now well known to the American people, because of the adequate news coverage that these conferences received.

I stress the fact that the President kept in touch with these negotiations until their final successful culmination.

I have already read some articles in the newspapers which would indicate that there are those who feel that the final settlement somehow has violated some economic guidelines that are supposed to be followed in the settlement of labor disputes in order to avoid the possibility of inflation.

Those guidelines are relative, in that it has always been recognized that so-called historic inequities within an industry must be adjusted in connection with any guidelines and that in doing equity and justice it is necessary to adjust those inequities, over and above any guidelines.

There is nothing new about economic guidelines in settling the economic issues involved in a major labor dispute. During the war we had them in connection with the operation of the War Labor Board. We followed them subject only to fair adjustments necessary to eliminate inequities and injustices.

Therefore, when we had a case in which the facts showed that existing inequities had developed within an industry, those inequities were adjusted over and above the guidelines.

That is exactly what has happened since the so-called 3.2 guideline was recommended for handling economic issues in labor disputes starting with the Kennedy administration. The result is that no one can point to any settlement in a major labor dispute within the past few years in which the dispute has been settled within the 3.2 guideline as far as so-called inequities are concerned. However, the 3.2 guideline is of great importance in directing the settlement of a dispute, because that means that the major wage settlement should conform to the guideline. That is what has happened in case after case. It happened in the steel settlement of last week. It happened in the 1962 East Coast Longshore case and the 1964 East Coast Longshore case in which I was involved.

Inequities were adjusted, but the basic wage settlements did not violate the guidelines. One of the things that must always be given great weight in the settlement of a major dispute is the relationship of that dispute to settlements in comparable industries.

We cannot select a given industry—for example, the steel industry—and settle a labor dispute independently of the terms of settlement of disputes in comparable industries.

That was a problem that confronted the President and confronted the Secretary of Labor and the Secretary of Commerce in this steel case. That was a problem that Governor Collins and I placed major stress on in our report to the President and to the Secretaries.

Let it be said at this time that in the automobile industry, in which a major settlement was reached some months ago, it was necessary to reach a settlement somewhat above the guideline so far as the so-called fringe benefits and wage inequities were concerned. But in the automobile dispute as well as other major disputes the settlement was not above the guidelines so far as the basic wage changes were concerned. Those cases stayed within the guideline. That is also true of the steel case.

Let us not forget that in the automobile industry, the union had the benefit of a so-called cost-of-living escalation clause. That does not exist in the steel industry contract. This was a major problem that confronted Secretary Wirtz and Secretary Connor, as well as the President of the United State in the steel case.

Therefore, although the basic wage increase in the automobile industry was finally negotiated at a figure higher than the basic wage increase settlement in the steel case, it should be noted that the union in the steel case does not receive any benefit from a cost-of-living escalation clause. However, Walter Reuther, since the settlement in the automobile case, has received an additional 8 cents an hour over and above the settlement in that case because of the cost-of-living escalation clause.

In the negotiations within the steel industry 2 years ago, the cost-of-living-escalation clause was dropped. It is true that the union received some benefits in exchange from the standpoint of the companies' assuming the cost of the premiums on the insurance cost of the contract. However, there is no doubt that the steelworkers also, because of the increase in the cost of living since that settlement, have suffered considerable loss.

Let it be said that the settlement in the steel case is less than the settlement in the automobile case. Let it be said also that another comparable major industry that confronted the negotiators was the aluminum industry. That industry holds a collective bargaining agreement with the same union that holds the agreement in the steel industry. The aluminum settlement was better, from the standpoint of an increase in basic wages, than was reached in the settlement of the steel case. There is still another comparable industry that I would mention that created problems for the negotiators and that is the industry that involves the manufacturing of metal cans. This industry holds a collective bargaining agreement with the same union as in the case of the steel industry. The basic wage settlement was a better settlement, so far as increases are concerned, than that in the steel industry.

In fairness to the steel companies, I wish to say that for some time the average hourly wage in the steel industry has been higher than the average hourly wage in most of the other major industries.

What the negotiators were confronted with primarily was a fair consideration of the so-called historic inequities and a consideration of the pattern of settlement in the other comparable major industries.

I believe they did a magnificent job from the standpoint of equity and fairness to both the companies and the union in leading the parties to this settlement. It was fair and just. It did not do any violence to the guidelines, when we take into account the fact that we are dealing with fringe benefits and historic inequities as well as basic wage increase problems.

Mr. President, I wished to speak on this matter today because I have discovered some aspects of the situation which are not thoroughly understood by some writers whose articles I have read. I do not say that we should expect them to understand these matters fully, because they could not possibly have had all the facts available to them that confronted the President, the Secretary of Labor, and the Secretary of Commerce. I think a remarkable job of fair reporting on the whole has been done in view of the fact that this was one of the most complex cases that it has ever been my experience to study.

I decided to make this report today because I wanted to assure the American people that they have every reason to be exceedingly proud of the industrial statesmanship of the President of the United States, as he manifested it in his historic negotiations in connection with this case.

I should like to say also to labor and to management that they would make a great mistake if they were to look upon the steel case as a precedent for presidential intervention in major labor disputes in the future. They owe it to their country and to their President to make voluntary collective bargaining work without making it necessary for the Federal Government to find it necessary to intervene in order to protect the public interest.

It was only because of the extraordinary situation that confronted our country in respect to the continued manufacture of steel that Governor Collins and I felt that the circumstances warranted our very strong recommendation of Presidential intervention.

I shall always be satisfied to stand on the joint recommendation that Governor Collins and I made to the President and his advisers. And I shall always be proud that on the basis of that recommendation the President independently made his own choice, which was to intervene and to help lead the parties to a successful determination of the dispute in the steel industry.

A further comment I wish to make is in regard to those who might say they would change a comma, or modify a cross on a "T" in the provisions of the settlement of the dispute. My question to them is: Where would the country and its economy and security interests be, if the parties to the dispute had not finally agreed to accept the suggestions made to them by the President of the United States, the Secretary of Commerce, and the Secretary of Labor? The country would be in the throes of an approaching economic crisis, for it is true that as the steel industry goes, so goes the economy of America.

In closing, I express my highest compliments to Conrad Cooper, the chief negotiator for the steel industry, and Abe Abel, president of the United Steelworkers of America. I know dedicated service when I see it. I know when two men of widely different points of view in regard to a given dispute both come to recognize that the general public which was third party to the dispute as I said on the floor of the Senate last week, must prevail over the partisan interests of the steel companies and the steelworkers union. They placed their patriotism and their devoted interest in America's welfare first. The reason why there is a steel agreement is that they acceded to the President's suggestions. They compromised their differences and signed their names to an agreement, which was fair, equitable, and just.

I express for the RECORD my high commendation of the President, the Secretary of Labor, Mr. Wirtz; the Secretary of Commerce, Mr. Connor; as well as to Mr. Cooper, and Mr. Abel, for their demonstration of industrial statesmanship of the highest order.

Mr. HART. Madam President, all Senators are grateful to the senior Senator from Oregon for the analysis he has given of the events associated with the settlement of the steel dispute.

With the senior Senator from Oregon, I express the deepest appreciation to the President of the United States for the industrial statesmanship he has demonstrated.

I know that the people of the country wish that problems like these would never develop. In some segments of the community, there is the notion that if we would only put our minds to it, they never would develop. In other segments of the community there are those who feel they have absolute lead-pipe cinches as to how we should approach these situations.

Whether collective bargaining has been advanced or damaged by these events will long be the subject of debate and dispute. But the security and economic strength of the United States, which are the overriding concern, have been advanced, and I am satisfied that that will be the verdict of history.

There is sometimes an unthinking attitude to say to the two parties at a bargaining table, the representatives of management and the union, "You should resolve this dispute in the light of the public interest."

The question that confronts America, one which is of extremely difficult dimension, is whether the time is approaching when in the industries where the strength of the Nation is so vitally involved it is reasonable to expect of either party that he is voicing the public interest. Both parties to the dispute feel they represent the public's interest.

But let us be honest in acknowledging that the spokesman for management has the concern and responsibility, first of all, as the management spokesman, to management; and his second concern is profits. There is nothing wrong with that.

The union man has his obligation, first of all, to his membership. That is a matter of wages and working conditions.

How do we build in the public interest to this kind of situation in the months and years ahead?

I feel that the report given us by the senior Senator from Oregon confirms the elation that the Nation felt and the appreciation it would want us to voice for it to the President for his statesmanlike timing of intervention which has served the long-term interest of America and the rest of the free world.

Mr. McNAMARA. Madam President, I am sure we all rejoice in the fact that a major steel strike has been averted.

Moreover—according to the announced terms of the settlement—labor-management peace in the industry seems to be assured for the next 35 months.

A tieup of any length in the steel industry, of course, could have had a serious disruptive effect on the national economy, which is continuing its unprecedented climb.

No one realized the consequences more than did President Johnson. He first made available to the parties the full Federal mediation machinery.

As the strike deadline drew nearer, the President exercised his famous persuasive powers to convince both sides that a short delay might mean a mutual settlement without any strike. The delay was agreed upon.

During the day and night hours of intensive bargaining that followed President Johnson personally met with the parties and urged them to explore every avenue of accord. He assigned Labor Secretary Willard Wirtz and Commerce Secretary John Connor to maintain intimate contact with each side.

The contract agreement that resulted reflected this intense concern on the part of the administration to avert a steel dispute.

In the end it was accomplished without a strike. It was accomplished without turning to recourse to the injunctive process under Taft-Hartley.

And, most importantly, it still was accomplished through free collective bargaining.

The settlement is a tribute to President Johnson and his administration. But it also is a tribute to the managements and the labor organization for their willingness to continue bargaining.

The prosperity of the Nation is the beneficiary.

EXTENSION AND EXPANSION OF INTERSTATE HIGHWAYS VITAL TO TRAFFIC SAFETY

Mr. HARTKE. Madam President, the casualty list of Americans murdered in Labor Day highway accidents continues to mount.

While the Nation casts an apprehensive eye toward Vietnam, while Florida and the other southeastern States claim the headlines under the ravages of hurricane Betsy, the less spectacular compendium of holiday traffic death lists is accepted as a byproduct of today's way of life.

Or, our "way of death," if you prefer.

I, for one, am appalled that so many of us should sit by and accept highway slaughter as a "way of life." At my request, the Bureau of Public Roads has reported to me today that of its reported 541 Labor Day traffic fatalities in the 50 States and the District of Columbia, only 27—or fewer than 5 percent—occurred on interstate highways.

Earlier in this session, I introduced S. 1272, a bill to provide for the extension of the Interstate Highway System. In advocating the construction of 60,000 miles instead of the presently designated 41,000 miles of interstate highways, I have contended that three times fewer accidents per million miles occur on safely designed interstate highways than on other roads. Everytime 5 miles of interstate highway are opened for traffic, another life a year is saved.

Further, in S. 1976, I submit that the repeal of restrictions on highway construction until moneys are at hand would speed up construction of interstate highways, with a consequent saving of American lives in the process.

There is a story heard in Washington that one of our Government officials was remonstrating with a member of an Iron Curtain government that little interest was taken with the numbers of persons dying of malnutrition in that country. The Iron Curtain national looked our man straight in the eye and said something like this: "But what are you doing about your traffic accident death tolls? They are as much a product of your economy as our starvation is of ours."

Yes, what are we doing? The completion of a safer interstate highway system would save as many as 8,000 fatalities a year. This year. Next year. And the year after that.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Madam President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

OMISSION OF MORNING BUSINESS ON THURSDAY

Mr. MANSFIELD. Madam President, I announce that there will be no morning hour tomorrow and that at the conclusion of the morning prayer the debate on the farm bill will be started by the distinguished Senator from Louisiana [Mr. ELLENDER].

COMMITTEE MEETINGS DURING SENATE SESSIONS THIS WEEK

On request of Mr. MANSFIELD, and by unanimous consent, all committees of the Senate were authorized to meet during the sessions of the Senate this week.

CERTAIN INCREASES IN ANNUITIES PAYABLE FROM THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The Senate resumed the consideration of the bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the debate on the pending bill be limited to 2 hours, to be equally divided between the majority and the minority leaders, or whomever they may designate, and to one-half hour on each amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. YARBOROUGH. Madam President, I send to the desk an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 3, line 14, it is proposed to strike out the quotation marks, and on line 22 strike out the quotation marks and the semicolon.

Mr. YARBOROUGH. Madam President, I ask unanimous consent that an analysis of H.R. 8469, as reported, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The analysis of H.R. 8469 is as follows:

ANALYSIS OF H.R. 8469, AS REPORTED

Section 1(a) redefines the Consumer Price Index to mean the monthly price average instead of the average over a full calendar year.

Section 1(a) also defines a new term, "base month" to mean the month referred to for determining an increase in annuities after the first increase granted by this act.

Section 1(b) would allow the Commission to use money in the retirement fund to pay the administrative expenses of increasing annuities instead of paying such expenses out of the Commission's budget.

This language is considered necessary because of the virtual impossibility of determining when a future increase will occur. Without adequate funds to pay the salaries and other expenses of administering an increase, delay in providing the increases could occur.

Section 1(c) increases the annuities of all persons who are entitled to receive a civil service annuity on the effective date of this act:

1. All annuities which commenced (or, if a survivor annuity, are based on annuities which commenced) on or before October 1, 1956 (the date of the major amendments to the retirement act), shall be increased by 6.5 percent of the annuity plus the increase in the cost of living as reflected in the Consumer Price Index from December 31, 1962, until the latest report of the Bureau of Labor Statistics. This will be an additional 4.5 percent, for a total increase of 11 percent.

2. All annuities which commenced after October 1, 1956, shall be increased by 1.5 percent plus the same increase in the cost of living noted immediately above. This will be a total increase of 6 percent.

Section 1(c) guarantees that any survivor whose annuity is based on the "free survivor annuity" language of the 1948 amendments or the "forgotten widow annuity" language of the 1958 amendment shall be increased by 15 percent of the annuity or $10, whichever is the lesser.

Section 1(c) provides that the new "base month" for determining future increases shall be the month which showed the highest percentage increase in the cost of living over 3 percent during a period of 3 consecutive months which showed an average increase of at least 3 percent.

Existing law on the cost-of-living increase in retirement annuities provides that the Commission shall determine annually whether the cost of living has increased at least 3 percent from the base year (now 1962) until the year of the determination. If the increase is not 3 percent, the Commission waits until the following January 1 for another determination.

If the average increase is 3 percent, all annuities which commenced before January 2 of the preceding year are increased on April 1 following the determination. Under present law, therefore, there is a built-in, 15-month lag.

Section 1(c) changes this by providing for a monthly determination instead of an annual determination. Whenever the cost-of-living index shows for 3 consecutive months a rise of at least 3 percent from the "base month," annuities payable on the first day of the third month thereafter shall be increased by the highest percentage (to the nearest tenth) shown in any one of the 3 months. That month then becomes the new base month.

Section 1(c)(1) clarifies present law on the eligibility for receiving an annuity increase, eliminates the 15-month lag in receiving increases, and guarantees that survivor annuitants shall receive the increases previously received by the annuitant himself under this act up to the time of his death.

Section 1(c)(2) provides that the children survivors of deceased Federal employees who in the future will receive an annuity shall have the annuity increased by the percentage of increase given to annuitants who retired after October 1, 1956. If this language were not included, children survivors whose annuities commence after the effective date of the act would not receive the proper percentage relationship of annuity to salary as those children survivors whose parent died before the effective date of the act.

Section 1(d) prohibits inclusion of annuity purchased by voluntary contributions from the annuity upon which the increases are calculated.

Section 1(e) provides for calculation to the nearest dollar and guarantees everyone at least 1 dollar.

Section 2 provides that the benefits authorized by this act shall be paid out of the civil service retirement and disability fund. This provision will avoid the problem which faced all of our civil service retirees in 1963 when their annuity increases were delayed by 6 months because of the necessity of an appropriation by the Congress before the increases could be paid.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. YARBOROUGH].

Mr. WILLIAMS of Delaware. Madam President, what is the pending amendment about?

Mr. YARBOROUGH. This is an amendment on page 3, line 14, which strikes out the quotation marks, and line 22, the quotation marks and the semicolon. It is merely technical. It is surplus——

Mr. WILLIAMS of Delaware. What does the amendment do? Will the Senator kindly repeat his explanation.

Mr. YARBOROUGH. On page 3, line 14, it strikes out the quotation marks immediately before the word "effective"; and on line 14 it strikes out the quotation marks and the semicolon which follow the period. This was surplus punctuation.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. YARBOROUGH. Madam President——

The **PRESIDING OFFICER.** How much time does the Senator yield himself?

Mr. YARBOROUGH. Madam President, I yield myself 10 minutes.

The **PRESIDING OFFICER.** The Senator from Texas is recognized for 10 minutes.

Mr. YARBOROUGH. Madam President, the purpose of the bill, which is called the civil service retirement annuity increase bill, is to increase the annuities of retired Federal employees.

I believe the bill to be one of the most important bills to be considered in the 1st session of the 89th Congress. I do not believe there is need for a detailed discussion of the justification for the increase in retirement annuities. The vast majority of retired employees and survivors of retired employees are living on civil service annuities which do not provide enough money to live in a decent manner in these times.

Many of the retirees and survivors of retirees receive such low monthly payments that the States in which they reside are having to supplement that monthly payment with an old-age pension.

Madam President, as is well known, the old-age pension playment is not based on the contractual payment, as are civil service annuities or social security annuities, but are based solely on need. In the case of an old-age pension, an investigator must go out and investigate the applicants to determine whether they are receiving enough money to hold body and soul together. Many civil service annuities are so low that thousands of the annuitants are receiving old-age pension payments.

The cost of living, of buying the food and paying the rent and having the barest necessities of life, is going up. Steadily rising prices must be examined since the bill was reported from the Committee on Post Office and Civil Service in the other body. The bill provided for an increase based, in part, on the increase in the cost of living since the end of the year 1962.

When the bill was reported in the House on June 17, the increase for those who retired prior to October 1, 1956, was 10.2 percent. The increase for those who retired after October 1, 1956, was 5.2 percent. The cost of living had risen 3.7 percent since 1962, the date of the last increase in annuities for Federal retirees.

Madam President, there was a delay of 5 weeks before the bill could be reached for consideration on the floor of the other body. During that 5-week period, the Consumer Price Index rose eight-tenths of 1 percent, so the percentage of increase for retirees rose from 10.2 percent to 11 percent for the earlier group; namely, those who retired prior to October 1, 1956, and from 5.2 percent to 6 percent for the later group; namely, those who retired after October 1, 1956.

In the absence of the distinguished chairman of the Retirement Subcommittee, the senior Senator from Wyoming [Mr. McGEE], I had the honor to conduct the hearings in the Senate on the bill on August 12 and 13. The subcommittee speedily reported the bill to the full committee, and it was favorably and unanimously reported by the full committee to the Senate on August 30, 1965.

Madam President, I invite the attention of the Senate to the committee report, which sets out the percentage of the increase in annuities. The figures show that the increases will be 11 percent and 6 percent respectively, depending upon whether retirement was prior to October 1, 1956, or later. Those earlier retirees had not received the benefits of the retirees since October 1, 1956. This difference in the rate of increase is an effort to bridge that disparity.

But I regret to report that these figures are in error; it is not the result of the committee's error; it is the result of another increase in the cost of living which was reported by the Bureau of Labor Statistics after this bill was reported by the committee. The most recent published report of the Bureau shows that the cost of living since 1962 is up 4.6 percent—an increase of another one-tenth of 1 percent. Thus in the short period since June 17, 1965, the cost of living has risen a total of nine-tenths of 1 percent—almost a full 1 percent in less than 3 months.

Madam President, 700,000 retired Federal employees and their families, or their survivors are waiting. They are living on the substandard payments we are making to them. They must not wait any longer. They deserve the increase now. The price of food, bread, meat, milk, drugs, all the costs of living, will not wait. Prices are going up, as shown by the Consumer Price Index. We must act now.

It will be recalled that President Johnson stated that any family living on less than $3,000 a year is living on a poverty level.

Madam President, 62 percent of all retired civil service and postal employees are receiving annuities of less than $2,400 a year.

Let me repeat, the President's standard of a poverty level in this country is less than $3,000 a year. But 62 percent of all our retired civil service and post office employees are now living on less than $2,400 a year—$600 less than the poverty level set by the administration, which, in turn, was set on the recommendation of many economists and sociologists who study the economy of the country.

Ninety-seven percent of all survivors' annuities—that is, mainly widows, some widowers, and some surviving children—receive annuities of less than $2,400 a year, or $200 a month. Annuities of these retirees vary, but all 700,000—more than 500,000 annuitants and more than 200,000 survivors—have a common characteristic. They are all old, or relatively old, and they all must eat everyday. Many of them must pay medical bills. All must be clad. Yet 62 percent of retirees receive less than $2,400 a year—and some 10 percent live on less than $50 a month, or $1.66 a day. One group of survivors, 15,000 widows of employees who died before 1948, receive annuities which average $44 a month—less than $1.50 a day.

Time is wasting. This bill will give help where it is badly needed. It will come to the rescue of these people and give them some of the attention and financial benefit which they deserve. It will give these 700,000 senior citizens a hundred million dollars—that is an average of about $11 a month for each of them. I do not believe that is asking too much.

Madam President, there is one substantial change in the House bill. As passed by the other body, the bill provided also that in the case of those retiring after the passage of the bill, survivor's annuities—widows' annuities, I might call them—would be increased from 55 percent of the amount the retiree was receiving to 60 percent.

That would be only for survivors and retirees who retired after this bill is enacted. But for 700,000 retirees and survivors who have already retired the survivor annuity would still be 55 percent. This would create an imbalance between the retirees.

The Senate Post Office and Civil Service Committee eliminated this section. Our action was based on the plea of the administration that this was not merely an increase, this changed the basic retirement act; this amounted to a substantive change in the Civil Service Retirement Act.

Last February, the President appointed a Cabinet-level special committee to study the entire structure of Federal programs for all retired Federal employees. The President's committee is required under the terms of the appointment to make its report by December 1 of this year.

The Committee on Post Office and Civil Service eliminated section 2, the increase in the survivor percentage for future retirees, until the President's Cabinet-level special committee reports in December. We will consider that report, and then reconsider this subject in the 2d session of the 89th Congress.

The bill also modifies the Civil Service Retirement Act in regard to the method of determining the cost-of-living increase in annuities.

Madam President, in 1962, Congress amended the Retirement Act to provide for automatic cost-of-living increases whenever the cost of living, as reflected in the Consumer Price Index, rises by 3 percent over the base period. The procedure enacted in 1962 calls for determination each January by the Civil Service Commission. Experience has shown that this method does not fulfill the aims which Congress intended. In January 1965, for instance, the Commission's determination showed that the average increase in the cost of living over the base year, 1962, was 2.6 percent even though the percentage increase at the end of 1964 was above 3 percent. The 1962 law requires a year to pass before another determination can be made. Adjustments in annuities are put off a whole year. H.R. 8469 changes this method of adjustment so that in the future, the Commission will determine the cost-of-living on a monthly basis. If the cost of living rises by at least 3 percent for each of 3 consecutive months over the base period—the date of the last adjustment—the Commission will automatically increase annuities. The timelag of 15 months, built into the present law, is eliminated. This means that when the cost of living goes up, the retirees will receive increases when they need them, and not a year later.

We urge that our colleagues favorably consider this legislation as part of the fulfillment of the Government's obligation to the retired employees.

Last year every single Federal officer and employee with the exception of the President of the United States received an increase in salary. That included Members of Congress, justices, judges, executives, and rank and file employees from the top to the bottom.

This year the committee is considering another pay increase for employees. The military pay bill has already become law. The administration recommended an increase of $500 million a year in military pay. Congress increased that amount to more than $1 billion a year. The social security increase has already become law, as it was tied to and made part of the medicare bill.

All of the Federal employees and the social security retirees have received increases since the most recent civil service retirement increase. Only those who worked for the Federal Government have been left out. I submit that it is time that we recognize these retirees and their need for food, clothing, and shelter so that they may hold their bodies together and keep themselves warm in their old age.

We should not let time pass without recognizing the need of retired employees and without fulfilling our obligation to them.

Mr. WILLIAMS of Delaware. Madam President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. WILLIAMS of Delaware. Madam President, under this bill what provision is made for the payment of this increase?

Mr. YARBOROUGH. That would be paid out of the fund.

Mr. WILLIAMS of Delaware. How much is the estimated cost of the increases as provided for under this bill?

Mr. YARBOROUGH. For the payments, not for the administrative cost?

Mr. WILLIAMS of Delaware. The projected payments for increased pensions under this bill.

Mr. YARBOROUGH. The cost of the payments would be $103.2 million annually.

Mr. WILLIAMS of Delaware. How much over the cost of the present law?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Madam President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 additional minutes.

Mr. WILLIAMS of Delaware. This $100 million would not be a cost that would extend over the life of the bill. That is only the cost for 1 year. However, what is the total projected cost of the increases as provided in the bill?

Mr. YARBOROUGH. As the distinguished Senator from Delaware so knowledgeably pointed out, this would be a diminishing cost because the retirees and the survivors of retirees are passing away. This is a group of people that is not young. The total cost of the increase over the years is estimated to be $1,054 million.

Mr. WILLIAMS of Delaware. The total cost of the pending bill, according to the committee report, would be $1,040 million.

Mr. YARBOROUGH. Spread over the years, until the oldest of these retirees expired. The first year is estimated to cost $103.2 million. That figure would decline each year as retirees passed away.

Mr. WILLIAMS of Delaware. But the over-all cost would be $1.040 billion.

Mr. YARBOROUGH. Slightly more than that; a total cost of $1,054 million.

Mr. WILLIAMS of Delaware. What is the present status of the retirement fund? Is it actuarily sound, or is there an unfunded deficit?

Mr. YARBOROUGH. Actuarily, it is not fully funded. The present unfunded liability is approximately $40 billion.

We are now talking of two different things—the money we have and the money we should have in the fund.

Mr. WILLIAMS of Delaware. That is right. The projected unfunded deficit is approximately $40 billion. This bill now adds another billion.

Mr. YARBOROUGH. Projected; that is correct. That, of course, is a projection of what the total cost would be.

Mr. WILLIAMS of Delaware. Ultimately the fund would have to be supplemented by $40 billion.

Mr. YARBOROUGH. The Senator is correct.

Mr. WILLIAMS of Delaware. It is my understanding that the Department has advised that if there were no increase in the contributions on the part of the employees or the Government—that is, if they were to continue under the present system, 6.5 percent paid by the employee and 6.5 percent by the Government—it is estimated that at the end of 20 or 25 years the fund would be totally bankrupt. Is that a correct statement?

Mr. YARBOROUGH. We are studying that problem. There was a good deal of testimony on that subject in the hearings on the bill. It would be some indefinite time in the future, beyond 20 years.

Mr. WILLIAMS of Delaware. Why study it? As I understood the testimony before the Senator's committee it showed that in approximately 20 to 25 years the fund would be broke unless other provision were made by Congress to supplement the payments.

I wonder if the Senator would agree with Mr. Ruddock on that conclusion, and if so what plans he would suggest to correct this deficit. Surely the committee is aware of this deficit.

Mr. YARBOROUGH. I am not an actuary. I have no occasion to challenge that statement. The committee heard no other witnesses on that subject.

Mr. WILLIAMS of Delaware. Mr Ruddock is a highly respected actuary. In my opinion, he has done a remarkable job. He has been remarkably accurate in his projected costs, and I am quoting his figures.

Mr. YARBOROUGH. I do not challenge that statement.

Mr. WILLIAMS of Delaware. Then we assume that estimate to be correct, even without the enactment of this bill or any other bill, in 20 or 25 years the fund will be broke, and yet this bill would add another $1 billion to that debt.

When is the committee going to recognize this fact of life and make a recommendation as to how we can finance these periodic increases which have occurred in the past few years?

Mr. YARBOROUGH. The administration recommended that action on the unfunded liability be delayed until the retirement panel appointed by the President reports. That panel is to study the entire problem of Federal retirement. This would be a part of the study. The administration acquiesced in the Congress' intention to grant increases. The problem is being worked on, and the President has directed the Cabinet-level committee to report back not later than December 1. It is expected that our committee will begin to study this problem in January after that Cabinet committee has reported.

Mr. WILLIAMS of Delaware. It is my understanding that the administration also recommended that many provisions of the bill be deleted until after the panel has made its report next December.

Mr. YARBOROUGH. It did. And we deleted section 2, as passed by the House.

Mr. WILLIAMS of Delaware. The committee deleted that section which was violently opposed by the administration. However, suggestions were made in connection with some of the other provisions and were ignored. Would it not be more appropriate to wait until after we have the benefit of the advice of the panel? Why should we go to the expense of having a panel make a study and report to Congress when we have passed the bill in the meantime? How is this going to be paid for?

Mr. YARBOROUGH. It is because of the dire need of elderly persons. Thousands of widows are receiving $44 a month; 10 percent of all retirees receive less than $50 a month.

The elderly people are in dire distress. That is what caused the committee to recommend this unanimously. The insolvency of the fund was inquired into. We did not glibly approve the proposal without hearings or careful consideration.

The subject had been gone into and the House had held hearings. We did not merely accept the House hearings. We had hearings also.

The total cost would be $103.2 million a year. It was thought that these people ought to have the benefit of receiving the payments while the panel is in the process of making the study.

Mr. WILLIAMS of Delaware. I do not question that there is merit in some parts of this bill. However, the Senator is well aware of the fact that we cannot always deal with figures alone in the belief that they tell the entire story. Several of these low pensions——

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Madam President, I yield myself 5 additional minutes.

Several of these existing low pensions are being paid to employees who were only temporary or part-time employees of the Government. Some only worked 5 or 6 years for the Government, and then went into industry, thereby creating a relatively low retirement credit. They went into industry and established other pension benefits. There are many such situations.

This problem cannot be dealt with altogether on the basis of figures. Many of these persons are today drawing two pensions, perhaps a social security pension and a retirement pension from the Government as well as a pension from private industry.

My concern is that last February a Presidential Commission was appointed to make a study of our whole retirement system. This Commission is supposed to report in December. Yet we are not waiting.

The Senator from Texas has made a rather persuasive argument for some of the widows and certain others on retirement. Let us stop deluding ourselves. That is only one section of the bill, but another section deals with increases in perpetuity both for the Senator from Texas and for me as well as for all other Government employees who will later retire. Every one of those empoyees in the years to come will under this bill have a guarantee against erosion of his pension as a result of inflation; that is, against an increase in the cost of living. Under this bill every time the cost of living rises 3 percent in 3 consecutive months, all retirees will receive a 3-percent increase in their pensions, whether they retire today, next week, 5 years from now, and so forth. After this bill passes, all Government employees will in effect be guaranteed against any erosion of the purchasing power of their pension checks as the result of an increase in the cost of living.

Under this bill there would be an automatic increase in the pensions every time there was a 3-percent increase in the cost of living. Federal employees would be guaranteed against the erosion of their pensions as a result of inflation. That increase would be triggered into effect every time there was an increase of 3 percent in the cost of living.

If we ran into a recession or a period when the cost of living declined for a few years—and we have had some of them—the pensions would be frozen at the higher level.

Under this escalation clause there would be an increase every time there is a rise of 3 percent in the cost of living. But if the cost of living dropped 3 percent or 6 percent, these pensions would be frozen at the peak figure, and the taxpayers of the country would pay for it.

I understand that the administration had recommended to the Senator's committee that if Federal employees are to be given this built-in increase against future effects of inflation there should also be included a provision for reduction in the pension in the event the cost of living drops. It should work both ways.

For example, suppose the Senator from Texas or I retire. We have been talking about $300 or $400 a year pensions. Let us talk about someone like the Senator or me whose pension would be substantially higher. Why should we get a Government guarantee against the ravages of inflation? If an increase in the pension were to be triggered by an increase in the cost of living it would be possible for us to get four or five increases—one each time there was a 3 percent rise in the cost of living. But if the cost of living should go down the pension would not decrease. This is a one-way street for the taxpayers, and yet Congress and the administration are responsible for the inflation.

Mr. YARBOROUGH. That is the way the law was enacted in 1962. The purpose of the amendment is to eliminate some kinks.

Mr. WILLIAMS of Delaware. Oh, yes, it would eliminate the "kinks," by adding over $1 billion to the cost with no method of raising the money.

Mr. YARBOROUGH. The Congress enacted the basic law in 1962, for an increase in annuity payments if there is an increase in living cost.

Mr. WILLIAMS of Delaware. That was wrong, and this is worse. The proposal before us provides for a far more liberal automatic trigger. It has the effect of guaranteeing every public official against the inflationary results of the spendthrift policies of the Congress. If this bill passes every Member of Congress, including the Senator and me, would have our pension guaranteed against the erosion of inflation. Social security beneficiaries, owners of savings bonds, and those under private pensions do not receive such guarantees. This is an expensive precedent.

We urge people to buy Government "E" bonds. A person who bought a bond 8 or 10 years ago and paid $3 for it, gets back $4 now, but he cannot buy with $4 what he could have bought with the $2, 8 or 10 years ago. The Senator and I know that. The man loses his interest and one-third of his principal. The reduced purchasing power of his dollar or inflation has destroyed his security.

One hundred and ninety million Americans are not protected by this measure. They are not protected against the dangers of the administration's deficit spending. But Congress is insulating itself against the inflationary effects of our own folly.

How can such action be justified?

Mr. YARBOROUGH. I did not realize that Members of Congress could be covered until the Senator mentioned it. I did not realize that the bill applied to my own retirement. The committee was giving primary consideration to about 700,000 widows and retirees who are living on income of less than $200 a month. Sixty-two percent of all employees and survivors and their families have an income of less than $200 a month. We felt they were entitled to this modest increase.

I do not think we are breaking the Treasury or the retirement fund. This fund will never be broken. Only actuarily is the fund in a deficit.

Mr. WILLIAMS of Delaware. No; not merely actuarially—but actually.

Mr. YARBOROUGH. We discussed this question in committee. I am not a member of the Finance Committee, and I do not want to argue this question on the floor. But I am not talking merely about theory; I am talking about a cash basis, the current assets. That fund is not going to be broken. But, whether we consider it actuarially or theoretically, as the insurance companies do, the cash assets in the fund will be exhausted in about 25 years. The Retirement Subcommittee studied this problem in 1963. The bill before us then, S. 1562 of the 88th Congress, was given careful consideration. A similar bill, S. 273, is before the Retirement Subcommittee now. The administration has advised the Committee that it would prefer to await the Cabinet Committee's report before taking action.

Madam President, I yield the floor.

Mr. WILLIAMS of Delaware. Madam President, then why not wait until we get this report? I am not quoting testimony given before the Finance Committee but testimony given by the representative from the Retirement Division of the Civil Service Commission, before the Senator's own committee. I suggest that the Senator from Texas read the reports. The best estimate is that with no change in the law in 20 or 25 years this fund will be bankrupt. Why not face this situation now?

Mr. YARBOROUGH. I do not question that actuarially he is correct, but "actuarially" means theoretically.

Mr. WILLIAMS of Delaware. No; he does not say theoretically. These are facts that cannot be ignored.

Mr. YARBOROUGH. Actuarially, yes. If the fund is projected actuarially, as is done by actuaries in insurance companies, what the Senator has said is correct.

Mr. WILLIAMS of Delaware. I suggest that the Senator read again what Mr. Ruddock said. He said that actuarially the deficit of the retirement fund amounts to $40 billion. Our cash balance today is around $19 billion. But without our doing anything about it, this $19 billion will be gone in 20 or 25 years. Either we must increase our contributions or renege on our obligations. That was the testimony of the representative from the Retirement Section of the Civil Service Commission before the Senator's committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Madam President, I yield myself 5 additional minutes.

I shall ask the Senator to have the bill recommitted so that the widows he is talking about can be taken care of.

It is that part of the bill which deals with the increased benefits for the widows and low-pensioned retirees about which the Senator keeps talking. Let us correct their problem, but let us eliminate from the bill those provisions which guarantee all future retirees, including the Senator and myself, against the ravages of inflation. Let us stop shadowboxing—it is the $10,000 and $15,000 pensions that will reap the bonanza under this bill.

I think we can understand it better if we talk about how it affects the Senator and me, not how it affects some widows.

Mr. YARBOROUGH. I am not willing to limit it to the 535 Members of the Congress, and say that that is any criterion.

Mr. WILLIAMS of Delaware. Perhaps not, but it is the high salaried officials who get the real benefits under this bill.

Mr. YARBOROUGH. We are dealing with more 700,000 retirees and widows. It is not a fair criterion to consider only the 535 Members of Congress and say that that is a proper standard. It is infinitesimal. It is minuscule. I am not willing to recommit the bill. These people are hungry; they need bread and milk now, and I think we ought to vote it for them now.

Mr. WILLIAMS of Delaware. Madam President, in order to give bread and milk to those widows on retirement let us face what we are doing for the Cabinet officers and other top executives of government, including the Senator from Texas and the Senator from Delaware. Let us use ourselves as an example.

Last year Congressional salaries were raised 33⅓ percent. There is more that goes with the salary increase than merely a salary increase. The retirement pensions—this statement is true for anyone of the 2½ million employees who received salary increases last year—are based on an average of the highest 5 years' salary.

To use our own case as an example our salaries were raised 33⅓ percent which that not only do we draw, beginning this year, an increase 33⅓ percent in salary but also our pensions are increased this year and for the next 5 years 6⅔ percent a year under existing law, resulting in our pensions being increased at the end of 5 years by 33⅓ percent.

In addition, this bill would add to the 33⅓ percent which was indirectly approved last year another increase of 2 percent plus another 6½ percent. These additional increases would go into effect immediately, and in the years to come every time the cost of living goes up 3 percent for 3 consecutive months, whether it occur next year, in 5 years, or in 40 years, there would be another 3 percent increase in our pensions. Yes, this means that we are increasing our pensions by 2 percent and by 6½ percent, in addition to guaranteeing ourselves against any future inflation which may result from our spending policies.

I concede that there is some merit in what the Senator is saying about those who are retired on inadequate pensions, but we can help them without adding this additional guarantee for our own benefit. Let us take care of them, but let us not try to get a free ride for ourselves. Every employee in Government from the President on down, would gain an increase under this bill.

Why should the President, the Cabinet officers, the top executives of the numerous agencies and the Members of Congress be entitled to having their pensions guaranteed against any further ravages of inflation at the taxpayers' expense when it is the executive branch and the Congress which are responsible for some of this deficit spending?

Certainly a reasonable argument can be made that if—with the "if" in quotations—if we are to legislate built-in insurance against inflation or an increase in the cost of living for every Government employee, by triggering a 3-percent increase every time the cost of living increases, why should it not work in reverse if the cost of living declines?

Why should we not wait until the first of the year, and get the report of the President's Commission, which report we are going to pay for anyway? Let us get the report, examine it, and arrive at an overall decision as to what we should do and at the same time make arrangements to pay for it.

Mr. YARBOROUGH. We took out section 2 of the bill for that very purpose, to permit the Commission to report and to give Congress an opportunity to study the findings of the committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I yield myself 1 more minute to answer the Senator's question.

We were considering the fate of the 700,000 annuitants. Congressional retirement was never considered. I was on the subcommittee. Hearings were held in the absence of the distinguished Senator from Wyoming. I do not remember it being called to our attention by any witness or any other person that the 535 men and women who were in the Congress would be singled out for special treatment, out of the 2½ million Federal employees.

The purpose was not to try to help ourselves. I resent the implication that we were trying to sneak this through as a bill to help the Congress. It was not in my mind, nor, I am sure, in the mind of the distinguished Senator from Kansas [Mr. CARLSON]. There was not a Senator on either side of the aisle who had that thought in mind. That is why the bill was reported unanimously.

As to Senators who attacked the congressional pay increases last year, we are not debating the congressional pay increases of last year. I state frankly, though, that I voted for them with a clear conscience, because I wanted the voters of my State to see that——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I yield myself 1 more minute.

I wanted the voters of my State to see that I was voting for it. I did not piously vote against the increase in congressional pay, because I felt the increase was fair, and I wanted my constituents to be able to consider my vote, and retire me if they wanted to do so. I voted for it, and my constituents were kind enough to return me to office with the largest majority I ever received.

I am sorry that the distinguished Senator from Delaware felt impelled to go off on something apart from the heart of this bill. I see no merit to his position. With regard to those whom the bill is intended to help, I say with great respect—because I have great respect for the efforts of the Senator in behalf of this country and the Senate fiscal policy—that we have the most underpaid——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I yield myself 3 more minutes.

Among the most underpaid people in this country are the retired people who have worked for the Federal Government.

To think that retirees are well paid is absurd, when there are actual instances of their receiving less than old-age pensions. Testimony before the committee showed that there are many who have to go to the old-age pension boards for money to make up the difference. When the old-age pension investigator comes out, they used to say in my State that the test for the need of assistance was to pass one's hand under a table, to search for discarded chewing gum. If such were found, the report of the investigator would be unfavorable, since chewing gum was considered a luxury, and the old-age pension was designed to cover only the necessities of life. But there are cases in which the people who have given their lives working for the Federal Government are receiving such low retirement pay that they have to get an old-age pension on top of it to hold body and soul together.

This is a modest bill. It ought to pass. It ought to pass now.

I ask unanimous consent that there be printed in the RECORD at this point a letter from the Civil Service Commission, dated August 11, 1965, addressed to the senior Senator from Oklahoma [Mr. MONRONEY], and one from the Executive Office of the President, the Office of the Bureau of the Budget, dated August 11, 1965.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C. August 11, 1965.
Hon. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service, U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request for the official views of the Commission on H.R. 8469, a bill "To provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes."

Effective the first day of the third month which begins after enactment, section 1 of H.R. 8469 would provide the following adjustments in existing annuities:

1. All annuities would be increased by the same percentage as the rise in the Consumer Price Index from the annual average of calendar year 1962 to the month latest published on date of enactment. Through June 1965, this rise has been 4½ percent.

2. Annuities which began, or survivor annuities deriving from annuities which began, on or before October 1, 1956 would be further increased by 6½ percent; annuities which began after October 1, 1956 would be further increased by 1½ percent. When combined with the 4½ percent cost-of-living increase, the total increase to each of these annuitant groups would be 11 percent and 6 percent respectively.

3. Annuities of widows and widowers of former employees who died or retired before the survivorship amendments of 1948, which annuities were later awarded as gifts limited to $50 or $63 a month, would be further increased by an amount sufficient to make the total increase equal the lesser of 15 percent or $10 a month.

For the future, annuities would be increased automatically to reflect changes in the cost of living. Such increases would occur whenever the monthly price index showed a rise of at least 3 percent for 3 consecutive months over the base month used for determining the most recent cost-of-living adjustment.

The bill would make the retirement fund available for the payment of benefits resulting from its enactment, and also for the payment of administrative expenses incurred by the Civil Service Commission in putting into effect the first and all subsequent annuity increases.

Section 2 of H.R. 8469 proposes that the annuities of eligible widows and widowers of employees who die in service or who retire and die after enactment will be 60 percent of the earned annuity or of the survivor base selected by the employee, instead of the 55 percent provided by existing law.

The initial annual cost of the annuity increases proposed by section 1 of H.R. 8469 is estimated to be $101.9 million, with an increase in the unfunded liability of about $1,040 million. Section 2 would increase the normal cost of the system by 0.18 percent of payroll. It would add $817 million to the unfunded liability, and would incur an annual cost of approximately $58 million on the normal cost plus interest basis. The total first-year cost of section 1 and 2 would be $102.4 million, and the unfunded liability would be increased by a total of $1,857 million.

By memorandum dated February 1, 1965, the President created the Cabinet Committee on Federal Staff Retirement Systems under the chairmanship of the Director of the Bureau of the Budget. In that memorandum he directed a review of the whole structure of our retirement policies, including the pattern and amounts of benefit payments. He specifically requested examination of survivor benefits available under the various plans.

The Commission is of the opinion that it would be best to defer retirement legislation until it can be considered in the light of the findings and recommendations which will be included in the Committee report scheduled for completion by December 1, 1965. However, some justification can be found for immediate adjustment of existing annuities. In 1962 the Commission devised and submitted a plan for permanent adjustment of annuities to reflect changes in the cost of living, and that plan with minor revision was enacted as part of Public Law 87-793. Experience to date has shown that the mechanics for adjusting annuities to reflect living costs can be improved and the time element shortened by using the monthly price index instead of an annual average. Accordingly, the Commission will not object to enactment of H.R. 8469 insofar as it proposes adjustment of existing annuities to reflect changes in the cost of living.

We strongly recommend that section 2 be deleted from H.R. 8469. Section 2 is totally unrelated to the adjustment of existing annuities and proposes a major permanent liberalization in the retirement system. The proposal is made without regard to its relationship to other fringe benefits and without any demonstration of a need which would in any way justify its cost. It is the sort of piecemeal approach to retirement legislation which this administration seeks to check by the formulation of up-to-date policies in the light of the Cabinet Committee's study of the whole Federal retirement structure.

The Bureau of the Budget advises that enactment of H.R. 8469 would be inconsistent with the program of the President if it includes the provisions now in section 2 of the bill.

By direction of the Commission:

Sincerely yours,
JOHN W. MACY, Jr.,
Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 11, 1965.
Hon A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: reference is made to the committee's request for the views of the Bureau of the Budget respecting H.R. 8469, "To provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes."

The bill would increase all annuities payable to employees or their survivors who have retired under the Civil Service Retirement Act before the first day of the third month beginning after date of enactment. The annuity increase would be composed of two portions: first, an increase equal to the percentage increase in the Consumer Price Index since 1962 (which was 4.5 percent as of June 1965) plus an increase of either 6½ percent for persons whose annuities commenced on or before October 1, 1956, or 1½ percent for those whose annuities commenced after that date. Another adjustment is provided for certain pre-1948 survivors who were specially provided coverage under previous amendments. The bill would also revise the 1962 formula for future automatic cost-of-living adjustments in annuities. The Civil Service Commission estimates the first-year cost of these annuity increase provisions to be $101.9 million, and the increase in the unfunded liability of the system to be about $1,040 million.

Section 2 of the bill would increase the ceiling on the survivor annuity payable on death of an employee or annuitant to 60 percent of the earned annuity, or of the base selected for annuity, instead of the present 55 percent. In a report which the Chairman of the Civil Service Commission is submitting to your committee on this bill, opposed to this provision, he estimates it would increase the normal cost of the system by .18 percent of payroll, adding approximately $85 million to the annual cost on the normal cost-plus-interest basis, and adding $817 million to the unfunded liability. The chairman states that this provision is unrelated to the annuity adjustment problem, has not been demonstrated to meet a need which would justify its cost, and represents the piecemeal approach to retirement liberalization which the President's Cabinet Committee study is designed to prevent. The Bureau of the Budget concurs in the views expressed by the Civil Service Commission.

Accordingly there would be no objection to enactment of H.R. 8469 provided section 2 is deleted, as its enactment would not be consistent with the administration's program.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. WILLIAMS of Delaware. Madam President, I did not mean to get the Senator from Texas so excited. I was not singling out Members of Congress. I said this guarantee against inflation applied to the President's pension as well as that of all other executives. I recognize that we are not debating the salary increases of last year. I repeat—and I do not want to get the Senator excited again because he mentioned heart failure—I certainly do not want any Senator to suffer heart failure on the floor because I describe how Congress benefits under this bill.

Mr. YARBOROUGH. The Senator will get me excited every time he wants to keep these people from receiving a little increase.

Mr. WILLIAMS of Delaware. I gathered that what excited him was my reference to the 535 or so who are Members of Congress, but I will not talk about Congress if that causes the Senator to become so excited. Let us talk about Cabinet officers and other top officials instead, or about any civil service employee. To the extent that any employee receives a salary increase we can divide that percentage increase over the next 5 years and determine the increase in the pension by that amount. If we increase the salary of a Cabinet officer by one-third that is the amount of his pension increase. It is a matter of simple mathematics.

In addition, under this bill another 2 percent is added, and also another 6½ percent is added, and then in addition every time the cost of living rises 3 percent for 3 consecutive months another 3 percent will be added.

Under the Great Society's deficit spending inflation is inevitable, but under this bill should we have a further erosion of the dollar, which means an increase in the cost of living, all Government pensions will be increased automatically. So far as the employees of the U.S. Government are concerned, they will be insured against any possible erosion of their pensions by subsequent inflation. That is something very desirable, of course, but it is also desirable to the 190 million other Americans; and who pays for this guarantee.

Why should we give Government employees that safeguard at the expense of the other Americans who will not only have to suffer from the inflationary erosion of their own pensions but also have to pay the taxes to finance this program.

Senators can talk all they please about widows and orphans—and I sympathize with widows and orphans as much as does anyone else—but we cannot get away from the fact that in taking care of widows and orphans, for whom we are shedding these crocodile tears, we are taking care of ourselves.

If we wish to take care of the widows and orphans let us pass a bill to take care of them. If such a bill is introduced I shall support it. Let us not load the bill down with a guarantee to every official of the Great Society that he personally will not have to suffer from the inflation he creates.

Mr. Ruddock's statement is that this fund today, on an actuarial basis, will be about $40 billion in deficit. The bill before us adds another $1.054 billion to that deficit. It is also Mr. Ruddock's statement—and he is a very reliable individual—that if Congress does nothing in the next 20 or 25 years and some provision is not made to supplement the income of this fund over and above what is being collected it will be bankrupt in 20 or 25 years.

Of what use is an increase in a pension if the fund is bankrupt?

Those are warning statements of persons who are managing the funds. Those are statements given not to my committee but to the Senator's committee.

I now yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I do not wish to become involved in any discussion of salaries and pay increases by my distinguished colleagues from Delaware and Texas. However, I say most respectfully to my good friend from Delaware that his speech in regard to the cost-of-living adjustment annuities should have been made in 1962.

Mr. WILLIAMS of Delaware. I made this same argument in 1962, but I was defeated in my efforts.

Mr. CARLSON. There is no change in the pending bill, H.R. 8649, over the section that is found in Public Law 87-793, 87th Congress, H.R. 7927, October 11, 1962, except that the pending bill is on a quarterly basis, when adjustments are made. In the existing law the increases for annuitants are in effect today, but they are on an annual basis. I should like to have the RECORD contain the cost-of-living adjustment of annuities section, section 18, which is found in the public law which I have cited. It reads:

COST-OF-LIVING ADJUSTMENT OF ANNUITIES

SEC. 18. (a) After January 1, 1964, and after each succeeding January 1, the Commission shall determine the per centum change in the price index from the later of 1962 or the year preceding the most recent cost-of-living adjustment to the latest complete year. On the basis of such Commission determination, the following adjustments shall be made:

(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

Mr. President, I cannot see any difference between the two provisions. The Senator is making a good argument about this fund. I have expressed myself on these funds, not only with respect to the present one. All the funds are in difficulty, when we look to the future. We should do something about the situation. The committee discussed it before the bill was reported, and we hope that the Commission appointed by the President will bring in some recommendations.

When they do, I shall support the recommendations. I believe the Commission will do it. However, I say to the Senator that even if we do not pass the pending bill the 3-percent cost-of-living increase is in effect now. If we wish to use the Members of Congress as an example, that is all right, but it affects everyone. That is the law.

Mr. WILLIAMS of Delaware. The Senator from Kansas is partially correct. However, there is an additional provision in the bill liberalizing the formula. The existing law triggers it as of January 1 and computes it on a yearly basis. The cost of living may rise 3 percent for a part of the year and then drop back, and there would be no increase under existing law. This bill provides that if for 3 consecutive months—and that could be March, April, and May, or September, October, and November—if the cost of living increases for 3 consecutive months by 3 percent, the automatic increase goes into effect and remains in effect even though the cost of living later declines.

The bill also provides an additional 6½-percent increase which is an extra bonus.

The bill provides 11 percent for those who retired prior to 1956.

I point out that the Senator from Kansas is partly correct. In my opinion, in 1962 Congress made a mistake, and I so expressed myself then. I lost then. I may lose again today, but at least I want the record clear as to what we are doing.

This bill today provides for an immediate increase that will ultimately cost over $1 billion with no provision contained in the bill to pay for that formula.

If we are to pass these laws let us put a price tag on them. This bill will cost $1,054 million. If Congress decides it is worth paying that amount, why do we not appropriate $1,054 million and put that money into the fund? We should tell the taxpayers the true cost. If the administration is afraid of the taxpayers' revolt over the necessary increase in taxes to pay for these bills then they should not be passed.

If we do not appropriate the money the only alternative is to increase the contributing rates for either the emloyees or the Government, or both.

Mr. CARLSON. It is interesting to note that in the first year following the establishment of the civil service system the Federal Government did not contribute a dollar, which I regret very much. The employees paid their own money into the fund, and for years the only amounts paid back to annuitants were from the money they paid in.

During the past few years the Federal Government has not contributed its share. The Federal employees continue to contribute full share.

I suggest an increase in the assessment. I am in favor of the Federal Government paying.

Mr. WILLIAMS of Delaware. The Senator from Kansas is correct on that point. Over the years Congress has not appropriated money to enable the Federal Government to include in the budget its proportionate share to finance the fund, but this bill only compounds the failure.

I have supported a pay-as-we-go program. I say again that we are only kidding the taxpayers as to our expenditures when we delay that payment. Why do we not provide for the payment of the $1 billion by appropriating that amount and marking the account "Paid"?

Shall we go home and tell the retirees and other people that although we are voting increased pensions we are making no provision to pay for them?

We shall either have to add to the amount that employees contribute to the retirement fund or pay for the cost out of the appropriated funds and thereby have the increase paid by the taxpayer. Somebody has to pay.

When we go home and talk about benefits approved we should have to talk about increased taxes as well. Let those Members voting for these increases also vote for the increased taxes that ultimately will have to be levied to finance the many Great Society extravaganzas.

This bill provides a much more favorable formula that can trigger this increase into effect when the cost of living rises in 3 consecutive months.

But when the cost of living declines by 2 or 3 percent the formula does not apply.

Once the 3-percent increase was triggered, the taxpayers would be hooked for years to come, because not only would the benefits be automatic for those on retirement but they would automatically increase pensions in the years to come.

At the time a particular employee retires the cost of living may even be lower than it is at this moment.

If there is to be a trigger, it should work both ways. Some in the Department feels that it should work both ways. I believe the answer is very simple. Do we want to establish a special provision for employees of the Government whereby we can say: "Do not worry about what Congress does; do not worry about the spendthrift policies of the Great Society because your pension is guaranteed against inflation. If an inflationary spiral is created in the country and the dollar is devalued, do not worry about it. If you are on a Government pension, the purchasing power of your pension is protected."

Mr. LAUSCHE. The Senator from Delaware just stated, in effect, that we are saying to the Federal employees: "Do not worry about inflation if you are an annuitant at present, because by this law we have taken care of you. Automatically, at the end of every 3 months, if there is a 3 percent rise in the cost of living, there will be given an added 3 percent on retirement pay."

What will become of the millions of other annuitants in this country who are receiving private annuities? What will become of State employees and city employees?

Mr. WILLIAMS of Delaware. And retirees in the military service along with all on private pensions as well? They will have to make out as best they can. The bill does not protect them or provide any inflationary hedge—only for Federal employees.

Not only does it not protect them but it also provides that in addition to looking out for themselves as best they can they will have to contribute, as taxpayers, to the protection of the Federal employees.

Mr. LAUSCHE. That is, the general annuitant, as distinguished from the Federal retiree, will have to take care of the increased cost of living as best he can. In addition, he will have to contribute to sustain the fund.

Mr. WILLIAMS of Delaware. Yes. As a taxpayer he will have to contribute to sustain this fund so that under this bill we can pay additional cost-of-living increases to all of the 2½ million Federal employees.

Mr. LAUSCHE. May I put a few questions to the Senator from Delaware with regard to the present status of the bill?

Mr. WILLIAMS of Delaware. Yes.

Mr. LAUSCHE. My recollection is that 2 years ago the Government owed $35 billion into the fund. Has the amount now reached $40 billion?

Mr. WILLIAMS of Delaware. I was talking with Mr. Andrew E. Ruddock, of the civil service retirement division, a man for whom I have great respect. His estimate is that the deficit in the fund is now about $40 billion. This bill would add another $1 billion to that deficit.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Delaware yield to the Senator from Ohio?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The Senator from Delaware knows about the Foreign Service retirement fund. It protects workers of the Federal Government in the Foreign Service. The Federal Government now owes that fund $284 million. Today, if the Federal Government paid the whole sum of $284 million, in order to keep the fund actuarially sound, it would require a 30-percent contribution from each Foreign Service employee's salary. Therefore, if a Foreign Service employee is earning $15,000 a year, in order to keep the fund sound, $4,500 of his $15,000 would have to be paid into the fund. This would mean that if it were split between the Government and the employee, each would contribute 15 percent. However, it is now proposed that the employee put in 6½ percent and the taxpayers the remaining 23½ percent.

In addition to the $1 billion which was in this bill there are no figures for the automatic triggers which go into effect in future years because no one knows the extent of the inflation in future years, but to the extent there is inflation in future years that would be in addition to $40 billion.

The Government owes $41 billion to the fund.

Will the Senator restate the opinion expressed by the actuary concerning the financial soundness of the fund as it now exists?

Mr. WILLIAMS of Delaware. My understanding is that if Congress takes no action to appropriate the money or increase the contributing rate on the part of employees and the Government but continues as at present, this fund, which now has around $17 billion in it, will be bankrupt in 20 or 25 years.

Mr. DIRKSEN. It will not take that long. I have received some figures from the Civil Service Retirement Board in connection with the Independent Office bill. I testified this year to get $1.063 billion put in that bill—the actuarial unsoundness of the fund. Long ago I conferred with the late President Kennedy many times, and after those consultations we drafted a bill, a budget bill to increase the Government share by one-half of 1 percent annually up to a given number of years, to restore the soundness of the fund. That bill died in the Civil Service and Post Office Committee and nothing was ever done.

Mr. LAUSCHE. In other words, we want to expand the payments, but not give regard to the expansion of income to meet the burden of making payments.

Mr. DIRKSEN. This proposal would add a billion dollars to unfunded liability.

If there is added the triggering unfunded rise, 3-percent retirement, and all the other little retirement schemes, the last figure I have seen, if we add the public debt, is $843 billion. We are getting close to the trillion mark.

In view of the fact there is a Cabinet Committee on Permanent Annuity Assistance and it is not due to file a report until the first of December, this matter ought to go over, and we ought to have the benefit of the Cabinet study before we can intelligently legislate on this matter, instead of making this a piecework program.

Mr. WILLIAMS of Delaware. I thank the Senator from Illinois, and I agree fully with the comments he made. I am familiar with the figures he put in the RECORD which indicate that the fund would be broke in a shorter period than the 20 or 25 years to which I referred.

I am inclined to think his figures are correct, but I was quoting the outside figures. Even with the outside estimate I received, it would be bankrupt in 20 to 25 years and almost all of those in charge of the bill agree with the Senator from Illinois that it will be much earlier than that. Soon Congress will be confronted with a bankrupt fund unless it takes some action.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The report states on page 5:

> By memorandum dated February 1, 1965, the President created the Cabinet Committee on Federal Staff Retirement Assistance under the foremanship of the Director of the Bureau of the Budget.

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. Am I correct in assuming the President recognizes that a study has to be made of the Government retirement funds and recommendations of how the difficulty shall be handled, and that therefore he established this Committee?

Mr. WILLIAMS of Delaware. That is correct. They are supposed to report the first of December.

My point is, why should we not wait and get the benefit of that report before we start a piecemeal expansion of the present system.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield for a brief statement?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Delaware yield to the Senator from Ohio?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The Senator from Delaware knows about the Foreign Service retirement funds. They protect the workers of the Federal Government in the Foreign Service. The Federal Government now owes that fund $284 million. If the Federal Government paid the whole sum of $284 million today, in order to keep the fund actuarially sound, it would require a 30 percent contribution from each Foreign Service employee's salary. I repeat, 30 percent. Therefore, if a Foreign Service employee is earning $15,000 a year, in order to keep the fund sound, $4,500 of that $15,000 would have to be paid into the fund. That would mean that if it were split between the Government and the employee, each woud give 15 percent; but, it is now proposed that the employee put in 6½ percent and the taxpayers 23½ percent.

We all understand where we are heading. All of this confusion in the Foreign Service fund is the consequence of expanded payments without expanding the contributions which had to be made into the fund to keep it actuarially sound.

I subscribe to the position taken by the Senator from Delaware. I am deeply convinced that we cannot prevent inflation. Congress is indicating its own conviction that it cannot prevent it because of the principles it is adopting.

Mr. President, it makes no difference what the Senator from Texas says about it, the fact is that I will be benefited on my $30,000 salary, under the provisions of the pending bill, by an increase which, according to what I read in the report, will be 11 percent.

Mr. YARBOROUGH. Mr. President, will the Senator from Ohio yield at that point?

Mr. LAUSCHE. Not at this time.

Mr. YARBOROUGH. On my own time?

Mr. LAUSCHE. I am glad to yield, on that basis.

Mr. YARBOROUGH. Let me point out that the annuities are not mandatory. No Senator has to accept them. They are voluntary. A good bite from my salary is taken out each month for that purpose.

Mr. LAUSCHE. I heard the Senator's argument.

Mr. YARBOROUGH. Senators do not have to accept the annuity. If they do not wish to do so, the Government will not make them take it. It is voluntary.

Mr. LAUSCHE. I am reluctant to repeat this, but the Senator from Texas knows that I voted against the increase of 33⅓ percent in Senators' salaries. I am giving my $7,500 increase to eleemosynary institutions. I did that because I felt that Congress should set an example by fighting inflation. Congress should not set an example which is heading everyone, at full speed, toward the eroding consequences which come from extravagant spending of the Federal Government's money.

I did not wish to make this statement but the Senator from Texas tells me that I do not have to take the annuity.

To get back to my thought, I would be entitled to 11 percent more, as I understand, under the pending bill.

God help the taxpayers. God help the poor fellow who is working for a fixed salary.

I do not agree with the Senator from Texas that Federal Government employees are underpaid. I do not subscribe to that statement.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio for his contribution to this argument.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, how much time is left to each side?

The PRESIDING OFFICER. The Senator from Delaware has 20 minutes remaining, and the Senator from Texas has 37 minutes.

Mr. WILLIAMS of Delaware. I do not believe that we shall need all that time. I understand that the Senator from Florida has an 8- to 10-minute statement which he wishes to make. I ask unanimous consent that he be recognized so that he may make his statement, the time not to be charged to either side.

Mr. YARBOROUGH. Mr. President, I object—not to the Senator from Florida speaking, but I believe that we are about ready to vote on the bill.

Mr. WILLIAMS of Delaware. Then I am willing to yield to the Senator from Florida 8 minutes out of my own time for the purpose of making his statement.

Mr. YARBOROUGH. The Appropriations Committee is meeting to hear Secretary of State Dean Rusk on a very important matter in executive session. Most of us on that committee are anxious to attend the hearing.

Mr. WILLIAMS of Delaware. Mr. President, I yield 8 minutes on my own time to the Senator from Florida. If he needs any additional time, I will submit an amendment so that he may get whatever time he desires.

The PRESIDING OFFICER. Is there objection?

THE 400TH ANNIVERSARY OF SETTLEMENT OF ST. AUGUSTINE, FLA.

Mr. HOLLAND. I thank the Senator from Delaware for yielding to me. I am sorry I did not advise the Senator from Texas that it would be my intention to speak and as to what would be the subject of my remarks, because I know that both of us wish to hear the Secretary of State at the hearing now underway.

Mr. YARBOROUGH. Mr. President, I have no objection to listening to the Senator from Florida. I merely object to extending the time——

Mr. HOLLAND. I understand. I should like to make it plain that nothing less than an urgent subject matter would have prompted me to ask for any time just now for I, too, wish to be at the hearings on the foreign aid bill. Later I must attend a conference on appropriations. I believe that the distinguished Senator and I both wish we had more time this afternoon. But today is the 400th anniversary of the permanent settlement of what is now the continental United States. It was on this day, 400 years ago, that Pedro Menendez de Aviles of Spain landed at St. Augustine. That little city has been permanently occupied every day since that time.

Mr. YARBOROUGH. I commend the Senator from Florida.

Mr. President, I withdraw the objection that I made. I agree that this subject is worthy of comment at this time.

The shoreline of my State was mapped in 1519 by one of the great Spanish explorers, Piñeda. It is still a good map of the shoreline of the Gulf of Mexico.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. I was sure that my distinguished friend the Senator from Texas would wish to know about this quadricentennial. I am not boasting, but only relating the fact that when the shoreline of Florida was discovered in 1513, it received its name from the fact that its Spanish discoverer, Ponce de Leon, discovered it on an Easter day when the flowers were in full bloom everywhere, and he gave it the name "Florida" to symbolize the flowery welcome which the Spanish discoverers found when they got there.

Mr. President, this is a great day for my State, for several other great States of our Nation, for most of Latin America, and for Spain, which truly is the mother country of so much of our Nation and of this Western Hemisphere.

Today, September 8, 1965, is the 400th anniversary of the settlement of St. Augustine, Fla., by the original Spanish pioneers, the first Europeans to establish a permanent settlement in what is now the continental portion of the United States of America.

It was my great pleasure to spend last weekend at occasions which marked the formal opening of the quadricentennial celebration.

On Thursday night, Mrs. Holland and I were guests of the Spanish Ambassador, the Marquis de Merry del Val, and his wife, at the Spanish Embassy in Washington at a dinner given in honor of the distinguished eight-man official delegation from Spain, and their ladies. It was attended by many officials of our country and of Latin American nations. Friday noon I attended a luncheon at the Department of Interior given by Secretary Udall in honor of our Spanish guests.

Saturday I presided at the dedication of the Pan American Building at St. Augustine where Ambassador Plate of Paraguay, chairman of the Organization of American States, was the principal speaker. That night we were guests at a large dinner given by the city of St. Augustine at which the speakers were Mayor John D. Bailey, the Minister of Interior of Spain, Lt. Gen. Camilo Alonso Vega, who was head of the Spanish delegation, Secretary-General Jose A. Mora of the OAS, and Secretary of State Tom Adams of Florida.

Sunday morning we attended a dignified outdoor Mass at the Nombre de Dios Shrine at the spot where the Spaniards landed in 1565. Later we attended the dedication of the Florida Building by Gov. Haydon Burns and the Governor's luncheon where Governor Burns and the Hereditary Spanish Governor of Florida, the 19th descendant of Pedro Menendez, the first Spanish Governor, were guests of honor and principal speakers.

Mr. President, I think it is worthy of note that that worthy descendant of Pedro Menendez still holds the honorary title of Hereditary Adelantado of Florida.

Sunday afternoon I presided at the dedication of the Hispanic Garden and the unveiling there of a statue of Queen Isabella, and later at the dedication of the Spanish building, Casa del Hidalgo, a beautiful structure of native coquina planned by a noted Spanish architect who was present. The speakers were Gen. Alonso Vega and Secretary of the Interior Udall who were followed by Archbishop Hurley who gave the dedicatory blessing.

The actual anniversary of the landing of Pedro Menendez is today, September 8, and the Catholic Church is putting on a highly dignified celebration of the anniversary on this date which will be participated in by many high-ranking members of the clergy and other distinguished citizens from Spain, the Latin American countries and our own Nation. My distinguished colleague, Senator SMATHERS, is participating in that program today. I think it is appropriate to say that the Catholic Church has also spent a large sum in constructing additional edifices at and near the site of the Nombre de Dios Mission, including among others an imposing bridge, a museum and a library. I feel that this date—the 400th anniversary of the first permanent settlement by European people upon the mainland of the United States—is an event of such vast importance, calling attention as it does to the great debt which we owe to Spain, particularly in the States of Florida, Texas, New Mexico, Arizona, and California, though not limited to those areas, that it should be the subject of a permanent insertion in the Congressional Record.

I may add that the various programs at St. Augustine have been largely attended and warmly received. I feel sure that the 400th birthday of St. Augustine will be followed by greater unity in the Western Hemisphere and greater closeness with Spain as well as deeper appreciation of our Spanish heritage in Florida and indeed in much of our Nation and throughout Latin America.

I hope to have later for insertion in the Record the dedicatory speech of Ambassador Plate of Paraguay, the present Chairman of the Organization of American States, at the dedication of the Pan American Building, and the speech of the Spanish Minister of the Interior, Lt. Gen. Alonso Vega, dedicating the beautiful Spanish building. Unfortunately, I have not yet received English translations of these two eloquent and noteworthy addresses and I shall therefore ask at a later date that they be included in the Congressional Record along with the speech of Secretary Udall. I want at this time, however, to have printed in the Record as a part of my own remarks the eloquent speech of the Secretary-General of the OAS, Dr. Jose A. Mora, which was delivered by him at St. Augustine, upon the occasion of the 400th anniversary of the founding of the city of St. Augustine and the permanent settlement of Florida by Spain.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of the Secretary General, Organization of American States, Dr. Jose A. Mora, Upon the Occasion of the 400th Anniversary of the Founding of the City of St. Augustine, September 4, 1965

The gathering to which we have come in celebration of the 400th anniversary of the founding of the city of St. Augustine has a significance which, to my way of thinking, far exceeds commemoration of a historical event or recollection of the past. I view it rather as opening a way to the future.

Today more than ever there is pressing need for us to go back to our continental beginnings for strength to build solidarity among the peoples of the New World. We have long been engaged in this effort, but we have often failed to recognize our common heritage to the extent that we should, and to draw upon those roots from which has sprung our American family of nations.

President Kennedy, who should ever be an inspiration to us, once said: "Too many Americans think that America was discovered in 1620, when the Pilgrims arrived in my State, forgetting the great adventure of the 16th and 17th centuries in the South and Southwest of the United States."

Indeed, as those present well know, it is here in St. Augustine, where the Spaniards first planted the Christian cross and established the earliest outpost of so-called Western civilization, that the oldest city in the United States is to be found. The name of Pedro Menéndez de Avilés has been inscribed forever on the roll of those whose mighty efforts have built the American nation of today. Other men, other races, other religions, other ideas, other movements have had their share in that great undertaking, but no one can question that the land of Florida has made a singularly fruitful contribution in human terms.

In the last analysis, Julian Ponce de León was not entirely mistaken in his fancyings. It is claimed that he had ambitions of great wealth, and, good Spaniard that he was, he thought the best way of achieving them lay in the discovery of the fountain of youth. Something of the enterprising spirit of the Spanish conquistador seems to be present in the soul of every man in the United States, not to speak of the American woman, who seems truly to have found the secret of eternal youth.

Spain, then, not only located in Florida the fountain of youth, but, better still, managed to establish that concept of the state for all time to come.

This is not all, however. The organizers of these events in celebration of the 400th anniversary of the founding of St. Augustine have kindly chosen to link therewith a tribute to the Organization of American States, which this year is observing its own 75th birthday. The memory of St. Augustine's historic past is thus joined with the present-day ideal of Pan Americanism. This association of ideas fills me with enthusiasm, for it contains a profound truth.

In our present world, the nations of North, Central, and South America have resolved to present a common front against any challenge to the democratic ideals which have taken such firm root in our soil. We cannot agree to our inclusion in a heterogeneous "third world" of neutrals. We seek to be members of a great Atlantic community, the heirs and propagators of the great liberal tradition of Western civilization.

We do well to hold fast to our ancient past, as represented by St. Augustine and the exploits of those bold adventurers from Spain who, to our everlasting amazement, explored so great a part of the territory of the United States in a scant 50 years after the discovery. United and strengthened in our recollections of those brave deeds, we face the future with increased confidence.

The Organization of American States was founded to aid us in our resolve. In the name of our peoples we have proclaimed the moral and political principles that are to guide us in the work of civilization begun by our ancestors. We are convinced, as the charter of the Organization says, that the historic mission of America is to offer man a land of liberty, and a favorable environment for the development of his personality and the realization of his just ambitions.

Florida bears every mark of being created to serve inter-American communion. It forms a bridge between north and south, a ground provided by geography for meeting, for understanding, and for cultural interchange. Here Spanish mingles with English in a medley which may threaten the purity of both, but which serves admirably for increasing fraternization. The work of good will is splendidly promoted by the spirit of friendly cooperation evidenced both by the authorities and the people of the state. Commercial and social intercourse here encounters the most favorable of environments. The rapidly growing wealth of the state gives impulse to Latin American prosperity in addition to benefiting the United States.

I therefore salute this day the achievement of those men who in government, private industry, labor, the universities, and all sectors of the population have, by their efforts, transformed Florida into one of the splendors of civilization. This peninsula, in which the Spanish conquistadors discovered the germs of future greatness of a country to be, serves the Americans of today as a gateway to the heavens. Here the dreams of science become reality as man embarks upon the conquest of the universe. The cross traced on the sands by the Spanish explorer today is replaced by a cross drawn in the air by jets flashing in horizontal flight from continent to continent and rockets shooting vertically toward the reaches of outer space.

This, to my mind, is what Florida really represents—a new civilization, which offers man all the instruments needed for achieving his own happiness and that of his children, and for winning the battle for a lasting peace that will benefit all people of the earth.

The spirit of the OAS will always be present here, for the interests of the Organization are one with the ideals which have been so firmly implanted in this soil. Not far off our American brothers in other countries are laboring toward the same goals. To them we must lend a helping hand in their struggle for liberty. I am sure that this feeling is shared by the leaders of this State. With their cooperation and that of men throughout the Americas, our presence in Florida will be increasingly fruitful in benefits to mankind.

In our efforts to build a better future, we shall ever be guided by the remembrance of this city of St. Augustine, which forms so rich a portion of our heritage. For we shall recall that here was first implanted the civilization that binds Americans as brothers, and that here were first raised, on behalf of our continent, the prayers that unite man with God.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from Delaware and the distinguished Senator from Texas for yielding to me.

Mr. YARBOROUGH. Mr. President, I commend the distinguished senior Senator from Florida for the timeliness of his speech and for the condensation and the brevity of his remarks which covered so much in so few words.

CERTAIN INCREASES IN ANNUITIES PAYABLE FROM THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The Senate resumed the consideration of the bill (H.R. 8469) to provide certain increases in annuities payable from the Civil Service Retirement and Disability Fund, and for other purposes.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on the pending bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. YARBOROUGH. Mr. President, I yield 5 minutes to the distinguished Senator from Oklahoma.

Mr. KUCHEL. Mr. President, did we ask for the yeas and nays on a motion to recommit made by the distinguished senior Senator from Delaware?

Mr. WILLIAMS of Delaware. I did not make a motion to recommit. The yeas and nays were ordered on the passage of the bill. However, I am willing to make a motion to recommit.

Mr. YARBOROUGH. Mr. President, the Senator from Oklahoma is the chairman of the committee. I believe that we should first hear from the distinguished chairman of the committee.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONRONEY. Mr. President, have the yeas and nays been ordered on passage?

The PRESIDING OFFICER. The yeas and nays have been ordered.

The Senator from Oklahoma is recognized for 5 minutes.

Mr. MONRONEY. Mr. President, for 5 minutes I will express my wholehearted support of H.R. 8469. I also wish to express my sincere appreciation to the senior Senator from Texas for his leadership in guiding this important legislation through the Retirement Subcommittee and the full Committee on Post Office and Civil Service. Senator YARBOROUGH conducted 2 days of important and very informative public hearings on H.R. 8469. In our discussion of this bill in Committee, his knowledge of the subject matter was an invaluable aid to us all in coming to our decisions.

H.R. 8469 increases the annuities of our retired classified and postal employees. It revises the amendments made in 1962 to the Civil Service Retirement Act so that the administrative process of adjusting annuities according to the cost of living will work more effectively. Time has proven that the 1962 amendments were to a certain extent defective and did not fulfill the aims which Congress hoped for. We believe the change from an annual to a monthly basis for determining the cost-of-living increases will benefit both the retired employees and the Civil Service Commission which administers the program.

I am in complete agreement with the distinguished ranking minority member of the Committee on Post Office and Civil Service, the former chairman of the committee during the 83d Congress, that in fact this bill does not change the 3-percent formula for adjusting annuities. It is a case of Tweedledee or Tweedledum. The bill before us only changes the method of determining when these 3-percent adjustments shall be made. Present law requires determination on an annual basis; the bill before us requires a monthly determination. By changing to a monthly basis—a change which the administration approves—a more accurate and equitable system will be achieved.

I add my support to the committee's decision to delay any substantive changes in the Retirement Act until the Congress has an opportunity to study the results of the President's Committee on Federal Staff Retirement Plans. This special panel has held several days of public hearings this year and has heard the views of both employee organizations and experts in the field of retirement programs. There is no doubt that changes will be proposed in the Retirement Act to correct its deficiencies and improve its fiscal soundness. The chairman of the Civil Service Commission, the Honorable John W. Macy, Jr., assured the Retirement Subcommittee of that when he testified before them in August.

The survivor annuity provision of the act, which provided for an increase of 5 percent, was eliminated from the bill. The elimination of this provision affords a saving of approximately $58 million level cost over the years. In the 55th year, it is estimated that there would be a saving of $121 million. That provision was cut out of the bill, until we can give the matter further study. We have given this matter very careful attention.

There are several areas where improvements can be made. The survivor annuity provisions of the act for short-term employees are an area of major concern, both to the President's Committee and to the Senate committee. But I agree with the senior Senator from Texas and the decision of the full committee to defer action until the important evidence and conclusions of the President's Committee can be studied by Congress.

Finally, Mr. President, I wish to impress upon my colleagues that these are not mere figures with which we deal. "Cost-of-living percentage increases," "base months," "Consumer Price Index statistics"—all of these terms which go into the statutory language of the Civil Service Retirement Act, are by themselves cold and meaningless terms.

We are talking about people, human beings. These are the retired, aged, Federal employees who have worked many years, most of them during times when Federal salaries were far below salaries in private enterprise, and are now living on their retirement annuities and whatever other money, if any, they have.

Even today we are confronted with the problem of making salary adjustments that will afford comparability to Federal employees. Most Federal employees make less than comparable employees in private industry. The increases come late. There is always a time lag before the Federal employee receives a raise. We are talking about people who have to suffer the hard, grinding fact of the inflationary process, which continues to take place.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I yield 5 additional minutes to the Senator from Oklahoma.

Mr. MONRONEY. Ninety-seven percent of all surviving annuitants receive less than $200 a month.

I do not believe this is a time when Congress should find that annuitants who live on less than $200 a month are receiving a sufficient amount. It is not enough to live on in any decent standard.

H.R. 8469 would be a major progressive step to help these people.

I repeat, we have made this bill conform in large measure to the ideas of the administration. We have eliminated a provision in the bill passed by the House; namely, an increase of survivors' annuity benefits by 5 percent without additional payment on the part of the employee. Our action eliminates a severe drain that would have occurred with respect to the fund.

In regard to the cost-of-living increases, the 3-percent increase takes place over a 3-month period, instead of over a 12-month period. Actually, there is now a 15-month time lapse. This bill eliminates that time lag.

Nobody has noticed that the cost-of-living index has come down enough so that we would have to start worrying about de-escalation in future years. There is no record in our present history indicating that there will be a decrease in the cost of living.

The bill which the distinguished Senator from Texas has brought to the Senate is fair to the employee; it is fair to the retiree; and it is fair to the U.S. Government.

One can talk all he wants about building up the deficit in the civil service retirement fund. I grant Senators that if we killed the intake from the fund as of today, we would have the deficit that has been mentioned, some $40 billion, representing the acquired unfunded liability for which the fund is committed. Let me assure my colleagues that the Committee on Post Office and Civil Service will give this problem our most careful consideration next year. I repeat, there is no increase in the cost-of-living payment; there is involved merely a new method of determining when the adjustments shall be made.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I shall move to recommit the bill, but before making the motion I point out again that the President has appointed a commission to make a study and make recommendations not later than December 1.

We should postpone action here today until we get that report.

The unfunded liability of the retirement fund today is about $40 billion. Enactment of the bill would add another $1 billion to this unfunded liability. There is no provision with which to pay the cost of the benefits being authorized.

We cannot escape the fact that if these liberalized provisions are enacted they will have a mathematical effect of further depleting a fund that is already overdrawn. Every retiree will have his retirement computed under the higher formula, plus an increase of 2 percent, plus another increase of 6.5 percent, plus further increases of 3 percent every time there is a rise in the cost of living. All of these increases and no means to pay for them.

The bill would give Government employees, including ourselves, a built-in protection or a hedge against any inflation resulting from our own reckless spending.

There is merit to some parts of this bill, but the very least we can do is postpone action until after receipt of the report and recommendations from the President's Commission.

For that reason I move that the bill be recommitted.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I am willing to yield back my time on the motion.

The PRESIDING OFFICER. Who yields time?

Mr. YARBOROUGH. Mr. President, I yield back my time.

Mr. DIRKSEN. Mr. President, will the Senator withhold that request?

Mr. WILLIAMS of Delaware. I withhold my time, and yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, may I ask the Senator from Texas how this annual amount will be appropriated?

Mr. YARBOROUGH. The increase will be paid out of the retirement fund.

Mr. DIRKSEN. If we are to shove the fund deeper and deeper into the red—the statement has been made that the bill would increase withdrawals from the fund by over $1 billion—we add that much to all the unfunded liabilities.

In view of the fact that within 2 months a Cabinet Committee is to make its report on retirement for the civil establishment, it is the best reason I know of why the bill should go back to committee and why the motion to recommit should be sustained.

Mr. WILLIAMS of Delaware. Mr. President, I now yield back all time on my motion.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit made by the Senator from Delaware [Mr. WILLIAMS].

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Ohio [Mr. YOUNG], and the Senator from Louisiana [Mr. ELLENDER] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Maine [Mr. MUSKIE], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Maine [Mr. MUSKIE], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. MUNDT] is necessarily absent.

The Senator from New Hampshire [Mr. COTTON] is detained on official business and if present and voting would vote "nay."

The result was announced—yeas 20, nays 61, as follows:

[No. 250 Leg.]

YEAS—20

Aiken
Bennett
Cooper
Curtis
Dirksen
Dominick
Fannin
Hickenlooper
Holland
Hruska
Jordan, Idaho
Kuchel
Lausche
Murphy
Pearson
Prouty
Saltonstall
Simpson
Tower
Williams, Del.

NAYS—61

Allott
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Dodd
Douglas
Eastland
Ervin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—19

Anderson
Bartlett
Byrd, Va.
Church
Cotton
Ellender
Fulbright
Gore
Kennedy, Mass.
Kennedy, N.Y.
McCarthy
McGovern
Mundt
Muskie
Robertson
Russell, S.C.
Russell, Ga.
Smathers
Young, Ohio

So the motion of Mr. WILLIAMS of Delaware to recommit was rejected.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, the bill, H.R. 8469, has a very worthy purpose, to extend to retired annuitants formerly in the employ of the U.S. Government increased benefits to meet in some measure the increased cost of living, and I support that objective. But, as has become the practice in the last few years, the bill provides for increased payments but without any funds from which the Federal Government can make the payments over the years.

The trust fund from which payments are made and into which employees have paid their contributions or taxes from their earnings presently amounts to approximately $17 billion—a very large sum. Unfortunately, the Federal Government has not paid its full share required by law into this fund, and the deficit on an actuarial basis amounts to the staggering sum of over $40 billion. This means that if these payments are not made by the Federal Government, it will not be able to make the payments that it has promised to its beneficiaries, in anticipation of which they have paid into the fund a large percentage of their earnings.

If the pending bill is passed it would, as I have said, provide no funds for the payment of the increased benefits, and the deficit of over $40 billion would be increased by another billion dollars. But worst of all, as has been the case in recent years, the bill provides a windfall for Members of Congress. Those who are or become entitled to retirement benefits would immediately receive an increase of from 6 to 11 percent. Thereafter the cost-of-living increases in the amount of 3 percent calculated over a consecutive 3-month period would bring an increase but never below the initial percentage increase or any additional cost-of-living upward increases, thus locking in the changes that were included.

I voted for the motion to recommit the bill, for the purpose of having the committee strike from it these windfall benefits and to restrict it to the retirees who actually need the cost-of-living increases. This bill has been labeled as a bill for the retirees who need the increase, and it should be for them. This bill should also make provision for the Federal Government to pay the necessary amount for the increases in payments into the fund, so that the retirees who are to get the benefits will be assured of them.

Since the motion to recommit—a motion that would have brought the bill into accord with its advertised purpose to help those who need the increase—was defeated, I cannot vote for a bill which would provide benefits for some who do not need them now, which would not require the Government to make the additional payments necessary to fund the benefits, and which would increase the deficit to over $40 billion owed to cover all the benefits.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired.

The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. INOUYE. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Maine [Mr. MUSKIE], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from

Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from South Dakota [Mr. McGOVERN], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. MUNDT] is necessarily absent.

The Senator from New Hampshire [Mr. COTTON] is detained on official business, and, if present and voting, would vote "yea."

The result was announced—yeas 73, nays 10, as follows:

[No. 251 Leg.]

YEAS—73

Aiken
Allott
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Dodd
Douglas
Eastland
Ellender
Ervin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—10

Bennett
Cooper
Curtis
Dirksen
Dominick
Fannin
Hruska
Lausche
Simpson
Williams, Del.

NOT VOTING—17

Anderson
Bartlett
Byrd, Va.
Church
Cotton
Fulbright
Gore
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
McCarthy
McGovern
Mundt
Muskie
Robertson
Smathers
Young, Ohio

So the bill (H.R. 8469) was passed.

Mr. YARBOROUGH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President——

Mr. YARBOROUGH. Mr. President, will the Senator yield to me for 1 minute?

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. As the floor manager of the bill which has just passed, I express my appreciation for the skill, the aid, and the discussion from the distinguished majority leader and the chairman of the full committee, the distinguished senior Senator from Oklahoma [Mr. MONRONEY], as well as the aid from the ranking minority member of the committee, the distinguished senior Senator from Kansas [Mr. CARLSON], who made a notable contribution, both in the hearings and on the floor of the Senate.

I thank the distinguished members of the opposition for precisely stating their opposition and aiding in the passage of the bill.

I commend the distinguished minority leader and the distinguished senior Senator from Delaware for expediting the work of the Senate.

Mr. MANSFIELD. Mr. President, I want to take this opportunity to congratulate the participants in the debate on H.R. 8469, an act to provide certain increases in annuities payable to civil service retirement annuitants. The able senior Senator from Texas [Mr. YARBOROUGH], assisted by the distinguished senior Senator from Oklahoma [Mr. MONRONEY], managed this bill in a thorough and efficient fashion. Skillful debate and careful analysis were the tools of other participants in discussion of the bill on both sides of the aisle. I refer specifically to the senior Senator from Delaware [Mr. WILLIAMS] and the senior Senator from Ohio [Mr. LAUSCHE] who skillfully discussed the funding problems related to the annuity increases.

In short, it was a discussion of the typically high quality of this body, and I congratulate the Senate on passage of this measure of great significance to retired civil servants and to the country.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro; and

H.R. 3128. An act for the relief of Angelo Iannuzzi.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H.J. Res. 504) to facilitate the admission into the United States of certain aliens.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. FLOOD, Mr. MAHON, Mr. LAIRD, Mr. MICHEL, and Mr. BOW were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2853. An act to amend title 17, United States Code, with relation to the fees to be charged;

H.R. 7888. An act providing for the extension of patent numbered D–119,187;

H.R. 8917. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes;

H.R. 9545. An act providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy;

H.R. 9778. An act to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the Code;

H.R. 9867. An act to provide penalties for the use of the interstate route marker for commercial purposes;

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris;

H.R. 10206. An act to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended;

H.R. 10234. An act to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments;

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes; and

H.R. 10369. An act to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 2853. An act to amend title 17, United States Code, with relation to the fees to be charged;

H.R. 7888. An act providing for the extension of patent numbered D–119,187;

H.R. 9545. An act providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy;

H.R. 9778. An act to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code;

H.R. 9867. An act to provide penalties for the use of the interstate route marker for commercial purposes;

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris; and

H.R. 10369. An act to give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to enter into a compact providing for bus taxation proration and reciprocity; to the Committee on the Judiciary.

H.R. 8917. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10206. An act to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended; and

H.R. 10366. An act to establish the Mount Rogers National Recreation Area in the Jefferson National Forest in Virginia, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 10234. An act to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments; to the Committee on Armed Services.

LAW ENFORCEMENT ASSISTANCE ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 655, H.R. 8027.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8027) to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. HART. Mr. President, the bill now before the Senate, H.R. 8027, would provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime.

The bill is the culmination of some 4 years of effort. We find ourselves, at this point, on the eve, I hope, of passing the bill, due, in large part, to the concern voiced by the President in his crime message in March of this year. In that message he submitted a recommendation which is embodied in the bill now before the Senate.

The bill would bolster present training programs for local law enforcement and would support the development of new training methods. Fighting crime effectively under modern conditions and maintaining law and order requires professional police who are expertly trained in a variety of skills. The Federal Government now provides financial assistance for research and training in other professions—science, mathematics, foreign languages, medicine, nursing. Trained, professional law enforcement personnel are fully as essential to the preservation of our national health and strength—and are no less deserving of increased Federal support.

The bill provides also for Federal support for the development of improved methods of enforcing criminal laws and administering justice. For example, experiments might be undertaken with different kinds and intensity of police coverage in high crime districts in order to learn more about the effective allocation of manpower. The effectiveness of different communication and alarm studies might be studied. By pilot projects in the administration of justice, we may find ways of making the judicial process fairer and speedier and the correctional process more effective.

The dissemination of information about projects supported under the Law Enforcement Assistance Act will be of substantial value to other communities in designing their own crime control programs.

In short, the main purpose of the bill is to authorize the Attorney General to make grants for the training of State and local law enforcement personnel. It would be limited to a 3-year period, and it would authorize also the making of grants for projects designed to improve local law enforcement.

Nothing in the bill would authorize any Federal department or officer to supervise or control the organization of the operation or personnel of any State or local police force.

Section 7 of the bill expressly states that provision.

The Senate is indebted to the distinguished senior Senator from North Carolina [Mr. ERVIN], who presided at hearings for many days and developed a thorough record on which we now present to the Senate our recommendation for the passage of the bill.

Senator ERVIN was the chairman of a special committee created by the Committee on the Judiciary. I believe that those who take the time to go into the record made by that subcommittee will realize the sweep and scope of the broad support voiced for the legislation. Certainly I, who as early as 1961 introduced proposed legislation, as well as other Senators, are in his debt.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. MOSS. First, I commend the Senator from Michigan for his efforts, which I have been aware of for some time, in connection with the bill.

Does the bill in any way delegate authority so as to deprive local law enforcement officers of any of their jurisdiction and authority?

Mr. HART. The Senator from Utah himself has long been concerned with this problem and has introduced proposed legislation respecting the situation.

The answer to his question is "No." To insure that there is no misunderstanding, section 7 of the bill makes clear that nothing contained in the bill shall be construed to authorize Federal control or supervision over the organization, administration, or personnel of any State or local police force or other law enforcement agency.

Mr. MOSS. I appreciate the Senator's assurance that the bill in no way changes the traditional and longstanding provision of jurisdiction in our Federal Republic that law enforcement basically remains a local function in the hands of local authorities, community, city, or State, and that the proposed legislation is designed merely to aid and assist in the training and qualification of local law enforcement personnel to use the modern tools of detection in the field of law enforcement.

I believe that this is the place where Federal weight should be felt in assistance and in stimulating the kind of modern techniques that have been developed, but have been somewhat beyond the reach of some of the smaller jurisdictions for monetary and other reasons.

It seems to me that the bill has the genius of again giving assistance and offering incentives and aid to local law enforcement agencies without in any way changing their responsibility or delegating it in any way.

I commend the Senator from Michigan for his leadership in this field and express my strong support of the bill that is now before the Senate.

Mr. HART. I thank the Senator from Utah for the contributions he has made.

Mr. ERVIN. Mr. President, it may be that what I say may well induce the belief in the minds of some Senators that the Senator from Michigan and I are something of a mutual admiration society. I thank him for his most gracious statements concerning my conduct of the hearings as chairman of the ad hoc subcommittee which considered the pending bill.

Let me bear testimony, however, to the fact that the able and distinguished Senator from Michigan is the author of the bill and that we are indebted to him for bringing it to fruition. He deserves the thanks of the country for so doing, because he had a very large part in contacting persons in various areas of the country interested in the problem, and in assisting the subcommittee in bringing to the hearing outstanding experts in the field from all areas of the country and from all levels of law enforcement.

Mr. President, I have been interested in this field for many years. We have had a unique experience in North Carolina in this area. A college mate of mine, Albert Coates, who attended the University of North Carolina and also the Harvard Law School with me, conceived the idea many years ago of providing schools for the education of State and local officials on the duties of their offices and the procedures which they could use in the performance of those duties.

As a result of his efforts, the Institute of Government in Chapel Hill, N.C., came into existence, and for several decades has been conducting courses each year for State and local officials in North Carolina. Among its other activities, it has conducted schools in law enforcement for sheriffs, deputy sheriffs, and police officers, not only as to the duties of their offices, but also as to the best techniques for performing those duties. The institute also publishes many excellent and informative pamphlets, handbooks, and manuals which detail the newest laws, court decrees, and detection techniques for the benefit of local officers.

The Nation owes a great debt to Albert Coates for his pioneering, which has led to similar programs in other States and, now, to a national program.

Mr. President, the problem of police training was brought home to me in an emphatic way when I was a member of the Supreme Court of North Carolina. It fell to my lot to write an opinion on the question of whether a municipality in North Carolina had the implied power, under our statutes, to send law enforcement officers at taxpayers expense to the schools conducted by the Federal Bureau of Investigation. We had a statute which placed upon a municipality the duty of providing police officers to afford police protection to its citizens, but the statute was silent on the question of whether a municipality could use tax funds for the purpose of defraying the expenses of law enforcement officers at such schools.

I wrote the opinion, which was handed down by a divided court, to the effect that the duty which the statute imposed upon a municipality to afford police protection to its citizens embraced the implied power to use tax moneys to defray the necessary expenses of education of law enforcement officers.

It seemed to me that we could not make a good police officer merely by giving a man a uniform and a billy club and then turning him loose to perform duties concerning which he had little understanding, and requiring him to perform those duties in accordance with lawful procedures.

I believe that the pending bill represents a great forward step in the field of proper law enforcement in the United States. All of us are aware of the growing crime rate in the United States, and of the necessity not only of having law enforcement officers to protect society against criminals, but also of the necessity of instructing those law enforcement officers in respect to their duties, in respect to their powers, and in respect to the best techniques which have been developed for the performance of those duties and the exercise of those powers.

As chairman of the ad hoc subcommittee which considered the pending bill, introduced by the able and distinguished Senator from Michigan, for himself and other Senators interested in this field, I was struck by the fact that we had such a high quality of witnesses appearing before the subcommittee—as I say, from every level of law enforcement work in the Nation, and by the fact that they were unanimously of the opinion that the bill should be approved by Congress.

Therefore, I congratulate the Senator from Michigan and his associates who cosponsored the bill, for their work in introducing the bill and for their work in examining witnesses to justify the bill. I believe that this is a great forward step in the protection of society against those who would violate the laws of the land.

Mr. President, it is my understanding H.R. 8027 is a most important part of the administration's program. It is my opinion that it may be the most important part, for, as I have stated before, crime is one of the gravest problems facing the United States today; and the nationwide war on this front is as imperative as our continuing war on poverty and unemployment.

This Nation is in trouble, and our rising crime rate proves it. It is also clear that we do not know the answers and we must begin immediately to find them out.

It once was thought that the crime rate fluctuated in proportion to our prosperity—that during periods of recession more people are forced or wander over to the wrong side of the law because of their poverty and frustration. We know now that the maintenance of prosperity does not mean the reduction of crime. The Nation's last recession was in 1958; and in the 7 years of unparalleled prosperity that have elapsed since, crimes of violence have increased at a rate of almost six times that of the population. The overall crime rate increased 13 percent between the years 1963 and 1964. We are unfortunately lacking in the knowledge of both the causes of this increase and the means to combat it.

The problem is especially complex for Congress because of the limitations it faces in searching for solutions. We cannot and should not establish a Federal police force; we cannot and should not attempt to write, enforce, or interpret the laws of the States; and we cannot and should not dictate the methods and tools to those responsible at the State level. As the President stated in his message to Congress, "the principal enforcement responsibility still rests on State and local governments."

Therefore, we must continue to trust in the people of the States and the subdivisions of the States to find the means to protect their own lives and property. There are, however, methods by which we may provide them with the tools and training by which they can better exercise their responsibility.

For instance, the Federal Government can help develop and instruct in the most modern training techniques, detention devices and rehabilitation programs; and it can act as a clearing house so that information of the progress of one State is available to all. These are the only proper responsibilities of the Federal Government in this area, and, as I understand the bill, these are the responsibilities we seek to meet.

Mr. President, the $10 million we seek is indeed modest to meet the problem we face. In fact, I would say that it is the biggest bargain in our administration's budget. The importance, however, to the administration, the local enforcement officials around the country, and, most of all, to the American people we seek to protect must not be underestimated.

Mr. HART. I thank the Senator from North Carolina for his comments.

Mr. KUCHEL. Mr. President, the pending legislation is surely in the public interest and an excellent step forward with respect to improving relations between the Federal Government and the several States in the field of law enforcement. I look forward to voting for it, and to its speedy enactment into law. I congratulate the Senator from Michigan and other members of the Judiciary Committee which sent it to the Senate.

Earlier, I spoke at considerable length with the able Senator from Nebraska [Mr. HRUSKA] concerning the hopes which have been voiced by law enforcement officials in the State from which I come; namely, California, that the bill might be amended in order to provide that the advisory committee set up in the pending legislation include "practicing law enforcement officials" to the extent of half the membership.

I believe that the position which the Peace Officers Association of the State of California takes is likewise in the public interest. I voice some regret that the bill has not reflected a specific requirement that the Attorney General include "practicing law enforcement officials" in the selection of his advisory committee.

However, as the Senator from Nebraska has pointed out, the pending bill needs to be enacted into law with as much reasonable speed as possible. Under those circumstances, I feel somewhat constrained to enter into colloquy for a moment with the Senator in charge of the bill, in an effort to establish some legislative history.

Therefore, with that brief comment, I ask the Senator from Michigan whether, under the intention of the bill, as he understands it, and under the present wording of that section which clothes the Attorney General with the authority to appoint an advisory committee, the Attorney General would be acting in accordance with the terms and intent of the bill if he included "practicing law enforcement officials" among the several States and local governments as the case might be, as members to serve on such a committee?

Mr. HART. Mr. President, those of us concerned with the passage of the bill are very grateful for the attitude expressed by the Senator from California with respect to an amendment which he considered offering.

I believe that all of us share his concern that the Attorney General not undertake to discharge the mission that would be assigned him by this legislation by turning only to academicians. I am sure that the Attorney General will, insofar as those of us in Congress who have been involved in the development of this legislation are concerned, seek the counsel and enlist the assistance of men and women who are professionally trained in the field of law enforcement, specifically those men who know what it is to pound a beat or respond in the dead of night.

Surely, the authorization and direction given to the Attorney General under section 8, to create these advisory committees is, in the minds of Congress, a suggestion that he turn, if not first, surely among the first, to those who know the immediate problem best, and that would be the career policeman whose concern has been voiced to us through the Senator from California.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. HRUSKA. Mr. President, I join in the thoughts just expressed by the Senator from Michigan. I feel that the Attorney General will do at least two things in regard to the representation of police enforcement offices, law enforcement offices, in connection with the advisory committees. First, there will be representation on those committees. Second, I have an idea that the Attorney General, as he goes to work on the matter of implementing this act, will have probably two kinds of committees. One would be a national advisory committee, a guidance committee overall. The other would be probably either State or regional science committees. I have an idea and firm belief that the Attorney General will resort to enforcement officials to a very great degree, so that the desires of the California Peace Officers Association will be amply fulfilled.

I am grateful to the Senator from California for having refrained from pressing an amendment in this regard, to ask for any specific percentage of representatives on such committees. That would not be too well. It would make the process inflexible and a process that would probably work against the best interest of the legislation.

There would also be the matter of delaying this session of Congress, which we hope is drawing to a close. Were this bill to be returned to the House with a request for conference, the delay would be too long to get the measure enacted into law in this session.

I am sure that the inquiries of the Senator from California will be fully responded to by the Attorney General within the framework of the questions proposed.

Mr. KUCHEL. Mr. President, I express my enthusiastic thanks to the distinguished Senator from Nebraska [Mr. HRUSKA] and to the distinguished junior Senator from Michigan [Mr. HART].

I also believe that a useful purpose has been served in this colloquy to indicate the basic intention by which, when this bill will become law—and it surely will—regard will be given by the Attorney General to the field of professional law enforcement officers in choosing those groups to help him and to guide him. I thank both Senators very much.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a letter from the president of the Peace Officers Association of the State of California, addressed to me under date of July 7, 1965, and a letter addressed to me under date of August 20, 1965, by the distinguished Representative from the 38th District, Hon. JOHN V. TUNNEY, which encloses a letter to him from Sheriff Ben Clark of Riverside County in the State of California.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE PEACE OFFICERS' ASSOCIATION
OF THE STATE OF CALIFORNIA, INC.,
Sacramento, Calif., July 7, 1965.

Hon. THOMAS H. KUCHEL,
Anaheim, Calif.

DEAR SENATOR KUCHEL: As you know, the California Peace Officers' Association, with a membership in excess of 7,000 lawmen, has continuously led the drive to further professionalize law enforcement throughout the State of California. Past accomplishments are a matter of record, and include the establishment of the Peace Officers Standards and Training Commission, which is now utilized as a model in many States throughout the Nation. Other programs include current development of record automation systems which will revolutionize many aspects of our work. In light of President Johnson's message on March 8, 1965, in which he expressed grave concern over the rising crime problem, we were all most pleased over the introduction of H.R. 6508.

We feel this bill, which deals with Federal assistance to local law enforcement agencies, is deserving of the highest praise and support. We do, however, feel that in order to strengthen the ability of the bill to produce concrete and lasting results of a positive nature, that section 8(a)(1) should be reworded or amended in the following manner:

"Section 8(a)(1). The Attorney General shall appoint an advisory committee to: Advise him in connection with the administration of this Act as he deems necessary; and establish criteria under section 5(b). The committee shall be composed of at least 50 percent practicing law enforcement officials."

This bill has been reviewed in its entirety by several of our association's subcommittees, as well as our executive committee. We feel that the change will assist in the development of positive programs with a lower outlay in monetary expenditures. The combined experience of law enforcement in this and other States, coupled with our desire to further professionalize the administration of criminal justice throughout the land should, in our opinion, be given forceful and practical recognition in the composition of the advisory committee.

California, as the Nation's most populous State, should be well represented on the President's Commission, and we would strongly support the appointment of the executive officer of the Commission on Peace Officers Standards and Training in California.

We sincerely hope that you will be able to assist us in obtaining the desired change in section 8, and in securing a seat on the President's Commission. Should you desire further information, please do not hesitate to contact us.

Sincerely,

PETER J. PITCHESS,
President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 20, 1965.

The Honorable THOMAS KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: At the present time, a bill to assist law enforcement officers is pending before the Senate Judiciary Committee.

Riverside County Sheriff Ben Clark has requested an amendment to the bill. I introduced a bill in the House incorporating his amendment, a copy of which is enclosed. Unfortunately the background information from Sheriff Clark arrived the day after the law enforcement bill passed the House.

The information in Sheriff Clark's letter, I believe clearly supports the inclusion of this amendment in the bill. I hope that after studying the amendment and the supporting information, you will lend your support to it both before the committee and when the bill reaches the floor of the Senate.

Thanking you for your consideration on this matter, I am

Sincerely,

JOHN V. TUNNEY,
Member of Congress.

JULY 28, 1965.

Re H.R. 6508; H.R. 9784.

JOHN V. TUNNEY,
Congressman, 38th California District,
Washington, D.C.

DEAR JOHN: I'm sorry I didn't get to talk to you last Saturday at the parade in Rubidoux but Mollie, the kids and I were back a ways in the parade.

You asked in your last letter, June 11, regarding the Law Enforcement Assistance Act to give you some information supporting our stand in changing section 8(a)(1) in 6508. When I received your letter I also received the material from the association that was sent to the California delegation and Governor Brown, plus I understood that the amendment was being introduced. A week or so ago I received a copy of 9784 where the change was made in section 8(a)(1). Now 9784 is in the form which I think will do the most good. Consequently, the comments here are in support of 9784. It is my understanding there will be a hearing on this in the next 10 days.

Today there is great concern in our society about the increase in the crime rate. From available figures we see that the crime incidence is outstripping the population growth each year. Over this same period of time there has been a more permissive attitude taken toward society from the cradle to the grave. The family unit is more permissive as well as most other forms of authority or discipline. The courts and treatment of offenders has become more permissive. Most of this changing attitude has its root in the "new" ideas advanced by sociologists and criminologists. The psychiatrist and psychologist has also gotten into the picture justifying this type of permissiveness.

Now that the crime rate has continued to climb, we find the sociologist and criminologist telling society, "don't become alarmed, we've always had crime and truly it is no greater today than in the past." They produce stories dating back 100 years to illustrate their points. Now, my feeling is that they are fighting for their very existence because in the past 10 to 20 years, we've been following their dictates and still crime increases so this in a way means they possibly were wrong.

It's good to see that the majority of people are genuinely concerned and want to take some action. It's good to see the leadership taken by the President. In his March 8 speech the President left little to the imagination on his feeling and the need for action now. Again on July 16, in a speech he reaffirmed his feeling and enlarged upon it by including his thought about the permissiveness of the courts and treatment offered.

These statements have provided the backing to law enforcement. We have contended for a long time that we were losing the battle against crime in our society. Now with this backing and the availability of a Federal program research can be undertaken, that is why H.R. 9784 would be of help to active law enforcement officials.

In its original form H.R. 6508, the idea was good but it lacked one (the most important) point—control. Not control over the Department of Justice, but rather over the program. Active and practicing law enforcement officials have had ideas about research in the criminal field for years but one of two things usually prevailed—lack of money to conduct the research or lack of interest by those who could have helped law enforcement.

Now if 9784 will pass and section 8(a)(1) is adhered to, the research can take place. It is important that those in the practicing field participate to draw up the criteria for the program. As I see it, we are after two major things in an effort to help stem this problem of crime: Improve the quality of police and find new ways to attack the problem whether it pertains to adult or juvenile.

In the first instance California has devised a plan for improving the quality of the police in its Peace Officer Standards and Training Act. This has been copied and is still being copied all over the United States. In this program, the law enforcement administrator sets up the program in the State. This was a law enforcement idea which proves that the administrator knows what needs to be done if he is provided the necessary financial and legal backing. Our program is a standardized program which now boasts of having over 97 percent of the residents of California being policed by men who have completed the program. This has really improved the quality of the police in California because men are selected on a higher standard and trained on a higher standard. I've enclosed the law that covers this program. We are still adding to the administration code on the program which is the real criteria for standardization.

Secondly, law enforcement has taken many steps in research where the backing is provided. Our department has a program underway now in the area of treatment for the checkwriter. It is a research program that could prove beneficial and be adopted in the entire State. Governor Brown has mentioned the program several times and has given the green light to the department of corrections, adult authority, and division of paroles. In the program, a man convicted of forging checks would not be sent to State prison but would be sentenced to the county jail where he would be a work furlough prisoner. He would remain employed, support his family, pay his board and room to the county, and make restitution to the victim. The sheriff would be the administrator of all his earnings and make the distribution. The man would be in custody all of the hours he was not gainfully employed.

When law enforcement is provided the backing, either locally, at the State or Federal level, things can and are being accomplished. With this Federal legislation and backing by the President active law enforcement can come up with answers to societies No. 1 problem—the crime incidence.

John, I hope that this statement is brief enough but not too brief. I feel strongly about the need for something to be done and hope we can have a part in seeing that it is accomplished.

Sincerely,

BEN CLARK,
Sheriff.

Mr. HRUSKA. Mr. President, this bill received very thorough inquiry on a very high level, and a very competent level so far as witnesses are concerned.

The Senator from North Carolina [Mr. ERVIN] presided with his usual efficiency and usual penetrating questions and understanding of the overall problem.

After all, in this business of crime, which is perhaps the No. 1 problem in America today domestically, we have the situation of the ordinary policeman and the law enforcement officer who has to be a combination of many things. He not only has to be an arresting officer, but he also has to be possessed of some knowledge of the law, have some attributes of a judge, a sociologist, a neighborhood counselor, and perhaps a parole officer. Most of these fields are highly technical. If he guesses wrong, there are technicalities that are asserted against him, not only by counsel for the defendant, but also far too frequently, and in the judgment of some, to too great a degree, by the man or woman who occupies the bench.

We will make an effort to provide the training that would withstand the onslaught of this type of thing which would not result in the best treatment of the problem of the apprehension of criminals and the prevention of crime, for which this bill is designed and which it has as its purpose.

Mr. President, there is one portion of the Law Enforcement Act, and particularly our committee's report on the bill, which merits special attention.

The committee, on my motion, has recommended that the Attorney General undertake a broadscale research effort to uncover the root causes of crime and to seek remedies to the crime problem.

The suggestion grew out of a conviction that crime in America is fast becoming our No. 1 domestic problem, if, indeed, it has not already attained that status. Our efforts at combating crime have been fragmented, uncoordinated, and, I fear, unimaginative.

What is required, and what the Judiciary Committee is recommending in its report, is "an approach that is not limited in its scope, that is not parochial in its frame of reference, and which will venture beyond the reach of conventional reactions to increasingly difficult problems that demand a degree of sophistication and innovation not yet found in legal and social scholarship and literature."

In short, Mr. President, it is our contention that the crime problem demands the same kind of research techniques and priorities which we have assigned to our defense effort, the space programs, and the battle against disease and illness.

Consider the spectacular successes in these fields and how they contrast with our growing failure even to cope with the crime problem, let alone overcome it. Each half year, the reports of the Federal Bureau of Investigation graphically describe how society is losing the fight against crime. Last year there was a 13-percent increase in serious crimes in the Nation. During the first half of this year, another 5-percent increase was recorded. Unless we reverse, or at least modify, this trend, our society is threatened with breakdown.

The proposal that the Department of Justice undertake such a wide-ranging study of crime in all its forms, was discussed with Attorney General Katzenbach. He has written to me:

> The program you outlined is an awesome one, but I agree that present conditions and our present capabilities make it necessary and possible.

It has been my belief, Mr. President, that the crime problem lends itself to solution by modern research techniques including operations research, systems analysis, and electronic computers. This belief has been fortified in the past few weeks by conversations with skilled professionals in the scientific and law enforcement communities.

Surely a government which spends on the order of $15 billion a year on research projects ranging from putting a man on the moon to a search for a cure for the common cold, can place some part of its efforts in the battle against the growing menace of lawlessness.

What can we expect for our investment in such a research effort? We can hope that there will be two separate but closely related benefits: A deterrence of criminal activity and a strengthening of existing law enforcement processes. These research benefits, when diligently applied, will have a significant impact on the growing crime rate.

CRIME IS A NATIONAL PROBLEM

Crime does not adhere to, or respect, political or jurisdictional boundaries. Yet, our system of law enforcement and criminal justice is composed of many different organizations with an accompanying diffusion of responsibility. Because of the very real boundaries, the research activity in the study of the causes of crime, crime prevention, crime containment, criminal apprehension and correction, has all traditionally operated within severe limits. As a result we have not approached a national problem with national resources.

Further, a great deal of research activity is addressed to in-depth analyses of problems and conditions which form only a part of the overall problem. This kind of research has produced beneficial results for society, but only for a portion of our administration of criminal justice system. Research in juvenile delinquency, court processes, law enforcement communications methods, crime prevention, poverty and welfare programs, correctional rehabilitation, vocational training, and so forth, need to be viewed as parts of the overall structure in a national war against crime, not as ends in themselves.

The unfortunate result of piecemeal research and development methods, whether oriented toward geographic or political boundaries or conducted within the framework of a particular discipline such as corrections, law enforcement, social welfare, and so forth, is that such programs usually produce short-term gains or narrowly confined benefits.

The question arises as to whether or not products of this kind of research are even communicated outside the jurisdiction or professional framework in which they originated. Similarly, there appears to be little transfer of information into these disciplines from other areas. Many of the recent advances in technology outside of criminal justice must surely have application to problem solving and operations in countering crime and its causes.

SIMILAR LARGE-SCALE PROBLEMS

When faced with other national tasks of enormous scope such as protection against enemy attack, gathering of strategic intelligence, broad-scale medical research, or the exploration of space, we initiate national programs employing the concept of interdisciplinary research and development. Within this framework, brain power in many fields of endeavor is focused on large-scale, complex problems.

In military command and control, various research and development projects are in process which will make strategic information available for use in command posts both centrally and remotely located. Such systems consist of intelligence, logistics, and communications data in addition to the forces and resources available.

These hundreds of thousands of items are referenced and cross-referenced to enable automatic integration of related items from this huge quantity of data. Methods of storing and retrieving information from these sources in time relevant to their usefulness to commanders are being developed by teams of researchers from all scientific disciplines.

Equipment for analyzing, communicating, and displaying this data is readily available. Armed Forces Management for July 1965 states that the equipment is not the problem but rather it is the analysis of the needs of the users in their decisionmaking.

Thus, the research and development in support of law enforcement efforts will find much upon which to draw from the basic work already completed by military and other operations analysis.

If we can use modern methods in finding the best way to provide a defense from foreign threats, surely they can help us in providing a defense from a clear and present domestic danger.

We need to launch a national long-term program of research in law enforcement and criminal justice, utilizing the concept of the interdisciplinary approach. The fragmentary efforts thus far employed must be consolidated and the scientific resources found outside the justice area must be applied. Such a program must also recognize the absolute necessity to preserve our constitutional form of government.

PLAN FOR A NATIONWIDE STUDY

The ultimate objective of any long-range effort in law enforcement and criminal justice is to bolster the operations of our society within a rule of law. In practical terms, this means we must control the level and intensity of crime to some acceptable limit. The definition of what is acceptable can come only after we examine the magnitude of the problem and what resources are available to us to solve it.

In the past, there have been three general recommendations made to solve the crime problem. The first and most obvious one is to improve the administration of justice system itself. A second, which is now being explicitly attacked at the Federal level, is to improve the social and economic health of our citizens. A third is to in some way influence "for the better" the values held by those elements of our society most disruptive to peace and stability. All three of these approaches operate on certain implicit assumptions related to the causes of crime. For example, in the administration of justice, we talk of rehabilitation of offenders, and deterrence of crime by more effective law enforcement and prosecution. In the improvement of social and economic conditions, we seek better housing and more jobs to reduce the amount of crime in depressed areas. And with respect to value structures, we express beliefs that those individuals committing crimes are immoral and have not been socialized to the extent that more responsible citizens have.

These assumptions may or may not be valid. But even if they are, they represent only simplified summaries of the overall problem and do not greatly assist in choosing specific actions to improve the administration of justice, for example. There are many different possible solutions that in our present state of knowledge cannot be properly evaluated. The same is true for the other two areas I mentioned.

It seems clear, then that the first order of business is to understand more properly what is the crime problem. While there are many statistical summaries available, these do not get at the root causes of crime, nor do they really adequately describe the details upon which one would build a more comprehensive understanding. For example, we should know in more detail what crimes we are talking about, what they are costing the public both in terms of property and lives lost, as well as public agency funds. Who are the people who commit crimes? What are their characteristics? Who are the people affected by crimes? Why do people commit crimes? What are the attitudes of these people? What are their values? What are their social, economic, and psychological conditions? The data available to us today cannot begin to describe the interaction of all of these causes which seemingly contribute to the crime problem.

Following this intensive description of the crime problem, we would be in a position to evaluate various steps that can be taken in improving justice administration, social-economic conditions, and values. It should be emphasized here that a nationwide program should not terminate in a new theory. The steps proposed as solutions to the crime problem should be tested on some pilot basis before they are implemented on the nationwide scene. But we should be careful not to expect such results until we have a hard, unbiased look at the root causes of crime.

BUILDING A MODEL

The next step might well be to build what the research technicians describe as a model. Modeling is a technique by which a series of interrelated activities is simulated in a manner which approximates their functioning in the real world. Stated another way, it is an attempt to get the real world down on paper—or into an electronic computer—so that it can be worked with.

Thus far, unhappily, crime research has for the most part been comprised of many unrelated fragments. There has been no attempt to identify, much less analyze, the "crime system."

By building models, the scientists can incorporate both existing information and information derived from ongoing research and thus determine significant relationships among activities related to crime which are currently unknown, or not well understood.

A nationwide study, therefore, would address this problem on a systematic and interdisciplinary basis. This is not a short-term, ad hoc committee-type study. This problem is deep; the gathering of data is a long-term effort, and its evaluation and analysis will require our Nation's greatest brain power and its best technology.

As noted earlier, these problems have usually been dealt with independently by criminologists, psychologists, sociologists, lawyers, social workers, probation and parole officers, police officers, data processing specialists, and so forth.

We need a team approach to this effort, drawing members from many disciplines to work together instead of apart.

BROAD RESEARCH PLAN

A systematic program would envision a broad research plan including the following:

First. The development of a long-term research effort, with appropriate phasing of activities over time.

Second. The division of the overall research effort into a number of manageable and meaningful research projects, consistent with the overall plan.

Third. The establishment of research priorities to guide funding and manpower allocation. This will permit the focusing of research effort where it is most needed.

Fourth. The systematic exploration of alternative techniques for the resolution of existing problems.

Fifth. The regular review of ongoing research so that progress can be determined and necessary reallocation of resources can take place.

We should not necessarily expect immediate results from such an activity. In fact, we should view this as taking place concurrently with some of the short term approaches to specific problems. Some of those short term approaches, however, may indeed be forthcoming during this long-range effort. It is generally the experience in such endeavors that areas for fruitful immediate efforts are uncovered as the analysis proceeds. But the real value lies in the long-term benefits.

SUMMARY

In summary, Mr. President, crime must be recognized as an extremely important national problem which either directly or indirectly touches the lives of 195 million American citizens.

We cannot afford the luxury of merely talking about crime. What is required is vigorous and imaginative action. It is noted that the President's Commission on Law Enforcement and Administration of Justice is meeting for the first time today. This is a panel of eminently qualified experts. Their work will be a significant contribution to our efforts to combat crime.

But, Mr. President, no group of experts, no matter how skilled or how well intentioned, who gather occasionally in Washington to discuss the problem, can be a substitute for a substantial research effort where fact supplants supposition and certainty overcomes intuition.

The Attorney General, in his letter to me, noted that the bill we are considering today, the Law Enforcement Assistance Act of 1965, "will provide additional support for what we hope will become a major commitment by this administration to solving the difficult problems we face in this field."

Mr. President, this bill enables this Nation to make a start—only a start—toward bringing to bear upon the crime problem the same kind of scientific and technological know-how that has proved so dramatically effective in our space, defense, and medical research.

Mr. MOSS. Mr. President, the bill on which we are about to vote is similar to S. 1792, which I introduced in the Senate several weeks ago. The bill authorizes $10 million to be used by the Attorney General to foster programs for professional training for peace officers, court officials, and those charged with the responsibility of operating and maintaining correctional institutions.

The Nation's crime picture is not pleasant. As President Johnson said recently in a message to Congress: "Crime has become a malignant enemy in America's midst."

The president of the American Bar Association, Mr. Lewis Powell, has stated that "Crime is our country's No. 1 domestic problem."

I share these views.

Every category of crime statistics increased last year. Crime increased in every region of our country, with the Nation's suburbs experiencing the sharpest rise.

To bring these statistics back down, we must embark on several fronts of action. First, we do not have enough police officers. The average strength of 1.7 officers per 1,000 population has remained unchanged the past 7 years despite a 58-percent rise in crime during that same period.

Next, we must provide greater professionalism of each and every enforcement officer who is issued a badge and gun and put on the frontline.

But, additional police personnel and facilities alone will not automatically increase efficiency and decrease crime. Even if successful recruiting efforts swell the ranks of uniformed officers, organizational policies and procedures must be blended into more effective police departments.

There is a great amount of information now available, but the rank-and-file police officer cannot get this added knowledge because there are not enough facilities at work to transmit the information into the field. The hundreds of police departments in the Natoin can barely keep up with the number of calls for assistance they now receive, let alone finding new ways and means continually to train their patrolmen in the latest methods of crime detection and prevention.

Even the simple notification of one police jurisdiction by another of the movement of known criminals would have a beneficial effect. Regrettably, this is not always possible. Along with training for police officers, we must have courts which are updated and equipped with the latest knowledge and techniques. The bill now before us will provide court-related programs to increase the efficiency and improve court-police-community relationships.

Finally, if we do have better police officers and better courts, what do we do with the felons who are confined in institutions to serve their time?

Without the third phase of the programs contemplated by this bill, that of better training and qualification of corrective personnel, the police and courts will be restrained in their efforts to effectively halt the shocking increase in crime.

Mr. President, as a former judge and a former prosecutor, I have experienced working with the problems of crime and disobedience of the law and I have learned from that experience that if one element of law enforcement breaks down, the others are seriously retarded in their efforts to fulfill their lawful responsibilities.

The Law Enforcement Assistance Act of 1965 provides an imaginative step toward helping our local law enforcement officers in their overwhelming battle against professional criminals. We must not forget that crime prevention must also be directed toward the youngest level of our population. This bill will provide the necessary direction toward realizing this goal.

There are many regions in the Nation which will benefit from this bill. In Utah, the Utah Peace Officers Association has been working on plans for a State police academy. The academy would be operated for all officers, from recruit to commander, and would provide training in all phases of crime detection, prevention, and police administration. Too often, the officer is issued the necessary equipment and told to patrol a beat, with little or no effort made to give him adequate training for his own protection and for the protection of the public.

Mr. President, I ask that this bill be given swift approval and be sent to the President for his signature so that not a moment's time will be lost in regaining the ground lost to the criminal and hoodlum.

Mr. TYDINGS. Mr. President, I take this opportunity to commend the distinguished Senator from North Carolina [Mr. ERVIN] for his expeditious and thorough handling of the pending legislation before the Senate at this time. He was the chairman of the special subcommittee that considered this bill. It was a privilege to serve with him.

I also wish to take this opportunity to commend the distinguished Senator from Nebraska [Mr. HRUSKA]. Some weeks ago I was privileged to take part in a television panel with the Senator from Nebraska [Mr. HRUSKA], in which he discussed at some length, and with great perception, the causes and prevention of crime. He comes from a State which is singularly free from crime. His devotion to a solution of a national problem is therefore especially commendable.

This is an area, also, in which the distinguished junior Senator from Michigan [Mr. HART] has labored in the vineyard for many years.

There are many avenues to solving the crime problem, but the immediate deterrence of violence and crime on the street can be accomplished only by the individual or enforcement officer. It is he who deters the act of violence, and only he.

The proposed legislation, which extends assistance to local and State law enforcement agencies, provides for study and development of new techniques, new practices, and new ideas, which I think can lend a great deal in the solution of the overall crime problem.

I ask unanimous consent that at this point in the RECORD there be printed a letter from the Attorney General to Senator ERVIN, chairman of our subcommittee in response to a question I raised with the Attorney General, during the hearings, and also an exchange of correspondence between the distinguished Senator from Nebraska [Mr. HRUSKA] and the Attorney General.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., August 17, 1965.

Re Law Enforcement Assistance Act (H.R. 6508).

Hon. SAM J. ERVIN, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR ERVIN: This letter is written in response to the inquiry of Senator TYDINGS concerning the plans of the Department of Justice with respect to the following facets of the administration of the proposed Law Enforcement Assistance Act of 1965:

1. The rank of the official in the Department who will be in charge of the administration of the act.

2. Whether a Science Advisory Committee will be named for the purpose of advising the Attorney General and the Administrator of the act on advances in the physical and communication sciences which could produce new police techniques of crime detection and prevention, and for improving liaison between physical scientists and law enforcement agencies.

While I have not yet designated anyone to be in charge of the administration of the act, I plan to name that person shortly. He will function directly under me, will report to me, and will have all the authority which he needs to obtain assistance from all divisions of the Department. Working with him will be a committee which I shall name from within the Department drawn from the Criminal Division, the Federal Bureau of Investigation, the Bureau of Prisons, and any other divisions which can by reason of their particular knowledge and operations contribute to furthering the purposes of the act. As you know, we attach great importance to this law, and I assure you we regard proper administration and implementation of it as a matter of urgent priority.

With respect to the naming of a Science Advisory Committee, I plan to have one or more such committees named. I believe that much can be accomplished by proper utilization of all available data on scientific and technological advances in criminology and law enforcement. I think, too, that we must encourage further such developments so that the most current information and modern techniques can be made available on a continuing basis to law enforcement officials throughout the country.

I appreciate the opportunity to provide this response to Senator TYDINGS' inquiry and will be glad to furnish any further information which you may desire.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,
Attorney General.

U.S. Senate,
August 19, 1965.

Hon. Nicholas deB. Katzenbach,
Attorney General,
Washington, D.C.

Dear Mr. Attorney General: Like you, I have become increasingly concerned in recent weeks about the alarming rise in America's crime rate.

It seems to me that until now we have not brought to bear on the problem the scientific research techniques which are available to us. This Government spends on the order of $15 billion a year on research projects ranging from finding a cure for the common cold to putting a man on the moon. Surely, some part of this effort can be placed into the battle against crime.

It is my conviction that the crime problem lends itself to solution by modern research techniques including computer analyses and operations research methods. The trouble, perhaps, is that until now we have fragmented our approach.

Accordingly, I would welcome your reaction to a suggestion that the Department of Justice, in cooperation with the National Science Foundation, undertake a broad-scale research activity to uncover the root causes of crime, improve law enforcement at the local, State, and National levels, and to improve the administration of justice at these levels.

For some time, it has been my feeling that the task of law enforcement agencies is really not much different from that of our military forces; namely, to deter crime before it occurs, just as our military objective is deterrence of aggression.

It is suggested that the whole gamut of crime-related problems be studied, from the possible breakdown of moral values, to juvenile delinquency, to the effect on law enforcement of court decisions that seem to handcuff police and prosecutors.

Such a study, it seems to me, is too important to be left to the welfare workers any more than it should be left to the psychologists, the police, the criminologists, or any other group of specialists. Each of these disciplines, and many others, have something to offer.

But what is necessary, it seems, is an approach that is not limited in its scope, that is not parochial in its frame of reference, and is willing to look beyond the reach of conventional reactions to increasingly difficult problems that demand a degree of sophistication not found in the legal and social scholarship of 100 or even 10 years ago.

With kind personal regards.

Sincerely,

Roman L. Hruska,
U.S. Senator from Nebraska.

Office of the Attorney General,
Washington, D.C., August 25, 1965.

Hon. Roman L. Hruska,
U.S. Senate, Washington, D.C.

Dear Senator Hruska: Thank you for your letter of August 19 concerning the desirability of a broad-scale inquiry into the causes and means of the prevention of crime. The program you outlined is an awesome one, but I agree that present conditions and our present capabilities make it necessary and possible.

The President recently appointed a Commission on Law Enforcement and Administration of Justice, which will report in 17 months. As Chairman of that Commission, I would hope that we could achieve some of what you ask. In addition, the House has passed and the Senate is now considering the Law Enforcement Assistance Act, which will provide funds for research, demonstration projects, and training in law enforcement, corrections, and the administration of criminal justice. This will provide additional support for what we hope will become a major commitment by this administration to solving the difficult problems we face in this field.

I look forward to seeing you Wednesday.

Sincerely,

Nicholas deB. Katzenbach,
Attorney General.

Mr. TYDINGS. Mr. President, I made that request because the correspondence points up a general agreement among all concerned that scientific research can be immediately helpful to law enforcement officers all over the country. For example, scientific research should be able to help us solve the problem involved when a police officer, in making an arrest, faces resistence or assault. That police officer should have available to him some other means of making an arrest than a revolver. I do not think a great deal of technical expertise would be required to develop some means to anesthesize a person in order to make an arrest. It is done to animals to quiet them. When there are problems of an explosive civil rights situation, for example, it would be far better and far more effective if a police officer did not have to resort to a deadly weapon in order to make an arrest.

Similarly, there is the possibility of utilizing scientific methods of organizing and assimilating facts which would help the police to spot trouble in a particular area before it occurred. This type of scientific aid has been used in Chicago by the commissioner of police, Mr. Wilson. He is able to determine, through the use of computers and other techniques, minute to minute changes on the pattern of events or crime in a certain area or ward in a great city like Chicago. He can then dispatch his men to meet the problem. It is interesting to note that that modern technique, practices, and scientific advances seem to have a beneficial effect. Chicago is one of the few great cities which not only has had no increase in the crime rate in the last several years, but, surprisingly enough, has had a reduction in the crime rate.

For many years, all thoughtful Americans have been disturbed by the mounting crime statistics and the evidence of an increased tempo of serious crime. We read daily of heinous crimes that chill our spines and make us realize that none of us, or our loved ones, are safe. We know that our youth, particularly in our large cities, are increasingly prone to criminal activity, even brutal and sometimes fatal crimes. The steady, upward trend in individual acts of violence has been with us for many years—at least since World War II. This trend is serious, indeed alarming, in its implications for a safe and ordered society, and many consider it one of the gravest of our domestic problems.

In recent years another type of antisocial behavior has also become a problem of national concern. I refer to the deadly virus of civil disturbances. The virus has spread with unparalleled virulence from Rochester to Watts, from Harlem to South Side Chicago. Its causes are fear, anger, bitterness, and frustration. Its symptoms are violence, with the usual complications of looting, mayhem, and death.

These two violent and tragic phenomena; increased individual crime and widespread civil disorder both call for increased and improved law enforcement. There is no more urgent domestic problem today than the control of crime and the elimination of rioting of the types that have occurred in Rochester, Watts, and other areas.

The protection of life and property is a primary purpose of any political community. Without it, no political community can last. Of what use is it to go to the moon, if we cannot walk our city streets in safety? Of what use is it to improve our highways, hospitals, and recreation facilities if our homes are not secure? The control of crime and violence must be a number one national priority.

The bill before us is an important step which recognizes the role of the Federal Government in the control of crime and violence. The Law Enforcement Assistance Act of 1965, which I had the honor to cosponsor will authorize the Attorney General to, first, make grants to local agencies and nonprofit organizations to establish or improve programs and facilities for training law enforcement personnel; second, make grants to similar agencies for demonstration projects designed to develop new methods for improving law enforcement, and three, make studies of law enforcement organization, techniques, and practices.

The quality of law and order in a society is no better than the knowledge and judgment of those who administer the law. This applies to every law enforcement official, from the police officer on the beat to Chief Justice of the United States; from the prison guard to the Attorney General. Indeed, I believe today that the neighborhood policeman and the desk sergeant can do more to improve or destroy respect for law and order than can the Supreme Court. Very few citizens come into contact with any courts, let alone with the Supreme Court, but very few citizens fail to come into contact with the police at one time or another. To most citizens, and especially to most law breakers, the policeman is law enforcement personified. The day-to-day behavior of the police is of unequalled importance in formulating a fair and effective pattern of law enforcement.

Unfortunately, our police forces have, in too many instances, simply not been adequate to meet the demands which the increased crime and civil violence over this country have placed upon them. I do not say this disparagingly of the police. There is on the whole, no finer, more dedicated group of public servants in the little towns and great cities of our Nation. They work impossible hours, under extremely hazardous conditions for wholly inadequate compensation and without even the public support and recognition that they deserve and need.

It is our fault, as citizens, that we have not provided our police departments with the public and financial support they need to recruit, train, and retain the highest caliber personnel. By and large, we have been better served by our police than we have any right to expect. But the fact remains that many of our police departments need to be reformed to meet the challenges of law enforcement in today's cities.

It is not surprising that changes are required, for the role of the policeman has been radically altered in the last quarter century, in at least four major ways.

First, there has been a tremendous increase in the urbanization of the country. In 1930, urban areas had over 112 million inhabitants who made up almost 63 percent of the total population of the country. This urbanization has changed the policeman's role from one of simple peacekeeper to one in which he must perform, in the words of Judge George Edwards, of the Sixth U.S. Circuit Court of Appeals, "with the concern of a social worker, the wisdom of a Solomon, and the prompt courage of a combat soldier."

Second, recent Supreme Court rulings have emphasized constitutionally protected rights by curbing the latitude of permissible police activity. These rulings have not, as has often been claimed, been the reason for the increase in crime which has built up in recent years; but they have required police officers to limit their investigative activities and to deal more carefully with the rights of the accused.

The third cause for the problem with the police function is the mass migration of Negroes to our large cities. In the decade, 1950–60, the 12 largest cities in the United States lost over 2 million white residents and gained almost that many Negroes. Charles Silberman, author of "Crisis in Black and White," puts the problem this way:

> It is the explosive growth of their Negro populations, in fact, that constitutes the large cities' principal problem and concern. When city officials talk about spreading slums, they are talking in the main about physical deterioration of the areas inhabited by Negroes. And when they talk about juvenile delinquency or the burden of welfare payments, or any of a long list of city problems, officials are talking principally about the problems of Negro adjustments to city life. For the large city is not absorbing and "urbanizing" its new Negro residents rapidly enough, its slums are no longer acting as the incubator of a new middle class.

This is not to say, however, that crime is a racial problem. It is not. It is, as Judge Edwards has said, "a problem of human degradation."

Fourth, the civil rights revolution of the 1960's has challenged the traditional attitudes of policemen toward the Negro citizen. And when the police in one section of the country, or one county, or one State, are used blatantly to defy the very law they are supposed to uphold, the problem of enforcing the law is magnified in every section of the country. Again in the words of Judge Edwards:

> There is a deep-seated belief among our Negro citizens that equal law enforcement in police practices does not exist anywhere in our land * * *. Hostility between the Negro communities of our big cities and their police departments is the major problem which law enforcement deals with in this decade.

These new problems call for new and innovating programs on the part of the police departments of our communities. Certain changes and reforms are obvious. In most cities we need to institute higher pay scales; raise the initial recruitment requirements—especially in the areas of education and emotional stability, and provide for more on-the-job training and continuing education programs. Police work should be an honored calling, and not a dumping ground for those who cannot find better jobs. Many of our finest police have been offered jobs at higher pay, but have stayed with the force because they love their work. No policeman should be asked to make this sacrifice.

We must realize that the policeman has a strong influence, for good or ill, in the neighborhood. Prof. Robert L. Derbyshire, who testified before the subcommittee considering this bill, is a specialist in sociology, in psychiatry, at the University of Maryland. He has studied the impact which the policeman has on inner city values. His conclusion is that:

> In the lower class community the function of the police is integrated into the child's knowledge before he knows the role of teachers.

If the police, by their day-to-day conduct, fail to uphold and fairly enforce the law, how can slum children have respect for the law?

To deal with the problems of the city, we need policemen who are professionals, not only in apprehending criminals, but in talking gangs out of street fights, solving family quarrels, helping an unemployed father to find a job, soothing upset youngsters, calming the frayed nerves of rush-hour motorists. These kind of policemen—the men Judge Edwards referred to as needing "the concern of a social worker, the wisdom of a Solomon, and the prompt courage of a combat soldier," cannot be expected to join the force or perform these functions without improved status, better training, and appropriate incentives.

In addition to improved recruitment and increased pay, other programs and reforms are also worthy of serious consideration. Most urban police departments require full-time trained specialists in community relations. They should be actively seeking ways to establish communication between the various neighborhood communities and the police. They each need to understand the others goals and problems. Also worthy of consideration are independent review boards to screen complaints of police misconduct. Finally, we should explore possibilities of having the police perform other roles in the community rather than pure law enforcement. Police athletic leagues and other community activities can bring a new and better image of social order in our city slums.

Another area in which improved law enforcement techniques are required is in the use and adaptation of scientific information and mechanical devices to prevent and detect crime.

JAMES H. SCHEUER, the able Congressman from New York City, testified before our subcommittee on this bill. He pointed out that law enforcement has had, for too long, only the most casual knowledge of scientific developments that could be employed in the war on crime. Buttonhole microphones, guns which anesthetize but do not kill are two examples of what is available now, today, to fight crime. Fortunately, something will be done about this aspect of the problem. I raised Congressman SCHEUER's suggestions with the Attorney General and received assurances that in his administration of this bill he will give full recognition to this aspect of the crime problem. I trust that he will utilize a portion of the funds to finance scientific research, and, even more important, demonstration projects to put existing scientific knowledge into practice.

In conclusion, Mr. President, let me emphasize that we will receive no better law enforcement than we are willing to pay for. We will need money to update and upgrade our local police forces and to study ways to make them more effective. This bill, with its two programs of Federal grants for improved police forces and Federal studies of other means of improving them, takes a step toward the goal of effective, enlightened, law enforcement.

In the long run support for our police departments must come at the grassroots level. I hope the pending bill will be one giant step toward that goal. I am pleased to support it.

Mr. JAVITS. Mr. President, first I should like to express my support for the bill, which I favor very strongly. It is critically important to the improvement of local law enforcement capabilities and to the prevention and control of crime. I think it is also critically important in the field of racial relations. I believe that all of us realize that we must have intelligent and effective police handling of demonstrations, and of other responsibilities.

With all that in mind I introduced, together with Senators KUCHEL, CASE, FONG and SCOTT, a similar bill, S. 1409, which was referred to the Committee on Labor and Public Welfare. In my bill primary responsibility for the administration of the act was placed in the Department of Health, Education, and Welfare.

A very serious question of division of authority is involved here, because, while in the Federal establishment the Attorney General is charged with dealing with crime problems generally, this is in part, at least, also an education bill, as it relates to training the police to handle the complex challenges of juvenile delinquency and mental illness, and other similar aspects of maintaining public order. The proposed program therefore raises the question as to the extent of cooperation which the Attorney General would be required to have with the Department of Health, Education, and Welfare and vice versa.

The Attorney General has said very frankly that he is not in the business of dealing with these types of problems, but he felt, in all fairness, that the program really should be his responsibility in terms of principal administration, because it deals with police forces and with law enforcement. He indicated in his testimony before the special subcommittee, of which I was a member, that there were areas of close cooperation, which he felt would be essential, with the Department of Health, Education, and Welfare.

That Department has had considerable experience with existing training programs in a number of related fields and with the juvenile delinquency program. A letter from the Under Secretary of Health, Education, and Welfare, Wilbur J. Cohen, which is included in the committee report, bears this out.

I should like to address myself, if I may, to the manager of the bill, and to the distinguished ranking minority member of the subcommittee which handled this bill, in order to ascertain, as a basis for legislative history on the bill, whether we may expect, in passing it, that there will be close cooperation and coordination in their related fields of interest between the Attorney General, in whom we are vesting principal authority under the bill, and the Secretary of Health, Education, and Welfare.

Mr. HART. Mr. President, as the Senator from New York has described it so well, as this concept developed, we were very much concerned with it. Earlier legislation, introduced not alone by the Senator from New York but also by the junior Senator from Michigan, would have caused this authorization to be directed to the Department of Health, Education, and Welfare.

I am satisfied—and I feel sure every member of the subcommittee of Senator ERVIN is satisfied—that the Attorney General intends, and understands fully, that it is the intention of Congress that he shall cooperate fully with the Department of Health, Education, and Welfare, particularly with respect to those areas the Senator from New York has highlighted; namely, those areas that deal with juvenile delinquency, youth offenses and, indeed, mental health research, and the implications involved there.

As the Senator from New York has stated, and as he pinpointed the matter in committee, the Department of Health, Education, and Welfare, through Under Secretary Wilbur Cohen, has advised the committee that it is now engaged in developing this kind of give and take.

Mr. JAVITS. I thank the Senator.

Mr. HRUSKA. Mr. President, I join the Senator from Michigan in the thoughts he has expressed. There is at present a very fine spirit of cooperation between the Department of Health, Education, and Welfare and the Department of Justice on those aspects of the activities which we are discussing, and which relate particularly to the Department of Health, Education, and Welfare.

It was thought, not only by Wilbur Cohen, the Under Secretary of the Department of Health, Education, and Welfare, but also by the Attorney General, that the concept is much wider than those areas like juvenile delinquency, and that therefore the primary responsibility should be in the Attorney General.

After all, there is the court system as a whole, there is the probation officer, there is the policeman himself, there is the matter of identification, and the matter of rehabilitation and parole and job placement after the term of incarceration is completed.

It is felt, because of the massive preponderance of activities other than those in the field of juvenile delinquency and education, the primary responsibility should be with the Department of Justice.

I am satisfied from the activities so far that the Senator from New York need have no misgivings as to the continuing cooperation between these two Departments.

Mr. JAVITS. I am grateful to the Senator. May I ask the Senator from Michigan, who is in charge of the bill on the floor of the Senate, whether he adopts my point on the education question, which is very much within the jurisdiction of the Department of Health, Education, and Welfare?

Mr. HART. Yes. I regret that I did not mention it.

Mr. JAVITS. Mr. President, I ask unanimous consent to have included in the RECORD as a part of my remarks a part of the testimony of the Attorney General on this subject from pages 21–22 of the transcript of the record of hearings of the subcommittee and the letter from the Under Secretary of Health, Education, and Welfare, contained at page 9 of the committee report on the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Attorney General KATZENBACH. There are a number of very good programs currently being run in HEW, some training programs for police officials, and, of course, a number of programs dealing with juvenile delinquency. We are familiar with those. We have been in close cooperation and collaboration with those. In the administration of this program it would be necessary to examine a project in the light of other projects that were being considered in HEW, in the light of various programs within the poverty program broadly considered; that is, HEW, Labor and the Office of Economic Opportunity, and to make sure that we were not overlapping or working at cross-purposes and that these programs went together.

I think that I simply would reiterate my feeling that some subjects are most appropriate for the Department of Justice—law enforcement, prisons and courts.

Senator JAVITS. Thank you, Mr. Attorney General.

THE UNDER SECRETARY OF
HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., July 23, 1965.

Hon. SAM J. ERVIN, Jr.,
Chairman, Special Subcommittee of the Senate Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We understand that in the course of the hearings being conducted by the special subcommittee on the administration's proposed Law Enforcement Assistance Act of 1965, S. 1792, and other bills to provide assistance to State and local law enforcement agencies, a request has been made for an expression of the Department's views. Particularly, we understand that you desire an expression of our view with regard to the fact that S. 1792 places administrative responsibility for the law enforcement assistance program in the Attorney General, while S. 1409 would give that responsibility to the Secretary of Health, Education, and Welfare.

It is our view that S. 1792 appropriately provides for the administration of the law enforcement assistance program by the Attorney General. As the President stated on March 8 of this year in his message to the Congress on "Crime, Its Prevalence and Measures of Prevention":

"This act would bolster present training programs for local law enforcement personnel and would support the development of new training methods * * *.

"This legislation would also authorize Federal support for the development of improved methods of enforcing criminal laws and administering justice * * *. By pilot projects in the administration of justice we may find ways of making the judicial process fairer and speedier and the correctional process more effective."

The Department of Justice, through its constituent agencies, is vitally concerned with criminal investigation and law enforcement, with procedures for the administration of criminal justice, and with the correctional process.

In the areas of concern pointed to by the President's message, we think it wholly appropriate that the Attorney General bear the administrative responsibility for the Federal assistance program.

The Department of Health, Education, and Welfare, as you know, has a large and continuing interest in the areas of juvenile delinquency and youth offenses, and in areas of mental health research which are frequently related to delinquency and other kinds of deviant behavior. Representatives of this Department and the Department of Justice have already begun working together to assure that the Federal Government's efforts will be coordinated to the fullest extent.

We fully support the objectives, the scope, and the structure of the Law Enforcement Assistance Act as embodied in S. 1792, and we strongly urge its enactment.

Sincerely yours,

WILBUR J. COHEN,
Under Secretary.

Mr. JAVITS. I am grateful to Senators HART and HRUSKA.

Mr. HART. Mr. President, the first objective is the improvement of the performance of duty by policemen across the country. The debate has reflected that to be the primary goal. However, there is an additional merit and opportunity provided by the bill, and many of us see it in this bill, in that it provides for a mechanism whereby the policeman can enlist the aid of other Federal agencies in seeking to achieve an improved community relationship and understanding for the role of the policeman, and a clear appreciation and understanding by the policeman of the many various groups in his community.

I hope that in the administration of the act the Attorney General will find means of drawing on the resources and talents of the Community Relations Service of the Department of Commerce, the Department of HEW, the Civil Rights Commission, and other appropriate Federal agencies.

Mr. ERVIN. Mr. President, I express my appreciation to the Senator from Nebraska and the Senator from Maryland for their generous remarks with reference to the work I have done as chairman of the ad hoc subcommittee which considered the bill.

As a member of the Judiciary Committee and a number of its subcommittees I have been closely associated with my good friend the distinguished Senator from Nebraska [Mr. HRUSKA]. I can testify to the fact that the people of the United States owe him a great debt of gratitude for the fine work he has done in advocating and in assisting to bring to passage enlightened legislation, particularly in the field of the administration of criminal justice.

Mr. TOWER. Mr. President, I strongly support enactment of this Law Enforcement Assistance Act. It comes not a moment too soon.

For too long we have watched our Nation drift into a position where many of our citizens feel they need not obey laws they do not like. For too long we have heard the lawlessness blamed not upon lawbreakers but upon law enforcement officers.

This bill will represent a major policy declaration by the Congress in support of those policemen whom we select to preserve the order all of us want.

This bill would allow the Justice Department to work with State and local officers in providing assistance in the training of local law enforcement personnel. It also provides for exchange of advice and methods among the Nation's law officers so that the effective measures of one jurisdiction will be shared with other jurisdictions.

The approach taken by this bill is fully consistent with the proven American principle that law enforcement responsibility lies correctly with State and local governments. There is specific and explicit language in this bill forbidding and preventing any direction, supervision or control by Federal officials over any facet whatsoever of local police work.

This Law Enforcement Act seeks to bolster present State and local police training programs with the support of new training programs such as those operated for many years for local officers by the Federal Bureau of Investigation. Many of our best local officers are graduates of one of the earlier FBI training schools. Now this training will be provided to more and more local personnel.

The mushrooming rate of crime in our major cities is graphic evidence of the need for prompt attention to the training of police officers. The recent tragic rioting in Los Angeles is another example of the problems confronting the men charged with maintaining order.

Every American has the basic responsibility to obey the laws. Nobody has a right to hurt another American or to damage his property. Rioting in the streets is not an American solution to any problem of whatever magnitude.

In the past 4 agonizing years we have come, unfortunately, to the point where some of our citizens—citizens of all races—accept as normal the use of riots, civil disorder, disobedience, and even individual violence as an acceptable solution to their social or personal problems and desires.

This situation demands that the Congress reaffirm the American faith in the wisdom of law, not of men.

Justice is not served, nor can justice be won in the streets. Redress for personal misfortune, be it real or imagined, cannot be found in an attack upon another American or the theft of his property. Decades of past progress are being damaged by the current wave of crime and disorder. Decades of future hope are dimmed by the smoke of riots.

This Congress must stand and do battle for the standards of common decency, honesty, courage, self-control, truth and justice upon which America is founded and has prospered. These virtues are not outmoded by modernism; they are not outdated by the times; they are not too complex for comprehension.

Quite to the contrary, the times cry out for a "crusade for morality and decency."

Americans need not rob and assault, for there are open to Americans ever improving opportunities to achieve personal worth through cooperation with their fellowmen and through study and work.

Americans need not riot for rights, for there is open to all Americans the massive weight of the law which prescribes and encourages orderly and effective progress toward a redress of grievances.

But always, we must have support for law. Always we must adequately train and fully back up the men we charge with enforcing the laws we all have a part in enacting.

With passage of this bill, the Congress proclaims its concern and its dedication to law and order. I hope the passage is overwhelming.

Mr. BAYH. Mr. President, I wish to add my name to those of my colleagues who strongly support the proposed Law Enforcement Assistance Act of 1965.

To say that this legislation is needed—and needed urgently—would be an understatement. I would venture to say, Mr. President, that at no time in our history has disrespect for law and those who administer and enforce it been so general and widespread.

This proposal will provide a means by which local law enforcement agencies can strengthen their training programs and help develop new and more effective techniques of fighting crime. It would strengthen the American tradition of local and State law enforcement by adding strength to local and State law enforcement agencies. It specifically prohibits Federal influence on any aspect of local law enforcement, thus maintaining the long-standing American repugnance for a national police force.

While I fully and unreservedly support this legislation, Mr. President, we must take care not to deceive ourselves into believing this to be a cure-all. It is not. It is simply a beginning—a small start on the long and difficult road toward reducing crime to the rockbottom minimum.

The causes of crime and violence are many and complex. Parental unconcern, unwholesome environment, a trend toward making it popular to break the rules—these are among the many factors which contribute to crime.

We must recognize that many things we do—and must yet do—will contribute directly and indirectly to a reduction in crime: aiding our schools and colleges, particularly in the area of vocational education; making efforts to reduce unemployment through various adult training programs; lending a helping hand to those in America who are not sharing in our general abundance.

In addition, Mr. President, we must recognize that people—particularly young people—who are taught to respect those in authority—parents, teachers, and public officials, for example—are not likely to break the law.

With the passage of the Law Enforcement Assistance Act of 1965, we must vow to do all in our power to use whatever ingenuity and whatever resource we can muster to produce not one, not two, but a series of proposals which will strike at the roots of crime—so that we may not only assist in the enforcement of laws against crime, but assist in preventing it as well.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. HART. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HRUSKA. I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The question is on agreeing to the motion to lay on the table the motion of the Senator from Michigan.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, we all recognize that the problems of rising crime rates are of uppermost importance in our Nation today. This afternoon the Senate has passed a bill, the Law Enforcement Assistance Act of 1965, which will aid our public officials in preventing and controlling crime.

The bill to provide assistance in training State and local enforcement officers and in improving capabilities, techniques, and practices in law enforcement was capably managed by the very able junior Senator from Michigan [Mr. HART]. As the Senator from Michigan himself stated, great credit goes to the distinguished senior Senator from North Carolina [Mr. ERVIN], without whose assistance the bill might not have been presented to the Senate today. Other Senators from this side of the aisle assisted immeasurably in developing the features of this bill through cogent comments. I refer to the junior Senator from Utah [Mr. MOSS] and the junior Senator from Maryland [Mr. TYDINGS].

In typical bipartisan fashion, Senators from the other side of the aisle constructively aided in passage of this measure. The senior Senator from Nebraska [Mr. HRUSKA], the senior Senator from California [Mr. KUCHEL], and the senior Senator from New York [Mr. JAVITS] unselfishly and skillfully aided passage of the bill.

I congratulate each and every one of these Senators and the entire body for the fine step forward represented by passage of this measure.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

JUNIOR SCIENTISTS NOT JUVENILE DELINQUENTS

Mr. BYRD of West Virginia. Mr. President, the September 5 issue of the Sunday Charleston, W. Va., Gazette-Mail State magazine carried an article on the summer camp activities of budding West Virginia scientists representing 18 counties in my State. This article provides an effective assessment of the excellent work being conducted with youngsters through the West Virginia Appalachian Center at West Virginia University in Morgantown.

It is my belief that efforts such as this—designed to attract and develop the latent creative interests of early teenagers—offer a valuable means to insure that our Nation's youths swell the ranks of serious students rather than those of juvenile delinquents.

I ask unanimous consent to have this article, "Science Camps at Junior's Level," reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

SCIENCE CAMPS AT JUNIOR'S LEVEL—18 COUNTIES SENT DELEGATES TO THEM THIS YEAR

(By Opal Ripley)

BECKLEY.—Budding scientists from 18 of the State's 55 counties, each with a keen curiosity and a fair share of technical ability, have attended youth science camps this summer.

Sponsored by West Virginia Appalachian Center, the camps were designed to stimulate, motivate, and inspire the 12- to 14-year-old youths to pursue their respective interests and create an awareness of the opportunities which exist through science.

Eight camp sites were selected this year for the program, after the trial runs in Barbour and Marion Counties in 1964. Fifty campers were selected for each camp. So far as is known, officials said, the county science camp is the first informal learning-camping situation of this nature throughout the country. The program was a takeoff of the National Youth Science Camp held at Camp Pocahontas since West Virginia's centennial year.

Area and county camps were conducted for the Jefferson-Berkeley-Morgan County area, Barbour-Taylor area, Nicholas-Parkersburg area (eight counties), Wetzel, Marion, Raleigh, and Greenbrier.

Instructors were picked on the basis of competency, enthusiasm for working with students and their ability to stimulate interest. They were given complete freedom to develop subject matter and set the pace at which it was taught.

Each of the camps were conducted in much the same fashion with the same instructors and equipment being moved from one camp to another. Likewise, the daily activities at the different camps followed a similar pattern.

All campers with a yen for hiking were permitted to join in an hour-and-a-half jaunt starting at 6 a.m. each day.

"Those who lacked the enthusiasm to participate in the woodland treks, should have exerted some effort, since early risers generally were a noisy lot," instructors said.

The hikes were used for tabulating the number and species of birds in the camp areas. Also to study their characteristics and habits. The study of trees, the function of their different parts and the species common to different sections of the State, consumed part of the hike action daily.

Campers learned about fresh water biology, its importance to plants and animals, the difference in the anatomy of water and land animals and bacteria uses in making cheese and buttermilk. They also watched an egg hatch, observed electrical current being conducted from one point to another, and numerous other scientific experiments.

The university provided partially trained rats, which many campers used in experiments on animal behavior. Less than 2 days were required in some instances, for the young scientists to teach the black and white spotted rodents that certain signs meant mealtime, or that they must play a game of hide-and-seek for their food.

Field trips were the source for securing frogs and other amphibious creatures used for biological experiments. Baby chicks accepted various objects, other than a mother hen, for their companions during the demonstrations, and an authentic human skeleton was utilized in the study of biology.

While interests of the campers varied greatly, and leaned toward many different subjects, each of the seventh, eighth and ninth graders appeared to have in common, a built-in curiosity and an eagerness to know more about a singing computer which was demonstrated via a phonograph record. But instructors said, despite the miracle of the metal mind, the junior scientists offered suggestions that in all probability would have stumped the tin wizard.

Other equipment provided for the program included a small planetarium, telescopes for studying the stars, microscopes, and other laboratory equipment.

Evaluation of the programs were conducted with the campers and instructors at the end of each camp. Data from the evaluation forms will be used to set up programs and schedules for future camps, according to officials.

Except for the instructors' salaries, paid by the Appalachian Center, the camps were self-supporting. Each student paid a camping fee of $20, if they were financially able. Others were provided with special scholarships, and no one was refused the opportunity to attend camp for financial reasons, Bill Clark, Raleigh County 4-H agent explained.

Oscar Hutchinson of Beckley, area director of Appalachian Center, said "we are thinking in terms of doubling the number of students and instructors for next year's science camps."

CANCELLATION OF BOBBY BAKER'S VENDING MACHINE CONTRACT WITH NORTH AMERICAN AVIATION

Mr. WILLIAMS of Delaware. Mr. President, today's issue of the New York Times contains an article which states that North American Aviation, Inc., has canceled its $2½ million vending contract with Bobby Baker's Serv-U Corp. This action by North American Aviation, breaking with Bobby Baker's vending company, is long overdue, and I compliment them upon their decision even though it is coming late.

It is time for Northrop and other big defense contractors to take another look at their policies with regard to dealing with Mr. Baker.

In order to enable Mr. Baker's vending company to operate in plants doing defense work it was necessary that the Secretary of Defense grant "security clearance" to Baker's companies.

Certainly questions can properly be raised when "confidential security clearance" is granted so freely to a former public official who had taken the fifth amendment rather than answer questions concerning his work while serving as a public official.

These vending contracts have been the backbone of Baker's financial manipulations, and this could mark the collapse of his financial empire, just as the breaking of Government grain storage contracts with Billie Sol Estes marked the end of his financial success.

We can hope that this marks a turning point in the Johnson administration's relations with Baker. We can hope that this is an indication that there will be forthright investigation and prosecution of Baker and his associates.

For the good of the Nation, it is best that it be demonstrated that in the long run the actions of Bobby Baker did not pay. As long as Bobby Baker continued to hold the vending contracts with big defense contractors there was an impression that he could arrogantly defy the laws and the standards of propriety and get by. We can hope that this decision by North American to break with Bobby Baker will demonstrate again that the Bobby Bakers and the Billie Sol Esteses cannot get by with their manipulations.

There can be no compromise with integrity in public office.

Mr. President, I ask unanimous consent that an article on this subject published in today's New York Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BAKER WILL LOSE $2.5 MILLION VENDING CONTRACT AT NORTH AMERICAN AVIATION

(By Richard Witkin)

Robert G. Baker's vending company has been notified that its food-dispensing contracts with North American Aviation, Inc., totaling about $2.5 million a year, will be canceled this fall.

The decision by North American, a colossus of the missile-plane-space business, is generally regarded as the most serious possible financial blow that could have befallen Mr. Baker.

The former secretary of the Senate Democratic majority, who during his Senate career was considered an intimate of Lyndon B. Johnson, is understood to own 84 percent or more of the vending company, called the Serv-U Corp.

A report of the Republican minority of the Senate Rules Committee, which conducted a long investigation of Mr. Baker business affairs, stated:

"The backbone of Baker's financial empire was, and still is, Serv-U Vending."

Mr. Baker resigned from his $19,600-a-year Senate post in October 1963, after the initial disclosure of his extracurricular business activities.

North American has hundreds of millions of dollars worth of contracts with the Defense Department and the National Aeronautics and Space Administration.

It is the builder of the three-man capsules in which astronauts will travel to the moon; liquid rocket engines for the Atlas and the B–70 experimental bomber.

A spokesman for the company, whose headquarters are in Los Angeles, said in a telephone conversation that North American had decided to own and operate its own vending machines.

He said a notice of intent to cancel had been sent not only to Mr. Baker's firm but also to Automatic Canteen, which has vending contracts with North American totaling about $4 million a year.

Serv-U, starting from scratch at the end of 1961, built a business grossing more than $3.5 million annually in less than 2 years.

BIGGEST CUSTOMER

North American has remained by far the biggest customer. Much of the rest of Serv-U's business is done with the Northrop Corp., another large aerospace company. Still a third, Space Technology Laboratories, has a small vending contract with the Baker company.

The big question now is how well Mr. Baker will be able to withstand the financial blow from the North American cancellation.

Serv-U, in addition to its vending business, is the owner of the Carousel Motel, in Ocean City, Md. But Serv-U's purchase of the motel was reported at the Senate hearings to have been an effort to bail it out of financial difficulties. Whether business has improved in the interim is not known.

The Senate committee has issued two reports on the Baker investigation, with the Democratic majority and the Republican minority splitting acrimoniously in both cases.

On July 8, 1964, the first report said Mr. Baker was "guilty of many gross improprieties" but it did not find him guilty of breaking any laws.

The Republicans, in their dissent, accused the majority of refusing to explore leads that promised to shed important new light on Mr. Baker's activities.

The running debate was continued at high pitch during the Presidential contest between President Johnson and Senator Barry Goldwater.

The second report, issued June 30, used sharper language in regard to Mr. Baker. It also suggested that consideration be given to indicting him for violation of the conflict-of-interest laws in connection with an alleged payment of $5,000 to him by a lobbyist backing legislation dealing with the licensing of ocean freight forwarders.

The senior Republican on the committee, Senator CARL T. CURTIS of Nebraska, characterized the second report, as he had the first, as a "whitewash."

There has been no report of what, if any, response there has been from the Government to the suggestion that an indictment on the alleged $5,000 payment be considered.

Nor has there been any culmination of investigations of the Baker case begun early last fall by a Federal grand jury.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I promised to yield to the Senator from Nebraska. I yield to the Senator from Nebraska.

Mr. CURTIS. I commend the distinguished Senator from Delaware for his efforts to bring an end to the gross corruption that has been going on in the administration department of Government.

I invite attention to a significant paragraph found in the minority views of the last report on the Baker investigation. These views are signed by Senator JOHN COOPER, of Kentucky, Senator HUGH SCOTT, of Pennsylvania, and myself. In the report we say:

> The backbone of Baker's financial empire was, and still is, the Serv-U Vending Co. It was through the vending business that Baker was able to acquire monthly cash kickbacks as well as inaugurate a highly profitable vending operation with defense contractors whose almost sole source of income was from the U.S. Government. It was in these vending operations that Baker became associated with questionable individuals who ranged from gamblers to those convicted of income tax evasion. Likewise, when Baker's Carousel Motel was in the midst of financial difficulties, it was his vending business that had the wherewithal to bail out the Ocean City property. Until such time as defense contractors such as North American Aviation and Northrop decide they no longer want to do business with Baker, his complex financial empire may continue.

Mr. President, I ask unanimous consent that the minority views in the last Baker report, which are found on pages 25 to 52, inclusive, and signed by the three minority members of the committee, be printed at this point in the RECORD. In making that request, I wish to exclude from the request any photoprinting of copies of exhibits that cannot be printed in the RECORD.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

I. RÉSUMÉ OF THE FIRST HEARINGS

Robert G. Baker was secretary to the majority of the U.S. Senate. He was elected to occupy this full-time $19,000-per-year position by the Democratic Members of the Senate. In this job Baker possessed the most intimate knowledge of the probable success or failure of pending legislation to be considered by the Senate. Consequently, he became known in the words of a witness as a man "with innumerable friends and connections," and, as the investigation developed, generally those friends and connections had some special interest before the Senate or with the Government. Thus, when Baker's activities were brought under public scrutiny by Senator JOHN WILLIAMS, and his friends and connections were of questionable character, it cast a shadow on the legitimacy of Baker's amassing a claimed net worth in excess of $2 million while his Government salary, comparatively, remained so small.

The investigation disclosed that between January 1, 1959, and November 1, 1963, Baker participated in 65 loans wherein he borrowed at least $2,784,520, which figure does not include loans to corporations in which he was personally interested. Likewise, the investigation revealed that he participated in the purchase of real estate worth $1,634,000 and had available enormous amounts of cash and currency, some of which came from regular kickbacks.

The backbone of Baker's financial empire was, and still is, the Serv-U Vending Co. It was through the vending business that Baker was able to acquire monthly cash kickbacks as well as inaugurate a highly profitable vending operation with defense contractors whose almost sole source of income was from the U.S. Government. It was in these vending operations that Baker became associated with questionable individuals who ranged from gamblers to those convicted of income tax evasion. Likewise, when Baker's Carousel Motel was in the midst of financial difficulties, it was his vending business that had the wherewithal to bail out the Ocean City property. Until such time as defense contractors such as North American Aviation and Northrop decide they no longer want to do business with Baker, his complex financial empire may continue.

Baker had innumerable ventures not only with his fellow Senate employees, but also with individuals, corporations, and transportation companies having extensive dealings with the Federal Government. These ventures ranged from phenomenally profitable purchases of MGIC stock to more modest, in proportion, profits on the purchase and sale of Florida land. In almost every instance through information furnished by his "innumerable friends and connections" Baker had inside knowledge on which ventures would insure a profit. In some instances Baker ventured nothing. For example, in the Robert Thompson case he put up no capital nor shared a risk, yet was permitted by his benevolent Murchion representative to reap an extraordinary profit.

Baker was in the insurance business with Don Reynolds. The investigation of the relationship between these two men uncovered startling revelations. For instance, through Baker, Reynolds was allowed to write the performance bond on the District of Columbia Stadium which is discussed hereafter in more detail. Likewise through Baker, Reynolds was able to write the life insurance policies on the then Senator Lyndon B. Johnson. It was the writing of these insurance policies that led to the gift to the then Senator Johnson of the stereo set, and the revelation that Reynolds was pressured by Baker and Walter Jenkins into the purchase of advertising time over KTBC–TV in Austin, Tex. Moreover, it was in part the circumstances surrounding the insurance policies and the TV time which led to the necessity of acquiring testimony from then Presidential Aid Walter Jenkins.

The committee's record is full of instances where Baker took pains to disguise his interests and conceal his activities. Ernest Tucker, Baker's law partner, held in trust Baker's shares of stock in Serv-U. Likewise, it was the use of interim transfers through Tucker and others that resulted in Baker concealing the racial restrictive covenant on his fashionable Spring Valley home. Baker concealed his true net worth by filing a false financial statement with the District of Columbia National Bank which granted him an extremely generous $125,000 unsecured loan. It was these overt efforts to camouflage, and we have named but a very few, that prompted our insistence on a full, complete, and thorough investigation.

The majority report discussed in some detail the investigation of Sweet Water Development Co., Ocean Freight Forwarders, Blue Lake Manor Retirement Home, and the Redwood National Bank. This minority report is primarily confined to those areas where there was a marked disagreement between the majority and minority. We do wish to point out that none of the aforementioned matters would have been investigated had the majority had their way and closed up the committee's work in July of 1964.

II. EFFORTS TO CALL WITNESSES

The minority members of the committee have repeatedly pointed out the failure of the majority to call all the witnesses in open session and obtain their testimony under oath. This is not only the proper way to conduct the public business but also it is necessary if the truth is to be ascertained. The fact that the testimony of any particular witness was sought by the minority carries no implication of wrongdoing by such person. The efforts to obtain their testimony were because they may have had important and valuable information. The committee's records reflect that on 14 separate rollcall votes during the first hearings the majority successfully prevented the calling of witnesses and the acquisition of additional evidence.

Margaret Tucker Broome had been Baker's secretary and an integral part of his office. The committee's investigators recommended that she be called to testify and we of the minority agreed with the suggestion of the staff. However, during the first hearings a 6–to–3 vote prevented the acquisition of this evidence.

Rein J. Vander Zee was an assistant to Baker, the secretary to the majority. He could have told about the operations in Baker's office and might have provided information about the large amounts of cash observed to be in that office by other witnesses. Our effort to summon Mr. Vander Zee was defeated by a 6–to–3 vote.

Jessop McDonnell who asked to be called to testify was another assistant to Baker and could also have furnished evidence about the activities in Baker's office. The motion of the minority to call Mr. McDonnell was defeated by a 6–to–3 vote.

Our motion on March 23, 1964, to summon Matthew McCloskey as a witness was voted down 6 to 3. Elsewhere in this report we comment upon why Mr. McCloskey should have been called as a witness during the first hearings.

Paul Aguirre was a business associate of Baker's. During the first hearings, he had given statements to the staff and had indicated some willingness to testify. Nevertheless. the minority's motion to call Aguirre before the committee was voted down 5 to 4. If he had been called, the committee could have inquired as to what part if any Ellen Rometsch and other like individuals had in the promotion of Baker's operations. In the second hearings, the majority relented, and Mr. Aguirre was subpenaed to testify. But at that late date, he took the fifth amendment in his appearance before the committee. If his appearance had not been denied in the first hearings, it is believed that he would have provided useful information.

Warren Neil was another business associate of Baker. Neil should have been placed under oath and questioned about Baker's business and financial operations not only in Puerto Rico, but elsewhere in the Caribbean. A 6-to-3 vote prevented Mr. Neil from testifying.

Nick Popich, of New Orleans, La., should have been called as a witness. Popich could have been asked to explain the numerous long-distance telephone calls emanating from Baker's Capitol Hill office to him in New Orleans. Also, Popich could have been asked to relate what other business ventures if any he and Baker were in beside the Pasantic Corp. By a 5-to-4 vote we were denied the testimony of Mr. Popich.

In the early part of the investigation sworn testimony was received which clearly required the testimony of Mr. Walter Jenkins, a White House aid who had been an employee of the Senate and was a stockholder, director, and officer of the company that owned the KTBC–TV television station at Austin, Tex. Due to the determined opposition of the majority, Mr. Jenkins was never called as a witness.

The testimony that was received was to the effect that Walter Jenkins had had a part in requiring Don Reynolds to pay $1,208 for television time on this TV station because Reynolds had sold $200,000 worth of life insurance on the life of the then Senator Lyndon Johnson. Mr. Albert G. Young, president of the Mid-Atlantic Stainless Steel Co., in his sworn testimony, supported the testimony on Don Reynolds. Mr. Young stated that an individual who said his name was Walter Jenkins called him on the phone and verified the purchase of the TV time. Mr. Young thereafter proceeded to Austin, Tex., and used the time.

The majority, through the chief counsel, early in the investigation presented to the committee a memorandum written by the chief counsel and the chief investigator, and sworn to by Jenkins which, among other things, said:

"Nor does he have any knowledge of any arrangements by which Reynolds purchased advertising time on the TV station."

The majority used their numerical superiority to prevent the calling of Walter Jenkins. In the second hearing written interrogatories were submitted to Walter Jenkins and his written answers received. As a result of the refusal to call Mr. Jenkins and the use of interrogatories, members of the committee could not be present when the questions were submitted or the answers made. No opportunity was given to ask further questions or cross-examine Walter Jenkins in any manner. No opportunity was given for submitting additional questions to elicit additional information which Jenkins' answers might have brought to light. The inability of the minority to elicit information is the result of the majority's voting down the motion of the minority to call him as a witness in the first hearings.

The written interrogatories and written replies did bring out information concerning the sale of the advertising time over the TV station, and we wish to quote from it as follows:

"No. 3. When and where and under what circumstances did you first become acquainted with Don B. Reynolds?

"Answer. In late 1956 or early 1957 I was seeking an insurance company from which insurance on the life of the then Senator Lyndon B. Johnson might be purchased. I made no secret of this search, and I'm confident that Robert G. Baker knew of it, either from me or indirectly. Mr. Baker told me that he knew Don Reynolds, who represented a company which was beginning to specialize in insurance for former heart attack patients. Mr. Baker did not tell me that he had any interest in Mr. Reynolds' businesses, and I do not know to this day whether Mr. Baker had any such interest. The events discussed in this and many other answers took place over 8 years ago, and I cannot be sure about every particular, but I shall do my best to be as accurate as possible. At any rate, I am sure I indicated to Mr. Baker my wish to talk to Mr. Reynolds about the possible purchase of insurance. I believe Mr. Reynolds called me for an appointment at Mr. Baker's suggestion and I readily agreed to see him. To my best knowledge and belief I had never seen Mr. Reynolds before he came to my office to keep that appointment, and had never heard of him before Mr. Baker mentioned him to me as a possible source of insurance.

"No. 4. To what extent were you authorized and by whom to negotiate for the purchase of life insurance policies insuring the life of the then Senator Lyndon B. Johnson beginning on or about January 1, 1957, and thereafter?

"Answer. I do not know that I was 'authorized' by anyone to negotiate for insurance on the life of the then Senator Lyndon B. Johnson. I was an officer of the LBJ Co. which was interested in the purchase of these policies, and I am sure several of the officials of the company were active in the search for insurance. If this question asks whether someone selected me to do the negotiation and 'authorized' me to do so, the answer is that no one did. It was more informal. The company officials in Austin were also in the market for the policies and had been unsuccessful up to that time in securing policies of the size desired.

"No. 5. Do you know one Robert G. Baker?

"(a) Just how long have you known him?

"(b) During the time you were an employee of the Senate how often would you see Robert G. Baker?

"(c) Did you ever have any discussion with Robert G. Baker concerning life insurance on the life of the then Senator Lyndon B. Johnson?

"(d) Who initiated the discussion?

"(e) How many times, if any, did you talk to Robert G. Baker about this subject?

"(f) Where would the discussions take place?

"(g) What part, if any, did Robert G. Baker have in the procuring of insurance for the then Senator Lyndon B. Johnson?

"Answer. I do know Robert G. Baker.

"(a) I cannot remember when and exactly under what circumstances I met Mr. Baker. I feel sure it must have been very shortly after Mr. Johnson became a U.S. Senator in 1949. Mr. Baker was then working in the Senate and serving the offices of all Democratic Senators.

"(b) During the first few years I was a Senate employee I saw Mr. Baker very infrequently. When Mr. Johnson became minority leader in 1952, my contacts with Mr. Baker increased and from then until Mr. Johnson became Vice President in 1961, I saw Mr. Baker generally once or twice a week—sometimes more, sometimes less. During the time Mr. Johnson was Vice President I saw him much less frequently.

"(c) Yes.

"(d) I do not recall.

"(e) I can't be precise, but I talked with Mr. Baker about this subject a number of times. It was through Mr. Baker that I met Mr. Reynolds, and when I had a questions about rates, physical examinations, policy details, etc., I usually asked Mr. Baker to get the information from Mr. Reynolds for me because it was easier for me to reach Mr. Baker than Mr. Reynolds.

"(f) Usually by telephone to either Mr. Baker's office or home.

"(g) As related above, Mr. Baker introduced Mr. Reynolds to me. He also talked to Mr. Reynolds for me on occasion and reported back to me. This is the only part I know of that he played in the procuring of insurance on the life of the then Senator Lyndon B. Johnson.

"No. 6. Did you ever discuss with Robert G. Baker alone or in the presence of Don B. Reynolds the subject of selling advertising time on television station KTBC to Don B. Reynolds, and if so, state fully when and where such discussions occurred and exactly what was said?

"Answer. During the time consideration was being given to the purchase of insurance through Mr. Reynolds, I received word from the LBJ Co. it would not be necessary to pursue the matter further because a local agent in Austin had become interested in selling the policies and that he not only had been an advertiser on the radio and television stations for many years, but also had always related the amount of his advertising to the amount of his business done with the station. I am confident I communicated this information to Mr. Reynolds and I am reasonably sure, although not certain, that I did so through Mr. Baker and not directly to Mr. Reynolds.

"At any rate, I received word soon from either Mr. Reynolds or Mr. Baker—and I think it was Mr. Baker—that Mr. Reynolds wished very much to sell the policies and would also like to purchase advertising time in the event he sold them. The rates of the Manhattan Insurance Co., Mr. Reynolds' firm, were lower and they were subject to mandatory reduction at the end of the second year. And, further, at one point they were willing to write a larger amount than the Texas agent could arrange. For these reasons and the fact of convenience of dealing with a Washington agent with respect to physical exams, forms. etc., as well as Reynolds' offer to meet the competition by purchasing advertising, it was decided to accept the Reynolds' offer. The policies were thereafter purchased through Mr. Reynolds.

"I am certain that the above conversations concerning advertising took place prior to the consummation of the life insurance purchases. As to 'where such discussions occurred and exactly what was said,' I do not remember beyond what I have stated above.

"No. 7. In the order of their occurrence, please state as accurately and in as much detail as you can each conversation you have had with Don B. Reynolds in which any reference was made by either or both of you to the purchase by Reynolds of advertising time from the LBJ Co. or on television station KTBC at Austin, Tex.

"Answer. As stated in the preceding answer, there were these two conversations on the subject either directly with Mr. Reynolds or through Mr. Baker. I do not remember which it was although I think they were with Mr. Baker and I do not remember any other conversations with Mr. Reynolds on the subject. I merely communicated directly to him or through Mr. Baker that the station had found another source for the insurance, that that source was a long-time advertiser and accordingly, the LBJ Co. planned to buy its insurance from that source. At that time Mr. Reynolds offered to purchase advertising for the purpose of meeting the competition of the Texas agent. Certainly I did not "pressure" him to do so.

"No. 8. At the time of any of these conversations, or at any other time during the negotiations for the purchase of life insurance by the LBJ Co. insuring the then Senator Lyndon B. Johnson, were you an officer, employee, or stockholder in the company then owning the KTBC television station, and if so, state what position you held and what percentage of the capital stock you owned, either directly or indirectly.

Answer. As stated above, I was an officer of the LBJ Co. at the time these conversations were held. I was also a stockholder. My position was that of treasurer and member of the board of directors. I owned slightly more than 3½ percent of the stock of the company. All stock was held directly by me except for one share which was held by me on behalf of one of my children.

"No. 9. Did you at any time furnish to Don B. Reynolds or to anyone for him or at his request any information relating to advertising rates, time schedules, or the preparation and use of advertising materials on the KTBC television station of Austin, Tex., and if so, describe such information?

"Answer. No. I have no memory of doing so, and I am sure I did not.

"No. 10. If you have not answered the question in your previous answers to these interrogatories, please explain exactly what you meant by the following quoted words appearing in the report of the interview with you on December 16, 1963, and identified in interrogatory No. 1, above, viz: 'Mr. Jenkins has no knowledge of any conversation between Mr. Baines and Mr. Reynolds, nor does he have any knowledge of any arrangements by which Reynolds purchased advertising time on the TV station.'

"Answer. As to the first part of the quoted words, I meant I had no knowledge of any conversation between Mr. Baines and Mr. Reynolds. So far as I know, no such conversation ever took place. As to the second part of the question, I meant that I did not have knowledge of any arrangements or of the specifics for the purchase of advertising. Your committee received testimony at length from Mr. A. G. Young about the arrangements for the advertising. I had no knowledge about those arrangements till I read Mr. Young's testimony. I did know Mr. Reynolds planned to purchase advertising time, and I have never asserted the contrary.

"No. 11. Did you ever have a telephone conversation with Mr. Albert G. Young of Silver Spring, Md., of the Mid-Atlantic Stainless Steel Co., in which you identified yourself and confirmed that Don B. Reynolds had bought advertising time on the KTBC television station in Austin, Tex., and if so, exactly what did you tell him?

"Answer. I have no memory of such a conversation. It is possible that Mr. Reynolds, directly or through Mr. Baker, asked me to call Mr. Young and to tell him that insurance had been purchased from Mr. Reynolds, and it is also possible that I did so. However, I have racked my brain over the matter and I cannot remember making such a call.

"No. 12. Did you know whether Don B. Reynolds or Robert G. Baker had any agreement or understanding between them providing for a division between them or sharing by them of commissions earned, or to be earned, by Don B. Reynolds as agent from the sale of life insurance policies insuring the life of the then Senator Lyndon B. Johnson, and if so, what was the agreement or understanding and how did you acquire knowledge of it?

"Answer. No.

"No. 13. Did you ever meet and know Mr. George P. Sampson, general agent for the Manhattan Life Insurance Co.?

"(a) When did you meet him?

"(b) Where did you meet him?

"(c) Who introduced you?

"(d) What part did Mr. Sampson have in the insurance transaction with the then Senator Lyndon B. Johnson?

"Answer. Yes.

"(a) It is my recollection that I first talked to him on the telephone in late 1956 or early 1957, in connection with the insurance policies. Mr. Sampson was the general agent here for the Manhattan Life Insurance Co. and thus was the man who had to process any insurance contract written by Reynolds. I talked with Mr. Sampson several times about policy details, rates, physical exams, and the like. The only time I met Mr. Sampson in person was in early 1963, when he brought by some information on the possible conversion to permanent insurance of the policy purchased in 1961.

"(b) In my office.

"(c) No one. Early in the discussion of the insurance policies Mr. Reynolds gave me Mr. Sampson's name and subsequently Mr. Sampson and I called each other several times.

"(d) As general agent for the Manhattan Life Insurance Co., his was the final local authority from the insurance company's standpoint for processing applications for insurance from that company.

"No. 14. Do you know a man by the name of Huff Baines?

"(a) Where does he live?

"(b) What is Mr. Huff Baines' business?

"(c) Is Mr. Huff Baines a relative of the then Senator Lyndon B. Johnson?

"(d) Dr. Mr. Huff Baines sell any insurance on the life of anyone connected with the LBJ Co.?

"(e) If so, please give the details.

"Answer. Yes.

"(a) Austin, Tex.

"(b) Insurance.

"(c) Yes; a cousin.

"(d) I believe he did sell a number of policies on the lives of people connected with the then LBJ Co. In fact he sold a personal policy to me in about 1962.

"(e) I do not know the details of any sales of insurance other than the one to me.

"No. 15. Did you ever mention Huff Baines to either Don B. Reynolds or Robert G. Baker or anyone else in connection with the insurance purchase from the Manhattan Life Insurance Co. by the then Senator Lyndon B. Johnson, or any renewal, additions, or extensions of such purchase?

"(a) What was said?

"Answer. Yes; although I do not remember whether I used Mr. Baines' name or merely referred to him as a relative of Senator Johnson who was in the insurance business.

"(a) As stated above, I told either Mr. Reynolds or Mr. Baker that the station planned to buy the insurance policies on the then Senator Johnson from a local insurance man who was and would be an advertiser on the station. I was referring to Mr. Baines and I may have mentioned his name."

The foregoing testimony clearly indicates that the original affidavit sworn to by Walter Jenkins did not contain a full and correct statement of the facts. The foregoing testimony, also, to a considerable degree, supports the earlier testimony concerning the requirement that the television time had to be purchased by the agent who sold the insurance. Had Jenkins been required to submit to cross-examination under oath, the testimony could have been reconciled to a greater degree.

A reading of the other interrogatories and answers of Walter Jenkins fails to disprove the sworn testimony of Don Reynolds. As a matter of fact efforts were made by the majority to discredit the testimony of Don Reynolds, and they refused to call Walter Jenkins whose testimony would tend to corrobate Reynolds.

The refusal on the part of the majority to call Walter Jenkins throughout all the months of the first phase of the hearing was without any valid reason, medical or otherwise. The absence of the complete testimony of Walter Jenkins continues to leave the work of the committee unfinished.

During the first hearings on March 23, 1964, we of the minority moved to recall Don Reynolds as a witness. Had we not been voted down 6 to 3 much embarrassment could have been spared the committee at the opening of the second hearings.

Of all the individuals contacted by our staff, Deane Beman, former U.S. amateur golf champion and insurance consultant to Melpar, is the only one who refused to be interviewed. The staff report on Beman strongly suggested he be subpenaed and placed under oath to testify. Another 6-to-3 vote prevented us from finding out what this individual knew of Baker's activities.

Paul Ferrero, former Deputy Commissioner of the FHA, was contacted by Baker in behalf of Paul Aguirre. We do not know what Mr. Ferrero could have told us about Baker's call, but it should have been investigated and it was wrong that a 5-to-3 vote prevented the committee from securing this testimony.

On March 24, 1964, Senator JOHN SHERMAN COOPER moved to recall William Kentor as a witness. Kentor had been forced to pay Baker a finder's fee on the importation of foreign meat when, in fact, Baker was no finder at all. A 5-to-3 vote prevented us from getting additional testimony from Mr. Kentor.

Max Kampelman was a former Senate employee and believed to be one of the founders, and was a director, and general counsel of the District of Columbia National Bank. Besides telling us of Baker's extensive dealings with this bank, and they were extensive, Mr. Kampelman could have told about any other Senators or Senate employees who were either connected with the bank or investors in its stock. A 5-to-4 vote kept the witness from getting the testimony of Mr. Kampelman.

On June 30, 1964, Senator JOHN SHERMAN COOPER moved that Senator JOHN WILLIAMS of Delaware be recalled to present any additional information that might recently have come to him. The motion also included the calling of Senator CLIFFORD CASE, Senator THOMAS J. MCINTYRE, and Jack Anderson, a director of Riddle Airlines, all of whom offered to testify. The majority members never even permitted Senator COOPER's motion in reference to these four witnesses to be considered on its merits and the motion was tabled by a straight party line vote.

There were presented to the committee allegations in reference to some political contributions alleged to have been made by some individuals with the International Telephone & Telegraph Co. A motion was made by Senator JOHN SHERMAN COOPER to investigate these allegations but it was defeated by a solid majority vote.

We think it is significant, and we thing it was wrong that the majority at no time adhered to the rule which provided for the calling of witnesses with relevant information as requested by the minority.

Another practice followed by the majority over the protests of the minority is related to the refusal to call witnesses and likewise prevented a full investigation. We refer to the procedure followed by the majority of receiving as evidence reports from the Department of Justice containing selected material on individuals whose names came up in the course of the investigation. The reports we refer to are those on Don Reynolds and Ellen Rometsch. These reports were received in evidence by the majority. The readers of this minority reports should be aware of certain facts. The Reynolds-Rometsch reports prepared by the Department of Justice do not carry a statement that they are full reports of all the information the Department of Justice has in its files. They constitute a publication of selected material, and do not carry sufficient facts accurately to picture the true situation. The minority contends, as it did during the investigation, that the best evidence is always sworn testimony where the witness can be cross-examined by all members of the committee.

We would also point out that these reports which have been received as evidence place the Federal Bureau of Investigation in a position unfair to the Bureau. We believe that the Federal Bureau of Investigation is a fine organization with a splendid record of thoroughness and impartiality in its investigations. The FBI does not publish reports on the individuals that they have investigated. Their files contain all the facts that they can gather about an individual including reports of accusations made and other similar material. It is their practice not to disseminate this information. We agree with that practice.

The long-established policy of the FBI has been not to make public their reports. In the investigation by this committee the Department of Justice has furnished the committee with reports that have contained specific quotations and other information obtained from the files of the FBI. These summaries received in evidence are not reports of the FBI, yet, as presented, Senators and others might be led to believe that they were FBI reports. Our position is that this is unfair to the FBI and it gives an erroneous impression to the Senate and the general public. We point out that the method of using this type of summary from the Department of Justice is used by the majority in their report to discredit those who have given or might have been able to give useful testimony concerning individuals coming within the purview of the investigation.

In contrast, the majority did not seek a Justice Department report on Robert Baker. This practice is not only faulty but also fails the test of the best evidence and is misleading.

III. THE M'CLOSKEY AFFAIR

The Committee on Rules and Administration opened the second phase of the investigation only after being directed to do so by the Senate, and with specific directions to investigate further the case of Mr. Matthew H. McCloskey.

One of the questions for the committee to determine was, Was there an overpayment by McCloskey on the performance bond on the District of Columbia Stadium? The true and correct amount of the premium being $73,631.28, whereas the payment actually made was $109,205.60.

The testimony of Mr. McCloskey was vital to the investigation from the very beginning. The minority repeatedly requested that he be called. Under the rules of the committee, the minority or any member was entitled to have any witness called who had relevant information. These minority rights were constantly overrun. The repeated requests of the minority were not only denied, but also, when a formal motion was made and a vote taken, we were voted down.

On March 23, 1964, the minority's request to call Matthew H. McCloskey was refused by the majority on a 6-to-3 vote not to call him.

The intended procedure of the committee, when the investigation started was that witnesses should be sought out and interviewed by the staff. Thereafter there should be an executive session to ascertain what information they could give under oath, and then this would be followed by the testimony in open session. In open session there would be an opportunity to develop all the facts fully. The minority had no reasons to suspect the majority would prevent the holding of open sessions when the testimony was obviously relevant to the investigation.

The insurance man, Don Reynolds, was interviewed many times. He was called in executive session to testify, and he did testify. His testimony was discussed in some detail in the first report of the committee. In executive session Reynolds testified about the sale of the performance bond in a very limited way. The minority fully expected that Reynolds would be recalled in public session, and a request for Reynolds' testimony in public session, and a request for Reynolds' testimony in public session was made repeatedly. On March 24, 1964, the minority request to recall Reynolds was refused by the majority in a 6-to-3 vote not to recall him.

"The following testimony given by Reynolds in executive session is important. The fact that there was a payment to Robert Baker and to William McLeod, then clerk of the District of Columbia Committee of the House of Representatives, was ample notice to the committee that the entire performance bond transaction should be explored thoroughly and that the testimony of Mr. McCloskey was essential. Don Reynolds did sell the bond, as shown in the following testimony:

"Mr. MCLENDON. Did McCloskey receive the award of the contract for construction of the stadium?

"Mr. REYNOLDS. Yes, sir.

"Mr. MCLENDON. And did you write the bond?

"Mr. REYNOLDS. Yes, sir. As broker.

"Mr. MCLENDON. Do you remember the amount of the bond, face amount of the bond?

"Mr. REYNOLDS. It was either $14 or $15 million. The penalty amount of it, sir.

"Mr. MCLENDON. And what was the amount of the premium?

"Mr. REYNOLDS. I think the gross amount was in the neighborhood of $73,000 or $74,000.

"Mr. MCLENDON. And do you remember the amount of your commission?

"Mr. REYNOLDS. It was about $10,000, sir."

For the fact that the premium on the bond was $73,631.28 and the commission was $10,031.56, see Reynolds exhibit 1, first hearings.

Thereafter Reynolds made payments to Baker and McLeod for their services in connection with the bond, as shown by the following testimony.

"Mr. MCLENDON. Did you shortly thereafter on or about October 15, 1960, pay to Robert G. Baker the sum of $4,000 in compensation for his services in connection with the procurement of that bond?

"Mr. REYNOLDS. I did, sir.

"Mr. MCLENDON. I show you what appears to be copies of two checks of Don Reynolds Associates, one for a thousand dollars payable to McLeod and the second one for $500 payable to McLeod, and ask you to state whether or not they are copies of the two checks delivered by you to McLeod in payment for the invoices to which you refer?

"Mr. REYNOLDS. They are, sir.

"Mr. MCLENDON. So you insist that this $1,500 was paid for services rendered in connection with the stadium?

"Mr. REYNOLDS. The stadium plus the fact that he had always tried to help me in other matters, sir, when I asked him."

The decision of the majority members to refuse to recall Don Reynolds in open session, and the refusal to call Mr. McCloskey prior to the order of the Senate to reopen the investigation, shut the door on an area of inquiry that should have been fully explored if the committee was to comply with the instructions that the Senate had issued.

Although the majority persistently blocked any effective investigation on the part of the entire committee, Senator JOHN J. WILLIAMS, of Delaware, continued with his efforts in order to bring out the truth and clean up the mess. For instance, Senator WILLIAMS learned from the witness, Don Reynolds, that Reynolds was of the opinion that there had been an overpayment on the bond by McCloskey. Reynolds had made no such accusation in executive session because, as stated by him, he had no record of the invoice, nor did he have the check. The invoice and the check were in the hands of McCloskey and the committee refused to summon him. After long and diligent efforts, Senator WILLIAMS did locate a photostatic copy of the check given by McCloskey for the bond. We wish to point out that Senator WILLIAMS had no power of subpena. He was not furnished a staff such as the committee had, but he did possess a desire to bring out the truth.

As illustrative of the failure of the majority to investigate, we wish to cite again the following votes that were taken in committee and the result of the votes in this effort of the minority to call witnesses and pursue a complete investigation:

Date	Issue	Result
Jan. 17, 1964	To release Reynolds testimony	6 to 3 to release it.
Mar. 23, 1964	To call Margaret Tucker Broome	6 to 3 not to call.
Do	To call Rein J. Vander Zee	Do.
Do	To call Jessop McDonnell	Do.
Do	To call Mathew H. McCloskey	Do.
Do	To call Paul Aguirre	5 to 4 not to call.
Do	To call Warren L. Neil	6 to 3 not to call.
Do	To call Nick Popich	5 to 4 not to call.
Do	To call Walter Jenkins	6 to 3 not to call.
Mar. 24, 1964	To recall Don B. Reynolds	Do.
Do	To call Deane Beman	Do.
Do	To call Paul Ferrero	5 to 3 not to call.
Do	To recall William Kentor	Do.
Do	To call Max Kampelman	5 to 4 not to call.
June 29, 1964	To call Senators Williams, Case, Morse, McIntyre, and Jack Anderson.	6 to 3 not to call.
Feb. 8, 1965	To acquire additional medical testimony on Jenkins	6 to 3 not to secure additional medical evidence.

The majority of the committee on the 8th day of July 1964, filed a report. The first paragraph on page 1 of that report carried the following language:

"The Committee on Rules and Administration, which, pursuant to Senate Resolution 212 * * *, was authorized and directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate, having concluded such study, submit the following report to the Senate thereon together with recommendations."

We, the minority members of the Committee on Rules and Administration, filed a dissenting report on July 8, 1964, which stated that the investigation had not been concluded and that the various avenues which should be inquired into had not been explored. Moreover, we asserted that the majority had refused to call the necessary witnesses so essential to a full and complete investigation.

The minority report, filed on the 8th day of July 1964, contained the following language:

"We are unable to concur in the majority report of this investigation. We cannot concur because the investigation never has been completed. Proper judgments, conclusions, and recommendations can be drawn only when all the facts are in. An investigation, in order to be accurate and fair, must be complete and thorough. Every possible witness who may have helpful information should be called, placed under oath, and questioned. This is the only way to obtain the truth and the whole truth. This was not done in the so-called Baker investigation.

* * * * *

"The majority not only violated rule 19 repeatedly, but they used their superior numbers, six majority as against three minority, to frustrate and beat down every effort on the part of the minority to call witnesses and complete the investigation.

"The full story has not been disclosed concerning Bobby Baker and those associated with him, including present and former Senators and Senate employees. It has not been told because the majority prevented the investigation from proceeding."

The assistance of Senator John J. Williams to the committee has been invaluable. This was true in the original instance when the investigation was initiated and throughout the following months. Repeatedly Senator Williams passed on information or suggestions that, if followed, would have been most helpful. After the final report on the 8th day of July 1964 was filed, hearings discontinued and the staff substantially disbanded, Senator Williams found it necessary to report to the Senate because the committee was no longer active. On the 27th day of July 1964, on the floor of the Senate, Senator Williams made the following statement:

"But what the committee does not have and which the committee should have and which I hope it will still try to obtain, is a copy of Mr. McCloskey's check to Mr. Reynolds as payment for this stadium insurance. I think it would be very important to have that information.

* * * * *

"While it may be merely routine, I should like to see the $73,631.28 check to see if that is exactly what was paid. I would suggest that even now the committee could obtain a copy of that check. It may be interesting."

Had the rules of the committee been followed and the efforts of the minority to call Mr. McCloskey and other witnesses prevailed, all of these facts, including McCloskey's check and invoice, would have been before the committee. The majority, through Chairman Jordan, later contended that they were not closing up their work when they fled the first report. But even after the time Senator Williams suggested that Mr. McCloskey's check be obtained, the majority could have proceeded to secure the check and the testimony of Mr. McCloskey. The majority made no such move. They totally ignored this very helpful suggestion that Senator Williams had offered. Even though the committee had the power of subpena and had been voted the funds necessary to employ a staff to conduct a full investigation, they still did nothing. None of these investigative resources was available to Senator Williams. Yet he continued to work until he obtained a copy of the check written by the McCloskey company to Don Reynolds. That check speaks for itself. It is a document that cannot be impeached. The issuance and the delivery of the check have never been denied. That check was identified as "Exhibit No. 20" in the hearings, and it is reproduced here as follows:

"Mr. McLendon. Give him exhibit 20, please. Look at exhibit 20 and tell us whether that is a correct copy of McCloskey & Co.'s check payable to Don Reynolds & Associates, Inc., in the amount of $109,205.60?

"Mr. Reynolds. It is, sir.

(The exhibit referred to is not included in the Record.)

"Mr. McLendon. Does it contain an endorsement on the back: 'For deposit only, Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Maryland.'?

"Mr. Reynolds. It does, sir."

This whole investigation has been one marked by a refusal to investigate, by attempts to cover up, and by a failure of the majority to inform the minority of all the information that had been turned in to the committee, and foot dragging generally. The majority position in reference to their coverup of the facts in the McCloskey case is quite typical of the report written by the majority of the committee. The majority claims surprise when Mr. Williams produced the foregoing McCloskey check, notwithstanding the fact that he had several weeks before, asked them to secure the check. Then, at the same time, they criticized Senator Williams for not doing the committee's work at an earlier date.

As shown earlier, the amount of the premium on this bond was much less than the amount of the check shown above. Mr. McCloskey's only explanation is that it was a "goof."

The following testimony is the real "goof" proof:

"Mr. McLendon. Will you point out to me anything on this bill that would be identifiable as a premium on the bond?

"Mr. Reynolds. Sir, there is a question of insurance intelligence and there is a question of ordinary civil intelligence. And any person reading that bond will know that the total premium I billed Mr. Matt McCloskey is $109,205.60, period. There is no policy number nor identification. Under any policy that my agency has ever issued or may issue there is a policy issued identifying it, and the premium on individual policies, sir.

"Mr. McLendon. Well——

"Mr. Reynolds. It was a coverup that was made at the suggestion of Mr. McCloskey and Mr. Baker, Major McLendon; it wasn't mine.

"Mr. McLendon. All right; so the words 'general liability' are meaningless.

"Mr. Reynolds. Absolutely no meaning except for people who want to read it in there.

"Mr. McLendon. That is camouflage?

"Mr. Reynolds. Well, I consider it as such.

"Mr. McLendon. And you intended this to be an invoice for $109,000 as a premium on the bond only?

"Mr. Reynolds. Mr. McCloskey knew that, sir.

"Mr. McLendon. I didn't ask you what Mr. McCloskey knew. Did you intend this invoice to be for $109,000 premium on the bond only?

"Mr. Reynolds. I intended for it to read the way Mr. McCloskey and Mr. Baker had instructed me to issue it, sir.

"Mr. McLendon. Well, you wrote it?

"Mr. Reynolds. Yes; but I was given instructions, sir.

"Mr. McLendon. And wouldn't you admit as an experienced insurance man that anybody reading this would interpret it to mean that the two items constituting the $109,000 were, one, the premium on the bond; and the other, the premium on the general liability insurance?

"Mr. Reynolds. Not if I had been on the original conversation and knew the background and knew the request for the full amount I would not construe such, sir.

"Mr. McLendon. Well, suppose somebody would see this invoice that knew nothing about the background?

"Mr. Reynolds. Sir, I was instructed to mail it personal and confidential to Mr. Matthew McCloskey and no one else, which I did.

"Mr. McLendon. This letter doesn't show as personal and confidential?

"Mr. Reynolds. It was on the envelope and Mr. Baker so instructed me to put it.

"Mr. McLendon. You haven't got the envelope?

"Mr. Reynolds. I haven't got the envelope; Mr. McCloskey might be able to produce it.

"Mr. McLendon. I am asking if there is anything on the letter that shows it.

"Mr. Reynolds. No; but it was done because Mr. Baker asked me to do it.

"Mr. McLendon. Did you know when you prepared this invoice for $109,000 it was false?

"Mr. Reynolds. It goes without saying; I was instructed what to put and I put it.

"Mr. McLendon. You knew it was false?

"Mr. Reynolds. Certainly; I was told what to do.

"Senator Curtis. Mr. Chairman, may I ask a question? Is this billing to McCloskey for this $109,205.60 in the column which is printed 'premium'—this billing is in the manner and in the form that you usually would send a bill if you write it?

"Mr. Reynolds. No; without a company and a policy number it has no meaning whatsoever.

"Senator Curtis. In other words, this was a bill or an invoice that you made out at the direction of Mr. Baker?

"Mr. Reynolds. Right, sir; and in turn——

"Senator Curtis. He gave you that direction over the telephone?

"Mr. Reynolds. Correct, sir.

"Senator Curtis. And it was intended to be vague and misleading because you knew and Baker knew that the $109,000 represented more than the actual premium for which he was billed, is that correct?

"Mr. Reynolds. This is a hundred percent correct, sir.

"Senator Curtis. Yes; and you would—you sent a letter along with it, didn't you?

"Mr. Reynolds. Right, sir.

"Senator Curtis. And that letter begins: 'Enclosed is the invoice as agreed.' In other words, that was as agreed and directed to you by Baker?

"Mr. Reynolds. Baker told me that he and Matt had agreed on the amount, and how I should bill it, sir.

"Senator Curtis. Why did they make it 35,000-and-some-odd dollars more than the true amount?

"Mr. Reynolds. Well, I asked Bobby why we didn't round it out to even dollars. It looked a little foolish, and he said, 'To throw anyone off who would later audit it.'

"Senator Curtis. What was the excess for?

"Mr. Reynolds. It was to be given part to me for being the bagman.

"Senator Curtis. Yes. How much?

"Mr. Reynolds. $10,000 additional premium which was the equivalent of what you would call the contingency reserve loss earned premium portion. In other words, had I written this through a company I represented I not only would have made the $10,300 commission, which is what they call local agent or broker's commission, but if you have good contracts and your loss ratio falls below a certain point, sir, the surety companies will give you a contingency reserve loss ratio additional earned premium because you have developed good accounts, and——

"Senator Curtis. So you got the $10,000 out of the $73,000?

"Mr. Reynolds. I got $10,300 and something as commission as shown on the——

"Senator Curtis. Out of the 73?

"Mr. Reynolds. Right, sir.

"Senator Curtis. And $10,000 out of the excess?

"Mr. Reynolds. Out of the $35,000 plus; that is correct, sir.

"Senator Curtis. What was done with the balance of that?

"Mr. Reynolds. I disbursed——

"Senator Curtis. It would be in the neighborhood of $25,000.

"Mr. Reynolds. $25,000 plus, more or less; right, sir.

"Senator Curtis. Yes.

"Mr. Reynolds. I delivered to Mr. Robert G. Baker $5,000, or fifty $100 bills, on five separate occasions.

"Senator Curtis. When this $109,205.60 came to you, what did you do with it?

"Mr. Reynolds. I asked Bobby could I give him the money then and he said 'No.' He said: 'Stick it in a bank which you normally do not use so any of these people snooping around would have one hell of a time finding it.'

"Senator Curtis. What bank or financial institution did you place it in?

"Mr. Reynolds. In a building and loan because Bobby told me I could get interest on it.

"Senator Curtis. What building and loan?

"Mr. Reynolds. Let's see; Citizens Building & Loan.

"Senator Curtis. Where is that located?

"Mr. Reynolds. In Silver Spring.

"Senator Curtis. So far as you know their records bear this out?

"Mr. Reynolds. Yes, sir. To the best of my knowledge.

"Senator Curtis. And you put in the entire $109,000?

"Mr. Reynolds. $109,000.

"Senator Curtis. $109,205.60?

"Mr. Reynolds. Right.

"Senator Curtis. How did you get the $73-odd thousand out?

"Mr. Reynolds. I had to withdraw funds from the Citizens Building & Loan, have them subsequently issue checks to me that I could deposit in Suburban Trust so I could pay Hutchinson, Rivinus for their bill.

"Senator Curtis. Now, and Baker told you that the political end of it, $25,000, wasn't to be turned over to him all at one time?

"Mr. Reynolds. Bobby told me he could not take all of the additional money and he would instruct me at which point and how much he could take.

"Senator Curtis. What were those instructions that followed?

"Mr. Reynolds. He told me that he would like $5,000 at a time, sir. But only to do it when he told me, and he told me under no circumstances to bring him a check from me or from the building and loan, but to take that check and go to another institution or to obtain cash for it.

* * * * *

"Senator Curtis. But every time your payment to Baker was in cash?

"Mr. Reynolds. Yes, sir.

"Senator Curtis. What was it intended for?

"Mr. Reynolds. He told me from what I had interpreted the conversation with Mr. McCloskey that $15,000 of the $25,000 was to be directed to the presidential campaign, sir.

"Senator Curtis. And what was the other 10?

"Mr. Reynolds. The other 10 would be directed for political purposes as Bobby and Mr. McCloskey saw fit, or to Bobby, and I was never sure, sir.

"Mr. Reynolds. I think it is in the record, sir, that from this amount Mr. Baker, even before I got the checks, had a check for $4,000 that I had drawn on my personal account.

"Senator Curtis. And that was by check?

"Mr. Reynolds. That is correct, sir.

"Senator Curtis. And that is the one that is in the hearings of your previous testimony which has been released to the public?

"Mr. Reynolds. That is right, sir.

"Senator Curtis. So you paid Baker $4,000 out of that portion?

"Mr. Reynolds. Yes, sir.

"Senator Curtis. Did you pay anybody else any part of that premium?

"Mr. Reynolds. Subsequently I did, sir. I paid Mr. McLeod—William McLeod—$1,000 and a $500 payment that is also in testimony, sir.

"Senator Curtis. And how much total did you give Mr. McLeod?

"Mr. Reynolds. $1,500, sir."

That there were irregularities is supported by the documentary evidence such as the check. Mr. McLeod, then an employee of the House, corroborates the fact that he got his money. Robert Baker, then an employee of the Senate, by taking the fifth amendment, refused to avail himself of the opportunity to deny any of the testimony concerning his participation, the commission, or the handling of funds that ended up as a political contribution to the Democratic Party.

The McCloskey Co. paid the full amount; to wit, $109,205.60. They charged it off as a business expense and so deducted it for income tax purposes. Clearly it was not a business expense and it was not deductible. The handling of this expenditure in this manner was explained by William K. Stewart, vice president of McCloskey & Co., by the following testimony concerning the 1961 income tax return for McCloskey & Co., exhibit 37:

"Mr. McLendon. Will you tell the committee whether or not in that tax return McCloskey & Co. included as an operating or, deductible expense the amount of $109,000-plus, represented by the check of McCloskey & Co., to Don Reynolds Associates?

"Mr. Stewart. Yes, sir; it is included as a cost of goods sold in the $34,848,000 figure on the first page of the 1120 form; form 1120, the second line."

After obtaining a copy of the check showing the real amount paid by McCloskey, the committee had obtained a copy of the letter and invoice, exhibit No. 17, from Hutchinson, Rivinus & Co., to Reynolds regarding the McCloskey bond, and the invoice or bill, exhibit No. 18, which Reynolds submitted to the McCloskey Co. Mr. Reynolds testified that these invoices were made out according to the agreement that had been made for the padding of the bill so that it would carry extra funds for political contributions. The invoices are as follows:

Hutchinson, Rivinus & Co.,
Philadelphia, September 13, 1960.

Re McCloskey & Co., bond No. 4S–40225, the Aetna Casualty & Surety Co., contract for construction of Columbia Stadium, Washington, D.C.

Mr. Don B. Reynolds,
President, Don Reynolds Associates, Inc.
Silver Spring, Md.

Dear Mr. Reynolds: In accordance with instructions from Mr. J. B. McHale, Jr., of this office, we enclose herewith our invoice for the premium of $73,631.28 covering performance bond in connection with the above-captioned contract, less commission of $10,031.56, or net owing us of $63,599.72.

Yours very truly,
Hutchinson, Rivinus & Co.,
By Atwood H. Bent.

(Invoice not printed in the Record.)

September 14, 1960.

Mr. Matthew H. McCloskey,
Philadelphia, Pa.

Dear Matt: Enclosed is invoice as agreed. Please authorize payment at your earliest convenience.

Thank you very much.

Most sincerely,
Don B. Reynolds.

(Invoice not printed in Record.)

The invoice cannot be impeached. The check itself is evidence that there was an overpayment.

Mr. Lawrence F. McQuaid had been controller for the McCloskey Co. during the time of this bond transaction. His testimony is clear and direct. It shows that the McCloskey Co. was not misled by any words on the invoice relating to public liability. Mr. McQuaid's testimony reveals the fact that the McCloskey Co. knew that no part of the expenditure of $109,205.60 was for any general liability insurance. It reveals the fact that the McCloskey Co. treated the expenditure as the cost of the bond. Mr. McQuaid's testimony is as follows:

"Mr. McLendon. Mr. McQuaid, were you in the employment of McCloskey Co. in the year 1960?

"Mr. McQuaid. Yes, sir; I was.

"Mr. McLendon. When did you terminate your employment?

"Mr. McQuaid. December 31, 1961.

"Mr. McLendon. How long prior to December 1961 had you been in the employ of the company?

"Mr. McQuaid. A little over 4 years.

"Mr. McLendon. In what capacity were you employed?

"Mr. McQuaid. Controller.

"Mr. McLendon. Controller?

"Mr. McQuaid. Yes, sir.

"Mr. McLendon. What were your duties, generally?

"Mr. McQuaid. I was in charge of the accounting department.

"Mr. McLendon. Did you have overall supervision of the entire accounting department during that time?

"Mr. McQuaid. Yes, sir.

"Mr. McLendon. Some reference has been made here in prior testimony that McCloskey & Co., at that time, for tax purposes, were working on what is known as the completed contract basis, is that correct?

"Mr. McQuaid. That is right.

"Mr. McLendon. What does that mean?

"Mr. McQuaid. Well, that means that on these major jobs which last over a year or two in operation, all of the income and all of the costs are deferred until the year in which the job is completed, and then it is taken into the accounts.

"Mr. McLendon. Then you determine whether there was a profit or loss, when the contract is completed?

"Mr. McQuaid. Yes, sir.

"Mr. McLendon. Then, of course, whatever that determination is, is reflected in the income tax returns?

"Mr. McQuaid. Right.

"Mr. McLendon. For the year in which the job is completed?

"Mr. McQuaid. Right.

"Mr. McLendon. Mr. McQuaid, there is in evidence in this proceeding a document marked 'Exhibit 18,' which appears on page 156 of the record. Could somebody hand the witness a copy so he knows what I am referring to? You have it there, do you not?

"Mr. McQuaid. Yes, sir; page 156.

"Mr. McLendon. Exhibit 18, appearing on page 156, part 2, containing the testimony of Don B. Reynolds, on December 1, 1964. It is in evidence, Mr. McQuaid, that that document was received by McCloskey & Co. and approved by Mr. William Stewart, who has testified in person, and then a stamp was placed on it, which you see there on the exhibit, giving the contract number and charge—I guess that is a code number, isn't it?

"Mr. McQuaid. That is a charge account code number, sir.

"Mr. McLendon. Charge account code number, with the word 'approved.' It also bears a date—stamped date—October 17, 1960, isn't it?

"Mr. McQuaid. I suppose it should be 60. It is a little——

"Mr. McLendon. A little blurred.

"Mr. McQuaid. Blurred; yes.

"Mr. McLendon. Do you have any recollection that this particular document ever came to your personal attention as controller?

"Mr. McQuaid. No, sir; I have no present recollection of ever having seen this document personally.

"Mr. McLendon. In connection with that, the record also shows exhibit 20, which appears at page 171 of the printed record you have before you. It was a check of McCloskey & Co., signed by T. D. McCloskey, dated October 17, 1960, in exactly the same amount as the invoice which was marked 'Exhibit 18'—$109,205.60. Do you have any recollection that that check ever came to your personal attention?

"Mr. McQuaid. No, sir; I do not.

"Mr. McLendon. If the invoice and the check, as appear in this record, had come to your attention with a stamp on the bill and the information that Mr. Stewart had approved it, what would have been the method of processing it through your records?

"Mr. McQuaid. I am sorry—what would what?

"Mr. McLendon. I say if this invoice had come to your attention bearing the stamp of approval, and the information that Mr. Stewart had approved it, and then you found the check which corresponded to the bill, what would have been the process by which these documents would have been handled in your accounting?

"Mr. McQuaid. Well, I would say just about the way they apparently had been handled here. They would have been processed and charged into the particular job, which is this 403, the District of Columbia Stadium, and set up for payment at the appropriate time. The bill is stamped 'Paid, October 17, 1960,' and that is the date of the check that paid it. It seems to be all in order.

"Mr. McLendon. If anyone had called your attention to the fact at that time, or raised a question—whether it was a fact or not—that maybe this bill for insurance would be paid twice, what would you have done then?

"Mr. McQuaid. That it would be paid twice?

"Mr. McLendon. Yes.

"Mr. McQuaid. I would do what I could——

"Mr. McLendon. That this check would be a duplicate payment—would constitute a duplicate payment. What would you have done?

"Mr. McQuaid. I would try to stop it.

"Mr. McLendon. Sir?

"Mr. McQuaid. I would have tried to stop the duplicate payment.

"Mr. McLendon. You would have stopped it, wouldn't you?

"Mr. McQuaid. I could not stop the payment, because I did not initiate the payment. But I would try to stop it by bringing it to the attention of those who would pay it.

"Mr. McLendon. I am not trying to be facetious. What I mean is that as controller you would not have stood by and see it paid twice, without doing something about it.

"Mr. McQuaid. Not deliberately; no, sir.

"Mr. McLendon. But it appeared to be perfectly regular. Is it true it was processed in all your records?

"Mr. McQuaid. Yes.

"Mr. McLendon. And would finally be treated as an expense item in computation of income tax?

"Mr. McQuaid. It wound up in the proper slot in accordance with this coding, in our records.

"Mr. McLendon. I believe that is all.

"The Chairman. Senator Curtis?

"Senator Curtis. Yes, Mr. Chairman. You made reference to the coding. What does that code show on this bill shown on page 156?

"Mr. McQuaid. It shows C–403, which indicates the contract number assigned to the District of Columbia Stadium job, and a subcoding, 32.

"Senator Curtis. What does the 32 mean?

"Mr. McQuaid. Which indicates the bond costs on that job.

"Senator Curtis. The bond costs?

"Mr. McQuaid. Yes.

"Senator Curtis. Was the whole amount charged to bond costs?

"Mr. McQuaid. Yes, sir.

"Senator Curtis. Why?

"Mr. McQuaid. Because that is the coding on it.

"Senator Curtis. Who put that coding on it?

"Mr. McQuaid. The accounts payable clerk, I would assume.

"Senator Curtis. Who did?

"Mr. McQuaid. Well, the handwriting is familiar to me, but I would only be guessing.

"Senator Curtis. Whose handwriting is it?

"Mr. McQuaid. It looks like the accounts payable clerk.

"Senator Curtis. His name?

"Mr. McQuaid. It was a she.

"Senator Curtis. What was her name?

"Mr. McQuaid. Miss McCloskey.

"Senator Curtis. Miss McCloskey?

"Mr. McQuaid. Miss Agnes McCloskey.

"Senator Curtis. Who is she?

"Mr. McQuaid. The accounts payable clerk.

"Senator Curtis. Is she related to the management of the company?

"Mr. McQuaid. I believe so.

"Senator Curtis. Do you know?

"Mr. McQuaid. I think so, but I don't know just by what degree of relationship.

"Senator Curtis. And her code directed that to be charged as all performance bond?

"Mr. McQuaid. Yes, sir. The code of account for that job——"

The foregoing testimony is convincing proof that the overpayment on the bond was not an innocent mistake or goof. The McCloskey company, and even one of the McCloskey family, received the invoice, approved payment, and directed that it be charged to the performance bond expense. These facts are not denied by Miss Agnes McCloskey who coded the invoice "C–403" indicating that the expenditure was to be charged to the District of Columbia Stadium job and further subcoding it No. 32 which, in effect, directed that the full expenditure be shown as cost of the performance bond.

These facts negate the claim of Mr. Matthew McCloskey that this traction was a mere goof. It was highly irregular. This performance bond transaction has been unanimously voted by the committee to be included in the material laid before the Attorney General for investigation, because that vote directed the Attorney General to examine the entire record in the investigation for possible violations of the law.

Notwithstanding the fact that an overpayment was made for the bond, and that part of the excess may have been used for political purposes, and that it was improper to claim it as a tax deduction, and that an irregular payment was made to Robert Baker and William McLeod which are fully supported with documentary evidence, the majority of the committee makes the startling statement in their report:

"On these aspects of the District of Columbia Stadium matter, the committee concluded, from the extensive testimony and documentary evidence, that no impropriety was committed by public servants or by McCloskey or his associates."

The foregoing statement is not supported by evidence. In fact, all of the evidence indicates that the transaction contained wrongful, irregular, and fraudulent aspects which were in violation of law. We cannot concur in such a statement of the majority because it is contrary to all the facts.

Finally, it should be noted that Senator Cooper requested that McCloskey & Co., their agents, Hutchinson & Rivinus, and the carrier, the Aetna Casualty & Insurance Co., supply records to the committee for the purpose of ascertaining whether there was any additional evidence to support or contradict the testimony of either McCloskey & Co., or Reynolds, concerning the overpayment of the insurance premium. No such records were submitted to the committee by these companies.

Some of the details concerning the untiring, beneficial, and cooperative efforts of Senator John J. Williams are covered elsewhere in this report, but we, at this time, would remind the Senate of the great contribution of Senator Williams in an effort to get the truth and the whole truth.

IV. DON B. REYNOLDS

A disturbing aspect of the Baker investigation was the continuing efforts to discredit witnesses who were willing to testify before the committee and whose testimony extended the investigation into new areas. This was the case with respect to Don B. Reynolds.

The minority points out that testimony could not be reasonably expected from people of the highest character and integrity because people of that type were not associated with Mr. Baker in his improper activities, or in other improper activities which came to the attention of the committee. Evidence had to be sought from people who were associated with him, or engaged in other improper activities.

Mr. Reynolds was an associate and friend of Mr. Baker and engaged with him in certain business activities. We do not condone or approve his association in these activities. But his testimony upon specific issues before the committee, such as the McCloskey and Jenkins cases, was corroborated by other witnesses and by documentary evidence. His testimony upon these specific issues was relevant to the investigation. Yet the majority reached beyond these specific issues and, by the use of confidential records concerning Reynolds' life years ago—matters not relevant to the specific issues before the committee—attempted to discredit his testimony.

As contrasted with the treatment of other witnesses, the practice of discrediting the testimony of Reynolds is striking.

It is clear from the record that other friends of Mr. Baker were engaged in questionable activities. Some of these friends who testified gave testimony favorable to him, and others claimed the protection of the fifth amendment. But their conduct did not arouse the moral indignation of the majority, and no effort was made by them to discredit these witnesses who gave testimony favorable to Baker.

The committee had the right and the duty to weigh and test the testimony of all witnesses by proper means, and notably by making the effort to secure the fullest testimony on every relevant issue. But we do not believe it is proper or fair to take the extraordinary steps observed in this investigation to discredit a witness.

Witness Reynolds has claimed that at one point the committee staff tried to harass and intimidate him. In a statement filed with the committee, Reynolds said that—

"When he (Chief Investigator Meehan) asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins, and Walter Jenkins alone, had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker."

That such an occurrence as Mr. Reynolds described did take place is confirmed by the minority counsel.

Some of the testimony that Mr. Reynolds furnished during his appearance before the committee in December 1964 has never been, and probably never will be, released to the public. Yet, it is that unpublished testimony which has prompted efforts to discredit and destroy this witness.

On page 1 of the Report by the Department of Justice on Testimony of Don B. Reynolds, it is stated that—

"The committee was in no position to conduct a serious interrogation of the issues raised or the veracity of the witness raising them."

The Senate has passed not one but two resolutions specifically directing our committee to make a thorough investigation of this matter, and such a statement is in direct contravention with the mandate of the Senate.

V. MORAL ISSUES

The majority would not concur with the position of the minority that the committee under the terms of the resolutions had the duty to investigate the allegations concerning party girls and determine their truthfulness and determine whether they were used by Robert Baker or others in promoting their business activities and influencing Government decisions.

As an illustration of the need to pursue all phases of Robert Baker's activities in order to fully investigate his business, financial and other activities, we cite from the committee hearings, part V, page 586, which sets forth quotations from a staff report on Paul Aguirre:

"Mr. Aguirre thinks he first met Robert G. Baker in Baker's office in the Capitol Building, Washington, D.C., approximately 3 or 4 years ago when he was introduced to Baker by Warren Neil at that time. At first Mr. Aguirre stated that he had never had any business deals with Baker but just knew Baker socially. However, subsequently in the course of the interview, Mr. Aguirre did state that he had had business discussions with Baker concerning the organization of the Pasantic Corp., which was a company to be organized for the purpose of operating trailer parks. Mr. Aguirre said originally the plan was to have 10 members in the Pasantic Corp.

"Baker brought Carole Tyler and Elli Rometsch with him from Washington to New Orleans on the May 1963 trip. Mr. Aguirre said he spent several days partying with them in New Orleans but denied going with them to Dallas and Miami. Mr. Aguirre said he knew Carole Tyler socially, had been to her house at 308 N Street SW., and had seen her many times in San Juan, P.R., with Bobby Baker. Mr. Aguirre stated that he didn't want to discuss Baker's private life saying, 'I'm sure Baker is paying dearly at home for this now.'

"Mr. Aguirre reported that he and Warren Neil met Baker, Wilson Abraham, and Nick Popich in New Orleans in June 1963 and from there they went together to see the Patterson-Liston fight in Las Vegas. When asked about who paid the expenses, Mr. Aguirre said Baker picked up the check as often as any of the others of the group.

"When asked further concerning Elli Rometsch, Carole Tyler, and the alleged 'parties,' Mr. Aguirre declined to discuss the matter further stating, 'if I'm asked by the committee about this, I will deny it even if they have photographs. My wife is expecting a denial and she will get it. I'll take the 1st through the 28th.'"

The foregoing report also states that Aguirre said Robert Baker made an appointment for him at the FHA, but that it wasn't fruitful. The report also recites that Baker and Aguirre looked over some property in Houston, Tex.

As another illustration, on December 9, 1964, the majority voted against conducting an investigation into the material provided by Senator JOHN WILLIAMS concerning Ingrid Luttert, Ellen Rometsch, and others. Had the committee investigated in this area as the minority contended it should, answers to many allegations concerning the part that these persons played in Baker's operations, as well as any possible security risks that may have existed, could have been inquired into.

A thorough investigation not only brings out the facts as to any wrongdoing so that appropriate legislation or other remedies may be applied, but also a thorough investigation clears up unfounded rumors and allegations.

VI. THE WORK OF SENATOR JOHN WILLIAMS

The most significant contributions made to the committee during the course of the investigation were made by Senator JOHN WILLIAMS of Delaware.

In 1963, before the committee had even hired a full investigative staff, it was the work of Senator WILLIAMS that uncovered Baker's involvement with MGIC stock, with the Murchison-owned Haitian American Meat Co., and with the Reynolds Insurance Agency. It was Senator WILLIAMS who uncovered the Baker-Reynolds-McLeod-McCloskey connection with the performance bond on the District of Columbia Stadium.

As we have stated heretofore, it was the individual efforts and evidence furnished by Senator WILLIAMS which reopened the Baker investigation and belatedly accorded the committee the opportunity to investigate the McCloskey stadium bond overpayment. The Sweet Water Development Co. matter and the San Rafael, Calif., bank charter were other areas developed by the Senator from Delaware. Without the evidence produced by Senator WILLIAMS, which evidence forced the majority to act, we doubt that the investigation of Robert Baker would have ever occurred.

The minority would like to express an unqualified vote of thanks to Senator JOHN WILLIAMS for his untiring efforts in furthering the progress of this investigation.

VII. RECOMMENDATIONS

We recommend that the Senate Select Committee on Standards and Conduct, which was created by action of the Senate on the 24th day of July 1964, as proposed and offered by Senator JOHN SHERMAN COOPER, be activated forthwith. We are pleased that the majority has made this recommendation even though they opposed the creation of this committee.

We wish to add the following recommendations:

1. We recommend that all congressional officers and employees be prohibited by law from serving as treasurer, or temporary treasurer, or custodian of any type, for the handling of any political fund, or funds, and that all congressional officers and employees be prohibited by law from soliciting and distributing political funds.

2. We recommend that Members of the Congress and all congressional officers and employees be prohibited from soliciting or receiving any compensation, for or on account of personal or professional services rendered or to be rendered by them, from any person having an interest in any congressional legislation, or any person having any matter pending before any bureau, agency, or department of the Federal Government. We also recommend that the payment by any such person of any such compensation to any such Member, officer, or employee for any such services likewise be prohibited.

3. We recommend that criminal penalties similar to those provided by existing conflict of interest laws be provided for violation of the foregoing provisions.

CARL T. CURTIS.
JOHN SHERMAN COOPER.
HUGH SCOTT.

Mr. CURTIS. Mr. President, we might look for a moment at the North American contract with the vending machine company. This contract had its origin perhaps 4 or 5 years ago.

The Apollo contract of more than $1,400 million was awarded by NASA to North American Aviation in November or December of 1961.

The majority of the Rules Committee were negligent in not looking into all possibilities surrounding Serv-U's being awarded the North American vending contract at almost the same time that North American was awarded the gigantic Apollo moon contract.

For instance, Mr. Tucker testified concerning Serv-U that:

> The first information I had concerning the corporation was, I would assume, either late November or early December of 1960–61, when Mr. Baker mentioned the fact to me that there was a possibility that a group would go into the vending machine business, and would I like to be counsel for it, and they would pay me a retainer.

When John Leland Atwood, president of North American Aviation, appeared before the committee he testified that

Black first spoke to him about North American letting Serv-U have its vending business in October of 1961. Mr. Atwood also said that, "Mr. Black undoubtedly told me that Baker was interested in it"—Serv-U. At this point it is interesting to note that Serv-U was not even in existence in October of 1961, although at that time NASA was reaching a decision that the Apollo contract would be awarded to North American Aviation. Moreover, the North American plants Serv-U wanted to service were in California, yet the records of the California Secretary of State's office disclose that Serv-U only qualified to do business in that State on January 18, 1962. To make matters even more apparent, Eugene Hancock, at that time president of Serv-U, testified that in December of 1961 the company had neither vending machines nor employees. I quote from the testimony:

Senator Curtis. May I ask one question at this time? When did you first make your trip to see North American?

Mr. Hancock. I think it was in the latter part of December 1961.

Senator Curtis. How much equipment did Serv-U own on that date, vending equipment?

Mr. Hancock. They didn't own any.

Senator Curtis. And the stock had not been paid in?

Mr. Hancock. Not to my knowledge.

Senator Curtis. So you were a paper organization. You had no equipment, no stock had been issued when you made your call on North American; is that right?

Mr. Hancock. There wasn't any equipment.

Senator Curtis. How many employees did you have.

Mr. Hancock. None.

The Chairman. Well, may I clarify a question for my own benefit? You would not purchase equipment for any contract until you got the contract; would you?

Mr. Hancock. Well, yes, sir—you purchase equipment, but not that size; no, sir.

The Chairman. In other words, would you buy a lot of vending machines without a contract or any place to put them?

Mr. Hancock. Not too many; no, sir.

Senator Curtis. Did you have any vending machines any place on that date?

Mr. Hancock. No, sir.

Senator Curtis. Nor employees?

Mr. Hancock. No, sir.

We cannot understand and we do not know why the North American Co. would, in November and December of 1961, consider dislodging a reputable vending concern, Automatic Canteen, that had been successfully serving their plants for over 20 years, in order to take a chance on a new, untested, unincorporated, nonexistent company which had neither employees, nor equipment, nor capital, nor experience.

On January 12, 1962, 6 days before Serv-U was licensed to do business in California, Mr. Hancock sent their vending proposal to North American. It is interesting to note that North American acquired no other proposals except Serv-U's. Thereafter, on January 30, 1962, this proposal was accepted and Serv-U signed a vending contract. Serv-U needed equipment, employees, and capital, and for that they made application for a loan to the Fidelity National Bank of Oklahoma City, Okla.

Later on, after questioning by Senator Cooper, Black admitted that the prime objective of Serv-U was to secure the business of North American and that he did not even pay for his portion of the paper-share stock until a North American contract was signed.

The Black I refer to is Fred B. Black, an official of the North American Co. and its Washington representative, and also a stockholder in Serv-U.

The great portion of the business of North American is done with the Government. This followed right at the time they had received this vast Government contract.

Continuing reading:

Senator Cooper. What I am getting at is this. Wasn't the prime objective of this company to secure the business of North American Aviation?

Mr. Black. Well, it would appear so now, because that is the major part of their business.

Not surprisingly, Leland Atwood, president of North American Aviation, admitted that 95 percent of his company's work was with the Government.

It has been contended that Don Reynolds' allegations were inaccurate. For some of these he drew upon his memory. At one time, in a memorandum, he made the mistake of referring to the Apollo contract by another name, but in an interview entirely independent, he corrected it and related the discussions that he had had with Baker and others about the huge Government contract and its relation to the Serv-U contract, which was the principal thing in Baker's financial empire which made for this salaried individual, this officer of the Senate, a fortune which he claimed to be worth more than $2 million.

Mr. President, it is surely not coincidental that Serve-U Corp. got the North American contract during the same period that North American acquired the $1 billion-plus Apollo moon contract.

Let me make it abundantly clear that I do not wish to indict officers, directors, and managers of the North American Co., or any other company. Without a doubt, the principal schemer in this was Mr. Fred B. Black, and that he betrayed his employer.

But, it is also true that this whole issue was never investigated as it should have been. The minority views—which I have asked to be printed in the Record today—will show the repeated efforts of the minority to conduct an investigation, and the repeated refusal of the majority to investigate. The result was that the so-called Bobby Baker matter was the greatest whitewash in the history of the Senate. It will serve to stand out as a blot upon the good name of the Senate, because under the dome of the Capitol there was evidence which pointed toward gross corruption and the numerical majority, 6 to 3, was used time and again to prevent the committee from going into certain phases of the transaction—and there were several transactions—to prevent the calling of witnesses, and so forth.

However, Mr. President, there are certain natural laws with which we cannot interfere. One of them is that truth will eventually out. Therefore, little by little, it is coming out.

Let me say again that the Senate and the people of America are very much indebted to the distinguished Senator from Delaware [Mr. Williams] for his untiring work to give to the people of America an honest government in those spots where they do not have it now.

I ask unanimous consent to have printed in the Record an editorial published in the Omaha World-Herald on Friday, September 3, 1965, entitled "Senate's 'Conscience'."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Senate's "Conscience"

When the people of Delaware in 1946 elected Republican John J. Williams to the U.S. Senate, he was the source of some amusement in the Nation's Capital.

Mr. Williams was a farmer and a dealer in chickenfeed. Some of the more worldly characters in Washington were certain that he would be far beyond his depth in the Nation's Capital.

As reporter John Barron writes in the current Reader's Digest:

"Detractors privately ridiculed him as a 'pious hick.' Top officials laughed when, working without investigators, funds, or power of subpoena, he started rounding up records and asking simple questions about how they were running Government business.

"Some of them had to stop laughing when they found themselves on the way to the penitentiary."

But sending Government officials to the penitentiary can be a hazardous business. A man who goes about throwing light into the dark corners of Government soon finds the hounds of corruption baying at his heels.

For example, reporter Barron lists some of the happenings that have plagued Senator Williams in the 2 years since he unearthed the Bobby Baker scandals. Among them these:

Carole Tyler, formerly Baker's confidential secretary, flew to Tennessee to announce to an assemblage of newspapermen that she had seen the principal instigator of the Bobby Baker hearings at 6:30 one morning with a young lady who was not his wife. She failed to point out that the young lady was the Senator's granddaughter.

The Senator's mail has been intercepted and monitored.

Someone sent to Mr. Williams a 4-page typewritten tale about how three Government officials had made millions through a corrupt deal. It was a plant, made in the hope that the Senator would "go to the floor of the Senate with it," and thus discredit himself.

The Baker investigation was whitewashed and pigeonholed, but John J. Williams remains on the scene, and as he said recently, "* * * I am not about to be intimidated. In fact, my curiosity and determination grow as resistance intensifies."

In the election campaign last fall Senator Williams was the Member of Congress which the administration tried hardest to defeat. On the Saturday before election day, President Johnson went to **Dover, Del., and** appealed to voters: "Give me men I can work with." Delaware voters responded by giving Mr. Johnson a landslide victory, but enough Democrats split the ticket to return JOHN WILLIAMS to the Senate by more than 6,000 votes.

So the man who has been called "the conscience of the Senate" will be there, God willing, at least until 1971. It will be interesting to observe what turn the campaign to discredit him will take next.

Mr. CURTIS. I thank the distinguished Senator from Delaware for yielding to me.

Mr. WILLIAMS of Delaware. I thank the Senator from Nebraska for his comments. I agree with what he has just said; namely, that the success of this vending machine company of Mr. Baker's depended entirely upon his ability to place the machines in factories and with companies that were doing business almost entirely on defense contracts. In order to operate in these defense plants Mr. Baker had to obtain from the Department of Defense a confidential security clearance.

This security clearance for Baker was readily granted months after he had been fired from the Senate and had taken the fifth amendment before a Senate committee.

Mr. President, I repeat questions can properly be raised as to why it was so easy to persuade the Defense Department that it should grant confidential security clearance to Bobby Baker's Serv-U Corp. after he had taken the fifth amendment repeatedly rather than answer questions in connection with some of his official activities while serving on the public payroll.

The Senator from Nebraska has just stated that eventually truth will out.

I agree, and in that connection I repeat an observation that we learned long ago as a boy on the farm, that when whitewash is applied over dirt, it always peels.

I am confident that as the whitewash of the Bobby Baker episode peels off the American people will no doubt be very much surprised.

TRIBUTE TO SENATOR BYRD OF WEST VIRGINIA

Mr. ERVIN. Mr. President, during a recent telecast, Jesse Helms, a commentator upon the contemporary scene, made some complimentary comments upon the candor and courage of our colleague, Senator ROBERT C. BYRD of West Virginia, in an editorial expression telecast by station WRAL-TV of Raleigh, N.C.

I ask unanimous consent to have a copy of these comments printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

WRAL-TV VIEWPOINT

We were commenting the other day upon the wave of violent protests slopping around the ankles of Democratic Senator ROBERT C. BYRD of West Virginia. As we observed, it is often the case that the most precise measurement of a man's worthiness is an examination of his enemies.

In general political philosophy, the Senator is a liberal. But his greatest strength is his dedicated independence of thought and action. He is neither easily frightened nor intimidated. His troubles now—if they can be called that—are being promoted by civil rights organizations and preachers in Washington who dislike the Senator's determination to see that the welfare scandals in the Nation's Capital are cleaned up.

We will leave to others to explain how the Senator's goal can be construed as a matter of either civil rights or religion. We wish merely to comment further on some revelations the Senator made last week:

At a time when the parks and streets of Washington are littered with trash because not enough labor is available to do the work, welfare costs soar because of the claim that no job opportunities exist. This is a classic example of the Government's paying people not to work at a time when the Government itself complains about a shortage of labor. It can hardly be contended that the unemployed people of Washington lack the education and qualifications to stoop to pick up trash and empty beer cans.

A bishop, speaking at a giant rally called for the purpose of attacking the Senator, described Senator BYRD as "a little man, hardhearted, biased and segregation oriented." This quite properly reminded Senator BYRD of the Pharisee who said, "God, I thank Thee that I am not as other men are."

Where was this bishop, wondered Senator BYRD, where were these civil rights leaders during the past 4 years? What have they done to uplift the standards of decency and initiative among the people of Washington?

One of the loudest speakers at the rally was a white woman who had given birth to a child admittedly fathered by a Negro man married to another woman. This woman and her child are on welfare. One can understand her zeal to attack a Senator who proposes to inject the serum of morality into the distribution of welfare funds in Washington, D.C.

The Senator pointed to a lot of little things which he considers related to the overall problem. For example, juvenile delinquents knocked out 27,689 window panes from the windows of schools in Washington. It cost $112,868 to replace them. Nearly 11,000 cases of gonorrhea were reported in the city—more than twice the per capita rate of most other cities in the United States.

The serious crime rate in Washington increased 25 percent last year over the previous year. Automobile thefts increased by 56 percent in a year's time. Murders increased by 39 percent.

He mentioned many groups of mothers with large numbers of illegitimate children. One group of 18 women had a total of 144 such children. Another group of 14 had 126 illegitimate children. Still another group—13 mothers in this one, had an average of 10 illegitimate children each. All of them on public welfare.

It is interesting, the Senator said of his critics, that they have not—and let us quote him—"(they) have not marched in protest against the fact that men, women and children are almost daily being robbed, beaten, raped and murdered on the streets of the Nation's Capital."

We would say to the Senator: It may be interesting, but it's not unusual. It is curious to note what some Americans choose to protest—as well as what they choose to ignore. Still, the Nation owes Senator ROBERT C. BYRD of West Virginia a vote of thanks for standing up for what he regards as important.

THE PEACEFUL SETTLEMENT OF THE RECENT STEEL NEGOTIATIONS

Mr. MONDALE. Mr. President, the world has witnessed a magnificent example of the American free enterprise system in action. I refer, of course, to the peaceful settlement of the recent steel negotiations.

As the President has said, all America has cause to be grateful to the men who negotiated that settlement. They bargained hard, and with skill and conviction, but they put the interests of the Nation first.

As a result of the wisdom and responsibility they displayed, we have achieved one of those rare and happy situations when all are victors. Management has won, labor has won, and the country has won.

The new steel agreement is good for labor. It provides fair and reasonable wage increases, both now and in 1967. As a result of the ratification of the interim increase granted last May, some $25 million will be paid out immediately to more than 350,000 workers.

Workers in the steel industry have achieved an improved pension plan, a plan which gives everyone the right to retire after 30 years' service. Health benefits will be better than ever before, and working conditions will continue to improve.

This settlement is a victory for management. In the absence of a destructive work stoppage in the industry, the steel companies will be able to maintain their competitive position. They can continue to meet not only the competition of other products which might otherwise substitute for steel but, most important, can continue to hold their own against steel producers of other countries. They can now move forward with their programs of modernization and capital investment which will improve their position in all these respects.

Finally, this settlement is a victory for the entire country. It is a victory first because the settlement is noninflationary. The wage increases will raise employment costs per hour at an average rate of 3.2 percent a year over the 39-month period since the expiration of the last contract. This is the precise average annual wage increase spelled out in Government's wage price guidelines. If all American workers were to receive an annual 3.2 percent increase in wages, and our average productivity per worker were to continue to rise at its present rate, the basic level of labor costs in the economy would remain stable.

Thus, the settlement that has been reached both assures labor a fair share in the increasing productivity of the steel industry, and lays the foundation for continued price stability in that industry and, therefore, in the whole American economy.

The period covered by the new contract extends for a further 35 months. Our last steel strike occurred in 1959. And so, with this settlement, we are assured peace in the steel industry for an uninterrupted period of more than 8 years. Labor peace in this basic industry has had much to do with the 4½ years of continuous economic expansion which we have enjoyed. Now, there is every prospect that this unparalleled prosperity will continue without interruption.

I wish to congratulate—and I believe we should all congratulate—the wise and patriotic leaders of the steel industry, management and labor alike, for this splendid contribution to the Nation's welfare.

Mr. MONTOYA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

RECRUITING TEENAGE BOYS AND GIRLS TO HARVEST THE CROPS

Mr. HART. Mr. President, from time to time this year, difficulties have arisen in obtaining sufficient domestic workers for the harvesting of crops. We have all heard of these situations. However, when an effort to recruit domestic workers for a specific crop is successful, we usually do not read about it in the morning paper.

For this reason, I wish to share with all Senators an experience this year in Michigan's Upper Peninsula where not just American—but Michigan—workers were successfully recruited and organized to harvest a small but significant strawberry crop. These workers included some 4,000 teenage boys and girls who were on the job every morning.

I ask unanimous consent that a letter on this subject to Secretary Wirtz written by Mr. Alex Fuller, Commissioner of the Michigan Employment Security Commission, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MICHIGAN EMPLOYMENT SECURITY COMMISSION,
Detroit, Mich., August 23, 1965.

The Honorable W. WILLARD WIRTZ,
Secretary of Labor, U.S. Department of Labor, Office of the Secretary, Washington, D.C.

DEAR MR. SECRETARY: I am happy to relate to you the circumstances surrounding the harvesting of the Upper Peninsula's strawberry crop in Michigan's copper country, a $250,000 crop which growers are looking forward to expanding.

As related at a training session in Escanaba of the Michigan Employment Security Commission's Upper Peninsula branch office managers by Mr. Russell (Rusty) Hellman, State representative from Dollar Bay, in the heart of the copper country, the story went something like this:

"When I hear of the difficulty some downstate growers have in harvesting their crops because they can't import workers for their fields, I am particularly proud of the copper country boys and girls, and of the Michigan Employment Security Commission's farm placement specialists.

"Between the two of them, some 4,000 boys and girls were on the job every morning at the farms of 76 strawberry growers, by dayhaul, and they picked the $250,000 crop without problems.

"As a result of the operation, the growers were not required to import foreign labor, or even out-of-State labor, and still the crop was harvested at the peak of its readiness. Because of the adequacy of this source of labor supply, strawberry growers in the copper country are being induced to expand their present operation.

"This crop may not compare in size with many of those in the Lower Peninsula, but whenever you put $250,000 into the Upper Peninsula, you are making a big contribution.

"I am proud of the boys and girls in my district, and I am proud of the MESC for bringing them together with the farmers who needed them, when they needed them," Representative Hellman said.

As a new member of the Michigan Employment Security Commission, I feel free to say that I, too, am proud of what our agency has done in a remote area.

In addition to registering some 6,500 agricultural placements by the MESC in the copper country, there were several thousands of youngsters under 16 years of age, who made a substantial contribution toward their fall school expenses, and many others who improved their skill toward participating in next year's harvest.

I am writing this letter because I thought you would enjoy hearing of another instance in which your efforts to combine the skills and energy of American youth with the needs of the American farmer had been justified.

Sincerely yours,

ALEX FULLER,
Commissioner.

RECESS UNTIL 11 A.M. TOMORROW

Mr. HART. Mr. President, I move, under the previous order, that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 20 minutes p.m.), the Senate recessed, under the previous order, until tomorrow, Thursday, September 9, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 8:

GEOLOGICAL SURVEY

William T. Pecora, of the District of Columbia, to be Director of the Geological Survey.

FOREIGN SERVICE

Richard H. Davis, of the District of Columbia, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Rumania, vice William A. Crawford.

John H. Burns, of Oklahoma, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

POSTMASTERS

I nominate the following-named persons to be postmasters:

ALABAMA

Clara D. Turner, Butler, Ala., in place of L. E. Tutt, retired.

ARIZONA

Frances A. Johnson, Parker, Ariz., in place of J. B. Roberts, retired.

ARKANSAS

Irlowain E. Roepe, Lakeview, Ark., in place of W. R. Jennings, declined.

CALIFORNIA

Howard C. Denton, Los Altos, Calif., in place of H. C. Denton, retired.

CONNECTICUT

Donald L. Cummings, Vernon, Conn., in place of F. L. Foley, resigned.

IDAHO

Charles J. Orr, Hazelton, Idaho, in place of J. H. Christopherson, transferred.

ILLINOIS

Charles H. Gunier, Sheridan, Ill., in place of M. L. Abbott, retired.

INDIANA

John D. Wade, Jonesboro, Ind., in place of O. E. Monahan, deceased.

IOWA

Wilfred L. Cline, Menlo, Iowa, in place of W. C. Messinger, transferred.

Delbert W. DeHaan, Orange City, Iowa, in place of E. G. DeJong, retired.

LOUISIANA

Theodore H. Bolton, Anacoco, La., in place of T. J. Franklin, retired.

Raymond C. Couvillion, Melville, La., in place of R. L. Wyble, retired.

MAINE

Beatrice N. Bagley, Grand Lake Stream, Maine, in place of P. B. Hoar, retired.

MARYLAND

Charles C. Gray, Deale, Md., in place of J. P. Allison, resigned.

Nona E. Geisler, Woodstock, Md., in place of L. E. Noll, retired.

MINNESOTA

Edward S. Walters, Willow River, Minn., in place of E. M. Wilson, retired.

Armin R. Steinhaus, Winthrop, Minn., in place of H. B. Anderson, deceased.

MISSOURI

Gerald E. Fielder, Winfield, Mo., in place of F. E. Birkhead, deceased.

NEBRASKA

Theodore I. Larsen, Exeter, Nebr., in place of F. M. Leibee, retired.

NEVADA

Lester E. Mills, Logandale, Nev., in place of Gaylie Truman, deceased.

NEW HAMPSHIRE

Ralph J. Lavallee, Goffstown, N.H., in place of L. H. Watt, deceased.

NEW JERSEY

John J. McLaughlin, Jr., Orange, N.J., in place of B. M. Degnan, retired.

NEW YORK

Evelyn F. Kurtz, Henderson Harbor, N.Y., in place of E. D. Hughes, retired.

Henry A. Walter, Loch Sheldrake, N.Y., in place of D. M. Rexford, retired.

Mary E. Cawley, Witherbee, N.Y., in place of Mary Gallagher, retired.

NORTH CAROLINA

Raymond G. Gaylor, Ayden, N.C., in place of W. C. Ormond, retired.

Gerald B. Gibson, Pine Hall, N.C., in place of T. D. Preston, retired.

OHIO

Harry R. Kimball, Jr., Green Springs, Ohio, in place of J. D. Reed, retired.

Thomas W. Feldman, Minster, Ohio, in place of R. H. Brinkman, retired.

Robert D. Maidlow, Prospect, Ohio, in place of G. I. Lauer, retired.

OKLAHOMA

Albert L. Rogers, Canute, Okla., in place of F. J. Kamphaus, deceased.

OREGON

George A. Hansen, Halfway, Oreg., in place of M. W. Moseley, retired.

William C. Green, Oregon City, Oreg., in place of L. L. McFarlane, retired.

PENNSYLVANIA

John J. Buggey, Brockway, Pa., in place of Mary Brumbaugh, retired.

Charles W. Burns, Chicora, Pa., in place of S. A. Waltman, retired.

A. Valadia Mackereth, Mendenhall, Pa., in place of M. H. Swayne, retired.

Paul C. Brasch, North Wales, Pa., in place of C. R. Hankin, retired.

Matthew T. Chubski, South Fork, Pa., in place of J. R. Dolan, deceased.

SOUTH CAROLINA

Walter A. Clark, Vance, S.C., in place of E. A. Gelzer, deceased.

SOUTH DAKOTA

James W. Preston, Hermosa, S. Dak., in place of M. J. Cannon, retired.

TENNESSEE

Lyle P. Varnell, Adamsville, Tenn., in place of J. E. Malone, retired.

Grover B. Tucker, Tracy City, Tenn., in place of C. E. Kilgore, retired.

TEXAS

Nina F. Ruby, Pollok, Tex., in place of R. R. Sanders, retired.

WASHINGTON

Charles S. Shepard, Cheney, Wash., in place of M. S. Jones, retired.

WISCONSIN

Robert J. Kane, Cassville, Wis., in place of R. E. Dietrich, transferred.

Clarence E. Sandberg, Clear Lake, Wis., in place of N. H. Lenselink, deceased.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 8, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words of Scriptures: Isaiah 55: 6: *Seek ye the Lord while He may be found, call ye upon Him while He is near.*

Eternal God, in whose fellowship we have health, holiness, and happiness, by whose mercy we have life and by whose grace we have hope, we beseech Thee to cleanse the thoughts of our minds by the indwelling of Thy spirit.

Kindle within us a flame of pure aspiration to consume our baser passions and a light to shine upon our way to dispel all darkness.

Fill our minds with wisdom and understanding, our hearts with loving kindness and sympathy, and may our hands be extended in helpfulness toward the needy and give us the courage and fidelity to follow the ways of Thy spirit.

Hasten the coming day when our fellowship with all humanity shall be more spiritualized and we shall strive to be known for our service and good will toward all men.

Grant that we may lay hold of our daily duties and responsibilities unafraid for we know that we are being led by Thy spirit, who is too wise to err and that Thou wilt not betray the faith and love of those who put their trust in Thee.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3039. An act to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due;

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; and

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the armed forces which contribute to the efficiency, economy, or other improvement of Government operations.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10586) entitled "An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HILL, Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 906. An act to provide for the measurement of the gross and the net tonnage for certain vessels having two or more decks, and for other purposes;

S. 1674. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes;

S. 1935. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes; and

S. 2064. An act to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests.

SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE, FISCAL YEAR 1966

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 10586, making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, with the Senate amendments thereto, disagree to the amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]? The Chair hears none, and appoints the following conferees: Messrs. FOGARTY, DENTON, FLOOD, MAHON, LAIRD, MICHEL, and BOW.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 10586.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. HOWARD. Mr. Speaker, yesterday on rollcall No. 265 on the bill to appropriate funds for the President's Crime Commission, I was unavoidably detained at hearings of the Subcommittee on Roads of the Committee on Public Works. If I had been able to be present, I would have voted "yea."

SUBCOMMITTEE ON ELECTIONS—COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 3103) for the relief of Joanne Marie Evans.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Joanne Marie Evans, the minor child of Sergeant and Mrs. Roderick F. Evans, United States Army, of Governor's Island, New York, the sum of $120,898.50 in full settlement of all claims including medical expenses against the United States arising out of the permanent loss of normal function and use of the right leg and foot of Joanne Marie Evans resulting from an injury to her sciatic nerve caused by an injection of an antibiotic on October 1, 1958, by a nurse at the Patterson Army Hospital, Fort Monmouth, New Jersey. Suit on this claim may not be instituted under the tort claims procedure provided in title 28, United States Code, because of a decision in favor of the United States in a suit on this claim brought under such tort claims procedure. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike "$120,898.50" and insert "$60,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS ADLER

The Clerk called the bill (H.R. 1821) for the relief of Louis Adler.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

BENJAMIN A. RAMELB

The Clerk called the bill (S. 149) for the relief of Benjamin A. Ramelb.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LT. COL. WILLIAM T. SCHUSTER, U.S. AIR FORCE (RETIRED)

The Clerk called the bill (S. 919) for the relief of Lt. Col. William T. Schuster, U.S. Air Force, retired.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JAMES P. BRADLEY

The Clerk called the bill (H.R. 5121) for the relief of James P. Bradley.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RIFKIN TEXTILES CORP.

The Clerk called the bill (H.R. 8646) for the relief of Rifkin Textiles Corp.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the time limitation prescribed by section 520 of the Tariff Act of 1930 (19 U.S.C. 1520) or any other statute of limitation, the consumption entries made on behalf of Rifkin Textiles Corporation of New York, New York, and set out in subsection (b), may be reliquidated in accordance with the law applicable as of the date such entries were made and refund of duties may be made in accordance with such reliquidation if application for such reliquidation is made within one year after the date of enactment of this Act.

(b) The consumption entries referred to in subsection (a) and the date on which each such entry was liquidated are as follows:

Consumption entry:	*Date of liquidation*
703863	December 3, 1962
703862	December 3, 1962
703861	December 3, 1962
710358	November 26, 1962
737255	December 3, 1962
717256	December 3, 1962
717258	December 3, 1962
716333	December 3, 1962
720089	December 10, 1962
709287	November 30, 1962

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMILIA MAJKA

The Clerk called the bill (H.R. 3669) for the relief of Emilia Majka.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Emilia Majka, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall be inapplicable in her case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. FELIPE V. LAVAPIES

The Clerk called the bill (H.R. 7357) for the relief of Dr. Felipe V. Lavapies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Felipe V. Lavapies shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORTH COUNTIES HYDROELECTRIC CO.

The Clerk called the bill (H.R. 10097) for the relief of North Counties Hydroelectric Co.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ESTATE OF ROBERT A. ETHRIDGE

The Clerk called the bill (H.R. 5530) for the relief of the estate of Robert A. Ethridge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Robert A. Ethridge, late of Macon, Georgia, the sum of $2,064.07 in full settlement of the claims of such estate against the United States arising out of nonpayment, by reason of lapse of time, of certain United States postal money orders dated before 1944 and held by said Robert A. Ethridge at the time of his death. No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment.

Page 1, line 10, after "death," insert the following language: "payment of the amount authorized by this Act shall be conditioned upon a surrender of the money orders which are the basis of the claims discharged thereby."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE L. RODRIGUEZ

The Clerk called the bill (S. 440) for the relief of Jose L. Rodriguez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jose L. Rodriguez shall be held and considered to have retained his priority on the quota waiting list as of March 24, 1952, the date on which he first registered as an intending immigrant.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM JOHN CAMPBELL McCAUGHEY

The Clerk called the bill (S. 450) for the relief of William John Campbell McCaughey.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LEE HYANG NA

The Clerk called the bill (S. 454) for the relief of Lee Hyang Na.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Lee Hyang Na may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said Lee Hyang Na by Mr. and Mrs. George O. Gregerson, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN WILLIAM DAUGHERTY, JR.

The Clerk called the bill (S. 517) for the relief of John William Daugherty, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of secton 212(a)(1) of the Immigration and Nationality Act, John William Daugherty, Junior, may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That if the said John William Daugherty, Junior, is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA GIOCONDA FEMIA

The Clerk called the bill (S. 521) for the relief of Maria Gioconda Femia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Gioconda Femia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 13, 1946.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. SEDAT M. AYATA

The Clerk called the bill (S. 573) for the relief of Dr. Sedat M. Ayata.

There being no objection, the Clerk read the bill, as follows:

S. 573

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Sedat M. Ayata shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 1, 1958.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA EDUVIGIS ARAN HEFFERNAN

The Clerk called the bill (H.R. 1393) for the relief of Mrs. Maria Eduvigis Aran Heffernan.

There being no objection, the Clerk read the bill, as follows:

H.R. 1393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Maria Eduvigis Aran Heffernan, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELICA ANAGNOSTOPOULOS

The Clerk called the bill (H.R. 4194) for the relief of Angelica Anagnostopoulos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Angelica Anagnostopoulos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition filed in her behalf by Mrs. Audrey T. Sanner, a citizen of the United States, may be approved pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MUHAMMAD SARWAR

The Clerk called the bill (H.R. 4995) for the relief of Muhammad Sarwar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Muhammad Sarwar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARENCE EARLE DAVIS

The Clerk called the bill (H.R. 9521) for the relief of Clarence Earle Davis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Clarence Earle Davis may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Clarence and Gladys Davis, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SANTA GIAMMALVA

The Clerk called the bill (H.R. 9991) for the relief of Santa Giammalva.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond which may have issued in the case of Santa Giammalva. From and after the date of the enactment of this Act, the said Santa Giammalva shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA MARIA HEILAND

The Clerk called the bill (S. 76) for the relief of Anna Maria Heiland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (3) of section 212(a) of the Immigration and Nationality Act, Anna Maria Heiland may be issued an immigrant visa and admitted to the United States for permanent resident if she is found to be otherwise admissible under the provision of such Act: *Provided,* That if the said Anna Maria Heiland is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This section shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH KAM OI HU

The Clerk called the bill (S. 135) for the relief of Elizabeth Kam Oi Hu.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Elizabeth Kam Oi Hu, who lost United States citizenship under the provisions of paragraph (5), subsection (a) of section 349 of the Immigration and Nationality Act, may be naturalized by taking, prior to one year after the date of the enactment of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this Act, the said Elizabeth Kam Oi Hu shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGEL LAGMAY

The Clerk called the bill (S. 136) for the relief of Angel Lagmay.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Angel Lagmay may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act, and a petition may be filed by Cornelio Lagmay, a citizen of the United States, in behalf of the said Angel Lagmay, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA LIBERTY BURNETT

The Clerk called the bill (S. 192) for the relief of Maria Liberty Burnett.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Maria Liberty Burnett may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition may be filed in behalf of the said Maria Liberty Burnett by Donald M. Burnett, a citizen of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MING CHUP CHAU

The Clerk called the bill (S. 584) for the relief of Ming Chup Chau.

There being no objection, the Clerk read the bill, as follows:

S. 584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 101(b)(1)(E) of the Immigration and Nationality Act, Ming Chup Chau shall be held and considered to be under twenty-one years of age.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA TSILIS

The Clerk called the bill (S. 586) for the relief of Maria Tsilis.

There being no objection, the Clerk read the bill as follows:

S. 586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationaltiy Act, Maria Tsilis shall be deemed to be within the purview of section 101(b)(1)(E) of that Act, and she shall be considered eligible for first preference quota status under section 203(a)(1) of the said Act as one following to join her adoptive parents, Mr. and Mrs. Stavros Manthos Tsilis, and shall be accorded the same priority in the issuance of the visa as that accorded her adoptive parents: *Provided,* That the said Maria Tsilis shall enter the United States within one year following the date of the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVANGELIA MOSHOU KANTAS

The Clerk called the bill (S. 614) for the relief of Evangelia Moshou Kantas.

There being no objection, the Clerk read the bill, as follows:

S. 614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Evangelia Moshou Kantas may be classified as an eligible orphan within the meaning of section 101(b)(F) of the said Act and a petition may be filed by Mr. and Mrs. Jerry Kantas, citizens of the United States, in behalf of the said Evangelia Moshou Kantas pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE PALURAS (GEORGIOS PALOURAS)

The Clerk called the bill (S. 653) for the relief of George Paluras (Georgios Palouras).

There being no objection, the Clerk read the bill, as follows:

S. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, George Paluras (Georgios Palouras) may be classified as an eligible orphan within the meaning of section 101(b)(F), and a petition may be filed in behalf of the said George Paluras (Georgios Palouras) by Mr. Philip Paluras, a citizen of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid in the table.

KIMIE OKAMOTO ADDINGTON

The Clerk called the bill (S. 703) for the relief of Kimie Okamoto Addington.

There being no objection, the Clerk read the bill, as follows:

S. 703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kimie Okamoto Addington may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Charles and Mildred Addington, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHA MI HI

The Clerk called the bill (S. 828) for the relief of Cha Mi Hi.

There being no objection, the Clerk read the bill, as follows:

S. 828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Cha Mi Hi by Mr. and Mrs. Anthony Caucutt, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALVA ARLINGTON GARNES

The Clerk called the bill (S. 861) for the relief of Alva Arlington Garnes.

There being no objection, the Clerk read the bill, as follows:

S. 861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alva Arlington Garnes, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Cecil Edgar Taitt, citizens of the United States: *Provided,* That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ELENA B. GUIRA

The Clerk called the bill (S. 971) for the relief of Mrs. Elena B. Guira.

There being no objection, the Clerk read the bill, as follows:

S. 971

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Elena B. Guira, who lost United States citizenship under the provisions of section 349(a)(5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Mrs. Elena B. Guira shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Dr. OTTO F. KERNBERG

The Clerk called the bill (S. 1012) for the relief of Otto F. Kernberg.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIALIST MANUEL D. RACELIS

The Clerk called the bill (S. 1209) for the relief of Specialist Manuel D. Racelis.

There being no objection, the Clerk read the bill, as follows:

S. 1209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Specialist Manuel D. Racelis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM SA SUK

The Clerk called the bill (S. 879) for the relief of Kim Sa Suk.

There being no objection, the Clerk read the bill, as follows:

S. 879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Kim Sa Suk by Mr. and Mrs. Joseph Caperna, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIRHAN GAZARIAN

The Clerk called the bill (S. 1104) for the relief of Mirhan Gazarian.

There being no objection, the Clerk read the bill, as follows:

S. 1104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Act of October 23, 1962 (Public Law 87-855), Mirhan Gazarian shall be deemed to be within the purview of section 1 of that Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mirhan Gazarian. From and after the date of the enactment of this Act, the said Mirhan Gazarian shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POLA BODENSTEIN

The Clerk called the bill (S. 1111) for the relief of Pola Bodenstein.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHUNG J. CLARK

The Clerk called the bill (S. 1170) for the relief of Chung J. Clark.

There being no objection, the Clerk read the bill, as follows:

S. 1170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Chung J. Clark, the widow of a United States citizen who served honorably in the Armed Forces of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KRIS ANN LARSEN

The Clerk called the bill (S. 1186) for the relief of Kris Ann Larsen.

There being no objection, the Clerk read the bill, as follows:

S. 1186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Kris Ann Larsen may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mrs. Margaret A. Larsen, a citizen of the United States, in behalf of the said Kris Ann Larsen pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTANTINUS AGGANIS

The Clerk called the bill (H.R. 1836) for the relief of Constantinus Agganis.

There being no objection, the Clerk read the bill, as follows:

H.R. 1836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Constantinus Agganis, who lost United States citizenship under the provisions of section 349(a)(5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Constantinus Agganis shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendments:

On page 1, line 3, strike out the name "Constantinus Agganis" and insert in lieu thereof the name "Constantinos Agganis".

On page 1, line 11, strike out the name "Constantinus Agganis" and insert in lieu thereof the name "Constantinos Agganis".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Constantinos Agganis."

A motion to reconsider was laid on the table.

ELIGIO CIARDIELLO

The Clerk called the bill (H.R. 1918) for the relief of Eligio Ciardiello.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

KOCK KONG FONG

The Clerk called the bill (H.R. 2752) for the relief of Kock Kong Fong.

There being no objection, the Clerk read the bill, as follows:

H.R. 2752

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Kock Kong Fong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 30, 1958, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LILY NING SHEEHAN

The Clerk called the bill (H.R. 2906) for the relief of Mrs. Lily Ning Sheehan.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Lily Ning Sheehan, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YESTER ARPACIOGLUGIL

The Clerk called the bill (H.R. 3082) for the relief of Yester Arpacioglugil.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Yester Arpacioglugil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Yester Arpacioglugil. From and after the date of the enactment of this Act, the said Yester Arpacioglugil shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HWANG TAI SHIK

The Clerk called the bill (H.R. 3288) for the relief of Hwang Tai Shik.

There being no objection, the Clerk read the bill, as follows:

H.R. 3288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Hwang Tai Shik may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Loyd James Elroy Romo and Freda Lorene Romo, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY ANN HARTMANN

The Clerk called the bill (H.R. 3515) for the relief of Mary Ann Hartmann.

There being no objection, the Clerk read the bill, as follows:

H.R. 3515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mary Ann Hartmann may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Sandra C. and Thomas R. Hartmann, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM SUN HO

The Clerk called the bill (H.R. 6229) for the relief of Kim Sun Ho.

There being no objection, the Clerk read the bill, as follows:

H.R. 6229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kim Sun Ho may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Lloyd E. Tazuk, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHUN SOO KIM

The Clerk called the bill (H.R. 6235) for the relief of Chun Soo Kim.

There being no objection, the Clerk read the bill, as follows:

H.R. 6235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Chun Soo Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Cliff E. and Virginia May Everett, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ELENA VASSILIOU

The Clerk called the bill (H.R. 7084) for the relief of Mrs. Elena Vassiliou.

There being no objection, the Clerk read the bill, as follows:

H.R. 7084

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Elena Vassiliou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of States shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Elena Vassiliou. From and after the date of the enactment of this Act, the said Mrs. Elena Vassiliou shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JENNIFER ELLEN JOHNSON MOJDARA

The Clerk called the bill (H.R. 7345) for the relief of Jennifer Ellen Johnson Mojdara.

There being no objection, the Clerk read the bill, as follows:

H.R. 7345

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time Jennifer Ellen Johnson Mojdara, daughter of Ambassador U. Alexis Johnson and Mrs. Patricia Ann Johnson, was residing abroad with her parents, during her minority, when her father was serving abroad as a career Foreign Service officer of the United States, shall be held and considered to be compliance with the physical-presence requirement of section 301(a) (7) of the Immigration and Nationality Act, as amended.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill S. 1736, an identical bill to H.R. 7345, and for immediate consideration of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time Jennifer Ellen Johnson Mojdara, daughter of Ambassador U. Alexis Johnson and Mrs. Patricia Ann Johnson, was residing abroad with her parents, during her minority, when her father was serving abroad as a career Foreign Service officer of the United States, shall be held and considered to be compliance with the physical-presence requirement of section 301(a) (7) of the Immigration and Nationality Act, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7345) was laid on the table.

MARGARET ELIZABETH AND FREDERICK HENRY TODD

The Clerk called the bill (H.R. 7453) for the relief of Margaret Elizabeth and Frederick Henry Todd.

There being no objection, the Clerk read the bill, as follows:

H.R. 7453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Margaret Elizabeth and Frederick Henry Todd shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Margaret Elizabeth Todd and Frederick Henry Todd shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAFFAELLA ACHILLI

The Clerk called the bill (H.R. 9526) for the relief of Raffaella Achilli.

There being no objection, the Clerk read the bill, as follows:

H.R. 9526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Raffaella Achilli may be classified as an eligible orphan within the meaning of section 101(b) (1) (F) of that Act, upon approval of petitions filed in her behalf by Mr. and Mrs. Armando Loretucci, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIO MENNA

The Clerk called the bill (H.R. 6312) for the relief of Mario Menna.

There being no objection, the Clerk read the bill, as follows:

H.R. 6312

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mario Menna shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

AMENDMENT OFFERED BY MR. FEIGHAN

Mr. FEIGHAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FEIGHAN: Strike out all after the enacting clause and insert the following:

"That, in the administration of the immigration laws, Mario Menna shall be deemed to be within the purview of section 1 of the act of October 24, 1962 (76 Stat. 1247)."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA ALEXANDROS SIAGRIS

The Clerk called the bill (H.R. 2757) for the relief of Maria Alexandros Siagris.

There being no objection, the Clerk read the bill, as follows:

H.R. 2757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Maria Alexandros Siagris may be classified as an eligible orphan within the meaning of section 101(b) (1) (F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Alexandros Siagris, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MANLIO MASSIMILIANI

The Clerk called the bill (H.R. 2762) for the relief of Manlio Massimiliani.

There being no objection, the Clerk read the bill, as follows:

H.R. 2762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Manlio Massimiliani, who lost United States citizenship under the provisions of section 349(a) (5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Manlio Massimiliani shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM JAI SUNG

The Clerk called the bill (H.R. 2933) for the relief of Kim Jai Sung.

There being no objection, the Clerk read the bill, as follows:

H.R. 2933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kim Jai Sung may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Roy D. Holland, citizens of the United States, pursuant to section 205(b) of the Act, subject to all conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRZEMYSLAW MARIANSKI

The Clerk called the bill (H.R. 2938) for the relief of Przemyslaw Marianski.

There being no objection, the Clerk read the bill, as follows:

H.R. 2938

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Przemyslaw Marianski may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Harry Nowakowski, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendments:

On page 1, line 4, strike out the name "Przemyslaw Marianski" and insert in lieu thereof the name "Przemyslaw Nowakowski".

On page 1, line 7, strike out the word "citizens" and substitute the words "a citizen and lawfully resident alien".

On page 1, line 8, after "United States," insert the word "respectively,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill for the relief of Przemyslaw Nowakowski."

A motion to reconsider was laid on the table.

MANOJLO VRZICH

The Clerk called the bill (H.R. 2939) for the relief of Manojlo Vrzich.

There being no objection, the Clerk read the bill, as follows:

H.R. 2939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Manojlo Vrzich, shall be held and considered to be the natural born alien child of Mr. and Mrs. Marko Versich, citizens of the United States.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Manojlo Verzich may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Marko Verzich, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Manojlo Verzich." A motion to reconsider was laid on the table.

MAXIE L. RUPERT

The Clerk called the bill (H.R. 2578) for the relief of Maxie L. Rupert.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **HALL.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHARLES N. LEGARDE AND HIS WIFE

The Clerk called the bill (S. 853) for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde.

There being no objection, the Clerk read the bill, as follows:

S. 853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles N. Legarde and his wife, Beatrice E. Legarde, of New Bedford, Massachusetts, the sum of $30,573.67 in full satisfaction of all claims against the United States of the said Charles N. Legarde and Beatrice E. Legarde for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a United States Coast Guard truck operated by a member of the United States Coast Guard: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CLARA W. DOLLAR

The Clerk called the bill (S. 1873) for the relief of Mrs. Clara W. Dollar.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **HALL.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

LOUIS W. HANN

The Clerk called the bill (H.R. 1409) for the relief of Louis W. Hann.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **GROSS.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

FRANK SIMMS

The Clerk called the bill (H. R. 2557) for the relief of Frank Simms.

There being no objection, the Clerk read the bill, as follows:

H.R. 2557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Frank Simms of North Chicago, Illinois, is relieved of liability to pay to the United States the sum of $349.80, representing the aggregate amount of overpayments of compensation made to him by the Department of the Navy (during the period beginning May 13, 1962, and ending September 26, 1964) as a result of an administrative error in the adjustment of his pay rate. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this Act.

With the following committee amendment:

Page 1 after line 12, add the following:

"SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Simms, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR HILL

The Clerk called the bill (H.R. 6590) for the relief of Arthur Hill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ROBERT G. MIKULECKY

The Clerk called the bill (H.R. 8457) for the relief of Robert G. Mikulecky.

There being no objection, the Clerk read the bill, as follows:

H.R. 8457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John I. Gondek the sum of $150 in full settlement of all claims against the United States and against Robert G. Mikulecky arising out of an accident which occurred in Chicago, Illinois, on October 26, 1959, when said Robert G. Mikulecky was operating a Government motor vehicle in the course of his duties as an employee of the United States Post Office Department and in full satisfaction of the judgment and costs entered against the said Robert G. Mikulecky in civil action numbered 64C988 in the United States District Court for the Northern District of Illinois, based upon said accident. No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "I." and insert "E.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH B. STEVENS

The Clerk called the bill (H.R. 10338) for the relief of Joseph B. Stevens.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SHU HSIEN CHANG

The Clerk called the bill (S. 1084) for the relief of Shu Hsien Chang.

There being no objection, the Clerk read the bill, as follows:

S. 1084

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Shu Hsien Chang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 7, 1950.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAURA MACARTHUR GODITIABOIS-DEACON

The Clerk called the bill (S. 1919) for the relief of Laura MacArthur Goditiabois-Deacon.

There being no objection, the Clerk read the bill, as follows:

S. 1919

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time Laura MacArthur Goditiabois-Deacon, daughter of Ambassador Douglas MacArthur and Mrs. Laura Louise MacArthur, was residing abroad with her parents, during her minority, when her father was serving abroad as a career Foreign Service officer of the United States, shall be held and considered to be compliance with the physical-presence requirement of section 301(a)(7) of the Immigration and Nationality Act, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEXANDER PORZSE

The Clerk called the bill (H.R. 1931) for the relief of Alexander Porzse.

There being no objection, the Clerk read the bill, as follows:

H.R. 1931

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alexander Porzse shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EFSTAHIA GIANNOS

The Clerk called the bill (H.R. 2926) for the relief of Efstahia Giannos.

There being no objection, the Clerk read the bill, as follows:

H.R. 2926

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Efstahia Giannos, shall be held and considered to be the natural-born alien child of Theodore Giannos, a citizen of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Efstahia Giannos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mr. Theodore Giannos, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SON CHUNG JA

The Clerk called the bill (H.R. 3062) for the relief of Son Chung Ja.

There being no objection, the Clerk read the bill, as follows:

H.R. 3062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Son Chung Ja may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition in her behalf by Mr. and Mrs. James H. Clark, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ELENI BACOLA CIACCO, DOCTOR OF MEDICINE

The Clerk called the bill (H.R. 3079) for the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine.

There being no objection, the Clerk read the bill, as follows:

H.R. 3079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Eleni Bacola Ciacco, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 19, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS ROSA BASILE DeSANTIS

The Clerk called the bill (H.R. 3765) for the relief of Miss Rosa Basile DeSantis.

There being no objection, the Clerk read the bill, as follows:

H.R. 3765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Miss Rosa Basile DeSantis may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Santa DeSantis, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA FINOCCHIARO

The Clerk called the bill (H.R. 4211) for the relief of Mrs. Maria Finocchiaro.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MICHAEL HADJICHRISTOFAS, APHRODITE HADJICHRISTOFAS, AND PANIOTE HADJICHRISTOFAS

The Clerk called the bill (H.R. 4464) for the relief of Michael Hadjichristofas, Aphrodite Hadjichristofas, and Paniote Hadjichristofas.

There being no objection, the Clerk read the bill, as follows:

H.R. 4464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Michael Hadjichristofas and Aphrodite Hadjichristofas may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Edward J. Terzian, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Sec. 2. For the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Panote Hadjichristofas shall be held and considered to be the natural-born alien son of Mr. and Mrs. Edward J. Terzian, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Sec. 3. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENZO (ENZIO) PEROTTI

The Clerk called the bill (H.R. 4926) for the relief of Enzo (Enzio) Perotti.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHIZUYO HOSHIZAKI

The Clerk called the bill (H.R. 4928) for the relief of Chizuyo Hoshizaki.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DIOSDADO F. ALMAZAN

The Clerk called the bill (H.R. 5006) for the relief of Diosdado F. Almazan.

There being no objection, the Clerk read the bill, as follows:

H.R. 5006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Diosdado F. Almazan, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the Diosdado F. Almazan shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider was laid on the table.

MARIA DEL ROSARIO DE FATIMA LOPEZ HAYES

The Clerk called the bill (H.R. 5457) for the relief of Maria del Rosario de Fatima Lopez Hayes.

There being no objection, the Clerk read the bill, as follows:

H.R. 5457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Maria del Rosario del Fatima Lopez Hayes, shall be held and considered to be the natural-born alien child of Mary E. Hayes, citizen of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Maria del Rosario de Fatima Lopez Hayes may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mary E. Hayes, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY FRANCIS CRABBS (KOH, MI SOOK)

The Clerk called the bill (H.R. 5554) for the relief of Mary Francis Crabbs (Koh, Mi Sook).

There being no objection, the Clerk read the bill, as follows:

H.R. 5554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mary Francis Crabbs (Koh, Mi Sook) may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Reverend and Mrs. Robert Crabbs, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Amend the title so as to read: "A bill for the relief of Mary Frances Crabbs."

With the following committee amendment:

Page 1, line 4, strike out the names "Mary Francis Crabbs (Koh, Mi Sook)" and insert the name "Mary Frances Crabbs".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill for the relief of Mary Frances Crabbs."

A motion to reconsider was laid on the table.

NAM IE KIM

The Clerk called the bill (H.R. 5904) for the relief of Nam Ie Kim.

There being no objection, the Clerk read the bill, as follows:

H.R. 5904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Nam Ie Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Harris Crogh, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ORHAN METIN OZMAT

The Clerk called the bill (H.R. 6819) for the relief of Dr. Orhan Metin Ozmat.

There being no objection, the Clerk read the bill, as follows:

H.R. 6819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the periods of time Doctor Orhan Metin Ozmat has resided in the United States since his lawful admission for permanent residence on September 6, 1963, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Orhan Metin Ozmat shall be held and considered to have complied with the requirements of section 316 of the Act as they relate to residence and physical presence."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES D. W. BLYTH, HIS WIFE, JEAN MARY BLYTH, AND THEIR DAUGHTER, PENELOPE JEAN BLYTH

The Clerk called the bill (H.R. 10256) for the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth.

There being no objection, the Clerk read the bill, as follows:

H.R. 10256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth, shall be held and considered to have complied with the requirements of section 316 of the Act as they relate to residence and physical presence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSAURO L. LINDOGAN

The Clerk called the bill (S. 137) for the relief of Rosauro L. Lindogan.

There being no objection, the Clerk read the bill, as follows:

S. 137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rosauro L. Lindogan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence of such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

On page 1, at the end of the bill, add a new section 2 to read as follows:

SEC. 2. In the administration of the Immigration and Nationality Act, Chester (Abramczyk) Hill may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gilbert L. Hill, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill for the relief of Rosauro L. Lindogan and Chester (Abramczyk) Hill."

A motion to reconsider was laid on the table.

JOSEPH J. McDEVITT

The Clerk called the bill (H.R. 1311) for the relief of Joseph J. McDevitt.

There being no objection, the Clerk read the bill, as follows:

H.R. 1311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph J. McDevitt, of Philadelphia, the sum of $584. The payment of such sum shall be in full settlement of his claims against the United States for reimbursement of the amount paid by him in full settlement of the judgment rendered against him on March 14, 1960, by the municipal court of Philadelphia, Pennsylvania, arising out of a vehicular accident on April 8, 1957, involving a mailtruck being operated by him as an employee of the United States Post Office Department. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 3 and 4: Strike "In excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALTON G. EDWARDS

The Clerk called the bill (H.R. 4203) for the relief of Alton G. Edwards.

There being no objection, the Clerk read the bill, as follows:

H.R. 4203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alton G. Edwards, of Orlando, Florida, the sum of $348.23. The payment of such sum shall be in full settlement of his claims against the United States for reimbursement of the amount paid by him in full settlement of the judgment rendered against him on June 20, 1963, by the Small Claims Court of Orange County, Florida, arising out of a vehicular accident on September 10, 1960, involving a mailtruck being operated by him as an employee of the United States Post Office Department. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 3 and 4: Strike "In excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH K. BELLEK

The Clerk called the bill (H.R. 5204) for the relief of Joseph K. Bellek.

There being no objection, the Clerk read the bill, as follows:

H.R. 5204

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph K. Bellek, of Roselle Park, New Jersey, the sum of $300 in full settlement of his claims against the United States for reimbursement of that amount paid by him in satisfaction of a judgment entered against him on March 12, 1959, in the Union County District Court, Union County, New Jersey, as the result of a motor vehicle collision of January 28, 1958, between a privately owned vehicle of the Mel Anne Corporation and a post office truck operated by him within the scope of his employment with the Post Office Department. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVEY E. WARD

The Clerk called the bill (H.R. 8085) for the relief of Harvey E. Ward.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. TALCOTT]?

There was no objection.

S. SGT. ROBERT E. MARTIN, U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 8829) for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired).

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EDWARD F. MURZYN AND EDWARD J. O'BRIEN

The Clerk called the bill (H.R. 10403) for the relief of Edward F. Murzyn and Edward J. O'Brien.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LT. COL. JAMES E. BAILEY, JR., U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 10404) for the relief of Lt. Col. James E. Bailey, Jr., U.S. Air Force (retired).

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COL. DONALD J. M. BLAKESLEE AND LT. COL. ROBERT E. WAYNE, U.S. AIR FORCE

The Clerk called the bill (H.R. 10405) for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LT. COL. PHILLIP L. VETRONE, U.S. ARMY

The Clerk called the bill (H.R. 1389) for the relief of Lt. Col. Phillip L. Vetrone, U.S. Army.

There being no objection, the Clerk read the bill as follows:

H.R. 1389

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel Phillip L. Vetrone, United States Army (Service Number O–84578), the sum of $19,430.35. The payment of such sum shall be in full settlement of his claim against the United States for his unreimbursed loss incurred by reason of the destruction on August 17, 1963, of his household goods which were stored by the United States. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike "$19,430.35" and insert "$9,372.17".

Page 2, line 2, strike "in excess of 10 percent thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

LT. COL. JACK F. OREND

The Clerk called the bill (H.R. 4911) for the relief of Lt. Col. Jack F. Orend.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. LONETA HACKNEY

The Clerk called the bill (H.R. 1484) for the relief of Mrs. Loneta Hackney.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

OVERPAYMENTS IN GOVERNMENT

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, one of the type of bills which we are called upon to consider with increasing frequency on the Private Calendar deals with the question of overpayments, military and civilian in Government, and modes of relief therefrom. From 1957 through 1961, for example, according to the Comptroller General, there were over 1 million overpayments, totalling $100 million, of which about 18 percent or $18 million could not be recovered.

Believing that some better means of accountability and responsibility should be devised for this type of loss, letters have been sent to several executive agencies and to the distinguished chairmen of the House subcommittee of the Judiciary Committee and the Armed Services Committee, which deals with these problems.

A most articulate and explanatory reply has been received from the chairman of our Subcommittee of the Judiciary, which I believe deserves the attention of the Members of the House. Probably no one has a better understanding of the problem or has exerted a greater effort to insure justice and equity under the law, while at the same time seeking to protect the Government's interest.

Because such a considerable amount of money is involved in these measures, which are usually approved with little if any discussion or debate, I believe the Members of the House will be interested both in the inquiring letter and the very detailed reply of the chairman, and under unanimous consent I insert them into the RECORD at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 30, 1965.

Hon ROBERT T. ASHMORE,
Chairman, Subcommittee of Judiciary, House of Representatives, House Office Building, Washington, D.C.

MY DEAR MR. CHAIRMAN: For some time I have been concerned about overpayments and modes of relief therefrom, whether they be to those in the military services by paymasters, based on errors and/or false information; whether they be from lack of inadequate insurance in the warehousing and transporting of goods of the military, including regulations specifying limitations on the amounts thereof; or whether it be from overpayment due to lack of knowledge on the part of the Dual Employment Act, or for other causes.

The Comptroller General, in testifying on April 24, 1963 before the House of Representatives Committee on Post Office and Civil Service's Subcommittee on Manpower and Utilization, included the following excerpt:

"Selective audits, by the GAO and the military services, of military pay allowances expenditures disclosed over 1 million overpayments to servicemen, totaling $100 million during fiscal years 1957 through 1961."

About 18 percent or $18 million of identified overpayments could not be recovered.

"We estimate that there were also about 500,000 underpayments of about $22 million during these years—"

Overpayments are a function of responsibility as well as accountability on the part of the paymaster, whereas underpayments are usually taken care of by the military personnel themselves recognizing they have been shortchanged.

Certainly no civilian or military paymaster should be relieved of responsibility if he is accountable. I believe we can all agree on this principle. Likewise, it's most difficult as these private bills come through the Congress, to believe that "GI's" of years of experience do not know when they are drawing on the wrong "fogie" or are being dually employed, or in general, are simply "overpaid."

Certainly if they are to be forgiven routinely, it would be an adjunct to the various services, and save much time in Congress, if rules and regulations were drawn up and adopted, including the necessary legislation, and if we must relieve responsibility from those that are accountable.

I would appreciate your comments as to this total situation and all facets thereof, including suggested guidance for the responsible legislative committee and/or the duly constituted "objectors" on both sides of the aisle, at the earliest practicable date.

Respectfully submitted,

Durward C. Hall,
H. R. Gross,
Burt L. Talcott,
Members of Congress.

U.S. House of Representatives,
Committee on the Judiciary,
Washington, D.C., September 3, 1965.

Hon. Durward G. Hall,
House of Representatives,
Washington, D.C.

Dear Colleague: In your letter of August 30, 1965, you have referred to the problem of liability due to various payments to servicemen and civilian employees of the Government which are subsequently determined to have been erroneous. As you know, the Committee on the Judiciary and, in particular, its Subcommittee on Claims is required to deal with this problem on a continuing basis. Overpayments occur from a variety of situations. You have noted the case where an individual mistake is made in a pay account and I gather from your remarks that you feel that the certifying officer in such a case should be held to a greater degree of responsibility. From the cases coming before the committee, it is possible to say that in some cases, the individual employee who made the error has been held responsible but, in many instances, the error is discovered years later when this kind of determination as to who may have made the initial determination is all but impossible.

Another more difficult aspect of the so-called overpayment problem occurs when official action on the part of a department is subsequently ruled to have been improper, although, until that determination is made, it is clothed with all of the indications of legality and official sanction that would normally be given to governmental action. It is in these cases that the Congress is often faced with a request to relieve a group of individuals. During each Congress since 1959, this committee has sought to evolve a system under public law which would provide a means to review overpayment cases and provide for a waiver of liability as an alternative to congressional consideration. However, this mode of procedure has not yet been successful.

Your letter also refers to the problem of losses suffered by military and civilian personnel due to the damage and destruction of their personal property while in storage under Government contract. Here again, the committee has recommended public legislation to provide for payment for a reasonable portion of the property lost. The subcommittee has studied this situation in depth in connection with the legislation it has proposed. It is my personal opinion that the question of adequacy of insurance should be the subject of further study. It is my understanding that the insurance companies have shown no inclination to write policies which would, in effect, insure military and civilian personnel for property losses over and above that assumed by the Government. In other words, there is no policy which would provide for a deductible amount for the Government adjudication so as to provide a more reasonable premium rate for Government personnel in this situation. The committee also questions the adequacy of the warehousing facilities which are being used by the Government. The frequency of warehouse fires would seem to indicate a deficiency in this respect.

Recent amendments of the dual employment statutes give promise of a reduction in cases where an individual after years of service is informed that he must refund everything that he has earned as a civilian employee. It is my impression that personnel officers of the Government have now become more familiar with the implications of the statutes and their application to retired personnel of the military services. In many of the cases that have previously come before the committee, the individuals were advised that they could be hired under the dual employment statute after a review of the law and the court decisions, and then some years later a determination was made that the Dual Office Act barred their employment.

Your letter referred to the testimony of the Comptroller General concerning overpayments in a 1963 hearing before a subcommittee of the Post Office and Civil Service Committee. You have noted that overpayments are a function of responsibility and accountability of a disbursing or other accountable officer. The Comptroller General has been given the authority to relieve accountable officers of liability for improper or incorrect payments or loss, and for a number of years, the subcommittee has not been called upon to pass upon this type of relief.

In past years, it was necessary to have this type of liability adjusted by private bill. This authority is conferred on the General Accounting Office by sections 82a–1 and 82a–2 of title 31 of the United States Code. It is my understanding that the relief of the accountable officer does not affect the liability of the individual.

As to the individual who is subjected to liability for any one of the variety of reasons which may occur in the Federal fiscal system, the subcommittee has attempted to evolve a standard for relief which is fair both to the Government and to the individual. In this connection, the subcommittee has required that the overpayment be the result of an error on the part of the Government which was made without the knowledge of the individual concerned and without fault on his part. Further, the money must have been received in good faith on the part of that individual. Finally, it has been required that there be a showing that repayment will result in an unfair and tangible hardship to that individual. The subcommittee has, therefore, sought to condition relief upon the establishment of these objective standards.

I hope that my comments are of some assistance to you, and I am sure that the members of the subcommittee would welcome any suggestions you may have concerning the variety of problems which are brought before it in the form of requests for legislative relief.

Sincerely yours,

Robert T. Ashmore,
Chairman, Subcommittee No. 2.

ANGELO IANNUZZI

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3128) for the relief of Angelo Iannuzzi, with an amendment of the Senate thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert: "That, in the administration of the Immigration and Nationality Act, Angelo Iannuzzi shall be held and considered to be within the purview of section 101(b)(1)(B) of that Act.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ZENAIDA QUIJANO LAZARO

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2305) for the relief of Zenaida Quijano Lazaro, with an amendment of the Senate thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 11, after "That" insert: "if the said Zenaida Quijano Lazaro is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250),".

The Speaker. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FACILITATING ADMISSION OF CERTAIN ALIENS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the

Speaker's desk the joint resolution (H.J. Res. 504) to facilitate the admission into the United States of certain aliens, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments as follows:

> Page 7, line 1, strike out all after "Naranjo," down to and including "States," in line 3 and insert: "citizens of the United States,".
>
> Page 8, strike out all after line 10 over to and including line 2 on page 9.
>
> Page 9, line 3, strike out "24" and insert: "22".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. CONTE. Mr. Speaker, reserving the right to object, can the gentleman tell us what these amendments are about?

Mr. FEIGHAN. This resolution is for the relief of adopted children who were beneficiaries of individual bills in the House.

The first amendment is technical. The adoptive parent is now a U.S. citizen.

The second amendment deletes the name of Mirjana Tomas who was the subject of H.R. 5011. Her application for suspension of deportation has been referred to the Congress.

The third amendment deletes the name of Maria Stella Pezzo Calafato who was the subject of H.R. 7290 by Mr. Reid of New York. The beneficiary has married and is no longer eligible for the relief provided in the resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. GROSS. These bills were not on today's calendar; were they—that is the bills that the gentleman is now asking for concurrence in these amendments?

Mr. FEIGHAN. No, they were previously passed by the House.

Mr. GROSS. I thank the gentleman.

Mr. CONTE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 266]

Adair
Andrews, George W.
Andrews, Glenn
Ashbrook
Baring
Blatnik
Bolton
Bonner
Brademas
Bray
Cameron
Clawson, Del
Conyers
Craley
de la Garza
Farnsley
Fuqua
Griffiths
Hanna
Hawkins
Hébert
Hungate
Jones, Mo.
Karth
Kee
Keith
Kornegay
Lindsay
McClory
MacGregor
Martin, Ala.
Martin, Mass.
Mathias
May
Pepper
Pirnie
Poage
Powell
Reifel
Resnick
Rhodes, Ariz.
Roncalio
Rostenkowski
Ryan
Saylor
Sisk
Thomas
Toll
Udall
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

Mr. PASSMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 3 hours, one-half of that time to be controlled by the gentleman from Kansas [Mr. Shriver] and one-half to be controlled by myself.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, at the proper time I shall ask for recognition to make a point of order against consideration of the bill. I should like to be advised as to that time.

The SPEAKER. The Chair will say that if the unanimous-consent request is granted the gentleman may then assert whatever he wants to under the rules.

Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GROSS. Mr. Speaker, I make the point of order against consideration of this bill on the ground that in adoption of the conference report by the Congress, and with the signature of the President of the United States now a fact, and, therefore, the authorization bill is law, it includes a new section, section 649, which reads as follows:

> Limitation on aggregate authority for use in the fiscal year 1966.

The SPEAKER. What is the number of that section?

Mr. GROSS. Section 649.

The SPEAKER. Of the authorization bill?

Mr. GROSS. Of the authorization bill, which reads as follows:

> Notwithstanding any other provision of this act, the aggregate of the total amount authorized to be appropriated for use during the fiscal year 1966 for furnishing assistance and for administrative expenses under this act shall not exceed $3,360 million.

Mr. Speaker, I call attention to the report, top of page 3, where it is clearly stated:

> Funds available—fiscal year 1966 foreign assistance program.

That amounts to $3,630,622,000.

Mr. Speaker, I submit that the limitation placed in the conference report clearly limits this bill to $3,360 million.

The SPEAKER. What was the figure?

Mr. GROSS. The limitation contained in the conference report, which is now law, is $3,360 million. The report accompanying this bill states clearly there is sought to be appropriated by this bill $3,630,622,000.

The SPEAKER. The Chair understands that the gentleman from Iowa referred to section 649 of the authorization bill?

Mr. GROSS. Section 649 of the conference report—of the authorization bill.

The SPEAKER. The Chair wants to understand what the gentleman from Iowa says. The gentleman from Iowa referred to section 649 of the conference report?

Mr. GROSS. Yes.

The SPEAKER. Where does that appear in the conference report—what page?

Mr. GROSS. I do not have a copy of the conference report. I do have a copy of the Congressional Record. It appears on page 10 of the conference report near the bottom of the page, three paragraphs above the bottom of the page.

I would point out, Mr. Speaker, it was a new section.

The SPEAKER. That is part of section 303.

Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. PASSMAN. I do, Mr. Speaker.

Mr. Speaker, I should like to direct attention to the fact that the authorization bill limited new appropriations to $3,360 million. We are only recommending new appropriations in the amount of $3,285 million which is $75 million below the amount authorized.

Under section 645 of the basic act, and I quote:

> Unexpended balances: Funds made available pursuant to this Act, the Mutual Security Act of 1955, as amended, Public Law 86–735, are hereby authorized to be continued available for the general purposes for which appropriated and may at any time be consolidated and in addition may be consolidated with appropriations made available

> for the same general purposes under the authority of this Act.

Mr. Speaker, this is the basic legislation.

If I may make one further observation, Mr. Speaker, a good part of the section that the gentleman is referring to has to do with no-year funds anyway. The no-year funds in which the appropriation or unexpended balance is automatically carried forward would be $120,978,000. We have moved on the premise that the original basic act authorized the continuation of the unexpended or unobligated funds from previous years.

Mr. GROSS. Mr. Speaker, may I be heard further briefly?

The SPEAKER. The Chair will hear the gentleman.

Mr. GROSS. Mr. Speaker, I would point out the new section inserted in the authorization bill which has been read, and I am sure the Speaker understands it thoroughly, makes no provision for new funds. It says explicitly, "not withstanding any other provision of this Act, the limitation is $3,360 million."

The SPEAKER. The Chair is prepared to rule.

Without passing upon the question, that might arise later on, if it does, the Chair is of the opinion that the point of order should be made against the item or items in the appropriation bill which the gentleman from Iowa might claim to be in excess of the amount authorized by law, and not against the consideration of the bill itself.

The Chair overrules the point of order.

The question is on the motion.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 10871, with Mr. Price in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Louisiana [Mr. Passman] will be recognized for 1½ hours and the gentleman from Kansas [Mr. Shriver] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, I yield myself whatever time I may consume.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. Mr. Chairman, I yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. Mahon].

Mr. MAHON. I thank my friend from Louisiana for yielding.

It is inevitable that in the course of this debate discussion will take place in regard to India and Pakistan. I thought it well at the outset of the discussion to mention this matter. I have been in touch with representatives of the executive branch, and as a result of those conversations, I should like to make the following statement:

The present conflict between India and Pakistan raises serious questions reaching far beyond the bill before us. We would all hope that the conflict will spread no further, that hostilities will cease, and that efforts to find a peaceful settlement will be successful. It is imperative that such a course be followed. Meanwhile, there is the question of what policy the U.S. Government should pursue.

The Secretary of State has assured me of the following:

> First. The executive branch wholeheartedly supports the efforts of the Secretary General of the United Nations to effect a cease-fire and to achieve a peaceful settlement.
>
> Second. The United States has suspended military aid shipments to both India and Pakistan, in keeping with its announced policy of full support for the efforts of the Security Council and of the Secretary General. The executive branch will consult fully with appropriate Members of the Congress about the situation in the subcontinent and the conditions under which military aid might be resumed.
>
> Third. Pending the enactment of this bill, the administration has in general not been making new economic aid loans or grants to aid-receiving nations since the current fiscal year began, and this includes both India and Pakistan. Again the executive branch will consult with appropriate Members of the Congress on the situation in the subcontinent in connection with making new economic aid loans or grants.

I believe, under the circumstances that we should support the Secretary's position. It is too early to predict the course of events. We cannot overlook the possibility that the conflict may be enlarged by the participation of other countries. But we must hope for an early resolution of this tragic situation through the untiring efforts of the Secretary General. Given all the possibilities, it is plain that the alternative lines of action open to the United States should not at this time be foreclosed by legislative action on the pending bill. It is, therefore, vitally important to preserve our Government's freedom of action if it is to have a useful and constructive influence on the outcome. This is, above all, a time when we should give the President the necessary freedom of maneuver to protect the national interests and international peace.

I thank the gentleman from Louisiana.

Mr. PASSMAN. I thank the distinguished gentleman from Texas.

Is it not true that it will be many weeks before the legislation under consideration will become law, and if it should become necessary at some subsequent date, when it goes over to the other body, or in conference, adjustments can be made at that time? It would be somewhat premature to make adjustments at this time.

Mr. MAHON. I believe the gentleman is correct.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the majority leader.

Mr. ALBERT. I appreciate the fine statement made by the distinguished gentleman from Texas. Perhaps it would be in order to say at this time, in addition, at the present time we do not know what Red China might do. If they should get involved we may have to reconsider our position.

Mr. PASSMAN. I thank the distinguished majority leader.

Mr. Chairman, I have been a Member of this body for 19 years—a member of the Committee on Appropriations 17 years—a member of the Foreign Operations Subcommittee on Appropriations 13 years—and chairman of the Foreign Operations Subcommittee on Appropriations for 11 years.

Well do I realize that with privileges come responsibilities. Inasmuch as it is my privilege to handle the foreign aid bill this year, it will be my responsibility to defend it to the fullest extent of my ability.

May I say at the outset that I shall defend the bill as a representative of the majority of the subcommittee and full committee. These views are not necessarily my own.

I came to Congress believing that it was the prerogative and duty of the Congress to write legislation and the responsibility of the executive branch to administer the laws that we pass. I shall limit my discussion of the shift in responsibility to the foreign aid bill. As it would apply to the foreign aid bill, the executive is just about running both shows: legislative and executive.

I have contended for many years that you cannot help the administration in power, or improve the foreign aid program by resorting to claims of mythical needs and purely imaginary accomplishments. In presenting the bill to the Committee today, I shall use the information furnished to the committee by the department heads as will be found in the printed hearings.

I am constrained to say, Mr. Chairman, that since the committee could not bring out a "bare-bone" bill, the majority voted out a "bare-bone" report which is now available for your observation.

After consulting with the Parliamentarian, I am in position to assure you that if any Member should, by a slip of the tongue, refer to this bill as "bareboned," he should have no fear of any threat from an irate taxpayer because congressional immunity would afford him full protection.

I intend to present the bill with the facts that are available. It should be perfectly obvious to those who know me best that I shall vote for the bill based upon the recommendations of the majority of the committee, but—repeating—such views are far from my own.

To those who would term me inconsistent, may I say that both branches of the Congress authorized the foreign aid bill for fiscal 1966; it was signed by the President; and a majority of the subcommittee and full Committee on Appropriations recommended the bill before you. And, I am acting only as an agent for the committee.

May I say that this is one of the fattest foreign aid bills presented to the Congress in many years. This can be established with facts when you pull together the fragments for a total figure. Foreign assistance has been fragmentized into different accounts, agencies, and international organizations.

It is not my purpose to indicate disrespect for the present AID Director, but may I say that upon investigation I find that since the foreign aid program came into being, it has had exactly the same number of directors as Tommy Manville has had wives. I know of no better way to focus attention on this ever-changing program.

Before getting into the actual discussion of the bill and its many ramifications, may I cite an incident in my life that prompts me to be cautious:

I was born and reared on the farm, the son of sharecroppers. My wonderful Christian mother was an avid chicken raiser. She had a fine barnyard with a picket fence around it so as to contain her chickens.

One spring an aunt gave my mama a fine Rhode Island rooster. It was a proud cock, and mama's flock liked him very much. Finally, one day the rooster was attracted to the cackling of a neighbor's flock, so over the fence he flew. From then on he could not be kept in his own barnyard, so my mother clipped his wings.

But, the rooster's desire to return to the neighbor's flock prompted him to continue trying to fly over the fence even with cropped wings. Finally, one day this fine rooster got his neck caught between two of the pickets of the fence and obviously we had rooster pie for supper—that would be dinner in Washington.

So, I will let that be a lesson to me. I have had my wings cropped, but I am not going to try to fly over the fence at this time. I am going to remain in the barnyard where I have been placed. I will listen to my own flock cackle—and I will do a bit of crowing—but I am not going to try to fly out of the yard. I do hope my wings will sprout again.

Thank you, my distinguished and able chairman, GEORGE MAHON, for permitting me to remain as chairman of the Foreign Operations Subcommittee on Appropriations. In my own way I shall endeavor to protect this body and the executive branch from the mythical claims for need of funds and imaginary accomplishments of the foreign aid program.

Mr. Chairman, my purpose is not to destroy foreign aid—but to help contain it. And, I have kept my criticism to a bareboned minimum.

May I suggest that the Members not read the hearings for this year and previous years too closely, because the information to be found therein is too revealing. Now, Mr. Chairman, may I get into the report and recapitulation of title I, title II, and title III.

SUMMARY OF THE BILL

Title No.	Title	Estimates	Recommended in bill for fiscal year 1966	Bill compared with estimates
I	Foreign assistance	$3,459,470,000	$3,285,000,000	−$174,470,000
II	Foreign assistance (other)	729,453,000	716,453,000	−13,000,000
III	Export-Import Bank (limitation)	(1,190,172,000)	(1,190,172,000)	
	Total	4,188,923,000	4,001,453,000	−187,470,000

Mr. Chairman, the President's budget contained estimates of $3,872,158,000 to finance the various programs contained in the bill. Subsequent amendments to the budget, contained in House Documents Nos. 127, 138, 150, and 197, provided for a net increase in the estimates of $316,765,000.

A majority of the committee recommends the appropriation of $4,001,453,000, which is $187,470,000 below the amended budget estimates of $4,188,923,000. Total aid fiscal 1966, $5,191,625,000.

TITLE I—FOREIGN ASSISTANCE

The conference report on the bill, H.R. 7750, authorizing appropriations for the foreign assistance program, contained specific amounts for each of the various programs which totaled $3,457,670,000. Section 649 of the same conference report limited the total amount of funds that could be appropriated for use in fiscal year 1966 to not to exceed $3,360 million and left to the judgment of the Executive to effect reductions that would bring the total of the various programs within the limitation. Subsequently, the Executive submitted the following recommendation as to which programs should absorb the unspecified reduction of $96,670,000 made by the conference committee on the authorization bill:

Program	Budget estimate	Conference authorization bill	Revised estimate
Technical cooperation and development grants	$219,000,000	$210,000,000	$202,355,000
Alliance for Progress: Development loans	495,125,000	505,125,000	470,125,000
Development loans	780,250,000	780,250,000	725,225,000

The following table compares the amount authorized with the amount recommended by a majority of the committee for the various items of the fiscal year 1966 foreign assistance program:

Program	Conference authorization bill (H.R. 7750)	Recommended in the bill	Bill compared with conference authorization bill
Economic assistance:			
Technical cooperation and development grants	$210,000,000	$202,355,000	−$7,645,000
American schools and hospitals abroad	7,000,000	7,000,000	
International organizations and programs	144,755,000	144,755,000	
Supporting assistance	369,200,000	369,200,000	
Contingency fund, general	50,000,000	50,000,000	
Contingency fund, southeast Asia	89,000,000	89,000,000	
Alliance for Progress:			
Technical cooperation and development grants	75,000,000	75,000,000	
Development loans	505,125,000	445,125,000	−60,000,000
Development loans	780,250,000	675,225,000	−105,025,000
Administrative expenses, AID	54,240,000	54,240,000	
Administrative expenses, State	3,100,000	3,100,000	
Subtotal, economic assistance	2,287,670,000	2,115,000,000	−172,670,000
Military assistance	1,170,000,000	1,170,000,000	
Total	[1] 3,457,670,000	3,285,000,000	−172,670,000
Conference limitation	[1] (3,360,000,000)	(3,285,000,000)	(−75,000,000)

[1] Sec. 649 of authorization bill limited appropriations for fiscal year 1966 to not to exceed $3,360,000,000.

FUNDS AVAILABLE

The table below is a comparison of the total funds estimated to be available to the program in fiscal year 1966, based on the recommended appropriation of $3,285,000,000, with the funds available in fiscal year 1965:

Funds available—Fiscal year 1966 foreign assistance program

Item	Fiscal year 1965	Fiscal year 1966
New appropriations	$3,250,000,000	$3,285,000,000
Carryover from prior-year appropriations	28,865,000	158,352,000
Reimbursements and receipts	8,533,000	32,100,000
Deobligations of prior-year obligations	289,897,000	155,170,000
Transfer from DOD appropriations (sec. 510)	75,000,000	
Total, funds available	3,652,295,000	3,630,622,000

As the table above indicates, funds available in fiscal year 1966 are $21,673,000 below the amount available for the same programs in fiscal year 1965:

Technical cooperation and development grants

1965 appropriation	$202,071,000
1966 estimate	219,000,000
1966 authorization	210,000,000
Recommended for 1966	202,355,000

Technical assistance is AID's primary instrument for the development of human resources and the strengthening of institutions—the core requirements for economic and social progress—and will be conducted in 48 countries and 6 regional or organizational programs. Technical assistance to the 20 Latin American countries and two regional programs are funded under the Alliance for Progress program discussed later. This type grant aid will be extended in such fields as education, agriculture, industry and transportation, health and sanitation, and public administration.

The budget program of $240 million, to be financed by $219 million in new obligational authority and $21 million in carryover and recoveries, on a regional basis, is as follows:

Region:	Fiscal year 1966 program
Near East and South Asia	$46,400,000
Far East	43,000,000
Africa	92,000,000
Nonregional and research	58,600,000
Total	240,000,000

The committee recommends an appropriation of $202,355,000, which is $284,000 above the 1965 appropriation and $7,645,000 below the authorization.

American schools and hospitals abroad

1965 appropriation	$16,800,000
1966 estimate	7,000,000
1966 authorization	7,000,000
Recommended for 1966	7,000,000

This program is designed to provide limited financial support by the U.S. Government to American-sponsored schools and hospitals located in various countries abroad. The following table shows the details of the program during the past 2 years and the proposed program for fiscal year 1966:

Name and location of institution	Fiscal year 1964	Fiscal year 1965	Proposed, fiscal year 1966
214(a) program:			
1. American University of Beirut, Lebanon (including medical center)	$4,240,000	$12,500,000	$2,000,000
2. International College of Beirut, Lebanon	1,500,000	0	0
3. American Farm School, Thessaloniki, Greece	180,000	125,000	----------
4. Anatolia College, Thessaloniki, Greece	291,000	80,000	----------
5. Athens College, Greece	300,000	70,000	----------
6. Pierce College, Athens, Greece	921,000	125,000	----------
7. Robert College, Istanbul, Turkey	2,800,000	1,500,000	----------
8. American University in Cairo, Egypt	[1] 1,400,000	[2] 1,100,000	[3] 1,200,000
9. Escuela Agricola Panamericana, Tegucigalpa, Honduras	470,000	250,000	----------
214(b) program:			
10. Admiral Bristol Hospital and Nursing School, Istanbul, Turkey	0	250,000	----------
11. Polish Children's Hospital, Krakow, Poland	[4] 6,100,000	0	0
12. Seagraves Hospital and Nursing School, Burma	0	[5] 30,000	----------
13. Project HOPE	1,600,000	1,500,000	1,500,000
Total	19,802,000	17,530,000	[6] 7,000,000

[1] $800,000 in foreign currency.
[2] In foreign currency.
[3] $1,100,000 foreign currency.
[4] $3,900,000 in U.S.-owned Polish zlotys.
[5] Pending, to be made in foreign currency.
[6] Total includes classified figures.

The committee recommends the appropriation of $7 million, the budget estimate, for this program in fiscal year 1966. This is $9,800,000 below the 1965 appropriation.

International organizations and programs

1965 appropriation	$134,272,400
1966 estimate	145,555,000
1966 authorization	144,755,000
Recommended for 1966	144,755,000

The budget proposed voluntary contributions to the following programs of the United Nations and three international programs:

	Fiscal year 1966 estimate
U.N. expanded program of technical assistance and Special Fund	$65,000,000
U.N. technical and operational assistance to the Congo	5,000,000
U.N. Relief and Works Agency for Palestine refugees	16,000,000
U.N. Children's Fund	12,000,000
U.N./Food and Agriculture Organization—World food program	$2,000,000
International Atomic Energy Agency—Operational program	1,000,000
Indus Basin Development Fund	43,100,000
International Secretariat for Volunteer Service	120,000
World Health Organization—Medical research	100,000
U.N. peacekeeping: U.N. Emergency Force (Near East)	835,000
U.N. Training and Research Institute	400,000
Total	145,555,000

The committee recommends the appropriation of $144,755,000 to finance the voluntary contribution of the United States to the above noted organizations and programs. This is an increase of $10,482,600 above the appropriation for fiscal year 1965, but the same amount as the authorization for fiscal year 1966.

Supporting assistance

1965 appropriation	$401,000,000
1966 estimate	449,200,000
1966 authorization	369,200,000
Recommended for 1966	369,200,000

Supporting assistance is economic assistance provided primarily to enable larger defense efforts to be undertaken in less-developed nations threatened by Communist expansion and to avert situations of dangerous instability in sensitive areas. In a few instances it is also provided to encourage independence of action in nations susceptible to Russian or Chinese Communist domination, to assure access to U.S. military bases, and in other ways to protect and advance immediate U.S. foreign policy interests.

The budget program of $460,200,000 for supporting assistance—composed of $449,200,000 in new obligational authority and $11 million in recoveries—is for assistance to the following 13 countries and one regional program: Bolivia, Dominican Republic, Haiti, Trinidad and Tobago, Jordan, Yemen, Korea, Laos, Thailand, Vietnam, Congo (Léopoldville), Guinea, Rwanda, Africa regional.

An appropriation of $369,200,000, the amount authorized, is recommended for fiscal year 1966, which is $31,800,000 below the 1965 appropriation of $401 million and $80 million below the budget estimate.

Contingency fund, general

1965 appropriation	$99,200,000
1966 estimate	50,000,000
1966 authorization	50,000,000
Recommended for 1966	50,000,000

The contingency fund is used to meet urgent assistance needs which are not foreseen or cannot be accurately estimated at the time of presentation of the program to the Congress.

The committee recommends the appropriation of the budget estimate of $50 million for this purpose. This is $49,200,000 less than the amount appropriated for fiscal year 1965.

Contingency fund, southeast Asia

1965 appropriation	----------
1966 estimate	----------
1966 authorization	$89,000,000
Recommended for 1966	89,000,000

The conference report on the Foreign Assistance Act of 1965 authorized an appropriation of $89 million for expanded programs of economic and social development in southeast Asia, rather than increasing the authorization for "Technical cooperation and development grants" by $9 million and "Supporting Assistance" by $80 million as requested by the President in House Document No. 197, dated June 3, 1965.

The committee recommends an appropriation of $89 million for this purpose.

ALLIANCE FOR PROGRESS

The President's budget proposed a program of $596,125,000 for the Alliance for Progress in fiscal year 1966, composed of the following items.

Appropriation	New obligational authority	Carryover and reimbursements and receipts	Deobligations of prior year obligations	Fiscal year 1966 program
Technical cooperation and development grants	$85,000,000		$3,000,000	$88,000,000
Development loans	495,125,000	$8,000,000	5,000,000	508,125,000
Total	580,125,000	8,000,000	8,000,000	596,125,000

The January budget did not anticipate any carryover of unobligated funds into fiscal year 1966. However, recent data submitted to the committee indicate that $29,686,000 of fiscal year 1965 development loan funds and $6,562,000 of technical cooperation funds will be available for carryover into the fiscal year 1966 Alliance for Progress program.

In addition to the above Alliance program, the budget also contained $13,600,000 in the supporting assistance estimate and $77,264,000 under the military assistance program estimate for Latin America.

Technical cooperation and development grants: The committee recommends an appropriation of $75 million for this purpose, a reduction of $10 million below the budget estimate and $9,700,000 below the fiscal year 1965 appropriation.

Development loans: An appropriation of $445,125,000 is recommended for development loans in the Latin American region for fiscal year 1966. This is $50 million below the budget estimate of $495,125,000 but an increase of $20,125,000 above the appropriation for this purpose in fiscal year 1965.

Development loans

1965 appropriation	$773,727,600
1966 estimate	780,250,000
Recommended for 1966	675,225,000

The January budget proposed a development lending program, exclusive of the Latin American area, of $840,250,000, composed of the following items:

Fiscal year 1966 program

New obligational authority	$780,250,000
Loan receipts	20,000,000
Deobligations of prior year obligations	40,000,000
Total	840,250,000

On a regional basis, the January budget proposed the following development lending program:

Fiscal year 1966 program

Near East and South Asia	$690,000,000
Far East	50,000,000
Africa	100,000,000
Nonregional	250,000
Total	840,250,000

As in the case of Alliance for Progress development loan appropriation above, the January budget did not contemplate any carryover of unobligated funds from this appropriation into fiscal year 1966. However, recent data indicate that $91,292,000 was unobligated on June 30 and has been carried over into fiscal year 1966.

The committee recommends the appropriation of $675,225,000 for this purpose in fiscal year 1966, which is $105,025,000 below the estimate and $98,502,600 below the fiscal year 1965 appropriation.

Administrative expenses, AID

1965 appropriation	$53,600,000
1966 estimate	55,240,000
1966 authorization	54,240,000
Recommended for 1966	54,240,000

An appropriation of $54,240,000 is recommended for administrative expenses of the Agency. This is an increase of $640,000 above the appropriation for fiscal year 1965.

Administrative expenses, State

1965 appropriation	$3,029,000
1966 estimate	3,100,000
Recommended for 1966	3,100,000

The committee recommends an appropriation of $3,100,000 for the following purposes in fiscal year 1966:

Program	Fiscal year 1966 estimate	Recommended
U.S. Missions to NATO and OECD	$2,146,000	$2,146,000
Battle Act program	954,000	954,000
Total	3,100,000	3,100,000

Military assistance

1965 appropriation	$1,055,000,000
1966 estimate	1,170,000,000
1966 authorization	1,170,000,000
Recommended for 1966	1,170,000,000

The military assistance program provides equipment and training for defense on either a grant or credit assistance basis to help safeguard the independence of nations resisting Communist encroachment and to strengthen alliance and other security arrangements without which U.S. interests would be seriously impaired.

The detail of the fiscal year 1966 program compared with the fiscal year 1965 program follows:

Funds available—MAP

Item	Fiscal year 1965 program	Fiscal year 1966 estimate
New obligational authority	$1,055,000,000	$1,170,000,000
Reappropriation of unobligated balances	965,000	10,000,000
Recoupments	139,550,000	78,000,000
Transfer from economic assistance appropriations	55,000,000	
Use of Section 510 contract authority	75,000,000	
Total funds available	1,325,515,000	1,258,000,000

The committee recommends the appropriation of the budget estimate of $1,170 million for this program in fiscal year 1966. The recommended amount is $115 million above the appropriation for fiscal year 1965 but as the funds available table above indicates the fiscal year 1966 program as presently proposed will be $67,515,000 less than the fiscal year 1965 program despite the recommended increase of $115 million in new obligational authority.

The table below indicates the 40 countries for which a grant materiel program is planned and the 14 additional countries for which a training program only is contemplated:

	Fiscal year 1966		Amount
	Proposed program for (40)	Training only for (14)	
Forward defense:			
China, Republic of	X		
Greece	X		
India	X		
Iran	X		
Korea	X		
Laos	X		
Pakistan	X		
Philippines	X		
Thailand	X		
Turkey	X		
Vietnam	X		
Total, forward defense			$905,023,000
Alliance for Progress security:			
Argentina	X		
Bolivia	X		
Brazil	X		
Chile	X		
Colombia	X		
Costa Rica	X		
Dominican Republic	X		
Ecuador	X		
El Salvador	X		
Guatemala	X		
Honduras	X		
Mexico		X	
Nicaragua	X		
Panama	X		
Paraguay	X		
Peru	X		
Uruguay	X		
Venezuela		X	
Total, Alliance for Progress			77,264,000
Military base:			
Ethiopia	X		
Libya	X		
Portugal	X		
Spain	X		
Total, military base			38,855,000
Grant aid phaseout:			
Denmark	X		
Japan		X	
Norway	X		
Total grant aid phaseout			39,208,000
Free world orientation:			
Afghanistan		X	
Congo	X		
Iraq		X	
Jordan	X		
Lebanon		X	
Liberia	X		
Malaysia		X	
Mali	X		
Morocco		X	
Nepal	X		
Nigeria		X	
Saudi Arabia		X	
Senegal	X		
Syria		X	
Tunisia		X	
Yemen		X	
Country A	X		
Country B		X	
Total, free world orientation			16,869,000

	Fiscal year 1966		Amount
	Proposed program for (40)	Training only for (14)	
U.S. Forces support and MAP administration:			
Infrastructure	----------	----------	$70,000,000
International Military Headquarters	----------	----------	19,080,000
Regional costs	----------	----------	18,201,000
Program administration	----------	----------	23,500,000
Credit assistance	----------	----------	50,000,000
Total	----------	----------	180,781,000
Total obligational authority	----------	----------	1,258,000,000
Less: Reappropriations, recoupments, and transfers	----------	----------	−88,000,000
Total	----------	----------	1,170,000,000

TITLE II—FOREIGN ASSISTANCE (OTHER)

Peace Corps

1965 appropriation	[1] $87,100,000
1966 estimate	115,000,000
Recommended for 1966	[2] 102,000,000

[1] Plus the reappropriation of $17,000,000 of unobligated funds remaining available on June 30, 1964.

[2] Plus the reappropriation of $12,100,000 of unobligated funds remaining available on June 30, 1965.

The amended budget proposed an appropriation of $115 million to finance an estimated Peace Corps strength of 15,110 volunteers and trainees during the program year ending August 31, 1966, compared to an estimated 13,710 on August 31, 1965.

Testimony indicated that the unobligated balance of funds on June 30, 1965, was estimated to be $12,100,000. Therefore, the committee recommends an appropriation of $102 million plus the reappropriation of $12,100,000 of unobligated funds to provide a total of $114,100,000 for the operation of the Peace Corps in fiscal year 1966.

The following table shows the number of volunteers and trainees by country as of May 31, 1965:

Volunteers and trainees (as of May 31, 1965)

Africa:	
Cameroon	103
Ethiopia	569
Gabon	35
Ghana	115
Guinea	104
Ivory Coast	55
Kenya	134
Liberia	346
Malawi	231
Niger	43
Nigeria	649
Senegal	58
Sierra Leone	150
Somali Republic	58
Tanzania	325
Togo	57
Uganda	37
Total, Africa	3,069
Latin America:	
Bolivia	259
Brazil	550
British Honduras	47
Chile	309
Colombia	609
Costa Rica	87

Volunteers and trainees (as of May 31, 1965)—Continued

Latin America—Continued	
Dominican Republic	139
Ecuador	336
El Salvador	75
Guatemala	116
Honduras	107
Jamaica	82
Panama	132
Peru	428
St. Lucia	13
Uruguay	19
Venezuela	269
Total, Latin America	3,577
North Africa, Near East, and south Asia:	
Afghanistan	137
India	427
Iran	133
Morocco	164
Nepal	150
Pakistan	135
Tunisia	337
Turkey	337
Total, North Africa, Near East, and South Asia	1,640
Far East:	
Malaysia	384
Philippines	326
Thailand	264
Total, Far East	974
Grand total	9,260
Plus:	
PCT's entering June 1 to Aug. 31	6,962
Completions of service and terminations, June 1 to Aug. 31	—2,512
On board Aug. 31, 1965	13,710

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

Ryukyu Islands—Army

1965 appropriation	$14,441,000
1966 estimate	14,733,000
Recommended for 1966	14,733,000

The proposed program for administration of the Ryukyu Islands by the Department of the Army in fiscal year 1966 is as follows:

	Estimate, fiscal year 1966
Administrative activities	$2,733,000
Pay of personnel	2,288,000
Travel of civilian employees	125,000
Information materials and services	150,000
Operating expenses	170,000
Aid to Ryukyuan economy	12,000,000
Reimbursement for Government services	1,200,000
Contribution to Government projects	9,260,000
Transportation of commodities	5,000
Technical education and training	815,000
Technical cooperation	720,000
Total	14,733,000

The committee recommends the appropriation of the budget estimate of $14,733,000 to finance the program noted above in fiscal year 1966, an increase of $292,000 above the fiscal year 1965 appropriation.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistance to refugees in the United States

1965 appropriation	$32,211,000
1966 estimate	32,265,000
Recommended for 1966	32,265,000

This program is designed to provide assistance to refugees who have fled from Communist Cuba and sought refuge in the United States—primarily in the Miami, Fla., area.

The budget program for fiscal year 1966 is as follows:

	1966 estimate
I. Direction and coordination of program	$883,000
II. Welfare assistance and services:	
Financial assistance to needy refugees in the Miami area	8,272,000
Transitional resettlement allowances	200,000
Assistance to resettled refugees who become needy	5,101,000
Unaccompanied children	3,800,000
Distribution of surplus commodities	60,000
Hospitalization	1,038,000
State administration of program	1,146,000
Total welfare assistance and services	19,617,000
III. Resettlement and employment opportunities	1,690,000
IV. Education:	
Assistance to Dade County public schools	4,156,000
Vocational training for youth and adults	1,385,000
Assistance to college students	3,200,000
Professional training and placement	400,000
Total education	9,141,000
V. Health services:	
Refugee health clinic	588,000
Outpatient services	120,000
Maternal and child health and school health	100,000
Hospitalization for long-term illness	126,000
Total health services	934,000
Total	32,265,000

Appropriations for this program have declined from the fiscal year 1963 appropriation of $70,110,000 to the recommended appropriation for fiscal year 1966 of $32,265,000, the amount of the budget estimate.

DEPARTMENT OF STATE

Migration and refugee assistance

1965 appropriation	$8,200,000
1966 estimate	7,575,000
Recommended for 1966	7,575,000

The budget estimate of $7,575,000 was proposed to finance the following activities of this refugee program in fiscal year 1966:

	1966 estimate
Contributions to Intergovernmental Committee for European Migration	$4,750
Contributions to program of United Nations High Commissioner for Refugees	600
Refugees from European Communist countries	900
Refugees from Communist China	600
Tibetan refugees	200
Administration	525
Total	7,575

To finance this program in fiscal year 1966 the committee recommends the appropriation of $7,575,000, the amount of the estimate.

In addition, the committee has included language in the bill which will continue available until December 31, 1965, $371,000 of prior year appropriations. This action is necessary in view of a GAO opinion questioning the validity of obligations in the amount of $740,000 established against appropriations for the fiscal years 1963 and 1964 respecting four contracts entered into by the Department of State with two voluntary refugee organizations and the American Red Cross. The original amount in question subsequently has been reduced, consistent with the GAO opinion, to $520,943, and further savings in the program will reduce the requirement for reappropriation to $371,000, the amount recommended in the bill.

Also, to prevent a further reoccurence of this problem and to provide for better fiscal management of the program, the committee has included language in the bill to make all program funds, except administrative expenses, available on a calendar year basis.

Inter-American Development Bank

1965 appropriation	$455,880,000
1966 estimate	455,880,000
Recommended for 1966	455,880,000

The $455,880,000 estimate recommended by the committee is composed of two elements:

First, $205,880,000 represents one-half of the U.S. share of the increased callable capital stock of the Bank, which is authorized by Public Law 88-259. An identical appropriation was approved by the Congress in the fiscal year 1965 Foreign Assistance Appropriation Act. The testimony last year and again this year indicated that it is highly unlikely that the total appropriation of $411,760,000 will be paid out as an actual cash expenditure of the U.S. Treasury.

Second, $250 million represents the second installment of the U.S. share in the increase in the resources of the fund for special operations of the Bank. Public Law 89-6, approved March 24, 1965, authorized a total contribution of $750 million for this purpose. The first installment of $250 million was contained in the Second Supplemental Appropriation Act for 1965, approved April 30, 1965.

International Development Association

1965 appropriation	$61,656,000
1966 estimate	104,000,000
Recommended for 1966	104,000,000

The committee recommends the appropriation of $104 million, the budget estimate, as the first installment of a total supplementary contribution of $312 million to the resources of the International Development Association, as authorized by Public Law 88-310.

To date, the Congress has appropriated a total of $320,290,700 to the Association which makes soft-term loans for development assistance purposes. This recommended appropriation plus the two additional appropriations of $104 million in fiscal years 1967 and 1968 will make a total U.S. contribution of $632,290,700 to the Association.

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

Limitation on operating and administrative expenses: The budget proposed an operating expense budget of $1,186,120,000 and an administrative expense budget of $4,052,000. The committee has approved the budget estimate for both purposes and has again included limitations in the accompanying bill to that effect.

Foreign assistance appropriations bill, 1966

TITLE I

Program	Authorization	Recommended in bill	Reduction
Economic assistance:			
Technical cooperation and development grants	$210,000,000	$202,355,000	−$7,645,000
American schools and hospitals abroad	7,000,000	7,000,000	
International organizations and programs	144,755,000	144,755,000	
Supporting assistance	369,200,000	369,200,000	
Contingency fund, general	50,000,000	50,000,000	
Contingency fund, southeast Asia	89,000,000	89,000,000	
Alliance for Progress:			
Technical cooperation and development grants	75,000,000	75,000,000	
Development loans	505,125,000	445,125,000	−60,000,000
Development loans	780,250,000	675,225,000	−105,025,000
Administrative expenses, AID	54,240,000	54,240,000	
Administrative expenses, State	3,100,000	3,100,000	
Subtotal, economic assistance	2,287,670,000	2,115,000,000	−172,670,000
Military assistance	1,170,000,000	1,170,000,000	
Total	3,457,670,000	3,285,000,000	−172,670,000

TITLE II

Program	Authorization	Recommended in bill	Reduction
Foreign assistance (other):			
Peace Corps	$115,000,000	$102,000,000	−$13,000,000
Ryukyu Islands, Army, administration	14,733,000	14,733,000	
Assistance to refugees in the United States	32,265,000	32,265,000	
Migration and refugee assistance	7,575,000	7,575,000	
Investment in Inter-American Development Bank	455,880,000	455,880,000	
Subscription to the International Development Association	104,000,000	104,000,000	
Total, title II, foreign assistance (other)	729,453,000	716,453,000	−13,000,000

TITLE III

Program	Authorization	Recommended in bill	Reduction
Export-Import Bank:			
Long-term loans	$900,000,000	$900,000,000	
Other loans, guarantees, insurance, etc	286,120,000	286,120,000	
Total, limitation on operating expenses	1,186,120,000	1,186,120,000	
Limitation on administrative expenses	4,052,000	4,052,000	
Total, title III	1,190,172,000	1,190,172,000	
Grand total, foreign aid for fiscal 1966	5,377,295,000	5,191,625,000	−$185,670,000

FISCAL 1965 BILL

First. Subcommittee recommended $3,316 million.

Second. Senate reduced it to $3,250 million.

Third. Amount obligated out of 1965 appropriation: $3,091,648,000.

Fourth. Unobligated funds fiscal 1965: $158,352,000.

GENERAL STATEMENT

Many are concerned as to the apparent lack of knowledge on the part of the taxpayer about the magnitude of our total foreign assistance program. The dollar figure most widely quoted is $3.4 billion. However, the RECORD shows that the President is requesting during this session of the Congress approximately $7.5 billion for foreign assistance purposes. The table below indicates the various foreign assistance programs contained in the President's amended January budget:

New foreign aid funds requested so far in 1965

Foreign assistance requests, as amended (mutual security)	$3,459,470,000
Receipts and recoveries from previous credits	$209,770,000
Military Assistance Advisory Group	76,000,000
Export-Import Bank (long-term credits)	900,000,000
Public Law 480 (agricultural commodities)	1,658,000,000
Inter-American Development Bank (Latin America)	705,880,000
International Development Association (IDA)	104,000,000
Peace Corps	115,000,000
Contributions to international organizations	96,953,000
Permanent construction overseas (military)	85,986,000
Educational (foreign and other students)	69,200,000
Ryukyu Islands	14,733,000
Migrants and refugees	7,575,000
Atomic Energy Commission (overseas)	5,900,000
Inter-American Highway (Latin America)	4,000,000
Total new foreign aid requests, first 6 months of 1965	7,512,467,000

The unexpended balance as of June 30, 1965, for the above-named programs or activities is estimated to be $10,605,738,000.

New foreign aid funds requested so far in 1965

	In thousands
Foreign assistance requests, as amended (mutual security)	$3,459,470
Receipts and recoveries from previous credits	209,770
Military Assistance Advisory Group	76,000
Export-Import Bank (long-term credits)	900,000
Public Law 480 (agricultural commodities)	1,658,000
Inter-American Development Bank (Latin America)	705,880
International Development Association (IDA)	104,000
Peace Corps	115,000
Contributions to international organizations	96,953
Permanent construction overseas (military)	85,986
Educational (foreign and other students)	69,200
Ryukyu Islands	14,733
Migrants and refugees	7,575
Atomic Energy Commission (overseas)	5,900
Inter-American Highway (Latin America)	4,000
Total new foreign aid requests, first 6 months of 1965	7,512,467

As of June 30, 1965, the estimated unexpended balance for the 15 items listed above was $10,605,738,000. This years' authority and previous unliquidated funds will make available for future disbursement an amount in excess of $18 billion.

Now, Mr. Chairman, let us discuss the request for foreign aid for fiscal 1966. There are three titles to this bill. Of course, foreign aid is scattered throughout 15 bills presented to the Congress, but at this time I shall discuss only the 3 titles in the bill it is my privilege to present to you today. In the press, over the radio and TV, and in the Halls of Congress we hear only about title I of the foreign aid bill, but the other titles are just as much foreign aid and it is the same type of dollars that you find in title I.

Now, the committee is recommending new appropriations in the amount of $3,285 million in title I. They are recommending $716,453,000 in title II. They are recommending $1,186,120,000 in title III. So the total foreign aid, as I interpret foreign aid, in the bill before you is in reality $5,191,625,000.

Now, in title I you find technical cooperation and development grants, and American schools and hospitals abroad. We have made no reduction there. International organizations and programs, $144,755,000. The committee made no reduction there. Supporting assistance, $369,200,000. The committee recommended no reduction there.

Contingency fund, general, $50 million. The committee recommended no reduction there.

Contingency fund, southeast Asia, $89 million. The committee recommended no reduction there.

Alliance for Progress, technical cooperation and development grants, $75 million. The committee made no recommendation for reduction there.

Alliance for Progress, development loans, $505,125,000. The authorizing committee and the Appropriations Committee made the staggering reduction of $60 million.

Development loans, $780,250,000. Again the committee made the fantastic reduction of $105,025,000.

Administrative expenses for AID, State Department, no changes.

Military assistance, $1,170 million: The committee made no recommendations for any reduction there.

Now we move into title II. We have the Peace Corps, $115 million. The committee made no recommendations for reduction there. I think it is only fair to the great Director of that corps that we point out his record, for the benefit of the Members of Congress. I am quite envious of this gentleman. If he should go to Alaska to open a refrigerator plant, I would buy stock in it, because I think he would do a land office business, if he had the same kind of success selling refrigerators in Alaska as he has had in selling Members of Congress on the Peace Corps.

This outfit started about 4 years ago. Mr. Shriver has adopted a rather unusual technique, and it has worked out beautifully. I should like to give him credit for the record he has made. He goes down to the Budget Bureau and puts up a good argument for the Peace Corps. A request for $125 million is included in the budget. Then about 2 weeks before hearings begin he notifies the budget that he needs $10 million less than the original estimate. So he amends his budget request and he saves money even before the bill gets to the Congress. He comes down to the Congress and the Congress automatically gives him just about every dime he asks for.

Then when he completes the year, he points out another savings. He says we are turning back some $13 million. He adds that up as a saving. If those are real savings, including the reduction of the budget before it even gets to the Congress, then I think we need him to help balance the budget.

As I say, I am just a little envious of his brilliant salesmanship.

Nevertheless, again this year, in my opinion, we are overfunding the Peace Corps. We are giving them all the money they have asked for. After he has supplemented his request to the budget, we supplement it again. Then he says we can take out another $900,000, and there is, as you know, a carryover of $13 million from previous years. We took that off this year's request. So, even though we show that we made a reduction, it is not really a reduction.

Now we get the Ryukyu Islands. Certainly we realize the importance of Okinawa and the islands. We are making no mention in this bill about any expenditures that we make as actual aid to the Ryukyuans, including the expense of the High Commissioner. This little item is only $14,733,000. I think it is a good program. I recommended it and the committee supported it. Let us not involve it with any military installations and expenditures there. These are AID programs, the dole system, including the administrative expenses for the High Commissioner's Office.

Then we have assistance to refugees in the United States. The 1966 estimate is $32,265,000. We have made no reductions there.

The next item is migration and refugee assistance. There is no reduction there.

For the Inter-American Development Bank, $455,880,000.

There is no reduction made in that estimate.

May I call attention to the fact that in April this year we passed an authorization for an additional $250 million. Then we pushed through a supplemental of $250 million, just before the curtain fell on the end of the fiscal year 1965. The appropriation of the supplemental of $250 million was approved by the House in April. So that money is on hand undisbursed. Make no mistake about that. So that, in reality, we should point out that there is a total of $705 million, but inasmuch as the additional money was approved in a supplemental, we leave that out.

Now we come to the International Development Association, $104 million. Mr. Chairman, make no mistake about it, this is just as much foreign aid as your arm is a part of your body. Why the executive branch does not consolidate all these AID programs and level with us—and I really like to use that word, because they should level with us—and give us the total bill, I do not know. When you fragmentize it, you confuse the public and you confuse the taxpayer who is putting up this money.

Then we have these international organizations. Let us take first the International Development Association.

Here is a record on the United States and the other 93 member nations:

Mr. Chairman, we put up 41 percent of the funds and the other 93 members put up only 59 percent, some of them less than 1 percent of the total.

Those who may put up 5 or 6 percent recognize that the money goes to their former colonies where they have very profitable trade agreements.

Oh, Mr. Chairman, we have some people—downtown, especially—who say, "Oh, this is a great thing; old Uncle Sam puts up 41 percent and we get the other 93 members to put up 59 percent."

Mr. Chairman, if the members of the committee would read some of the debate in the parliaments overseas they will find that they say, "Well, of course, this money is going to our colonies—former colonies—where we had, and still have, very strong agreements. If we put up 6 percent, we can get the United States to put up 41 percent."

Mr. Chairman, the members of the committee should read some of the debate about how they figure it is to their advantage to put up 6 percent in order to get 41 percent out of us.

Why do we not call it foreign aid?

Mr. Chairman, you have a recommendation before the Committee at this time, and it is in the bill, that you transfer as much as 15 percent of the development loan fund, under title I, over to the International Development Association. I know it has been taken out, but it was in the bill. That was recommended. So, to me, it is foreign aid.

Then, Mr. Chairman, this bill provides $455,880,000 for the Inter-American Bank; $250 million of this is an outright appropriation and the other $205,800,000 is investment capital.

Mr. Chairman, we are told, and we have reason to believe, that we will never be called upon to write checks on this fund. Nevertheless, it is an appropriation.

In title III of this bill we recommend the amount of $900 million for the Export-Import Bank for long-term loans.

We believe this is a good agency. We have reason to believe that these loans will be paid back. Nevertheless, we should not forget that you are actually granting aid here.

Mr. Chairman, these loans are made for a period of up to 25 years. The average on this part of the Export-Import Bank's operations amount to $900 million, and you have an additional $286,120,000, making a total in the Export-Import Bank of $1,190,172.

Now, Mr. Chairman, let us agree that it is a good organization. But let us set aside the $900 million, inasmuch as the average length of time we give the recipients to pay the money back is 17 years and going up to 25 years.

Let us say it is good, but nevertheless it is aid. We are making these loans with which they can purchase our commodities. We hope the loans will be repaid. We would like to think so, anyway.

Last year, Mr. Chairman, there were some changes in the system by which we handled this bill. There were some new members on the committee, and, incidentally, we had a new chairman of the full committee—a very fine, cooperative, and very fair chairman—and it is a pleasure to serve under him. Nevertheless, he came onto the subcommittee as a new member. He had never had the opportunity to serve on this subcommittee before. He came on unexpectedly and, of course, he had never gone into the ramifications of this program prior to this year. The subcommittee did not feel disposed to accept the figure I wished to recommend. I do not feel that my position needs any defense, but believing that the rules were such that I, as chairman of the subcommittee, would have to defend the bill in great detail and brag on it and vote for it, I voluntarily stepped aside. The committee recommended $3,616 million. This bill went to the other body and the other body could not stand that large figure. They cut it back to $2,350 million. Almost everyone thought that this represented a bare-bones bill, but at the close of the fiscal year they had $158 million unobligated. They said they needed it, but they did not need it during the year for which it was appropriated—unobligated, $158 million. Therefore, they really obligated only $3,091 million, which is $8 million more than I had previously recommended.

Mr. Chairman, pardon me for crowing just a little bit about naming an amount so close to the actual needs of this organization.

Mr. Chairman, I am of the opinion that I should prove the point I made a moment ago about this bill and other foreign aid bills which we have had before us.

Mr. Chairman, may I direct your attention to the year of 1955. This was the first year it was my privilege to chair the subcommittee. We appropriated only $2.703 billion. The authorization called for a larger amount but we appropriated only $2.703 billion for fiscal 1956. So the bill before you calls for almost $600 million above the amount appropriated for fiscal 1956.

Again, for fiscal 1958, the Congress appropriated only $2,768,760,000, over $500 million below what is in the bill before you today.

For fiscal 1960, the Congress in its wisdom appropriated $3,225,813,000. That year we cut this bill $1,204,182,000 below the authorization, and still left it overfunded.

In 1964 your committee cut this bill $1,525,325,000. We only appropriated new funds in the amount of $3 billion. Moving to last year, $3,250 million.

I want to give the committee full credit, because they did the work, and I got the credit. That is characteristic of a man when you give him a promotion. Your committee over a period of 10 years cut this bill by $8,374,962,000, 19.96 percent, or approximately 20 percent. None of the reductions made during the entire 10-year period were offset by supplementals. The only additional appropriations made were, first, development credits, $200 million; and second, financing the Bogotá Conference and Chilean relief, $600 million.

Mr. Chairman, I do not mean this as criticism. I want to be constructive. I want to defend this bill, but I want to point out in no uncertain terms that these people do not actually know what they need. They reach up in the sky and pull down the figures used as estimates for needed funds.

During each of the past 10 years the administration in power has reacted with horror at the mention of any cut in the foreign aid budget, and predicted dire consequences to our Nation if the Congress should reduce the administration request. However, the budgets were cut. Even so, in every case the amount appropriated proved to be in excess of needs. The aggregate reduction during the past 10 years amounted to $8,374,962,000, and we left the program overfunded, at that. After reducing the 10 budgets for 10 years by 20 percent the agency still had a staggering unobligated balance of $3,084,100,000. The unobligated funds are itemized by year in the following table:

Unobligated funds 10 years

	In thousands
June 30, 1956, unobligated funds	$401,400
June 30, 1957, unobligated funds	814,400
June 30, 1958, unobligated funds	88,400
June 30, 1959, unobligated funds	94,400
June 30, 1960, unobligated funds	127,000
June 30, 1961, unobligated funds	758,000
June 30, 1962, unobligated funds	163,400
June 30, 1963, unobligated funds	419,100
June 30, 1964, unobligated funds	59,600
June 30, 1965, unobligated funds	158,400
Total amount unobligated 10 years	3,084,100

Never before has there been as great an aggregate reduction in the appropriations, below estimates, for any program over a period of 10 years as for foreign aid. Even with these reductions, large amounts of unobligated funds were on hand at the end of each fiscal year during this period.

Call this criticism, if you will, but be sure you suggest that it is a constructive criticism. These people need to be protected against themselves. There are some who say that the authorization this year, and the budget request, are the lowest ever. This is an amazing statement. The authorization may be low, but this Committee is dealing with appropriations. We are not dealing with authorizations. And I should like to direct the attention of this Committee to the fact that four times during the past 10 years we have been able to reduce the authorization in excess of $1 billion.

I shall insert this verified table in the RECORD.

Total mutual security program regular annual appropriations, economic and military assistance, 10 years

Fiscal year	Budget estimate	Appropriation	Reduction below estimate	Percentage below budget estimate
1956	$3,266,641,750	$2,703,341,750	−$563,300,000	17.24
1957	4,859,975,000	3,766,570,000	−1,093,405,000	22.50
1958	3,386,860,000	2,768,760,000	−618,100,000	18.25
1959	3,950,092,500	3,298,092,500	−652,000,000	16.51
1960	4,429,995,000	3,225,813,000	−1,204,182,000	27.18
1961	4,275,000,000	3,716,350,000	−558,650,000	13.07
1962	4,775,500,000	3,914,600,000	−860,900,000	18.03
1963	4,961,300,000	3,928,900,000	−1,032,400,000	20.81
1964	4,525,325,000	3,000,000,000	−1,525,325,000	33.70
1965	3,516,700,000	3,250,000,000	−266,700,000	7.58
Total	41,947,389,250	33,572,427,250	−8,374,962,000	19.96

Now it has been said that in previous years the administration inflated their request so that the Congress could make its cuts and tell the people back home what a great job they were doing. If they fooled you then, they will fool you now. Make no mistake about that.

Mr. Chairman, I do not want to consume too much time. We are only considering a $5 billion request and there are a lot of other things I would rather do. Many are concerned about the apparent lack of knowledge of the taxpayer about the magnitude of our total foreign aid assistance. The dollar figure most widely used and which I just mentioned is $3,400 million. In reality the total runs, if you put the 15 fragments together, to $7,512,467.

I shall explain them briefly.

The foreign assistance request, as amended, using the previous authorization, is $3,459,470,000.

The receipts and recoveries from previous credits amount to $209,770,000.

Military assistance advisory group—that is MAAG and not the regular military—amounts to $76 million.

The Export-Import Bank—long-term credits—amount to $900 million which does not include the amount I referred to earlier.

I am referring only to that part that can properly be interpreted as foreign aid. Public Law 480 is not our bill but it is foreign aid. We sold this program to the American people back during the Marshall plan to feed the starving people of Europe. Subsequently they all got fat, you understand, ladies and gentlemen, and they do not need any more food, but we keep giving them the same amount of money and have built up Public Law 480 agricultural commodities to the enormous figure of $1,658 million. If it is not foreign aid, then I must be a pretty foolish individual.

The Inter-American Development Bank — Latin America — amounts to $705,880,000.

The International Development Association—IDA—amounts to $104 million. Certainly that is foreign aid.

The Peace Corps amounts to $115 million which is just like any other aid program. Some of it is spent overseas and some of it is spent here.

Contributions to international organizations amount to $96,953,000.

Permanent construction overseas—military—amounts to $85,986,000.

And this is only peanuts compared to the overall military expenditures. Think of these beautiful runways. We have not found a way to roll them up and bring them home, and neither can we bring home the brick buildings and the steel hangars that make permanent improvements on foreign soil.

I think of these improvements as foreign aid. When you put "military" on it, the bristles rise, as you well know.

Education—foreign and other students—amounts to $89,200,000.

The Ryukyu Islands that I mentioned a moment ago amounts to $14,733,000 and has only to do with the office of the High Commissioner and nothing to do with the military whatsoever—aid programs for the administration of the Ryukyu Islands and administrative expenses of the High Commissioner.

Migrants and refugees amounts to $7,575,000.

The Atomic Energy Commission overseas amounts to $5,900,000.

The Inter-American Highway—Latin America—it may be a good program and maybe you can use it in a few years—that amounts to $4 million. But it still is a foreign aid program.

Now, Mr. Chairman, the unexpended balance as of June 30, 1965, for the above-named programs and activities is estimated to be $10,605,738,000.

After we pass this bill, you will have in unexpended funds in the pipeline for the 15 agencies—the 15 bills—an amount in excess of $18 billion. They say it is needed. We are taking their word on it.

In an endeavor to be helpful and so that the facts as I understand them may be in the RECORD, may I say that in my candid opinion no program in the history of mankind has had as many paid lobbyists as the foreign aid program. It would take many, many pages, if not a book, to list all the names of individuals who are lobbying for or who are recipients of the program. Briefly stated, there are 66,867 individuals, including participants, on its payrolls. Our Government will be disbursing some type of foreign aid during fiscal year 1965 in 98 foreign countries. Would it not be in order to believe that foreign nationals or officials and foreign ambassadors from these 98 countries would be lobbying either directly or indirectly for foreign aid?

Inasmuch as universities, colleges, workshops, manufacturers, distributors, and others, are the recipients of funds appropriated for foreign aid, would they not be lobbying for it? Inasmuch as foreign aid is closely associated with the State Department, would it not be reasonable to expect that the State Department would use its powerful influence to lobby for foreign aid? Then does it not resolve itself around the fact that it is good for the country and for the program to have at least one outspoken critic who is willing to take whatever abuse may be heaped upon him to keep the program before the American people for what it is and not for what mythical claims are made as to its needs and what imaginary accomplishments are pointed out?

Mr. Chairman, before I conclude my remarks, I should like to point out the more serious part of the aid program. Each agency says, "Don't blame me. Some other agency is responsible. Go to them."

Each agency blames some other agency for the predicament in which we have gotten ourselves into with respect to our balance-of-payments situation and our gold reserve problems. Be that as it may, something brought about that situation. I am in a position to prove that no matter what the President or any other individual who has an open mind wishes to say about foreign aid—and I do not care what kind of statistics they produce—it can be established and proved beyond any doubt that it was foreign aid of some kind or other that got the American taxpayers into this mess.

Do Members realize that in the past 10 years our gold holdings have been reduced from $23,252 million down to only $13,859 million as of yesterday? Something brought that about.

Do Members realize that during those same years in which our gold reserves were reduced from $23 billion down to $13-plus billion, that those recipient countries accumulated dollars so far in excess of their needs that their holdings of dollars rose from $10,540,100,000 in 1950 up to $27,807 million on December 31, 1964?

All of us know that those are short-term demands on our gold. Every one of those recipient nations are foreign countries that, in most part, own those credits and therefore could demand our gold.

How about our balance-of-payments situation? We have had a deficit for 15 years—1950 to 1965, inclusive—of $29,956 million. How did those people build up such tremendous debts against us? How did they build up those claims against us if it were not that we were giving them more aid, or they were accumulating more aid than they needed to deal in commerce?

MARCH 15, 1965.

To Whom It May Concern:

Gold holdings (free world countries)

	In thousands
U.S. gold holdings on Dec. 31, 1952	$23,252,000
U.S. gold outflow to foreign countries, 1952 through 1964	−7,864,000
U.S. gold holdings on Dec. 31, 1964, reduced to	15,388,000
Gold holdings other countries,[1] Dec. 31, 1962	13,028,000
Gold holdings increase other countries, 1952 through 1964	11,829,000
Gold holdings other countries, Dec. 31, 1964, increased to	24,857,000

[1] Does not include Sino-Soviet bloc.

U.S. short-term dollar claims held by foreign countries (free world)

	In thousands
Foreign dollar holdings on Dec. 31, 1952	$10,546,100
Increase in foreign dollar holdings 1952 through 1964	17,260,900
Foreign dollar holdings on Dec. 31, 1964, increased to	27,807,000

U.S. balance-of-payments position

	In thousands
1950 net deficit	−$1,912,000
1951 net deficit	−578,000
1952 net deficit	−1,100,000
1953 net deficit	−2,100,000
1954 net deficit	−1,500,000
1955 net deficit	−1,100,000
1956 net deficit	−1,000,000
1957 (only credit in 15 years)	+500,000
1958 net deficit	−3,400,000
1959 net deficit	−3,700,000
1960 net deficit	−3,800,000
1961 net deficit	−2,400,000
1962 net deficit	−2,200,000
1963 net deficit	−2,660,000
1964 net deficit	−3,006,000
U.S. deficit, 1950 through 1964 inclusive	−29,956,000

Gross public debts

	In thousands
U.S. public debt on Dec. 31, 1964	$318,463,000
Other free world countries (latest available estimates)	232,628,000
U.S. debt exceeds debts of other free world countries by	85,835,000
U.S. debt exceeds all other countries of world by (estimate)	34,300,000

The above clearly indicates what the foreign aid program is doing to the U.S. gold reserves, balance-of-payments position and public debt. There was an operating deficit of $8,266 million for the fiscal year that ended June 30, 1964.

Sincerely yours,

OTTO E. PASSMAN,
Chairman, Foreign Operations Subcommittee on Appropriations.

While that was going on, perhaps it should be pointed out that the U.S. Federal debt exceeded the combined public debt of all other nations of the world put together.

Let us hit where it hurts, so that we can help these wonderful people in the department to do a better job.

We are told, "Oh, no; it is not the AID agency; it is some other agency."

Then we go to that agency and we are told, "Oh, no; it is the other agency, not us."

Around they go; and it is pretty hard to pin down the responsibility.

I shall insert in the RECORD a table which illustrates that point. It is not fair to use 1 year as a criterion. This committee, some 7 or 8 years ago, pointed out the way we were fattening up the recipients of foreign aid around the world on dollars. We said that sooner or later they would have dollars in excess of needs, and that they would have dollars so far in excess of their needs that they would start to buy our gold.

The experts said, "Fear not. We shall bring this thing under control before that happens."

Now let us deal realistically with the figures. Let them hurt. I did not pick them out of the thin air.

From 1958 to 1964, inclusive, a period of 7 years, 57 countries receiving military and/or economic assistance during that period covered in the table purchased $7,013,300,000 of our gold. In addition to the purchase of the $7,013,300,000 of our gold stocks, 14 of the above listed countries purchased an additional $769,100,000 of gold during the first quarter of the calendar year 1965. Data furnished to the committee by the Treasury Department covering most of the 57 countries listed in the preceding table indicates that those countries also increased short-term dollar holdings, official and private, from $9,730 million on December 31, 1957, to $14,541 million on December 31, 1964.

I shall insert the full table in the RECORD. I should like to move along rapidly, if I may.

GOLD OUTFLOW

The table below is an updating of the one included in the commerce report of last year and it reflects the gold purchases of 57 countries who have received military and/or economic assistance during the 7-year period covered by the table.

Net sales of U.S. gold to foreign aid program recipients

[In millions—Negative figures represent net sales by the United States; positive figures represent net purchases]

Country	1958	1959	1960	1961	1962	1963	1964	Total
Algeria						−$15.0		−$15.0
Argentina	+$67.2		−$50.0	−$90.0	+$85.0	−30.9		−17.8
Austria	−84.2	−$82.7	−1.1		−142.5	−32.1	−$55.4	−398.0
Belgium	−329.4	−38.5	−140.9	−144.4	−63.0		−40.1	−756.3
Burma			−3.8		−20.9			−24.7
Cambodia			−12.0	−3.1	−1.7	+3.2		−13.6
Cameroon Republic						−1.9		−1.9
Central African Republic						−.7		−.7
Ceylon		−7.5						−7.5
Chad						−.7		−.7
Chile	+3.0	−1.3	−2.0	−6.6			−2.3	−9.2
Congo (Léopoldville)						−3.1	+1.6	−1.5
Costa Rica				−2.3	−.5			−2.8
Cyprus				−2.0				−2.0
Dahomey						−.8		−.8
Denmark	−17.0	−15.0	−15.0	−35.0	+15.0			−67.0
Dominican Republic				−3.0			−2.6	−5.6
Ecuador					−3.2	−2.3		−5.5
Egypt			−7.5	−7.8	−1.2	−2.2	−10.8	−29.5
Country A		−4.7	−3.0				−5.0	−12.7
France		−265.7	−173.0		−459.1	−517.7	−405.1	−1,820.6
Gabon						−.7		−.7
Germany (West)			−33.8	−22.5			−225.0	−281.3
Ghana			−5.6					−5.6
Greece		−15.0	−47.0	−10.2	−19.1			−91.3
Guinea						−2.8		−2.8
Honduras			−.8					−.8
Indonesia		−11.0	−24.9					−35.9
Iran	−2.3		−.4	−16.1		−5.9		−24.7
Iraq			−29.8					−29.8
Israel		−4.4			−10.0	−7.0	−2.0	−23.4
Italy	−348.8			+100.0			+200.0	−48.8
Ivory Coast					−1.5			−1.5
Japan	−30.1	−157.4	−15.2					−202.7
Korea		−1.6						−1.6
Laos				−1.9				−1.9
Lebanon				−21.0	−32.1		−10.5	−63.6
Mauritania						−.8		−.8
Mexico		−30.0	−20.0			−4.0		−54.0
Morocco			−21.0					−21.0
Netherlands	−260.9	−29.9	−249.4	−24.9			−60.0	−625.1
Niger						−.8		−.8
Nigeria				−20.0				−20.0
Pakistan			−12.5					−12.5
Peru			−15.0	−5.0	−.6	−10.6		−31.2
Portugal	−20.0	−10.0						−31.0
Salvador							−2.2	−2.2
Saudi Arabia			−11.3	−47.5	−12.6			−71.4
Senegal						−1.7		−1.7
Somalia					−1.9			−1.9
Spain	+31.7		−113.7	−156.2	−146.1	−130.0	−32.0	−546.3
Syria			−2.1		−1.3	−.4	−3.1	−6.9
Tunisia			−.5		−.5	−.5		−1.5
Turkey			−6.1	−2.5	−1.1	+2.0	+1.3	−6.4
United Kingdom	−900.0	−350.0	−550.0	−305.7	−387.0	+329.3	+617.7	−1,545.7
Upper Volta						−.8		−.8
Yugoslavia		−1.5	−15.9		−1.5	−1.9	−2.5	−23.3
Net sales of gold	−1,890.8	−1,026.2	−1,583.3	−827.7	−1,207.4	−439.9	−38.0	−7,013.3

In addition to the purchase of $7,013,300,000 of U.S. gold stocks, 14 of the above-listed countries purchased an additional $769,100,000 of our gold during the first quarter of calendar year 1965.

Data furnished to the committee by the Treasury Department covering most of the 57 countries listed in the table above indicates that these countries also increased their short-term dollar holdings, official and private, from $9,730 million on December 31, 1957, to $14,541 million on December 31, 1964.

During the 7-year period the 57 countries listed in the above table received $14,434,900,000 in military and/or economic assistance from the United States. Therefore, the committee is of the opinion that our financial assistance to these countries enabled them to accumulate over $4,811 million in short-term dollar credits and to purchase over $7 billion of our gold.

INITIATION OF PROJECTS NOT PRESENTED TO CONGRESS

Testimony this year again confirmed the statement that the foreign aid program is presented to the Congress on an illustrative basis—that is, the agency can testify for funds for a project in one country and then use the funds for a different type of project in another country. The following excerpts from the printed hearings confirm the illustrative nature of the program:

On page 942:

Mr. PASSMAN. You could actually testify for funds for a road in Pakistan, and build a brick building in India, and still be within the law, could you not?

Mr. MACOMBER. That is correct.

Mr. PASSMAN. Thank you, sir.

I have surprised one of our new members. I should have brought that fact up earlier. This is all illustrative, is it not?

Mr. MACOMBER. That is right; but it is our plan for going ahead.

Mr. PASSMAN. I know, but it is an illustrative program?

Mr. MACOMBER. It is illustrative.

On page 1130:

Mr. PASSMAN. I believe we agreed earlier that all these programs are illustrative.

Mr. POATS. That is right.

Mr. PASSMAN. Legally you could testify for projects for one country and conceivably allocate part of the funds, if not all of them, for projects in another country.

Mr. Poats. Legally, yes. We of course try to avoid this.

On page 1253:

Mr. Passman. In other words, putting it accurately, this money is appropriated on an illustrative basis?

Mr. Rogers. Yes, we used that word last year.

Mr. Passman. You would buy that again?

Mr. Rogers. Yes.

Mr. Passman. You could under the law testify for a building and loan bank in Guatemala and build a mountain resort with that money in Brazil if it qualified, could you not?

Mr. Rogers. Yes, sir.

On page 1442:

Mr. Passman. What you are doing is asking for a complete blank check to do whatever you want to when you want to, where you want to, how you want to, and the legislation is just that broad to permit you to act that way.

You could actually, under the legislation, ask for money for a highway in the Congo and build a summer resort over on the Ivory Coast?

Mr. Hutchinson. I could, sir, but I am trying to give you the fullest information that I have.

This flexibility as to the use of appropriated funds is a primary factor in the ability of the Agency to initiate projects that have never been presented to the Congress—even on an illustrative basis—and is cause of concern to the committee. It is the opinion of the committee that very few, if any, of these projects are of such vital importance to our national interest that the Agency must start them without first presenting them to the Congress. The following table indicates the extent and cost of this practice in the past 3 years:

Project initiation	Number of unjustified project	First year cost	Estimated cost to complete
Fiscal year 1963	82	$17,753,000	$50,905,000
Fiscal year 1964	60	7,202,000	21,967,000
Fiscal year 1965	83	14,302,000	44,625,000

A review of the titles of the projects started in fiscal year 1965—see pages 1051, 1204, and 1439 of the printed hearings—does not disclose any project that is so vital to the U.S. national interest that it had to be started prior to presentation to Congress.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Iowa.

Mr. GROSS. What did the gentleman say the loss of gold was for the first 7 months of this year? I have a figure of $1.502 billion.

Mr. PASSMAN. Whatever figure I gave came from the Department. I will have to look it up. It was $7 billion plus.

Mr. GROSS. I mean for the first 7 months of this year.

Mr. PASSMAN. I only used 3 months. I do not use figures until the people downtown initial them. If they ever get me on thin ice they will push me through and I will freeze to death.

Mr. Chairman, this is of great importance to the committee. I know that some people enjoy great prestige downtown. I would like that, too. When I first came to the Congress, when I would get a call from the White House I would drool like a baby who swallowed its nipple. I just thought that was the greatest thing that ever happened. In recent years, though I am always pleased to get a call, sometimes I am too busy to go.

We have a great President. He told me one time that he did not know anything about the aid program and he said, "You know all about it." I am taking him at his word. He kind of got my ego up a bit. I do not think it is bad to quote him, because that is what he said.

Now let us find out whether the people who administer this program know anything about what it is accomplishing and how much trouble we are actually getting into with our friends because of the aid program.

For years the committee has listened to statements by witnesses that the aid program has helped to develop markets for our exports. This year is no exception, as evidenced by the following statement made by Secretary Rusk:

> The committee should also bear in mind that foreign aid often opens the way for U.S. trade.
>
> * * * * *
>
> There are substantial future markets in the developing nations. As development picks up momentum, the peoples of these nations will be able to buy more from us and from other countries. The less developed countries are determined to grow—to buy more and to sell more. The United States can reasonably expect to get its fair share of these expanding markets.

What did Mr. Bell say? Mr. Bell said, in reply to a question:

> Yes, ma'am, we will do that.

I suppose he is answering the lady. I do not think he would refer to me and say "yes, ma'am."

> As you know, the figures will show that the typical experience is that the commercial exports are rising and they not only rise where the aid has been successful in giving economies stimulation, but this takes place during the process; in Latin America, for example, over the last 3 or 4 years, our aid has been rising and so have our commercial exports.

We are excluding shipments against the foreign aid program, using only U.S. commercial trade balances.

U.S. COMMERCIAL TRADE BALANCE WITH AID-RECIPIENT COUNTRIES

For years, the committee has listened to statements by witnesses that the aid program helps develop markets for our exports. This year is no exception, as evidenced by the following statements:

> Secretary Rusk. The committee should also bear in mind that foreign aid often opens the way for U.S. trade * * *.
>
> There are substantial future markets in the developing nations. As development picks up momentum, the peoples of these nations will be able to buy more from us and from other countries. The less developed countries are determined to grow—to buy more and to sell more. The United States can reasonably expect to get its fair share of these expanding markets. In addition, as these economies grow, there will be an increase in returns on growing American private investment in the less developed areas. Thus, foreign aid is a minor adverse factor in the current balance-of-payments problems; it is a strong positive factor over the long run.

Mr. Bell, the Administrator for AID, stated:

> Yes, ma'am, we will do that. As you know, the figures will show that the typical experience is that the commercial exports are rising and they not only rise where the aid has been successful in giving economies stimulation, but this takes place during the process; in Latin America, for example, over the last 3 or 4 years, our aid has been rising and so have our commercial exports. (See table on top half of page 576 of hearings.)

I requested AID to furnish data on U.S. exports and imports to aid-recipient countries and additional data as to the amount of economic assistance-financed exports to the same countries. The committee has converted these data into a worldwide graph and four regional graphs which portray our commercial trade balance which is the net of U.S. exports—excluding economic assistance-financed exports and U.S. imports. The committee is of the opinion that such a presentation of the data is more meaningful in that it presents a more true picture of our world trade position since it excludes the economic assistance-financed export data.

It is clearly obvious from the first graph below that our commercial trade balance with aid-recipient countries has dropped sharply since 1960 and, of the four regional graphs, the only area that seems to indicate a rising trend is the Far East—excluding Japan—where the commercial trade balance has increased from minus $209 million in 1959 up to plus $7 million in 1963. The Latin America commercial trade balance alarms me as our imports from Latin America exceeded our exports by $159 million when we started the Alliance for Progress program in 1960. In 1963 our imports from Latin America exceeded our exports by $670 million. It is just the reverse of the claims made by the witnesses for the foreign aid program.

Inasmuch as we have been extending aid for many years—some of the countries included in the above data have been in the program since the Marshall plan era—it would appear, if credence can be placed in the statements of the various witnesses that have appeared before the committee that foreign aid often opens the way for U.S. trade, that our commercial trade balance should be on a rising trend. Instead our commercial trade balance is on a very significant downward trend.

What are the facts? Are we not entitled to the facts? Are these not serious questions?

We started the Alliance for Progress program in 1957. It is clearly obvious, from the first graph below, that our commercial balance with the aid recipient countries has dropped sharply since 1960. On the four regional graphs, the only area which seems to indicate a rising trend is the Far East, excluding Japan, where the commercial trade balance increased from $209 million in 1959 to a deficit $7 million plus in 1963.

Let us consider Latin America. The Latin America commercial trade balance alarms me, as our imports from Latin America exceeded our exports by $159 million when we started the Alliance for Progress program in 1960. In 1963, our imports from Latin America exceeded our exports by $670 million. It is just the reverse of the claims made by the witnesses for the foreign aid program.

So that I may conclude briefly, Mr. Chairman, I will insert these graphs in the RECORD and merely say that the commercial trade balances on a worldwide basis show, dealing with the recipients, that in 1960 we imported $267 million more than we exported, but in 1963 we imported $828 million more than we exported.

U.S. commercial trade balance with aid-recipient countries, 1859–63

[Excludes economic assistance-financed exports]

(Dollars in millions)

NOTE.—Graphs are based on data furnished by AID.

Worldwide:	
1959	−721
1960	−267
1961	−519
1962	−685
1963	−828
Africa:	
1959	−73
1960	−93
1961	−125
1962	−62
1963	−99
Far East (excluding Japan):	
1959	−209
1960	−143
1961	−9
1962	−71
1963	+7
Latin America:	
1959	−388
1960	−159
1961	−372
1962	−634
1963	−670
Near East and South Asia:	
1959	−51
1960	+128
1961	−13
1962	+82
1963	−66

If you would go to the record and go to the hearings and go to the facts, you would know that these countries are taking either the AID money we give them or the money that they acquire from their exports to buy from our competitors. I could put reams of information in the RECORD on that.

Now, Mr. Chairman, the myth of the 85 percent story. That is the biggest myth ever created by the mind of man. the money is spent here in America." Sure it is. In fact, about 93 percent of it is spent in America. But what is the story on this 85 percent? You pass this appropriation bill, you credit your X number of nations downtown the amount that they are going to get, and they start issuing their requisitions either for services or for goods, but when they receive those services and those goods and when the ships go to sea, the invoices are sent down to the U.S. Treasury to be paid out of the taxpayer's till. These people forget to tell you that part of it. So if they can prove that is good and correct, to appropriate money to give to foreign nations by which they can requisition goods and services, if that is good, then let us triple our foreign aid program and really have some prosperity here. You know and I know that the record is replete with facts that a great majority of these nations would buy some of what we are giving them if we did not give it to them free. Why do we not just come clean with the people? If it is good, then I want to recommend $15 billion next year so we will be so prosperous that we just will not recognize each other around here. You know and I know that is a myth. Repeating, if I may, the poor, overburdened taxpayer picks up the invoice, when the goods go out, through the U.S. Treasury. Some of them buy that as being good. So far as I am concerned, it is not good. Trade made this Nation great, and we are getting ourselves so far out of the world markets with our generosity and with giving people our goods and services that they normally spend their dollars for, that we are just not going to be in it any more. May I firm it up this way: if that is not true—if that is not true—then how did the recipient nations accumulate sufficient dollars to reduce our gold holdings from $23 billion plus to $13 billion plus? If it is not true, then how did the recipient nations manage to build up their short-term claims against the United States from $10 billion to $29 billion in a brief span of 11 years? I do not know of any way, Mr. Chairman, to defend this bill, to help this bill, to help the people who administer it, without pointing out the facts as I find them in the hearings.

I believe if you will refer to the hearings, the things I have said are more fully documented there than they are in the manner I have given them to you today.

I must say this, also. Inasmuch as you have so many people lobbying for the foreign aid program and so many people who are defending the foreign aid program and so many people who are on the payroll of the foreign aid program and so many people who are the recipients of the taxpayers' checks from the U.S. Treasury, if time should ever permit and if I should hold my job and if the committee will put up the money, I am going to endeavor to get out a book on it. Of course, AID gets out a new book every other week you understand, showing the great accomplishments of this program, which is just as mythical as anything you have ever read. However, I want to get out a book showing the number of lobbyists. I may have to block them in by nation, because in all probability, directly or indirectly, you may have 200,000 They say, "Do not worry—85 percent of people lobbying for this bill.

I have not met 10 people in the past 10 years who are lobbying against it. That is what frightens me and I think it should frighten any person. All of the evidence, all of the time taken is on the other side of the table. These people spend 365 days a year, less holidays, thinking up ways to spend money and coming up with fancy names for these programs, such as the Peace Corps.

Why did not they call it the juvenile technical aid program, or, if they wanted to, the young men's technical aid program? I could have joined them on that basis.

There is the food for peace program—$1,658 million. If you think that it is food for peace, you had better talk to Sukarno and Nasser and see whether it is food for peace.

There is the title "Economic Aid." They come up with some very highfalutin titles—"Defense Support." Now, that is economic aid. They know that if you get "defense" somewhere in there, you can get it through. There is the program "Support Assistance." Again you think that this is something to support an army. All you have to do is to have a few people in uniform and you qualify for this type of aid.

Mr. Chairman, as I conclude, let me talk about Latin America. You cannot help Latin America by giving them more aid than they can absorb. I am as much for the Latin American program as is any Member of this House. But I think you can spoil an individual, whether juvenile or adult, by giving him more to spend than he actually needs. You know and I know that the program is not succeeding. We regret it. It can succeed, it must succeed. But do you realize that Latin America can draw out of 16 spigots of foreign aid?

In this bill before us for this year there is for Latin America in excess of $1 billion. I want to say for the record that as of June 30, 1965, there were, from all spigots, $2,760,100 in unexpended funds to the credit of Latin America. I think we are giving them more than they can utilize, notwithstanding statements to the contrary.

Mr. SHRIVER. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the foreign assistance appropriation bill under consideration today consists of three titles. Title I appropriates for new spending $3,285 million.

Title II appropriates $716,453,000. The other title is a limitation of approximately $1,190 million for the Export-Import Bank.

As the chairman, the gentleman from Louisiana, said a moment ago, actually $5,191,625,000 is in this bill. Many Members of Congress and people in the country think of foreign aid as the $3.3 billion included in title I only. Actually approximately $7.5 billion has been requested this year for foreign assistance purposes.

Not included in this bill are funds for Public Law 480, commonly referred to as food for peace, in the approximate amount of $1.7 billion. Not included are contributions to international organizations in the amount of $97 million; to permanent military construction overseas $86 million; education of foreign students about $69 million. And many other items are not included.

Then, too, most people do not realize how much is unobligated, or obligated funds from prior years' appropriations.

This is estimated to be in excess of $10 billion and is sometimes referred to as the pipeline.

If no funds were appropriated this year for foreign aid there would still be this pipeline of about $10 billion available for various spigots of foreign aid.

Mr. Chairman, many of us in the 89th Congress sincerely believe that a further reduction should be made in the foreign aid program. We contend that reductions should be made for several reasons.

First. Our commercial trade balance with aid-recipient countries has dropped sharply from 1960. Consequently, our so-called balance of payments is in need of correction.

Mr. Chairman, we have heard a great deal about the gold outflow in this connection. It is the opinion of most of the minority that there is a definite relationship between the gold outflow and our program of spending in foreign countries. The flow of gold from this country should not increase as it has in the past several years. This outflow of gold to those who have received our foreign aid funds has increased in the first quarter of this year, 1965, by the figure to which the gentleman from Louisiana [Mr. PASSMAN] referred a little while ago of over three-fourths of a billion dollars.

Mr. Chairman, further aid fund reductions should now be made for the further reason that this 89th Congress has passed many domestic spending bills which will cost the taxpayers of this country billions of dollars.

Finally, Mr. Chairman, now is the time to tighten up the belt of foreign aid because of the demands for increased defense spending to help the Vietnamese in their struggle against communism.

Mr. Chairman, some experts say this war in southeast Asia will require U.S. spending of from $5 to $12 billion, and not too far distant in the future.

Mr. Chairman, the House of Representatives will soon act upon an increase for the Department of Defense for the Vietnam conflict in the amount of some $1.7 billion. It should be pointed out that the Republican members of the Committee on Appropriations are not taking issue with the entire foreign assistance bill.

There is and there has been bipartisan agreement in the amounts requested for many portions, a number of the spigots referred to by the chairman a little while ago.

There is bipartisan agreement, for example, in the amounts requested for the Peace Corps, for Public Law 480, food for peace, for the Export-Import Bank, for the Inter-American Development Bank, for Latin America, and the International Development Association, for military construction overseas, for migrants and refugees, and a number of other items.

But we do contend, Mr. Chairman, that the development loans and grants to foreign governments are areas for greater reductions.

Mr. Chairman, the House committee reduced the asking in a $3.4 billion bill by a paltry $75 million, a mighty small reduction in this over $5 billion spending bill.

Without hurting the program at all, greater reductions at this time are not only desirable but essential to maintain the strength and the security of our country.

In our minority report, signed by 14 of the 16 Republican members of the Appropriations Committee, the minority has set out various reasons for reduction and changes in the foreign assistance program. I do not intend in this discussion and presentation at the moment to restate or reargue all of the reasons that were given in the minority views for reducing this year's appropriation.

I do, however, want to emphasize two points of importance to the strength of our country.

First. I know you will remember that the majority of this Congress has passed many enlargements of old Federal programs and has acted upon many new programs, requiring several billions of additional tax dollars.

Let me remind you of some of the spending programs we have acted on at this session of the 89th Congress.

We have had the Appalachian Regional Development Act, calling for some $1.1 billion; the Inter-American Development Bank, which I referred to previously, and the chairman did also, in the amount of $750 million. The elementary and secondary education bill calling for $6.7 billion; the Manpower Act of 1965, $454 million; International Monetary Fund, $1,031 million; river basin projects, $944 million; Area Redevelopment Act, 2 months' extensions, $12 million; Small Business Act revolving fund increased, $120 million; community mental health centers amendments, $385,500,000; the Missouri River Basin projects, Garrison Unit, $207 million; community health services, $117 million; Public Health Service extension, $280 million; Housing and Urban Development Act calling for $8,238 million; increase of military base pay, $991 million; Public Works and Economic Development Act, $3,325 million; social security amendments over $6 billion in increased tax funds.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. SHRIVER. I yield to the gentleman from Illinois.

Mr. FINDLEY. I am glad the gentleman has called attention to these other aid-type Federal programs that have been authorized this year. I noted a list in the committee report. I would like to call the gentleman's attention to the Sugar Act, which is not included in this listing but which actually involves a substantial amount of foreign aid. We have a proposed 5-year extension of the Sugar Act before Committee on Agriculture at this time. The estimate of the foreign aid component of the Sugar Act is over $200 million a year. So here is a very substantial item of foreign aid that should be added to the list.

Mr. DAVIS of Wisconsin. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The chair will count. [After counting.] Eighty-one Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 267]

Adair
Andrews,
George W.
Ashbrook
Baring
Berry
Bolton
Bonner
Brademas
Bray
Cameron
Chelf
Clawson, Del
Craley
Daddario
de la Garza
Diggs
Farnsley
Fuqua
Griffiths
Hanna
Harsha
Hawkins
Hébert
Holifield
Hungate
Jones, Mo.
Kee
Kornegay
Landrum
Lindsay
McClory
MacGregor
Martin, Ala.
Mathias
May
Morton
Pepper
Pirnie
Poage
Powell
Reifel
Resnick
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Senner
Sisk
Springer
Teague, Tex.
Thomas
Toll
Wilson,
Charles H.
Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10871, and finding itself without a quorum, he had directed the roll to be called, when 373 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. SHRIVER. Mr. Chairman, prior to the quorum call I had yielded briefly to the gentleman from Illinois [Mr. FINDLEY] and he had called attention to the sugar bill, another form of foreign aid, requiring some $200 million. I also did not mention the International Coffee Agreement subsidies and other items. At that time I was listing the major authorizing legislation which had been passed at this 1st session of the 89th Congress. I listed the major authorizing legislation that has been passed upon and enacted at this 89th Congress, 1st session, which amounts to more than $31 billion of new spending.

Mr. Chairman, the list does not include authorizing legislation necessary annually for military procurement, for the Atomic Energy Commission, for the National Aeronautics and Space Administration, and, of course, does not include the foreign aid authorization bill for which we are making appropriations today.

Surely, Mr. Chairman, with these new domestic programs requiring billions of new money, this House will feel that the very small $75 million reduction as recommended by the Committee on Appropriations is grossly inadequate at a time when these new programs will require so much additional funding.

Mr. Chairman, the second point I want to emphasize is that our Nation is involved in a costly and expensive war in southeast Asia. We are attempting to help the South Vietnamese in their struggle against the advancement of communism.

Not long ago, Mr. Chairman, this House voted for a supplemental defense appropriation of $700 million and the other body has already voted and we will have it before us, another $1.7 billion for defense in connection with Vietnam.

Mr. Chairman, the weeks, the months, and we are told possibly years, have the strong possibility of many billions more for that struggle in Vietnam and in southeast Asia.

So why not effect some economies now and support reductions in the bill before us?

Now, Mr. Chairman, where can reductions be made without crippling or harming our foreign commitments and our foreign policy? I submit to the members of the Committee there are several places in this bill where economies can be effected and where reductions can be made. I believe it is not a barebones bill. Certainly, the gentleman from Louisiana a little while ago emphasized the point that this is not a barebones bill by any means.

I am reading from the conference report on the foreign aid authorization bill recently signed by the President.

> Section 205: The President may make available, in addition to any other funds available for such purposes, on such terms and conditions as he determines, not to exceed 15 per centum of the funds made available for this title to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions.

In other words, in the authorizing bill for foreign aid passed not long ago and recently signed, the administration, the executive department, asked for and received authority to transfer 15 percent of the Development Loan Fund to the International Development Association or to the World Bank. Inasmuch as it is apparently thought by those administering the economic assistance program that 15 percent of the development loan funds of this bill, the bill we are now debating, could be transferred, why not reduce the development loans by 15 percent?

The request was made by the executive branch that this policy be stated in the conference report on the foreign aid authorization bill. Heretofore it was 10 percent. This would amount to $100 million of possible reduction which could be made in this bill without destroying the effectiveness of foreign aid. There is adequate funding now in the World Bank and the International Development Association.

I submit there was $91,295,000 of unexpected carryover of development funds reflected in the agency figures. These two items I mentioned would amount to $192,575,750.

Then under the international organizations and programs there is an increase over last year's appropriation of $10,482,600. For development loans for Alliance of Progress there is an increase of $20,125,000, with an unexpected carryover of $29,686,000, making a total of $49 million, approximately $50 million. These are items where reductions could be effected without hurting or crippling the program.

I would be remiss if I did not refer to mismanagement and misdirection relating to the assistance program. Every year when we are debating this bill and the authorization bill we hear of gross errors made in the administration of such a vast and complex program. We hear of extravagance, of waste, of inefficiency, and occasionally corruption in the program. All too frequently our tax money has gone to further ideologies alien to our concept of the freedom of man. I will mention but a couple of instances from our hearings. Going into our hearings of this year and prior hearings you will find many instances.

On March 19 of this year the Comptroller General told the Senate Foreign Relations Committee:

> In a recent review of economic assistance furnished to the Republic of the Philippines we observed that about $54 million in grant aid assistance for development projects had been furnished which substantially exceeded Philippine capability to effectively absorb, maintain, and utilize with the limited country funds allocated for this purpose. We found as a result the project did not achieve the economic development benefits that could have been reasonably expected had adequate levels of support been made available by the Philippine Government.

Then the Comptroller General suggested that the committee might consider enactment of legislation which would require appropriate officials of the Department of State and the Agency for International Development to certify that the recipient country has sufficient available resources to devote toward the proposed programs to assure that they are carried out effectively.

For example, a shipping pier was not completed because of lack of cement to be provided by the Philippine Government. In the case of wells, we furnished well casing and drill rigs. It was up to the Philippine Government to provide maintenance and operations people. He also discussed dredges which ran into several millions of dollars which were operated at a very low rate of efficiency, although the harbors in the Philippines were clogging up with silt and the need to remove it was the primary purpose of providing the aid in the first place. The Director of the International Operations Division of GAO explained that the Philippine Congress had appropriated funds to support the U.S. contribution in good faith, but not enough revenue was ever collected to fund the appropriation.

The Assistant Administrator, Far East, Agency for International Development, in the hearings agreed that was a good catalog of all of the problems in the Philippines in recent years. He added, when I asked about other similar instances, that a loan had been made to the Central Bank of the Philippines for small loan relending to industrialists. He said and I quote:

> Some of that money was not used year after year. We deobligated the funds. In this case the spread between the interest on our loan and the allowable interest on the Central Bank was not enough to make it attractive for them to handle. The businessmen themselves would prefer to pay a higher interest rate and avoid the rigmarole and the disclosure elements required in a public loan. So we deobligated some of that money and it reverted to the general accounts. In the same way we deobligated some money for the roads and bridges loan which the GAO mentioned. That loan was reduced.

In other words, they did not need the money badly enough to put up with the redtape. They would rather be independent, borrow the money privately even though the interest rate would be higher.

One of the Members of this House received a letter from a young man in the Peace Corps serving in Ecuador telling how the town of Bahia—a village of some 8,000 inhabitants, was an excellent farming region until the midfifties when the area was hit by severe dry weather. Since then the population of the village had been leaving the area. The rains returned last year and the harvests were nearly as abundant as prior to the drought.

U.S. AID has a project to provide technical assistance to underdeveloped countries to help set up small locally owned industries. Last year this village of Bahia was selected as a site for studies for the development of small industry. The natives were very hopeful as the town has a completely agricultural economic base and no industry. U.S. AID hired a university staff to make the study—and sent out not highly trained experts but a group of undergraduates. The natives were skeptical but accepted them and raised $60,000 to begin a corn products industry suggested by the AID people. I want to emphasize that on their own they raised $60,000 hopeful that the project would go forward. Late last fall came the word that the study was incomplete and that the industry suggested would fail if they tried it.

When I read the letter from this peace corpsman to the AID Administrator during the hearings on May 4, the committee was promised an explanation of this project. It was not received by the time the hearings went to press and a reply to the committee did not come until June 30—almost 2 months later.

Now if this is typical, then it is not like our own congressional offices where efficiency and promptness are required. That is another indication of the way the program operates and functions.

The foreign-aid programs need a major revamping and the bulk of the American people are in accord with this theory. I know many of you have sent out questionnaires and opinion surveys in an attempt to find out the thinking of your people concerning the foreign-aid program. I think it has been the same as many of the rest of us—75 percent and upward are in opposition to this kind of program.

After spending well over $100 billion, more tangible results should be observable.

Certainly the focus of our foreign aid program should be upon the use of our abundance of food for the unfortunate people of the world where starvation is all too prevalent. Certainly our aid program should be toward educational and technical programs to help the people of emerging nations to take their rightful place in the world. We also need to be mindful of the best interests of our own people and to maintain the strength and position of our finances and the strength of our beloved Nation.

Finally, I wish to express appreciation to the chairman of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN] who has been most courteous to the new members of the committee—in fact, to all members of the committee. It is our feeling that the chairman is dedicated in protecting the taxpayers' money.

Mr. PASSMAN. Mr. Chairman, will the distinguished gentleman yield?

Mr. SHRIVER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I have never known a member of the subcommittee who worked any longer, any harder, or who learned so much about such a complicated bill as this so quickly as has the distinguished gentleman from Kansas. He has cooperated with me, and he has disagreed with me also at times.

I want the gentleman to know that it is a genuine pleasure to serve with him on the subcommittee and I look forward in the future to the gentleman's good counsel.

Mr. SHRIVER. I thank the gentleman from Louisiana. With that, I conclude.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, the remarks of the gentleman from Kansas [Mr. SHRIVER] on H.R. 10871 have been most helpful. These remarks, coupled with the minority views in the committee report to which the gentleman is a signatory, point out some of the things which should concern all of us as we consider appropriating more billions of dollars for foreign aid.

On numerous occasions I have expressed the view that our foreign economic aid programs have been misadventures for the Government of the United States. The transcript of the hearings conducted this year by the Appropriations Committee indicate little improvement in the administration of the economic aid program. I concur with those who have expressed the view that the American people should not be called upon to give further financial contributions to the program unless there is a tightening up of the administrative policies employed.

This bill provides for the expenditure of more than $2 billion during the fiscal year 1966 for economic aid alone. When added to the amounts already spent in the past years, the figure becomes astronomical. I agree with the view that has been expressed that if the American people knew the full extent of expenditures for foreign economic aid under the various legislative proposals that have been approved by the Congress there would be a public outcry which would result in a termination of further foreign economic aid programs.

For some time many of us have urged that economic aid and military aid to foreign nations be handled in separate legislation. If this were done the Committee on Armed Services would have its proper jurisdiction over military authorizations restored. I believe that this would result in a better division of authority than we presently have in that the Foreign Affairs Commitee could give its full attention to nonmilitary matters and the Armed Services Committee could give careful study to the military aspects of the program.

While I do not support the economic aid phase of this legislation, I would happily support the military assistance program. The $1.170 million appropriated in the bill now under consideration is not in my opinion exorbitant. I believe that we are making an investment in our own national security when we utilize these funds to assist free nations in improving their defense posture.

The one splendid example of the wisdom of our military assistance program is to be found in Taiwan. During the latter part of 1964 I had the privilege of seeing firsthand the effective way and manner in which our military assistance program is being carried on in that nation. In talking to our own military leaders there I was impressed with their evaluation of the high degree of cooperation that the Government of Taiwan is giving in strengthening the position of the free world in the Asian area. We have no better friends in the world than the free Chinese people. We find no greater military competence than is to be seen in the military forces of Taiwan.

There are other examples of the real value of our military assistance programs which are well known to the members of the House of Representatives. We must have a sound mutual defense program with friendly nations, and I believe that we have had that in a general way even though there have been cases where it appeared that our military assistance has not been in the interest of peaceful relations between nations.

These occasional conflicts between nations which have received military assistance are regrettable. It would be my hope that we could in the future avoid having American weapons given to one nation deployed against American weapons which that nation's adversary is then using. This would be the ideal situation. Unfortunately, so long as there are conflicts between nations we cannot avoid these isolated situations which bring such unhappy results.

Our Nation cannot stand alone in a world filled with conflict. We must remain strong, and that can best be done through intelligent military assistance programs with countries which are proven friends.

Mr. Chairman, while I cannot vote for this legislation, I felt impelled to make this statement to indicate that I do subscribe to the concept of military assistance with as much fervor as I have distaste for the economic aid program.

Mr. Chairman, I yield to the gentleman from North Dakota [Mr. ANDREWS] 5 minutes.

Mr. ANDREWS of North Dakota. Mr. Chairman, today we are considering a very important bill. For a long time foreign aid has been the whipping boy of those people in politics and perhaps those people who just do not understand the potentiality of a program of this type. Perhaps it has been the whipping boy because there are no constituents of Congressmen in foreign countries. Perhaps it has been a whipping boy because of maladministration and because of a wasteful use of the taxpayers' money.

Whatever the case, it is serious business when we blithely and indiscriminately attack a program which has as much potential as this program has.

Today we are in a war in this world. It is a cold war, perhaps, but nonetheless, it is a war. It is a war to win men's minds.

The minority views point out that the foreign aid bill could well be the most significant program for world peace of any program that will come before the Congress in this session. I think that we all must recognize that slogans are not enough. We have heard a great many fancy words in this Congress. We have heard about the poverty program. We have heard about the Great Society. We have heard about many other programs, such as rent-a-care, medicare, and foreign aid. But foreign aid, if it is going to succeed, must get through to and benefit those people in foreign countries who most need the help. I think we need a more practical approach. I think every student of foreign aid recognizes that we need private enterprise participation. Our program, particularly the AID part of it, is fortunate in having a man such as David Bell running the program. I do not think under any administration—Truman, Eisenhower, Kennedy, or now, President Johnson—have we had a more capable, more dedicated, more sensible administrator. A lot of the problems in the foreign aid field today are simple ones, ones that can be solved with just a little bit of commonsense. Mr. Bell and some of his workers are applying that commonsense.

Not too long ago one of the men working in AID with him found that for years we have been using milk powder to send to underprivileged countries. But we have been sending that milk powder to underprivileged countries before we treated it with vitamins, which we do before we fed it to our own children. That man, Dr. Phil Lee, happened to think, "Would it not be more sensible to treat this powder with vitamin enrichment as we do the milk powder fed to our own children and thus benefit those people who need it so much?"

He did so and it has made a tremendous impact for good on the children of the world. Unfortunately, they moved Dr. Lee to be Assistant Secretary of Health, Education, and Welfare, because they probably need talent of that type more where individual constituents in our own country are suffering under maladministration.

Those of us who come from agricultural areas in particular talk about food a lot. Many have said that today in the world there are 10,000 people a day who die someplace of malnutrition and starvation.

We must also recognize that the families in the newly emerging nations should be the true goal for American good will. They should be the target for our propaganda, if we wish to call it that. They should certainly be the recipients for the

American hope that is the Government we have and are so proud to claim our own. Our Government works, if for no other reason, because it is the one government under which the people not only are free but also have enough food to feed themselves.

What better way could we implement our foreign aid program than to let the people in the newly emerging nations know that America is the country which can and is willing to provide them food. The Communists cannot. Other nations cannot. We can.

We in our country spend more than $50 billion a year on armaments to defeat men in the field of war, but we spend little or nothing to win the minds of men in the fight for peace. For 4 percent of our budget for military hardware we could provide more than a billion additional bushels of wheat to bring the dietary level of the world's people more nearly to normal.

How can we appeal to a family in a newly emerging nation which may have three or four children slowly dying of malnutrition, when they hear that America is cutting back its farm production, because we feel food is not needed—that Public Law 480 is regarded as merely a way of throwing unwanted food surpluses down the drain.

It is time for us to be proud of what food we have and to present this to the world not as a giveaway of something we do not need but as a positive weapon for peace in a definite showing to the world of what America has to offer and what we can do.

We are in the situation of holding a handful of aces in one of the most important poker games in the history of the world. It would be a shame to lay this down and pick up a bunch of deuces.

Hand in hand with adequate diet, Mr. Chairman, goes education. We must concentrate on these two fields—food for the hungry, and education so that we can bring the people of the world up to realize their potential, up to realize the goal which can be theirs in a world where people work and live together.

These programs must be broadened and strengthened. The waste must be taken out of them so they can be truly responsive. It is about time that we in the Congress recognized we should not use foreign aid as a whipping boy but should seek to correct the inequities we all know exist and to build it stronger, because in the long run it could well be the best investment this Nation has ever made.

Mr. SHRIVER. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. Conte].

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from New York.

Mr. ROBISON. It is a privilege for me to be able to join with the gentleman from Massachusetts, now in the well, in the additional views which appear in the committee report on this bill. I commend the gentleman for his leadership in helping prepare those views.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. YATES. I congratulate both the gentleman in the well, Mr. Conte, and the gentleman from New York [Mr. Robison] on the excellence of their views in the committee report. I wish to associate myself with them, with the exception, of course, of the commendatory remarks they make about the 80th Congress, and I leave those to their conscience. That does not mean, however, that I do not agree with the laudatory remarks the gentlemen made in praise of former Congressman Herter and the late Senator Vandenberg. I believe those remarks are well taken.

I associate myself with the remarks of the gentlemen, because I believe they did a good job. It is unfortunate that the majority report on this bill did not go beyond a rather sketchy description of the various programs which are a part of the foreign aid bill. They neither discuss nor appraise the programs. As the gentleman from Louisiana, the chairman of the subcommittee, said, this is a barebones bill, to use his words, and a barebones report. It is most unfortunate that a report on as complex, as controversial and as important a bill as this one should be "barebones." It should be more informative. The Members of the House should be apprized in greater detail of the effectiveness of the operations of the programs.

I do not for 1 minute minimize the work of the Subcommittee on Foreign Aid. The subcommittee members are very able, very conscientious, very thorough. They spent endless time in the comprehensive hearings. Unfortunately, the report does not reflect the vast effort they expended. The majority report in great measure was only a bookkeeping report of past and proposed expenditures. I think that is unfortunate.

I am very much aware of the value of bookkeeping and accounting in connection with these expenditures. I am cognizant of the impact and sacrifice that the American taxpayer has made, of the huge sums of money that have gone into assistance to other countries. I suggest that although figures are important, accomplishment, achievement, national policy are important, too. Is our foreign policy being truly served by the tremendous expenditures being made?

I agree with the gentlemen from Massachusetts and New York in calling for a massive reappraisal of the programs, looking to selective aid rather than scattershot programs. I agree with the constructive suggestions they make. I agree with the gentlemen that there be additional emphasis on self-help and further mutual cooperation. Certainly, I agree that the military assistance programs should be reviewed immediately and reduced when assistance exceeds the needs of internal security as it does in many instances. I agree with the gentlemen on the need for a more creative utilization of foreign currencies. The enormous sums of counterpart funds which have been amassed must necessarily be a source of concern to the countries involved and inevitably a source of friction with us. The huge sums mounting in their treasuries which belong to us hang over their economies potentially like the sword of Damocles.

Finally, I think it is time our entire foreign policy was reviewed. Policies which were conceived and were appropriate more than a decade ago may not be adequate for the world today.

Mr. Chairman, it would appear that the time has come for another great debate to chart our future course.

I thank the gentleman from Massachusetts for yielding.

Mr. CONTE. Mr. Chairman, I thank the gentleman for his brief remarks.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Massachusetts yield at this point?

Mr. CONTE. I am about to run out of time.

Mr. ROONEY of New York. We shall yield you some more time.

Mr. CONTE. On that condition I yield to the gentleman.

Mr. ROONEY of New York. I should like to say that I thoroughly disagree with the distinguished gentleman from Illinois [Mr. Yates], the distinguished gentleman from Massachusetts, and, unexpectedly, with the distinguished gentleman from New York [Mr. Robison] because in their additional views set forth in House Report No. 955 the latter two gentlemen get off into an area concerning the use of foreign currencies that they are not at all, in the absolute sense, concerned with. These matters properly belong to the committee which is chairmaned by the gentleman presently speaking, the gentleman from New York, and which includes the distinguished ranking minority member of the committee, the gentleman from Ohio [Mr. Bow]. I like to think we know something about the use of these foreign currencies. I am sure I bespeak the thoughts of the distinguished gentleman from Ohio [Mr. Bow] who is present, as well as I do my own when I say that we do not at all agree with either of the three gentlemen I have mentioned or with the distinguished Mr. Chester Bowles, our Ambassador to India. We do not need people to think up how we can indiscriminately get rid of our foreign currencies that cost the American taxpayers good, hard American dollars. We ought to watch out for our foreign currencies.

Mr. CONTE. I thank the gentleman from New York for his comments. He does not have to tell me what committees has jurisdiction over this subject matter because I have been working on this project for years and I will put my knowledge on this subject against his any day in the week. I know it comes under the jurisdiction of the Committee on Appropriations, the Subcommittee on State, Justice, and Commerce.

In regard to indiscriminately getting rid of foreign currency which we own, I believe by putting these funds to good use we can save a great deal of money for our taxpayers. I will have more to say in regard to this matter in my prepared speech. Mr. Chairman, I was one of those who went along with the gentleman from New York, who is interested in saving money for the taxpayers, in coming out with this bill. I did it this year and last year, and I think our minds and thoughts run parallel even though we might disagree in this small area here.

Mr. ROONEY of New York. That is the absolute fact. Those of us who feel as we do about foreign aid and its importance to the security and welfare of our country are very much indebted to the distinguished gentleman from Massachusetts for the valuable contributions that he has made over the years.

Of course, when the gentleman says he knows this matter does not belong in this Subcommittee on Foreign Operations, the gentlemen should not have incorporated their additional views in the report on this bill.

Mr. CONTE. Unfortunately, Mr. Chairman, we have already consumed 5 minutes and therefore cannot yield further. I am not a member of the gentleman's subcommittee and I could not incorporate this information in his committee report. The idea is tied in with our foreign aid program, it is part and parcel of foreign aid, even though that item comes under the jurisdiction of the committee headed by the gentleman from New York [Mr. ROONEY].

Mr. Chairman, we have come once again to that time annually devoted to deliberations on the letter and the spirit of our foreign aid program. Today, if we do not break the pattern of the past, our debate will be little more than an exchange of admonitions against foreign aid for accolades in its support. And when everyone has spoken his mind, while the letter of the program will have been virtually unchanged, the spirit will have been all but broken.

I have been an ardent advocate of foreign aid for as many years as it has been my privilege to serve in this body and on the important Appropriations Committee. Only once in those 7 years have I said "no" to an administration proposal in this area. I am proud of that record and stand ready to defend it against attack from any quarter. I am committed to the spirit of foreign aid. It is a vital arm of our foreign policy, and I give it my full support. However, I am neither blind nor indifferent to the letter of the program.

I see this year as a significant year for the program of assistance that we send around the world as the helping hand of the American people. We are at a crossroads for foreign aid. We have traveled a long road to the point where the mere continuation of what has been done in the past is insufficient to meet the problems of the future. We have reached the point where there must be a comprehensive reevaluation of the scope and character of our assistance efforts.

Because of this, a mere repetition of the hackneyed debate of the past serves no worthwhile purpose. We must seize the opportunity which is ours today. That opportunity is not to draw the rug out from under the proposed program for this fiscal year. It is to explore seriously new ideas for a new program of assistance, to plot the course of the new directions we would like to see it take, and to lay the groundwork, through this debate, for a new program for the future. The exploitation of the opportunity that we have, requires, more than at any time in the past, that the spirit of foreign aid be defended, rather than broken by barred, negative reactions to the letter of today's program.

Last year as we were involved in the debate on foreign aid, I called for suggestions for changes and improvements from you, my colleagues in the House. In remarks on the floor, I emphasized the need for greater congressional examination of the strengths, as well as the weaknesses, of foreign aid. There are any number of ways that we can influence the course of foreign aid. We must not be diverted by negativism which casts doubt on the program, undermines confidence in the concept, and breaks the spirit of the idea.

What are the strong points around which we can rally and build a new program? The greatest strength of the program is its heritage, out of which grew the drive and the spirit which even today, though much maligned, has not been defeated. I believe the majority of Americans support the basic, fundamental mission which we began in the forties with the Truman doctrine and the Marshall plan. A bipartisan effort in its inception, the able leadership of Republicans such as Christian Herter and Arthur Vandenberg gave the impetus to what all the world saw as a saving helping hand to fill the void left by war's devastation and havoc. Through the years new proposals have been made to meet new problems; foreign aid to the desolated, though developed, Europe in the post-World War II days was a very different thing from foreign aid to the developing countries of the world which has followed. But, we have not changed the basic, fundamental mission of our foreign aid, though we have adjusted its scope and character. These three go hand in glove and we cannot hope to improve the program through adjustments in its scope and character if we impede the underlying mission in doing so. I believe that our improvements must come from a positive political climate, emphasizing the strengths of the existing program.

This year Congress has received the smallest request for foreign assistance funds in the history of foreign aid. This is due, in part, to the fact that our assistance is becoming somewhat selective and concentrated. Ten years ago if you stuck a pin in a globe of the world, your chances were mighty good that you would hit a country receiving aid from us. At that time we were helping 100 countries. Today, we are aiding 72 countries with 95 percent of our aid going to only 31 of them. This is a strength of our foreign aid program. However, the idea of selectivity and concentration in our assistance efforts has by no means been fully implemented. A decrease from 100 countries to 72 countries still leaves us involved in too many countries. Even greater selectivity in assigning aid funds to a country, will enable the AID Administrators to evolve a more purposeful program aimed at more precise objectives. By concentrated and intensive efforts in a smaller number of countries having development potential, coupled with the will of the people to be partners in our assistance efforts, a sound and diversified economic base can be established in these countries. Then, in good time, this small number of countries can join with us, offering their help to their lesser developed neighbors and relieving the burdens that would otherwise be ours if we were forced to do the whole job by ourselves.

This would enable us to build an assistance program from a limited base that would ultimately reach all the developing nations of the world. It would free us from the burden under which we labor today of trying to do a little bit for everyone with the result that we do too little for anyone. It would, at the same time, place even less of an eventual burden upon this country. We could rely on a regional identification of interest and the concern of neighboring nations, one for the other, to enlist the assistance of those we had helped in the past to help others now.

Even today, other free world nations are joining with us. During 1963, commitments by other free world nations for economic development increased, while U.S. commitments declined to less than half the free world today. The nations we helped with the Truman doctrine and the Marshall plan are now helping others.

We have the basis for greater selectivity in this year's program and can take this as a starting point on which to build. We can insure, by increasing our selectivity in the number and in the choice of countries, that the maximum benefits will accrue from the expenditure of our aid dollars. Otherwise, we run the risk of losing the potential help that this select number of countries could provide in assisting other developing countries in the future because we have spread ourselves too thin with too many projects and too many programs in too many countries.

Ten years ago, two-thirds of all our aid was military assistance. The bulk of our aid is now directed toward long-range economic development. The ratio has, in fact, been reversed; two-thirds of our assistance is now economic. We are providing capital and technical assistance for long-term development and progress toward self-support; we are building a strong foundation in these countries upon which all other capabilities can be raised up. This, too, is a strength of our foreign aid program; this, too, can be improved upon. Approximately 72 percent of the total funds programed for military assistance will go to the 11 forward defense countries bordering on the Soviet Union and Communist China. We are also continuing military assistance programs in Africa and in Latin America. With respect to the latter, I have long advocated a change in emphasis for our miliary assistance. I am not convinced that, in every instance, the funds, which have been programed for military assistance for the Latin American countries, have been applied toward their intended purpose. These funds could, however, well be an enabling factor for any Latin American country's buildup of military capabilities for external aggression. These funds may well have been applied in many of the coups that have taken place in Latin America.

The funds programed for military assistance have been decreasing through the years. However, in Latin America, the amount has been increasing and not knowing to what end it may be applied makes this an ominous increase. Because of this imponderable element of Latin American military assistance, I strongly recommend a regional military defense organization for the Latin American countries similar to the North Atlantic Treaty Organization. This would eliminate the necessary, but essentially uncontrolled, grants of military assistance to the individual Latin American countries. It would provide an identification of interest and purpose, common to all the Latin American countries, for the defense of Latin America.

Our military experts have agreed that it is essential that these nations come to the realization that the Communist threat affects all Latin American nations, not just a few. The successful resistance of any one country to this threat may well be dependent upon the combined efforts of all, singularly and forcefully brought to bear on the common foe. The establishment of a regional military organization would serve to unite these countries in an effort where they must depend upon one another.

While encouraging local private enterprise in the developing countries, our aid program continues to promote expanded private American investment in Asia, Africa and Latin America. Since 1961, there has been dramatic growth in programs available to American investors to give them incentive to put their capital and management skill to work in the underdeveloped nations. The justification for this year's program, which has been submitted to the Congress, has indicated the increased awareness of the AID administrators to the need for private initiative in our assistance efforts and the contributions which can he made by this private sector. This is a strength of our foreign assistance program; this is a strength that sorely needs shoring up, a concentration of effort and an expansion of scope.

We are a nation built upon individual initiative and private enterprise. We have, then, no better spokesmen for the freedom of choice and the economic advantages afforded by a Democratic society than these individuals. As a part of such a society, they have advanced to the point where they are now able to offer their cooperation to those in the developing countries eager to set out for themselves.

A recently completed study on the need for private initiative in our foreign assistance efforts, estimated that there is a $5 to $20 billion gap between the capital resources that go into the developing countries and the resources that the people of these countries need. These needed funds cannot come from the Federal Government in any one year. The enlistment of the vast resources of private enterprise would help to fill this gap and would insure the earlier accomplishment of the task we have set for ourselves in the developing nations.

A second area of need for private help in the developing countries is that of human resources. There can be no price tag put on such a commodity; it is measured only in terms of skills, technology, and understanding. Money alone cannot do the job of developing these countries. The prudent use of available funds is directly dependent upon the know-how of those in whose hands the funds are placed.

The call is for such diverse areas of expertise that only the entire private community can have the means to answer that call. Our universities, business enterprises, labor unions and professional societies are a vast and virtually untapped reservoir of capital, skills and human resources. These must be motivated and applied to assist the world's developing countries. I am not saying that the ultimate success or failure of our foreign assistance program is in the hands of private enterprise. I am saying that the means for accelerating our efforts, and the development of these countries, can be found in these private resources. We should make every reasonable effort to expand our program of incentives for private capital and human resource investment in the developing countries.

We must pick up the ball in other areas of the foreign aid program which are not strong points of the program now, but could serve as bulwarks of a new program.

Every effort should be made to utilize the U.S.-owned foreign currencies in the growing number of excess currency countries. The obstacles which have blocked past efforts to put these idle funds to work should be studied once again. Where the interests of both this and the excess currency country would be served by freeing the currencies from these obstacles, we should take appropriate action to do so.

The administration should make a more concerted effort to bring proposals for the use of these funds before the Congress. There is no excuse for a proposal, concerning a matter that has been with us for as long as these excess currencies, to be so ill-conceived and poorly drafted that it must be turned away by the Congress as indefinite.

Within the limitations that are applicable to these currencies today, there have been some exciting proposals for their use. In India, where our holding of excess currency is greater than in any other country, Ambassador Bowles has worked to free these funds for projects for that country. I have stressed again and again, year after year, to the witnesses who have appeared before the Foreign Operations Subcommittee, that every possibility for the use of our excess currencies be explored. The recent study on private initiative in foreign aid recommended a widening of the uses of these currencies to include a proposed program of incentives for private investments in the developing countries.

There are complicating factors to the freer use of excess currencies. But, at the same time, it has become increasingly complicated just to hold these funds as they grow with abandon. We are being criticized by the countries where the accumulation of these funds has gotten quite out of hand. They pose a definite threat to the internal financial and economic systems of those countries. It is, then, contrary to the interests of this country and the countries where these currencies are held to let them remain idle while projects which they could support go unfunded.

Within this hemisphere, our assistance efforts are falling far short of the immediate needs of the people of Latin America. The population of Latin America is growing faster than any other area of the world and the birthright of these new citizens of the world is too often hunger and hopelessness. As we look toward a new program of intensified efforts in a selected number of countries, one area of emphasis must be Latin America. We are only beginning to reap the benefits of the Alliance for Progress for the people of Latin America as we enter the fifth year of that program. I believe that in that short time it has become evident that the will of the people of Latin America is to grasp the helping hand which we extend to them.

Finally, our concern for a strengthened and effective new program should not overlook the needs of the adminstrators of that program right here in Washington. In colloquies with David Bell, a superbly competent Administrator, in his appearances before the foreign operations subcommittee, he has declared that the lack of a personnel authority specifically designed for aid is the No. 1 problem with which he is faced. He and his staff are responsible for the operation of an international business, but have been given no personnel guidelines to direct the most efficient operation of that business. AID is not an agency functioning only domestically, subject to the civil service guidelines, nor is it a foreign operation that should be directed according to the Foreign Service Reserve system. The quandary is certainly not resolved by applying both personnel authorities, which is what has been done, with results most akin to having the worst of both systems control. The unique requirements of the agency should be answered in legislation specifically drafted for that purpose.

I hope I have been able to redirect our thoughts and words for this year's debate to preclude a recurrence of what has become an annual debacle of the letter and the spirit of our foreign aid program and to prompt some positive, constructive thinking.

I am not advocating that we cast aside this year's program and rewrite it to conform to my thoughts or your thoughts. I support this year's program and the overall thrust of its objectives. We have seen steady improvement in our foreign assistance, whether you measure that improvement in terms of the amount of the appropriations request, in the number of countries to which our aid is going, or the balance between our successes abroad when measured against our failures.

We are not engaged in a hopeless mission. I believe that a serious and constructive reappraisal of the scope and character of that mission in the months ahead will enable us to formulate a new program directed to its successful completion.

It has been said that we are all children of the earth. If one of us is oppressed, we are all oppressed; if one hungers, everyone hungers; if someone's freedom is taken away, our freedom is less secure. Such is the call for assistance efforts. Because we are the leaders of the free world, that call goes out to us. Some would say it is a burden of power; others would say it is an opportunity. I have given you my argument. In the words of Samuel Johnson, a lion in controversy, "I am not obliged to find you an understanding."

Mr. ROBISON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Chairman, my own remarks will be brief, since I am not a member of the subcommittee which dealt with this appropriation bill—H.R. 10871—the foreign assistance and related agencies appropriation bill for 1966.

I would, first, want to express my appreciation for the untiring effort made again this year by the chairman of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN], in insuring that there has been a thorough and careful review of the activities carried out under the various programs covered by this bill, and of the budget requests for their continuation for 1 more year, and I would similarly wish to congratulate all the members of this subcommittee for their contributions in this regard.

Also, I believe special mention should be made of the work of the two new minority members on the subcommittee—the gentleman from Kansas [Mr. SHRIVER] and the gentleman from North Dakota [Mr. ANDREWS]—both of whom were given a most difficult assignment, indeed, but have carried out that assignment in a most commendable manner.

To them, we are all indebted for the useful and challenging minority views that are appended to the committee report. I think that much of what is said—and the questions that are asked—in their minority views, needed both to be said and to be asked, and I do not wish to have the fact that I did not join in those views leave the implication in anyone's mind that I have disassociated myself from them. To the contrary, I found much therein with which I can and do agree.

However, I also found that—in general terms—my own attitudes toward our various so-called foreign-assistance programs more closely paralleled those of the other minority member of the subcommittee, the gentleman from Massachusetts [Mr. CONTE], with whom I have joined in submitting the additional views which are also a part of the report now before you. We have sought, as the gentleman from Massachusetts has said, to be constructive in our criticism of these programs—where we have been critical—but I am sure that we both agree, and we hope a majority of the Members of this House will agree with us, that these programs must be continued at, or about at, the level as recommended in H.R. 10871, but that the Congress and the administration—working together—must continue, as they have been doing, to reevaluate and revise those programs, with ever more emphasis on the concept of "planned selectivity," as is mentioned in our additional views, with a greater emphasis on Latin America and concurrently a new look at military assistance programs for Latin America, and also with the need for establishing better methods for the use of those troubling excess foreign currencies as well as the ever-present need to find ways and means to enlist the help of private enterprise and private initiative in doing a job that needs, still, to be done.

In essence, it seems to me, our argument here again this year has boiled down to the question—as it always does—of how much, actually, should we agree to expend on these programs in the current fiscal year. On this point, all of us have differing ideas, although I suspect that those of us who, by our eventual votes, will express themselves as being in favor of some further reductions in the appropriation as recommended in the bill, have been looking more at past mistakes and waste in the administration of these programs, and with appropriate doubts—if not outright displeasure—over the more recent actions of certain nations who, either in the past or even still at present, have been recipients of our assistance, than they have at the successes that have been achieved, and the improvements in administration that are being made, however distressingly slow.

I thoroughly respect the views of those who feel that this bill still carries too much money, for it is not easy to determine how much is enough, or how much is too much in any such effort of this magnitude, or of this sometimes uncertain purpose.

I say this, because I confess to having had the same uncertainties—uncertainties that have been felt by the American people, many of whom have completely lost confidence in the eventual value of the overall program and have expressed that fact to us in no uncertain terms.

However, I believe it is up to this Congress to restore the confidence of the American people in this program—to make it, and its purpose, more carefully focused and therefore more clear to them, even as we attempt to clarify our own thinking about what we are trying to do—and why.

I am not at all sure that we in Congress can do this, but we most assuredly must try. Why? Well, perhaps the answer comes as clearly as from any other source in this excerpt from a Christian Science Monitor editorial of January 16, 1965:

> We repeat what we said in commenting on the state of the Union message, with all its artificial respiration for a nation in no immediate danger of drowning:
>
> "So long as some two billion human beings beyond America's borders have little hope of their own great society, neither the American people nor the American Government can safely or conscientiously concentrate too long or too closely on their own well-being and happiness."

There are also some thoughts that might be useful here, as contributed by Mr. A. N. Spanel, founder-chairman of the International Latex Corp., in one of his familiar, paid columns of comment on issues of the day, as carried this time in the Washington Post for February 19 of this year. Mr. Spanel, in referring to what he called a "new isolationism—rearing its head in the United States"—and I am sure we all know to what he refers—said this:

> Let those who make the vital decisions of this challenging time never forget that the overriding objective of world communism has been, and remains, to drive the United States to isolationism. "Yankee go home" has been the principal slogan of the Kremlin-Peiping axis—and it is an axis where their common hatred of the capitalist world is concerned.
>
> On both sides of the Iron Curtain we have witnessed systematic attacks, organized and led by Communists, against American embassies, libraries, property, and nationals. What is the purpose of this Red war of nerves? It is a continuing conspiracy to force Americans, in sheer disgust, to withdraw economic and military aid; to induce them to renounce their concern for the fate of freedom on this earth and retire in isolation to fortress America. Such a fortress makes no strategic sense under modern conditions, yet the temptation may become irresistible, when the provocations come from friends and allies.

Mr. Chairman, I believe Mr. Spanel's warning is appropriate to consider in the context of the decision we are again called upon to make—and it is largely along similar lines of reasoning that I have concluded that what we have come to call our foreign aid program must go on, and why I have also determined to support this bill as reported to us by the committee, while at the same time stressing the continuing need for reevaluation and reforms in the nature of those recommended to you by my distinguished colleague from Massachusetts [Mr. CONTE] and myself.

Mr. PASSMAN. Mr. Chairman, I yield 10 minutes to the gentlewoman from Washington [Mrs. HANSEN].

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 268]

Adair
Andrews, George W.
Ashbrook
Baring
Berry
Bolton
Bonner
Brademas
Bray
Cameron
Chelf
Clawson, Del
Craley
Daddario
de la Garza
Farnsley
Fuqua
Griffiths
Hanna
Harsha
Hawkins
Hébert
Hungate
Jones, Mo.
Kee
Kornegay
Lindsay
McClory
McDowell
MacGregor
Machen
Martin, Ala.
Martin, Nebr.
Mathias
May
Nix
Pepper
Pirnie
Poage
Powell
Purcell
Reifel
Resnick
Roncalio
Roosevelt
Rostenkowski
Ryan
Saylor
Scott
Sisk
Thomas
Toll
Willis
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10871, and finding itself without a quorum, he had directed the roll to be called, when 377 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentlewoman from Washington [Mrs. HANSEN], had been recognized for 25 minutes.

Mrs. HANSEN of Washington. Mr. Chairman, you have heard some very eloquent and distinguished speakers this afternoon that you have heard in the last 20 years, discussing the reasons for our foreign aid and discussing the ramifications of the program.

I want to say as a new member of the committee I have enjoyed extremely serving on the committee, and I express my appreciation on behalf of the new members to the chairman of the committee for his constant courtesy to those of us who are new.

Eloquent and able speakers for almost 20 years have addressed this House on our foreign aid. They have explained the reason it came into being, its philosophy and have leveled criticisms. No program before any legislative body in the world is immune to criticism nor should be, for out of constructive criticism better administration of any program emerges. However, I do want to say that the foreign assistance program is at this time one of the basic ingredients of the U.S. foreign policy. In the broadest possible terms our national goal here is to assist in training programs for a stable world of free and prospering nations. We support this goal realizing that our own security and well-being will be directly affected by what happens in Asia, Africa, Latin America.

The world has been steadily shrinking in size and nowhere is this more graphically illustrated than the other day when our Gemini spaceship and two astronauts spent 8 days traveling a distance of more than 4 million miles in less than 8 days.

As one of the world's wealthiest nations it has become one of our policies and a responsibility to share our abundance and particularly our abundance of know-how and technical training.

One of the great complexities of the total problem of world affairs has been the emergence of young nations into the full light of the 20th century and a competitive place within the family of nations already well established.

Compare, if you please, our own national emergence in an era of sailing ships and a frontier almost the width of the continent with that of today's nations only a few years away from tribal organizations emerging into the age of jet transportation and space development. Therefore, one of our major jobs in foreign affairs has been to try and assist these less developed areas; to help them to help themselves develop management skills for their economic and governmental potentials acknowledging the necessity for development within themselves the private sectors of their lives.

The recent termination of economic aid to Taiwan is evidence that success is obtainable.

In the course of our assistance we have received criticism and many manifestations of anger. This is not unlike the situation where parents are periodically upbraided by their children for parental deeds during childhood and adolescence. If any parent has ever escaped such a discussion with a young person, I should like to know them.

Long ago we recognized that like our own families people were people and we could expect this internationally as well as personally.

On June 18, 1953, Congressman SCOTT, of Pennsylvania, a Member of the now minority party and now a distinguished Member of the other body, made a statement in discussing our Mutual Security Act on the floor of this House:

> Ingratitude is not unusual in the world and neither is gratitude. I came here to speak not of gratitude, but of wise planning to extend the frontiers of the free people and to break down the walls which enslave.

This statement is as true today as it was 12 years ago.

As a new member of the committee, I would like to speak of some of the questions and problems which trouble many members of the subcommittee who do not pretend to be experts at all.

First. We would suggest and we did suggest during the committee hearings that there be a greater degree of knowledge on the part of the Washington office on our foreign aid on the scope, day-to-day activities, planning, management and goals of field operations. There were many times when the briefing of the Washington departmental groups appearing before us was not as knowledgeable as possible.

Second. Members of the committee, like myself often questioned the total impact on a country's own economic development when, in order to match our military aid, expenditures were made from their own very limited budget. For example, let us take a country of 3 or 4 or 5 million people with the average per capita income of that country in the range of approximately $300 per year and then note that they have committed $15 or $16 million as their particular share in a defense program.

The question naturally arises: Is this defense funding from their own meager incomes curtailing activities which are mandatory to the development of a stable economy and governmental system of their own with the necessary tax reforms, necessary programing for education, public health, housing, and job opportunities?

Third. The same thing can be true, if in order to secure loans, countries overcommit themselves in this field, for again many nations can be tempted into overcommitment, then, as repayment time nears, find that they are unable to, first, take economic steps necessary for their own development; and, second, at the same time repay these loans. Has the margin of ability here to pay become so narrow that it will push the sound and needed progress in fields so vital to their maintenance as a free nation out of existence?

Fourth. Members of the committee have viewed with great misgivings and disquietude long before the Pakistan-Indian war broke out the dual armament of neighboring nations engaged in controversy.

India and Pakistan are examples—and there are others. Although our arms were lent to prevent aggression by the Communists, how possible is it for us to be sure that they cannot, at the same time, use these armaments to begin holocausts where no end can safely be foretold?

Fifth. Members of the committee also saw the anachronism of placing advanced and up to date and even elite armaments and equipment in the hands of people who did not even know the use of safe drinking water. Ultramodern defense equipment against insufficient diets makes a strange paradox.

Sixth. We are thinly spread with aid in many many nations.

These are some of the controversial and disquieting problems that your new members of the committee talked about and we would urge that the administration undertake a careful analysis of each of these facets and other maintaining a continuing and careful vigilance over them.

On the positive side of foreign operations, I would like to say that there are signs of hope and there are places where a genuine satisfaction can be felt by the American people.

Seventh. In total national planning within areas perhaps better jobs are needed. For example, ports development are not giving maximum service without coordinated transportation and vice versa—wheat on docks.

In the first place, of those emerging nations which are part and parcel of this world of 1965 and since the date of the beginning of our foreign assistance, Cuba is the only nation which has become the captive of the Communist's Bamboo and Iron Curtain. Cuba received from fiscal year 1953 through fiscal year 1960, $2.8 million largely in technical assistance. I might ask the question here, "Would additional technical assistance raising the levels of this impoverished nation's economy have helped to prevent this nation from becoming Communist?" Time alone will measure to what extent our foreign aid, and more than that, our sympathetic understanding of their problems have prevented their takeover in spite of criticism, ingratitude, and even the destruction of our flag and our Embassies which no American condones.

Again from the past: On June 18, 1953, Republican Congressman Vorys said:

> In underdeveloped countries poverty, disease, and ignorance breed communism, not because poor people, sick people, ignorant people go Communist, but because they are more easily taken over by Communist conspiracies, infiltration, and aggression.

On this positive side of the accomplishments you will find many documented achievements. For example, in our own committee hearings the question was asked if India, with its lack of food for the people of their own nation had sufficient tillable lands to accomplish this end. The answer was "Yes" and the technical know-how and assistance in the field of agriculture was improving this situation with some rapidity.

There has been much discussion among many people for many years about our engineering procedure in the field of highway building. I was pleased this year during hearings when I asked searching questions to have the replies indicating that new procedures have been established and that these procedures are identical with those used in funding our own U.S. system of highways. Adequate justification and plans are demanded; construction carefully examined; bonding required; and more important, when I asked the question, "Are you providing for repayment of these highways out of revenues set aside for such a purpose?" the answer was "Yes." These were necessary steps.

May I say here that I would like to commend Mr. David Bell, the Director of AID, for his intelligent work on behalf of establishing better managerial and administrative procedures in this wide, controversial field of AID.

I am going to turn my particular attention now to one of the most challenging fields in which we work—that of assistance to underdeveloped countries and assistance in helping themselves; to help them establish viable institutions, with trained people. This is probably the most significant aspect of AID's program. To assist underdeveloped countries to play a productive role in economic, social and political life and the barrage of demands facing the leaders of underdeveloped countries, for in these nations there is always a staggering surplus of unskilled and illiterate labor.

School systems were inadequate or those which existed featured or were patterned after models which emphasized education for the elite. Education for youth has always depended in any nation upon the stimulation of adults. Therefore, it is not only necessary to educate youth, but to provide for assistance in adult literacy programs.

Another major need is simple, down-to-earth training of persons responsible for their own government's management.

We know, in our own country, for example, that there was a time when a county engineer was anyone who could hold a compass and would not get lost in the woods and would plan a road that could be traveled at least 2 months of the year. Changes in this field have been immeasurable in our own Nation. Imagine, if you will, an emerging nation today confronted with the necessity, first, to establish a system of justice and courts; second, a system of administration with trained administrators in fields of auditing, tax management, planning, education, et cetera; third, the development of adequate, stable, parliamentary systems.

It is in this field of education that we undoubtedly could have done more, but where we have to date made creditable progress.

During the past 3 fiscal years, AID has provided some 210,000 classrooms for 6,720,000 pupils at the elementary and secondary levels and AID projects have contributed to the education of teachers and teacher-education programs.

In Nepal, teachers who have been graduated for AID assisted teacher-training colleges represent 50 percent of this year's corps of trained teachers. The cost of this program from 1954 to 1965 was $2,388,000 spent for teacher training and in-service training. Of this, $1,188,000 was in dollars and $1,200,000 in the equivalent Indian rupees.

And today, teachers in Iran trained in these schools represent 44 percent of Iranian teachers.

Ethiopian teachers trained in the AID assisted institutions constituted 30 percent of that Nation's total at a cost of $838,000 for 2,250 teachers and 232 teacher training classrooms.

In Korea, AID assisted teacher training constituted 29 percent of that country's teacher force at a total cost of $15,722,600 between the years of 1957 and 1961, of which $3,722,600 was in dollars in $12 million in local currency.

Two contracts were awarded to Washington University at St. Louis—$1,200,000 for technical assistance to Korea University and Yonsei University and to Minnesota University—$6,500,000 for technical assistance to the five graduate colleges at Seoul University.

In Afghanistan 25 percent of that country's corps has been AID-assisted with cumulative expenditures from November 1954 to June 30, 1965, of $6,710,804.

In Brazil, AID assisted in establishing a training center for training educational supervisors and teacher trainers. The total number of teachers who received in-service training in AID sponsored institutions during fiscal year 1963 through fiscal year 1965 was approximately 25,000 teachers. The total cost to AID from the initiation of the program in 1957 until its termination in 1965 was $1,657,000. Here AID's initial investment will be carried on by the Government of Brazil who has now assumed full responsibility for funding future activities.

In all of Latin America AID estimates that it has invested approximately $20 million in in-service training cumulative to fiscal year 1965.

I have before me a clipping from yesterday's Washington Post:

LATINS GO HOME TO PLANT U.S. FARM TECHNIQUES

(By William Payne)

> Eighty-three South Americans who studied American farming techniques for 5 months are returning to their villages and communities determined to plant the peasant farmers of their countries squarely in the 20th century.
>
> While in this country, the South Americans worked in farmer cooperatives and lived with farm families. They want to sow seeds of self-reliance among campesinos, the South American peasant farmers.
>
> They were in Washington last week, sightseeing before going home.
>
> Hernan Ramos, 25, of Chile, was most impressed with the independence of the American farmer.
>
> "The American farmer does not wait for aid or expect to get it," he said. "The rural community believes in self-help. What we have to do is get our farmers to think like that."
>
> Ramos was one of a group of Bolivians, Chileans, Colombians, Peruvians, and Venezuelans chosen by their communities and brought here by the National Farmers Union and the Agency for International Development.
>
> They spent 5 months in Montana, Minnesota, Iowa, North and South Dakota, and Wisconsin studying farm and community organization, marketing and supply cooperatives and new methods of land tenure. Each participant spent 2 of those months living and working with an American farm family.
>
> Women were included in the program for the first time this year. Three came from Chile and one from Peru.
>
> Delfa Sanhuezo, an agriculture teacher in a rural Chilean school, wants to form more women's clubs in her country and to introduce more education for children in its rural communities.
>
> The largest group came from Venezuela, which sent 21. Twenty came from Bolivia, 18 from Peru, 16 from Chile, and 8 from Colombia.
>
> The grassroots program has covered more than 230 persons in its 3-year history. This year's rural leaders unanimously wanted the program continued and expanded.
>
> As one Venezuelan said, "There is a great deal of pressure on the farmer by the Communists. They say that there is nothing a democracy has to teach them.
>
> "If our people were to be able to come here to train and observe, they would able to build a barrier against communism."
>
> The American farm families, from towns like Odessa, Minn., and Cadott, Wis., were swept up by the enthusiasm of the South Americans.
>
> Dr. John M. Eklund, director of the project, said, "Our rural communities never before had much to do with foreign exchange, and this grassroots campesino program gives them a good opportunity."
>
> National Farmers Union officials said one family drove 450 miles to spend 2 hours saying goodbye to their "adopted son." Another family donated a milking machine to a South American community, and another promised to send a library of books in English to another community.

In the past 3 year period 117,150 teachers were trained, AID-training assisted, in the Far East; 55,968 in the Near East and south Asia; 83,752 in Latin America and 29,393 in Africa.

Some 4,700 secondary school teachers and university and college instructors will receive in-service training this summer at 94 summer science institutes being held in 49 education centers throughout India. Their aid is to introduce up-to-date, practical methods of teaching science and mathematics in India. Five U.S. universities and the National Science Foundation are helping in this project. Over 200 U.S. teachers and professors will be in India participating with this program.

I am placing in the RECORD at this place tables which show the educational participation aid which I am sure may be interest to many Members of this House:

TABLE 1.—*Textbooks distributed, fiscal years 1963–65*

[In thousands]

Region and country	1963	1964	1965
Worldwide, total	12,343	11,585	16,935
Far East, total	7,052	5,799	9,727
China (Taiwan)	7	6	5
Laos	--------	--------	820
Philippines	6,531	3,793	2,917
Thailand	--------	--------	485
Vietnam	514	2,000	5,500
Near East and south Asia, total	1,431	2,192	4,557
Afghanistan	8	12	16
Jordan [1]	16	2	1
Nepal	10	517	882
Pakistan	49	100	125
Syrian Arab Republic	--------	--------	2
Turkey	1,348	1,561	3,131
United Arab Republic (Egypt)	--------	--------	400
Latin America, total	3,392	2,995	2,432
Bolivia	230	806	53
Brazil	260	344	420
Costa Rica	140	206	350
Dominican Republic	650	150	--------
Ecuador	4	3	1
El Salvador	650	200	200
Guatemala	448	680	556
Honduras	455	440	418
Nicaragua	330	132	46
Panama	84	--------	346
Paraguay	35	30	35
Peru	100	--------	--------
Venezuela	6	4	7
Africa, total	468	599	219
Ethiopia	20	200	10
Ghana	3	1	2
Guinea	1	3	--------
Kenya	3	7	28
Liberia [2]	250	167	70
Malawi	--------	[3] 169	--------
Morocco	(4)	4	37
Niger	--------	32	54
Nigeria	6	7	8
Sierra Leone	182	3	5
Sudan	--------	1	--------
Tanzania	3	4	5
Uganda	--------	1	(4)

[1] Does not include 15,000 agricultural textbooks per year.

[2] Principally gifts from United States for which U.S. AID financed overall distribution activity.

[3] U.S. AID paid freight and assisted in distribution.

[4] Less than 500.

TABLE 2.—*Classrooms built or expanded, U.S. grades 1 to 12, fiscal years 1963–65*

Region and country	Number of classrooms					Pupils attending rooms ever provided (thousands)			
	1963	1964	1965	Cumulative to 1965	Cumulative as percent of total in country	1963	1964	1965	Cumulative as percent of total in country
Worldwide, total	56,836	61,062	39,514	210,443	--------	3,444	5,149	6,721	--------
Far East, total	2,383	3,676	5,751	27,303	--------	1,056	1,360	1,724	--------
China (Taiwan)	88	30	480	1,120	3	24	25	44	3
Korea	1,965	1,752	2,000	14,966	19	721	908	1,063	18
Laos	266	172	271	2,199	60	61	67	77	55
Vietnam	64	1,722	3,000	9,018	37	250	360	540	30
Near East and south Asia, total	43,554	48,410	25,900	148,758	--------	1,554	2,528	3,350	--------
Afghanistan	--------	--------	15	25	(1)	5	7	9	3
India	18,020	17,640	22,050	66,530	14	805	1,334	1,996	5
Iran	--------	--------	--------	1,696	3	62	62	62	3
Jordan	--------	--------	46	113	2	1	1	2	1
Nepal	58	425	197	2,303	40	67	84	92	35
Pakistan	22,340	25,650	--------	63,190	34	335	564	564	7
Turkey	30	36	70	136	(2)	1	3	5	(2)
United Arab Republic (Egypt)	3,106	4,659	3,522	14,765	17	278	473	620	13
Latin America, total	3,739	4,828	6,181	17,315	--------	250	478	767	--------
Bolivia	373	442	89	1,100	7	17	30	33	6
Brazil	102	661	661	1,568	(1)	20	73	137	(1)
Chile	561	281	1,024	1,928	(1)	25	42	91	6
Colombia	1,165	1,756	1,088	4,165	[3] 9	53	123	166	[3] 10
Costa Rica	39	20	11	70	(1)	3	4	5	2
Dominican Republic	100	150	280	530	1	7	18	38	8
Ecuador	198	332	661	1,231	6	8	19	45	9
El Salvador	218	230	380	828	9	9	18	34	8
Guatemala	569	497	556	2,660	[3] 21	64	84	106	(1)
Honduras	8	86	304	478	(1)	4	9	24	(1)
Mexico	--------	--------	698	849	(2)	3	3	15	(2)
Nicaragua	116	97	49	262	3	5	9	11	5
Panama	240	204	346	790	15	8	16	28	15
Paraguay	50	72	34	156	3	5	10	13	4
Peru	--------	--------	--------	700	1	19	20	21	1
Africa, total	7,160	4,148	1,682	17,067	--------	584	783	880	--------
Congo (Léopoldville)	--------	13	146	146	3	--------	1	13	1
Ethiopia	447	415	458	1,320	6	21	45	70	6
Gabon	8	36	34	78	2	--------	1	3	2
Ghana	86	8	16	318	(1)	9	9	10	1
Kenya	5	26	15	56	4	1	2	2	6
Liberia	30	154	50	250	12	2	8	10	11
Morocco	3,400	800	--------	7,555	23	338	378	378	25
Nigeria	12	38	6	56	(2)	(2)	(2)	1	(2)
Sudan	43	61	88	214	(1)	3	5	9	5
Tanzania	275	750	--------	1,025	7	4	15	15	3
Tunisia	2,854	1,825	810	5,967	53	206	319	367	52
Uganda	--------	22	59	82	(1)	(2)	(2)	2	(1)

[1] Not available.

[2] Less than 500 or less than 0.5 percent.

[3] Public schools only.

TABLE 3.—*Students enrolled in assisted vocational, technical, and normal schools,*[1] *fiscal years 1963–65*

[In thousands]

Region and country	Total			Studying teaching			Studying agriculture		
	1963	1964	1965	1963	1964	1965	1963	1964	1965
Worldwide, total	464.5	577.0	716.9	38.3	39.2	43.6	103.2	128.3	147.2
Near East, total	149.0	167.7	185.8	7.8	7.6	7.5	60.8	73.8	83.8
China (Taiwan)	33.6	37.3	38.9	5.3	4.5	4.2	20.0	22.2	23.2
Korea	46.3	54.9	59.3	.1	.2	.3	17.2	24.8	29.0
Laos [2]	1.6	1.8	2.0	1.1	1.3	1.4	---	---	---
Philippines	53.5	55.9	64.7	---	---	---	20.1	22.5	26.3
Thailand	11.2	13.5	15.8	.1	.1	.2	3.3	3.7	4.2
Vietnam	2.8	4.2	5.0	1.2	1.5	1.5	.3	.6	1.0
Near East and south Asia, total	173.1	229.3	311.3	17.9	16.7	20.3	5.7	8.6	11.3
Afghanistan	3.4	3.7	4.2	2.7	2.9	3.4	.3	.3	.3
India	50.6	81.7	92.2	5.0	7.0	10.0	2.0	3.5	5.0
Iran	13.4	11.5	12.2	8.7	5.0	4.7	.9	1.5	2.2
Jordan	.4	.6	.5	(3)	(3)	(3)	.1	.1	(4)
Nepal	1.1	1.8	2.6	.5	.6	.8	.2	.4	.5
Pakistan	8.5	11.5	15.0	(3)	(3)	(3)	---	---	---
Turkey	95.5	118.1	184.2	1.0	1.0	1.2	2.3	2.8	3.1
United Arab Republic (Egypt)	---	.3	.3	---	.1	.1	---	.1	.1
Latin America, total	119.0	146.9	178.8	8.7	10.4	10.5	20.7	22.5	24.7
Bolivia	3.3	3.4	3.5	2.4	2.5	2.6	.1	.1	.1
Brazil	9.9	12.4	15.6	.7	.8	1.1	5.5	6.0	6.5
Chile	6.8	13.6	26.6	---	---	---	1.9	2.1	2.1
Colombia	13.9	15.4	16.2	.5	.5	.5	.1	.1	.1
Costa Rica	4.0	4.4	4.7	2.4	2.4	2.4	.6	.8	.8
Dominican Republic	15.7	18.1	23.2	.2	.5	.5	.3	.4	.5
Ecuador	2.4	5.0	2.9	.6	.6	.5	---	---	---
El Salvador	.7	1.7	2.2	---	---	---	.1	.1	2
Guatemala	.3	.4	.5	---	---	---	---	---	---
Honduras	.7	.9	1.2	.2	.2	.3	.1	.1	.1
Jamaica	.5	.8	.7	---	---	---	---	---	---
Nicaragua	1.2	2.4	2.4	.8	1.8	1.6	---	---	---
Panama	1.0	1.1	1.0	---	---	---	.1	.1	.1
Paraguay	11.2	12.1	12.4	.2	.2	.3	.1	.1	.1
Peru	2.6	3.8	5.2	.6	.6	.5	---	---	---
Uruguay	.7	.7	.7	---	---	---	.7	.7	.7
Venezuela	44.0	51.0	60.0	.1	.2	.3	11.0	12.0	13.4
Africa, total	23.4	33.1	41.0	3.9	4.5	5.2	16.1	23.4	27.5
Central African Republic	---	---	(4)	---	---	---	---	---	---
Congo (Léopoldville)	.5	.7	.7	---	---	---	.2	.2	.3
Dahomey	---	.7	.9	---	---	---	---	.2	.2
Ethiopia	1.2	1.5	1.6	.8	.8	.9	.2	.2	.2
Ghana	.4	.4	.6	.3	.2	.2	.1	.2	.4
Guinea	---	---	.3	---	---	.1	---	---	---
Ivory Coast	.1	.3	.4	---	---	---	---	---	---
Kenya	14.4	20.1	23.6	---	---	---	13.9	19.5	22.8
Liberia	.6	.7	1.0	.1	.2	.3	(4)	(4)	(4)
Malagasy Republic	---	.1	.2	---	---	---	---	(4)	.1
Malawi	.1	.1	.2	---	---	---	.1	.1	.1
Mali	.1	.1	.1	---	---	---	---	---	---
Morocco	.1	.1	.1	.1	.1	.1	---	---	---
Nigeria	1.2	1.6	2.1	.4	.7	.9	.7	.8	1.0
Sierra Leone	(4)	(4)	(4)	---	---	---	(4)	(4)	(4)
Somali Republic	---	.1	.6	---	.1	.1	---	---	---
Sudan	2.7	2.8	3.1	1.3	1.3	1.3	---	---	---
Tanzania	1.5	2.4	3.4	.5	.6	.7	.8	1.6	1.6
Togo	---	---	.1	---	---	---	---	---	---
Tunisia	.1	.2	.3	---	---	---	.1	.1	.1
Uganda	---	.3	.4	---	---	---	---	.3	.4
Zambia	.4	1.0	1.3	.4	.5	.6	(4)	.1	.1

[1] "Normal schools" refer to teacher training schools below collegiate level.
[2] Teaching may include some at collegiate level.
[3] Not available.
[4] Less than 500.

NOTE.—Detail may not add to total due to rounding.

TABLE 4.—*Students enrolled in assisted colleges and universities,*[1] *fiscal years 1963–65*

[In thousands]

Region and country	Total			Studying teaching			Studying agriculture			Studying engineering		
	1963	1964	1965	1963	1964	1965	1963	1964	1965	1963	1964	1965
Worldwide, total	312.7	344.3	431.4	86.9	94.4	117.7	40.3	45.9	54.4	39.3	45.8	50.1
Far East, total	117.9	108.8	116.4	42.8	44.1	48.4	6.7	7.9	8.8	6.0	7.5	8.4
China (Taiwan)	9.2	9.6	10.5	2.4	2.7	3.0	2.2	2.3	2.7	3.3	3.5	3.8
Korea	9.0	8.4	10.1	5.1	5.0	6.8	1.4	1.2	1.2	1.8	1.6	1.7
Philippines	55.0	46.5	44.9	26.0	26.5	27.0	2.7	3.0	3.3	.3	.3	.3
Thailand	42.2	41.1	47.2	7.1	7.5	8.6	.2	1.2	1.4	.4	1.9	2.3
Vietnam	2.5	3.1	3.7	2.1	2.4	3.1	.1	.2	.3	.2	.3	.4
Near East and south Asia, total	161.9	196.6	267.9	40.7	46.1	63.9	30.2	33.1	38.9	30.2	35.0	35.8
Afghanistan	.5	3.0	3.0	.1	.8	.8	.1	.2	.2	.2	.3	.3
India	45.9	50.1	53.6	.8	1.7	3.8	22.4	24.9	25.6	22.6	23.5	24.2
Iran	18.3	18.1	19.9	1.8	(2)	.6	.5	.5	.6	.1	.1	.2
Jordan	.8	.6	.5	.6	.4	.5	.2	.1	---	---	---	---
Nepal	.2	.2	.2	.2	.2	.2	---	---	---	---	---	---
Pakistan	4.2	5.2	6.7	.9	1.2	2.5	1.9	2.6	2.8	1.4	1.5	1.5
Syrian Arab Republic	24.5	31.3	32.0	.3	.4	(3)	.3	.6	(3)	1.3	1.5	(3)
Turkey	67.6	88.2	100.1	35.9	41.5	49.2	4.7	4.2	5.3	4.7	8.3	7.1
United Arab Republic (Egypt)	---	---	51.9	---	---	6.4	---	---	4.5	---	---	2.8

See footnotes at end of table.

TABLE 4.—*Students enrolled in assisted colleges and universities,*[1] *fiscal years 1963–65*—Continued

[In thousands]

Region and country	Total			Studying teaching			Studying agriculture			Studying engineering		
	1963	1964	1965	1963	1964	1965	1963	1964	1965	1963	1964	1965
Latin America, total	27.1	31.5	37.6	2.8	2.9	3.7	2.8	4.1	5.6	2.6	2.8	5.3
Argentina	1.7	2.7	3.2	.2	.3	.3	.1	.2	.3	.2	.3	.4
Bolivia	3.1	3.2	4.2	.8	.8	.9						
Brazil	1.6	2.9	5.6				.8	2.0	3.0	.4	.5	2.3
Chile	1.5	1.8	2.0				.1	.1	.1	.5	.5	.6
Colombia	.4	.6	.7									
Costa Rica	1.9	1.9	1.9	.7	.7	.7	.1	.1	.1	.3	.2	.2
Ecuador	8.7	9.9	10.4				.2	.2	.2	.9	.9	1.3
Jamaica			.4			.4						
Nicaragua	.2	.3	.5	.2	.3	.5						
Panama	1.7	1.9	2.1	.2	.3	.3	.1	.1	.1	.3	.4	.4
Paraguay	3.8	3.9	3.9				.1	.1	.1			
Peru	1.4	1.4	1.7				1.0	.9	1.2	.1	.1	.1
Uruguay	.4	.4	.5				.4	.4	.5			
Venezuela	.6	.7	.7	.6	.7	.7						
Africa, total	5.8	7.5	9.5	.7	1.3	1.7	.6	.8	1.0	.4	.5	.6
Congo (Léopoldville)	1.4	2.0	2.2	.1	.3	.4	(4)	(4)	.1	.1	.2	.2
Ethiopia	.4	.5	.6	.1	.1	.2	.2	.2	.1			
Kenya	.8	.9	1.0				.3	.3	.4	.2	.2	.2
Liberia	.5	.5	.6	.1	.1	.1	(4)	.1	.1			
Malawi	.1	.1	.1	.1	.1	.1						
Nigeria	1.3	2.0	2.9	.2	.2	.3	.1	.2	.3	.1	.2	.2
Sierra Leone	.5	.7	.8	(4)	.2	.3			(4)	(4)	(4)	(4)
Tanzania	(4)	.1	.2			.1						
Tunisia	.8	.7	1.0	.1	.1	.1						

[1] In many cases, courses run for less than 4 years.
[2] A school was closed.
[3] Not available.
[4] Less than 500.

NOTE.—Detail may not add to total due to rounding.

TABLE 5.—*Adults provided literacy training, fiscal years 1963–65*

[In thousands]

Region and country	1963	1964	1965
Worldwide, total	2,251	4,478	5,588
Far East, total	18	16	9
China (Taiwan)	18	16	9
Near East and south Asia, total	2,070	4,168	5,400
Afghanistan	(1)	(1)	(1)
Iran	475	307	300
Pakistan	40	60	100
Turkey [2]	1,554	3,800	5,000
United Arab Republic (Egypt) [3]	1	1	
Latin America, total	107	237	157
Bolivia	7	25	[4] 30
Brazil	1	1	4
Dominican Republic		99	
El Salvador	19	21	28
Guatemala	69	76	75
Honduras	11	15	16
Peru			4
Africa, total	56	57	22
Kenya		(1)	1
Mali	55	55	(5)
Nigeria	1	2	3
Uganda			18

[1] Less than 500.
[2] Done jointly with joint U.S. mission for military assistance to Turkey.
[3] Experimental TV program.
[4] Includes 5,000 under Public Law 480, title II.
[5] Not available.

TABLE 6.—*Teachers graduated from assisted institutions, fiscal years 1963–65*

Region and country	1963	1964	1965	Cumulative to 1965	Cumulative as percent of total in country
Worldwide, total	38,702	40,899	44,429	213,563	
Far East, total	12,211	12,481	13,481	101,606	
China (Taiwan)	2,951	2,632	2,863	17,551	23
Korea	2,246	2,327	2,436	33,328	29
Laos	301	394	400	1,379	31
Philippines	2,900	2,950	3,100	28,000	(1)
Thailand	2,585	2,873	3,250	8,708	5
Vietnam	1,228	1,305	1,432	12,640	39
Near East and south Asia, total	21,245	22,320	23,247	85,733	
Afghanistan	189	283	312	1,740	25
India [2]	580	714	1,040	2,334	(1)
Iran	7,288	4,810	4,241	28,800	44
Jordan	493	444	534	2,629	36
Nepal	498	630	834	4,258	50
Pakistan	4,440	5,296	6,290	18,025	9
Turkey	7,757	10,143	9,996	27,947	10
Latin America, total	4,037	4,451	5,653	19,004	
Argentina	28	50	68	146	(3)
Bolivia	1,034	904	1,000	2,560	13
Brazil	615	737	1,007	5,623	(1)
Colombia	88	226	365	699	(1)
Costa Rica	1,270	1,270	1,270	3,810	27
Dominican Republic	60	148	208	416	(1)
Ecuador	89	92	75	467	(3)
Honduras			70	70	(1)
Nicaragua	208	319	797	1,373	31
Panama	83	46	83	1,100	(1)
Paraguay	235	217	225	677	6
Peru	145	157	149	1,160	2
Venezuela	182	285	336	[4] 903	(1)
Africa, total	1,209	1,647	2,048	7,220	
Congo (Léopoldville)	15	27	70	112	(3)
Ethiopia	163	345	295	2,250	30
Liberia	57	30	77	329	12
Malawi			3	3	(1)
Morocco		48	46	94	(3)
Nigeria	107	167	400	674	(3)
Sierra Leone	7	51	88	146	5
Sudan	630	630	650	2,565	(1)
Tanzania	200	235	269	704	(1)
Tunisia	30	39	50	168	(1)
Zambia		75	100	175	10

[1] Not available.
[2] Total college level only; data not available on number graduated from schools below college level.
[3] Less than 0.5 percent.
[4] Total for 3 years; cumulative total not available.

TABLE 7.—*Teachers provided in-service training, fiscal years 1963–65*

Region and country	1963	1964	1965
Worldwide, total	85,256	103,933	97,104
Far East, total	39,957	38,723	38,470
China (Taiwan)	2,500	2,000	1,230
Korea	1,529	416	380
Laos	300	500	500
Philippines	32,923	35,000	35,000
Thailand	2,445	507	560
Vietnam	260	300	800
Near East and south Asia, total	11,367	20,932	23,699
Afghanistan	1,050	1,160	1,300
India	160	2,000	4,000
Iran	3,583	5,063	5,000
Jordan	360	360	360
Nepal	1,644	6,823	7,348
Pakistan	1,100	1,785	2,265
Syrian Arab Republic	14	40	20
Turkey [1]	3,406	3,651	3,406
United Arab Republic (Egypt)[2]	50	50	--------
Latin America, total	25,835	35,520	22,397
Bolivia	174	818	605
Brazil	7,646	8,807	8,558
Latin America—Continued			
Colombia	10,317	10,857	3,254
Costa Rica	520	7,180	2,910
Dominican Republic	3,730	1,865	--------
Ecuador	175	230	345
El Salvador	337	1,800	2,000
Guatemala	164	194	450
Honduras	700	606	900
Nicaragua	1,135	1,495	1,307
Paraguay	204	935	1,194
Uruguay	--------	27	27
Venezuela	733	706	847
Africa, total	8,097	8,758	12,538
Congo (Léopoldville)	292	385	250
Ethiopia	352	417	500
Ghana	15	20	25
Kenya	--------	175	250
Liberia	2,200	1,700	1,900
Mali	65	80	95
Morocco	116	125	115
Nigeria	4,000	4,600	[1] 7,150
Sierra Leone	673	1,050	2,113
Sudan	334	126	50
Tanzania	50	80	90

[1] Includes correspondence courses.

[2] Experimental TV program.

In many nations the critical shortage of textbooks has been a major block to better education. I have had the personal privilege in my own district of rounding up textbooks to send on a completely cost-free basis to the taxpayers to a small segment of the Philippines. Their joy in receiving these textbooks was overwhelming.

In the Philippines, AID is stimulating the expansion of the publishing and printing industry in the textbook area providing paper and paper products to be used by local industry printers in publishing textbooks. By 1963 approximately 21 million elementary and secondary texts have been published and an additional 6 million were published in fiscal year 1965.

Similar programs are being conducted in Latin America, chiefly in the Central American Republics. Over 8 million elementary and secondary school texts have been published in the last 3 years in Central America through AID assistance. It is interesting to note that paper and paper products from all sections of the United States have been used in these textbooks.

Boise Cascade, Portland, Oreg., and Vancouver, Wash., shipped $312,194 worth of paper products; Kimberly-Clark, Munsing, Mich., shipped $28,029; the Fiber Board Corp., Ripon, Calif., shipped $17,035.

It is very interesting to note and to ponder on one small facet of this textbook industry. Can you imagine what development will appear in the future as the level of education is raised from the 4th to the 5th to the 6th and so on? Can you imagine how much more consumption there will be of these products as well as providing the necessary doors of knowledge for persons securing an education?

Let us turn to special programs such as the Turkish armed forces literacy training project which has trained thousands of adults. Since the beginning of this project in Turkey in 1959, 14 textbooks and teachers manuals and 40 supplementary reading books were developed and a total of 2 million other books have been printed and distributed; 4,200 other teachers have been trained at 16 different teacher training centers with a combined capacity for teaching 60,000 to 70,000 recruits each year.

I would also like to bring to the attention of this House an example of an educational project which covers several aspects. In 1950, 4 years before the AID program began, Nepal had no national university, no teacher training institutions. Only 1 child in every 200 was in school and only 2 percent of the Nepalese people could read and write.

The Government of Nepal, with U.S. advice and assistance, began in 1954 to concentrate its efforts on a three-way educational program. The University of Oregon contracted for the teacher-training portion. Nepal's first teacher training center was established in Katmandu in 1954. Two years later mobile normal school teams were organized to carry teacher training into the hinterlands. There followed annual in-service training programs and subsequently a total of more than 3,500 primary school teachers were trained by the normal school staff, and a normal school organization established capable of turning out 1,000 to 2,000 teachers per year as needed. As a result, since 1954 primary school enrollment has risen from 26,000 to 254,000 and the percentage of primary-age pupils from 2 percent to over 19 percent.

You will be interested to know that cost to the University of Oregon from 1954 to September 30, 1959 when the contract expired was $640,000. You will also be interested to know that AID had provided $2,018,000 for the primary education project in Nepal between fiscal year 1955 and fiscal year 1965, most of which went for construction of schools. This amount also included some funds for professional work and for provision and distribution of curriculum materials.

In Nepal also a bureau of textbook publications was established and it produced 55 different titles and 225,000 pieces of educational literature in its first 5 years.

In the adult education field, more than 2,400 part-time teachers and field workers were trained for literacy education. Finally a national university was established with colleges of liberal arts and science, agriculture and forestry, education, law, nursing and medicine and finally, the number of schools from fiscal year 1955 through 1963 increased from 921 to over 5,000.

In Chile, President Frei announced his determination to do all he could to insure classrooms for every child. In the school year starting in March 1965, his campaign began, parents were urged to register their children, assistants and social workers were employed to assure such registration and the result of this effort was an increase of 186,000 in registration over last year. The total number of children accommodated in primary grades in 1965 was, 1,135,000. At the same time it was a strain on the teacher program. Accordingly the drive began to increase the number of teachers. Recent accounts indicate there will be 5,000 new teachers this year and the Government set 2,000 additional classrooms as its new construction goal which was exceeded by more than 50 percent and a total of 3,136 classrooms were expected to be available at the opening of the school term in March. Here it was interesting to note that this was an example of what can be done in a country with little outside assistance when a Government is ready to move ahead on its own.

In addition the Government is expanding its scholarship program and plans an extension of both a daily breakfast and school lunch as well as a basic school kit for each child.

In the fields of vocational, technical and managerial education the challenge has been particularly pressing in Africa.

AID programs in Africa have been therefore somewhat unique in having a greater than usual number of projects almost exclusively consisting of training.

For example, in fiscal year 1964 about 34 percent of the AID financed participants trained in the United States came from African countries in contrast with the fact that our African programs received approximately one-tenth of AID's total economic assistance obligations that year. Steps have been undertaken in several African nations with the cardinal aim of projects to provide U.S. assistance in such a manner that institutions can stand on their own feet and be staffed by Africans as soon as possible.

Nigeria provides a good example of AID assistance in developing local education and training institutions designed to meet African development needs. The University of Nigeria opened its doors in 1960 and by October 1964, was serving an enrollment of 2,445 full-time degree students in its regular programs and an additional 2,000 students in its continuing education center.

In Africa great strides have yet to be made in the field of literacy for the average literacy rate for African countries including South Africa is 16 percent.

The development of skilled labor is another field. Assistance in expanding hospital services is always accompanied with the need for training of technicians and persons to carry on the operation of such services.

Worldwide total physical accomplishments under AID programs, fiscal years 1963–65 and calendar years 1962–64

Accompanying table No.	Accomplishment	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965	Cumulative to 1965 (selected items)
1	Textbooks distributed (thousands)	12,343	11,585	16,935	--------
2	Classrooms built or expanded (U.S. grades 1 to 12):				
	(a) Classrooms	56,836	61,062	39,514	210,443
	(b) Pupils attending rooms ever provided (thousands)	3,444	5,149	6,721	6,721
3	Students enrolled in assisted vocational, technical and normal schools (thousands): [1]				
	(a) Total	464.5	577.0	716.9	--------
	(b) Of which, studying—				
	Teaching	38.3	39.2	43.6	--------
	Agriculture	103.2	128.3	147.2	--------
4	Students enrolled in assisted colleges and universities (thousands): [2]				
	(a) Total	312.7	344.3	431.4	--------
	(b) Of which, studying—				
	Teaching	86.9	94.4	117.7	--------
	Agriculture	40.3	45.9	54.4	--------
	Engineering	39.3	45.8	50.1	--------
5	Adults provided literacy training (thousands)	2,251	4,478	5,588	--------
6	Teachers graduated from assisted institutions, total (thousands) [3]	38.7	40.9	44.4	213.6
	(a) College trained	19.0	21.3	22.6	120.4
	(b) Other	14.7	13.7	14.7	68.2
7	Teachers provided in-service training (thousands)	85.3	103.9	97.1	--------
8	Dwelling units built:				
	(a) Dwelling units	96,064	141,839	123,264	--------
	(b) People benefited from units completed in year (thousands)	553	795	680	--------
9	Doses of vaccine and other medication distributed (thousands)	67,718	58,574	[4]48,670	--------
10	TB tests given (thousands)	687	811	822	--------
11	Health facilities provided:				
	(a) New facilities:				
	Beds in hospitals	5,852	3,790	9,848	--------
	Primary health centers	947	738	721	--------
	Health subcenters	2,437	1,670	1,528	--------
	Mobile units	21	69	25	--------
	(b) Visits to facilities ever assisted (thousands)[3]	241,831	269,652	297,959	--------
	Hospitals	10,396	12,186	13,505	--------
	Health centers and subcenters	161,243	183,630	208,254	--------
	Mobile units	94	655	986	--------
12	Water supply facilities provided:				
	(a) New facilities:				
	Rural wells	57,943	34,371	36,310	--------
	Village water distribution systems	9,269	10,810	13,183	--------
	Urban water distribution systems	86	137	156	--------
	(b) People benefited from facilities ever provided (thousands)[3]	45,988	75,823	105,887	--------
	Rural wells	24,343	27,421	30,465	--------
	Village water distribution systems	11,297	23,000	37,308	--------
	Urban water distribution systems	10,348	25,327	37,814	--------
13	Waste disposal facilities provided:				
	(a) New facilities:				
	Rural latrines	143,492	141,298	220,042	--------
	Village sewer systems	2,119	2,908	4,293	--------
	Urban sewer systems	33	40	27	--------
	(b) People benefited from facilities ever provided (thousands)	5,208	12,623	22,115	--------
	Rural latrines and village sewer systems	4,326	9,100	15,083	--------
	Urban sewer systems	882	3,523	7,032	--------
14	People protected from malaria (thousands)	--------	--------	--------	691,325
15	Acres newly irrigated (thousands)	567	663	857	50,024
16	Acres reclaimed (thousands)	138	256	1,335	3,050
17	Fertilizer distributed (thousand tons)	1,017	1,332	1,915	--------
18	Pesticides distributed (thousand tons)	17	10	14	--------
19	New or improved seed distributed (thousand pounds)	15,976	20,786	11,723	--------
20	Industrial facilities completed or expanded:				
	(a) New facilities:				
	Powerplants	3	12	25	--------
	Manufacturing plants	222	207	310	--------
	Under investment guaranty program	6	11	21	
	(b) Capacity added:				
	Kilowatt generating capacity (thousand kilowatt-hours	245	314	1,458	--------
	Tons cement (thousands)	--------	360	631	--------
	Tons fertilizer (thousands)	11	20	128	--------
	(c) Annual output of facilities ever assisted:				
	Millions kilowatt-hours	7,623	10,357	14,995	--------
	Tons cement (thousands)	853	1,000	1,471	--------
	Tons fertilizer (thousands)	202	379	519	--------
21	Investment surveys (as of Apr. 30, 1965):				
	(a) Surveys in process	--------	--------	--------	65
	(b) Surveys completed	--------	--------	--------	47
	Decision not to invest	--------	--------	--------	33
	Decision to invest (number)	--------	--------	--------	14
	Capital generated (thousand dollars)	--------	--------	--------	28,940
22	Miles of road built or improved:				
	(a) Paved	2,956	3,840	3,376	--------
	(b) With gravel, crushed stone, etc.	3,423	4,305	7,255	--------
	(c) Earth roads graded and drained	23,275	41,346	44,368	--------
23	Miles of railroad route built or improved	231	527	316	--------
24	Agricultural credit institutions:				
	(a) People receiving loans (thousands)	1,801	1,956	1,950	--------
	(b) Value of loans made (thousand dollars)	172,702	237,285	311,415	--------
		Calendar year 1962	Calendar year 1963	Calendar year 1964	Cumulative to Dec. 31, 1964
25	Industrial credit institutions: [5]				
	(a) Firms receiving loans	248	1,345	477	2,776
	(b) Value of loans made (thousand dollars)	14,558	33,561	22,263	132,890
26	Savings and loan associations:				
	(a) Associations established	60	22	3	85
	(b) New members (thousands)	54	92	96	251
	(c) Value of savings (thousand dollars)	10,662	32,510	64,447	111,399
	(d) Homes financed	5,552	10,161	12,617	28,355
27	Credit unions:				
	(a) Credit unions established	--------	--------	--------	1,483
	(b) New members (thousands)	--------	--------	--------	388
	(c) Value of savings, net (thousand dollars)	--------	--------	--------	16,844
	(d) Value of loans made (thousand dollars) [6]	--------	--------	--------	47,397

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[1] "Normal" schools refer to teacher training schools below collegiate level.

[2] In many cases, courses run for less than 4 years.

[3] Total is greater than the sum of the parts because in some countries the breakdown was not available.

[4] Of total, about 60 percent for smallpox and 30 percent for cholera.

[5] Includes only those industrial development institutions which received dollar loans; does not include the assisted with dollar grants or local currencies. Calendar year 1962 is for April to December 1962.

[6] Represents cumulative total of loans made in 6 countries, and the value of loans outstanding in 7.

HEALTH

For example, the shortage of medical and paramedical school graduates in Thailand has been a deterrent to improved health. U.S. assistance under earlier completed programs was focused on strengthening medical schools and related institutions. Concern with the north and northeast regions of Thailand has resulted in an effort to reach the rural population. In the northeast, AID is assisting the Thai Government to establish village health and sanitation programs covering the northeast villages by the end of 1966 and 6,000 villages outside the northeast by the end of 1965.

Diseases associated with poor sanitation are Thailand's most serious health problem. In 42,000 villages where 85 percent of the population lives, the sanitarians work directly with the villages through health committees organized at the village level.

Since 1960 village health and sanitation programs have been started in 4,000 or more than 10 percent of the Thai villages. In 1965, 2,100 villages will be added to the program. Two hundred more sanitarians will be given preservice training. At the close of fiscal 1966, when U.S. assistance to this project phases out, the Thai Government will have a sufficient number of trained personnel to expand this project to the remaining Thai villages without assistance.

Malaria, known as "the Ancient Curse" in Thailand has been one of the worst plagues known to man. While the United States at a total cost of $54 million in a 12-year campaign successfully eradicated malaria 15 years ago, worldwide cases were estimated at that time between 200 and 300 million, with between 2 and 3 million deaths a year.

Half of mankind, almost 1.4 billion people live in areas where malaria was a serious problem. Substantial AID assistance has gone into training for this work. The worldwide campaign is proving increasingly successful. Since 1958 U.S. assistance through AID has been provided $235 million; though setbacks have occurred and both mosquito and parasite resistance to chemicals have affected numerous areas, only a small percentage of the population at malaria risk lives where special problems are preventing an effective attack.

Of more than 1.4 billion people in originally malarious areas who reported at the end of last year that nearly 450 million are now in areas where malaria eradication can be claimed and another 340 million where malaria transmission has been eliminated and remaining cases are being detected and treated in a surveillance program.

India is an example of what has been achieved with U.S. financial and technical assistance. Determined Indian leadership and effective administration has made possible the reduction from an estimated 70 to 80 million attacks of malaria per year in 1953, to less than 60,000 laboratory confirmed cases in 1962. In other words, in this country, with 481 million population originally a malaria risk, 220 million are now in areas freed of malaria, 182 million where malaria transmission has been stopped and only 79 million still require active protection by DDT spraying.

I am attaching here a summary of some of the facilities under the AID program and I particularly emphasize that you look at the water supply facilities; sewage facilities and the distribution of fertilizer for improved agriculture.

And now I want to speak very briefly on one of the most helpful programs we have in the world. It is a program of which I am intimately acquainted in my own country for I had the privilege of graduating in the field of nutrition from my own State university. Malnutrition has long been one of the leading deterrents to human progress. It is a deterrent to the social development of a nation. It is a deterrent to the basic economic development of a nation and the abolishment of malnutrition and the establishment of good nutrition is of substantial impact to the social progress of our entire world as well as to economic progress.

Every parent knows that "picky children" who refuse nourishing food at home eventually can establish good eating habits in a well-planned school hot lunch. I think many men fail to realize that these children eating our school lunch programs here and around the world are tomorrow's consumers and the economic future of our agriculture is dependent upon the establishment of these good eating habits.

May I note here the importance of our food for peace program. Of the 100 million recipients of our donated foods, 70 million are children, including more than 40 million in organized national school lunch programs. Through the Alliance for Progress child feeding program, for instance, 1 out of every 4 school-age children in Latin America is receiving food commodities from people in the United States ranging from powdered milk to full-scale lunches. The effect of the hot lunch program has been evident in Santiago, Chile. Third graders showed an 8-pound weight increase after the first 4 months of the hot school lunch program.

Now I want to talk just a moment about relative costs. The program before us today is expensive, yes, and to the average taxpayer it represents a burden and a sacrifice to help nations of this world, particularly those who are ungrateful as I mentioned earlier.

The daily cost of economic aid from American taxpayers is $6 million. The per capita per year to each person in the United States is $17.34 per year for economic aid or 0.031 cent per day per person. For combined economic and military aid it is 0.04775 cent per day.

These costs standing alone are not quite fair in themselves. Let us compare these costs with some other costs which I have picked at random.

I was intrigued by what the national costs of war are and so I have obtained from the Defense Department some figures dating back 100 years.

For example, the cost per day to the taxpayers of the Union alone for the Union Army during the Civil War which began April 12, 1861, and continued until May 26, 1865, was $2,271,096. In addition to the financial costs, let us take the human cost of 1 day's battle. In the Battle of Fredericksburg on December 13, 1862, from the Union Army there were 10,000 casualties out of 122,000 participating. The Confederate Army had 78,500 in that battle with 5,209 casualties.

The Spanish-American War, which lasted 103 days, cost us $127,400,000 or $1,236,893 per day and yet this is very often referred to as a "small war."

World War I, which lasted a total of 580 days, cost the United States, including aid to allies, $55,310,805 per day. The casualties of that war, both allies and enemies, was estimated in the military between 27,805,000 to 30 million. The civilian casualties in that same war are estimated at 9,349,000 to 12,618,000.

World War II which lasted a total of 1,361 days beginning with the United States participation on December 7, 1941, to September 2, 1945, cost the United States, including lend lease, a total of $317.6 billion or a cost per day of $226,010,187. The cost per person here in the United States was $1.99 per day. The casualties of that war in both theaters, United States, allies, and enemies was militarily between 30,678,000 to 47,210,000; civilian casualties, 24,800,000 to 35,112,000. The estimated number of Jewish people killed by the Nazis vary from 4,194,300 to 6,034,500.

On D-day, June 6, 1944, 70,500 American forces were committed in that single day of battle and there were 6,603 casualties.

The Korean war which cost the lives of 1,245 Americans cost the United States alone $18 billion for military costs in Korea.

Now let us look at a related war cost. The cost of the Veterans' Administration medical services in fiscal year 1965 was $1,201,897,328 in addition to $81,298,876 for hospital facilities construction which totals, $1,283,196,204 in fiscal year 1965. The average cost per day would be $3,515,606 and not one of us begrudges 1 cent of this.

In these costs, you will note I have made no mention of material or property destruction costs.

The amount appropriated for expenditure for the space program for fiscal year 1966 is $14,300 million. Therefore, the average cost per day must be $39,150,712.

In another category of our national expenditures, the people of the United States last year, and I do not mean this critically, spent a total of $13,600 million for liquor. The per capita cost is estimated at $58 and tobacco cost us $43 per person. The cost per person per day for tobacco is 0.118 cent; the cost for liquor per person per day is 0.159 cent per person per day.

Against that again I would like to call attention to the grand total for economic and military aid at 0.04775 cent per person per day, and to say as the gentlemen said on June 18, 1953, "Mr. Chairman, this is an arm of our foreign policy."

May I suggest that each and every Member of this House of Representatives read the hearings of this subcommittee and study some of the tables presented.

Mr. Chairman, I have tried to present these figures so that Members might have some conception of relative costs. May I say this on behalf of the subcommittee, we have tried carefully to do our best for our present national policy in measuring and funding this program.

I would also like to add a personal footnote. Not long ago I stood on the battlefield at Yorktown and as I looked out on that field, I could not help but be reminded of another nation who could probably ill afford at that particular moment to spend funds for the armaments, ships and men which made the difference between our defeat or victory. I was forcibly reminded again of this sharing of this assistance which gave a poor, struggling nation our own independence.

[Source: "The Congressional Anthology," 1955, p. 117]

"No man is an island, entire of itself;
Every man is a piece of the continent,
A part of the main;
If a clod be washed away by the sea,
Europe is the less,
As well as if a promontory were,
As well as if a manor of thy friend's
Or of thine own were;
Any man's death diminishes me,
Because I am involved in mankind;
And therefore
Never send to know for whom the bell tolls;
It tolls for thee."

—*John Donne.*

Mr. HALEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Chairman, it has long been recognized that actions speak louder than words, and it seems plain to me that the actions of India and Pakistan speak more loudly and more clearly than could millions of words, concerning the futility of this country's slavish devotion to its "open checkbook" foreign policy.

That open checkbook foreign policy is symbolized by the annual multi-billion-dollar appropriation for international development—or foreign aid—or mutual security—which we are asked to approve here today. But I say that this bill does not carry money for the purposes implied by the names this program has had over the years. The funds we are asked to appropriate are, as far as their value to us is concerned, nothing more nor less than a dole, a handout to foreign nations in the hope that, somehow, we can buy their friendship, or at least their support in a crisis.

It must be embarrassing indeed for those, in the administration and in the Congress, who so loyally persist in this wasteful diversion of the taxpayers' dollars to have this war—for it is that, whether declared or undeclared—between India and Pakistan break out, and expose the truth about the futility of foreign aid, at the very moment we are confronted with this $4 billion-plus bill. And I sympathize with their plight.

But I have for years had a great deal more sympathy for the plight of the taxpayers, who are called on to foot this monstrous annual cost and its contribution to our ever-increasing burden of national debt. And I would hope that this Far Eastern conflict, which threatens to destroy the already uneasy peace of the entire world, would at least awaken the consciences of those public officials who believe, or seem to believe, that "dollar diplomacy" is our answer to all of the ills of the world, including the threat of a disastrous nuclear war.

As all of us know, India and Pakistan have been among the major beneficiaries of our program of handouts in the name of foreign aid. This year, the United States has pledged to give $435 million in economic aid to India and $212.5 million in economic aid to Pakistan, if I remember my figures correctly.

The extent of military aid to these two countries is classified, but the authoritative estimate is that in the past decade, Pakistan has received $1.2 billion in military assistance. India, by the same estimate, has received only about one-tenth of that amount. But India has received vast amounts of economic assistance during the decade, and thus has been enabled to devote a greater share of her own finances to defense spending.

So, what have we derived, of benefit to ourselves, from these huge outlays? I cannot say what we have had of benefit—but I can say that the situation as it stands today has made us look ridiculous in the eyes of the entire world.

Only yesterday, our State Department conceded that U.S. military equipment is being used in the fighting between India and Pakistan—by both sides. Moreover, while Pakistan apparently is using jet aircraft and modern tanks furnished by the United States—and using them against India contrary to the terms of her aid agreement with our Government—the State Department blandly refuses to criticize Pakistan for this violation, much less to indicate that any formal action in the matter is being contemplated.

Said State Department Press Officer McCloskey:

> We are concerned that U.S. military equipment is being used.

The depth of that concern was indicated when the United States informally suspended military aid to both Pakistan and India but did nothing to curtail economic aid.

It is nice for the people to know that there is official concern about this misuse of the aid they have been furnishing by these two countries. It is perhaps less happy for them to know that no official action is being taken to curtail economic aid to those who misuse it. It occurs to me that it might be well to write into this year's foreign aid money bill a mandatory bar to further aid to Pakistan and India, as in the past we have curbed aid to nations of the Communist bloc.

The blunt truth is that the hundreds of millions of dollars we have given these countries has equipped them to mount war against each other. At the least, this war will drain the very economies we paid so much to develop. At the worst, it can touch off a fuse which will ignite a nuclear holocaust which will destroy the world itself and all mankind.

I will not belabor my point further. It is too obvious to need that. But I feel impelled to point out to those of my colleagues, who may not have read what was said the other day by Federal Reserve System Chairman William McChesney Martin, what this widely recognized expert on fiscal matters thinks about foreign aid as it now operates.

Chairman Martin, appearing before a Government Operations Subcommittee of the other body, made no bones about his opinion that we cannot safely carry this load longer without endangering our economy. He said bluntly that the United States is—and I quote—"carrying too large a load" in the area of foreign aid and international development. He said—and I quote again: "I think we ought to put on all the pressure we can to get our friends to do more than they are doing—to assume a greater share of the overall problem of development" of the less wealthy nations.

I find what Chairman Martin said very interesting, because it happens to be a part of what I have been saying for a good many years now. And I regard what he said as being of high significance because he not only is the first high-ranking official of this or any preceding administration to make such a public acknowledgement, but because he is one of the Nation's recognized fiscal authorities.

I am sorry to say that the bill which we debate today indicates that my distinguished colleagues of the Appropriations Committee have not pondered Chairman Martin's warning that this foreign aid program is too burdensome for our economy.

We are asked to approve a new foreign aid outlay of slightly more than $4 billion. It is true that this represents a cut of 4.4 percent in the administration's requested budget. But it also happens to be 2.83 percent more than was appropriated for the last fiscal year.

I do not think that now is the time to turn upward in the trend of our appropriations for foreign aid. I would not think so even if I thought the program to be worthwhile, which I emphatically do not. I am opposed to this bill as it is submitted to us.

Mr. JOELSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Chairman, the AID emphasis on rural development has been one of the key factors in preventing Communist takeovers in parts of southeast Asia and in other developing countries.

It is no secret that the Chinese Communists have marked northeast Thailand as their next target. For months, Communist agents from outside of Thailand have been infiltrating the northeast region and recruiting local bandits to assist them in a campaign of subversion and intimidation.

AID plans for fiscal 1966 call for an accelerated rural development program in northeast Thailand to expand communication lines and roads, build schools, irrigate lands, establish health programs, and conduct police training.

AID will support Thai efforts to farmers in the northeast by building a strong extension service and conducting agricultural research. The Thais are attempting to increase the number of agricultural extension agents from 1 for every 13,000 farms in 1963 to 1 for every 2,000 farms by 1967. A new service will handle classes for hundreds of student farmers.

Studies now underway are aimed at finding means to establish light industries in the northeast and to set up irrigation and flood control projects in two major river basins.

Another part of our aid will focus on training and equipping Thailand's 6,300-man mobile border patrol police and strengthening the counterinsurgency capability of the provincial police. In addition, AID will support training programs for nearly 3,000 local officials and village teachers and help supply 500,000 elementary school students in the border provinces with improved textbooks.

DDT and spray equipment will be supplied to help control malaria and technical help will continue on a project to train doctors and nurses in the rural areas.

Last year, the Thai Government contributed more to the cost of AID development projects than we did.

Rural development in southeast Asia is proving every day that freedom can deliver what communism can only promise and disrupt—that free choice works better than coercion. It is a battle fought not with guns, but with ideas and hard work.

Mr. FARNUM. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FARNUM. Mr. Chairman, on August 17, the Alliance for Progress observed its fourth birthday. President Johnson marked the occasion by rededicating our Nation to the spirit and the letter of the Charter of Punta del Este which in 1961 launched a bold and unique working partnership between the United States and 19 Latin American countries. At the same time, the President urged our partners in the Alliance to form a common market toward the improvement of rural life and agriculture for Latin America's 225 million people.

Four years is not a very long time—but in this brief span the Alliance for Progress has scored many solid achievements—achievements that have more than justified the vision and faith of the late President Kennedy who conceived the Alliance as a 10-year cooperative effort to provide the basic needs of the Latin American people for homes, work, land, health, and schools.

The Alliance rests on the commitment of the Latin Americans to undertake strong self-help measures; to mobilize their own resources, and to face the hard and painful decisions that must be faced if they are to overcome their problems and fulfill the promise of the Charter of Punta del Este.

A substantial number of Alliance countries have undertaken exactly the kind of self-help measures that are needed. For example, tax reform programs are underway in no less than 11 countries; over half the nations of Latin America have completed their development plans; over half have met or surpassed the target of a 2½ percent yearly increase in per capita income; no less than 10 countries have enacted land reform legislation; and the budgets for public education have risen over 25 percent in the last 3 years.

Fifteen countries have self-help housing programs, and the capital of housing banks, affecting 16 countries, has been sharply increased. Savings and loan legislation has been adopted by 10 countries. In six countries alone, there are now over 70 savings and loan institutions, with 157,000 savers, and over $40 million in deposits.

As for physical accomplishments, U.S. assistance to Latin America, both directly and through local institutions, has resulted in the construction of 326,000 homes, 36,400 classrooms, 735 health centers, hospitals or mobile health units; the installation of over 2,000 wells and water systems; the printing of 11 million textbooks; and the extension of 290,000 agricultural credit loans.

Some 22 million Latin Americans have been provided with surplus agricultural commodities through our food-for-peace program—Public Law 480—and a special child-feeding program, known as Operation Ninos, has brought nourishing meals to more than 12 million school children.

Mr. Chairman, these are just some of the achievements of the Alliance for Progress. There are many others, but the ultimate goals of the Alliance will require the continued and expanded efforts of all the Alliance partners, as well as increased technical assistance and project implementation on our part.

In this hemisphere, we have come to learn that our own destiny can well be affected by the aspirations of the campesino in the highlands of the Andes or of the slum dweller in Caracas. Our hopes for ourselves and for our children are intimately woven in with theirs. We know that we cannot expect full security and happiness for our own people if we ignore the needs and wants of our less fortunate friends south of our own border.

Well over four-fifths of the capital required for the factories, the schools, the water systems and the roads essential for development is being generated by Latin Americans themselves. Substantial parts of the remainder are coming from Europe, from private investors and from international lending institutions. Total U.S. commitments during the first 3 years of the Alliance have averaged something over $1 billion a year—a sizable sum, but only a small fraction—less than a fifth—of the total new capital formation in Latin America.

Mr. Chairman, I am confident that if we continue to honor our commitments under the Charter of Punta del Este that the Alliance for Progress will continue to prosper and achieve a better life for every Latin American citizen.

Mr. SHRIVER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, in my opinion, the India-Pakistan conflict over Kashmir is a crisis pinpointing the severe overall shortcomings of our foreign aid program. We have contented ourselves with international charity and international anticommunism. We have failed to make our overseas assistance program an effective political weapon in a very political world. In Asia, our policies have never matured past adolescence.

Let me read a quotation from the New Republic of September 11, 1965:

> Our Government has given India and Pakistan almost $10 billion to protect them against communism. The most striking result has been to enable them, despite their grave economic weakness, to fight each other with full arrays of expensive modern weapons, for possession of Kashmir. Pakistan has received $1.2 billion in military and $2.6 billion in economic aid. Last month, taking a leaf out of the Communist book, the Pakistanis sent into Moslem Kashmir some thousands of guerrillas to begin a "war of national liberation," and last week the Pakistanis were attacking with Patton tanks provided by the Americans. The Indians naturally fought back, and were enabled to do so all the more vigorously thanks to the $200 million of military aid and the $5.2 billion in economic aid which India has had from the United States—of course with the idea of bolstering India against communism, not against Pakistan.

Now if our Government had the sense private enterprise usually does, it would hardly have pumped $10 billion into the Indian subcontinent with a crucial contingent liability like Kashmir hanging fire. The least we could have done is to have used our aid program as a lever to work the will of the United Nations that there be free elections in Kashmir. But this would have involved coercing India, and India is a sacred cow of the liberal world savers. Somehow this is true despite India's record of pillage in the religious wars, despite India's record of aggression against the former Portuguese enclave of Goa, despite India's record of persecution of its so-called untouchables, and despite India's record of political tyranny in denying self-determination to Kashmir. I have had the feeling sometimes that every holier-than-thou anti-American statement India has put out has just excited the liberal world savers to send more foreign aid. They have propagandized India as a garden of democracy and the hope of Asia. They are trying to watch democracy grow like they would watch carrots or radishes grow.

Kashmir is what they got. Pakistan subverted and then seemingly invaded Kashmir. But before this the Pakistani have watched India deny their kinsmen of Kashmir the right to join Pakistan—which everybody knows Kashmir wants, and after all, the U.N. did promise free elections some 18 years ago.

Notwithstanding the Kashmir powder keg—with its steadily burning fuse—our fearless, franchised foreign aid distributors have pumped almost $2 billion worth of military aid into the Indian subcontinent since it became independent. Why have we done this? Because we want to save India and Pakistan from Communist China—but every time India or Pakistan gets American weapons they think first and foremost about using them on each other, and not Communist China.

Mr. Chairman, Pakistan was long our friend—although we paid enough cash to make it understandable—until we gave arms to India. Pakistan fears India gravely. The open sore of Kashmir is one reason, and India's vast overwhelming 5-to-1 population and strength ratio is another. Pakistan, unlike our liberal world-saver friends, can see behind India's holier-than-thou pose. As I said, our military aid to India was supposed to be for use against Communist China, but let me quote the New Republic of September 11 again:

> But the United States took that threat more seriously than did the Indians, who kept the bulk of their best troops in Kashmir, facing Pakistan.

While we gave military aid to Pakistan only, it did not greatly distress India and we kept Pakistan's friendship. Then when we began to aid India because of the Communist Chinese scare, we began to sacrifice Pakistan's friendship because Pakistan feared India more than China. Nor can it be said that our aid made a friend of India. The Communist Chinese pressure is responsible for any Indian seeming change of heart. Actually, the India-Pakistan conflict will probably lead both countries to make overtures to Communist China for aid or neutrality. Such is the result of an American policy that ignored the Kashmir time bomb and pumped in billions of dollars worth of arms to add to the explosion. While we should have been trying to dismantle the Kashmir time bomb we were paving the way for a greater conflagration and a greater opportunity for Communist China to profit for our gullibility.

Nor is military aid the only American aid that is waging this war. Look at what the billion dollars worth of economic aid this past year was used for by India and Pakistan. A good part of our economic aid to India went for trucks and diesel locomotives—key muscle of warfare. Our aid to Pakistan went largely for steel, power facilities, railroads and roads, also crucial to any war effort.

As far as I am concerned, Mr. Chairman, we have no business pumping so much aid so blindly into the Indian subcontinent. If we are to spend large sums of money there, let us do so as part of a carefully worked out and politically conscious development plan. I urge that we withhold moneys from India and Pakistan pending the formulation of some plan settling the Kashmir crisis and providing for Indian-Pakistani cooperation. Perhaps we might channel our aid through an Indo-Pakistani Development Bank to be under the auspices of the United Nations, which idea the United Nations might be able to use in peacemaking attempts. At any rate, until a sound new concept in aid has been formulated for the two nations, Pakistan and India, I believe that we should withhold all aid, on grounds of not wishing to aid in the present conflict beyond the extent we already have. I urge this House not to appropriate any military aid funds for either nation, and I would urge that economic assistance moneys appropriated be withheld until the crisis is reasonably settled.

Mr. Chairman, I feel that our aid should be conditioned on a Kashmir settlement, and that the administration's reluctance to speak of the underlying Kashmir problem, coupled with an excessive tenderness towards India, merely perpetuates the self-defeating policy of the past. In closing, I would like to make this final point—I hope that the Members of this House are coming to realize the wasteful immaturity of our aid program. It is as obvious as the failure of our foreign policy.

Mr. SHRIVER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman, appropriation of almost unlimited sums of money to the AID is not the answer to the confused situation now existing in our foreign aid program. The bill now pending before the Committee represents a tremendous amount of money, but it in fact is only part of the vast sums which will be passed out to foreign lands.

It presents the Congress, however, with an opportunity to impress upon the Agency the need for tighter controls and more useful uses of the money allotted to this program. In my opinion, an agency which contracts with others to do its work could certainly get along with fewer employees itself. But this Agency, rather than reducing the number of its American employees, has increased them.

On June 30, 1964, there were 6,688 American nationals employed by AID, while on June 30, 1965, there were 6,828 American nationals employed, even though the Agency had contracted with all manner of corporations and public institutions to an amount exceeding $400 million.

Among the forms of contracts executed by AID are those entitled, "Research and Analysis." This Agency has spent a total of more than $25 million on research projects. Among such research projects are the following:

"Impact of Electric Power on Rural Development—Pilot Study in Colombia," $80,000, Fairbanks-Morse.

"Impact of Electric Power on Rural Development—Pilot Study in Colombia," $125,000, American Institutes for Research.

"Usefulness of Small Power Sources in Remote Locations," $355,000, General Electric Co.

"Development and Performance Test of a Solar-Power Battery Recharging Center," $30,000, Hoffman Electronics Corp.

"Research on Farm Power and Equipment Requirements for Production of Rice and Associated Food Crops in the Far East," $360,000, International Rice Research Institute.

After 30 years of rural electrification in America, it would seem that a telephone call to the National Electric Cooperative Association or to the TVA, or the investment in a 5-cent stamp could have produced an answer to the impact of electric power on rural development at a saving of $1 million to the American taxpayers.

There are other research contracts which have not been completed and which must be awaited breathlessly at the AID. One is a contract with Michigan State University for $500,000 entitled "Diffusions of Innovations in Rural Society." Some people thought that Orville Freeman through his Department of Agriculture was introducing innovations in rural society. Others thought that the Farm and Home Administration has long been engaged in that activity, but possibly neither of these or other agencies, have extended their activities to diffusions of such innovations.

Almost every agency of Government has a public relations bureau, and our foreign outlet is the Voice of America and USIA. But the AID paid the American Institutes for Research almost $75,000 for a study entitled "Diffusion of Information Through Radio and Supporting Media." And AID paid Brandeis University $250,000 for a study entitled "The Political Attitudes of Youth in Developing Countries." And, with the accumulation of all of this research evaluation, the AID spent the monumental sum of $5,405 to Haverford College for a study on "Effect of Foreign Aid on the U.S. Balance of Payments." Another interesting contract went to the University of Pennsylvania, which cost AID $250,000 for a study on "The Interaction of Social Values and Political Responsibility." And there are many more.

This Agency's craze to execute contracts has permeated the administration of the Agency itself. They paid the American Institute for Research $284,000 to analyze the functions of four key positions in aids oversea missions. It was this evaluation of standards by which selections are made for key oversea positions. They advised AID as follows:

"Feasible means for measuring the degree to which a prospective incumbent possesses some of the requisite characteristics may not be currently available to AID. However, the inability to measure the characteristics within the constraints that now bind the Agency should not be confused with the issue of whether or not a characteristic is essential to do a job effectively. If the characteristic is needed, and AID chooses and places a candidate lacking it in the appropriate degree, the aspects of the job in which the characteristic is required cannot be performed effectively."

AID paid Syracuse University $350,000 for an appraisal of the administration of the technical assistance program, even though they are phasing out the technical assistance program in favor of contracts to perform the service.

However, with more than $400 million in "current technical service contracts as of December 31, 1964," AID appears uncertain about the wisdom of the contract method, because they have entered into another contract with Purdue Research Foundation for evaluation of AID university contracts for agricultural education and research programs abroad, in the amount of $998,931.

I think the time has come for this Congress to put the brakes on the contract craze of AID. It is time that this Congress impressed upon this Agency the need for tighter controls, and I am certain that with less money in their hands, more careful use of the taxpayers' money can be encouraged. Rather than attempt to prevent any contracts, I intend to submit at the appropriate time an amendment which would prevent AID spending money on research into the administrative, organization, or operation of personnel practices of the Agency. I am hopeful that the Committee on Foreign Affairs will, at the beginning of the next session, make a thorough and searching examination of this type of use of the taxpayers' money, with the clear intention of writing some strict guidelines into the authorization legislation which will effect some long overdue economies, and effect some savings and prevent some of the waste which is so evident in this Agency.

Mr. Chairman, I insert at this point in the RECORD, under permission to include extraneous matter with my remarks, a tabulation of research contracts for the funding years 1962–65 by title, and the agency making the research, as well as the amount of money involved, the total of which is $25,193,163.

The matter referred to follows:

Research contracts fiscal years 1962–65

Contractor	Project title	Total obligations [1]
American Institutes for Research	1. Evaluation of AID participant training programs in the United States (pilot study).	[2] $37,797
	2. Diffusion of information through radio and supporting media (pilot project in Ecuador).	[2] 74,075
	3. Research on job performance standards (AID employees overseas).	[2] 284,030
	4. Research and development of aptitude testing.	245,950
	5. Review of AID publications	[2] 10,320
	6. Impact of electric power on rural development (pilot study in Colombia).	125,111
Total		777,283
Brandeis University	7. The political attitudes of youth in developing countries.	250,594
Brookings Institution	8. Universities and political change in Latin America.	21,385
	9. Symposium on research on the development of administrative capacity in emerging countries.	27,000
	10. Transportation and economic development.	1,469,720
Total		1,518,105
Bureau of Social Science Research, Inc.	11. Overseas evaluation of the participant training program.	415,700
Cornell University	12. Comparative study of social and cultural change.	647,938
	13. Urban housing in Latin America: Economic, political, and social implications.	269,968
Total		917,906
Educational Services, Inc	14. Mathematics curriculum development in Africa.	1,823,012
	15. Research and development in beginning science curriculum for English-speaking tropical Africa.	481,603
Total		2,304,615
English Language Services, Inc	16. Research on new techniques for training teachers of English.	1,049,652
Fairbanks Morse	17. Impact of electric power on rural development (pilot study in Colombia).	80,304
Foundation for Research on Human Behavior.	18. Symposium on research on comparative social change in developing countries.	35,000
General Electric Co	19. Usefulness of small power sources in remote locations.	[2] 355,000
Haverford College	20. Effect of foreign aid on the U.S. balance of payments.	[2] 5,405
Harvard University School of Public Health.	21. Effects of investment in health on economic growth.	85,756
Hoffman Electronics Corp	22. Development and performance test of a solar-powered battery recharging center.	[2] 30,025
International Institute for Educational Planning.	23. Development of guidelines for determining the feasibility of using new educational media in developing countries.	196,129
International Rice Research Institute.	24. Research on farm power and equipment requirements for production of rice and associated food crops in the Far East and South Asia.	360,000
Johns Hopkins University	25. Functional analysis of health centers.	$225,690
	26. Research on certain effects of foreign aid on the economic growth of selected countries.	19,408
	27. Research in health manpower planning for selected less-developed countries.	865,684
Total		1,110,782
Medical College of Virginia	28. Study of methods for improving the training and use of middle-level health manpower.	130,200
University of Michigan	29. Research in foam plastics for housing.	236,000
Michigan State University	30. Role of food marketing systems in Latin American economic development.	395,162
	31. Diffusion of innovations in rural societies.	500,000
	32. Development of an educational research center for Central America.	[2] 610,000
	33. Mapping of research requirements of the food-for-peace program.	124,040
	34. Symposium on communication research and the development process.	37,880
Total		1,667,082
MIT Center for International Studies.	35. Intensive study conference on means to increase agricultural productivity in underdeveloped countries.	[2] 246,200
	36. Improved analytical methods for development planning.	200,910
Total		447,110
National Planning Association	37. Development planning and planning assistance criteria.	1,377,120
	38. Capacity expansion planning factors.	38,391
	39. Development Research Digest	[2] 69,240
Total		1,484.751
North Carolina State (College), University of North Carolina.	40. Analysis of data on the nutrient status of soils in Latin America and West Africa.	750,000
Ohio State University Research Foundation.	41. Analysis of programs for the development of agricultural credit institutions and services.	636,821
University of Pennsylvania	42. The interaction of social values and political responsibility.	250,000
University of Pittsburgh	43. Research on the process of institution building: Four case studies of educational and training institutions.	158,380
Purdue Research Foundation	44. Evaluation of AID university contracts for agricultural education and research programs abroad:	
	Phase I	58,931
	Phase II	940,000
Total		998,931
Simulmatics Corp	45. Venezuelan development study	220,000

See footnotes at end of table.

Research contracts fiscal years 1962–65—Continued

Contractor	Project title	Total obligations [1]
Stanford Research Institute	46. Farm marketing facilities and practices in tropical Africa.	$564,037
	47. Industrial location and development planning in newly industrializing countries.	196,029
Total		760,066
University of South Florida	48. Impact of a literacy program in a Guatemalan ladino peasant community.	65,129
Syracuse University	49. Appraisal of the administration of technical assistance programs, with special reference to T.A. in agriculture.	355,475
UCLA	50. Relation of investment in housing to economic growth.	99,088
Williams College	51. Import substitution and economic policy in economic development.	173,299
University of Wisconsin	52. Research and training in land tenure and reform in Latin America.	$2,463,275
	53. Study of regional cooperation in south and southeast Asia.	312,770
Total		2,776,045
Yale University	54. Quantitative study of economic structure and growth.	1,513,730
	55. Projection and analysis of world trade patterns.	[2] 38,800
Total		1,552,530
Grand total		25,193,163

[1] Total obligations for fiscal years 1962–65.
[2] Completed.

NOTE.—This list includes only contracts; participating agency service agreements (PASA's) are not included.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I am glad to yield to the gentleman.

Mr. GROSS. Mr. Chairman, I want to commend the gentleman for his excellent statement. I do not believe he mentioned the $15 million that went to Ecuador to take care of its budget deficit when it had a credit in the Central Bank of the International Monetary Fund upon which they could have drawn. I wonder how much longer we are going to continue to take care of budget deficits of other countries when we have a deficit of billions of dollars in this country and when the other country has a source of credit available upon which it can draw.

I thank the gentleman for yielding.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, every month there is laid on my desk a report from AID showing the number of contracts that have gone into Missouri as well as the amounts of the contracts; also the contracts that have gone into Wisconsin, Iowa, New York, Massachusetts, and all the other States of the Union. The purpose of this, I suppose, is to influence Members in their vote.

Personally I consider it an insult to the integrity and the intelligence of a Member of the U.S. Congress. But my question is, Does the Member know how much is being spent by AID on public relations of this kind?

Mr. THOMSON of Wisconsin. I am sorry I cannot respond with accuracy. I have a tabulation of the contracts that are let out to the universities, corporations, and various other agencies. But I am sure AID does very well in their public relations functions. I am surprised that they are letting contracts out to find out new ways to diffuse innovations in rural societies and some that are not rural.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I am glad to yield to the gentleman.

Mr. GROSS. I have been reading the voluminous hearings as best I can. I have been looking for some word as to how the deceased general in Thailand allegedly accumulated an estate of around $100 million. I do not know whether he was one of the gambling house operators in Thailand, but the State Department seems to think, according to information that I have, that the official's 40 or 50 wives were thrifty and therefore they made a contribution to this huge estate.

Mr. ROONEY of New York. Mr. Chairman, if the gentleman will yield, how many wives did the gentleman say?

Mr. GROSS. Forty or fifty.

Mr. ROONEY of New York. I wondered if I had heard correctly.

Mr. PASSMAN. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from California [Mr. COHELAN].

Mr. COHELAN. I thank the gentleman for this time and, Mr. Chairman and members of the committee, I want to join with those who preceded me in the well in extending my great appreciation to our chairman for a most interesting period of time in reviewing this bill. Even though we do have disagreement on some points, I believe it is very important to recognize that even while we are having a vigorous debate on this bill today, we are much more in agreement than we are in disagreement.

Mr. Chairman, I would point out at the outset that when we are considering cuts in the bill, the actual differences in the cuts that have been proposed are only in the neighborhood of some $83 million and, as you know, the committee has recommended a $75 million cut.

I believe it is safe to say that all of us are most anxious that our foreign aid assistance program be put to the most effective, efficient use possible. There will always be, I suppose, some controversy as to how this can best be done.

Mr. Chairman, foreign aid—that much criticized, much maligned, and much misunderstood program—is not a wolf in sheeps clothing, as some would have us believe. It is in reality an important, a practical, and a necessary arm of our foreign policy. Its several programs are directed toward a single goal: to assist those nations that so desire to maintain their independence and to develop into self-supporting nations. This goal is certainly no less valid today than it was 19 years ago, when the program was begun and the need is certainly no less great.

The history of the last two decades shows rather conclusively that this program of economic and military assistance played an essential role in the rebuilding of Western Europe. It shows that it was a crucial element in enabling Turkey to withstand heavy Soviet pressures and in permitting Greece to put down Communist aggression. It shows that it allowed many nations on the border of the Sino-Soviet bloc to survive and grow. And it shows that it has encouraged, and in some cases made possible, economic and social growth in many of the underdeveloped countries of the world.

The fact of the matter, and this too is borne out by history, is that the continued survival of our own free institutions depends upon the development of a world community of stable, self-supporting countries. Or to put it another way, as other people grow in freedom and independence, so the security of the United States is advanced; and as others grow in economic strength, so will our markets and our economy continue to expand.

Our foreign aid program, furthermore, should not be thought of only in terms of national security and national interest. It can and it should be thought of as well in our proud tradition of humanitarianism; a tradition which dates back to the frontier days of this country; a tradition which is based on our willingness to share our abundance with those less fortunate. And let those who say charity and good works should begin at home remember that for all of the economic, social, political, and humanitarian functions which this program advances, it represents less than 1 percent of our gross national product.

John Fitzgerald Kennedy stated it aptly in a message to Congress a little over 2 years ago when he said:

> That our aid programs can be improved is not a matter of debate. But that our aid programs serve both our national traditions and our national interest is beyond all reasonable doubt.

Mr. Chairman, the foreign aid program which we are considering today is a much different program than the one we considered 10 or even 5 years ago. It operates differently; it is directed to different kinds of problems and it is going different places.

A decade ago we finished our economic aid programs in Europe and Japan. Those countries had achieved enough economic strength to go forward without aid. Today these countries are joining us with foreign aid programs of their own, providing over $2 billion per year in aid to less developed countries.

Our assistance efforts today are focused in the countries of Asia, Africa, and Latin America. But more importantly, the kind of aid we are providing, and its purpose, have changed significantly.

Not too many years ago, a large portion of our aid was intended to do nothing more than keep many countries economically afloat on a day-to-day basis. Much of our aid was simply budget support. As recently as 1956, two-thirds of all our foreign aid was military assistance, and most of our economic aid was budget support. But since 1960, supporting assistance has been ended for 18 countries. Today, two-thirds of our aid is economic in nature and almost all of this economic assistance supports long-term development and progress toward self-support. This is the key to our new efforts.

This long-range development assistance is provided primarily through development loans. The $1.1 billion requested for development loans, including the Alliance for Progress, constitutes a major share of the total request for fiscal year 1966. These loans provide assistance of two different types.

The most familiar type of loan provides capital assistance for specific projects—highways, bridges, dams, and irrigation works. They help in the construction or expansion of private industrial plants. They also assist the growth of rural electrification cooperatives and help establish local development banks, which in turn lend to private investors. For example, loans have been made to 36 industrial banks in 30 countries which in turn have made possible some 2,400 loans to private business there. These are the kinds of activities which encourage economic activity at the grassroots level where it counts so heavily and which create the institutions vital to the economy of a developing nation. These are the kinds of programs which must be emphasized if self-reliance and independence are to be promoted.

A second type of loan, called program loans, also provides a grassroots impact, not by building institutions, but by encouraging the development of private enterprise. These loans, which have become increasingly important, finance the import of equipment, supplies, and raw materials for countries with scarce foreign exchange resources. In the past year, approximately 90 percent of these funds went to the private sector in the recipient countries.

Individuals—both manufacturers and farmers—in many less-developed countries desperately need raw materials and spare parts to expand their production, and sometimes simply to keep their plants or farms operating. These loans mean vehicle components for motor companies; fertilizers for farms, machinery for factories; medical and pharmaceutical commodities for laboratories. They may be undramatic but a sound development program is made up of thousands of small undramatic improvements, replacements, additions, and investments. And it should also be pointed out that program loans finance the import of U.S. commodities only.

They are thus an asset to the private sector of our own economy. They are one important means of expanding our overseas trade.

Another vital need for the less-developed countries is skilled leadership. Building institutions—banks, educational systems, agricultural extension services—is of little value if these countries lack adequately educated and properly motivated people to make them effective. The technical cooperation program is directed primarily toward meeting these needs.

In India, for example, our programs have helped train teachers, establish a major fishing industry, solve production and market problems in private industry, and establish institutions to train engineers and agricultural experts. We all realize, I am sure, that the United States cannot and should not, even if it could, send overseas all the doctors, teachers, city planners, economists, and so forth, that are needed in these countries, nor will our assistance programs alone produce enough of these people. But that is not our immediate objective.

The technical cooperation program, for which $277 million, including the Alliance is requested for fiscal year 1966, is aimed at long-term development primarily by providing technical experts who perform advisory services and teach others to teach themselves. In other words, this assistance is intended to act as a catalyst—to provide the critical margin of resources from outside which will enable much larger resources inside the country to be put into action.

Not all of the technical assistance projects nor all of the development loan programs have met rapid success or produced large-scale results. The difficulties in the developing countries are too great for us to expect quick success at every turn. But the important thing is that steady and meaningful progress is being made. And a fact that we should remember is that for every $1 of U.S. bilateral assistance, the 20 major aid recipients in Asia, Africa, and Latin America have allocated an average of $6 for development from their own limited funds.

Mr. Chairman, I have said a great deal about development loans and technical cooperation programs because they are the core of our efforts abroad. I wanted to emphasize that most of the economic aid funds are used for purposes essential to development progress. There are, of course, other components of the aid program—supporting assistance; the contingency funds for general needs and for southeast Asia; the funds for international organizations and programs; and the funds for American schools and hospitals. These all contribute in an essential way to the objectives of U.S. foreign policy.

Our military assistance program, for example, is the key to survival to some 11 countries on the rim of the Communist bloc. It is the key to the maintenance of more than 3.5 million men under arms. These men are a deterent to Communist aggression. Without them our defense costs would be much higher and many more American troops would have to be committed around the world.

Mr. Chairman, I believe we have reported a good bill to the House. It represents the smallest total available for obligation in the last 10 years. It concentrates two-thirds of its development assistance in 7 countries, 90 percent of its supporting assistance in 4 countries and three-quarters of its military assistance in 11 countries. It also places a premium on self-help; on a recognition that the United States cannot afford to provide major assistance to countries that choose to make their own development a minor concern.

Several members of the minority on the committee have not seen fit to join in the committee report. They have instead filed minority views and I would like to take a minute or two to comment on some of their allegations.

First, as to congressional control. The impression is given that somehow foreign aid is out of control of the Congress. Aside from the fact that this is a reflection on two committees of the House, their chairmen, and in fact the entire membership, it ignores the fact that the foreign aid program is probably the most frequently scrutinized, examined, and studied of any Government program. Extensive hearings are held by the Foreign Affairs and Appropriations Committees each year. Foreign aid is one of the few programs that each year must go through a full authorization cycle and a full appropriations cycle. Congress does have control; it does have full powers of review. In fact a number of changes and reforms have been made in the program—even in the smallest details—as a result of congressional review.

Second, aid and the balance of payments: Few subjects have been so much debated and so completely distorted as the relationship of foreign aid to our balance of payments. The facts are these:

Since 1961, foreign aid has had a steadily decreasing impact on our balance of payments.

The adverse impact is at the lowest level yet achieved. More than 85 percent of the funds requested for the economic assistance program in fiscal year 1966 will be spent directly in the United States for American goods and services.

The net drain of funds from the economic aid program, taking into account repayments from prior aid loans, was about $300 million in fiscal year 1964. The latest figures for calendar year 1964 show that the annual net drain has been further reduced—to about $250 million. In 1961, by contrast the comparable drain was about $1 billion.

Third, aid and the balance of trade. Contrary to the allegation by the minority, the statements that U.S. commercial exports are rising in the less-developed area where AID maintains foreign assistance programs are correct. From 1959 to 1964, U.S. commercial exports to the AID program countries—excluding exports financed by economic assistance—rose from $3,893 million to $4,832 million—nearly $1 billion in 5 years.

It is simply not correct that a more meaningful measure of AID's impact on foreign commercial trade is the "balance" of U.S. commercial exports and imports. The "balance" is the result in two independent phenomena—the level of exports and the level of imports. The level of commercial imports to the United States from the less-developed countries is influenced by a variety of factors, including such things as the level of U.S. income and demand for goods produced in less-developed countries, the growing capacity of the less-developed countries to produce export goods, and the prices of these export goods. These are factors over which foreign aid clearly has no control or direct influence.

Nonetheless, our overall commercial trade balance with Latin America has not declined in the 1959–64 period. Indeed, in 1964 it was less unfavorable than in any year since 1959.

In addition, the U.S. share of the worldwide export market in all the less-developed regions of the world is expanding. Our overall share of worldwide exports—including aid-financed trade—to 99 countries in Latin America, Africa, and Asia in the 1959–60 period was 25 percent; in the 1963–64 period it was 28 percent. More important, the United States obtained 43 percent of new export trade with these countries since 1959–60—much more than our overall share of the export market in these less-developed countries. In other words, our relative export position in the developing countries is improving—not deteriorating The U.S. increase in new export trade was much greater than can be explained by the increase in U.S. aid dollars.

Fourth, the real size of the aid program. The minority alleges that there is some sort of plot to conceal the size of the aid program by splitting it up. This is certainly not true. And, even if it were, all the discussion about concealment would have long ago brought things into the open. The truth is that all such funds are shown in the budget, and fully reviewed and understood by the Congress.

Some of the items listed by the minority as foreign aid have little, if any, relationship to the foreign aid program as I have discussed it today. The foreign aid program has traditionally been understood to be the program authorized by the Foreign Assistance Act of 1961 and for which funds are appropriated by title I of the bill we are considering today.

The minority report lists as foreign aid, for instance, the funds for the administration of the Ryukyu Islands. The United States is responsible for the administration of these islands pursuant to a treaty with Japan. Military considerations require our presence there, but clearly these considerations are not governed by foreign assistance criteria.

Another item listed as foreign aid by the minority is the Export-Import Bank. The primary objective of the Export-Import Bank now—as it has been for over 30 years—is the promotion of U.S. export trade throughout the developed and less developed areas of the world. Its activities do spur economic growth in Africa, Asia, and Latin America, but its principal function is to bolster U.S. commercial sales to these areas.

There are other international activities of the United States which to some extent share with the foreign aid program the purpose of assisting the less fortunate nations. It is important in each case, however, to recognize the nature of the activity and the true costs involved.

Mr. Chairman, on balance I think the evidence points conclusively to the need and the necessity of continuing this program of foreign assistance and to pass this bill without reductions beyond those which have already been made by the committee. I have not meant to imply in my remarks that this program has no weaknesses, that it should go on indefinitely or that it is no burden to us as taxpayers. I have meant to emphasize, however, that much of our aid program is committed to fundamental economic development efforts, that it is primarily a catalytic agent, that it is in the best interests and the best traditions of this country, and that its weaknesses and its costs are frequently exaggerated.

Secretary of State Dean Rusk said it very pointedly and very thoughtfully in his testimony before the House Committee on Foreign Affairs last year.

The Secretary said:

> We often hear talk about what we are doing to future generations of Americans and about the legacy which we have given to our grandchildren. I would certainly not want mine—

He continued—

> to grow up in a world where the richest nation—having nearly half the world's wealth—ignored for decades the needs of two-thirds of the people who lived in poverty, disease, and hunger. It would surely not be a very safe or stable world. And even more, it would not be a very great heritage or tradition to pass on.

Mr. Chairman, foreign aid represents a major offensive weapon in our foreign policy arsenal. In an age of nuclear weapons, when any brushfire may turn into a general holocaust, it offers an opportunity and an incentive for peaceful change, progress, and growth. Other free nations combining their efforts with ours, can, must, and are helping the emerging areas of the world to develop into independent and self-reliant states. Communism cannot countenance such a world. It is foreign to its philosophy and designs.

Foreign aid, thus, is not only an effort to provide help and hope to less fortunate neighbors—a step which we should take even if there were no such thing as Communist aggression. But at a time when so-called "wars of national liberation" are being hailed as the wave of the future, it is also a foundation stone and an essential bulwark in the defense of freedom and independence.

Mr. SHRIVER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, we have been listening to debate here all afternoon of the great accomplishments of foreign aid in the past, how much it means to our foreign policy, the great good it has done. But little has been said about the harm it has done, and nobody, apparently, has been thinking about the American taxpayers.

I hate to put forth a note of discord into this love fest we have been having, but it seems to me that somebody should have something to say about the American taxpayers; somebody should have something to say about whether the American taxpayer should continue to finance wars, and whether or not this House is going to take some action.

It seems what we have done here has been to go along pretty well with what the administration wanted and with what the White House wanted. It seems to me we ought to reduce this sum. When the time comes I am going to offer a motion to recommit with some reductions. I will speak later on that under the 5-minute rule.

What have we been doing as a Congress? We have been going the White House one better in practically everything we have done.

Medicare costs were raised $2 billion over what the White House requested.

College aid was approved more than double the amount asked.

Military pay—that was raised $600 million above the request.

On civilian pay raises it looks like $400 million will be added.

On arms spending—that is to be increased above the amount asked.

The antipoverty program has all the money that was requested and more.

Area redevelopment is $250 million higher than what the White House asked for.

The old idea there should be economy in government when the economy is expanding and the old idea of economy by the Congress seems to have been forgotten. As a result, the spending in the administrative budget will soon be breaking through the $100 billion mark.

The cash budget is going to be above $130 billion.

The cut of $3.600 million in military spending in the midst of the war was needed in the year that ended last June 30 to hold the administrative budget down below the $100 billion mark, and then they were back in for more money and they got it.

Arms spending is going to rise at least $4 billion this year.

It seems to me, my colleagues, it is time we took a good hard look at what is going on. We recognize the war in Vietnam is going to cost us a great deal more next year than this year's military budget. But because of the stamp "secret and confidential," we cannot speak here on the floor today as to what we are spending to finance the war of India and Pakistan. It seems to me, my colleagues, a perfectly ridiculous thing that we should be taking the taxpayers' funds to finance a part of the war in India and Pakistan—spending money on both sides. Yet the administration is going to come in and ask for more money to fight our own war in Vietnam. All of this is done by deficit spending. Remember this, that the funds you are using to finance the war in Pakistan and India come from money borrowed at the expense of the American taxpayers upon which we are paying interest and increasing the deficit of this country.

It seems to me it is time we called a halt to some of these things. Now the gentleman who has just spoken here talked about the humanitarian side. I agree that we must have a humanitarian feeling, but let us have one for the American taxpayers as well. He talks about what we did in Western Europe. Yes, of course, we went to our allies and we rebuilt their nations. We rebuilt their economic strength. After we did it—what happened? Have they contributed to these other nations and to these funds? Take a look at the list of other countries in this question of aid. We are still footing the bill. Oh, they are making some minor contributions, but they are more interested in defeating us in trade and in business with the machines and factories that we built for them out of our resources. Why are they not in this? Why can we not ask them to go into a humanitarian program too with some of the funds and the profits of the prosperity that they now have to aid in this? Why can we not ask for something like that?

I will agree with anyone that it would be immoral if we ever let grain spoil in our granaries or if we ever let food spoil in our warehouses so long as there are hungry people in the world and so long as there are hungry people in the United States—and there are some hungry people here in the United States. I understand we have had to have an antipoverty program here because 17 million people go to bed hungry every night in the United States. Let us feed them with our surpluses as well as feed people abroad.

The story is not one sided, as we have been hearing today.

It seems to me that the Congress must begin to consider the financial side of the question as well as the question as to whether it is moral for us to support a war between two countries, as we are now doing in India and Pakistan.

My distinguished chairman read a letter which rather suggested that the House should do nothing about the war between Pakistan and India. It was stated that that is a matter of foreign policy. I agree. To a certain extent it is. But I do not believe that that is a policy which is entirely within the province of the President of the United States.

I remind the Members of the House that the Constitution provides that no funds shall be spent unless appropriated by the Congress of the United States. That provision in the Constitution gives us control of the purse strings and the determination as to whether moneys shall be used to finance both sides engaged in a war. We have a constitutional right—and, I believe, a constitutional responsibility—to exercise that prerogative and to say that we will not expend money from the Treasury of the United States to finance wars—on both sides or on one side. Whether we shall appropriate funds for that purpose is a question which comes within the responsibility of the Congress.

I hope that Congress will finally stand up and be counted. We have delegated many of our powers. We have given rights away. It is time that we again stand firm, take a look at these programs, and exercise our own prerogatives. The idea of walking up and down the aisle must come to an end. Congress should again assume its authority over programs of this kind.

I shall speak on the motion to recommit later, but I hope that my colleagues will not believe that this question of foreign aid, foreign security, or whatever it may be called, is all one sided. The American taxpayer has a right to be heard. Certainly the Congress should not merely step to the tune called to it. We should exercise our own prerogatives in this field.

Mr. PASSMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Chairman, the always highly interesting remarks of my distinguished friend, the gentleman from Ohio [Mr. BOW] remind me of the late Al Smith when he said: "Let's look at the record."

Do Members know, in fiscal year 1953, the amount of money appropriated by the House for the purpose of foreign aid? Practically 100 percent more, or twice as much as the amount suggested to be appropriated today, to wit, $6,001,900,000.

Do Members recall who was the chairman of the House Appropriations Committee back in those days, in 1954 fiscal year? That great and fine American, one of my dearest friends, the gentleman from New York Mr. John Taber. Mr. Taber and the Republicans produced a $4½ billion foreign aid bill in that year.

Mr. SHRIVER. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, it always touches me deeply to have somebody from the majority party do as the gentleman from New York has just done; that is, to take as a standard the example of Republicans and to indicate that anything Republicans did must have been perfectly all right. I appreciate the gentleman's felicity and I congratulate him on his broadmindedness and perspicacity.

Mr. ROONEY of New York. Mr. Chairman, will my distinguished friend from Arizona yield?

Mr. RHODES of Arizona. I am happy to yield to the gentleman from New York.

Mr. ROONEY of New York. I know of the high grade of intelligence possessed by my distinguished friend from the great Southwest, and I know that he does not at all believe what he says.

Mr. RHODES of Arizona. This puts me in sort of a dilemma, I say to my friend from New York; either I have to admit that I do not have as much sense as he says I do, or I have to say that I do not believe what I have just said. I cannot do either.

I will reiterate the point and say that it seems that on the other side of the avenue, 1600 Pennsylvania, this is getting to be a very important exercise every day. Apparently, a letter is brought out which was written by President Eisenhower at one time, which has been used to indicate that the present Vietnam policy was completely fathered by a Republican administration. Even though the letter does not prove the point at all. Again I say I am touched and I am delighted that the Democrats of the country are so pleased to be on the side of the Republicans. I congratulate them.

I should like to say, however, to my good friend from New York, that the figures which he quoted as an appropriation for foreign aid by the 83d Congress came, as he knows full well, during the days of the Korean war. I believe if he will look at the record and make the appraisal which I am sure he is perfectly capable of making—and will make, because he is an honest man—he will realize that after the Korean war was finally ended by a Republican President the appropriations were cut considerably, and came up then quite considerably under later Democratic administration.

Mr. ROONEY of New York. If the gentleman will kindly yield further, I should like to say that the appropriations never got down to the "bare bones" they are today.

Has the gentleman forgotten what is going on at the moment in Vietnam?

Mr. RHODES of Arizona. Of course I have not forgotten what is going on at the moment in Vietnam. I have not forgotten what is going on in Pakistan and India, either.

I believe it is very important that this House take a stand against a current which seems to be developing throughout the world—that is, that nations get American military aid and American economic aid and then go to war with each other. They start having wars in which we find ourselves represented vicariously on both sides, in the shape of weapons we have furnished to each combatant.

We have seen this happen on Cyprus. There, weapons furnished by the Turks which we had given them originally were arrayed against other weapons we had given the Greeks. These weapons found a rendezvous on the Island of Cyprus, shooting at each other.

I do not believe we should pass this bill until the Congress of the United States has gone on record in support of what I understand, from my good friend from Texas, is the policy of this administration. I understand that the President of the United States has already announced—if I am incorrect I am sure the gentleman will correct me—that military assistance both to India and to Pakistan has been suspended pending such time as the present war between those two nations has been completely stopped. I also understand that further agreements for economic assistance to either nation will not be made so long as there is a shooting war between these two nations.

I believe Congress should go on record in support of the President's policy. We should put in this bill a provision which will strengthen his hand in the purpose which he has already taken up.

I wish to say, Mr. Chairman, that in this bill for the past several years we have had a prohibition against foreign aid to any nation which allows its ships to be used in trade with Cuba. I am sure this provision has had a very salutary effect in aiding the efforts of this Government to stop trade with Communist China.

Mr. PASSMAN. Mr. Chairman, will the distinguished gentleman yield?

Mr. RHODES of Arizona. I am happy to yield to the gentleman from Louisiana.

Mr. PASSMAN. Certainly it was the subcommittee's loss that the distinguished gentleman from Arizona moved on to another committee. So as to keep my own record straight, in keeping with the statements that I made earlier today—and if they are not correct, of course, I want to be corrected—this is, in reality, one of the largest appropriation bills ever passed by this House in the history of the foreign aid program. I brought that point out in my earlier discussion because the program has been fragmentized. During the period it has been my privilege to handle the bill on the floor final appropriations have been down as low as $2.7 billion on two occasions.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. PASSMAN. I yield the gentleman one additional minute.

If the gentleman will yield further, final appropriations have been down to $3 billion on one occasion, and down to $3.25 billion on another occasion. However, we must also take into account that we now channel aid into a lot of different international organizations. So I stand on the previous statement that the total aid request is $7,512,470,000. I am compelled to make that statement in defense of what I said earlier today.

Mr. RHODES of Arizona. As the gentleman from Louisiana, I am sure, realizes, the very figures he has set forth are to be found in the minority report. This is a very high bill, one of the highest we have brought up since I have been in Congress. I want to congratulate the gentleman from Louisiana on the work he has done in his committee this year, as always, and on the fine presentation he made. I also want to say I miss being on this subcommittee.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. PASSMAN. If the gentleman will yield to me, I will yield to the gentleman from New York [Mr. ROONEY] for a question, although I may not be able to answer it.

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. ROONEY of New York. I wanted to ask my distinguished friend, the chairman of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN] whether it is not the fact that when this foreign aid bill passed the House in the 1953 fiscal year, it was not in the amount of $6,001,900,000.

Mr. PASSMAN. I think that is correct. That still does not amount to the $7,512,470,000 figure I just mentioned.

Mr. SHRIVER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I have asked for this time to advise my colleagues of the House that at the appropriate time it is my intention to offer an amendment to this bill which would deny aid to countries who are shipping or permitting their ships to carry goods to North Vietnam. When we were threatened by communism in Cuba, this is what we did. We attempted to isolate Cuba and in the foreign aid bill at that time we provided that no aid would be made available "to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba" certain items of aid. That provision continues in the bill we have before us today and which we are going to be acting on soon. I say that while Castro is still a continuing threat, the problems we are facing in Vietnam are imminently more urgent. I say it is not right to deny aid to countries that are trading with Cuba and not include a prohibition against aid to countries that are permitting their ships to carry materials of war to North Vietnam. What is the scope of this shipping? My colleagues, some of you may have heard me call attention to this in the past, but the conference report we approved just recently on page 23 says:

"Free world ships carry 45 percent of North Vietnam seaborne imports and 85 percent of seaborne exports."

Just think of this Free world ships supplying North Vietnam. I told you then that I challenged these figures, and that they are not the whole truth. I hold in my hand a secret document which will tell you, those of you who are concerned about this and want to come and look at it, the true extent of this aid to North Vietnam. It is alarming.

I ask the gentleman from Louisiana, the chairman of the subcommittee, to tell me if it is not true that this bill will provide aid to some of these countries that are carrying on this traffic?

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield to me?

Mr. CHAMBERLAIN. Will the chairman of the subcommittee answer this question? Does this bill not contain aid to countries that are shipping to North Vietnam?

Mr. PASSMAN. This bill is on an illustrative basis so that it is impossible to tell from the justifications. The agency can testify for concerning money for a school building in Argentina and take that money and build a summer resort on the Ivory Coast.

Mr. CHAMBERLAIN. The information made available to me by staff members of this subcommittee is that there is aid in this bill to nations that are shipping to North Vietnam.

Mr. Chairman, the President has told us that this is war. I agree with him. It is war. I have been to South Vietnam just recently. I have been to Da Lang and Pleiku and Chu Lai. I have been to the hospitals. I have seen what is going on there. It is war. We cannot have a double standard and permit aid to the countries whose ships are carrying supplies to North Vietnam while we prevent aid to countries whose ships sail to Cuba. That does not make sense. We owe it to our military people in Vietnam and the other 50,000 boys that the President says he is going to send there and those are to be asked to serve because we are doubling our draft calls and sending more boys out there.

How can we sit on our hands here and do nothing to stop the shipping that is going to North Vietnam?

The President has stated that this is war. He has recognized this. He has stated that he does not like it. I know he wants it stopped. I know that the Secretary of Defense wants it stopped. I know that every Member of Congress wants it stopped. I say that here is the opportunity for us to do something about it. Let us help the President to stop it.

Our Founding Fathers when they wrote the Constitution provided that appropriations shall be made by the Congress, because we are closer to the people. I say the American people do not want aid sent to North Vietnam. I say that here is a chance for us to do something about it. We should help the President stop this trading with the enemy.

Mr. Chairman, I say that there is a moral issue involved here, too.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Michigan now yield?

Mr. CHAMBERLAIN. I yield briefly to the gentleman.

Mr. ROONEY of New York. The matter to which the gentleman from Michigan has directed our attention for more than 5 minutes now, will, I think, be amply taken care of when this pending bill is read for amendment. I shall then offer an amendment to cure the very situation he has mentioned with regard to North Vietnam.

Mr. CHAMBERLAIN. Mr. Chairman, may I say that I am heartened by those words, because my colleagues know that I have taken the last few weeks to get the facts on this and call them to the attention of the House. I am glad that my voice has been heard and that something is going to be done about it.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman.

Mr. PELLY. Mr. Chairman, I want to commend the gentleman. I introduced legislation to carry out this purpose, and a report came from the Department of State against the passage of that proposed legislation. I am going to support the gentleman's amendment, and I hope that we will get some action one way or the other.

Mr. CHAMBERLAIN. Mr. Chairman, I thank my colleague. I would like to say that I have addressed a letter to the Department of State. It is my purpose soon to read it into the Record so that all Members of Congress, including the Members of the other body, may know the attitude of our State Department with respect to this deplorable situation. They seem to think that there is nothing wrong with it.

Well, as I say—and I am glad my colleague, the gentleman from New York [Mr. Rooney] has recognized this—there is a moral issue involved here which goes far beyond the dollar amount of this aid.

Mr. Chairman, we have got to let the nations of the world know that we mean business in Vietnam and that we are not going to continue aid to countries that are supporting North Vietnam.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. PASSMAN. Mr. Chairman, I yield the gentleman 1 additional minute so that I may respond to the gentleman.

The CHAIRMAN. The gentleman is recognized for 1 additional minute.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. Yes; I would be happy to yield to the distinguished gentleman from Louisiana.

Mr. PASSMAN. Certainly, I was not trying to be evasive in giving the gentleman an answer earlier.

We would assume, based upon what has happened in the past, that nations who are shipping into North Vietnam will receive aid, but as I have stated so many times to Members of the House, we pass this bill on an illustrative basis and the only way you can protect the American taxpayer, and for that matter, our foreign policy is to keep the figure low. When you keep these figures high, there is always some way that they can get around to giving aid to countries like Egypt, Yugoslavia, Cambodia, Indonesia, and many others for that matter. I wanted to keep out of that, but I have been preaching this since I have been handling the bill, that you have large sums going into Communist countries.

I wanted the gentleman from Michigan to understand that I was not being evasive. I do not know what the approach will be next year under this bill, but we hope before we finally pass this bill now under consideration an amendment will be adopted that will close the gap to which the gentleman has referred.

Mr. CHAMBERLAIN. Mr. Chairman, I would not want to have this Record indicate that the gentleman from Louisiana was being evasive in the slightest. I discussed this with my colleague before and he is most cooperative about this. He understands the situation, and I am certain that we share the same views with respect to shipping to North Vietnam by free world nations.

Mr. PASSMAN. If the gentleman will yield further. I hope the gentleman from Michigan understood my statement earlier that my wings had been clipped and all I can do is crow and cackle, and I do not want to be too serious.

Mr. CHAMBERLAIN. I thank the gentleman for his contribution.

Mr. PASSMAN. Mr. Chairman, I yield 6 minutes to the distinguished and very able gentleman, a member of this subcommittee, the gentleman from Maryland [Mr. Long].

Mr. LONG of Maryland. Mr. Chairman, I am not going to speak on the entire bill, but wish only to address myself to correcting two misleading statements contained in the minority report.

The minority report states on page 15 that there is a definite relationship between the gold outflows and the Federal Government's program of spending in foreign countries.

Mr. Chairman, this is not only incorrect but it is in fact the opposite of the truth. The fact is that our gold outflows are almost entirely to countries that do not now receive, and in most cases, have not received for 5 or 6 years any aid assistance, either military or economic, either grants or Government loans.

Mr. Chairman, of the eight countries which get the overwhelming bulk of our gold in fiscal year 1965, $1.5 billion, 93.8 percent—nearly 94 percent—only one country, Spain, received any foreign aid, and that was less than $9 million—a relatively small item.

Mr. Chairman, nearly all of the aid went to countries which took only 7.2 percent of the U.S. gold.

So, if we are losing gold, it is not because of our present aid program, despite whatever this may have had to do with it in the past.

I think the minority may argue that what we have done in our past programs was to put these countries in the position of buying our gold at the present time. This is quite true. This was our object, to make these countries healthy and prosperous. Many of these countries had cashed in large quantities of gold to buy munitions for World War II. This took the place of our help at that time. After they got their prosperity back, they wanted to buy back their jewelry, and most of this has gone to those countries. So far as the present AID recipient countries are concerned, I cannot conceive of their ever being as prosperous as the countries which are taking our gold. They are going to have a tough problem for many decades to come, and they cannot afford gold. They can afford only to take our help.

The minority report says on page 15:

> Our commercial trade balance with aid-recipient countries has dropped sharply since 1960. The Latin American commercial trade balance is particularly alarming.

Here again I think this is completely wrong and misleading. Since 1959 our policies have required that aid appropriations must be spent wherever possible in the United States for goods and services produced in this country. $6 out of every $7 in aid during 1965 has been spent directly in this country. Of course, not all can be spent directly, because an American military adviser or an AID official cannot go back to the United States to get a haircut. He has to get it right there. Some of it must be spent over there. This has not been responsible for any loss of our commercial trade balance. Since 1960 we have improved our worldwide commerce surplus by $2.2 billion. Actually our foreign aid program has improved U.S. dollars. Our foreign trade program, by giving U.S. dollars to underdeveloped countries and obliging them to spend these dollars in U.S. goods and services has not impaired our commercial trade balances. Very much as if I gave my brother-in-law a lot of money and insisted that he spend it in my store. I would improve my sales. I am not arguing that that is the best way to improve sales but, nevertheless, it would have the effect of increasing business.

The U.S. share of trade with 12 countries rose from 19 percent in 1959–60 to 22 percent in 1963 and 1964. With 20 countries of the Near East and southeast Asia from 21 to 27 percent; with 48 countries in Africa from 7 percent to 9 percent. With 99 developing countries altogether from 25 to 28 percent. Only with Latin America does our share vary slightly, and that is only from 48 to 47 percent.

Thus our trade balance with AID recipient countries has risen during the period set forth in the minority report. The report therefore is incorrect. All we can say about our aid to underdeveloped countries is that it has not hurt our trade.

I want to say in conclusion I support this bill, I am very much in favor of it. I think America can be proud. We are the only great Nation in history that has used its power to give rather than to take. I am proud to be an American when I consider what we are doing here today.

It is remarkable that what we are giving only amounts to about $3 per capita for the countries we are trying to help. It would be amazing if this solved all of the problems in a short period of time.

I think it would also be remarkable if we made no mistakes in view of the lack of experience.

We should not eliminate these programs, but cut away the excess fat.

I support this program, and I urge all my colleagues to do likewise.

Mr. PASSMAN. Mr. Chairman, I yield myself 1 minute.

Mr. SHRIVER. Mr. Chairman, I yield the distinguished chairman of the subcommittee 5 minutes.

Mr. PASSMAN. Mr. Chairman, may I say again in defense of my own integrity and the statements I made earlier in the day that the language in the minority report, in my opinion, is absolutely correct. It is just a coincidence that the language and data in the minority report coincided with what I had established earlier. There is, and I repeat, is a definite relationship between the gold outflow and the Federal Government's program of spending in foreign countries.

We brought this problem to the attention of the committee about 8 years ago that we were giving too freely of our wealth to many countries and that they were building up dollars in excess of their needs for commerce and that the time would soon come that they would demand gold for their extra dollars. I say again the record is accurate.

I respect the views of the gentleman from Maryland. But this is data that I have also used in the past.

As to the table found on page 20, again it was just a coincidence that the minority included that in their report. The recipients of this program did, during those 8 years, purchase $7,013 million of our gold. Further, it was aid that we gave to them in 1958, 1959, 1960, and 1961 which, I say, when they got ready to spend the dollars that they had accumulated, they bought our gold.

Also, in the bill being considered by the House today, the analysis of the 1966 budget indicates 43 of the countries contained in the gold table found on page 20 will receive foreign aid, economic and military, in the amounts of over $1,300 million.

I do not think this is a "relationship." I think it is a direct cause of the gold outflow. As I have said on so many occasions before, there are no facts or statistics that will disprove the accuracy of my statement and the accuracy of the contention contained in the minority report.

I had to make this statement in defense of what I said earlier today. I want to commend the gentleman from Kansas [Mr. Shriver], for putting this data in the minority report, because it is something that I had toyed with previously, but I did not have the votes to get it in the majority report.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 10871 because as an American I am proud of what my fellow Americans are doing to help the less fortunate in foreign lands.

More than 5,000 AID technicians—all Americans—are today working shoulder-to-shoulder with the people of the recipient countries showing them better ways to build things, better ways to grow things, better ways to educate their children, better ways to improve public health, better ways of public administration—and in general, better ways of living.

Our technical assistance has helped to achieve agrarian reform in the Philippines, conquered malaria in Free China, taught do-it-yourself home building in Guatemala, attacked illiteracy in Colombia, modernized agricultural techniques in Vietnam, and set up farm cooperatives in Nigeria.

In India, technical assistance has helped to train teachers, establish a major fishing industry, solve production and marketing problems in private industry, and establish first-class training institutions for engineers, industrial technicians and agricultural experts.

In Chile, it has helped to effect tax reform and improved tax collections systems, create a savings and loan system, and provide decent housing for low-income families.

In South Vietnam, U.S. technical assistance has helped to raise farm output, organize village health services and education programs, stamp out malaria, and initiate a public safety program against Vietcong attacks.

In Nigeria, technical assistance has helped to create a modern poultry industry, increase cement output, expand private industry, and reshape the educational system.

In Jordan, our technical assistance has meant a thriving tourist industry, more irrigation projects, tax reforms, and improved civil service administration.

Because we have learned that American assistance can have lasting effect only to the degree that it improves the ability of another country to do something for itself, we have set up as an objective of technical assistance the helping of developing countries to get on their own feet, by creating the facilities and the institutions, and training the people to solve their own problems.

It is important that we leave not only physical results—a dam, a road or a factory—but people who are ready, willing, and able to continue their own development when we have departed from their country. This is the mission of technical assistance of our aid program, and for this reason, if not for any other, H.R. 10871 deserves our full support.

As Americans we who believe more than any other people on earth in the concept of world brotherhood, we should take pride in this unselfish effort.

Mr. PATTEN. Mr. Chairman, the very nature of Communist theory makes the military assistance program of the foreign aid bill an essential part of our foreign policy.

Communists are pledged to an international conspiracy to end systems of free enterprise and replace them with totalitarianism. If we are dedicated to the independence of the individual, we cannot sit idly by as Communists infiltrate one country after another. The security of the United States is at stake; the dignity of man in the balance.

An appropriation of $1,170 million is requested for military assistance this fiscal year. About 72 percent of these funds will go to just 11 "forward defense" countries stretching from Greece to Korea along the Communist frontier. Without this aid, much greater burdens would have to be borne directly by our own military forces.

The request this year consists of a basic program of $1 billion to meet minimum essential needs plus an additional $170 million to cover extraordinary costs in Vietnam and Laos.

The total request is more than a quarter of a billion less than the annual average appropriation for fiscal years 1960 through 1964, and almost $5 billion less than the peak appropriation at the time of the Korean war and NATO buildup. We have been able to reduce and, in some cases, eliminate programs in countries of increasing economic strength.

Credit sales are used more and more to supplement or substitute for military assistance grants.

Much of our military assistance goes for the purchase of a wide range of defense equipment and other materials. Training is also an essential component. Many present and future military leaders are brought to the United States to observe the functions of a responsible military establishment under civilian direction.

Military assistance also makes a direct contribution to U.S. security by providing funds for U.S. participation in collective security organizations such as NATO, CENTO, and SEATO.

Today the free world needs the strength and support of the United States. We cannot abandon our small allies to dictatorship. With our help they have a chance. Without it, they are lost. And, perhaps, so are we.

Mr. LANGEN. Mr. Chairman, we are being asked to vote for an increase of about $35 million over last year's appropriation for the foreign aid program. I consider this completely indefensible and suggest instead that the amount can be substantially cut without any impairment of the aid program or international relationships.

The record in the past is only too clear. Foreign aid dollars have failed miserably in stopping the advance of communism in the world and have too often been used by the world's dictators as ammunition against the free world. There has been little guarantee that our money has ever reached the people for whom it was intended.

The American people, it seems to me, share the view that the foreign aid program should be completely revamped. The people want assurances that their money goes to those who really need and appreciate it. They have not had those assurances in the past and they will not find assurances in the bill before us. The American people are extremely generous, and would not hesitate to spend the three-plus-billions of dollars asked if our Nation was really benefiting and the recipient nations were really using the funds to best advantage.

Foreign aid is said to be a tool of our foreign policy, and that is exactly what it should be. But it has failed in large measure in being a tool of any sort. We still continue to pass our aid to countries that are not only unfriendly, but openly hostile, siding constantly with our enemies. And when we try to write even one sentence into legislation in an effort to cut off such aid to hostile nations, the administration cries in anguish that our whole foreign policy will be impaired. We also hear the same cries of anguish when we try to cut a few dollars from the appropriation. But we have cut funds before and I dare say our foreign relations never suffered from a lack of funds. Our image may have become tarnished around the world in recent years, but as we pointed out in the minority views accompanying this bill, the impairment in our image was not due to any reduced amounts of foreign aid.

Mr. Chairman, Congress has completely lost its control over our foreign aid program. Once we appropriate the money, anything can happen. It is startling to note from the committee testimony that it would be perfectly possible for administrators of the aid program to testify before the committee requesting funds for a building and loan bank in Guatemala and then turn around and build a mountain resort in Brazil with the money. The program's administration is so lax that the Congress does not even hear about certain projects until after they have failed miserably through bungling and mismanagement.

In other words, the Congress and the American people have no effective way of stopping this foolish spending except to slash the funds available. I suggest we do just that and then develop a program that will really aid the needy of the world.

Actually, the present foreign aid program represents preferential treatment of foreign nations over the people of the United States. If anyone in our country wants a new dam, a flood control project, or any other local program, the interested parties must come to Congress with a workable plan. But not so with foreign interests and the foreign aid people. If they did have to come to Congress to justify their programs we would see fewer roads that lead to nowhere, fewer TV sets sent to bush country where there are no transmitters or electricity, fewer hay balers to a country that does not raise hay, and less eye shadow and bubble gum to Turkey.

Perhaps I would not be so concerned about all of this if the three-plus billions being considered today actually represented all of our foreign aid effort. But it does not. Requests for foreign assistance submitted to Congress this year amount to over $7½ billion. And the unexpended balance—pipeline—as of June 30, 1965, is estimated to be over $10.6 billion.

The balance of trade has shown a significant trend. Some countries have been receiving our aid since the days of the Marshall Plan, and you would expect that it would have opened the way for increased U.S. trade. However, our commercial trade balance is in a significant downward glide.

The advocates of uncontrolled foreign aid tell us that it has no effect on the critical outflow of gold. But the facts indicate otherwise. For the 7-year period of 1958 through 1964, 57 countries who have received $14.4 billion of our assistance also have purchased over $7 billion in U.S. gold stocks during the same period. Fourteen of those countries bought an additional $769 million of our gold during the first quarter of this calendar year 1965. These figures do not even include the benefits these countries have received in special tariff considerations on marketing their sugar, beef and other commodities in the United States.

We are told not to worry about the dollars spent on foreign aid because most of them are spent right here in this country. This is a myth that simply is not true. Close examination reveals that we are talking about only total commodity purchases. For example, in fiscal year 1963, $855 million was spent on commodities out of total foreign aid grants and loans of $5.17 billion.

Mr. Speaker, we in the minority on the Appropriations Committee believe that foreign assistance can be worthwhile, but we cannot subscribe to the present system. The focus of our foreign aid program should be upon responsive projects that use our abundance of food to feed the unfortunate peoples of the world where starvation is all too prevalent. And initiation of educational programs are needed to help the people of newly emerging nations to better enable them to take their place in a continually more complex civilization.

Until those worthy objectives have been accomplished, I suggest that we put a stop to the present program.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

All time has expired. The Clerk will read.

The Clerk read as follows:

> Contingency fund, southeast Asia: For expenses authorized by section 451(a), $89,000,000.

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, it has been interesting to hear, starting with consideration of this bill on the floor of the House, the attempts to soft pedal the Pakistan-India war that is now going on. For years some of us have warned, and we were voices in the wilderness, that this Government was arming and otherwise aiding some countries thus making it possible for them to go to war against each other. I do not know why the attempt is being made here today to minimize the war between India and Pakistan because as a result of this bill and maladministration of the foreign handout program there will be a continuation of the fatal errors already made.

This Government spent hundreds of million of dollars, yes billions, arming and otherwise helping those two countries. Yet it was only a few weeks ago that Prime Minister Shastri of India went to Moscow and while there told us we should get out of South Vietnam. He did our cause no good around the world by issuing such a statement. We have been trying to get some help in Vietnam. As a result of the $130 billion that has been expended by this country around the world since the end of World War II on foreign giveaways, where have we found any friends to help us with the fighting and dying in Vietnam?

Still the leader of India goes to Moscow and while there tells us that we ought to get out of Vietnam, and gives comfort to those around the world who say, "We are delighted that you are doing the fighting. You go ahead and do the fighting and the dying."

A little while ago the gentleman from Ohio [Mr. Bow] asked where the money is going to come from to pay this bill. The same question has been asked year after year. The answer he gets is a lot of silence, as usual, from those who are so free with the money of others. I am afraid the gentleman from Ohio is a little bit too old fashioned to qualify for membership in the Great Society. Too few are concerned about the debt and deficits in this country, but they are concerned about deficits in foreign countries. As I mentioned a little while ago, the handout artists gave $15 million to the government of Ecuador because of their budget deficit, when they had the credit to borrow money from the International Monetary Fund.

The gentleman from Maryland has tried to make an issue of the fact that we are not giving economic aid to some of the countries which are buying our gold. For example, let us consider France. We are no longer giving economic aid to France and probably not very much military assistance. But what would be the situation if France assumed the responsibility of defending France against the Communist conspiracy instead of the United States maintaining four or five divisions in Europe at being expense to American taxpayers?

We ought to bring those divisions home. France ought to be spending the money and providing the troops to defend France. She would not have quite so much money to buy our gold if she were providing her own defenses. The same statement applies to other countries of Europe.

After all these years, I think I have found the real answer to the attempts of the foreign aiders to rationalize the spending of our money around the world. I wish to read very briefly from page 1508 of the committee hearings when the subject of Togo was before the committee. The gentleman from Kansas [Mr. SHRIVER] asked the following question:

> What is the purpose of our putting money into that country when other countries have been contributing toward their economic development?

Mr. HUTCHINSON's answer for the aid outfit was as follows:

> The basic rationale is what I gave you earlier. The necessity for them showing that someone is interested in them rather than the people they used to have their dependence upon.

It was not a question of real need; it is a proposition of showing them that we are big, open-handed spenders; that we simply cannot let anyone prevent the Great Society from dissipating the resources of this Republic.

Mr. Chairman, this bill is a repeat performance of every other multi-billion dollar handout that has come down the pike for the past 17 years that I have been a Member of Congress. The American taxpayers are again being jobbed by those who have no policy except to continue the discredited effort to buy and bribe around the world.

Apparently it is utterly futile to try to cut this bill in the interests of trying to save this country from ultimate bankruptcy. I will vote against the bill.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. FISHER. Mr. Chairman, I rise to give my wholehearted support to that portion of the military assistance program which is directed to Nationalist China. The amount of money for Formosa is, of course, a classified figure, but I engage in no breach of security when I express my satisfaction that it is a figure larger than last year or the year before. We know from what has happened during the past decade that we get more for every dollar that is spent in military aid to our friends in the Republic of China than perhaps any other place in the world. That return is in the form of mutual security.

Our country is being honored at this time by a visit from the wife of the President of the Republic of China. Madame Chiang Kai-shek is one of the world's greatest women. She is universally respected and admired by the American people. She has been closely identified with the great struggle for human freedom in the Pacific area. We can benefit from her wise counsel and sound judgment.

Mr. Chairman, many of us have doubted the justification for billions of dollars in foreign economic aid which has not been productive of good results in recent years. I think history has vindicated our judgment in opposing many projects which have involved vast amounts of waste and extravagance. That, however, has not been the case in Formosa, where there is something tangible to show for our efforts. It is unfortunate that economic and military aid have always been lumped together in the same bills ever since foreign aid began. The two should be treated separately.

Our country, both through its economic-aid program and its military assistance, has helped to weld a powerful military force on the island of Formosa. Today there are some 600,000 combat-ready troops plus a capable Air Force, a relatively small but effective Navy and other supporting units. With the situation being what it is in southeast Asia, there is no need to belabor the importance of these forces of the Republic of China to our own interests in the Far East—and indeed, throughout the world.

We hear and read much about the committed and uncommitted nations. There is no more committed nation than the Republic of China. They are ready—they are more than ready—they are anxious—to uphold freedom, and this they have proved over the last 16 years.

Sometimes we wonder who are our friends and how long they will remain our friends; we need have no doubt in this respect so far as Formosa is concerned. We have no better friends—and at this juncture in world affairs, we have no more important friends.

Our investment, both in economic and military aid, has, of course, been very large. And no assistance has provided greater rewards. Even if we were to view these large expenditures from the most narrow, parochial, and selfish standpoint, we would be justified in continuing our military aid to the Republic of China for the sole purpose of protecting the large investment which we have already made.

We are all aware that our economic aid to the Republic of China has now come to an end and there may be those who would say that this being so, the Republic of China is now capable of taking care of itself not only economically but militarily. Nothing could be further from the truth. The end of economic aid programs in Taiwan does not mean that the Chinese have become rich. Per capita income averages only $150 a year as compared with something over $2,500 in the United States. We would be short-sighted and foolish to even consider stopping or lessening our military aid to this bastion of freedom in the Far East.

It will be recalled that when a bill was being considered by the other body, an amendment was offered to add $100 million to the amount in the bill for Formosa. The amendment was withdrawn and I must say that I regret this fact. It is my understanding from a reading of the RECORD that the amendment was withdrawn for only one reason—and that reason is that assurances were given which made the amendment unnecessary. I am not aware of the details underlying these assurances but I have every reason to believe that they must have been of a very persuasive nature.

A mere glance at a map of the far Pacific makes immediately evident the importance of the island chain of which Formosa is a vital link. This whole island chain furnishes bases to support the operation in South Vietnam and elsewhere in southeast Asia.

Although highly unlikely at this time, it is certainly not beyond the realm of possibility that our own air and naval forces might at some time be required to take over the primary role in the containing of Communist China. Should that eventuality occur, these island bases are indispensable to that mission.

Today we have base facilities on Formosa which are, however, only on a standby basis. The security of Formosa is intimately tied to that of Okinawa and the Philippines, the sites of our principal advance air and naval base complexes.

Under no circumstances could this country—or the Western World—permit a Chinese Communist occupation of Formosa since this would expose both Okinawa and the Philippines to Communist infiltration and subversion.

Let us not for a moment forget that only a year ago in their letter to the Soviet Communist Party the Chinese asserted:

> Two-thirds of the world's population need to make revolution * * * Violent revolution is a universal law of proletarian revolution. To realize the transition to socialism, the proletariat must wage armed struggle, smash the old state machine, and establish the dictatorship of the proletariat.

Red China now has a nuclear capability and the Free Chinese on Formosa feel more sharply than any of their Asian neighbors the shock of the Chinese Communist nuclear explosion for the very simple reason that they believe it foreshadows a military capability aimed directly at them. The Communists across the narrow straits that separate Formosa from Red China continue to pursue their campaign of political denunciation and military threat.

As Secretary McNamara testified to the Armed Services Committee earlier this year—

> The Chinese on Taiwan (Formosa) must maintain, and we must continue to help them support, large modern military forces if their territory is to be defended.

And I will add, if all of our varied interests in the Far East are to be defended.

Perhaps there is no better summary of our national attitude toward Formosa than that expressed by Secretary of State Rusk during his visit to Taipei last year. During that visit he said:

> The Communist regime on the mainland of China calls itself revolutionary and boasts of progress, despite the fact that its policies have inflicted terrible setbacks on the people of the mainland. It is the Government and people of the Republic of China who have been carrying out successfully progressive programs which reflect the true revolutionary inheritance of the three people's principles of Dr. Sun Yat-sen. These forward-looking programs continue to improve the well-being of the people of the Republic of China.
>
> I salute the resolute will and positive achievement of the Republic of China under the leadership of President Chiang Kai-shek. The American people have always regarded the Chinese people with admiration. We value you as stalwart comrades in the struggle to secure a more prosperous, just, and satisfying life for all free men everywhere, and a peace safe from the threats of aggression. I look forward to discussions with your leaders on the major problems facing free men today. May the friendship and close understanding between our two peoples, as your own phrase puts it, live 10,000 years.

Let me conclude with this flat statement: We should give every measure of support to the Republic of China that is within our power. They are a stabilizing force in the Far East at this moment. They are a potential striking force at any time from this moment on should that necessity arise.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Page 3, line 12: Administrative expenses: For expenses authorized by section 637(a), $54,240,000.

Mr. BENNETT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have long been a critic of how the foreign aid program has recently been carried out by our Government, and this criticism is felt by millions of Americans and by a large portion of Congress.

The tremendous financial outlay for foreign aid today is a great drain on the country's fiscal strength, especially in view of the recent large spending programs passed by Congress, and the real necessity to spend many billions of dollars on our military mission in Vietnam.

It is obvious that tremendous administrative improvements must be made in the foreign aid program and waste eliminated wherever possible.

Besides that, the program is far too flexible and lacks specific congressional attention and restriction to individual projects and countries.

I am a strong advocate of the military program of the foreign aid legislation being placed in the Department of Defense with review by Congress coming through the House and Senate Armed Services Committees. The military items should get the close scrutiny and careful attention that is given our own military expenditures. Nothing like this or even approaching this is presently the case and with more money going into crisis areas around the world we need this more than ever.

As we debate the appropriations measure in our foreign assistance program of 1966, let us now note that it is time to consider the next foreign aid program. We now need to study our whole approach to overseas spending, including payments to the United Nations, and to find a fresh approach to foreign aid which will best serve our national interest and keep the peace.

I have already mentioned the need to split the military aid and the economic aid portions of the program. I would also hope that further study might be given to my legislation which would ban payments to the United Nations for programs contrary to the policies of the United States.

The Vietnam war, the Dominican revolt, and the current fighting between India and Pakistan are all involved with our overall foreign aid program. There is no better time than now to make sure we are spending our foreign aid money in the right place at the right time. We should question ourselves as to whether there would be any war in India and Pakistan today if we had not been pouring U.S. taxpayer dollars in there and increasing our own national debt to do it.

It seems to me we are in a rut with our continued policy of foreign aid.

Let us plan now to split our military and economic assistance.

Let us plan now to have a specific congressional check on all spending in each and every country we support with our aid.

Let us get a fresh approach to the program.

The CHAIRMAN. The Clerk will read.

The CLERK. Page 3, line 19:

> Unobligated balances as of June 30, 1965, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1966, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Mutual Security Act of 1954, as amended, and the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance" are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

Mr. GROSS. Mr. Chairman, I make a point of order against the language appearing on page 3, beginning with line 19 and running through the remainder of that page to and through line 13 on page 4.

I made the point of order on the basis that the authorization bill contains section 649, which reads as follows:

> SEC. 649. LIMITATION ON AGGREGATE AUTHORIZATION FOR USE IN FISCAL YEAR 1966.—Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated for use during the fiscal year 1966, for furnishing assistance and for administrative expenses under this Act shall not exceed $3,360,000,000.

Mr. Chairman, I point out that listed at the top of page 3 of the committee report is the "carryover from prior year appropriations," in the amount of $158,352,000, which is a part of the unobligated carryover that is controlled under the language which I seek to strike under the point of order.

There is further "deobligations of prior-year obligations" listed in the report at the top of page 3. This is also controlled under the language that I seek to have stricken under the point of order.

Mr. Chairman, it is difficult to find the total amounts of all appropriations contained in the language to be found on pages 3 and 4, to which I have referred, but in order that this bill to be made to conform to the new section that was written into the authorization bill, which has been signed by the President of the United States and is now law, I submit that the language in the bill to which I have referred must be stricken.

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. PASSMAN. Yes, Mr. Chairman. It appears to me that we are dealing with two different acts.

Under the authorizing legislation there was a ceiling of $3,360 million of new appropriations. The bill before the House calls for only $3,285 million in new appropriations. Some part of the previous money appropriated is 1-year funds and does not necessarily carry over, and we are following the language in the authorizing legislation itself.

I refer to section 645 of the Foreign Assistance Act of 1961 as amended:

> Unexpended balances of funds made available pursuant to this Act, the Mutual Security Act of 1954, as amended or Public Law 86–735 are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this Act.

Mr. Chairman, I ask for a ruling.

Mr. GERALD R. FORD. Mr. Chairman, I should like to be heard on the point of order.

I believe it is necessary to read section 649, as shown on page 10 of the authorization conference report, very carefully. I read from page 10, section 649:

> Limitation on aggregate authorization for use in fiscal year 1966.

I refer specifically to the inclusion of the words, "aggregate authorization."

The language goes on:

> Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated—

I repeat:

> the aggregate of the total amounts authorized to be appropriated for use during the fiscal year 1966 for furnishing assistance and for administrative expenses under this Act shall not exceed $3,360,000,000.

Now, the aggregate of the total amount is the $3,285 million in new appropriations plus an admitted amount of reappropriations of prior year appropriations under this act.

Under this act—under this act, I emphasize and reemphasize. The provision which the gentleman from Iowa seeks to strike on the point of order at the bottom of page 3 and the top of page 4 of the bill refers to all appropriations under this act, title I. I cannot help but argue as emphatically as I can that when you take the new money and the unobligated balances which are reappropriated, you inevitably go above the ceiling of the aggregate total amounts which are limited by the authorization act as is indicated in the report. It seems to me beyond any question of doubt the gentleman's point of order is valid.

Mr. MAHON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I believe that the remarks made by the gentleman from Louisiana [Mr. PASSMAN] well cover the case before the Chair. I would point out that the gentleman from Michigan [Mr. GERALD R. FORD] made reference to the aggregate authorization. If you turn over to page 25 of the conference report on the authorizing bill, in the second paragraph, I think we see that the language quoted by the gentleman from Michigan has reference only to the appropriation of new funds. It does not seem to apply to reappropriations and recoveries. I would read the language which the committee inserted in the report:

> This sum must be measured against the Executive appropriation request for fiscal year 1966 of $3,459,670,000.

This is the figure which is being discussed in the language of the bill and so pointed out here in this conference report. Now I will continue, if I may:

> The later figure includes amounts specifically authorized in this bill as well as the Executive appropriation requests against sums previously authorized for the Development Loan Fund, the Alliance for Progress, and for State Department administrative expenses.

And so forth. My point is that the language in the law quoted by the gentleman from Michigan and the gentleman from Iowa must be considered in the context of the budget request for new and not previously appropriated funds; namely about $3.4 billion.

Mr. GERALD R. FORD. Mr. Chairman, I would like to be heard further on the point of order, if I may, please.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I believe that the Chair has to look at this problem from the point of view of the availability of funds to the executive branch of the Government. The funds that come from new appropriations are identical as far as the executive branch of the Government is concerned with funds that come from reappropriation of prior year funds. Obligational authority is not different in either case. I refer specifically again, if I may, to section 649. Obviously they had in mind actual obligational authority from any and all sources, because they said:

> Limitation on aggregate authorization for use in fiscal year 1966.

They go on to say:

> Notwithstanding any other provision of this act, the aggregate of the total amounts authorized to be appropriated for use during fiscal year 1966 for furnishing assistance and for administrative expenses under this act shall not exceed $3,360 million.

They say "the aggregate of the total amounts."

The Chair must appreciate that "total" means both new money and reappropriated funds. It is a clear-cut case that the conference report states all funds which would include new appropriations as well as reappropriations of unobligated balances from prior years.

Mr. PASSMAN. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Louisiana.

Mr. PASSMAN. On page 10, section 649:

> Limitation on aggregate authorization for use in fiscal year 1966.—Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated for use during the fiscal year 1966 for furnishing assistance and for administrative expenses under this Act shall not exceed $3,360,000,000.

In each and every case the agency documents what the $3,360 million represented. Had the conference intended to cancel out any prior year appropriations or unexpended funds they would have deleted from the bill section 645 which reads—at the expense of repetition—as follows:

> SEC. 645. UNEXPENDED BALANCES.—Unexpended balances of funds made available pursuant to this Act, the Mutual Security Act of 1954, as amended or Public Law 86-735 are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this Act.

I contend if they did not want the Department and the Congress to have the right to continue the unobligated funds then certainly section 645 would have been deleted from the Foreign Assistance Act.

Mr. MORGAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I want to assure the gentleman from Michigan, as the head of the House conferees, that the House conferees did not have the intention that he just stated. We considered the words "to be appropriated during fiscal year 1966" to mean new money only. The House conferees did not consider that section 649 would apply to any but new funds, and so stated on page 25 of the conference report. The present bill appropriates only $3,285 million in new money. The rest of the funds listed in the table on page 3 of the Appropriations Committee report refer to reappropriations of prior year appropriations.

Mr. GERALD R. FORD. Mr. Chairman, if I may be heard further, naturally I have great respect for the observations of the gentleman from Pennsylvania, the chairman of the House Committee on Foreign Affairs. But the clear language of section 649 does not coincide with the statement just made by the gentleman from Pennsylvania. I have read and reread the statement on the part of the managers, of which the gentleman from Pennsylvania was a part, and I find no such explanation on pages 24 or 25, that coincide with the statement just made by the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, if the gentleman will reread the statement made by the gentleman from Texas I am sure the explanation is definite that we did not mean what the gentleman has stated. Read the entire paragraph on page 25, and I am sure you will understand the explanation.

Mr. GERALD R. FORD. Mr. Chairman I have read and reread that paragraph and it does not undermine the clear language of section 649 which speaks of "the aggregate of the total amounts authorized to be appropriated." When you talk about "the aggregate of total amounts authorized to be appropriated" you inevitably, invariably have to include not only new obligation authority but the reappropriation of previous unobligated balances from prior years. All are one and the same insofar as the impact on the Treasury is concerned.

They are one and the same thing from the point of view, Mr. Chairman, of the executive branch of the Government, and under that interpretation, which I think is clear and unequivocal, the point of order of the gentleman from Iowa [Mr. GROSS] is valid.

The CHAIRMAN (Mr. PRICE). The Chair is prepared to rule.

The gentleman from Iowa made his point of order against the language on line 19, page 3, and through line 13 on page 4.

The Chair, after careful examination of the sections in the conference report referred to by the various Members who have commented on this point of order, is constrained to agree that the language found in the conference report on page 25 referred to authorizations contained in that particular bill and pertains only to new money.

There is a definite feeling on the part of the Chair that it did not pertain to carryover funds or to the making available of funds which under section 645 would remain and continue to be available.

The Chair feels that section 645 is sufficient to make these carryover funds in order and the Chair, therefore, overrules the point of order.

The Clerk will read.

The Clerk read as follows:

> Page 7, line 10:
>
> "SEC. 107. (a) No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, in addition to those items contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended, any arms, ammunition, implements of war, atomic energy materials, or any other articles, materials, or supplies of primary strategic significance used in the production of arms, ammunition, and implements of war or of strategic significance to the conduct of war, including petroleum products."

AMENDMENT OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROONEY of New York: On page 7, line 14, after the comma insert "or to North Vietnam," and on page 8, line 2, after the comma insert "or to North Vietnam".

Mr. ROONEY of New York. Mr. Chairman, I should like to briefly explain this pending amendment. This is the amendment that I mentioned during the course of the colloquy a while ago with the distinguished gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. Chairman, this amendment would add the words "or to North Vietnam" to the first part of section 107 on page 7 of the bill, and the same words to the second or (b) section of section 107 at page 8 of the bill, the first of these referring to military assistance and the second to economic assistance.

Mr. Chairman, under this language no country may receive military assistance or economic assistance that sells, furnishes or permit any ships under its registry to carry the various items mentioned at page 7 of the bill to North Vietnam. That is it, pure and simple.

I have discussed this amendment at length with the distinguished gentleman from Louisiana [Mr. PASSMAN] and I believe he would agree that this amendment should be adopted.

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I should like to commend the gentleman from New York for offering this amendment, and to say that it is precisely the amendment I had intended to offer at this time.

I may say that by the adoption of this amendment we will make it clear to the countries of the world that we in the Congress do not intend to use the money we are exacting from our taxpayers to support any nation that is aiding North Vietnam. I commend the gentleman for the offering of the amendment, and I urge its adoption.

Mr. MOORE. Mr. Chairman, I rise in support of this amendment which would bar aid to nations whose vessels trade with Communist North Vietnam. I have recently been advised that Hanoi gets 45 percent of its imports from recipients of American aid. I have long found it difficult to understand the lack of active cooperation among our allies, especially those countries which would be in immediate danger of Communist infiltration and domination if the Communist Vietcong should capture control of the Saigon government. The inconsistency of asking the American taxpayer to pay the tax bill for the war in Vietnam and at the same time asking them to contribute their tax money to aid countries that are obviously supplying our enemy seems incredible to me.

For this reason, Mr. Chairman, I am planning later in the day to introduce legislation to prevent the use of American ports by vessels of any foreign nation which allows its vessels to trade with Communist North Vietnam. This seems to me to be the only method of stopping this ridiculous situation. I urge the adoption of this amendment.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

The Clerk read.

Mr. **PASSMAN**. Mr. Chairman, I ask unanimous consent that the entire bill be considered as read, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The **CHAIRMAN**. Are there any points of order remaining to any section of the bill?

If not, the Chair will receive amendments.

AMENDMENT OFFERED BY MR. THOMSON OF WISCONSIN

Mr. **THOMSON** of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. THOMSON of Wisconsin: Page 12, immediately after line 7, insert the following new section:
>
> "SEC. 116. None of the funds appropriated or made available under this act for carrying out the Foreign Assistance Act of 1961, as amended (except part II of that act), may be used to make payments with respect to any contract to which the United States is a party which provides for research into the administrative organization or operation, or personnel practices, of the Agency for International Development.

Mr. **THOMSON** of Wisconsin. Mr. Chairman, this is the amendment to which I referred during debate earlier in the day in my references to the craze of the Agency for International Development to enter into contracts.

As of last December the agency had entered into over $400 million worth of contracts with universities and other corporate entities for doing the work of the AID agency. They have spent $25 million in the field of research with these various corporations and universities. Much of the money they have wasted has been spent in searching out problems of their own agency.

For instance, they spent $284,000 on contracts with a concern to tell them what kind of people they should hire for overseas assignments, and particularly for the four top jobs in their mission.

After reading the report that came back from after more than a quarter of a million dollars of expenditures, about all you could say for them was they were told not to put a square peg in a round hole.

It was an absolute waste of the taxpayers' money. It is something that should have been done with an interagency report and certainly it is something that should have been known to the agency after all the years they have been operating overseas. They certainly should have known what the jobs are of the four top people in the agencies abroad.

This is a very mild restraint to place upon this agency, an agency which is contracting out an increasing part of their own work. But it would be a little warning to the agency that this policy of contracting and contracting and contracting out, which I say is a craze for contracts in the agency, was not going to be tolerated without scrutiny by the Congress. I think it is time that we tapped their wrist a little bit, gently at first, and just restrict them so that they cannot use this money for research into the administrative organization of their own agency. Possibly next year the Committee on Foreign Affairs can take a long hard look at the way money is being spent in this contract policy.

I am hopeful the committee and the chairman will accept this amendment to place a little restraint on the agency. It is not going to involve a great deal of money but it will be a little warning to them that this policy of theirs is receiving the attention of this Congress and it will perhaps save a little money along the way.

Mr. **PASSMAN**. Mr. Chairman, I am constrained to rise in opposition to the amendment.

Mr. Chairman, had I known in advance that an amendment of this type would be offered and had it been discussed with the subcommittee prior to the completion of the hearings or subsequent thereto so that we could have considered the impact of the amendment, no doubt we would have found some merit in it.

It is my understanding that the total cost of research today in our Government is in excess of $14 billion. In my candid opinion this is one place, inasmuch as it deals with personnel, in the AID agency, that this research is a good investment. I can assure the gentleman that this committee every year has conducted hearings on the amount of money needed for research. We have placed a limitation on the amount that could be spent for research. The total amount involved in this bill is $12 million. I hope the committee will vote the amendment down. Then I should like, at some subsequent date, to have the distinguished gentleman who is a very able Member of this body but who is not a member of the Committee on Appropriations, or of the subcommittee handling this bill, to give us some indication as to where he would like to have the restrictions applied. But I am of the opinion that we should not approve of this amendment at this time and I trust it will be voted down.

Mr. **ROONEY** of New York. Mr. Chairman, I respectfully rise to urge defeat of the pending amendment.

Mr. Chairman, I have the utmost respect for the distinguished gentleman from Wisconsin [Mr. THOMSON] who is a fine Member of this body and a hardworking and capable gentleman. But this is the sort of thing that should have been submitted not earlier today but weeks ago. The hearings on this bill started months ago. If this had been submitted, as I say, weeks ago or during the hearings we would then know exactly what this means. But here and presently the situation is such that the committee finds itself confronted with a far-reaching amendment, as I read it, with about 2 minutes to read it. It would provide that none of these funds may be used for—what?—for research contracts. If this amendment were to be adopted, the agency would be prevented from taking steps designed to improve its own procedures.

Mr. Chairman, I respectfully suggest that the pending amendment be defeated and that the distinguished gentleman from Wisconsin [Mr. THOMSON] appear before the Committee on Appropriations the next time we have a foreign aid bill—and I am sure I know somebody who hopes we never have another one. But anyhow, when we do, I am sure proper consideration will be given to his idea at that time.

Mr. **MILLER**. Mr. Chairman, will the gentleman yield?

Mr. **ROONEY** of New York. I yield to the distinguished gentleman from California.

Mr. **MILLER**. Mr. Chairman, the present trend in research and development is to contract with private industry and with nonprofit organizations to do the research and development that cannot be done in-house, in Government.

The State of California has appealed to, and contracted with, the airplane industry to solve some of its economic and social problems. That action is designed merely to lay the groundwork for the future so that we can draw upon the brains of our country to solve our problems. The approach applies equally as well in the social sciences as it does in the physical sciences. To adopt the amendment would be a step in the wrong direction, and I ask for its defeat.

Mr. **THOMSON** of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. **ROONEY** of New York. I am pleased to yield to the distinguished gentleman.

Mr. **THOMSON** of Wisconsin. I am pleased to have the gentleman yield. I merely wondered why he did not make his eloquent argument in relation to his own amendment that he supported a minute ago in reference to trading with North Vietnam.

Mr. **ROONEY** of New York. That is a subject that was discussed, not merely for days, but for many, many weeks. I am sure that the gentleman from Wisconsin had no difficulty understanding it.

But at this point in these proceedings, I doubt very much that very many Members of this body understand the content of the gentleman's proposed amendment.

Mr. **THOMSON** of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. **ROONEY** of New York. I yield once more briefly to the gentleman from Wisconsin.

Mr. **THOMSON** of Wisconsin. That is very kind of the gentleman. I understand that the gentleman's amendment was not offered to the subcommittee. It was not offered to the full committee. It was discussed by the gentleman from Michigan. You picked it up. I wish that you had made your argument against that kind of procedure on your own amendment.

Mr. ROONEY of New York. The gentleman is utterly incorrect; I did not pick anything up. I have not spoken personally with the gentleman from Michigan today. I had no idea that he had an interest in such an amendment or that he was interested in the subject until he spoke here in the well of the House. For 5 minutes he would not permit me to tell him I had already prepared such an amendment.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of New York. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, the Congress of the United States has long recognized that free enterprise must be encouraged to the maximum extent possible to help the less developed countries achieve satisfactory levels of production and standards of living.

The great private sector of our economy is playing an increasingly important role in helping the developing countries meet their needs for human and material resources. Indeed, in our aid program American universities, business and professional firms, and service organizations play a vital role. There is no field of international development where private enterprise has not an important contribution to make. My colleagues will no doubt find the figures as impressive as I have.

In the field of education, over 100 universities hold more than $172 million in AID contracts for research, surveys, training, and technical assistance at the end of fiscal 1965. As some of their most important work is helping to establish land-grant-type universities and agricultural extension services in the less developed countries, the battle between food production and the population boom may yet be won.

American cooperative and thrift institutions are providing the technical knowledge necessary to develop farm credit and marketing cooperatives, credit unions, savings and loan institutions, and housing and electric power cooperatives. Capital is thus being mobilized at the grassroots level. In just four Latin American countries alone, savings and loan associations have 95,000 members who have saved $32 million. AID-assisted agricultural credit banks in 10 countries—9 of them in Latin America—have made more than 40,000 subloans for farm improvements.

Private American engineering and construction firms are supervising the design and construction of irrigation systems, power dams, fertilizer factories and the like in over 50 countries. These AID-assisted capital projects of some $4 billion will help the developing countries build the groundwork essential to economic growth. To meet the continuing shortage of experienced managerial help, the International Executive Service Corps with strong encouragement from AID was established under private auspices during 1964 to provide the help of experienced American businessmen to entrepreneurs in the less developed countries. Already private business firms in more than 30 countries have expressed interest and the corps is already involved in projects in 12 countries and is considering activity in another 10 countries.

American labor is giving effective assistance to Latin America through AID contracts with the American Institute for Free Labor Development, an organization spearheaded by the AFL–CIO.

Since 1964 wider involvement in the Alliance for Progress has been achieved through the "Partners of the Alliance" program. AID helped to establish and sustain this project in which U.S. communities and their local counterparts in underdeveloped countries, work jointly on problems of mutual interest. Twenty-five active partnerships have been developed and eight more will be activated in the near future.

American voluntary agencies have a long tradition of help to the needy in underdeveloped countries. Their work has not only provided essential food and supplies, but, by demonstrating the effectiveness of voluntary services, has strengthened the growth of voluntary effort in these countries. AID pays $1 of shipping costs for every $20 of supplies privately contributed to these agencies. The number of voluntary agencies working in the field of overseas development assistance is truly astonishing, and they provide a significant counterpart to governmental and intergovernmental efforts. Sixty-one agencies are registered with AID's Advisory Committee on Voluntary Foreign Aid and they are participating among other programs in material aid and relief programs, self-help efforts and refugee assistance.

We can be proud of the results which have been achieved in the foreign aid program by American business firms, universities, labor unions, and private organizations. I have introduced a bill which I believe will permit more efficient use of the experience developed by employees of these private organizations and I hope it will be considered next year; however, I am sure my colleagues will join with me in applauding in the efforts they have been making.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. THOMSON].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not know whether a research contract will be necessary to get the information that I desire. When I spoke on the bill earlier, today, I neglected to ask the gentleman from Louisiana what he could tell the House about a situation in Thailand involving an individual who handled a lot of foreign-aid funds. I understand that a huge estate was left by a general over there who had 40 or 50 wives. I wonder if it will be necessary to employ some contract outfit to find out about that situation, or can the gentleman from Louisiana enlighten us?

Mr. PASSMAN. From a financial standpoint, a man with 50 wives would in all probability have to neglect some of them. There have been many rumors as to the wealth of the former Prime Minister to which the gentleman refers. I understand that it was once set at $139 million; then scaled down to about $60 million, and then down to about $35 million. It was finally brought down to $19 million. If sufficient time is given, they might be able to prove that Thailand owes the late Prime Ministers' estate some money.

Seriously, there is no way to determine the number of wives that the gentleman had, because I understand that he guarded one with great care. I do not know about the other 49, if there were that many. But according to the information given to us during the hearings this year—as shown on page 1129—when we were discussing the amount which the gentleman referred to, the following colloquy took place:

> Mr. PASSMAN. Even $19 million is a lot different than $640,000.
>
> Mr. POATS. The main elements that he held in his name was public lottery, gold imports, paper trade, match production.

That gentleman has been called to the Great Beyond.

We know that "graft" is accepted practice. We do not like it but we have to accept it. In certain parts of the world it is accepted practice to permit public officials to get by with such foolishness.

If the gentleman knows of any way to stop it, and will give me the information, the next time I go overseas I will see if I can get them to stop it.

Mr. GROSS. I can offer a pretty good suggestion as to a way to stop it. I suggest we quit paying off these corrupt government heads around the world. We should stop this business of foreign handouts completely where there is the slightest indication of corruption.

Mr. PASSMAN. I represent the majority of the committee, and not necessarily my personal views. Those have not changed very much since I last reported the bill 2 years ago.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, once again we have before us the foreign aid bill that continues to be controversial. It is controversial now and will continue to be so until a broader, more extensive change in our foreign-aid philosophy takes place. In the first session of the 88th Congress, my first term of service, I brought to the attention of my colleagues the overwhelming need to change the direction, philosophy, and concept of our foreign-aid programs because of the extraordinary number of failures throughout the world. At that time, I strongly urged that stronger emphasis be placed on broadening the participation of the private sector and developing a trend away from the unsuccessful government-to-government approach.

I am frank to admit a marked trend in this direction has become increasingly noticeable as the advocates of government-to-government assistance grudgingly admit they have erred.

While I will oppose the bill on final passage for the many reasons spelled out in the committee report, I want to go on record as supporting the Peace Corps section of the bill. If this section were voted on separately, I am certain, the House would support the Peace Corps overwhelmingly. But, once again, we are forced to accept the bad with the good through the omnibus approach. Again, however, I want to reiterate my position taken in 1963. The Peace Corps effort has been the best part of our foreign aid program but it, too, is limited in scope. We must vigorously advance the private Peace Corps concept. We must tell the leadership of our private sector that they have an obligation to lead the economic offensive throughout the world in order to counter the subversive economic and political offensive of our ideological adversaries—the Soviet Union and the Red Chinese. They are moving in this direction but until the Congress cuts back on foreign aid economic appropriations, we will never have the full commitment required of the private sector. The United States of America was once an underdeveloped country—our history books are filled with tried and proven methods to upgrade the standard of living desired throughout the world. We should preach the gospel of Americanism in every corner of the globe. We should take the offensive in presenting American techniques for development in a manner that is typically American—more leadership and emphasis in the private sector with a diminishing emphasis on public sector participation.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, last night the National Broadcasting Co. presented a 3½-hour so-called spectacular on American foreign policy. While I congratulate the network on this effort to provide the American people with a deeper understanding of history, I regret that, in the considerable discussion over the relative merits—or lack thereof—of foreign aid, the network did not see fit to quote our colleague from Louisiana, the distinguished chairman of the House Appropriations Subcommittee on Foreign Operations, whose observations and expertise on the conduct of the foreign aid program over the past years would have been invaluable to the American people. I find it exceedingly strange that none of our colleagues in either body of the Congress were called upon, especially on the eve of the annual consideration of this appropriation measure by the people-elected representatives.

Certainly, NBC is aware that foreign aid is highly controversial, yet every public figure appearing on the program to discuss the aid program was a supporter of the general concept. No member of either party from either House was queried for any observations on the aid program. Other than spokesmen for recipient countries, only the AID Administrator appeared on the program and he was not about to make any critical comment on the expenditure of over $100 billion used to win friends and influence people.

For many years some very basic reasons have been presented to the Congress setting forth the need for redirecting our entire foreign aid program. American taxpayers in growing numbers have expressed dissatisfaction with many aspects of the foreign aid program, for example, inclusion of the military assistance portion as a "sweetener" toward favorable passage, although not reviewed by the Armed Services Committee.

The ever-growing American commitment in Vietnam, and the heavy cost of that war, make it incumbent upon the Congress to review every program, foreign and domestic, to postpone or eliminate any unnecessary spending. The administration has promised this, but has failed. The magnitude of foreign aid spending is not fully known by the average taxpayer, nor for that matter, even by the above average taxpayer. Total requests for foreign assistance, which have been submitted to Congress this year by the Johnson administration, amount to over $7½ billion. The unexpended balance—or the "pipeline"—as it is called, as of June 30, 1965, is over $10½ billion. These are funds previously authorized, but not yet spent.

Our commercial trade balance with countries receiving aid has dropped sharply since 1960. The Latin American commercial trade balance is particularly alarming. There is a definite relationship between the gold outflow and the Federal Government's programs of spending in foreign countries. The foreign aid program needs a major revamping, and the Senate, plus the bulk of the American people, are in accord with this feeling. I believe our taxpayers would take a far better view of the program if they could see that the accomplishments were more favorable to the people of the recipient countries, and that the United States actually received favorable credit for that which they provide. It seems apparent to me that much of the foreign aid program has been misdirected, or perhaps undirected is a better word. We have given cash grants to dictators, and to neutral, and even unfriendly governments, with little of the benefits reaching the people. Everyone knows that no one can buy friends. As the House minority report on the 1965 foreign aid bill states, foreign aid has not halted either the expansion of communism, nor the drift of many aid recipient countries toward Communist ideologies. Witnesses testified before the committee on the need for separating the military assistance program from the economic aid program, a position I have taken ever since I arrived as a freshman Congressman over 5 years ago. It seems almost incredulous that, in this the 17th year of the foreign aid program, more American embassies were stoned, more libraries were burned, more windows smashed, and more insults hurled than in any year since the program was inaugurated.

There's a television commercial advertising the use of a particular brand of toothpaste that includes the line: "Even your best friends won't tell you." It seems to me that the past year's record of attacks on American buildings overseas should tell us something, even if our best friends will not. It should tell us that no matter how much we spend on foreign aid, it will not gain—or earn—the respect of other nations. Furthermore, I doubt that we are truly aiding them so much, as we are making them dependent on our material resources, when they should be learning to develop and make the most of their own. Many nations receiving American aid are worse off today than they were before. Our aid has been a crutch, which has only caused them to grow more dependent upon American help.

It is one thing to furnish technological help, and education that will enable underdeveloped nations to help themselves; but, regretfully, that has not been the direction of our aid. Instead, we have concentrated on material aid, blissfully ignoring the fact that if we took all of America's material resources and divided them up among the world's population, it would hardly be more than a week's supply.

Even though we may lack the votes in the House to reduce the foreign aid program, the day cannot be too far off when public action will catch up with public opinion and will demand respect for the United States of America, not image alone.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

At the beginning of the discussion on this bill today, the gentleman from Louisiana [Mr. PASSMAN] yielded to me for the reading of a statement which had been approved by the Secretary of State. In fact, I directly quoted the Secretary.

I had anticipated, when this statement was read, that the House would spend much of the afternoon discussing the war between Pakistan and India. The gentleman from Ohio discussed it some, and a few others made reference to it, but I do not believe the matter has been adequately discussed by the House.

Let me quote a portion of the statement by the Secretary of State:

> The United States has suspended military aid shipments to both India and Pakistan, in keeping with its announced policy of full support for the efforts of the Security Council and of the Secretary General. The executive branch will consult fully with appropriate Members of the Congress about the situation in the subcontinent and the conditions under which military aid might be resumed.

One of my friends has indicated that in the motion to recommit it will be proposed that aid be withheld from any nation which is at war with a neighbor which receives assistance from the United States in the aid program. The provision would bar the aid.

The statement by the Secretary does not bar the resumption of aid tomorrow. It says that the aid is now suspended and will not be resumed without consultation with the leadership of the Congress. Those consulted would I believe include the gentleman from Michigan, the gentleman from Ohio [Mr. Bow], and others.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. The gentleman realizes that the possible amendment to which he refers is one I discussed with him earlier today.

Mr. MAHON. That is correct.

Mr. RHODES of Arizona. A careful reading will convince the gentleman, I am sure, that upon the halting of any aggressive action between these two nations, the President could immediately resume aid.

Mr. MAHON. After they discontinued the aggressive actions the President could resume aid.

Mr. RHODES of Arizona. That is correct.

Mr. MAHON. It is correct.

Mr. RHODES of Arizona. We just do not like to have nations which have been receiving our military assistance shoot at each other. We believe there is something immoral about such a conflict.

Mr. MAHON. We do not like that. None of us likes that.

Let me read the proposed amendment which would be a portion of the motion to recommit, according, I think to the gentleman from Arizona:

> None of the funds appropriated or made available pursuant to this act may be used to furnish military assistance under part 2 of the Foreign Assistance Act of 1961 as amended, to any country which is engaging in or preparing for aggressive military efforts directed against any country receiving assistance under the Foreign Assistance Act of 1961, as amended until—

Until what?

> until the President determines that such aggressive military efforts or preparation have——

Have what?

> have ceased and he reports to the Congress that he has received assurances satisfactory to him that such aggressive military efforts or preparation will not be renewed.

Now, this language shocks and disturbs me greatly. It shocks me to think that we would seriously consider the passage of this proposed provision. I will explain to you why. It is true that all nations which have received military and economic aid are much stronger as a result of this military and economic aid. We hope they are. That has been the purpose of the aid program—to strengthen free nations so that they can join with us in resisting aggression and communism.

Now, let me point out, in providing aid to India and Pakistan we were not blind to the fact that the nearest neighbor to India and Pakistan is Red China. We want Red China to have strong anti-Communist neighbors. Red China has not been mentioned very much in this debate, but it must be mentioned now. Let me say this: should Red China, following the passage of this legislation by the Congress, conclude that "Well, we can now again renew our aggression against India because the hands of the President, the Commander in Chief, the hands of the military forces of the United States are tied by this act of Congress," it would be a horrendous thing for this Government so to tie its hands under these circumstances. We could not go to the aid of India when attacked by Red China as we have previously done. We could not because of this long-standing feud which has ripened into a present conflict between India and Pakistan which may continue for quite some months. This is regrettable, but do not think for a moment that we should tie the hands of the President at such a critical time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. Mahon] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MAHON. So the point is we would jeopardize the security of the United States by opening the door for Red China to attack India while the circumstances are favorable for such an attack. I say let us give the President the flexibility which he needs in these circumstances. He has withheld aid, and we all approve it for the time being. However, if Red China marches in, if he does not give aid and give it quickly to India, he would be making a tremendous mistake. He would not make such a mistake but would act responsibly in the best interests of the United States. We must not tie the President's hands in an area where our system of government requires him to act. Under this language we would tie his hands.

So I plead with the House not to vote for the motion to recommit which would tie the hands and the President in the event he should need to take action in behalf of India against Red China.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. The gentleman from Texas is making a very powerful appeal to the Members of the House. It is not an appeal to the emotions but an appeal to our reason in connection with the national interest of our own country. To tie the hands of the President by the adoption of this language might be decidedly against the national interest of the United States. Uppermost in the minds of all of us, I know, without regard to party, is the national interest of our country. Who can see history in the making? It is hard and difficult. But we do know there is a terrible situation existing over there that has already developed into a very aggravated state and which is likely to continue along more aggressive lines. Who can tell where it will lead? The Secretary of the United Nations is on a mission to that part of the world. We all hope and pray his mission will be successful. On the one hand Pakistan was our friend. Pakistan has entered into negotiations with Red China to some extent, but Pakistan has not yet left its association with the United States. It was only a few years ago when the U-2 incident occurred when the President of Pakistan was in London and he was asked about it. He said, "My country will investigate," and he added significantly, "But America is our friend." We have here a situation where, as the gentleman has well said, poised on the Indian border are a number of divisions of the Red Chinese. Back of it is the dread of the dangerous shadow and hand of Red China.

Who knows what will happen? Who knows what will occur if this amendment should be adopted? I join, not as a Democrat, but as an American who is serving in this body, with my distinguished friend from Texas, in the national interest of our country, in urging that such an amendment not be adopted.

Mr. MAHON. I thank the distinguished Speaker for his remarks. I know that India has long been more or less a neutral and nonwarlike country. India is not prepared to fight Red China with all its Chinese divisions. So it seems to me that the adoption of an amendment of this type on a motion to recommit would be playing into the hands of Red China. It is the last thing that the gentleman from Arizona [Mr. Rhodes] would want to do.

It is for this reason that I pointed out to some of my friends on your side that there was a fatal error in this proposal. I hope that this is obvious to all.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Chairman, the gentleman from Texas has raised an awesome specter. I am sorry that he did not raise it with me prior to this time; he had ample opportunity to do so. The facts are that a perusal of this amendment leads to absolutely the opposite conclusions from those suggested by the gentleman from Texas. Obviously, if Red China were to attack either Pakistan or India, at that time the nation attacked would certainly not be an aggressor, it would be a defender against Communist aggression. This denies aid only to aggressor nations. I say to the gentleman from Texas that he must have completely misread this as to context and intent to have any idea that this was offered to or that it would result in aid or comfort to Red China.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. Mahon] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RHODES of Arizona. The gentleman has made some very unfortunate legislative history here which I hope I have corrected because, while the amendment has not been offered—and I will say to the gentleman from Texas that this amendment will not be offered—still, if it had been offered this discussion would have been very dangerous legislative history.

Mr. MAHON. I was told that the gentleman's proposal would be a part of a motion to recommit and that the amendment would provide that we would forestall all aid to any country receiving our assistance which is engaged in or even preparing for aggressive military efforts directed against any country receiving assistance under the Foreign Assistance Act of 1961, as amended, until the President determines that such aggressive efforts, and so forth, had ceased.

The President would have to find that Pakistan and India had quit fighting and peace had been restored and he would have to notify Congress before he could move in to assist the cause of freedom in repelling acts of aggression by Red China against India.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, any fair reading of the amendment bears out the argument, and the telling argument, that the gentleman made when he first started talking; and that is that this might be an invitation for Red China to intervene. We are now giving and we will continue to give, although new commitments will not be made under the President's statement, economic assistance to both countries. But if Red China should move in, under this proposed amendment how could we move in in defense of the nation being assaulted by Red China?

Mr. MAHON. We could not do it because of this prohibition. In my judgment, we will not adopt such a prohibition.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. HAYS. The papers today say that Red China is threatening to come to the assistance of Pakistan. If she did, under the terms of this amendment, we could not help India at all. Our hands would be tied, would they not?

Mr. MAHON. The gentleman is absolutely correct, unless the war ceases and everything is settled and the President makes this finding and reports to Congress.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I am sure that by now the gentleman from Texas knows that he is making an argument against a phantom amendment, an amendment which is not before the Committee. It is an amendment that will not be offered. So the gentleman is tilting at windmills. Any reading of this proposal, if it had been offered, would not permit a reasonable man in my opinion to come to the conclusion that he has, under the circumstances.

Mr. MAHON. I was told that this would be included in the motion to recommit. I told the gentleman from Michigan that it had a fatal defect which I would expose, if necessary. I believe I have exposed it. I state this with all sincerity, because there is certainly nothing phony about taking action which would be equivalent to inviting Red China to move into India.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the Speaker.

Mr. McCORMACK. Mr. Chairman, I think we are all happy to learn from the minority leader that the amendment referred to will not be included in the motion to recommit.

I think everyone would admit that the gentleman from Texas was justified in anticipating it.

Mr. MAHON. Mr. Chairman, I have accomplished my purpose, if the proposed motion to recommit including this language which I have described has been abandoned. I arose to speak because I felt that the House should not be required to vote on a motion to recommit which had not been discussed. The pitfalls and dangers would perhaps not be readily apparent and I considered some discussion in the public interest.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. If the paper containing the proposed amendment and which has been circulated as an amendment is phony, I think it has been accurately described.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, may I say that following the troops from my right, it is rather difficult and I feel as though I need a little aid of some kind to resist such great oratory. But I believe I owe it to the House to talk about the motion to recommit.

Mr. Chairman, I regret that the gentleman from Texas did not discuss the motion to recommit with me, for I would have told him what the motion to recommit was going to be, as I did the Speaker a few minutes ago.

The language of the amendment that was to be offered by the gentleman from Arizona [Mr. RHODES] is not in the motion to recommit.

As to language in the motion to recommit which would withhold aid from opposing countries getting our aid—and I shall read it because I think the House is entitled to know exactly what is going to be in the motion to recommit—one part of the motion will be this, and it goes to the question of the money in the bill:

> Notwithstanding any other provisions of this title, of the total sums appropriated under the heading "Economic Assistance," not more than $1,182,460,000 may be used during the fiscal year ending June 30, 1966, for expenses for technical cooperation and development grants, international organizations and programs, Alliance for Progress, development loans, and development loans as authorized by sections 212, 302, 252 of the Foreign Assistance Act of 1961, as amended.

Mr. Chairman, this has to do with the money in the bill under "Economic assistance" and does not affect military assistance which we may need in Vietnam, Korea, and other areas for our own protection. This would reduce the bill by $285 million in areas which the gentleman from Kansas [Mr. SHRIVER] has discussed and which have been fully debated and, therefore, there is no reason for me to go into it. We do not pinpoint the reduction, as this is a responsibility of the agency.

Now, may I speak to the crucial part of this motion. With reference to the funds authorized by military assistance, I will read to you the language of section 17—this is strictly a limitation:

> None of the funds provided in this title shall be available for assistance to any country which is engaged in military action in opposition to another country, such countries having been recipients of aid under the Foreign Assistance Act of 1961, as amended, as of July 1, 1965.

Now, Mr. Chairman, let me make it crystal clear that this is a limitation and would be a limitation where our allies might be fighting, such as Pakistan and India. But under this, let us assume that the Red Chinese are poised on the border of India and may come in. May I point out that this is a denial of aid where the countries in the fight have been the recipients of aid.

Now, I am quite sure, although there is so much "secret and confidential" in this bill; we do not always know where the money is going—but I assume that Red China is not getting any aid. So, if the aggression is from Red China into India or into Pakistan, wherever it may be, there is no prohibition here against aid to the country to resist Communist aggression.

Mr. Chairman, we do not stop there. But what we are trying to say to our friends is this: "You cannot take the foreign aid which we are voting, amounting to millions and millions of dollars, to kill each other."

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. HAYS. I am sympathetic with what the gentleman is trying to do, and that is to deny aid to Pakistan and India as long as they are fighting each other; but presume they continue fighting each other, and Red China comes in on the side of Pakistan. India and Pakistan are still fighting with each other, with Red China as an ally of Pakistan. Does not the gentleman's amendment deny aid to India?

Mr. BOW. No, because the aggression comes from a Communist country. If they are not receiving aid, we then can go in.

Mr. HAYS. I do not know who is the aggressor in this thing, whether Pakistan or India, but the thing that bothers me, if you can believe the press, Red China has issued a statement she will come to the assistance of Pakistan.

Mr. BOW. Yes.

Mr. HAYS. Under the language of the gentleman's amendment, as I heard it read, it seems to me unless India would completely quit fighting with Pakistan she could not get any aid, and if she did that she could only fight China while Pakistan was attacking on the other side.

Mr. BOW. I am glad the gentleman raised that question. We are making legislative history here. If the aggression comes from a country which is not the recipient of our aid, then we may aid the defending country. This would be the case in India. We would be permitted to aid India if the aggression comes from Red China.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Louisiana.

Mr. BOGGS. I think what the gentleman from Ohio is saying is not a question of direct aggression from China on India, but indirect aggression, let us say, from Pakistan, which would be the situation that your amendment would prohibit.

Mr. BOW. I believe it does.

Mr. BOGGS. Certainly it does.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent (at the request of Mr. Bow) he was allowed to proceed for 5 additional minutes.)

Mr. BOGGS. Will the gentleman read his proposed motion?

Mr. BOW. None of the funds provided in this title shall be available for assistance to any country which shall engage in military action in opposition to another country, such country having been the recipient——

Mr. BOGGS. Namely, Pakistan or India, either one.

Mr. BOW. Let me complete my statement, and then I will be delighted to yield to the gentleman—which shall engage in military action in opposition to another country, such countries having been the recipients of aid under the Foreign Assistance Act of 1961, as amended. I yield to the gentleman from Louisiana.

Mr. BOGGS. If certain countries have been the recipient of aid under this program and this country is engaged in war with another country, which is also a recipient, then that country is barred?

Mr. BOW. That is true, as between Pakistan and India.

Mr. BOGGS. The question as posed by the gentleman from Ohio, as I understood it, it is not a direct attack by Red China on India or Pakistan, but an indirect attack through India on Pakistan, or through Pakistan on India, while both are fighting. In such event aid would be barred?

Mr. BOW. So long as the two countries are fighting, but if the opposition comes from a country not receiving this aid then we could give aid to them.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Oklahoma.

Mr. ALBERT. If you have the situation where Red China attacks one of two countries that are fighting each other, and you get Red China fighting one, and you have the two countries fighting each other, both of which have received our aid, the gentlemen's amendment means because Pakistan and India are fighting we cannot give any aid to either one or the other, even though one of them happens to be fighting on the side of Red China while fighting the other?

Mr. BOW. I do not agree with the gentleman.

Mr. ALBERT. That is what the gentleman's amendment says.

Mr. BOW. If the opposition comes from the country which is receiving aid, then the aid would stop.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. MOSS. Let us take the case of the announcement this morning where the government of Indonesia indicated very clearly its intention to give support to the government of Pakistan. Now supposing the government of Indonesia becomes a convert for assistance through the Communist bloc nations of the East, Red China. This is assistance that we have and evidently it is going into Pakistan. Then under your amendment we would have to deny assistance both to India and to Pakistan.

Mr. BOW. And to Indonesia.

Mr. MOSS. Well we have already stopped the assistance to Indonesia.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yielded to the gentleman.

Mr. HAYS. The thing that worries me is that the Chinese will do like they did in Korea—send in so-called volunteers through Pakistan to attack India and maybe attack India at the same time. If they do and India still continues to fight, she cannot get any aid; is that right?

Mr. BOW. If the Chinese volunteers such as you had in Korea would go into India, and India was not receiving aid from the United States, there would be no reason why we cannot give aid to fight them.

Mr. HAYS. If the gentleman will yield further, I think the amendment ought to be rewritten and make it crystal clear.

Mr. BOW. May I say this, I am perfectly willing to have this clarified because I think the gentleman from Texas—and I am sure he did not attempt to mislead anyone—did not have this language when he made his statement. That is the reason why I think the House is entitled to have that.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to make an observation here respecting this matter if I might, and I make this observation as one who expects to support the motion to recomit and likewise as one who many times at great political disadvantage to myself back home has supported this foreign aid program since its inception.

Now clearly nothing could be more ridiculous than that we would be sending our arms to the alleged friendly nations that are now warring with one another. I doubt if anyone here would say that that situation is tenable. So all that the gentleman from Ohio asks is that we write that in through the motion to recommit in order that there be no misunderstanding about it. When I came over here even before the gentleman from Texas took the floor, I inquired as to what would be in the motion to recommit. I think these amounts ought to be cut down. I think the Congress needs to deal with this problem involving the war going on between India and Pakistan right now. So when I looked at the motion to recommit, may I say to the gentleman from Texas, it did not have the language about which he complained earlier. I am inclined to agree with the gentleman from Arizona [Mr. RHODES] that you were reading into that proposed language something that is not there. That is not before us now.

It seems to me, Mr. Chairman, that the people over there who call on us to put the interest of our country above everything else—and that we have now done—are now grasping at straws to try to find something wrong with this language. Let me say as a practical matter this measure will go to the other body. The motion to recommit offered by the gentleman from Ohio has said that this is going to be done. It is not subject to amendment. It is not subject to change. But if this language does not do what the gentleman from Ohio says it does and which I say it does, then there will be plenty of opportunity to straighten it out.

Mr. PASSMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, all this year I have been asking for help on the problem of adjusting the funds required for this foreign aid bill through statistics, correspondence, mailing, and so on. I did not get too much encouragement along the way from either side of the aisle. So the Congress in its wisdom—the great Committee on Foreign Affairs of the House and the Committee on Foreign Relations of the Senate authorized $3,360 million. When the bill came before the subcommittee, I do not recall any motions being offered to reduce this bill down to $3 billion, except, I know that the gentleman from Kansas [Mr. SHRIVER] thought the subcommittee recommendation was too high.

The same situation was true when the bill came before the full committee. At that time, it was pretty generally agreed that the amount contained in the bill was the amount that should be recommended. The proposal now comes a little bit late to cut the bill to $3 billion. Had I received that type of encouragement from the distinguished gentleman from Ohio [Mr. Bow] and other Members who are now participating in the effort to recommit the bill, I would have been given new hope. Perhaps those clipped wings would have started sprouting sooner. But to wait until the bill has reached the floor of the House and then to offer a motion to cut the bill to $3 billion, when the proposal had never been discussed at any other meeting so far as I know, is not the way to handle the matter. I hope the motion will be voted down. If the proponents of the motion continue to feel the way they do, let them make their case before those in the other body who will handle the measure, and we shall see what we can do with the other body in conference.

Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The **SPEAKER.** Without objection, the previous question is ordered.

There was no objection.

The **SPEAKER.** The question is on the amendment.

The amendment was agreed to.

The **SPEAKER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, and was read the third time.

MOTION TO RECOMMIT

Mr. **BOW.** Mr. Speaker, I offer a motion to recommit.

The **SPEAKER.** Is the gentleman opposed to the bill?

Mr. **BOW.** I am, Mr. Speaker.

The **SPEAKER.** The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Bow moves that the bill H.R. 10871 be recommitted to the Committee on Appropriations with instructions to report it back forthwith with the following amendments:
>
> "SEC. 116. Notwithstanding any other provision of this title, of the total of the sums appropriated under the heading 'Economic Assistance', not more than $1,182,460,000 may be used during the fiscal year ending June 30, 1966, for expenses for technical cooperation and development grants, international organizations and programs, Alliance for Progress development loans, and development loans, as authorized by sections 212, 302, 252, and 202(a), respectively, of the Foreign Assistance Act of 1961, as amended.
>
> "SEC. 117. None of the funds provided in this title shall be available for assistance to any country which shall engage in military action in opposition to another country, such countries having been the recipients of aid under the Foreign Assistance Act of 1961, as amended, as of July 1, 1965."

The **SPEAKER.** Without objection, the previous question is ordered.

There was no objection.

The **SPEAKER.** The question is on the motion to recommit.

The motion to recommit was rejected.

The **SPEAKER.** The question is on the passage of the bill.

Mr. **GERALD R. FORD.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 239, nays 143, not voting 50, as follows:

[Roll No. 269]

YEAS—239

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Celler
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Culver
Daniels
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Hathaway
Hays
Hechler
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Matsunaga
Matthews
Meeds
Miller
Minish
Mink
Monagan
Moorhead
Morgan
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Price
Pucinski
Purcell
Quie
Redlin
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roybal
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schweiker
Selden
Senner
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Tenzer
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Watts
Weltner
Whalley
White, Idaho
Widnall
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—143

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Ashmore
Battin
Belcher
Bennett
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Collier
Colmer
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Fino
Fisher
Flynt
Fountain
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Herlong
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Okla.
Johnson, Pa.
Jonas
King, N.Y.
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
Marsh
Martin, Nebr.
Michel
Mills
Minshall
Mize
Moeller
Moore
Morris
Mosher
Murray
O'Konski
O'Neal, Ga.
Poff
Pool
Quillen
Race
Randall
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Schneebeli
Scott
Secrest
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Va.
Stanton
Steed
Stephens
Talcott
Taylor
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wyatt

NOT VOTING—50

Adair
Andrews, George W.
Ashbrook
Baring
Berry
Bolton
Bonner
Bray
Burton, Calif.
Cameron
Clawson, Del
Daddario
de la Garza
Derwinski
Downing
Dulski
Farnsley
Fuqua
Gallagher
Griffiths
Hanna
Hawkins
Hébert
Holland
Hungate
Jones, Mo.
Kee
Kornegay
Lindsay
McClory
MacGregor
Martin, Ala.
Martin, Mass.
Mathias
May
Morse
Pepper
Pirnie
Poage
Powell
Reifel
Resnick
Roncalio
Ryan
Saylor
Sisk
Thomas
Toll
Wilson, Charles H.
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Toll for, with Mr. Bray against.

Mr. Ryan for, with Mr. Reifel against.

Mr. Downing for, with Mrs. May against.

Mr. Daddario for, with Mr. Adair, against.

Mr. Kee for, with Mr. Martin of Alabama against.

Mrs. Bolton for, with Mr. George W. Andrews against.

Mr. Morse of Massachusetts for, with Mr. Baring against.

Mr. Pirnie for, with Mr. Bonner against.

Mr. Martin of Massachusetts for, with Mr. Fuqua against.

Mr. Mathias for, with Mr. Hungate against.

Mr. Lindsay for, with Mr. Younger against.

Mr. MacGregor for, with Mr. Berry against.

Mr. Cameron for, with Mr. Saylor against.

Mr. Dulski for, with Mr. McClory against.

Mr. Pepper for, with Mr. Derwinski against.

Mr. Charles H. Wilson for, with Mr. Del Clawson against.

Mr. Sisk for, with Mr. Ashbrook against.

Mrs. Griffiths for, with Mr. de la Garza against.

Mr. Resnick for, with Mr. Hébert against.

Until further notice:

Mr. Holland with Mr. Burton of California.

Mr. Roncalio with Mr. Hawkins.

Mr. Gallagher with Mr. Powell.

Mr. Hanna with Mr. Farnsley.

Mr. Thomas with Mr. Kornegay.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the foreign aid appropriation bill for the fiscal year 1966 just passed.

The SPEAKER pro tempore (Mr. ROOSEVELT). Without objection, it is so ordered.

There was no objection.

STEEL SETTLEMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, Labor Day of 1965 is a day that will be long remembered. It will be remembered, most appropriately, as the day on which management and labor in the steel industry amicably resolved their differences and spared the Nation a paralyzing strike.

Over this past Labor Day weekend, the representatives of management and labor, together with the President, the Secretary of Commerce, the Secretary of Labor, and other Government leaders, accomplished what some thought impossible. Through their skillful and unstinting efforts, they achieved a steel agreement which is fair to labor, fair to management, and fair to the people of the United States. And they did this peacefully, and in the best traditions of the collective-bargaining system.

Had they done less, there would today be nearly half a million American workmen out of work. Hundreds of thousands more would be waiting with grim anticipation for spreading shortages in steel to wipe out their own jobs. Merchants would find their sales diminishing and the American steel industry would be duly losing to foreign manufacturers customers who would never return. Such has been the dire result of every steel strike in our history.

Thanks to the restrain, the wisdom, and the patriotism shown by the steel negotiators over this past Labor Day weekend, however, the situation is quite different. We now look forward, at the very least, to another uninterrupted 3 years of peace in the steel industry. We may confidently anticipate a continuation of our already unprecedented 54 months of uninterrupted economic expansion.

The settlement which brings these benefits to the Nation is also fair to management and just to labor. Labor has achieved better health benefits, better pensions, and a significant wage increase, both immediately and for the months ahead.

Management has achieved a settlement which will enable it to continue its contributions toward the price stability of our economy. It has achieved a settlement which will let it now go forward with its plans for modernization, to further improve its competitive position, and its ability to meet our growing national needs.

Most remarkable of all, this has been achieved within the price-wage guidelines laid down by the Government as the key to a continuing non-inflationary prosperity. I note with extreme pleasure that the wage increases called for in this settlement, when averaged over the 39 months since the last contract expired, amount to an average annual increase of exactly 3.2 percent. This is the exact percentage specified in the price-wage guidelines as a proper annual increase for American labor, based on the average annual increase in labor productivity.

Thus, every American has cause to remember what was accomplished this weekend, past, and to be grateful to those dedicated men who achieved it. They have served their country well. They have honestly and skillfully represented the American workmen on the one hand, and the American investor on the other. Finally, they have set before the world a never-to-be-forgotten example of what the American system of free enterprise and collective bargaining can accomplish.

During their negotiations, the President expressed his conviction to the representatives of both management and labor to conduct themselves with full regard to the "importance of their efforts to every man and woman in this country of ours, and to the health and the vitality of our economy, and the security of America all around the world."

Now we have the results of their negotiations, and we see that the President's faith was fulfilled.

PERSONAL ANNOUNCEMENT

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentelman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, on yesterday during rollcalls No. 263, No. 264, and No. 265, I was absent. Had I been present, I would have voted "yea." I had to leave the House Chamber because my 15-year-old son was struck down by a truck of the Evening Star Publishing Co. while he was bicycling and for that reason I was absent. I want the RECORD to show I would have voted "yea" had I been present on those three rollcall votes.

INCREASE OF BONNEVILLE POWER RATES

Mr. DUNCAN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, I have read with disappointment and regret the Secretary of Interior's announcement that the Bonneville Power Administration is petitioning the Federal Power Commission for an increase in its power rates, averaging about 3 percent. The announcement is not unexpected and is much less onerous than previous proposals. It is, in my judgment, however, unnecessary and not in the best interests of the Pacific Northwest.

Oregon and the Pacific Northwest have been blessed with trees and water. Adequate supplies of water for irrigation, industrial and domestic use and for cheap hydroelectric power have represented a most important economic advantage for Oregon in the heated competition for development. Some say it is our only economic advantage and that this is more than offset by high freight rates, recurring shortages of railroad cars and the great distances from the large concentrations of people where the profitable markets exist.

Competing interests—geographical, industrial, and power users and suppliers—have long wanted to either share our Northwest resources or reduce the economic advantages inherent therein or both.

Power presently surplus to our needs will soon be exported to the Southwest. Only by diligent hard bargaining was this accomplished under conditions of mutual advantage to the two sections of the country with protection for the rights of the Northwest.

Another great battle looms as the Southwest looks over the water in northern California to the Columbia River for additional supplies to water the parched Southwest and to further develop that area in direct competition with our own.

The power rate increase is an attack on the Northwest, demanded more by pragmatic political considerations involving the continued development of hydroelectric power than by the economic necessities. In meetings with the Bonneville Power Administration officials and the Secretary of the Interior, neither made a convincing case that rate increases were necessary at this time.

The statistical basis on which the increase is predicated is tenuous and speculative, involving predictions of economic conditions, interest rates, labor and other costs, revenues and new production and transmission facilities for many, many years in advance—at least up through the year 2030.

The newly announced rate policy, in effect, asks present Bonneville Power Administration customers to pay in advance for power projects not yet begun and for which money has not yet even been appropriated by the Congress.

Rates can be reviewed again in 1969. There is ample time to adjust them to avert a deficit projected in the next century. There will be fewer variables to consider then. Indeed, the whole concept of the 50-year payout period for generating structures is too low. I know of no private utility which depreciates its facilities on that basis when they know the useful life is much longer.

I oppose the increase. If a rate increase must come, I repeat, this one is less onerous than I feared. It will not destroy the Northwest, but it cripples us.

I urge the Secretary of the Interior to withdraw his application, or, should that not occur, I urge the Federal Power Commission to deny it.

THE POVERTY PROGRAM

Mr. **DICKINSON**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **DICKINSON**. Mr. Speaker, I have been requested by letter by the chairman of the Education and Labor Committee to advise him of any criticism of the poverty program. As things comes to my attention, I will be pleased to reply here on the floor of the House of Representatives.

One of the many, many things wrong is that there are too many apple polishers and not enough apple pickers in the Poverty Corps. This is now a matter of public record, and shows how badly the poverty program is failing.

American mothers are losing their sons in Vietnam where we are fighting a hot war. Yet in the military there is only one supergrade employee to every 1,100 civilians. But in the war on poverty there is one supergrade—earning up to $24,500 a year—to every 18 employees. These supergrades earn more than Army, Navy, and Air Force officers who have devoted a lifetime to the Nation and who today risk their lives in Vietnam. It is disgraceful. It is disgusting.

Meanwhile, State authorities have been forced to ask that thousands of foreigners—Canadians and West Indians—be brought into the United States to harvest the apple crop in Virginia and West Virginia. This while our "job camps" are bulging with people eating high on the hog who would not pick apples. These are the overprivileged who live in idle luxury for which the rest of us pay. Since Sargent Shriver cannot make them pick apples, I suggest he send into the orchards this week his staffers—400 of them earning $35 to $100 daily. I hear some of them are getting sick licking postage stamps. Imagine bringing in foreigners while our taxpayers support in luxury people too proud to pick apples.

The chairman of the House Education and Labor Committee has just written me asking if I have any criticisms of the so-called poverty program. I have. It makes Teapot Dome look like a tea party.

[From the Washington (D.C.) Star, Aug. 27, 1965]

Robertson Asks Foreign Apple Pickers

Virginia Senator A. Willis Robertson, Democrat, of Virginia, has asked the Secretary of Labor to authorize Virginia applegrowers to bring in 2,500 foreign workers.

Robertson said in a letter yesterday that the Labor Department's program of using domestic workers to harvest crops was inadequate.

He wrote Secretary Willard Wirtz that Robert C. Goodwin, Labor Department Manpower Administrator, testified yesterday before a subcommittee of the Senate Appropriations Committee that he had lined up 500 apple pickers for Virginia.

"But I presented to Mr. Goodwin the estimate received today from Charles S. Toan, executive secretary, Frederick County Fruit Growers Association, stating that Virginia would need 5,000 workers to harvest the current crop * * *

"Since your present top estimate of the number of apple harvesters that you can bring into Virginia is only 500, why can't you now authorize Virginia growers to bring in up to 2,500 foreign apple pickers? That will still leave a demand for five times as many domestic pickers as I think you will be able to furnish."

Robertson said "millions of dollars are at stake in a labor movement experiment which has not panned out in other areas and which is not going to pan out in Virginia, West Virginia or any other apple State of the Atlantic seaboard."

The hearing yesterday was on a request by Goodwin for $1,968,000 to finance labor recruitment programs.

Goodwin promised a decision around Labor Day on whether to permit importation of workers from Canada and the British West Indies.

[From the Martinsburg (W. Va.) Journal, Aug. 25, 1965]

Plight of Apple Industry Is Aired to Jefferson Chamber of Commerce

Charles Town, August 25.—"Where to find pickers after the harvest has started" is the big question in the minds of apple growers in the Eastern Panhandle, Turner Ramey told 38 members of the Jefferson County Chamber of Commerce at the monthly luncheon yesterday at the Rib Room.

Manager of the Walnut Hill Orchard, the speaker described the plight of fruitgrowers since Willard Wirtz, Secretary of Labor, has banned offshore labor to help with the harvest.

Last year Bahamans picked about 25 percent of the apple crop in Berkeley and Jefferson counties. In the past 10 years, growers have used local help, but there has never been enough men to do all the harvest.

When Congress allowed Public Law 78, which allowed Mexicans to come into this country to help harvest crops, to expire, Secretary Wirtz assumed that no foreign labor should be used because of the unemployment throughout the United States.

NEW REGULATIONS

According to new regulations, the growers must comply with four conditions: They must guarantee a minimum wage, adequate housing, workmen's compensation, and transportation to and from the orchards. Ramey said that the two qualifications which disturb orchardists are the guarantee of $1.15 an hour, which a poor picker cannot meet at 15 cents a bushel, and the transportation costs.

He pointed out that a busload of workers coming from Mississippi, for instance, might cost as much as $700 with no guarantee that the men would stay for the harvest.

Ramey gave as an example the case of 600 cards being sent to unemployed workers in Washington, D.C. When the men found out what type of work was involved, only 400 answered the cards. Out of the original 600 contacted, only 4 were left picking apples at the end of the season.

TWENTY-MILLION-DOLLAR INDUSTRY

The apple industry is worth $20 million to West Virginia, with about 5 million bushels a year, 2 million of which are grown in Jefferson County. A total of 1,800 pickers are needed to harvest the crop, with about two other workers for each picker in related jobs, such as canning and processing.

Ramey explained certain legislation before Congress which will affect fruitgrowers, the most vital being the minimum wage for all agricultural employees, which repeals the seasonal industry exemption.

With the hope to get the apple crop harvested, many growers are placing a 2-cent bonus on top of the 15 cents paid for each bushel.

During a question-and-answer period, one chamber member asked Ramey if the growers could use young men in the Job Corps. He replied that Job Corps trainees are not allowed to work for private industry.

MECHANICAL PICKERS

He was also asked if there had been a breakthrough on mechanical pickers. Ramey explained that VPI has a grant to work on that problem, and that processing apples may be harvested by a mechanical device in the near future.

Another solution to the labor problem is the new type of tree which is being planted now. The new variety grows small and may be planted close together, solving many difficulties in harvesting. However, he added that the growers simply can't pull up their orchards and start over.

In the absence of the president, W. W. Jackson, F. S. Woodford presided and introduced John Y. McDonald, a guest of Adm. Thomas M. Stokes, retired.

Executive Secretary Brooke Blackford announced that Woodford had been elected to the State board of directors of the chamber of commerce, representing the second district.

Members were reminded of the public hearing on U.S. Route 340 on August 31 at 10 a.m. at the Jefferson County Courthouse.

BOBBY BAKER AND THE NORTH AMERICAN AVIATION CONTRACT

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **GROSS**. Mr. Speaker, long overdue is the word that North American Aviation, holder of Defense Department and Space Administration contracts totaling hundreds of millions of dollars, is canceling its multimillion-dollar vending machine contract with Bobby Baker, the high-flying former employee and intimate of President Johnson.

Starting from scratch in 1961, Baker, while a $19,000 a year employee of the Senate majority, and in less than 2 years, built a vending machine business grossing more than $3,500,000 annually. Subsequently, when attempts were made to obtain from Baker the identity of his financial angels and other details of his manipulations, he took refuge behind the fifth amendment.

On February 13, this year, and again on July 2, as the Congressional Record will show, I pointed out the impropriety of Government agencies and departments dealing directly or indirectly with racketeers.

On July 13, I said:

> Such contractural relations would not be tolerated by the Government if they involved such figures as Frank Costello, Tony Accardo, and others of their racketeering ilk. The record shows that Bobby Baker is a political racketeer, and political racketeering should be given no preference.

NATIONAL BROADCASTING CO. DESERVES NATIONAL TRIBUTE FOR AMERICAN WHITE PAPER

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, last night the National Broadcasting Co. gave television its finest 3½ hours. In an unprecedented analysis of American foreign policy titled, "American Foreign Policy: White Paper" NBC gave millions of Americans an opportunity to understand the full complexity of world affairs and the role the United States plays in shaping the outcome of these events.

This was television at its very best. It epitomized the hopes Americans have for a medium of communication which will afford us an opportunity to get all the facts.

Several years ago Newton Minow called television a vast wasteland. I am sure Mr. Minow would exclude last night's effort by NBC. All of those who played a role in last night's production have earned the everlasting gratitude of all Americans. It was a penetrating review of a vastly complex subject and today all those Americans privileged to view the presentation are so much the richer in understanding.

Television networks have suffered considerable criticism in recent years, Mr. Speaker. I submit no one but a vast television network could have sources of participants to place the entire subject in proper perspective. The National Broadcasting Co. network can now embark on its excellent fall program of entertainment secure in the knowledge that it has fulfilled its obligation of public service to the public interest in last night's educational spectacular.

I am particularly proud of the opportunity NBC afforded President Johnson, Secretary of State Dean Rusk, Secretary of Defense McNamara and all the others to place the entire subject in its proper perspective. I am sure millions upon millions of Americans who watched the NBC presentation last night can proudly join me in saying we are proud to be Americans.

There are those who have suggested that the presentation was too long and the subject too complex to grasp in one sitting. I do not agree. On the contrary, it was only by devoting 3½ hours of prime time that NBC was able to bring America's television audience an understanding of how thoroughly and totally complicated is the field of foreign relations.

More important, NBC afforded Americans an opportunity to better understand how vast a responsibility the United States has in all corners of the world as the leader of the world's free nations.

Mr. Speaker, I believe that Eastern Airlines should be congratulated for sponsoring this very impressive experiment in better understanding. Both Eastern Airlines and the National Broadcasting Co. have performed a public service and have earned the highest gratitude of all Americans.

THE BALANCE OF PAYMENTS, THE GOLD DRAIN, AND YOUR DOLLAR

The SPEAKER pro tempore (Mr. ROOSEVELT). Under a previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 60 minutes.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, it is my privilege to bring to the House today the report of the Republican coordinating committee on "The Balance of Payments, the Gold Drain, and Your Dollar," a paper prepared by the task force on Federal fiscal and monetary policy of which the Honorable Maurice H. Stans, Director of the Bureau of the Budget from 1958 to 1961, is the chairman and of which I am a member.

There is no problem more critical, involving as it does national and world prosperity and the prospects for war or peace, and I sincerely hope the document will be read by tens of thousands of Americans.

The paper begins with a message from the Republican coordinating committee, as follows:

A MESSAGE FOR EVERY AMERICAN

On March 10, 1965, the Republican coordinating committee met for the first time. It decided that one of the most urgent matters of public business facing the United States was, and will continue to be, competent management of our balance of payments, gold outflow, and international monetary problems.

With money, as with dynamite, there is tremendous potential for good, or for disaster, depending on how it is managed—not just for the United States, not just for the citizen and his family, but for the whole world.

Successful management will help bring us all increasing prosperity with economic stability, and brighten the prospects for lasting peace. Poor management will result in pronounced inflation, recessions, or even a worldwide depression of severe proportions, should the present arrangements for international monetary exchange deteriorate.

Since World War II the United States has been the leading diplomatic and military power of the free world. In this role it has worked diligently and successfully for peace and the material well-being of people everywhere. This is the essential precondition to individual dignity and freedom.

But the diplomatic and military strength needed for the United States, or any nation, to maintain leadership depends on its economic health and the strength of its currency. No nation can long endure as a first-class power dressed in a shabby currency.

Today, the dollar is still the strongest currency in the world. But there is apprehension that it will not remain so. The present administration's fiscal and monetary policies create doubts. The financial burden of shouldering the free world's responsibilities—especially to wage limited wars and police actions in trouble spots such as Vietnam and Santo Domingo—give rise to further apprehension. The continuing preference of foreign creditors for payment in gold rather than dollars is the acid test of the strength of the dollar.

It should be a matter of concern to all that in the big time game of international finance and power politics, the present administration is putting us in a position of dealing from weakness rather than strength.

The United States should not take this risk. The stakes are too high.

For these reasons, the Republican coordinating committee enlisted a special task force of distinguished citizens and eminent authorities, each experienced in the problems of economics, finance, or public affairs to investigate the present conduct of U.S. policy in this critical area. Their report follows. We endorse it as a statement of Republican policy. We urge everyone to read it carefully not just as an interested citizen in behalf of himself and his family, but also as a citizen who is concerned for the well-being of his country and all the people of the free world.

The report is summarized as follows:

SUMMARY

I. The U.S. balance-of-payments position and loss of gold evidence a critical situation.

THE FACTS

The gold supply of the United States has dwindled from $23 billion to under $14 billion in the last 8 years.

In the first 6 months of 1965 the loss of gold was $1.2 billion, exclusive of a transfer to the International Monetary Fund.

The country is committed to keep approximately $9 billion in gold to back its currency, leaving less than $5 billion of gold to use in foreign payments.

For the last 7 years American dollars have been flowing overseas (for investments, imports, loans, foreign aid, tourism, military purposes and other spending) at a rate that has exceeded the inflow of dollars from other countries by an average of about $3 billion a year.

As a result, the country now owes $28 billion in short-term dollar balances held by foreign claimants, for which they can demand payments, directly or indirectly, in gold.

The margin of our exports over imports has shrunk alarmingly in recent months, at the rate of about $2 billion per year, from earlier levels.

In early 1965, the net outflow of dollars was stemmed only by the Government's admittedly temporary expedient of harshly restricting American direct business investments abroad and limiting private lending overseas.

THE SIGNIFICANCE

The United States has failed to bring its international balance of payments into even temporary equilibrium except by the imposition of ultimately self-defeating Government controls.

The Goverment's management of the Nation's monetary and fiscal affairs has shaken the confidence of other nations in our ability to find lasting solutions to our balance-of-payments problem.

The international monetary system, which relies heavily on the dollar as the key international reserve currency, has been impaired by the U.S. balance-of-payments deficits to the point where drastic changes in the system are being called for.

Unless these conditions are corrected promptly, they can lead to loss of value for the dollar, loss of American strength at home and leadership abroad, loss of vigor in our economy, and loss of jobs, welfare and security for individual Americans.

II. The Democratic administration has not only failed to deal effectively with these conditions but has contributed to making them worse.

It has attempted to reassure the public with unwarrantedly optimistic statements instead of facing the problem with appropriate action.

It has consistently opposed the use of time-proven methods of monetary and fiscal restraint.

It has adopted artificial controls over the outward flow of capital as an expedient to avoid the decisive steps needed for an effective long-term solution.

Its major actions, which restrict American investment in foreign countries, are such as to be ultimately self-defeating.

Many of its efforts and proposals have been so picayune as to be meaningless, such as cutting down the small amount of goods American tourists can bring back from overseas without payment of duty.

It has persisted in out-of-date programs which involve excessive military spending in Europe.

It has allowed foreign aid programs to cause an excessive drain of our dollars.

It has allowed the balance-of-payments difficulties to grow to a point where proposals are being made for changes in the international monetary system which seem destined to reduce the role of the dollar as the principal international reserve currency.

It has followed monetary and fiscal policies which impair the Nation's capability to deal constructively with economic recessions.

III. The Republican Party recommends that the following measures be adopted by the administration and the Congress without delay.

1. Give top priority to developing a solution to our balance-of-payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.

2. Jointly, with our allies among the major industrial and trading nations, work aggressively to strengthen international monetary arrangements along noninflationary lines.

3. Lend support to a monetary policy which will narrow interest rate differentials between the United States and other countries.

4. Adopt domestic fiscal policies which avoid inflation and which preserve an ample reservoir of strength to deal with any unexpected crisis or unfavorable economic development.

5. Enlarge efforts to build export trade, including tax, depreciation, and other economic policies, and the encouragement of technological and productive superiority, to enhance the competitive position of American business and labor.

6. Increase promotional efforts to encourage foreign tourism in the United States, with greater reliance on private agencies.

7. Redetermine the extent of need, under present conditions, for U.S. military forces in the European theater, with the objective of reducing our expenditures there.

8. Confine American military assistance generally to countries committed to the side of the free world in the struggle against Communist subversion and aggression.

9. Reduce the cost of foreign economic aid programs, primarily by directing assistance to those countries which maintain a hospitable climate for private investment capital, and by stimulating private initiative here and abroad to lead in their development.

This Republican program calls for the responsible use of fiscal and monetary policies, for realistic reductions of Government overseas economic and military programs, and for steps to increase the return flow of dollars. It would provide a fundamental and lasting solution to our balance-of-payments problem.

Once a program of this character took hold it would be possible to discard the administration's expedients. The recent restrictions on duty-free imports by American tourists could be relaxed immediately. The stopgap measures to limit private overseas investment—the interest equalization tax and the so-called voluntary restraint program—could be dismantled at an early date.

Adoption of this Republican program would serve notice to the world of our determination to manage our financial affairs constructively, to defend the dollar, to build our national vigor, and to enhance our moral, military, and economic power to outperform and outlast world communism.

It would allay concern over the adequacy of international liquidity and provide a solid foundation for world economic stability, development, and prosperity.

In addition, it would enable the United States, as the possessor of the world's strongest economy, to deal from a position of rebuilt and growing strength in negotiations to improve the international monetary system.

All Americans can proudly and confidently support this program and its objectives.

The complete text, which I urge every Member to study carefully, is as follows:

THE BALANCE OF PAYMENTS, THE GOLD DRAIN, AND YOUR DOLLAR

The balance-of-payments problem in the international accounts of the United States, and the outflow of gold from the United States, are symptoms of a danger affecting every American's job and income, the future prosperity of the rest of the world as well as the United States, and, in the larger picture, the question of whether the free world will maintain the economic strength to prosecute and eventually to win the cold war.

Continued failure to deal adequately and promptly with the problem could contribute to a breakdown in the international monetary system with the possibility of bringing to the United States and other free nations a depression of serious proportions and duration. In such circumstances, everyone would suffer.

This paper analyzes the problem as follows:

1. Evidence of the problem.
2. How the situation developed.
3. The problem today.
4. The failure of the Democratic administrations' attempted solutions.
5. The Republican recommendations.
6. The urgency of achieving a lasting solution.

EVIDENCE OF THE PROBLEM

Existence of the problem is confirmed by the volume of material appearing in the public press about it, the profusion of speeches being given by administration officials telling what they are doing about it, their claims that their efforts are working, their explanations of failures, and their attempts to answer criticisms of their policies. Repeated warnings by monetary organizations, experts and officials abroad indicate their concern.

Only this year the administration recommended, and Congress passed, a bill which eliminated the requirement for gold as a backing for the deposit liabilities of our Federal Reserve banks, retaining only the 25 percent gold requirement against the note liabilities of the Federal Reserve system. This was an emergency measure to free more of our gold stock for payment of foreign claims. The administration had allowed itself to be forced into a position where it had to change the law or break it. The move postponed an eventual reckoning, but contributed nothing to finding a solution for the basic problem or to stopping the demand for gold.

Dramatic, objective evidence is also available in the economic statistics:

1. Beginning with 1958, the United States has had a large international payments deficit every year, which means that more dollars have flowed out of the country than have come back into it. (See table 1.)

2. Gold has been moving overseas to finance part of these deficits, with the result that the country has lost about one-third of its gold stock of 8 years ago. (See table 2.)

3. The short-term claims of foreign holders against the United States are now twice its gold stock, and if all the holders of these claims were to demand payment in gold we could not pay half of them. (See tables 3 and 4.)

In short, there is widespread agreement among authorities, among leaders of both political parties, within the Government of the United States and among officials of other countries, that the United States' international finance are in disorder. The statistics show clearly that this is the case.

Balance of payments

[In millions of dollars]

	Surplus	*Deficit*
1957	520	-------
1958	------	−3, 529
1959	------	−3, 743
1960	------	−3, 881
1961	------	−2, 370
1962	------	−2, 186
1963	------	−3, 053
1964	------	−2, 660

U.S. gold stock

[In millions of dollars]

June 1957	22, 625
December 1957	22, 781
June 1958	21, 356
December 1958	20, 534
June 1959	19, 746
December 1959	19, 507
June 1960	19, 363
December 1960	17, 804
June 1961	17, 603
December 1961	16, 947
June 1962	16, 527
December 1962	16, 057
June 1963	15, 830
December 1963	15, 596
June 1964	15, 623
December 1964	15, 471
June 1965	13, 934

TABLE 3.—*Short-term liabilities to foreign sources in relation to U.S. gold stocks, 1957–65*

[In billions of dollars]

	U.S. gold stock	Short-term liabilities to foreign sources
1957	22. 8	15. 2
1958	20. 5	16. 2
1959	19. 5	19. 4
1960	17. 8	21. 3
1961	16. 9	22. 5
1962	16. 1	25. 0
1963	15. 6	26. 0
1964	15. 5	28. 8
1965	[1] 13. 9	[2] 27. 4

[1] June.
[2] May.

TABLE 4.—*Excess or deficiency of gold stock in relation to foreign dollar liabilities*

[In millions of dollars]

	Surplus	Deficit
1957	7, 699	------------
1958	4, 423	------------
1959	118	------------
1960	------------	−4, 423
1961	------------	−5, 586
1962	------------	−8, 962
1963	------------	−10, 346
1964	------------	−13, 363
1965	------------	−13, 550

HOW THE SITUATION DEVELOPED

For many years prior to World War I, and until the depression of the 1930's, England was in effect the world's banker. The pound sterling was recognized everywhere as the preferred medium for payment of international debts, transfers of capital across national borders, and for foreign exchange uses generally. In the thirties, this international payments system broke down and balances began to be settled in many different currencies with continually fluctuating rates—a condition which in itself hampered international trade and was an obstacle to general worldwide recovery from the great depression.

Following World War II, the United States emerged as the world's strongest economy. The economic strains of war were less severe on it than on other combatant nations. Its industrial plants were not damaged as were those of other countries. The accumulated demand of the war years resulted in a rapid expansion of our industrial plant and brisk economic activity.

At the same time, the United States assumed responsibility for helping to repair the destruction in other countries. The wartime "arsenal of democracy" for western civilization converted itself into the peacetime supplier of goods, services, and capital to rebuild the ravaged economies of our friends and enemies alike. In this, the efforts of private capital were supplemented by Marshall plan grants and by other foreign aid programs.

This employment of national strength and wealth resulted in the establishment of the dollar as the world's principal reserve currency. It was an accidental benefit. It was unplanned. But it helped the world, and it bestowed prestige on the United States as the world's financial and economic leader.

During much of this postwar period the United States ran a deficit in its balance of payments, as dollars flowed abroad to help rebuild the world. The dollar was in demand everywhere. It was not just "good as gold," it was better. The United States became the world's banker, providing its international currency needs. Its balance-of-payments deficits, if held within reasonable limits, would not have been dangerous; they would, up to a point, have merely offset the surpluses of the war years, while helping to meet the world's need for international financial liquidity.

But by the late 1950's things were beginning to change. The "dollar gap" had disappeared. We were faced abroad by rebuilt industrial nations competing with the United States for export markets and investment opportunities. Deficits continued, however, as did foreign military and economic assistance commitments, the latter with emphasis transferred largely to underdeveloped and Communist-threatened nations.

As the finances of industrial nations improved, it was only natural that their officials and bankers felt it wise to build their gold holdings. This, too, would not have been harmful to the United States if it had been held within reasonable bounds. Unfortunately, that has not been the case. Failing to respond adequately to our gold losses and our balance-of-payments deficits, the Democratic administrations since 1960 have not applied the measures necessary to maintain the Nation's gold supply and the future strength of the dollar.

In 1959 and 1960, when the balance-of-payments deficit first became a matter of concern, the Eisenhower administration had responded promptly, as noted in the January 1961 Economic Report of the President:

"The effort centered on measures to increase United States exports and to reduce the balance-of-payments impact of Government military and economic programs abroad in a manner consistent with our responsibilities."

Specifically, the Eisenhower action included these steps: (a) A national export expansion program, including improved arrangements for guarantee of short and intermediate-term export credits by the Export-Import Bank, and active governmental support for reduction of foreign discriminatory restrictions on U.S. goods and services; (b) reorientation of activities of commercial attachés of our embassies abroad and State Department policy generally, from one of assisting foreign businessmen in selling to the United States, to a policy of promoting export sales of American products; (c) measures, as early as October 1959, to tie military and economic assistance activities of the Department of Defense, International Cooperation Administration and Development Loan Fund to procurement in the United States; (d) an Executive order in January 1961 prohibiting U.S. citizens and organizations from holding gold abroad; (e) measures in 1960 to effect a progressive reduction in the number of military dependents in Europe; (f) initiation of negotiations with Germany that eventually resulted in that country assuming a major share of the cost of maintaining U.S. military forces there; (g) appropriate monetary and fiscal policies to provide incentives to attract foreign funds and to keep dollars at home, as well as to avoid the potential inflationary pressures that could have developed in the course of financing a large public debt increase in 1959.

This multipronged approach, which was accepted in the United States and abroad as both timely and effective, was inadequately followed up by the succeeding Democratic administration. It even blithely reversed some of the most effective measures.

So now a truly ironic situation has developed. The revitalized and financially stronger European governments have grown alarmed at our lack of financial discipline and have decided that gold bars may prove a better long-term investment than dollars. This conviction on their part has been affirmed by their concern about present U.S. policies of stimulating growth by artificially low interest rates and unduly expanded credit.

Whatever the motivation of other governments, the result has been that they have put pressure on the dollar, exchanging it for gold. The consequence, for which our own Government's policies are responsible, has been an undermining of the dollar's standing as the world's leading reserve currency.

The administration's attitude of nervous disapproval of foreign gold demands, its meager palliatives, and harshly restrictive efforts to remedy matters, together with its continuing barrage of publicity to bolster domestic political confidence, have caused growing concern. Actually, the administration's attempts to deal with the problem are compounding it rather than solving it.

THE PROBLEM TODAY

Few people realize fully the extent to which the prosperity of the United States, and of all other nations, is dependent on the exceedingly complex arrangements for the international flow of money and gold, whether as payments for imports and exports, as investment capital, as intergovernmental loans and grants or as changes in the reserves backing an individual country's currency.

Nor are they fully aware of how easily and rapidly that whole system, which is based primarily on confidence, can deteriorate through poor management.

The key to understanding the situation created by the deficit in the U.S. balance of payments and loss of gold lies in understanding how the world's money supply is provided and how that supply is used to fuel the world's economic machinery.

There is not enough gold in the world to handle all the transactions for which a medium of exchange is needed. Faced with this situation, creditors in international trade will accept "hard" currencies in lieu of gold. A "hard" currency is one that is both in good supply and is well-managed by its country of origin, so that people have faith that it will remain "hard" and not deteriorate through inflation.

When the supply of gold to handle world transactions is inadequate, an additional medium of exchange—a hard currency—is needed to supply "liquidity." The liquidity for world use today is supplied principally by the U.S. dollar. The British pound has been in second place as a "key currency."

Currencies get into world circulation through their home country running a balance-of-payments deficit, more dollars, for instance, flowing out each year than flowing in.

In the postwar period, the world looked to the dollar with confidence; the willingness of foreigners to hold the increasing amount of dollars resulting from the recurring annual deficit in the U.S. balance of payments was a sign of the dollar's stable value and acceptability as a dependable medium of exchange. But these accumulated deficits have now built up to $28 billion worth of dollar claims against the United States with only about $14 billion in gold stock to pay them (of which only $5 billion is now legally available for such use).

So, the problem resolves itself into four critical aspects:

1. How to manage our economic affairs to merit and retain a role of world financial leadership.
2. How to manage the world's key currency, the dollar, so as to maintain confidence in it.
3. How to maintain adequate but not excessive international liquidity.
4. How to strengthen present world monetary arrangements.

The problem of confidence in the management of the dollar is central. If other countries regain confidence in that management, a balance-of-payments deficit of reasonable size can be a symptom of strength, not of weakness. Dollars bearing interest will again be in more demand than noninterest bearing gold. And the gold drain will either terminate or reverse itself.

Under these circumstances, the United States, with its house in order, and its currency the strongest in the world, can take the lead in improving international monetary arrangements to achieve world economic growth and stability for the years ahead.

THE FAILURE OF THE DEMOCRATIC ADMINISTRATIONS' ATTEMPTED SOLUTIONS

The Democratic administrations have had almost 5 years to solve the problem but have failed to do so, because they have attempted to deal with symptoms rather than underlying causes. Like treating a patient with a fever by putting him into a tank of cold water, this may alleviate some of the discomfort, but it is no substitute for a good antibiotic to kill the germ responsible for the ailment.

The Democratic administrations have tinkered with the difficulties by attempting to adjust some items of inflow and outflow of payments. They have not gotten at the basic causes, the principal ones of which are their own monetary and fiscal policies. In seeking to achieve political objectives by easy money policies, and by entering into large governmental spending commitments, they have sown the seeds of future economic weakness. These policies do not inspire confidence at home or abroad.

Most of the direct steps the administration has taken have been too little and may also have been too late. Some have been of so little consequence as to have negligible effect. The measures that have had some effect are of a short-run type, sure to be destructive in the longer run of our national and international interests.

Here are the principal measures undertaken by the administration:

1. Reduction of duty-free allowances for American tourists returning from other countries.
2. Export trade promotion and assistance.
3. Promotion of foreign tourist travel in the United States.
4. An interest equalization tax.
5. The President's "voluntary program" to reduce private U.S. investments abroad.
6. Partial tying of foreign aid to exports; and steps to offset overseas military costs by sales of military material to other counties.

There have been other steps, too, but they are miniscule. For example, tours abroad by West Point and Annapolis undergraduates were canceled; this will save less than $1 million in a multibillion-dollar problem, at the loss of familiarizing our future officers with military installations and terrain in countries where they may some day be called upon to defend American interests. An item like this, which reduces the average annual dollar outflow by about one-hundredth of 1 percent at a cost in future military advantage, is a "little think" approach.

The widely publicized recent move to reduce further the duty-free allowance to returning American tourists is an unnecessary harassment of the citizenry to give the appearance of action in the hope that time will make a real effort unnecessary. The administration in 1965 proposed the momentous step of reducing the allowance from $100 to $50. The Congress wisely rejected this bit of silliness.

Promoting export trade is sound policy. At present only 4 or 5 percent of the American gross national product goes into export channels. Much more needs to be done to build our export markets.

Increasing foreign tourist travel in the United States is highly desirable. Reducing our present "tourist gap" (what our tourists spend abroad less what foreign tourists spend here) of $1.6 billion or more annually could help our balance of payments and stimulate better international understanding in the process. However, coupling such a program with injunctions to Americans to stay home is international doubletalk not conducive to achieving either objective. Cultural isolationism is a poor weapon with which to advance the cause of a free society against the aims of communism.

Twice the administration has attempted to stem the adverse balance-of-payments tide by major expedients. In 1964, it requested and secured from Congress an interest equalization tax to reduce American portfolio investment overseas. When this failed to produce all the desired results, it adopted in 1965 a "voluntary program" for restriction of private U.S. investment abroad. These measures turn back the clock on 30 years of progress from isolationism and protectionism toward progressive reduction of barriers and toward an expanding world movement of capital and trade. They are steps backward, inviting retaliation in kind, for which this country and the rest of the world will suffer.

Actually, one of the largest continuing and expanding sources of dollar inflows is the returns on investments made in earlier years. A study made by the Brookings Institution estimated that, on a cumulative basis, the dollar outflow initially entailed in new direct foreign investment and loans is fully offset in 5 years by the dollar inflow it produces, and that by the 10th year it has produced inflows more than twice the amount of the initial outflow. The administration's policy of restricting foreign investment means that in future years this increasing return flow is sacrificed to the expedient of temporary relief from tough decisions that ought to be made in other areas. This is penny-wise, pound-foolish government.

Apart from the potential loss in investment income, the administration's restrictionism entails other major fallacies. It is hostile to business freedom, it militates against international cooperation, it inhibits growth of free markets, it reduces export opportunities, it tends to cause balance of payments problems for other countries, it invites retaliatory protectionism, and impedes the development of economies in other free world countries by denying to them the capital to build the stability and strength to withstand Communist enticements. It is contrary to all that America stands for.

Another serious concern relative to the so-called voluntary controls is the sanctions available to the Government for enforcing "voluntary" compliance and the possibility that under the stress of some future temporary emergency such voluntary controls might be hardened into compulsory controls. Undesirable as controls by government intrinsically are under a free enterprise economy, their imposition on international commercial and financial exchanges has the added penalty that they are interpreted abroad as possible signs of a deteriorating economic position.

When so much of the problem has to do with maintaining the confidence of the financial community at home and abroad in the management of our monetary affairs, such measures, or even indications that such action may be considered, have a strong tendency to compound the problem rather than contribute to its solution.

The Democratic administration concedes that the restrictions on foreign investments are intended as temporary measures, not a permanent solution. It hopes that a permanent solution will somehow happen, but it has no evident program for causing it to happen. It has freed some domestic gold reserves by getting Congress to withdraw part of the requirement of gold as a backing to our monetary and banking system, but this merely bought time—it created no more ability to pay international debts.

The deficits of recent years would have been even larger except for the fact that some foreign countries have made prepayments on their postwar debts to the United States. It is doubtful that this can be relied upon much longer as a significant source of payment inflows, in view of the relatively small remaining amounts that are likely to be collected from the countries that have made such prepayments.

The United States cannot solve this problem by reducing gold reserves, nor by a facade of restrictive, short-run, penny-wise, little-think isolationist measures. Such measures may cover the problem up for a short time, but are misleading none of the experts at home or abroad. It is their confidence, in this case, that is the key to the problem.

Neither will the American people be satisfied for long with little more than good intentions. They will look for careful analysis, depth of understanding, discrimination between cause and symptom, and purposeful and determined actions.

THE REPUBLICAN RECOMMENDATIONS

Top priority must be assigned to restoring and maintaining a reasonable balance in the Nation's international payments through genuinely effective, long-range policies. To this end, the Republican approach rests on the following premises:

The solutions should be directed at underlying causes, not merely at symptoms.

They must contribute to both domestic and international economic stability and growth.

They must help to provide adequate but not excessive international liquidity and world monetary reserves.

They should make possible the prompt withdrawal of restrictive Government controls over American investments in foreign countries.

They should foster expanding international trade, travel, investment and cooperation among free world nations and people.

They must be aimed at strengthening, and then maintaining, the United States position of international financial leadership.

The Republican Party recommends that the following measures be adopted by the administration and the Congress:

1. Give top priority to developing a solution to our balance-of-payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.

2. Jointly, with our allies among the major industrial and trading nations, work aggressively to strengthen international monetary arrangements along noninflationary lines.

The role of the United States should be to lead in consideration of any changes in the world monetary system. It cannot permit other countries to usurp its position as the world's banker or to lead it into unwise compromises.

International meetings are timely from the standpoint of the present need for improved world monetary arrangements. Prospects for the success of such meetings will be greatly improved, however, when the United States can participate from a position of leadership based on management of its international payments through sound long-range policies rather than on expedients such as so-called "voluntary" controls of capital outflow.

The United States should develop its positions and its plans for strengthening the world's monetary relationships. The objectives should be:

1. The supplying of adequate but not excessive world liquidity.
2. The providing of a means of discipline to assure adjustments by countries when needed to keep their international accounts close to balance.
3. Maintaining of adequate facilities for emergency coping with temporary balance-of-payments deficits of individual countries.
4. The providing of policies and means to promote expanding and competitive trade and unrestricted movement of capital.
5. The assuring of arrangements to reduce the possibility of individual countries disrupting the international monetary structure through unsound domestic economic policies.

The International Monetary Fund has met these requirements with a laudable degree of success. Further improvements to maintain that record and to augment the capability of the fund to achieve these objectives are now in order and preferable to radical plans for change or to creation of wholly different experiments through new international systems.

Changes in the world monetary system should be evolutionary and gradual, to minimize speculation and instability. They should progress in orderly fashion. The present system, stemming from the Bretton Woods agreement, has bridged the transition from World War II's ravaged world to today's vastly expanded international trade and capital development. It can be adapted to present world needs without revolutionary change. The United States should point the way.

3. Lend support to a monetary policy which will narrow interest rate differentials between the United States and other countries.

The administration's failure to encourage use of corrective monetary policy is a major underlying cause of the balance-of-payments problem. Its rigid and uncompromising commitment to easy money as a magic key to domestic expansion is a poor choice of means as opposed to wise and flexible policies serving all the valid goals of domestic and international expansion. Our European creditors are watching with increasing impatience for the United States to exercise the monetary discipline which alone can establish their confidence in the continued soundness of the dollar.

The administration has consistently favored a policy of artificially low-interest rates, regardless of cost to other national objectives. Low interest rates are appropriate in a period of economic slack; they are wholly inappropriate during a period of high economic activity marked by inflationary warnings and accompanied by an unsolved balance-of-payments problem. Interest rates which are market determined, rather than politically determined, will rise in periods of high demand. In so doing they act as a brake on reckless expansion of credit, curb the tendency to excesses in the business cycle, apply restraint over the outflow of funds from the country, attract inflows from other nations, and moderate inflationary tendencies. This administration's policy of insistence on artificially low-interest rates is damaging to our national interests both in courting domestic inflation and in contributing directly to our balance-of-payments problem.

In the past 4 years, the administration's easy money policies have expanded credit twice as fast as the rise in real production. Interest rates are well below those in other industrial countries, and the amount of personal, private and government (local and State as well as national) debt in the United States is so high as to be cause for comment if not general concern.

All of this risks loss of confidence in the dollar. Foreign holders of dollars know by bitter experience that sooner or later credit inflation brings price inflation. They know that failure to use monetary and fiscal policy properly has been a major cause of every devaluation of currencies in history.

Further credit inflation in the United States could involve the heavy risk of a boom and bust pattern which would be damaging at home as well as abroad. Responsible use of credit policy can help avert such developments, and contribute to balanced expansion in both domestic and international economic sectors.

4. Adopt domestic fiscal policies which avoid inflation and which preserve an ample reservoir of strength to deal with any unexpected crisis or unfavorable economic development.

The administration's fiscal brinkmanship can lead to disaster. The Vietnam situation, for instance, will involve many billions of dollars in increased military spending, and may provide a severe test of whether we have the reserve economic strength to provide adequate flexibility with which to meet this heavy increased burden on the budget without pronounced inflation.

A nation, like an individual, should preserve a reserve of strength, because it can never know when emergencies will develop. It is unwise to assume that new economic nostrums can repeal the ups and downs of the business cycle or immunize us from the fiscal demands of military emergencies. The overstimulation of growth by excessive Government spending, with deliberate deficits in times of unprecedented prosperity, are an invitation to crisis.

The administration claims credit for having held the budget deficit to $3½ billion in the last fiscal year; but this is after crediting $3 billion of largely nonrecurring receipts from Federal Reserve bank surplus, liquidations of Government stockpiles, and sales of loans and mortgages. A minor recession like that of 1958, with the budget already so overburdened, could result in a deficit of $20 to $30 billion or more, under the present administration's policies. This would not only be inflationary; it would very likely ignite already apprehensive feelings in world financial circles and could result in a run on the dollar that would play havoc with our whole economy and hopes of continued progress. The adjustments for every person from such a consequence could be unbelievably harsh. They would mean vastly higher costs of living, reduced hours of work, fewer jobs and less income, the wiping out of savings, pensions and insurance, and the decline of morale and purpose.

This is not a prediction that these things will happen. It is a warning that they can happen. The safe course is to avoid economic fantasies that rigidly deny common sense and the repeated experience of history. Our Government spending policies must not reject entirely the proven worth of capital creation through savings, building reserves for emergencies, and maintaining a long-run balance between income and expenditures.

5. Enlarge efforts to build export trade, including tax, depreciation, and other economic policies, and the encouragement of technological and productive superiority, to enhance the competitive position of American business and labor.

One of the most favorable factors of inflow in our balance-of-payments equation in recent years has been the excess of our exports over imports. American technology has outpaced the world and its products are in high demand.

Notwithstanding this, American exports are a very low percentage of our national output and are exceeded in this proportion by many European countries and by Japan. The potentials are much greater than we have achieved, and our present Government activities to induce increased trade could be improved. Our share of total world export trade has not kept pace with the growth of world exports since formation of the European Common Market. (See table 5.) Here again, improved results can be obtained through coordinated private and Government action.

Independent committees of economists, businessmen, labor leaders, export-import bankers, and marketing experts, cooperating with the Government, should be encouraged to devise and promote new and imaginative practical means for increasing sales of American products and services abroad. This should include stimulating, and removing impediments to, American private investment in other countries. Such investment builds markets for American-made goods. Private enterprise needs only to be unleashed, and made aware of the existence and location of markets, for our exports to mount under the stimulus of private motive.

The Government can help by adopting tax depreciation and other economic policies that enhance the competitive position of American business and labor. It can further relax depreciation allowances to encourage plant modernization. It can stimulate industrial research. It can gradually reduce the tax burden within responsible fiscal policy. It can aid in locating potential markets and communicating that information to appropriate industries. It can help by increased dissemination in diplomatic circles of the truth that freedom of enterprise in all nations will build an expanding economy and trade from which every nation will be the better and stronger.

The administration should particularly address itself vigorously to negotiating reduced barriers to trade with European countries. It should make a determined effort to further enhance the status and responsibilities of State Department commercial attachés.

Purposeful measures to reorient policies and personnel consistent with the changes in international trade conditions of the past 10 years are urgent. The situation is no longer one of the "dollar gap" and world recovery, but one of brisk competition with other revitalized nations.

In recent months the margin of exports over imports has shown an alarming drop. While some of this can be attributed to temporary conditions, it appears likely that the favorable 1964 margin of our foreign trade will not be repeated in the near future unless more aggressive and effective governmental action is applied.

TABLE 5.—*U.S. share of world trade, 1948–64*

[Dollars in billions]

	World trade [1]	U.S. trade	Percent of U.S. trade to world trade	U.S. trade excluding AID-financed exports	Percent U.S. trade excluding AID-financed exports
1948	$53.7	$13.2	24.6		
1949	54.5	12.1	22.2		
1950	56.1	10.1	18.0		
1951	76.1	14.1	18.5		
1952	73.3	13.3	18.1		
1953	74.3	12.3	16.6		
1954	77.1	12.8	16.6		
1955	83.9	14.3	17.0		
1956	93.2	17.4	18.7		
1957	100.1	19.4	19.4		
1958	95.4	16.3	17.1		
1959	101.2	16.3	16.1		
1960	113.1	19.5	17.2	$17.6	15.6
1961	118.2	19.9	16.8	17.7	15.0
1962	124.4	20.6	16.6	18.2	14.6
1963	135.5	22.1	16.3	19.3	14.2
1964	151.9	25.3	16.7	22.5	14.8

[1] Excludes Communist bloc countries and Cuba.

Source: International Monetary Fund, "International Financial Statistics" and U.S. Department of Commerce "Survey of Current Business," adapted from International Economic Policy Association.

6. Increase promotional efforts to encourage foreign tourism in the United States, with greater reliance on private agencies.

Americans spend billions of dollars touring in other countries, and this undoubtedly contributes in many ways to improved understanding among peoples. Contrary to administration policy, American tourism abroad should not be discouraged.

Other nations might well benefit, too, if more of their residents knew the United States at first hand. Expenditures by foreign tourists in this country are now around a billion dollars a year, less than 40-percent of what American tourists spend abroad. With increased prosperity around the world, many more foreigners could be attracted to this country, especially if they could be made confident as to costs, facilities, and attitudes. The administration's efforts at improvement have been marginally effective.

This is a job that can be done best by private action with effective Government support. Independent committees of travel agencies, hotel and motel owners, transportation companies, the press, and others should be encouraged to develop programs for enticing tourists to this country. The effective operation of such programs will do more for the United States by word of mouth goodwill from satisfied visitors than any amount of official Government propaganda. Our balance of payments can be improved in this manner while the people, customs, and intentions of our country are appreciated by more and more friends from other nations.

7. Redetermine the extent of need, under present conditions, for U.S. military forces in the European theater, with the objective of reducing our expenditures there.

The time has long since arrived when a substantial reduction of our Military Establishment in Western Europe would appear to be wise if not necessary. Approximately 700,000 military and associated personnel are still being maintained in Europe, at a net outflow in the balance of payments of about $1.5 billion (approximately half the recent annual balance-of-payments deficits). A force of this size was unquestionably desirable 15 years ago, as an emergency protective matter, when our European allies were weak and relatively defenseless. But with their economic recovery, the Western European countries should be able to marshal their own conventional forces against invasion, backed by our continuing firm commitment to assist in their defense. A small detachment of our forces can serve as evidence of this commitment, backed by our newly demonstrated ability to airlift reinforcements swiftly to any place in the world from central bases in the United States, and by our strategic air and missile striking forces.

An immediate reappraisal of the extent and character of our European-based military forces and financial commitment in the light of these changes in conditions should be undertaken both in our country and with our friends abroad as a matter of urgency. The results should substantially reduce our expenditures there.

These observations are backed by military experts and have been enunciated by both Democratic and Republican leaders. They were expressed by the Democratic majority in a 1965 report of the Joint Economic Committee of the Congress:

"The Committee urges that the review of Government expenditures abroad focus particularly on the possibility of reducing our troop commitments in Europe. Our overseas manpower was not cut back to the extent which the massive increase in our airlift capability would have permitted. We must reduce our military expenditures in these countries."

There is no reason why our European friends, given a full appreciation of our views, should continue to depend on us to carry such large forces on their soil. Our commitment to the preservation of freedom in Western Europe will not be reduced by a return of a considerable portion of these forces to our shores.

8. Confine American military assistance generally to countries committed to the side of the free world in the struggle against Communist subversion and aggression.

Last year American military assistance was given to more than 60 countries. In some nations American-supplied arms were used in local revolutions by forces inimical to free world interests. A more discriminating selection of military and beneficiaries is necessary.

Our military assistance programs should be limited generally to countries and administrations which are clearly committed to the free world and opposed to international communism. Military aid should consist almost exclusively of equipment produced in American plants, and should be directed to the free nations surrounding the Communist orbit, who are our first line of defense, and nations seriously threatened with Communist takeover by subversion or revolution. Any exceptions should be rare and should be required to be clearly justified in terms of our own overriding national interests. It is unsound to give weapons to nations when we cannot be sure that they will be used in our common defense, or to nations from whose hands they may proceed into the possession of enemy forces.

More realistic overseas military assistance programs will reduce the burden they impose on our balance-of-payments problem. (See table 6.)

9. Reduce the cost of foreign economic aid programs, primarily by directing assistance to those countries which maintain a hospitable climate for private investment capital, and by stimulating private initiative here and abroad to lead in their development.

There is little doubt of the basic desirability of our foreign economic aid objectives. In their 17 years many of these programs have served effectively in building the free world and promoting the development of emerging nations. But this does not necessarily warrant their continuance at present levels.

In fiscal 1965, loans, grants, and other assistance of various kinds were made to an approximate total of 100 countries. There is little doubt that close examination will show incredible inefficiency, waste, mismanagement, and misdirected effort in many of these programs. Some loans are made in dollars on terms which clearly indicate that neither the principal not interest is ever going to return to this country. Some grants merely help to support local political objectives or to pay running expenses of insolvent governments. Some programs support foreign government-owned projects which ought to be done by private agencies under appropriate local incentives and encouragement. Many are of doubtful value to the country intended to be benefited. Many should be ended. A realistic evaluation of these facts would result in a significant reduction in foreign aid costs.

The growth of industry and capital in the developing nations would be achieved more efficiently and more effectively under the discipline of the profit system than under any other form. This is the secret of our unparalleled American material progress and it should be exported with confidence and conviction.

Private initiative, both from the United States and within the underdeveloped nations should be recognized and encouraged as the key to sustained growth and development. Private capital can perform far more effectively than government socialism. Our aid ought to be directed to nations that accept this philosophy.

Furthermore, other industrial nations of the free world should be induced to shoulder a larger share of the burden of assistance to developing countries, both directly and through United Nations multilateral programs. Their efforts in this respect should be commensurate with their capabilities.

TABLE 6.—*Private and Government sectors in the U.S. balance of payments*

[In billions of dollars]

	1960-61 average		1964	
	Private	Government	Private	Government
Exports	17.6	2.1	22.4	3.6
Income on investments	3.2	0	4.7	0
Services	3.9	0	5.1	0
Other	.4	1.2	.2	1.8
Total receipts	25.2	3.3	32.4	5.4
Imports	−14.6	0	−18.6	0
Services	−5.2	−.9	−6.5	−1.2
Private investment	−4.6	0	−7.3	0
Military cash outflow	0	−3.0	0	−2.8
Government economic aid	0	−3.8	0	−4.3
Total	−24.4	−7.7	−32.4	−8.3
Balance	+.8	−4.4	0	−2.9

Source: Adapted from International Economic Policy Association.

Assistance to other nations by the U.S. Government should be limited largely to our foodstuffs, fibers and goods—and only to the extent needed by them in excess of their ability to pay. The United States should and can also provide technical assistance in solving problems of agriculture, industry, commerce and Government in accordance with the proven procedures evolved in our own country.

Such measures would benefit other nations more in the long run because we would be showing them the solid way to develpment and growth, within the potentials of their own resources and capabilities, rather than stimulating the illusion that largess from the American taxpayers will bring instant progress.

The administration position appears to be that all such expenditures are absolutely necessary, and that every effort is being made to minimize their balance-of-payments impact. It argues that 80 to 85 percent of economic aid purchases are tied to exports and that more than one-third of military expenditures are offset by military exports from the United States.

While much of foreign aid is tied to specific exports, in many cases such aid releases dollars which otherwise would be spent in the United States, to be spent instead in Western Europe. Some experts maintain that this occurs to such a degree that our economic foreign aid is effectively tied to net exports to the extent of only 50 to 60 percent. A more realistic policy would concentrate our efforts in countries where help can be used soundly and stop the flow of dollars to areas and for purposes which merely support purchases from other nations. Such a policy need not damage our economic development efforts.

As part of foreign aid reforms, the number of beneficiary nations should be reduced. Commitments by recipients to free enterprise principles should be a precondition to economic aid wherever possible.

Finally, the various aid expenditures—for grants, loans, international loan funds, agricultural products, Peace Corps, United Nations multilateral programs, refugee relief, and others—should be brought together into a single appropriation request for consideration by the Congress each year, so the American public is fully informed as to the total involved.

These measures would reduce the drain of our dollars and make the entire program more effective as an instrument of foreign policy, as a contribution to world progress, and as an aid to individuals and nations in learning that solid lasting growth is best attained by responsibility, planning and work under the incentive of private ownership and competition.

An analysis of the derivation of balance-of-payments deficits (table 6) shows clearly that the international transactions of the private sector in this country are regularly in balance. The Government's outlays for military and economic aid programs overseas exceed its receipts of dollars from foreign countries, and in that sense account for the entire balance-of-payments deficits of recent years.

It is ironic that, under these conditions, the administration's major actions to deal with the problem have been restrictive measures directed at the private sector. Clearly, a major review of Government spending overseas is in order, and recommendations 6, 7, and 8 are directed at that objective.

THE URGENCY OF ACHIEVING A LASTING SOLUTION

Apprehension about the future of the international monetary situation is increasing. The United Kingdom is facing a severe monetary crisis. France is converting more and more of its liquid holdings to gold. These events have raised storm signals for countries all over the world. The result could be a serious contraction of world liquidity and economic activity. This must not happen.

Whether the problem is an immediate one of impending economic dislocation, or the longer range one of strengthening the international monetary system, in both cases management of the dollar and maintenance of confidence in it are central to achieving successful solutions since it is the world's principal medium of exchange.

The Republican Party would be derelict if it did not raise its voice to call attention to an extremely serious situation in time for effective action.

The dollar is still the world's strongest currency. The United States is still the leader of the free world. There is yet probably enough time for prompt action successfully to correct the present deteriorating situation and maintain our position as the leader in building a world society where every man can share in the material benefits that are a precondition to individual freedom, dignity, and opportunity to lead the good life.

In publishing this paper, the Republican Party serves notice to the party in power that it must be responsible for the consequences of continuing failure to take prompt and suitable action to solve this vital problem.

Mr. Speaker, members of the task force on Federal fiscal and monetary policy are:

Maurice H. Stans, chairman, Director of the Bureau of the Budget, 1958–61.

George Champion, vice chairman, chairman of the board, the Chase Manhattan Bank, New York City.

William H. Avery, Governor of Kansas.

Julian B. Baird, Under Secretary of the Treasury for Monetary Affairs, 1957–61.

Frank T. Bow, Representative from the 16th Congressional District of Ohio.

George S. Eccles, president of First Security Corp., Salt Lake City, Utah.

Mrs. Rosemary Ginn, Republican national committeewoman for Missouri.

Cliff Hansen, Governor of Wyoming.

Kenneth C. Kellar, Kellar, Kellar & Driscoll, attorneys, Lead, S. Dak.

Peter O'Donnell, Jr., chairman of the Republican Party of Texas.

Clarence B. Randall, special assistant to the President on Foreign Economic Policy, 1956–61.

Raymond J. Saulnier, Chairman of the President's Council of Economic Advisers, 1957–61.

Lewis L. Strauss, Chairman of Atomic Energy Commission, 1953–58.

Robert D. Stuart, Jr., national committeeman for Illinois.

Sinclair Weeks, Secretary of Commerce, 1953–58.

John J. Williams, U.S. Senator from Delaware.

Staff secretary to the task force, Biehl P. Clarke.

Members of the Republican Coordinating Committee are:

Presiding officer: Chairman, Republican National Committee.

Former President Dwight D. Eisenhower.

Former presidential nominees Barry M. Goldwater, Richard M. Nixon, Thomas E. Dewey, and Alf M. Landon.

Senate leadership: Everett M. Dirksen, minority leader: Thomas H. Kuchel, minority whip; Bourke B. Hickenlooper, chairman, policy committee; Leverett Saltonstall, chairman, Republican conference; Thruston B. Morton, chairman, senatorial campaign committee.

House of Representatives leadership: Gerald R. Ford, minority leader; Leslie C. Arends, minority whip; Melvin R. Laird, chairman, Republican conference; John J. Rhodes, chairman, Republican policy committee; Bob Wilson, chairman, congressional campaign committee.

Republican Governors Association: John A. Love, Governor of Colorado; Robert E. Smylie, Governor of Idaho; George W. Romney, Governor of Michigan; Nelson A. Rockefeller, Governor of New York; William W. Scranton, Governor of Pennsylvania.

Republican National Committee: Ray C. Bliss, Ohio, chairman, Republican National Committee; Mrs. C. Wayland Brooks, Illinois, assistant chairman; Mrs. Collis P. Moore, Oregon, vice chairman; Donald R. Ross, Nebraska, vice chairman; Mrs. J. Willard Marriott, District of Columbia, vice chairman; J. Drake Edens, Jr., South Carolina, vice chairman.

Staff coordinator: Dr. Arthur L. Peterson.

REPORT BY THE VICE PRESIDENT ON NEW TECHNIQUES IN THE EDUCATIONAL PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. Vanik] is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, yesterday, before over 10,000 teachers of the Cleveland public school system, an audience composed of the entire faculty and staff of the Cleveland public schools heard Vice President Hubert H. Humphrey make a stirring report on the tremendous national effort to restrain and contain the problem of the school dropout. He called for the use of exciting new techniques in the educational process. He voiced a strong plea for the "spirit of personal commitment" which should motivate the teacher facing today's challenge. While he paid glowing tribute to the educational process in my city, he also charted the difficult problems ahead.

Scores of teachers expressed to me their personal gratitude for the Vice President's message that glowed in his generous tribute to their professional contribution. Their enthusiasm for another school year was rekindled.

I heartily wish that every schoolteacher in America could have heard our Vice President's plea for renewed efforts in the educational year ahead.

I include in the Record the splendid newspaper articles and editorials which appeared in the Cleveland Press and Cleveland Plain Dealer of yesterday and today. The enthusiasm which was generated by our great Vice President has been felt throughout the Cleveland public school system and the city of Cleveland according to reports which I have received during the first day of the 1965–66 semester. Cleveland thanks the Vice President, Hubert H. Humphrey, for launching this hope-filled, exciting school year. The newspaper articles follow:

HUMPHREY HAILS GAINS IN CITY'S SCHOOLS

(By Marjorie Schuster)

"Great things are happening in education here in Cleveland."

That was the message Vice President Hubert H. Humphrey brought today to nearly 10,000 Cleveland public school employees in Public Hall.

The Vice President came here to help build enthusiasm for the 1965–66 school year.

His appearance on the day before school starts had clearly boosted the spirits of the school system's staff members as they left their buildings early and streamed into Public Hall.

Humphrey called on the staff of the Nation's eighth largest public school system to add a strong "spirit of personal commitment" to the innovation in teaching methods and materials.

And he coupled this with a strong plea to would-be dropouts to remain in their classes.

When he landed at Burke Lakefront Airport at 3:30 p.m. the Vice President said there was no political motive to his visit. "Mayor Locher hasn't asked for any help in his campaign for reelection," he said.

Apparently recalling the last time Cleveland had drawn nationwide TV attention—during the school-centered racial crisis of a year and a half ago—Humphrey said Cleveland had learned its lesson well.

"There was a time—and I speak frankly—when education in this city was less than it should have been.

"But the public officials, the educators, the parents, the citizens of this city came to recognize that it was time for a change."

Humphrey ticked off compliments for the Cleveland schools' doubled vocational program, its 300-percent increase in summer school enrollment, the program to teach 5,000 illiterate adults to read and write this year, and the plan for opening 100 elementary school libraries this year. He called this "the largest school library program in the United States."

"You are providing to this city education of quantity and quality. And this city, and our country, are the better for it," he said.

New ways, he said, must be found to meet the needs of those tempted to drop out of school. At the present rate, he predicted, "we will have in 10 years some 32 million adults in the labor force without a high school diploma."

Education, said HUMPHREY, must "close the gap between rich and poor."

Then, borrowing from his address at the recent White House Conference, he called on the school staff to remember that "each child entering life is an adventure into tomorrow—a chance to break the old pattern and make it new."

HUMPHREY was to be introduced to the school staff by Superintendent Paul W. Briggs, who had ordered all buildings in the school system closed in early afternoon so all employees could attend.

The Vice President's appearance was arranged by Press Editor Louis B. Seltzer at the request of Briggs.

Joining HUMPHREY on the platform were members of the school board, school administrators, Mayor Locher, Seltzer, area Congressmen, and leaders of groups interested in education.

Other guests were elected county officials, city councilmen, representatives of labor and industry, members of the education subcommittee of the Businessmen's Interracial Council, and community leaders.

After his speech, HUMPHREY was to go to the Hollenden House where Albert S. Porter, Democratic county chairman, was to be host at a reception. HUMPHREY was expected to leave for Washington around 6 p.m.

[From the Cleveland Plain Dealer, Sept. 8, 1965]

HUBERT H. HUMPHREY TO TEACHERS: CLOSE EDUCATION GAP

(By James M. Naughton)

Vice President HUBERT H. HUMPHREY spent 4 hours in Cleveland yesterday, plugging for better education and talking shop with fellow Democrats.

For one of those hours, HUMPHREY was the star at rare Public Hall pep rally of Cleveland's entire public school staff—some 9,000 teachers, principals, administrators, and custodians.

The rest of the time, the Vice President chatted with elected Democrats, shaking hands by the bundle.

HUMPHREY, a onetime college professor of political science, meant his remarks about education for a nationwide audience. In Public Hall, he zeroed in on Cleveland educators with this message:

"A teacher who doesn't have a personal commitment (to education) is cheating the public. He ought to get out."

He urged teachers here and elsewhere to "begin to close the gap between rich and poor" through education.

"Let's be honest with ourselves and recognize this," he said. "Despite the dedication and hard work of American educators, there are deficiencies in American education. We must correct them."

Before his Public Hall speech, the Vice President zipped through a 20-minute press conference at Burke Lakefront Airport. He arrived there at 3:15 p.m. in an Air Force jet with his sister, Mrs. Frances Howard.

Following the speech, HUMPHREY had so much fun with Cleveland politicians, in a Hollenden House reception, that he stayed past his 6 p.m. departure time. The sleek jet finally left at 7.

About 75 Democratic officeholders were on hand.

"I doubt if other school systems are so blessed," said Cleveland School Supt. Paul W. Briggs, in introducing HUMPHREY to the Public Hall crowd.

HUMPHREY explained earlier why he picked Cleveland to plug for education the day before most of the Nation's schools reopen:

"Cleveland invited me," he said in his gravel voice.

He praised advances in the Cleveland school system—especially development of new school libraries, vocational training programs and the teaching of adult illiterates to read and write.

"There was a time, and I speak frankly, when education in this city was less than it should have been," HUMPHREY said. But he prefaced the remark by saying Cleveland has since learned its lesson well.

Superintendent Briggs, elated by HUMPHREY'S appearance at the preschool rally, said he felt it "is probably an omen of innovation, of quality education and great opportunities for the youth of our community."

Except for handshaking in the Hollenden, HUMPHREY avoided politics. But he did say, at the press conference, that Mayor Ralph S. Locher "didn't ask me to say anything about him."

"Maybe he feels secure," he added.

The Humphrey party left after Locher and U.S. Representatives MICHAEL A. FEIGHAN, Democrat, 20th District, and CHARLES A. VANIK, Democrat, 21st District, saw the group off.

CITY SCHOOL STAFF BEGINS FALL TERM INSPIRED AFTER HEARING HUMPHREY

(By Marjorie Schuster)

Cleveland's 10,000 public-school teachers, clerks, and custodians opened school doors to a record number of pupils today with a burst of enthusiasm never seen before.

They had Vice President HUBERT H. HUMPHREY to thank for it.

He came here to tell the school system employees, in a massive Public Hall rally, just how important they are.

The surge of pupils that poured into classrooms this morning proved how right he was.

Officials estimated the day's enrollment count could reach 154,000—although duplicate registrations in a week or two will reduce this total to 152,500. That's 1,500 more than last year.

In a scene unduplicated in this community—and probably without precedent in any major city in the country—the mayor and school superintendent sat side by side on the platform, school board members and school administrators sat in the front row on the platform, and school employees were guests of honor.

City and county officials were in the audience.

HUMPHREY warned several times of the alarming school dropout rate, suggesting that perhaps schools, not pupils, were failing. He urged teachers not to cling to old traditions, suggesting, "Maybe you're trying to sell horseshoes at an auto show."

The audience sat silent as he talked, then gave him a standing ovation.

Only once was the Vice President interrupted by applause. It came when he waved an August 24 letter from Press Editor Louis B. Seltzer, inviting the Vice President to address yesterday's session.

Editor Seltzer had written, "I also want to collect that $1 bet I made with you when I told you, 6 weeks before the Atlantic City convention, that you'd be nominated for Vice President."

HUMPHREY took out a dollar bill, which Seltzer immediately collected, then passed it to Mrs. Seltzer, who was seated in the audience.

"Here's a man who knows what to do with money," remarked HUMPHREY. "Nobody can get money into circulation faster than a wife."

After his speech, HUMPHREY descended to the main floor of Public Hall to shake hands with admiring school workers.

Then he was taken away to a political meeting.

HUMPHREY TELLS TEACHERS: STUDENTS RESPOND TO SINCERITY

(By Ann Skinner)

The most important question young people want to ask their teachers is: "Do you really mean it?" Vice President HUBERT H. HUMPHREY, himself a former teacher, said here yesterday.

"If they think you care, they will care," he told an enthusiastic audience of about 9,000 Cleveland teachers, administrators, and other school employees at Public Hall.

Invited guests included representatives of the parent-teacher association, members of the businessmen's interracial committee, and elected officials.

The Vice President, who flew here to speak at the first staffwide conference of Cleveland school personnel, spoke for 55 minutes and received a standing ovation.

Even while he exhorted teachers to be dedicated to their jobs and pupils, he had some sharp comment on the current educational curriculum.

"Let's be honest with ourselves and recognize that there are deficiencies in American education," he said.

Some courses offered in the schools, according to HUMPHREY, are like "trying to sell horseshoes at the auto show."

But he had specific praise for Cleveland for its new school library program, the doubling of its vocational courses, the planned classes for 5,000 adult illiterates, and the greatly increased enrollment in summer schools.

"We can do anything we want to do, and the question is whether we really want to do it," he said.

The Vice President's speech here was the climax of a national 2-week campaign under his direction to cut down the number of young men and women expected to drop out of school this year.

The way to prevent dropouts, he said is to improve the schools.

"When a business house starts losing customers, it takes a look at its management," he said sternly.

In times of national emergency, Americans have proved that they can accomplish anything, he said.

Now the same dedication and determination must be applied to education at all levels.

"If the life of this Nation depended on teaching school dropouts, they'd be taught," he said.

Education must also be extended to other countries, he added.

"A nation that seeks to develop an atomic weapon could give every citizen a good education for less than half the cost of the weapon," he said.

"Our weapons must be schoolhouses and books, and, our soldiers can be teaching volunteers."

As the teachers filed out of the hall, they talked about the speech—as well as parking problems and traffic.

"I have goose bumps a mile high," said one woman.

"The most tremendous speech I ever heard in my life," said another.

[From the Cleveland (Ohio) Plain Dealer, Sept. 8, 1965]

THANK YOU, MR. VICE PRESIDENT

The city is indebted to Vice President HUBERT H. HUMPHREY for his stimulating appraisal of education's strengths and weaknesses as he presented them here yesterday to Cleveland public school employees.

From his alarming estimates of the trend in school dropouts to his bold challenge to America to be the first in making the benefits of civilization available to the whole human race, Mr. HUMPHREY gave his listeners plenty of food for thought on what he called America's most important domestic concern—education.

If there was any indifference about school dropouts, Mr. HUMPHREY did his best to dispel it with his projection that within 10 years there would be 32 million adults in the U.S. labor force without high school diplomas.

He cited the impossibility of public welfare being able to sustain that many Americans and their families without skills for earning a living.

He gave further emphasis to the enormity of the problem by citing the vast amount of legislation cleared by or now in Congress to correct deficiencies in American education.

His suggestion that America has a future commitment to spread its educational know-how to deprived areas of the world is both an exciting dream and a bold challenge.

"Our weapons can be schoolhouses and books," he said. "Our soldiers can be teaching volunteers. Our victory can be the victory of the human spirit over hopelessness and despair. Our monument can be a society of free and creative peoples, living at peace and with the knowledge that each new day can be a better day. Our legacy will not be the wealth of our treasury but the richness of man's culture."

Mr. HUMPHREY's summing up of the recent progress made in the city's school system was a tribute to Schools Superintendent Paul W. Briggs and his staff. Practically all the gains mentioned have been made under Briggs' direction in his first year as superintendent.

Never has a school year been given such a running start as the Vice President has given the one beginning here today.

[From the Cleveland (Ohio) Press, Sept. 8, 1965]

HUMPHREY'S INSPIRATIONAL VISIT

The teachers of Cleveland's public schools began the year's assignments today, with their forthcoming months keynoted in a most unusual but appropriate way.

Vice President HUBERT HUMPHREY, a former teacher himself, talked shop with 10,000 of them yesterday in Public Hall.

The Vice President spoke for an hour. At the end he was given a standing ovation. Never before has a Cleveland school year started under such auspicious circumstances.

"You are providing to this city education of quantity and quality," HUMPHREY told the school staffs. "This city, and our country, are the better for it."

The Vice President showed great familiarity with our school system. He recited its recent accomplishments: intent to open 100 elementary school libraries, 300 percent increase in summer school pupils, step-up in vocational and adult classes.

"There was a time—and I speak frankly—when education in this city was less than it should have been," HUMPHREY noted. But he said things have changed.

Introducing the Vice President to the throng at public hall, School Superintendent Paul W. Briggs said, "I doubt if other school systems are so blessed."

Probably not. The HUMPHREY visit and speech were tremendously effective in calling attention to schools and to the need for every child to attend. Every school system in greater Cleveland benefited.

Cleveland schools are doubly blessed, however, by having an imaginative, 12-cylinder leader like Paul Briggs who could conceive the HUMPHREY visit as an inspiration to his staff and pupils. Paul Briggs' stature is growing constantly, and, with it, the whole Cleveland school system.

In addition, I wish to call to the attention of the Members of this body the 12-month progress report presented recently to the city of Cleveland by Superintendent Paul W. Briggs. This is a summary of all of the achievements and aspirations of the Cleveland public school system. Some of the new programs mentioned in this report were praised by the Vice President during his speech yesterday.

As can be seen by this progress report and the 18-point plan for the future, the Cleveland public school system is gearing itself for giving "all the education that any child can take" as the President of the United States recently suggested as our national goal. We in Cleveland are ready to meet that goal.

Superintendent Paul W Briggs' 12-month progress report follows:

A 12-MONTH PROGRESS REPORT

(By Paul W. Briggs, superintendent, Cleveland Public Schools)

Members of the Greater Cleveland Growth Board, officials of the Cleveland Chamber of Commerce, members of the Cleveland Board of Education, public officials, representatives of community and civic agencies, and friends, it is a distinct pleasure for me to address you today. Not only am I pleased to be able to report directly to you about education in Cleveland, but I am encouraged to note that your presence suggests Cleveland's growing understanding of the importance of education in this city.

There is a close tie between our schools and the future of Cleveland. Cleveland cannot be a great cultural center if large pockets of ingorance are allowed to exist. Unemployment cannot be eliminated if thousands remain unskilled, thus unemployable. Beauty cannot survive mid squalor. Prosperity cannot become a partner with widespread poverty. Goodwill cannot live side by side with intolerance. Or, in other words, Cleveland cannot be the best location in the Nation if her schools are second best.

It was 1 year ago this month that I joined the staff of the Cleveland public schools as its superintendent. Today I will briefly review that year with you. I will discuss the ways in which we have dealt with some of the major issues and problems confronting the schools of this great city. I will also recommend action on a number of fronts.

First, may I observe that this has been a year of great challenge, activity, excitement, and reward. The problems facing the Cleveland public schools were so critical as not to allow your superintendent the luxury of time for extensive study and prolonged deliberation. The multitude of issues calling for immediate action made it impossible to arrange a schedule according to priorities. While the days have been long and the weeks action-packed, the year has seemed to be the shortest ever experienced.

If I were to categorize the activities and accomplishments of the past 12 months, I would list three major areas:

I. Administrative reorganization of the management function of education;

II. Improvement of communications; and

III. The introduction of programs to improve the quality of education.

I—ADMINISTRATIVE REORGANIZATION OF THE MANAGEMENT FUNCTION OF EDUCATION

The reorganization of the total headquarters staff into an administrative team headed by the superintendent, deputy superintendent, administrative assistant, and five assistant superintendents directing the divisions of personnel, curriculum, research, business, and finance has resulted in real cooperative planning and excellent coordination of management effort. The administrative decisionmaking process has been streamlined, made more effective and more efficient. Future adjustments in each of the divisions will further refine administrative procedures and make the organization of the Cleveland public schools less complex, more manageable, and more sensitive to common objectives.

II—IMPROVEMENT OF COMMUNICATIONS

On assuming the superintendency last year, I found a great need for improving almost every facet of communication. Recognizing that good communication calls for a two-way flow, we initiated many activities involving several levels and dimensions of communication—between the schools and the community, within the school system itself, and between Cleveland schools and the rest of the educational enterprise, locally, statewide, and nationally.

1. Community: At the outset we announced an open door policy to all in the community who wished to discuss educational problems. This resulted in a perpetual waiting list. Traffic has been heavy. New ideas have been offered. Exchanges of viewpoints have been frequent and frank. Much good will has been created; many agreements have been made; some compromises achieved and, in general, better rapport has resulted. In addition, the superintendent has made personal appearances before more than 200 different community groups, discussing the Cleveland schools' program. In over one-half of these meetings, time has been provided for questions and answers.

2. Staff: Wholesome staff morale is vital to a sound school program. At the heart of staff morale is adequate understanding achieved through open lines of communication among all levels of staff organization. Our efforts to facilitate and encourage such communication have been multifronted. A few notable examples are the following:

(a) School visits: An effort has been made to get the headquarters staff out into the field. The superintendent has during the year been able to visit approximately 80 of Cleveland's 185 schools. In most cases he has made some contacts with classroom teachers.

(b) Staff workshops: Two foundation-supported 2-day workshops were provided for the 180 Cleveland elementary and secondary school principals. Additional half-day and day-long workshops were available to many other staff members.

(c) Staff involvement in decisionmaking: Many classroom teachers have been appointed to committees serving in such crucial areas as curriculum development, human relations activities, new school planning, textbooks selection. At least 500 different classroom teachers have been so involved this year. Some committees have worked on into the summer vacation period. Their recommendations will upgrade the content and direction of education in Cleveland.

(d) Clearinghouse meetings with union representatives: One meeting per month is scheduled between the administration and the committee of the Cleveland Teachers Union. Several members from the administrative team are usually present at this meeting. In addition, the assistant superintendent for personnel has held at least one meeting with representatives of each of the other employee groups.

3. Other educational circles: The school system of a great city cannot afford the luxury of isolation from the national mainstream of education. We have, therefore, taken advantage of many opportunities to have the Cleveland schools more actively involved in the forefront of educational progress and development.

(a) Sending staff members on missions outside of school district: The year has seen staff members represent the Cleveland public schools at many workshops in education, visit outstanding programs in other school systems, attend national conferences, and consult with national educational authorities. Members of our staff are receiving increasing numbers of invitations to participate and contribute to such programs.

(b) Use of outside consultants: Working with the staff of the Cleveland Public Schools this year have been many authorities in a variety of fields of educational endeavor. They have come from the community, government, colleges and universities, foundations, learned societies, etc.

(c) Relationships with colleges and universities: Teams from the administrative staff have visited most of the State college and university campuses in order to support our fine working relationship with them. Several joint programs have been started including:

Urban education project with Bowling Green State University; Peace Corps teacher-training program with Western Reserve University; master of arts in education project with John Carroll University and Oberlin College.

Special summer school project for gifted junior high school students with Fenn College.

Vocational education evaluation of the Cleveland public schools with Ohio State University.

Study of administrative problems of the great cities with Northwestern University.

Economic education workshop project with Ohio University.

4. State and Federal legislative contacts: We have testified on bills related to education before committees of the U.S. Congress and the Ohio State Legislature, as well as before the State board of education. Close and continuous contact is being maintained between the administration of the Cleveland public schools and our elected State and National officials. Members of the State board of education from the Greater Cleveland area periodically meet with Cleveland school representatives to discuss problems of education.

5. News media: Members of the news media have been extended a special welcome. They have been given briefings on every phase of the many diverse educational projects in which the Cleveland schools have been engaged. This has resulted in excellent local coverage by all media, as well as some national coverage. Favorable stories about the Cleveland public schools have recently appeared in Time, U.S. News & World Report, the New York Times, the Washington Post, American School & University, Christian Science Monitor, and on the Huntley-Brinkley TV program.

III—THE INTRODUCTION OF PROGRAMS TO IMPROVE THE QUALITY OF EDUCATION

The crisis in education in Cleveland, like the crisis in education in most big cities, is crying for quick, immediate action. It is a crisis that cannot longer be ignored. If our urban centers are to be saved and the quality of education in the city is to be restored, then dramatic action is in order. Recognizing that new approaches must be used, the total effort of the Cleveland public schools' staff is being focused on new programs aimed at improving the education of every child in the Cleveland public schools. Seldom in the history of a school system has one year seen so many programs launched, each aimed at improving the quality of education.

Let me briefly identify a few of the more outstanding programs that are now underway:

LIBRARIES

The establishment of elementary school libraries was given top priority last year. We entered the year with no libraries in operation in the 135 elementary schools. A 3-year program was started to open one in each elementary school. The community response to this program was enthusiastic. Offers of assistance were forthcoming from every quarter. The Junior League, PACE, foundations, businessmen, labor groups, and other individual citizens stepped forward with contributions so that 100 libraries are now scheduled to open during the next 12 months. The PACE organization was instrumental in raising approximately one-quarter of a million dollars for this project. Cleveland's public school library program is without doubt the most ambitious and the most dramatic in the Nation.

ELIMINATION OF KINDERGARTEN WAITING LISTS

No aspect of the child's schooling is more important than the early contact with a teacher of excellence in a high-quality program as the child enters the world of the school. The Cleveland public schools are proud of our kindergarten program and, for the first time in nearly 20 years, the kindergarten waiting lists in the Cleveland public schools were eliminated last year. This was a great step forward in education. It was accomplished by the recruitment of additional kindergarten teachers and the renting of facilities so that all children eligible for kindergarten could be accommodated.

PRESCHOOL CENTERS

Also in the field of early childhood education, and with special attention to those children most sorely in need of such opportunities, we established three preschool centers in cooperation with the Office of Economic Opportunity. In these centers we introduced children to outstanding cultural and educational influences. Through these pilot centers we have determined some of the principles by which we will be guided next year as we expand the preschool program. Incidentally, in recognition of the importance of this early stage in a child's school life, we have appointed a full time director of preschool centers.

SUMMER SCHOOLS

We have just completed the largest summer school program in Cleveland's history. In the elementary grades enrollment was expanded by nearly 300 percent. A variety of programs was introduced and centers were so located that every child in Cleveland was within walking distance of a summer school center. Approximately 25,000 children took part in these programs including the massive preschool program known as Head Start.

Our observations and those of authorities who have visited our Operation Head Start lead us to believe that ours was one of the most successful of the Head Start programs throughout the Nation. This program was conducted in cooperation with the Office of Economic Opportunity.

One part of our summer school program involved not only students from the Cleveland public schools but also students from nine suburban public schools and from university school.

A special program of cultural exposure for the disadvantaged was developed in cooperation with the Federal Government. This program took children from under-privileged homes out into the community. It included several excursions into various parts of Greater Cleveland and elsewhere in Ohio as well as the use of such community organizations as the art museum, the museum of natural science, the health museum, the summer "pop" concerts and the zoo.

VOCATIONAL EDUCATION

A quick survey of Cleveland school dropouts and graduates indicated a need for bolstering the vocational education offerings in the Cleveland public schools. Seventy percent of the high school graduates were not going on to college. Approximately 25 percent of the entering high school students did not complete their senior year. Unemployment among youth was high and the expenditure for relief in Cleveland had reached approximately $35 million a year. Federal funds were sought and received under the provisions of the Vocational Education Act of 1963. New programs were announced that included additional vocational courses in practically every high school. An Advisory Committee in Vocational Education was assembled and is currently working with the Vocational Education Department as it develops additional programs.

ADULT EDUCATION

One of the greatest challenges faced by the school systems in our great cities is the tremendous need for opportunities for schooling for adults. We in Cleveland are mindful of this challenge. During the past year we have been experimenting with ways to attack illiteracy among the adult population of Cleveland. In addition, we have found that our vocational education programs for adults were both popular and successful. A continuation is planned of the MDTA and ARA programs aimed at retraining adults who were unemployed or temporarily displaced because of lack of a salable skill. This year hundreds of adults were enrolled in the 94 different courses we offered, and the placement record of 77 percent has been most gratifying.

IN-SERVICE EDUCATION

A dynamic school system must provide the means for continuously strengthening the competence of its staff. In our determination to make good teachers better we inaugurated a program of in-service education for our teachers. Over 1,200 teachers in the Cleveland school system enrolled in this, our first systematic arrangement of in-service courses. This was indeed an encouraging first step in the development of a comprehensive program of professional growth opportunities for our staff.

CURRICULUM IMPROVEMENT

Closely allied to the professional growth of the school staff is the study and improvement of the curriculum. Special attention has been devoted to this important work. Better books, in-service education, use of faculty planning committees, involvement of consultants—all have moved curriculum offerings ahead. The updating of courses to meet today's needs has seen the introduction of laboratory sciences in the junior high school, the addition of college placement classes in the senior high school, and the expansion of technical programs in several of the high school centers.

HUMAN RELATIONS

A series of programs was undertaken to improve human relations in the Cleveland public schools. These activities included the organization of a staff human relations committee in each of the 185 schools, a general staff meeting by TV addressed by Gov. LeRoy Collins, a midyear human relations workshop, human relations speakers at principals' and supervisors' meetings, the adoption by the board of education of a written human relations policy and the creation of the position of administrative assistant to the superintendent for human relations.

During the school year, the student human relations programs in many of the junior and senior high schools were enlarged. A collection of books having human relations orientation in their content was acquired for each school library. Thirty thousand dollars worth of books were donated to the schools by the businessmen's interracial committee of the Cleveland Chamber of Commerce. New biracial textbooks were adopted. New supplementary human relations handbooks and manuals were written by our staff and printed by the Cleveland public schools.

NEW BUILDINGS

The recent $55 million building bond issue is just beginning to pay its dividends. New schools are being opened and more are on the drawing boards. Architects have been instructed to design new schools with a view to the future. Recent buildings approved by the board of education represent the "new look" for Cleveland schools. This school of the new look must be one whose planning, design, and construction will be guided by the soundest educational principles. It is to be an attractive structure built to accommodate the flexibility of program demanded by our expanding educational needs. Through application of the most advanced technology, it will be economical to build, comfortable and convenient to use, and easy to maintain.

As a result of this new approach the Cleveland public schools will have saved enough on the next two junior high school buildings to build a new elementary school and all three will be better buildings than would have been possible by following the traditional pattern.

In addition, the erection of satellite buildings in certain locations rather than the building of additions to old buildings, reflects a new concept of community use of schools for additional programs. Moreover, it has resulted in considerable savings, as we have taken full advantage of the best available technical skill and know-how.

I cannot leave the subject of buildings without calling your attention to the fact that Cleveland has too many poorly equipped, old schools and too many overcrowded classrooms. Both are deterrents to quality education. Thirty-five of Cleveland's schools were built before 1895. A majority of our schools are over 50 years old and maintenance has not kept pace with aging. Few could withstand critical inspection. In fact, we are still using two elementary school buildings which were in their third year of service when Lincoln moved into the White House. At least 90 percent of the school sites are too small to meet minimum neighborhood recreational needs.

HEALTH SERVICES

The Cleveland schools have long led in the field of school health services. The amount of money annually appropriated in the Cleveland school budget for health services reflects this longtime interest. This year the board of education expanded these services to include the area of nutrition.

The Federal food subsidy program of approved hot lunches was put into operation in all junior and senior high schools. Food prices were drastically reduced and the number of students served was increased. As a result of cooperative action involving the Cleveland Board of Education, the county commissioners, and the State welfare department, free meals were provided to children whose parents were on relief. Free milk was supplied also in 60 elementary schools to children of relief families. In these elementary schools also arrangements were made for a place where the children might remain at noon and eat lunches that they had brought from home. Nearly $1 million in Federal grants of surplus food and funds were used this year.

A LOOK AHEAD

We are encouraged as we review the progress of the past year. The blueprint for the future calls for the continuation and expansion of our present efforts. Inherent in this space age, however, is a demand for bold new educational efforts that will produce citizens of superior academic attainment, reinforced by firm commitment to the highest moral principles.

During the days ahead we shall direct our attention to ways and means of dramatically upgrading the quality of education for Cleveland's children, both in content and in process. In pursuit of this goal we propose immediate and continuing action in—

1. Developing a supplementary educational center to pioneer a new dimension in quality of education. At this center, things will be done that cannot be done in individual schools.

2. Bringing national scholars from academic disciplines into direct contact with Cleveland classroom teachers.

3. Establishing appropriate joint appointments between the Cleveland public schools and the new Cleveland State University, especially in the field of teacher education.

4. Finding ways to involve more people in the affairs of education.

5. Developing a massive program of adult literacy training. A minimum of 5,000 adults should be enrolled this fall in classes in reading and basic education.

6. Offering more technical training opportunities for young adults, especially those who have recently been displaced because of automation or lack of adequate training.

7. Organizing new technical programs in both the comprehensive high schools and our special schools, fitting youth for the new emerging jobs.

8. Making the new data processing equipment available to take over some of the routine burdens of the overloaded classroom teacher.

9. Doubling the offerings of the community centers of the Cleveland public schools. During the next year, a community center will be opened in every junior high school.

10. Studying the possibilities of providing each high school with a few college-trained, lay, theme-reading aids. This would result in reducing the workload of teachers whose classes are too large and would guarantee our students more opportunities for developing skills in written communication.

11. Establishing an office for Federal projects so that contracts, records, and coordination of the many and growing number of Federal grants to the Cleveland public schools can be properly recorded, cleared, and accounted for.

12. Developing cooperative projects with city and county units of government. This would bring about more economical use of the taxpayers' money and should result in better programs, especially in the field of recreation. Common use of buildings and the development of joint school and community playgrounds should be given high priority.

13. Extending the preschool program to include more centers. At these centers, maximum attention will be given to the motivation of young children from disadvantaged homes and will provide the school a valuable early contact with the parents.

14. Taking a new look at the building program. This is necessary to make sure that the changing face of our city will also reflect itself in the proper location of future schools. New highways, urban renewal, new housing, Federal projects—all affect the schoolbuilding program; therefore, it is necessary to continually review this program as we plan for the future.

15. Seeking maximum Federal funds for education in Cleveland. The Cleveland public schools must be certain that every possible dollar available for the education of children is sought for use in Cleveland. The money soon to be made available under the Elementary and Secondary School Act of 1965 should bring to Cleveland many new programs. A study of the legislation may provide Cleveland with the ways and means of improving some of her present buildings, as she plans for the new programs that these buildings must house. Federal funds may be available to replace Thomas A. Edison School and for the building of a new Jane Addams Vocational School.

Let me assure you at this point that we shall not at any time relinquish control of the content or quality of the educational offerings of our schools.

16. Introducing the best business procedures at every level of our financial operations. Our use of automated equipment and the establishment of new purchasing, distributing and inventorying processes will pay increasing dividends. For example, our new policy of purchasing school furniture through annual bidding by vendors on our total anticipated needs resulted this year in a saving of nearly $100,000.

17. Finding additional money for education. Recent reverses in the industrial and commercial valuation have wiped out the benefits of last year's 2½-mill tax increase. Every economy is now in order as the schools attempt to improve themselves financially. Streamlining of the administrative organization, better mass purchasing, and other good business practices are in order as we attempt to effect sufficient savings to partially offset the recent financial loss.

Urban school staffs are the hardest working in the Nation and need better compensation. If the tax duplicate does not improve this year, new and additional sources of income must be found. Cleveland children deserve the best. It is not right that they should be the last in Greater Cleveland in per-pupil expenditures.

18. Devising more effective ways of inspiring pride among the children of our schools. No child will achieve his best academically if he does not have pride in himself and in his heritage. No child will become a good and productive citizen if he does not understand and respect himself, his family, the community in which he lives, and its institutions. Respect, as a fourth R, must become an important goal of our entire school program. We cannot afford disrespect and its byproducts—vandalism, destruction, disorder.

It is with enthusiasm that we face the future. As we observe the development of University Circle, see Erieview's rising towers and unfolding plazas; as we anticipate happily the expansion of our new Community College and the opening of Cleveland State University; as we consider the reputation of the world-renowned Cleveland orchestra and of our other great cultural organizations; as we move vigorously in the construction of new superhighways to, through, and around Cleveland, it is everywhere evident that great things are happening in Cleveland. None of us can afford to be merely custodians of the past.

The total community is engaged in designing and building a bright new future. The Cleveland public school system is now and must continue to be a full and active partner in this enterprise.

Cleveland is richly endowed with world-famous organizations, institutions, and persons constituting a wealth of talent, ready and willing to become involved in educational progress. We propose to utilize fully that reservoir of talent.

It has been a real pleasure this year to serve as your superintendent. I have enjoyed the assistance of a fine staff, the encouragement of a dynamic community, and the support of a cooperative board of education.

Last August in my first report to the board of education I stated that I was optimistic for the future of education in Cleveland. Today I reaffirm that optimism.

I am convinced that the schools of Cleveland are on the way to becoming so good that not only will no one wish to leave this city to seek better schools, but many will be attracted to return to the city because of the high quality of our educational offerings. With your cooperation, that happy day will be hastened.

PERSONAL ANNOUNCEMENT

Mr. DON H. CLAUSEN. Mr. Speaker, I was absent on rollcall No. 263. I was in my office conducting a meeting of great importance to my district. Had I been present, I would have voted "yea."

POEM FROM A MARINE IN VIETNAM

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. QUILLEN. Mr. Speaker, Cpl. Ronald R. Meade, a marine from my hometown of Kingsport, Tenn., who is serving in Vietnam, recently sent a copy of a poem that was written during a "lull in the daily patrol actions of the company" to which he is assigned. The poem, whose author is anonymous, appeared in the Friday, August 20, 1965, issue of the Kingsport Times, Kingsport, Tenn. I commend it to the attention of my colleagues and include the article at this point in the body of the RECORD so that all might know the thinking of a marine in Vietnam.

[From the Kingsport (Tenn.) Times, Aug. 20, 1965]

A MARINE IN VIETNAM—POEM TELLS THE STORY

A marine in Vietnam may become discouraged and his morale may be low, but he still has esprit de corps and the hope that Americans still support him.

This is the essence of a poem received by the Times-News from a Kingsport marine involved in the war in Vietnam.

The poem was mailed to the Times-News by Marine Cpl. Ronald R. Meade, who said it was written during a "lull in the daily patrol actions of the company" he is in. The author is anonymous.

Meade, the son of Mr. and Mrs. Clyde V. Meade, 1210 Sevier Terrace Drive, reiterates the poem's plea for "support and backing of the United States during the present situation. Don't let us down," he adds.

The 25-year-old marine is a graduate of Dobyns-Bennett High School and has been in service 5 years. He has been in Vietnam since May and prior to that was stationed in Okinawa.

He is a member of H Company, 2d Battalion, 7th Marines of the 3d Marine Division (REIN).

Of the poem, Meade says it gives "the true feelings about being over here." The poem, titled "Who Is He" reads:

"You sit at home and watch TV,
You're sipping a refreshing cold iced tea,
The news comes on and then you hear,
The all-star game is drawing near.
Then you see a far off land,
Where men are dying in the sand,
A frown appears across your face,
You're tired of hearing about that place.
Who cares about Vietnam across the sea,
It's far away and doesn't concern me,
You'd rather hear the Beattles play,
Than learn about the world today.
But stop and think for a moment or two,
And ask yourself "Does this concern you?"
It's great to be alive and free,
But what about the guy across the sea?
He's giving up his life for me,
So that I can live under liberty.
He's far away fighting a war,
Instead of fighting at my front door.
This guy who lives in filth and slime,
How can he do it all the time?
He's about my age so why should he care,
About a war someone else should share?
You call him vile names and make fun
of his cause,
Yet he is always first to win your wars.
You lucky guy, you laugh and sneer,
Because you've never really known fear.
This young man faces death each day,
But he's always got something funny to say.
No mail again, a twing of sorrow,
Oh what the hell, there's always tomorrow.
The morale is low, the tension is high,
Some even break down and cry.
He wants to go home and see a loved one.
He works all day and stands guard all night,
He's tired and sick but he continues to fight.
The college crowd thinks he's a fool,
But that's what makes him hard and cruel.
You don't appreciate what he will do,
Like giving up his life for you.
He sacrifices much yet he asks nothing
in return,
Just so that you can stay in school
and learn.
He believes in freedom and the
American life,
No parties and dances for this young man,
Until he comes back home again.
The days are hot and the nights are too,
What wonders a cold can of beer can do.
He dreams of cold beer and a thick
juicy steak,
When someone shouts "We've got a
hill to take."
Some will be heroes because they are brave,
And others will get a wreath on their grave.
You'll recognize him as he walks by,
There's a saddened look in his eye.
He walks so proud, yet looks so mean,
He's called the world's greatest
fighting machine.
No wonder he's proud,
He's a U.S. Marine."

ALBERTUS L. MEYERS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CURTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CURTIN. Mr. Speaker, on Thursday evening, September 9, there will be assembling in the city of Allentown, Pa., which is part of our Eighth Pennsylvania Congressional District, a large gathering of men and women who will be paying honor to Albertus L. Meyers, who is "Mr. Music" of our Greater Lehigh Valley. "Bert," as he is best known, will be 75 years old and has been the conductor and guiding genius of the Allentown Band for 40 years. A native of Richlandtown, Bucks County, he came to Allentown at the age of 8. He assumed the baton from the post of cornet soloist having just returned from a tour with the celebrated Sousa Band. Dr. Meyers—who in June 1965 received an honorary degree from Muhlenberg College—has played with many other great bands, notably those of Pryor, Conway, and Liberatti.

But his very special pride is the Allentown Band, which is described in the following words by John Y. Kohl, longtime editor of the Sunday Call-Chronicle of that city, recently retired but still active in the writing of news about the theater, music, and the arts. Says Mr. Kohl:

The Allentown Band has been offering concerts since the afternoon of July 4, 1828, and thereby lays claim to being America's oldest band.

But far more important, Allentown believes that its band is also "the best band in the land."

And there is plenty of competent testimony to support the claim.

Sousa, Creatore, Goldman—in fact practically all the great bandmasters, living and dead—are as one in their praise of the Allentown Band as the best "town" band in the country.

Allentownians like to remember when the renowned John Philip Sousa, who recruited no less than 18 members of the Allentown Band for his own famous organization, said: "I hope my own band sounds that good."

Creatore announced, "I have never heard a local band so good," while Goldman's appraisal was, "The Allentown Band is without a doubt the finest organized band in America."

And Herbert L. Clark, the dean of cornet soloists, was equally emphatic, "No other city in the country can boast of such a fine band."

The emphasis, of course, is placed on the category, the town band, or what Goldman termed the "organized" band as distinguished from the professional band and the military band.

Playing in a town band is purely an avocation for its members who earn their living in fields other than music. Every community, large or small, has a town band, sometimes several.

So the Allentown Band is a town band but with a difference and what a difference.

There is nothing desultory about the Allentown Band. It is as tightly operated as any of the professional bands. Membership is based strictly on performance and no chair is a sacrosanct by reason of seniority or personal popularity.

Attendance at rehearsals, for which there is, of course, no remuneration, is obligatory, yet many of the members come from a wide area about Allentown and provide their own transportation.

Most remarkable is the fact that the band has a waiting list of no less than 300 from cities and towns throughout eastern Pennsylvania.

The opportunity of playing good music and playing it well in company with other musicians of equally high caliber is the motivating factor that has created this phenomenon among "town" bands.

True, the band fills many engagements, for which, as a unionized group, it is paid, but the individual recompense is only a minor factor compared with the prestige of membership in the famous Allentown Band.

The schedule of engagements during every summer season takes the band afield throughout this part of Pennsylvania, many as repeat events year after year. Its occasional forays to more distant points, in the eastern United States and Canada, never fail to bring acclaim couched in almost unbelievable superlatives.

The fame the band holds in the band world itself is being popularly enhanced in late years by its recordings.

The conductor and guiding genius of this really outstanding organization is one of Allentown's own, Dr. Albertus L. Meyers, whose name has become synonymous with that of the band itself.

Great as was the band throughout its entire history and great as were predecessor conductors who inspired its longevity, without pause for 137 years, Meyers has brought to it the eminence it holds today.

He is constantly in demand as a guest conductor and has led many of today's great bands.

As early as 1939, Meyers was named by Kay Kyser, on a nationwide radio program, as one of the five most famous band leaders, living or dead. The others were Sousa, Pryor, Goldman and Creatore.

At 75, "Bert" Meyers, still of youthful vigor and appearance, is thus the only one of the famous quintette living today and Allentown

is planning a communitywide tribute to him during the week of September 6.

A concert in the park to top all such events locally is on the schedule, plus a testimonial dinner on the succeeding evening, with some of the Nation's greatest bandmasters in attendance.

Of course, the Allentown Band will play at both functions, although the likelihood is that Meyers will not be on the podium what with all the other talented conductors on hand to take over.

That Allentown's nationally famous "town" band, which Meyers feels was never better, will acquit itself magnificently is a foregone conclusion.

Albertus L. Meyers received his formal education in the public schools of Allentown, Pa., and Muhlenberg College. "Bert," as he is popularly known to his friends, started the study of music at the age of 9. He studied piano, pipe organ, harmony, and theory under Dr. Clement Marcks. He became a soloist on the French horn and cornet and had the benefit of instruction on the former from Anton Horner and from Herbert L. Clarke and Signor Liberatti on the cornet. He also studied band and orchestra arranging with the late Vernon Knauss.

Professionally, he has played for many years in the theaters of Allentown, including 2 years with Donald Voorhees. He played trumpet under Victor Herbert's personal direction for his operetta "Naughty Marietta" and "The Red Mill." He played first horn in Liberatti's band and cornet with the bands of Arthur Pryor and Patrick Conway. He was the cornet soloist with John Philip Sousa and his band. After leaving the Sousa band, he was elected conductor of the famous Allentown Band in 1926, a position he still holds.

Mr. Meyers has had many honors conferred upon him and has filled engagements as guest conductor for the following professional bands: the U.S. Marine Band, the U.S. Air Force Band, the Goldman Band, the Armco Band of Middletown, Ohio, the Philco Band, and the Municipal Band of Hagerstown, Md. He has been guest conductor for all of the district and State music festivals in Pennsylvania and most recently conducted the All-South Jersey High School Band. On the college level, he has guest conducted at Susquehanna, Yale, and Lehigh Universities.

For many years he was the band director at Allentown High School, where his marching and concert bands are a legend. More recently, he has been director of instrumental music at Muhlenberg College.

Mr. Meyers is a member of the select American Bandmaster's Association, Pennsylvania Music Educator's Association, charter member of the Pennsylvania Bandmaster's Association, and the Sousa Band Fraternal Society, membership in which is limited to those who played with the great Sousa and his band.

Mr. Speaker, I am most proud to join with the citizens of Allentown and the Lehigh Valley in grateful tribute to a man who has done so much to enhance an awareness of and appreciation for fine music over a period of more than a half century.

THE NEED FOR AN ALLIED EFFORT IN VIETNAM

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MOORE. Mr. Speaker, I am pleased to join with my colleague Mr. Rogers of Florida in introducing legislation to attempt to prevent our allies from trading with the enemy. The bill would prohibit the transportation of goods, to or from U.S. ports, aboard ships of any foreign country which allows ships sailing under the flag of that country to be used in trade with Communist North Vietnam.

Mr. Speaker, the realization that the war in Vietnam is an American war should not come as much of a surprise to us. There is no question in my mind that the United States, as the leader of the free world, does in fact have the obligation to insure that the unprotected nations of the world have the right to freedom and peace. However, I have great difficulty in understanding why our Nation, great and powerful as it is, must shoulder the entire burden.

Within the last few years we have discovered that our containment policy has not worked as well against Asian communism as it did against Soviet communism in Europe. The geography of the area, the nature of our overextended military and political commitments there, the naive and neutralist mentality of the peoples whose homelands we are struggling to save from aggressive Chinese communism, and the insufficiency of our own resources to cope with this gigantic problem—all of those and certain other forces have brought us to the present impasse.

The unfortunate phase of this involvement is that there seems no easy and honorable way out. There may be an outside chance for us to extricate ourselves from this Asiatic trap if our allies and the people directly concerned join us wholeheartedly, doing their level best and contributing their fair share in this relentless struggle.

Unfortunately, the unwillingness of our allies to play their part, and the total indifference of the peoples directly concerned have brought about an unenviable, impossible situation.

When we committed ourselves to the defense of these countries against surging, revolutionary Chinese communism, we were not alone in this undertaking. Other governments also vowed to join us in this task. Alliances were formed and specific agreements were signed for this purpose. And, of course, the governments of the countries threatened by communism solemnly and gladly undertook to deal effectively with Communists within their respective countries. Subsequently, however, the Chinese threat seemed real and the Communists in these countries, instead of being held down, were gathering strength and gaining the upper hand against inefficient and corrupt governments. Then we felt that we had to intervene. We did this in South Vietnam in order to strengthen the government there so that it could and would stave off the deadly Communist threat. That well-intended move was a factor in creating the very delicate, difficult, and dangerous situation in Vietnam today.

Four years ago, I complained of free world shipping to Communist bloc nations and recently our colleague, the gentleman from Michigan, Mr. CHAMBERLAIN, again called this matter to our attention.

According to unclassified figures available through Defense Department sources, 476 ships flying the flags of free world nations called at North Vietnam ports during the period between January 1964 and June 1965.

Incredible as it may seem, our friends sent more than a ship a day last year to supply our enemy, even as our own troops were being killed by the North Vietnamese officered and supplied Vietcong.

I do not believe that the cargoes being unloaded in Hanoi by our friends are not of a military value. I say, Mr. Speaker, that any supplies received by the Hanoi Government are needed by them and consequently are used to defeat our efforts to contain the Communist spread in southeast Asia.

My personal feeling and honest opinion about our commitment in Vietnam is that we have overextended ourselves. We have burdened ourselves with far heavier and onerous responsibilities that cannot be discharged honorably alone. In our defense commitments we are let down by our allies in this almost impossible task of securing a durable peace with freedom.

That is the essence and substance of our present situation as I see it. I feel that it is time to stop talking and begin to put forth our best efforts to solve this inequitable situation. Americans are fighting and dying every day some 10,000 miles from our shores, and I think it is not untimely nor unfair to expect some help in our struggle to preserve the freedom of the affected nations.

At the very minimum, I think the President should exert some leadership by calling on our allies to stop their trade with the North Vietnamese and the Red Chinese.

But beyond this, Congress should enact this bill and thereby prevent the use of American ports by ships of any foreign nation which allows its ships to trade with the North Vietnamese. Maybe then our allies will realize that they, too, have an obligation to defend the freedom which their young men no doubt cherish as much as ours.

THE BEAUTIFUL PEDERNALES

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. OTTINGER. Mr. Speaker, many suburban and rural communities surrounding our great metropolitan complexes are facing a threat of serious proportions. As the power needs of the metropolitan centers grow, and it is necessary to bring electrical power in from great distances, these communities are being dissected by a growing number of power corridors bringing high-voltage lines in on unsightly towers. In some areas, such as Westchester and Putnam Counties in my own district, the destruction is already so great as to jeopardize the continued existence of these towns as attractive residential communities. In others, such as Chester County, Pa., and Baltimore County, Md., the power lines are, so to speak, beating at the door. These communities are disturbed and fighting.

For many hundreds of other towns and villages, the ruthless destruction of steel towers and high-voltage lines is merely on the drawing boards or hidden in utility master plans for the future. These communities are sleeping.

The awareness, however, is spreading. Only this week Newsweek magazine carried a note about developments in Texas:

THE BEAUTIFUL PEDERNALES

President Johnson's plans for beautifying the Nation's highways may be moving slowly in Congress, but back at the L.B.J. ranch things are happening. The Pedernales Electric Cooperative has just put underground several hundred feet of overhead utility lines at the ranch.

Concerned citizens' groups are rallying. Progressive, forward-looking newspapers are alerting the public. When I introduced the Underground Power Transmission Act of 1965 and two related measures on August 17, newspapers across the Nation took up the challenge. The Louisville (Ky.) Courier Journal and the New York Times are among the papers that have taken a position of leadership.

I would like to present to this distinguished body two other particularly outstanding editorial statements that demonstrate the urgency of the problem for our American towns and villages:

[From Newsday, Long Island, Aug. 23, 1965]

PUT THEM UNDERGROUND?

One of the prime uglifying agents of the suburbs and the open countryside is the overhead utility pole—electric or telephone. But it costs too much for the utilities to put them underground unless rates are sharply increased to the consumer.

Representative RICHARD OTTINGER, Democrat, of Westchester, has come up with a promising solution to this problem. He would provide tax benefits to utilities that buried their lines. Such benefits would allow utilities to depreciate underground transmission facilities for tax purposes in 5 years rather than the present 30; would provide that 49 percent of the construction cost would be a tax credit, to be spent for more such construction; and would provide a $30 million Federal study of improved methods of burying powerlines.

All in all, a constructive idea. The sooner America can get rid of some of its electric-telephone poles and metal pylons, the sooner America will become more beautiful.

[From the Putnam County Courier, Aug. 26, 1965]

WITHIN REASON

(By Betsy Holland Gehman)

The British have a lovely slang phrase that enjoys enormous currency. Its uses are, rather unfortunately universal. The phrase is "Up the pole." Its meaning: balmy, bats, nuttyl, crazy, insane. To say that someone is up the pole is to say that he is a completely hopeless case.

It is, therefore, not unmeaningful when I make note of the fact (as I'm sure you have) that, since last May the New York Telephone Co. has had an army of men in what appears to be permanent residence up the pole. Out along Route No. 301, where a full platoon of green-clad men have been playing Shipwreck Kelly for 3 full months now, Ma Bell has added a few little homey touches to their aeries, such as tents to protect them from the sun and rain, plus, I have no doubt, Bunsen burners for cookouts, sleeping bags, and a full supply of Band-Aids—not for themselves, but to patch up the shabby little connective wires that somehow seem to get all discombobulated every time we have the teensiest little thunderstorm, a natural enough phenomenon to everyone but the telephone company.

As this paper fully chronicled on May 13 last, our community's telephone service had been disrupted for over a week, in some cases 2 weeks, by a lightning strike on one telephone pole. Again, early this month, hundreds of telephones were put out of service by the ever-popular lightning. This time, silence reigned for 5 days. As an added fillip, my own phone was given an extra 12-hour vacation last Friday due to a short circuit. When I called the repair service, the man who answered assured me nothing could be done about it until the next day, because "all the men are dog tired from being up the poles since May." This same man of science informed me that the telephone company was not prepared to "fight God." Now I submit that is a piece of blasphemy I would have preferred not to hear. I do not believe God is responsible for the willfulness, sloth and profit-grabbing self-interest the telephone company quite ostentatiously indulges itself in.

It should interest everyone who has been victimized by this particular public utility and that includes everyone who has a phone, to learn that Congressman RICHARD L. OTTINGER introduced three bills before the 89th Congress August 17, 1965, that are aimed at getting all overhead transmission lines put underground where they belong.

He pointed out that today more than 300,000 miles of overhead transmission lines eat up a total of nearly 7 million acres of land. He pointed out that expert evaluation has shown that as much as 300 acres of property have been devalued for every mile of powerline installed in already developed communities. (By 1980, there will be need for triple the amount of present transmission facilities.) He pointed out that private utilities have failed to undertake even limited programs up to now because "they fear that once they start going underground, they will be forced to put all lines underground. Fear of added initial expense has prevented the private companies from undertaking the very projects that would lead to reductions in cost."

In addition, OTTINGER revealed that the power companies spend less than 1 percent of their earnings on research. And that 1 percent is not used in any way to improve your service at home, you may be sure, nor to safeguard your real estate's value, nor to help keep your taxes down by returning those millions of usurped acres to the Nation's tax rolls. As old William H. Vanderbilt once remarked, "The public be damned."

OTTINGER's triple bill offers the utility companies an amendment in the Internal Revenue Code to allow them to write off the cost of underground facilities in 5 years, and would further give them a 49 percent tax credit on underground construction over the next 5 years. So there's no further excuse for this nonsense.

The next time your electricity goes off during a storm, or your phone goes dead—and stays dead for a week—why don't you take pen in hand and write to your favorite public utility? The letter could start something like this:

"Gentlemen: You have nowhere to go but down."

CONFLICTS OF INTEREST

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SWEENEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I rise today to draw the attention of the House to an inquiry being undertaken by G. P. Putnam's Sons, 200 Madison Avenue, New York, N.Y.

Apparently, Putnam's, through one James B. Adler, has undertaken to probe the membership of the House of Representatives, seeking to determine whether Members of the Congress are possessed of private interests which conflict with their public duty. Apparently, this probe is designed to identify a Member's outside business interests and law clients.

A letter of inquiry by Mr. Adler was addressed to our former colleague, Representative Oliver P. Bolton, who was my opponent in last November's election. Putnam's inquiry apparently was directed to each political rival of present Members of the House, in an effort to search out any improper conflicts or conduct.

Former Congressman Bolton most effectively answered the inquiry, indicating that in his view the whole question of any conflict of possible interests is of sufficient import and, at the same time, of sufficient demagogic and distorted potential as to be one which cannot properly be approached by inquiries directed to those who have a partisan or emotional ax to grind.

I wholeheartedly agree with our former colleague's observation in this regard, and am convinced that questions involved in the conflict of interests area are such that they can be effectively faced and dealt with by the Congress, itself; and that such an inquiry as undertaken by Putnam's could easily lead to smear attacks on individual legislators and attacks that are politically motivated, rather than factually sound.

Probing of conflict of interests is a delicate area and I would like to associate myself with Oliver P. Bolton's assertion that the Putnam approach is a dangerous one.

Mr. Speaker, I have said publicly and privately on many occasions that my opponent in the fall election of 1964 is a gifted American with a keen understanding of the issues of our day. He is a gentleman of the highest degree and I am more than favorably impressed by his very timely comments on the subject of this company's ill-advised probing in the area of conflict of interests.

I have but one regret, Mr. Speaker, as it concerns our former colleague, Oliver P. Bolton. I wish he were a member of the Democratic Party.

G. P. Putnam's Sons,
New York, N.Y., August 24, 1965.

Mr. Oliver P. Bolton,
Willoughby, Ohio.

Dear Mr. Bolton: We are examining the whole question of congressional conflicts. For this study, it is necessary to know more about the Congressmen whose private interests conflict with their public duty.

Obviously, it would be awkward to seek this information from the Congressmen themselves. Therefore, we are approaching in confidence their political rivals, whose duty it was in the last campaign to search out any improper conflicts or conduct.

We would appreciate any help you can give us in identifying your opponent's outside business interests and law clients. Has he used his position in Congress, in your opinion, to advance these personal interests? Has he performed any special favors for big campaign contributors?

We are aware these conflicts may not be illegal, but we want to explore whether they are improper.

Any information that you are able to send us will be held in complete confidence. It will help us, of course, to have documentation, but we intend to verify independently all the material we receive.

We expect to complete our research in time to publish a book on the subject before the 1966 congressional campaign.

Thank you in advance for your confidential cooperation.

Sincerely yours,

James B. Adler.

August 31, 1965.

Mr. James B. Adler,
G. P. Putnam's Sons,
New York, N.Y.

Dear Mr. Adler: With reference to your inquiry of August 24, I have no information regarding any conflict of interest which my opponent in the last election had or has and, therefore, regret that I can be of no assistance to you in your inquiry.

For the record, however, having worked on this subject in some depth over a 10-year period, of which 6 were spent in the Congress, I would suggest to you that the whole question of any possible conflict of interest is of sufficient import and, at the same time, of sufficient demagogic and distorted potential as to be one which cannot properly be approached by inquiries directed to those who have a partisan or emotional ax themselves to grind. I frankly find myself amazed that a publisher of your reputation would approach as delicate and difficult a question as this from this angle.

Very truly yours,

Oliver P. Bolton.

ADDRESS BY THE VICE PRESIDENT TO THE COMBINED JEWISH PHILANTHROPIES FOR GREATER BOSTON

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McCORMACK. Mr. Speaker, tonight the Vice President of the United States, the Honorable Hubert H. Humphrey, will address the combined Jewish philanthropies for Greater Boston dinner. This fine organization has long been noted for the great work that they have done in the field of medical research, charity, and social welfare.

Vice President Humphrey has always been associated with efforts to better the lot of our people and it is a pleasure for me to include herein the remarks of the Vice President:

Vice President Hubert Humphrey Combined Jewish Philanthropies for Greater Boston, Mass., September 8, 1965

It is an honor to address an organization which has been a pioneer in American philanthropy.

For 70 years, your federation has epitomized the conscience, the compassion, the concern which are the hallmarks of the American character.

In 1895, your founders opened a new chapter in the history of charity. They established a team to meet community needs on a united basis—through joint planning, budgeting, and fundraising.

Your Federated Philanthropies inspired citizens of Jewish faith all over America to similar joint efforts. And you encouraged Americans of every faith to unite successfully in community chests and united funds.

Your aid has reached to the end of the earth in the service of your kinsmen. The funds you have made available have rescued, have rehabilitated countless numbers of refugees. You have enabled them to open new lives in our sister democracy of Israel.

How fitting it is that here in Boston and elsewhere, so many sons and daughters of immigrants should hape kept faith so well with strangers—wanderers from so many lands. They had never ceased to dream—for 2,000 years—of return to the Promised Land. Your generosity made their return possible.

We Americans have owed a debt to mankind. And you have helped discharge that debt.

Here in Greater Boston, you are Americans of many origins, living in harmony and productivity.

Common to all of us is the Judeo-Christian heritage.

This is the bedrock on which your federation's philanthropy is built. It is the legacy that "the Lord our God, the Lord is one"—the one God of love and mercy. It is the concept that we serve God by serving man, created in His image, by loving our neighbor as ourself, by "doing justly and loving mercy and walking humbly" before our Maker.

From Sinai, the basis of this message first came to mankind. Later, that message was elaborated and trumpeted by the prophets.

Other great faiths expressed the message—each in its own way.

And, here, now, as in the past, your federation has exemplified this creed by daily deed.

The spirit which has guided you today guides our Nation. It is a spirit expressed in classic form 800 years ago by the sage, Moses Maimonides.

You will recall how he described the eight rungs on the "golden ladder of charity." The first—the lowest—of these rungs he stated, is an act of charity which is reluctant—a gift of the hand, but not of the heart. The second—he noted—is a cheerful gift, but one which is not proportionate to the distress of the sufferer. And the third rung is a cheerful and proportionate gift, but one which is not given until the donor is solicited.

And so on up the line to higher levels of giving.

In the seventh step, charity is made available in such a way that the self-respect of the recipient is fully protected.

The eighth and most meritorious rung was described as preventive—to anticipate need by assisting one's brother in advance—either by a gift, or by a loan or by teaching him a trade or by putting him into an enterprise, so that he might earn his own livelihood.

This, wrote Maimonides, is the summit of charity's golden ladder. And this is the summit to which this Nation has now climbed.

We are acting not just to relieve poverty, but to prevent poverty by striking at its roots. We are enabling the one-fifth of our American families who are poor to break out of a prison—economic, psychological, cultural—which has condemned generation after generation to misery and despair.

Men long to stand erect, with honor, with respect and self-respect. They cannot stand erect without livelihood, or hope.

So America wages war on poverty.

Today, too, we are enabling the persecuted, the oppressed—the one-tenth of our citizens who are Negroes—to achieve their birthright. With the Civil Rights Act of 1964 and the Voting Rights of 1965, we have provided legal framework on which to build the equality of opportunity promised to the Negro 175 years ago—but never achieved.

We are moving forward toward a more just America.

We are also working for a healthier America.

Greater Boston has always been a center of medical achievement. Two great medical institutions are supported by your federation's funds. These institutions are famed throughout America for their high standards of medical research, education, and patient care.

Today we seek to encourage similar high medical standards throughout the Nation. Now pending before the House of Representatives is a landmark bill to establish regional medical complexes for cancer, heart disease and stroke—the three most widespread killing and crippling diseases.

This same bill will enable your community to achieve even greater medical leadership.

The goal of the legislation is, I can assure you, not to preempt private action. Far from it. America needs more—not less—professional self-responsibility, more, not less—private philanthropy.

It was private action which first awakened the Nation to a vast blight which darkens 5½ million lives—mental retardation. Then, in 1963, two historic Federal laws took up the private counterattack against this condition and expanded the national program. John F. Kennedy, conceived and proposed these magnificent laws. He signed those laws in the last weeks of his life.

Today, too, we are working for the education of our children—for the revival of our cities—for the full development of this Nation's material and human resources.

We seek to build a strong and free American society able to carry, for years ahead, growing burdens and responsibilities at home and in the world. This is the society, in the words of our President, "not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor."

Our American Congress is today providing the vital ingredients with which we can seek that destiny. It is passing the broadest and most important, long-lasting legislation ever passed in any American Congress.

For this accomplishment, we owe much to many. But no one deserves more honor than the devout and humbled man for whom you and I have such deep affection: Speaker John W. McCormack. He has been a great Speaker leading a great Congress to victories long needed, long sought.

And we owe honor, too, to our American people—a people who, today, increasingly cast aside the old prejudices, the old hates, the old slogans—a people who have broken through the old barriers.

We owe a debt to American men and women who say: I am white and you are black, but we are equal before God.

We owe a debt to those who say: I am rich and you are poor, but we together will find hope and opportunity.

We owe a debt to those who say: I have one faith, you have another—my last name is not your last name, but we are brothers in mankind.

Today we dare so say, without hypocrisy, that our old and long dreams can be fulfilled.

Today we challenge the inevitability of poverty, of discrimination, of injustice—not only in America, but in all the world. In all the world.

My message to you is this: Tomorrow, as today, work for your fellowman with courage and with perseverance. What our fathers lived for we can build for our children.

STRENGTHENING THE PACKERS AND STOCKYARDS ACT

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dow] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. DOW. Mr. Speaker, nationally we are undergoing a state of revolution in the production of livestock, poultry, and eggs. The Packers and Stockyards Division of the U.S. Department of Agriculture is charged with promoting and maintaining free and open competition in livestock marketing and meat packing, including poultry.

In an action brought under the Packers and Stockyards Act in 1922, in the case of Stafford against Wallace, the Supreme Court stated:

> The unnecessary expense in the marketing of livestock necessarily reduces the price received by the shipper and increases the price to be paid by the consumer.

This is just as true today as in 1922 and the revolution in our production and marketing system needs constant surveillance to insure that no party is injured by unfair trade practices.

The Packers and Stockyards Act is a good act. The division is rendering a good, worthwhile service to consumers, tradespeople, and producers. It was the congressional intent that this would be so. Unfortunately, there are some jurisdictional disputes, especially in the poultry and chainstore area that have resulted in expensive, time-consuming litigation.

The legislation I propose and which I introduced yesterday as H.R. 10880 would make it crystal clear that it is the intent and purpose of Congress to have everyone in these industries abide by fair trade practices. The result, if this bill becomes law, will be that the money appropriated by the Congress to insure these fair trade practices will not be spent in jurisdictional litigation. Rather, it will allow the Packers and Stockyards Division to devote their full time and efforts to promoting free and open competition as they are charged by the Packers and Stockyards Act to do.

BATAAN-CORREGIDOR DAY

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, today I have introduced a joint resolution which would authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day. The day will mark the 25th anniversary of the historic and heroic resistance by American and Filipino soldiers to Japan's invasion of the Philippines.

The Japanese landed in Luzon on December 10, 1941, and according to their timetable the Philippines was to be brought under control in 10 days. They were not anticipating a prolonged and determined resistance on the part of the island's defenders. The small American-Filipino force under General MacArthur, however, did not surrender but withdrew to the rugged peninsula of Bataan and to the island of Corregidor. There they prepared to make a last desperate stand against the enemy.

In that early stage of the war, there was little or no hope of reinforcements and the defenders knew that they were on their own. To face the oncoming Japanese army required the greatest courage. Day after day the Americans and their Filipino comrades fought off repeated attacks by the Japanese. However, disease and battle casualties took a terrible toll and after 120 days of desperate fighting our men were forced to surrender to the inevitable. Bataan fell to the Japanese invaders on April 9, 1942, and Corregidor fell to the enemy soon afterwards.

The battle for Bataan and Corregidor was a military defeat, but it was also a victory of the spirit—the spirit that inspires men to fight for freedom whatever the odds may be. April 9, 1967, will not be an occasion for joy and merry celebration, rather a time to express our deepest gratitude to the men who sacrificed their lives for man's freedom. I urge that the House give favorable consideration to the joint resolution which will authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day.

REMARKS BY VICE PRESIDENT HUMPHREY AT THE CLEVELAND PUBLIC SCHOOL PRESCHOOL CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 5 minutes.

Mr. FEIGHAN. Mr. Speaker, the public school educators of Cleveland were privileged to have Vice President Humphrey as their speaker at the Public School Preschool Conference held yesterday at Cleveland's public auditorium.

Our Vice President commended the efforts being made in Cleveland to provide quality education for our children. He pointed out that Cleveland is on the move, with the largest school library system in the Nation, a doubling of vocational education programs, an increase of 300 percent in summer school enrollment and an adult education program geared to eliminating illiteracy. The Vice President stressed the short and long run dangers to American society as a consequence of school dropouts and outlined our Government's efforts to meet the major causes of the tragedy. His examination of this problem and the values of education to the future of our Nation was a challenge accepted enthusiastically by the educators of Cleveland.

The address of Vice President Humphrey was tuned to the opening of schools and its message brings encouragement to teachers, pupils, parents, and members of school boards throughout our Nation.

By leave granted, I include the Vice President's address:

> I understand that this is the first time in history that all of Cleveland's public school teachers and principals have been in the same place at the same time. (Although there must be one or two truants today.)
>
> This is the former educator's dream: An audience of 6,000 teachers—and the members of the Board of Education, as well—to be told about education.
>
> A few weeks ago I had the honor of addressing, in Washington, an historic White House Conference on Education. That conference was an inspiration to all who participated in it. For that conference was not just the usual meeting of genial people, a few formula speeches, and a closing banquet. It was a conference marked by questioning, by debate, by challenge to old ways of thinking. And that is good. For our country today can afford nothing less than the fullest development of the potential of each of its citizens. And that can only be done through education—education in tune with the times, education of and for excellence.
>
> In our world today there is no time for catching up, no room for errors to be tolerated and later corrected.
>
> The world we live in is one of change and uncertainty. It is a world which makes demands upon all of us.
>
> We must face the fact that there are modern weapons which can destroy the civilized world in a half-hour's time.
>
> We must fact the fact that two-thirds of the world is poor, hungry, and sick and that the gap between rich and poor nations widens each year.
>
> We must face the fact that the globe is exploding with people.
>
> We must face the fact that we are engulfed in great waves of scientific and technological change which we do not fully understand, and which can overcome us or save us.
>
> We must face the fact, too, that there are people in this world who would make it a totalitarian world—a world in which man would live to serve the state, and not the state the man.

Thomas Jefferson said, and it is true, that no nation can be both ignorant and free.

He also said, in equal truth: "What service can we ever render to our country equal to promoting education? * * * The exertions and mortifications are temporary; the benefit eternal."

Cleveland has learned this lesson well.

There was a time, and I speak frankly, when education in this city was less than it should have been.

But the public officials, the educators, the parents, the citizens of this city came to recognize that it was time for a change.

Today great things are happening here in education.

You have the largest library program in the United States. You will have some 100 new school libraries in the next 12 months.

You have doubled your vocational education programs—and vocational education for jobs of today and tomorrow, not jobs of yesterday.

You increased, this year, your summer school enrollment by 300 percent.

You are teaching 5,000 adult men and women, for the first time, to read and write.

You are providing to this city education of quantity and quality.

And this city, and our country, are the better for it. The 153,000 students in your city schools will certainly be the better for it.

Tomorrow is the first day of the fall school term for most of America.

But for many young Americans, who should be returning to school, this will not be true.

If our national problem of school dropouts continues at its present pace, we will have in 10 years some 32 million adults in the labor force without a high school diploma. These will be 32 million Americans, without adequate skill and education, in a society demanding more skill and education than ever before.

During this coming school year we face the prospect of 750 thousand dropouts. Some of them will not be at school tomorrow.

Can our Nation afford this terrible waste of its human resources?

Can it in 10 years afford to sustain 32 million Americans, and the members of their families, without adequate traning and education? Can we afford the cost of public welfare to support those not able to support themselves? Can we afford the loss of their potential productivity?

The answer is quite obviously "No." We cannot tolerate such loss, such tragic waste of human potential on either economic or moral basis.

To meet the dropout problem of tomorrow—the problem of those faced with deciding whether or not to go to school at the beginning of the fall term—we in Washington have taken active and direct steps this summer.

The President, some weeks ago, charged me with this task.

Since that time our Government task force, formed to take on this job, has been at work.

First, we set out to create summer jobs for young men and women who needed those jobs to be able to remain in school.

We contacted private businessmen, we contacted State employment services, we worked through the neighborhood Youth Corps, we increased where possible Federal hiring.

I have not yet given my final report on this program to the President. But I will take the risk today of predicting it will show that this youth opportunity campaign resulted in employment of more than 1 million young Americans who would otherwise have been unemployed this summer.

Two weeks ago we undertook yet another campaign at the President's direction: a back-to-school campaign.

In these past 2 weeks we have worked with radio and television stations, with recording companies, with newspapers and magazines, with public officials, with church leaders, with trade associations, with patriotic organizations, with businesses.

I personally have written letters and sent back-to-school materials to mayors of 600 American cities, to every Congressman and Senator, to 125 disc jockeys. Secretary of Commerce Connor has contacted 6,000 individual American business firms. Secretary of Labor Wirtz has contacted 1,900 Employment Service offices. Commissioner of Education Keppel has written to 11,000 school superintendents and 12,000 principals; the Postmaster General to almost 34,000 postmasters; other Government agencies to literally thousands of private and public organizations.

Our message has been this: Help get young Americans back to school.

The test of our efforts will come, in most parts of America, tomorrow morning.

If we have been successful we will have helped thousands of young people say "Yes" to their futures.

But our campaigns this summer, and in the last 2 weeks, have been measures only to meet emergencies at hand.

To meet the long-term, undeniable educational necessities of this Nation, we Americans are now engaged in constructing solid blocks to build upon.

The Elementary and Secondary Education Act, the Economic Opportunity Act, the vocational education amendments, the Manpower Training and Development Act, the higher education bill, the teaching professions bill—this is legislation passed or soon to be passed by this U.S. Congress—a Congress which has done more for education than any previous American Congress.

This is a Congress responding to the leadership of an American President who was both a school dropout and a teacher, a President who says that we must give each American child all the education he can take.

This is a Congress whose Members have overwhelmingly recognized that education is the keystone of our free society, of our democratic system.

This is a Congress responding to the needs and the wishes of the American people. This year, for the first time, public opinion polls show that Americans consider opportunity for education to be their most important domestic concern.

Yes, the American people are ready for bold and creative efforts in education. The Congress is making those efforts. But what about those with direct responsibility in education?

Let us be honest with ourselves and recognize this: Despite the dedication and hard work of American educators, there are deficiencies in American education. We must correct them.

We must, for example, continue eliminating obsolete and outmoded teaching methods and curriculums—methods and curriculums which stunt the development of creative thinking and understanding.

We have begun to emphasize the importance of understanding the basic structures of mathematics, languages, and the physical and biological sciences.

As you know far better than I, new approaches in these subjects show that our young people have astounding capacity for learning when they are truly challenged and excited by the learning process.

Let us make the learning process exciting, too, in teaching of the humanities, the social sciences, and the arts.

For these are the disciplines at the heart of creative expression and, indeed, of free political institutions.

These are the disciplines which perpetuate the priceless value of our civilization and guarantee that men will remain the masters of science.

We must have the courage and foresight to use new mechanisms and devices to help the learning process. We cannot afford to waste educational research and development because we are timid or lack the imagination to use what is new.

Visual aids, educational TV, and teaching machines, for instance, have not yet been used to their full potential.

We must, of course, balance and integrate these approaches with the experience that only a skillful teacher can provide. But ample evidence exists to suggest that such balances can be achieved in almost every subject area.

We must also accelerate our attempts to improve the training and preparation of teachers, to explore more efficient patterns of local school organization, and to develop additional sources of money available to our States and localities to pay for better education.

Yes, we have an obligation to adapt our educational system to meet the challenges and demands of a changing world. In the past few years we have come a long way toward meeting these challenges and demands. But we still have great ground to cover.

If we need—as we do—new techniques, new instruments, and new methods to assist in the process of education, we also need something old—something eternal—the spirit of personal commitment.

Personal commitment will be needed, too, for tasks in education which go beyond those in our own country and which serve more than our own purposes.

We Americans face, and must defeat, ignorance, illiteracy and hunger existing in the midst of our own rich society. But we must equally face—and, equally, must help defeat—these same enemies where they exist in other, less fortunate places.

We are today most concerned with education here at home, in the United States. This is the immediate task before us.

But we must recognize the truth in the words of H. G. Wells: "Civilization is a race between education and catastrophe."

As our American wealth and American energy are turned to the important work of education in this Nation, they must also be turned to the work of education where it is even more needed—in the two-thirds of the world waiting on the outside for a chance, too, for something better.

The American educator and American citizen must think in larger terms—more ambitious terms than we have even yet begun to contemplate.

The lessons we learn at home must be applied in other places.

We of this American generation have the chance to be remembered, as Toynbee says, not for crimes or even for astonishing inventions, but as the first generation to dare to make the benefits of civilization available to the whole human race.

And the surest way to that goal is the way of education. Through investment in education we can begin to close the gap between rich and poor.

Yes, we can be remembered for our generosity, for our humanity, for our sense of commitment to our fellowman.

Our weapons can be schoolhouses and books. Our soldiers can be teaching volunteers. Our victory can be the victory of the human spirit over hopelessness and despair. Our monument can be a society of free and creative peoples, living at peace and with the knowledge that each new day can be a better day.

Let us proceed, then, to let quality in education enhance the quality of life. Let opportunity in education lend opportunity to all mankind.

We shall be known as teachers: not warriors; as educators: not conquerors. Our legacy will not be the wealth of our treasury; but the richness of man's culture.

Each child entering life is an adventure into tomorrow—a chance to break the old pattern and make it new. We can, with faith and labor, make tomorrow a day of freedom, life, and peace.

Mr. Speaker, the warm welcome accorded Vice President HUMPHREY by the people of Cleveland is expressed in an editorial "Vice President Visits" carried by the Cleveland Press on September 4, and an editorial "HUMPHREY a Welcome Guest" carried by the Cleveland Plain Dealer on September 7, which follow:

[From the Cleveland Press, Sept. 4, 1965]

VICE PRESIDENT VISITS

American education still has plenty of remedial work to do, but it should be pointed out how far we have come in the past decade to improve the Nation's sorely neglected schools.

Who, for instance, would ever have expected a Vice President of the United States to address a grand assembly of Cleveland teachers, principals and administrators the day before school begins? This is precisely what is scheduled to happen Tuesday when Vice President HUBERT HUMPHREY comes to town.

A former professor, Vice President HUMPHREY dramatizes the new relationship between the Federal Government and the little red schoolhouse by coming here for the preschool rally. It is a most welcome visit and it is hoped it might even be observed by young dropouts, both present and potential.

[From the Cleveland Plain Dealer, Sept. 7, 1965]

HUMPHREY A WELCOME GUEST

The city today extends a warm and especially grateful welcome to Vice President HUBERT H. HUMPHREY who is coming here to address 10,000 Cleveland public school employees in what has been described as "the keynote for the national school year."

Mr. HUMPHREY is a congenial and entertaining guest and a visit with him, no matter how brief, is always a delightful and useful experience.

The Vice President is doubly welcome in his role as head of the intensive campaign initiated by President Johnson to reclaim school dropouts and to discourage the spread of the damaging dropout practice.

The prestige of his office combined with his engaging personality will draw maximum attention to the drive and provide the spark for its ultimate success.

In directing to Cleveland the spotlight on national school opening activities, Mr. HUMPHREY is, in a sense, paying his respects to Schools Superintendent Paul W. Briggs.

Briggs has made an impressive impact on Washington political life in his several appearances there as an adviser on needed legislation in the field of education.

Briggs' capacity for implementing projects with influential leverage brings HUMPHREY to Cleveland today. We hope it is an enjoyable and rewarding day for both of them.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BONNER (at the request of Mr. ALBERT), for the rest of the week, on account of illness.

To Mr. PEPPER (at the request of Mr. ALBERT) for today, an account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 20 minutes, today, and to revise and extend his remarks.

Mr. FEIGHAN (at the request of Mr. HATHAWAY) for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. MCCARTHY (at the request of Mr. HATHAWAY) for 30 minutes, September 9, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. THOMSON of Wisconsin (at the request of Mr. CLEVELAND) to include tables during remarks in Committee of the Whole on H.R. 10871.

(The following Members (at the request of Mr. CLEVELAND) and to include extraneous matter:)

Mr. FINO in two instances.

Mr. MARTIN of Alabama in four instances.

Mr. HORTON.

(The following Members (at the request of Mr. HATHAWAY) and to include extraneous matter:)

Mr. DINGELL.

Mr. JOELSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1674. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes, to the Committee on Interior and Insular Affairs.

S. 1935. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes, to the Committee on Foreign Affairs.

S. 2064. An act to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests, to the Committee on Foreign Affairs.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 795. An act to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State;

S. 949. An act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise;

S. 2420. An act to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes;

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes;

S.J. Res. 89. Joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; and

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1627. An act for the relief of Esterina Ricupero;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 3292. An act for the relief of Consuelo Alvarado de Corpus;

H.R. 4465. An act to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia;

H.R. 5024. An act to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely; and

H.R. 9570. An act to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

ADJOURNMENT

Mr. HATHAWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Thursday, September 9, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1563. A communication from the President of the United States, transmitting proposed appropriations to finance the Public Works and Economic Development Act of 1965, during fiscal year 1966 (H. Doc. No. 290); to the Committee on Appropriations, and ordered to be printed.

1564. A communication from the President of the United States, transmitting proposed supplemental appropriations for the executive branch and the District of Columbia, for fiscal year 1966 (H. Doc. No. 291); to the

Committee on Appropriations, and ordered to be printed.

1565. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the use of funds to provide additional research laboratory space at Stanford University, Stanford, Calif., pursuant to section 1(d)(2), 78 Stat. 310, 311; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 960. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. MILLER: Committee on Science and Astronautics. House Joint Resolution 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry; with amendment (Rept. No. 961). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 266. A bill to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty; with amendment (Rept. No. 962). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 3140. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases; with amendment (Rept. No. 963). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 6852. A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile; with amendment (Rept. No. 964). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 9047. A bill to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both; with amendment (Rept. No. 965). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 10748. A bill to authorize the transfer of copper from the national stockpile to the Bureau of the Mint; without amendment (Rept. No. 966). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 10715. A bill to authorize the disposal of chemical grade chromite from the supplemental stockpile; without amendment (Rept. No. 967). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 10516. A bill authorizing the disposal of vegetable tannin extracts from the national stockpile; without amendment (Rept. No. 968). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 10714. A bill to authorize the disposal of colemanite from the supplemental stockpile; without amendment (Rept. No. 969). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H.R. 10586. A bill making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 970). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 10896. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 10897. A bill to control the use of the design of the great seal of the United States and the seal of the President of the United States; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 10898. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H.R. 10899. A bill to amend the Small Business Act, as amended; to the Committee on Banking and Currency.

By Mr. REUSS:

H.R. 10900. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CUNNINGHAM:

H.R. 10901. A bill to amend section 5(1) of the Railroad Retirement Act of 1937 to provide benefits for children of deceased railroad employees who are over the age of 18 and below the age of 22 and are attending an educational institution as fulltime students; to the Committee on Interstate and Foreign Commerce.

By Mr. O'KONSKI:

H.R. 10902. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RACE:

H.R. 10903. A bill relating to certain claims for credit or refund of Federal income taxes; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 10904. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Tennessee:

H.R. 10905. A bill to amend title 39, United States Code, to permit the private carriage of letters by independent contractors between offices of business organizations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MOORE:

H.R. 10906. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ERLENBORN:

H.J. Res. 657. Joint resolution to authorize the President to proclaim the last week in October of each year as National Water Awareness Week; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.J. Res. 658. Joint resolution to authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 659. Joint resolution directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such center; to the Committee on the District of Columbia.

By Mr. OLSEN of Montana:

H. Con. Res. 498. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. SCHMIDHAUSER:

H. Con. Res. 499. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Con. Res. 500. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wisconsin:

H. Res. 572. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Res. 573. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. QUIE:

H. Res. 574. Resolution directing the Postmaster General to provide the names of temporary employees employed by the Post Office Department during the summer of 1965; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 10907. A bill for the relief of Angela Modaferri; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 10908. A bill for the relief of Georgia Kampilafkas; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 10909. A bill for the relief of Alan Charles Austin Gabriel; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 10910. A bill for the relief of Mrs. Sirpouhi Yanikian and her minor son, Ara Yanikian; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 10911. A bill for the relief of Gracia T. Digal; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 10912. A bill for the relief of Maria LoMonaco; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 10913. A bill for the relief of Brock & Blevins Co., Inc.; to the Committee on the Judiciary.

By Mr. DENTON:

H.R. 10914. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10915. A bill for the relief of Ninfa Pizzo; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 10916. A bill for the relief of William J. Allen; to the Committee on the Judiciary.

H.R. 10917. A bill for the relief of Mrs. Lessie Edwards; to the Committee on the Judiciary.

H.R. 10918. A bill for the relief of the survivors of Justin E. Burton; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10919. A bill for the relief of Pedro Barrera, Mrs. Pilar Boates Barrera and their minor children, Francisco Javier Barrera and Pedro Barrera; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 10920. A bill for the relief of Czeslaw Kaczynski, Wanda Maria Kaczynski and Tomasz Kaczynski; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 10921. A bill for the relief of Mrs. Angela C. Alexan; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 10922. A bill for the relief of Angel Saghbazarian; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 10923. A bill for the relief of Dr. Richard T. C. Wan and his wife, Ruth Ching Wan; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Wheat Shipment to the Soviet Bloc

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. FINO. Mr. Speaker, I take this opportunity to vigorously express my objections to the proposed reversal of American policy that half the American commercial wheat sales to countries in the Soviet bloc be shipped on American-flag vessels.

In my opinion, it is bad enough that we trade with the Soviet bloc. I see no reason to give the Soviets our wheat to alleviate their grain shortages. I say this because a grain shortage in the Soviet bloc generally forces a cutback in planned industrial building and development, and such a cutback is to our benefit. As far as I am concerned, those who want to trade in wheat with the Soviets as a quick way to pick up our balance of payments without trading strategic material miss the fact that American wheat, while not itself strategic, frees Communist planners to concern themselves with other cold war economic production. Our policy is clearly short sighted.

Mr. Speaker, let me repeat. I do not support trade in wheat with the Soviet bloc. Still less do I feel that American interests ought to be sacrificed to promote this trade at any cost. That is why I oppose sacrificing American maritime interests so that this wheat can be made more attractive to the Soviets. If the Soviets will not buy this wheat when it includes costs of shipment in American ships, then we should not sell it to them.

I know that the wheat producers, grain merchants, and railroads want these wheat sales to the Soviets, whatever the boon to the Soviet economy or whatever the detriment to the American merchant marine. This is pure financial opportunism.

Just a few weeks ago, the Johnson administration surrendered to the Communists in the United Nations on the question of loss of voting power because of unpaid dues. Now the administration wants to surrender on the terms of trade in wheat. There seems to be no limit to the administration's willingness to surrender on financial and other questions with respect to which it would be sensible and proper to take a stand against the Soviets. This is in marked contrast, unfortunately, to the administration's willingness to buy rice paddy acreage with blood in Vietnam, after having seemingly passed up some opportunities to negotiate.

Mr. Speaker, I hope that the administration will not drop the requirement that wheat shipped to the Soviets be shipped 50 percent of the time in American-flag ships. We have seen too many surrenders on easy fields of battle. Let us not compound our mistakes.

Award to Mr. Philip Goldberg

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. DINGELL. Mr. Speaker, I want to call to the attention of this body the fact that the National Council of Senior Citizens at its medicare victory celebration on August 2 singled out, along with distinguished Members of Congress, the labor movement, and other elements in our national life, Mr. Philip Goldberg, president of the Hamilton Life Insurance Co., of New York City, and the inscription on his award read as follows: "To Philip J. Goldberg for outstanding work on behalf of elderly citizens."

Vice President HUBERT HUMPHREY, in commenting on this recognition as he presented the award to Mr. Goldberg, said:

> He was an outstanding example of the type of businessman who put public service ahead of private profit—who recognized the need to play a constructive role in seeing to it that the business community cooperated with government and gave leadership and talent to the development of programs beneficial to all Americans.

Mr. Goldberg had declared in a speech in October of 1964 that the very nature of medicare is such that it requires a partnership of Government and private enterprise and that in his opinion the legislation was truly in the spirit of the American tradition and in the realization of President Johnson's Great Society. He further stated that it was his firm conviction that just as social security grew to be a boon to the life insurance industry so would medicare prove beneficial to the health insurance field.

Mr. Goldberg indeed deserves credit as do many other American businessmen of his type for the kind of interest they take in religious, civic, and political affairs and I am delighted to be able to add my praise to that of Vice President HUMPHREY and John Edelman, president of the National Council of Senior Citizens, in their tribute to him for the willingness to courageously speak out even when it is unpopular with some of his colleagues in order to fight for decent standards of economic and social well-being for all Americans.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I wish to include my weekly report to my constituents of April 22, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALABAMA

THE PRESIDENTIAL SUCCESSION RESOLUTION

The House passed House Joint Resolution 1, proposing an amendment to the Constitution providing for presidential succession. The vote was 368 to 29 and I was one of the 29 voting against the resolution. This is one of those technical pieces of legislation not easy to explain, but I feel there is grave danger in approving an amendment to the Constitution which would make it possible for an appointed official, never having been approved by the people, to become President of the United States.

Under this proposal, upon the death of the President, the Vice President, having taken the oath as the new President, would appoint a new Vice President. His appointee would have to be approved by the Senate and House, but there are no restrictions as to whom he could appoint. I could not help but think whom the present Vice President, HUBERT HUMPHREY, might appoint if fate decreed that he became President. Certainly, his choice would be approved by the present liberal majority in the House and Senate. This worries me when I remember that on their first vote after having been sworn in as Members of the 89th Congress and having taken an oath to uphold the Constitution, 149 Members of this Congress voted not to seat the legally elected Members of Congress from the State of Mississippi. What could happen in the future, and what kind of man could be appointed as Vice President if some later Congress, made up of ultraliberal-radicals, decided to impose their choice on the people? It is too dangerous a power to confer lightly.

I believe we should follow the present order of succession which makes the Speaker of the House next in line for Vice President. When the Vice President moved up on the death of a President, the Speaker would become Vice President and the House would elect a new Speaker. In this way we would insure that those holding the highest and most powerful offices in the land would have been approved, at least in their selection originally, by the people. The succession amendment will now have to be approved by a majority of State legislatures and I hope some consideration may be given these points.

INVESTIGATION OF UN-AMERICAN GROUPS

The House approved an appropriation of $50,000 to permit the House Committee on Un-American Activities to investigate the Ku Klux Klan. I voted for the appropriation because I believe we should bring out in the open all the facts concerning any group where there is suspicion of un-American activities. I did, however, urge the House to include in the investigation such organizations as COPE, the Student Nonviolent Coordinating Committee, the Southern Christian Leadership Conference, NAACP, and the Southern Conference Education Fund. If these groups and their leaders have nothing to hide, why should they object to a full and complete investigation of their activities, their motives, and those who plan demonstrations and call for breaking the laws of the land. It was quite interesting to note that the liberals in the House were against the investigation because they were afraid it would lead to a demand for an investigation of all these organizations.

SOCIALISM FAILS AGAIN

While the Johnson administration hails each additional step toward socialism as a victory, the world witnesses another failure in socialism—France is going broke under its state controlled, socialistic programs. Last year the Government-owned railroads in France lost $20 million. (Yet, the railroad union leaders just a few weeks ago called for the U.S. Government to take over the railroads here.) The French Government-operated gas company lost $7 million in 1964. The Paris airport lost $6 million last year. Paris subways and bus systems continue to run up big losses. The French Government last fall conceded that its medicare program was bankrupt. One hundred and twenty-two nationalized industries in France are losing money. In contrast, private industry in France is flourishing.

Before we go whole hog for the Great Society, Lyndon Johnson promises through socializing more and more of the private sector in the United States, it makes good sense to take a look at Socialist failures whenever private incentive is taken away and private initiative curtailed.

The United States built the greatest economy in the history of man, offered greater benefits to more people and created the highest standard of living, all under private enterprise. Let's not lose that spirit now by turning to new economic systems here, systems which have been tried by country after country and have failed in every instance.

Augustine La Corte and Unico National

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. JOELSON. Mr. Speaker, it is with pleasure that I report to my colleagues the election of my distinguished constituent, Augustine La Corte, as president of Unico National. "Gus," as he is known to his many friends, well deserves the honor. I extend warm congratulations to him and his charming wife, Sarah.

The motto of Unico National is "Service Above Self." It has lived up to its motto by fostering a scholarship program which has helped many young men and women to attain a college education, and ultimately go on to positions of leadership and responsibility.

Unico National is a constant reminder to the people of America of the great contributions made by Americans of Italian descent in our Nation.

I am sure that under the leadership of Gus La Corte, this fine organization will continue to grow and to render dedicated public service.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my newsletter, Washington Report, of April 6, 1965:

WASHINGTON REPORT—THE VOTING RIGHTS BILL

(By Congressman JIM MARTIN, Seventh District, Alabama)

Congress is going to pass a voting rights bill. My personal belief is that no new legislation is necessary. There are enough laws on the books now to protect the right of every qualified American citizen to vote without discrimination because of his color, his race, or his religion. Proper enforcement of present laws would assure that right. However, we are faced with a situation which is unprecedented in American history. The President has demanded that Congress pass a bill on voting rights and, spurred by the emotion which is gripping our country at the present time, Congress will pass such a bill. So when Members of Congress vote on this bill they will not have the choice of either taking the President's bill or have no bill at all. The only chance we have to defeat the President's bill, with all its discrimination and retaliatory moves against the South, is to adopt a better bill. We can protect the right of qualified citizens to vote and at the same time preserve the constitutional guarantees of the States to determine election laws and voter qualifications.

I have been working unceasingly for such an improved bill and the Republican Members of the House will offer one as a substitute for the President's bill. While the Republican bill still does not meet fully my original conception, it is a much better measure than the President's bill.

1. The Johnson bill applies to only a few States and only to a few counties in other States where there is a literacy test and less than half the adult population was registered or voted in the last election. The Republican bill applies to the Nation at large including every State and every county in every State where discrimination in registration and voting is being practiced.

2. The Johnson bill undertakes by statute rather than constitutional amendment to outlaw poll taxes in State and local elections. The Republican bill does not deal with poll taxes.

3. The Johnson bill authorized a State to win an exemption from coverage by proving that it had not practiced racial discrimination against a single individual a single time in the last 10 years. This is a reversal of the concept that the accused is presumed innocent until proven guilty. Since the Republican bill applies to all States, there is no need for such a provision.

4. The Johnson bill provided that, after the effective date of the bill, no State legislature could enact an enforceable change in its voting laws without first bringing a lawsuit for a declaratory judgment against the United States in the Federal court in the District of Columbia seeking prior approval. The Republican bill, recognizing that such a procedure violates the doctrine of separation of powers, States rights, and the very definition of the Federal system itself, has no such provision.

5. The Johnson bill outlaws all literacy tests in States covered by the bill. The Republican bill provides that a sixth-grade education will raise a presumption of literacy and that those with less than a sixth-grade education may still be able to prove that they are literate.

6. The Johnson bill fixes criminal penalties against both officials and private citizens for coercion and intimidation of prospective voters. Since the mandate against racial discrimination in the 14th and 15th amendments runs against officials only and not private citizens, these penalties are subject to constitutional attack. The Republican bill provides penalties against officials only.

This brief explanation clearly shows that the Republican bill will safeguard the constitutional rights of the States and individuals. This is the problem Congress will face to take the President's disastrous bill or the Republican bill.

There will be no other choice.

To reiterate my own position:

1. I believe that every qualified American citizen should have the right to vote.

2. I believe that right is guaranteed under present laws and that no new legislation is necessary.

3. I believe that we must prevent the President's bill from becoming law if we are to save our present form of Government, a representative Republic.

National Lotteries of Australia and the Far East

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. FINO. Mr. Speaker, today I would like to bring to the attention of the Members of this House some figures showing the social and financial benefits of the national lotteries of Australia and the Far East. The lotteries of the Far East brought in gross receipts of $124.4 million in 1964, earning a profit of $50.3 million. The lotteries of Australia and New Zealand took in gross receipts of $111 million that year, with net income amounting to $32.7 million.

India and Pakistan, between which nations a border war now rages, both used the lottery device during 1964, by giving prizes in lieu of a percentage of what would otherwise be normal interest on government bonds. Himalayan Nepal, in the mountains north of India, has private lotteries, as does remote Afganistan in the northwest. Ceylon's national lottery took in $1.4 million in 1964, with the $600,000 profit being used for national development.

Burma and Thailand both operate lotteries, which together brought in gross receipts of $43.7 million in 1964. The income to the two Governments totaled $12.5 million; much of the Thai income being used for housing. Further east, Cambodia's lottery took in $27.4 million in 1964, yielding a $20.2 million profit to the general revenues. The national lottery of mountain Laos was a victim of the 1964 coup d'etat.

The two enemies, Indonesia and Malaysia, both have lotteries. Malaysia's took in gross receipts of $16.5 million in 1964, leaving the Government an income of $4 million, which was expended upon social welfare. Indonesia's lottery also aided social welfare, but to a lesser extent. Gross receipts in 1964 appear to have been in the neighborhood of $1 million, with profits half that much, but a lack of a definitive exchange value for the Indonesian currency makes precision impossible.

Nationalist Chinese Formosa has a lottery which grossed $5.9 million in 1964, earning a $2.6 million profit for the treasury. The lottery of the Island Republic of the Philippines grossed $13 million and earned an income of $4 million for charity and local organizations.

The Japanese national lottery took in a gross of $14 million in 1964, earning a $5.2 million profit for public works expenditures.

Australia's lotteries are four state lotteries. They grossed $100 million in 1964. earning $30 million for charity, hospitals, and the Sydney Opera in New South Wales. New Zealand's lottery earned $2.7 million for youth, welfare, and cultural activities out of a gross receipt total of $11 million.

The British Crown Colony of Hong Kong has a lottery which grossed $1.8 million last year. Its $700,000 net income was used for social welfare purposes.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my Washington Report to my constituents for April 1, 1965:

A CHALLENGE FOR AMERICA'S CLERGY

(Washington Report from Congressman JIM MARTIN)

This week I wrote to Bishop John Wesley Lord, of the Methodist Church to suggest a program whereby America's clergy could lead a great crusade that would strike at the roots of the problem facing the Negroes in the South. I explained to Bishop Lord the real trouble is economic—the lack of opportunity in counties of the South where as high as 80 percent of the population is colored and tied to a soil which is no longer productive. With little education and no industry these people are forced to eke out a meager existence. It is beyond the economic capability of the Southern States to solve this problem.

My challenge to Bishop Lord was that he as a religious leader who has expressed concern for the Negroes of the South by marching in Selma, urge the Methodist churches across the Nation to join in helping to relocate Negroes from the South who would like to move to another section of the country where they can have equal opportunity for a good job at good wages so they can raise their families in the best American tradition. If each church would take a family or 2 or 10 to the vast areas of this bountiful country where Negroes comprise less than 10 percent of the population, welcome them into their communities in the true spirit of brotherhood which is the basis of our Judeo-Christian beliefs, help to retrain them, get them jobs, within 5 years, or at the most 10, most of the problem would be solved.

Bishop Lord answered me with a form letter explaining his reason for going to Selma, but completely ignoring the contents of my letter to him. This is the sad part of the present situation—too many feel that basic problems can be solved by demonstrations and by working up passions against a particular section of the country and its officials, but are unwilling to face the true facts of the cause of the disease, much less put forth the effort it will take to help all Americans truly realize the American dream.

AID TO EDUCATION

This week the House debated and passed the Federal aid to education bill, disguised as a bill to help the children of the poor. I opposed the bill and voted against it on final passage. I am against general Federal aid to education and that is the real purpose behind the President's bill. It will lead to further increased pressure by the heel of federalism on the people and the States. A natural followup of this bill will be complete Federal control of local school systems and compete dictation by a Federal bureaucrat from Washington, making local control of our schools and the efforts of the PTA a thing of the past. Lest you think this is just scare talk on my part, let us look at the minority views in the report on H.R. 2362, the President's bill:

"This bill is a thinly veiled attempt to launch a general Federal aid to education program by means of a spurious appeal to purposes which it would not adequately serve. It manages to incorporate the worst features of general aid with the worst features of specialized aid, while dispersing limited funds to 90 percent of our school districts without regard to need."

The minority views further contain this startling statement:

"This bill contains very dangerous provisions which would permit the U.S. Commissioner of Education to establish Federal-local schools and facilities without the approval of a State education agency and financed 100 percent with Federal funds. This is the most direct and far-reaching intrusion of Federal authority into our local schools systems ever proposed in a bill before Congress."

I pointed out the hypocrisy of the bill, and of those who have been encouraging the Selma demonstrations, in a speech to the House in support of an amendment to the bill by Congresswoman EDITH GREEN, of Oregon, to actually make the Federal funds available to the children of the poor. Under Mrs. GREEN's amendment, Alabama would receive $13,602,000 more than we will under the President's bill. Further necessity for the amendment is indicated in the figures which show that the President's bill will give Alabama $140 in aid for each schoolchild in poverty while in New York the amount will be $353 per schoolchild in poverty. Yet, Alabama's effort amounts to $4.21 per capita income as against $4.69 in New York, almost the same. No Alabamian can justify such inequality. If the bill is to help the children of the poor, why would our children receive less than half the amount that a child receives in New York, one of the richest States in the Union? Naturally, the administration forces shouted down the Green amendment.

Further, inequities under the President's bill are shown in figures which reveal the 10 most wealthy counties in the United States receiving twice as much in grants as the 10 poorest counties. For instance, Montgomery County, Md., a suburb of Washington, D.C., is the wealthiest county in the country with an average annual income of $9,317 per family. This just happens to be more than eight times the average family income in Tunica County, Miss. In Tunica County 54 percent of the school-age children come from families with a yearly income of less than $2,000. In Montgomery County only 2 percent of all school-age children come from families with a yearly income of less than $2,000. Yet in the President's bill Montgomery County will receive $572,000 while Tunica County will receive $350,000, or almost a quarter of a million dollars less than the richest county in the entire United States. The result of the President's bill, which he says is to "help the impoverished," actually makes the rich richer at the expense of the poor who are paying Federal taxes to help underwrite this program.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my report to my constituents of April 8, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALA.

BOYCOTT IS UN-AMERICAN

Martin Luther King's arrogance in calling for a boycott of Alabama has exposed his irresponsibility and caused many who have been misled by him to have second thoughts as to his real motives. His pious statements about wanting to improve life for the Negroes sounds hollow when he advocates wrecking Alabama business and industry which provide jobs for thousands of Negroes.

It will be my continued purpose to expose the false motives of the selfseekers in America as well as those who would destroy our traditions of freedom and who would scrap the Constitution.

In a news story last week in the Washington papers a business firm, the Childs Securities Corp., announced it was going along with the demands of the self-appointed savior of American Negroes and boycotting Alabama. In answer I stated in the CONGRESSIONAL RECORD: "I am amazed and shocked that a reputable business firm would be so unethical and so lacking in American principles as to participate in such an action.

The support of an economic boycott against a whole State and its people is a well organized Communist technique which has been used to topple every government which the Communists have taken over."

I shall continue to call to the attention of Congress and the American people any business firm, union or other organization which joins in the un-American action of taking part in a boycott of Alabama.

CALL FOR COMPLETE INVESTIGATION

In a speech to the House of Representatives I called upon the House Committee on Un-American Activities to conduct a thorough and complete investigation of all groups "responsible for lawlessness and violence." I included CORE, the Student Nonviolent Coordinating Committee, the Ku Klux Klan, the Southern Christian Leadership, NAACP, and the Southern Conference Education Fund. Calling for this investigation, I said, in part:

"Nearly 2 months ago I asked the President and the Members of this body to use their great influence to bring an end to the defiance of law and order in Alabama. I deplored then, and I deplore now, acts of violence and the tearing down of law and order. No decent, self-respecting, law-abiding American condones murder or those who incite to murder. We are against lynching and mob rule and killing whether inspired by cowardly riders in the night or pious hypocrites agitating in the public streets.

"On numerous occasions I have pointed out the Communist influence in some of the organizations responsible for the demonstrations in Selma and other places. These charges should be investigated, not shrugged off by these leaders as the leaders of violence did so casually on several TV interviews last Sunday.

"I call upon the American people to stop following false leaders who trade upon our national trait for compassion for our fellow man to engage in un-American pursuits."

WATER POLLUTION CONTROL BILL

The Republican policy committee, of which I am a member, unanimously endorsed the water pollution control bill, S. 4, after it had been improved through Republican efforts in my Committee on Public Works. The bill, as amended, meets with the approval of the State governments, industry, and all organizations concerned with cleaning up our rivers and streams. We cannot deny that the steadily increasing pollution of the once clear waters of the United States has become a problem of concern to all Americans. Here again, our task was to put into proper perspective the role of the Federal Government, the States, local communities, industry, and private individuals. The Senate version gave undue powers to the Federal Government. The House version has removed the dangers of Federal control and domination.

HOUSE ACTIONS

The House approved unanimously the Water Resources Planning Act. In this area too there is a proper function for the Federal Government. This bill establishes a Water Resources Council and provides for the setting up of river basin planning commissions with plans for Federal, State, interstate, local and private development of our water resources.

The House approved also, with only one dissenting vote, a bill to help our older citizens by authorizing assistance to the States in developing improved programs at the community level to help solve the problems created by aging.

By a unanimous vote the House approved H.R. 4257, to amend the Manpower Training Act of 1962. The history of this legislation has been good, and progress has been made toward retraining American workers unemployed because of technological advances. The amendments strengthen the program and assure better cooperation between Federal and State governments.

SPEAKING ENGAGEMENTS

As far as time and the demand of legislative business permits, I will continue to tell the story of the South in other sections of the Nation and report to southerners the attitudes existing elsewhere. This past weekend I spoke in Atlanta, Ga., Raleigh, N.C., and Birmingham. In addition I made several TV appearances and radio broadcasts.

Congressman Horton Welcomes March of Dimes Big City Meeting

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1965

Mr. HORTON. Mr. Speaker, on October 4 and 5, 1965, in Washington, the National Foundation—March of Dimes will convene its most important meeting of the year. At that time, more than 500 top-level volunteer leaders, representing all 50 States and every major city, will plan the 1966 March of Dimes campaign against birth defects, one of the Nation's leading causes of premature death and disability.

The importance of their task cannot be overstated. Each year in the United States, an estimated 250,000 babies are born with significant birth defects. Sixty thousand children and adults and an estimated half million unborn babies die as a result of these defects. With the exception of heart disease, no other condition claims so many lives.

Some of the causes of these tragedies are known. The news media recently focused attention on the thousands of defective children being born to mothers infected with German measles during last year's epidemic. In most cases, however, neither causes nor means of prevention nor specific methods of treatment are known.

The National Foundation—March of Dimes has made a strong beginning in the fight against these problems through its national network of treatment centers and an international program of scientific research. It is to map a program of expansion in this urgent campaign that these volunteers from across the country are meeting here in Washington.

The National Foundation—March of Dimes, since its establishment in 1938, has always believed that the way to solve a problem in America is to bring its importance home to the public. When the people are convinced that the job is important enough, they will do something about it. That is what happened in the fight against polio when the public, through the March of Dimes, achieved one of the most important medical victories of our time: the development of the Salk and Sabin vaccines.

The men and women attending this national conference will be truly representative of the people of their States and communities, where they are laboring to bring about an awareness of the birth defects problem. They are the chairmen of each State March of Dimes organization, the State chairmen of women's activities, and the chairmen of the largest of the foundation's 3,100 county chapters. Last year, they and their counterparts coordinated the work of an army of some 3 million volunteers, including a corps of nearly a million Marching Mothers who visited an estimated 10 million homes distributing educational materials and seeking financial support for the March of Dimes.

Mr. Speaker, it is obvious that a great part of America is involved in this massive struggle. I know that all the Members of this House join with me in welcoming these dedicated people to our Capital City and in wishing them every success as they plan the important work of attacking the scourge of birth defects.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 9, 1965

The House met at 12 o'clock noon.

Rev. John B. Brady, archdiocesan scout chaplain, Archdiocese of Washington, D.C., offered the following prayer:

Father above, we thank Thee for our great land with its snowcapped mountains and alpine tundra, trout-filled streams, wooded forests, grasslands, deserts, and plains.

We thank Thee for the culture of the red man, the bravery of the pioneer and missionaries, and the legislation of our Founding Fathers that has become the heritage of our generation.

Help us to treasure these priceless God-given gifts and to use them to help the underprivileged, the minorities, the needy, the poor, the youth, the aged, the sick and infirmed, the widows and orphans, all the citizens of our land and all the peoples of the world.

Help us to undergird the structure of our Nation by fortifying all our departments of public service.

Grant that our deliberations and decisions may bring prosperity and peace to all nations and add to the greater glory of God and the benefit of all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 727. An act to provide for the administration of the Coast Guard Band;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8027. An act to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes; and

H.R. 10775. An act to authorize certain construction at military installations, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8469. An act to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10586) entitled "An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 897. An act to provide for the establishment of the Saint Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes;

S. 1349. An act to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length;

S. 2118. An act to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Shipping Mortgage Act, 1920; and

S. 2142. An act to simplify the admeasurement of small vessels.

THE 90TH BIRTHDAY ANNIVERSARY OF THE HONORABLE CLARE HOFFMAN

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, there is a grand old man up in Allegan, Mich., who served in this House for 28 years and who is observing his 90th birthday tomorrow, September 10. I speak of my distinguished predecessor, Clare Hoffman.

There is a big birthday card out in the Speaker's lobby, and it will please him greatly if the 291 present Members of the House who served with him and the newer Members too will sign that card this afternoon. I am going home tonight and my purpose is to present it to him on his birthday tomorrow.

Those of you who knew Clare Hoffman so well and who worked with him, argued and debated with him, agreed and disagreed with him during all or a part of those 28 years, will agree with me in his outstanding ability in advocacy. The sharpness of his wit, the quickness of his mind, had few equals.

In his own district in southwestern Michigan, Clare Hoffman became a legend in his time. His people greatly admired him for his indomitable courage and his forthrightness, and for the ableness of his representation of their views here. He campaigned on the slogan that he had never failed them, and he never did. Clare Hoffman would still be a Member of this House if the infirmities of age had not overtaken him in the fall of 1961. Great fighter that he was, and is, he struggled mightily to overcome illness in his 87th year, and did not want to quit this House, even when all reason dictated that he must.

Clare Hoffman was first elected to the House in 1934, after his 59th birthday. Before he was sent here, he had already enjoyed a distinguished career as one of the most able trial lawyers in western Michigan. He further distinguished himself in the House and retired at the close of his 14th term in January 1963.

Since the end of his long career, he has been living in retirement at his home in Allegan. His wife of 65 years, herself but 6 months younger than he, still lives, and their two sons, both lawyers, live in the same community.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Michigan yield to me?

Mr. HUTCHINSON. I am pleased to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I subscribe to all of the fine tributes that has been said by the gentleman from Michigan about my former colleague and close friend, Clare Hoffman. Our districts adjoined one another. When I came to Congress he was extremely helpful to me and continued that help and assistance during the time we served together. His career was an outstanding one. He has left an indelible impression on the legislative body which we all serve today. I join the gentleman from Michigan and others in wishing Clare Hoffman many, many more years of the good life and wish him well on his 90th birthday.

Mr. HUTCHINSON. I thank the distinguished minority leader.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the distinguished Majority Leader.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for yielding to me. I join him in extending birthday greetings to a great former Member of the House. The gentleman has said that Clare Hoffman is a legend in his district. I can say to the gentleman that he is also a legend in this House. He was one of the most articulate Members of the House, a man of great courage and ready wit. He was a master in debate.

The Speaker has asked me to advise the House that he joins in this tribute to our former colleague.

Between the Speaker and Mr. Hoffman there was deep affection. The House was on many occasions highly entertained by their repartee, trading humorous jibes as only they could.

I have missed Clare Hoffman since he left. I was very fond of him and I am happy to join his friends from Michigan in extending my best wishes on this day.

Mr. HUTCHINSON. I thank the distinguished majority leader.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I think the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], expressed the feelings of all of us when he said in the course of his remarks a moment ago that he missed Clare Hoffman. All of us have missed him. He was a tremendous asset to this House of Representatives. He was a great debater and also a man of great good humor. All of us were indeed proud to call him "friend," and I am confident that he and his wife will receive many congratulations on this birthday anniversary.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I rise simply to say to my old and devoted friend in Michigan that "our party" has not been the same and never will be the same again.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I thank the gentleman from Michigan for yielding to me and I would like to join in congratulating Clare on his 90th birthday. He was an outstanding legislator, a great American, and a true friend in every sense of the word. We miss him here in the Congress.

Mr. Speaker, all of us join in wishing him and his wife the very best on this occasion.

Mr. Speaker, I hope the gentleman from Michigan [Mr. HUTCHINSON], when he goes out to see Clare today, will convey the best wishes of all of us on both sides of the aisle. He is a very fine gentleman.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to join in paying my high compliments to Congressman Clare Hoffman as well. This compliment with friendly best wishes is from the "progressive" side of the Republican Party. We Members on the Republican side always liked the fact that Clare would call the roll and let us show where we stood on issues, I must say that some of the rollcalls were not popular but they certainly made everyone go on record around here. And that is how the American people want Congress to act.

Mr. Speaker, the gentleman from Michigan [Mr. Hutchinson] should tell Clare Hoffman with reference to his regular calls for quorums and record votes, not to be upset, because we are still getting a few rollcalls from his substitute, the gentleman from Iowa [Mr. Gross], and now from the gentleman from Missouri [Mr. Hall]. They keep us on the ball in the same way as Clare Hoffman always did.

Mr. Speaker, as a former Harvard debating coach, I believe I am in a position to say this: I do not think there has been anyone in the U.S. Congress who was as alert on his feet and as quick in his repartee as Clare Hoffman. I know few who would be able to stand up to Clare Hoffman in straight debate. Clare Hoffman without pockets or notes could make any debating team.

Congratulations to Clare Hoffman on his 90th birthday—he is too young to be that old.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, Clare Hoffman was a longtime member of the Committee on Government Operations. He was chairman of that committee at one time. He was also the senior ranking minority member for many years. Throughout his tenure on the committee he was always highly respected and always ably presented his views. He never ceased to be a hardheaded and adamant advocate of that in which he believed, and among those things was fishing.

Mr. Speaker, I would like to say on behalf of myself and the Committee on Government Operations that we miss him and we wish him many more happy birthdays.

Mr. Speaker, we extend our best wishes to him.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I thank my colleague from Michigan for yielding to me. I merely want to send to Clare Hoffman an expression of my undying affection. I never knew a man who placed a higher valuation on the qualities of friendship or gave more in loyalty to a friend.

Mr. Speaker, Clare and I were friends many, many years ago. Here in the Chamber, of different parties and philosophies, we remained close friends. I used to take a great delight in seeing him in this Chamber, dynamic, brilliantly alert, a match for the best of debaters, with a wit as keen as the edge of a razor, and a brain that clicked as the most perfect of mechanisms.

From a full heart I pay tribute to a man who so well and so long represented the district where I was born, and I ask my colleague from Michigan [Mr. Hutchinson] to convey to Clare Hoffman my expression of great and undying admiration and affection.

Mr. HUTCHINSON. I assure the gentleman from Illinois that I shall do this.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I would like to join with those who are sending greetings to one of our former colleagues, Clare Hoffman. I do not believe there is anyone in my time who has served in this body who possessed a more brilliant mind or who demonstrated more independence or integrity. He was a great legislator and a most able Member of this body. I do think, however, that it is just as well that he retired because since his day there has been a change in the rules of the House so that a Member cannot demand an engrossed bill. I do not believe Clare would enjoy it here the way he used to when he could insist on the reading of an engrossed bill.

Mr. Speaker, I take this occasion to say a word of thanks to a great American. He was an inspiration to me and to all who served with him.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record on the occasion of the 90th birthday of the Honorable Clare Hoffman.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING RAILROAD RETIREMENT ACT OF 1937

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tomorrow night to file a report on the bill (H.R. 10874) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FEDERAL EMPLOYEES RETIREMENT ANNUITIES INCREASE

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 14, strike out " "Effective" and insert "Effective".

Page 3, line 22, strike out "centum.";" and insert "centum."

Page 5, strike out lines 10 to 15, inclusive.

Page 5, line 16, strike out "Sec. 3." and insert "Sec. 2."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the bill that was called up yesterday on the Consent Calendar?

Mr. DANIELS. No, this is an entirely different bill. This bill was passed by the House a couple of weeks ago by a unanimous vote of 394 to 0.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

WORLD LAW DAY

Mr. FRASER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 468.

The SPEAKER. The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. Con. Res. 468

Whereas 1965 is International Cooperation Year as proclaimed by the United Nations General Assembly and the President of the United States;

Whereas this Congress has enacted S. Con. Res. 36 to encourage international cooperation within the framework of law and order; and

Whereas the President has designated September 13, 1965, as World Law Day, a special day for emphasizing the need to strengthen international cooperation through law and legal institutions; and

Whereas September 13, 1965, marks the opening of the Washington World Conference on World Peace Through Law with leading jurists, lawyers, and legal scholars from one hundred and twenty nations meeting in Washington to discuss the development of legal rules and judicial systems for the maintenance of world peace: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the people of the United States welcome to their shores the jurists and members of the legal profession of these many nations and will join with them in this important effort to build world peace.

Mr. FRASER. Mr. Speaker, more than 2,000 judges and lawyers from all over the world will be gathering next week in Washington to explore the possibilities of securing peace through the application of legal principles.

House Concurrent Resolution 468, and 30 identical resolutions introduced by other Members of the House, express the sense of Congress welcoming the conference in its important effort to build world peace.

We cannot hope to fully extend the rule of law into international dealings with a single conference. Yet, the problem of securing world peace is too grave to permit the luxury of skepticism.

A commitment on our part to the principle of world peace through law will not go unnoticed by lawyers and judges of the unalined nations. We must look forward to the day when all people will recognize the need for law.

It is difficult to imagine our society operating without its prior commitment to law. Yet the rule of law which we have found so essential in our daily affairs is not present in international dealings. The nations of the world, many of whom have the power to destroy civilization, now operate under the rule of force.

Thoughtful people all over the world have recognized the necessity of applying legal principles to international problems. These people now look forward to the Washington conference in hopes that it can advance the cause of international security for the rights of individuals.

Mr. RYAN. Mr. Speaker, I rise in favor of House Concurrent Resolution 468, expressing the welcome of the American people to the participants in the Washington World Conference on World Peace Through Law. The measure is identical to that which I introduced in the House on September 2.

The Conference will bring together leading jurists and lawyers from 120 countries throughout the world to discuss the development of legal rules and judicial systems and their application toward the maintenance of world peace. They will be here not only to discuss possible methods of establishing peace through law, but also to draft plans for new international courts, to codify and strengthen international law, and to develop greater acceptance of the principle of law and order rather than resorting to force and aggression.

The American people fully support the efforts of this Conference, one of the landmarks of International Cooperation Year. We look forward to the Conference's contribution to the cause of peace throughout the world.

Mr. FRASER. Mr. Speaker, the Washington Conference on World Peace Through Law is making a significant contribution toward the establishment of universal justice. Over 1,000 of the world's foremost jurists are now gathered at the Washington Hilton Hotel for the purpose of exploring ways in which nations can apply legal standards to international conflicts.

The encouragement of Congress is expressed in House Concurrent Resolution 468. Chief Justice Earl Warren gave an inspiring speech to the conference in its opening session and has taken an active interest in the proceedings. Yesterday, the President of the United States expressed his unequivocal support for the pursuit of justice through law in an address to the conference. The conference is working to achieve America's most treasured goal and it deserves this support from every branch of the Government.

President Johnson's words inspired the lawyers and jurists to continue their fine work. Congress should study his words carefully and apply itself to the task of making world peace through law a reality.

The address follows:

Remarks by the President of the United States at the Washington World Conferences on World Peace Through Law

I need not here reaffirm my Nation's continuing dedication to the rule of law. We will work to extend it to the relations between countries. For we believe that is the surest road to a fruitful and secure peace.

Therefore, we who seek a world of law must labor to understand the foundation on which law can rest. We must set to work to build it. For if the rule of law is an ideal, the establishment of that rule is the practical work of practical men. We must not let the difficulties of this task lead us into the twin dangers of cynicism or unreasoning faith.

For the fact is that if law cannot yet solve the problems of a tormented earth, it is steadily growing in importance and in necessity.

The first condition of law is justice. That law which oppresses the weak, or denies the fair claims of the poor, will prove a flimsy barrier against the rising storm of man's demand for justice.

Law must not be the prisoner of plunder or privilege.

It is not the soothing keeper of the status quo. It is an instrument in the battle for the hopes of man. And if it is not fashioned as such an instrument—then no matter how beautifully and logically framed—it will yield to violence and terror.

If we, the fortunate of the earth, would ask other people to submit to law, then we ourselves must assume some responsibility for peoples' liberty and peoples' well-being.

International law has been primarily concerned with relations between states. In pursuit of justice, it must now concern itself more than in the past with the welfare of people.

I look forward to the day when the relief of hunger and misery and ignorance—in all parts of the world—will be fixed in legal obligation—as it now is in my own country.

When our world law embodies the right of the despairing to hope, and the responsibility of the fortunate to help, then it will be strengthened a thousandfold in the cause of peace.

If world conditions were largely satisfactory it would not be difficult to evolve a rule of law. But we do not live in a satisfactory world. It is stained with evil and injustice, by ruthless ambition and passionate conflict. Only by fighting these forces we help build a base on which the temple of law may rest.

The second condition of law is institutions. Through them law receives meaning and force. And institutions themselves, through their own actions, help to make new law. The U.N. General Assembly has done this in peacekeeping.

The past 20 years have seen an abundant flowering of new international structures. From the Common Market and NATO, to the IBRD and the Asian Development Bank, order and legal process have been imposed upon spreading segments of the affairs of countries.

Some of these institutions have played a large role in the prosperity of the West and in keeping the peace.

Others contribute to the progress of the developing continents.

The United States has helped build many of these organizations. Their strength represents a victory for the cause you represent—a legal order contributing to the prosperity of each and the peace of all. My country intends to protect and strengthen those institutions, sharing the task with all who share our common purpose.

Central to the hope of world peace through law is the United Nations. Since its beginning, dozens of disputes, many laced with violence, have come before the world assembly. Some have remained unresolved. Many have found a settlement sufficient to allow mankind to move forward in peace. And in some places the United Nations was able to prevent conflict and bloodshed.

I hope we can strengthen the United Nations—not simply as a forum for debate—but as an arena for the solution of disputes.

That is why I have asked a great justice of our Supreme Court, Arthur Goldberg, to become our Ambassador to the world body. The life of Ambassador Goldberg has been devoted to resolving disputes between those who at first believed that they could not yield one iota from their positions, and who came at last to sign a common agreement.

And my country will fully support the efforts of the Secretary General to bring peace between the great nations of India and Pakistan.

And perhaps in the United Nations—and with the patient effort of individual countries—we can also halt the terrible arms race which threatens to engulf the earth. Perhaps we can succeed through an effective treaty preventing the spread of nuclear weapons—through extending the test ban treaty—by obtaining an agreement halting production of fissionable material for use in nuclear weapons and allocating substantial portions of this material to peaceful uses—by agreeing to reverse the arms race in strategic nuclear weapons delivery vehicles—and by working toward general and complete disarmament under effective international controls which must be the world's goal.

The third condition of law is acceptance. World law—if it is to bring world order—must reflect the judgment and felt desires of men and nations. When law ignores this—as we have seen in our own history—it itself is ignored.

I think we may be evolving a world consensus on which law can stand. The mass of mankind is slowly realizing the dangers of conflict and the futility of war. They are accepting their responsibility to relieve their own poverty, and the misery of their fellow inhabitants of earth. They are finding—in knowledge and fear and pain—that their common interest lies in common acceptance of their own obligations and the rights of others.

We can see this in a hundred small ways. During the past year the United States was present at 629 international conferences. Since I have been President we have participated in more such conferences than during the first 150 years of our history.

Of course, the great issues and the great dangers are not resolved. In the past 12 months there is not a continent that has been spared violence. In the past 2,000 years there has hardly been a decade without war.

If this was all, the future would look dark indeed. But there is another and a brighter thread which runs through the history of the race: It is man's drive to create and to live in harmony with his fellows. This is what we call civilization.

Law is the great civilizing machinery. It liberates the desires to build and subdues the desire to destroy. And if war can tear us apart, law can unite us—out of fear or love or reason or all three.

World peace through world law will not come quickly. We must work, in a variety of ways, to create the vital conditions which may bring us to that day—to build the justice which forms it and the institutions which give it life—and to find the understanding acceptance which will make it work. This means we must be willing to accept small advances and limited goals. But the final objective is the largest and most elusive man has known—peace. Peace which is not simply the absence of conflict or even of fear—but the framework for the fulfillment of human possibility.

How can we dare hope for that which has always escaped mankind? Perhaps it is because our invention draws us together to the point where any war is civil war. Perhaps the vastness of our destructive power makes us shrink from conflict. And perhaps—under the horror and murder of this carnage-filled century—civilization has been slowly flowering—leading us toward victory in the endless battle between man's love for his fellow and his desire to destroy him.

Law is the greatest human invention. All the rest give him mastery over his world. Law gives him mastery over himself.

There are those who say the rule of law is a fruitless and utopian dream. It is true that, if it comes, it will come slowly. It will come through the practical and wise resolution of numberless problems. But to deny the possibility is to deny peace itself and that flowering of the spirit which we must believe God meant for man.

I do not deny it.

I believe in it.

And so do you.

If others join us, then the time may yet come when you and your colleagues will be honored as pathfinders toward the final armistice in man's war against himself.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FRASER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the resolution agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1966

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H.R. 10586) making supplemental appropriations for the Department of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 970)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10586) "making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, and 3.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, and 7; and agree to the same.

The committee of conference report in disagreement amendment numbered 8.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
DANIEL J. FLOOD,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
FRANK T. BOW,
Managers on the Part of the House.

JOHN O. PASTORE,
LISTER HILL,
SPESSARD L. HOLLAND,
CARL HAYDEN,
MILTON R. YOUNG,
LEVERETT SALTONSTALL,
NORRIS COTTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10586), making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

Elementary and Secondary Educational Activities

Amendment No. 1: Appropriates $967,000,000 as proposed by the House instead of $1,151,000,000 as proposed by the Senate.

Amendment No. 2: Provides that $775,000,000 of the total appropriation shall be for meeting the special educational needs of educationally deprived children under title II of the act of September 30, 1950, as amended, as proposed by the House instead of $959,000,000 as proposed by the Senate.

Amendment No. 3: Provides that determinations and payments under title II of the Act of September 30, 1950, as amended, shall be on the basis of the amount authorized to be appropriated for such title, as proposed by the House, instead of being on the basis of $1,070,684,000 as proposed by the Senate.

Public Health Service

National Institute of General Medical Sciences

Amendment No. 4: Appropriates $4,550,000 as proposed by the Senate instead of $2,200,000 as proposed by the House.

National Cancer Institute

Amendment No. 5: Appropriates $5,150,000 as proposed by the Senate instead of $4,000,000 as proposed by the House.

National Heart Institute

Amendment No. 6: Appropriates $5,050,000 as proposed by the Senate instead of $9,800,000 as proposed by the House.

National Institute of Neurological Diseases and Blindness

Amendment No. 7: Appropriates $5,500,000 as proposed by the Senate instead of $4,250,000 as proposed by the House.

GENERAL PROVISION

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede from disagreement to the Senate amendment and concur therein. The effect of the amendment would be to place certain restrictions on Federal employment in the Washington, D.C., area.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
DANIEL J. FLOOD,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
FRANK T. BOW,
Managers on the Part of the House.

Mr. FOGARTY. Mr. Speaker, this is a rather simple conference report. There are only eight Senate amendments and four of these just involve a rearrangement of the funds for the National Institutes of Health with the increases and decreases exactly balancing each other. With regard to these four, the House had approved the budget as submitted. Actually, our committee had considered a rearrangement somewhat similar to that made by the Senate, but since additional supplementals will likely be considered in connection with the new legislation on heart disease, cancer, and stroke, we decided to reconsider this matter at that time. On the basis of what we considered originally, and additional information the Senate secured during their hearings, we thought that the rearrangement they made was quite logical and the House receded on the four amendments involved.

There were three amendments affecting the appropriation for carrying out the first year under the Elementary and Secondary Education Act. The Senate increased the total by $184 million over the House allowance, and earmarked this for the basic part of the program under title II of the act of September 30, 1950, as amended by the Elementary and Secondary Education Act. The third amendment was to provide that payments under this part of the program would be made on the basis of a definite sum, $1,070,684,000, rather than on the basis of the total amount authorized to be appropriated. The Senate receded on all of these three amendments.

The only other amendment was a general provision that the Senate added to make a restriction on the employment of Federal personnel in the District of Columbia area, which is in the regular Labor-HEW appropriation bill for 1966, applicable to the appropriations carried in this supplemental. Since the House had agreed to this proposition in connection with the regular bill the conferees agreed to bring this back in technical disagreement but with the recommendation that the House recede from disagreement to this Senate amendment and concur therein.

Thus, Mr. Speaker, if this conference report is adopted the bill will be exactly as it passed the House originally, except for the rearrangement of funds appropriated to the National Institutes of Health and the addition of the general provision that I have just referred to. The conference agreement, in total, is in the exact amount by which the bill passed the House, $1,223,181,500, and is $184 million less than the bill as it passed the Senate.

Mr. Speaker, this conference report was agreed to unanimously by the managers on the part of the House and I trust will also be agreed to unanimously by the full House.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I concur in the remarks made by the gentleman from Rhode Island. The figures in the conference report are exactly the same, in total, as those in the appropriation bill passed by the House.

The only difference is a reallocation of funds among the National Institutes of Health. That reallocation was made in accordance with a recommendation received from the Director of the National Institutes of Health.

The conference report is a good conference report. The conferees on the part of the House maintained the position of the House on the significant items in disagreement.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Missouri.

Mr. HALL. I wonder if the distinguished chairman of the subcommittee and chairman of the managers on the part of the House would explain to the Members in a little more detail the shift in the allocation of public health service funds. It is obvious from the report, referring to amendments Nos. 4, 5, and 6, to saying nothing of No. 7, that there has been a shift in funds. Funds for the National Institute of General Medical Sciences and the Heart Institute have been reduced on the recommendation of the Senate, and funds for the National Cancer Institute have been increased. What is the explanation of that change?

Mr. FOGARTY. The reallocation was based upon the professional judgment of the director, Dr. Shannon. The original budget estimate was submitted some months ago, and since that time we find that one Institute will turn back some 1965 money, and other Institutes were short of money. So there is a shifting of funds in the Institutes.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. FOGARTY. I yield further to the gentleman from Missouri.

Mr. HALL. Will the gentleman advise the Members as to whether, for example, the action of the conferees would involve the curtailment of the work on the artificial heart in the National Institutes of Health?

Mr. FOGARTY. No, it would have no effect on that program at all.

Mr. HALL. For all intents and purposes, it is merely a bookkeeping arrangement based upon carryover funds. Is that correct?

Mr. FOGARTY. That is a major factor.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. FOGARTY. Yes. I yield to the gentleman.

Mr. LAIRD. I want to assure the gentleman from Missouri [Mr. HALL] that it has nothing to do with any curtailment of the artificial heart program. This program has been increased even above the President's budget in our 1966 labor-HEW bill that passed just a few weeks ago. There is no curtailment of that program whatsoever.

Mr. HALL. If the gentleman will yield further, I would like to make the statement that I am not carrying any particular ball for the artificial heart program, but I used it as an example in point, to try to indicate this matter inasmuch as I have been versed on this particular problem.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I could very well in the course of my remarks take 20 or 30 minutes for the things I would like to bring to the attention of the House, but I will let it go at 5 minutes.

THE CLOAK OF SECRECY OR KEPPEL'S CABAL

Mr. Speaker, Federal control of education is here. Not with my vote, but be that as it may, it is here. The foot is in the door and from here on we can expect the door to open wider toward Federal control. One of these years we may wake up and see the only school board member is Uncle Sam, with a Federal check.

We are here today to fund the biggest step yet taken in this direction. Obviously, now that this law is on the books, we have to appropriate money to implement its provisions, but I want to put my colleagues on notice that from here on out, we are going down the road of nationalizing our education system from kindergarten through college.

I have here today proof that the U.S. Office of Education is insidiously planning complete takeover of the education of our children. Once again the Federal Government has decided it knows how to run our lives better than we do, including the parental responsibility of the education of our children.

There is a cloak of secrecy surrounding the Federal education movement. This represents a departure from the American philosophy of open discussions of problems and plans affecting our people. Supporters of the Elementary and Secondary Education Act of 1965 have expressed concern over what they call a determined effort to silence those who are in disagreement.

This act is flagrantly dishonest in its language and deliberately conceals the extent of the authority it grants. It is a delusion, a mockery, and a snare. The true intent of the Office of Education has been concealed from the public by the use of subtle verbiage.

The evidence I have here today points to the formation of a carefully laid, camouflaged plan to replace the present State-local administration of American education with Federal direction and control.

The ideology back of this plan has primarily been in the form of hushed-up, off-the-record secret meetings and reports. For example:

First. The proposal by Homer D. Babbidge which was published by accident as a Government document entitled "A Federal Education Agency for the Future" and then hastily buried when Congress asked questions.

Second. The off-the-record seminars conducted by Ralph W. Tyler, chairman of the exploratory committee on assessing the progress of education, financed by the Carnegie Corp., held at Mr. Keppel's suggestion—the secretary of this operation, Stephen B. Withey, has refused to answer questions from education writers on the theme and nature of these discussions.

Third. The two task force reports on education headed by John W. Gardner, who has been appointed the new Secretary of the Department of Health, Education, and Welfare, have been withheld from the public by President Johnson.

Why are these kept locked up in some safe, hidden from the eyes of the press and the public? Even the names of the people who worked on these reports are being withheld. One of these reports was done for the Kennedy administration and the other for President Johnson. In the remarks of President Johnson upon the nomination of John W. Gardner to be Secretary of Health, Education, and Welfare, he said that:

> He was the leader of the President's special task force on education last year that proved the Nation's need with a bold spirit of innovation and imagination. He helped to plant the seedbed of the educational harvest that has been produced by the 89th Congress.

I believe the Congress ought to know what kinds of seeds of "innovation and imagination" have been planted in President Johnson's educational rose garden. I have therefore introduced the following resolution of inquiry:

> *Resolved,* That the President of the United States is requested to transmit to the House of Representatives, at the earliest practicable date, full and complete information with respect to the White House Task Force Report on Education written by the committee chaired by John W. Gardner during the Kennedy administration, and the White House Task Force Report on Education written by the committee chaired by John W. Gardner during the present administration.

This background information would permit a more effective examination of the new education legislative proposals and the Federal Government's growing intrusion into education. One of the first important steps toward Federal intrusion into education came through the National Science Foundation, financing curriculum revision. To quote Robert Boyd, Detroit Free Press, January 31, 1965:

> Federally financed researchers have developed whole new courses of study-textbooks, education films, teaching guides.
>
> Federal funds are being used to spread these new curricula throughout the public school system with surprising swiftness.
>
> Two in every five high school physics students this year, for example, are using textbooks prepared under Federal auspices.
>
> In mathematics, 1 in 6 students takes federally sponsored courses. In biology, 1 in 10 students is using federally financed texts.
>
> This process of "federalizing" the subject matter of education—not just the bricks and boards that house teachers and pupils—began about the time the Russians orbited their first sputnik.

> Like a rocket, it started slowly and at first was limited to "defense" subjects like science, math, and foreign languages.
>
> In the last 2 or 3 years, however, federalization has picked up speed and spread to courses in English, history, social studies and the humanities.
>
> One goal for the future is to design "total English curriculum from kindergarten through college years," according to Dr. Francis Ianni, Chief of Educational Research for the Office of Education.

The plans of those interested in more Federal direction—the centralists—have been greatly advanced by the President's education program already passed by this Congress. Unfortunately for the country, the church-state issue has obscured education proposals in the speeches given by the administration and implemented by these acts—proposals of far greater significance.

Recalling the contributions of the agriculture extension service, Commissioner Keppel advocates an "education extension service." During the Education and Labor Committee hearings in 1965, Mr. Keppel said:

> Supplementary services are in a way of spreading—I am tempted to use the agricultural analogy, Mr. Chairman—a way of spreading the new practices that have been developed in these centers throughout school systems in the United States. These are new ideas, sir. Not only are the educational laboratories devised with the purpose of creating new ideas but the laboratories and the supplementary centers are in themselves a sense a new administrative conception being put before this committee for consideration. The Secretary—I know because of our long talks about this—and I have the highest hopes that they will provide the instrument for orderly change built into the public school system, because as you will recall from the Secretary's presentation, every such center must have a public school system at its heart.

Mr. Speaker, this is a veiled attempt to strike at the heartbeat of the local-State control of our education system by putting a tourniquet of Federal direction on our educators. Direction of education, including the making of curricula and curriculum materials will be in the hands of "regional education laboratories" and "model demonstration centers." They will be liberally funded. Government funds will be—and are being—supplemented with funds from foundations staffed with centralist-minded officers.

The "model" for American education will be spun, not out of the minds of men, but out of computers in Washington, D.C. Computers will design what kind of education is needed for the kind of society which the computers say we will have by 1984.

In an address in New York City, William D. Boutwell, editorial vice president of Scholastic Magazines, Inc., described how this is to be done:

> Into the computers will be fed large chunks of basic statistics—birth rates, life expectancy, production trends, data on urbanization, cost of living, employment, etc., etc. The computers will spin and out will come data for a "model." The "model" will describe conditions of life in the United States in the future and with this data Commission Keppel and his associates will draft a trial "model" for American education. Using the resources of a number of satellite universities and some State education departments, the Office of Education will then refine this trial "model" or "design" into a firm national model. And then Federal money for subsidies and research plus persuasion will be used to lead or push American schools into a pattern to fit the model.

In the 1966 House HEW appropriations hearings Mr. Mood, Assistant Commissioner of Educational Statistics—page 620 and 621—discussed the statistical model proposal:

> This model is simply an arithmetic representation of the educational system, referred to as a model because it hangs together in a multiple-entry bookkeeping sort of system to try to give a comprehensive description of the educational system in such a way that it can be checked and rechecked.
>
> We need all kinds of staff type information about how the (education) system operates in this country in order to make sensible decisions about it.

Ralph W. Tyler, whom I mentioned before, has made an observation about national testing or assessment that is required for such a model in the following manner:

> People are evaluating the work of the schools in inadequate fashion and I think a careful effort to make an assessment is a necessary way to provide sound information on which intelligent decisions may be based.

In this regard Mr. Mood refers to "sensible decisions" and Mr. Tyler to "intelligent decisions." Well, I just thought that it might interest the Congress that Mr. Keppel has discussed the "making of decisions" before in the 1966 HEW Appropriations Committee hearings on page 327 as follows:

> Clearly every area in which the Office of Education has to make a decision, however narrow, is in that sense moving toward a form of control, of course.

At one of those secret Carnegie Corp. meetings Mr. Keppel has pointed out that although the Office over which he presides celebrates its centennial in 1967, no provision has yet been made for presenting a systematic and qualitative report to the American people on the "condition and progress of American education" as called for in the act of Congress by which the U.S. Office of Education was established in 1867. Since Mr. Keppel apparently is concerned and worried about broadening his ability to make decisions, I must conclude that he is very much interested in "moving toward a form of control, of course."

You know, on page 307 of these same hearings Mr. Keppel explores Federal control a little further. He says:

> The danger of Federal control, it seems to me, is the danger of having, in a huge country like ours, 3,000 miles in breadth, centralized in one Cabinet or sub-Cabinet department, a huge enterprise. The total expenditures of the United States for the elementary and secondary schools being of the order of $23 billion and then higher education of the order of $10 billion. So we have $33 or $34 billion annual expended.

I share equally the concern of Mr. Keppel. I, too, am worried about a huge enterprise. If we were to divide this $23 billion among the 50 States and the over 25,000 school districts we would average a total expenditure of less than $9.2 million for each and every unit. Now when we compare a $9.2 million enterprise to the $967 million Federal enterprise it becomes evident that we are talking about a 100-times greater enterprise when we talk about the Federal Government in elementary and secondary education. I doubt many Members would deny that this is a huge enterprise. Now that Mr. Keppel is obviously going to get this "limited investment of funds," if he were here today, what would he say about this? I wish to refer my colleagues to page 320 of the aforementioned hearings, in which he says:

> I tend now to think, Mr. MICHEL, and this is I suppose a kind of intellectual confession—in terms of the role of the Federal Government as that of recognizing areas in the educational system, so large as to represent national problems, on which the Federal Government by limited investment of funds can get leverage.

Well, with a fiscal advantage of 100 to 1, I would say that we have given Mr. Keppel pretty good leverage.

The schools in this country have always been operated on a local level by local school boards and I want you all to know that this will soon come to an end if the Office of Education has its way. At the White House Conference on Education, whose Chairman was the now-Secretary Gardner, there were only 2 official school board representatives out of a total of 700. On May 14, in the Rose Garden, President Johnson told 350 school administrators that what this education act finally means to your country "will depend on you, and your school board," but no school board members were present to hear it.

At the Office of Education Regional Information meeting, of the 2,296 participants, only 53 school board members were present. If the administration were only interested in fiscal control, the group to have present in large numbers would be school board members. If, on the other hand, the administration is trying to get its hands involved in the control of education, the group not to have present are the school board members.

At the recent White House Conference on Education a panelist spoke of the board of education as "custodians of the past" rather than "leaders of the future." But this arrogance did not end here. Superintendents were characterized as "complacent champions of the status quo."

But this should not surprise anyone—not when a title of this act—title V—calls for what in essence is a Federal bribe of our educators. We are giving the State departments of education $17 million to help strengthen them. This is not a matching fund, so we have automatically assured a continuing reliance by State agencies upon the Federal subsidy after it has become a standard feature of their operation. If this should not be sufficient to induce a subservient status and strengthen further OE's leverage, the regular interchange of personnel with Washington should complete the work of making every State department of education a branch of the U.S. Office of Education. To make matters worse the chief State school officers at a meeting with OE officials, held during the White House Conference on Education, were urged to follow the organization pattern of the Office of Education. The State departments of education officials are being urged to study the new organizational charts of the Office of Education and set up their departments in a comparable manner.

Certainly, we should all reexamine this legislation. It is my hope that the educators in the United States will take a closer look at Federal aid. I know they must have some questions. So have I.

First. Why are the reports on which planning goes forward denied the people?

Second. Why is the most important legislation affecting education ever offered Congress rushed through the House committee with a 10-day hearing?

Third. Why were there no hearings in the field?

Fourth. Why have the public and the educators not been given time to think and debate this legislation?

Fifth. Why is it that Congressmen, who are charged with the responsibility of legislation, are denied the reports authored by the man who presently heads the Department of Health, Education, and Welfare, upon which the administration admittedly has based its legislative proposals?

Sixth. Is there something to hide?

Yes. Mr. Speaker, I have here the notes of an executive group meeting of the Office of Education, dated August 26, 1965, which fell into my hands through a circuitous route, and I would just like to call your attention to a couple of items.

If we could borrow a bit of "standard operating procedure" of the IRS and "bug" OE's meeting room, just what would we hear?

They are saying that "speculative musings about the future are to be deemphasized. Occasionally a relatively unpublicized activity should be analyzed in depth for the elucidation of all. Candor as to failings is to be just as acceptable as satisfaction with successes."

They are saying "no OE hand is to be tied by having to deal only through a backward State education agency." They are saying that no OE hand is to be tied by "not being able to deal directly with urban jurisdictions" no matter how competent the State education agency is.

I do not appreciate OE's efforts to deemphasize their "speculative musings about the future."

Mr. Speaker, I recommend the following minutes as "must" reading for all my colleagues. I wish to draw your attention particularly to the first two attachments referred to at the beginning of these notes. I must again ask a question: Why upon request of a Congressman are these not available? Well, since I wholeheartedly agree with the Office of Education that "occasionally a relatively unpublicized activity should be analyzed in depth for the elucidation of all" and to help insure the integrity and candor of the Department on this matter, I have introduced the following resolution of inquiry:

> *Resolved*, That the Secretary of Health, Education, and Welfare is directed to transmit to the House of Representatives, at the earliest practicable date, the full and complete texts of (1) the proposal for the establishment of a National Research and Training Center for State Educational Agency Development, dated August 24, 1965; and (2) a position paper re the Office of Education's future role and responsibilities with large city school districts and State education agencies, dated August 25, 1965.

I must conclude that the true purpose of this Elementary and Secondary Education Act is not to supply more money to the schools, but to give the Federal Government a decisive voice in the makeup of our local school curriculums and systems. As the amounts of Federal funds increase, State and local boards of education will be less and less able to resist the onslaught of Federal pressures.

Mr. Speaker, when I began these remarks I referred to the cloak of secrecy that surrounds the Department of Education's procedures, but perhaps I should have referred to it as "Keppel's Cabal."

The minutes referred to follow:

[Administrative confidential]

NOTES OF EXECUTIVE GROUP MEETING THURSDAY, AUGUST 26, 1965

Present: Flynt, Harris, Ianni, Loomis (chairman), Ludington, Mood, Muirhead, Mylecraine, Reed, and Wood.

Also present, briefly: FitzGerald and Hopper.

1. Attachments to those notes only going to people not attending EG meeting.

(1) Proposal for the establishment of a National Research and Training Center for State Educational Agency Development, August 24, 1965.

(2) Position paper re office's future role and responsibilities with large city school districts and State education agencies, August 25, 1965.

(3) Perceptive plan of affirmative actions on equal employment opportunity.

2. FitzGerald (INF) presented the problems he saw in developing OE monthly reports under current working practices. Basically, report content from bureaus was too detailed and mundane, and was arriving on too leisurely a schedule. EG discussed purpose and schedule for bureau and staff office reporting and came up with new approach to be taken effective with submissions covering month of August and ensuing months, to be delivered to INF from here on out by COB of the fifth working day of the new month (in the next instance, September 8).

Briefly, purpose of the OE monthly reporting system is to have a record of important things from outlook of each bureau and staff office, with emphasis on developments that are unique for the given month. Reporting language is to be bright and sufficiently interesting that most of the staff outside of a given bureau or staff office will want to read it. Additionally, the audience should be expected to be staff officers of Government and nongovernment levels outside of OE, such as HEW's Assistant Secretary for Legislation and elements of the NEA or ACE. [Individual branch or other unit credits are not too necessary; activities are not to be referred to in the parochial "title x" shorthand of OE; and speculative musings about the future are to be deemphasized. Occasionally a relatively unpublicized activity should be analyzed in depth for the elucidation of all.] Candor as to failings is to be just as acceptable as satisfaction with successes. Reports submitted to INF are to bear the mark of a bureau chief's personal contribution and editing.

3. Bureau chiefs to check out status of OE segments being developed for the Secretary's Annual Report which were due to INF by August 16, with the OE package due to HEW by September 17.

4. EG approved perceptive plan of affirmative actions on equal employment opportunity (attachment 3) developed by ad hoc group under chairmanship of Reed.

5. After EG review of SAC recommendation for a National Research and Training Center for State Educational Agency Development (NRTCSEAD) (attachment 1), it was agreed that BR was to assume leadership working with SAC, BHE, and BAVE in developing specifications for curriculum development and overall concepts of training State education agency personnel.

6. General discussion ensued on SAC recommendation that OE deal with urban jurisdictions primarily through State education agencies (attachment 2). EG adopted SAC recommendation more as an eventually possible goal than as an operational decision. Certainly working through State education agencies is to be encouraged, but no OE hand is to be tied by (1) having to deal only through a backward State education agency or (2) not being able to deal directly with urban jurisdictions, however competent the State education agency, when direct relationships seem most in the public interest.

7. Commissioner to be asked to consider advisability of HEW/OE seeking exclusion language for education in authorizing legislation of the Department of Housing and Urban Development. ADM (1) to work with SAC and EDH particularly on development of position paper re relationships between OE and the new Department, and (2) to recommend best administrative location in OE of liaison function with the new Department.

8. EG reviewed ADM recommendations for financial management reporting system on all OE operations. The proposals were judged first-rate and are to be adopted, with first demonstration to cover July financial figures just now becoming available.

9. EG members to take a look-see as to OE inventory of private school experience—GS–13's and above who, during the last 10 years, have had at least 2 years work assignment in a private school. Discussion at September 2 EG meeting.

10. EG members, particularly bureau chiefs, to contribute alternative suggestions on amount of operations and degree of program decisions that can be assigned to the field offices. In developing a new concept of field operations, EG is to assume availability of able people in field offices and to ignore restrictive influences that may be associated with current organization or operational procedures. ADM to set schedule leading toward EG consideration by about October 1. When desirable field allocation of resources and responsibilities is known, consideration will be developed of field assignments as a factor in the OE career service.

11. ADM to issue staff announcements covering Commissioner's designation of Paxton Price and Kathryn Bloom as his special advisers in their respective subjects of library affairs and the arts and humanities.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 7, line 13, insert the following:

"GENERAL PROVISION

"SEC. 201. The provisions of section 207 of the Department of Health, Education, and Welfare Appropriation Act, 1966, Public Law 89-156, shall apply to the items contained in this chapter."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The motion was agreed to.

A motion to reconsider the vote on the conference report and on the motion to recede and concur in the Senate amendment was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have until midnight tomorrow, September 10, to file the report on the bill S. 2300, the omnibus river and harbor and flood control bill of 1965.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 270]

Andrews, George W.
Ashbrook
Baring
Berry
Bolton
Bonner
Cameron
Cederberg
Clawson, Del
Craley
Culver
Daddario
Derwinski
Dow
Dulski
Duncan, Oreg.
Farnsley
Fisher
Flood
Fuqua
Gathings
Griffin
Griffiths
Hagan, Ga.
Hanna
Hansen, Wash.
Harris
Harsha
Hawkins
Hébert
Hungate
Jones, Mo.
Kee
Kornegay
Lindsay
Long, Md.
McClory
Mathias
May
Murray
Pirnie
Powell
Purcell
Reifel
Resnick
Rhodes, Ariz.
Roncalio
Roosevelt
Rumsfeld
Ryan
Saylor
Schmidhauser
Sisk
Smith, Iowa
Smith, N.Y.
Thomas
Toll
Utt
Wilson, Charles H.

The SPEAKER. On this rollcall 372 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN SERVICE ACT AMENDMENTS OF 1965

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 563 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 563

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6277) to amend the Foreign Service Act of 1946, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question sall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, House Resolution 563 provides an open rule with 2 hours of general debate for consideration of H.R. 6277, a bill to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The primary objective of H.R. 6277 is to facilitate the establishment of a single personnel system within each of the three agencies most actively engaged in foreign affairs—the Department of State, the U.S. Information Agency, and the Agency for International Development. It deliberately excludes all other departments and agencies. These three agencies conduct their activities under two personnel systems—one operating under civil service laws and the other under the Foreign Service Act. The ground rules governing appointments, assignments, promotions, separation, and retirement are different for each system and, to some degree, for each of the agencies. The existence of dual personnel provisions denies the head of each agency the most effective use of the manpower and resources the Congress has voted him.

This bill adds neither jobs nor personnel to the payroll. More positions and more people will not solve administrative difficulties. This bill is based on the premise that voluntary transfer into the Foreign Service personnel system of those now employed under civil service provisions is the most equitable way to effect a transition from a dual to a single personnel structure. It also permits the development of uniform personnel policies among the three agencies while leaving to the heads of those agencies the management control of their own people. Thus it seeks uniformity without unification. In the sense that the bill enables officials to meet their enlarged and complex responsibilities with greater efficiency and a maximum use of their manpower it may be regarded as an economy measure.

H.R. 6277 also includes a small number of amendments to the Foreign Service Act and to other laws that improve the conditions of service for those assigned overseas.

Mr. Speaker, I urge the adoption of House Resolution 563.

Mr. SMITH of California. Mr. Speaker, I yield myself as much time as I may require.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SMITH of California. I yield to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, there is no subject that has been before the House of Representatives in recent years that has had as much coverage by the local press as the current home rule controversy. No subject has been misrepresented as often by the local press as that subject. I have two recent examples here which appeared in the Washington Post. One is an article of September 8, referring to the report of the House District Committee on this subject, wherein we reported that in addition to the Federal payment the Federal Government spends $176 million here for various grants and programs, including highway construction. Here is what the Washington Post said, and I quote:

> What the report does not point out is highway construction money, impact school aid funds, urban renewal, civil defense, and other funds included in the total are part of Federal aid programs available to all qualifying jurisdictions in the country.

In two places in our committee report we make reference to the fact that some of that money is similar to that which is granted in other communities of the Nation, but there is $72 million worth of programs peculiar to the District and which does not apply to similar programs in other parts of the country. In fact, in exhibit I in the report, we actually listed the expenditures, item for item, in two categories. How could a newspaper go so far to misrepresent the facts.

Here is an editorial which appeared in the Washington Post yesterday where they said, in part, referring to the Federal payment:

> The fear that this procedure will be an invitation to the city to tax the Federal Government is misplaced for two reasons. First, the Government would appraise its own property and the assessment would be entirely in Federal hands.

That is completely a downright lie, because the bill provides that the Director of the General Services Administration shall certify the District of Columbia Council's assessment of Federal property. It says nothing about their making any appraisal or assessment. Thus, the Federal Government would in no way be appraising its own property nor would the assessment be entirely in Federal hands.

This is typical of some of the lies the Post is putting out to misrepresent this problem and the pending legislation to the Members of the House of Representatives and to the public.

Mr. Speaker, I should like to insert in the RECORD at this point a clipping from the Washington Post on the first matter to which I referred and an extract from House report No. 957, which proves the type of misrepresentation about which all of us should be concerned:

[From the Washington (D.C.) Post, Sept. 8, 1965]

In addition to the Federal payment, the Government spends $176 million here for various grants and programs including highway construction.

What the report does not point out is that highway construction money, impact school aid funds, urban renewal, civil defense and other funds included in the total are part of Federal aid programs available to all qualifying jurisdictions in the country.

The truth, extracted from House report No. 957:

Exhibit No. 1 lists the expenditures of Federal funds in the District of Columbia, exclusive of the annual Federal contributions to the District of Columbia general fund and to the city's water and sewer funds, for fiscal years 1964 and 1965. This compilation reveals that such expenditures reached a total in excess of $176 million in fiscal year 1965; further, while some of these payments are similar in nature to grants made to the various States, more than $72 million of this total was spent on programs and projects which are not duplicated in any other jurisdiction. When this amount is added to the $40 million appropriated in 1965 to the District of Columbia funds mentioned above, certainly there can be no justification for any allegation of "neglect" on the part of the Congress.

EXHIBIT 1. FEDERAL EXPENDITURES IN THE DISTRICT OF COLUMBIA

Expenditures of Federal funds in the District of Columbia, exclusive of Federal payment of the District of Columbia general fund, fiscal years 1964 and 1965

[In thousands of dollars]

	1964 actual	1965 estimate
I. PAYMENTS BY FEDERAL GOVERNMENT TO OR FOR THE DISTRICT OF COLUMBIA		
Grants for redevelopment and renewal (HHFA)	8,998	18,186
Urban renewal demonstration project (HHFA)	206	256
Mass transportation demonstration project (HHFA)	41	87
Administrative expenses, District of Columbia Unemployment Compensation Board (Labor)	1,806	1,900
Civil defense procurement (DOD)	85	118
Cooperative vocational education allotments (HEW)	186	137
Advances for disability determinations (HEW)	116	96
Grants for services for maternal and child health, crippled children, and child welfare (HEW)	681	782
Grants for programs in disease prevention, treatment, and control, mental health activities, and other public health work (HEW)	730	1,384
Grant for demonstration project for community mental health centers (NIH)		400
Grants under Social Security Act for aid to the disabled, dependent children, the blind, and for old-age assistance (HEW)	10,909	10,268
Grants for manpower development and training activities (HEW)	647	514
National Defense Education loans and grants (HEW)	124	100
Advances under vocational rehabilitation program (HEW)	621	596
Advances for school lunch and milk programs (Agriculture)	709	802
Federal-aid highway program (Commerce)	30,402	60,110
Aid to federally impacted school districts		4,100
Grant to Neighborhood Youth Corps (Labor)		2,214
Grants to juvenile delinquency control program:		
To United Planning Organization (HEW)	225	1,500
To model school program (Office of Economic Opportunity)		600
Total	56,576	104,150
II. SERVICES PROVIDED BY THE FEDERAL GOVERNMENT IN THE DISTRICT OF COLUMBIA THAT ARE ESSENTIALLY LOCAL IN NATURE		
NCTA (approximately 75 percent of currently proposed transit system is in the District of Columbia)	750	375
Freedmen's Hospital	3,880	4,038
Commission of Fine Arts (approximately 50 percent of workload relates to the District of Columbia generated projects)	45	60
National Capital Housing Authority	43	37
National Capital Planning Commission (approximately 25 percent of workload relates to the District of Columbia generated projects)	137	155
St. Elizabeths Hospital (difference between cost of service to the District of Columbia residents and amount reimbursed by the District of Columbia)	3,729	5,510
George Washington University Hospital (construction)	2,500	
Gallaudet College	4,641	2,293
Howard University	15,064	11,653
Smithsonian Institution	43,367	45,091
U.S. National Park Service (expended in the District of Columbia only)	2,700	2,950
Total	76,856	72,162
Grand total	133,432	176,312

Sources: U.S. Bureau of the Budget, U.S. National Park Service, and United Planning Organization.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the gentleman from Indiana [Mr. MADDEN], House Resolution 563 provides an open rule with 2 hours of general debate for the consideration of H.R. 6277, Foreign Service Act Amendments of 1965.

Mr. Speaker, I listened to the explanation of the rule by the gentleman from Indiana. I concur and agree with the statements the gentleman made and associate myself with them. In addition, may I add the following information, Mr. Speaker.

H.R. 6277 includes certain amendments which will improve conditions of service for those assigned overseas. These include continuation of medical services beyond the date of death or separation. A 120-day period of treatment for employees and their dependents is permitted from his death or separation. Annual and sick leave benefits are liberalized, and allowances of up to 50 percent of basic pay are made available to those serving in areas subject to hostile activity or physical danger.

Mr. Speaker, this is, as I understand, an administration request. The committee informs us that they spent a long time on the hearings and have added possibly as many as 75 amendments to the bill. They openly stated in all honesty and fairness that this is not a perfect bill but that they think it is a step in the right direction to improve the Foreign Service.

I rather anticipate that many Members have received telegrams, as I have, from various veterans' organizations which object very seriously to eliminating the veterans' preference. In consideration of that, the committee members stated that the veterans' preference is not omitted so far as those in the service presently are concerned; that there is a grandfather clause, and if Members would like to refer to that, it is set forth at the bottom of page 16 and the top of page 17: "except that no officer or employee shall, without his written consent, be transferred under this section."

As I understand that, Mr. Speaker, nobody in the service at the present time may be required to go overseas or give up his preference unless he so requests in writing and desires to do so. It will apply, however, to those in the future who are hired. They may all then be sent overseas.

The committee states that this is a step in the right direction.

Mr. Speaker, I know of no objection to the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the gentleman I am sure must know that the reason for this bill is to abolish the Class Act within the State Department and practically all the protective provisions that go with the Class Act. I am sure the gentleman must know that there will be pressure exerted to get employees out of the Class Act and into the Foreign Service. Knowing some of the workings of the State Department, and I am sure the gentleman knows them, too, they are going to get this move made just as rapidly as they can and use all the pressure they can to accomplish that end.

So that whatever indirect and alleged protection there is I say to you that it has little or no meaning.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I wish to make this observation to those who are present. This is going to be a very controversial piece of legislation. I happen to be proud to be a member of the Committee on Post Office and Civil Service. I am proud of the civil service system that we have. In my opinion and in the opinion of members of our committee on both sides of the aisle, who will speak later, this is a direct slap at our civil service system and it can have very dire consequences.

So, Mr. Speaker, we shall bring out our objections to this legislation as we go into general debate. I think this legislation is a step backward. I think it is poor legislation. It certainly must be poorly drawn with 75 amendments already put into this bill since it was introduced originally.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I would say in response to what the gentleman from Nebraska has said about the possible damage to the civil service system that if Members will read the record of the hearings they will find that the Honorable John Macy of the Civil Service Commission was very strongly in favor of this type of legislation. I think it is not saying too much to say that without the very strong support of Mr. Macy we would not have brought this legislation to the floor of the House today.

Mr. SMITH of California. Mr. Speaker, may I simply add that no objections were presented to the rule before the Committee on Rules. I know of no objection to the rule itself although there may be some to some parts of the bill.

Mr. Speaker, I have no further requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED NATIONS PARTICIPATION ACT AMENDMENTS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 562 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 562

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736). After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 562 provides an open rule with 1 hour of general debate for consideration of S. 1903, a bill to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

Section 1 of S. 1903 proposed to revise section 2 of the United Nations Participation Act to provide flexibility in the assignment of persons appointed to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies of the United Nations as are concerned with nuclear energy or disarmament—control and limitation of armament.

These changes make no provision for additional personnel. Neither do they diminish the confirmation requirements in the present act. What is involved in section 1 is merely greater flexibility in making assignments.

The changes in the law proposed in the first section will provide the principal U.S. representative to the United Nations with increased authority to assign duties to his colleagues, thereby promoting more effective utilization of the top personnel at the U.S. mission to the U.N.

The amendment contained in the second section will provide statutory authority for the existing position of the U.S. representative to the European Office of the U.N. in Geneva.

Mr. Speaker, I urge the adoption of House Resolution 562.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 562 does provide for 1 hour of open debate for the consideration of S. 1903, the United Nations Participation Act.

Mr. Speaker, the purpose of the bill is to enable the U.S. Ambassador to obtain more flexibility in the assignment of duties to his mission staff, thus promoting better utilization of our top personnel in the mission; and to provide statutory authority for the already existing, since 1960, position of the U.S. representative to the European office of the U.N. at Geneva.

With respect to the first objective, statutory provisions have been found to be too confining, limiting the amount of delegation of responsibility possible by our Ambassador.

The changes proposed by S. 1903 will permit him to organize his staff and assign duties as he deems necessary to best accomplish his mission.

Since 1960 the United States has maintained at Geneva a representative with the rank of Ambassador. This has been done without a statutory basis, now proposed under the bill. Twenty international organizations are housed there in addition to 56 resident missions. The bill authorizes the President to appoint, at appropriate rank, a representative at Geneva.

Presently only three of the five members can be so assigned. This will permit the Ambassador to assign any five of them. As I understand it, no new personnel will be needed to carry out the provisions of this bill.

I know of no objection to the rule.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FOREIGN SERVICE ACT AMENDMENTS OF 1965

Mr. HAYS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6277) to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6277) with Mr. MOORHEAD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HAYS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as was stated during the discussion on the rule, this bill is primarily to set up a single personnel system within each of the three agencies most actively engaged in foreign affairs—the State Department, U.S. Information Agency, and AID. It deliberately excludes all other departments or agencies.

Before I explain the bill I would like to say the subcommittee of which I have the honor to be chairman worked long and hard on the bill. We had a number of hearings. We had a large number of executive markup sessions. The views of every single person on the subcommittee were considered.

I want to pay particular tribute to the gentlewoman from Ohio [Mrs. BOLTON], and the gentlewoman from New York [Mrs. KELLY], both of whom I believe attended every single session and who made a very great number of constructive suggestions.

I also want to pay tribute to the gentleman from Indiana [Mr. ADAIR] who also, I believe, attended every session and was a tower of strength so far as picking out the flaws in the language which was sent up from downtown.

I also want to mention the gentleman from California [Mr. MAILLIARD], the gentleman from Massachusetts [Mr. MORSE] who likewise were extremely helpful and, especially, I would like to mention the gentleman from Wisconsin [Mr. THOMSON], former Governor of that State, whose long administrative experience led him to make suggestions which were very helpful to the subcommittee.

On the other side, the gentleman from Wisconsin [Mr. ZABLOCKI] and the gentleman from New York [Mr. FARBSTEIN] attended the meetings when they could because they were both holding hearings in another subcommittee.

Also I wish to mention the gentleman from Connecticut [Mr. MONAGAN], the gentleman from Alabama [Mr. SELDEN], the gentleman from Minnesota [Mr.

FRASER], and the gentleman from New York [Mr. ROSENTHAL], all of whom scrutinized each provision and sought to write a better bill. We had every single member of the subcommittee at some time or other make suggestions for improvement of the bill.

We added 75 amendments. We rewrote the bill. We took the documents sent from the executive branch as a working paper. We held hearings, we listened to employee groups, we tried to write legislation that would improve the Foreign Service and at the same time to the greatest extent possible protect the interests of the employees.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. O'HARA of Illinois. I have observed, of course at a distance, long hours and many days that the gentleman's subcommittee put in on this matter. How many days did your subcommittee put in on this matter?

Mr. HAYS. My recollection is that the subcommittee had eight sessions to hear witnesses. We spent 6 days in executive markup. In addition we had numerous informal meetings with officers from the executive branch as well as individual employees and representatives of interested groups such as employees unions and veterans groups.

Mr. O'HARA of Illinois. And in addition to that I would rather imagine the members of the subcommittee, the chairman and others have spent almost endless hours in doing their homework.

Mr. HAYS. I would say to the gentleman that I hope we have done our homework. Each of us has spent a good deal of time on this. Again I would remind my colleague that all of us had numerous meetings with employee groups and their officials in conferences which were not regularly called or scheduled sessions. There was never a time that they called the office of any of us and asked to talk to us about the bill but they were received and they talked to us.

Mr. O'HARA of Illinois. I am taking this time and doing so a little bit hesitantly, but I do think it serves a public interest that not only the Congress should know but that the American public should know how many hours and how many days and how much hard work goes into the preparation of a measure of this nature. I thank the gentleman and commend him and compliment him.

Mr. HAYS. I appreciate the gentleman's remarks and thank him for his expression of appreciation. I am glad the gentleman brought this matter out.

I would like to say to my colleagues that when this bill came up from the executive, it included a mandatory proposal calling for the transfer of civil service employees within a period of 3 years into the Foreign Service category. What precedent was there for this proposal? Every single commission that has studied the problem of our Foreign Service personnel has recommended an amalgamation of the civil service personnel with the Foreign Service starting with the Hoover Commission in 1949 on which our late distinguished colleague and my late good friend, the gentleman from Ohio, Mr. Brown, served. I believe the gentleman from New Jersey [Mr. FRELINGHUYSEN], a member of our committee, was on the staff at that time. Let me read a brief extract from the report of the task force of the Hoover Commission:

> The consolidation (of the Foreign Service and the Department service) should be gradual in order not to weaken the morale and the present high quality of the Foreign Service or discard too abruptly many civil service employees of long service. It should however be mandatory and progressive, under legislative enactments which cannot be avoided by unsympathetic administration and which contemplates a complete consolidation within about 5 years.

The Rowe-Ramspeck-DeCourcy Committee in 1950 made a similar recommendation. This may be found on page 10 of the committee report.

The Herter Committee in 1962 headed by a former distinguished Member of the House and a former Secretary of State recommended the same thing.

But did the committee go that far and that fast? No, it did not.

The committee decided that it ought to lean over backward to make this adjustment as easily as possible. We wrote into the bill language which says that nobody employed under civil service in each of the three agencies may transfer only if he wants to transfer. He can stay on beyond the Foreign Service retirement age of 60 years to age 70 which is the civil service retirement age. If he does not transfer, he retains all benefits that he has.

The provisions that we have written into the bill will take a lot longer to accompish what the executive wants to accomplish and what the committee unanimously thinks must be accomplished. But we thought we would go all the way in protecting these people from what the gentleman from Iowa calls pressure.

Let me talk a bit about this pressure. The gentleman says there is going to be pressure exerted on these people to force them to transfer. I would say to you, ladies and gentlemen, I do not know of a single department in the Government that has more thorough legislative oversight than the Department of State. My subcommittee is looking down its neck all the time. I only need to hear one—just one attempt to pressure somebody—and the Department will regret it. I do not think the Department will try it. This will be voluntary on the part of present employees. New employees will come in under the new ground rules. They will now know that when they go into the Foreign Service category. They know that they are subject to selection out. What is selection out?

In the Committee on Rules, the distinguished gentleman from Virginia with his inimitable wit and wisdom said:

> That is another word for firing; is it not?

I admitted that is what it is.

But how can anyone be selected out under the present Foreign Service system? He must be in the lowest 10 percent of his class in any 3 years that he is in that class before he is even eligible to be selected out. But I wish to point out to the Members—and I wish the Chamber were full of Members—there is no department that gets kicked around more than does the State Department, but when we try to do something to make it a better Department, then we are met with many objections. We are told, "You are attacking the civil service." We are not doing any such thing.

In fact, one of the witnesses before the committee told me what a terrible thing we were doing and how he would prevent it. I said, "Really, my friend, if you have so much faith in the civil service, and you throw as much weight around as you think you do, why don't you get one of your friends to introduce a bill applying the civil service to the office of every Congressman?"

If it is good for every agency in the world, it ought to be good for congressional offices.

I am not an enemy of the civil service. I have voted for every single raise in pay they have asked for since I have been here. I have voted for improvements in it. But the State Department Foreign Service is, or should be, an elite service. This little group of people are the ones who make the decisions. They decide whether or not we will put that $50 billion a year war machine over at the Pentagon into high gear, or whether we will let it stand there with its motor idle.

The taxpayers of the United States—yes, the citizens of the United States—the boys and girls of the United States—deserve the best State Department we can get, because, in effect, it is deciding their future.

There has been no person in the Congress who has been more critical of the Department than I have. But I have tried to be constructive in my criticism, and when I criticize, I try to point out an alternative way to do the job better.

I do not claim that the bill is perfect. The Foreign Service Act of 1946, which was worked on by Mr. Richards of South Carolina, and my colleague from Ohio, Mr. Vorys, was not perfect. They did not claim it was. But it has gone along and we are trying to improve it. That is what we are attempting to do.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, I feel that I must compliment our chairman for the magnificent job which he has done in endeavoring to perfect our system of Foreign Service and I shall continue to believe that the amendments in this bill will strengthen our Foreign Service and not impair the civil service.

I should like to ask a question of the gentleman from Ohio. Does the gentleman not think that the bill would protect those individuals who transfer from the civil service to the Foreign Service system?

Mr. HAYS. I do, because there are several conditions written into the law;

first, they do not have to transfer unless they want to; second, even if they transfer, they cannot be sent overseas unless they indicate that they are willing to go overseas.

I leave it to the gentlewoman to determine whether we have not leaned over backward until we almost touch the ground with our heads to protect the people who are in civil service. We have given them a number of options. These are spelled out on page 12 of the report. If they do not elect to transfer, they can stay where they are.

Mrs. KELLY. As to those who are presently in the Foreign Service but under civil service regulations, is it not true that he will not lose his veteran's preference?

Mr. HAYS. He will not lose his veteran's preference under any circumstances unless he elects to transfer to the Foreign Service system. But if he really believes he has to have veteran's preference to maintain his position, my advice to him would be not to transfer, and he does not have to.

Mrs. KELLY. Is it not true, also, those who are presently in the civil service and do not transfer to the Foreign Service do not lose any right whatsoever as far as their appeals or retirements go, if they so choose?

Mr. HAYS. They maintain all the rights they presently have up to the age of 70, the mandatory retirement age unless he retires earlier.

Mrs. KELLY. Is it not true, also, that the Foreign Service has always been a merit system just as the civil service is?

Mr. HAYS. I think so. I think selection out is a merit system. Yes.

Mrs. KELLY. And no one will be denied a promotion if they do not select it?

Mr. HAYS. Absolutely and categorically, no one will be denied a promotion.

Mrs. KELLY. I thank the gentleman.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New Mexico.

Mr. MORRIS. I want to say to my good friend, the distinguished gentleman from Ohio [Mr. Hays], that I am certainly in agreement with what he is trying to do. He has performed a great service to the country, I think.

There is a question I would like to ask concerning this veteran's preference. I had a telephone call the other day from the adjutant of the DAV in New Mexico. He seemed to feel—and I think it was erroneous, but it was his feeling—that this bill might be the beginning and a precedent-setting piece of legislation for the breakdown of the veteran's preference system.

Mr. HAYS. I can say to the gentleman that it is no such thing. There is no such intention, and at the proper time the gentleman from Indiana [Mr. Adair], I have been informed, will offer an amendment which says that it is the sense of Congress that the veteran's preference system shall be maintained and this sets no precedent in any way, shape, or form.

Mr. MORRIS. I thank the gentleman.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I think the answers given by the gentleman from Ohio to the questions submitted by the distinguished gentlewoman from New York and the gentleman from New Mexico have answered most of the substantive questions I had in mind concerning this legislation. However, for the Record I would like to emphasize one point, if I have understood the gentleman correctly.

The point is that under this legislation no veteran's preference or veteran's right is extinguished or reduced in any way for any employees of the State Department now in the service of the State Department. Is that correct?

Mr. HAYS. Categorically, the answer to the gentleman's question is that none is reduced in any way whatsoever, to any employee as of today or as of the effective date of this legislation, if it be enacted and signed into law.

Mr. EDMONDSON. Following up that thought just a step further, if I understand the effect of the amendment of the gentleman from Indiana [Mr. Adair], which is to be submitted, the effect will be to enlarge the veteran's preference or extend it into an area of employment in the State Department where it does not now exist. Is that correct?

Mr. HAYS. Under the language of the gentleman's amendment it could have that effect.

Mr. EDMONDSON. I thank the gentleman.

Mr. ADAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I should like to join the gentlewoman from New York in what she had to say concerning the activities of the chairman of this subcommittee, the gentleman from Ohio [Mr. Hays]. He was patient and tolerant and invited comment and discussion to the very fullest possible extent. I should say to members of the committee that he did everything possible to try to permit us to bring before this committee and this House today a good and proper bill.

Mr. Chairman, it is usual, when a committee has made numerous amendments to a bill, to bring to the House a clean bill. In reporting out this measure the Committee on Foreign Affairs chose not to do that. The reason is simple. As it was introduced, H.R. 6277 drew criticisms from a number of sources. In the course of our deliberations we took into account many of these criticisms. We wrote in some new provisions and we amended or deleted provisions in the original bill. I know that many Members of Congress have received communications critical of some part or parts of the original bill. In order that Members may readily identify the changes made by the committee we reported the original bill with amendments.

There are 75 amendments. Admittedly, a number of them are technical, clerical, or conforming amendments. But there are also very basic substantive amendments.

The underlying purpose of many of the amendments is to enable the three principal foreign affairs agencies—State, USIA, and AID—to operate under a single personnel system rather than, as at present, under a dual personnel system. Let me state that the concept of a single personnel system represents the judgment of numerous official and unofficial bodies that have studied the personnel problems of our overseas agencies. Our report highlights some of the principal studies on this subject starting with the Hoover Commission in 1949. That body, under the able direction of our former President, included Members of both Houses of Congress as well as distinguished private citizens. One Member from this body who served with great distinction was the late Clarence Brown, of Ohio.

The Commission operated through a series of task forces, one of which concerned itself with foreign affairs. On the staff of the latter was a man who is now a most respected Member of this body, the gentleman from New Jersey [Mr. Frelinghuysen].

Quite clearly, what we are recommending in this bill is not a unique concept. The only unique feature is that this is the first legislative effort to give effect to the numerous recommendations on the matter of a single personnel system.

Two provisions in the original bill were the subject of concern and criticism. I want to discuss these briefly and make clear to the House what the committee did in each instance.

Under the original bill it would have been possible for the President to authorize the transfer into appropriate categories and classes of the Foreign Service such civil service personnel "as he may designate of other Government agencies who are engaged in foreign affairs functions." It is difficult these days to find some part of some agency that is not engaged in a foreign affairs function. We heard from agency officials and from other congressional committees, all of whom expressed an understandable concern about the implications of the language. We had some letters from workers in munition depots who feared they might wind up in the Foreign Service, apparently on the assumption that at least some of the munitions they handled went abroad. I think I can assert with certainty that no one contemplated the extension of the Foreign Service personnel system throughout the Government. Section 29 of the amended bill specifically limits its application to the three major foreign affairs agencies named in the bill—State, AID, and USIA.

Civil service employees and veterans groups saw in the transfer from the civil service personnel system to the Foreign Service personnel system a loss of the rights they enjoyed under civil service laws and veterans' preference laws. Their concern was understandable. The Foreign Service system is not wholly compatible with either civil service or with veterans' preference. It relies on selection boards that identify annually the top people in a particular class who should be promoted as well as the most marginal who should be selected out. Civil service people who have a more guaranteed tenure find the annual evaluation process very disturbing.

The committee deliberated long and hard to find an equitable approach that would take into account the interests of those covered by civil service and veterans' preference and at the same time that would permit a start toward a single personnel system operated under the provisions of the Foreign Service Act. I think we have achieved such an approach in this bill. Simply stated, present civil service employees may elect to transfer to the Foreign Service system. In making such an election, they will weigh the advantages and the disadvantages of a transfer including a consideration of their civil service status and any privileges they may enjoy under veterans' preference. The choice is theirs. I call the attention of the House to page 12 of our report in which we set forth the safeguards and incentives to civil service personnel that we have written into this bill. If an individual elects to transfer to the Foreign Service system, any rights he may have under civil service laws and veterans' preference will be inoperative so long as he is in that system. If he later moves to an agency whose employees come under civil service, both his civil service rights and veterans' preference advantages will again be available to him.

After the enactment of this bill all new appointments will be made under the provisions of the Foreign Service Act as amended.

For many years I have supported veterans preference legislation. I firmly believe in it. For that reason I can readily understand the concern of veterans that this appears to be a departure from a well-established congressional policy. I gave considerable thought to my own position on this provision of the bill before deciding to support it.

By law individuals appointed by the President with the advice and consent of the Senate do not have veterans preference. This is the case of all Foreign Service officers. Under this bill foreign affairs officers in classes 1, 2, and 3 would also be Presidential appointees subject to Senate confirmation. While foreign affairs officers is classes 4 through 7 would not be subject to Senate confirmation, they would be competing with Foreign Service officers, many of whom are veterans but do not enjoy veterans preference. This in itself would create a serious morale problem. Further, the whole emphasis of this bill is to develop a personnel system where the personal qualifications of the individual will be the determining factor in appointments, advancement, and retention.

The question may well be asked: Is this a precedent for further encroachments on veterans preference? My answer is loud, clear, and unequivocal—no, it is not. We are confronted here with a situation that is unique, one not faced by other agencies of Government that have a single personnel system in which civil service provisions and veterans preference provisions operate. I see no justification for any changes in these provisions. I would strenuously oppose, as I am certain most Members of this House would, any attempt to modify or weaken these provisions.

It is not always understood that the Foreign Service is as much a career system as is the civil service system. It has been so since 1924. In 1946 when the basic Foreign Service Act was written, the members of our committee from both parties were insistent that it be a merit system. In the bill now before the House we were anxious to continue and to strengthen the merit principle. We took care to insert in section 13 of the bill a provision that all future appointees as foreign affairs officers and reserve officers must qualify by an examination process. We cannot spell out in legislation the precise subjects upon which an individual is to be examined; that will depend upon his special field as well as his level of competence within the field. But we do insist that there be examinations that are meaningful and objective and that appointments not be made on the basis of political patronage.

Mr. Chairman, it should be understood by the House that the issues presented in this bill do not turn on any partisan approach. They are unrelated to any issues of foreign policy. They are concerned with the machinery by which policy may be developed and implemented. This bill came out of the subcommittee unanimously. It received the overwhelming vote of members of both parties in the full committee.

If the principle of a single personnel system, so well established in other agencies of Government, is a sound one, then it is no less valid for the foreign affairs agencies. That is what this bill seeks to accomplish. In our efforts to effectuate a single personnel system, we have been unusually solicitous of those employees who have rendered, and are rendering, a high level of performance in the discharge of their duties. We want them to stay in Government service. We have taken every precaution to protect their personal interests. We have weighed the value of their service to our Government against the larger national requirements that would permit the more effective utilization of their talents. It is my belief that any organizational pattern is worth little or nothing if it is indifferent to individuals. That concern was uppermost in the minds of the committee during the drafting of this bill. I think we have succeeded. I urge the House to adopt this bill.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. Some of us are now quite confused as to what the gentleman's amendment regarding veterans' preference will be. The gentleman from Ohio indicated it not only would be applicable in all phases, but the result of the gentleman's amendment might be extended into fields where it is not now utilized.

Mr. ADAIR. The effect of the amendment I propose to offer would be to say that as a policy, wherever it is possible, not violating other rules and laws which will be established if this bill becomes law, but to the extent practicable, veterans' preference shall be taken into account. That would involve, as I said in my prior remarks, a weighing of very many factors, a weighing of the fact there are now in the Foreign Service, people who are veterans, but who are not benefiting by any veterans' preference. If we were to give some people in the Foreign Service veterans' preference while at the same time it is not available to others, that would certainly constitute a serious morale problem. It is my opinion that the effect of my amendment would simply be to say to the extent practicable in the employment of officers and employees of the Foreign Service they take into account the fact this applicant or that applicant is a veteran. To that extent I would agree with what the gentleman from Ohio said, it does nothing about an extension of veterans' preference.

Mr. CORBETT. The gentleman also stated he was very anxious to preserve and protect the rights of everybody he could.

Mr. ADAIR. Every individual in the Government service according to his merits. That is not only my point of view, but I think it is the point of view of all members of the subcommittee.

Mr. CORBETT. How does stripping 20,000 people of their civil service rights help achieve that objective?

Mr. ADAIR. I will say to the gentleman, as has been said earlier this afternoon, no one is stripped of any rights, who is now in the civil service, unless he himself elects to forgo those rights.

If he says, "Yes, I see an advantage in my transfer to another category as a Foreign Service officer," he does so with the full knowledge that he is giving up those rights. He makes that decision himself. No one makes it for him. No one forces him to do it. Should after a period of years he revert, as I said, to a position in which the civil service and/or veterans preference rights do apply he would again be clothed with that protection. This is a matter for people now covered by civil service to decide entirely at their own option. Of course, people coming in hereafter will be expected to come in under the new ground rules that we are trying to establish.

Mr. CORBETT. They will not be under the civil service in any case?

Mr. ADAIR. They will be under the new Foreign Service which we are, as I say, trying to establish as a system somewhat parallel and in many respects, but not all, copied after the civil service system. I will say further to the gentleman that when John Macy was before our committee, and I said this earlier this afternoon, he gave a very strong statement which the Members can find in the record of the hearings in support of this type of thing. He indicated very clearly, he thinks for the benefit of our Government, it is highly desirable and for the benefit of us as individual citizens, it is highly desirable for us to establish a Foreign Service system more separate and distinct than the one we now have.

Mr. CORBETT. I greatly admire the Civil Service Commissioner but he often does serve under one or two hats and not always the Civil Service Commission. But here when you do hire these new people and they go into the Foreign Service instead of under civil service, then they come up against the matter of appeals if they are removed or are not promoted. Their only right of appeal is within their own department to their own superiors; is it not?

Mr. ADAIR. They have all the rights and protections that are available under the Foreign Service Act.

Mr. CORBETT. That is possibly to people in the same level who have originally graded them or condemned them for some act. In other words, there is no outside review of the facts of their cases.

Mr. ADAIR. In that respect I would say to the gentleman, we wrote a special provision in this bill, section 30, that if a man thinks he has had unfair or adverse reports as to the discharge of his duty or as to his conduct, he can request the chief of mission to make a direct report upon him if there is possibly a bad report or report with which he does not agree.

Mr. CORBETT. But to no outside agency. He cannot go to any court or the Civil Service Commission or anything else.

Mr. ADAIR. Certainly he should be controlled. He has the same safeguards and he is subject to the same restrictions as people now and hereafter in the Foreign Service. I think what the gentleman is saying is exactly what we are trying to say. We are attempting to build a separate and distinct Foreign Service.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. HAYS. I would like to point out to the gentleman, if the gentleman will yield, that selection out system is a merit system. Nobody can ever be touched under this system as long as he stays not in the top one-third, not in the top two-thirds as you have to be to stay in college these days—but in the top 90 percent. Not only that, the person has to be in the bottom 10 percent three times while he is in the same class. So all the person has to do is really be a little competitive and be on the ball. I do not think we need to worry about the individual here. In the selection out cases, that have come to my notice since I have been chairman of this committee—and you know people who are going to lose their jobs are not very reluctant to come to a Member of the Congress—I have only had two cases brought to my attention by other Members. We wrote language in the bill that Mr. Macy, who is head of the Civil Service Commission, shall be on this Board of the Foreign Service which hears appeals on separation for cause. I really think that my friend, the gentleman from Pennsylvania is worrying unnecessarily. We are worrying a little bit about the Government getting the best possible service and consistent with such protection as is needed.

Mr. CORBETT. I have not in any way questioned the sincerity of the effort that is being made here. It could possibly be that the trouble comes from the fact that the bill was not referred to the Civil Service Committee, which has had a great deal of experience in this type of thing. I believe that jurisdiction was wrongly placed in this matter, and we on the Civil Service Committee——

Mr. HAYS. May I say to the gentleman that the Foreign Affairs Committee has always handled Foreign Service personnel questions.

Mr. CORBETT. And yet we are supposed to handle matters pertaining to employees.

Mr. HAYS. It works both ways.

Mr. CORBETT. And probably wrongly.

Mr. ADAIR. In furtherance of what the gentleman from Ohio said, it is my recollection—and I am sure reference is made to this point in the report—that in the selection-out process in recent years less than 2 percent of the Foreign Service officers to which it is currently applicable have been selected out. Yet we seek to build a better Foreign Service. How many of us in this Chamber have not been critical of the State Department and our Foreign Service? If we have been, then by this bill, let us give them the machinery by which they can correct the situation.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Getting back to the question of veterans' preference, it is a well known fact that the five major veterans' groups oppose this legislation. I hear remarks being made in the well by those favoring this bill that indicates to me that the speakers are saying in fact that the veterans organizations do not know what they are talking about, but I for one think they do.

Mr. ADAIR. I refuse to yield further at that point. I will say to the gentleman that there has been no statement to that effect. There has been no implication to that effect.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I yield.

Mr. CUNNINGHAM. There has been a lot of objection by the veterans' groups. I believe that every Member of this body has received communications from them. I have heard via the grapevine before this bill was called up that the committee is a little worried about the opposition of our veterans and so they are going to offer an amendment. I do not know what number that amendment will be—No. 75 or No. 76—but it will be a sort of sense-of-Congress resolution. Is that not the language to be used? I believe that is one of the phrases referred to by the sponsors of this bill.

Mr. ADAIR. The gentleman did not need to hear by the grapevine that we had in mind offering an amendment. We have been talking about it this afternoon, and I said that I had one prepared which would direct that veterans' preference be considered wherever practicable.

Mr. CUNNINGHAM. The gentleman knows that that will not have any force or effect. It will not mean anything.

Mr. ADAIR. I disagree with the gentleman. If it becomes law, it will have the full force and effect of law. The veterans' groups, or their leaders, do know what is going on.

Not very many days ago, I personally invited them to my office to sit down and talk and discuss this question, so that they might be fully advised, and the amendment which I have prepared is an outgrowth of that meeting. I am not saying to the gentleman that my amendment would go as far as the leaders of the veterans' organizations feel that we should go. I do say to the gentleman that it goes as far as we can, consistent with the requirements of the Foreign Service.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. We passed that type of amendment in this body and in the other body before and, in my opinion, it has had no force and effect. I think we are fooling our veterans when we adopt such an amendment and give them the feeling that they will not be injured.

But to get back to another point——

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Ohio.

Mr. HAYS. I should like to make a statement at that point. A committee was appointed, headed by a former commander of the American Legion and including four departmental commanders. They were asked to serve voluntarily. They were given top security clearance. They were asked to go through the State Department from top to bottom and make recommendations. I refer to those five former officers of the American Legion. I should like to read what they said. They said:

> The Department should increase its efforts to attract and bring into the Foreign Service junior officers of high caliber and potential.
>
> The Department should intensify its efforts to weed out mediocre personnel by increasing materially the number selected out.

Then they go on to say that the selection boards should be authorized to review even more personnel than they are. This is a group of five former national commanders. I got a telegram from a gentleman recently saying that 5 million veterans are against this bill. I called him up and said, "Let us not kid each other—4,999,999 of them do not know this bill is coming up."

Mr. CUNNINGHAM. Mr. Chairman. will the gentleman yield?

Mr. ADAIR. I will yield briefly.

Mr. CUNNINGHAM. As I understand this, an option will be given to these people. They can go into this new arrangement or can stay in civil service.

Mr. ADAIR. Yes; that is correct. Subject to all of the protections provided in this bill.

Mr. CUNNINGHAM. For heaven's sake, what kind of a two-headed animal will that be? You have part of them in civil service and part of them in another system. I cannot envision a more confusing situation.

Mr. ADAIR. That kind of arrangement arose out of the thing I mentioned a few minutes ago; that is, our great effort and zeal to protect the rights of the individual and assure him that his civil service rights will be protected.

Mr. CUNNINGHAM. That is commendable, but it will not work.

Mr. ADAIR. Eventually the Foreign Service will all be operated under one set of rules, but in the meantime in an effort to be as fair as possible and in an effort to give them every protection possible we do give them an option.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from California.

Mr. MAILLIARD. I might say in connection with what the gentleman from Nebraska just said, that he never heard of such a two-headed object such as this, that this is exactly what we have now. This is what we had for many years and what we are precisely trying to cure here. We are doing this so that we will not have two parallel systems in the same agency. Also, will not the gentleman agree that the Foreign Service, in today's cold war atmosphere, where the United States has commitments and obligations of enormous magnitude and of vital interest to our national security, is more and more becoming in its responsibilities comparable to the military services, probably, in their function for this country than it is to the domestic civil service that operates the usual domestic agencies of our Government? If this system is approved by the Congress, it seems to me in return for what some people, that is, the people who are now working for the State Department under civil service, as to what they may give up or, if they do not choose to give it up, their successors will give it up, they will get a great deal in return. They will get benefits of earlier retirement possibilities more comparable to the military system. The selection-out process works rather similarly to what we have in the military services where certain people are selected to go on and others are let out but with substantial benefits that would not accrue to someone who might be let out of the civil service at the same stage in his career. It is not a one-way street. There are advantages granted. It seems to me we ought to put this problem into its major context to try to provide a unified national service in this foreign field that can maintain exceptionally high standards of competence, a competence that is really required in Government service probably only in the military with a comparable sense of responsibility and with the consequences of such competence acquired by these people for the security of our country.

Mr. ADAIR. I agree wholly with the gentleman from California, and I appreciate his remarks.

I think in addition to that it ought to be pointed out, besides giving these people an option as to whether they want to transfer or not, we even go a step further and give them an option as to whether they want to serve abroad with the Foreign Service or not. If they elect not to serve abroad, then they do not have to. We have gone to the fullest extent possible to give them this protection and at the same time establish the merit system which we need and to which the gentleman made reference.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. FARBSTEIN. Did the gentleman say it is fair to equate the Foreign Service officers and Foreign Service personnel with the frontline fighters in our Military Establishment of our country?

Mr. ADAIR. Of course it is, because the decisions that they make determine many, many times whether the use of the military is indicated.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. HUTCHINSON. Mr. Chairman, I am sure the gentleman can answer a couple of questions in my mind, although the debate thus far has not revealed the answers yet. An individual now in the civil service would be given an option, if he chooses to transfer over into the Foreign Service. Is there any limitation of time within which he must make that choice, and if he makes the choice is that firm or may he transfer back?

Mr. ADAIR. The gentleman has asked two questions. Upon the first, we did consider providing a limitation of time and decided not to do so. There is no limitation of time. As to the second, if for one reason or another he finds it wise to transfer to another Government agency, under this bill it is my opinion that he may do so and regain his civil service and veterans preference rights.

Mr. HUTCHINSON. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I have just listened to the gentleman from New York [Mr. FARBSTEIN]. If we are going to equate the Foreign Service with our frontline troops we have lost the war right now.

Mr. ADAIR. I will say to the gentleman that that is exactly what we are trying to do by this bill, to make it possible for them to build a better Foreign Service, and if we pass this bill we are going to insist that they do.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, there is not the least assurance in this bill that the result which the gentleman talks about will be accomplished; and he knows it.

Mr. ADAIR. Mr. Chairman, I disagree with the gentleman. I think we have a good bill.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. HAYS. Mr. Chairman, we do not have any ironclad assurance that we are going to win the war in Vietnam. I think we will and I hope we will. I am doing everything I can toward that end. This bill will do the same thing. We hope it will improve, and we believe it will improve the Foreign Service. If it does not, we will be receptive to other ideas.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. FARBSTEIN. At least we are trying to build up the Foreign Service so that we may be proud of them, so that they can handle our foreign affairs on a basis that will equate them with the frontline fighters in the interest of the national security.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. KELLY. Mr. Chairman, during my years of service on the Committee on Foreign Affairs I have been increasingly concerned, as have my colleagues on the committee, with the inability of the Department of State and the other foreign affairs agencies to utilize their personnel to the maximum advantage. The situation that exists in these agencies is in sharp contrast to other agencies of Government that operate with a single personnel system. In the Department of State, USIA, and AID there are two different personnel systems—each a merit system but with entirely different procedures. The existence of these two systems within the same agency creates inequities as between individuals engaged in similar work, impairs morale, and raises difficult problems in management.

The principal objective of the bill before the House is an effort to bring some degree of order out of this difficult and confusing situation. Stated in the simplest terms, it prepares the way for an orderly transition within each of the three foreign affairs agencies from a dual to a single personnel structure. In this respect it follows the recommendations of numerous official and unofficial groups that have studied the organizational problems of the State Department and the other foreign affairs agencies.

I want to pay tribute to my colleagues on the subcommittee. All of them recognized the desirability of improving the organization of the foreign affairs agencies. But they were no less concerned that individuals who may be affected by any change be accorded every consideration to make the transition with a minimum disturbance to their own situation. None of us wanted to lose the valuable services of these many fine career people.

If one studies this bill in its entirety rather than picking out a particular provision, I think he will reach the conclusion that the committee has incorporated numerous features that protect those individuals who may transfer from the civil service system into the Foreign Service system.

In the first place, the individual civil servant makes the decision whether he wishes to transfer into the Foreign Service system. He is not coerced; nor will he be fired if he decides not to transfer. The decision is entirely his. By giving the option to the individual the committee is aware that this will undoubtedly delay the organizational changes the Department and the committee want to accomplish. But we are willing to delay what we believe to be necessary if, by so doing, we can retain the services of many of these employees without any impairment of their morale.

The committee has written additional safeguards into the bill for those who may elect to transfer into the Foreign Service system. They are not subject to any qualifying examinations. This provision is in sharp contrast with a proposal made by the Hoover Commission that individuals who transferred must qualify by examination. It is our belief that individuals already employed have established their qualifications. Further, if they elect to transfer, they do not have to serve abroad without their written consent. Again we were aware that many civil service employees had personal reasons for declining overseas assignments. Frankly, I hope that at least some of them will request one or two tours of duty abroad. It will give them a much better perspective for carrying out their assignments at home. We wrote into the bill that any transferee will not suffer a salary reduction. Finally, those who transfer may become participants in the Foreign Service retirement system.

Mr. Chairman, I regret that many who oppose this bill do not recognize what the committee has done to accommodate the civil service employees. Some critics allege that this bill destroys the merit system. This charge is based on the assumption that the Foreign Service is not a merit system. For more than 40 years it has been governed by merit. When the committee wrote the Foreign Service Act in 1946, it strengthened those provisions that would assure the continuation of the merit system. One of the advantages of the Foreign Service system over the civil service system is that merit may be more readily identified and rewarded.

The committee listened to arguments about selection-out. It is apparent to me that that is a much misunderstood procedure. I call attention to pages 21 to 23 of our report where we have spelled out just what the selection-out procedure is and how it operates. Most of the critics failed to note that it is through a selection process that individuals are recommended for promotion. Certainly the statistics on selection-out do not bear out the charge that it is vicious or wide-ranging. In an average year fewer than 2 percent of our Foreign Service officers are selected out. In AID, during the past 2 years less than 1 percent were actually selected out.

In urging my colleagues to support this bill, I do so on the ground that we have achieved a balance between the national needs for a first-rate Foreign Service and the protection of individuals who may be affected by this bill. We have accorded to those individuals every protection that came to our attention. None of us is seeking to destroy the civil service system nor to impair the rights of veterans. We are simply trying to correct a single situation that is not in our national interest.

Mr. HAYS. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Chairman, I support the bill H.R. 6277. I should like to say, too, that I found it a very educational and rewarding experience to serve on this subcommittee under the leadership of the gentleman from Ohio [Mr. HAYS]. I think all of us learned a great deal about the problems of the Foreign Service and of Government employees generally.

It is certainly our hope and expectation that what we are doing here will provide a foundation for a better Foreign Service. If that were not so we would not have voted this bill out unanimously, as we did.

It is true that as the legislation originally came to us there was a very serious objection to it in that it had a mandatory quality about it that required the transfer of employees from one system to another. But it seemed to me and seemed to members of the committee that when this mandatory aspect was taken out and when the transfer was made voluntary, the major objection to this legislation had been removed. There is reason in having a service, a Government service, that is dedicated to the foreign operations of the United States. You have only to read the summary in the report of the various committees and commissions that have investigated the Foreign Service to realize that there has been a constant desire expressed to build a prestige service, to build one that will have something a bit unique about it, as the gentleman from California [Mr. MAILLIARD] has said, in comparison with the military service.

That is the reason why there has been a distinct Foreign Service separated from the general run of Government employees who are in the civil service.

Mr. Chairman, the Foreign Service Act of 1946 had as its objective the strengthening of this professional, disciplined, and mobile corps of Foreign Service officers who are available for worldwide service, and it is to continue this type of service and to improve it that this bill is brought before the House today.

Mr. Chairman, reference has been made to the processes of selection out. I hope that Members who have the opportunity to do so will look at page 21 of the report, section 20, which covers the selection-out process. It points out, first of all, that there has really been a very modest use of this authority in that less than 2 percent of Foreign Service officers have been selected out. Certainly, that would be a very good measure as to what might happen in the future under this legislation. With a reserve complement of about 3,300 in the Agency for International Development, only 47 were recommended in 2 years for selection out. Of these, 24 left by resignation or retirement before the process had been completed.

Mr. Chairman, I should like to call the attention of the members of the Committee to the fact that the Chairman of the Civil Service Commission, the Honorable John W. Macy, made this observation to the committee, which appears on page 22 of the report:

> Any fears of wholesale dismissals by selection out are contradicted by the record of the Foreign Service in using this authority on a limited, conservative basis.

Mr. Chairman, the gentleman from Ohio [Mr. HAYS] has already referred to another important quotation on this same page, the one from the Special Liaison Committee of the American Legion, which recommended that the State Department "should intensify its efforts to weed out mediocre personnel by increasing materially the number selected out on the basis of selection board evaluations." That is exactly what is sought to be done through the passage of this legislation.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HAYS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding, because I wanted to get an authoritative comment upon the meaning of the language which appears on page 7 of the bill subsection (c) which is a requirement that, "no person shall be eligible for appointment under subsection (a), or under the first sentence of subsection (b), of this section unless he has passed such comprehensive mental and physical examinations as the Board of Examiners for the Foreign Service may prescribe to determine his fitness and aptitude for the work of the Service."

May I ask the gentleman from Connecticut if this is going to make it impossible for a disabled individual, one disabled in a physical way such as the loss of an eye or an amputation or something of that nature, since there are many competent men in this category who make a great contribution to the Foreign Service—would this make it impossible for people with this type of disability to serve in the Foreign Service?

Mr. ADAIR. Mr. Chairman, will the gentleman from Connecticut yield to me to respond to that question?

Mr. MONAGAN. I yield to the gentleman from Indiana.

Mr. ADAIR. I would say to the gentleman from Oklahoma that the committee considered that precise point and for that reason did not write specifics into the law concerning the types of examinations given.

It is our feeling that the type of examination should be geared to the requirements of the office sought and to the extent that it is compatible with that, and they take into account the entire situation, including the physical capabilities of the applicant. We left it open for the reason the gentleman suggests.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Ohio.

Mr. HAYS. Further amplifying the answer, which was a very good one, from the gentleman from Indiana, there are certain categories of the foreign service that are more demanding than others. For example, certain areas of the world. This we envisaged to be as flexible as the gentleman from Indiana says. In some areas it would work a hardship and would break his health to serve. If he had only one good eye, it could not necessarily bar him.

Mr. EDMONDSON. A parallel has been drawn here between the military service trying to get our best men on the front lines and the foreign service. We all know as a practical matter that with a disability like the loss of an eye a man would have an almost impossible task to get into the armed services; but I do think the chairman of the subcommittee has made the point that would not necessarily be disqualifying in the foreign service with this new language.

Mr. HAYS. We are looking for the best people we can find. Physically we want them to have the necessary qualifications to do the job they are assigned.

Mr. MONAGAN. I should like to call attention to one other provision in this bill, and that is the separation for cause section. The amendment that has been suggested there will improve the appeal procedure, will put a limit to delays and will require dispatch in the determination of the rights of any employee under this section.

I hope this bill will pass.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, to get this in proper perspective I think the Members of the House ought to know that the chairman of the subcommittee, the author of this bill, was one of those who a year ago supported in the Foreign Affairs Committee a provision in the foreign aid authorization bill for arbitrary select-out procedure for some 200 employees a year. There is no question about what the gentleman from Ohio [Mr. Hays] seeks to do here because his record is clear. I am glad that in the wisdom of a majority of the members of the Committee on Foreign Affairs they threw out that proposal. The gentleman seeks here to do in a roundabout way the same thing that was defeated a year ago.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. In the first place, it was not 200 a year. It was one shot; is that correct?

Mr GROSS. One shot?

Mr. HAYS. Then we scaled it down.

Mr. GROSS. We scaled it out.

Mr. HAYS. We scaled it down.

Mr. GROSS. We scaled it out.

Mr. HAYS. Let me finish. Then when the gentleman brought up—he knows I complimented him for it—all of these people who were then given in-grade promotions, the gentleman from Ohio did not support that at all.

Mr. GROSS. The gentleman from Iowa had the rare privilege of offering an amendment in the committee that was adopted, that being the amendment to kill the arbitrary select-out proposal that the gentleman supported. The committee was well aware that in the preceding year every class act employee, with one lone exception, had been given a meritorious rating, yet all we heard about was the deadwood in the State Department.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HAYS. This had nothing whatever to do, and I am sure the gentleman will admit it when he refreshes his memory, with the State Department. This was AID.

Mr. GROSS. Well, all right.

Mr. HAYS. All right—there is quite a difference.

Mr. GROSS. It is the same kettle of fish. The gentleman will have to admit that. The AID department is involved in this bill; is it not?

Mr. HAYS. May I say to the gentleman, it is not exactly the same kettle of fish. I wish it were. I wish AID were run by the Secretary of State and then I would like to be Secretary of State and I will guarantee you there would be a housecleaning if we had to eliminate the whole thing.

Mr. GROSS. I want to conjure up one witness at the outset who is supposed to be in favor of veterans' preference. I want to read from the Record of May 5, 1953, the remarks of the then minority leader of the House, Mr. John W. McCormack, now the distinguished Speaker of the House. After saying that he was in receipt of a telegram from the National Commander of the American Legion, he had this to say at that time about his support for veterans' preference:

> The veterans' organizations of this country are aroused. They are afraid of what is going to happen during this session of Congress. As I said, they have seen things happen. They know that under the present situation the provisions contained in this bill are not necessary even from the angle of expediency or necessity.
>
> So I suggest to my friends on both sides, those of you who are not going to be a party to any movement to destroy the rights of the veterans that Democratic Congresses have built up and given to them, whether you are Republicans or Democrats, if you believe in their rights under existing law, it is a better vote to eliminate this provision, because, as I understand, it will be part of a motion to recommit if it is not eliminated in the Committee of the Whole.

I have read only two excerpts from his statement in 1953 in complete defense of the veterans' preference which the committee is now seeking to abolish along with the class act in the State Department. Every new employee in the Department of State, effective with this bill, will be a Foreign Service employee, and veterans' preference will be thrown out the window. The gentleman from Indiana [Mr. Adair] talks about discrimination. What about discrimination as between other agencies of Government? What about the Department of Commerce that has people in the nature of Foreign Service employees? Is it proposed to abolish civil service and veterans' preference everywhere in Government and if not, why not?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. ADAIR. Mr. Chairman, I yield 5 additional minutes to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman. What are you going to do about other agencies and departments of Government including the Department of Agriculture, the Department of Commerce?

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HAYS. I will say to the gentleman that the original proposal was to include them. The subcommittee thought we ought to confine this to only the three foreign affairs agencies. We eliminated all the others—the Department of Commerce, the Department of Agriculture and all the others from the provisions of this act.

Now that does not necessarily say I think Commerce and Agriculture ought to be engaged in foreign affairs. Sometimes I think the Agriculture Department runs more foreign affairs than anybody else.

Mr. GROSS. I might find something acceptable about this bill if I had confidence in the administration of personnel in the State Department. I cite you the case of Otto Otepka. He would not have had a prayer—he would have been out and gone long ago, with no questions asked and no answers given, had this bill been in effect. Otto Otepka has been suspended for months from his job in the State Department. I understand he will come up for a hearing on October 11 of this year. But this valuable employee was practically thrown out of the State Department, this chief security evaluator, when three favored employees of that Department perjured themselves under oath before the Senate Internal Security Committee. Where are those perjurers today? One of them is still in the State Department. You talk about cleaning out the liars and cheats in the State Department. Another is over in the Federal Communications Commission holding a top job. I do not recall the whereabouts of the third individual, all of whom admitted their perjury before the Senate Committee under oath. And where is the center of all this controversy—one William Wieland? Where is he today? He, too, has been rewarded by the same State Department that you now want to give untrammeled power. He went to his reward as a top diplomatic official in Australia, this man Wieland who as the former chief of the Caribbean-Latin American desk gave misleading, erroneous information to the Department of State concerning Fidel Castro.

Yes, only recently he was given a fine, top job as a diplomat in Australia, yet the gentleman would turn over to the present administration in the State Department, to their tender mercies, employees who are now under the class act and have and need all the protection they can get.

I urge you not to take this action until you change the administration of the State Department.

Mr. HAYS. Mr. Chairman, I yield myself 5 minutes.

I could not get the gentleman from Iowa to yield. I wish to say two or three things.

In the first place, I do not know anything about Mr. Wieland except that certain charges were brought against him and he was acquitted. At the moment, certain charges have been been brought against the gentleman from Iowa. His election is being contested. I am sitting on the jury. If we acquit him, he will keep his seat here. If anybody asks me where he is, I will say, "Right here, sitting on the floor."

All I know about Mr. Wieland is that he was acquitted. What about Mr. Otepka?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Not until I finish.

I could not get much yielding from the gentleman from Iowa.

Mr. GROSS. Do not bother if you do not feel like it.

Mr. HAYS. I will not. The gentleman knows me well enough to know that, too.

I do not know too much about Mr. Otepka except that certain charges were brought against him. He is under civil service. If he was a Foreign Service officer, he could have been brought up on charges too. If he was a Foreign Service officer, his level of performance as determined by annual selective boards might have put him in the bottom 10 percent of his class. If he were in the bottom 10 percent for 3 years while in class, he could be selected out.

The gentleman has been complaining that Mr. Otepka has been denied a trial. What is the fact? The fact is that every continuance that Mr. Otepka has had—and I am not passing judgment on his guilt or innocence because I do not know—has been because he or his lawyers have requested it. The State Department has not been shoving him around.

We brought out in the testimony before the committee, if the gentleman read it, that not only was he being treated differently by being given these continuances, but he is being kept on the payroll and he has been drawing his pay every month.

I said to the Secretary one day, "Let me ask you something. If Mr. Otepka had been suspended without pay and he had won his case, he would have gotten his backpay."

The Secretary said, "That is right."

I said, "Now, you have kept him on. If he loses, and is found guilty, does he have to pay back what he has received?"

He said, "Oh, no."

I said—if Members will pardon the expression—"Who in the hell is worrying about the taxpayers in this case?"

I say that, as far as pretrial business is concerned, Mr. Otepka has been treated exceptionally well. I do not know anything about his guilt or innocence. I do not propose to try him here. But I do say that up until the day he is found guilty and the charges are substantiated, he is and has been drawing his full pay, because Mr. Rusk said, "When a man is in this kind of a situation, that is when he needs his pay."

I must say that that is quite a humanitarian way of looking at it.

The whole point of the statement I wish to make is that the gentleman's talk about Mr. Otepka has no bearing on this legislation whatever.

Furthermore, this red herring was dragged across the trail of this bill, and somebody had an article published in the paper saying that this bill is being written to get Mr. Otepka. That is the first I knew about it. We put in specific language excluding the transfer involuntarily of anyone in the civil service. So if Mr. Otepka is acquitted of these charges, he cannot be forced into the Foreign Service, and then wrongly, as some people have charged, selected out.

I will tell you one thing: this subcommittee unanimously—all of the minority and all of the majority—went all the way to protect somebody we do not know very much about.

Mr. GROSS. Does the gentleman intend to yield?

Mr. HAYS. I yield to the gentleman.

Mr. GROSS. I thank the gentleman for yielding.

In the first place, I am sure with some people moral issues count for more than a pay check, and I think that is true in the case of Otto Otepka. As far as continuances, do you not think the man ought to have——

Mr. HAYS. I will say to the gentleman——

Mr. GROSS. Wait a minute. Let me finish the sentence.

Mr. HAYS. It is my time.

I will say to the gentleman I do think moral values have more value than a pay check. That is exactly the way the case has been handled. As far as continuances are concerned, I am not saying he should not have had them. Do not misunderstand me. I am trying to clear up the record in the newspapers and magazines that claim that this man has been shoved around and denied a trial. All I am saying is he has not been denied a trial. The trial has been postponed at his and his attorney's request. That is all.

Mr. GROSS. If you were in his position, would you not like to have your case heard by a fair and impartial appeal board instead of one that has been handpicked by your accusers?

Mr. HAYS. Oh, let me say this on that.

Mr. GROSS. Just a minute.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAYS. Mr. Chairman, I yield myself an additional minute.

Let me say very candidly and very frankly that if I were in the position of being accused of anything—I know I did not get legal training, because I came out of the depression, but I know some of the tricks of it, and one is if you do not think you have a case, you keep getting a continuance until everybody forgets about it. If anybody ever accused me of anything, I want to tell the gentleman I am going to get all of the continuances I can get.

Mr. GROSS. If the gentleman will yield further, that is——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ADAIR. Mr. Chairman, I now yield 5 minutes to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman and Members of the Committee, I rise in support of many elements of H.R. 6277, including benefits to employees serving in areas of unusual danger; compensation for local employees who are or have been in prison by a foreign government as a result of their employment by the United States; and a single personnel system strengthening opportunities for sound promotion on merit. However, I would like to address myself to one particular question. That is the future of our Foreign Service, particularly our Foreign Service officers. I think it is no secret to the Members of this distinguished body that the morale of the Foreign Service today is depressed.

I think it is extremely important that this House make abundantly plain our conviction and our support for the Foreign Service and our belief that they are serving in the frontline of diplomacy and that their work and their dedication is fundamental to the future of the United States and to the interests and cause of peace throughout the world.

I know that the distinguished chairman of the subcommittee, the gentleman from Ohio [Mr. HAYS], is particularly concerned, also, about the Foreign Service and is doing all he can to support it. However, I would ask the gentleman's attention and ask if I may inquire of him with respect to one or two matters in this bill.

First, as I understand it, under H.R. 6277, you are establishing a new category of officers—FAO's or Foreign Affairs officers—under section 6. Is that correct?

Mr. HAYS. That is correct.

Mr. REID of New York. Further, it is my understanding that these officers can be assigned any place in the home service and overseas with their written consent. Is that correct?

Mr. HAYS. For the transferees, the gentleman is correct. For the people who go in afterward, from the bottom, let us say, the new Foreign Service officers and Foreign Affairs officers who pass an examination and go in, they have no option. They understand when they go in that they can be assigned anywhere abroad or at home.

Mr. REID of New York. I understand the gentleman. With regard to the transferees who become FAO's and some of the FSR's who may be transferred, where does the gentleman anticipate they might be assigned in the home service?

Mr. HAYS. We will assume they might be assigned almost anywhere.

Mr. REID of New York. They might be desk officers, for example?

Mr. HAYS. They could be, possibly, if they had the capability and were outstanding and seemed to be able to contribute something. They could be.

Mr. REID of New York. May I ask the gentleman, is it true that under this legislation the transfer of FSR's under section 29 of the bill is accompanied without any examination?

Mr. HAYS. That is correct.

Mr. REID of New York. Does the gentleman believe that this is a sound provision? Because as I recall it, the Hoover Commission originally suggested that there should be an examination in connection with any such transfer.

Mr. HAYS. I think that is a debatable question. The committee considered this fairly carefully. We assume that they have already qualified. I believe it is fair to say that you do not have any FSR's down there who are not uniquely qualified for the job they are doing, or at least they thought they were when they came. An FSR, as the gentleman knows, can be dismissed at any time. He has no protection under civil service, Foreign Service, or anything else. I should think from the human standpoint, a great many of these might want to transfer, and we believe that these people have been selected carefully. They do take a chance when they transfer knowingly, that they have to keep up and stay out of that bottom 10 percent.

So I think the problem will solve itself.

Mr. REID of New York. Mr. Chairman, may I ask the gentleman further whether under section 16 he thinks it is a wise provision to extend the authority to the Foreign Service staff officers subject to the advice and consent of the Senate, to give them diplomatic status as well as the consular status that they may be accorded now. I raise this specifically—for if they become first or second secretaries in an embassy, this will presume considerable judgment and tact and knowledge of the diplomatic service.

Mr. HAYS. I would say to the gentleman, if it is done selectively and under unusual circumstances, we think that with the matter of Senate confirmation, that they have to have, that you will not get anybody in there or have much chance of getting anybody in there who is not qualified, any more than you do now.

Mr. ADAIR. Mr. Chairman, will the gentleman yield to me?

Mr. REID of New York. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I think in furtherance of what the gentleman from Ohio has said, it is anticipated first that there would in all probability be relatively few people who would find themselves in the situation which the gentleman describes and about which the gentleman makes inquiry.

Secondly, it is anticipated that those few who would get the initial diplomatic or consular status would certainly be carefully selected by the President and carefully screened before confirmation.

Mr. REID of New York. I thank the gentleman, but I would point out that it is my understanding—I do not have the figures on the FSS's, but as to the FSR's as of today there are 1,378 in the Department of State, 1,379 in the U.S. Information Agency, and 3,355 in AID.

The only point I would like to ask the gentleman about again is this: I believe it is the sense of this House and of the distinguished Foreign Affairs Committee, that it is basic to back the Foreign Service officers, to keep them as an elite corps, to insist on the highest educational and other qualifications and to give the FSO's the satisfaction of belonging to the top corps in the U.S. service, a group that truly has significant responsibilities—the gentleman from Ohio said earlier—making judgments that can affect peace or war. I hope the gentleman might wish to reaffirm the importance that the House and his distinguished committee accords to the Foreign Service officers in their full support without any dilution of this Service, their dedication, and their standing.

Mr. HAYS. I think it is fair to say that everybody on the Foreign Affairs Committee, even those who might oppose this position referred to, agrees with the gentleman's statement; certainly I do.

Mr. REID of New York. I thank the gentleman.

Mr. ADAIR. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TALCOTT].

Mr. TALCOTT. Mr. Chairman, I requested this time to ask a couple of questions either of the gentleman from Indiana or of the gentleman from Ohio.

Section 24 of the bill adds a new section to the act to provide for payments to alien employees who have been imprisoned by a foreign government because of their employment by the United States. Recently on the Private Calendar we have had a number of cases which proposed to provide bonuses and gratuities for pain and suffering; bonuses and gratuities for "sacrifices"; bonuses for extra years' pay; payments of 6 months' salaries to relatives; giving of favorable hypothetical promotions during their imprisonment, and a number of other extra benefits which are considerably greater than those given to American citizens under the Missing Persons Act.

I would like to inquire if this act, which would be general legislation for these types of cases, provides bonuses and gratuities for pain and suffering?

Mr. HAYS. If the gentleman will yield, no. May I say to the gentleman in answer to his question, and it is a logical question, this provides only one benefit—and the report states on page 25 as follows:

> When such a determination has been made, the alien employee's salary, including normal within-class increases and related fringe benefits would be paid to the employee or his dependents as if he had continued in the employment of the U.S. Government.

Mr. TALCOTT. Would there be hypothetical promotions?

Mr. HAYS. He would get whatever in-grade promotions were coming to him, yes; but he would not get anything for pain and suffering, he would not get anything for confiscation of property but just his normal salary and other fringe benefits.

Mr. TALCOTT. Would the alien employee be considered the same as a GI taken prisoner in battle? I understand that he retains his rank?

Mr. HAYS. I am not familiar with every single thing that happens to a GI that is taken prisoner, but I would say in principle he would be treated very similarly.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HAYS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. TALCOTT. I thank the gentleman from Ohio. I was concerned about extra pay designed to give the alien some sort of gratuity or benefit or bonus for pain and suffering while in prison.

Mr. HAYS. No; he would only get his regular salary.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Iowa.

Mr. GROSS. But there is no mandatory restriction in section 24.

Mr. TALCOTT. The restriction appears to be based upon the Missing Persons Act with which I am not familiar. This is why I was asking the question.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Ohio.

Mr. HAYS. That is correct, and it is stated specifically on page 25, section 24 of the report, at the end of the first paragraph, wherein it says:

> When such a determination has been made, the alien employee's salary, including normal within-class increases and related fringe benefits, would be paid to the employee or his dependents as if he had continued in the employment of the U.S. Government.

It does not authorize compensation for any other losses such as confiscation of property.

Mr. TALCOTT. I thank the gentleman.

Mr. HAYS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I have asked for this time merely again to point up the rich background, in experience as well as in industry, of this debate. I think this has been an unusually interesting debate. The RECORD should show that the able gentleman from New York [Mr. REID] who made a large contribution to the discussion is not a stranger to the subject matter. A great Republican, a great Member of this House, OGDEN REID served our country with outstanding distinction as our Ambassador to Israel, and I know our American men and women in the Foreign Service will be happy that one with such intimate firsthand knowledge of their problems participated in these discussions.

Mr. ADAIR. Mr. Chairman, I reserve the balance of my time.

Mr. HAYS. Mr. Chairman, I yield 4 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairman, I am opposed to certain parts of H.R. 6277, and I take this time to briefly point up some of the reasons.

This is one of many, many departments that has a dual personnel system. It is not any different for the Foreign

Service to have one classification for Foreign Service officers and then an entirely different personnel system for the ordinary administrative personnel. This is true of the Department of Defense, the Coast Guard, the Public Health Service, the U.S. Coast and Geodetic Survey, just to name a few. But there are many others that have dual personnel administrative agencies.

The Foreign Service, I do not think, is any more entitled to take away from the general civil service the rights of people working for them and eliminate that kind of service than would the Defense Department. I do not think the Foreign Service is any greater agency than the Defense Department, yet we require the Defense Department to hire civilian personnel for the kind of jobs that are civil service. Then for those kinds of jobs that are combatant jobs, we have the officers and men of the armed services.

Time and again the argument comes to the Congress about encroachment upon what should be regular civil service jobs, and what should be military jobs. We go to great lengths to protect the civil service jobs.

This bill, as I see it, is in three parts, really. It makes three points.

One, it would make a single personnel system for the Foreign Service. It would thus destroy civil service rights in the civil service system for the civil service people already in. And it would destroy those rights for the future. It would also destroy veterans' preference.

The thing that really disturbs me most is that there is a complete ignoring of the fact these people are stenographers, clerks, they are mail handlers, there are some attorneys and economists. They are in this particular classification. They do not have to be Foreign Service officers. They are not specifically trained for the Foreign Service. They are a kind of profession or employment that could be used in any other agency of the Government, and would be interchangeable with any other agency of the Government. So I say it is an unnecessary piece of legislation in those regards.

There are other parts of the legislation I strongly support. But I want at this time to describe three amendments. I am going to offer them en bloc. One of them is to delete section 2. This is the section which amends the Foreign Service Act to permit the employment of Foreign Service personnel in the United States. Heretofore employees in domestic jobs themselves were required to be covered under the Civil Service and Classification Acts. If my amendment is adopted it will keep civil service protection for jobs. The bill contains protection for personnel now holding those jobs, but all future employees in those jobs will be Foreign Service without civil service or veterans' rights.

My next amendment would delete section 29. This section permits the President to transfer present civil service employees in the three agencies involved from the civil service to the Foreign Service. This means in effect that present civil service employees who are thus transferred lose the job security afforded by the civil service laws and veterans' preference.

Finally, the third part of my amendment would delete section 32. This section makes inapplicable the Veterans' Preference Act, the Civil Service Act, and the Lloyd La Follette Act, and would restore in this bill the civil service right of employees and would restore veterans' preference rights to the veterans.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Act Amendments of 1965".

SEC. 2. Section 111(1) of the Foreign Service Act of 1946, as amended, is amended by inserting "at home and" immediately after "to serve".

Mr. CUNNINGHAM. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 271]

Andrews, George W.
Ashbrook
Ashley
Baring
Berry
Bolton
Bonner
Cameron
Cederberg
Clawson, Del
Culver
Daddario
Derwinski
Diggs
Dulski
Flood
Fuqua
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen, Idaho
Harris
Harsha
Hawkins
Hébert
Hungate
Joelson
Jones, Mo.
Kee
Kornegay
Lindsay
Long, Md.
McClory
Martin, Ala.
Mathias
May
Murray
Pirnie
Pool
Powell
Reifel
Resnick
Rhodes, Ariz.
Roncalio
Rumsfeld
Ryan
Saylor
Schmidhauser
Sisk
Smith, Iowa
Thomas
Toll
Utt
White, Idaho
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MOORHEAD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6277, and finding itself without a quorum, he had directed the roll to be called, when 373 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. OLSEN OF MONTANA

Mr. OLSEN of Montana. Mr. Chairman, I offer an amendment and, Mr. Chairman, I ask unanimous consent that the three amendments I have may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

Mr. HAYS. Mr. Chairman, I am constrained to object. I understand the gentleman has one amendment that applies to section 2, but I object to any other amendments.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment offered by Mr. OLSEN of Montana: On page 1, beginning at line 5, strike out all of section 2;

Mr. OLSEN of Montana. Mr. Chairman, I rise in opposition to H.R. 6277, but I think this amendment, together with two other amendments I will offer, will make the bill satisfactory.

Mr. Chairman, the bill, H.R. 6277, would abolish all of the civil service rights of presently employed civil servants in the Foreign Service system.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Ohio.

Mr. HAYS. The bill does no such thing at all. The bill will not abolish a single right that any single employee under the civil service has unless he voluntarily elects to transfer to the Foreign Service.

Mr. OLSEN of Montana. If he elects to transfer to the Foreign Service, civil service rights will not apply any longer. For those jobs which are ordinary jobs, that are applicable in any other agency of the Government, henceforth there will be no civil service rights. In other words, in the Foreign Service there will be one personnel system.

I made a comparison earlier with the Defense Department. In the Defense Department we have two personnel systems. We have the military personnel system covering military officers and men, and we have for the jobs that are ordinarily the civilian kind of jobs the civil service. Those people are covered by the Classification Act that has been in effect since early in the century.

My amendment would delete section 2. This section amends the Foreign Service Act to permit the employment of Foreign Service personnel in the United States. Heretofore employees in domestic jobs themselves were required to be covered under the Civil Service and Classification Acts. If this amendment is adopted it will keep civil service protection for jobs. The bill contains protections for personnel now holding those jobs, that is true, but all future employees in those jobs will be Foreign Service without civil service or veterans' rights.

I urge the adoption of this amendment, and I will urge the adoption of two other amendments so that we will maintain the distinction between what is civil service and what is entitled to civil service status and protection, and what is entitled to veterans' preference, and then what is a Foreign Service officer.

By retaining the present distinction, we will operate as we are operating in numerous other departments where there are dual personnel systems, and there are numerous situations of that kind.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. PELLY. I am wondering, if the gentleman's amendments are adopted by the Committee of Whole, will the gentleman then support this bill?

Mr. OLSEN of Montana. I will vote for the bill if my three amendments are adopted.

Mr. GILBERT. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. GILBERT. First, may I compliment the distinguished gentleman from Montana for offering this amendment which I think is so important. But I wish to ask him a question.

If your amendment is not adopted, then as I understand it no veteran would have a preference in the Foreign Service field working for the State Department. Now I am talking only about employees employed in the United States.

Mr. OLSEN of Montana. This particular amendment does not go right to the heart of your question. That will be my third amendment which will absolutely guarantee this preference. This amendment has to do more with preserving the civil service status of those jobs that are ordinary civilian jobs.

Mr. GILBERT. I thank the gentleman.

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. MORRISON. I want to commend the gentleman for this amendment. I am certainly in agreement with him on this amendment. Our Committee on Post Office and Civil Service have always taken the position that the civil service should be strengthened and everything possible done to further the civil service rights of Federal employees. I think with the three amendments that the gentleman has that we can vote for this bill if his amendments are adopted.

Mr. OLSEN of Montana. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. GROSS. The gentleman could also have pointed out that in the Department of Defense there are also many wage board workers, in addition to class act employees, who are protected by veterans' preference and civil service. Thus there are three personnel systems in the Defense Department as compared with two in the State Department yet I hear of no such legislation as this being requested by the Pentagon.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman made a speech about civil service, but his amendment really does not have much to do with the civil service. The amendment that he is seeking to put in now destroys the flexibility of this act so far as the ability of the State Department to transfer people between posts at home and abroad. Let me give you one example.

Suppose they had a Foreign Service officer who was in charge of the division of the foreign building program in, let us say, Europe, and it was felt desirable to bring him back to head up the whole division. This is what we want the Department to be able to do. On the other hand, we want to be able to take people now under civil service, if they are capable—and remember none of them has to go into the Foreign Service category unless they want to—but if they do want to transfer and they want to serve abroad, we want to be able to send them overseas or put them on a desk and use them to the best of their ability. This amendment would just simply handcuff and shackle the Department. It does not have anything to do with civil service and I ask my colleagues to defeat the amendment.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike out the last word and rise in support of the amendment now pending and also of the other two amendments that the gentleman from Montana will offer.

These amendments are very important and are much needed amendments. Those of you who were here during the general debate will recall the statement I made that there is great opposition to this bill. It is opposed by all of the Federal employee groups—all of the employee unions, postal and other civil service groups in the Federal service. It is opposed by the five major veterans' organizations.

Mr. Chairman, unless these three amendments are adopted, I certainly as one Member of this body cannot support this bill and I am sure there are many, many others who cannot support this bill.

I understand, as a result of our discussion during general debate, that the opposition to this bill has been so terrific from the veterans' groups that the committee is going to offer some willy-nilly amendment—a sort of sense-of-Congress type of thing—in an attempt to pull the wool over the eyes of the veterans' groups. Such an amendment will mean nothing. It might fool a few people, but it will not overcome the objections of the veterans who have so strongly supported the Veterans Preference Act, which we have revered through all the years, at least during my service on the Post Office and Civil Service Committee. So I do hope that the gentleman's amendment will prevail. I do hope that his others will prevail. I would even say that when the committee offers their willy-nilly amendment, which means nothing, it ought to be voted down.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from North Carolina.

Mr. HENDERSON. I commend the gentleman on his statement. Those of us on the Post Office and Civil Service Committee are trying to be as constructive as we can be, but we are quite concerned about what will happen to the merit system of the civil service employees, not only in the State Department—in AID and the other agencies involved—but once we start passing that type of legislation, we are chipping away at the civil service merit system. The gentleman from Montana [Mr. OLSEN] is commended for offering his amendment to section 2.

We have discussed the other amendments and, of course, at the time they are offered we can express ourselves. But on the amendment before the House, it, to me, is the most critical amendment with regards to the future of the civil service merit system throughout the Federal Government. I certainly hope that the Members would give serious consideration to the amendment offered by the gentleman from Montana.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Ohio [Mr. HAYS] well knows that the purport of the bill is to put all Classification Act employees under Foreign Service. Yet the last two personnel managers in the AID organization were transferred out of the Foreign Service under the Classification Act. Transfers in the USIA have also been covered. They have been transferred out of Foreign Service under the Classification Act. The flexibility is there and it is being used. It ought to be continued.

The CHAIRMAN. For what purpose does the gentleman from Florida rise?

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. FASCELL. The bill certainly does not affect the postal employees in any way, notwithstanding the fact that they might be opposed to it.

I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, either a lot of those who are supporting the amendment do not understand it, or they are attempting to mislead Members. This does not have anything to do with civil service employees. The whole effect of the amendment would be to prevent them from bringing a capable Foreign Service officer back from abroad and putting him into a job in which he is needed here. That would be the net effect of it. I do not know who dreamed this amendment up. I can debate the merits of the gentleman's amendment on veterans' preference and say that there are two sides to the question, but the pending amendment is nothing more nor less than an attempt to gut the bill, and no other interpretation can be placed upon it.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. The import of the amendment is to stop the foreign service from displacing civil service employees who have been historically in their jobs. That is all there is to it.

Mr. HAYS. Now we get down to the point. In other words, there are people downtown who say, "I have a vested right. This job belongs to civil service, and if you cannot find some capable fellow to fill it, fill it with some incapable fellow." That is the import of the amendment.

Now we get to the meat of it.

Mr. OLSEN of Montana. Yes, we get down to the meat of it, because the bill would put all such people into the unclassified service. The gentleman is trying to say that we do not have competent people in the classified service——

The CHAIRMAN. The gentleman from Florida has the floor. To whom does he yield?

Mr. FASCELL. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. HAYS. I am saying that the gentleman is trying to shackle the State Department to the extent of saying that if there is not a topnotch fellow available, it could put in a fellow who is not.

That is about what it amounts to. The people who came before our committee admitted it and summed it up. They are not worried about it at the present moment. What they are worried about is that in the future these people coming in may not join their union and may not pay dues. I have supported unions, but it looks to me as though the Government ought to be able to run itself and not have it run from some lobbyist's office downtown.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman.

Mr. OLSEN of Montana. This is not a union amendment but one which comes out of a group of us who are members of the Committee on Civil Service. We think these positions that have historically been under civil service should remain civil service. We are not trying to take a thing away from the Foreign Service but are saying that those jobs and duties and things that have historically been civil service should remain civil service. The people in them should be protected under the Classified Act, as they have been historically.

Mr. FASCELL. Mr. Chairman, as I said when I arose and as I say after having heard this discussion, I am still opposed to the amendment.

I yield back the balance of my time.

Mr. THOMSON of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rarely find myself in the position of taking the time of this committee to support a measure which the administration asks for, but today I think that the national interest is vital and I am not in agreement with those who say "Keep the status quo—keep America where it is today." I am in favor of moving it forward. I want to commend this administration for having the courage to come in here over the objections of the entrenched civil service people and propose to do something for this country. It is amazing that they have done as well as they have been able to do with one hand tied behind their back. Foreign affairs programs require flexibility in assignment. This is not possible now because some employees are under civil service while others in the departments are under the Foreign Service. They have a hydra-headed monster that they are trying to administer in the interest of giving America the visage and the showplace that we need in foreign countries. Our embassies and our consulates should be showplaces and should be staffed with the most able, the most conscientious and dedicated people that we can find here in America who will volunteer for that purpose.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. HAYS. I just want to call the attention of the House to the fact that the gentleman in the well now is a former Governor of one of our large States and probably has had more experience in administration than anybody I know of in this body. He is well aware of the problems of administration. He sat on the subcommittee and asked many searching questions. He was the reason why we adopted a great many of the amendments in this bill. I think that his statement for this bill is probably more significant than the statements of any of us who have spoken on it because of his background and experience as a Governor and administrator.

Mr. THOMSON of Wisconsin. I thank the gentleman from Ohio.

It is true that I spent many years at another level of government in trying to establish an adequate system of civil service, but as I look at this, this is not a question of civil service but of a merit system in contrast to civil service. You go in here voluntarily on your own merit and you stay there if you show the merit and are able to do the job for America. Today, if you have a very able man downtown in the State Department who is under civil service and does not want to go overseas, then they cannot send him overseas. America then loses the service of that man in the capacity he should be serving in. If they are under civil service, they stay there until they are 70 years of age. But the volunteers who want to serve overseas for America are retired at age 60. There are all kinds of problems and difficulties and complications. I think it is a shortsighted policy for the members of the Civil Service Committee to come before this House and say, "Let us keep the status quo." I do not agree with that policy. I would like to help this administration. I have confidence that the men who will be administering it will do so in the best interests of the Government of the United States. There are many things I do not like that happen downtown, but I want to stand today with the people who want to give this administration an opportunity to give this great Republic the best image that it is possible to give it all over this world.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. CUNNINGHAM. Mr. Chairman, I certainly do not think that any of us on either side of the aisle who support this amendment feel that the State Department is on trial. We do not think that this is something that is going to make a great State Department out of a weak one, if that is what is inferred to here. We are more concerned with the details of protection of the civil servants in this Government.

I refer the gentleman to page 6 of the report, about the middle of the page, where it says:

> Any participant who is appointed as a Foreign Affairs officer or as a staff officer or employee without a break in service in excess of three calendar days shall remain a participant.

What does that mean? What is a participant—3 days? He is a participant for 3 days?

Mr. ADAIR. Mr. Chairman, if the gentleman will yield, I do not have the report in my hand, but I think that refers to Foreign Service retirement.

Mr. CUNNINGHAM. After only 3 days then he may participate in Foreign Service retirement. That is really something.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. THOMSON] has expired.

Mr. ADAIR. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, it seems to me that the question which must be now in the minds of members of this committee is whether or not we are prepared to take the steps necessary to give the Department of State, the AID, and the USIA an opportunity to improve the quality of the service which men and women are rendering to our Nation. It is just as simple as that. Are we going to give them the ability? Are we going to give them the flexibility? Or, are we going to say, yes, certainly, we will protect civil service rights and we will protect veterans' preference rights to every degree possible? We are here today charged with legislating for the benefit and the welfare of all of the people of all of our country. It is true that some people may have to forgo some of the small civil service benefits. It is true that to a very limited degree, the most limited possible, there may be some diminution of veterans' preference rights.

But I would say, Mr. Chairman, that the overriding question before us is the national welfare, the importance of building a separate and distinct Foreign Service, one that can render the type of service that our country needs.

Mr. Chairman, I would conclude by saying again, because there are some in the room who did not hear it earlier, that one of the strongest proponents of this bill was John Macy of the Civil Service Commission. If he had not come before us and made the strong statement which you will find in the record of the hearings, this bill would not be before us today. In the national interest John Macy said, in effect, we need legislation of this kind to strengthen our Foreign Service.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I think it needs to be said for the benefit of those who were not here during the general debate that in the first place nobody has to leave the civil service who does not want to. The new people coming in have to come in under the Foreign Service provisions. But the Foreign Service is not without protection. This is not a willy-nilly organization from which you can fire somebody if you do not like the color of his hair. He has to be in the bottom 10 percent of his class, competing with other people in his grade and rank. He has to be in the low 10 percent for 3 years before he can be selected-out. This is a merit system.

This is a merit system where you have to keep producing and just stay in the top 90 percent. It is a lot like it is at many colleges today where you have to stay in the top 60 percent in order to stay in school. You just have to stay in the top 90 percent, and you can even slip down to the bottom once or twice, but you had better not stay down there too long. That is all.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my friend the gentleman from Wisconsin [Mr. THOMSON] called the State Department a "hydra-headed monster," or words to that effect.

Mr. THOMSON of Wisconsin. If the gentleman will yield, no, no. The gentleman is in error.

Mr. GROSS. All right, explain the error.

Mr. THOMSON of Wisconsin. I said the system under which they are required to have a Foreign Service system and a civil service system in the same agency is a hydra-headed monster.

Mr. GROSS. I thank the gentleman for his explanation. We have the Defense Department. I do not know whether the gentleman would call that a hydra-headed or triple-headed monster. We have uninformed personnel in the Defense Department, we have Wage Board employees in the Defense Department, and we have Class Act employees in the Defense Department by the thousands, far more than in the State Department. I know of no request from the Defense Department for this kind of legislation.

The gentleman from Indiana [Mr. ADAIR] talks about solving all the problems in the State Department. I find no substance whatever in his assurance that by the enactment of this bill one single improvement will be made in the State Department.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I want to ask this question, if the gentleman cares to answer it: Since there is so much inefficiency, so much deadwood we hear about in the State Department, and related agencies, how many charges were filed against these incompetents and ineffectives in the last year?

Mr. ADAIR. If the gentleman will yield, too few, as I pointed out in my remarks earlier in the afternoon.

Mr. GROSS. Well, how many?

Mr. ADAIR. I do not know the exact number, but that is one of the purposes of this legislation, to make it easier to weed out these incompetent individuals.

Mr. GROSS. Yes, that is just what many of us fear, that this bill will make it too easy to eliminate people in Government.

Mr. ADAIR. If the gentleman will yield, the gentleman from Ohio—I take it we are speaking about the executive branch of the Government—as the gentleman from Ohio has just pointed out, it is not easy. It becomes a matter of very great difficulty to get people out of Government.

Mr. GROSS. If there are so many incompetents, and they are really incompetents, so much deadwood in Foggy Bottom, they can get rid of them under the Class Act.

The gentleman agrees with that, does he not? If there are so many, why have only a few charges been filed? The gentleman gives no number of charges filed or people eliminated through the process of charges for inefficiency.

Mr. ADAIR. I would say the reason more of them have not been weeded out is because that under the civil service procedures it is difficult to do so. We are trying to make it entirely reasonable and possible and at the same time safeguard the rights of the individual and yet weed out incompetents. That is exactly the point of this portion of this bill.

Mr. GROSS. The gentleman knows very well that where there is rank incompetency and rank inefficiency, employees can be removed. The gentleman knows very well that in 1963 every one of the Class Act employees in the Department of State, with one exception, was given a meritorious rating.

Mr. ADAIR. The gentleman does not know that.

Mr. GROSS. Well, that was the figure submitted to our committee.

Mr. ADAIR. The statement that the gentleman from Iowa makes applies to AID and not to the State Department.

Mr. GROSS. All right.

Mr. ADAIR. I do not have any figures on the State Department. I do know that is true of AID.

Mr. GROSS. Yes, and they are one of the agencies covered in this bill.

Mr. KREBS. Mr. Chairman, will the gentleman yield for a question?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. KREBS. Does the gentleman or anyone else have any knowledge as to how many employees in these three agencies have been denied their step increases in the last 12 months?

Mr. GROSS. I have no such information, but I assume the committee, having had the hearings they claim to have had on this bill can readily provide the answer.

Mr. KREBS. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes.

Mr. KREBS. Can anyone on the committee tell us how many employees in the last year have not received their step increases in these three agencies?

Mr. HAYS. I do not think we have that information, and I do not think it makes any difference. You do not deny anybody a step increase unless you want him trying to engage in sabotage. You know that is the situation under civil service.

Mr. GROSS. I do not know that to be the system at all, and I do not think the gentleman from New Jersey knows that.

Mr. KREBS. Actually, if they are not denied increases and if they are not discharged for incompetency I fail to see any difference.

Mr. HAYS. You know and I know you cannot discharge anybody for incompetence. Let us face that. Try it sometime.

Mr. BELCHER. Mr. Chairman, I move to strike the last word.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BELCHER. Mr. Chairman, I do not happen to be a member of the Civil Service Committee, and I am not a member of the Foreign Affairs Committee, so I have no pride here to protect. But what I would like to have is a little information. Is it any harder to get a person discharged in the Foreign Service than it is in the postal service? Are they under the same rules?

Mr. HAYS. My answer would be it is not an automatic procedure in the Foreign Service. As I explained earlier, if a man is in the lowest 10 percent of his class for 3 years, either successively or separately, he is automatically up for selection out. It is an automatic process. The top 90 stay and the bottom 10 go out. An individual may, of course, be served specific charges leading to preparation for cause as may be done in the civil service.

Mr. BELCHER. I do not think the gentleman understands the question. Under the present law is it harder to discharge a person under Foreign Service than it is in the postal service or any other civil service job?

Mr. HAYS. Not as far as civil service people are concerned.

Mr. BELCHER. Why is it necessary to apply this method of getting rid of these incompetents to just one branch of Government? If your postal clerk or postmaster or supervisor or anybody else is incompetent, it is just as important to get him out of there as to get a man out of the Foreign Service who is over in Great Britain.

Mr. THOMSON of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from Wisconsin.

Mr. THOMSON of Wisconsin. I think this question of getting rid of people is irrelevant to the matter before us. The principal reason for section 2 is to provide flexibility in the administration of our problems in foreign lands. If one part of the employees is under civil service and another part is under Foreign Service, it is a complicated matter of jurisdiction.

Mr. BELCHER. By "flexibility" you mean the opportunity of somebody to fire somebody?

Mr. HAYS. Not at all. In this particular amendment—you may make that argument later on, perhaps.

Mr. BELCHER. I am asking for information.

Mr. HAYS. In this particular amendment we are talking about the flexibility of assigning people at home and abroad. Let me say there is too much emphasis on getting rid of people. We are not really trying to get rid of them, we are trying to get them in a position so that they cannot be gotten rid of.

Mr. BELCHER. The real desire is that somebody can select people without going through the civil service channels. Is that correct?

Mr. THOMSON of Wisconsin. They will be selected on a merit examination.

Mr. BELCHER. But not under civil service?

Mr. THOMSON of Wisconsin. No; not under the civil service, but under the Foreign Service.

Mr. BELCHER. Who passes on the merits? That is what I want to know.

Mr. THOMSON of Wisconsin. The administration of the State Department passes on them.

Mr. BELCHER. That is what I thought. That is exactly the way these 5,400 poor boys got jobs in the Post Office Department this summer, under selection and under some kind of merits, recommended by the Congressmen from that congressional district. I am wondering if you are now going to establish a system—if it works as good as it did this summer—if the Foreign Relations Committee wants to establish that Foreign Service so that they can do the same thing.

Mr. HAYS. They are selected after an examination that is given under the Foreign Service entrance examinations. If the gentleman does not believe me, ask some of your constituents who have taken them—those who have passed and those who have not. It is the toughest entrance examination there is.

Mr. BELCHER. If they are going to be selected that way, then I cannot see the need for flexibility here.

Mr. GROSS. I wonder if this bill provides examinations for all personnel.

Mr. BELCHER. I do not know what it provides for. I am trying to find out what is so desirable about the State Department selecting people that they desire to send overseas and not have to pay any attention to the civil service. I know the Postmaster General would like to do that too. I know other departments that would like to do that. So if it is desirable for the Foreign Service, would it not be just as desirable for the postal service, the national defense, or any other department?

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield.

Mr. ADAIR. It certainly would not be desirable for the postal service. The postal service people are not out where policy is being made, or again as was said earlier, where decisions relating to questions of war or peace are being made. This is a completely different situation.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I am elated that there suddenly has developed a great interest in the civil service laws of the land. I might point out to the gentlemen who have so eloquently spoken in support of the civil service, I would welcome their support in getting enforcement of the laws that have been violated, this includes violations of the Hatch Act and the Corrupt Practices Act. The documentation is in the record of the FBI and the Civil Service Commission, one of the violators got in my opinion, a rather ridiculous punishment—he was promoted to a job that paid more money and that gave him more responsibility. That is a matter of record.

I might further point out in the home rule bill discharge petition that was on the desk here, under that bill Federal employees and District employees are permitted to participate in partisan city elections. We have over 200 signers of that petition, which is the beginning of the end of the civil service. I believe in the civil service. I helped to enact the laws in my own State of Minnesota setting up our civil service system. Yet we see turnstiles going around and around and Federal employees being herded through, being solicited for funds for political donations, including contributions for some Members of Congress. I believe when executive persons solicit in Federal buildings, they should be punished, but they have not been punished. We have here today witnessed a performance of declared support for the civil service laws of the land and yet many Members of Congress close their eyes while the pockets of the Federal employees are picked for partisan purposes.

I ask the help of Republicans and Democrats to see to it that the civil service laws of the land be respected and the security and integrity of the Federal employees be preserved.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, I thank the gentleman from Oklahoma for bringing up a very logical and basic argument. It seems to me, with all due respects to the chairman and other members of this subcommittee, this is against the class act itself and against the civil service itself. If it is not possible to weed out incompetents in the State Department who are civil service employees, I do not see why this is not also true in other agencies. It would seem to me the same principles apply, and that this is a challenge to the competence of the civil service system.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman.

Mr. BELCHER. I would take the position that the civil service certainly is not lily white by any means and that there are incompetents that they cannot get rid of and they have people in there that should be weeded out. I do not think the alternative is to go back to the spoils system entirely.

Apparently this is going in that direction when you say to pay no attention to the civil service. The State Department can give a very tough examination and then select the person they want to send overseas. I do not think that is an alternative to the civil service program that we have now. I certainly agree that the civil service is greatly abused.

The mere fact that civil service employees are solicited would not make it any better. I do not think there would be any less solicitation if the President got the employees.

Mr. BUCHANAN. Mr. Chairman, I support the gentleman from Montana in all three of his proposed amendments and urge their adoption by this body. By so doing we shall simply, in one amendment, guarantee to certain veterans employed by the State Department, a continuation of the same preference afforded them by every other department of Government, and in the other two amendments continue the class act benefits of civil service employees of the State Department. As has been pointed out, State is not the only Department to have both civil service and other employees. It has no unique need to eliminate class act employees from its ranks. This could, therefore, be the beginning of the end of the civil service system with its protection of the rights of people in Government service, and its function as a check and balance against the power of such executive agencies as the State Department. I urge adoption of this and the other amendments of the gentleman from Montana.

Mr. CUNNINGHAM. Mr. Chairman, there has been some talk here about not being able to get rid of incompetents. I have been on the Post Office and Civil Service Committee for 9 years. I have studied that question as well as the act we are talking about today.

There are always ways to get rid of incompetent employees. I say to the committee sponsoring this bill that if there are not sufficient tools to get rid of incompetence in the State Department, as they allege, then they are lax in their duty in not bringing us legislation to do something about it, and not to destroy the merit system, upon which so many of us have worked hard to promote, and of which we are proud. If the bill is passed, there is no question in the minds of those of us, on both sides of the aisle, who have studied the problem in depth, that we shall be on the way back to the old spoils system.

One of the speakers who is opposed to the amendment said, "This will give them more flexibility." Sure. Before we had the merit system or civil service, we had plenty of flexibility. We found out how unwise that was. That is why we have a very fine civil service system today.

Mr. HAYS. Mr. Chairman, I do not remember a time in 17 years when there has been so much heat and so little light thrown on an issue. The pending amendment has nothing to do with the merit system. It is simply an amendment which would deprive the Department of flexibility to move people in the Department around to where they can be most effectively used.

If there is any merit system in the Government at all, it seems to me that it is in the Foreign Service system which at the present moment operates under a merit system whereby the top 90 percent go on and the bottom 10 percent do not. It is exactly the same system which the Pentagon uses. One either moves up over a period of years or he moves out. We have that system in the Foreign Service officer category now. All we are trying to do is to protect it. There is plenty of protection to the people under civil service. They can stay in as long as they wish and until they retire. All we are trying to do is to be sure that people who come in at the bottom know the rules of the game. They will have to stay in the top 90 percent of their class, produce, and be effective. It is as simple as that.

The question was taken; and on a division (demanded by Mr. OLSEN of Montana) there were—ayes, 47, nays, 83.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 2, add the following new sections:

"SEC. 3. Section 201 of such Act is amended to read as follows:

"'SEC. 201. There shall be a Director General of the Service (hereafter in this Act referred to as the "Director General") who shall be appointed by the President, by and with the advice and consent of the Senate, from among Foreign Service officers in the classes of career ambassador or career minister, or in class 1.'

"SEC. 4. Section 211 of such Act is amended to read as follows:

"'SEC. 211. There is hereby established the Board of the Foreign Service to be composed of the Secretary of State or an officer of the Department designated by him, who shall be Chairman; the Chairman of the Civil Service Commission; and such other members as the President may designate, including representatives of those Government agencies determined by him to be substantially engaged in foreign affairs programs and activities and utilizing the foreign affairs personnel system. The Board shall perform the functions prescribed by section 637 of this Act and such other functions as the President may prescribe. The membership of the Board shall consist of not less than seven members and, for the purpose of performing the functions prescribed by section 637 of this Act, at least one more than one-half of the then current total membership of the Board shall constitute a quorum for such purpose.'

"SEC. 5. Section 212 of such Act is amended to read as follows:

"'SEC. 212. (a) There is hereby established the Board of Examiners for the Foreign Service the membership of which shall be determined by the Secretary and shall include representatives of those Government agencies determined by him to be substantially engaged in foreign affairs programs and activities and utilizing the foreign affairs personnel system. Not more than one-half of the membership of the Board of Examiners for the Foreign Service shall consist of Foreign Service officers.

"'(b) The Board of Examiners for the Foreign Service shall, in accordance with regulations prescribed by the Secretary, make recommendations to the Secretary concerning (1) means for attracting persons of the highest caliber into the Service, (2) standards for the examination and appointment of such persons, and (3) such procedures as may be necessary to determine the loyalty of such persons to the United States and their attachment to the principles of the Constitution. The Board of Examiners for the Foreign Service shall perform such other functions and duties as the Secretary may prescribe.'"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. Section 401(3) of such Act is amended to read as follows:

"(3) Foreign Affairs officers who shall be appointed under section 522(a); Foreign Service Reserve officers, who shall be appointed or assigned under section 522(b);".

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 1, strike out "SEC. 3" and insert in lieu thereof "SEC. 6".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 3, immediately after "(3)" insert: "Foreign Affairs officers who shall be appointed under section 522(a);"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 5, immediately after "522" and before the semicolon insert "(b)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. Section 415(b) of such Act is amended by striking out all that follows "by this section," and inserting in lieu thereof "and he may, as appropriate, establish rates for wage board positions.".

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 6, strike out "SEC. 4" and insert in lieu thereof "SEC. 7".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. Section 421 of such Act is amended—

(1) by striking out "any Foreign Service officer" and inserting in lieu thereof "any officer of the Service"; and

(2) by striking out "as Foreign Service officer" and inserting in lieu thereof "as an officer of the Service".

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 10, strike out "SEC. 5" and insert in lieu thereof "SEC. 8".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

SEC. 9. Section 422 of such Act is amended—

(1) by striking out "Foreign Service officer or any consul or vice consul who is not a Foreign Service officer" and inserting in lieu thereof "officer of the Service"; and

(2) by striking out "Foreign Service officer or consul or vice consul" and inserting in lieu thereof "an officer of the Service".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. Section 441 of such Act is amended—

(1) by striking out "(a)";

(2) by striking out "at posts abroad"; and

(3) by striking out paragraph (b).

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 1, strike out "SEC. 6" and insert in lieu thereof "SEC. 10".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. Immediately preceding section 444 of such Act, add the following new section:

"SEC. 443. The Secretary may establish rates of salary differential, not exceeding 15 per centum of basic salary, for officers or employees of the Service while they are performing duties abroad requiring frequent travel under unusually hazardous conditions."

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 5, strike out "SEC. 7" and insert in lieu thereof "SEC. 11".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, lines 10 and 11, strike out "under unusually hazardous conditions" and insert in lieu thereof "into hardship areas".

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, line 12, section 516(b) of such act is amended by inserting "or 6" immediately after "class 7".

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 12, strike out "SEC. 8." and insert in lieu thereof "SEC. 12. (a)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, after line 13, insert the following new subsection:

"(b) Section 517 of such Act is amended—

"(1) by striking out 'four years' and inserting in lieu thereof 'three years', and

"(2) by striking out in the first sentence all that follows 'if he has' and inserting in lieu thereof 'so served one year, he shall be eligible for appointment to class 6 or 7.'."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 9. Section 522 of such Act is amended to read as follows:

"SEC. 522. (a) The Secretary may on the basis of merit and fitness appoint citizens of the United States as Reserve officers without time limitation, for temporary or limited service, or for such other period of service as he may deem necessary, and may establish appropriate probationary periods for such newly appointed officers.

"(b) The Secretary may, with the consent of the head of the Government agency concerned, assign as a Reserve officer for such periods as he may deem necessary a person regularly employed in any Government agency."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 5, line 21, strike out "SEC. 9" and insert in lieu thereof "SEC. 13".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Strike out line 23 and all that follows down through page 6, line 3, and insert in lieu thereof the following:

"SEC. 522. (a) Under such regulations as the President may prescribe, persons who have been citizens of the United States for at least five years may, subject to the provisions of subsection (c) of this section, be appointed as Foreign Affairs officers without time limitation—

"(1) to classes 1, 2, and 3 by the President, by and with the advice and consent of the Senate, or

"(2) to classes 4, 5, 6, 7, and 8 by the President alone or by the Secretary when directed by the President.

The Secretary may establish appropriate probationary periods for such officers. Except as otherwise determined by the President, all provisions of this or any other law applicable to Foreign Service Reserve officers are hereby extended to and shall be applicable to Foreign Affairs officers."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 6, strike out lines 18 through 21, and insert in lieu thereof the following:

"(b) Persons who have been citizens of the United States for at least five years may, subject to the provisions of subsection (c) of this section, be appointed by the Secretary as Reserve officers for temporary or limited service, or for such other periods of service as he may deem necessary. The Secretary may, with the consent of the head of the Government agency concerned, assign as a Reserve officer for such periods as he may deem necessary a person regularly employed in any Government agency.

"(c) No person shall be eligible for appointment under subsection (a), or under the first sentence of subsection (b), of this section unless he has passed such comprehensive mental and physical examinations as the Board of Examiners for the Foreign Service may prescribe to determine his fitness and aptitude for the work of the Service."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. Section 523 of such Act is amended to read as follows:

"SEC. 523. The class to which a Reserve officer is appointed or assigned shall depend on his age, qualifications, and experience. A Reserve officer appointed or assigned for worldwide service may be transferred from one post to another as the interest of the Service may require."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 7, line 12, strike out "SEC. 10" and insert in lieu thereof "SEC. 14".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 14, strike out "a Reserve" and insert in lieu thereof "an".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 16, strike out "A Reserve" and insert in lieu thereof "Any such".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. Section 527 of such Act is hereby repealed.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 7, line 19, strike out "SEC. 11" and insert in lieu therein "SEC. 15".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 19, strike out "is" and insert in lieu thereof "and the heading thereto are".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 16. Section 533 of such Act is amended to read as follows:

"SEC. 533. Whenever the Secretary shall deem it in the interest of the Service that a staff officer shall serve in a diplomatic or consular capacity, he may recommend to the President that such officer be commissioned as a diplomatic or consular officer or both. The President may, by and with the advice and consent of the Senate, commission such officer as a diplomatic or consular officer or both, and all official acts of such an officer while serving under a diplomatic or consular commission shall be performed under his commission as a diplomatic or consular officer."

SEC. 17. Section 534 of such Act is amended to read as follows:

"SEC. 534. No person shall be eligible for appointment as staff officer or employee who has not been a citizen of the United States for at least five years at the time of his appointment. The Secretary may, in individual cases, waive the five-year citizenship requirement of this section, but no person shall be eligible for appointment as staff officer or employee who is not a citizen of the United States at the time of his appointment."

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, after line 20, add the following new sections:

"SEC. 16. Section 533 of such Act is amended to read as follows:

" 'SEC. 533. Whenever the Secretary shall deem it in the interest of the Service that a staff officer shall serve in a diplomatic or consular capacity, he may recommend to the President that such officer be commissioned as a diplomatic or consular officer or both. The President may, by and with the advice and consent of the Senate, commission such officer as a diplomatic or consular officer or both, and all official acts of such an officer while serving under a diplomatic or consular commission shall be performed under his commission as a diplomatic or consular officer.'

"SEC. 17. Section 534 of such Act is amended to read as follows:

" 'SEC. 534. No person shall be eligible for appointment as staff officer or employee who has not been a citizen of the United States for at least five years at the time of his appointment. The Secretary may, in individual cases, waive the five-year citizenship requirement of this section, but no person shall be eligible for appointment as staff officer or employee who is not a citizen of the United States at the time of his appointment.' "

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. (a) Section 571(a) of such Act is amended by inserting a period immediately after "body" and striking out the remainder of such section.

(b) Section 571(b) of such Act is amended—

(1) by inserting "or if such officer is assigned to a position the salary of which is established under the Federal Executive Salary Schedule," immediately after "international body,"; and

(2) by striking out the last sentence.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 8, line 18, strike out "SEC. 12" and insert in lieu thereof "SEC. 18".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 13. Section 573 of such Act is amended to read as follows:

"SEC. 573. The Secretary may assign or detail any officer or employee of the Service to or in cooperation with (1) educational or nonprofit institutions, or with (2) trade, labor, commercial, or other organizations. Reimbursements or advances of funds may be made to applicable appropriations when received from any such institution or organization for all or any part of the salary and expenses of any officer or employee and his dependents during such assignment or detail. The Secretary may authorize such officer or employee to accept quarters, travel, and other expenses from the institution or organization."

The Clerk will report the committee amendment.

The Clerk read as follows:

Page 9, line 2, strike out "SEC. 13" and insert in lieu thereof "SEC. 19".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 6, immediately before "educational" insert "(1)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 6, strike out "or with" and insert in lieu thereof "(2)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 7, immediately after "organizations" and before the period insert: ", and (3) any office or agency in or under the legislative branch of the Government".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 15, strike out "the" and insert "such".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 14. Section 633 of such Act is amended to read as follows:

"SEC. 633. The Secretary may by regulation prescribe (1) the manner in which the standard of performance required of officers or employees of the Service is determined, and (2) the maximum period during which officers or employees are permitted to remain in each class without promotion. Any officer or employee who fails to meet the required standard of performance or who is not promoted within the prescribed period may, without regard to section 637, be separated and receive benefits under section 634."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 9, line 17, strike out "SEC. 14" and insert in lieu thereof "SEC. 20".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 21, immediately after "Service" insert "below the class of career ambassador".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 23, immediately before "officers" insert "such".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 9, line 24, immediately before "officer" insert "such".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 15. (a) Section 634(a) of such Act is amended to read as follows:

"(a) Any Foreign Service officer in class 1, 2, or 3, or any staff officer in class 1, who is a participant in the Foreign Service Retirement and Disability System, who is separated under section 633 shall receive benefits under section 821."

(b) Section 634(b) of such Act is amended—

(1) by inserting immediately after "or 7" the following: ", or any staff officer in class 2, 3, 4, 5, or 6, who is a participant in the System";

(2) by striking out "from the Foreign Service Retirement and Disability Fund," in subparagraph (1); and

(3) by striking out the second and third sentences of subparagraph (2) and inserting in lieu thereof the following: "If such officer dies before reaching age sixty, his death shall be considered a death in service within the meaning of section 832.".

(c) Section 634(c) of such Act is amended to read as follows:

"(c) Any Reserve officer, or any staff officer or employee who is not a participant in the System, who is separated under section 633 may be granted benefits under section 634 (b)(1).".

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 10, line 5, strike "SEC. 15" and insert "SEC. 21".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 7, after "officer" insert "or Foreign Affairs officer".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 8, strike "class 1" and insert "class 1,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 10, strike out "System," and insert "system and".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, after line 12, insert "(1) by inserting immediately after 'Foreign Service officer' the phrase 'or Foreign Affairs officer';".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committtee amendment.

The Clerk read as follows:

Line 15, strike out "(1)" and insert "(2)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 16, strike out "or 6", and insert "or 6".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 17, strike out "System" and insert "System and".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 18, strike out "(2)" and insert "(3)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Line 21, strike out "(3)" and insert "(4)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 3, strike "Reserve officer, or any staff".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 4, strike out "System" and insert "System and".

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 16. Section 635 of such Act is amended by striking out "class 7 who is appointed" and inserting in lieu thereof "class 6 or 7 who is appointed to such class".

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 11, line 7, strike out "SEC. 16." and insert "SEC. 22.".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, after line 10, insert the following:

"SEC. 23. Section 637(a) is amended by inserting immediately after the first sentence thereof the following: 'Any request for such hearing shall be made by such officer or employee within 30 days after receipt by him of written notice of such proposed separation, and the Board of the Foreign Service shall hold such hearing and render its decision within 120 days after the receipt of such request for a hearing; except that the Secretary may, under such regulations as he may prescribe, grant one extension (not to exceed 60 days) of such 120-day period upon written request from the Board of the Foreign Service or from the officer or employee concerned, for good cause shown by the requesting party.'"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 17. Immediately after section 663 of such Act add the following new section:

"SEC. 664. The Secretary may, under such terms and conditions as he deems appropriate, compensate any alien employee who is or has been imprisoned by a foreign government as a result of his employment by the United States, and may utilize for such purpose any authority of the Missing Persons Act, as amended (50 App. U.S.C. 1001 et seq.). Any such imprisonment may be considered for purposes of all other employee benefits to be a period of employment by the United States."

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 11, line 23, strike out "Sec. 17." and insert "Sec. 24".

The committee amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know there has been some discussion of section 24, but I take this time to ask the chairman of the committee in view of the permissive language in section 24 if it is not the intent of the committee that the Missing Persons Act governs the effectiveness of this particular section.

Mr. HAYS. I would say to the gentleman that is correct insofar as it is legally applicable.

Mr. GROSS. I understand that. But this is permissive language in this section. I think I would have offered an amendment to it but you have written in the Missing Persons Act and I would like the record to show that it is the intent of the committee that insofar as the Missing Persons Act can be made to apply, it will govern.

Mr. HAYS. Exactly, that is the intent.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 18. Section 803(a)(1) of such Act is amended to read as follows:

"(1) All Foreign Service officers, or former Foreign Service officers appointed as Reserve officers or as staff officers or employees without a break in service in excess of three calendar days;".

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 12, strike out lines 9 through 14, and insert in lieu thereof the following:

"Sec. 25. (a) Section 803 of such Act is amended by adding at the end thereof the following new subsections:

"'(d)(1) In accordance with such regulations as the President may prescribe—

"'(A) any person transferred to the Service under section 29 of the Foreign Service Act Amendments of 1965 as a Foreign Affairs officer or as a Foreign Service staff officer or employee;

"'(B) any person appointed as a Foreign Service staff officer or employee of the Department of State, the Agency for International Development, or the United States Information Agency, before the date of enactment of the Foreign Service Act Amendments of 1965; and

"'(C) any person appointed for worldwide service as a Foreign Affairs officer or as a Foreign Service staff officer or employee of the Department of State, the Agency for International Development, or the United States Information Agency, on or after the date of enactment of the Foreign Service Act Amendments of 1965;

shall become a participant in the system upon the completion of at least ten years of continuous service (exclusive of military service) as an officer or employee of the Department of State, the Agency for International Development, or the United States Information Agency and shall make a special contribution to the Fund in accordance with provisions of section 852.

"'(2) Any officer or employee who, under the provisions of paragraph (1) of this subsection, becomes a participant in the System, shall be mandatorily retired for age during the first year after he becomes a participant if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one; and thereafter at age sixty.

"'(3) Any officer or employee who becomes a participant in the System under the provisions of subparagraph (A) of paragraph (1) of this subsection, who is age fifty-seven or over when he becomes a participant, may retire voluntarily at any time before mandatory retirement under paragraph (2) of this subsection and receive retirement benefits under section 821.

"'(e) Any participant who is appointed as a Foreign Affairs officer or as a staff officer or employee without a break in service in excess of three calendar days shall remain a participant.'

"(b) The amendment made by subsection (a) of this section shall become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Affairs officer or Foreign Service staff officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under the amendment made by subsection (a) may elect to become a participant effective on the first day of the second month following the date of his application for earlier participation.

"(c) Section 803(c) of such Act is repealed effective as of November 1, 1967."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 19 Section 911 of such Act is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that such expenses are incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families".

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 14, line 23, strike out "Sec. 19" and insert "Sec. 26".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 15, line 5, after the word "that" insert "extraordinary conditions, or circumstances involving personal hardship, warrant the payment of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 15, line 7, strike out "are".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 20. Section 921 of such Act is amended by adding at the end thereof the following new paragraph:

"(d) Notwithstanding the provisions of any other law, assets derived after January 1, 1950, from any non-Government-operated commissary, mess service, or recreational facility abroad, through termination or otherwise, may be established as a working fund. Such fund may be used by the Secretary, without fiscal year limitation, for the purposes of this section."

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 15, line 11, strike out "Sec. 20" and insert in lieu thereof "Sec. 27".

The CHAIRMAN. Without objection, the committee amendment is agreed to.

The Clerk will read.

The Clerk read as follows:

Sec. 21. Immediately after section 943 of such Act add the following new sections:

"Sec. 944. The Secretary is authorized to continue medical services under part E of this title beyond the date of death or separation of an officer or employee.

"Sec. 945. Without regard to the provisions of any other law, the Secretary may provide for cooperation in, or interchange of, medical and related services and property abroad between the United States Government and foreign governments or international organizations under such terms and conditions as he deems appropriate. Any funds received under such arrangements may be used for direct expenditure or for reimbursement of applicable appropriations."

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 15, line 20, strike out "Sec. 21" and insert in lieu thereof "Sec. 28".

The CHAIRMAN. Without objection, the committee amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 22, strike out "The" and insert in lieu thereof "Under such regulations as he may prescribe, the"

The CHAIRMAN. Without objection, the committee amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 15, line 23, strike out "continue" and insert in lieu thereof "provide".

The CHAIRMAN. Without objection, the amendment is agreed to.

The Clerk will read.

The Clerk read as follows:

Sec. 22. The President is authorized, without regard to the provisions of this or any other law, to provide for the transfer, within three years after the date of enactment of this section, of all personnel (except officers compensated in accordance with the Federal Executive Salary Schedule) in or under the Department, the Agency for International Development, and the United States Information Agency, and such personnel as he may designate of other Government agencies who are engaged in foreign affairs functions, to an appropriate class in the Foreign Service Reserve or Foreign Service staff. Each officer or employee so transferred shall receive basic compensation at the rate of his class determined to be appropriate by the Secretary, except that the rate of basic compensation received by any officer or employee immediately prior to the effective date of transfer shall not be reduced by the provisions of this section.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

> Page 16, line 12, strike out "SEC. 22" and insert in lieu thereof "SEC. 29".

The **CHAIRMAN.** Without objection, the amendment is agreed to.

The **CHAIRMAN.** The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 16, beginning in line 14, strike out: "transfer, within three years after the date of enactment of this section, of all personnel" and insert in lieu thereof "transfer of all officers and employees".

The **CHAIRMAN.** Without objection, the committee amendment is agreed to.

The Clerk will report the next committee amendment.

> Page 16, line 17, strike out "in or under" and insert in lieu thereof "of".

The **CHAIRMAN.** Without objection, the committee amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 16, line 18, immediately after "Department" and before the comma insert "of State".

The **CHAIRMAN.** Without objection, the amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 16, line 19, immediately after 'Agency", insert "without examination,".

The **CHAIRMAN.** Without objection, the amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 16, beginning in line 20, strike out "and such personnel as he may designate of other Government agencies who are engaged in foreign affairs functions, to an appropriate class in the Foreign Service Reserve or Foreign Service staff" and insert in lieu thereof, "to appropriate classes under the Foreign Service Act of 1946, as amended, as Foreign Affairs officers, Reserve officers, or staff officers or employees; except that no officer or employee shall, without his written consent, be transferred under this section".

The **CHAIRMAN.** Without objection, the amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 17, line 3, strike out "so transferred" and insert in lieu thereof "who transfers under this section".

The **CHAIRMAN.** Without objection, the committee amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 17, after line 8, add the following new sentence: "No officer or employee who transfers under this section shall be assigned outside the United States without his written consent."

The **CHAIRMAN.** Without objection, the committee amendment is agreed to.

AMENDMENT OFFERED BY MR. OLSEN OF MONTANA

Mr. **OLSEN** of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> On page 16, beginning at line 12, strike out all of section 29.

Mr. **OLSEN** of Montana. Mr. Chairman, in the earlier part of this bill the Foreign Service obtained its flexibility, that is, it obtained the authority to transfer officers or civilians in or out of the United States from the U.S. bases to foreign bases or back. They had that flexibility under the act the way it is now. However, when we get to this section here, they are asking for authority to transfer civil servants from their civil service status into Foreign Service status. It is true that those who are presently in service cannot be transferred unless they are willing to do so. However, the jobs when gone will be forever gone as civil service jobs and will be Foreign Service jobs. It is the principle, of course, to which I object, that here an agency is going to pull out entirely from the Civil Service Act and have their own merit system as distinct from the general merit system of the Government. If that system were to be followed and taken up by each agency in the Government of the United States, we could have 60 or 65 different merit systems. I do not think we want that kind of duplication of merit systems. It is true this would be the first one.

One other thing that is in this particular section of the bill is that these people who are transferred out of civil service into the Foreign Service lose in addition all civil service protection and go into a different merit system. They also lose all of their veteran's preference rights. They are forever gone, too.

This amendment and one which I will offer a little later both have to do specifically with the complete elimination of civil service and veterans' preference. In this section it is only inferentially done in that you say people are being transferred out of civil service status and into Foreign Service status, but in the next amendment they spell it out specifically that the Classification Act is repealed insofar as these people are concerned and the Veterans' Preference Act is repealed insofar as all of these people are concerned.

So this amendment is equally as important as the next one I will offer in that by my amendment we would retain civil service status for these people and we would retain their veterans' preference rights and there would be no transferring them even with their consent nor, indeed, would there be a transfer of their jobs during the lives of these people in this Department.

I think it is very highly important that the civil service rights of people be protected and that their veterans' preference rights be protected. It is by this amendment that we would retain those rights for these people.

Mr. Chairman, I now yield to the gentleman from New Jersey [Mr. KREBS].

Mr. **KREBS.** Mr. Chairman, I thank the gentleman for yielding.

I wish to be associated with his amendment and urge its adoption.

Mr. **OLSEN** of Montana. Mr. Chairman, now I want to say something about the selection-out system. Under the civil service system today, by making charges and proving them people can be discharged from employment, but in the Foreign Service they want a bigger advantage than that. They want selection out where they can wash out the lower 10 percent, so-called, simply because they are placed in the lower 10 percent by someone who is grading them. There is not the benefit of knowing the charge or who makes the charge. There is not the opportunity to defend one's self against the specific charge made. That is the trouble with the selection-out system. This system is not necessarily a merit system at all.

It is a new method of firing people. I think it has some serious wrong in it in that it would encourage the subordinate to curry the favor of his superior so that he will tend to agree with his superior instead of giving his superior an independent judgment.

The **CHAIRMAN.** The time of the gentleman from Montana [Mr. OLSEN] has expired.

Mr. **HAYS.** Mr. Chairman, I rise in opposition to the amendment.

The gentleman has commendable zeal in wanting to protect civil service employees, but he is taking the position in his amendment that he knows better than the civil service employee himself. He wants to protect the civil service employee from the right voluntarily to transfer to the Foreign Service. We wrote language in here, all of the members of the minority and majority concurring, on page 17, line 9:

> No officer or employee who transfers under this section shall be assigned outside the United States without his written consent.

The substance of the gentleman's amendment would be to take away from these people the right to transfer if they want to. They do not have to transfer. They may stay in there for the rest of their career in government until they are age 70, if they wish. But if they want to transfer to the Foreign Service, if they want to be eligible to serve abroad, this section gives them that privilege.

I would say that it has nothing to do with veterans' preference. Nobody is giving up anything here unless he gives it up voluntarily.

Mr. **MAILLIARD.** Mr. Chairman, will the gentleman yield?

Mr. **HAYS.** I yield to the gentleman.

Mr. **MAILLIARD.** The effect of this amendment would go even further than that. I presume today that a civil servant, could transfer; he could become a Foreign Service Reserve Officer or perhaps even qualify for the Foreign Service itself if he wanted to do so under existing law.

Mr. **HAYS.** Under an examination.

Mr. **MAILLIARD.** That is right. But what this does is to permit him to do so with the guarantee that he will not be employed at a lower salary, and with other protections which he does not have under existing law. If there is anything that discriminates against present civil service employees in the Department of State, this amendment would discriminate against him.

Mr. **HAYS.** There is no question about it. Further than that, the gentleman says that we are asking for a new system. We are not asking for any new system. The Foreign Service Officer system exists now. The selection-out system exists now. The funny part of it is that not one person down in the Department has written to me, either signing his name or anonymously, saying that he is against this—not one civil servant.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield.

Mr. DENT. This last statement by the gentleman saying that if this amendment is accepted they could not dismiss, could not demote, could not transfer a civil service employee—I doubt if there is any employer in the United States who would give that kind of contract under a union contract. We are trying to hold civil service up as a sacred cow and it is not. What we have done in most instances is we have taken the spoils system out of political control and turned it over to individual control.

The greater percentage of our civil service appointments, above the lower grades, are made by the civil service employees themselves. They are the ones who know about the vacancies. They get their friends, their relatives, admitted into the civil service system and you cannot oust them with any kind of barrage less than an atom bomb.

Every person in this Congress knows that you get the worst kind of service for your constituents from those who are imbedded into the system. You cannot get answers to questions that constituents ask you in the normal run of your office. They get caught into the system and all they work for is advancement to a higher grade and retirement. They know as much about running the U.S. Government on the basis of service as a couple of schoolboys. Everybody knows that. Everyone knows that in civil service as it is now run it is a personal patronage operation for the civil service fellows that are in the office.

Mr. HAYS. I thank the gentleman from Pennsylvania for his contribution and say that this committee does not necessarily associate itself with all the views of the speaker.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from North Carolina.

Mr. HENDERSON. I have been very impressed this afternoon with the manner in which the chairman of the subcommittee and the other members of the subcommittee have tried to attempt to afford the civil service employees the protection of making a choice. For the legislative RECORD I would like for it to be just as clear as it can be made at this point that the Members of the House in affording this language simply want them to have the freedom of choice and that we do not, as many of us are suspicious, expect this department or any of these agencies to harass or intimidate the employees or to pressure them to make a choice in favor of a transfer, when the language is as clear as I think it is.

The **CHAIRMAN.** The time of the gentleman from Ohio has expired.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. That is exactly the intent of the committee and I want to say further to the gentleman that there has never been a case of that kind brought to the attention of the chairman of this subcommittee since I have been the chairman that has not been thoroughly investigated. As I said earlier, there is no department that has a subcommittee looking down its neck more strongly than this subcommittee is looking down the neck of the State Department. We will not stand for it. All they have to do is to bring it to our attention.

There has been some talk about this person or that person having been mistreated, but they have never appealed to this subcommittee chairman.

I have had two cases of selection out brought to my attention by Members of the House and I reviewed them. I asked the State Department for the file. I looked at the file and in both cases I thought they had gone too far and I told them they ought to give them another chance, and they did. That is the kind of protection they have.

Mr. Chairman, someone said, "You have no right to face your accuser." Every one of these reports, annual reports, must be shown to the man about whom it is made by the man who makes it and signed by him. They do know. These reports are made by many different people all over the world. The individual is evaluated in comparison with all others in this class. On this basis it is determined whether he should be recommended for promotion or fall into the low 10 percent of his class. Once he is in there, he is warned. He knows it and he can improve.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield further?

Mr. HAYS. I yield further to the gentleman from North Carolina.

Mr. HENDERSON. As the bill was sent up to your committee, it is obvious that the agencies involved here wanted the authority to transfer these employees from civil service positions into the Foreign Service.

I commend the committee for the action it has taken in behalf of the employees, and I think rightly so, fearing that when the boss wants that authority in the beginning, they do not know to whom to look for protection.

I believe the statement which the gentleman from Ohio has made is fair protection to them and, certainly, as one Member interested in the civil service system, I will call that to your attention if they are not.

Mr. HAYS. I thank the gentleman.

The **CHAIRMAN.** The time of the gentleman from Ohio has again expired.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Every commission or body that has studied this dual personnel system starting with the Hoover Commission, the Ramspeck Commission, the Herter Committee, has recommended this. This is an honest attempt by the committee to write language by which the foreign affairs agencies can improve themselves.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New Jersey.

Mr. JOELSON. With reference to the selection-out system, I have two questions:

First. Are there standards of grading those who are in the first 90 percent and then the lower 10 percent; and

Second. Is there any appeal from this classification?

Mr. HAYS. Yes. The selection boards are given precepts or instructions to guide them in the application of standards. In the case of selection out there is an administrative appeal. In separation for cause an appeal may be made to the Board of the Foreign Service. The administration did not put this in the proposed legislation, but we deliberately made the Civil Service Commission Chairman a member of the Board of the Foreign Service in order to provide some measure of reassurance to civil service personnel who may elect to enter the Foreign Service system.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am pleased to hear the interest which the gentleman from Ohio takes in the employees who have been unjustly treated in the various agencies of the Government. But I do not believe that this should be a responsibility of any subcommittee chairman, the chairman of any committee, or any one Member of Congress. The laws should be written and administered to make this a concern of all.

The protection, as best as it can be written, ought to be written into the law because the gentleman might not be here forever.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. May I say I think the gentleman is exactly right. I cited these cases to show that the Department is not trying to get rid of anybody. In most of these cases the individual came in and talked to me. In both cases they said "I have not given my best, and I would like one more chance." I did not say to the Department "You have to give him a chance." I did not have that authority. But I called in the Assistant Secretary, I went over it with him, and I said "This fellow admits he has not given his best. He wants a chance to improve his position. Do you not think it might be in the interest of the United States to give him that chance?" He said "Yes." The man is on notice that he has got to do better, and I think maybe he will, but I want to say to the gentleman he knows and I know no system which is run by human beings is going to be perfect. I do not claim this one is, and I am sure the gentleman does not claim the civil service is. But I think he will have as much protection as he has under the civil service.

Mr. GROSS. I wish I could agree with the gentleman on that last statement, but I cannot. The gentleman from Pennsylvania [Mr. Dent] a moment ago spoke of all the abuses in the civil service. No one denies that there are abuses, but there is nothing in this bill to guarantee that there will not be abuses rampant if this is enacted. When you turn over to the hierarchy in the State Department the wide-open authority provided here, without the protection such as the civil service affords, there is every reason to believe the abuses will be worse.

I would like to ask the gentleman: To whom will the civil service employee, who goes over to the Foreign Service, appeal if charges are preferred against him?

Mr. HAYS. The Board of Foreign Service.

Mr. GROSS. The truth of the matter is that you are going to compel these present class act employees, those who go into the Foreign Service, and all new employees, to take their appeals to a hand-picked board in the State Department, and to no one else?

Mr. HAYS. Let me say to the gentleman if it is as bad or will be as bad as the gentleman makes out, there will be no employees. They go in there voluntarily, they know what the rules of the game are. The Foreign Service people are all under these regulations. We have hundreds more applications than we can use. That is why they have a stiff examination, and I do not think the gentleman has to worry about them. You know, when you run for Congress, you may not get elected.

Mr. GROSS. The gentleman reminded me of that a while ago.

Mr. HAYS. I am talking about myself. Whenever any of us runs for Congress we know that the voters may select us out, but we are willing to take the chance.

Mr. GROSS. I want them to have the opportunity to appeal to what amounts to a fair and impartial jury. Under the terms of this bill it is going to be a hand-picked jury to which the employee appeals.

Mr. HAYS. No more than the civil service.

Mr. GROSS. The gentleman knows that the civil service procedures are far different from this.

Mr. HAYS. Yes, the appeals procedures are not identical.

Mr. GROSS. Especially with the veterans' preference, which you are determined to throw out.

Mr. HAYS. That comes in another amendment—that has nothing to do with this one.

Mr. GROSS. I understand that perfectly. But it does not for 1 minute change the fact that if this bill is enacted the hierarchy in the State Department will be given power that is held in no other agency or department of government.

If the civil service is as bad as the proponents of this legislation say it is then the administration and the majority leadership in Congress ought to demand that the Post Office and Civil Service Committee take action to abandon the system or correct the alleged abuses. To erode and abandon civil service in one department and two or three agencies to the exclusion of all others is incredible and I am amazed that there is no protest from President Johnson.

Mr. CUNNINGHAM. Mr. Chairman, I rise in support of the amendment and I shall not speak at length on it, but I was very distressed a few moments ago to listen to the violent and vicious attack—yes the violent and vicious attack that the gentleman from Pennsylvania [Mr. Dent] made upon our civil service system. I felt worse when he concluded his remarks and heard the hilarity and laughter on his side of the aisle. This is a reflection upon the wonderful people we have working in the Federal service. Of course, out of 2½ million you are not going to have them all perfect. But I have been around here for 9 years and I have worked with these people and the system. I have high regard for John Macy, a very dear and personal friend of mine. He is doing an excellent job. So when a Member, as the Member from Pennsylvania did, makes such a violent and vicious attack upon this wonderful civil service system, it certainly does not sit well with me and I am certain it will not sit well with the employees throughout the United States.

It was also stated that you cannot dismiss or demote these people in the State Department foreign service. This is not so. They can be demoted and they can be dismissed. It would be ridiculous if it were any other way. I might say too, I believe the gentleman from Ohio [Mr. Hays] mentioned favorably the Ramspeck report. I do not have too much regard for that. He is the one who just recommended or who has recently recommended that the Post Office Department increase the postage rates for all religious newspapers in this country and I think all of you have received letters as a result of that report.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. HAYS. I would just like to correct one statement which I am sure the gentleman makes inadvertently.

The people under the Foreign Service cannot be demoted. They have rank in their position and once they attain that, you cannot demote a fellow to humiliate him or for any other reason just as you cannot under the civil service.

Mr. CUNNINGHAM. I thank the gentleman.

I made note of one of the speakers on your side who is opposed to the amendment. He made the statement that you could not dismiss or demote them and I accepted the gentleman's statement.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman who made the vicious attack on the civil service system.

Mr. DENT. You know, once when I was a boy my father told me, "Beware of a man who tries to climb a ladder on your shoulders." If you want to get in good with the civil service boys by saying that I made an attack on them and that you are their great defender, all I can say to you is that you had better get a broader sword and a larger shield.

The civil service people have known me for 33 years in and out of legislative halls. I have defended them when they have been right and I fight them when they are wrong. I say to you, and I repeat, it was not a vicious attack. If you know what viciousness is, you ought to hear me talk when I have something to talk that way about.

Mr. CUNNINGHAM. I just hope the gentleman will leave his remarks in the Record and let the record speak for itself.

Mr. DENT. Mr. Chairman, I move to strike out the necessary number of words.

The **CHAIRMAN.** The gentleman from Pennsylvania is recognized.

Mr. HAYS. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. DENT. I yield to the gentleman.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 5 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DENT. Mr. Chairman, I want first to advise the gentleman that in 33 years I have never changed a record of any word I have ever said on the floor of any legislative body. It was the greatest surprise to me when I came to the Congress to find that a Member can say something on this floor, and then when you read the Record it is entirely different from what was said. I do not change my words. I want to add, though, since I have the time—and I defy the gentleman to deny this statement—there are less family units—less family units in the total number of employees under civil service than any other group of employees in the United States of America. That is what I said in my earlier remarks. I am not talking about the little civil service fellow, the pick-and-shovel civil service fellow. I am talking about the vast majority of civil servants who never took an examination of any kind. They have been railroaded into the civil service and sealed into the civil service. If the gentleman does not know that, he is lacking in his knowledge of what he is talking about on the floor.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I am glad that the gentleman is softening his remarks that he made earlier.

Mr. DENT. They say something about Yale people. I do not know whether the gentleman went to Yale or not. The statement is, "You can always tell a Yale man, but you can't tell him much."

I believe that is exactly the position that the gentleman is in. I am not softening my remarks; I am adding to them. I am saying to anyone who is within hearing of my voice—and it is not easy to be out of the hearing of my voice—and to all others that this is not an attack upon the civil service system. It is upon those within the civil service. I do not know how many have had the experience I have had there. I have received letters and I have copies of letters that show that I have written the Department as long as 6 months ago. I have yet to get an answer. Have Members taken the time to go through the regulations on civil service?

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield.

Mr. HAYS. How long does it take to get an answer from the office of the average Congressman?

Mr. DENT. If I do not answer a letter within at least 2 days, I get a telephone call reversing the charges.

Go over and look. Members will find that it takes a room—and I am just guessing—to house all of the civil service regulations pertaining to employment which is 80 feet long, 12 feet high, and about 16 feet deep.

There is not a person here who can defend a person under the civil service law successfully who is being dismissed, because there is always some particular section of the regulations that can be applied. There is not a person here who can take an examination and be guaranteed to be given that particular job, because a certain amount of the civil service examination is oral and it is within the power of the person who gives it to determine who gets the job.

We hear about civil service for postmasters. Why, there are some 20 men and women who have taken postoffice examinations who were never examined. All of a sudden they got on a civil service list, being listed 1, 2, and 3. Do you know what is funny? Nine out of ten times in my district they are Republicans, and I am a Democrat. That is why you defend them.

I noticed another thing. In any political entity the minority is always for civil service, and the majority should be against it.

There was a great writer in our country who wrote a series of lectures. He is the founder of Temple University.

One of his great lectures was entitled "Acres of Diamonds." One of the things he said in his lecture on that subject which has stuck with me throughout these years is, "When a nation succumbs to the wiles of the civil service system, that nation has started down the road into oblivion."

That man was much smarter than I shall ever hope to be. He founded a great institution. I think that if you will go back through history, you will find that when the civilians of the world got to the point where all the duties of the government were in the hands of man servants, not responsible to the people, that government went into oblivion.

Civil service for the people within a certain grade is perfect. It is like a union contract for a worker. But, remember, no union contract could ever be written which would give the rights that were given civil servants. When you cover civil servants up to a certain grade, that is all right, but when you cover policymakers under civil service, you have given your Government away.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. Olsen].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 23. It is the policy of the Congress that any Chief of Mission, whenever he deems it appropriate, shall prepare and submit reports relating to the service of any officer or employee of the United States serving in the country to which the Chief of Mission is accredited.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 17, line 12, strike out "Sec. 23" and insert in lieu thereof "Sec. 30".

The CHAIRMAN. Without objection, the amendment is agreed to.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 17, beginning in line 12, strike out "It is the policy of the Congress that any" and insert in lieu thereof "Any".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 17, line 14, strike out "shall" and insert in lieu thereof "may".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 24. Existing regulations applicable to the Service shall remain in effect until revoked or rescinded, or until modified or superseded by regulations made in accordance with the provisions of this Act, unless clearly inconsistent therewith.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 17, beginning in line 17, strike out: "Sec. 24. Existing regulations applicable to the Service" and insert in lieu thereof:

"Sec. 31. Regulations of the Department of State, the Agency for International Development, and the United States Information Agency".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 25. (a) The provisions of the Civil Service Act of January 16, 1883, as amended, section 6 of the Act of August 24, 1912, as amended (5 U.S.C. 652), the Veterans' Preference Act of 1944, as amended, and the Classification Act of 1949, as amended, shall not apply to officers and employees of the Foreign Service of the United States.

(b) Section 1007 of the United States Information and Educational Exchange Act of 1948 is repealed.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 17, line 24, strike out "Sec. 25" and insert in lieu thereof "Sec. 32".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 17, line 25, immediately after "amended," insert "subsections (a) and (b) of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 18, line 2, immediately after "652" and before the parenthesis insert "(a) and (b)".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. ADAIR

Mr. ADAIR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Adair: On page 18, immediately after line 5, insert the following new subsection:

"(b) It is the policy of the Congress that, in the employment of officers and employees of the Foreign Service of the United States, preference shall be given whenever practicable to qualified individuals who, except for the provisions of subsection (a) of this section, are entitled to the benefits of the Veterans' Preference Act of 1944, as amended.

"And redesignate the following subsection accordingly."

Mr. ADAIR. Mr. Chairman, we have heard much this afternoon about the matter of the protection of veterans' preference. It has been pointed out here, I think entirely adequately, that we are entirely willing to protect veterans' rights to the fullest extent consistent with the theory and philosophy of this act. It has been made abundantly clear that the process of selection out, whether it relates to the firing of people or whether it relates to the process of selection toward promotion, in either of those instances there is an inconsistency with the full implementation of the Veterans' Preference Act. I have met with leaders of the veterans' organizations in an effort to try to work out some solution to this problem. I must say in frankness that what I propose here is not entirely satisfactory to the leaders of the veterans' organizations. I think it is as far as we can go in an effort to give additional protection beyond that initially written into the Veterans' Preference Act.

Let me call the attention of the committee to the fact that the veterans' organizations or the veterans' groups themselves have had something to say on this point. In 1963 the Secretary of State addressed the American Legion convention and invited them to send in a task force to investigate the Department of State and make recommendations. They responded to that. They appointed a commission of five men headed by a former national commander, the other four being departmental commanders.

That commission was given full and free access to the State Department. If you read their report you will see that they have nothing but good things to say about the attitude of the Department in making information available to them. Obviously, we cannot read the whole report, but let me read two brief excerpts from this report. This is the report of the commission. It was never adopted by the Legion as a whole; but it is the report of this commission.

They say in one place:

> The committee feels that an annual review, comparable to that made in the case of Foreign Service officers, should be made also in the case of all principal officers of the Department, other than the Secretary.

Let me read again:

> The Department should intensify its efforts to weed out mediocre personnel by increasing materially the number selected out on the basis of selection board evaluations.

That is what was said by this commission of the American Legion. What we are saying by this amendment, Mr. Chairman, is that whenever practicable preference shall be given to persons who, apart from the provisions of this act, would be entitled to the Veterans' Preference Act. It seems to me that by this we are preserving the philosophy and the intent of the Veterans' Preference Act.

I said earlier in the afternoon that it is certainly my feeling, and I think the feeling of all members of the subcommittee, that in this very limited curtailment of veterans' preference which we find necessary you certainly are not setting a precedent. We are rather attempting to weigh the national interests, the national well-being, against a small limitation that we place against the Veterans' Preference Act.

Therefore, Mr. Chairman, because we do go to the extent possible, because if this amendment is adopted it says that they will be given preference whenever practicable, I would urge the adoption of this amendment to the bill now before us.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I share the concern of the gentleman for the retention of the Veterans' Preference clause in the law. I would like to know how he would construe this term "whenever practicable" in the language which he has used.

For example, if you had two employees of equal ability and equal grades under test, and so forth, would you recommend in a situation like that that veterans' preference would apply?

Mr. ADAIR. There being no other questions involved, on an equal basis completely—that is the gentleman's question—my answer to the gentleman's question would be that being on an equal basis I should think that the provision "wherever practicable" should be effective and the veteran should be given consideration.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. HAYS. I agree with that. Let me suggest an example. We have two men of equal rank and equally good. They want to send a man to Greece. Neither one can speak Greek. There the veteran would have preference. But if you had two men who were otherwise equal, but one could speak Greek fluently, then I say that we would make the exception and send the man with that extra qualification, to Greece.

Mr. EDMONDSON. Mr. Chairman, I do not think that any veteran would like to see veterans' preference applied if the result were to entrench mediocrity in a job. On the other hand, I certainly think that veterans' preference should apply under the situation described by the chairman.

Mr. OLSEN of Montana. Mr. Chairman. I move to strike out the requisite number of words.

Mr. Chairman, I want to address a question to the chairman of the subcommittee. Does the Veterans' Preference Act now apply to any of the Foreign Service officers?

Mr. HAYS. No, sir; it does not.

Mr. OLSEN of Montana. And it has never?

Mr. HAYS. No.

Mr. OLSEN of Montana. The bill here actually, so far as veterans' preference is concerned, takes away from those people who presently are civil servants and have civil service status, the benefit of veterans' perference. But it does not in any way affect the veterans' preference with respect to Foreign Service officers?

Mr. HAYS. No, sir; it does not.

Mr. OLSEN of Montana. I thank the gentleman.

Mr. HAYS. It does not take it away from anybody unless he voluntarily goes into the service.

Mr. OLSEN of Montana. I understand that.

Mr. HAYS. If they are veterans now, they do not have to enter.

Mr. OLSEN of Montana. Mr. Chairman, until consideration is given to this bill civil servants in the employ of the Foreign Service, in the employ of the State Department have the benefit of veterans' preference. Henceforth after the passage of this act, it is true they do it voluntarily, but henceforth after the passage of this act a civil servant whether he be a part of the State Department or the Foreign Service system will lose veterans' preference.

Mr. Chairman, this is one thing I am sure the veterans' organizations protest most about. Here is an agency that is going to be exclusively exempt from the Veterans' Preference Act. They look upon this as the first step toward abandoning veterans' preference perhaps in other agencies.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Ohio.

Mr. HAYS. I think the gentleman and I could get an area here on which we could agree, perhaps. I do not think that any veteran or any veterans' organization should confuse this with the Adair amendment, which I am going to say the majority is willing to accept, as a diminution of veterans' preference.

I would like to say further that most of the young fellows coming in today who take the examinations are not veterans and are at the bottom of the list and know that they do not have veterans' preference. But what the proposed Adair amendment would do would be to extend this throughout the entire Foreign Service. I think whenever practicable that is taken into account. If you had a situation where there is no veterans' preference in Foreign Service Officer Corps, the Administrator will have to take it into account.

So the gentleman from Indiana says there is diminution on one hand, but there is a gain on the other. I look upon it as a practical matter, as a net gain to the veteran.

Mr. OLSEN of Montana. The gentleman from Ohio does not presume that the Foreign Service officers are going to permit veterans' preference to be practicable in that instance?

Mr. HAYS. Indeed I do.

Mr. OLSEN of Montana. They never have before.

Mr. HAYS. They never had it before, but they will have it now.

Mr. OLSEN of Montana. They could have had it before if they wanted it.

Mr. HAYS. They are Presidential appointees, subject to confirmation by the Senate.

Mr. OLSEN of Montana. In any event, it is only for those that would get such dispensation. Veterans' preference would apply to clerks and stenographers and ordinary employees who are comparable to the ordinary civil servants in other agencies of the Government.

Mr. HAYS. I think we are really tilting at windmills.

Mr. OLSEN of Montana. It has been the experience I have observed that there is always an attempt in every case to avoid veterans' preference, and I believe if there was ever a time when we should maintain the preference for veterans it is in a time such as we are experiencing right now.

I recommend most strongly to the Committee that this amendment of the gentleman from Indiana [Mr. ADAIR] be rejected and that you adopt some other amendment that will guarantee veterans' preference which I intend to offer at the appropriate time that will strike all of this section from this bill that eliminates veterans' preference and thus we will have veterans' preference remain in the status quo.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. CUNNINGHAM. Mr. Chairman, it was brought out in general debate by many of us that this amendment means nothing. It is a sort of "sense of Congress" thing. It has no force or effect.

I understand an amendment will be offered that will really do the job. So I would agree with the gentleman that this amendment should be voted down and the amendment that will be offered which will really do the job and give the veterans protection should be adopted.

Mr. HAYS. Mr. Chairman, I rise in support of the pending amendment, and wish to say that we on the majority side are willing and anxious to accept the amendment offered by the gentleman from Indiana.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New York.

Mr. FARBSTEIN. I would like for the RECORD to be explicit. In the event a question arises as to whether or not a veteran is to get preference, wherever practicable, under this amendment, is there a power of appeal if the veteran feels he is not getting all the practicable preference that is required?

Mr. HAYS. He could appeal to the Board of Examiners for the Foreign Service.

Mr. FARBSTEIN. But today, and prior to this amendment, there was no right of appeal?

Mr. HAYS. He never had any right if he was a Foreign Service officer.

Mr. FARBSTEIN. And this amendment would give him that right.

Mr. HAYS. I would say that all other things being equal they would have to take the veteran.

Mr. MORSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I congratulate the gentleman from Indiana for offering this amendment, and I congratulate the distinguished chairman of the subcommittee for accepting it. What is being accomplished by the Adair amendment is to extend, rather than to contract, the concept of veterans' rights and privileges. In earlier years I had considerable to do with veterans' affairs. In opposing this amendment you are not doing what is proper. For the first time, this amendment would permit the Foreign Service to give a service to those they are seeking to protect.

Mr. JOELSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have listened, and I think I have learned something about this matter of selection out. This selection out seems to me to be fancy State Department jargon for automatic firing.

If someone is evaluated to be in the lower 10 percent for a certain period of time, he is dismissed. I think that makes for terrible morale in the Department, and instead of people being allies on these jobs, they become competitors. If one man helps another to succeed, he may thereby put himself in the lower 10 percent.

I am not objecting to evaluation. I think there should be standards, and that if somebody fails to meet those standards, he should be relieved of his job. But I do not think that should be 10 or 15 or 20 percent. I think that makes for terrible morale. It is not only cruel to the personnel, but it creates distrust among coworkers, and I think we should think twice before extending such a system.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Ohio.

Mr. HAYS. I want to correct one impression, and that is the selection out is not automatic. The eligibility for selection out is automatic.

Mr. JOELSON. He does not have to go, but if he is in the lower 10 percent he can be fired.

Mr. HAYS. Why not? You do not want to keep everybody, even as low as 1 percent, if they are not doing their work?

Mr. JOELSON. If it is a crack organization, the lowest 10 percent might be very capable. I do not think this business of eliminating the lower 10 percent is wise. If he does not meet certain standards, get rid of him, but do not have a magic number that spells disaster.

Mr. HAYS. The gentleman is aware that the lower 40 percent in colleges, so far as the freshmen are concerned, are eliminated?

Mr. JOELSON. Yes; and I think it unwise.

Mr. HAYS. That may be right, but it is done. We are only asking for 10 percent.

Mr. FARBSTEIN. The gentleman is aware of the fact that this has to go on for 3 years; that is, he has to be in the lower 10 percent for 3 years. The fact is if he is in the lower 10 percent for 1 year, and then is higher the next year, he is not in the lower 10 percent.

Mr. JOELSON. Somebody else is and they ax him out.

Mr. FARBSTEIN. It has to be in the lower 10 percent for 3 years.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is the first real assault I know of since 1953 upon the Veterans' Preference Act. I am surprised at some of those who stood so adamantly against virtual repeal of the Veterans' Preference Act insofar as the State Department is concerned in 1953. They are nowhere to be found today defending the act. What has happened in the meantime? But I see none of them arise here today.

I say again, this amendment offered by the gentleman from Indiana is a sop and it ought to be defeated. Then the amendment that will be offered by the gentleman from Montana ought to be adopted and veterans' preference thus retained. This I say again is the first real assault on the Veterans' Preference Act in years and it must be stopped.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto cease in 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Chairman, I would just like to say in defense of the gentleman from Indiana [Mr. ADAIR] that this is not a sop. This is a good amendment. It is definitely not an assault on veterans' preference. It is for the good of America and for a better Foreign Service.

As I said before, the majority of the committee is willing to accept it and I ask that the amendment be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ADAIR].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OLSEN OF MONTANA

Mr. OLSEN of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLSEN of Montana: On page 17, beginning at line 24, strike out all of section 32.

The CHAIRMAN. The gentleman from Montana [Mr. OLSEN] is recognized in support of his amendment.

Mr. OLSEN of Montana. Mr. Chairman, this is just a repeat of the preceding issue and presents it more clearly—the question of whether or not we will preserve veterans' preference in the status quo, applying to those people who are electing to remain in civil service and who are in the State Department. Shall they retain veterans' preference? That is the point. Or shall it be a decision made by some superior as to whether or not it is practicable for veterans' preference to apply. I think the issue is clear. I think everyone here understands it.

The way the bill stands now, we would permit some superior to decide whether the veterans' preference is practicable and the way I would prevent it is to strike that section so that we would retain the status quo.

Veterans' preference does not apply to Foreign Service officers and never has. But it has always applied to a certain group of people who are the ordinary civil servants in the State Department. I think we ought to retain it not only for those who presently are there, but I think we ought to retain veterans' preference as a principle throughout Federal employment. Certainly the examination given the veterans can determine whether or not they are qualified in the first place. But having passed a passing examination—and that is the law—having passed a passing examination, I think veterans ought to have a preference.

Certainly, we have asked the veteran to take time out from his life and from his profession to serve in defense of his Nation. In taking that time out, he lets the economy and many of his fellowmen move out ahead of him in this world. I think that on returning from the service, the veterans ought to be accorded a preference in Federal employment. He ought to be afforded a preference by his fellow citizens for having made his sacrifice as a veteran by serving in a time of war, and that is the only time when veterans' preference is given to these people—because they have served in time of war.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman.

Mr. HENDERSON. I think the gentleman ought to be commended for making it crystal clear that a vote for your amendment will be a vote to tighten up and make veterans' preference applicable in this bill, and I want to commend the gentleman for offering us the opportunity to vote on this.

Much has been said today about veterans' preference in hiring, but nothing has been said with regard to the preference veterans get in a RIF when it is necessary to discharge employees.

The right of those employees who have been hired with veterans' preference would be taken away from them unless the gentleman's amendment is adopted.

Mr. OLSEN of Montana. That is very important; once any kind of curtailment of the force should occur, veterans' preference would take hold. It should. We could only be sure of its taking hold if my amendment is adopted.

Mr. HENDERSON. That is correct. By the adoption of the gentleman's amendment, we shall be sure that veterans' preference will apply to those affected.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Iowa.

Mr. GROSS. I do not believe that the gentleman has stated that the Disabled American Veterans, the Veterans of Foreign Wars, the American Legion, the Veterans of World War II, the American Veterans, and the Jewish War Veterans all support the pending amendment to preserve veterans' preference.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I wish to associate myself with the remarks of the gentleman from Montana. Those who really believe in veterans' preference should support the amendment by the gentleman from Montana [Mr. Olsen] as I shall.

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. I wish to make crystal clear that I support the amendment. I think it is well to establish once and for all that we have a very clear-cut case. A vote aye for the amendment is a vote for veterans' preference. I support the gentleman's amendment.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Kansas.

Mr. ELLSWORTH. Mr. Chairman, I rise in support of the gentleman's amendment and congratulate him for his leadership in offering the amendment. I hope that the amendment will be adopted.

Today we are considering a bill which if passed without the pending amendment would undercut the concept of veterans' preference in the personnel procedures for a large segment of the Federal Establishment.

Following the Revolutionary War, a number of Army officers were appointed to civil positions in the Federal Government—partially because they had served their country in a military capacity. From this small beginning, over the years, the principle of veterans' preference was strengthened through a series of congressional laws and executive actions. In 1944 the system was redrawn and formalized in Public Law 78-359. Why had this preference become such an established factor in Federal hiring practices? When a man is asked to defend our Government, and indeed our way of life, the career opportunities, the seniority and salary lost may never be regained. Thus, if a veteran selects a Federal career, through veterans' preference he is somewhat compensated for what he gave to defend that very Government.

I believe President Roosevelt caught the spirit of this when, upon signing the Veterans' Preference Act of 1944, he declared:

> It is absolutely impossible to take millions of our young men out of their normal pursuits for the purposes of fighting to preserve the Nation, and then expect them to resume their normal activities without having any special consideration shown them.

President Roosevelt's remarks are just as valid in 1965 as they were in 1944, yet today we are asked to wipe out veterans' preference for those who would work in our Government's foreign relations establishment. I sympathize with the administration's call for strength and flexibility in our Foreign Service, but firmly believe that strength and flexibility can be obtained without forgetting our veterans. Furthermore, if the Department of State, the U.S. Information Agency, and the Agency for International Development are allowed a special system of hiring, which ignores the veterans, to meet special needs—why not a special system to meet the special needs of the Department of Agriculture, the Department of Commerce, the Post Office Department and so on through every nook and cranny of our Federal Government?

Mr. Chairman, the Federal career system and veterans' preference have gone hand in hand throughout the history of this Nation. Today we are asked to crack the dike. Next will come the floods drowning the concept of veterans' preference.

I urge my colleagues to give serious consideration to supporting the amendment now before us.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I should like to commend the gentleman from Montana. I rise in support of the amendment and urge its adoption.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto close in 2 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HAYS. Mr. Chairman, a vote for the amendment is not at all a vote for veterans' preference any more than a vote for the Adair amendment was. In fact, as I view it, the vote for the Adair amendment was more than a vote for the pending amendment because it would require us to look at the question of veterans' preference through the whole State Department, including the Foreign Service. The present amendment requires them to look at it so far as the civil service people who are employed.

If the bill passes as it now stands with the Olsen amendment added, when the time comes when there are no civil service people, there will be no veterans' preference at all, not even when practicable or any other time.

I ask that the amendment be defeated.

The question was taken; and on a division (demanded by Mr. Olsen of Montana) there were—ayes, 65; noes, 87.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Sec. 26. Section 205 of the Annual and Sick Leave Act of 1951, as amended (5 U.S.C. 2064), is amended by adding at the end thereof the following new subsection:
>
> "(f) No leave shall be charged to the account of any officer or employee for absence not to exceed six months due to an injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad."

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

> Page 18, line 8, strike out "Sec. 26" and insert in lieu thereof "Sec. 33. (a)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 18, line 13, strike out "six months" and insert in lieu thereof "one year".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 18, after line 16, add the following new subsection:
>
> "(b) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which begins on or after January 1, 1965."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Sec. 27. Section 231 of the Overseas Differentials and Allowances Act (5 U.S.C. 3036) is amended by inserting immediately before the period at the end thereof the following: ", except that in a foreign area where there is danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum".

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

> Page 18, line 20, strike out "Sec. 27" and insert in lieu thereof "Sec. 34".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 18, line 24, immediately before "danger" insert "unusual".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 19, beginning in line 1, add the following new section:

"SEC. 35. The Act entitled 'An Act to provide certain basic authority for the Department of State,' approved August 1, 1956 (5 U.S.C. 170f–170u), is amended by inserting immediately after section 13 the following new section:

"'SEC. 14.—There is hereby established a Management Fund for the Department of State, for expenses (including equipment and those expenses authorized by the Foreign Service Act of 1946, as amended) necessary for the performance of administrative support and other reimbursable services in Washington, District of Columbia, and elsewhere in accordance with existing law. The fund shall be reimbursed or credited with advance payments from applicable appropriations and funds of the Department of State and other Federal agencies, as mutually agreed to, and receipts from other sources authorized by law, approximately equal in the aggregate to the cost of supplies furnished and services rendered. Not to exceed $1,000,000 of the total funds advanced or reimbursed during any fiscal year shall be available for use in the following fiscal year.'"

The committee amendment was agreed to.

Mr. HAYS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time to ask the gentleman from Iowa [Mr. GROSS], who I understand is going to offer a motion to recommit, if he will tell us what would be in that motion.

Mr. GROSS. The motion to recommit will be the Olsen amendment for transferability of employees, and the amendment just defeated, on veteran's preference.

Mr. HAYS. Just those two amendments?

Mr. GROSS. Yes.

Mr. HAYS. I thank the gentleman.

Mr. Chairman, in 30 seconds I would like to call the attention of the House to the fact that on page 2 of the report there is a long letter dated May 6 from the President of the United States to the Speaker of the House asking that this legislation be passed in order to strengthen the personnel capabilities of all the foreign affairs agencies of the Government. I would like to say, too, it has been pretty popular around here ever since I have been here to attack the State Department and the people in it. I was chairman of the subcommittee during part of the Eisenhower years and when I had something to say about the State Department I said it to them. I did not make any speeches in public and I did not attack them in public because this is the only State Department we have. While I do not think it is perfect, I would like to do everything I can to strengthen it and make it better. I believe this legislation will do it.

Mr. MATHIAS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Chairman, this is a bad bill. It contradicts Federal personnel practices under which thousands of dedicated civil servants have worked for many years. Worse, it could set a precedent for the gradual undermining of the objectivity of the entire merit system of employment.

The procedures developed under the civil service system are fair and feasible. Employees are hired under this system on a competitive basis, with full consideration given to their qualifications, education, and experience. They work under established and well-understood promotion procedures. Through the performance rating system, a means for objective analysis of their work is established, while the employee is assured the opportunity for review of decisions which may appear arbitrary or unfair. The Foreign Service system, with its selection out procedures, does not provide this impersonal approach and these safeguards.

It is meaningless, of course, to offer employees the chance to remain under the civil service system within the Foreign Service system. The only Federal employee who would consent to such an arrangement voluntarily is one with no thought of promotion or advancement. Happily, our civil servants are not without aspirations for improvement and merit promotion.

This bill would undermine the job status and security of many of our finest civil servants, without offering them adequate recourse. In so doing, it undermines the entire basis for our Federal civil service. This is a dangerous bill. I strongly oppose it.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MOORHEAD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6277) to amend the Foreign Service Act of 1946, as amended, and for other purposes, pursuant to House Resolution 563, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. Unqualifiedly, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill H.R. 6277 to the Committee on Foreign Affairs with instructions to report the bill back forthwith with the following amendments:

On page 16, beginning at line 12, strike out all of Section 29.

And on page 17, beginning at line 24, strike out all of Section 32.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "noes" appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-nine Members are present, a quorum.

Mr. GROSS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, it was my privilege to introduce legislation welcoming the World Conference on World Peace Through Law to Washington on September 13, 1965. I would like to take this opportunity to commend my fellow Members of the House of Representatives for their unanimous consent passage today of House Concurrent Resolution 468, companion legislation to mine, recognizing World Law Day on that date.

This Conference will bring some 2,000 of the world's leading jurists, lawyers, and legal scholars to the Nation's Capital for 1 week. Their task will be to discuss the development of legal rules and judicial systems for the maintenance of world peace.

With the conflicts in Vietnam and Kashmir continuing, such a conference can perform a vital service toward advancing the cause of international security.

By passing this resolution, Congress has carefully noted the importance of strengthening international cooperation through law and legal institutions.

TECHNICAL AMENDMENTS ACT TO THE TARIFF ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House have until Monday midnight, September 13, to file a conference report to accompany H.R. 7969, the Technical Amendments Act to the Tariff Act.

The **SPEAKER**. Is there objection to the request fo the gentleman from Arkansas?

There was no objection.

SUSPENSION OF DUTY ON SILK YARN

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House have until Monday midnight, September 13 next, to file a conference report to accompany H.R. 5768, the suspension of duty on silk yarn.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PROGRAM FOR THE BALANCE OF THE WEEK AND NEXT WEEK

Mr. **ARENDS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ARENDS**. Mr. Speaker, I have asked for this time in order to inquire of the majority leader if he would kindly advise us as to the program for the following week.

Mr. **ALBERT**. Mr. Speaker, will the distinguished Republican whip yield to me?

Mr. **ARENDS**. I yield to the distinguished majority leader from Oklahoma.

Mr. **ALBERT**. Mr. Speaker, in response to the gentleman's inquiry, we have no further legislative business this week.

Next week, the program is as follows:

On Monday there are seven 21-day resolutions. These are not necessarily listed in the order in which they may be called up.

House Resolution 478, providing for the consideration of H.R. 9460, National Foundation on the Arts and the Humanities Act of 1965.

House Resolution 536, providing for the consideration of H.R. 10281, Government Employees Salary Comparability Act.

House Resolution 534, providing for the consideration of H.R. 6183, mid-decade censuses of population, unemployment, and housing.

House Resolution 506, providing for the consideration of H.R. 10065, Equal Employment Opportunity Act of 1965.

House Resolution 499, providing for the consideration of H.R. 7371, to amend the Bank Holding Company Act of 1956.

House Resolution 531, providing for the consideration of H.R. 7372, removal of investment company exemption from the Bank Holding Act.

House Resolution 528, providing for the consideration of S. 408, study of Federal financial assitance to natural disaster victims.

I must advise the House that the bills may not necessarily come up on Monday, even if the resolutions are agreed to.

For Tuesday and the balance of the week, the following bills will be called up:

H.R. 2091, relating to the establishment of concession policies in the areas administered by National Park Service—open rule, 2 hours debate.

S. 2042, extending and amending the Price-Anderson indemnity provisions of the Atomic Energy Act of 1954, as amended—open rule, 1 hour debate, waiving points of order.

S. 1903, United Nations Participation Act amendments—open rule, 1 hour debate.

S. 2294, extension of Wheat Agreement Act—open rule, 1 hour debate.

H.R. 9460, National Foundation on the Arts and Humanities Act of 1965.

H.R. 7371, to amend the Bank Holding Company Act of 1965.

S. 2300, Omnibus rivers and harbors flood control bill.

This is subject to the usual reservations that conference reports may be brought up at any time, and that any further program will be announced later.

Mr. **ARENDS**. Why are the two bills under the 21-day resolution, that the gentleman has listed, at the bottom?

Mr. **ALBERT**. It is not expected those will be brought up on Monday, but will be brought up following consideration of the rules.

Mr. **ARENDS**. Monday, being District of Columbia Day, is not listed.

Mr. **ALBERT**. There is no request for legislation from the District of Columbia Committee.

Mr. **HOSMER**. Mr. Speaker, will the gentleman yield?

Mr. **ARENDS**. I yield to the gentleman from California.

Mr. **HOSMER**. This appears to be a rather lengthy schedule of work, and considering the season of the year maybe we ought to stick around Friday and start getting things tidied up.

Mr. **ALBERT**. I had intended to cover that in my next statement. We will almost certainly meet next Friday, and we might very well meet on Saturday of next week.

ADJOURNMENT UNTIL MONDAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, I am still in a quandry as to the schedule of bills for Monday. Does the gentleman mean we are going to take up seven bills, including the pay bill in 1 day?

Mr. **ALBERT**. We are going to take up the resolutions making consideration of the bills in order.

Mr. **GROSS**. The resolutions only?

Mr. **ALBERT**. I announced earlier that the bills themselves may not necessarily be considered on Monday.

Mr. **GROSS**. I thank the gentleman.

Mr. **HALLECK**. Mr. Speaker, reserving the right to object, if these rules are adopted, may I inquire whether or not before this session of Congress adjourns, if it ever does adjourn, all of these measures will be called up for action in the House of Representatives, or are we going through an exercise here to get some resolutions adopted?

Mr. **ALBERT**. I am unable to answer the gentleman at this time, but I will state that these rules do make in order legislation that may be called up under the rules if the committees considering the bills desire to do so, and if they are recognized for that purpose by the Speaker.

Mr. **GROSS**. One other question: Is this not a most unusual procedure?

Mr. **ALBERT**. No. This is a procedure under the rules of the House.

Mr. **GROSS**. No question about it being under the rules of the House, but is it not unusual to schedule so many resolutions on 1 day?

Mr. **ALBERT**. I would not say it was unusual. I would say we do have a pretty heavy schedule for next week.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

"THE PEOPLE CALL IT SPORT"—BOOK BY HARRY WISMER

Mr. **FOGARTY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. **FOGARTY**. Mr. Speaker, a familiar figure in Washington for several years—Harry Wismer, a coowner of the Redskins from 1950 to 1960—is still going strong. He has just completed a book about professional football called "The People Call It Sport." I have not seen the book and therefore can make no comment on it. However, I remember Mr. Wismer as one of the Nation's outstanding sports broadcasters for many years, and especially his handling of the annual golf matches sponsored by the Washington Star for the benefit of the deprived youngsters of this great city. This annual golf match, participated in by Members of Congress and the Senate, and members of the Cabinet and screen stars, raised thousands of dollars to help in this cause.

CELEBRATION OF ADMISSION DAY FOR CALIFORNIA

Mr. DYAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DYAL. Mr. Speaker, 115 years ago today California became the 31st State of the Union. Now the Bear State is first in population. Naturally, we Californians think of her as being first in many other aspects than population: in agriculture; in her natural resources; her climate; her citrus and her new aerospace technologies and her amazing Feather River water plan.

Lately our State has also been included in the social problems of this new era. Problems are not unknown to a California that weathered the gold strikes, the oil booms, the grapes of wrath era, and other difficulties.

Obviously we are going to need wisdom and understanding as well as firmness in holding to law and order to solve our problems, in both the humane as well as the legal aspects.

We love our State and we brag about her—possibly only taking second place to Texas in this regard.

This being admission day it is hoped that California and all that the name indicates; an adventuresome spirit will cause us to join with our sister States in bringing our Nation to its highest fulfillment in the destiny of mankind.

BIG GRAIN DEALERS PUSHING WHEAT TO RUSSIA HAVE FOREIGN FLAGSHIPS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Senate has begun to debate the 1965 farm bill. As we know, efforts will be made in the Senate to remove the road-block against U.S. wheat sales to Russia; namely, the requirement that at least half such wheat be hauled in American ships.

It must be brought out that only a few large U.S. grain dealers would benefit from selling wheat to Russia. Not only would these few dealers reap profits from the actual sales, but they have financial interests in foreign-flag shipping companies which would also profit from the removal of the 50 percent reserve set aside for American shippers.

For example, Continental Grain Co. of New York City, which figured prominently in the 1963 United States-Russia wheat deal, is shown as connected with the United Steamship Corp. of Panama.

Cargill, Inc., of Minneapolis, Minn., prominent in 1963 sales of U.S. wheat to Eastern European Red satellites, has shipping agent subsidiaries in Argentina, West Germany, the Netherlands, Belgium, Denmark, England, Japan, and Italy which simply rechartered foreign ships to U.S. based Cargill, Inc. shipments to Communist countries.

No wonder the powerful grain lobby wants to not only sell wheat to Russia, but ship it all aboard foreign lines.

I urge those who are concerned with upholding a strong U.S. foreign policy, and rebuilding a strong American shipping industry as well, to join in halting the sale of U.S. wheat, subsidied by the American taxpayers, to Russia and other Communist countries.

ADMISSION OF COMMUNIST CHINA INTO THE UNITED NATIONS

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, nothing disturbed me more than the recent news that a number of African and Asian countries in the United Nations have formally requested that the question of admitting Communist China to the United Nations be put on the discussion agenda.

Until 1960, the United States successfully prevented the question of Communist China's admission from being considered by the United Nations. Unfortunately, the Democratic administrations in power since 1961 have not been so skillful. Slowly but surely they have been losing the battle to keep Communist China out of the United Nations.

I hope that our new team at the United Nations will be able to reverse this trend, but I doubt it. This administration has failed completely in winning the Afro-Asian nations to support our position with respect to admitting Communist China to the United Nations. This despite the fact that Communist China is openly stirring up subversion throughout both continents. I hope that this is not the year we are to pay the price of this failure by seeing Communist China admitted to the United Nations. It would be a great blow to the strength of our position in Asia and certainly a black day for America.

THE AMERICAN RED CROSS

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, I was shocked and angered to learn that the American Red Cross is specifying imported wire in its buying orders to dealers. A manufacturer of steel wire in my district has reported to me that its Seattle, Wash., branch complained that the Red Cross specified foreign made wire for fencing to replace flood-damaged fences in the Northwest.

It is my understanding that the American National Red Cross has been supplying fence for the flood victims in the Pacific Northwest all through the spring of 1965 and in every case they have specified "import wire."

It is also my understanding they have done such a land-office business that on some orders they have even used a rubber stamp "import only" to speed up their paperwork.

Mr. Speaker, this action is indeed ill considered. It damages the U.S. balance-of-payments position. It is also the height of arrogance for an organization that exists largely on the generous donations of business firms, including steel wire companies, to spend its money on foreign goods. It is working at cross-purposes to deny the business that its operations generate to the American firms that are its financial lifeline. The American Red Cross should be all-American—including buying American. Otherwise it may find itself a financial disaster area, in need of fiscal first aid.

CHARTING THE GREAT SOCIETY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper announcement.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, there is a feature that distinguishes all of the great Presidential programs throughout our history. They have all been based on deep insight into the Nation's needs and a bold vision of its destiny.

President Johnson's Great Society program is in that tradition. It is based on the clear recognition that the continued existence of poverty in this great Nation is the biggest barrier to our economic and social progress, and that we can no longer delay in the campaign to drive it from our midst.

Achieving the Great Society will be a big job, and it will take a long time to do it, but the time to begin is now. We have the power; we have the strength; we have the will. Delay would not only be self-defeating, insofar as our aims and aspirations are concerned, but it would be inhumane and heartless, for poverty and its evil consequences need not continue to afflict a substantial minority of Americans.

It is the people of this Nation who constitute its greatest wealth. Eliminating poverty and dependency is a double investment: it gets rid of a liability—someone, who has to be carried along by other members of society—and, in its place, creates a producer who contributes his share of goods and services to the community. As the people of this Nation undertake to bring about the Great Society, we in the Congress must be vigilant in learning the dimensions of the job to be done and, even more important, knowing where to place our greatest efforts. The Joint Economic Committee will do its part in helping to navigate the course ahead.

Members of Congress have expressed their interest in the Joint Economic Committee's undertaking in this regard and so, no doubt, many members of the public are equally interested in the committee's current activities in the field of human progress. For this reason, I would like to include in the Record a brief announcement describing in somewhat more detail the current and proposed activities of the Joint Economic Committee in respect to human resources and the Great Society programs:

> Wright Patman, Democrat, of Texas, chairman of the Joint Economic Committee, today announced that the committee's Subcommittee on Economic Progress, which he also chairs, will investigate the basic economic problems that the Nation will face in achieving the Great Society.
>
> "The biggest factor in economic growth is neither natural resources nor machinery," said the Texan. "It's people. President Johnson's Great Society programs are designed to assure continued growth and prosperity of our society by stepping up the national investment in people. They are not only the ultimate consumers and beneficiaries of society; they are equally its producers.
>
> "The subcommittee's economic investigations will focus on the new Great Society developments in order that the Congress and the public can have a more precise knowledge of their scope, their mode of operation, and their effect on the economy. Such information is vitally necessary to the Congress in making wise decisions on programs intended to reduce poverty and bring about economic and social improvement."
>
> Chairman Patman indicated that one study now underway will attempt to project the course of the economy over the next 10 years and assess the economic problems that will face policymakers in that period. He cited employment, tax policy, public expenditures, and technological change as issues involving big decisions with major implications for our economic development.
>
> A second study will analyze the many Federal programs that are directly concerned with human resources, including appraisal of their effects on the economy and contribution to achievement of the objectives of the Employment Act. Mr. Patman noted that the coordination of such programs would come in for close scrutiny, particularly since the Employment Act requires that the Joint Economic Committee study means of coordinating programs to further the purposes of the act.
>
> A third subject of inquiry revealed by the chairman is the growing need for financing by State and local authorities to construct the schools, hospitals, and other public buildings needed to sustain our growth over the next decade. He pointed out that States and localities have been increasing their borrowing requirements by $12 billion a year and that their total outstanding debt is now over $90 billion. "They are more and more dependent on capital markets," he said, "and more vulnerable to interest rate increases. A community that builds a $1 million facility and borrows the money at 4 percent for 25 years, eventually has to raise $2 million—twice as much. This is the arithmetic that weighs upon many a local official."
>
> A fourth inquiry will concern itself with the problems of automation, particularly the rapid computerization of industry and commerce.
>
> The chairman said that as studies progress, hearings will be held.

INDIA AND PAKISTAN

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, we look with dismay upon the mortal struggle in which two of our friends—India and Pakistan—have become engaged. The resolution by force of their dispute will leave neither stronger, richer, happier, or more capable of meeting the needs and fulfilling the hopes of its citizens. The heads of both governments are educated and sophisticated leaders, great patriots, and deeply religious. And yet they are now engaged in a conflict which can have no happy outcome, and which, if left alone, they can only resolve by bleeding and exhaustion.

The cause of this fight lies in who shall ultimately exercise sovereignty over Kashmir, a province which has been in dispute since the partition of India, and in which the forces of India and Pakistan have been kept apart until last week by United Nations teams.

The inability of the United Nations to maintain a truce, when it does not possess overwhelming force, when two national interests collide, is inevitable. And yet short of an intervention, in this case by an alliance of major powers who are agreed upon the objective of stopping this war, it may not end without the full peacemaking potential of the United Nations being imposed upon both sides. Should efforts of the United Nations fail, and should any single major power attempt to impose a settlement by threat of force, other powers would most certainly be brought in and a disastrous enlargement of the conflict would result.

Consequently, Mr. Speaker, I believe it imperative that Members of this Chamber reaffirm their conviction that the United Nations is the proper and best medium for resolving this conflict: That we back the administration in its determination to support the United Nations and its Secretary General; that we recognize that the full moral and perhaps physical strength of the United Nations will have to be used to convince India and Pakistan that a bloody war will only perpetuate and increase the causes of the hostility.

I hope that our energies will strengthen the United Nations, and that from this crisis can be developed methods and means of quickly and peacefully resolving the conflicts which lead to wars, as well as stopping the wars themselves.

INDIA-PAKISTAN CONFLICT

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the hopes and prayers of hundreds of millions of people around the world go with the Secretary General of the United Nations, U Thant, as he travels to India and Pakistan in an effort to achieve a cease-fire and a withdrawal of all armed forces to the 1949 cease-fire line.

His visit was of course authorized by two unanimous resolutions in the United Nations Security Council.

Those individuals and groups, both in the United States and elsewhere, who believe that Communist China should replace Nationalist China in the United Nations Security Council would do well to reflect on what the situation would be today if that substitution had been made. Pakistan has so far indicated its opposition to these resolutions, and there seems to be no doubt that Communist China would have vetoed the resolutions if it had been sitting in China's chair as a permanent member of the Security Council.

Communist China's friends and admirers around the world would also do well to ponder the significance of Communist China's support of Pakistan. Obviously, this support is not based on any ideological considerations but represents nothing more than simple power politics. The fact that Communist China is an active partisan in the conflict, instead of joining with most of the rest of the world in deploring the conflict and seeking to end it, is a further proof that Communist China openly rejects the pursuit of peace, the basic premise of the United Nations Charter.

THE HUMAN INVESTMENT ACT OF 1965: A NEW APPROACH TO MEETING THE CHALLENGE OF UNEMPLOYMENT

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. Curtis] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for all Members to revise and extend their remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, America's greatest asset is its human resources. These constitute a kind of capital far more important than financial capital or physical assets, machinery, structures and equipment. In the human knowledge and human skills of our population rests a productive strength far more important than plant and equipment. We can be sure that if we were somehow to lose these physical assets the roots of our competitive economic strength would remain intact.

Thus today I and 43 other Republican Members of the House of Representatives are introducing the Human Investment Act of 1965. This measure will encourage individual firms—both small and large—to train workers to fill the need for skills that exists in our economy. It will therefore help accomplish an important social objective without the administrative expense and waste of first collecting revenues and then directing them back to the States to be used for federally financed programs, not to mention the Federal control inherent in these kinds of programs.

This badly needed legislation was originated by our able Republican colleague in the other body, Senator WINSTON L. PROUTY, who, with the help of many scholars, economists, labor experts and businessmen has produced a carefully thought out and well-drafted bill. Senator PROUTY is introducing this same measure in the Senate today.

Republicans have led in creating the philosophical framework for the national manpower training and retraining effort. We have realized that manpower development is a major means of spurring economic growth and creating needed human capital.

This Republican effort began with Operation Employment in 1961-62, a full-scale study under the aegis of the Republican Policy Committee which heard the leading authorities from all parts of the Nation on employment and unemployment. For the first time a groundwork of theory and data was laid for fully comprehending the problem of structural unemployment and the role of manpower development and training in our advanced industrial economy. I discussed many of the findings of this study in my book, published in 1962 by Duell, Sloan & Pearce, "87 Million Jobs." Much of this research and scholarship was incorporated into the Manpower Development and Training Act of 1962. No one can claim a greater and more intense concern with the welfare of the worker in our society than those of my colleagues who at that time participated in developing this body of knowledge and law.

Unfortunately, because of the manner in which it has been administered, the Manpower Development and Training Act of 1962 has not been as effective as it should have been. A more fundamental approach is thus needed. It has been proven that a substantial amount of our present unemployment is not because of too few jobs, but because a large portion of our manpower is untrained in the skills that are actually at this moment in serious demand. An estimated 2 million Americans are structurally unemployed. These structurally unemployed persons need only additional training to become employable. They constitute our most underutilized economic resource. The legislation being introduced today by Senator PROUTY in the Senate and myself and my colleagues in this body is thus a further milestone.

No element in our society is better able to train those in need of skill upgrading than American business firms. Business has recognized that a rapidly advancing technology requires continuous programs of training and retraining. It conducts formal as well as informal training during business hours or after work in plants, offices, and classrooms. Instruction is provided by skilled supervisors and other staff, or outside experts and teachers. No one else is as capable both of teaching the skills business needs and of teaching those skills well and properly.

HOW THE ACT WILL WORK

Specifically, the Human Investment Act of 1965 provides a 7-percent tax credit to employers for six types of expenses incurred in training their employees in new job skills.

This is how the maximum tax credit under the Human Investment Act of 1965 would be computed:

The maximum amount of credit that a taxpayer may claim for 1 taxable year is $25,000 plus 25 percent of his tax liability in excess of $25,000.

Example: Suppose a taxpayer has a tax liability to the Federal Government of $425,000 for a tax year. The maximum amount of credit that he could claim under the act is $25,000 plus 25 percent of the tax liability in excess of $25,000. The tax liability in excess of $25,000 is $400,000—$425,000 minus $25,000. Twenty-five percent of this $400,000 is $100,000. The maximum that could be claimed is thus $25,000 plus $100,000, or $125,000.

The taxpayer then adds up his allowable employee training expenses.

Case A: Suppose this figure amounts to $2 million. Seven percent of $2 million is $140,000. Since this is in excess of the maximum allowable—$125,000—the most the taxpayer could claim would be $125,000.

Case B: Suppose the figure for allowable training expenses is $1 million. Seven percent of $1 million is $70,000. Since this figure is less than the maximum allowable, the taxpayer would claim the full $70,000.

However, it is important to note that in both the above cases the total employee training figure—$2 million in case A and $1 million in case B—continues to be deductible as a business expense.

Many of the provisions of the bill will be explained by my colleagues during the debate.

IMPORTANCE OF HUMAN CAPITAL

Three years ago, the Congress enacted a 7-percent tax credit to spur investment in modern plant, machinery, and equipment. What the Congress failed to realize at that time is that a nation's most important kind of capital is its human capital—the skills, experience, and security of its workingmen and women.

Thus, the language of the Human Investment Act is parallel to that of the investment credit provisions of the Revenue Act of 1962, amended in 1964. The bill requires that a trainee be on an employer's payroll for at least 3 months after the completion of training—except in the case of death, disability, voluntary separation, or firing for cause. Thus, the bill helps to insure that trainees will be continued on the payroll and in the employ of the firm after being trained. This provision helps meet an often heard objection to Government-run training programs that trainees may be unable to find work even after completing training. In addition, this tax credit approach makes new Government regulations, redtape, and bureaucracy unnecessary.

THE TAX LAWS SHOULD TREAT HUMANS AS WELL AS MACHINES

Thus, we maintain that the tax laws should treat humans as at least equal to machines. In light of the rapid obsolescense of human skills and the increased need for new and more technical skills, it is imperative that we modernize our tax approach. In 1965, when a person's skills can become obsolete in his own lifetime, sometimes more than once, a constant training and retraining process is needed in order just to stand still. Our job is to create the economic framework in which business can undertake the programs of training and retraining of human capital investment that our society needs.

Mr. Speaker, I ask unanimous consent that a capsule summary and a technical explanation of the Human Investment Act of 1965 appear at this point in the RECORD.

The SPEAKER pro tempore (Mr. PATTEN). Without objection, it is so ordered.

There was no objection.

CAPSULE SUMMARY: THE HUMAN INVESTMENT ACT OF 1965

Purpose: To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Method: The act offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 7 percent of the allowable training expenses, with a maximum of $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other parts of the tax code.

ALLOWABLE EMPLOYEE TRAINING EXPENSES

1. Wages and salaries of employees who are apprentices in registered programs.

2. Wages and salaries of employees enrolled in on-the-job training projects under section 204 of the Manpower Development and Training Act of 1962.

3. Wages and salaries of employees participating in cooperative education programs involving alternate periods of work and study.

4. Tuition and course fees paid by the employer to colleges or business or trade schools for the training of employees and prospective employees.

5. Home study course fees paid by the employer to colleges or accredited correspondence schools for the training of employees and prospective employees.

6. Expenses to the taxpayer of organized group instruction, including classroom instruction, of employees and prospective employees, including instructors' salaries, books, equipment, etc., but not the salaries of trainees.

OTHER PROVISIONS

1. Allowable expenses would have to be tax deductible under section 162 of the Code, trade or business expenses.

2. To claim credit for training a given individual, that person would have to remain on the payroll for at least 3 months after completion of the training. Exceptions are made for death, disability, voluntary separation, and firing for cause.

3. The tax credit could be carried back 3 years and carried forward 5 years.

4. No credit would be allowed for the training of managerial, professional, or advanced scientific employees. The intent of the act is to encourage business to upgrade the skills of those at the bottom end of the

skill and income ladder, not middle management or professional employees.

COMMENT

The Human Investment Act is patterned closely after the investment credit provisions of the Revenue Act of 1962, which permitted a 7-percent tax credit toward investment in certain depreciable plant equipment and real property.

This bill is an attempt to meet the increasingly serious problems of structural unemployment caused by a labor force ill-fitted for existing and developing job opportunities. Its intent is to advance workers up the skill ladder, thus opening vacancies at the bottom for the presently unskilled and unemployed. Its major premise is that private business has, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand its training programs to meet this national need. Instead of undertaking training programs of its own, with all the resulting bureaucracy, inefficiency, and expense, the Government would provide a tax incentive for private industry to apply its tested techniques in this field.

TECHNICAL EXPLANATION OF HUMAN INVESTMENT ACT OF 1965

This measure is patterned after the investment credit provisions added to the tax law by the Revenue Act of 1962. It is analogous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent of the tax liability in excess of $25,000. Tax liability in this frame of reference meant the tax imposed without reference to personal holding company or accumulated earnings increments less credits against tax already provided for by law (foreign tax credits, dividend credit, tax exempt interest and retirement income credit).

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credit credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once again, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years preceding the unused credit year and carried over to the 5 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000 then that $10,000 could be carried back to 1966. If, in 1966 the credit allowed amounted to $25,000 and the top limit for that year was $30,000 only $5,000 of the $10,000 carryback could be applied to the tax year 1966. The remaining $5,000 of unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words, where a net operating loss carryback to 1968 from 1965 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1965, the loss of the credit for that year because of its excess over the top limit (which was reduced by the application of the net operating loss carryback) cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 5 tax years. This restriction eliminates the possibility that tax returns would be subject to amendment for a full 6 prior years (3 carryback years for net operating loss plus 3 carryback years for unused investment credit).

To this point the Human Investment Act and the investment credit plan of the Revenue Act of 1962 for investment in certain depreciable property are almost identical. Under the Human Investment Act credit against taxes of 7 percent is allowed instead for investment in specified training programs for employees and prospective employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carryback and carryover provisions are made and the impact of next operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1966.

The sole difference of substance between the Human Investment Act and the credit for investment in property is in the nature of the investment or expenditure for which the credit applies.

Under the Human Investment Act there are six categories of employee training expenses toward which credit may be claimed:

(1) the wages and salaries of apprentices in registered apprenticeship programs;

(2) the wages and salaries of workers enrolled in on-the-job training programs under section 204 of the Manpower Development and Training Act of 1962;

(3) wages and salaries of employees who are participating in cooperative work-study programs involving alternate periods of study and employment;

(4) tuition and course fees paid by the employer to a college or vocational, trade or business school for the training of an employee;

(5) home study course fees paid by the employer to a recognized home study school or college for the training of an employee;

(6) the expenses to the employer of organized group instruction, including classroom instruction, including the expenses for instructor's salary, books, equipment, training materials, etc.

A credit will be allowed only if—

(1) the training expenses are deductible under section 162 as trade or business expenses;

(2) employees trained are retained on the payroll for at least 3 months following the completion of training;

(3) prospective employees trained are hired upon the completion of training and kept on the payroll for at least 3 months;

(4) the training is other than that of a managerial, supervisory, professional, or advanced scientific nature.

Exceptions are made in items 2 and 3 above in cases of death, disability, voluntary separation, or firing for cause.

Finally, similar in spirit to the amendment of the investment credit provisions which appeared in the Revenue Act of 1964 and which eliminated a section requiring a reduction in the value of the property, when computing depreciation to the extent of the credit taken, the Human Investment Act in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100-percent deductible while at the same time a credit against tax in the amount of 7 percent of those expenses is fully allowed.

Mr. CURTIS. Mr. Speaker, I have a list of the sponsors of the Human Investment Act, which I should like to place in the RECORD at this point:

SPONSORS OF HUMAN INVESTMENT ACT IN THE HOUSE OF REPRESENTATIVES

THOMAS B. CURTIS, Mo.
JOHN B. ANDERSON, Ill.
JAMES F. BATTIN, Mont.
ALPHONZO BELL, Calif.
JACKSON E. BETTS, Ohio.
FRANK T. BOW, Ohio.
WILLIAM C. BROOMFIELD, Mich.
JOEL T. BROYHILL, Va.
HOWARD H. CALLAWAY, Ga.
DONALD D. CLANCY, Ohio.
DON H. CLAUSEN, Calif.
JAMES C. CLEVELAND, N.H.
HAROLD R. COLLIER, Ill.
SILVIO CONTE, Mass.
WILLIAM C. CRAMER, Fla.
BOB DOLE, Kans.
JACK EDWARDS, Ala.
ROBERT F. ELLSWORTH, Kans.
PAUL FINDLEY, Ill.
PETER FRELINGHUYSEN, N.J.
CHARLES E. GOODELL, N.Y.
JAMES R. GROVER, Jr., N.Y.
EDWARD J. GURNEY, Fla.
CRAIG HOSMER, Calif.
MELVIN R. LAIRD, Wis.
CATHERINE MAY, Wash.
ROBERT MCCLORY, Ill.
CHESTER L. MIZE, Kans.
F. BRADFORD MORSE, Mass.
ROGERS C. B. MORTON, Md.
THOMAS M. PELLY, Wash.
RICHARD H. POFF, Va.
ALBERT H. QUIE, Minn.
ED REINECKE, Calif.
DONALD RUMSFELD, Ill.
HERMAN T. SCHNEEBELI, Pa.
RICHARD S. SCHWEIKER, Pa.
JOE SKUBITZ, Kans.
ROBERT S. STAFFORD, Vt.
J. WILLIAM STANTON, Ohio.
BURT L. TALCOTT, Calif.
JAMES B. UTT, Calif.
PRENTISS WALKER, Miss.
WILLIAM B. WIDNALL, N.J.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Missouri yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I have today joined the gentleman from Missouri, who is in the well, in introducing the Human Investment Act. I would not want this opportunity to pass without telling the House that I think the gentleman from Missouri deserves a great deal of commendation from all of us for the initiative that he has shown in sponsoring this bill in the House and interesting other Members of this body to do likewise. I think it may well be one of the most, if not the most, significant pieces of legislation to be introduced in this 1st session of the 89th Congress. I congratulate the gentleman.

OUR EMPLOYMENT DILEMMA

Mr. BROOMFIELD. Mr. Speaker, one of the ironies of our Nation's employment situation is that thousands of jobs are going begging while many of our workers are unable to earn an adequate income.

In most cases, the reason is job skills. Many workers do not possess the technical knowledge nor do they have the experience to qualify for skilled and semiskilled jobs in a particular trade.

Congress in the past has instituted a number of programs to upgrade these skills for the unemployed or the unskilled.

Vocational education programs and the Manpower Retraining Act have been valuable tools in providing these skills to a limited number of workers.

But they are not enough. They can never be enough unless and until the private sector of our economy, private enterprise, is brought into full play in an attack on this problem.

That is the reason I am happy to cosponsor this Human Investment Act today. This approach provides the incentive to private enterprise to take a chance on new workers, to train them, to let them gain invaluable experience on the job at tasks which will upgrade their skills and reward them richly at the pay window.

If enacted into law, as it should be, it will provide a 7-percent tax credit to an employer who invests in certain training programs to either train new employees for responsible jobs or to retrain certain of his present employees for more demanding jobs.

The 7-percent credit would include allowable training expenses with a maximum credit of $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000.

ALLOWABLE TRAINING EXPENSES

Allowable training expenses would include: Wages and salaries of apprentices, employees in Manpower Development and Training Act on-the-job training programs and employees in cooperative education programs alternating work and study; tuition and course fees paid by the employer at colleges, business, or trade schools; home study course fees paid by the employer to colleges or accredited correspondence schools, and expenses to the employer of organized group instruction.

The provisions of this proposed new law would apply only to training for skilled and semiskilled jobs—not to the training of managerial, professional, or advanced scientific employees. It would not be, in other words, a device to provide Ph. D.'s for college graduates in managerial training.

THE NEED FOR THE ACT

How badly needed is this new act?

If the Detroit metropolitan area is at all representative of what is happening in other parts of our Nation, the answer is: Very badly indeed.

A recent article by Carl Konzelman, home editor for the Detroit News, points out that as many as 30,000 additional skilled workers are needed in the building trades in that one area alone.

Furthermore, the pinch for new workers in the building trades is actually slowing down the boom in the Detroit area and could put a damper on future prosperity for that important region.

Plant expansion is being curtailed because of a lack of skilled workers, new home deliveries are running months behind schedule, and premium overtime rates to skilled workers are driving building costs sky high.

What is happening in building in Detroit is happening in manufacturing as well, and every indication we have is that skilled labor shortages will grow more acute in the years to come.

The problem is going to have to be met head-on by those with the greatest stakes in finding a proper solution, and these are the worker and the employer.

A DANGER—RUNAWAY INFLATION

Unless an adequate and meaningful solution is found, and soon, we may find business booms turning into runaway inflation and eventually economic busts throughout our country.

I think that the Human Investment Act I am cosponsoring today will be a long step toward solution of this pressing problem when it is passed into law and I urge its prompt consideration in committee and early passage by the House and Senate.

For the information of my colleagues, Mr. Konzelman's article follows:

[From the Detroit News, Sept. 6, 1965]

SHORTAGE RAISES COSTS—BUILDERS STRAIN BOOM LIMITS AS 30,000 JOBS GO BEGGING

(By Carl Konzelman)

Many thousands of additional skilled workers—perhaps as many as 30,000—could be used by the Detroit region's building industry. That is the heart of the current labor pinch in the eyes of industry people accustomed to coping daily with the shortage.

Boom-time building and a costly application of the law of supply and demand are the clear-cut reasons for the acute shortages which are causing disruptions in housing construction and relatively high building costs for this area for homes, business buildings and factories.

The estimated need of up to 30,000 more skilled workers is given by William F. Baker, president of the Builders Association of Metropolitan Detroit, whose members primarily are residential and light commercial builders.

"Manpower shortages are growing more critical every day," said Baker. "As a result, the delivery of new homes is being slowed to the point where it may take anywhere from 4 to 8 months before a new home purchaser can move in, and this is after the basement is excavated.

"Builders are almost helpless to give firm dates for occupancy because of the refusal of various subcontractors to commit themselves on when they can perform their part of the total work. For example, basement excavators will accept orders, but refuse in many instances to indicate when they will be able to come on the job.

"In the case of carpenters and other trades, the shortage is equally critical, with most homebuilders reporting that they could use double the number of men they now have available.

"If the industry has 55,000 people working for it, as the May figures show, and it takes twice to three times as long to build a house, I would think it would be perfectly safe to figure up to 30,000 more skilled people needed for efficient operation."

GRADUAL WORSENING

"The shortage in manpower is one that did not explode suddenly, but has been worsening month by month. Its causes in the housing field primarily are the lack of new men coming into the field and the increasing complexity of new homes.

"The combination of larger homes and increased demand has made the supply of building trade mechanics completely inadequate."

Heavy industrial, commercial and institutional building throughout Michigan, combined with residential expansion, suggest a basic cause of the current manpower shortages in the heavy building industry.

Figures supplied by William C. Dennis, secretary-manager of the Builders Exchange of Detroit and Michigan, reflect a mushrooming of heavy building since 1962 throughout the State. Clearly, factories, large building projects for housing and business building generally are a strong factor in the hot competition for skilled tradesmen.

TOTALS LEAP UP

In 1962, contract awards for large projects totaled $147,645,000 in the six counties of the Detroit region on the basis of work which proceeded to the building phase through architect offices.

The builders exchange estimates that its figures represent about 90 percent of all such buildings because some projects go directly from ownership to construction without reaching an architect.

The figure of $147.6 million was sharply eclipsed by one of $253,965,000 in 1963. In 1964, the total soared to $501,042,000. Contracts represented in the 1964 total are affected by the present labor shortages, since work planned then is in the construction phase now.

While the Detroit area was accumulating a growing volume of construction, the same thing was happening outstate. The exchange figures show that in 1962, the State total outside Detroit was $203,743,000. It changed little in 1963 with a $203,662,000 volume.

MORE THAN DOUBLE

But in 1964, the volume leaped to $330,777,000.

Combined, the Detroit and State figures tell this staggering story: A rise from $351,388,000 in 1962 to $831,819,000 in 1964—a period of increasing prosperity which also saw private housing construction setting a fast pace.

As short as the supply of skilled labor is, the total has been increasing, a comparison of March, April, and May figures for 1964 and 1965 indicates.

Construction labor in March this year was at 48,800 compared to 43,800 in the same month last year in Wayne, Oakland, and Macomb Counties. In April, the number rose to 51,000 compared to 45,900 last year, while in May the total stood at 55,100, up from 49,300 in the same month of 1964.

So workers are coming from somewhere, although still not in sufficient number to satisfy the demands of a booming industry. But even with the added building volume, why such painful shortages?

DROP DURING FIFTIES

Building observers point out that the heavy project categories were at ebb in the middle 1950's and reached a low, low point in 1958. The middle 1950's were the years when automation began to have an upsetting effect on auto industry employment, and this started a declining trend in many things, including housing.

The market for new houses drifted downward to 15,500 in 1960 in the three counties. The result was a flight of building tradesmen into other occupations and other areas. One estimate puts the loss in carpenters alone at 5,000 in this period. Other trades were similarly depleted.

Along with the numbers of individual tradesmen, the contractor community shrank. When the turnaround came in 1961, in housing as well as in other building, the supply-and-demand balance began to change. It has worsened each year since as Detroit and Michigan people, and others outside began to appreciate the golden prospects of the water and auto wonderland.

INVESTORS ACT

Spurred by a rebirth of pride in Detroit and Michigan, a substantial image-building movement began to have a deep effect on both outside and local investor money. Office buildings, new business ventures, defensive modernizing of older structures began to sop up the available supply of building labor.

Apartments, pegged at the start on urban renewal multiple construction, began to appeal to a widened Detroit audience.

In 1963, the first 4-year contracts were signed by the carpenter unions. They specified roughly 5-percent increases annually for 1964, 1965, 1966, and 1967. And they recognized a trend to a shortened work week which put the carpenter on a dwindling schedule aimed at a 35-hour week in 1967. The electricians went on 35 hours in May 1965.

DISCOUNTS GONE

The shortage hit soon afterward. Between summer of 1963 and summer of 1965 home prices rose as much as 20 percent. The rise was not entirely represented in the fat overtime paychecks of the building labor, but in other cost hikes as well. Despite the price advances, demand increased.

By mid-1964, the seller, whether merchant or private, was in the saddle. Demand for architect and building skills and the real estate to bring them together became urgent. The discount days of the late 1950's in housing and in all enclosed space was over. Price indices began to bulge upward toward those of other metropolitan centers.

By early August of this year, a Cleveland builder, attracted to Detroit to share in the hot market with a 2,000-unit apartment building program, said that Detroit building costs were "higher than in Cleveland." And that is something if true, for Cleveland long has ranked along with such high-cost areas as New York and Chicago.

"You're in a great building boom here," said this builder, "with a more than ample supply of work but not of personnel to perform it. The subcontractors are having trouble getting and keeping labor and hence their prices are inching up as a matter of self-protection.

ABUSES COMMON

"Largely it's a matter of supply and demand. When times are good and building is active, the labor is independent and building costs go up. You learn to live with this sort of thing, adjusting as you go to the longer time required for building and for the higher costs.

"We have lived with it before and we undoubtedly will have to live with it now."

Proof that building labor is independent because of shortages is everywhere these days.

Reports of individual abuses of contractual relations are common in the industry.

Both electricians and carpenters are said to be exploiting this device in some cases:

Employed by one contractor for normal work hours, they often will work Saturdays and Sundays at premium rates for another, then take Monday or another weekday off at the expense of their regular employer.

And totally aside from overtime premiums is the additional cost of overscale paychecks. To keep workers to fulfill commitments, a subcontractor often will pay above scale when he cannot offer overtime premiums or even when he can. The result is higher, and ever higher, costs.

Mr. CLANCY. Mr. Speaker, I wish to join with my colleagues in sponsoring this legislation to offer employers a tax credit to offset part of the expense of programs designed to train prospective employees for jobs with the company or to retrain current employees for higher level jobs requiring a greater degree of skill.

Jobs by the thousands are going begging. The problem, of course, is that most of those on the unemployed rolls lack skills required for the available job. Recent surveys have shown that in city after city, jobs are waiting for someone with the right skills.

THE TAX INCENTIVE APPROACH

Our approach here is to stimulate company training programs through tax incentives. Experience has shown that Federal training and retraining projects are both more costly and less effective than comparable industry programs. In the 87th Congress we enacted a 7-percent incentive tax credit for investment in certain depreciable plant equipment and real property. Certainly it is not too much to ask that we make a similar investment in training the unemployed—our Nation's untapped human resources.

I am glad to participate in this united effort in support of the tax incentive approach to the twofold problem of preparing the unemployed for the thousands of waiting jobs in industry by my introduction today of legislation for this purpose.

Mr. MORTON. Mr. Speaker, I am happy to join the gentleman from Missouri [Mr. CURTIS] in sponsoring the Human Investment Act of 1965.

This bill, it seems to me, is a sound one because it puts the responsibility for the upgrading of the Nation's labor force where it can best be met—with the private enterprise system itself. The version that we are introducing today has been carefully polished for several months. Unlike the earlier version, this bill spells out specifically the employer expenses for which he can claim the 7-percent tax credit.

USEFUL TO AMERICA'S SMALL BUSINESS

I am happy to see that the six areas of training set forth in the bill include some particularly adaptable to the needs of small business. It is not necessary to enter into a large scale training program to claim credit. For instance, a small contractor or canner could set up an apprenticeship program for a mere handful of employees. Under the Fitzgerald Act of 1937 the Federal Bureau of Apprenticeship and Training will render a great deal of technical assistance in planning the course of instruction and other such matters. Now, with the Human Investment Act, the employer could get a credit toward the wages paid to his apprentices, even if there is only one of them. Or, if a small businessman sends an employee to a vocational school for advanced training, he may claim 7 percent of that employee's tuition fee as a credit, in addition to the regular section 162 deduction as a trade or business expense. Thus the small businessmen of America will have an equal incentive to join in the training efforts this bill is designed to encourage. Expanding and improving our Nation's labor force is one of the most important tasks before us today, and I am proud to introduce this legislation designed to meet that objective.

Mr. CONTE. Mr. Speaker, I am pleased today to have the privilege of joining my distinguished Republican colleagues in the House by introducing the Human Investment Act of 1965 with them. I commend the leadership taken by the distinguished gentleman from Missouri [Mr. CURTIS] in the introduction of this legislation and the able presentation he has made this afternoon.

I think many of us are wary of high-sounding slogans and fancy names when they are attached to programs coming before us. In this instance, however, I believe that the title of this bill is the hallmark of the high hopes all of us participating here today have for this legislation. The Human Investment Act is just that, an investment in human resources, in knowledge, skills, and technology. And it is an investment in human beings, in individuals who today find themselves shackled to joblessness or to a job with no hope for advancement because they lack a required skill.

PRIVATE ENTERPRISE—THE GREAT SOCIETY'S FORGOTTEN COMMODITY

The introduction of this legislation is also an affirmation of my belief in the continuing important role of private enterprise and initiative in today's society, almost a forgotten commodity in the programs of the Great Society. In giving a tax credit to employers toward certain expenses of programs designed to train prospective employees or retrain current employees, we acknowledge the fine job that has gone unheralded through the years by employers engaged in active training programs for their employees. We realize that their years of experience have given them the capabilities for most efficiently conducting these training programs and encourage them to continue in the tradition they have set.

At the same time, we want to help provide the means and the motivation for other employers, not actively engaged in training programs now, to pick up the ball and go to work in this vital area.

NEW HELP FOR SMALL BUSINESS

As a member of the House Small Business Committee and having the privilege of being one of the representatives to the Congress from a State where there are more than 8,000 small businesses, I am particularly excited about the prospects which the Human Investment Act hold for the small businessmen of this country. I recently had occasion to correspond with small business members of the machine tool and die industry of the First District of Massachusetts regarding the problems with which they were faced. Again and again, in the response I received, I read comments such as, and I quote:

> The greatest single problem in our industry today is the critical shortage of skilled help, and this problem will become increasingly bad as time goes on.

And, quoting again—

> I think there are really two areas where gains in efficiency can be made through modernization. That is, people and facilities. People must be modernized as much as machines.

The small businessman must, of necessity, operate on a tight budget and often with a slim profit margin. The tax credit which would be available to him under the provisions of this act could well be the determining factor in his decision to undertake a training program or not.

I am equally enthused that the scope of the legislation is not merely directed to the small business community, but to the businessman, large or small, who meets the provisions of the language of the act.

I believe, Mr. Speaker, that the bill which I have introduced, and which many of my Republican colleagues here this afternoon have introduced, provides an answer to the public advertisements we have all seen in buses and along the roadside, asking the passerby how he can hope to get tomorrow's job with yesterday's skills. And, it answers it without the inundation of bureaucratic procedures, work camps, and political byplays which would inevitably follow if the efforts of private enterprise were superseded by the Federal Government.

Mr. DOLE. Mr. Speaker, as one of those who introduced this legislation, I, too, would commend the gentleman from Missouri, and certainly feel that it is a most worthwhile effort. I am pleased to be a sponsor of this legislation.

Mr. Speaker, if there is one fact that stands out clearly in the American experience with job training, it is the fact that the job training efforts of private enterprise—which understands the economy's skill needs so much better than the Government can—have proven to be the most effective, efficient, ecnomical, and reliable sort of programs we know in this area.

THE BRITISH EXPERIENCE

Two years ago the British were faced with the same kind of problem we are concerned about today. There was no doubt that job training had to be expanded many times over to meet Britain's critical skilled manpower needs. The question was whether government should undertake the training directly, or whether the resources of the private sector of the British economy should be enlisted in the task. In a momentous decision, which has great relevance to us today, the British, after much study, chose the way of private enterprise and not the way of government control.

The product of that debate was the Industrial Training Act of 1964. Under that act joint labor-management boards in each major industry decide what training programs are needed, and raise the funds to reimburse private industry for conducting it by means of a levy, or payroll tax. While many features of the British plan are obviously ill-suited to the United States, with its Constitution of limited powers and its Federal-State system, the important point is that Britain—which has had one disastrous flirtation with socialism—chose the free enterprise way as the best way of meeting its job training problems.

The Human Investment Act recognizes the same fundamental principle. Mr. Speaker, I commend the distinguished gentleman from Missouri for introducing the bill, and am glad to join him in sponsorship.

Mr. WIDNALL. Mr. Speaker, I am pleased to join with the distinguished member of the House Ways and Means Committee, the gentleman from Missouri [Mr. Curtis] as well as my other colleagues, in introducing the Human Investment Act of 1965. This bill, originated by Senator Prouty, of Vermont, is designed to take full advantage of the capabilities of American business and industry to train the unemployed and those workers faced with possible obsolescence of present skills. The bill provides a 7-percent tax credit to an employer toward certain employee training expenses, including apprenticeship training, on the job training under the Manpower Development and Training Act, cooperative work study programs, and tuition and organized group instruction payments by employers.

A PRODUCT OF THOUGHTFUL STUDY

In its present version, the proposed legislation is the product of careful and thoughtful study. As a result of this Republican initiative, I fully expect to see serious consideration given to this approach by responsible officials in the executive branch. The lack of past effort in this direction has only been matched by the present administration's unwillingness or inability to press for a better knowledge of job vacancies and the matching of skills and training to these employer needs. In both these respects, the United States lags behind activity in other industrial nations of the free world.

THE JOB VACANCY PROBLEM IN PERSPECTIVE

Since others will detail more fully the technical aspects of the legislation being introduced today, I believe it would be worthwhile for me to explore past efforts in these two related fields. In 1961, the Joint Economic Committee, of which I am a member, recommended a study of job vacancies. Two years later, when the Subcommittee on Economic Statistics held hearings in June 1963, no action had been taken on that recommendation. In the ensuing period of time two events of significance had occurred, however.

First. In 1962 Congress passed the Republican-authored Manpower Development and Training Act.

Second. The President's Committee To Appraise Employment and Unemployment Statistics issued its report, on September 27, 1962. The study by the Gordon Committee, named for its Chairman, Robert A. Gordon, chairman of the Department of Economics at the University of California at Berkeley, had several things to say about job vacancies and the need for more knowledge in this field. After noting that no suggestion received more frequent voicing than the need for a count on job vacancies, the Committee said:

> High or rising unemployment accompanied by mounting job vacancies suggests the need for emphasis in private or public programs upon training, retraining, or relocation of the unemployed. Localized data on the structure and composition of job opportunities might help to resolve the apparent paradox of help-wanted ads continuing to appear daily in the newspapers of many of the communities designated as surplus labor areas.
>
> Other uses of such data could be mentioned, including their employment in recruitment and placement, in job counseling, and in providing guidance in the formulation of training programs in the public schools and other educational institutions.

In a report prepared for the Gordon Committee, the Bureau of Labor Statistics noted two of the possible uses for statistical data on job vacancies. They are:

> 1. As operating information for employee recruitment and placement.
>
> 2. As an indication of the demand-supply situation in various occupations for use in planning programs of training.

The Bureau went on to say, with regard to training:

> Possible use of the data as an indication of the need for training becomes a matter of immediate concern because of the proposed Manpower Development and Training Act. For this purpose, the data should be specific with respect to occupation, at a level of detail appropriate to the breadth of training or education programs. It would be desirable that they be specific with respect to locality (although a national figure might be of some use). They should be directed to jobs for which employers are finding it difficult to hire workers, rather than the total number of vacancies at any time. For this use, as for the others, the data should be reported on a regular repetitive basis; a single observation is of limited value for planning training, because assurances are needed that the shortage is not transitory. For any occupation requiring long periods of training—e.g., professions and crafts—a projection of future needs is essential, and data on current vacancies are of limited interest.

AN EVEN GREATER PROBLEM

If this problem of job vacancies was a matter of immediate concern in 1962, it is more so today, what with new training programs such as the Job Corps and new emphasis on public vocational education assistance. Yet in October of 1963, the Council of Economic Advisers could tell a Senate Subcommittee on Employment and Manpower:

> Unhappily, we have no comprehensive and adequate series designed to measure job vacancies in the United States.

In neither the 1964 nor the 1965 Reports from the Council of Economic Advisers is there any further recognition of this immediate concern. The 1964 report does state, however, that the "extensive training and retraining programs conducted by many, though not by enough, private employers contribute significantly to the occupational flexibility of the work force." No suggestion is found, however, for either increasing the number of private employers involved in training, or for improving job vacancy statistics. The majority report from the Joint Economic Committee in 1964 and again in 1965 sheds no light on either problem.

REPUBLICAN RECOGNITION OF THE PROBLEM

One must turn to the minority views of the Joint Economic Committee to find any recognition of the problems, and any suggested solutions. In 1964, the minority stated:

> Another critically important need is for a statistical series on job vacancies throughout the economy. To the extent such figures pinpoint unfilled jobs by occupation and geographic location they would be invaluable

in shaping effective manpower training and guidance programs.

The minority then made this specific recommendation:

> 3. In order to assure that training is in needed skills, we recommend the establishment of a national clearinghouse for the identification and classification of emerging skill requirements, of existing needs, and of obsolescent skills. The clearinghouse should also maintain a list of job vacancies throughout the country for the use of the U.S. Employment Service, employers, private employment services, and others, in matching the jobless man and the manless job.

The minority did not stop there, however, but went on to suggest:

> 6. Our tax laws should be amended to eliminate obstacles in the path of new skill development.
>
> 7. Companies planning technological changes should be given an incentive to train for new jobs in the company the workers who would be displaced, thereby keeping them off the unemployment rolls.

In the minority views of the Joint Economic Committee's Report on the Economic Report of the President for 1965, the above recommendations were repeated, and a new one added:

> 1. We recommend for consideration of Congress legislation introduced by Senator WINSTON PROUTY, Republican, of Vermont, and Senator LEN B. JORDAN, Republican, of Idaho (S. 1130), which would provide a 7-percent tax credit against business expenses for providing training programs for employees and prospective employees. Such legislation would provide a credit for investment in human resources similar to the credit which the administration supported for plant and equipment expenditures in 1962.

The legislation being introduced today is a revised and improved version of the Prouty bill. It takes on added significance in the face of the lag in our efforts to achieve a satisfactory job vacancy statistical clearinghouse. Present Government training programs, both Federal, State, and local, while highly desirable, cannot live up to their full expectations without adequate job vacancy information. For example, the Council of Economic Advisers in its report this year indicates that the training program under the Area Redevelopment Administration placed only 70 percent of the trainees who finished the courses. Given the ARA's historical lack of accuracy in its figures, even this percentage may be higher than fact, but regardless, the lack of ability to match trainee with job is illustrated.

Giving an incentive to private employers to do their own training, or assist their prospective or present employees in acquiring such training, however, avoids this pitfall. This is so simply because the private employer is in the business of making a profit, and regardless of the credit he will not train unless there is a job available for the trainee. I believe our own experience in interesting employers in making use of present training programs, and the success of other countries in this regard are good indicators that substantial additional retraining will be encouraged by this bill.

For example, according to the July 5, 1965, issue of the Prentice-Hall, Inc., Lawyer's Weekly Report, 80 percent of the Government's OJT aid has gone to small firms, 75 percent of which had never had in-plant training programs before. The testimony of Robert J. Myers, Deputy Commissioner of Labor Statistics, before the Subcommittee on Economic Statistics of the Joint Economic Committee in June of 1963, called attention to the efforts being made abroad, and the stimulation of Government incentives to private industry for training.

THE HUMAN INVESTMENT ACT AS A STATISTICAL YARDSTICK

Job training and retraining, of course, is only one factor in the ability of an economy to sustain and provide employment. Aggregate demand plays a decisive role as well. Interestingly enough, as the Joint Economic Committee's minority views on the 1964 Economic Report of the President pointed out, job vacancy statistics would help policymakers determine whether aggregate demand at any particular time was deficient, and, if so, what appropriate policies should be used to cure unemployment. In the past, statistics on job vacancies have been difficult to come by. The use of the 7-percent tax credit and its automatic reporting system through tax returns would undoubtedly have the side benefit of providing additional information on past job vacancies and the rate of vacancies up or down within a given 12-month period. I urge immediate consideration by the appropriate committees in Congress of the Human Investment Act of 1965.

Mr. BETTS. Mr. Speaker, a problem which has been considered by Congress for many years is that of unemployment, job training, and retraining due to the expansion of automation into our industries. I have supported measures which would help individuals obtain employment through the experience gained at training schools and the upgrading of employees through retraining. The need still exists for improved and expanded programs to help many of our working citizens. For that reason I believe the proposal initially introduced by my good friend and colleague from Vermont, Senator WINSTON PROUTY, deserves careful consideration by the House. It is an approach to this problem which couples private enterprise with both training the unemployed and those already employed for new and better jobs.

The Human Investment Act offers employees an incentive to expand many types of training programs, including work-study, correspondence courses, tuition at colleges, on-the-job training, and Manpower Development and Training Act projects. We know that most businesses now conduct some type of training for their employees or those who they are planning to employ. This act would stimulate such activity and channel the important role of filling employment needs to the employers themselves who are keenly aware of the skills and training which they know to be of highest priority.

BUILDING STRONGER EMPLOYEE-EMPLOYER RELATIONSHIPS

This bill would assist the unemployed in self-improvement and build a strong employer-employee relationship. Further, the measure will help those who are now employed, earning more than $3,000 annually. These people fail to qualify for unemployment benefits, welfare assistance, or retraining opportunities, but their skills are limited. Without more training they have little hope of significantly increasing their position or income. There are many such persons living in Ohio, as well as every other State. While unemployment is not higher in Ohio than other areas, many men and women would be delighted to have the opportunity to gain new skills leading to a promotion into a better job. As this takes place openings are bound to be created by those leaving their present jobs and advancing to more skilled levels.

In order to trigger this expanded hiring, training, and employing, the Human Investment Act would offer employers a tax credit for training programs. The major details of the measure have been elaborated on by the gentleman from Missouri [Mr. CURTIS] and others who are cosponsoring this legislation today.

This measure, Mr. Speaker, should serve as a vehicle for all who wish to add greater impetus to the strengthening of our working force through the free enterprise system.

Mr. UTT. Mr. Speaker, I am happy to be able to introduce a bill that, if enacted, will do much to place the responsibility for improving the Nation's labor skills where it belongs—not with mushrooming Government programs, but with the American free enterprise system.

WASTEFUL DUPLICATION UNDER DEMOCRATIC ADMINISTRATIONS

In the last few years the Kennedy-Johnson administration has stayed up late nights devising overlapping and wasteful Federal training programs. Some were conducted under the preposterous Area Redevelopment Administration Act, more commonly known as the Area Reelection Administration among certain members of the majority. Others were spawned by the Vocational Education Act, and others by the Social Security Amendments, and others by the Manpower Development and Training Act. When the leader of the so-called Great Society came forth with his hydra-headed poverty monster, containing not one but at least five programs purported to be training programs, I thought even the fertile imaginations of the administration theorists had been exhausted. From past experience, however, I have learned never to jump to such a plausible conclusion.

Needless to say, in its haste to concoct new and slightly different—but always overlapping—training programs, the administration has consistently overlooked the resources of the greatest job training industry of them all—the free enterprise system. The bill which I am joining to introduce today will, if enacted, at least attempt to put the emphasis back where it belongs. I am happy to join with my distinguished colleague from Missouri in sponsoring this sound, Republican conceived measure.

Mr. SCHNEEBELI. Mr. Speaker, of the six categories of allowable training expenses under the Human Investment Act, the first is the wages and salaries of apprentices in registered apprenticeship programs.

ENCOURAGING APPRENTICE TRAINING

It is fitting that apprenticeship should be first in order, for it is a type of job training which has proven itself over not decades but centuries in America. Examples of apprenticeship agreements dating from as early as 1640 have been discovered. Perhaps America's most famous apprentice was Benjamin Franklin, who began his apprenticeship with his brother in the printing trade in 1718, at the age of 12.

Apprenticeship has a number of advantages over other forms of skill training. Its combination of on-the-job training and related classroom instruction are a proven, effective means of passing on skills and knowledge. The apprentice earns while he learns, moving to a higher wage as his skills increase. Apprenticeship has an extraordinarily high investment-to-yield ratio, and a built-in capacity for adjusting to changing patterns of skills and demands.

George Meany, president of the AFL–CIO, has stated very forcefully the recognition by labor leaders of the need for increased promotion of apprenticeship:

> There is general agreement—

Mr. Meany said—

> that the demand for skilled workers will grow very rapidly in the next decade, while the opportunities for unskilled workers will continue to shrink. Therefore our interest—and the national interest—must look to an across-the-board increase in apprenticeship training.

Mr. Meany's support of apprenticeship programs has much company within the labor movement. The Metal Trades Department of the AFL–CIO, for example, reported to that body's fifth convention that "Apprenticeship continues to be the only sure way to produce highly skilled workers with a complete craft competency capable of coping with the increasingly complex present-day trade and industrial developments."

The Human Investment Act, quietly, indirectly, and without Government interference, will at last give private industry a real incentive to expand its apprenticeship programs. I am happy to join in sponsoring this important legislation, and commend the gentleman from Missouri in taking this initiative today.

Mr. COLLIER. Mr. Speaker, I too am happy to join as a sponsor of the Human Investment Act.

Like my distinguished colleague from Pennsylvania [Mr. SCHNEEBELI], I am happy to see that this act gives a real incentive to the promotion of apprentice training. Many business and labor manpower experts have long recognized the need for more attention to these time-tested programs. Prof. Felician F. Foltman of the New York State School of Industrial and Labor Relations, for instance, wrote in the January 1964 issue of Monthly Labor Review, that "some way should be developed to provide financial assistance for training apprentices."

A. J. Hayes, now retired as international president of the International Association of Machinists, hit the nail on the head as early as 1961 when he said before a House subcommittee:

> I would suggest that the possibilities of encouraging apprenticeship programs through special tax inducements both to the employer and perhaps to the apprentice as well * * * ought to be seriously explored.

Presently, under the 1937 Fitzgerald Act, the Federal Government, through the Bureau of Apprenticeship and Training, provides technical assistance in promoting the conclusion of apprentice agreements. The costs, however, of the training are borne entirely by employers. Part of those costs, at least after the first 6 months, are recouped by the apprentices' growing productivity. Now, if the Human Investment Act is enacted into law, America's private employers will be given an unobtrusive but genuine incentive to expand these proven programs.

I am pleased to take part in this important Republican initiative, and commend the gentleman from Missouri for his part in making this presentation possible.

ON-THE-JOB TRAINING ENCOURAGED

Mr. FRELINGHUYSEN. Mr. Speaker, I am happy to join my colleagues today in sponsoring the Human Investment Act. Passage of this legislation would be a significant step in broadening the opportunities already available for improving the skills of our citizens. Among the most promising ideas for governmental aid in job training are the provisions of section 204 of the Manpower Development and Training Act, enacted in 1962. Under this section the Secretary of Labor is authorized to enter into agreements with public agencies, private employers, unions, trade associations, or similar groups to provide on-the-job training to persons needing improved job skills. Under a typical contract the Labor Department reimburses the contracting party—usually a private business—for such training costs as instructors' salaries, training materials, technical assistance, books and instructional supplies, enrollee recruitment, and similar items.

During 1964 the on-the-job training program took a major step forward with with the negotiation of contracts covering 1,160 occupational projects for 27,605 trainees. This represents a more than threefold increase over the levels of the previous year. For the same year, it should be noted, there were about 110,000 enrollees in institutional programs under Manpower Development and Training Act.

The Labor Department reports that the costs per hour of an institutional training program average around $5, while the cost to the taxpayer of an hour of on-the-job training is on the order of 55 cents. Even when the wages of the on-the-job trainees are added in to this 55-cent figure, it is clear that we are getting twice our money's worth from on-the-job training.

It is thus with approval that I read, in Newsweek of July 19, 1965, the following story:

> A significant policy switch is underway in the Government's manpower training program. Under the direction of Manpower Administrator Stanley Ruttenberg, the Government is giving increased emphasis to on-the-job training * * * Until now, nearly all the training has been done in institutions. In the on-the-job training programs, the Manpower Administration underwrites a share of the cost of training men at specific companies—with the jobs guaranteed. In a sense, the Government subsidizes private company training costs. But manpower officials argue that it is just as defensible to invest in people as it is in new machines with programs such as the investment tax credit.

This bill would directly encourage private firms to conduct more on-the-job training programs, without Government intervention.

Mr. STANTON. Mr. Speaker, I am pleased to join my colleagues today in the introduction of a bill which I feel could make a tremendous contribution to the training of our labor force. The Human Investment Act will encourage business to train employees for jobs which exist in their particular industry in an efficient and practical manner.

I am happy that this bill gives an incentive to employers to make use of section 204 of the Manpower Development and Training Act.

For several reasons this section has not been used as much as it might have been. For one thing, there is far too much paperwork and redtape. Charles Hanna of the California Department of Industrial Relations has written:

> Greater use must be made of private industry in skill training * * * (but) what is needed is more encouragement and less redtape. A Manpower Development and Training on-the-job training program just completed by our agency required 61 pages and the signatures of 15 agency heads.

Because of this redtape, he said, employers have been wary of taking part in the program.

Another reason why these programs have not been more common is a rather strict maintenance of effort requirement involved. Publicity on the availability of the on-the-job training provisions has not been outstanding, and many employers do not even know about them. But certainly one of the principal deterrents to increase on-the-job training programs is the fact that the entire cost of wages of employees in training must be borne by the employer. The Human Investment Act, by providing an incentive to employers in the form of a 7-percent tax credit against the wages of enrollees, should help a great deal to encourage many employers to take a second look at these provisions.

AID TO COOPERATIVE EDUCATION

Mr. TALCOTT. Mr. Speaker, the Human Investment Act which I am sponsoring along with these other distinguished Members today should do much to encourage private business to expand its job training efforts, just as the investment tax credit provisions of the 1962 Revenue Act were useful in expanding investment in depreciable property.

I note that the act among other things will allow an employer to claim the 7-percent credit against the wages and salaries of employees participating in cooperative work-study programs. These programs may be at the secondary level, at the college level, or in conjunction with a trade, business, or vocational school.

The cooperative plan of training employees in new job skills as a proven way of increasing the Nation's skill inventory. The National Commission on Cooperative Education has estimated that some 40,000 Americans at the postsecondary level are now taking part in regular cooperative arrangements, where there are alternate periods of study and employment. These programs vary from those at Rochester Business Institute, in Rochester, N.Y., where two students share one job, one working in the morning and studying in the afternoon and the other vice versa, to those at Antioch College in Ohio, where the employment and study periods alternate every 3 months.

I am glad to have the opportunity to join in this special order today, and I commend the gentleman from Missouri for his hard work in producing this constructive Republican proposal.

ENCOURAGING TUITION-AID PROGRAMS BY EMPLOYERS

Mr. QUIE. Mr. Speaker, I rise to voice my support of a bill I join in sponsoring, the Human Investment Act of 1965.

Among the expenses for which an employer could claim a 7-percent tax credit are tuition payments made by him to a college or to a business, trade, or vocational school. The bill is tightly drawn in this respect. To qualify, the payment must be made to an institution of higher education as defined in the National Defense Education Act, or to business, trade, or vocational schools on the approved list of the U.S. Commissioner of Education. Furthermore, no credit could be claimed for courses of a managerial, supervisory, professional, or advanced scientific nature, nor could credit be claimed for tuition payments for courses not directly related to the job skill needs of the person taking the course. This latter provision properly reflects the intent of the sponsors to focus attention on upgrading the job skills of those working their way up the skill ladder, not those who are in middle management or professional positions, or those who are taking courses for their own entertainment, irrelevant to their actual or prospective jobs.

If an employer thought a certain employee could increase his productivity by additional training at a vocational institute, for instance, this bill would give that employer an incentive to pay the employee's tuition fee for the new training. There is an extremely wide range of schools from which the employer may choose. The beauty of this approach is that the Government does not step in and tell the employer or the employee where he must go for his training—the tax credit works quietly behind the scenes.

Mr. Speaker, almost every large company in America and a great many of the smaller ones now have tuition payment programs for their employees. This bill gives this private enterprise program a shot in the arm. I hope that before long we will see this principle enacted into law.

MORE TRAINING THROUGH HOME STUDY

Mr. MIZE. Mr. Speaker, the Human Investment Act now being discussed is a very significant Republican effort to enlist private business into the great national business of upgrading the Nation's job skills, and I am proud to have the opportunity of joining with the gentleman from Missouri [Mr. CURTIS] in introducing it today.

Members will notice that this bill gives employers an incentive to pay the costs of home study training for their employees. The list of distinguished graduates of home study schools is lengthy. On it one can find such names as former Secretary of Commerce and Governor of North Carolina, Luther Hodges; former Secretary of the Navy Dan Kimball, former Senator Ralph Flanders, Donald Henderson, chairman of the board of the Sheraton hotel chain, and G. L. Phillippe, chairman of the board of General Electric.

Over the years home study training has been used by thousands of Americans to get the training they needed for a new start in auto repair, air conditioning, radio and television work, and hundreds of other skilled trades. I am happy to see this recognized by the bill we are introducing today.

ENCOURAGING GROUP INSTRUCTION BY EMPLOYERS

Mr. FINDLEY. Mr. Speaker, perhaps the most common type of employer training program outside of ordinary, informal on-the-job training is organized group instruction, including classroom instruction. The expenses to the employer of conducting these programs are expenses which would be eligible in most cases for the 7-percent tax credit provided by the Human Investment Act.

By thus encouraging private enterprise to expand and improve its group instruction, the Human Investment Act would make a real contribution toward the across-the-board upgrading of the Nation's inventory of needed labor skills.

It is worth pointing out that the employer need not conduct the program on his own company premises to be eligible for the credit. All that is necessary is that he pay the costs of the program. The credit would apply to instructors salaries, books, training materials, and similar expenses involved, but would not apply to the wages and salaries of the personnel being trained.

Similarly, it would be possible for an employer to claim the credit for training persons who are not employees, provided only that at the completion of training, the person be put on the payroll for at least 3 months. Realistically, however, an employer is not going to train a prospective employee and then cut him loose when the training is complete. The virtual certainty that a nonemployee will become a pay-earning employee after training is one of the strong points of the approach of this bill.

I note also that under the bill an employer could claim a credit toward the wages and salaries of apprentices in registered programs. At the same time he could take the credit against the training expenses involved in operating the classroom instruction parts of the apprenticeship training program. In this respect, then, the bill offers an incentive to apprenticeship in two places.

This bill is a sound idea, and I am happy to see so many Members joining today in introducing it.

Mr. CLEVELAND. Mr. Speaker, it is with great satisfaction that I join my colleagues today in introducing the Human Investment Act of 1965. This legislation is patterned closely on the investment credit provisions of the Revenue Act of 1962, which grants companies a tax credit of 7 percent of the cost of capital investments in new equipment and facilities. Surely, we should do no less for human beings than for machines and buildings.

MOVING UP THE SKILL LADDER

This bill likewise would provide industry with a tax credit of 7 percent on a broad range of expenses incurred in setting up programs designed to train prospective employees for jobs and to retrain current employees for more demanding, and better paying, jobs. This bill has been drawn carefully in an effort to meet the increasingly serious problems of unemployment among persons who are not sufficiently skilled to fill positions required by industry in this dynamic and technical age. It is our hope that this program, by advancing workers up the ladder of skills, will open vacancies at the bottom for the unskilled and semiskilled workers who are unable to obtain jobs.

This program is also based on the belief that private industry, over the years, has shown that it can obtain the highest value per training dollar. We believe industry should be encouraged to continue and increase its training activities to meet the national need.

Of particular interest to me is the fact that this bill not only will help areas of high unemployment but should be very helpful in places where there is an actual labor shortage, which is the case in many sections of my district. In such places, this legislation will give industries an important tool by which to encourage young people to stay in their home areas and to attract others to come in. I believe this program will be an excellent supplement to the Manpower Development and Retraining Act and the vocational training programs in my State.

MINIMIZING GOVERNMENT INTERVENTION IN THE ECONOMY

Mrs. MAY. Mr. Speaker, I sincerely appreciate the opportunity to participate in this special order on the Human Investment Act of 1965, which I am joining my many colleagues in introducing.

One reason this approach is attractive to me is that first, job training by private industry minimizes the necessity for Government intervention and regulation in the economy. Instead of taking money in taxes, paying a number of bureaucratic middlemen and spending the difference on public programs, the tax credit method gives a true incentive to business to accomplish the same ends much more efficiently. The Government does not need to get into the business of screening instructors, determining curriculum, supporting trainees, and other such appendages of Government-run programs, beyond the point of assuring that useful training is in fact being imparted by the employer. Federal-State complications, elaborate placement procedures, and general administrative problems are largely avoided. It is interesting in this connection to note that the British Government, faced with the identical problem in 1963, chose to promote job training through private industry instead of setting up an elaborate Government-operated program. The British Industrial Training Act of 1964 vests responsibility for organizing job training programs with joint labor-management boards, one for each major industry, which use the proceeds from a payroll tax to support training programs conducted by the employers.

This is a good bill, Mr. Speaker. I sincerely hope that it will get very serious consideration by this Congress.

GUARANTEEING JOBS TO TRAINEES

Mr. ELLSWORTH. Mr. Speaker, I am proud to join over 40 of my colleagues in introducing the Human Investment Act. The concept of this legislation represents a dramatic step forward in channeling the mighty resources of private industry into the federally backed battle against the menace of unemployment. I am limiting my remarks to the relationship between training programs and the prospect of employment for the trainee.

It is indeed sad when a young man or woman trains for a new occupation and then, upon completion of the program, discovers that there are no job openings. The sense of discouragement among trainees may well account for dropouts from existing institutional programs such as the Job Corps and Manpower Development Training Act. Under the Human Investment Act, a trainee must remain on the payroll for at least 3 months after completion of training before the tax credit can be claimed. Thus, the training would be directly related to an opportunity for gainful employment. This, Mr. Speaker, is one of the many reasons why the Human Investment Act should be considered and passed by the Congress.

PRIVATE JOB TRAINING FOCUSES ON ACTUAL JOB OPENINGS

Mr. BROYHILL of Virginia. Mr. Speaker, I want to compliment the distinguished gentleman from Missouri on bringing so many of us together this afternoon to discuss the Human Investment Act of 1965, which I am happy to join in sponsoring.

When private industry trains a man it invests in him. That investment is made with the expectation that the trainee can contribute to the company's productivity as an employee following training—else it would be difficult to justify the expense to the stockholder. Thus there is a built-in bias in favor of the employer giving top quality training, carefully designed to prepare the trainee for a position for which a worker is needed. It would make little sense for a firm to train men and women as a public service project, and then see its investment wasted because the company has no appropriate job openings. Speaking on this point, Professor William Faunce, of the Labor and Industrial Relations Center of Michigan State University, has said: "A retraining program which did not involve retraining with respect to specific job openings is not a meaningful retraining program." Here training by private industry has a great advantage over Government-run programs.

This approach to meeting the Nation's training needs is a sound one, and I am happy to add my name to the list of Republican Members of Congress who are supporting it.

PRIVATE INDUSTRY IS BEST EQUIPPED TO GIVE THE MOST UP-TO-DATE TRAINING

Mr. GROVER. Mr. Speaker, I should like to emphasize one point not heretofore brought out in this presentation: For several reasons private enterprise is uniquely equipped to provide the most modern and useful training to persons seeking to upgrade their job skills.

The instructors in on-the-job training programs are directly involved in the latest day-to-day developments in the field. Unlike instructors in schools, they are in the forefront of innovation and technological change, and thus can give, by and large, more up-to-date instruction to trainees.

Private industry can train workers on the latest models of machines without investing in new equipment for the purpose. Faced by the rapid pace of innovation in many training fields, schools too often are left with the choice between trying to train people on obsolete equipment, or obtaining new equipment, with a resulting increase in the cost of the training program. This fact accounts for a large part of the cost savings that can be realized by utilizing the resources of private industry for job training.

These reasons, I believe, augment the already strong case for emphasizing the role of private business in job training, which the Human Investment Act is designed to accomplish.

JOB TRAINING BY PRIVATE INDUSTRY—A PSYCHOLOGICAL ADVANTAGE

Mr. BELL. Mr. Speaker, the bill we are discussing today is a sound and carefully conceived piece of legislation. I welcome it and am glad to join as a sponsor because I believe it will do much to reorient badly needed training programs in the direction of the private sector of our economy.

By training the trainee in the context of an actual job situation, private industry provides a more realistic preparation for continued employment. The trainee is spared the problem of making what may be a difficult adjustment from a simulated to an actual work site. To many trainees at the bottom end of the ladder, the prospect of regular employment with a company is a strange and bewildering experience. To have to adjust to this situation at the moment of maximum subconscious anxiety—just when training in an institutional program has been completed—puts an additional psychological burden on the worker, which may be reflected in poor performance. This factor does not apply, of course, in the case of longtime workers who are merely changing from one line of employment to another via retraining. In the case of a hard core unemployed person, however, it merits consideration.

I commend the gentleman from Missouri [Mr. CURTIS] and our colleague in the other body, Senator WINSTON L. PROUTY, for their initiative in this very important area.

ADDITIONAL ADVANTAGES OF ON-THE-JOB TRAINING

Mr. LAIRD. Mr. Speaker, the gentleman from Missouri [Mr. CURTIS] has made another outstanding contribution to the field of employment and manpower studies by spearheading this presentation on the Human Investment Act of 1965.

I am attracted to this bill, Mr. Speaker, not only because it properly places reliance for training on the free enterprise system, but because the on-the-job training it will encourage poses several advantages over programs conducted in institutions.

On-the-job training has conclusively proven to be more economical than the equivalent institutional training. Experience of the Bureau of Apprenticeship and Training in comparing per hour costs of trainees in institutional and in on-the-job training programs shows that where the average cost of the former runs over $5 per hour, the latter cost the taxpayer only 55 cents per hour. Even when the wage of the trainee, paid by the employer, is added on, it is still obvious that the on-the-job programs are more than twice as economical as the school programs.

Eighth, on-the-job training is adaptable to any size training class and to any location, urban or rural. Institutional classes are limited to minimum numbers which may not exceed the required number of workers in a given occupation. Institutional facilities are not often available at all in rural areas; private business, however, can design programs for even one trainee—small firms with one apprentice in training are not uncommon. In fact, as of spring, 1962, more than half of the apprentices surveyed in a national survey conducted by the Labor Department were employed in establishments with fewer than 100 workers.

This act is well conceived, Mr. Speaker, and it stands as a genuine Republican contribution to the continuing dialog over our Nation's unemployment and manpower problems.

AVOIDING OVERRELIANCE ON GOVERNMENT

Mr. EDWARDS of Alabama. Mr. Speaker, I join enthusiastically with other Republican Members today in advancing this proposal for the purpose of providing an incentive for added investment in our Nation's human resources.

It is entirely proper that we use this tax credit system in developing new job skills. I have direct knowledge of how the same type tax credit system has been used in private industry for the purpose of replacing equipment with the purchase of new essential equipment.

I believe there is an important philosophical advantage in placing reliance on private industry in this matter of job training.

Increasingly the advocates of strong central government are urging that we shift greater reliance from nongovernment elements into the hands of the bureaucracy. We are told that only in this way can the task be accomplished.

Far too often and for far too long we in Government have yielded to this risky concept, and have brought the Federal Government into extensive control over matters which rightfully ought to be in the hands of individuals, of families, of private enterprise, or State and local government.

It is time we move back again in the direction of recognizing the great resources available in the private sector of the economy—resources in terms of ability, dedication to the public interest, imagination, energy, and wisdom.

Enactment of this Human Investment Act would, I believe, add new emphasis to the undeniable fact that the principal source of America's strength today has not been government, but rather has been our system of private enterprise, the most productive system known to man since the dawn of history.

This reliance on individuals acting free of bureaucratic management is the cornerstone of Republican political and economic thinking. It is a great satisfaction to me that Republicans in both bodies today, and representing all parts of the country, are joining in this demonstration of common purpose.

I hope this proposal is given the consideration it deserves. I look forward to working with others, both in Congress and in the executive branch, toward the enactment and the implementation of this legislation as a significant step forward in development of our Nation's human resources upon which our continued economic strength rests so heavily.

Mr. POFF. Mr. Speaker, I am proud to join today with a number of Republican colleagues in the introduction of a bill which, if enacted, would be entitled the "Human Investment Act."

This legislation, the fruit of many long hours of toil spent in draftsmanship, modification, amendment, accommodation, and compromise, is aimed at one of the chronic ills of our body politic, the disease of unemployment and underemployment in both urban and rural areas of the country.

HUMAN CAPITAL—OUR GREATEST ASSET

America's riches are America's natural resources. The chief among these is human capital. When I speak of human capital, I speak of individual intelligence and individual talent. The trained minds and skilled hands of America's working men and women constitute assets more valuable to the security and progress of the Nation than any other commodities. To the extent we neglect the utilization of that asset, we neglect the future of America.

The Nation must be prepared now to make an investment in that asset which will insure its proper utilization. The bill we have introduced is designed, through a tax credit incentive, to encourage private business establishments, including both big business and small business, to invest in manual skills training program. These programs will not only train young people entering the Nation's labor force, but will offer older workers handicapped by technological changes and obsolescence an opportunity to learn new skills and upgrade their job status. Instead of undertaking training programs of its own, with all the resulting inefficiency, bureaucracy, and expense, the Government would provide a tax incentive for private industry to apply its proven techniques in training and retraining workers.

This bill would allow an employer a credit against his Federal tax of 7 percent of sums expended by him—with a maximum credit of $25,000, plus 25 percent of the amount of liability for taxes that exceeds $25,000 for the taxable year—in training or retraining any of his employees about to be displaced by automation or mechanization or for the training of new employees for job skills needed within that particular industry. This credit could be carried back 3 years and carried forward 5 years.

There is no precise way to estimate revenue loss. There are too many variables and too many imponderables. In any event, however, this system spares the taxpayers the financial burden of Federal administrative expenses, and it energizes the most powerful economic force in our American way of life, the free enterprise system.

CALIFORNIA—SKILLED LABOR IN DEMAND

Mr. REINECKE. Mr. Speaker, it gives me great pleasure to be able to join with so many of my Republican colleagues in introducing this important Republican bill, the Human Investment Act of 1965.

Charles Hanna, who is chief of the division of apprentice standards for the California Department of Industrial Relations, has aptly written:

> The relationship between training and employment is of special concern to the State of California, where in spite of unprecedented economic growth unemployment has held stubbornly at near 6 percent. * * * California's industrial base is becoming increasingly technical. More and more of our industry is directed to defense, to electronics and aerospace research and development. * * * California needs and will continue to need more and more skilled workers. The question is whether through training we can mesh the needs of industry with those of the new labor market entrant and the worker displaced by technological advance. * * * It can be said without any hesitation that the challenge will not be met unless we are willing to triple our present efforts in developing apprenticeship and other on the job training opportunities.

Mr. Speaker, the Human Investment Act is directed specifically to meeting California's pressing needs, and I am happy to be a sponsor of it.

THIS ACT A WORTHY SUPPLEMENT TO MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. RUMSFELD. Mr. Speaker, I am today introducing a bill which I believe to be a sound approach to an aspect of the Nation's continuing problem of unemployment and job retraining.

The Human Investment Act of 1965, which I am introducing—as well as my remarks under a special order requested by my able colleague, Representative Thomas B. Curtis of Missouri, is intended to help provide an incentive to American business to invest in the improvement of our Nation's human resources by hiring, training and employing presently unemployed workers who lack needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

This bill offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or to retrain current employees for more demanding jobs within the company.

In passing the Manpower Development and Training Act, with my support, the Congress indicated its awareness of the need for meeting the increasingly serious problem of structural unemployment caused by a labor force ill fitted for existing and developing job opportunities. The Human Investment Act will link private enterprise efforts with those efforts being made by Federal and State governments in this important area. The major premise of the proposal which I am introducing is that private business has over the years learned how to obtain the most results per training dollar and should now be encouraged to expand its training programs to meet this national need.

I hope that my colleagues on both sides of the aisle will seriously examine the merits of this bill.

HELPING YOUTH GET A START

Mr. BOW. Mr. Speaker, I have great hopes for the success of the program proposed in the Human Investment Act of 1965, and I am pleased to join with the gentleman from Missouri and others in sponsoring this legislation.

The 16th District of Ohio is one of the most diversified industrial centers in the Nation, and I know something of the problems of apprentice and on-the-job training which make it difficult for young men to get a start and advance within and industrial plant. Although we have made great progress in Canton, we are all aware that current labor training practices do not meet industry's need for trained workers, nor do they serve adequately the young people who aspire to work in our growing industries.

The incentives provided in this bill should go far toward solving these problems, and I trust that the legislation will have the early and careful consideration of the Committee on Ways and Means and the Congress.

Mr. SCHWEIKER. Mr. Speaker, I join today with a number of my colleagues in introducing the Human Investment Act of 1965 to provide tax credits to employers who pay for the job training of unemployed workers or the retraining of employees about to be displaced by automation or mechanization.

This legislation would provide employers with a 7-percent tax credit toward wages for training employees in registered apprenticeship programs, on-job-training programs under the Manpower

Development and Training Act, and cooperative work-study programs.

In addition, the 7-percent tax credit could be applied by the employer against tuition and course expenses paid to colleges, or business, trade and correspondence schools for the training of employees and prospective employees. Expenses for organized group instruction would also be covered.

HUMAN CAPITAL—OUR MOST VALUABLE RESOURCE

The Human Investment Act will make possible the utilization and development of our Nation's most valuable resource—its human capital. I can think of few more worthwhile efforts than to invest in upgrading the skills and abilities of our country's labor force.

This bill would give employers the incentive to expand their training programs. It would give employers the incentive to initiate new programs for employees and prospective employees—men and women currently unemployed because they do not have needed skills. Unemployed workers would be given the training and skills needed to make them employable. The Human Investment Act offers new hope to workers whose jobs are threatened by automation or shifting defense contracts.

I join with the distinguished gentleman from Missouri [Mr. CURTIS] and with my other colleagues who have today introduced the Human Investment Act of 1965, in urging that the House move forward to make this most worthwhile investment in our labor force a reality.

THE HUMAN INVESTMENT ACT COMPATIBLE WITH REPUBLICAN TASK FORCE RECOMMENDATION

Mr. WALKER of Mississippi. Mr. Speaker, I am happy to introduce, along with the distinguished gentleman from Missouri [Mr. CURTIS], the Human Investment Act of 1965.

The gentleman from Missouri is one of Congress' most learned scholars in, among other things, the field of manpower and training problems. It is my privilege to serve with him on the Republican Coordinating Committee's Task Force on Job Opportunities, whose chairman is Mr. Charles Percy of Illinois.

The Human Investment Act that we introduce today is in at least one respect a means of advancing a proposal made by the Percy Task Force to the full Republican Coordinating Committee at its meeting last June. At that time the Task Force recommended a 9-point program including expanded apprenticeship training. This bill will give a direct financial incentive to employers to expand apprentice training programs. I am happy to join with other distinguished members present today in introducing this constructive Republican effort to cope with the critical job training needs of the Nation—not through increased governmental bureaucracy, but through tax incentives to the American free enterprise system. I am strictly a believer in the free enterprise system and I wholeheartedly support any legislation designed to maintain and encourage this system.

INVESTMENT IN MANPOWER NEEDED NOW

Mr. McCLORY. Mr. Speaker the vitality of America's competitive free enterprise system is a traditional source of our Nation's great economic strength. Today, I am proud to associate myself with the gentleman from Missouri [Mr. CURTIS] and my other colleagues in support of the Human Investment Act of 1965. This is a measure which—if enacted—will further stimulate, strengthen, and provide impetus to our economy.

Rapid technological changes, accelerated by automation, have left growing numbers of our Nation's workers displaced and unprepared for skilled employment. As a result, unemployment and a chronic shortage of needed skills continue to be a nagging national problem.

The Human Investment Act which will provide tax incentive to private employers who retrain displaced employees and set up apprenticeship training programs for teaching needed skills to new workers, appears to be a sound solution to this problem.

Encouraged by the tax credit incentives of this measure, private industry will respond to the obvious need for action and solve this national problem at less cost, too, than Government programs.

Mr. Speaker, I am pleased to join with those Members of the House and Senate who are introducing this wise and necessary remedial legislation. A sound and economical solution is offered by the Human Investment Act, which also places the responsibility in reducing unemployment upon those who properly should take the lead in on-the-job training—America's business leaders and private employers.

TAX INCENTIVES A SOUND APPROACH

Mr. DON H. CLAUSEN. Mr. Speaker, I am happy to sponsor the Human Investment Act today because, it seems to me, the tax credit approach to meeting our job training problems is one with a number of unique advantages.

Gerald J. Robinson, a lawyer and author of New York City, has written one of the earliest articles advocating the use of the tax credit approach to spur private industry retraining efforts. In the spring 1964 issue of Michigan State University's Business Topics, Mr. Robinson said:

> Industry itself is the best qualified to carry out the retraining job. It knows its own needs, has the essential know-how, and has many of the facilities needed * * * this combination of circumstances points clearly to the solution: a liberal tax credit to industry for worker retraining. Using the tax credit as a stimulant places the financial burden for retraining where it fairly belongs—on the entire Nation. The credit also has the virtue of allowing industry to do the retraining itself. Thus it is twice blessed, by equity and by efficiency.

Mr. Robinson goes on to make a point which certainly appeals to me:

> For those who believe the best government is the government which governs least it has the attribute of getting Washington out of the retraining business by putting the job in the hands of industry.

Under general leave to include extraneous matter, Mr. Speaker, I include the entire article by Mr. Robinson at the conclusion of my remarks today.

I wish to commend the gentleman from Missouri [Mr. CURTIS] on his able organization of this special presentation today. I hope this Republican effort gets the wide circulation and coverage that it deserves.

The article referred to follows:

UNEMPLOYMENT AND TAXES—TAX CREDIT AS A SELECTIVE ECONOMIC STIMULANT

(By Gerald J. Robinson)

A proper objective and responsibility for the American people is the maintenance of full employment. In a civilization which values efficiency, justice, and humanitarian ideals, nothing less can long be tolerated. But the workers' ancient nightmare of job-destroying machinery is becoming a reality in the latter half of the 20th century. The full implications of automation are now becoming discernible. The president of a company manufacturing automation equipment has recently estimated that automation is eliminating more than 40,000 jobs a week, a figure higher than the Labor Department's own estimates. Yet in many areas of our technological economy there is not a shortage of jobs but a shortage of people to fill them. This combination of circumstances points clearly to one of the solutions to unemployment: worker retraining. A substantial part of the net decrease in unemployment could be offset if workers displaced by automation could be educated and trained in the new technology.

How can this be done? Retraining is a costly process and, disturbed as our corporate managers may be about the problem, they cannot freely devote corporate resources to retraining. This is a problem of national welfare for which the whole Nation is responsible. Yet there can be little doubt that industry itself is the best qualified to carry out the retraining job. It knows its own needs, has the essential know-how and has many of the facilities needed. Once again, this combination of circumstances points clearly to the solution: a liberal tax credit to industry for worker retraining. Using the tax credit as a stimulant places the financial burden for retraining where it fairly belongs—on the entire Nation. The credit also has the virtue of allowing industry to do the retraining itself. Thus it is twice blessed, by equity and by efficiency.

There is ample precedent for use of the tax system to bring about desirable economic and social conditions. Hardly any individual deduction or credit is enacted without economic or social objectives. But the most compelling precedent for the retraining credit is the 7-percent credit for investment in new equipment enacted in 1962. This credit was enacted largely because American plants were not being modernized quickly enough to meet vigorous foreign competition. The credit is designed to reduce taxes by 7 percent of the amount invested in qualified machinery, thereby increasing industry's incentive to modernize. It could hardly be argued that a similar credit to reduce unemployment is less desirable. On the contrary, there are powerful economic and social reasons for a retraining credit. From the economic point of view increased employment will bring greater purchasing power and increased gross national product. It will also reduce the need for unemployment compensation as well as public and private payments to support the indigent and their dependents. While initially producing some tax-revenue loss, the longer term stimulative effects would ultimately increase Treasury receipts. Moreover, placing displaced workers back on the payroll will make them taxpaying citizens again, thus preserving a revenue source which might otherwise be lost forever. From the social point of view the benefits are ample. As obsolete skills are replaced with productive skills the widespread indignity of joblessness would be reduced. Racial tensions will be eased. Poverty will be reduced and with it the delinquency and squalor which fester in our slums. And from a moral point of view it is apparent that we could not be true to our humanitarian ideals if we did not try to improve obsolete workers as much or more than obsolete machines.

Whether the credit would be an effective device to induce management to undertake dynamic retraining programs would depend on numerous factors. The size of the credit would be critical. Without suggesting any figure it is clear that it would have to be substantial. It might be argued that a credit will not induce a company to do something it didn't intend to do in any event. But this same argument could have been advanced against the investment credit. Experience with the investment credit seems to have been favorable; while not conclusive it is noteworthy that investment in new machinery has advanced significantly since the credit became available. Perhaps the answer to the incentive question is that the credit acts as a nudge to the undecided. If it is not a sufficient inducement in itself further inducements can be considered. For example, to encourage the retention of workers where displacement is imminent or after displacement and retraining, an additional deduction for wages could be temporarily permitted for certain workers. Canada's new tax incentive program allowing a deduction of 150 percent of increased research expenditures has spurred research and development in that country. A similar transitional spur to employment in the United States may be warranted. While business spends to make money, not to save taxes, the enactment of a temporary tax differential favoring labor over machines may keep the advance of automation at a more orderly pace by allowing more after-tax profits to be made by employing certain displaced workers rather than machines.

Widespread agreement on the need for full employment can be assumed. However, the community of views rapidly vanishes when the techniques for achieving this desirable state are explored. The diversity of views is primarily based on different economic philosophies, most generally reflecting differing economic affiliations. Granted the pressing danger of increasing structural unemployment, a solution which does the least violence to the main armed camps—laissez-faire versus planned economy—has, as a practical political matter, the greatest promise of becoming reality.

Employing a tax credit to encourage worker retraining and retention has some remarkable practical political attractions. For those who believe the best government is the government which governs least, it has the attribute of getting Washington out of the retraining business by putting the job in the hands of industry. There is respectable opinion that industry can do both a better and more efficient job than government. On the other hand, those who favor increased Federal economic planning may derive a large measure of satisfaction from witnessing the Federal tax system actively used to create fuller employment. Moving from the battle of philosophies to the war of pressure groups the prospect is also bright; industry generally cannot be expected to chafe at a tax reduction which increases profits and labor would doubtless hesitate to bewail a measure calculated to increase employment.

Of course, objections to the proposal will be raised. At the congressional hearings on the investment tax credit numerous reasoned and not-so-well-reasoned complaints were made. Among the latter group the standard lament over Government incursions into the realm of business was heard. Of course the power to tax is the power to destroy. But the converse of this antique truism is also true; the power to tax is the power to create. Creation or destruction depends not upon the tool but the use to which it is put. This fact cannot be hidden by slogans and thus it may be expected that a preponderance of power group opinion would favor the measure. Moreover, the reaction of the general public also should be favorable; a sense of fairplay and justice would certainly require at least as favorable treatment for investment in human assets as the treatment accorded to investment in machines.

Perhaps the most ambitious action taken so far to combat unemployment is the Manpower Development and Training Act which provides Federal funds to States for retraining. It has been a disappointment. Very few States have passed enabling legislation and the necessity for States to match Federal funds in the future does not augur well for the program in view of the pressing financial problems of most States. A tax credit is a more efficient device for getting the job done. It will cost the Nation less because industry will use its own existing facilities eliminating the need for expensive expansion of State facilities. Administration of the program will also be greatly simplified; instead of creating a large agency in Washington to establish and supervise training standards the job will be done by business itself under the observant eye of an existing corps of revenue agents.

Other measures have been urged to aid in alleviation of the problem, but the suggested cures seem as bad as the disease. A shorter workweek has been suggested—but roundly criticized as tantamount to an inflationary wage increase making it harder for American goods to compete in domestic and world markets. Massive public works programs, increased Government employment, lower interest rates and various other proposals have been made. Like the shorter workweek, each of these proposals involves serious drawbacks. While these broad measures may initially promote employment, they do long-range economic damage in other areas. On the other hand, use of our tax system to combat structural unemployment provides a highly specific approach which can be solely addressed to the automation-unemployment problem without other adverse long-range effects. The rifle versus shotgun analogy is apt here—the credit remedy targets directly on the problem; other remedies scatter undesirable side effects. The ability of the tax credit to focus on a single problem is one of its unique features as an economic planning device.

Of course, the enactment of this proposal would be only a partial solution. The basic need is more jobs. The existence of more job opportunities depends to a large extent on greater demand for the goods our economy produces, particularly goods with a high labor content. The pending tax bill providing for across-the-board tax cuts is a move in the right direction, but its emphasis is wrong. The value of the tax cut would be greatly increased if more of the tax reduction were provided for lower income taxpayers, who would spend the additional income, rather than to higher income taxpayers who would be more likely to save or invest it. Our national need at this juncture is for more consumption; with existing overcapacity there seems little justification to stimulate investment. But even a tax cut for low-income groups is also only a partial solution. As the true proportions of the automation problem become visible it is becoming apparent that attack on many fronts is essential, requiring the joint strength of industry, labor, and Government. The tax credit is only one of many ideas which must be explored.

In view of the nationwide scope and urgency of the unemployment problem, it is reasonable to expect that the excess costs of employing certain workers should be borne by society in general. Certainly any tax credit remedy can be criticized. But unless the threat of automation is overcome, political pressure may build to impair or destroy the advance of technology, and with it some of man's best hopes for abundance and betterment. In the absence of effective countermeasures there is danger that labor unions eventually will be forced to sponsor featherbedding as a nationwide industrial institution. Or, perhaps worse, grave unemployment may build sentiment to compel the Government to institute massive aid comparable to the farm program. These dismal alternatives should be avoided, and they can be by vigorous action now. Automation is neither a blessing nor a curse. It is merely another economic fact of life which we, with good sense and ingenuity, can shape to serve our general welfare.

CONCLUSION

Any proposal of this type requires careful study to assay its validity. Perhaps the most critical areas for investigation are administrative difficulties, whether the credit would in fact induce industry to retrain and reemploy, how much incentive is needed, and what effect it would have on industrial efficiency. Study should also be directed at determining how much unemployment results from workers' geographical immobility. If this is an important factor, consideration should be given to extending the credit to worker relocation costs. Investigating these problems requires extensive research. In view of the great potential benefits we should get on with the task.

RECHANNELING TRAINING THROUGH AMERICAN BUSINESS

Mr. SKUBITZ. Mr. Speaker, I have been concerned that the growing number of Government manpower programs—many of them admittedly worthwhile—have nonetheless had a depressing effect on the magnitude of private business' investment in the skills of the Nation's labor force through job training programs of its own.

Last April, Mr. Nat Weinberg of the United Auto Workers, testified before the Joint Senate-House Manpower Subcommittee. He told the subcommittee:

> We face practical situations; we have one in the Chrysler Corporation where, under present conditions, the Chrysler Corporation, instead of undertaking the retraining of workers that it would normally do on its own, is trying to transfer that burden to the Government manpower programs just because they are there. Chrysler is making enough profits to do it. It needs these workers and it would do it if the manpower programs were not there.

I can not personally vouch for the accuracy of Mr. Weinberg's statement, of course, but if it is true we are now beginning to see a very unhealthy phenomenon: tried and true private business training programs abandoned in favor of Government-operated programs paid for not by private firms but by the ordinary taxpayer.

The Human Investment Act will do much to nip any such disturbing trend in the bud, Mr. Speaker, because it helps to shift the major responsibility for retraining back where it belongs—on the American free enterprise system. I am happy to join in sponsoring this legislation, and hope that Congress will give it prompt and favorable consideration.

CONCLUSION

Mr. CURTIS. Mr. Speaker, I wish to conclude this special presentation by thanking the 43 Republican Members of the House who have joined me in introducing this legislation, and especially the 35 Members who have contributed so much to the success of this presentation with their remarks today.

On behalf of all the House sponsors, I also wish to express my appreciation for the very helpful cooperation many of us have received from Republican Senator WINSTON L. PROUTY, of Vermont, who conceived legislation to apply the tax-credit principle toward the expenses of job training by private industry.

Mr. Speaker, I have rarely seen so much instantaneous enthusiasm among my colleagues for a new concept in legislation as that which has attended the Human Investment Act. This measure is an important initiative toward finding new solutions to one of our most critical problems. I commend it to Members of Congress, and sincerely hope that the appropriate committees invest a good deal of time and interest in evaluating what I believe to be its very great potentialities.

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to associate myself with the efforts that have been announced here on the floor of the House today to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

I have joined in cosponsoring the Human Investment Act. It would provide for a 7-percent tax credit to an employer toward certain of his employee training expenses. Among the expenses specifically named are those relating to apprenticeship training, on-the-job training under the Manpower Development and Training Act, cooperative work-study programs, and tuition refund and organized group instruction payments by employers.

Just as the 7-percent Investment Credit Act contributed to the economic expansion in the private sector of our Nation's economy, this 7-percent tax credit which we propose in our Human Investment Act will give important recognition to the fact that America's greatest natural resource is "human capital." Our proposal will provide an impetus to the efforts that are being made to try and close the gap between the technological and manpower needs of the Nation. Indeed, what we propose would go a long way to encourage private business, both large and small, to invest in upgrading the job skills of the Nation's labor force. It would also place the responsibility for increased job training where it belongs; namely, on the Nation's greatest job trainer, our private enterprise system.

Certainly with the enactment of such a proposal, I think we can foresee such benefits as advancement of individuals to better jobs through more training. Also, those now unemployed because of inadequate skills, could be hired to take their place. The Human Investment Act offers new hope, too, to workers whose jobs are threatened by automation or by economic dislocations.

Mr. Speaker, because this bill would use the tatx-credit approach, it would result in a temporary loss of general revenues to the Federal Government but this loss would be diminished as a result of the increased earning capacity of the individual and greater economic growth. Rather than see a lot of spending of dubious value by the Federal Government, I would prefer to see such a meritorious program of tax credits enacted into law. Authoritative sources predict that the gross national product of the United States would advance to $870 billion by 1970. If those predictions materialize, then such a gross national product would mean Federal revenues of some $165 billion with tax rates at their present levels. This is about $50 billion above that for fiscal year 1965, just ended.

In conclusion, I want to urge my colleagues on the Committee on Ways and Means to give early and favorable consideration to a proposal as meritorious as this, which can reasonably be expected to play such a vital role in spurring our Nation's economy on to new heights.

Mr. REINECKE. Mr. Speaker, it gives me great pleasure to be able to join with so many of my Republican colleagues in introducing this important legislation, the Human Investment Act of 1965.

Charles Hanna, who is chief of the division of apprentice standards for the California Department of Industrial Relations, has aptly written:

> The relationship between training and employment is of special concern to the State of California, where in spite of unprecedented economic growth unemployment has held stubbornly at near 6 percent, California's industrial base is becoming increasingly technical. More and more of our industry is directed to defense, to electronics, and aerospace research and development. California needs and will continue to need more and more skilled workers. The question is whether through training we can mesh the needs of industry with those of the new labor market entrant and the worker displaced by technological advance. It can be said without any hesitation that the challenge will not be met unless we are willing to triple our present efforts in developing apprenticeship and other on-the-job training opportunities.

Mr. Speaker, the Human Investment Act is directed specifically to meeting California's pressing needs, and I am happy to be a sponsor of it.

Some of the firms in my district and in other areas of California have been pioneers in business efforts to upgrade the job skills of their employees along a broad front. I insert at this point in the RECORD an article from the American Management Association Bulletin, No. 45, 1964, describing how North American Aviation, Inc., meets its job training problems. The article is by Frank G. Rizzardi, one of North American's manpower experts, and it is entitled "Continuing Education: A Means for Combating Skills Obsolescence."

The article follows:

CONTINUING EDUCATION: A MEANS FOR COMBATING SKILLS OBSOLESCENCE

(By Frank G. Rizzardi)

The prominence given to company-sponsored educational assistance programs is proof of management's concern over the effect this age of rapidly changing technology is continuing to have on the currency of its engineers and scientists in their chosen fields of specialty. Such emphasis on these programs also verifies the importance of continuing education to both the employee of long standing and the recent graduate who desires to maintain his currency.

We have witnessed a great change in the profile of one of our major industries, the airframe industry, since 1949. This change became necessary when its management accepted the challenge to fulfill a new role in the rapidly developing space age. Appropriately, this evolving industry began to be referred to by management and workers as the areospace industry.

Accompanying the arrival of the space age was the age of fluid technology. Unlike any other major industry, the survival and progress of aerospace companies was to be based on the ability of these companies to build on a dynamic technology. Unfortunately, however, far too many managers were too busy concentrating their efforts on the multitude of money and facilities problems to become alert to the rapidly changing technology within their industry and markets.

In this period of revolutionary advances in the aerospace sciences, the industry wisely continues to emphasize needed research and development. To expand research and development programs, whether external or within the areospace industry, requires the continued and coordinated expansion of three basic elements:

1. More people must be educated and trained on a sustained basis in order to be used to their fullest capacity.

2. More tools and facilities must be provided the scientists and engineers in order that they be able to apply their knowledge in an environment that will assure their effective utilization.

3. More new materials must be developed to meet the space-age needs.

Because many of these demands are being met through the same fluid technology that has contributed to the rapid obsolescence of equipment, techniques, and manpower, it is essential that management not only maintain an adequate staff of trained engineers and scientists but also provide means by which these key personnel can continue their education and training on a sustained basis.

World leadership in the design and manufacture of advanced systems depends upon prompt application of the latest scientific knowledge before it becomes obsolete. Although America has no monopoly on either the knowledge or the skills and technical faculties necessary for its prompt application, it does have a highly developed educational system which industry must use more intensively in helping to keep the Nation ahead in the armament and space race.

TABLE 1.—*Growth in sales*

Year	Sales	Growth index (1948=100)
1948	$94,130,000	100
1953	634,688,000	674
1958	904,039,000	962
1963	1,867,051,000	1,983

SOME COMPANY BACKGROUND

North American Aviation represents a unique fusion of science and industry. It is an organization that has proved its ability to shorten the time lag between discovery and application and that is contributing to technical progress and putting it on the production line for the common defense and everyday uses of the community.

The company has personnel with many different aptitudes and skills—from the craftsmanship of the manual worker to the creative ingenuity of the engineer, scientist, and manager. The organization includes specialists in hundreds of different sciences, subsciences, trades, and professions. The development of this flexible, dynamic organization is the result of the efforts of the firm's farsighted management in planning for the future. J. H. Kindelberger, former chairman of the company's board of directors, said in 1948:

"The job ahead will not be easy. The revolutionary advances in systems performance toward which we are now striving are having a profound effect on almost every phase of systems design and manufacture. While maintaining the initiative, loyalty, and teamwork which built the organization, we must concentrate on constantly improving our skills to meet the challenge of tomorrow."

As an indication of the growing complexity of weapons systems brought on by the age of extraordinary technological progress, the company found it necessary to establish training programs. These programs were designed to acquaint many of the employees with the latest techniques in specialized fields such as electronics and hydraulics. As technology progressed further, these programs were modified or expanded, to meet new problems so that the R. & D. organization and its service adjuncts might continue to be properly equipped to meet their rapidly changing technical responsibilities.

To understand fully the problems accompanying the conversion of the "tin benders" (as employees in the airframe industry were called), one must visualize the many changes that have taken place and are continuing to take place within the industry. This insight can probably best be accomplished by taking a look at the growth and a few of the material changes that took place within North American Aviation between 1948 and 1963 to meet the requirements of the aerospace era.

During this 15-year period, sales of the company's products increased by almost 2,000 percent (see table 1). Although the largest increase in sales occurred in the 1958–63 period, a significant increase can be noted between 1948 and 1953. It was during this latter period that company management began to grasp the full significance of the age of extraordinary technological progress, its great potentials, and the effect it would have on the company's future business activities. In this period, North American achieved significant gains in a variety of advanced technical and scientific fields so that the company's capabilities continued to be broadened and strengthened.

It was not until about 1954 that the technological advances of the late 1940's and the early 1950's were to become visible in the form of new products and a more greatly diversified company. The resultant diversification can be measured by the growing proportion of the company's business in fields other than aircraft—missiles, electronics, electromechanical equipment, rocket engines, and atomics (see table 2). In 1955 these new fields accounted for 20 percent of the company's business, with aircraft sales accounting for 80 percent. By 1959, they represented 43 percent of the total.

Further progress was achieved through a continuing effort in executing important national programs that contributed to the rapidly advancing technology. Most of these programs required not only creative research and development but also efficient production of systems and components. By 1963, aircraft sales reached the point of accounting for only 20 percent of the company's business, while systems resulting from new technology represented some 80 percent of the total.

While this growth was taking place, the upward trend and diversification in scientific and engineering activity continued as development work was carried forward on different airplane categories and many diversified research projects. Indicative of the extraordinary technical demands on the company, table 3 shows that total employment in engineering activities in the 1948–63 period greatly exceeded peak engineering and scientific employment of the company during World War II. An additional condition that made management more aware of the impact of technology on manpower needs was the increase in the ratio of the engineering and scientific personnel to total personnel employed. Forecasts further indicated that this trend would continue without letup so that by 1970, 22 percent of all persons employed in the aerospace industry would be engineers and scientists. A pending shortage of scientists and engineers, brought about by the growing needs of the infant aerospace industry, was indicated as early as 1948 in a North American personnel report which stated: "Recruitment of semiskilled and unskilled workers presented few problems during the year, but an increasing amount of difficulty was encountered in recruiting experienced engineers and certain types of skilled craftsmen." The engineering manpower shortage would become more acute because of the accelerated obsolescence of certain types of engineers caused by technological changes which became more frequent and more extensive. This shortage was further aggravated as more industries changed goals in order to participate in the expanding space business; the concurrent decreasing enrollment in engineering schools was another factor contributing to the shortage. Employment activity and the seriousness of the continuing shortage of graduate engineers is depicted in table 4 which summarizes the results of surveys made by the engineering manpower commission of the Engineers Joint Council.

TABLE 2.—*Changes in product mix*

1948	1954	1963
Aircraft: F-86 FJ-1 F-82 B-45 F-93A T-28 AJ-1 Experimental missiles	Aircraft: F-86 FJ-3 F-100 FJ-4 T-28 Experimental missiles Nuclear reactor technology Rocket propulsion systems Flight and fire controls Guidance systems	Aircraft: T-39, T-2 RA-5 series XB-70 X-15 Apollo spacecraft Nuclear powerplants Rocket propulsion systems Guidance and control systems Radar GAM-77ASM Research and development contracts

TABLE 3.—*Total engineering and scientific manpower versus total manpower*

Year	Total manpower	Engineering and scientific manpower	Percentage of engineering and scientific manpower to total manpower
1943	90,000	3,000	3.33
1948	22,000	2,800	12.73
1953	53,000	9,000	16.98
1958	54,000	9,000	16.67
1963	103,000	17,000	16.51

TABLE 4.—*Comparison of engineering deficiencies in total U.S. employment goals*

Survey year	Actual accessions	Required accessions	Deficiency in employment goals (percent)
1951	14,894	17,676	1.8
1952	7,925	13,207	4.1
1953	6,692	11,386	3.4
1954	5,560	8,950	2.4
1955			
1956	14,162	20,125	3.7
1957	11,557	18,026	3.3
1958	10,828	12,776	.9
1959	11,828	14,520	1,3
1960			
1961	6,728	9,008	1.1

EDUCATIONAL REIMBURSEMENT

In order to provide a means by which its employees could continue their education, North American instituted its first formal voluntary employee educational assistance program in 1950. Today this valuable program is called the educational reimbursement program. It was established to provide employees with an opportunity to take courses of instruction at nearby schools and colleges on a voluntary basis (on their own time) and at a minimum cost to themselves. The objectives are to:

1. Provide employees with a means for improving themselves by sharing in their development costs.
2. Decrease the employee's rate of technological obsolescence by providing him with a means for continuing his education on a sustained basis.
3. Influence engineering and scientific graduates to select the company as their future employer.

One of the more important results of the program, however, is its contribution to employee job performance, thereby enhancing employee advancement opportunities within the company and adding to overall company effectiveness.

The first reimbursement program attempted by the company was basically nondegree oriented. Reimbursement was based on the employee's enrollment in approved individual courses rather than in an approved degree program. However, a degree objective was permissible under the program's provisions.

The basic requirements of the first reimbursement program apply today. The employee is required to have the course and the school at which he plans to enroll approved by a divisional program administrator This approval determines the employee's eligibility for a two-thirds reimbursement on tuition and fees after satisfactory completion of the course. The course must be related to North American's primary operations but not necessarily to the employee's present job.

Schools accredited by a regional accrediting association or by the National Home Study Council are automatically approved for enrollment by the participating employee. Those not so accredited are usually investigated and evaluated by a team of appropriate company personnel selected to determine whether these schools meet certain standards necessary for approval under the program. This evaluation of a nonaccredited school ordinarily does not take place unless a number of employees indicate an interest in the school. From 1950 to 1964, some 60 local schools were evaluated, with about 40 being approved under the reimbursement program.

An employee can be removed from the program if he does not maintain a satisfactory job attendance or a good work record. This requirement is felt to be necessary to insure that participation in the program does not adversely affect the employee's performance of his regular work assignment. Company records, however, show that no employees were ever removed from the program for failure to meet this requirement. Apparently, the presence of this requirement causes many employees to evaluate carefully their ability to carry a large academic course load while working a full 40-hour week. Each divisional program administrator also serves as a control point by questioning the number of courses for which an employee is seeking reimbursement.

When the employee completes the approved course and receives a passing grade (at least a grade of C is required), the company reimburses him for two-thirds of the tuition and fees, including certain nonrefundable laboratory fees. Costs for books and breakage fees are not allowable items of expense, except in correspondence courses where the cost of the books is usually inseparable from the cost of the course. If equipment is included as part of a course, the employee must pay the full portion of the equipment cost.

Another requirement is that the employee must be employed by the company full time (40 hours or more per week). Time spent on courses taken under the program is on a voluntary basis and is not considered as time worked for the company.

As shown in table 5, the problem of updating company personnel during the 1950–56 period was partially alleviated by the educational reimbursement program. During this period, an average of over 1,900 employees per year attended various colleges and schools. These employees completed a total of 15,876 courses. It is estimated that over 70 percent of the program participants were engineers and scientists, with the remainder coming from other functional areas within the company.

A company forecast of engineering and scientific manpower needs for the 1957–63 period revealed that there would have to be almost a 100-percent increase in its head count if we were to have the manpower required to meet the anticipated accelerated growth in company business. This predicted growth was soon to be duplicated by the whole aerospace industry, bringing greater pressure to bear on the already deficient supply of engineering manpower in the United States.

TABLE 5.—*Educational reimbursement program activity*

Year	Number of employee participants	Courses completed	Average reimbursement costs per course
1950	120	133	$24
1951	851	910	17
1952	1,608	1,771	19
1953	1,758	2,103	27
1954	2,186	2,680	32
1955	3,262	3,794	36
1956	3,890	4,485	35
Total	13,675	15,876	------------

TABLE 6.—*Engineering degrees conferred*

Academic year	Total	Bachelor's	Master's	Doctor's
1960–61	44,980	35,860	8,177	943
1957–58	41,767	35,332	5,788	647
1952–53	35,013	30,286	4,141	586
1948–49	50,415	45,200	4,798	417

Table 4 shows that although the percentage of deficiencies in employment goals established by those firms surveyed indicates a decrease, the number of engineers represented by these deficiencies was actually increasing during this period. The growing seriousness of this problem to management was to be further demonstrated by an insufficient growth in the number of engineering degrees to be conferred by recognized schools and colleges in the United States during the 1948–61 period. As shown in table 6, the number of bachelor's degrees conferred in this period dropped from 45,200 in 1949 to 35,860 in 1961. In contrast, the number of master's degrees rose from 4,798 to 8,177, and doctor's degrees rose from 417 to 943.

To supplement the large but still insufficient number of qualified employees recruited from among the current graduates, North American amended the 1950 educational reimbursement program in 1957 to provide assistance to qualified employees who desired to secure a degree while employed. As expected, this amended program began to play a still greater role in helping to meet the company's long-range technical manpower requirements.

Table 7, which summarizes 1957–63 educational reimbursement activity, shows that North American's employees completed a total of 57,447 courses during this period. More than 600 employees received bachelor's degrees, 340 earned master's degrees, and 17 obtained doctor's degrees. Each succeeding year saw increased use of the program by all employees. As in the 1950–56 period, over 70 percent of the program participants were employees classified as scientists and engineers. In addition to those who secured their degrees under this amended program, many employees still eligible for educational benefits under the GI bill secured their degrees while under a company-sponsored educational leave of absence, returning to work at North American.

The amended educational reimbursement program provides the employee with a greater incentive to continue his educational program until he receives a degree. Under this extended program, the employee who secures a bachelor's, master's, or doctor's degree in an approved field becomes eligible to receive, in addition to the two-thirds reimbursement of his tuition and fees upon course completion, the reimbursement of the remaining one-third. Moreover, each participant receiving a master's or doctor's degree may be reimbursed up to $100 for graduate fees and expenses incurred in the preparation of his thesis, such as for typing, binding, and publishing.

EDUCATIONAL LEAVES OF ABSENCE

Unlike the 1950–56 program which made no provision for part-time employment, under the amended program an employee studying for an advanced degree becomes eligible for a part-time work schedule of no fewer than 20 hours a week from date of hire. He can also apply for an educational leave of absence, without pay, provided he meets certain conditions. One of the basic requirements is that he must have completed prior to each leave, at least 1 year of continuous full-time employment. An employee may be considered for an educational leave even though he may be participating in scholarship, fellowship, or educational assistance programs from some other source.

The length of the educational leave varies with the employee's degree objective. An employee in the first 2 years of his undergraduate program may be granted a leave not to exceed 11 months. An employee in the last 2 years of his bachelor's program may be granted a leave not to exceed 21 months. A doctoral candidate, on the other hand, may be granted an educational leave not to exceed 36 months. The employee on a leave of 21 months or more is required to return to work in the summer, unless he is in residence at his school during that time. A doctoral candidate may take his leave with intermittent periods of school and work, or his months of leave may be taken consecutively.

Each year the company has about 350 employees attending school on educational leave. While a majority attend colleges near their place of employment, a large number travel to distant colleges, including some in Europe.

Past experience has proved that the company not only benefits greatly from the knowledge gained by its employees while on educational leave but also from the publicity which these employees give the company while on the campus. Each divisional program administrator normally provides his division's employees on leave with copies of the weekly employee newspaper, the quarterly magazine (describing the technological areas related to company activities), and other sources of company-related information which other students on campus may find to be of interest.

TABLE 7.—*Summary of educational program activity, 1957–63*

Year	Number of employee participants	Number of courses completed	Bachelor's	Master's	Doctor's	Average reimbursement cost per course
1957	5,261	6,238	31	23	0	$32
1958	4,556	5,428	25	23	1	31
1959	5,002	6,199	36	43	0	39
1960	5,264	6,879	96	37	2	42
1961	6,225	8,317	126	56	1	44
1962	7,469	10,179	153	79	6	46
1963	9,565	14,207	171	79	7	45
Total	43,342	57,447	638	340	17	------------

It has been found that on some campuses the employee on educational leave is a more effective recruiter than the professional recruiter sent from the division's employment office. In other instances, the employee on leave was found to have greatly facilitated the work of the employment recruiter by telling others the merits of working for the company.

Aside from the 257 degrees received in 1963, 9,565 employees completed more than 14,000 courses. A further analysis of these statistics reveals that a large number of the recipients of master's degrees in business administration were members of management in the research and development areas who had the technical and scientific knowledge but found a need for increased knowledge in the area of business management.

Recognizing the R&D manager's need for increased knowledge in business management, the company worked very closely with a nearby State college on the establishment of a master of business administration program for those with a bachelor's degree in mathematics, engineering, or physical science. As a result of this company effort, about 200 employees enrolled in this program. We feel that this program will contribute greatly to the more effective management of North American's operations in all areas.

PREPAID ADVANCED DEGREE WORK-STUDY PROGRAM

Because of the growing need for engineers and scientists, the prepaid advanced degree work-study program was established in June 1962. The objective of this program is to increase further the company's supply of engineers, scientists, and mathematicians holding advanced degrees. It is also expected that those employees with bachelor's degrees who have been out of school for some time will be further motivated to update themselves by securing an advanced degree through this program.

The prepaid program gives qualified employees in engineering, scientific, and mathematician job classifications in research and development activities an opportunity to study toward advanced degrees and have their full tuition and certain fees and expenses paid in advance of course completion directly to the school. The participants must be unconditionally accepted by an approved graduate school in an advanced program leading to either a master's or doctor's degree in their field of specialization. They may work part time or full time in their regular company positions. Time spent on such courses, however, is not considered as time worked for the company.

Employees participating in this program must work at least 20 hours a week. If they work 24 hours a week or less, they must enroll for at least 6 credit hours each semester or term. If their work schedules are more than 24 hours a week, they may enroll for less than 6 credit hours. On the other hand, employees who work a full 40-hour week may carry any number of credit hours. Their academic load and grades, however, are closely monitored; and if there is a danger that their company work or academic courses will be adversely affected, they are counseled accordingly by their divisional program administrator.

In 1963, the first full year of operation, some 658 employee participants completed over 1,800 individual graduate level courses. Employees received 47 master's degrees in the fields of engineering, mathematics, and physical science.

SCIENCE-ENGINEERING FELLOWSHIPS

In recognition of North American's key role in contributing to the advancement of the state of the art in scientific fields, its board of directors recently established a number of science-engineering fellowships. This program provides assistance to highly qualified employees who are seeking either master's or doctoral degrees in certain areas within the fields of engineering, science, or mathematics. Provision is made for either part-time or full-time on-campus study for selected candidates. Assistance includes the payment of tuition and fees, reimbursement for required books and supplies, including certain transportation and moving expenses, and a monthly allowance based on the participant's progress toward his degree.

Once the program has been in operation for 3 or 4 years, it is expected to add about 25 employees with doctoral degrees and 5 with master's degrees to the company's engineering and scientific capabilities each year. Unfortunately, there are not enough fellowships to meet the demand of the large number of qualified applicants. Fortunately, however, many of these applicants can take advantage of the educational reimbursement and prepaid advanced degree work-study programs. As a result, one educational program provides participants for the others.

RECOGNITION FOR PROGRAM PARTICIPATION

One of the most serious shortcomings of the educational programs was the failure to provide a means for communicating the participant's academic progress to his management. Nor had any provision been made for a followup on the employee who acquired a degree under one of the programs in order to insure that supervision was making full use of his total skills and knowledge.

To correct these shortcomings, two requirements are now part of all company educational programs. First, upon completion of each course taken by the employee under one of the programs, course completion notices are prepared and sent by the divisional program administrator to appropriate company offices. Second, an employee completing his degree requirements under one of the programs is reviewed by his division's employment section in order to insure that his compensation and work assignment are appropriate and in the best interests of the employee and the company.

Under the first requirement, two copies of the course-completion notice are prepared. One copy is sent to the employee's department where the information is recorded on his progress record. This copy is also forwarded to the employee's immediate supervisor who retains it so that when the need for certain capabilities and educational backgrounds arise within the department, he will have readily available a complete record of the experience and academic background of each employee reporting to him. Since some supervisors give credit toward merit salary increases for courses taken by the employee, communication of this information is of great value to the employee.

The second copy of the course-completion notice is retained by the employee's divisional central personnel records office for inclusion in the master personnel record, which serves as a primary source of information on him. The importance of this completion notice both to the employee and the company is that the personnel department is requested to provide complete experience and academic information on an employee being considered for transfer within the company. The presence of this readily available complete record of all academic courses taken by the employee since his hire date eliminates the need to write to his colleges for transcripts. This greatly reduces the time required to verify the employee's qualifications for possible transfer or promotion.

The importance of reviewing each degree recipient in order to insure that his compensation and work assignment are appropriate and in the best interests of both the employee and the company has been verified by the repeated occurrence of similar incidents involving program participants.

A typical example concerned an experienced research engineer who had just returned from an educational leave of absence after receiving his M.B.A. degree from Harvard. On return from leave, the engineer's supervisor placed him in his old position, which involved the designing of some electromechanical hardware. No attempt was made by the supervisor to determine the employee's interests and employment objectives. Within 6 weeks after his return, the employee turned in his resignation because he was being considered for employment as a project engineer by a competitor. This action and related information immediately alerted the employment section to the employee's new interests. On this basis, the company was able to arrange for the employee's transfer to a project office within the company where he would be able to apply both his technical and business knowledge. This resulted in the protection of the company's investment in the employee, as well as in placing the employee in a position in which he would be happy, knowing that he could apply both his experience and education. Furthermore, the vacancy in the project office, harder to fill than that vacancy created by the transfer of the employee, was filled to the complete satisfaction of everyone concerned.

The method by which a review of a recent degree recipient is accomplished can best be explained by the following statement taken from the company's personnel policies and procedures manual:

"The division educational program administrator will provide the division employment section with a synopsis of the about-to-graduate employee's educational and experience background.

"The employment section's representative will arrange a meeting with the employee's supervisor and department head and others deemed appropriate for the purpose of determining the employee's qualifications and planning the course of action to be followed regarding the employee. If it is determined that reassignment or transfer of the employee is in the best interests of the employee and the company, the employment section, with the employee's approval, will make every effort to arrange a reassignment or transfer to a position which will be compatible with the employee's experience and education.

"If there is no opening for reassignment or transfer in a degree recipient's division, the division employment section will send the information on the concerned employee's experience and education to the corporate administrator—fellowship and educational programs. The corporate administrator will work with the other divisions in placing the employee where his capabilities will be used more effectively."

Management is finding the above requirement to be an important motivating factor for more engineers, scientists, and other personnel to continue voluntarily their development through additional course work at local schools and colleges.

Normal attrition within the company's divisions creates a sufficient number of vacancies so that qualified employees covered by this requirement can be readily placed in appropriate positions. Company divisions whose growth may be leveling off foresee no new personnel problems arising from the application of the policy requirements.

It may be stated that North American management, particularly its research and development management, feels that these educational programs are making a positive contribution to the company and the community by:

1. Helping its engineering and scientific personnel to accept education as being a continuing process.

2. Providing a means by which these personnel may continue their education on a sustained basis.

3. Attracting new graduates to the organization.

4. Increasing the technical skills of its personnel, thereby reducing the possibility of obsolescence because of new technology.

5. Helping to provide a sound foundation of highly skilled personnel upon which to build for the future.

The reaction of employees has been highly favorable. They have developed a more positive attitude toward the need for continuing education and through their participation have in many instances motivated the local schools and colleges to develop new and more challenging courses and degree programs. To this extent, the community and the whole national effort have greatly benefited.

Looking into the future, North American continues to expand its research and development effort on at least four levels—experimentation needed in the design of products under contract, studies of specialized aerospace problems, applied research aimed at creating new products, and basic research to advance scientific knowledge. To meet these challenges and those of an age of continuing extraordinary technological progress, the company's educational programs will continue to be applied with growing effectiveness. New programs will no doubt be developed to assist the engineer, scientist, and management to become more effective in the face of growing shortages of qualified personnel and in dealing with the forces which are threatening the currency of their skills.

Mr. CURTIS. I ask unanimous consent that other Members be permitted to extend their remarks after my remarks, and that the request be extended to all Members of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HUTCHINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, on Tuesday, September 7, I was necessarily absent, in order to fill a speaking engagement in my district to which I had been long committed.

In order that my position may be known on the questions resolved on that day by rollcall votes, I would have voted "no" on rollcall No. 262—and "yes" on rollcalls 263, 264, and 265.

LOCAL LINES UPDATE, BUY NEW PLANES

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSEN. Mr. Speaker under leave to extend my remarks, I ask to insert in today's RECORD a news article from the Chicago Tribune of September 4, 1964, which describes the current efforts of the Nation's local service airlines to provide improved service by means of a most impressive reequipment program.

Since most of the air service in our part of Minnesota is provided by an outstanding local service airline, North Central Airlines, I can say that I am indeed pleased and impressed with the comments of Stuart G. Tipton, president, of the Air Transport Association, that even better service is on the way.

The article follows:

LOCAL LINES UPDATE, BUY NEW PLANES

Local service airlines are in the midst of a king-size reequipment program which will more than double their investment in aircraft over the next 3 years.

Thirteen local service airlines have ordered 33 new jets and 36 new turboprop aircraft. In addition, 51 piston-powered planes are being converted to turboprops.

TWO HUNDRED MILLION DOLLAR VALUE

These new planes and conversions are valued at about $200 million, or more than 2½ times the present value of all of the aircraft now being used by the local lines. Local service airlines that serve Chicago, include Ozark, North Central, and Lake Central.

Jets on order for delivery between now and 1968 are 4 BAC–111's, 24 Douglas DC–9's, and 5 Boeing 727's. Propjets include 10 Fairchild-Hiller F–27J's, 18 Fairchild-Hiller 227's, and 8 Nord 262's. In addition 51 Convair twin-engine piston planes are being equipped with turboprops.

AIRLINE INITIATIVE

Stuart G. Tipton, president of the Air Transport Association, called the current improvement program "a turning point in the history of the local service airlines."

"The local lines have long been plagued by obsolete and uneconomical equipment," Tipton said. "These orders, all sparked by airline initiative, indicate the desire of these smaller airlines to give the public a faster and more comfortable flight, and at the same time, reduce their costs so as to lessen their dependence on Government subsidy.

THE TEACHERS OF THE DISTRICT OF COLUMBIA QUESTION BENEFITS UNDER PROPOSED HOME RULE BILL

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSEN. Mr. Speaker, in the morning's mail I received a copy of a letter addressed by the District of Columbia Education Association to Subcommittee No. 5 of our House District Committee. The executive secretary, Elizabeth D. Griffith, and the legislative representative, Helen E. Samuel, of the District of Columbia Education Association, expressed concern over the effect that the enactment of H.R. 4644, the proposed home rule bill, from which our committee was recently discharged, would have on the retirement benefits, health benefits and the insurance program of the teachers in the District school system.

I would like to emphasize the following statement from their letter:

> The language of the bill does not guarantee to teachers that future benefits from any of their personnel legislation would be equal to those they now receive. It merely states that their personnel legislation "shall continue to be applicable until such time as the Council shall provide similar or comparable coverage."

This communication from the District Education Association of course prompts the question as to how the enactment of H.R. 4644 in its present form would affect similar programs in which the policemen and firemen and other employees of the District government participate.

The text of the Education Association letter follows:

DISTRICT OF COLUMBIA
EDUCATION ASSOCIATION,
Washington, D.C., August 24, 1965.

SUBCOMMITTEE NO. 5 OF THE
DISTRICT OF COLUMBIA COMMITTEE,
House of Representatives,
Washington, D.C.

GENTLEMEN: Our remarks will be addressed to H.R. 4644, a bill "to provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes." We are concerned that this bill abolishes the Organic Act of June 20, 1906, which vested control of the public schools of the District of Columbia in a Board of Education.

Our concern arises from the fact that the present functions of the Board of Education would be "transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct." There is no assurance in the bill that control of the public schools would be vested in a Board of Education.

We are concerned, too, because teacher tenure was established by the Organic Act of 1906. If H.R. 4644 is passed in its present form teacher tenure would be abolished.

The language of the bill does not guarantee to teachers that future benefits from any of their personnel legislation would be equal to those they now receive. It merely states that their personnel legislation "shall continue to be applicable until such time as the Council shall provide similar or comparable coverage."

What assurance is there that "similar or comparable coverage" will provide to retired teachers annuities equal to those they now receive? What assurance is there that they will receive benefits equal to those they now receive under the Federal Employees Health Benefits Act of 1959 and the Federal Employees Group Life Insurance Act of 1954?

It should be pointed out that the District of Columbia teachers retirement law contains a provision which requires the District government to pay its share annually into the teachers' retirement fund. There is no provision in the home rule bill to safeguard this provision nor to insure that these funds will be used solely for the purpose for which they were created.

Teachers in active service are just as disturbed about these matters. In addition, they are disturbed about their tenure rights, leave privileges, salary schedule, etc.

We respectfully request, therefore, that the language of H.R. 4644 be changed to retain the Organic Act of 1906 so we may be certain that control of the public schools will be vested in a Board of Education and that teacher tenure will be safeguarded. Rather than abolish the Organic Act of 1906 it could be amended to give the citizens of the District the privilege of deciding whether the Board of Education should be elected or continue to be appointed as it is at present.

We request that the bill contain language to safeguard the rights, benefits, and privileges which teachers receive from personnel legislation in force at the time of the passage of the bill and to keep their retirement fund actuarially sound.

We ask also that favorable consideration be given to our requests in any bill providing for home rule which may be reported to the House by the District Committee.

Respectfully yours,

ELIZABETH D. GRIFFITH,
Executive Secretary.
HELEN E. SAMUEL,
Legislative Representative.

RICHMOND'S FIRST 200 YEARS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CONTE. Mr. Speaker, just a few miles southwest of my hometown of Pittsfield, Mass., sprawls a pleasant green valley surrounded by mountains. In the center of the valley is Richmond, a small and unspoiled village of 1,121 people. This year Richmond is 200 years old.

Two hundred years is a long time, and the people of Richmond are justly proud of their community's lengthy and impressive record of civic achievement. They formed a bicentennial committee under the chairmanship of Mr. Charles Kusik which scheduled a number of events commemorating the occasion including a heritage ball on May 1, a special school exhibit on May 12, and a founders day celebration on June 20. The committee also scheduled two open house days to show off the older homes of the community on August 6 and 7; a historical exhibit at the Grange Fair on September 11; and, still to come, a bicentennial banquet on November 13. In addition, one of the town's longtime residents, Mrs. Katherine Annin, has written a history of the community entitled "Richmond, Massachusetts: The Story of a Berkshire Town and Its People, 1765–1965."

Mrs. Annin's style is lively, the organization of her material faultless, her choice of illustrations remarkably to the point, her investigation of available records and other sources obviously exhaustive and painstaking. The cost of publication of the volume was met by a group of interested and public-spirited citizens, by the town of Richmond, and by the Richmond Civic Association. Richmond residents are fortunate in having this fine volume at hand as they celebrate their bicentennial year.

Today I would like to make my contribution to Richmond's 200th birthday by sharing with my colleagues in the Congress a few of the notable events in Richmond's early history recorded by Mrs. Annin in the first chapter of her volume.

The rugged mountain ranges isolating Richmond from her neighbors made settlement there a slow and difficult process. Although Springfield, less than 50 miles away, was settled in 1636, the Hoosac Mountains discouraged further westward travel. A messenger riding from Boston to Albany reported of the area, "I never yet saw so bad traveling as this was." The Taconic range west of Richmond likewise discouraged Dutch settlers in the Hudson Valley of New York from moving eastward into Massachusetts. Added to this was the fear of Indian attack, and uncertainty as to just where the New York-Massachusetts border was situated.

In 1759, however, the Battle of Quebec insured English reign on the American Continent, and French-inspired Indian attacks ceased. The border dispute with New York was cleared up after much litigation, and roads west from Springfield slowly improved. In 1760 the first two settlers arrived in the valley. Micah Mudge established his family in the southeast corner of the town, and Ichabod Wood took up residence in the center, near the location of the present Congregational Church. Mrs. Annin reports that although the two pioneers were only 3 miles apart, "tradition says they never saw each other during their first winter, and this may well be true since the valley to which they came was still an inpenetrable wilderness, like much of the rest of Berkshire County."

In 1761 Berkshire County was incorporated by the general court, and the county seat was established at Great Barrington. This provided an additional impetus toward settlement, since inhabitants of Berkshire County no longer had to make the tiresome and difficult journey to Springfield to attend court sessions or record deeds.

The next year, to further stimulate settlement, Massachusetts formed committees to mark out unassigned land into townships in the western part of the colony, each township to be divided into 63 lots which would be sold at auction. Mrs. Annin tells us:

> This act brought strong protest from the Indians, whose tradition of common ownership of vast tribal hunting grounds had always made it difficult for them to understand the white man's concept of private property. Chief Konkapot and other Indians considered it their right to assign tracts of land in return for kindnesses shown them by certain white friends. But then as now money talked, and the Indian claims were extinguished by the payment of 1,700 pounds.
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> Under the act of 1762 the land later called Richmond was purchased from two Indian Sachems named Yokun and Ephriam who had already given their names to the tract of land lying south of Pontousuc (Pittsfield) and between the Housatonic River and the New York line. The designations Mount Ephraim to the west and Yokumstown to the east seem to have been well established and they persisted in local usage for a long time afterward. There is a legend that Chief Yokun, when he realized the foolishness of what he had done, climbed to the rocky ledge of the north end of the ridge that divides the tract, and there mourned his loss; and at least it is true that this spot is called Yokun Seat to this day.

By 1763 there were enough settlers in Richmond to justify the creation of a "distinct propriety," and on April 17, 1764, the first town meeting was held. Timothy Woodbridge, justice of the peace of Stockbridge, was chosen moderator, and Samuel Brown, clerk. The proprietors devoted most of their attention to the problem of laying out roads, and money was assessed to find a suitable person "to preach the gospel."

Further meetings were held in rapid succession as the community continued to grow. On June 21, 1765, by an act of incorporation of the general court, Richmond—then called Richmont—was incorporated. The boundaries were as follows: westerly on the province line—that is, the New York border; northerly in part on Pittsfield and in part on Provinceland—that is now Hancock; easterly on the Housatonic River and southerly in part on Stockbridge and in part on a tract called "minister's grant." These boundaries were modified in later times, especially when on February 26, 1767, Richmont was divided in two, the easterly part becoming the district of Lenox. The step was necessary because of the abrupt mountain range that split the original Richmont and presented great difficulties to winter travel in those early days.

Richmont petitioned the general court in 1785 for a change in its end-consonant; the name "Richmond" may have been in honor of Charles Lennox, the third duke of Richmond, a Member of Parliament famous for his support of the American Colonies in the debates that preceded the Revolution. Another theory is that Governor Bernard compared the view of the Richmond Valley to that from Richmond Hill south of London.

Mrs. Annin's book goes on to describe the life of those early settlers in the wilderness of western Massachusetts. She traces the ferment that began in the Colonies when the Stamp Act was imposed in America in the very year of Richmond's incorporation, the Revolutionary War, the days of the stagecoach, the early railroads, the Civil War and the importance of the iron that was mined and manufactured in Richmond, the development of churches and schools, the way of life at the beginning of the present century, the effects of two World Wars and a depression, the record of recent years and the prospects for the future.

Mrs. Annin's final words are a splendid tribute to the sturdy, sensible men and women who have guided Richmond's course through the years:

> Looking at Richmond on its 200th birthday, we may say that it is suffering no cataclysm from the fast changing world that surrounds it, but is showing flexibility in adapting to the new conditions, and is maintaining its identity. The one visible change is the number of new houses springing up, mostly variations on the ranch style of architecture, with a sprinkling of split levels and "modern colonials," all of them equipped with the latest in appliances for comfortable living. It is rather striking that a number of them cluster around a family homestead and are occupied by young people who have remained or returned because they like their native town.
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> It is a long, long time since a rooster has been heard announcing the dawn, and there are pleasure horses instead of farm teams. Yet the few remaining farms are more prosperous than ever, the trees still arch over Swamp Road, and the town has so far maintained the bucolic aspect that is its greatest asset. If any small town in this fast changing world can control its own destiny, it may be that the Richmond Valley has a chance to continue as a good place to live, in a green and pleasant land.

AMENDMENT TO COINAGE ACT OF 1965

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WYDLER. Mr. Speaker, I have this day submitted a bill amending the Coinage Act of 1965 to provide for the minting of all new quarter-dollar pieces with a likeness of the late General of the Army Douglas MacArthur on one side, with the motto, "Duty, Honor, Country."

I shall not speak long. For a lesser man than General MacArthur, perhaps a lengthy presentation would be necessary. But for the man of consummate greatness that MacArthur was, extended remarks are inappropriate.

The language of coinage bills has generally specified that on one side of each coin minted shall appear an impression "emblematic of liberty." This was the usage in the administration's Coinage Act of 1965. Mr. Speaker, I do submit that General MacArthur does deserve to be characterized as emblematic of liberty and to join the likes of Benjamin Franklin, Booker T. Washington, Abraham Lincoln, John Kennedy, and others whose likenesses have been carried on our Nation's coins.

The only possible criticism might be that this new coin would defeat the intent of the 1965 Coinage Act by encouraging hoarding by serious coin and souvenir collectors. But the MacArthur likeness would have the opposite effect. Consider: because all of our coins will be silverless, except the half-dollar piece, there will be a tendency on the part of citizens to spurn the new cupri-nickel alloy money and hoard the silver coins. The likeness of General MacArthur on the new silverless coins will make them desirable, and that which is desirable enjoys wide acceptance almost regardless of its basic components.

The amendment will insure a wider popularity for the silverless money. The number of persons who would hoard silver coins would be equaled and canceled out by those who would accept the new money as both legal tender and the psychological equivalent of the old coins because of the novelty and emotional appeal of the MacArthur likeness. It is a question of the people's respect for their currency; one which I feel a MacArthur quarter answers more than adequately.

Mr. Stewart Smith, of Baldwin, N.Y., inspired this legislation. He has been active for more than a year gathering support for a MacArthur quarter with the aid of a 50-member Commemorative Coin for MacArthur Committee. These good people on the committee have secured 4,000 signatures on petitions calling for such a coin.

General MacArthur visited these Chambers as an honored guest to address the Congress 15 years ago. He told us that "Old soldiers never die; they just fade away." This fate must not be his, for the old soldier he represented was the enduring strength of America, and if his memory fades, the determined posture of strength to which we continuously aspire will fade also. We have before us far more than a question of economics, Mr. Speaker, we are faced with a question of destiny.

The heroic nature and dedication to duty which characterized General MacArthur passes our way only once in a lifetime, perhaps only once in a nation's history. We must not forfeit this opportunity to show our gratitude as a nation, and pride as a people, for the stubborn courage and valorous achievements of this extraordinary man. We must do our duty, as he did his.

He has earned this tribute.

POSITION PAPER ON HUMAN RIGHTS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MCCULLOCH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the Position Paper on Human Rights, as approved by the Republican coordinating committee, under date of August 30, 1965, has pointed out that respect for law and order in our free society is basic to our survival as a liberty-loving Nation. The concept of equal protection of the laws implies the equal responsibility of equal observance of the laws, and the equal applicability of the laws to all of our citizens. The dangers to our system of balanced interests in the law enforcement area from the decaying respect for law and order are incisively analyzed in an address delivered by Prof. Fred Inbau, of Northwestern University, at the annual conference of the National District Attorneys Association on August 26, 1965.

The address merits the attention of all Members of Congress, as well as the attention of all people everywhere, who are lovers and defenders of liberty.

With the consent of Mr. Inbau, I am pleased to have it in the RECORD. The address follows:

LAWLESSNESS GALORE

(By Fred E. Inbau)

In recent years two basic philosophies have developed in this country that bear heavily upon the issue of law and order in today's society. One is the philosophy of individual unrestraint—the overemphasis upon the alleged rights and civil liberties of the individual, and a relegation of the public welfare and public safety to a position of secondary consideration. The other, and closely related, philosophy is the philosophy of excuse—the idea that if an individual's background (family-wise, socially, culturally, or economical) has been unfavorable, it is wrong and unfair to impose upon him criminal sanctions for his criminality. Now we are extending this same notion to the disadvantaged groups within our society.

THE PHILOSOPHY OF INDIVIDUAL UNRESTRAINT

To illustrate the nature and extent of the philosophy of individual unrestraint, let me call attention to several items that appeared in the newspapers not too long ago.

A man in military service refused to comply with the Army's proscription against beards on soldiers. He didn't like to shave. According to the news reports he planned on litigating this issue in the courts and would solicit the aid of the American Civil Liberties Union.

A well-known singer refused to pay her taxes—and has defied the Internal Revenue Service—because she had her own individual notions as to how the tax money should be spent. (Some of us have a bit of sympathy for her viewpoint but we can hardly condone her defiance.)

Then there was the report of a man who wanted to keep a lion in his backyard over the protests of his fearful neighbors. He said he would seek to have the courts sustain this primitive right of his.

Up in Canada recently a man who had been given a warning for speeding through a radar zone put up a sign in the back window of his car and parked it near the radar zone. The sign read: "Warning—Radar Trap Ahead."

These little episodes are illustrative of the prevalence of the philosophy of individual unrestraint in the area of nonviolent, noncriminal conduct. But they do have considerable relevancy to the serious crime problem that faces us now. Let me illustrate.

A famous jurist's son, an actor of 30 years of age, was walking along a street at night in a Los Angeles neighborhood in which there had been a number of recent burglaries. A police officer in a patrol car stopped to inquire who he was. He refused to identify himself. He wanted to test his civil rights.

In that same city of Los Angeles a whole group of people decided the other day that they had a right to indulge in individual unrestraint to the extent that they burned and pillaged a sizable segment of the city. I sincerely believe that the philosophy of individual unrestraint we have been developing during the past decade or so—this philosophy of individual irresponsibility and unaccountability—prevails as an important factor in the acts of group violence we are currently experiencing in Los Angeles, Chicago, and elsewhere across the Nation.

The line is a thin one—and one too thin for a lot of people to draw—between a soldier's insistence on wearing a beard, a singer's refusal to pay her taxes, a refusal to identify one's self to a policeman in the darkness of the night, or the placing of a warning sign on one's car to protect speeding motorists, and the unlawful conduct of sitting down in the street to block traffic in order to protest social inequities. Then there is the problem of differentiating between a tolerated unlawful sitdown and the unrecognized right to put the torch to an entire community. Official tolerance of the one kind of unlawful conduct will inevitably lead, and it already has, to greater and more serious excesses and violations of the law.

THE PHILOSOPHY OF EXCUSE

The second philosophy to which I referred earlier—the philosophy of excuse—has had as deleterious an impact as the philosophy of individual unrestraint.

To illustrate what I mean by the philosophy of excuse, let me tell you of an incident that occurred in Chicago not too long ago.

Three young men severely assaulted a Chicago police officer while he was performing his duty and in a police uniform. What happened to these three assailants? They were placed on probation. After all, they were underprivileged; so their conduct was more or less excusable.

This is not what occurred recently in a similar case in England, however, where law and order occupy a more favorable position. Two men punched and kicked two Liverpool police officers. The assailants were tried, convicted, and sentenced to 18 months in jail. They appealed, contending that the 18-month sentence they received was too harsh. After a thorough review, the English Court of Criminal Appeals decided, quite to the contrary, that the 18-month sentences imposed in this case were not long enough. So the court doubled the sentence.

We are now expanding this philosophy of excuse on a much broader base. Disadvantaged groups of people are now getting the same kind of consideration. Their unlawful conduct in the way of sitdowns on the street and sit-ins in public buildings and offices is being excused and permitted to go unpunished, because of the righteousness of the cause they represent.

THE LAW ENFORCEMENT ACTION REQUIRED

There is, in my considered judgment, nothing inconsistent between a law enforcement official's recognition of the righteousness of a cause and his obligation to apprehend and prosecute those who employ unlawful means to espouse the cause itself.

No democracy can long persevere when it overtly or covertly tolerates anarchistic conduct on the part of any segment of its own citizenry. It should not and cannot be tolerated, regardless of the group—white or black—and regardless of whether or not the cause involved is a righteous one or an unrighteous one.

There are other ways in this country of ours to remedy social inequities and wrongs other than by fire and other forms of destruction, or even by the lesser violence of sit-downs and sit-ins. Peaceful demonstrations, resort to court action, and demands upon legislators are alternative lawful processes.

It is incumbent upon each and every one of you to insist within your communities that protest groups employ these lawful processes, and you should make it unmistakably clear that acts of unlawfulness will result in criminal prosecutions. You may run the risk, of course, of creating such unpopularity for yourself within some segments in your community as to jeopardize your ambitions for higher political office, or even reelection to your present one. But even if you sustain this personal loss you at least will have retained your own self-respect. This is something that no high office can give you in and of itself alone. You will have the personal satisfaction that comes from doing your sworn duty and following the dictates of your own conscience, then, too, be not unmindful of this possibility, and a real one: What is unpopular now may well be popular later on. The pendulum may swing—and I am sure it will—so that one of these days the public will come to appreciate the need for effective and objective enforcement of the law and may actually seek out for higher office those who fought for the cause of law enforcement when it was less highly regarded.

The time must come, and it is already overdue, when instead of lawlessness galore we will have a society in which there is reasonable safety on the streets and in our homes; when criminal conduct will be looked upon and dealt with as such; and when other more worthy philosophies will prevail than the present-day philosophies of unrestraint and excusability.

DE GAULLE GIVES UNITED STATES FAIR WARNING

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in his news conference today in Paris, President de Gaulle has given fair warning that France will not put up with the present NATO command arrangement after 1969.

His comments should awaken President Johnson at long last to the NATO facts-of-life.

De Gaulle's use of the word subordination is a reminder that the United States has not acted to shift the structure of NATO from the leader-follower basis—with the United States of course as the leader—to one of true partnership.

When NATO was formed in 1949 it was inevitable that the United States should provide both leadership and aid. Then a war-ravaged Europe was struggling to its feet. Now the nations of Europe have rebuilt their economies, and are willing and anxious to take a larger responsibility in NATO. They deserve it.

For example, the present NATO structure forces the French to rely under all circumstances upon American strategic capabilities and decisions for the most basic requirements of their national security. French military officers have never had anything but subordinate positions in the NATO command structure.

President Johnson should have recognized long ago that the structure was outdated and unrealistic, and acted accordingly. Instead, the administration has simply expressed satisfaction with things as they are.

On June 28, the House Republican factfinding mission on NATO, which had just completed a study in Paris, presented to the Johnson administration a series of recommendations aimed at improving relationships with France and strengthening NATO.

The mission's major suggestion was that President Johnson initiate a top-level planning conference consisting of highly qualified and distinguished representatives from each of NATO's 15 member nations. This group would be charged with the job of drafting specific plans for a true NATO partnership in strategic decisionmaking and financing of defense, technological research and development, and military procurement.

That was more than 2 months ago. Two months of inaction. Had these suggestions been acted upon promptly, I am confident that President de Gaulle would have had no reason to speak today as he did.

Now the United States must react, instead of act—or, still worse, continue to ignore this growing problem. If President Johnson continues to neglect NATO, we will soon face grave problems.

The breakup of NATO, or even the withdrawal of a single nation like France, would be a military setback of the greatest magnitude.

THE NATION'S WATER PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. MCCARTHY] is recognized for 60 minutes.

Mr. McCARTHY. Mr. Speaker, the Nation's water problems grow more acute with each passing day. While I am concerned about the water problems throughout North America, I am, understandably, most acutely concerned about the problems relating to the Great Lakes, since I represent a district that stretches for more than 20 miles along the shores of Lake Erie.

The waters of the Great Lakes, one quarter of the world's fresh liquid water, are badly polluted.

Lake Erie is critically ill, its beaches covered with obnoxious algae and its priceless blue pike, yellow perch, and walleyes all but lost, along with its once-flourishing fishing industry.

Water levels on the Great Lakes are dangerously low, intensifying the acute pollution of the lakes and forcing heavy losses in potential revenues on shippers who cannot load their vessels to capacity.

And yet calls for diverting water from the Great Lakes are increasing.

New York, Ohio, Pennsylvania, Michigan, Wisconsin, and Minnesota are seeking in the U.S. Supreme Court to reduce diversion of Great Lakes waters at Chicago.

The U.S. district engineer or the Pittsburgh district has recommended construction of a billion-dollar waterway connecting Lake Erie with the Ohio River, which would result initially in the diversion from Lake Erie of over a million acre-feet of water.

The House Public Works Committee, of which I am a member, last week approved an amendment to the omnibus rivers and harbors bill, aimed at creating a 10-State network of reservoirs to solve the drought problem in the East. The plan calls for the construction of reservoirs within the river basins of the Northeastern United States including those that drain into the easternmost Great Lake—Ontario.

Needless to say, calls for diversion of water from the already low Great Lakes cause a veritable storm of protest in the district I represent and other congressional districts bordering the Great Lakes. Our good neighbors, the Canadians, also have expresed deep concern over plans to drain off water from the lakes.

I do not question the plans that have been advanced for diverting water to drought-stricken areas and other areas needing more water.

But I do firmly believe that such plans for draining off water from the lakes must be accompanied by plans to put more water into the lakes.

A number of plans for pumping more water into the Great Lakes have been advanced. One is the widely discussed North American Water and Power Alliance, which calls for trapping the wasted water of Alaska, the Yukon Territory and British Columbia and channeling it into the Canadian plains, the Great Lakes, the Western United States and Mexico at a cost of an estimated $100 billion.

The distinguished Senator from Utah, FRANK E. MOSS, has introduced Senate Concurrent Resolution 55 calling on the

President of the United States to refer this plan to the International Joint Commission, which was created by a 1909 treaty to settle questions on our boundary waters.

However, this plan is opposed by one of the key governments involved—the government of the Canadian province of British Columbia.

Another plan for channeling a fresh supply of water into the Great Lakes has been conceived by the distinguished Canadian engineer, Thomas W. Kierans, of Sudbury, Ontario. Known as the great replenishment and northern development canal plan, it calls for diverting Hudson Bay-bound rivers into the Great Lakes.

If carried out, the huge project estimated to cost some $2 billion, would divert 24,000 cubic feet per second of new water to the Great Lakes and spur the development of the Canadian north country with the construction of navigation and power facilities.

Execution of the project could assist in the solution of a number of the problems I cited earlier:

The new water would raise the levels of the Great Lakes.

It would flush out pollutants from the lakes.

It would enable Chicago and Ohio to divert the water they require.

The water could be diverted to provide for the increased needs of Atlantic seaboard metropolitan areas.

A start has been made toward implementing the great replenishment plan.

Private engineering firms are studying the plan's economic feasibility. And the International Joint Commission now is studying the twin problems of water quality and quantity in the Great Lakes.

But I regret that the chairmanship of the U.S. section of the International Joint Commission has been vacant for more than 1 year—since July 1964, when our colleague, the gentleman from Wyoming, left the post to run for the House of Representatives.

We did, however, have an indication of increased attention to relations with our northern neighbor recently when the White House made public a report recommending close, continuous, and candid consultation between the United States and Canada as the cornerstone of improved relations between the two Nations.

Some weeks ago I informally discussed this plan with Mr. Kierans, Mr. Michel Chevalier, who has made extensive studies of the plan, and officials of our State Department. At that time they informed me that the Canadian Government would not permit the International Joint Commission to look beyond the Great Lakes themselves for a solution to their falling water levels.

But recently there was a significant change in Canadian policy. An announcement by Premier John Robarts that an assessment of rivers in northern Canada is to be made by the Federal Government and Ontario to determine how much fresh water Canada actually has was greeted by the Toronto Globe and Mail as "very good news indeed."

Taking note of proposals that certain Canadian rivers be diverted to flow southward and augment supplies available to the United States, the Globe and Mail said:

> It is not possible that Canada can indefinitely waste its water while its great neighbor thirsts.
>
> The decision of the two (Federal and Provincial) governments to acquire this knowledge as it relates to Ontario is a large step forward from the last position taken by Ottawa, when the (Federal) Government refused to permit the International Joint Commission to look beyond the Great Lakes themselves for any solution to their falling water levels.

Editorials in the Montreal Star, the Montreal Gazette and the Ottawa Citizen greeted enthusiastically the recent Lake Erie pollution-control conferences under auspices of the U.S. Public Health Service at Buffalo and Cleveland. The general reaction seemed to be expressed most succinctly by the Ottawa Citizen in stating:

> The authorities in Ottawa and Washington, as well as in the Provincial and State governments, should work in unison to develop a cohesive antipollution program.

The next and logical step is the development of a cohesive program for channeling more water into the Great Lakes. I feel, therefore, that this is an appropriate time to submit a concurrent resolution which provides it to be the sense of Congress that the Government of the United States refer to the International Joint Commission the subject of the great replenishment and northern development canal plan, with a request that it be fully studied by the two nations and that a detailed engineering survey be conducted on it. I am submitting such a concurrent resolution today.

RULES COMMITTEE OBSTRUCTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, the current indications that there will be as many as six attempts Monday to bring bills to the floor under the 21-day rule offer striking proof of the obstructionism of the Rules Committee. Each of these bills has languished too long in the committee—far beyond the time needed for due consideration and to the point of sheer delay.

H.R. 9460, to establish a National Foundation on the Arts and Humanities, has been stuck in the committee for 8 weeks—since July 14.

H.R. 10065, the Equal Employment Opportunity Act of 1965, has been in the committee's hands since August 3.

H.R. 10281, the Federal employees' salary increase bill, has languished in the committee since August 16.

H.R. 7371 and H.R. 7372, both to amend the Bank Holding Company Act of 1956, have been caught in the committee's grasp since June 21 and July 26, respectively.

S. 408, to provide for assistance to flood disaster victims, has rested in the committee, after passing the Senate overwhelmingly, since July 21.

Mr. Speaker, the issue with each of these bills is not whether it is a good or bad piece of legislation—but whether the House will have the chance to decide. We adopted a provision at the beginning of this session to end Rules Committee obstruction. Now, let us use it.

I call upon my colleagues, whatever their party, whatever their position on these measures, to give their support to the releasing motions so that the full House may have a chance to work its will.

CONGRESSIONAL JOINT COMMITTEE ON AREAS OF URBAN FRICTION

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, for the second successive summer, this Nation witnessed the outbreak of wanton and senseless destruction of lives and property in one of our larger cities. The riots in Los Angeles, like those of last year in New York City and other places, again summon us to find explanations for these terrible incidents and ways to prevent their recurrence.

It does no one any good merely to castigate the rioters; we need to understand the motivations and circumstances which make it so easy for this social tinder to ignite. And we also need to know the remedies—so that next summer our headlines will not again carry reports of violence unleashed on innocent persons. Certainly we have some indication of the underlying causes of social tensions in our large cities. We know about the grinding poverty in some of our metropolitan areas. Fifty-four percent of the poor—persons with $3,000 income or less—of our Nation live in cities. By and large, they live in crowded and deteriorating housing. Sixty percent of the renter-occupied and about 34 percent of the owner-occupied housing for the poor is unsound.

Unemployment is high in these central city poverty areas. It has been estimated that about 20 percent of all families living in poverty in the United States have heads who suffer substantial unemployment.

We know that many persons in the urban areas do not have sufficient education to allow them the opportunity for a productive life. Of the heads of poor families, 61 percent have 8 years or less of education.

And, finally, we know that the racial element is important in the portrait of poverty in our country.

Of those persons with incomes of $3,000 or less, 25 percent are nonwhite. And in a recent Labor Department report, we have learned about the increasing breakdown of the Negro family structure. Less than half of the Negro children who reach the age of 18 have lived all of their lives with both parents.

This profile of our urban poor—gathered in crowded housing with inadequate education and suffering from unemployment and not infrequently racial discrimination—in itself points up the urgent need for a study of the true meaning of the riots of the last two summers.

Mr. Speaker, I believe the Congress should begin now to prepare itself, by thorough investigation into the causes of urban friction, to come forward with creative proposals to prevent the occurrences of mass violence in our cities.

I propose the establishment of a joint committee to study in depth the causes of friction in our crowded urban areas and to propose ways by which the Federal Government, together with State and local agencies, can join in alleviating them.

This joint committee could perform many important tasks for the Congress. It might suggest ways of coordinating the present Federal programs in housing, welfare, job training, aid to education, antipoverty projects, and equal opportunity efforts to make them more effective in these areas of friction, actual and potential. Part of our problem now seems to be the lack of concentration of these efforts in an area where the most could be achieved. The joint committee could look into the concept of the developed area as it was worked out by the Area Redevelopment Administration and see if we cannot declare certain areas of a city a development area, which would be eligible for concentrated aid under existing Federal programs.

Mr. Speaker, the Congress has a responsibility to see that the programs it authorizes are effective. We also have a responsibility to work together with our cities in finding the causes of and the remedies for urban friction. Let us, therefore, establish a Joint Committee on Areas of Urban Friction in order to study the causes of tension, to recommend remedies, and to coordinate Federal programs to insure our best effort in the battle against poverty and crime in our cities.

H.R. 8989—RULE ON THE METALLIC AND NONMETALLIC MINE SAFETY BILL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, on Thursday, September 2, I was absent from the floor because of some urgent and pressing business which gravely concerned my district and I was unable to file the rule, House Resolution 525, which provides an open rule with 2 hours of general debate on H.R. 8989, a bill to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

I would now like to offer to my colleagues my statement pertaining to this bill that was favorably adopted by voice vote on that date. I commend my colleagues for their speedy action on this legislation and urge the other body to act favorably thereon so that the President may sign this urgently needed legislation into law before this session of the Congress comes to an end.

I would like to commend the able gentleman from Michigan [Mr. O'Hara] for the outstanding leadership he has shown on this legislation and to Mr. Alexander K. Christie of the United Steelworkers Union for his time and consultations in the drafting of this legislation.

I now offer my statement for the Record:

H.R. 8989—Rule Filed by Mr. Pepper
(H. Res. 525)

Mr. Speaker, House Resolution 525 provides an open rule with 2 hours of general debate on H.R. 8989, a bill to promote health and safety in metal and nonmetallic mineral industries, and for other purposes.

The bill before the House today, H.R. 8989, a metallic and nonmetallic mine safety bill, was reported out of the full Committee on Education and Labor unanimously. It was reported out of the Rules Committee favorably on August 12. I would also like to state that I was a Member of the Senate when Senator James E. Murray, that great humanitarian and statesman, introduced a mine safety bill which became the forerunner of the bill we now have under consideration.

It has taken more than a decade for mine safety legislation pertaining to the health and safety of the miners in the copper, lead, zinc, iron ore, and other minerals to reach the floor of the House.

The first hearings on mine safety in this field were held in the 84th Congress on H.R. 9269. This bill was the identical bill to the one introduced in the Senate by Senator Murray. On the spot hearings were held in Virginia, Minn.; Duluth, Minn.; Butte, Mont.; and Duray, Colo., and 3 days of hearings were held here in Washington in December 1956.

Hearings were held in 1961 on an identical bill. These hearings resulted in the Congress enacting Public Law 87-300, which authorized the Secretary of Interior to conduct a study covering the causes and prevention of injuries, health hazards, and other health and safety conditions in metal and nonmetallic mines.

Under this law a Mine Safety Study Board was created and a 2-year study was undertaken.

The Mine Safety Study Board in its report to the Congress, sets forth the following conclusions on page 67:

"The competency of American private enterprise in the extraction of metals and minerals is recognized throughout the world. The long experience and ingenuity of these industries and their equipment suppliers has led to the development and use of production techniques that are models of efficiency.

"The unfortunate fact, however, is that efforts to overcome many of the hazards to health and safety have not kept pace with increased productivity. The number and severity of the injuries experienced each year by persons employed in the extractive industries should be alarming to an America that prides itself on its high standards of civilization and its concern for the welfare of its citizens.

"In the face of 10,000 lost-time injuries and more than 200 deaths in a single year, it would be difficult to ignore the need for positive action."

Preservation of life, limb, and health of the workers in mining is paramount; without such protection, efficient production is impossible. It is therefore self-evident that prevention of accidents and occupational diseases represents the highest order of conservation.

Mining—metallic, nonmetallic, and coal—by underground methods is the most hazardous of the mineral industries, because it must be carried on under adverse natural conditions, such as overhead roof or rock, explosive or harmful gases and dusts, restricted working space and illumination, proximity of electric power to working danger of impounded water, use of explosives, and use of mechanical underground equipment.

Mining has become, to a large extent, a mechanical industry requiring skilled workmen. The injury of such skilled workmen by accident or impairment by occupational disease is an economic waste, which if not kept to a minimum, endangers the economy and well-being of the Nation.

The same is true of the other phases of the mineral industries but of less magnitude because, generally, they are inherently less hazardous than mining.

I feel that this bill should be enacted into law because there is a definite need for this kind of safety legislation.

H.R. 8989 could in my opinion blaze a new trail in the field of mine safety because it calls for cooperation between the several States and the Bureau of Mines of the Department of the Interior.

If the States so concerned had been doing their duty as far as the health and safety of the miners is concerned, then there would be no need for H.R. 8989.

After years of futile effort to have the States improve their mine safety codes and bring some degree of safety to the miners through thorough inspections and training, the attempt failed. This experience can be summed up as follows:

1. The several States have failed to enact systems of inspection and mine safety codes that adequately assure protection to the miners who work in the metallic and nonmetallic mines.

2. Where there are mine safety laws in the respective States, they invariably suffer from lack of enforcement, at least in some of the States.

3. The mine safety codes or regulations in the several States vary greatly as to requirements such as (a) qualifications for inspector, enforcement power to close the mine, and (b) compulsory inspection.

Michigan does not have a statewide system of inspection, but instead is dependent on county inspectors to maintain safe working conditions in the mines of the Upper Peninsula. The county system of inspections is most unsatisfactory.

In Michigan, the county inspector is elected to the job every 2 years. If he is defeated, he goes back to work in the mine. Such a system does not make for a strong inspector or inspection system.

4. Appropriations by State legislatures to enforce the codes and provide for inspections are by and large totally inadequate.

5. Trained, competent State civil service personnel are almost nonexistent. Positions such as inspector are given out to the members of the party which controls the Governor's office or they run for the job on a ballot.

6. The State mine inspection procedures are too weak on execution to insure a standard of safety.

What does H.R. 8989 propose to do as regards this failure? I do not intend to go into any great detail as to all that this bill embodies, but I want to point out that section 13 gives the States the opportunity to put their house in order and if the plan submitted meets the specifications as set forth in H.R. 8989, the State operates on its own.

If the State does not choose to put its mine inspection facilities into an acceptable order or assume that responsibility, then the Bureau of Mines can come into the State to assure the health and safety of the miners. The State services continue to function but with the Bureau of Mines inspectors making a yearly or more often inspection of the underground mines, the result as in coal has been an improvement all around.

The bill covers every mine whose products regularly enter commerce or whose operations affect commerce. Coal and lignite mines are excluded because they are already covered by Public Law 552, and the Federal Coal Mine Safety Act which the House recently enacted.

Other provisions call for the Secretary of the Interior through the Bureau of Mines to inspect, at least annually, the underground mines subject to the act, except mines located in States with approved State plans.

Annual inspection is the key factor that will curtail accidents and fatalities. Inspection of the mines on a regular basis, in conjunction with the safety educational training courses of the Department of Interior and the activities of the Division of Health as provided in this bill, will, I feel, go a long way toward eliminating the accidents and fatalities that have and are taking place in metallic and nonmetallic mining.

Management which has a real concern for safety, and is cost conscious, should welcome this inspection. Periodic inspections will render a real contribution toward cutting down the number of accidents.

President Lyndon B. Johnson, recently stated: "No one can relax in the pursuit of safety," when he launched mission 70, a program designed to reduce accidents and fatalities in the Federal agencies.

The purpose of this bill is to reduce the high accident rate and improve the health and safety conditions of the miners who work in the metallic and nonmetallic mines.

The very nature of underground mining makes it a dangerous industry in which to operate and to work.

The enactment of H.R. 8989 will, I feel, go a long way toward curtailing accidents and fatalities in these mines.

I hope my colleagues on both sides of the aisle will join me in this effort to make these mines a safer place to work.

I thank the membership for the opportunity that I have been given this afternoon on behalf of mine safety.

Mr. Speaker, I urge the adoption of House Resolution 525.

PERSONAL ANNOUNCEMENT

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, on September 2, I was absent for rollcall No. 259, which pertained to a bill for research and development of high-speed transportation and was listed as not voting. I was tied up with business that gravely concerned my district and I was unable to reach the floor in time to cast my vote. If I had been present, I would have voted "yea." I was paired for the bill with Mr. KARTH.

On Tuesday and Wednesday, September 7 and 8, I had permission from Mr. ALBERT to be absent on official business and consequently I missed several quorum calls and five rollcalls for those 2 days.

My official business was to speak at the dedication of a low-rent housing project in Lima, Peru. This $4 million project was under the authority of AID and the Foreign Assistance Act of 1961. The project consisted of approximately 900 single-family houses located in the Bella Vista district in the city of Callao which is the port city for Lima.

Mr. Speaker, I would have left Lima on Labor Day for Washington to be able to participate in the important legislation that came before this body on these past days. However, due to a big lady named Hurricane Betsy I was unable to reach Washington until early this morning.

If I had been present, I would have voted "yea" on rollcall No. 263 which pertained to H.R. 8439, the fiscal year 1966 military construction bill, for which I was paired with Mr. CUNNINGHAM. On rollcall No. 264—H.R. 168—veterans disability compensation bill, I was paired for the bill with Mr. LINDSAY, and I would have voted "yea."

Rollcall No. 265—Senate Joint Resolution 102—crime commission funds—I was paired for the bill with Mr. MCCLORY. I would have voted "yea" for this measure.

On September 8 rollcall No. 269—H.R. 10871, a bill to provide foreign aid appropriations for 1966, I was paired for the bill with Mr. DERWINSKI. If I had been present I would have voted "yea" for this measure.

Mr. Speaker, I commend my colleagues for passing favorably on all these bills which were of the utmost importance to us and to our country.

H.R. 10933—ESTABLISHMENT OF AN APPROPRIATE MEMORIAL TO ADLAI EWING STEVENSON

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the great Americans of our time passed away suddenly on July 14 and out of our midst departed part of the conscience of our Nation. He had devoted his heart, his soul, and his mind to the preservation of peace in the world. The clarity and symbolism of his words will ring down through the centuries. This man was Adlai Ewing Stevenson.

Today I introduce a bill which would establish a commission, which in turn would select a suitable memorial to Adlai Stevenson. I ask that the Congress give this legislation prompt and favorable action.

It has long been the custom of this Nation to honor its high ranking public servants with suitable memorials and certainly this should be the case in memory of Adlai Stevenson.

He represented the highest motives in public office. His speeches have already become part of our American heritage. His tireless work in behalf of peace on this earth will be difficult to duplicate.

It has been said that Mr. Stevenson felt his function "was to pull together the goodness in all men, the yearning for peace, for justice; to help all men to achieve the good life his brain and his heart told him was possible for mankind."

His modesty, his wit, and his freedom from political clichés, endeared him to millions around the world. Although his work with the United Nations brought him into every known international contact, he kept close to the philosophy of the prairies of his home State. He understood deep down inside why it is so important for the world to be without war. He understood why it is important for all races, all creeds, and all mankind to work together in harmony.

During the days of national mourning for Adlai Stevenson, tributes poured in from those in every walk of life. I am certain that the American people, as a grateful nation for his contributions, will want the Congress to take steps to establish a lasting memorial to him.

A memorial to Adlai Stevenson would be a memorial to the struggle between right and wrong. It would be a memorial to America's contributions to human society. It would be a memorial to the everlasting and universal aspirations we have for the security of coming generations.

And so, Mr. Speaker, I ask the Congress to take steps to make such a memorial a reality that we may appropriately honor this great citizen.

FIRST ANNIVERSARY OF THE WAR ON POVERTY

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, on August 27 it was my privilege to attend the dinner in Tampa, Fla., where more than 4,000 citizens at a great dinner commemorates the first anniversary of the legislation committing this country under President Johnson to the war on poverty and to pay tribute to one of our distinguished colleagues, to me a cherished friend, SAM GIBBONS, who has been an imminent leader of this great program and only recently led this House in the adoption of a vast expansion of the war on poverty program. On this occasion Vice President HUMPHREY, who I had the honor to accompany with our colleague SAM GIBBONS to the dinner, was the speaker. The Vice President made one of the greatest addresses I have ever heard. He deeply moved his great audience with the eloquence of his words and the fervor and sincerity of his heart as he spoke. The Vice President magnificently expressed President Johnson's avowed determination to lift our fellow citizens in the lowest income levels to walk on higher ground—the level below which no American should walk. All who heard the Vice President that evening were proud that they were a part of America which had such inspired leadership as that afforded by President Johnson and Vice President HUMPHREY and I was proud that SAM GIBBONS, our colleague, had worked so splendidly with the President and the Vice President in the furtherance of this momentous program to bring the American way of life to all Americans.

I know my colleagues and my fellow countrymen will be moved and deeply touched by this great address of the Vice President. I therefore include the Vice President's address at this point in the body of the RECORD:

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY, AT THE FIRST ANNIVERSARY OF THE WAR ON POVERTY, TAMPA, FLA., AUGUST 27, 1965

One year ago this week it was my privilege to be present when President Lyndon Johnson signed into law the Economic Opportunity Act of 1964.

At that time our President told this Nation: "I firmly believe that as of this moment a new day of opportunity is dawning, and a new era of progress is opening for us all."

Tonight it is my privilege to report to you on the first year of that "new era of progress"—to report to you on how we are doing in the war on poverty.

As the general coordinator, with Sargent Shriver, of the war on poverty, I have been asked by the President to maintain a close watch on the efforts of the Americans—in Government and out—who are fighting this war not only against poverty, but for equality of opportunity, for hope, for human dignity.

No city in the Nation is a better place for my first-anniversary report on this program. For Tampa's own experience serves as the model of a successful program of community self-help.

Tampa from its earliest days has demonstrated the benefits which come to the community which makes the necessary efforts to bring its less privileged citizens into full partnership.

Today, in midst of growth and prosperity, you in Tampa still are working hard to help all your citizens both contribute to and share in your common progress.

There is another reason why this report should be made in Tampa: your extraordinary Congressman, SAM GIBBONS.

SAM GIBBONS was the author of the Economic Opportunity Act of 1965 and its floor manager in the successful fight in the House of Representatives to double its size and its potential.

SAM GIBBONS deserves not only your gratitude but the gratitude of millions of your fellow citizens in every State. No man has worked harder, or contributed more, to make America better and stronger.

For SAM GIBBONS recognizes this—no greater opportunity faces all of us today than the opportunity to strengthen the economic and social structures of our communities, of our Nation.

We in America enjoy today an unprecedented peacetime economic expansion. That expansion—created through a positive partnership for prosperity between government and the private sector—gives us the opportunity to make basic investments to strengthen our American society for the great, long-term responsibilities we face at home and in the world. We are moving ahead in seizing that opportunity.

In the midst of our rich society there is an "other America." There are some 30 million Americans in it. They have been shunted aside or lost in the backwaters. For them our national prosperity is something seen but seldom shared. These Americans belong to families earning an average $1800 a year from all sources. That is $35 a week—to feed that family, to clothe that family, to house that family, to provide education and transportation and health care for that family.

But the poverty of these 30 million Americans is not to be measured in dollar terms alone. It must be measured in hopelessness and helplessness, in resentment and rejection, in despair and distrust, in loss to our Nation of valuable human resources.

No one knows better than you the cost of these lost resources. The costs of welfare are a continuing drain on American communities.

The "other Americans" are taxeaters and not taxpayers.

There are estimates which indicate that hundreds of millions of dollars each year could be added to our economy; that hundreds of million of dollars could be subtracted from our public budgets through greater investment to break the other Americans' cycle of poverty.

What if these people could become productive citizens—could become, for our communities, pluses and not minuses? These are challenges facing all Americans today. These are challenges we seek to meet with our war on poverty.

What are the dimensions—in numbers—of our first year's program under the Economic Opportunity Act itself? At the heart of our efforts, under the Economic Opportunity Act, is the community action program. In the past year, more than 800 separate grants have been made to nearly 750 cities and counties in all 50 American States, directly benefiting some 3 million people.

As you know, nearly $5 million has been earmarked by the Office of Economic Opportunity for Tampa's antipoverty efforts. These funds will be channeled through 6 local sponsoring agencies—agencies which have already set aside more than $400,000 of their own revenues to meet their share of the cost.

You know in Tampa of those two complementary programs—the Neighborhood Youth Corps and the Job Corps. Together, these programs seek to find an answer to one of America's most urgent challenges: the challenge of finding useful, productive, gainful employment for our young people.

The Neighborhood Youth Corps will have more than 300,000 American youngsters working by the end of this year.

Over 300,000 men and women have already applied for the Job Corps. The first 10,000 enrollees are now learning and working in 50 centers across the land.

There is VISTA, the Volunteers in Service to America. VISTA has already attracted the volunteered services of more than 20,000 Americans of all ages, of all backgrounds, and from all parts of our land. The first 1,000 of our Nation's finest citizens are now on the job or in training—in Appalachian hollows, on Indian reservations, in urban and rural slums. By the end of the year they will number 2,000—working in 40 States.

There is Project Head Start, developed only in February of this year. This program is based on the simple proposition that if we give some special attention to those 4- and 5-year-olds entering school for the first time this fall—youngsters who might otherwise have difficulty adjusting—we cannot only alleviate some of the problems already afflicting these children, but can prevent their tragic accumulation in the years immediately ahead. We hoped Head Start would reach, its first year, 100,000 children. But Head Start reached this summer more than half a million of these children in 13,000 child development centers across the Nation.

There is the college work study program, under which 40,000 students from 750 colleges worked this summer.

There is the work experience program, under which 88,000 unemployed parents are participating in projects in 42 States.

There is the adult basic education program, under which 37,000 persons are receiving literacy training in 45 States.

And there is aid to migrants and the rural loan program.

Tampa is familiar with all these programs. You have put them to work here.

The Small Business Administration has helped, too, in the war on poverty.

In communities across the Nation, local citizens have formed small business development centers as the focal point for local efforts to expand jobs and boost economic development through the creation of new small firms or the upgrading of existing businesses.

Late this afternoon, I was able to report to the people of this area that the Small Business Administration has approved a Tampa Small Business Development Center—the first in Florida.

The Office of Economic Opportunity has approved a Federal grant of about $47,000 to operate it. Through the center, the Small Business Administration will now be able to approve economic opportunity loans for small business in this area.

I have given you, on this anniversary, some statistics to show the scope of what is already being done under the Economic Opportunity Act. But the Economic Opportunity Act—important as it is—is only a beginning. And the progress made in the past year under that act is only a part of the progress our Nation has made in awakening to the task at hand and in turning this country's will and resources to poverty's final elimination.

In this past year, the conscience of America has been aroused and disturbed. We now, as a Nation, believe the fact of poverty in our affluent midst.

There is greater understanding, too, that the war on poverty and civil rights are tied directly together. We recognize that the granting of legal rights must be matched with economic opportunity. The tragedy of Los Angeles has made this painfully clear.

We have placed on the Federal statute books a series of vital programs.

The Congress has just approved a doubling of the economic opportunity program. But this is only one battleground of our struggle. Congress has also passed historic legislation granting aid to education, it has passed medicare, a voting rights law, a new housing program, aid to Appalachia, the Older Americans Act, and other laws aimed at one or another of poverty's causes and symptoms.

Hundreds of communities have organized their own wars on poverty. More than 500 American communities have organized on their own. Tens of thousands of community leaders and citizens have joined the battle at home. The poor themselves have been mobilized for their own help.

Unlike previous programs, we look today to the poor themselves for a substantial effort on their own behalf. They are no longer apart, as spectators. Literally tens of thousands of poor Americans are now at work helping other poor people to help themselves.

All parts of our society have joined in this task. Hundreds of American corporations have undertaken affirmative programs of job recruitment and training. Business organizations, including the U.S. Chamber of Commerce and National Association of Manufacturers, have joined the effort as organizations and through their members. The AFL–CIO, and its member unions, have opened the way for greater job opportunity.

All levels of American government, business, and labor have become directly involved and are working in cooperation. Our efforts have touched the lives of millions of individual Americans.

I have reported to you the progress made in programs authorized only a year ago. Today, in America, there are hundreds of thousands of our citizens who have played a role in civic action, in training programs, in volunteer work. There are other hundreds of thousands who know for the first time that their poverty is not inevitable and that there are ways to be helped, trained, educated—ways to reach upward.

Yes, over the past year we have implemented a new law. But, even more important, we have mobilized our country for work too-long delayed and pushed aside.

The people who came to this continent and built this Nation set out to create a society in which each citizen would have unfettered opportunity to lift himself and his family to something better.

If we really believe in our past—and our future—we must dedicate ourselves to making each man, each woman, each child in America a full participant in American life. I mean a life not just of prosperity and security, but a life in which self-expression and self-fulfillment are within the reach of all.

I came to Washington 17 years ago as a freshman Senator. During that first year a scene took place in a Senate hearing room that symbolized just what we mean by the Great Society.

A woman from Tennessee, a garment worker, was testifying before seven U.S. Senators on behalf of raising the minimum wage to 75 cents an hour. At one point, this is what she said:

"My youngest girl, she's 9 now, goes straight to the piano when we go to a house where they have one. She does want to play the piano so bad. I've thought that maybe I could save 50 cents or a dollar a week to buy a second-hand piano for her, but I haven't found a way to do it yet. Maybe I've been foolish to talk to you people about music for one of my children when the main question is getting enough to eat and wear, or blankets for the bed, or a chair to sit on. But down in Tennessee we love music, and factory workers don't live by bread alone any more than anyone else does."

Piano lessons for a little Tennessee girl, full, productive lives for our citizens and the places where they live—these, my friends, are what the war on poverty is all about, what the Great Society is all about. This is what we work for.

For the elderly, sick, and disabled—compassion and concern. For the young—an equal start in life. For all Americans—the opportunity to raise themselves not only to wealth and productivity, but to a life of satisfaction and fulfillment.

In 20th century America we have come to realize that the worth of a nation is, as John Stuart Mill said, no more than "the worth of the individuals composing it."

Thus we are determined to free millions of Americans from the bondage of that tragic equation which has too often decreed that poor shall beget poor and ignorance shall beget misery.

Thus it is that we seek to heal for all time the emotional scars of the experience which the Book of Job so poignantly describes: "The poor of the earth hide themselves together."

And thus it is that we are increasingly aware that, of those to whom much is given, much is expected—that as the abundance of worldly goods provides us with the tools to wage this war, so does it also impose upon us the moral imperative, the obligation, to wage it—and to wage it with resolution.

And cooperation must be the keynote—cooperation between public and private sectors; among Federal, State, and local governments; among all interested parties. Together there is little we cannot do, divided there is little that we can.

Yes, we wage war on poverty because it will make America stronger economically. But we attack poverty, to, in the spirit expressed by the author Thomas Wolfe:

"To every man his chance, to every man regardless of his birth, his shining golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this * * * is the promise of America."

With the grace of God, with the help of men like Sam Gibbons, with the example of cities like Tampa, we will fulfill the promise of America. We will win the war on poverty.

AWARD OF AMERICAN SPIRIT HONOR MEDAL TO PFC. JAMES G. CALDWELL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, in these perilous times, when the future of our Nation depends so much upon the caliber of the men in our armed services, I am proud to report that a young man from my congressional district has been singled out for a special honor by the U.S. Marine Corps.

Pfc. James G. Caldwell, son of Mr. and Mrs. John L. Caldwell, 1622 Riverbank, Lincoln Park, Mich., was awarded the American Spirit Honor Medal at ceremonies marking the completion of his recruit training at the Marine Corps Recruit Depot, San Diego.

This award is made each year to an average of 5 marines out of the 20,000 trained annually at the San Diego Recruit Depot. It is awarded for outstanding qualities of honor, initiative, loyalty, and example to their fellow marines.

Private First Class Caldwell also was named honorman of his training battalion at the graduation ceremonies. He won this distinction in competition with 250 other young men by displaying an exceptional measure of skill and professional knowledge in a wide range of basic military subjects. He was judged superior in conduct, attitude, military bearing, and leadership potential.

Mr. Speaker, it is an honor for me to claim this outstanding young man as a resident of my congressional district, and I think his accomplishments in Marine Corps recruit training should make every citizen of this Nation proud to claim Private First Class Caldwell as a fellow American.

The future of the United States rests in safe hands when our military training establishments are providing us with such outstanding future leaders as Private First Class Caldwell. I ask my colleagues to join me in extending to him and to his parents our most heartfelt congratulations and best wishes for the future.

PANAMA CANAL: MONSTROUS GIVE-AWAY PROPOSED

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLOOD. Mr. Speaker, on many occasions during the past several years, I have warned the Congress and the people of our country that the purpose of our Government's policy with respect to the Panama Canal was, and yet is, to dilute the authority of the United States and, ultimately, to surrender control of this great enterprise to Panama.

Many, doubtless, have thought that I was too positive in my convictions but unfolding processes and events have more than justified my worst fears. Negotiators designated to make recommendations concerning a new treaty with Panama and the future existence of the present canal have participated in preparation of a joint declaration with Panamanian negotiators as to what is proposed in these connections. Information on this score was recently revealed on the isthmus and carried in the press of Panama and the United States.

The text of this declaration, as disclosed in a news story from Panama by Ira Carlton of the Chicago Daily News Service published in the August 24, 1965, issue of the Washington Post, follows:

UNITED STATES AND PANAMA DRAFT STATEMENT ON CANAL

(By Ira Carlton)

PANAMA CITY, August 23.—A joint declaration of intent is being drafted by the Governments of Panama and the United States relating to Panama Canal negotiations and will be issued soon, an informed source has revealed.

It is understood the declaration will refer to agreement reached on several points:

The canal will be under the sovereignty and jurisdiction of Panama.

Special consideration will be given to the economic dislocation that Panama will suffer with the construction of a new sea-level canal.

Special consideration will be given to diversifying Panama's economy by stimulating its industrial, agricultural and commercial growth.

Provisions will be made for effective utilization, without cost to Panama, of lands and waters of the Canal Zone that will revert to Panama along with canal works.

Panamanian economic rights and other benefits derived from its geographic position will be recognized.

Prompt and just solutions will be found for the claims of either country against the other.

The Panama Canal Company will be jointly operated by the United States and Panama.

It is understood that the United States is also willing to make certain other economic concessions to Panama. However, demands in the area of civil government are still being discussed.

U.S. negotiators are insisting that functions such as postal service, as well as legislation and administration of justice in the Canal Zone, remain under U.S. control.

Some references are also expected to appear in the proposed joint declaration regarding Canal Zone workers.

Could anything be more destructive of the integrity of the Panama Canal enterprise than the policy proposed in the indicated joint declaration? How can the canal serve two masters with any degree of harmony or success? For more than 50 years, the canal has been operated efficiently in times of peace and war because our Government under treaty rights exercised the adequate authority required. If and when authority becomes divided equally it means that Panama authority will be a political asset to that country and will be the basis of endless controversy and peril. Such a result is inevitable, especially in event of war. The United States has never permitted its rights and duties with respect to the canal to become political assets or to be used for partisan purposes in any manner whatsoever and never should.

Our taxpayers have built the canal and furnished the needed money to protect it and to provide whatever was required in addition to the net tolls revenue received—all at a total of some $2 billion. To dilute the authority of the United States, which has been so successfully exercised, would prove fatal to the entire enterprise and the peace and defense of all countries of the Western Hemisphere, including Panama and the United States.

In brief, the proposals enunciated in this joint declaration are absolutely monstrous and should be defeated at all costs. If the people of our country could get the facts involved they would understand and repudiate the action of our negotiators with overwhelming opposition.

But, Mr. Speaker, this is not all. At the very time when this astounding joint declaration was revealed, Assistant Secretary of State for Inter-American Affairs, Jack Hood Vaughn, was gallivanting around Latin America making speeches. He was so intent on endearing himself to his audiences that in an address in El Salvador he referred to our country as "Gringolandia," an epithet of derision, thus catering to radical and communistic elements in all these countries.

As the "gringo" characterization is in constant use by the enemies of the United States in Latin America, Mr. Vaughn must have known its significance. How could he be sent forth as a diplomat and an agent of good will and be trusted with a serious mission? He should be recalled immediately.

No wonder, Mr. Speaker, that tensions are again building up in Panama with growing restlessness and veiled threats of renewed violence against the Canal Zone.

Mr. Speaker, I can only repeat what I have said many times before: That acceding to blackmail only brings forth greater demands. We must stand on our just and indispensable treaty rights and defend our own vital interests and those of all the Western Hemisphere.

In these connections, I quote two most revealing news stories:

[From the Star, Washington (D.C.), Aug. 29, 1965]

Vaughn Impresses Latin Americans As Sympathetic Hemispheric Adviser

(By Jeremiah O'Leary)

Santiago, Chile.—Latin America is getting its first closeup at Jack Hood Vaughn, the 45-year-old former marine and one-time prizefighter, who took over as Assistant Secretary of State for Inter-American Affairs 6 months ago.

And the response of thousands of Latins who have met him on his current tour indicates they like what they see and may herald a new era of warmth between the United States and the hemisphere nations.

President Johnson's main purpose in sending Vaughn on this 17-day visit to Mexico, El Salvador, Panama, Ecuador, Chile, Bolivia, and Peru was to dramatize the fourth anniversary of the Alliance for Progress and to repair some of the damage to America's image caused by the U.S. intervention in the Dominican Republic.

Close observers regard the mission as evidence that Vaughn is coming into his own as the President's right-hand man on Latin American policy. Vaughn has had a rather rough shakedown cruise since he was shifted from Ambassador to Panama last February to succeed tough, pragmatic Thomas C. Mann in the top Latin post.

Johnson continued to turn to Mann as his chief adviser on Latin affairs through the Dominican crisis after Mann became Under Secretary of State for Economic Affairs.

But now, according to those familiar with the situation, Vaughn is moving into a position of near full responsibility.

The Latins are well aware of the differences in dealing with Tom Mann and Jack Vaughn.

Some had feared the charismatic approach President Kennedy had to the Alliance would be replaced with icy, all-business relations when Mann took over as Assistant Secretary and Coordinator of the Alliance and the warm and friendly Teodoro Moscoso was dumped as Deputy Coordinator early in 1964.

The Alliance continued to progress under Mann, but although he speaks Spanish fluently the somewhat reserved Mann never won, nor did he seek, true affection of the Latins.

Vaughn, by contrast, has a personality that endears him to Latins. Soft-spoken, exceedingly polite, he's always ready with a quip. In El Salvador last week, Vaughn broke the ice at a formal diplomatic gathering by referring to the United States as "Gringolandia."

He has visited cornfields, irrigation projects and housing developments. He is seeing high officials, but he is also engaging in long conversations with "campesinos" about their problems with fertilizer, water, and "credito."

Antonio Carrillo Flores, foreign minister of Mexico, got up from a sick bed especially to see Vaughn during a long round of luncheons, receptions, dinners, interviews, visits to museums and visits to the countryside.

At each stop, Vaughn is handed an itinerary that might make a hardened tour-guide blanch, but he has cheerfully met every commitment, whether it be the signing of an agricultural credit loan or a 200-mile auto trip to look at a new well serving a village of 100.

On his plane between stops, Vaughn works on statements and speeches which he more often than not discards to speak off-the-cuff. The Latins applaud his command of the language and roar at the jokes he always manages to apply to local situations.

In El Salvador, he had a private session with President Julio A. Rivera and got on warmly with the soldier whose chair is flanked by pictures of John Kennedy and Abraham Lincoln. He was received in Panama at the airport by Foreign Minister Fernando Eleta and went on a day-long trip of projects in the interior with President Marco Robles.

Also in Panama, he lectured a tough audience of several hundred businessmen known to Americans and Panamanians alike as "oligarchs," about their responsibilities in the Alliance. He told them that governments cannot do the job alone and that it was up to them to create the jobs, trade, and income that would help other Panamanians who "live like animals."

He even drew applause when he commented that many Latin businessmen are more interested in paying bribes than taxes and sabotaging creation of common markets to protect their own selfish interests.

[From the Washington (D.C.) Post, Aug. 30, 1965]

Lag on Treaty With United States Upsets Panamanians

(By George Natanson)

Panama City.—Once again Panamanians are expressing impatience with what to them appears to be a deliberate attempt to slow down current United States-Panama treaty negotiations.

Unrest is rising to such a peak here that both United States and Panamanian Government officials nervously hasten to declare they are "optimistic" over progress of treaty conversations. Generalized statements to the effect that "within a month an effort will be made to inform the people" on where negotiations stand are being issued by Panama's Government.

The United States on the other hand, says merely, "We are pleased with the progress."

Dissonant elements here are loudly demanding a "full and complete" report on the treaty talks. Many Panamanians are being led to believe that the United States is holding to a "hard line"; that is, not acceding to most of the demands Panama considers justified. At the same time, Panama's Government and its negotiating team is being accused of having "sold out" to the United States.

Conversations have all been held in Washington and people here are disturbed over reports that one Panamanian negotiator has taken a 2-year lease on a house in Washington. Others believe that several members of Panama's negotiating team are becoming too satisfied with their $3,000 monthly salary and would like to drag out the talks indefinitely.

A barrage of criticism was leveled at Panama's chief negotiator, Ambassador Diogenes de La Rosa, when he declared recently that while the United States would prefer "a more accelerated rhythm, it is to Panama's advantage to hold off."

The negotiations are being held to draw up an agreement between the two countries that would determine the new status of the United States in its control of the Panama Canal and the Canal Zone. Under the present treaty signed in 1903, the United States has virtual sovereignty over a 10-mile-wide, 50-mile-long strip of Panamanian territory through which the canal passes.

The treaty has undergone two revisions, which awarded Panama favorable concessions, but two basic clauses in the agreement that gave the United States the right to act "as if it were sovereign" within the zone "in perpetuity" remained unchanged.

The 1903 treaty has been a source of constant friction between the two countries. Over the years, bitter feelings have broken out in rioting and bloodshed. The last outbreak, on January 9, 1964, in which 4

U.S. soldiers and 21 Panamanian civilians were killed during 3 days of violence, was triggered by an incident involving the flying of Panama's flag in the Canal Zone.

Diplomatic relations with the United States were severed several days later and were not resumed until the following April. At that time the United States promised to revise the old treaty and appointed former Treasury Secretary Robert Anderson as special ambassador to undertake the job.

But with Panamanian presidential elections taking place in May and a new administration not assuming office until October, it was not until March this year that representatives of the two countries met for the first time.

Since then little information has come from either side. In order to avoid any public conflicts, which could disrupt and influence treaty talks, both countries agreed on discretion until a joint announcement could be issued.

In an interview, Panamanian Foreign Minister Fernando Eleta acknowledged that his Government was concerned with growing restlessness of the people and said that the Government will try to inform the people on the progress of the negotiations within a month.

Eleta said the new treaty would signify "the birth of a second Republic for Panama. It will be a different country after the treaty, so we believe we can justify the care in handling the negotiations."

Explanations such as these have found little response among the Panamanian people.

SOVIET STRATEGY ON THE HIGH SEAS: CONTROL OF NARROW WATERS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLOOD. Mr. Speaker, the attempted Red takeover of the Dominican Republic on April 24, 1965, requiring armed intervention by the United States to prevent the establishment of a second Soviet satellite in the Caribbean, coupled with increased guerrilla warfare against southeast Asia to avoid loss of that area to Red China, has again emphasized key elements in the strategy of the international revolutionary conspiracy for world domination.

As stressed by me on many occasions before this body, the primary Communist objectives have long been to secure control over vital sea transportation arteries. On the round-the-world maritime route are the Panama Canal, the Strait of Gibraltar, the Suez Canal, the Strait of Bab el Mandeb—Yemen—and the Strait of Malacca; on the water avenues to the Soviet homeland are the Dardanelles to the Black Sea and the Skagerrak to the Baltic.

The situation in Indochina is a repetition of the operations of the worldwide Communist conspiracy as exemplified in Spain, Greece, China, and Korea. In fact, the strategic significance of Vietnam is greater than Korea, for the stakes in southeast Asia are vast. They are access to and control of prime strategic materials: rubber, manganese, oil, tungsten, tin, and rice.

In this connection, it will be recalled that the Japanese made a major bid for those stakes and now Red Chinese planners may be expected to follow the earlier Japanese blueprint in southeast Asia.

The advances already made in Red drives for domination of strategic areas are not accidental but the fruition of many years of planning and subversion. As I have repeatedly stated on this floor, in the Caribbean, the Panama Canal is the key target. In southeast Asia, control of the Strait of Malacca and Singapore are prime military objectives of the Communist conspiracy to dominate the entire continent of Asia.

In these lights, Mr. Speaker, the importance of our recent actions in Santo Domingo on the Atlantic approach to the Panama Canal and in South Vietnam cannot be overstated, for they are basic to the security of the entire free world.

Because of the imperative necessity for a correct understanding of the strategic water route subject, I quote as part of my remarks an ably written 1962 article by Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, one of our country's distinguished military analysts, which is just as applicable today as it was when originally written:

[From Life magazine, Dec. 21, 1962]

THE GRAB FOR NARROW WATERS: NEW SOVIET STRATEGY ON THE HIGH SEAS

(By James D. Hittle, brigadier general, U.S. Marines Corps, retired)

(NOTE.—General Hittle, now director for National Security and Foreign Affairs of the Veterans of Foreign Wars in Washington, served during his distinguished Marine Corps career on U.S. battleships, with troops on Iwo Jima. He is an experienced analyst of global military developments.)

The sea, beautiful and rich and useful, is also a source of danger. For the moment, at least, the great powers seem to have stopped fighting bloody battles on her surface with shells or even torpedoes. And the advent of long-range nuclear bombers and 18,000-m.p.h. missiles flashing through space has diverted attention from the sea as a major battlefield in the classic sense. But the ocean remains a crucial factor in the defense of any nation whose shores are lapped by salty water.

The United States knows this well and has proved it with its fleet of Polaris submarines roaming the world with a nuclear deterrent that the enemy cannot keep in sight. The use of naval power to blockade Cuba and force the Soviet withdrawal of missiles is an immediate case in point.

But it is becoming increasingly and ominously clear that it is that old landlubber, the Soviet union, that is now making the greatest strides in conquering the sea and that she is setting out, with tremendous energy and characteristic cunning, to turn it to her own use.

There is one shrewd project in particular which the Soviets seem to be pressing ahead on. This, as the map above shows, involves a long-range scheme to gain control over the narrow waters of the world—that is, the key strategic corridors of the sea through which much of the world's shipping must pass. Some of the Soviet moves along this line are on the surface and already obvious. Other moves are more subtle and still inconclusive. If the scheme is carried out to its logical conclusion, it would provide a major economic and military threat to the West.

But to understand more fully what it is the Russians are up to here, it is necessary first to review their other significant seagoing activities.

In the last decade, huge fleets of the Soviet Union's fishing trawlers have broken away from the home coasts and made themselves at home off Cape Cod, Newfoundland, Alaska, France and Scotland. Just last month the Coast Guard had to chase Soviet trawlers out of U.S. territorial waters near Provincetown, Mass. And they so cluttered up the narrow French waters with their nets that the French fishing fleet went home in disgust. The trawlers do engage in fishing but they also have another big mission. Their masts are cluttered with high-grade electronics gear which allows them to double as communications ships and military intelligence centers. Russia's interest in the sea has grown so rapidly that in the past 25 years she has risen from 22d place in world trade to 6th. In the last 4 years alone she has increased her merchant fleet's capacity from 2.7 to 3.4 million gross tons. And to break the ice which used to keep her ships landlocked during the long Russian winter, she has constructed a modern fleet of icebreakers—at least one of them nuclear-powered—that insures year-round sailing.

On top of all this, the Soviets have concentrated on their navy. At the end of World War II, Russia did not even rank among the great nations in naval power. Now she is second, having passed even Great Britain. The backbone of this young and therefore up-to-date force is a fleet of nearly 500 submarines. Considering the fact that Nazi Germany chopped up Allied convoys and almost cleared the seas with a starting force of only 57 U-boats, the Soviet figure is all the more formidable.

But there is more to the Soviet navy than its subs. Though Premier Khrushchev has sneered that surface vessels are obsolete, he still maintains a fleet of modern cruisers and destroyers and goes on building more. And he is outfitting many of these with guided missiles to increase their firepower.

So much for the evidence. What will Russia do with all this seapower? What are her intentions?

Two major patterns emerge. One is simple and easy to see because Khrushchev has stated it loud and clear. Speaking to an American visitor in 1957, he said, "We declare war on you—excuse me for using such an expression—in the peaceful field of trade." That is what all the merchant ships are for, to carry Soviet goods, machinery, building materials—and ideas—to all corners of the world where only ships could do the job so economically. To Africa, to South America, to Japan, to Western Europe, to places where the United States herself is so dependent on trade for her own welfare. The Soviet Union is of necessity becoming a great seapower because Soviet land power, which stretches from the Baltic to the Pacific, has almost reached its geographic limits. Any moves the Russians now wish to make to extend their influence to other continents must depend on seapower.

Ominous as it is, this pattern is ostensibly peaceful, and it is a logical development of Soviet growth which can be matched by strong economic competition. But it is the second pattern which is the most worrisome, simply because it is still rather ghostly, full of mystery and incompleted moves, and rife with the possibility of military, rather than economic, conflict. This is the narrow-water pattern which is illustrated with the map on page 83 (not printed in the RECORD). The Soviets are using the sea in the same way they use every other form of activity—as a chessboard on which they can try to checkmate or outmaneuver the opposition as they themselves move forward. And, like good chess players, they are preparing each move with patience and foresight, willing to lose now for later gain.

The "narrow water" thesis is based on an analysis of Soviet moves so far. It goes like this: the seas are vast, but for reasons of economy, geography and navigational convenience, seagoing trade has settled down over the centuries along certain routes. The Nazis knew this well and plied along under these routes with their U-boats. At six key geographic spots around the world these routes come together. To avoid long time-consuming and fuel-consuming passages around huge land masses like Africa or South America, commerce is funneled through channels of water so narrow that sometimes not even two ships can pass. These six points of narrow water are the Suez Canal, the Panama Canal, the Strait of Gibraltar, the Straits of Malacca, the Skagerrak leading out of the Baltic, and the Dardanelles leading out of the Black Sea.

The last two points are not in the same category with the others as highways of world commerce. Both the Baltic and the Black Sea are virtually Soviet lakes and the possibility here is that it is Russian fleets that could be bottled up to prevent them from emerging into the Atlantic or the Mediterranean. But in each of the other four potential bottlenecks, the Russians are carrying out a series of moves which are so consistent in style and content that it is difficult to believe that they are mere coincidence.

Take the Suez. Egypt's Nasser now controls the canal. Nasser has accepted not only tremendous amounts of aid from the Russians to help him build his big Aswan Dam and handle his Soviet Migs and other military purchases, but he has also accepted a Soviet gift of several Russian submarines. To help him run them, the Russians, of course, send in Soviet sub experts and spare parts. This gives the Russians—for the time being, at least—effective control over the subs. They thus have a cadre on hand for an underwater buildup of their own which could be used in the future to seal off the canal or make its use impractical for anyone but the Soviet Union and its friends.

Just in case this is not enough to effectively cut off traffic from the Mediterranean to the Indian Ocean and then on to the Pacific, the Russians are wedging in at the narrows on the southern end of the Red Sea, to the south of the Suez, where they spent 3 years building a new port at Hodeida on the coast of Yemen. From the way things have been developing in Yemen, this seems to have been a neat package deal. Yemen got a fine port right on the narrow waterway, tons of new military equipment which was landed there even before the port was completed—and a revolution last September that overthrew the monarchy and seriously threatened the status quo in the neighboring oil-rich land of Saudi Arabia.

The Russians have also been busy at the other end of the Mediterranean, where Britain's Rock of Gibraltar has guarded the western gate to that huge inland sea for centuries. Here, so long as Gibraltar stands on one side of the bottleneck, the Soviets cannot at present plug up or cork the passage. But by establishing a comanding military position on the other side of the narrow corridor, they could at least imperil its free use in the future. And this is exactly what they are doing. As the United States moves its own bases out of Morocco under Moroccan pressure, the Soviets have already delivered Migs, light arms, military vehicles, thousands of tons of ammunition—and are negotiating to build a new shipyard for Tangiers along with a sub base at Alhucemas Bay just 100 miles southeast of Gibraltar and 150 miles from the big United States naval base at Rota, Spain. The Algerian revolution is already clearing the French from the southern shores of the Mediterranean.

Since Soviet naval intrusion into the Mediterranean would dangerously expose the southern flank of NATO strength in Europe, the whole scheme is so logical that the Russians are either doing all this according to a deliberate plan or they have accidentally stumbled across a most astute strategic gambit. We should know by now, however, that the Soviets seldom do anything by accident. Some military observers have been heard to scoff at this thesis on the grounds that naval power moves of this kind are so conventional and old-fashioned in this nuclear age that the Russians could not possibly be considering them. "Let them try to seal off the Med," the answer goes, "and we'll either blast them out of the water or turn our missiles loose on Moscow." The answer—and the recent Cuban adventure bears it out—is that the Russians are sticking to their standard doctrine of making zigzag moves to advance wherever possible, withdraw when they are challenged and always avoid a major military collision. The grab for the narrow waters fits in with this doctrine because it does not involve a single overt move of war, but consists simply of keeping on the move and exploiting all political and strategic opportunities that come along.

Cuba, of course, is another example of the same pattern being applied. Here, whether they have missiles and bombers on hand or not, the Russians are using the same combination of economic penetration, new shipyards, fishing fleets, and naval presence (there was a buildup of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well and bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves on these narrow corridors they gain a tremendous advantage they never had before.

One of the most important campaigns of all in this shadowy pattern is aimed at controlling the Straits of Malacca, the long, narrow passage between the Pacific and the Indian Oceans and one of the great waterways of the world. Communist armies and guerrillas are hard at work trying to capture southeast Asia in order to grab off the rich rice bowl and encircle India from the east. There is also another target—Singapore, one of the best positioned naval bases in the world. There is already a power vacuum in this area between Singapore and Suez because of the virtual disappearance since World War II of British seapower in the Indian Ocean. This absence of naval force helps explain the flow of Communist power into southeast Asia, and whichever nation fills this vacuum could easily dominate the entire area. The Russians are already at work in Indonesia, that vast archipelago which stretches from the Indian Ocean, past Singapore to the waters of northern Australia. Indonesia's boss, Sukarno, is a power-hungry man who likes to play with ships, so the Kremlin has given him four Soviet destroyers, eight large and modern patrol ships, a cruiser and two of its long-range "W"-class submarines. Whether Sukarno ever uses this navy in battle or not, all of his threatened neighbors know the ships are there, and they also know who controls them. The Russians have thus set up a strong naval position in the area by proxy—with Indonesian crews and flags on the ships. In a cold war like this, the psychological advantage of a bold move such as this is enough to embolden our enemies and discourage our friends. The sea is, as always, an integral part of our defenses against the spread of communism and it is still a likely battlefield, whether cold or hot.

At a NATO meeting in Paris last month, Vice Adm. Richard M. Smeeton, of the Royal British Navy, who is NATO Deputy Supreme Allied Commander, Atlantic, warned the delegates what the Russians were up to. The Soviet Navy was "more modern than NATO's," he said, and it would not be easy against this new threat to maintain free access to the vital water routes on which the free world depended. He emphasized four routes, all narrow—the Strait of Gibraltar, the Suez Canal, the Strait of Malacca, and the Panama Canal. "If we do not control the oceans," he said, summing up, "the Communists will."

Latest figures on the Russian Navy: 22 cruisers, 245 patrol vessels, 275 frigates and escort vessels, 200 fleet auxiliary ships (like tankers and transports), 165 destroyers, 1,000 torpedo boats, 465 submarines, 1,000 minesweepers, 120 landing craft.

HIGH VFW AWARD TO VICE ADM. JOHN S. McCAIN, JR., U.S. NAVY

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STRATTON. Mr. Speaker, it is always a pleasure to learn of a well-deserved honor and recognition being accorded an outstanding leader in our armed services.

I know that Members of this House will share a sense of deep satisfaction in knowing that one of our longtime and highly respected friends, Vice Adm. John S. McCain, Jr., U.S. Navy, was recently awarded the gold medal and citation by the commander in chief of the Veterans of Foreign Wars at the recent VFW national convention in Chicago, Ill. The VFW Commander in Chief's Gold Medal is one of the highest awards that can be presented on behalf of that great and—I am glad to report—still growing veterans organization which has contributed so much to the strengthening of our Nation.

Mr. Speaker, I am confident that the many Members of this House who have worked with Admiral McCain through the years, and have come to know him, strongly endorse the decision of the recent commander in chief of the VFW, and good friend, John A. "Buck" Jenkins, of Birmingham, Ala., to award this high decoration to Admiral McCain. In his high, responsible positions in the Navy, both at sea and in Washington, Admiral McCain has become increasingly recognized as an officer possessing unusually high attributes of personal leadership, as well as professional competence. Such a combination is all too rare and it is, indeed, reassuring to see the possessor of these fine qualities recognized by the VFW.

As Members of this House are also probably aware, Admiral McCain recently was transferred from commander of the amphibious forces, Atlantic Fleet, to another highly important assignment as commander, Eastern Sea Frontier, and chairman, U.S. delegation, United Nations Military Staff Committee, with headquarters in my own State of New York.

I believe that the presentation remarks by then Commander in Chief Jenkins before the thousands of delegates to the VFW convention well describe the achievements and characteristics of Adm. Jack McCain. In particular, I am glad that Buck Jenkins made specific reference to the admiral's tireless activities as a spokesman for our Navy, and that the VFW commander also emphasized that, although the admiral is a sea power advocate, he is a "team player." As Members of this House well know, he is a constant supporter of the other services and all those who participate in the defense of our Nation.

I would also like to mention at this time that Buck Jenkins was succeeded as commander in chief of the Veterans of Foreign Wars by the newly elected commander in chief—who is also a highly respected friend of many in this House—Mr. Andy Borg, a distinguished lawyer of Superior, Wis.

Under leave to extend my remarks, I include the text of the remarks of Commander in Chief John A. Jenkins of the Veterans of Foreign Wars in presenting the VFW Gold Medal and citation to Admiral McCain on August 17, before the thousands of delegates attending the VFW national convention in Chicago, Ill.

Also, I include the text of a news account of this award to Admiral McCain appearing in the San Diego Union on August 18, 1965.

PRESENTATION REMARKS BY JOHN A. JENKINS, COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS OF THE UNITED STATES, AT THE PRESENTATION OF THE COMMANDER IN CHIEF GOLD MEDAL AND CITATION TO VICE ADM. JOHN S. MCCAIN, JR., U.S. NAVY

One of the pleasant duties that comes to the commander in chief of the Veterans of Foreign Wars is to present, on behalf of all our members, awards to outstanding citizens for ususually important contributions to the strengthening of our Nation. The award which it is my pleasure to make at this time goes to a person who most certainly qualifies in every respect for recognition by our Nation and by the VFW. There are few, indeed, who have demonstrated such an exemplary degree of professional competence, personal loyalty, leadership, untiring effort, and total allegiance to our Nation and those beliefs for which it stands.

I refer to a man who is admired and respected by all of us of the Veterans of Foreign Wars—Vice Adm. John S. McCain, Jr., U.S. Navy. Admiral McCain's career has been a series of contributions to the protection and the betterment of our Nation. A graduate of the Naval Academy, he volunteered for submarine duty prior to World War II. In World War II, he quickly became recognized as a daring and successful submarine commander. Following World War II, he has moved successively through increasingly high commands.

He has served, for instance, as an amphibious group commander in the Mediterranean, and he has the unique distinction as having been assigned as Chief of Legislative Affairs for the Navy, and later as Chief of Information for the Navy. It is testimonial to his straightforwardness, professional ability, and his utter honesty that he "professionally survived" both of those Washington assignments with his reputation enhanced.

More lately, he has served as commander of the Amphibious Forces of the Atlantic Fleet, in which position he was in command of the Navy component in the Dominican intervention. It is well recognized in Washington that when President Johnson spoke of the readiness of U.S. forces to land on his orders in Santo Domingo, the President was, most certainly, referring to Admiral McCain's amphibious forces.

At the present time, the admiral is holding two positions of high trust. He is commander of the Eastern Sea Frontier, and is chairman of the U.S. Delegation, United Nations Military Staff Committee.

One of his characteristics, which has brought him to the point where he will leave his mark on the history of our Nation's Navy, is his quality of personal leadership. Admiral McCain's career is a constant reminder that the old-fashioned and still indispensable qualities of personal leadership have not disappeared. He is widely recognized as one of the few people whose presence can electrify the morale of those serving under him. He is equally at home down in the crew's messing compartment, talking over a problem with an ammunition passer, or in the Pentagon or the United Nations discussing highest strategy and policy. We have come to admire Admiral McCain also for the fact that he believes in his profession. He has become, in many ways, the Mahan of modern seapower. While an active advocate of sea power, he is also a team player, and an enthusiastic supporter of all the other elements of our Armed Forces.

And, incidentally, Admiral McCain is a life member of the Veterans of Foreign Wars of the United States.

Because of his contributions to our Nation; because of his personal and professional courage; because of his complete patriotism and his devotion to the struggle against aggression, and because he is one of the finest people it has been our good fortune to know, it is my pleasure to present at this time to Vice Adm. John S. McCain, Jr., U.S. Navy, on behalf of the members of the Veterans of Foreign Wars, the Commander in Chief Gold Medal and Citation.

[From the San Diego Union, Aug. 18, 1965]

VFW HONORS ADMIRAL MCCAIN, DOMINICAN LANDINGS LEADER

(By Lester Bell)

CHICAGO.—Vice Adm. John S. McCain, Jr., who commanded the naval component in the Dominican crisis, yesterday was honored by the Veterans of Foreign Wars for more than 30 years of distinguished naval service.

John A. Jenkins, VFW national commander in chief, presented the organization's gold medal and citation to McCain in convention ceremonies at the Conrad Hilton Hotel.

McCain was commander of the Atlantic Fleet Amphibious Force when marines were landed in the Dominican Republic this summer. He is commander of the Eastern Sea Frontier and vice chairman of the military liaison staff to the U.S. mission to the United Nations.

QUALITIES HAILED

Jenkins, said McCain demonstrates that the "old fashioned and still indisputable qualities of personal leadership have not disappeared."

"It is well recognized in Washington," Jenkins said, "that when President Johnson spoke of the readiness of U.S. forces to land on his orders in Santo Domingo, the President was most certainly referring to Admiral McCain's amphibious forces."

Speaking to the convention, McCain said that the foundation of this Nation's defense system is "the young American boy" who enters the armed services. McCain said that contrary to the views of some critics, he believes today's young American with proper leadership will do just as well in battle as his forefathers.

"As World War II began, the word was abroad that American youth had lost a lot of its fight and vigor, but American youth went forward and won two wars, one in the Pacific and the other in Europe," McCain said.

CIA BAITING

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DENT. Mr. Speaker, I commend to the House the following article from the Washington Daily News of September 8. The article is written by Richard Starnes and is entitled, "Clip the CIA's Wings."

In the last paragraph of his article, Mr. Starnes describes anti-CIA expression as "CIA baiting." He contends this type of expression is legitimate—indeed is called for—and offers his own article as a justified expression of criticism about our chief intelligence agency. I submit that warranted criticism is often advisably recorded; but, I further contend that Mr. Starnes' criticism is perhaps unwarranted. In fact, I believe him to be guilty of the very thing he scorns—CIA baiting.

Mr. Speaker, several weeks ago I applauded the efforts of the CIA. My remarks were directed to the House Members and are in the RECORD. At that time, I saluted the role of the CIA in aiding our national defense, and the dedication and ability of its employees in doing the same. These feelings obviously need to be restated.

Mr. Speaker, the CIA is a welcome target for all critics. To real and potential critics, it represents a snake without venom; it is defenseless and subject to wide varieties of abuse. Might I say though, that it is defenseless only because it chooses to be defenseless. I am certain, were the CIA to list its record of accomplishment, we would all be overwhelmed at the successes this relatively young Agency has enjoyed. I am sure we would be even more overwhelmed were we to compare such a record of accomplishment with the number of well-known and publicized failures. I think we would find an Agency with a very definite and positive posture of excellence.

The past failures of the CIA are major only in the sense that they are sensationally publicized. For the most part, the CIA is an unknown, and to discover something about an unknown is sensational. Since the Agency does not make it a practice to advertise success, the public must be content with hearing of failure. Ask any citizen what he knows of

CIA activity and he will tell you something about the Bay of Pigs, the U-2, or the recent Singapore exposure. Can he tell you what unfriendly governments the CIA has penetrated? Can he tell you anything about the successful U-2 flights, and the tremendous possibility these flights had for providing us with valuable intelligence information?

Mr. Speaker, I cannot resist comparing the CIA to any American airline. Every day, our airlines serve the public with safe and comfortable flights. This has become so common as to become unrecognized. Upon occasion, however, a plane disaster occurs and the front page cf every newspaper is alive with details of the tragedy. This is news. Who wants to read about every normal, safe, and pleasant flight? The CIA finds itself in the same position. A blunder is magnified beyond proportion and the public is left with a bad taste.

Mr. Speaker, we have heard, and will continue to hear, demands for a joint congressional committee to oversee the responsibility of the CIA. Apparently it is not enough that four congressional committees are already privy to much CIA information. No, the demand is made for a "master committee," one to get into specific projects and to investigate unsuccessful and embarrassing ploys. I cannot believe these demands are well thought out. I cannot believe those calling for such a committee have truly deduced the repercussions such an arrangement could have. To have the CIA directly responsible to a congressional committee for specific projects is to destroy the veil of secrecy which necessarily surrounds such projects. To advise additional Members of Congress of the Agency's innermost workings is to jeopardize the possible success of any particular project. I do not say that Members of Congress would consciously, though innocently, reveal any information of a secure nature, but confidential information becomes less so every time someone else learns of it.

The charges leveled against the CIA are all too familiar. They are collectively assembled under the catchall, irresponsibility. CIA is allegedly irresponsible when it errs, when a failure becomes known, and every time the desired result is not perfectly successful—in which case we would never specifically hear of it. Well, I do not think the CIA is irresponsible. Businessmen have learned that the virtue of courage and taking a chance is essential to success. The profit motive is the inspiration here. With the CIA, the profit motive is the maintenance of our national security and the freedom of all liberty loving people. This, to me, is a much more meaningful and essential end. In this sense, I salute the CIA for its determination and courage, and especially for its refusal to succumb to answering the pointless charges of ill-informed critics.

The Daily News article follows:

[From the Washington Daily News, Sept. 8, 1965]

CLIP THE CIA'S WINGS

(By Richard Starnes)

The vast, bumbling bureaucracy of the Central Intelligence Agency has lately been revealed as the profligate disbursing agent of millions of unaccountable U.S. dollars.

There can be no surprise in this: CIA responds to no checkrein, and is blessed with the same sort of lavish appropriations that make it such a pleasure to run up a budget for the FBI. The important difference, of course, is that the FBI must account for the huge sums Congress presses upon it, right down to the final box of paper clips, but the CIA operates under no such fretful inhibition.

The spooks simply wait upon an informal gathering of top-ranking members of House and Senate Appropriation Committees, explain their anticipated needs, and get the money. No CIA appropriation as such ever goes through the Congress, since the total (which approaches $1 billion) is said to be secret. Instead the sum is subdivided into handy items and buried in the appropriations for other departments of Government. Ten thousand tomahawks for the Indian Bureau, at $100 each? Don't bet it isn't spook money.

No other branch of Government enjoys the high-riding irresponsibility of CIA. The Atomic Energy Commission, which contains enough secrets to destroy earth, operates under a legislative watchdog committee that was established with the act that brought AEC into being. The Defense Department likewise lives under the scrutiny of House and Senate Armed Services Committees.

Thus it is not a sound argument to contend that a joint CIA committee would become a sieve of information that would peril secret projects. Even Allen Dulles, who departed as head of CIA soon after the catastrophe at the Bay of Pigs, conceded in his otherwise nonrevealing memoirs, "The Craft of Intelligence," that he knew of no betrayal of secret information by any Member of Congress.

Lately the Nation has witnessed the inevitable fruit of the weaknesses inherent in such a policy. Lee Kuan Yew, Prime Minister of Singapore, revealed the 5-year-old plot of a tawdry CIA comic opera in which the huge espionage apparatus was caught trying to penetrate the security department of Singapore. CIA promptly offered Prime Minister Lee (Western-educated, anti-communist, and a rare ray of sunshine in the morass of Asian politics) a $3 million bribe to forget about it.

Mr. Lee proved incorruptible, which must have surprised the free-spending CIAers, and wrung a weasling letter of apology from Secretary of State Dean Rusk. Routine incompetence impelled State Department spokesmen to deny the episode when Mr. Lee revealed it, although it was plain that the letter would eventually make maladroit liars out of them.

The big point here is not so much that the State Department rushed to show its traditional stupidity, nor even that the CIA has managed to convert Prime Minister Lee from a potentially valuable friend to an implacable—and scornfully contemptuous—enemy. The point is that dangerous dime-novel nonsense such as our all-thumbs man in Singapore perpetrated is inevitable as long as the CIA is permitted to go its headlong, unrestrained way.

The theory that Congress already exercises sufficient control over our spy agency simply won't float. Which of the clubby little group of appropriations committee spookwatchers authorized the $3 million bribe, or even knew about it? Was the two-headed author of the Singapore caper sacked, or is he comfortably tucked away in Stockholm clipping Red Star and planning new triumphs of clandestine diplomacy? This witness surely cannot answer those questions, and, more to the point, neither can the Congress.

The last time CIA found itself on the rack, Senator THOMAS DODD, Democrat of Connecticut, read a speech (which the CIA had written) lamenting what was described as "CIA baiting." Sad to say, there will be occasion for much more of this baiting, until CIA is brought under the rule of law appropriate to an agency of Government in a democracy.

REVITALIZING THE DOMESTIC GOLD-MINING INDUSTRY

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BARING. Mr. Speaker, I am introducing today a bill representing a new approach for revitalizing the domestic gold-mining industry. The flight of gold from our shores in recent years has been a growing concern to our Government. Therefore, it is in the public interest to make every effort to increase our gold reserves and to stimulate greater production from our rapidly dying gold-mining industry.

In past Congresses there have been a number of measures proposed to accomplish this objective, but obviously the best possible approach to this problem is to stimulate production through financial assistance payments to domestic gold producers—which will reopen dormant mines and cause an extensive search for gold ore reserves. A somewhat analogous situation existed some years ago when uranium was essential to the security of the United States. An incentive program was adopted which resulted in the discovery of substantial uranium reserves within our borders despite the opinion of many geologists that we were a "have not" nation insofar as uranium was concerned.

By providing incentives to revitalize our domestic gold industry, we can increase our production from our domestic gold mines, strengthen our faltering gold reserves and give this Nation a position of strength in the international monetary conferences.

Mr. Speaker, for many years the various administrative agencies have argued that if we provide incentive payments to U.S. gold producers foreign central bankers will be concerned over the stability of the dollar. Why such a view? The Governments of Canada and Austrialia have both for many years long made incentive payments to their gold producers. This has not caused great despair or concern among the international bankers or among foreign governments. How then could a simple, small subsidy paid to our domestic gold producers based upon a formula relative to increased costs arising from the inflation of the past three decades and needed because of price setting by Government fiat disturb the sensitivity of foreign banks and international trade when the bill which I am introducing specifically provides that it is the intent of Congress that financial assistance payments be made thereunder which have no relation to the price of gold and that eligibility of producers to obtain such payments shall be determined at the State level by the Governors of the respective States involved?

Mr. Speaker, the domestic gold mines need constructive Federal policies not just the expressions of sympathy and crocodile tears shed by our administrative policymakers.

WHAT SHOULD COLLEGES PAY FOR MONEY?

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, one of the main concerns I have had has been with respect to the enhancement of opportunity for greater expansion of college facilities, both in the public as in the private sector. This is why I have favored, voted for, and generally agitated for all measures having to do with expanding the credit facilities for colleges. Another American who has shown an equally intense interest is Mr. John C. Gill. Under unanimous consent I place in the RECORD at this point an article of worth recently written by him:

WHAT SHOULD COLLEGES PAY FOR MONEY?

(By John C. Gill)

There has probably never been a time when education did not face problems variously described as staggering, insurmountable and unprecedented. It faces them today and with all possible respect to the precision with which the calamitous adjectives have been used in the past, their appropriateness today is at least as great as it has ever been before. The basic problem today is numbers, and the basic problem tomorrow promises (or threatens) to be greater numbers. The problem of numbers is usually viewed in metaphor as the problem of the rising summit. There is an even starker metaphor in which it is the problem of the eroding summit. As the quantitative summit rises, there is the danger that the summit of achievement may be sloughed away. American higher education must be equally aware of both problems, the problem of admitting the ever increasing horde of youngsters who cry outside the ivied portals and the problem of sending them out again with proper academic sustenance. One of the most perilous ways of taking care of numbers is by taking it out of quality.

It is the moral responsibility of American higher education to take care of both numbers and quality. But it is also the moral responsibility of a nation that demands ever more and ever higher education to help the academic agencies do it. What follows is an attempt to suggest a single and simple device that will help our private colleges and universities, as well as our independent schools, to a certain extent to do what has to be done to take care of numbers without sacrificing quality. Obliquely, it might help public education as well by lessening the pressure on public educational facilities.[1] Parenthetically, a similar case could be made for our private hospitals where the potential staggers the imagination.[2] Nothing but a modest claim is made for the device: it should help to a certain extent. That much we do claim.

A cynic recently remarked that today no one can afford a private higher education for his son but the rich man and the subsidized poor man. Cynicism would be impossible if it did not have some grit to grind its teeth on. Tuition charges have about doubled in the past decade. What percentage operating costs have increased is guarded within the private sanctums of college finance officers, but it is very large indeed.[3] Many things have made them increase, but we need concern ourselves with nothing beyond the fact of increase. The fundamental facts go unchallenged. Operating costs have gone up like Atlas rockets and they have acted as boosters for tuition charges. Obviously, there is a point beyond which further tuition increases could result in a decrease of applications in quantity or quality or both.

Every tuition dollar that the rich man pays or the subsidized poor man has paid for him contains a certain number of cents for debt service. How many cents depends in part on the number of cents the college must pay for the dollar it expends on the erection of its facilities. Consequently, the debt structure of the college is a factor of substantial consequence in the tuition structure, and the cost of obtaining money for the erection of facilities is a major factor in the debt structure.[4] The cheaper that money can be obtained, the smaller the fraction of the tuition charge which represents debt service. All this is self-evident, and other things are self-evident, too.

It is self-evident that the cheapest way to get money is to have it given to you. We can pass over this aspect, with the comment that every private college has an office that attends to such matters. The next cheapest way is to borrow money that is tax exempt, and now we approach our real theme. Basically, there is one way in which a college can get tax-exempt money, although in some States and notably in New York that one way was burgeoned into two. The college can borrow it from a public agency. In practice this means that the college can borrow it from the Housing and Home Finance Agency (HHFA). In New York a private college can also borrow from the admirably operated dormitory authority of the State of New York. When bonds are tax exempt, financing costs are substantially reduced.

What follows will appear to be a criticism of HHFA. That is inevitable and unintended. No one could or would detract from the tremendous contribution it has made. However, it is essentially an agency engaged in real estate mortgaging and hence its operational procedures and the facility requirements of a college are not by nature complementary. It operates under certain Federal regulations which are not in themselves unreasonable and under the primary conditions which HHFA was designed to meet not necessarily onerous. They are accidentally both unreasonable and onerous at times when colleges have to meet them.

For one thing, a college can borrow from HHFA only to finance what can be mortgaged. It may need adequate parking facilities more than another dormitory, or proper campus lighting much more than another dining hall. But the college cannot mortgage the parking lot or the Edison poles.[5] It can mortgage the dormitory and the dining hall.

For another thing, there is the field of the adventurous and untried in construction. A college can borrow from the Agency only to finance what in the balanced and experienced judgment of the HHFA officials falls into the category of the usual and accepted. Again, there is no criticism implicit in this where the HHFA officials are concerned. It is not for them to be financial angels at public expense for experimental ventures in construction. But the very fact that the college can build with these funds only what HHFA officials can with clear consciences approve does cut down the possibility of new and perhaps venturesome and yet also, it may be, very effective innovations in construction and equipment.

Then there are the whips and scorns inescapable when the common denominator of dealings must be the public weal, over which the college fiscal officer can brood as Hamlet did—those whips and scorns that can so easily, if not always, justly appear to be "the law's delay, the insolence of office." The law does delay, and this prohibits long-range planning because of the uncertain timing of loan approvals. There is built into an HHFA loan the cost of bureaucratic administration[6] and redtape, and Hamlet's "insolence of office" can show itself as law is made by field interpretations. One may add the abundant time, cost, and expenditure of talent and energy necessary for the preparation of Federal loan applications. Nor should the stings and pricks be overlooked, for they can bring a rash of trouble upon alma mater. In order to comply with the Federal regulations under HHFA it is necessary to bolt beds, desks, bookshelves, bureaus, and wardrobes to the building, to make them part of the "real estate," if they are to be included in this financing. This costs money, and it may perplex even the student who will graduate summa cum laude in government that government regulations do not permit him to move his bed closer to the window.

The result of all this is a substantial increase in building costs.[7] It costs money to tailor your needs to what you can borrow money to obtain, rather than the other way around. It costs money to tailor your construction to established patterns of construction which imperfectly meet your needs. It costs money not to be able to do long-range planning and to use as the foundation for all your planning a fiscal base that is not within your control. It costs money to attempt the physically unnecessary and practically impossible coordination of architectural design and room furnishings because of a governmental requirement that the furnishings and the design be permanently welded. But most of all, it costs money and other values that rival money in importance, to have as the master of your destiny a Federal agency not primarily geared for the particular set of problems that a college presents.

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[1] In the not too distance past 60 percent of the Nation's college students were enrolled in private institutions and 40 percent in public. Today, the percentage is approximately reversed. Projections set the 1975 ratio at 27 percent private and 73 percent public. See: "Public Spending for Higher Education, 1970," by the Council of State Governments—February 1965.

[2] An eminent hospital authority has predicted that daily hospital rates by 1970 may reach $100. For a scholarly and provocative presentation of the possibilities see: Rosenthal, Gerald, "Medical Care Facilities: Potential for Investment, Employment, and Income Generation," Boston University Business Review, vol. II, No. 2, 1964.

[3] See: "Sixty College Study," published by the National Federation of College and University Business Association.

[4] Interest rates for the college housing program under HHFA increased about 35 percent in the past decade—2¾ to 3¾ percent.

[5] Since this paper was originally prepared, the Housing Subcommittee of the House Banking and Currency Committee approved extension of the program to include "parking facilities primarily to serve the needs of students and faculty."

[6] One-fourth of 1 percent, to be exact: "Higher Education and National Affairs," by American Council on Education—May 7, 1965, vol. XIV, No. 14.

[7] Aside from such factors the Bureau of Labor Statistics estimates that construction costs will rise uniformly 3.1 percent per year for educational type construction through 1970.

The State authority approach tends to be as satisfactory as the operational pattern and political philosophy of the State permit. New York, with substantial experience in the operation of State authorities and an exceptionally competent and dedicated administrative director[8] for its dormitory authority, has a fine record of success. Private, as well as public institutions in New York, have benefited from the fiscal services of the dormitory authority, which now extends its services to fields beyond the one its title suggests, with all the advantages of government loans and few, if any, of the disadvantages. Pennsylvania, with a long tradition of public assistance to private higher education, continues to lead in this sort of academic support. Generally, State aid to private educational institutions is limited to self-financing loans, although one cannot overlook the frequently important and valuable assistance that the use of public medical facilities by private medical schools represents to private education. But the fundamental fact remains that in most States the institution receives no assistance from the State, and in only a minority of States may the students at a private institution receive financial assistance. Perhaps the States could do more, but in the opinion of the writer something different is needed.

The nature of the something else is suggested by the philosophy of the Nation where education is concerned. Americans, as individuals and as a nation, spend enormous sums upon education. In most communities more than half the tax dollar goes for education, and in most States a very large bite is taken from the tax dollar by public higher education. The individual pocketbook is hit hard by the cost of education, and very hard indeed in the larger families that are now the rule in the United States. Education is considered important as is demonstrated by the sum of money spent upon it and by the concessions made to it by society. A nonprofit educational institution is tax exempt. A contribution to a nonprofit educational institution is a tax exemption. Some States already make concessions to parents who pay tuition bills for sons and daughters in college, and more are constantly demanded. We recognize that the college is essentially a social service from which the entire community and Nation profit when we make it exempt from real estate and excise taxes and when we exempt from taxation sums contributed to it.

Then why not carry the process of reasoning one step further and let the college issue tax-exempt bonds? If a private college could issue a tax exempt bond it would thereby gain all the advantages that a Federal or a State loan provide without the disadvantages. It could use the proceeds of the bond issue for the facilities it really needs. It would judge its needs in and of themselves and not in terms of some set of standards set elsewhere. It would raise the money it needs when conditions in the bond market are most favorable for the purpose. It would avoid expensive redtape, frustrating delays and unprofitable subservience to bureaucratic methodology.

What about the standing of tax-exempt college bonds? Their standing would vary as the standing in the fiscal community of the college that issues them, which is merely another way of saying that they would be subject to the usual scrutiny accorded the bond issues of American business. They would be a novelty, but novelty is not an evil. Does anyone seriously think that a bond issue by Harvard University would be less giltedged than a bond issue by an industrial corporation, be it Standard Oil of New Jersey or American Telephone itself? For that matter, does anyone seriously think that a bond issue from a campus too bounded by cement for ivy to take root would not stand the competition of even one of the western railroads?

Who would buy such bonds? There would appear to be the usual market for tax-exempt securities, plus another market that at the moment does not exist. They might well be bought by those, be they individuals, institutions, or organizations, to whose fiscal benefit it is to accept the smaller coupon on a tax-exempt bond. That is the obvious market. Then there is a very different market. The alumnus or friend of the college who has given generously in the past might be willing to expand his generosity if the expanded area carried 3 percent interest tax exempt. The alumnus who has always planned to give generously next year might indulge in a bit of self-amortizing generosity at 3 percent tax exempt. The person who would really like to "aid the college of his choice" might figure that a tax-exempt bond at 3 percent gave the same return as a bank deposit at 4 percent to one in the 25-percent income tax bracket—and who isn't that has a dollar extra in his pocket?

To be sure, there would be a risk. The only grounds where risk is finally and totally avoided is the burial grounds. There would have to be some fiscal patroling in the groves of Academe. Some colleges would find it easier to float bond issues than others; some find it easier to run successful fund drives than others. Not all could float successful issues. That fact should not hamstring those that could, and for those to whom the bond market is closed, the present governmental avenues would still be kept open to do the whole job where needed or to supplement if that proved the more desirable course. (However, a reexamination of HHFA procedures as applied to educational financing could be fruitful. As has been suggested by the subcommittee, a ceiling on interest rates and an extension of the coverage, as well as a reappraisal of the project reserve fund requirements and financing of movable furnishings—to mention a few—might present areas for consideration.)

We opened with the promise of nothing but a modest claim. The right to issue tax-exempt bonds would help American private education to a certain extent. It would cut down the cost of money which has been rising steadily in the past few years and which is now reflected in rising tuition rates and could also be reflected obscurely and dimly, and therefore all the more dangerously in eroded educational standards. It would be in keeping with the philosophy of government which makes a college a tax-exempt institution and donations to it tax exempt. It would be a most practical way for the Federal and State Governments to help "the colleges of their choice."

STEEL SETTLEMENT

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOGGS. Mr. Speaker, we in the Congress have just witnessed one of the great moments of our history, and it behooves all of us to consider all its implications and pay tribute to those who made it possible.

The steel settlement reached this week will stand as a lasting tribute to the men who accomplished it. They have shown once again that "collective bargaining" is an apt name for this critical element in our free enterprise system.

Collective bargaining does not mean economic extortion committed by labor against management. It does not mean economic intimidation of workingmen by their employers.

Collective bargaining means determined but fair-minded negotiation of the issues by reasonable men seeking a just settlement of their differences. That is what has just occurred in the steel industry.

According to the newspapers, there is still some disagreement about how much the new wage scales and increased fringe benefits will cost. As is often the case in business, the boss believes he is paying more than the worker thinks he is getting. Most important, however, is that the Government's own economic advisers are satisfied that the settlement is within the price-wage guidelines laid down by the President.

The productivity of American workers increases steadily year by year. When wage increases keep pace with rising productivity, labor is properly rewarded by a fair share of our growing prosperity. If wages advance faster than productivity, however, the result is inflation. People have more money to spend, but there is not enough more to buy. Prices go up, the dollar buys less, there is a demand for still greater pay increases, and so forth. This inflationary spiral, once started, is very hard to stop. In fact, the end is usually a recession, with still further economic dislocation and much personal suffering and unemployment.

The President's Council of Economic Advisers assures us, however, that the productivity of American labor increases at a rate which permits an average annual wage increase of 3.2 percent. And they are satisfied that the new wage agreement in the steel industry is within that figure. It amounts, in fact, to almost exactly the guidepost figure of 3.2 percent.

And so we may congratulate the workers on their well-earned gains. We may congratulate management for avoiding a costly shutdown of this most critical industry, and upon achieving a just settlement which strengthens the foundation of our stable economy.

We should congratulate, also, I believe, the President of the United States. It is the duty of the President, in moments of national crises, to speak for the national interest. We look to him on these occasions to be our collective voice, to speak for the millions of Americans who, though absent from the conference table, are vitally concerned with the outcome.

This, President Johnson has done, and the steel industry has honored our message.

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[8] Clifton C. Flather, the original employee of the Authority, who has probably had administrative responsibility for the design, construction, and furnishing of more educational building than any man in the history of the world.

PERSONAL INCOMES

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOGGS. Mr. Speaker, the respected weekly magazine, Business Week, has reported that my home State of Louisiana led the Nation in its percentage increase of total personal income in June 1965, over that of June 1964.

Personal income in Louisiana rose by 12.7 percent in June of this year, as compared to the same month last year. In June 1964, the approximate total personal income was $526.7 million; and in June of this year, that sum had reached $593.4 million.

Second to Louisiana in this percentage increase in total personal income were South Carolina and Michigan, both enjoying a rise of 11.8 percent; third among the States was Kentucky at an increase of 11.6 percent; fourth was North Dakota at an 11.5 percent hike, and fifth was Florida with a climb of 11 percent.

These percentage increases, Mr. Speaker, compare with the overall national climb in June 1965, over June of last year, of 8.3 percent.

Based on the full chart of personal income figures cited by Business Week, I also would like to point out that the average percentage increase in June of this year over June 1964 in personal income rise in the Deep South Gulf States of Louisiana, Mississippi, Alabama, Georgia, and Florida was a splendid 10.2 percent. If the State of South Carolina, which enjoyed a rise in personal income of 11.8 percent from one June to the next, were added to this list, then the average percentage climb was almost 10.5 percent. These figures reveal, Mr. Speaker, in a very concrete way the unprecedented economic progress and prosperity which the entire South is enjoying today. In the two decades since the end of World War II, the South has really been a "New Frontier" of growth and development for all kinds of business and industry; for many reasons this part of our great Nation has offered more new opportunities for farsighted, progressive leaders in business and industry, and they have recognized this fact and taken advantage of it—to the greater benefit of all who live in my section of the country.

What were the factors responsible for Louisiana's leading the Nation in its percentage rise in total personal income in June 1965 as compared with June of last year? These factors are many and varied, and I am happy and proud to relate some of them here.

Business Week notes that:

> Heavy overtime schedules in manufacturing—especially in the shipbuilding and aerospace complexes around New Orleans, and in offshore oil activities in the Gulf of Mexico—helped swell pay envelopes in the State. And increased commercial and industrial building along the waterfront from New Orleans to Baton Rouge (the Ruhr Valley of America, Mr. Speaker) has stimulated strong demand for construction workers in that area.

These are the all too brief reasons, Mr. Speaker, which this noted magazine cites as the principal reasons for this great percentage increase of personal income in Louisiana in June of this year as opposed to the same month last year.

However, there are other vital factors, Mr. Speaker, which have contributed extensively to this splendid increase in personal income in my State and across the Nation.

In Louisiana, the stepped-up activity and volume of work in shipbuilding; in the NASA space installation at the Michoud assembly facility; in the petrochemical industry; and in many other industries has resulted in part from the positive vision of the late President Kennedy and of President Johnson, and the constructive, farsighted actions of the Congress in the past 4½ years.

The terrific record of progressive legislation which has been enacted in this period is probably the most extensive in the history of the United States; and I am confident that all the people of this great Nation will realize the benefits of a better life for decades to come as a result of this legislation. To name but a few of these legislative milestones: the Tax Reduction Act of 1964; the excise tax cut of 1965; the Tax Revision Act of 1962; the regional economic development program just signed into law; the new omnibus housing program enacted into law last month; the extensive expansion of the antipoverty and the manpower development and training programs; and the landmark aid to elementary and secondary education schools and to the colleges, universities, and other professional schools in our Nation.

Further, Mr. Speaker, our Nation as a whole continues to enjoy the fruits of 55 months of uninterrupted economic expansion and prosperity—one of the longest such periods in the history of our country. And our unemployment rate, both for the Nation and for my State of Louisiana, continues to remain well below 5 percent.

The fact is that in the second quarter of this year the economic activity in the United States rose by 1.5 percent over the level of the first 3 months of 1965; but activity level was up almost 6 percent above what it was in the same period in 1964.

Furthermore, the latest data indicate that the third quarter of 1965 will continue the sustained growth and prosperity for our Nation which was initiated in February 1961.

In July of this year, nonfarm employment climbed by more than 165,000 on a seasonally adjusted basis; and two-thirds of this increase was in durable goods manufacturing, with virtually all industries showing improvement. Agricultural employment also increased slightly in July over June of this year. And this sustained rise in employment in both general areas lowered the national unemployment rate to 4.5 percent in both July and August.

A further advance in wages and salaries, totaling $2.25 billion, was somewhat above the average for the first 6 months of 1965. Retail sales have continued to climb; auto sales are showing a sustained rise; industrial production rose again in July, and the outlook is that new investment in plant and equipment will be higher in the second half of 1965 than it was in the first 6 months of the year.

At this time, Mr. Speaker, I should like to insert into the RECORD for the benefit of my colleagues the full text of the Business Week article of August 28, 1965, which cites details on the increase in personal income in all the States of our country in this June as compared to June 1964. Business Week provides us with a chart on the rise in personal income in every State, and I am happy to offer this information to my colleagues. Furthermore, Mr. Speaker, I ask unanimous consent to include a fine editorial from the New Orleans States-Item newspaper in my home city on the Business Week article and Louisiana's leadership in its percentage rise in personal income. The Business Week article and its accompanying chart, and the New Orleans States-Item editorial follow:

[From Business Week, Aug. 28, 1965]

INCOMES BOOM IN JUNE—OVERALL RISE OF 8.3 PERCENT OVER A YEAR AGO IS MOST IMPRESSIVE MONTHLY GAIN SINCE 1959

Everything came up roses in June as far as the Nation's breadwinners were concerned. Vigorous business activity, increasing employment, and rising farm prices combined to fatten purses at a rate not seen in more than 6 years.

According to Business Week's measure of personal income, individuals' income from all sources soared to a record high of more than $44 billion (unadjusted). Moreover, June outreached the same month a year earlier by 8.3 percent, or nearly $3.4 billion. You have to go back to the spring of 1959 to find a better percentage increase; the dollar gain then was only $2.7 billion (due to the smaller base at that time).

Rising farm prices caused many a groan at the supermarket checkout counter, but they drew big smiles from the farm community. Record or near-record livestock prices helped swell farm incomes throughout the Midwest and Plains States. And receipts were up substantially in Colorado, New Mexico, South Carolina, and Georgia, too.

LEADER

Louisiana led all the States in year-to-year gains with its 12.7-percent increase over June 1964. Nonfarm employment in the State jumped 48,300, or 5.6 percent, over last year, with heaviest gains scored in construction (12,600), manufacturing (7,700), and trade (7,700).

Heavy overtime schedules in manufacturing—especially in the shipbuilding and aerospace complexes around New Orleans and in offshore oil activities in the Gulf of Mexico—helped swell pay envelopes in the State. And increased commercial and industrial building along the waterfront from New Orleans to Baton Rouge has stimulated strong demand for construction workers in that area.

Measure of personal income

[In millions of dollars. Not adjusted for seasonal variations]

State	1957–59 average	June 1964	May 1965	June 1965	Percent change versus year ago	1st 6 months		Percent change versus year ago
						1964	1965	
Alabama	$366.8	$480.5	$522.7	$532.8	+10.9	$2,815.5	$3,116.8	+10.7
Alaska	44.9	70.6	73.1	78.2	+10.8	359.8	396.7	+10.3
Arizona	184.4	293.5	316.4	319.8	+9.0	1,762.2	1,878.9	+6.6
Arkansas	182.3	261.9	266.2	282.7	+7.9	1,503.2	1,601.2	+6.5
California	3,160.6	4,613.6	4,890.0	4,981.4	+8.0	27,082.1	28,975.0	+7.0
Colorado	296.8	427.1	446.7	444.5	+4.1	2,499.8	2,623.3	+4.9
Connecticut	551.9	750.6	803.3	807.1	+7.5	4,426.2	4,721.8	+6.7
Delaware	103.8	137.7	155.5	152.7	+10.9	817.1	915.0	+12.0
District of Columbia	177.9	231.6	241.7	245.8	+6.1	1,357.5	1,433.8	+5.6
Florida	711.9	1,061.5	1,226.3	1,178.0	+11.0	6,665.3	7,323.1	+9.9
Georgia	477.4	691.0	747.1	749.9	+8.5	4,047.8	4,397.9	+8.6
Hawaii	98.5	148.9	164.5	163.3	+9.7	876.4	958.8	+9.4
Idaho	93.7	123.2	130.9	134.2	+8.9	687.8	764.4	+11.1
Illinois	2,048.2	2,634.6	2,822.0	2,866.0	+8.8	15,561.1	16,785.3	+7.9
Indiana	779.9	1,019.5	1,107.1	1,126.3	+10.5	6,015.9	6,545.2	+8.8
Iowa	438.0	544.7	606.6	612.0	+12.4	3,306.0	3,600.6	+8.9
Kansas	344.1	433.8	449.4	480.9	+10.9	2,595.0	2,703.7	+4.2
Kentucky	364.3	477.7	523.4	533.0	+11.6	2,844.2	3,129.8	+10.0
Louisiana	416.1	526.7	579.4	593.4	+12.7	3,145.1	3,465.2	+10.2
Maine	137.8	178.5	191.1	194.8	+9.1	1,013.5	1,139.2	+12.4
Maryland	559.9	817.3	874.5	884.0	+8.2	4,718.1	5,169.8	+9.6
Massachusetts	983.2	1,315.8	1,361.4	1,369.8	+4.1	7,661.6	8,016.2	+4.6
Michigan	1,414.7	1,856.8	2,064.3	2,076.2	+11.8	10,924.4	12,281.8	+12.4
Minnesota	537.9	710.6	762.0	782.9	+10.2	4,185.7	4,521.9	+8.0
Mississippi	191.3	267.2	289.5	288.2	+7.9	1,580.9	1,710.0	+8.2
Missouri	728.8	963.2	996.6	1,023.5	+6.3	5,585.2	5,923.8	+6.1
Montana	109.6	128.5	137.6	138.2	+7.5	758.3	815.3	+7.5
Nebraska	226.7	289.6	310.5	315.1	+8.8	1,726.3	1,853.2	+7.4
Nevada	58.1	120.1	115.2	119.8	−.2	697.1	681.8	+.4
New Hampshire	93.6	130.3	131.1	135.7	+4.1	742.7	769.9	+3.7
New Jersey	1,225.2	1,667.3	1,793.9	1,814.9	+8.9	9,743.3	10,556.7	+8.3
New Mexico	129.1	164.4	173.8	180.7	+9.9	967.6	1,024.4	+5.9
New York	3,568.0	4,684.7	4,884.5	4,942.9	+5.5	27,527.8	29,019.6	+5.4
North Carolina	527.6	738.8	789.7	802.8	+8.7	4,345.8	4,711.0	+8.4
North Dakota	82.6	96.0	104.0	107.0	+11.5	601.8	641.7	+6.6
Ohio	1,760.5	2,237.8	2,424.3	2,446.5	+9.3	13,091.1	14,284.7	+9.1
Oklahoma	326.5	446.8	455.0	472.9	+5.8	2,570.3	2,711.6	+5.5
Oregon	300.0	419.9	447.8	454.8	+8.3	2,406.9	2,619.6	+8.8
Pennsylvania	1,996.2	2,483.4	2,661.1	2,694.4	+8.5	14,492.4	15,762.9	+8.8
Rhode Island	146.2	187.1	196.6	199.2	+6.5	1,099.9	1,157.0	+5.2
South Carolina	247.0	347.1	378.7	387.9	+11.8	2,053.3	2,269.4	+10.5
South Dakota	90.1	118.4	119.1	122.7	+3.6	691.0	710.5	+2.8
Tennessee	422.9	582.9	627.1	632.0	+8.4	3,414.1	3,709.0	+8.6
Texas	1,440.4	1,864.2	1,994.7	2,006.8	+7.6	10,993.6	11,799.8	+7.3
Utah	127.8	183.1	190.8	192.9	+5.4	1,064.8	1,124.5	+5.6
Vermont	54.8	74.2	78.3	79.3	+6.9	425.9	456.6	+7.2
Virginia	557.5	802.2	846.9	851.0	+6.1	4,643.2	5,006.6	+7.8
Washington	505.0	663.6	710.7	723.1	+9.0	3,872.8	4,206.0	+8.6
West Virginia	253.2	292.0	314.4	320.8	+9.9	1,729.4	1,872.8	+8.3
Wisconsin	652.2	850.4	916.0	924.2	+8.7	5,000.1	5,414.7	+8.3
Wyoming	57.2	75.4	74.3	77.0	+2.1	414.5	435.3	+5.0
Nation	30,353.1	40,686.3	43,487.8	44,044.0	+8.3	239,093.4	257,713.8	+7.8

NOTE.—June 1965 preliminary; May 1965 revised.

Source: Business Week, Aug. 28, 1965.

[From the New Orleans (La.) States-Item, Sept. 1, 1965]

LOUISIANA LEADS THE NATION

Heady sensation of galloping economic gain in Louisiana is justified by a Business Week survey which places this State at the head of the list in personal income improvement.

Louisiana, the magazine notes in its current issue, recorded a 12.7 percent increase in per capita earnings during June of this year, as against the same month in 1964.

By comparison, the nationwide rise was only 8.3 percent.

It shouldn't require acknowledgment by a national magazine to convince Louisianians that their lot is improving at an impressive pace, for signs of such solid gains have been readily apparent.

But the Business Week article does fill out the overall picture, gaging the heights of this State's unprecedented surge in business and industry.

Significant, for instance, is the 5.6 percent increase in nonfarm employment. This reflects the opening of 46,300 new jobs in construction, manufacturing, trade and the like.

At the same time, impact of the space age and petrochemical developments on south Louisiana receives its due when Business Week observes:

"Heavy overtime schedules in manufacturing—especially in the shipbuilding and aerospace complexes around New Orleans, and in offshore oil activities in the Gulf of Mexico—helped swell pay envelopes in the State."

Not generally recognized, however, is the regenerative nature of current economic developments. In building upon a solid base of industrial expansion, Louisiana may be assured of ever broadening prosperity over the decades ahead.

THE PROBLEM OF PORNOGRAPHY IN THE UNITED STATES

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DANIELS. Mr. Speaker, the House Select Subcommittee on Education has been conducting hearings this week on my bill, H.R. 7465, which would set up a Presidential commission to study the problem of pornography in the United States.

If any Member of this House has any doubts about the necessity of some action being taken to curb the spread of pornography in the United States, I urge him to read an article by Paul L. Montgomery which appeared in the September 5 edition of the New York Times.

Mr. Montgomery describes the filth which is being sold to youngsters, some not yet in their teens, in all parts of the United States. Every type of sexual depravity is being offered to our young people in bookstores and newsstands. Mr. Montgomery's article is a clear call to action.

The article follows:

PULP SEX NOVELS THRIVE AS TRADE COMES INTO OPEN

(By Paul L. Montgomery)

The pulp sex novel, once considered the preserve of pasty-faced men in shabby overcoats, has emerged from underground to become an $18 million-a-year business.

This year, by conservative estimate, the burgeoning industry will produce 500 lurid titles exploring Lesbianism, nymphomania, male homosexuality, sado-masochism, fetishism, incest and other pursuits that used to be treated primarily in medical journals.

In the well-ordered dirty-book stores, of which there are now a dozen in midtown Manhattan, special sections are set aside for the most popular categories of aberrance. The largest emporium displays 1,000 titles, ranging from "Address for Sex" to "Wife Traders."

Much of the expanded market, however, has come from other outlets. Racks of the sex paperbacks blossom these days in many cigar and candy stores, and even some drugstores. They are a profitable item.

To some, the ready availability of the prurient indicates progress toward American maturity in matters sexual. Others, including the censorship groups and most churches, do not agree.

"A veritable floodgate of obscenity has been opened in the last 12 months in the form of obscene pocketbooks, magazines, and greeting cards, to such an extent that it is unbelievable," the mayor's Citizens Antipornography Commission reported recently.

There are few on either side of the argument, however, who would deny that the increasing number of sex novels are badly written, joyless, repetitious and twisted in their emphasis on the sneaky and the abnormal. It is difficult not to regard many of the outpourings of extravagant language and soaring passion as boring, if not comical.

Even those who write and publish the works feel they are engaged in a less than noble profession.

FRUSTRATION A FACTOR

One commercial writer who has produced a number of the pulps says he writes "by and large for men who are afraid of women." He believes that men buy such books to feel superior to the heroines, who are either sexually insatiable, inclined toward Lesbianism, or aggressively given to other unattractive practices. Thus the book buyer, the writer says, "feels he's not really missing a lot in relating so poorly to women."

The editor of a leading line of sex books believes his audience is primarily made up of "frustrated men." The books, he says, allow such men to "transfer their guilt feeling about their inadequacies from themselves to the women in the book. Lesbianism is the most popular theme at present, he believes, because the reader "gets two immoral women for the price of one."

The writers of the pulp novels get a flat rate averaging $750 or $1,000, although some smaller concerns pay much less. It takes about 2 weeks to complete a book.

According to one editor, many of the men, and the few women, who write sex books have enough talent to move on to better things, but very few do. On the whole their lives are disorderly and speculative; few have families or live outside the large cities.

THREE CLASSES OF PUBLISHERS

The publishers fall generally into three classes. First, there are the three middle-of-the-road ones—Midwood Books and Lancer Books, both of 185 Madison Avenue, and Beacon Publishers, 808 Third Avenue. A second class, which produces slightly more sensational items, are the dozen or so concerns in Chicago, Detroit, and on the west coast.

The third group, which is responsible for what the trade calls "the very rough stuff," consists of fly-by-night operators. These are men, generally of unsavory character and long experience in the trade, who conduct their business wherever there is space for their suitcase.

The suitcase operators generally begin by assembling two or three manuscripts, though they are not above stealing stories that have been printed by others. They get them printed cheaply, usually in a run of 50 or 60 thousand. The books appear with an imprint like "an Atlas book" but have no publishers' name or address. They then sell their output to a distributor for about half the cover price and move on.

The fly-by-night product is selectively distributed—that is, it goes only to "trustworthy" outlets. Most of it is available in the midtown stores.

SUGGESTION EMPHASIZED

The more respectable concerns put out a polished product, long on suggestion but short on actual prurient content, Larry Shaw, the editor of Lancer Books, says he judges manuscripts "on whether the writer has a story to tell aside from sex." Readers of the concern's Domino Books—the sex book line—would be "really disappointed if they are looking for pornography," Mr. Shaw says.

The 10 Domino Books for August and September include seven that judging from the covers, have a Lesbian theme. The others, the covers say, are about a "desperately wanton woman," an "untamed, man-crazy temptress" and a "Manhattan apartment overflowing with warmly wanton girls."

Mr. Shaw notes that there are fewer and fewer taboos to be observed in sex books. "The censors have suffered several setbacks nationally," he says. "Our main problems now are the local level."

Until 2 or 3 years ago, nymphomania was the most popular theme for the pulp paperbacks. Since then, however, Lesbianism has gained the ascendancy, although it appears now to be losing ground to male homosexuality. Books about sado-masochism and fetishism, generally involving secluded castles, bullwhips, tight leather suits and spike-heeled boots, have also become popular.

SELLING TRICKS USED

The preparation of the final package is regarded in the trade as a high art. The key elements are a lurid cover painting—generally costing $200 or $300—spicy blurbs on the front and back covers and the first inside page, and a suggestive title.

Some title words apparently have a hypnotic effect on buyers. One compilation of current books includes "Flesh Avenger," "Flesh Drunk," "Fleshpot," "Flesh Castle," "Flesh Cousins," "Flesh Fancy," "Flesh Hunt," "Flesh Prize," "Flesh Town," "Flesh Village," and "Flesh Whip."

The manuscripts are also carefully edited. Some writers get carried away and have to be toned down from anatomical specificness to general suggestiveness. Most concerns remove all profanity. It is not considered to be in good taste.

Four-letter words, which are common in serious fiction, are carefully avoided, because they are considered to have an antierotic effect on readers. One sex book writer who was asked if he used obscenity in his stories replied "Good God, no—that's dirty."

Because a lot of the buying of pulp books is on impulse, most publishers try to get some mention of sex in each paragraph. In this way, the casual browser will be caught up in the product no matter where he opens the book.

The last task is to give the book a message. This practice is based on a Supreme Court ruling defining obscenity as material "utterly without redeeming social importance."

A letter to writers from one sex book publisher discusses the matter in depth. "Essentially, we are interested in publishing adult novels exploring Lesbian or heterosexual love as it applies to our society today," the letter begins.

Then comes the message:

"The attitude of society toward all the plot ingredients should be carefully considered. Whatever is frowned upon by society should not, obviously, be advocated in the plot. For example, in stories dealing with Lesbianism, whether or not the characters ultimately decide to practice Lesbianism is less important than their realization that such practice would result in financial, social, emotional and/or psychological problems which would offset the advantages they might find in Lesbianism. Therefore, if they did decide to practice it, they would be doing so with full knowledge that their lives would not be completely happy."

RULING OF 1963 RECALLED

Actually, in a 1963 ruling, State Supreme Court Justice J. Irwin Shapiro shifted the ground of the argument somewhat. His decision is regarded as a landmark by both civil libertarians and dirty-book publishers.

Justice Shapiro ruled that pulp sex novels, while "profane, offensive, disgusting and plain unvarnished trash," still "have a place in our society."

"There are those who, because of lack of education, the meanness of their social existence or mental insufficiency, cannot cope with anything better," he argued. "Slick-paper confessions, pulp adventure and comic-book type of magazines provide them with an escape from reality.

"In an era of bikinis, which reveal more than they conceal; of cinemas, which show females swimming in the nude—one must conclude that these books, in the mores of these days, do not constitute hard-core pornography. Coarse they are, but so is much in our civilization."

LOW PRINTING COSTS

The books cost from 5 to 7 cents a copy to print. Shipping, which is absorbed by the publisher, comes to another penny. The publisher generally realizes about half the cover price, which can range from 50 cents to $1. The other half is divided between distributor and retailer. Press runs range from 50,000 copies for the small concerns to 100,000 for the large ones.

The estimate for the sex book industry's annual income of $18 million, a conservative figure, is reached by multiplying the year's harvest of titles (500) by an average press run (60,000) and an average price (60 cents).

Retailers can increase their profits, however, by blacking out the original cover price and raising it a quarter. When this is done, the book is generally wrapped in cellophane to give it an extra illicit look and to discourage aimless browsing.

After the distributor, the last step in the production is the retailer. These are generally a group of tight-lipped, harassed men who must bear the brunt of police raids, fines and pressures from censorship groups.

"I'm a businessman," the owner of one midtown store says. "If these creeps want to buy those books, I can't stop them. I don't even think about it; I just sell."

As he spoke, a group of purchasers milled around in the shabby "gentleman's section," pawing the products. Every once in a while the clerk would say mechanically, "All right, pick 'em out, pick 'em out—you can read them at home."

FEW GET RICH

It is generally agreed in the trade that only a very few distributors and publishers have grown rich from the dirty-book trade. Most in the business seem perpetually to be on the ragged edge of existence. "The only ones this business is good for are lawyers," one writer says.

There is no evidence that the pulp business is slackening. The writers and publishers continue to turn out the product, although some do it reluctantly.

Recently, a man in a respectable profession was appalled to find that a friend of his who writes dirty books under a pseudonym had dedicated one of them to him. He called the writer on the phone.

"How come," he asked, "you put my name in the book when you won't even use your own?"

"I should put my name on a book like that?" the writer replied.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHMIDHAUSER (at the request of Mr. ALBERT), for Thursday and Friday, September 9 and 10, on account of official business.

Mr. POOL, for the remainder of today, September 9, and September 10, on account of official business.

Mr. HAGAN of Georgia (at the request of Mr. ALBERT), for the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN (at the request of Mr. WELTNER), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. WELTNER, for 30 minutes on Tuesday next; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FINO.

Mr. FINDLEY.

(The following Member (at the request of Mr. CURTIS) and to include extraneous matter:)

Mr. CONTE.

(The following Members (at the request of Mr. WELTNER) and to include extraneous matter:)

Mr. TEAGUE of Texas in three instances.
Mr. RONCALIO.
Mr. O'HARA of Illinois.
Mr. ST. ONGE.
Mr. FRIEDEL.
Mr. EVINS of Tennessee.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 897. An act to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1349. An act to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length; to the Committee on Merchant Marine and Fisheries.

S. 2118. An act to amend sections 9 and 37 of the Shipping Act of 1916, and subsection O of the Shipping Mortgage Act, 1920; to the Committee on Merchant Marine and Fisheries.

S. 2142. An act to simplify the admeasurement of small vessels; to the Committee on Merchant Marine and Fisheries.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 8, 1965, present to the President, for his approval, bills of the House of the following titles:

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1627. An act for the relief of Esterina Ricupero;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 3292. An act for the relief of Consuelo Alvarado de Corpus;

H.R. 4465. An act to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia;

H.R. 5024. An act to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely; and

H.R. 9570. An act to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, September 13, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1566. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air Force Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1567. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for the fiscal year 1965, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1568. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the acts of July 1, 1944, and February 28, 1948, to provide that the Chief Medical Officer of the Federal Bureau of Prisons shall have the title of Assistant Surgeon General; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on Un-American Activities. Annual report for the year 1964 (88th Cong., 2d sess.) of the Committee on Un-American Activities (Rept. No. 971). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. Senate Joint Resolution 32. Joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952; with amendment (Rept. No. 972). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. S. 2300. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; with amendment (Rept. No. 973). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 30. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; with amendment (Rept. No. 974). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 9247. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; without amendment (Rept. No. 975). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 10924. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 10925. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia:

H.R. 10926. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on the District of Columbia.

By Mr. FOGARTY:

H.R. 10927. A bill to reduce the time in standby status of firefighting personnel of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARRIS:

H.R. 10928. A bill to amend section 407 of the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Interstate and Foreign Commerce.

H.R. 10929. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board with respect to consolidation of certain proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. HOSMER:

H.R. 10930. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments under the Social Security Amendments of 1965; to the Committee on Veterans' Affairs.

By Mr. MACDONALD:

H.R. 10931. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. MATTHEWS:

H.R. 10932. A bill to turn back to each State a portion of Federal income tax collected therein for use for the purpose of paying teachers' salaries; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 10933. A bill to establish a commission to formulate plans for a memorial to Adlai E. Stevenson; to the Committee on House Administration.

By Mr. CURTIS:

H.R. 10934. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 10935. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 10936. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 10937. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 10938. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 10939. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 10940. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 10941. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CALLAWAY:

H.R. 10942. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 10943. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 10944. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 10945. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 10946. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 10947. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 10948. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 10949. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 10950. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 10951. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 10952. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 10953. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 10954. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. GROVER:

H.R. 10955. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 10956. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 10957. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 10958. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 10959. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MacGREGOR:

H.R. 10960. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 10961. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 10962. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 10963. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 10964. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 10965. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 10966. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 10967. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 10968. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. RUMSFELD:

H.R. 10969. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 10970. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 10971. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 10972. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 10973. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. STANTON:

H.R. 10974. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 10975. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 10976. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. WALKER of Mississippi:

H.R. 10977. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 10978. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 10979. A bill to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HARVEY of Michigan:

H.R. 10980. A bill to provide for the appointment of postmasters by the Postmaster General, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PEPPER:

H.R. 10981. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Texas:

H.R. 10982. A bill to amend section 214 of the Immigration and Nationality Act to permit the Attorney General to admit nonimmigrant aliens to the United States for agricultural employment in cooperation with State agricultural officers; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 10983. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter-dollar pieces with a likeness of the late General of the Army Douglas MacArthur on one side, and for other purposes; to the Committee on Banking and Currency.

By Mr. CAHILL:

H.R. 10984. A bill to provide for the establishment of a Commission on American Shipbuilding; to the Committee on Merchant Marine and Fisheries.

By Mr. CAREY:

H.R. 10985. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 10986. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 660. Joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence; to the Committee on Foreign Affairs.

By Mr. NIX:

H.J. Res. 661. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HICKS:

H. Con. Res. 501. Concurrent resolution on support of Congress for World Peace Through the Rule of Law, September 13–18, Washington, D.C.; to the Committee on Foreign Affairs.

By Mr. McGRATH:

H. Con. Res. 502. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 503. Concurrent resolution creating a joint congressional committee to study and report on areas of the United States where racial friction has erupted, or may erupt, in acts of violence, and for other purposes; to the Committee on Rules.

By Mr. McCARTHY:

H. Con. Res. 504. Concurrent resolution requesting the President of the United States to refer the matter of a study of a plan for providing a new supply of water for the Great Lakes to the International Joint Commission; to the Committee on Foreign Affairs.

By Mr. SWEENEY:

H. Con. Res. 505. Concurrent resolution requesting the President of the United States to refer the matter of a study of a plan for providing a new supply of water for the Great Lakes to the International Joint Commission; to the Committee on Foreign Affairs

By Mr. MICHEL:

H. Res. 575. Resolution requesting the President of the United States to transmit information relating to two White House Task Force Reports on Education, written by Committee chaired by John W. Gardner; to the Committee on Education and Labor.

H. Res. 576. Resolution directing the Secretary of Health, Education, and Welfare to transmit to the House the complete texts of (1) the proposal for the establishment of a National Research and Training Center for State Educational Agency Development, and (2) a position paper re the Office of Education's future role and responsibilities with large city school districts and State education agencies; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 10987. A bill for the relief of Antonios Koklas; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 10988. A bill for the relief of Sammy (Soo Yong) Chung; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 10989. A bill for the relief of Ethyl C. Campbell; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 10990. A bill for the relief of Maj. Alan DeYoung, U.S. Army; to the Committee on the Judiciary.

H.R. 10991. A bill for the relief of Said Fores Mughabghab; to the Committee on the Judiciary.

H.R. 10992. A bill for the relief of Leila Murad Al-Sheikh; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 10993. A bill for the relief of Ming Chia and Mei Jok Phua; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 10994. A bill for the relief of Charles T. Davis, Jr., Sallie M. Davis, and Nora D. White; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 10995. A bill for the relief of David Acosta; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 10996. A bill for the relief of Lourdes Y. Lim; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 10997. A bill for the relief of Allan Michael Charak; to the Committee on the Judiciary.

SENATE

THURSDAY, SEPTEMBER 9, 1965

(Legislative day of Wednesday, September 8, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. METCALF].

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, as in reverence we hallow Thy name, so may we hallow our own as we keep our honor bright, our hearts pure, our ideals untarnished, and our devotion to the Nation's welfare high and true.

As within this quiet Chamber of governance we close the door for this still moment upon the wild and violent world without, we seek Thee anew within, until thoughts grow reverent again, waiting tasks are glorified and our whole being is dominated by a faith in the ultimate decency of the world because the God behind the shadows, and in them, can transfigure all common things into shining sacraments of love.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 8, 1965, was dispensed with.

FOOD AND AGRICULTURE ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. ELLENDER obtained the floor.

Mr. MANSFIELD. Mr. President, will the distinguished Senator from Louisiana yield to me briefly?

Mr. ELLENDER. I yield to the Senator from Montana without losing my right to the floor.

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain measures on the calendar, beginning with Calendar No. 670.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the first bill.

RESPONSIBILITY FOR MARKING OF OBSTRUCTIONS IN NAVIGABLE WATERS

The bill (H.R. 725) to clarify the responsibility for marking of obstructions in navigable waters was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 688), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 725 is to clarify the responsibility, as among Government agencies, for marking obstructions in navigable waters.

BACKGROUND

Current law provides that the Corps of Engineers and the Coast Guard are responsible for marking wrecks in navigable waters. However, the extent of the responsibility of each is unclear. This bill, as recommended by the Secretary of the Treasury, provides that the primary obligation for marking all obstructions to navigation rests with the Coast Guard. This should completely eliminate the present lack of clarity.

The bill in no way abrogates the existing responsibility of the Corps of Engineers to remove obstructions, or the existing responsibility of shipowners to mark the obstructions.

Specifically, the Secretary of the Treasury is authorized to mark wrecks and other obstructions which, in his judgment, constitute obstructions to navigation.

ADMINISTRATION OF THE COAST GUARD BAND

The bill (H.R. 727) to provide for the administration of the Coast Guard Band was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 689), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 727 is to permit the Coast Guard to select as the conductor of its band an officer, and to accord statutory recognition to the Coast Guard Band.

BACKGROUND

Currently the Coast Guard Band is conducted by a warrant officer, while all other service bands are conducted by officers. This bill requires the conductor to be an officer who is at least a lieutenant (junior grade) but not higher than a lieutenant commander. The committee believes this range of rank is consistent with the duties and responsibilities.

The Coast Guard Band is based at the Coast Guard Academy at New London, Conn. It performs for ceremonial functions at the Academy, and also travels throughout the country for various performances. This bill will contribute to leveling this aspect of the Coast Guard with other services, and will generally promote the prestige of the Coast Guard.

RETIREMENT OF ENLISTED MEMBERS OF THE COAST GUARD RESERVE

The bill (H.R. 7779) to provide for the retirement of enlisted members of the Coast Guard Reserve was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 690), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 7779 is to permit voluntary retirement by members of the enlisted Coast Guard Reserve who have served on active duty on the same basis as similarly situated enlisted personnel of the Regular Coast Guard.

BACKGROUND

Present law discriminates against Coast Guard reserve personnel in retirement pay. Members of the Regular Coast Guard who have served 20 years of active duty are entitled to retire voluntarily and receive retirement pay in the amount of 2.5 percent of their basic pay multiplied by the number of years of active service. However, there is no such provision for members of the Coast Guard Reserve, who have served 20 or more years on active duty. Members of the Reserve who were members in January 1953 and who will have completed their active duty by January 1973 may receive similar benefits under a statute enacted on behalf of both Naval and Coast Guard reservists.

Presently there are approximately 11 members of the Coast Guard Reserve serving on extended tours of active duty who do not qualify under the special legislation described above, either because they were not members of the Reserve in January 1953 or because they will not have served their entire 20 years on active duty before January 1973.

This bill will provide the same treatment for these excluded Coast Guard reservists as for members of the Naval Fleet Reserve and of the Regular Coast Guard.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield to me for the purpose of taking up a House bill that I believe can be disposed of in a few minutes?

Mr. ELLENDER. I yield.

The ACTING PRESIDENT pro tempore. Will the Senator suspend while the Senate receives a message from the House of Representatives on this matter?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 10775. An act to authorize certain construction at military installations, and for other purposes; and

H.R. 10871. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 795. An act to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State;

S. 949. An act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise;

S. 2420. An act to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes;

S.J. Res. 89. Joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; and

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

HOUSE BILL REFERRED

The bill (H.R. 10871) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AUTHORIZATION OF CERTAIN CONSTRUCTION OF MILITARY INSTALLATIONS

Mr. STENNIS. Mr. President, I ask unanimous consent that the Chair lay before the Senate, for immediate consideration, H.R. 10775, to authorize certain construction at military installations, and for other purposes, which was passed by the House on Tuesday last.

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 10775) to authorize certain construction of military installations, and for other purposes, which was read twice by its title.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KUCHEL. Mr. President, reserving the right to object, I ask the distinguished Senator from Mississippi whether or not the ranking minority member on the committee, the Senator from Massachusetts [Mr. SALTONSTALL] is in agreement.

Mr. STENNIS. Mr. President, the bill has been cleared for passage by the Senator from Massachusetts. I shall make a brief statement with respect to the bill, which will clarify the matter.

Mr. KUCHEL. I thank the Senator. May I ask whether the members of the minority are in agreement?

Mr. STENNIS. They are.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, although I reserved the right to object, I now have no objection in view of the circumstances.

Mr. STENNIS. The bill now before the Senate takes the place of the bill vetoed by the President of the United States (H.R. 8439). It is exactly the same as the bill passed by the Senate and the House heretofore except in two particulars. The first is the section to which the President objected with respect to the delay of time in the closing of camps, posts, stations, yards, or other installations under the authority of the Department of Defense.

The section substituted for the one in the old bill provides that they shall not be closed until after the expiration of 30 days from the date upon which a full report of the facts, including justifications therefore for such proposed action, is submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and the House of Representatives.

The position of the Senate was not nearly so strong with reference to this delay as was that of the House of Representatives. I believe that this section is satisfactory generally to all members of the Senate Committee on Armed Services, and we unanimously recommend its adoption by the Senate.

The other exception relates to a requirement in section 609 of the House version of the old bill that the expenditure of funds for the construction of buildings for the Aerospace Corp. must be by a line item authorization, for the Air Force just as a military installation has to have a line item authorization. The Senate denied this provision in that it was singular in purpose. The conferees agreed on the purpose of the section, but broadened it in scope to apply not only to aerospace but to other similar undertakings, as well.

There was some confusion about the meaning of the language, and it was decided to adopt the section in the original bill and carry over until next year the technical problem of expanding the language to cover other installations. We believe the section is sound and should be adopted.

The bill was not referred to the Committee on Armed Services. I discussed the question with the membership, and it was agreed that the referral was not necessary.

The Senator from Massachusetts [Mr. SALTONSTALL] and I conferred about the bill yesterday. He cannot be in the Chamber at this moment, but he agrees to the bill in its present form, as do all other members of the committee.

Mr. President, I ask unanimous consent that sections 609 and 611 of the bill, H.R. 10775 be printed at this point in the RECORD.

There being no objection, the sections were ordered to be printed in the RECORD, as follows:

SEC. 609. Every contract between the Secretary of the Air Force and the Aerospace Corporation shall prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corporation unless such construction or acquisition has first been authorized to the Air Force by the Congress.

SEC. 611. (a) No camp, post, station, base, yard, or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives.

(b) This section shall apply only to posts, camps, stations, bases, yards, or other installations that are located in the United States and Puerto Rico and have a total military and civilian complement of more than two hundred and fifty. It shall not apply to any facility used primarily for river and harbor projects or flood control projects.

The ACTING PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading.

The bill (H.R. 10775) was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE MILITARY CONFLICT OVER KASHMIR

Mr. MANSFIELD. Mr. President, for more than a decade and a half, the good sense of the leadership in India and Pakistan and the work of the United Nations have served to maintain a truce in Kashmir. It is a truce which has been threatened many times but, always, in the past has been reasserted.

Now there has been a massive collapse of the truce. It is carrying down the whole structure of the comity by which India and Pakistan have managed to live in a tolerable peace subsequent to partition. The military conflict which began in Kashmir a short time ago has already leaped across other parts of the frontiers between India and Pakistan, on both the east and the west. Reports tell of air raids against major cities and airdrops and other military activity in many places outside of Kashmir. With every passing hour the conflict seems to be gaining momentum.

Unless the present trend is promptly checked, there will be a Himalayan catastrophe in the Indo-Pakistani subcontinent. It will be fed not only by the issue of Kashmir but by a fierce national rivalry buttressed by the clashing forces of religious communalism. A foreshadow of what may be involved is to be found in the struggle which accompanied partition, when it is estimated that half a million persons lost their lives and approximately 15 million people were uprooted from their homes and forced to seek refuge in one of the greatest transplantations of population in the history of mankind.

At the end of the present course lies, clearly, the wreckage of much of the great constructive endeavor which has been pursued successfully and against great odds in both India and Pakistan during the past 15 years. The work of a dedicated, indigenous leadership and a hard-working populace, the contribution of enormous amounts of aid from many nations, the political achievements wrought in the context of Commonwealth cooperation and evolution—all of this is subject to forfeit in the military storm which is now spreading.

It is easy enough to preach to both nations that they have everything to gain and nothing to lose by abstaining from violence. It is easy enough to urge peace on both India and Pakistan. But our own involvement in Vietnam—a far less complex situation—should underscore for us the gap between the great desirability of peace and the slim possibilities of its prompt restoration once it has given way.

Therefore, Mr. President, it would be my hope that we would exercise a measure of restraint insofar as platitudes on peace are concerned and, further, that we would avoid a unilateral course in this situation. No single outside nation, this Nation included, is likely by statements or even unilaterally determined policies to contribute very much to a restoration of peace. A good deal more is needed if, indeed, any outside effort is to be helpful in this situation.

The fact is that the Kashmir problem has been a matter of concern to the United Nations since 1949. The United Nations Security Council has been able, heretofore, to play a major role in maintaining the truce in Kashmir even though it has yet been unable to bring about a resolution of the basic issues. If there is any outside element which can be helpful in this situation it would appear to be, still, the Security Council assisted by the able Secretary-General of the United Nations, Mr. U Thant. Indeed, the Council, on September 4, took the first essential step when by unanimous vote it called for a cease-fire and a withdrawal of forces to the 1949 truce line in Kashmir. That call has so far been disregarded and indications are that other actions will have to be taken.

For us and for other nations that seek peace within the context of friendly relations with both India and Pakistan, the great necessity is for a common course at this critical time. It would appear to me that such a course is best achieved through the machinery and procedures of the Security Council, assisted by the Secretary-General. Decisions properly taken by that body are binding on every member of the United Nations. And, indeed, such decisions should have the firm support of member nations in view of the common stake of all in the restoration of peace.

It seems to me especially important at this time that the U.S. aid programs for India and Pakistan and those of other nations, and they are many, which are inextricably and, in all frankness, embarrassingly interwoven with this conflict must be made to serve the ends of a restoration of peace. Just how that can be done is not yet clear. But this Nation, it seems to me, ought to be prepared to join with other nations in a common pledge that aid programs in which they may be engaged in both India and Pakistan, within their present dimensions, will be adjusted at the request of and in accordance with any relevant decisions of the United Nations Security Council.

In the present critical situation the constructive value of all aid programs—military and economic—in both India and Pakistan is thrown into doubt. The President has acted wisely in promptly suspending shipments to both nations under the military aid program. Further adjustments in the interests of peace may be necessary. Flexibility is essential to the President if he is to make these adjustments effectively. He can be counted upon to act in close cooperation with the Congress. In this connection, it might be well to recall that the President, while subject to much criticism, refused to enter into any aid agreements for this fiscal year until Congress approved the authorizing foreign aid legislation and appropriated the necessary funds. It would appear to me that this is not only a sound approach in itself but is also indicative of his readiness to work closely with the Congress as circumstances develop. The complex and critical nature of the current situation, however, requires full support of the President and his representative at the United Nations Security Council. Together, they can press the views of this Nation and adjust them, as necessary, in the light of the views of others to the end that the aid programs of all may be brought to the full support of a United Nations effort to restore peace as quickly as possible.

TRIBUTES TO MAJORITY AND MINORITY LEADERS OF THE SENATE

Mrs. SMITH. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Maine?

Mr. ELLENDER. I am happy to yield to the Senator from Maine, provided that in doing so I shall not lose my right to the floor.

Mrs. SMITH. I thank the distinguished Senator from Louisiana for giving me this time.

Mr. President, the distinguished majority leader had some very kind and generous words for me in this Chamber yesterday and I am very grateful to him.

As we approach the close of this session, I want to pay my personal tribute to the majority leader for the splendid leadership that he has given the Senate. There may be those who feel that as a Republican I should restrain myself from giving such credit to him lest the Democrats use it for campaign ammunition. I do not feel that way. I feel that when a person has done an outstanding job that recognition should be given regardless of party affiliation. And if any of my enemies or critics in either the Democratic Party or the Republican Party wish to use this as an issue against me, I welcome them doing so.

In fact, I have been somewhat amused at some of my Democratic critics having cautioned other Democrats not to issue any words of praise about me lest I use those words to good advantage in campaigning for reelection.

But Mike Mansfield has done an excellent job and I am not about to deny him recognition on my part of his achievement merely because I am a member of the opposite political party. He has given the Senate the most orderly conduct of business that I have ever seen since I have been privileged to be a Member of this body. He has wisely and very effectively conducted the Senate's business in an unparalleled manner of avoiding late night sessions and Saturday sessions, both of which are not conducive to legislating in the best mental framework when Members are tired and their tempers affected by their fatigue.

And while paying tribute to the majority leader, I want to pay equal tribute to the minority leader. I have read some attacks on Everett Dirksen for not being partisan enough in his role as minority leader—for not being more of an opponent to the President's program—for being too cooperative.

Well, I have personally witnessed the political independence of Everett Dirksen. I have seen him oppose the President when he thought the President was wrong. I have seen how his actions and views have had a great influence on the President and caused the President to change his original views on legislation and his legislative program—and change constructively.

In the words of the President, Everett Dirksen is constructive instead of being merely negative—he is a builder instead of a wrecker. And the best testimonial to his constructive fairness, without diluting his duties as the leader of the loyal opposition, to the President's own high regard for Everett Dirksen and the very great degree to which he leans upon Everett Dirksen for guidance and advice.

Everybody knows this. But it is time that it should be said in defense of Everett Dirksen against his overly partisan critics. We Members of the Senate, on both sides of the aisle, share the high regard and esteem that the President of the United States holds for Everett Dirksen.

Mr. KUCHEL. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH. I yield.

Mr. KUCHEL. I join with enthusiasm in what the distinguished Senator from Maine has just said. We have two superb Senate leaders. The majority leader, Mike Mansfield, a man of high courage and conviction, is a great adornment to his country, his party, and to the Senate. Surely his counterpart, the minority leader, Everett Dirksen, is equally a great American leader, a great Republican leader, and a great Senate leader.

Any man or woman in public service who attempts to accomplish good for the people of this country may be subjected to cruel attack from time to time, and abuse on occasion, has come, without justification, to both of those men.

I regret that from time to time the leader of our party in the Senate, who has accomplished so much for his country by his leadership, has been the recipient of abuse as has been, also, his Democratic counterpart. Surely the comment of the Senator from Maine demonstrates what the feelings of Senators are with respect to the Democratic leader and the Republican leader in the Senate and what the feelings of the people of this country are with respect to them.

Mrs. SMITH. I thank the distinguished Senator from California for his comments.

Mr. MANSFIELD. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH. I am happy to yield.

Mr. MANSFIELD. Mr. President, I take this opportunity to thank the distinguished Senator from Maine for her remarks and to join her wholeheartedly in what she has to say concerning the distinguished minority leader.

If the Senate is to function, there must be cooperation on both sides as a matter of necessity. Cooperation, understanding, and tolerance have been forthcoming at all times.

Let me say that it is good for me—really a tyro in politics—to work alongside an old "pro," who rolls with the punches, who faces up to events as they occur, and who manages to emerge smiling most of the time.

Again I thank the distinguished Senator from Maine for her comments and to assure her that I appreciate them more than I can say.

Mrs. SMITH. I thank the distinguished majority leader.

Mr. DIRKSEN. Will the charming lady from Maine yield to me?

Mrs. SMITH. I am happy to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I can only salute and agree wholeheartedly with what the majority leader says in regard to the operation of the Senate.

Long ago, we agreed that the Senate is a public body which functions on a two-way street. If it were not so, the Senate would be in a constant state of disruption.

We dedicate ourselves to the business of making the Senate a functioning body.

I am grateful, indeed, for the kind words.

As for the abuse, I roll with the tide. For more than 30 years I have been subjected to criticism of one kind or another. I do not retaliate. I do not reply in kind. I am content to take criticism in stride, because that is one of the things to which one must become inured in public service.

I am grateful to the Senator from Maine for her kind remarks.

Mrs. SMITH. I thank the minority leader very much.

A TRIBUTE TO MINORITY LEADER EVERETT M. DIRKSEN

Mr. SIMPSON. Will the Senator from Maine yield?

Mrs. SMITH. I yield.

Mr. SIMPSON. Mr. President, we have just heard a marvelous tribute given to our minority leader, Senator Everett Dirksen. I have asked permission to associate myself with the expert views of the gracious lady from Maine [Mrs. SMITH].

"Ev" DIRKSEN is Nature's nobleman and a great leader with a warm heart and unimpeachable integrity. He and his wife, Lou, deserve the tributes which have just been paid to them.

I thank the Senator from Maine.

Mrs. SMITH. Mr. President, I apologize to the Senator from Louisiana [Mr. ELLENDER] for taking all this time, when it was not my time to yield, and I hope that he will bear with me.

Mr. ELLENDER. The Senator from Maine is most welcome.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other puposes.

Mr. ELLENDER. Mr. President, for the past 3 or 4 months, the Committee on Agriculture and Forestry has been giving very serious consideration to the many problems facing agriculture.

As we all know, the farm price support program really had its start in 1938. What the Congress has done since that time has been to add to and substract from the original proposals made in 1938.

It will be remembered that the Committee on Agriculture and Forestry at that time held hearings throughout the country, at the grassroots, to obtain all the information possible with which to draft a bill in keeping with what was thought to be to the advantage of the producers of our Nation.

There is no doubt that we must by all means keep our farming community on the go and provide it with a fair income. Our entire economy is dependent on agriculture. One need only visit various parts of the world to discover what it means for a country to be incapable of producing its own food and fiber requirements. Many countries have neglected their precious land and water resources.

As a consequence, their economies deteriorated.

Many years ago Persia, which consisted of the present territory occupied by Iraq and Iran, was able to produce sufficient food to take care of 100 million people. The great valley of Mesopotamia, between the Tigris and the Euphrates Rivers, was able to grow food for as many as 15 million people.

I visited those areas. But, because of the neglect of the people in the protection of their land and water resources, the great Mesopotamia Valley is able to grow food now for only about 2 million people. Their lands have soured. Their streams have clogged. The great port of Basra, which used to be on the Persian Gulf, is now removed about 30 miles upstream.

What was the reason? The sedimentation from those two great rivers, the Euphrates and the Tigris, came down and not only built into the Persian Gulf, but clogged the many streams that emptied into those two great rivers and made much of the land more or less barren.

We do not want such a condition ever to exist in our own country.

Mr. President, long before I came to the Senate I devoted much time and study to the protection and preservation of our two great resources. I am proud of the fact that, as a Senator from Louisiana, I have been able to carry on this work as chairman of the Public Works Subcommittee of the Appropriations Committee, as well as chairman of the Agriculture and Forestry committee of the Senate.

I have been serving on the latter committee since I came to the Senate, almost 29 years ago. All of the legislation affecting our farms, affecting conservation, and other laws affecting agriculture and the protection and preservation of our water resources came under my view. I was there to participate and assist in passing legislation to protect and preserve those great resources.

Mr. President, it has often been said that the cost of our programs has been too high. I have so stated on many occasions, but when we consider the great factory that has been built over the years, in which we can now produce food and fiber in abundance, to feed not fifty million, or 100 million, but almost 200 million people at home and many more millions abroad, the cost fades in comparison. It has been a marvel what the farmers of this Nation have been capable of accomplishing.

From information gathered by the committee staff through the Department of Agriculture, the program cost, from its inception in October 17, 1933, when we first had the NRA through June 30, 1965, amounts to $38,239,800,000.

If we add other Commodity Credit Corporation costs to that amount, such as strategic and critical materials—we have a barter program as we all know—off-shore procurement, ocean transportation in order to take care of shipment of Public Law 480 commodities, storage facilities, research studies, interest in the amount of $3,822,900,000, the wartime consumer subsidy of about $2,102,300,000, and other items, we find that the total cost amounts to $46,976,100,000.

At first blush, such sum appears very high, and it is very high; but, as I pointed out, our food and fiber abundance warrants every penny spent. There are many periodicals today that are highly critical of the farm program; they suggest that the farmers should go to the marketplace to obtain their fair share of our economic prosperity. But, Mr. President, after World War II, when industry returned from war to peace, over a period of 5 years it cost the Federal Government in excess of $43 billion in subsidies to industry. We never heard a chirp out of anyone when that was done.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. AIKEN. The Senator will remember that following World War II Congress authorized cancellation of several billion dollars worth of consumer subsidies, which have been charged to the agricultural program. They were written off as if they did not exist when it came time to repay the Commodity Credit Corporation.

Mr. ELLENDER. I thank the Senator. Those figures were included in the total I mentioned which was chargeable to agriculture.

I stress the fact that this cost has been over the period from 1933 to 1965, over 32 years.

Today there are no people in the world who are better clothed or who eat better than do the people of the United States. That is something which should be borne in mind by those who seek to criticize this very costly program, as they put it. In the course of my discussion I shall refer to the costs of each of the programs.

The program which leads the way in cost is the wheat program. Of course, the reason is that of the $14,603 million total cost of this program, $9,517,100,000 was expended under Public Law 480. Wheat is a product that is used by all the peoples of the world, and we help to keep millions of people from starvation. Wheat is a major product exported under the Public Law 480 program.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Tennessee.

Mr. GORE. Is not the disposition of grain and other food commodities under Public Law 480 a vital instrument of American foreign policy?

Mr. ELLENDER. Yes; it is. I consider it so.

Mr. GORE. However, I believe the cost is charged to the farm program.

Mr. ELLENDER. The Senator is correct.

Mr. GORE. Will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. GORE. In what countries would people be facing virtual starvation now, except for the food surpluses produced in the United States?

Mr. ELLENDER. There is the classic example of India, now at war with Pakistan. We have shipped wheat there by the hundreds of millions of bushels in the past 7 or 8 years. We have done the same in Pakistan. We shipped a good deal of wheat throughout Asia and north Africa, and some to Western Europe soon after the war, when production there had not reached its normal capacity.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I commend the Senator from Louisiana, the distinguished chairman of the Committee on Agriculture and Forestry, for pointing out that, despite the fact that the wheat program has cost $14 billion over the period of time he mentions, a large portion of it applies to Public Law 480, Food for Peace, and school lunch programs. All those are charged to agriculture. The substantial part is charged to wheat.

I thank the Senator for calling that to the attention of the country.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. Only a small portion of the wheat has been given for relief purposes, not a major part. The major portion is sold for the currency of the recipient country, and that currency is then turned over to the State Department and the armed services, to use in carrying on their programs.

Mr. ELLENDER. Before I agreed to yield to my friend the Senator from Kansas, I was going to enlarge on the question asked by the distinguished Senator from Tennessee.

It is absolutely correct that the major portion of the $9.517 billion charged to wheat under Public Law 480 was sales by our Government for soft currencies of other countries. I would say over two-thirds of the wheat costs represents sales for foreign currencies.

Mr. AIKEN. Yes.

Mr. ELLENDER. About 60 percent of those soft currencies, when we received them, were then loaned or granted to the recipient countries. Interest charged on the loan was at a very low rate. About 40 percent was used by the United States to carry on projects of its own, including needs of the Military Establishments.

Mr. AIKEN. And building embassies.

Mr. ELLENDER. Building embassies and things of that kind, and even to pay the salaries of some of the employees at our various embassies. So although the amount of $9.5 billion looms high, a good deal of that was used in lieu of cash.

Often, in this Chamber and before the committees that have dealt with foreign aid, I have made the plea that more and more of our food surpluses be used instead of cash. But what did we do? We gave the cash, and thus more or less used the food surplus program only as a supplement to the foreign aid program that we conducted.

Mr. GORE. Does not the Senator feel that it would be well, in order to complete the presentation, to recall that though grain is sold for local currencies, the restrictions upon the use of such currencies have been such, in many instances, that we have foreign currencies stacked in bales not worth as much as our own cotton sacking in which the currency is contained?

Mr. ELLENDER. The Senator is correct. The unfortunate thing is that in the early part of the operation of Public Law 480, the program was more or less considered on the basis of getting rid of our surpluses, and letting anybody have them on any terms they desired.

Lately, however, we have been able to tighten up on that program. We worked in that direction when Public Law 480 was extended last year, or 2 years ago, when we provided in the contracts for the sale of these commodities, that the money thus obtained might be used for any purposes desired within the country making the purchase.

For example, many of our ships go through the Suez Canal. As the Senator has said, we had many Egyptian pounds there that we could have used to pay the toll for our ships going through the canal. But there was objection by the Egyptian Government. Although we had millions of their pounds, we had to use cash in order to be able to pay the tolls through the Suez Canal.

Mr. GORE. U.S. cash, dollars.

Mr. ELLENDER. Yes; U.S. dollars, not the pounds of Egypt. Egypt would not permit us to use those pounds, and that was written into the contract. Of course, our own people agreed to such terms.

Mr. GORE. Yet this is charged as a cost of the farm program.

Mr. ELLENDER. It is. That is what I have indicated all along.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. CARLSON. I believe this is a good place to get into the RECORD the fact that during the past year, we exported 730 million bushels of our wheat. Of that vast amount, only 165 million was sold for dollars. That amounts almost to giving it away, because most of it is exchanged for other purposes.

Mr. ELLENDER. That is very true. I hope that from this time forward, the administrators of our programs abroad, particularly in respect to the operation of Public Law 480, will follow the laws that are now on the statute books, and not bargain away these precious resources without the United States receiving a fair return.

This is also true with respect to interest charges. We have found instances in which some of our commodities were sold at world prices, on which we took a tremendous loss, yet in such instances the interest rate was as low as ½ to 1½ percent. There have been instances in which sales were made at currency exchange rates far less favorable than those available to tourists.

For example, take Poland. The tourist there receives 51 zlotys for a dollar. When we sold wheat there, we got about 18 to 21 zlotys. We lost going and coming.

To close such loopholes, the last time Public Law 480 was extended, the Committee on Agriculture and Forestry and the Congress made efforts to put the program more or less on a business basis. If that were done, perhaps our allies would like us better.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. YOUNG of North Dakota. Yesterday I noted an editorial in one Washington, D.C., newspaper placing the cost of the cotton program sponsored by the Senator from Louisiana at something like $3 billion. Of course this is a gross exaggeration, and is similar to the cost figures that have been used for wheat.

In arriving at these figures, the entire cost of the Public Law 480 program, which is a little more than a billion dollars, is added to the cost of the wheat price support program.

As the Senator knows, this includes wheat for famine relief and food packages distributed by CARE and church organizations. It is absurd to charge things like that to the cost of the farm price support program.

The average person looking at these statements believes that farmers are getting a check from the Government for this kind of relief. This is something that I hope we would be doing anyway, whether we had a price support program or not.

The same thing is true of wheat that is sold for foreign currency. This is the best part of our foreign aid program, Mr. President, and I am sure that we make many more friends in this way than we do by throwing our money around the world.

I am happy that the Senator from Louisiana has made a point of this situation.

Mr. ELLENDER. Inasmuch as I mentioned wheat, I believe I might as well mention other commodities also. Let us take corn and feed grains. That program has cost a good deal. It has cost $9,682 million. Of that huge sum, $1,052 million went through Public Law 480. That is a very small amount compared with wheat.

The greatest expense in the corn and feed grain program occurred during the past 4 years under the voluntary program about which I have been complaining, as the Senator from North Dakota knows.

The cost of the direct payments on this program have been large in contrast with what we expected. These payments now amount to $4,038,200,000. In the past 4 years we have spent in excess of $5.4 billion by way of supporting the feed grain program. All of that has occurred since 1961.

As the Senator knows, we tried in committee to do something about that. I believe we are amending the law in such a way that if the Secretary of Agriculture will use the authority, it might reduce the cost.

I shall go into greater detail in this program a little later.

The rice program has cost $1.4 billion. However, the Public Law 480 program amounted to $993 million of that, or more than two-thirds of the cost of the entire program.

The tobacco program has cost only $349 million, and most of that went by way of Public Law 480.

The upland cotton program cost $4.601 billion. Almost $2 billion of that amount went through Public Law 480.

The dairy products program has cost a total of $4.492 billion. Of course, we must add to that about $300 million because we appropriated that amount directly from the Treasury to buy milk for the special milk program.

Mr. President, I shall come back to these costs later in my remarks. In my discussion later I shall cover these points in detail. I ask unanimous consent to place in the RECORD at this point the complete table to which I have been referring.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Program results, Oct. 17, 1933 to June 30, 1965

[In millions of dollars]

Corn and feed grains:	
Price support costs [1]	4,591.9
Public Law 480	1,052.1
Direct payments	4,038.2
Total	9,682.2
Wheat:	
Price support costs [1]	3,168.3
Public Law 480	9,517.1
International Wheat Agreement	1,464.6
Direct payments	453.4
Total	14,603.4
Rice:	
Price support costs [1]	407.3
Public Law 480	993.0
Total	1,400.3
Tobacco:	
Price support costs [1]	43.0
Public Law 480	306.5
Total	349.5
Cotton, upland:	
Price support costs [1]	2,228.8
Public Law 480	1,823.8
Direct payments	548.8
Total	4,601.4
Dairy products:	
Price support costs [1]	4,183.7
Public Law 480	308.6
Total	4,492.3
Oils and oilseeds:	
Price support costs [1]	665.1
Public Law 480	933.9
Total	1,599.0
Potatoes:	
Price support costs	478.6
Public Law 480	1.8
Total	480.4
Wool:	
Price support costs	116.0
Direct payments	468.5
Total	584.5
All other commodities:	
Price support costs [1]	164.3
Public Law 480	282.7
Total	447.0
Total, all commodities	38,239.8
Other costs:	
Strategic and critical materials	1,387.3
Offshore procurement premiums	1.7
Other	3.6
Ocean transportation on sec. 416	307.2
Storage facilities	13.0
Research expenses	7.8
Accounts and notes receivable	15.9
Interest expense	3,822.9
Operating expenses	855.8
Disease eradication	218.8
Wartime consumer subsidy	2,102.3
Total	8,736.3
Total, all costs	46,976.1

[1] Price support costs include price support losses, export subsidies, and other costs reimbursed CCC through appropriations to restore capital impairment.

Source: CCC. All data subject to minor adjustment.

Mr. ELLENDER. This table is a vivid picture of the cost of the whole program, showing the various amounts spent through price support, direct payments, and the Public Law 480 costs for each commodity.

There is another point that I wish to emphasize. Although the costs to which I have referred seem large, there is not a country in the world whose inhabitants spend less of their income to purchase food than the people of the United States.

This process of reduced food costs has been going on for some time. I have the figures to show what has happened since 1954. In 1954 consumers spent 22.4 percent of their disposable income for food. That cost has gradually been going down from year to year, until in 1964 it required only 18.5 percent of the income to buy all the food necessary.

Let us compare that with England, where consumers must spend more than 30 percent of their income to purchase food. Compare it with Russia, where it requires 50 percent of the income to buy food. Here in the United States, because of our great abundance, we have been able to make it possible for our people to be well fed, and for the cost of the food in proportion to the income received to go down.

When I first came to the Senate, it required 42½ million acres of land to produce the cotton that can now be grown on 16 million acres. The same thing holds true for practically all commodities. The only difference is in the degree. Take the case of tobacco. We produce as much tobacco on 1 acre today as was produced on 2½ acres only 20 years ago.

When the first wheat bill was enacted, back in 1938, the yield of wheat was 11.6 bushels per acre. Today it is 27 bushels per acre.

In connection with the cost of food to the consumer, I had the staff, through the Department, estimate how much more the consumers would have had to spend for food in 1964, had they spent 22.4 percent of their income as they did in 1934. If consumers still had to spend 22.4 percent of their income for food the total food bill would have been increased by about $18 billion. This means a total savings to the consumers of $18 billion.

By reason of the fact that there has been a gradual percentage decrease in the amount necessary for food, families were able to spend $18 billion for purposes other than food.

Another interesting comparison is that the spendable earnings from factory work will buy more of most food items than they would have bought 10 years ago. The figures for some of the items are as follows:

White bread: 1954, 9.7 pounds; today 10.9 pounds.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. YOUNG of North Dakota. I am interested in the figures the Senator is giving. I believe that what is true of wheat is true of most other farm commodities.

Today wheat is selling for less than it did in 1947–49, yet the cost of operation is two or three times as high as it was then. I believe this is true of most other farm commodities. No other segment of our economy has become more efficient in the production of its commodities than farming.

Mr. ELLENDER. The Senator is correct. The figures I am citing prove that to be so.

In 1954, 1.8 pounds of round steak could be purchased for 1 hour's work; today the amount is 2.2 pounds. Chickens, 3.1 pounds; today, 6 pounds for an hour's work. Milk delivered in quarts, 7.2; today, 8.6. In 1954, an hour's work could buy 2 pounds of butter; today it is 3.2 pounds; bacon, 2 pounds, in contrast with 3.4 pounds. Today, 4.2 dozen eggs can be bought, whereas in 1954, only 2.8 dozen eggs could be bought for an hour's work.

Although program costs have been high, the facts show that consumers have greatly benefited from the abundance of food and fiber grown on our Nation's farms.

I wonder how much it would have cost the people if they had not had large supplies of food during and after the war. They would have had to pay through the nose. Fortunately, laws had been enacted to assist farmers to grow more and better foods for our needs.

I will not say that the situation today is aggravating, but is seems to me that it ought to be possible to enact legislation to reduce expenses further and to produce the food necessary for our requirements, instead of storing it.

There is a widespread misunderstanding about the relationship between farm prices and food prices. Many people seem to think that the rise in retail food prices during the past 10 years has been caused by rising prices received by farmers. Just the opposite is true. Relatively low prices received by farmers have been an important factor in keeping the advance in food prices within reasonable bounds.

In 1964, the retail cost of the farm-food market basket was $1,015, $82 more than in 1954. The farm value of the foods in the market basket was $373, $25 less than 10 years earlier. The farm-retail price spread was $642, $107 more than in 1954. The farmer's share of the retail food dollar was 37 percent in 1964;

in 1954, it was 43 percent. This is clear from the next table:

Year	Retail cost	Farm value	Farm-retail price spread	Farmer's share (percent)
1954	$933	$398	$535	43
1964	1,015	373	642	37
Change from 1954 to 1964	+82	−25	+107	−6

Take the case of bread. As the next table shows, the average retail price of a 1-pound loaf of white bread in the United States was 16.3 cents in 1954. Of this, the farmer got only 3.3 cents for all the ingredients he furnished. Last year, this price had risen to 20.7 cents. The farmer got only 3.2 cents, but the manufacturers and distributors from the farmer to the consumer got 4½ cents more.

Year	Retail price	Farm value		Farm-retail spread	Farmer's share	
		All ingredients	Wheat		All ingredients	Wheat [1]
	Cents	*Cents*	*Cents*	*Cents*	*Percent*	*Percent*
1954	16.3	3.3	2.7	13.0	20	17
1964	20.7	3.2	2.5	17.5	15	12

[1] Beginning July 1964 includes value of domestic marketing certificate.

Many people forget that farm programs make an important contribution to the life of our whole economy. Several independent studies agree that in the absence of price support and acreage diversion programs, realized net farm income would have averaged about $6 billion a year, less than half the current level.

Such a decline in farm income would be an unmitigated disaster whose ramifications would spread throughout the entire economy. The $6 billion level of farm income would support a value of farm real estate of only about a fifth of its current value. A large number of defaults and foreclosures of farm real estate debts would be inevitable. The resources of country banks would suffer a severe shock. Farmers' ability to purchase nonfarm production goods such as farm machinery, petroleum products, and fertilizer; to hire labor; and to pay taxes and interest would be drastically reduced. The tax base of many State and local government units would be seriously impaired.

Agriculture contributes substantially to the well-being of our national economy. Farmers are good customers.

The farmer spends $28 to $29 billion a year for goods and services to produce crops and livestock; another $15 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

Each year the farmer's purchases include $3.1 billion in new farm tractors and other motor vehicles, machinery, and equipment. About $1 billion was spent in 1959 by the primary iron and steel industry for equipment and new plants; $3.3 billion for fuel, lubricants, and maintenance of machinery and motor vehicles. Farming uses more petroleum than any other single industry; $1.6 billion for fertilizer and lime; products containing 320 million pounds of rubber—about 9 percent of the total used in the United States, or enough to put tires on nearly 6 million automobiles; 28 to 30 billion kilowatt-hours of electricity—or more than 4 percent of the Nation's total, or more than is needed annually by Baltimore, Chicago, Boston, Detroit, Houston, and Washington, D.C.; 5 million tons of steel in the form of farm machinery, trucks, cars, fencing, and building materials. This is one-third as much steel as the automotive industry uses.

FARMERS ARE CREATORS OF EMPLOYMENT

Three out of every ten jobs in private employment are related to agriculture.

Ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture.

Six million people have jobs providing the supplies farmers use.

Here are a few examples from the 1958 Census of Manufactures:

Meat and poultry, including meatpacking, prepared meats, and poultry dressing plants—311,758 employees and a payroll of nearly $1.5 billion.

Dairy, including fluid milk, concentrated and dried milk, natural cheese, creamery butter, ice cream, and special dairy products—293,802 employees and a payroll of more than $1.3 billion.

Baking, including bread and related products and biscuits and crackers—301,296 employees and a payroll of more than $1.3 billion.

Fruits and vegetables, canned, frozen, and processed as pickles and sauces—166,711 employees and a payroll of $545 million.

Cotton broadwoven fabrics industry—243,419 employees and a payroll of $724 million.

IT IS AN EFFICIENT, PROGRESSIVE INDUSTRY

One hour of farm labor produces more than five times as much food and other crops as it did in 1919–21. Crop production is 75 percent higher per acre. Output per breeding animal is 92 percent greater.

Productivity of the American farmworker in the 1950's increased by 5.4 percent a year. Output per man-hour in nonagricultural industry increased by 2.1 percent a year.

One farmworker produces food, fiber, and other farm commodities for himself and 28 others.

HE IS A TAXPAYER

In 1963—

Farm real estate taxes totaled $1½ billion.

Tax on personal property on farms was another one-third of a billion dollars.

Federal and State income taxes paid by the farm population amounted to $1.5 billion.

Net taxes paid by farmers on motor fuels were $450 million.

Motor vehicle license fees and taxes paid by farmers were about $175 million.

Sales taxes totaled about $350 million.

FOOD SUPPLIER TO THE WORLD

The United States is the world's largest exporter of agricultural products.

Sixty-three million acres of our 300 million harvested acres produce for export. The land producing for export represents about the same acreage of cropland as that harvested in Nebraska, Iowa, and Kansas.

Some $5.6 billion in farm products were exported in 1963.

ABUNDANCE WORKS FOR PEACE

American agricultural abundance is a powerful force for world peace. Our food and other farm products are helping to relieve hunger and to promote economic growth in the newly developing countries of the world. Our wheat is providing an additional 5 billion loaves of bread a year for the people of India.

We accept foreign currencies from countries that need our farm products but are short of dollar exchange. We also barter or trade our agricultural products for essential foreign goods and services—more than $1.6 billion worth since July 1, 1954.

FARMING IS FOOD

Each of us in 1963 consumed these and other products of farm and ranch: 171 pounds of beef, veal, pork, lamb, and mutton; 38 pounds of chicken and turkey; 175 pounds of fruits—fresh fruit equivalent; 230 pounds of vegetables—fresh vegetable equivalent; 634 pounds of dairy products—whole milk equivalent; 100 pounds of potatoes and 6 pounds of sweetpotatoes—fresh equivalent.

We can choose from as many as 6,000 different foods when we go to market—fresh, canned, frozen, concentrated, dehydrated, ready-mixed, ready to serve, or in heat-and-serve form.

CLOTHING

In 1963, we used 4 billion pounds of cotton, or more than 21 pounds per person—that is the equivalent of about 23 house dresses, or 34 dress shirts, for every man, woman, and child in the Nation; 412 million pounds of apparel and carpet wool, more than 2 pounds per person; and research has given these natural fibers new qualities. Specially treated cotton resists everything from wrinkles to fire. Wool can be treated to keep it from shrinking when it is washed to retain pleats in skirts and creases in trousers.

SHELTER

It takes 1 acre of healthy forest 20 years to grow the lumber for a 5-room frame house.

Farmers and other small woodland owners control 54 percent of the Nation's commercial forest; three out of four forest owners are farmers.

AND OTHER PRODUCTS

Paper. About 400 pounds of paper per person is used each year. This requires the net annual wood growth from about three-quarters of an acre of commercial forest. A large New York paper uses the equivalent of the net annual growth from 6,000 acres of commercial forest land for its Sunday issue, or the net annual growth from 500,000 acres every year.

And the day of the wood-burning rocket may arrive. Nitrocellulose, derived mainly from woodpulp, is a major ingredient of some solid-fuel propellants of rockets.

What does the farmer receive for food? Thirty-seven cents of each $1 spent for food; 2.5 cents for the corn in a 28-cent box of corn flakes; 56 cents of each $1 spent for choice beef; 2.5 cents for the wheat in a 22-cent loaf of white bread. About 11 cents from a 25-cent quart of milk.

For clothing? About 28 cents for the cotton in a man's $4 business shirt.

For shelter? About 25 cents stumpage for each $1 worth of pine lumber produced from his woods.

Income from his labor and capital?

Farm people in 1963 received $36.2 billion in sales of crops and livestock, over $10,000 per farm; with a net income for farm operators of $12.3 billion from farming, $3,400 per farm; $1,480 of personal income per capital—$970 from farm sources and $510 from nonfarm sources. Per capita personal income of nonfarm people was $2,515 from all sources; $1.01 an hour income for farmwork. By contrast, 1 hour's work in a factory averaged $2.46, and hourly earnings in food marketing averaged $2.17.

In terms of an hour's work: 1 hour's work in a factory buys more food today than it did 20 or 30 years ago. Pay for 1 hour's factory labor would buy—

Round steak: 2.3 pounds in 1963; 2 pounds in 1942; 1.5 pounds in 1932; or

Bacon: 3.6 pounds in 1963; 2.2 pounds in 1942; 1.8 pounds in 1932; or

Milk: 9.5 quarts in 1963; 5.7 quarts in 1942; 4.1 quarts in 1932; or

Oranges: 2.7 dozen in 1963; 2.4 dozen in 1942; 1.5 dozen in 1932; or

Bread: 11.4 loaves in 1963; 9.8 loaves in 1942; 6.3 loaves in 1932.

As compared with other products: Food costs have risen less since 1947–49 than most other consumer items in the cost-of-living index. For all items on the list, the increase in cost to 1963 was 31 percent. For all food, the increase was 24 percent. For rent, it was 47 percent, and for medical care, 69 percent.

The farmer gets none of the increase in cost for the food he produces. In fact, he receives 15 percent less for the farm food market basket than he did in 1947–49. The total cost of farm-grown food has risen only 15 percent, although processing and marketing costs have increased 44 percent since 1947–49.

Earlier this year the committee held hearings for more than a month, and a thorough study was made of all the testimony introduced. After the bill that is now being considered was passed by the House, the committee spent about 2 weeks, day after day, reviewing the various proposals that were made to the committee, and, of course, the bill passed the House.

In some instances, the bill passed by the House followed the administration's view, particularly with respect to corn and other feed grains. To a certain extent, it followed the administration's proposal as to cropland adjustment.

But the House committee saw fit to strike from the bill the title dealing with rice which was recommended by the administration.

The administration bill contained no provision for cotton. The House bill provides a cotton section.

When the measure came before the Senate committee, we considered the administration's bill, as well as the House bill and all other bills before the committee. It was quite a task to study those complicated bills and from them present to the Senate a bill which I believe should be supported by every Member of the Senate. It is true that there were differences of opinion as to what ought to be done as to various commodities. We had quite a hassle on cotton with my good friend, the Senator from South Carolina [Mr. Russell], who is now presiding over the Senate.

We did not have too much trouble with wheat, but I wish to stress the view that what the Committee on Agriculture and Forestry sought to do was to protect the producer of the commodities, and not those who used the raw products by way of manufacture, such as the flour mills. The bill represents an effort to assist the producers of these commodities to keep them in business. That is what we sought to do.

When the administration bill was sent to the House and Senate, let us say, in the case of wheat, there was no guarantee of any kind in that bill which would fully protect the wheat farmer. Much was left to the discretion of the Secretary of Agriculture. As we all remember, the wheat provision advocated by the Department would never have passed the House in the form as introduced, because it was stated that an attempt was made to transfer some of the cost of the program to the consumer, instead of letting the Treasury pay the cost as in the past.

What the House did as to the wheat provision was to provide farmers with full parity on the wheat necessary for domestic consumption, which is approximately 500 million bushels, or approximately 45 percent of their production. The blend price received by the farmers for that wheat—that is, the 500 million bushels, plus what they would receive for the rest of their wheat on sale on world markets—was in the neighborhood of $1.81 a bushel.

The House did not intend that export certificates would be charged on shipments abroad. In other words, the wheat was left free to be sold at world prices. But domestic millers would still be required to purchase certificates just as they did last year and this year and at the same value. Producers would receive that 75-cent value plus 50 cents from the Government. This amount plus what they would receive on the world markets would give the wheatgrower about $1.81 a bushel.

The Senate attempted to improve the situation—that is, more or less provide a guarantee of $1.90 a bushel for the wheatgrowers. The Senate committee went a little further than the House did, insofar as compensating the producers of wheat was concerned. We had three proposals before us; namely, the House version, the version of the Senator from North Dakota [Mr. Young], and the version which I proposed.

Of course, we had the administration's proposal, which we discussed a moment ago, which gave considerable discretion to the Secretary of Agriculture without the guarantee of the Senate bill.

The aim of the committee as a whole was to make certain that the farmer had a guarantee of so much per bushel for his production. I believe that it should be the policy of the committee to take as good care of the producers as we can, in order to keep them in business.

The version which I proposed would have given to the farmers the same return, but in a different way. My proposal would have increased the number of certificates issued to producers—artificially, of course—a number of certificates on which the farmer would be paid a certain sum from 500 million bushels to 750 to 800 million bushels. Thus, the farmer would receive approximately the same amount under the proposal I made as he would receive under the House proposal.

After discussing all proposals, we finally concluded on following the proposal that was presented by the distinguished Senator from North Dakota [Mr. Young].

His proposal makes a return to the farmer of $1.90 a bushel, 9 cents more than the bill which I proposed and which the House proposed.

The method followed by my good friend, the Senator from North Dakota, was to make $1.90 a bushel available on all wheat which was produced by those who participated in the program, which is purely voluntary. That method, of course, may be improved upon, but I sincerely hope that no effort will be made by the Senate to cut back on the returns of those upon whom we are dependent for food and fiber, because if we continue cutting back, there is no doubt in my mind that we will force those who produce our very lifeblood to gradually go out of business.

Mr. President, I am determined to see to it that the producers of these commodities receive a fair share of our prosperous economy. The only way that that can be done, as I see it, is through a continuation of some kind of parity support, and probably direct payments.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am glad to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. I commend the Senator from Louisiana, the chairman of the Agriculture and Forestry Committee, for the fair and accurate analysis of the wheat provisions now in the bill, and all the other proposals.

To me, it is almost unbelievable that the Senator could remember all the technical provisions of the various farm programs.

The Senator spent long hours, as chairman of the committee, presiding over the long markup hearings that would try the patience of Job. He listened to arguments and wrote a bill which I think, on the whole, is a very good bill.

The bill would extend the present program, with some simplifications and improvements.

The senior Senator from Louisiana is entitled to great credit for what he has accomplished thus far.

Mr. ELLENDER. Mr. President, I thank my good friend the Senator from North Dakota.

I ask Senators not to pin me down to too much detail as to these bills. I am merely trying to explain what I understand to be the purpose of the bills.

I am sure that our staff agrees with what I said as to the purpose. However, we must depend largely on our lawyers to put the proper language in the bills so as to accomplish the purpose and intent.

I have read the bills over and over. I have been wrestling with the farm program for 29 years. I should know a little about the subject. The committee members have been most helpful.

I do not like to say this, but it is true. This year the Committee on Agriculture and Forestry has become a trifle unpopular with new Members of the Senate. When I first came to the Senate in 1937, the prize committees in the Senate were the Committee on Agriculture and Forestry and the Committee on Appropriations. They were the committees on which every Senator desired to serve. No one wanted to serve on the Committee on Foreign Relations, because there was nothing to it.

The Committee on the Judiciary had very few applicants.

I do not like to say it but it is true. No new Senators were asking for a berth on our committee, even though five vacancies existed on the committee this year. We had to draft Senators and ask them to serve.

I am glad to say that they enjoy the work. They do not find it as hard as they thought it was, though it might require a little more study and work than would be required on several of the other committees.

Mr. ERVIN. Mr. President, will the Senator yield? I want to make an observation.

Mr. ELLENDER. The Committee on the Judiciary involves a great deal of work. I do not know how much has been accomplished, but a great deal of work is done in that committee.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ERVIN. Mr. President, I make the observation that perhaps the reluctance of new Senators to seek a berth on the Committee on Agriculture and Forestry arises from the fact that they realize the great task which that committee performs and the difficulty of its performance by reason of the fact that one of the most brilliant and important Senators, my good friend, the senior Senator from Louisiana, has been unable, despite his many years of diligent service on that committee, to devise a bill which would solve all the problems of agriculture to the satisfaction of everybody concerned.

Mr. ELLENDER. Mr. President, if I were able to do that, I would not be in the Senate. I would be somewhere else.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. Mr. President, I commend the chairman of the Committee on Agriculture and Forestry and the other members of the committee for a very fine piece of work in presenting the Senate with legislation which will, I hope, improve somewhat the income of the American farmers.

I do not believe that anyone can state that the farmer is receiving his fair share of the national income when parity is about 75 to 78 percent. I believe that the records will show that at the present time the distinguished chairman of the committee has correctly mentioned that agriculture is not only rendering service to the consumers of the Nation but is also entering into a program of assisting in our peace programs in the world. It is the lowest paid of any segment of the American economy.

Before I close, I desire to say that, coming from a wheat State that produces one-fourth of the winter wheat of this Nation, I am indebted to the committee, and particularly to the distinguished Senator from North Dakota [Mr. Young], for the section in this bill which I understand is largely the section of the Senator from North Dakota.

I am proud of the fact that, early in the session, I cosponsored the measure with him. I believe that it will add much to the income of the wheat growers and the stabilization of the entire wheat section, based on a 4-year program.

There is only one way to bring about increased agricultural income. That is based on payments from a program or a direct increase in commodity prices, either a subsidy from the Treasury or commodity price supports. I hope that we can bring about increased agricultural income in the price field rather than by means of a subsidy from the Federal Government.

I appreciate the work done by this committee.

Mr. ELLENDER. Mr. President, I hope that the time will come when that can be accomplished. That really is the aim of the committee. It may come when we have been able to cut back on the enormous surpluses that have been permitted to grow so large.

As the Senator knows, we shall deal with the feed grain program. That program was brought about through a special program in February 1961. There was a surplus of 84.7 million tons of feed grain on hand, when less than half of that would have been sufficient. In order to bring about a decrease in this enormous surplus, I reluctantly agreed to go along with the first bill that was enacted on corn and other feed grain programs.

This was done in order to make it possible to reduce the surpluses by paying farmers not to plant.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. I join my colleagues in commending most warmly the distinguished Senator from Louisiana, who so brilliantly heads the Committee on Agriculture and Forestry, for his long, arduous, cooperative, and successful work. I call attention to the fact that the Committee on Agriculture and Forestry deals with much more than the problems of the producers.

I believe that new Senators who have not wished to serve on the committee have not been animated by any disregard of the able leadership of the chairman, but rather by the onerous duties that confront the committee, in addition to handling all the items of price support and the problems of production, marketing, and the like that affect agriculture directly.

I want the Record to show that the Committee on Agriculture and Forestry now has jurisdiction, to a large extent, of the problems involved in foreign policy. For example, under Public Law 480, there are four different branches of operation in connection with the disposition of our surplus food. There are sales for soft currency under one title. Under another title we have sales for cash or on long-term credits. Under another title we have the bartering of surplus commodities for strategic materials. Then, under another section, we have the supplying of our surplus commodities to bring famine relief to nations which need it.

All those objectives deal with the foreign policy of this Nation. Yet, they fall within the jurisdiction of this committee and have been most ably handled by the distinguished chairman of the committee.

I want the Record to show that no Senator has made greater contributions in these various fields than has the distinguished chairman of the committee, in visiting the countries which are utilizing our great agricultural production.

Second, in addition to the truly agricultural objectives which the committee serves, we have a great number of social and welfare programs, as members of the committee know, but which the general public does not know—for example, the food stamp program, the distribution of surplus commodities to welfare recipients and to public institutions, the school lunch program, and the school milk program. I have not even mentioned the International Wheat Agreement program, which is one of the programs that have to do with our foreign policy.

I want the Record to show that this committee is led by a most able and farseeing chairman. The committee has dealt with not only the problems of agricultural producers, but also substantially with many other problems in other fields.

The chairman, in particular, and the committee in great measure, deserve credit for having worked hard and diligently, and many times successfully, in dealing with far-reaching programs of our Nation, in fields far from the actual farm problem.

I thank the Senator from Louisiana for yielding to me. I again commend him. I do not know of any committee in the history of the Senate that has had more diligent or more cooperative leadership.

Mr. BASS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BASS. Mr. President, I join my colleagues in commending the chairman and the committee for their work. I served for 8 years on the Committee on Agriculture in the other body before coming to this body. I have learned something of the problems of trying to write a fair and equitable piece of agricultural legislation. I have not learned how there can be a solution of the problems. I have learned of the impossibility. Because of the varying nature of farm problems and the differences in opinions and nature of human beings, it is impossible to write a permanent farm program which can be dealt with nationally.

The Senator from Louisiana presides over the committee in a most democratic and fair manner. He is as fair as any man I have ever dealt with during my service in the Congress. I know that during the deliberations on the bill and during the executive sessions, many problems were discussed. Regardless of how small a problem might seem to some of us, the chairman permitted a discussion, with deliberation, of any proposal made in an effort to arrive at a possible settlement in dealing with a major or minor farm problem.

Therefore, I commend the chairman of the committee for the manner in which he handled the bill and the manner in which he treated all members of the committee.

This bill is an attempt to solve important problems, even though temporary, that might arise in agriculture.

There are some sections of the bill with which I do not agree, but we are discussing the bill itself. There may have been some differences with respect to certain amendments, but I am speaking of the legislation in its entirety at this moment.

I did not want this opportunity to pass without joining my colleagues in commending the distinguished chairman of the committee.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TALMADGE. I am delighted to join in the statements made by our colleagues on the Committee on Agriculture and Forestry on both sides of the aisle regarding our able, efficient, and distinguished chairman, the senior Senator from Louisiana [Mr. ELLENDER].

It has been my privilege to have served on the Committee on Agriculture and Forestry the entire time I have served in the U.S. Senate. I do not know of any Member of this body who works harder or more diligently than does the chairman in facing complex problems such as our Nation's farm problems.

As has been said, our chairman is most fair in hearing every viewpoint with respect to problems which might face the committee. He has never taken a dictatorial attitude toward any policy or phrase or objective the committee might undertake, or the personal views of any member.

The particular bill which is now before the Senate was debated in executive session, morning and afternoon, for 8 long days. It was tiring and complex. All during that time our chairman kept his calm and demeanor at times when acrimony might have spilled over into the discussion.

I again compliment a dedicated and able American, the chairman of the committee.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. EASTLAND. I join in the remarks which have been made by our distinguished colleagues with respect to the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER]. He knows more than any other Member of Congress about agriculture. He is one of the most able chairmen in the Congress. He conducts the deliberations of his committee with distinction and with fairness to everyone. Although all of us may not agree with all sections of this bill, everyone of us had an opportunity to present his viewpoint and his thoughts, and the result has been a bill that I think is fair. The distinguished Senator from Louisiana has done an outstanding job as chairman of the committee and as a Senator from his State.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JORDAN of North Carolina. Mr. President, I join my colleagues on the Committee on Agriculture and Forestry on both sides of the aisle in paying tribute to the distinguished chairman. Since I first came to the Senate I have had a great deal of pleasure, as well as hard work, on the committee.

As has been ably said by some of the other members of the committee before me, we do not always agree on everything that has been said or done by the committee, but there has never been a time when the issue has become personal. Such discussions have always been in a spirit of cooperation. The chairman has always heard every member of the committee to the fullest. Their wishes and their views have always been considered and made a part of the record.

I am proud to be on the committee under the distinguished chairman. There is no question that he has a greater store of knowledge on this subject than has any other Member of this body. There are very few questions one can ask the chairman that he cannot answer without looking at the book. It is really a great committee. I am proud to be on it. Although we have not agreed on some portions of the bill, because of differing viewpoints, I am proud to be able to work on major legislation in that important committee.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MILLER. Mr. President, this is the first year I have had the privilege of serving on the Senate Agriculture Committee under the chairmanship of the distinguished senior Senator from Louisiana. I have been fortunate enough, during my service in the Senate, to serve under some very able Senators as chairmen of committees. I have not had the experience of serving under any chairman who has operated unfairly or without giving consideration to all viewpoints.

I do not know how any committee could possibly be operated better than the Senate Agriculture Committee has been. Neither can I comprehend how a chairman could operate any more fairly than has the chairman of that committee.

During the hearings, each member of the committee has been given complete discretion as to the amount of time devoted to questions. Of course, they must be asked in order, but there has never been any cutting off of questions. The chairman has patiently sat through the long explanations sometimes offered, which I am sure he had heard many times before, in an effort to make it clear to all members of the committee and all persons viewing the hearings that this is a fairly operated committee.

During the deliberations—which were long, tedious, and most controversial, as is bound to be the case with an omnibus farm bill—each member of the committee was given ample opportunity to set forth his views. Our chairman was understanding, patient, and keen of insight. I join my colleagues on the committee in wishing him to know that we appreciate the opportunity to have served under him.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Kentucky.

Mr. COOPER. Knowing the Senator as one who devotes his time and interest to work, and knowing him to be exceedingly modest, I am not too sure he wishes to be overburdened with tribute.

But this is my sixth year of service on the Senate Agriculture Committee, and I have found it a most satisfactory and rewarding service. The Agriculture Committee deals with an industry which is forgotten at times, but which is the largest industry in the United States, and basically the most essential, because it provides the food and clothing for the people. I have known, from experience in other countries, the problems a country faces when it cannot feed and clothe its people. America should be very proud that it does feed and clothe its people, and also the people of many other countries.

So the Senate Agriculture Committee is a great and important committee. I am glad to be a member of it also because agriculture is the greatest single industry in my own State, as it is in other States.

Perhaps we may gain some satisfaction from the knowledge that while the farm problem is difficult and at times may seem impossible of permanent solution, and may not be very clearly understood by most of our people, we on the Agriculture Committee may know something more about the problem than others. I join my colleagues in saying that one of the great satisfactions is to serve under a chairman so fair, impartial, and thorough, who exercises a leadership which I believe enables us at least to do the best it is possible to do with this difficult program.

A few days ago, I estimated the number of hours that the committee had spent in executive session discussing this bill. I think it was almost 50 hours. I do not know whether any other single bill has received such exhaustive attention. Such thoroughness has been due to the leadership and the attitude of the chairman. So I feel happy to have been a member of the committee, under the chairmanship of the distinguished Senator from Louisiana.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. I wish to join in what has been said about the chairman of our committee. I have already said it so often that it may become monotonous. It has been a lifesaver to serve under a chairman who has been so fair, so willing to listen to the arguments of both sides, so willing to have his own motions voted down and not become angry. We have been fortunate indeed.

I am sure the Senate is not, at this time, planning to enact permanent farm legislation. There is no such thing as permanent farm legislation, because the agricultural situation changes so fast that no program can be permanent.

I know that in respect to certain commodities, we are in difficulty. I do not agree that we have large surpluses in this country. I would confine our surplus list to cotton and tobacco; and tobacco has already been legislated upon this year.

We hope that, in conjunction with the House of Representatives, legislation may be devised which will work. Should it be legislation I disagree with, I will still try to help make it work, though I may be on the losing end with respect to some of it. I do not yet know whether I shall be or not. I assume that perhaps I shall be before we are through.

Great tolerance has been exhibited by all members of the Agriculture Committee. They do not tear their hair when they find themselves on the losing end of a vote; neither do they try to tear their opponents' hair. Much of this tolerance has been due to the patience shown by the chairman of the committee. So we are very fortunate, as I have already told the committee.

Speaking of permanent farm legislation, I believe the chairman proposed that a part of it, at least, run for 7 years. Four-year legislation would be "permanent," but 7 years would be "eternal" so far as farm legislation goes.

I am happy to add my remarks to what has been said about our chairman, the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I am, of course, most appreciative of these fine remarks about my chairmanship. But I should feel more at ease had the remarks come after the bill as presented is enacted. I fear that this is merely a calm before the storm.

I am hopeful, however, with all these fine commendations from Senators who worked with me on the committee, that the bill as presented will come out more or less intact.

Mr. AIKEN. If the Senator will yield a moment further, I am sure the RECORD of today's proceedings will be printed before final action is taken on the bill, and I shall be glad to read my remarks again if it would make the chairman any happier.

Mr. PASTORE. Mr. President, will the Senator yield for a brief observation?

Mr. ELLENDER. If I may yield without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. It is the strong conviction of the Senator from Rhode Island that the chairman will come out unscathed, but I am hopeful that his bill will not.

Mr. ELLENDER. Before I was interrupted to listen to Senators speak of the fairness of the chairman and other matters, I had barely started on title II of the bill, dealing with the feed grain provision.

I am not at all satisfied with the feed grain program. I am speaking, of course, personally. When the feed grain provision came to us in 1961, I reluctantly agreed to go along, in the hope that we could later enact a bill which would truly be effective in curtailing our surpluses. We have had acreage controls on all the commodity programs in the past, and I have always felt that any farmer who expects his Government to support the price of the commodity he produces should be willing to reduce his production in keeping with our requirements.

As I said, I joined the forces to enact the feed grain bill in 1961, in the hope that in the meantime we could enact a law which would call for acreage control, marketing quotas, and penalties for overproduction.

I tried on several occasions to put such a bill through the Senate. I succeeded once. I tried again before the committee during the past month, but I could not get sufficient support in committee in order to provide for acreage controls. I realized that in the past it had been very difficult to provide farmers who grow corn and other feed grains with a realistic program of acreage control, marketing quotas, and penalties. I realized that it would be futile for me to try to persuade Congress or the Senate to agree to my proposal. Therefore I do not intend to offer it. I am willing to go along with the bill as presented.

I believe we have made a few improvements in the feed grain program; and if it is used by the Secretary of Agriculture, there is no question that it will help us to persuade more farmers to join the procession of cutting back on production.

In the bill that was presented by the Department of Agriculture, not too many changes were suggested from the present law.

When the House passed title II very few changes were made in respect to the existing law. The Senate committee made some improvements in the bill. As Senators know, we have a base acreage for the production of corn and other feed grains. In order to persuade farmers to cut back on their acreage, we have a voluntary diversion program with payments. This program, being voluntary, has in a measure reduced our surplus, but at great cost to the taxpayers, in my opinion.

The program was supposed to curtail our surpluses by a greater amount than is now evident. Since the special program has been in effect, it has cost the Government over $5.4 billion to bring the surplus from a high of 84.7 million tons to about 54 million tons. The other day I calculated that in order to accomplish this, the cost per bushel was almost $6. This, in my opinion, is due to the fact that it is a voluntary program. Those who comply with the program do so to obtain diversion payments and price supports, and in doing so they hold an umbrella over those who will not join and who will not try to curtail production.

For instance, consider the State of Iowa. There, as I recall, 65 percent of the farmers cooperate. However, the 65 percent control only about 25 percent of the land that is planted to corn, and only 14 percent of the production of corn in the State of Iowa.

What is really happening is that a few farmers who join the voluntary corn program hold the umbrella over those who do not join, by reducing corn production and thereby keeping the market price of corn at about the support price.

As I said a moment ago, that is not the proper way, in my opinion, to reduce our surpluses in a realistic way at lowest cost.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ELLENDER. I should like to finish this point. I shall yield to the Senator in a moment.

The bill would permit the Secretary of Agriculture to make it more desirable for noncompliers to come into the program. We do not seek abruptly to reduce the price support level from $1.05 to 85 cents, as my proposal was intended to do, but rather we would let the Secretary of Agriculture fix the price support level at 65 to 90 percent of parity, and then gradually lower the loans supplemented with the direct payments.

In that way as the loan decreases per bushel the direct payment increases. The farmer can be assured of $1.25, or whatever figure the Secretary of Agriculture deems proper, provided that it is not under 65 percent of parity, nor over 90 percent of parity.

The proposal I submitted to the committee would have required the Secretary of Agriculture to impose acreage controls, marketing quotas, and penalties. If my proposal failed of approval by two-thirds of the producers of corn, then the price support would abruptly go back to 50 percent of parity or about 80 to 85 cents a bushel.

But that proposal failed, and the distinguished Senator from Kentucky [Mr. COOPER] offered a proposal to make it possible for the Secretary to reduce gradually the support price from the present $1.05 to perhaps $1 next year and 95 cents the year after, until the price was reduced to 85 cents within the next 4 years.

Whether the Secretary will be able to do that remains to be seen, but he has that authority provided. However, in exercising that authority there must not be an adverse effect on the production and price structure of poultry, cattle, hogs.

I hope that the Secretary will follow that advice, though it is not mandatory that he do so. The suggestion is written into the report. It is our hope that he will exercise the right.

Another suggestion made by the Department was adopted. I believe it may result in greater participation by the farmers who now do not participate. That suggestion is to pay farmers a larger sum in order to have them take more land out of production. The Secretary has the authority to make such payments, and we are told that the evidence shows that if he uses the authority, the withdrawal of land from production can be done without increasing the cost of the program. It will make the program more attractive to the noncooperatives to take more of their land out of production by providing a greater payment.

The distinguished Senator from Iowa [Mr. MILLER], who is a new member of the Committee on Agriculture and Forestry, made a good suggestion. It is an alternative plan to the one the Secretary of Agriculture now follows. The Senator's suggestion is to lay more stress on taking out of production land with high corn yields instead of land that is not so productive. I mention that as an alternative, in the hope that the Secretary may be in a position to find ways and means of using the plan suggested by the distinguished Senator from Iowa.

The only fault that I find with the plan of the Senator from Iowa is that he bases his proposal on a price support and does away with direct payments. I recall his stating that it was his hope that the present program with respect to crop land adjustment could be used to a larger extent in order to take much of the productive land out of cultivation, thereby substantially reducing the cost of the program and also the surplus. It may be that that would work; I do not know. But I hope the Secretary of Agriculture will use that tool if the tools provided in the bill do not do a better job than they have done in the past.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MILLER. I thank the Senator from Louisiana. The Senator referred to Iowa and its corn production. I would like to make a few comments.

Sixty-five percent of Iowa farmers are in the program for 1965. Therefore, I do not believe that the Iowa farmers have any apologies to make for the degree of their compliance, because as the Senator pointed out, and as the committee pointed out on page 5 of the report, only 47 percent of the farmers, nationwide, are in the feed grain program. Iowa stands very high in the number of farmers participating.

I wish to emphasize again, as I did in committee, that regardless of what the Secretary of Agriculture does with the loan price, whether he leaves it at $1.05, where it is today, or decreases it to $1 or 95 or 90 cents, I doubt whether there will be a larger number of farmers in Iowa who will come into the program, for this reason:

There are three different kinds of farmers who were not interested in coming into the program. One is the group of small farmers whose acreage is so small that they do not dare to cut back their acreage if they wish to provide a decent living for themselves and their families. They are having a difficult time doing that now. They are not interested in coming into the program, and having to cut back their acreage.

Mr. ELLENDER. Are they farmers who feed direct to animals?

Mr. MILLER. No; it is the group of small grain farmers who cannot afford to reduce their acreage.

The second group comprises those who have a relatively low base corn acreage. They followed the crop planning practices recommended by the Department of Agriculture for a long time, practices which involved the rotation of crops and the planting of a certain amount of acreage to hay, a certain amount of acreage to corn, and a certain amount of acreage to oats.

They had neighbors who overplanted in corn, at least so far as the practices recommended by the Department of Agriculture were concerned. These farmers ended with a high base acreage of corn for 1959–60. The farmers who followed the good practices recommended by the Department of Agriculture ended with small base acreage. They believe they have been discriminated against by having lower base acreage than their neighbors who overplanted in corn. They are not interested in coming into the program either.

Finally, there is a large group of farmers who are going to feed all their own feed grain production and take their chances in the livestock market.

When we consider these three groups of farmers and realize that 65 percent of the Iowa farmers have come into the program, the Iowa farmers have no apology to make, certainly not to other farmers around the country who have complied only to the extent of 47 percent.

The point I wish to make is that we are getting too much into a numbers game rather than a quality game, so far as compliance is concerned. The job will not be done nearly so well by increasing the number of compliances as by having those who comply, comply more effectively.

The Senator from Louisiana put his finger on the difficulty when he said that 65 percent of the Iowa farmers are in the program, yet 25 percent of the total acres are being taken out, and 15 percent of the corn acreage is being taken out. That is precisely the difficulty.

We should not be so much concerned about numbers as about inducing farmers to comply to a greater extent by taking acres out of production. That is what I find to be the main difficulty with the present program and the program which is contained in subtitle (A) of the bill.

It is this defect that the alternate program, which the committee also put into the bill, is designed to remedy.

I appreciate the Senator's comments that if the program does not turn out to be effective—and by "effective" we certainly mean, I am sure, effective in reducing production and doing so at a reasonable cost to the taxpayers—and if it continues to be the case, the committee intends for the Secretary of Agriculture to adopt the alternative plan, or at least to give it a fair trial.

I recognize that this is something new insofar as the approach is concerned. Farmers would receive increased diversion payments on their acreage with no production payments, but the program set forth in the alternative program is designed to make the diversion payments attractive enough to encourage farmers to come in, and be substantially as attractive as the first program. At the same time, it is calculated to encourage farmers willing to comply to take more acres out, and to do so preferably on a 5-year program, leaving the same acreage out year after year, and therefore be more effective in reducing production.

I believe the costs can also be reduced, but I thought it well to point out, so long as the Senator referred to my State, what my best judgment is as to the real problem in Iowa. I doubt very much if the Secretary of Agriculture will use the authority contained in the Cooper amendment—which I could not support because of my views on this question—or that it would result in much greater numbers of compliers because of the three groups of farmers to which the Senator referred.

Mr. ELLENDER. I appreciate the views of my good friend, the Senator from Iowa, but, as I said, there is an alternative. I hope that the Secretary of Agriculture will study it and find out whether it would not do a better job than the program that has been on the statute books for almost 4 years, and which it is now proposed to extend for 4 more years.

The new element contained in the bill, to make it possible for the Secretary of Agriculture to pay a little more to the farmer than he has in the past, might make it desirable for the farmer not to plant as much land as he has in the past. Under present law, as the Senator knows, in order for a farmer to become eligible for price support payments, he must divert at least 20 percent of his base acreage to conserving practices.

Under the law, the Secretary has the right to pay from zero to as much as 50 percent of what the farmer would make on that land to keep 20 percent out of cultivation. On the remainder of the permitted acreage the Secretary makes price support payments, which this year amount to 20 cents per bushel, but the trouble is that in order to obtain payment, the farmer must plant the permitted acreage. What we are trying to do is to bunch up the payments so that it will be possible for him to obtain the same payments, if he did not plant the extra acreage.

It is a problem. The evidence shows that it is possible for the Secretary to get more acreage out with about the same amount of payments. Whether that will be done remains to be seen; but, in any event, that is one suggestion made by the Department.

I can well see that it might work, but one of the suggestions which we made, which I hope the Secretary will use, relates to the reduction of the support price on corn. This year with corn supported at $1.05, with direct payments of 20 cents a bushel, about 37 million acres were diverted from production.

However, notwithstanding the fact that about 37 million acres of feed grains were diverted the production will still be approximately 200 million bushels more than in 1960. That demonstrates to me that the program is not working well, because we are cutting back 37 million acres from the base, and yet production on the remainder of the corn and feed acres planted has increased and the cost of the program this year—that is, 1965—has been estimated at $1.6 billion. I am hopeful that the Secretary will use these new tools, and will study the one we have made available under the amendment of the Senator from Iowa.

Mr. MILLER. Mr. President, will the Senator from Louisiana yield further?

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from Louisiana yield to the Senator from Iowa?

Mr. ELLENDER. I yield.

Mr. MILLER. The Senator's point is well taken. Notwithstanding the increase in taking the number of acres out of production, we are to have an increase in production. But I wish to emphasize that this proves the point I have been arguing for a long time, that we should not be so concerned about the numbers game—either the numbers of compliers or the numbers of acres—as we should be with the quality of the acres. If the quality of acreage had been taken out this year, with the increased acreage diversion to which the Senator has referred, I am confident that we would not have any increase in production. If anything, there would be a decrease in production.

Mr. ELLENDER. We shall see in the future. Let me point out, as the Senator from Iowa knows, that it is almost incredible that two States in the Union, Iowa and Illinois, should produce 41 percent of the corn grown in this country.

If I had my hat on, I would take it off to the Senator, because that is a great compliment to those two great States. I did not realize that until the hearings a few months ago, wherein it was shown that Iowa and Illinois accounted for 41 percent of the corn produced in this country.

Mr. MILLER. Mr. President, let me say to my friend the senior Senator from Louisiana that because I represent one of those two States, I like to think that I know something about the problem involved in the production of feed grain. I like to think that I know something about the 35 percent of the Iowa farmers who are not in the program.

I cannot overemphasize the fact that there are the three groups to which I have referred. I doubt very much that they will come into the program, regardless of what is done with the loan price. I have serious doubts that any reduction of the loan price can be effected without the serious disruption of the livestock markets.

The Cooper amendment has that proviso written into it, that the loan price shall not be lowered if it will disrupt the livestock market. To that extent, it is all to the good.

I believe that, so long as the Senator has made his statement, I should in fairness, representing the State of Iowa, point out what, in my best judgment, is the difficulty with the present program and how we may have difficulty in solving it if we continue along the same road that we have been traveling. That is not to say that the program that has been in effect substantially since 1961, and which was passed during my first year in the Senate, is not much better than what we had before. I was never particularly impressed by the program that was on the books before 1961. However, merely because it is better than that program does not mean that it has been successful in attaining the objectives of bringing about a balance between production and consumption.

The Senator talked about a cost of $6 per bushel and reducing the stock on hand. I invite the attention of the Senator to the fact that the reduction in stockage is completely attributable to the reduction in the production of barley, which was not contained in the feed grains program at all, and to the substantial increase in exports and domestic utilization.

At this time, I want to give the highest of praise to the work done by the Department of Agriculture in stepping up our exports of feed grains. They have done a wonderful job on this program. However, at the same time, I invite the attention of my friend the senior Senator from Louisiana to the fact that since 1961, while the costs of the farm program and feed grains have been going up, we have had an increase in the production of feed grains of almost 17 million tons.

I believe that we are going in the wrong direction, and, if we have an increase such as has been mentioned by the senior Senator from Louisiana to be the estimated increase for this year, we shall be continuing to go in the wrong direction.

That is why I know that the Senator is concerned about the cost of the program. I am not interested in increasing the cost of the program. I merely wish to see a more effective reduction in production because, until that has been done, our farmers will have an impossible task in seeking to obtain a decent and fair price for their production.

Mr. ELLENDER. Mr. President, as the Senator knows, during our committee deliberations, I stated that this program was being extended for 4 years and that such a program would be very costly. If it continues to increase at its present rate, I estimate that by the time of expiration of the extension which we are now considering, the cost of the program might exceed $2 billion a year instead of the estimated $1.6 billion for 1965. However, in any event, since I was unable to get the committee to vote for my program to limit production through acreage controls, marketing quotas, and penalties for overproduction, we put into the bill two or three more tools—one that was presented by the junior Senator from Iowa—in the hope that the Secretary of Agriculture will take a hard look at this program and try to do something as soon as he can to reduce the cost of the program. With the increase of sales of our corn and other feed grains abroad, it would seem to me that there should be little necessity for a program such as we now have, except to stabilize the price.

It seems to me that if our production now is less than the amount we sell, at least this year or next year, we might be able to reduce our surplus to normalcy. The moment we do that, the price of corn and other feed grains ought to be good, and the necessity for these direct payments could be curtailed to a large extent and we could reduce the cost of the program.

Mr. MILLER. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. MILLER. I appreciate the patience of the Senator. However, there is another matter which I think is related to the problem that we have been discussing.

We are concerned about having an effective feed grains program which would help to reduce the surplus and the production.

On page 20 of the committee report, it is pointed out, in connection with the wheat program, that the language still in the basic law will continue; namely, that the use of wheat for beef shall be to such an extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the program for feed grains or wheat.

I read with some concern of the increase in the use of beef wheat which has been occurring. During the 1960-64 base period, the average quantity of beef wheat was 41 million bushels a year. Last year it was 72 million bushels. It is estimated that it will increase to 95 million bushels this year.

Does the Senator not believe that this increase in the use of beef wheat has a tendency to impair the effectiveness of the feed grains program, and that the Secretary of Agriculture should so arrange the wheat program as to not increase the usage of beef wheat?

Mr. ELLENDER. Mr. President, I agree with the Senator, but the Senator from Iowa was not on the committee when we first discussed the particular language to which he referred.

The production of wheat for feed was accomplished primarily to meet the situation existing in the Northwest, where, because of the freight rates, corn could not be fed profitably. The livestock industry was suffering a great deal because of the high cost of feed grains. However, as the Senator points out, there is no doubt that wheat is now being used for feed. It certainly will do violence to the feed grain program. I hope that the Secretary of Agriculture will do something about it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. Mr. President, this increased use of wheat in some respects results from the acreage substitution, from wheat to feed grain. The more acreage that we can get transferred into wheat, the better off we will be. We can raise from 20 to 40 bushels of wheat on an acre, but we can raise from 40 to 80 bushels of milo or corn an acre.

I believe that from that angle it would be better to use the acreage in that manner.

Mr. MILLER. Mr. President, will the Senator from Louisiana permit me to ask a question of the Senator from Kansas?

Mr. ELLENDER. I will if I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I appreciate the fact that my friend the Senator from Kansas is bringing out that point. Has the Senator any idea about how much of the increase to which I have referred, from 72 million bushels last year to an estimated 95 million bushels this year, is attributable to the growing of wheat on feed grain acreage?

Mr. CARLSON. I cannot give the Senator from Iowa the figures, but I know, from my own knowledge, that much of this feed grain base acreage was transferred to wheat. I assure him that is an advantage to those States that have feed grain producing areas. I know that to be a fact, but I cannot give the percentages.

Mr. MILLER. I can certainly see that. The main point I wished to bring out was that this information is available to the Secretary of Agriculture. He would recognize the truth of what the Senator from Kansas had to say. But I am sure it is intended that, to the extent it may impinge on the attempts to reduce feed grains, he should not have permitted use of wheat as feed except under conditions to which the Senator from Kansas has referred, or in the case of drought or disaster situations in the Northwest.

Mr. ELLENDER. As the Senator from Kansas pointed out, it works both ways. If wheatland is planted to feed grains or milo, it decreases the production of wheat. The same thing occurs when corn allotments are reduced. It reduces corn production.

It is my hope that the Secretary will do the very thing the Senator is suggesting. As I recall, this exchange was made more or less to give advantage to the farmers of the Northwest who grow much wheat. It was too expensive then for them to feed that wheat to cattle. They had to get corn and milo. They could not even grow milo maize, as I understand. At first the plan was to try to assist in that area, but it has been expanded until now it is used for practically all the Wheat Belt as well as the Northwest.

If there are no further questions on feed grains, I turn now to title III, dealing with rice.

I wish to say that the Senate committee also deleted the rice title, just as the House committee did. It struck it from the administration bill.

Of course, there were a number of reasons why the title was stricken. One was that in effect, there was a curtailment of acreage from 1.6 million base acres to about 1.350 million acres. The rice farmers could not stand that cut from the minimum acreage provided by law.

Another reason advanced was that the ricegrowers would be paid for their crop, more or less, by raising the price of rice to the consumer.

There was a fairly good overall case made to the effect that it would not cost the average consumer more than 5 or 6 cents a year, but when the committee examined the witnesses who came to testify, it was shown that the consumption of rice in Puerto Rico, for example, was not 8 pounds per capita, but 102 pounds. The same situation, to some extent, prevailed in California, Louisiana, and Mississippi. Rice, like wheat, is more or less a poor man's food.

Mr. ELLENDER. Mr. President, the evidence also showed that there are many Puerto Ricans living in the city of New York and that the provision would have increased their family food bill a good deal, because the per capita use of rice among Puerto Ricans there was in excess of 90 pounds per capita. So the Senate followed the House in striking the title dealing with rice.

In order to protect the income of rice farmers of the Nation, the committee adopted two suggestions I made. The first is to prevent the Department of Agriculture from widening the value factors between the various varieties of rice. Today the difference between long grain and short grain is $1.50.

The purpose of the amendment is either to keep it at that level or to reduce it, if possible, which would thereby result in a greater average price for the rice producer.

Then we added a second amendment. Under the law as it now stands the minimum acreage of rice is fixed at 1,600,000 acres. The national rice allotment now is about 1,800,000 acres. The allotment was increased in order to provide more rice to feed the starving people in southeast Asia.

Of course, the ricegrowers responded to the request of their Government and agreed cheerfully to produce more rice for that purpose. And now it seems there may be a move to reduce the acreage of rice.

The amendment provides that if the present acreage is reduced to the minimum acreage, or by any amount, the producers of rice shall be paid for not producing, to the same extent as applies to the wheat farmers as well as corn and other feed grain producers.

Unless there are further questions, I shall proceed to title IV, dealing with wool.

As Senators will recall, when the Senate enacted the wool bill several years ago, the goal was to induce the wool producers of our Nation to produce as much as 300 million pounds of wool a year, and the woolgrowers were paid direct payments in an effort to attain that goal. The funds used were derived from 70 percent of the tariff collected on wool and woolen goods that came into the country.

In its proposal, the administration agreed to extend the Wool Act for 2 years, but also requested authority to make it possible for the small woolgrowers to receive a higher price for producing wool than the larger woolgrowers. At page 41 of the original bill, there was a provision that, on the first 2,000 pounds, the level of support based on parity should be not less than 75 nor more than 90 percent of parity.

On the next 5,000 pounds, the support would be at not less than 70 nor more than 85 percent of parity. On all wool produced in excess of 7,000 pounds, the payment would range from 65 to not more than 85 percent of parity.

When wool was considered by the House of Representatives, the small wool grower provision was stricken, and the House added a provision of its own which guaranteed to all producers a minimum of not less than 77 percent of parity, which really amounts to 64.1 cents per pound for wool. Today the price of wool to the grower including payments is 62 cents.

The Senate considered the House amendment, but had a provision of its own to offer to the wool growers. The committee decided to increase the price of wool on a formula included in the so-called Bible bill, which was before the committee for some time.

The Bible amendment would make it possible for the price to the wool grower to be based on the cost of production. Under the Bible amendment, the price of wool would be increased the first year to 65 cents or perhaps more, and as the cost of production increased, the price to the wool grower would likewise increase.

The Department objected to that, and I believe still objects to it, and clings to its own version, of making it possible to pay more to the small producers than to all producers in a like manner.

In addition to the Bible formula, at the suggestion of the distinguished Senator from Kentucky [Mr. COOPER], the committee voted to include a provision which would make it possible for the Department to pay 5 cents a pound more to all wool growers who produced 1,000 pounds of wool or less. In essence that is the wool provision now included in the bill.

The record shows that under the House provision, if the Senate were to agree to it, the additional cost of the program would be about $2½ million. If the Bible program were adopted, the cost would range between $4½ and $5½ million.

Again the Senate committee has tried to assist the grower, in the hope that the program originally enacted by Congress, to obtain a 300 million pound goal, will be reached. It was hoped that by this greater advantage to the small wool grower, and an increase in the price of the wool to the large wool grower, more and more farmers would be induced to produce wool, so that the goal of 300 million pounds might shortly be attained.

Be that as it may, I wish to emphasize again that the effort on the part of the committee has been to try to increase the income of the woolgrower, and thereby make it possible for him to produce more wool, and make a better living out of it.

We now come to the fifth title, which deals with cropland adjustment. The House more or less adopted, at least partially, the provisions contained in the original bill introduced at the request of the Department. No limitation was placed in that bill on the amount that could be spent yearly. It was an open end appropriation. The Senate committee limited the expenditure to $225 million a year for 4 years for contractual purposes and then, as the contracts were effectuated, for the next year provision was made to appropriate such money as might be necessary to pay out the contracts which had been entered into over the 4-year period. The bill as it is being presented to the Senate merely provides that the program shall go into effect, and contracts shall be made for a period of 4 years, with the understanding that not more than $225 million shall be spent each year on contractual obligations, and that the contracts may run for a period of from 5 to as much as 10 years.

We also added another provision to the bill, which makes it possible for a corn producer, for a cotton producer, and for any producer of a price-supported crop, to get credit for land diverted from the production of the crop under the cropland adjustment program. Under this provision he could put his land into the program for from 5 to 10 years, if he chooses to do so.

The Secretary has the power to do just that and to pay a sufficient sum to take out of production as much of the base acreage, allocated acres, and other supported crops as he deems advisable. The only limitation is on the amount of money that will be provided each year for the program.

Under the provision that was placed in title II, dealing with corn and other feed grains, it is estimated that under the Miller amendment, should the Secretary of Agriculture desire to make use of it, the cost of obtaining compliance, in order to take certain productive land out of the production of corn and other feed grains, will be as much as $70 or $75 per acre. Whether the Secretary of Agriculture will wish to do it remains to be seen. However, he has full authority to use as many of the allotted acres and of price supported crops as he can, as well as the base acres which are now planted in various States to corn.

I believe that this program can be made to take quite a large amount of land out of cultivation, and thereby substantially reduce the surplus now on hand. That can be done without very much more money than has been spent in the past, particularly if we can obtain good lands from the producer, so that it will not be planted to the crops that are now in surplus.

Under the cropland adjustment program, the land could be diverted to wildlife and recreational purposes and to the prevention of air and water pollution, as well as to conservation uses, so that multiple benefits might be derived from such diversion. Additional payments based on the benefit of wildlife uses established might be paid to producers who permit access to the land by the public for hunting, trapping, fishing, and hiking.

It is anticipated that about 40 million acres of cropland might be diverted from production under this program. Priority would be given to uses most likely to result in permanent retirement of the land to uses which might serve our people better. The amount of land retired in any community would be restricted to such amount as would not adversely affect the economy of the community.

In order to encourage producers to put their wheat and feed grain acreage into this program for longer periods and at lower rates than provided by the annual wheat and feed grain diversion program, the committee bill provides that such diversion under the cropland adjustment program will count as diversion to meet the wheat and feed grain price support requirements.

We now come to title VI of the program, which deals with cotton. As I said before, neither the House bill as it was introduced for the administration nor the Senate bill which was introduced by me at the request of the administration contained a cotton provision. The House put its own provision in the bill. Of course that was opposed by me in committee. The version of the cotton provision that now appears in the Senate bill is the one that I suggested during the course of the deliberations in committee.

I shall not go into extended arguments on the cotton provision and the reasons for it, but I point out that the program that was adopted last year did much damage to our cotton program.

When the program was presented to the Senate in the closing days of the session year before last, the idea was that if Congress could enact a law which would make it possible for cotton to be sold domestically and on the world market at one price, it would be a great incentive to the textile mills of the country to make use of more cotton.

I argued in oposition to that claim. The results of the program that was enacted over my protest are worse than what I predicted. When this special program was placed on the statute books, we had on hand 12.1 million bales of cotton. Those who fostered this new program contended that the way to reduce the huge surplus of 12.1 million bales of cotton was to make it possible for the textile mills of our country to use more and more of the product. The contention was made that if the new law were passed, the textile mills of this country would use an additional 1.1 million bales of cotton. But instead of using the additional 1.1 million bales of cotton, they used only 600,000 bales of cotton.

In August of 1966, when this special program will be at an end, the surplus of cotton will not be 12.1 million bales but, according to the latest estimates, will be 15.8 million bales. Mr. President, somebody furnished the committee, as well as Congress, with figures that were erroneous and could not stand.

It was estimated that the cost of the program would be $448 million. Senators need only read my speech last year to learn my predictions. Instead, the cost was $892 million, or almost twice as much as was estimated by those who predicted what the cost would be.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. My recollection is that the proponents of the bill, when it was passed, said that the cost would be $350 million. It was also contended that it would go as high as $448 million. What has it actually cost?

Mr. ELLENDER. The cost has been $892 million, and the cotton surplus has not been reduced. On the contrary, on August 31, 1966, when the program will terminate, there will be on hand 3 million bales more than were on hand when the program first became effective.

Mr. LAUSCHE. As I recall, the Senator said there were 12.1 million bales of cotton on hand.

Mr. ELLENDER. In the beginning, when the program was started.

Mr. LAUSCHE. And by August 31, 1966, instead of the amount being less than 12.1 million——

Mr. ELLENDER. It will be over 15 million, according to the latest estimate.

Mr. LAUSCHE. That means that the number of bales have increased by 3.7 million, rather than decreasing, as was predicted.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. I voted against the subsidy to the processors. As I recall, I did so on the basis of the argument made by the Senator from Louisiana.

It is rather shocking to understand that to have the bill passed, it was argued that the cost might be as low as $350 million. Instead, it is now established that the cost will actually be $892 million.

Mr. ELLENDER. The Senator is correct.

There are today estimates of the cost of the bill I am proposing, estimates of the cost of the House bill, and, I believe, an estimate of the cost of the bill if the Talmadge amendment is agreed to in the committee report. When I refer to the Talmadge amendment, I mean the original proposal that was made before the committee.

Mr. LAUSCHE. Where are those figures? Are they in the report?

Mr. ELLENDER. They are in the report.

I do not know how the Department could have provided the Senate with figures that were so utterly wrong. They failed dismally to analyze the facts correctly. The figures that are now in the report beginning on page 62 show the cost of the bill I am proposing and the cost of the bill that the House passed. Anyone can reach into a hat and get estimates that may be close to the figures contained in the report. These figures were included, not because I give them any validity whatsoever, but because the committee wanted to make them a matter of record, just as the predictions of the Department of Agriculture last year were made a matter of record and which have proved to be so absolutely incorrect.

Last year I knew that the Department was wrong and although I argued until I was blue-black in the face not to adopt this program, it did become law.

Soon after the passage and signing of the present law, the millowners obtained about $84 million on cotton they had already bought. In addition, they received benefits of about $290 million on the 9.1 million bales consumed this past marketing year.

The only direct subsidy of the mills, of course, was the first $80-odd million they were paid for cotton on hand. The rest was paid to someone other than the mills. However, they still received the benefits of 23.5 cent cotton.

The record contains a statement by none other than Mr. Luther Hodges, who was Secretary of Commerce at that time, that the consumer would save about $700 million a year if the bill were enacted.

Instead of a saving, the record shows that the beneficiaries were the textile mills; the consumers obtained little or no relief from the subsidy.

For the past 25 years the Cotton Division of the Consumer and Marketing Service of the Department of Agriculture has regularly published prices of cloth and cotton and mill margins. As a matter of fact the American Textile Manufacturers Institute used these same data to substantiate their claim that cloth prices would immediately reflect the lower cotton price contemplated by the proposed law. The information I am going to place in the Record shows that the average cloth prices of 20 constructions in July 1963 amounted to 60.28 cents per pound; in July 1964 cloth prices averaged 60.95 cents per pound; and in July of this year the same 20 constructions averaged 65.30 cents per pound, an increase of 4.35 cents during the same year that consumers were supposed to save $700 million by the enactment of the present law.

During this period prices of cotton to the mills declined from 35.57 cents in 1963 and 35.60 cents in 1964 to 27.33 cents in July of 1965. This is a decline of 8.27 cents per pound in the price of raw cotton to the domestic mills of this Nation.

Mill margins, which is the difference between cloth prices and cotton prices increased from 24.71 cents in 1963 and 25.09 cents in 1964 to 37.97 cents in July of 1965, an increase of 12.88 cents per pound. In other words, the tremendous saving that was supposed to be passed on by the domestic mills to the consumers of this Nation not only was retained by the domestic mills, but margins actually increased even over and above cotton price reduction. As a result, consumers are paying more now for textiles than they were last year and the year before, notwithstanding the fact that domestic mills are getting cotton at about 8.5 cents a pound less than they did before the one-price cotton law became effective.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. How did it happen the benefits of the subsidy that was given either directly or indirectly to the processors did not reach the consumer? Was it anticipated when the subsidy was given that the price of production would be lowered in an amount equal to the subsidy?

Mr. ELLENDER. It was anticipated that if cotton mills obtained their raw materials cheaper, the price of the product would go down, but it did not.

Mr. LAUSCHE. It did not?

Mr. ELLENDER. No.

Mr. LAUSCHE. The mills took the profit and kept the price to the consumer at the level at which it was even before the processors got financial aid from the Federal Government?

Mr. ELLENDER. The Senator is correct.

It matters not whether cotton sells for 15 cents, 20 cents, or 50 cents a pound, there will be the same kind of competition among the textile mills of America, no matter what happens.

About 25 years ago, the sugar industry in my State was failing. At that time in Terrebonne Parish, where I live, seven mills ground the sugarcane that was produced in the parish. Today we have only two mills. They grind more than the seven mills did before. Why? New inventions, automation, and other improvements have come into the picture. Today, two mills are grinding all the sugarcane that is produced in that area.

Similarly, there are many antiquated textile mills in the cotton industry today. They cannot compete with the new textile mills that are now being constructed throughout the country, particularly in the South. Regardless of the price of cotton, competition among textile mills will continue.

Something else that we must not forget is that 96 percent of what the textile mills of America produce they sell on the best market in the world, namely, the American market. There is no competition. They do not sell much of their goods in China, or in any other part of the world; but, as I said, 96 percent of their production is sold in America. I say that they could have and should have continued to absorb the difference between the world price and the support price.

There is another contention made, that it would reduce the use of synthetics. The record shows that it has not, but that the use of synthetics has actually increased by 210,000 bales.

That is the situation. As I pointed out when the bill was last before us, the cotton used to produce manufactured goods has been decreasing all over the world. For example, at one time, England used about 52.3 percent. Today it is less than 28.6 percent. The use of manmade fibers has been gradually growing.

I thought the proponents of the measure knew what they were talking about when they presented the bill of last year. The whole industry was for it. I never saw such lobbying in my life as took place when the law now on the statute books was about to be enacted. Everyone said it would be a godsend to the cotton industry.

However, the reason why the law was placed on the statute books was that it would have the effect of reducing the huge surpluses we now have on hand, 12,100,000 bales.

Now that the law is about to expire, what do we find?

We find, as I stated to my good friend the Senator from Ohio [Mr. Lausche] that instead of reducing the surplus, we shall have on hand after the expiration of this act, over 3 million bales more than we had when the law was placed on the statute books.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. Harris in the chair). Does the Senator from Louisiana yield to the Senator from Ohio?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Do I correctly understand that when the bill was originally passed, it was claimed, first, that passage of the bill by indirectly subsidizing the processors of cotton would reduce the volume of cotton that we had on hand?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. Second, it would reduce the cost of cotton goods bought by the consumer.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. And third, that it would reduce the use of synthetics, and therefore place the grower of cotton in a better position in the market.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. Has any one of those claims become a reality?

Mr. ELLENDER. Not one of them.

Mr. LAUSCHE. Has any claim made in support of the bill proved to be a reality on the basis of experience?

Mr. ELLENDER. I do not know of any. The only thing I can say is that the cotton situation has deteriorated. There is no telling what will happen in the future. Of course, we have produced more cotton on those acres, but that was anticipated by the Department when it advocated the change. But the Department, as I understand, favors the House-passed bill. The House-passed bill has an open end to the production of any amount of cotton that a farmer desires to produce without price supports. It goes without saying that the cotton farmers of the West can produce cotton cheaply, inasmuch as they grow a long-staple cotton with yields as high as three or four bales, which has a better market than the short-staple cotton, and particularly the seven-eighths inch cotton, and others—and if the House measure is enacted, it will be possible for farmers to produce any amount of cotton they desire to produce, and sell it in competition with cotton which would be grown by farmers who are supported by the Government in the production of such cotton.

It would also be in competition with the 15.8 million bales of cotton now in the country.

Mr. President, I go back to the proposition that what the Committee on Agriculture and Forestry sought to do was to present a bill to the Senate which would benefit the producers of cotton, the same as we have tried to do for the producers of wheat; namely, to keep them in business. My proposal would take care of 54.7 percent of the small cotton producers of this Nation. It provides for a price support ranging from 65 percent to 90 percent. That has not changed. The law of 1958 and the amendments made thereafter have not been changed. We have the same release and apportionment clauses in it, the same price supports, and the same minimum acres provided by the law. If Senators desire to assist the producers of commodities, they should vote for the bill.

In the South, there are many farmers who raise corn, a little wheat, and a little cotton. We protect the farmer whose acreage in cotton is 10 acres or less. We say to him, "You will get a full measure of the price support plus a bonus to keep you in business."

Mr. President, if we do not do that, we shall create pockets of poverty throughout the South to such an extent that Congress may be asked to provide millions of dollars for the sustenance of these people. Let us not create a condition of that kind. Let us try to protect the producers of these commodities.

I am certain that if my amendment is adopted we shall not only make them better citizens, but will also save the Government money.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. The Senator stated that the bill reported by the committee, with respect to the cotton title, would protect 54.7 percent of the small cotton producers.

Mr. ELLENDER. The Senator is correct; those who utilize 10 acres.

Mr. HOLLAND. Mr. President, the Senator means, does he not, that that large a percentage of the small cotton producers would be placed in the high support bracket by having it conclusively assumed that their production is entirely for the domestic market?

Mr. ELLENDER. The Senator is correct. That is exactly what we did. The bill would provide further that the price support for all growers who utilize over 10 acres would be between 65 and 90 percent of parity.

The bill contains a provision which states that if farmers agree to produce for domestic consumption—which means on 65 percent of the acreage—they will receive a bonus. It would be cheaper for the Government to pay the farmer a bonus for not producing the cotton than it would be to pay the cost entailed in the production and storage of the cotton.

The cotton section would provide a way by which all cotton farmers of the country could use the bonus method of reducing production by producing only for domestic consumption.

The figures show, as I remember, that about 65 percent of the acreage planted to cotton produces our approximate normal consumption in this country. That would mean that, instead of producing 15.5 million bales, if production were cut back by two-thirds, the production would be approximately 5 million bales if all producers complied with this provision.

I warn the cotton producers of our country that every effort must be made by them to reduce the surplus in line with the provisions of the bill reported by the committee. If they do not do that, and if the surplus of cotton continues to increase, there is no question that Congress may have to reduce the minimum acreage. I do not want that to happen if it can be prevented.

I urge the textile mills to use more cotton. Unless the industries of this country do their best to help agriculture, agriculture will go down the drain. If agriculture were to go down the drain, it would mean that our economy would be shattered.

There is no question that cotton is as good as, if not better than, any raw product with which to make material from which clothes and other products may be made.

It would seem to me that the textile mills of this country should do everything possible to use all the cotton that they possibly can in order to help the economy of our country.

I believe that if the bill that I have been explaining is passed, we will protect the producer. We will prevent the establishment of many pockets of poverty throughout the South and other parts of the country.

In my judgment it is the duty of the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry to work in the interest of the producers of the commodities which we are seeking to protect.

If that is done, I am satisfied that this farm bill will go far toward assisting many farmers throughout the country. If, on the other hand, the industries of our country try to use more and more of the products that are produced on the farm—and it is up to them to do it—it will sustain agriculture.

If, as, and when agriculture goes down the drain, so will our entire economy.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Mr. President, on page 61 of the report it is shown that the Ellender proposal, according to the calculation made by the Department of Agriculture, would cost $728 million. The House bill would cost $723 million. The Talmadge proposal, in its original form, would cost $709 million. These figures are substantially identical.

What is the difference in the distribution of this expenditure as it relates to moneys that would go to the farmers and moneys that would go to cotton goods manufacturers?

Mr. ELLENDER. In a nutshell, the bill proposed by the House and the bill that is proposed by the Senator from Georgia [Mr. TALMADGE], would make compensatory payments all the way to the producers of cotton, instead of price support.

There is contained in the bill a provision that there can be a loan of 21 cents on cotton for the next year. However, that can be reduced to 90 percent of the world price. As the loan price is reduced, the compensatory payments increase in order to provide the same income to the producer.

Mr. LAUSCHE. Mr. President, am I correct in my understanding that under the Ellender bill, increased help would be given to the farmer and decreased help would be given to the manufacturer of cotton goods?

Mr. ELLENDER. That is the purpose of my amendment. The assistance would go to the producer.

Mr. LAUSCHE. The Ellender bill is designed to help the farmer more and the manufacturer of the cotton goods less, while the House bill and the Talmadge bill intends to help the processor more and the farmer less?

Mr. ELLENDER. The Senator is correct. I say to my good friend the Senator from Ohio that in order to give more assistance to the millowners, since they have received, under the present legislation, a total of approximately $32 a bale, the committee, through my recommendation, provided that 3 cents a pound be paid to the millowners, so that they can obtain their cotton at 3 cents a pound less than the support price.

That is the extent to which the Ellender bill goes.

Mr. TALMADGE. Mr. President, will the distinguished chairman yield at that point?

Mr. ELLENDER. I yield.

Mr. TALMADGE. The distinguished Senator from Ohio addressed a question to the chairman as to the purpose of the Talmadge amendment. Let me make clear that the Talmadge amendment would pay no subsidy to any individual on the face of the earth except the producer of cotton.

Mr. ELLENDER. It is a compensatory payment; but it reduces the support price, and all of it becomes a burden to the Federal Government. The purpose of the Talmadge amendment is to sell cotton at world prices to anyone who desires to buy it.

Mr. LAUSCHE. Mr. President, if the Senator will yield, may I put this question? Would the processors of cotton independently receive financial benefits, under the several bills and under the Ellender bill, directly?

Mr. ELLENDER. Under the Ellender bill, the processor would receive about 3 cents a pound, but under the Talmadge proposal it would be possible for the processor to purchase cotton for 21 cents in 1966 and thereafter, depending on what the world price was. If the world price went down to 18 cents, for example, and the processors bought the cotton for 18 cents, the Government would have to make up the difference between 18 cents and whatever was paid to the farmers by direct payments.

Mr. LAUSCHE. But the other two bills—excepting the Ellender bill—provide that the payment would be paid indirectly, but not directly, to the processor?

Mr. ELLENDER. That is correct, but I repeat and emphasize that the duty of the Agriculture Committee is to provide for the producers of our commodities, to try to keep them in business. Let the processors, be they processors of textiles of flour, or what have you, go before the committees, and not let the Department of Agriculture or the farmers bear that bill, because that is the way it will appear.

Mr. President, I said earlier that I would have more to say about the Department's predictions. So far I have shown, from their own figures, how utterly wrong they were last year in February when they were predicting for the crop that was to be planted in just a few months. Now, this year, even before the 1965 crop is fully harvested, they are predicting for 1966–67. Undoubtedly they believe that they are seers—but from past performances, as I have shown, I do not believe that their crystal ball is any better than anyone elses. As a matter of fact, I said on the Senate floor last year that they were wrong in their estimates, and my predictions did come to pass, for the law that was enacted, and the Department supported, turned out to be an absolute failure in every regard.

Last year's legislation was designed to help only the domestic mills. They received a windfall amounting to about $32.50 for every bale of cotton they consumed. On a 9.1 million bale consumption this amounted to $295.7 million—quite a pocketful.

But, Mr. President, in summary, the bill that the committee approved this year is a farm bill in every sense of the word. It is designed to protect farm income, to provide markets for producers of cotton, to insure the well-being of the thousands of small rural communities scattered throughout the Cotton Belt upon which farmers depend so heavily, and to lay the groundwork for a sound future for cotton.

The Senate cotton amendment is a very simple but direct attack on the fundamental problems facing cotton. It provides for a minimum of changes, but these will accomplish our purposes.

Under the Senate amendment we retain the 65 to 90 percent of parity price support concept on the total allotment of producers. The Senate amendment provides farmers with the price and income protection they so sorely need. The House bill, however, provides farmers with protection only on 65 percent of their allotments and then part or perhaps all of this could be payments. Actually, the House bill, as it relates to cotton, is a wide open affair, giving the Secretary of Agriculture unheard of discretionary authority. Under that bill price support consists of payment plus a loan level. But the loan level cannot be set above 90 percent of the world price, and could be set at zero. Therefore, the Secretary could, and I do not say he would, but he could set the loan level at zero with payments to cooperators set at 65 percent of parity or 27.31 cents per pound.

In other words, under the House bill the producer would depend upon the Government for the major portion of his income.

Mr. President, I presume that before we are through with this bill there will be many more questions that Senators may desire to ask. I assure them I shall be on hand to answer such questions as they may desire to ask.

The only part of the bill I have not mentioned as yet is title VII, which is concerned with miscellaneous provisions. In that portion of the bill there is an amendment that was proposed by the distinguished Senator from Florida [Mr. HOLLAND] which would leave the matter of determining what farm labor is needed to do work in saving crops to the Secretary of Agriculture, instead of the Secretary of Labor.

I realize that there is much opposition from labor to this position, but we have had an experience in the past year that has been very threatening and bad for the producers of commodities who utilize a good deal of stoop labor. Personally, I should like to see employed all of our men and women who are able to perform service; but, somehow, we cannot find a sufficient number of Americans to do stoop labor.

Consider the sugarcane fields of Florida, where it is quite a task to gather the sugarcane or to plant it. Efforts have been made there in vain to obtain foreign labor to do the job. But the Department of Labor was silent in most cases. It would not respond to the requests of the companies that desired outside labor. The same thing took place in California, when efforts were made to gather lettuce and other crops that demanded stoop labor.

With respect to the picking of dates, which requires men of strength and experience enough to be able to climb 50-foot ladders to gather dates from palm trees, efforts were made to obtain local labor. Appeals were made to the Department of Labor. There was little or no response.

The committee felt that if the farmers of the Nation are to continue to produce their crops, they should be assured of sufficient labor to gather them, particularly when the crops to be gathered cannot be gathered by machine but require hand labor.

It seems to me that is a good provision. I hope the Senate will adopt it.

Another proposal that was put in the bill by my good friend from Minnesota [Mr. MONDALE] provides, in effect, that it is the sense of the Congress that if wheat or any of our agricultural products sold abroad on regular commercial terms to anyone, the purchaser should have the privilege of using any bottoms he chooses in order to have the products carried abroad. That provision applies to all commodities. When steel or any other manufactured product is sent abroad, the purchaser usually chooses the ships upon which the goods are carried.

All that the provision does, as I understand, is to make a declaration that it is the sense of Congress that any country abroad that purchases any of our goods, particularly surplus products like wheat, shall be permitted to use such bottoms as it chooses.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. For purposes of information, are any of the producers of industrial products of this Nation bound by the same obligation to use American bottoms in shipping the goods when sold to foreign countries that is imposed upon the food products of the farmers?

Mr. ELLENDER. No, except that under Public Law 480, there is a provision that 50 percent of all Public Law 480 goods must be shipped in American bottoms. That is the only provision.

Mr. LAUSCHE. So none of the other goods which we manufacture are required to be shipped on American bottoms, except the farmers' products, under Public Law 480?

Mr. ELLENDER. That is my understanding.

Mr. LAUSCHE. I recall that recently discussions were had on the floor of the Senate concerning the fact that the requirement of shipping in American bottoms raises the cost of our farm products in some instances—of grain, for example—by about 12 to 13 cents a bushel.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. And that increased price has in some instances placed us in a noncompetitive position.

Mr. ELLENDER. We have lost many sales because of that.

Mr. LAUSCHE. The provision about which the Senator is speaking declares it to be the sense of Congress that the President should release farm products from this burden of being carried at an increased cost in American bottoms.

Mr. ELLENDER. The Senator is correct.

There is another provision in the miscellaneous portion of the bill, title VII, which spells out a formula for the distribution of allotted acres in the event of the sale of the farm. That was a provision suggested by my good friend, the Senator from Kentucky [Mr. COOPER].

I think it is a good provision, and I am sure that my good friend, the Senator from Kentucky [Mr. COOPER], will press for it should any opposition develop.

There is another provision that was added, I think by the Senator from South Dakota [Mr. MCGOVERN], which gives authority—it is not mandatory, but gives authority to the Secretary of Agriculture—to purchase dairy products at market prices to meet program requirements for schools, domestic relief distribution, community action, foreign distribution, and other programs, when Commodity Credit Corporation stocks are insufficient.

That, Mr. President, concludes my presentation, and unless there are further questions, I shall yield the floor.

MESSAGE FROM THE HOUSE

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. Will the Senator suspend to receive a message from the House of Representatives?

Mr. ELLENDER. I yield.

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 8 to the bill and concurred therein.

SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, the total of the bill as it comes from the committee of conference is $1,223,181,500, a reduction of $184 million from the Senate allowance, but the same amount is allowed by the House.

For "Elementary and secondary educational activities" the budget estimate was $1,295,684,000, of which $1,070,684,000 was for the basic grants under title I to provide financial assistance to State educational agencies serving areas with concentrations of children from low-income families. The House allowed for the purposes of title I, $775 million, a reduction of $295,684,000, but provided that determinations and payments under such title would be made on the basis of the amount authorized to be appropriated, the full entitlements, which is currently estimated to be $1,170,790,000.

The Senate restored $184 million of the reduction in funds for title I and provided that the determinations and payments under such title would be made on the basis of the budget request, $1,070,684,000, with the consequent reduction in the ultimate obligational authority of approximately $100 million. The House version was agreed upon by the conference and the managers on the part of the Senate yielded on amendments Nos. 1, 2, and 3.

The Senate had redistributed the funds, $20,250,000, requested and allowed by the House for the National Institutes of Health for an intensification of work dealing with the problems set out in the report of the President's Commission on Heart Disease, Cancer, and Stroke. The conferees accepted these four amendments.

The amendment, No. 8, offered by the senior Senator from New Hampshire, adding a general provision making applicable to the HEW items in the pending bill, section 207 of the 1966 general bill is reported in disagreement, but the House managers have moved to recede and concur in the amendment.

Mr. President, I move that the Senate agree to the conference report.

Mr. SALTONSTALL. Mr. President, I wish to state, as I think the chairman of our subcommittee, the Senator from Rhode Island, knows, when I signed this conference report on behalf of myself, the Senator from North Dakota [Mr. YOUNG], and the Senator from New Hampshire [Mr. COTTON]. I did it because I believed the bill must go through, and that perhaps ultimately all the money will be appropriated within the terms of the authorization.

The Senate struck out the proviso that payments under such title shall be on the basis of the amount authorized to be appropriated for such title. The conferees agreed that the House proviso should remain.

As I have stated, I signed the conference report on behalf of myself and my colleagues because I believed the bill had to go through, though I do not personally approve of that provision, because what it amounts to is contract authority for the administration to spend, in this instance, $395 million more than the amount appropriated.

If they do, they come back to Congress, and Congress must appropriate what they have spent. I would much prefer to see a larger appropriation, as authorized by the Senate originally, and have the administration come back for any additional money which might properly be spent under the authority. But it is a technical point, and while I believe in the position of the Senate rather than that of the House, I signed the conference report because I believed that the bill should become law promptly.

Mr. PASTORE. Mr. President, I might say, not in refutation of what the Senator from Massachusetts has already said, that I, too, would have preferred the version adopted by the Senate. But after all, in conference, we had to reach an agreement, and I understand that the bill as it now stands is acceptable to the Department of Health, Education, and Welfare.

I ask unanimous consent that there be printed in the RECORD a table showing the supplemental estimate, the House allowance, the Senate allowance, and the conference agreement on each item in the bill, H.R. 10586.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Departments of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966, H.R. 10586

H. Doc. No.	Department or agency	Estimates	House allowance	Senate allowance	Conference agreement
	DEPARTMENT OF LABOR				
	MANPOWER ADMINISTRATION				
211	Manpower development and training activities	$126,070,000	$126,070,000	$126,070,000	$126,070,000
211	Office of Manpower Administrator, salaries and expenses	27,635,800	27,535,800	27,535,800	27,535,800
211	Bureau of Apprenticeship and Training, salaries and expenses	413,000	353,000	353,000	353,000
211	Bureau of Employment Security, salaries and expenses	881,200	844,200	844,200	844,200
	OFFICE OF THE SECRETARY				
211	Activities relating to admission and employment in agriculture of nonimmigrant aliens, salaries and expenses	1,968,000	1,723,000	1,723,000	1,723,000
	Total, Department of Labor	156,968,000	156,526,000	156,526,000	156,526,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	OFFICE OF EDUCATION				
149	Elementary and secondary educational activities	1,295,684,000	967,000,000	1,151,000,000	967,000,000
149	Research and training	45,000,000	45,000,000	45,000,000	45,000,000
149	Salaries and expenses	4,500,000	4,050,000	4,050,000	4,050,000

Departments of Labor and Health, Education, and Welfare Supplemental Appropriation Act, 1966, H.R. 10586—Continued

H. Doc. No.	Department or agency	Estimates	House allowance	Senate allowance	Conference agreement
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued				
	VOCATIONAL REHABILITATION ADMINISTRATION				
147	Research and training	$6,100,000	$6,100,000	$6,100,000	$6,100,000
147	Salaries and expenses	70,000	70,000	70,000	70,000
	PUBLIC HEALTH SERVICE				
147	Chronic diseases and health of the aged	14,000,000	12,800,000	12,800,000	12,800,000
147	Communicable disease activities	1,000,000	1,000,000	1,000,000	1,000,000
147	Community health practice and research	2,700,000	2,700,000	2,700,000	2,700,000
147	National Institute of General Medical Sciences	2,200,000	2,200,000	4,550,000	4,550,000
147	National Cancer Institute	4,000,000	4,000,000	5,150,000	5,150,000
147	National Heart Institute	9,800,000	9,800,000	5,050,000	5,050,000
147	National Institute of Neurological Diseases and Blindness	4,250,000	4,250,000	5,500,000	5,500,000
	ADMINISTRATION ON AGING				
220	Salaries and expenses	6,931,000	7,000,000	7,000,000	7,000,000
	OFFICE OF THE SECRETARY				
149	Office of Audit, salaries and expenses	200,000	180,000	180,000	180,000
149	Office of the General Counsel, salaries and expenses	95,000	85,500	85,500	85,500
220	National Technical Institute for the Deaf	420,000	420,000	420,000	420,000
	Total, Department of Health, Education, and Welfare	1,396,950,000	1,066,655,500	1,250,655,500	1,066,655,500
	Total of the bill	1,553,918,000	1,223,181,500	1,407,181,500	1,223,181,500

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

The report was agreed to.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. **YOUNG** of North Dakota. Mr. President, the pending farm bill will mean a considerable improvement in existing farm price-support programs. However, it leaves much to be desired.

The price-support programs, particularly for wheat, feed grains, and cotton, are still more complicated and difficult for farmers as well as others to understand than they should be.

The level of price support, too, should be higher to help farmers meet the serious situation they find themselves in—that of constant and sharp increases in the cost of operation while farm prices, particularly for wheat and feed grains, are lower today than they were 20 years ago.

I believe most people would like to see some farm price-support programs terminated sometime in the future. With our ever-increasing population here in the United States and around the world, the need for food will be so great that some of these programs could be eliminated—that is, if farmers would be provided some protection against the dumping of foreign agricultural commodities in this country.

This is particularly true with reference to sugar and wool of which we import approximately half of our requirements.

The producers of wheat find themselves in perhaps the most difficult position of all producers. Russia and its satellite countries have a serious wheat deficit and are purchasing huge quantities from Canada and every other surplus-producing country in the world. They are paying for this wheat in hard currencies—including dollars.

If the wheat producers in the United States had access to these markets, as do the Canadians, then the need for wheat price-support programs would become far less urgent. Canada recently sold Russia $450 million worth of wheat at $1.93 a bushel.

Unfortunately, because of a Presidential order, half of all the wheat shipped to Russia or Russian-bloc countries must be carried in U.S. bottoms. This means a shipping rate for U.S. produced wheat of from 20 to 30 cents a bushel higher than Canadian wheat. This is enough of a price differential to prevent any U.S. sales.

Mr. President, I can never understand why all of these protests are made against selling wheat to Russia when there is no impediment on any other farm commodity, or most industrial goods being sold to Russia or its satellites.

Indeed, there are some huge sales of industrial goods, and even industrial plants, to Rumania and other bloc countries.

There are ever-increasing sales of soybeans to these countries and soybeans are much more of a strategic commodity than wheat since they are far more useful in the manufacture of ammunition than is wheat.

The United States is the only surplus soybean-producing country in the world. If we were to shut off our shipments of soybeans to Russia and the Communist-bloc countries, we could effectively prevent them from obtaining soybeans. But we are only one of many surplus wheat-producing nations. The Russians are obtaining all the wheat they want. They can get it because other surplus wheat-producing countries are now increasing their production.

Over the years the wheat producers of this country have had to depend on exports for markets for more than half of their production.

Since wheat is singled out as the only farm commodity that cannot be sold in the big dollar markets of the world, there is no alternative but to continue and improve in every way possible wheat price-support programs. Failure to do this would mean bankruptcy for this large and very important wheat segment of our economy.

Because of the great need for improving the income to wheat farmers to meet the problems they have of being locked out of most of the dollar markets of the world, I introduced legislation to increase the blended price-support level for wheat from $1.81 a bushel, contained in the House-passed bill, to $1.90 a bushel. This was approved by the Senate Agriculture Committee and lacked only one vote of being unanimous.

The blended price support should be far more, but I felt this was the most that would be obtainable. I sincerely hope that the Senate will approve this very modest increase.

In many respects my other amendments which were accepted by the committee will simplify the wheat program. I hope, too, that these will be retained.

Mr. President, the feed grain section of the bill which is also important to my area of the United States, is somewhat of an improvement over the existing program. It does provide more discretionary authority for the Secretary of Agriculture to lower price supports, but I hope he will not follow this course.

The feed grain price-support program is not only important to the producers of feed grains, but of equal if not even more importance, to the producers of cattle, hogs, and poultry. There always has been and probably always will be a direct relationship between the price of feed grains and meat products.

The wool price-support program contained in this bill is a considerable improvement over the existing program. It provides a simple and reasonable formula in setting future levels of price supports for wool.

It will mean a slight increase, too, in price-support levels. This is an industry, Mr. President, that would need no program whatever if some protection were provided against the vast imports of wool into this country. More than half of all the wool used in the United States is imported.

Of considerable interest to people in the upper Midwest, too, is the land retirement section of this bill. In several respects it represents a considerable improvement over the old soil bank program.

It will be more effective in reducing the production of crops in surplus. It is a more effective and less costly way of diverting land from production of surplus commodities than under the present program of diverting acreage on a year-to-year basis.

There will be considerable benefit to the wildlife interests of this country. Through voluntary cooperation with farmers, there will be a substantial amount of acreage set aside specifically for wildlife programs.

All of the price-support programs under this bill will be extended for a 4-year period. This, too, will be a great advantage to farmers over present programs which have been of shorter duration and presented difficult planning problems for farmers.

Unfortunately, the costs of these price-support programs have been badly distorted by even some proponents of this type of legislation.

For example, the cost of the Public Law 480 program as it pertains to wheat is added to the cost of the wheat price-support program. Mr. President, let me give you just two or three examples.

Under title I of Public Law 480 it is estimated that this year we will sell approximately $851 million worth of wheat to foreign countries for foreign currencies. This wheat will go to the hungry people in almost every part of the world. This is really a part of our foreign aid program and I think most people would concede that making our food available to hungry people gains us far more friends than giving away billions in U.S. dollars.

Under title II of Public Law 480 it is estimated we will give away $77 million worth of wheat to famine-stricken countries of the world. This will be either through outright gifts or the food contained in the food packages distributed by church organizations and CARE.

It seems almost incredible that anyone would want to charge the cost of such a worthy relief program as this as a part of the wheat price-support program. Unfortunately, under this kind of bookkeeping, the average person thinks that the farmers are getting subsidy checks for the cost of the food that we give to these needy people.

These are only a few of the examples, Mr. President, of how wrong it is to charge this more than $1 billion cost of the Public Law 480 program for wheat to the wheat price-support program.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table prepared by the Department of Agriculture with respect to the cost of the wheat price-support program.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMMODITY CREDIT CORPORATION

Wheat and wheat products: Total expenditures, fiscal years 1964–66

[In millions of dollars]

Item	Fiscal year		
	1963–64	1964–65 estimated	1965–66 estimated
Budgetary expenditures:			
Carrying charges (excluding interest)	$263	$176	$161
Net loans and purchases	276	331	368
Price-support payments	79		
Acreage diversion payments	115	33	35
Commodity export payments	97	10	15
Marketing certificate operations:			
Certificates issued to farmers		410	468
Certificates sold to exporters and processors		[1] 497	[1] 578
Net certificate operations		[1] [2] 87	[1] [2] 110
Sales proceeds:			
Sales for dollars:			
Domestic	[1] 144	[1] 190	[1] 54
Export	[1] 85	[1] 34	[1] 26
Payment in kind:			
Domestic	[1] 19	[1] 60	
Export, IWA	[1] 100	[1] 20	[1] 30
Export, other than IWA	[1] 110	[1] 103	[1] 98
Barter	[1] 81	[1] 35	[1] 34
Public Law 480	[1] 406	[1] 153	[1] 206
Total sales proceeds	[1] 945	[1] 595	[1] 448
Other [3]	17	18	19
Total price support and related expenditures	[1] 98	[1] 114	40
Public Law 480 commodity costs (gross):			
Title I	993	851	829
Title II	113	77	130
Title IV	30	123	121
Total, Public Law 480 commodity costs	1,136	1,051	1,080
International Wheat Agreement	126	29	38
Total expenditures (as shown in backup for budget estimates)	1,164	966	1,158
Other items of expenditures and receipts usually not estimated by commodity:			
Imputed interest	[4] 112	[5] 70	[5] 63
Public Law 480:			
Interest [6]	11	5	2
Ocean transportation:			
Title I	117	129	85
Title II	20	18	32
Title III, sec. 416 [6]	30	34	34
Title IV	3	20	22
Total, Public Law 480 ocean transportation	170	201	173
Dollar recoveries and collections Public Law 480:			
Title I [6]	[1] 151	[1] 130	[1] 117
Title IV [7]	[1] 23	[1] 115	[1] 114
Total, Public Law 480 dollar recoveries and collections	[1] 174	[1] 245	[1] 231
Bartered materials transferred to stockpile [6] [8]	22	16	7
Total, other items of expenditures and receipts (net)	141	47	14
Grand total, all above items	1,305	1,013	1,172

[1] Denotes receipt.

[2] This amount of net receipts is more than offset by (*a*) subsidy payments (certificate refunds) to exporters on wheat and products exported and (*b*) the value of marketing certificates included in the price paid by CCC for wheat products purchased.

[3] Consists of loan settlement costs, net overdeliveries or underdeliveries of loan collateral, net inventory transfers, and miscellaneous income and expense.

[4] Includes interest on unrecovered prior years' losses.

[5] Excludes interest on unrecovered prior years' losses.

[6] Prorated.

[7] Represents total estimated recoveries over the time period specified in the various agreements (up to a maximum of 20 years) for shipments during the fiscal year.

[8] The expenditure is offset by strategic materials of equal value transferred to the supplemental stockpile, subject to eventual disposition by the General Services Administration.

NOTE.—Accounting records do not disclose expenditures by commodity for interest, ocean transportation for sec. 416 shipments, dollar recoveries under Public Law 480, title I, or the cost of wheat applicable to bartered materials transferred to the stockpile. Figures for these items represent estimates or allocations of total expenditures or recoveries applicable to wheat and wheat products.

Mr. YOUNG of North Dakota. Mr. President, I hope very much that there may be some further improvements to this farm bill on the floor of the Senate and later by the House-Senate conferees which will be appointed to iron out the differences between the House-passed bill and the Senate bill. We need this legislation badly.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CARLSON. I commend the distinguished Senator from North Dakota for the very excellent statement he has made on the agricultural situation as a whole, and particularly as it affects wheat. I was pleased to hear him bring out the fact that most of the wheat that is exported goes through Public Law 480 and food-for-peace and other humanitarian programs; and also that he stressed the fact that we are losing a market in the world competitive market for wheat by not selling wheat to the Soviet Union and Eastern-bloc countries.

Last year we exported 730 million bushels of wheat, and only 165 million bushels were sold for dollars. We have an opportunity to sell in the world market, a market taken over by Canada, Argentina, and Australia, probably 200 million bushels of wheat, which would help our balance of payments and would save our taxpayers money by reducing the storage costs. In my opinion it would make a difference of 20 cents a bushel to the wheatgrower. It seems to me that we are cutting off our nose to spite our face in this situation.

Coming from a wheat State, I know that every wheatgrower is indebted to the Senator from North Dakota for proposing the section in the bill which is largely the amendment he introduced earlier this year. It is of great value to the wheatgrowers and to agriculture as a whole. We are all indebted to the Senator from North Dakota.

Mr. YOUNG of North Dakota. I thank the Senator for his kind comments. The wheat section in the bill is a major part of a bill introduced by the Senator from Kansas, the Senator from South Dakota [Mr. MUNDT], and the Senator from Kentucky [Mr. COOPER].

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. LAUSCHE. What is the Senator's estimate as to the increase in the price of selling wheat to foreign countries because of the obligation of carrying half the wheat in American bottoms? I believe the Senator gave a figure previously.

Mr. YOUNG of North Dakota. I understand it is about 20 to 30 cents a bushel.

AMENDMENT NO. 432

Mr. TALMADGE. Mr. President, I call up my amendment No. 432.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the amendment be not read, but printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

Strike out all of pages 104, 105, and 106 and insert in lieu thereof the following:

"TITLE VI—COTTON

"SEC. 601. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(1) Section 348 of the Act is amended by adding the following new sentences at the end thereof: "The Secretary may extend the period for performance of obligations incurred in connection with payments made for the period ending July 31, 1966, or may make payments on raw cotton in inventory on July 31, 1966, at the rate in effect on such date. No payments shall be made hereunder with respect to the 1966 crop cotton.'

"(2) Section 346 of the Act is amended by adding at the end thereof a new subsection as follows:

" '(e) Notwithstanding any other provision of this Act, for the 1966, 1967, 1968, and 1969 crops of upland cotton, if the farm operator elects to forgo price support for any such crop of cotton by planting an acreage not exceeding 50 per centum in excess of the farm acreage allotment established under section 344, all cotton of such crop produced on the farm may be marketed free of any penalty under this section: *Provided,* That the foregoing shall be applicable only to farms for which acreage allotments were established for 1965 and the farm operator for the current year was the operator of such farm for 1965 or has acquired such farm by inheritance from the operator since such year. The operator of any farm who elects to forgo price support for any such year under this subsection shall not be eligible for price support on cotton on any other farm in which he has a controlling or substantial interest as determined by the Secretary. Acreage planted to cotton in excess of the farm acreage allotment established under section 344 shall not be taken into account in establishing future State, county, and farm acreage allotments.'

"(3) Section 350 of the Act is amended, effective with the 1966 crop, to read as follows:

" 'SEC. 350. In order to afford producers an opportunity to participate in a program of reduced acreage and higher price support, as provided in section 103(d) of the Agricultural Act of 1949, as amended, the Secretary shall determine a national domestic allotment for the 1966, 1967, 1968, and 1969 crops of upland cotton equal to the estimated domestic consumption of upland cotton (standard bales of four hundred and eighty pounds net weight) for the marketing year beginning in the year in which the crop is to be produced. The Secretary shall determine a farm domestic acreage allotment percentage from each such year by dividing (1) the national domestic allotment (in net weight pounds) by (2) the total for all States of the product of the State acreage allotment and the projected State yield. The farm domestic acreage allotment shall be established by multiplying the farm acreage allotment established under section 344 by the farm domestic acreage allotment percentage: *Provided,* That no farm domestic acreage allotment shall be less than 65 per centum of such farm acreage allotment: *Provided further,* That, except for farms the acreage allotments of which are reduced under section 344(m), the farm domestic allotment shall not be less than the smaller of ten acres or the farm acreage allotment established under section 344. Such national domestic allotment shall be determined not later than October 15 of the calendar year preceding the year in which the crop is to be produced.'

"SEC. 602. Section 103 of the Agricultural Act of 1949, as amended, is amended by adding the following new subsection at the end thereof:

" '(d)(1) Notwithstanding any other provision of this Act, if producers have not disapproved marketing quotas, price support shall be made available for the 1966, 1967, 1968, and 1969 crops of upland cotton as provided in this subsection.

" '(2) Price support for each such crop of upland cotton shall be made available to cooperators through loans at such level, not exceeding 90 per centum of the estimated average world market price for Middling one-inch upland cotton at average location in the United States for the marketing year for such crop, as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States taking into consideration the factors specified in section 401(b) of this Act: *Provided,* That the national average loan rate for the 1966 crop shall reflect 21 cents per pound for Middling one-inch upland cotton.

" '(3) The Secretary shall provide additional price support for each such crop through payments in cash or in kind to cooperators at a rate not less than nine cents per pound: *Provided,* That the total of the national average loan rate for any crop under paragraph (2) and the rate at which payments are made under this paragraph shall not be less than 65 per centum nor more than 90 per centum of the parity price for cotton. Such payments shall be made on the quantity of cotton determined by multiplying the projected farm yield by the acreage planted to cotton within the farm domestic acreage allotment: *Provided,* That any such farm planting not less than 90 per centum of such domestic acreage allotment shall be deemed to have planted the entire amount of such allotment.

" '(4) The Secretary shall also make price support payments in cash or in kind in addition to the payments authorized in paragraph (3) to cooperators who reduce their cotton acreage by diverting a portion of their cotton acreage allotment from the production of cotton to approved conservation practices to the extent prescribed by the Secretary: *Provided,* That the total reduction in such cotton acreage shall not exceed 35 per centum of the farm acreage allotment, but no reduction shall be required on small farms with minimum domestic acreage allotments under section 350 of the Agricultural Adjustment Act of 1938, as amended. The rate of payment under this paragraph shall be such rate as the Secretary determines to be fair and reasonable, but shall not be less than 50 per centum of the national average loan rate established under paragraph (2). Such payment shall be made on a quantity of cotton determined by multiplying the acreage diverted from the production of cotton by the projected farm yield, except that payment to small farms with minimum domestic acreage allotments under section 350 of the Agricultural Adjustment Act of 1938, as amended, shall be made on a quantity of cotton determined by multiplying an acreage equal to 35 per centum of such farm domestic acreage allotment by the projected farm yield.

" '(5) The Secretary may make not to exceed 50 per centum of the payments under this subsection to producers in advance of determination of performance and the balance of such payments shall be made as soon after determination of performance as practicable.

" '(6) Where the farm operator elects to participate in the acreage reduction program authorized in this subsection and no acreage is planted to cotton on the farm, price support payments for the 1966 crop shall be made at a rate equal to 50 per centum of the national average loan rate established under paragraph (2) on the quantity of cotton determined by multiplying 15 per centum of the farm acreage allotment by the projected farm yield, and the remainder of such allotment may be released under the provisions of section 344(m)(2) of the Agricultural Adjustment Act of 1938, as amended: *Provided,* That for the 1967, 1968, and 1969 crops such rate of payment shall be that which the Secretary determines to be comparable to the rate of payment under paragraph (4). The acreage on which payment is made under this paragraph shall be regarded as planted to cotton for purposes of establishing future State, county, and farm acreage allotments and farm bases.

" '(7) Payments in kind under this subsection shall be made through the issuance of certificates which the Commodity Credit Corporation shall redeem for cotton under regulations issued by the Secretary at a value per pound equal to not less than the current loan rate therefor. The Corporation may, under regulations prescribed by the Secretary, assist the producers in the marketing of such certificates at such times and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this subsection.

"'(8) Payments under paragraphs (4) and (6) of this subsection shall be conditioned on the farm having an acreage of approved conservation uses equal to the sum of (i) the reduction in cotton acreage required to qualify for payments under paragraph (4) or the acreage with respect to which payments are made under paragraph (6), as the case may be, and (ii) the average acreage of cropland on the farm devoted to designated soil-conserving crops or practices, including summer fallow and idle land, during a base period prescribed by the Secretary: *Provided,* That the Secretary may permit all or any part of such reduced acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, and flax, if he determines that such production is necessary to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not adversely affect farm income.

"'(9) The acreage regarded as planted to cotton on any farm which qualifies for payment under paragraph (4) of this subsection shall, for purposes of establishing future State, county, and farm acreage allotments and farm bases, be the farm acreage allotment established under section 344 of the Agricultural Adjustment Act of 1938, as amended, excluding adjustments under subsection (m)(2) thereof.

"'(10) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing on a fair and equitable basis in price support under this subsection.

"'(11) Notwithstanding any other provision of this section, the amount of price-support payments made with respect to any farm may be adjusted for failure to comply fully with the terms and conditions of the program formulated pursuant to this subsection.

"'(12) Notwithstanding any other provision of this Act, if as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of combined price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton, (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; (B) in order to keep upland cotton to the maximum extent practicable in the normal channels of trade, such price support may be carried out through the simultaneous purchase of cotton at the support price therefor and resale at a lower price or through loans under which the cotton would be redeemable by payment of a price therefor lower than the amount of the loan thereon; and (C) such resale or redemption price shall be such as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States.

"'(13) An acreage on a farm in any such year which the Secretary finds was not planted to cotton because of drought, flood, or other natural disaster shall be deemed to be planted to cotton for purposes of payments under this subsection if such acreage is not subsequently devoted to any price-supported crop in such year.

"'(14) Section 408(b) of the Agricultural Act of 1949, as amended, is amended by changing the period at the end of the first sentence thereof to a colon and adding the following: "*Provided,* That for upland cotton a cooperator shall be a producer on whose farm the acreage planted to such cotton for the 1966 crop does not exceed 90 per centum of such farm acreage allotment and for the 1967, 1968, and 1969 crops does not exceed such percentage, not less than 90 or more than 100 per centum, of such farm acreage allotment as the Secretary may determine, except that this proviso shall not apply to any farm receiving a minimum farm domestic acreage allotment under section 350 of the Agricultural Adjustment Act of 1938, as amended."

"'(15) The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments) shall also apply to payments under this subsection.'

"SEC. 603. Section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subparagraphs to paragraph (13) of subsection (b):

"'(L) 'Projected National, State, and county yields' for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop in the United States, the State and the county, respectively, during each of the five calendar years immediately preceding the year in which such projected yield for the United States, the State, and the county, respectively, is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices.

"'(M) 'Projected farm yield' for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop on the farm during each of the three calendar years immediately preceding the year in which such projected farm yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices, but in no event shall such projected farm yield be less than the normal yield for such farm as provided in subparagraph (I) of this paragraph.'

"SEC. 604. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1970, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate, and (2) the Commodity Credit Corporation shall sell or make available for unrestricted use at current market prices in each marketing year a quantity of upland cotton equal to the amount by which the production of upland cotton is less than the estimated requirements for domestic use and for export for such marketing year. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of part (2) of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly.'"

Mr. MANSFIELD. Mr. President, without the Senator from Georgia losing his right to the floor, I ask unanimous consent that I may suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON THE PENDING TALMADGE AMENDMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time up to 11 o'clock tomorrow morning, following the prayer, be limited to a discussion of the pending Talmadge amendment, one-half hour to be under the control of the distinguished senior Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER], and the other half hour to be under the control of the distinguished junior Senator from Georgia [Mr. TALMADGE], the sponsor of the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That the Senate proceed to vote at 11 a.m. on Friday, September 10, 1965, on the amendment by the Senator from Georgia [Mr. TALMADGE], numbered 432, with the time for debate, beginning after the prayer tomorrow (10 a.m.), to be equally divided and controlled by the Senator from Georgia [Mr. TALMADGE] and the Senator from Louisiana [Mr. ELLENDER].

Mr. MANSFIELD. Earlier today the Senate agreed to a vote on the pending Talmadge amendment at 11 o'clock tomorrow. I should like very much to change that time to 12 o'clock, so that there will be an hour to be equally divided between the distinguished Senator from Georgia [Mr. TALMADGE], the author of the amendment, and the distinguished chairman of the committee, the Senator from Louisiana [Mr. ELLENDER].

Mr. TALMADGE. I should like to inquire of the Senator from Montana whether he expects to convene the Senate tomorrow at 11 o'clock?

Mr. **MANSFIELD.** No. The time will be 10 o'clock, the vote to be at 12 o'clock.

Mr. **TALMADGE.** Then it is expected that the entire 2 hours will be available for debate at that particular time. I ask that because previously the time was 30 minutes, to be equally divided to each side.

Mr. **MANSFIELD.** That is correct, but I changed it to an hour to a side, with the consent of the Senate, and I expect that all of the 2 hours will be consumed.

Mr. **TALMADGE.** I have no objection whatever. I am ready to vote this afternoon. If the majority leader desires to go over until tomorrow, I am delighted to do so.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. **TALMADGE.** Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. **TALMADGE.** Mr. President, I ask unanimous consent that the following Senators be added as cosponsors of the amendment: the senior Senator from California [Mr. KUCHEL], the senior Senator from Rhode Island [Mr. PASTORE], the senior Senator from New Hampshire [Mr. COTTON], the junior Senator from Maine [Mr. MUSKIE], and the senior Senator from North Carolina [Mr. ERVIN].

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **TALMADGE.** Mr. President, for many years I have been advocating a cotton program which, in addition to maintaining adequate farm income, would do three things: First, allow the cotton farmer more freedom to plant for the world market; second, make cotton more competitive in the world trade and with manmade fibers; and, third, take the Federal Government out of the business of buying, storing, shipping, and selling cotton, which has been estimated by the Department of Agriculture to cost an average of $25.15 a bale, for which the farmer gets not one red cent. The only beneficiary of that program is the Federal employee or the keeper of the pawnshop.

We took a step in this direction last year when we enacted a cotton program that did away with the iniquitous two-price system that was about to destroy the American cotton industry. Under the program, which required American textile mills to pay $42.50 more for a bale of cotton than any foreigner on the face of the earth would pay for the same cotton, we witnessed the loss of almost half a million employees who worked in textile mills, and we forced the liquidation of almost 1,000 textile mills in this country during that time.

It seemed to me most strange and most illogical that cotton grown within the shadow of a textile mill in the United States would cost that same textile mill $42.50 a bale more than the same cotton would cost when shipped to Tokyo, Hong Kong, India, Indonesia, or anywhere else on the face of the earth.

I do not know if it would be considered a subsidy if business in the United States paid premium prices for products produced in the United States. A Chevrolet automobile made by General Motors in Detroit, Mich., might cost $3,000 in Atlanta, Ga. It might cost $3,200 in London, England. But I do not believe General Motors would be considered as having given me a subsidy if I bought the automobile in Atlanta, Ga., cheaper than I could have in London, England.

Yet, we have heard that strange and completely illogical reasoning on the floor of the Senate and in the committee that reported the committee version of the farm bill.

We are again at the crossroads on cotton. The present program will expire next year if we do nothing and pass no cotton legislation. We will go back to the old two-price system that prevailed from 1956 to 1964. It almost wrecked the cotton industry in this country. When I say "wrecked the cotton industry," I mean the man who plants the seed on the farm; the man who gins the cotton and buys the crop; the man who buys the cotton and spins it into cloth; and the individual who works on the looms in the textile mills. I also mean those who buy the cotton from the textile mill, as well as the ultimate consumers of textile apparel.

The textile industry was the weakest industry in the United States. If we return to the inequity of the two-price system, we will again see all the damage we saw in that era.

The liquidation of jobs has not ceased. Two years ago, a number of mills in the northwest part of my State of Georgia liquidated, and 2,300 employees were thrown out of jobs. In Covington, Ga., this year, a mill was liquidated, and hundreds of people became unemployed.

In Cedartown, Ga., this year the same thing happened at a time when we are attempting to fight poverty by spending millions of dollars.

I do not believe that Congress should pass laws that are designed deliberately to force poverty by rendering the people who work in textile mills unemployed or by making them work on short time.

If the Senate passes the cotton program that was approved by a one-vote majority of the Committee on Agriculture and Forestry, we will go back to the ruinous program of the past.

If we are to save our cotton industry, the only alternative is to vote against the committee majority and adopt the amendment that is now pending before the Senate.

I regret that I must disagree so sharply with the distinguished chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] and those who think as he does on the cotton issue. The chairman of our committee is a most able, dedicated, and conscientious individual. I am proud of his friendship. He works tirelessly in the interest of our farmers and our Nation. In this instance, he is wrong, and I am forced to disagree with him.

I am forced to disagree with and to oppose with all the vigor in my being that I possess, the committee cotton program that was approved by an 8-to-7 vote, because I am convinced that if the committee bill is approved, we shall soon see the end of the road for cotton in the United States for a long time.

The handwriting has been on the wall, and has been plain for anyone to see, that our cotton policy for many years has been badly in need of change.

In 1930 the United States produced more than 50 percent of the world's cotton. In 1930 the United States produced 14 million bales of cotton against a world production of about 12 million bales. What has been the practice since that time? Foreign production has increased from 12,298,000 bales in 1930 to 36,425,000 bales in 1964.

What has the United States done during that period? Our cotton production has gone up from 13,932,000 bales in 1930 to 15,148,000 bales in 1964.

In other words, while cotton production in the United States during 34 long years has been almost constant, there has been a 200-percent increase in the rest of the world.

Why has that been? It is because we have had a system under which our farmers pawn cotton with the Federal Government but forfeit title thereto, and the Federal Government has held a price umbrella of high price supports over the rest of the world, thus making it profitable for so many throughout the rest of the world to expand their cotton production, while we were contracting our acreage. Cotton acreage in the United States has been constantly reduced.

More than 60 percent of the farmers in Georgia and the other Southern States have cotton allotments of less than 10 acres.

We have been plowing under the American cotton farmer and guaranteeing a profit to the rest of the world. Our policy has failed. It is high time we thought of some new approach. I favor high income to our farmers. I believe that the man who tills the soil and produces cotton should receive a fair price for it, but the price should be devised in such a way that the very program designed to aid it does not put him out of business. That has been the program we have lived with for more than a quarter of a century.

Foreign cotton production has increased to three times what it was, while ours has remained at about the same as the 1930 level. For nearly 15 years the support for cotton producers' prices has been unrealistic and unresponsive to the needs of the cotton industry. Our protective umbrella of high price supports has kept American cotton out of foreign markets and has encouraged the expansion of cotton acreage and cotton production in foreign countries. It has also encouraged the production and use of competing man-made fibers.

World production of synthetic fibers has increased from 2½ billion pounds in 1950 to 11.3 billion pounds last year. It continues to increase year after year after year.

Because of this impracticable price support system, which is pricing our cotton out of the world market, the Federal

Government has become a sort of broker for cotton. The Commodity Credit Corporation now owns more than 11 million bales of cotton. The cost of taking this cotton under price support loans, or of taking ownership when the loan matures, and the cost of storing each bale of cotton for approximately 20 months until it is disposed of, come to in excess of $25 a bale, or 5 cents a pound. This is the cost for the handling and deterioration of the cotton. It does not include losses due to selling for less than the Commodity Credit Corporation investment in order to dispose of the cotton.

During the past 13 years, more than 61 million bales of cotton have been placed under loan. Some of this has been redeemed, of course. But, more than 45 million of these bales of cotton came into CCC ownership.

The Government should not be in the business of buying, storing, shipping, and selling cotton. The only way to take the Government out of this business, where it does not belong, is to let cotton into the market at its real competitive value. We must let cotton compete in the marketplace both with foreign produced cotton and with competitive synthetic fibers. The only way to do this is to make the price support loan level somewhat more comparable with the world market.

Mr. President, Congress is concerned with cotton because production is outrunning utilization by a steadily widening margin. The obvious course for restoring stability in the cotton industry is to encourage farmers to bring their production into better balance with demand, and to encourage increasing consumption of cotton at home and abroad.

In changing cotton policy to achieve those objectives, it is just as desirable to retain and strengthen those parts of the present program that work as it is to replace those which have proved ineffective.

The record of the past year indicates that one-price cotton has been a plus factor, making cotton available——

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield at that point?

Mr. TALMADGE. I am delighted to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. The Senator just said that the consumption of cotton has increased. Do I correctly understand that this increase amounts to 600,000 bales?

Mr. TALMADGE. The Senator is correct—600,000 bales.

This is making cotton available, as the Senator has pointed out, increasing domestic consumption of cotton by 600,000 bales. Added to that are 28,000 jobs in the textile industry which will bring the industry to the highest level of its economic history.

Mr. President, in that connection, since we have had one-price cotton, those who work in the textile mills have had three wage increases in the past 18 months, totaling one-half billion dollars with each increase.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield at that point?

Mr. TALMADGE. I am delighted to yield.

Mr. SALTONSTALL. The Senator has stated the increase in the number of bales and the increase in the number of textile industry workers. Has it not also stimulated investment in new textile plant and machinery which is an important factor in our domestic industry being able to compete with industries abroad?

Mr. TALMADGE. My information is that the textile industry at the present time is spending over $1 billion in modernization and plant improvement.

Mr. President, we must bring the cotton industry into a more competitive position with manmade fibers and halt the decline in the per capita cotton consumption. We must boost textile industry investments in new plants and equipment over the average for the previous 5 years. We have improved the wage structure of the textile workers. Let me emphasize the word "helped" in relation to the role of cotton in this encouraging record, to the action taken by Congress since 1961, to strengthen the total economy, which naturally reflected the benefits to agriculture and the industry.

I would not assume the role of an expert on the mechanisms required for an effective farm program. However, the national interest demands that they be directed toward the goals of a reasonable balance between commodity supply and demand, the maintenance of the State rural economy, and by a structure that encourages maximum consumption at home and abroad at minimum Federal cost and control. A basic step toward achievement of these objectives in the cotton area is the construction of a program around the one-price principle.

The pricing provisions in the cotton proposal reported by the committee to the Senate appear to provide a 3-price tier—one for foreign buyers, another for domestic buyers, and a third for the U.S. Government which would, in effect, become the biggest buyer and seller. The Government should be the referee, the mediator, the guideline builder, in contributing to the stability of agriculture and industry. The Government should not be the major cotton buyer, warehouseman, domestic salesman, and exporter.

The cotton program created by Congress should revolve around a one-price cotton program. There is a way to do this, Mr. President, and maintain farm income at the same time. But, do not misunderstand me. I am in favor of price supports at the highest practicable level for our farmers. In that connection, at the present time, the farmers of America enjoy an income approximately only half the average of the nonfarmers of the country. It is high time that we did something to try to improve the income of our farmers. Certainly, there is every justification in the world for maintaining cotton farmers' income.

We have found acceptable ways to do this in the case of wheat and feed grains, and wool and sugar.

Why not cotton?

The income of producers has been maintained in these other commodities by allowing them to seek their value in the marketplace while complementing them with direct payment to the farmers.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield at that point?

Mr. TALMADGE. I am delighted to yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator's observation apply equally to rice?

Mr. TALMADGE. Oh, yes, indeed—also to rice. I appreciate the Senator's calling my attention to that fact. We have found that we can vastly increase the export of any farm commodity by reducing the loan level to around the world market price, and then make up the difference with direct payments to farmers. In doing that, we can raise farmers' income and we can relieve the Government of the cost of warehousing and storing, and we can broaden the base for future farm sales by expanding the export of those commodities abroad, also increasing the utilization of those commodities domestically. Therefore, it makes sense from every standpoint.

Mr. SALTONSTALL. Will the Senator from Georgia yield right there?

Mr. TALMADGE. I am delighted to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. The Senator just mentioned a number of situations which could be improved. Has the Senator mentioned how a one-price cotton program affects our workers who make apparel—the clothes we manufacture and wear in this country? As I understand it, in New England alone, there are over 86,000 people employed in the apparel industry. We also have a textile machinery industry. In Massachusetts over 10,000 persons are employed in the manufacture of textile machinery. If we have one-price cotton, we are going to continue to stimulate the textile producers, the apparel industry, and the manufacture of textile machinery. We hope to increase the number of people who will be employed in these industries and stimulate further investment in modern textile plant and equipment. Am I not correct?

Mr. TALMADGE. The Senator is correct. I appreciate the Senator's bringing forth that message. He is making a valuable contribution to cotton policy.

Mr. President, the cotton farmers are no different from the producers of other agricultural commodities. We should not continue to drive these farmers out of the cotton business, neither should we drive out our cotton merchants, our cotton ginners, our cotton warehousemen, of our cotton seed crushers.

Cotton is the best of our natural fibers. We should not force textile manufacturers to turn from cotton to synthetics in order to hold and build their markets. However, we would be wrecking our cotton industry if we were to pass the committee bill.

The cotton surplus would continue to pile up in all our warehouses. The Government cost would be raised to an intolerable level. Our cotton could not compete in the world market without Government manipulated subsidies. Our cotton farmers eventually would be ruined.

What must we do, Mr. President, to keep this destruction of our cotton industry from taking place? First, we need a new approach to our cotton problem, a new program which would make cotton fully competitive in the world markets and at home with synthetic fibers. This could be done by means of price support loans based on the world market price. Second, we must maintain cotton farm income on equal terms with other agricultural commodities through direct payments, supplementing the price support loans. Third, we must reduce the surplus of cotton to reasonable levels through payments to farmers who participate in the program by reducing their planted acreage. Fourth, we must reduce the Government cost. This can be done through increased consumption of cotton on a free market and a reduction of cotton stocks through a program of reduced production.

Mr. President, the cotton provision of the bill approved by the committee utterly fails to accomplish any of these needed objectives. The committee bill would take us back to the ruinous two-price system. The committee bill would continue prices under the loans at levels that would be wholly unrelated to the world market price. It would involve the Government deeper and deeper in the business of buying, storing, shipping, and selling cotton.

The committee bill would not allow cotton to move to market on a free, competitive basis. Instead of that, one subsidy rate would apply to domestic production and a higher rate would apply to exports.

Our domestic mills would have to pay more than would the foreign mills for the cotton. This would speed the shift by domestic mills from cotton to synthetic fibers.

Another bad feature of the committee bill is that it would force the export sale, on a competitive bid basis, of 6 million bales of cotton a year. This would disrupt the world cotton market and create serious international problems and force the Secretary of Agriculture to dump large stocks of cotton in foreign markets, at staggering cost to our Government.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. PASTORE. Mr. President, ironically enough, I think it can be said that the committee bill recognizes the problem but does nothing to solve it.

Mr. TALMADGE. I share the view of the Senator.

Mr. PASTORE. Mr. President, if we were to do nothing at all about this problem of the two-price cotton system, one would assume that we do not have such a problem confronting and imperiling the jobs of workers in the United States. However, the committee bill did proceed to recognize the problem. An entire section was placed in the bill to refute what the House had done. Then, as it turns out, the committee proceeded to do nothing to solve the problem.

I believe that one of the mistakes that has been made is that we are talking about this problem in terms, I fear, that the man on the street does not understand.

We talk about the one-cotton price system and about the two-cotton price system, and no one in the gallery here knows what we are talking about. Let us translate it in terms of the threat to American jobs—American bread-and-butter textile jobs.

Fundamentally, that is the problem. We are talking about American jobs. How long has it been un-American to talk about American jobs?

In the past 10 years we have closed 1,000 mills in the United States, in a period when our gross national product has been rising astronomically. It is the one industry that has not merely remained stagnant but has tragically declined—so much so, that, pursuant to a resolution adopted by the Senate, an exhaustive study of the textile industry in the United States of America was made.

What did we discover? We discovered that American raised cotton can be sold abroad for 8.5 cents a pound cheaper than the American mill owner must pay for it in the United States. However, that is not the end of the problem.

If they were to take the raw cotton abroad for 8.5 cents a pound cheaper, and make shirts and put those shirts on the backs of their own people, we would have no complaint. However, that is not the story. After they buy this cotton for 8.5 cents a pound cheaper than the American mill owner would have to pay for it, they then make products with the cotton and send them back to America.

The result was American mills were shut down by the hundreds and American jobs lost by the hundreds of thousands.

We made a salutary move last year when the one-price cotton system was adopted—equal treatment of the American cotton industry with its foreign competitors.

That is what we are fighting for this afternoon. We are not asking for a handout. We do not want a handout. All we want is equity. All we want is justice. All we are saying is, Let the American millowners buy the raw cotton which is produced in America at the same price as the Japanese millowner, who would proceed to make the cotton into a shirt and send that shirt back to America to undercut and undersell American-produced goods, and thereby put Americans out of jobs.

That is how simple the issue is. That is all we are fighting for this afternoon. We do not want a handout.

There is nothing contained in the bill that would require the Government to pay 1 penny to an American millowner. All we are asking is that the money be paid to the cotton producer in such a way that the American buyer will be able to buy the cotton at the same price as the foreign buyer. The issue is as simple as that. That is what we mean by the one-price system and the two-price system.

The two-price system allows a foreign buyer to buy cotton for 8.5 cents a pound cheaper. We want Americans to receive the same consideration.

Mr. TALMADGE. Mr. President, I thank the able Senator for his invaluable contribution. Every word the Senator has spoken is eminently correct.

Mr. President, I yield to the distinguished senior Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I agree in substance with everything that the able and distinguished senior Senator from Rhode Island has said, except to a very slight degree.

I believe that the committee bill recognizes the problem of the two-price cotton system, and is designed to do just a little about the problem.

It is similar to the case of the man who wanted a short-tailed dog. He proceeded to cut off the dog's tail a little bit at a time so that it would not hurt the dog so much. That is the procedure followed in the committee bill with relation to this phase of the problem.

Mr. TALMADGE. Mr. President, I thank the Senator. I agree with the Senator.

Mr. President, do not misunderstand me. I am heartily in favor of exporting as much cotton as we possibly can. I am in favor of regaining the markets throughout the world which we have lost by virtue of our unworkable program. However, this should be done in an orderly manner, by placing cotton on the market at a price by which the cotton could fully compete with foreign grown cotton and synthetic fibers.

The committee bill would not reduce our cotton carryover stocks to manageable levels. At the end of 4 years, the committee bill would reduce the carryover by no more than 3 million bales, which is not nearly enough.

Most important of all, the committee bill would result in a much higher cost to the Government. For the 4-year period, the committee bill would cost $762 million more than the bill proposed by my colleagues and myself.

Under our present program, our cotton exports will decline, and cotton is not keeping pace with the increased use of manmade fibers.

Our present program is plowing under the cotton grower. The program in the committee bill would finish the job of plowing him under. This is intolerable.

Mr. President, we must make American cotton competitive once again and put the cotton farmer back on his feet.

Mr. President, I desire to offer for the RECORD at this time, and ask unanimous consent to have printed, a document which shows the production of cotton in the United States of America from 1925 to date; also the production of cotton, worldwide, from 1925 to date. Table 2 shows the increase of manmade fibers, production in the United States and foreign countries. Table 3 shows cotton pledged for loans and purchases by Commodity Credit Corporation from the years 1933 through 1964.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Production and acreage harvested of cotton, United States, foreign countries, and world, 1925–64*

Year beginning Aug. 1	Production			Acreage harvested		
	United States	Foreign countries	World	United States	Foreign countries	World
	1,000 bales [1]	*1,000 bales* [1]	*1,000 bales* [1]	*1,000 acres* [1]	*1,000 acres* [1]	*1,000 acres* [1]
1925	16,105	12,135	28,240	44,386	43,314	87,700
1926	17,978	10,942	28,920	44,608	39,942	84,550
1927	12,956	11,934	24,890	38,342	39,758	78,100
1928	14,477	12,403	26,880	42,434	42,866	85,300
1929	14,825	12,035	26,860	43,232	43,168	86,400
1930	13,932	12,298	26,230	42,444	43,006	85,450
1931	17,097	10,723	27,820	38,704	43,396	82,100
1932	13,003	11,297	24,300	35,891	42,609	78,500
1933	13,047	13,873	26,920	29,383	46,717	76,100
1934	9,636	14,174	23,810	26,866	48,634	75,500
1935	10,638	16,877	27,515	27,509	51,901	79,410
1936	12,399	19,952	32,351	29,755	54,810	84,565
1937	18,946	20,059	39,005	33,623	58,942	92,565
1938	11,943	18,017	29,960	24,248	51,652	75,900
1939	11,817	17,818	29,635	23,805	49,465	73,270
1940	12,566	18,639	31,205	23,861	53,369	77,230
1941	10,744	17,161	27,905	22,236	52,149	74,385
1942	12,817	14,528	27,345	22,602	44,873	67,475
1943	11,427	14,208	25,635	21,610	46,485	68,095
1944	12,230	12,585	24,815	19,617	39,973	59,590
1945	9,015	12,110	21,125	17,029	37,491	54,520
1946	8,640	12,950	21,590	17,584	38,116	55,700
1947	11,860	13,380	25,240	21,330	38,380	59,710
1948	14,877	14,293	29,170	22,911	40,019	62,930
1949	16,128	15,152	31,280	27,439	42,181	69,620
1950	10,014	18,241	28,255	17,843	50,357	68,200
1951	15,149	20,571	35,720	26,949	57,801	84,750
1952	15,139	20,681	35,820	25,921	56,054	81,975
1953	16,465	22,655	39,120	24,341	56,189	80,530
1954	13,697	24,939	38,636	19,251	60,024	79,275
1955	14,721	27,999	42,720	16,928	67,582	84,510
1956	13,310	28,890	42,200	15,615	66,925	82,540
1957	10,964	30,551	41,515	13,558	65,732	79,290
1958	11,512	32,938	44,450	11,849	66,511	78,360
1959	14,558	32,007	46,565	15,117	64,688	79,805
1960	14,272	32,908	47,180	15,309	63,981	79,290
1961	14,318	31,597	45,915	15,634	64,853	80,487
1962	14,867	33,431	48,298	15,569	63,915	79,484
1963	15,334	34,845	50,179	14,212	66,287	80,499
1964	15,180	36,425	51,605	14,060	67,550	81,610

[1] Bales of 500 pounds gross weight.

Source: Statistical Reporting Service and Foreign Agricultural Service.

TABLE 2.—*Manmade fibers: Production in United States and foreign countries, average, 1947–49, and annual, 1950 to date*

[In millions of pounds]

Calendar year	United States			Foreign countries						World total		
				Free world			Communist bloc					
	Rayon and acetate	Non-cellulosic [1]	Total [2]	Rayon and acetate	Non-cellulosic	Total [2]	Rayon and acetate	Non-cellulosic	Total [2]	Rayon and acetate	Non-cellulosic	Total [2]
Average: 1947–49	1,032	74	1,106	1,209	9	1,218	216	1	217	2,460	84	2,544
1950	1,259	146	1,405	1,927	26	1,953	366	5	372	3,553	177	3,730
1951	1,294	205	1,499	2,296	51	2,347	419	9	428	4,010	264	4,274
1952	1,136	256	1,392	1,916	64	1,979	483	14	497	3,534	333	3,867
1953	1,197	297	1,494	2,415	88	2,503	542	20	562	4,154	405	4,559
1954	1,086	344	1,430	2,745	127	2,872	639	24	663	4,469	495	4,954
1955	1,261	455	1,716	3,046	178	3,224	717	37	754	5,023	670	5,693
1956	1,148	497	1,645	3,336	246	3,582	768	42	811	5,252	786	6,038
1957	1,139	626	1,766	3,467	352	3,819	841	51	892	5,448	1,029	6,477
1958	1,035	594	1,629	3,046	399	3,445	932	58	991	5,014	1,051	6,065
1959	1,167	793	1,960	3,368	588	3,956	1,002	68	1,070	5,537	1,449	6,986
1960	1,028	854	1,883	3,603	837	4,441	1,099	77	1,177	5,731	1,769	7,500
1961	1,095	900	1,995	3,617	1,015	4,632	1,201	109	1,310	5,914	2,024	7,938
1962	1,272	1,163	2,435	3,752	1,316	5,068	1,273	145	1,418	6,298	2,624	8,922
1963	1,349	1,348	2,697	4,044	1,667	5,711	1,335	179	1,514	6,728	3,193	9,921
1964	1,432	1,647	3,079	4,357	2,181	6,538	1,466	225	1,691	7,256	4,053	11,309

[1] Includes glass fiber.

[2] Totals were made before data were rounded.

Source: The Textile Organon, a publication of the Textile Economics Bureau, Inc.

TABLE 3.—*Cotton pledged for loans and purchases by Commodity Credit Corporation, 1933–64*

Crop year	1,000 bales	Crop year	1,000 bales
1933	1,926	1949	3,190
1934	4,362	1950	8
1935	115	1951	1,115
1936	(1)	1952	2,308
1937	5,581	1953	6,764
1938	4,482	1954	2,270
1939	30	1955	7,231
1940	3,180	1956	4,831
1941	2,281	1957	3,737
1942	3,143	1958	6,776
1943	3,594	1959	[2] 8,950
1944	2,122	1960	[2] 8,320
1945	216	1961	4,833
1946	146	1962	6,853
1947	280	1963	8,089
1948	5,272	1964	7,341

[1] No loan programs.

[2] Loan and purchase program in operation.

ESTIMATED PAWNBROKER COSTS

If a bale placed under loan is not redeemed it will be taken into CCC inventory upon maturity of the loan. If it is sold by CCC 10 months later at a price equal to that at which it was placed under loan, CCC costs would be about as follows:

	Per pound
(a) Storage, 20 months	$1.58
(b) Interest, 20 months	1.90
(c) Loss on final settlement (deterioration in grade)	1.35
(d) Administration of program	.20

Under the above assumptions CCC costs would be $25.15 per bale.

CCC currently has in inventory from the 1963 and prior crops about 6,642,000 bales and from the 1964 crop about 4,820,000 bales. This cotton must be disposed of by CCC and its costs will depend on the terms of disposition.

Mr. SALTONSTALL. Mr. President, will the Senator yield, if he is in a position to yield at this point?

Mr. TALMADGE. I am glad to yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. What the Senator from Georgia, the Senator from Rhode Island, and I wish to emphasize is that we do not want to hurt the farmers who produce cotton. What we want to do is protect production and jobs available in the United States from competition abroad which we think is unfair to the citizens of the United States. What we want is to have the jobs available in the United States and to have the textile industry grow in this country—not to the injury of the farmers producing the raw cotton, but in a way that will benefit all of us. Is that correct?

Mr. TALMADGE. The Senator is eminently correct. This amendment would increase the status of the industry in America. It would give the producer a better market, both domestic and abroad, and at the same time provide a healthier textile economy, so that more people can be employed in mills. Finally, it would help the product itself, cotton, which is the finest material in the world, so that it could be sold to consumers at reduced prices.

Mr. President, I ask unanimous consent to insert in the RECORD tables prepared by the Department of Agriculture, which show the cost of the committee's program over the 4-year period to be $762 million more than the proposal I offer, and at the end of the 4-year period cotton in CCC warehouses would still remain at 2,650,000 bales more than would remain under my proposal.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Upland cotton—Estimates of basic data, 1966–69 crops

ELLENDER BILL[1]

	1966	1967	1968	1969
Allotted……1,000 acres	16,200	16,200	16,200	16,200
Planted……do	13,500	11,100	11,150	11,200
Harvested……do	13,100	10,900	10,950	11,000
Yield……pounds per acre	535	580	595	610
Supply and utilization:				
Beginning carryover……1,000 bales	15,400	15,300	13,850	12,950
Production……do	14,600	13,150	13,600	14,000
City crop and imports……do	100	100	100	100
Domestic consumption……do	8,800	8,700	8,600	8,500
Exports……do	6,000	6,000	6,000	6,000
Ending carryover……do	15,300	13,850	12,950	12,550
Support price M-1 inch……cents per pound	28.0	28.0	28.0	28.0
Domestic payment in kind rate……do	3.0	3.0	3.0	3.0
Export subsidy……do	9.0	9.0	9.0	9.0
Domestic allotment payment rate……do	7.0	11.2	11.2	11.2

	1966	1967	1968	1969
Farm value of production and payments……million dollars	2,236	2,555	2,611	2,670
Expenditures:				
Net price support……Million dollars	+14	+203	+126	+56
Storage and handling charges……do	−60	−54	−50	−47
Equalization payments (domestic)……do	−132	−130	−129	−127
Export subsidy (cotton and cotton products)……do	−288	−288	−288	−288
Public Law 480 (cotton only)……do	−100	−100	−100	−100
Domestic allotment payments……do	−164	−585	−609	−640
Total	−730	−954	−1,050	−1,146
Change in CCC stocks (6 to 30) bales	−100,000	−1,450,000	−900,000	−400,000

[1] Assumes adjustment in skip row.

Upland cotton—Estimates of basic data for 1966, 1967, 1968, and 1969

H.R. 9811, TALMADGE AMENDMENTS

Item	1966 (1)	1967 (2)	1968 (3)	1969 (4)
Acreage (thousands):				
Allotted	16,200	16,200	16,200	16,200
Soil bank, conservation reserve	350	300	250	200
Planted	12,340	11,935	11,570	11,105
Harvested	12,000	11,600	11,250	10,800
Yield: Pound per acre harvested	[1] 550	[1] 565	[1] 580	[1] 595
Domestic allotment (1,000 acres)	11,230	11,230	11,230	11,230
Domestic allotment (percent)	65	65	65	65
Domestic allotment (1,000 bales)				
Supply and utilization production (1,000 bales)	13,750	13,650	13,600	13,400
Beginning stocks (including preseason ginning)	[2] 15,400	14,450	13,200	11,700
Imports and city crop	100	100	100	100
Domestic disappearance	9,500	9,500	9,500	9,500
Exports	5,300	5,500	5,700	5,900
Ending stocks	14,450	13,200	11,700	9,800

Item	1966 (1)	1967 (2)	1968 (3)	1969 (4)
Export price per pound (Middling 1 inch)……cents	21	20.5	20	19.5
Export price per pound (average of crop)……cents	20.3	19.8	19.3	18.8
Domestic allotment payment rate	(3)	(3)	(3)	(3)
CCC minimum sales price Middling 1 inch (export or domestic)				
Effective price, domestic (average of crop)	22	21.5	21	20.5
Effective price, export (average of crop)	22	21.5	21	20.5
PIK rate per pound				
Producer payments on domestic allotment acreage	$710	$759	$791	$823
Farm value of production……million dollars	$1,512	$1,467	$1,428	$1,374
Savings in direct cost on acres taken out of cotton (at $70 per bale)	$88	$94	$98	$112
Total of production, payments, and savings	$2,310	$2,320	$2,317	$2,309

[1] Skip row adjusted.

[2] Based on Aug. 1, 1965 crop report.

[3] 14.65, 13.04, 10.62 cents per pound.

Upland cotton—Comparison of estimated expenditures for 1966, 1967, 1968, and 1969

H.R. 9811, TALMADGE AMENDMENTS

[In millions of dollars]

Item	1966 (1)	1967 (2)	1968 (3)	1969 (4)
Major items of receipts or expenditures:				
Loans made				
Loans repaid	+102	+134	+158	+195
Sales proceeds				
Storage and handling charges	−56	−51	−45	−38
Subtotal, price support	+46	+83	+113	+157
Export subsidy				
Cotton products				

Item	1966 (1)	1967 (2)	1968 (3)	1969 (4)
Public Law 480	−112	−110	−107	−105
PIK equalization payment (domestic and export)				
Interim payments				
Domestic allotment payments	−710	−759	−791	−823
Total major expenditures (excluding interest)[1]	−776	−786	−785	−771
Change in CCC stocks (June 30) (from prior year)	−950,000	−1,250,000	−1,500,000	−1,900,000

[1] Does not include miscellaneous expenses of about $2,000,000 primarily for cotton classing.

Mr. **KUCHEL**. Mr. President, will the Senator yield?

Mr. **TALMADGE**. I am delighted to yield to my distinguished friend the acting minority leader.

Mr. **KUCHEL**. Mr. President, I am pleased to support the amendment offered by my friend the junior Senator from Georgia. It is infinitely superior to the Senate committee amendment. I am very glad to have my name on the amendment as a cosponsor. I come from a State where the cotton economy is important to my people as well as to this country.

The cotton industry in America is sick. With all my heart, I regret the product of the Agriculture Committee. I am persuaded that it would not cure the sickness, but, alas, make it worse. The fact is that I support the position which the administration has taken with respect to cotton legislation this year. It seeks to go forward to a free, competitive system of American enterprise, on which our country has grown to greatness.

There is a tendency in the amendment, which I support, toward freedom for the American cotton farmer, if he desires to exercise that freedom, unfettered by Federal governmental restrictions and unchecked by Federal soporifics and, in the old-fashioned American way, use his ground and till it to produce as much cotton as he, and he alone, decides to raise and sell on the open market, here and abroad, in competition with his neighbor.

If the question were asked in the Senate, "How much does it cost to grow cotton in the United States?" no one could give a precise answer. No one knows. The Government does not know. Only if we find a way in which the American cotton farmer can do that which he alone desires, spurred on by his own initiative and daring, unhampered by any type of governmental restriction, free of any subsidy—then, and only then, will we here have taken a step toward elimination of what some people have called the mess in Washington.

I salute the distinguished Senator from Georgia for sponsoring the amendment, which I wholeheartedly support.

Mr. President, I received a letter from a friend of mine in California the other day. He is a fine citizen. He is a farmer. He raises cotton. Let me read only a part of that letter:

> As far as the West is concerned a further restriction of acreage means a slow strangulation of a crop that is our No. 1 cash crop in California and possibly worse than that acreage now growing cotton must find its way into other crops thereby injuring the economic position of those crops.

What an important point to ponder in this debate. The hundreds of thousands of acres in my State, and the hundreds of thousands of acres of cotton in other States, would be confined and restricted and punished by Government fiat, under the committee proposal, to bring into being surplus lands in American agriculture which would then be compelled to grow other crops and produce a deleterious or debilitating effect which could finally provoke a general, across-the-board type of Federal control, which could compound the mess, and make it worse. Beware, Mr. President, of such a course.

Let me quote further from the letter:

> That principle not only holds for California but also for the Nation. Sixteen million acres has been used to grow cotton; if the cotton position continues to deteriorate in the marketplace two things will happen: First, at best we will continue to reduce acreage to a point where we would only be growing for the domestic market; this means roughly a reduction of 40 percent or an allowable planting of 9,600,000 acres. Second, it could mean the disappearance of the entire cotton industry.

I repeat that—

> Second, it could mean the disappearance of the entire cotton industry. At this point the entire 16 million acres would have to find its way into other crops. In either event a Senator cannot be unconcerned about the fate of cotton because that 16 million acres is in an area that can grow crops competing with the great Middle West or any other section of the Nation. The economic impact of this diverted acreage on those crops would mean one of two things: Either economic chaos or a Government support program on all crops. This would probably cost more than any farm program we have had.

Should we not need the advice of this American? Should we not take some small step toward unshackling the American cotton farmer? Should we not desire for our cotton economy a greater and more realistic share of the world cotton market? Is it not more in the interest of this Nation to follow the best, long-range goal of raising the cotton industry back into a vigorous, competing industry here and abroad, rather than to spend additional billions as the committee amendment would do?

I say to the distinguished Senator from Georgia that he does a service to the people of the United States in offering the amendment. The Senator from Georgia has made an unassailable argument. The senior Senator from Rhode Island, made graphically clear the necessity for the Senate to adopt our amendment. It is in the interest of the cotton industry. It is in the interest of the American people.

Mr. TALMADGE. I thank my esteemed friend and distinguished acting minority leader for his invaluable contribution to this discussion.

Mr. President, at this point I ask unanimous consent that the name of the senior Senator from South Carolina may be listed as a cosponsor of the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, the point has been made that the cotton program proposed by the House would more nearly reflect the realities of today's world than does the substitute program proposed by the Senate committee. And I do not think this can be overemphasized. Under the House proposal, cotton prices would be supported at levels based on the world price. Payments to producers would augment this as far as grower incomes are concerned, so that the return to producers would be maintained.

This would make it possible for cotton to move into export without a subsidy and without the need for the Commodity Credit Corporation to take any special action to make it competitive. There would, as a result, be no need for equalization payments to domestic users of cotton. To put it simply—U.S. cotton could compete freely in the world market.

There is an additional point I should like to emphasize, however. And it is this: With the price support loan rate at the world market level, I am convinced that private traders would work harder at moving U.S. cotton overseas. And the private trade, after all, is the key to the movement of dollar exports abroad.

Mr. President, we delegate to the Government the direct sale of cotton, and expect them to succeed. We should remember that the Government of the United States is engaged in business just one floor below us. The only thing for which the buyer must pay, which the Government does not furnish, is the food that he eats. The Government furnishes the building, the heat, the air conditioning, the lights, the waiters, the linen, the cooking utensils, the uniforms—everything is furnished by the Government.

What happens? Hamburgers, for a simple example, sell for 80 cents each, and the Senate Restaurant operates at a deficit.

If the Government of the United States cannot operate a little restaurant, selling hamburgers at 80 cents each, without losing money, how can we expect the Government to dispose of the more than 11 million bales of cotton in CCC warehouses without incurring a deficit?

Freed of the redtape and complications implicit in an export subsidy operation, United States cotton exporters would be able to function aggressively in the markets of the world. They would be assured that they would be able to obtain United States cotton and move it at prices competitive in a world market whereas in recent times, other nations have been gaining an alarming advantage over us.

I remind Senators that we have had similar experiences with feed grains. If we look at the history of dollar exports of corn and wheat, we find that when we moved to a program of price support loans at or near the world level, we exported more of the commodity, even though the Government's role in pushing exports was reduced. That, I contend, was due at least in part to the freedom with which private traders were able to function in the world market, and the encouragement given to private traders to move grains into that market with a minimum of Government participation.

Take corn for example. With the 1963 corn crop, we instituted a program with a loan level which substantially reflected the domestic price and world price. Additional payments were provided to maintain grower income, so that the farmer would not suffer. The effect on exports is apparent from the figures.

In the preceding marketing year, beginning October 1, 1962, we had had corn exports of 416 million bushels—not a bad export year. But in the very next marketing year, 1963–64, we had corn exports of 500 million bushels, which reflected that lower loan level. This was an increase of 84 million bushels, almost a fifth, above the exports of the preceding year, which had reflected a higher loan level.

In the 1964–65 marketing year, the one now drawing to an end, corn exports have risen still further. They are expected to amount to about 510 million bushels.

Or consider wheat. Beginning with the wheat crop of 1964, the wheat loan rate has been roughly at the world price level. In the 1964 crop marketing year, wheat exports totaled 730 million bushels, as compared with the 1958–62 average of less than 596 million. The 1964 exports were the highest on record, except for the one year that the Russians bought heavily.

During the first 2 months of the present marketing year, wheat exports are again going well, with exports for dollars running four times what they were in the same period a year ago.

I yield to my distinguished friend the senior Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, what the Senator is emphasizing is that exports will increase if the exporting is done through private trade channels and not by the Government.

Mr. TALMADGE. That is exactly the point the Senator is attempting to make.

Mr. SALTONSTALL. Am I not correct in saying that cotton exports by the Government in the past couple of years have decreased rather than increased?

Mr. TALMADGE. Exactly so. I remind my friend the able Senator that, as he knows, when something is stocked by the Government, it announces a fixed price, and if there is any of the commodity elsewhere that can be acquired, that price is underbid slightly—perhaps by only a few cents.

What do the purchasers do? They buy from the low bidder. Thus we become the residual supplier for such farm commodities as we have in Government warehouses.

If these farm commodities could be moved into private channels of trade, the forces of competition would assert themselves, and the product could be sold in an orderly way at competitive prices. I hope we can regain some of the export markets that we have lost through the years through our policy of nonexport.

I point out further that if such products are in Government warehouses, and we try aggressively to sell them while they are Government property, we are accused by every nation on earth of dumping our surplus commodities. The State Department steps in and says, "Do not sell this cotton. It irritates India, Ghana does not like it; Brazil does not like it. Slow down." We become the residual supplier.

That is particularly true at present, when we are in negotiation with the Common Market countries on tariff concessions. If we became involved in a program such as the committee bill outlines, of dumping 6 million bales of cotton, seriously disrupting the world market price, and adversely affecting our farmers, our citizens and our taxpayers, in my judgment it would be catastrophic.

I yield again to the Senator from Massachusetts.

Mr. SALTONSTALL. What the Senator is trying to do by his amendment, if the Senate should adopt it, is to stimulate the export of more cotton by export through private trade channels rather than by Government control, because the Government at times must restrict export of our surplus cotton. At the same time, the Senator's proposal would increase the use of cotton by domestic textile mills, by providing raw cotton at a competitive price. So really the Senator's aim would accomplish two objectives, in our opinion: To increase the export of cotton and at the same time to stimulate the use of cotton in the United States, and thus increase employment and stimulate and modernize our textile industry. Is that not what the Senator is saying?

Mr. TALMADGE. And to reduce surplus stocks in Government warehouses, which are carried at great cost to the taxpayers, and expand, ultimately, the production of cotton so that our farmers can produce more and not less.

I desire to take the Government out of the business of buying, storing, moving, selling, and giving away farm products, and to help insure the farmer a fair return.

All of this system was designed to try to give the farmer a fair return. But it works to his disadvantage. We are operating a pawn shop under the guise of aiding the farmer. The farmer pledges his commodity in a pawn shop at a high support level, and then forfeits the title thereto. The Government must not only support the price, but act as buyer, warehouser, storer, and seller, and give the commodity away.

I believe in farm price supports. I want the farmers to be adequately protected. I do not want the farmers in Georgia or any other State in the Union to have to compete with the standard of living in the Soviet Union, Red China, Egypt, the Sudan, Brazil, or any other cotton-producing area.

I believe that the simplest way to do it, and the most direct, the most effective, and the least costly, would be to support the price at a fixed level, let the product move into private channels of trade, and let the Government give the farmer a check for the difference. In the long run, it would cost the taxpayers far less and the farmers would receive more benefits.

Mr. SALTONSTALL. It would leave the farmer freer of the Government. Is that correct?

Mr. TALMADGE. The Senator is correct. I appreciate the Senator's contributions.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my able friend the distinguished senior Senator from North Carolina.

Mr. ERVIN. If I construe the Senator's statement aright, the Senator is of the opinion that his amendment would stimulate the movement of more American cotton into the world market in two ways: First, by creating a price for the cotton which is competitive in nature and, second, adding to the possibility of having a competitive price incentive which would drive private enterprise into aggressively finding foreign markets. Is that correct?

Mr. TALMADGE. The Senator is eminently correct.

I do not wish to oversimplify the grain export business. Obviously, many factors influence the amount of grain exported, just as many factors influence cotton exports. World supplies, pricing policies of exporting countries, our own Government policies with respect to concessional sales to developing countries, the availability and cost of shipping—these are a few of the factors. But, granting the importance of all these and more, it is still true that a domestic loan level at or near the world price encourages exports. It eliminates or eases various problems of doing business. It encourages businessmen to go after the export business with the feeling that they can handle it without the hourly services of a Philadelphia lawyer.

A look at the record of corn and wheat exports since those grains were prices at about world levels will indicate to you, as it does to me, that we should take a similar position with regard to cotton.

The situation of cotton is desperate. Carryover stocks this season will rise to an alltime record high of 15.5 million bales, or at least 8 million above normal carryover requirements.

In other words, if we do not produce any cotton in the United States for the next 2 years, we shall have virtually as much as we need for domestic consumption.

Government expenditures on cotton this fiscal year are estimated at more than $800 million. Our problem is excessive costs and excessive stocks. Unless we deal with this problem effectively—and deal with it immediately—it will grow worse, to the detriment of the cotton farmers, the entire cotton industry, and the Nation as a whole.

Mr. President, cotton stocks and Government costs will continue to rise under the program approved by the Senate committee, whereas cotton stocks and Government costs would go down under the program I advocate and which is similar to the bill approved by the House.

For the first year alone, the Government costs would not be much different between the two programs. But by 1969 the committee's program would be costing the taxpayers $1,146 million compared to less than $800 million in the program I advocate.

Under the committee bill the carryover would be reduced only to 12.5 million bales by 1969, but under my approach the carryover would be cut down to 9.5 million bales—just about what we would need.

In his agricultural message to the Congress earlier this year, President Johnson recommended new legislation to make cotton more competitive and to reduce stocks and Government costs.

The House-approved program would go a long way toward doing this, and my amendments, I think, would be even better for the industry as a whole.

Under my amendments, the farmers would have far more freedom to plan and to plant and to adjust their cotton production than under the committee program.

My amendment, similar to the House bill, would continue the one-price system. It would reduce surplus stocks to reasonable levels, reduce Government costs and make cotton competitive again. And it would maintain farm income to cooperating farmers.

This would be done through a system of direct compensatory payments to farmers who voluntarily reduce their cotton acreage to bring our production more in line with demand.

It would continue the 16-million-acre national allotment and establish a farm domestic allotment at not less than 65 percent of the farm acreage allotment. It would provide price support loans to cooperators at not exceeding 90 percent of the world market price. For the 1966 crop this loan rate would be 21 cents a pound.

Further, Mr. President, more than 60 percent of the cotton farmers, particularly in the Southeast, have crop allotments of 10 acres or less. Under the proposal that I have offered, each of those 10-acre farmers throughout the United States would be producing cotton for domestic consumption, and under the proposal that I offer, during the first year those farmers would receive 35.65 cents per pound for their cotton. Price support programs would be geared to the acreage reduction, and a farmer could cut back as much as 35 percent in order to receive the highest payment.

My program would permit a farmer to stay out of the program and plant up to 1½ times his farm allotment and sell his cotton at the world price without loans or any Government aid in any way whatsoever.

But the most important feature of both the House bill and my program, Mr. President, would be the one-price system of loans at a level which would permit cotton to move into trade channels, plus direct payments to maintain farm income.

I hope I shall have the support of my colleagues in the Senate in the passage of a realistic cotton program which will save our cotton farmer, save our cotton industry and cotton trade, and help our entire national economy.

Mr. President, the first crop report of this season, issued a month ago, indicated that we shall have a record carryover of cotton next August 1 of 15,400,000 bales, a million bales more than the previous record of 1956, 10 years earlier.

We have now had the second crop report of this year. The yields are at an alltime record high. As a consequence, the carryover is expected to be more than 200,000 bales more than estimated a month ago, approaching 15,700,000 bales. Those who know cotton expect this increased yield to continue for years to come.

Under the program proposed by the Committee on Agriculture and Forestry, we can expect larger carryovers and new record highs as the years go by.

The production of cotton, ginning, warehousing, sale, transportation and spinning into cloth, the various garment industries in America, and all those who work in the garment industry, represent a very important segment of our economy. It provides livelihood to literally millions of people.

Farm areas and cities alike depend on the success of all phases of production, warehousing, manufacturing, spinning, sale, and the making of cotton into garments.

That industry is now at the crossroads. If the Senate approves the committee bill as reported to it by a one-vote margin, it will do irreparable harm to every man and woman associated with any phase of that particular industry. It will do irreparable harm also to the taxpayers, who now have stored in Government warehouses more than 11 million bales of cotton, for which there are no sales and no need. It should not have been produced under a reasonable, workable farm program which first places emphasis upon the private sector of our economy and, second, bolsters farm income by a system of compensatory payments.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, I compliment the Senator from Georgia upon the amendment which he has offered and which has been supported by several other Senators, including myself. I believe that the amendment offers a fair and sound solution to the problems confronting us in the effort to control surplus cotton production and to assure a reasonable income to cotton farmers.

I have listened with a great deal of interest to the debate and discussion this afternoon conducted by the distinguished Senator from Georgia [Mr. TALMADGE], the distinguished Senator from Rhode Island [Mr. PASTORE], the distinguished Senator from Massachusetts [Mr. SALTONSTALL], and other Senators whose States are troubled by this problem.

It is interesting that we have heard a discussion conducted by Senators from New England, the original textile-producing States, and Senators from the South, the cotton-growing and new textile-producing States.

Last year Congress enacted a cotton program which was designed to remove the inequities of the old two-price cotton system. It was not a perfect answer to the problem. I much preferred the approach offered by the Senator from Georgia [Mr. TALMADGE]. But it did provide a partial answer to the disadvantages under which our domestic cotton textile manufacturers had to compete in the world market.

This year the House of Representatives adopted the one-price cotton approach contained in the Talmadge amendment. Unfortunately, the Senate committee has rejected this approach.

Under the two-price system everybody loses: cotton textile mills lose markets at home and abroad to foreign competitors and substitute fibers; workers lose jobs in cotton textile mills; and cotton farmers lose markets for their product at home and abroad.

Under the one-price system, as contained in the Talmadge amendment, farmers would be encouraged to reduce surpluses while being guaranteed a fair price for their product, cotton textile mills would be able to purchase cotton at the world price and compete at home and abroad with foreign manufacturers and substitute fibers, American workers would face a brighter future in the cotton textile industry, exporters would be able to expand their sales of U.S. cotton in the world market, and consumers would pay lower prices for cotton products. All of this would be possible with less government redtape and regulation than we have had in the past.

I am not from a cotton-producing area, but I recognize the importance of cotton to the agricultural economy of this Nation. When we enact legislation designed to help the cottonmill worker in New England or the Southeast I think we should also try to help the cotton producer in the South, the Southwest and the Far West, especially the small farmers, wherever they are.

The Talmadge amendment meets these objectives. It is good for the farmers, good for the cotton textile manufacturers and workers, good for the consumer and good for the taxpayer. I urge its adoption as the best answer to our cotton problems.

I sincerely compliment the distinguished Senator from Georgia for offering the amendment.

Mr. TALMADGE. I am grateful to my warm friend the able and distinguished Senator from Maine for his contribution.

Mr. DODD. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Connecticut.

Mr. DODD. I compliment the Senator from Georgia for the clear and lucid form of the amendment. I was not well informed on the amendment, but I am sure, after listening to the Senator from Georgia this afternoon, that I shall vote for it.

Mr. TALMADGE. I appreciate that statement. I thank the Senator.

Since the distinguished Senator from New Hampshire [Mr. MCINTYRE] had asked me first, I shall yield to him now; then I shall yield to the distinguished Senator from Alabama.

Mr. McINTYRE. I thank the distinguished Senator from Georgia.

I am pleased to support the amendment offered by the Senator from Georgia [Mr. TALMADGE] and the Senator from Rhode Island [Mr. PASTORE].

The purpose of the national cotton program, as I understand it, is to provide a reasonable return to cotton producers for their work and their investment. I do not quarrel with this goal. I approve it. But I do not approve of the method of support which is established by the committee amendment to H.R. 9811.

If this is to be a national program of subsidies, then the cost should be borne by the Nation as a whole. The procedure set out in the committee amendment, however, would place a heavy burden upon one section of our national economy, which would, in effect, be driven out of business to support cotton producers. I refer to the men and women who work in, and manage, the cotton textile industry of America.

I see no justification for forcing American textile workers to lose their jobs to protect the income of American cotton producers, especially when this goal can be accomplished in a manner which will actually improve the prospects of both the cotton producers and the textile producers. It is for this reason that I intend to support the amendment offered by the Senator from Georgia.

I, along with the Senator from Maine [Mr. MUSKIE], am happy to associate with the Senator from Georgia in offering the amendment.

Mr. TALMADGE. I thank the able and distinguished Senator from New Hampshire.

I now yield to my friend the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I commend the Senator from Georgia for preparing and offering the amendment. I have lived all my life in a cotton-producing area. In a small way I am a cotton producer myself.

I believe that the amendment that has been prepared and offered by the Senator from Georgia, on which I am pleased to be a cosponsor along with other Senators, is the best solution that has been offered to us this year. Many different plans have been proposed.

I wish to ask the Senator two or three questions, to make sure that I correctly understand his explanation of the amendment.

Did not the Senator from Georgia say that the plan under his amendment would, over the years, be much less expensive than the plan proposed in the committee bill?

Mr. TALMADGE. The Department of Agriculture statisticians, who made comparative costs of the committee bill and the amendment of which the distinguished Senator from Alabama is a cosponsor, indicate that over a 4-year period——

Mr. SPARKMAN. That is the life of the bill.

Mr. TALMADGE. The life of the bill. The cost of the bill we support and are sponsoring would be $762 million less. In addition, the carryover—that is, warehouse stocks—during that 4-year period would be depleted by an additional 2,750,000 bales of cotton. In other words, the Government would get rid of more surplus stocks at less cost.

Mr. SPARKMAN. That was the next question I was about to ask. I believe the Senator said that according to the latest crop estimate, made public day before yesterday, September 7, the most reasonable estimate is 15.5 million bales. Is that not correct?

Mr. TALMADGE. I believe that 15,700,000 bales is the correct figure. It is the highest carryover.

Mr. SPARKMAN. At any rate, it is in excess of 15 million bales.

Mr. TALMADGE. That is correct.

Mr. SPARKMAN. Against a normal carryover of 7 million bales.

Mr. TALMADGE. From 7½ million to 8½ million bales.

It is further estimated that by next August the carryover will be much greater than that.

Mr. SPARKMAN. The amendment provides for a so-called one-price system.

Mr. TALMADGE. The Senator is correct. Let me say in that regard that the only criticism I have heard from anyone in America is, "We do not want payment." They are now getting payment. The committee bill provides for a 28-cent loan on cotton. The world price of cotton at the present time is about 23 cents. So they pawn the Government cotton for 5 cents a pound more than it can be sold for.

So they are getting a Government payment there of $25 the minute they pawn the cotton. Then what happens? The Government has it in the warehouse. It becomes a Government asset or liability—whichever way we wish to look at it. The Department's figures show that the expense of owning that cotton for 20 months costs an additional $25.15 a bale. Therefore, under that system, the payment would be $50.15.

Why do we not do it the simple way? Why do we not call the payment what it is? It is a payment.

Why do we not let the warehousing responsibility go to the private channels of trade, those who warehouse cotton and sell it, and not involve the Government in it?

In the long run, it would cost far less.

There are many who wish to disguise and conceal a Government subsidy. I am not one of them. I believe that it is all right to have a Government subsidy for our farmers. We have had subsidies for more than 30 years, so why conceal it and say that it does not exist? It does exist.

Therefore, let us do it simply. Let us do it honorably. Let us do it honestly. Let us do it at the least possible cost.

Mr. SPARKMAN. I agree with the Senator from Georgia. Everyone knows that the general overall farm program is subsidized.

Mr. TALMADGE. The Senator is correct—certainly on the basic commodities.

Mr. SPARKMAN. The Senator from Georgia has rendered a real service to the country in the presentation of his amendment on the floor, and its preparation and offering.

Mr. TALMADGE. I am grateful to my esteemed friend the able and distinguished Senator from Alabama.

Mr. President, the Senator from Minnesota [Mr. MONDALE] has asked me to yield to him. He is a member of the Committee on Agriculture and Forestry and a most effective and articulate member. I am sure that he will render valuable service in the years to come, not only to the farmers of Minnesota but also to farmers generally throughout the country, and to the people of America.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. TALMADGE. Mr. President, I am delighted to yield to my able friend, the Senator from Minnesota [Mr. MONDALE].

Mr. MONDALE. Mr. President, I wish to express my appreciation to the Senator from Georgia for his brilliant presentation in support of his amendment to the Food and Agriculture Act of 1965. It is my privilege and honor to serve as a member of the Committee on Agriculture and Forestry, and to have spent several days with the committee discussing various farm commodity programs, including the crucial question of the cotton commodity program.

As a new member of the committee, it is my impression that of all the farm programs, the one in the most serious trouble, under existing law, is the cotton program.

Mr. TALMADGE. I share that view. The Senator from Minnesota is correct.

Mr. MONDALE. I believe so, for several reasons. First, practically all domestic production of cotton, or a good percentage of it, at least, ends up in Government warehouses, or under contract with the Government. Thus, the Government becomes the pawnbroker of the Nation's cotton production.

Second, domestic production of cotton is being seriously pressed by synthetic substitutes which are available at low cost and which have some advantages in the textile industry as against cotton, quite apart from its price.

Next, because the Government has become the holder of most of the production of domestic cotton, it is in charge of handling the sales of cotton in world commerce, and has not done well in selling American cotton. Year after year, we have witnessed a reduction in the sale of American cotton in international commerce. The result has been a rising and extremely costly increase in Government surpluses. Worst of all, the farmer is not benefiting from it, and the textile industry is not benefiting either.

It seems to me that the approach of the Senator from Georgia is one which we have proved in the present feed grain and wheat programs. We must apply it in a somewhat different sense, but those two programs which we inaugurated in 1960 and 1961 are proving themselves. They are increasing farm income. They are reducing Government stocks. They are making us competitive in international trade and have reduced the cost of Government programs.

Over the period of 4 years, we have come from a situation of surpluses, growing headaches, growing Government costs, and reduced farm income, to the circumstances that farm income is improving, Government costs are going down, surpluses are going down, and the general economy in those farm commodities is brighter than ever before.

Mr. President, at this time, I should like to ask permission to be named as a cosponsor of the amendment offered by the Senator from Georgia.

Mr. TALMADGE. Mr. President, I ask unanimous consent at this point that the able and distinguished Senator from Minnesota [Mr. MONDALE], a member of the Committee on Agriculture and Forestry, be listed as a cosponsor of the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, let me say to my esteemed friend the Senator from Minnesota that he has placed his finger succinctly and accurately upon the problem which faces cotton. He has wisely pointed out the action that we have taken in regard to feed grains and wheat, which program has resulted in more exports, more sales, and a reduction of those commodities in CCC warehouses. I am confident indeed that the same thing can be done with cotton.

I appreciate the aid and support of the able Senator from Minnesota, not only in the committee, but also on the floor of the Senate.

Mr. President, I am delighted now to yield to my able friend the Senator from New Hampshire.

Mr. COTTON. Mr. President, I commend the distinguished Senator from Georgia for offering his amendment. If he has not already done so, I ask him if he will please add my name as a cosponsor to his amendment.

Mr. TALMADGE. Mr. President, I did that at the outset of my speech and named the Senator as a cosponsor of my amendment.

Mr. COTTON. I thank the Senator for doing so.

Mr. President, I ask unanimous consent to have printed in the RECORD a telegram received by me from the Governor of my State, John W. King, on this subject.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CONCORD, N.H.,
September 9, 1965.

Senator NORRIS COTTON,
Senate Office Building,
Washington, D.C.:

This is to respectfully urge that you oppose the proposal of the Senate Agriculture Committee establishing a differential in cotton price between domestic and foreign mills. I further urge your support of an amendment in line with the bill already adopted by the House of Representatives which provides for a one-price cotton system. It is my understanding that such an amendment will be proposed with administration backing.

JOHN W. KING.

Mr. COTTON. Mr. President, I also ask unanimous consent to have printed in the RECORD pertinent portions of a letter from the Chicopee Manufacturing Co. of Manchester, N.H., which is the largest cotton mill remaining in my State, also on this same subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHICOPEE MANUFACTURING CO.,
Manchester, N.H., August 23, 1965.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: We at Chicopee are extremely interested in the cotton portion of the Food and Agriculture Act of 1965, H.R. 9811, which has just been passed by the House of Representatives and I am writing to ask your support for this legislation when it comes up before the Senate. Our primary interest is being allowed to purchase cotton, which is the single raw material purchased in largest quantity by us, at the same price at which it is sold to textile manufacturers in foreign countries. One-price cotton was embodied in legislation signed into law on April 11, 1964, but this expires on July 31, 1966, and one of the purposes of the House bill is to extend this legislation with some changes for an additional 4-year period.

WHAT THE CURRENT LEGISLATION HAS DONE

The current one-price cotton legislation which became effective a little over a year ago has done the following:

(a) It has stimulated employment. The number of employees in the textile mill products industry has increased from an average of 897,000 in 1964 to 924,000 in April of 1965.

(b) It has brought about conditions under which the textile industry generally has been able to raise wages twice within the last 9 months. In September of 1964, a wage increase of about 5 percent was given, and around the first of this month another wage increase of an additional 5 percent was given.

(c) Capital expenditures by the industry have been greatly stimulated. Expenditures in 1965 will exceed $1 billion, which amount is the highest in history and is about double the average for each of the past 9 years. This greatly increased capital expenditure has, of course, brought about additional employment in the machinery and equipment industries.

(d) There has been some increase in earnings of companies in the textile mill products group with consequent higher tax revenues to the Federal Government. In 1964, the ratio of net profits after taxes to stockholders' equity for the industry was 8.5 percent, which, although considerably lower than that for all manufacturing corporations, which was 11.6 percent, was still a great improvement over the ratio for 1963 of 6.1 percent. The rank of the textile industry in this ratio is 20th in a group of 20, or is the lowest of any of the industries reported but, even so, the performance is better than it has been in the past.

OBJECTIONS TO THE PRESENT BILL

There have been two principal objections to the bill which will expire next year.

(a) It has cost too much. Just what the total cost of this cotton section has been I do not know at this time, but the cost over that originally estimated was brought about by two factors:

1. The farmers grew 2 million bales of cotton more than the Department of Agriculture predicted they would grow.

2. We exported 1 million bales less than the amount it had been estimated would be exported.

The proposed bill has some features incorporated in it which will make it necessary for the farmers to reduce the acreage planted in order to be able to qualify for benefit payments.

(b) The second complaint is that textile prices have not gone down. The textile market is a highly competitive commodity market, and prices are set by the forces of supply and demand. In anticipation of the passage of the legislation which finally became law on April 11 of last year, many users of goods held off buying and depleted their inventories in anticipation of lower prices. Immediately after the legislation became law prices did go down, but then when many buyers came into the market, the demand was so great that prices rose again to approximately the same levels they were prior to April of last year. Attached to this you will find a chart of prices of cotton products compiled from information supplied by the Bureau of Labor Statistics which shows just what has happened to prices of these products. The demand for cloth is subsiding somewhat, and, in due course, if past history is a guide, the price of cotton cloth will reflect, more than it has up until this time, the decline in the cost of raw cotton.

Mr. COTTON. Mr. President, I also ask unanimous consent to have printed in the RECORD a circular letter No. 88 from the president of the New York Cotton Exchange, Mr. F. Marion Rhodes, which I believe presents some illuminating and pertinent facts on this issue.

There being no objection, the circular letter was ordered to be printed in the RECORD, as follows:

CIRCULAR LETTER NO. 88

Senate Agriculture Committee passes three-price cotton program: By a vote of 8 to 7, the Senate Committee on Agriculture and Forestry turned its back on the progress made by the cotton industry during the past year and voted for a three-price cotton program. Although Chairman ELLENDER presented the three-price program and is being given credit for its adoption by the committee, the real power behind the scene was Senator EASTLAND and a few powerful cotton cooperatives.

The Senate committee's proposal would provide for:

1. A 4-year program, ending July 31, 1970.

2. A minimum national acreage allotment of 16 million acres.

3. A minimum national domestic acreage allotment, not less than 65 percent of the national acreage allotment.

4. Price-support loans to cooperators (who plant within their basic allotments) at any level the Secretary determines between 27.3 and 37.8 cents per pound.

5. The additional price-support payments which would be made to producers who comply with their domestic allotments would be 25 percent of the basic support rate for 1966, and between 20 and 40 percent of the basic support rates for the 1967, 1968, and 1969 crops. This provision would result in payments ranging somewhere between 7 and 9.5 cents per pound in 1966 or a total guaranteed price to the producer ranging between 34.1 and 47.3 cents per pound. During the last 3 crop years the total price guaranteed to the producer could range between 32.8 and 52.9 cents per pound. (Above estimates based on a parity price of 42 cents per pound.)

6. The minimum domestic allotment would be reduced to the smaller of 10 acres (instead of 15) or the farm acreage allotment.

7. A domestic consumption subsidy of 3 cents per pound.

8. A new export subsidy rate would be determined each time the Government accepted a bid for CCC cotton. Rejection of any bid based on competitive world prices as determined from the latest Liverpool, Bremen, or Osaka price quotations would have to be reported to Congress within 30 days together with the reasons for such rejection.

What would happen to the U.S. cotton industry if a bill such as that approved by the Senate committee is enacted into law? It seems to me we could look forward to:

1. A domestic farm price of about 28 to 30 cents per pound. A domestic mill price of about 25 to 27 cents per pound. An export price between 15 and 20 cents per pound.

2. A drastic decline in domestic mill consumption. The rate of decline would be limited only by the ability of the mills to convert to synthetic fibers and the available supply of such fibers. It is not unlikely that domestic consumption would decline by more than a million bales the first year.

3. The United States would continue to be a residual supplier of cotton in world markets. The "dumping" procedure established by the Senate's proposal would likely force world market prices down drastically, which in turn would force other cotton exporting nations to sell their export availability as rapidly as possible before the price declined further. We could not logically expect any increase in the level of U.S. cotton exports until we had forced other less developed countries out of the cotton business.

4. A continued rapid buildup in the U.S. cotton carryover. It is not unlikely the carryover would increase at a rate of 1.5 to 2 million bales per year.

5. In a relatively short time the Congress would be forced to drastically reduce the current minimum national acreage allotment of 16 million acres.

6. The New York Cotton Exchange would be forced to liquidate. What remains of the private cotton merchandising system would be curtailed and substantially the entire cotton crop would move through Government programs.

It now appears the bill as reported by the Senate Agriculture Committee will be debated on the floor of the U.S. Senate not later than Thursday, September 9. Undoubtedly there will be a strong effort made, by the administration, on the Senate floor to defeat Senator ELLENDER's cotton proposal. If you agree with the analysis outlined above, you should contact your Senators by phone, telegram, or letter and request them to vote against the cotton provisions of the Senate bill, and for the substitution of the basic principles set forth in H.R. 9811.

F. MARION RHODES,
President.

Mr. COTTON. Mr. President, let me say to the Senator from Georgia that his amendment and the forthright manner in which he is attacking the problem are both heartening and refreshing to those of us in the Senate who have been fighting this battle for many years.

Three or four years ago, together with the distinguished senior Senator from Rhode Island [Mr. PASTORE], I sponsored an amendment which was somewhat similar to the amendment offered by the Senator from Georgia.

I recall that at that time—and it was one of the first battles we had on the floor of the Senate on this point—many within and without the Senate held up their hands in holy horror, amazement, and surprise. Apparently, they were astounded that some of us should sponsor an amendment that carried a subsidy when many of us had consistently opposed a number of the subsidies in connection with the farm program.

I say to my friend the Senator from Georgia, whom I esteem so highly, that I am glad he did not in any way sidestep this issue.

So far as I am concerned, I could not care less whether this is called a subsidy. I am not at all impressed by all the pious arguments that have been raised to the effect that there is something unsound or shocking in this particular method of seeing to it that American manufacturers, and, even more important, American workers in textile plants have, at least in this respect, an even break with their foreign competition.

It would be amusing if it were not so serious. One of the most ridiculous aspects of all the many inconsistent policies that have been practiced by many of the administrations in the past—and I do not except the administration of my own party—has been the utterly absurd and suicidal policy of deliberately having the Government act as the custodian of the supply of cotton and furnish cotton at a lower price to foreign mills which are in competition with American industry and American textile mills trying to compete effectively and furnish jobs for American workers.

It is completely incomprehensible to me and always has been. If there is an ounce of commonsense and a sense of justice remaining in the Congress, I believe that the amendment offered by the distinguished Senator from Georgia will be agreed to.

I commend the Senator for facing up to this issue. I will go all the way with him. I predict that a majority of Senators are fairminded enough to do the same.

Mr. **TALMADGE**. Mr. President, I thank my distinguished friend the able Senator from New Hampshire for his contribution.

Mr. President, inasmuch as the distinguished senior Senator from Connecticut [Mr. DODD] is now waiting to make a speech, I yield the floor.

The **PRESIDING OFFICER**. The Senator from Connecticut is recognized.

Mr. **DODD**. Mr. President, I thank the Senator.

I am in favor of the amendment offered by the Senator from Georgia and hope that his amendment will be agreed to.

Mr. **MONTOYA**. Mr. President, the cotton section of H.R. 9811 as reported by the Senate Agriculture Committee is of the gravest importance to New Mexico and to the other 17 major cotton-producing States of this country.

I rise today to urge the Senate to accept the judgment of the committee, which has rejected the cotton provisions of the so-called Cooley bill of the House in favor of an amendment prepared by the committee's distinguished chairman, the Senator from Louisiana [Mr. ELLENDER].

There are those who say that only a handful of Americans understand agricultural economics, only a thimbleful understand farm legislation, and no one understands the cotton provisions of farm legislation.

That may be true, Mr. President. We are dealing here with an exceedingly complex and difficult subject.

But a few statistics may help to clarify this problem.

Cotton is the second largest cash crop in New Mexico, and accounts for between a fourth and a fifth of all farm income in the State. In 1962, this amounted to nearly $56 million.

Nationally, cotton is a $2,576 million source of income to farmers. The National Cotton Council estimates that 9,256,000 Americans are directly dependent on cotton for their livelihood, and another 11 million are in industries which derive much of their business from cotton.

Investments in the cotton industry exceed $24 billion.

I cite these statistics to show that cotton still occupies a key position in American agriculture. But in recent years, foreign competition and synthetic fibers have combined to weaken this great industry to an alarming degree.

It is my considered judgment that H.R. 9811 as passed by the House of Representatives will only enhance and reinforce cotton's present problems.

The essential feature of the House-passed bill is its plan to solve the problem of cotton surpluses by forcing drastic reductions in production, instead of providing for what is really needed—drastic increases in exports.

For several years, American cotton exports have been declining, and there has been a consequent increase in the stocks being held by the Commodity Credit Corporation.

The House bill would reduce these surpluses by cutting production as much as 35 percent.

If I may use an old farmer's expression, Mr. President, this solution is the equivalent of throwing out the baby along with the bathwater.

A 35-percent reduction in cotton production would bring economic disaster to every cotton-producing region in this country. For example, it would mean that one cottonseed oil mill in three would close, one gin in three would close, one tractor in three could not be sold.

Labor surplus problems, already serious in many cotton areas, would be made worse.

The alternative, as outlined in the bill reported out by the Committee on Agriculture of the Senate, will have just the opposite effect.

It will solve the problem of surpluses by increasing the consumption of American cotton, both domestically and through exports, with the emphasis on the latter.

At present, our exports have declined to about 4 million bales per year. Under the program I am advocating, this figure should rise to at least 6 million, and there are some in the trade who believe we could achieve 7 million bales a year in exports.

This would be accomplished in a comparatively simple manner. In brief, the export price would be set by competitive bidding at the time of offer, instead of the present practice of the Commodity Credit Corporation announcing export prices for a year in advance.

Effect of the present policy is to alert foreign competitors in advance to the price they must beat, with the consequence that the American share of the export market is suffering.

In a very real sense, our cotton export losses have been our competitors' gains. I have a table which illustrates the problem.

I ask unanimous consent to have the table printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Comparison, U.S. and foreign cotton exports*

Season	U.S. exports	Exports of foreign producers	Percent U.S. of total world exports
1956	7,600,000	8,204,000	48
1957	5,717,000	8,370,000	41
1958	2,787,000	10,700,000	21
1959	7,182,000	10,124,000	42
1960	6,632,000	10,195,000	39
1961	4,913,000	10,525,000	32
1962	3,351,000	12,481,000	21
1963	5,660,000	12,257,000	32
1964	4,060,000	(1)	----

[1] Not available.

Mr. **MONTOYA**. Mr. President, the 5-year average of our exports from 1956 to 1960 was 5,988,000 bales. From 1961 to 1964, this average figure declined to 4,481,000.

That is a difference of 1,507,000 bales, Mr. President, and the trend is steadily downward. In the 1964 season, which just ended July 31, 1965, the total was 4,060,000, which is down 1,600,000 from the 1963 season.

Had we maintained our exports at the 1956–60 rate, our supply of upland cotton today would be down to a manageable 6- or 7-million-bale level. This would closely approximate the national security reserve recommendations for cotton—6 million bales—included in the recently published report of the National Agricultural Advisory Commission.

According to the National Cotton Council, our share of an expanding world market is approximately 6½ to 7 million bales. This goal can and must be achieved.

Actually, world trade in cotton is continuing to grow. In the marketing year 1956, foreign free world consumption was 20.9 million bales. By the marketing year 1964, just ended, foreign free world consumption had increased to 24.9, an increase of 4 million bales.

During this same period, U.S. exports made a sharp decline from 7.5 million bales in 1956 to approximately 4 million bales in the marketing year 1964.

The practice of the Department of Agriculture has been to estimate foreign export supply and demand for the ensuing season, and then, on the basis of those estimates, to decree a base world price for cotton. Attainment of U.S. export policy apparently is considered accomplished, regardless of the level of U.S. exports, if United States cotton is subsequently made available at that price base. The folly of current Department policy is the establishment of a rigid price base months in advance to operate in a price structure that varies from season to season or from quarter to quarter.

This has permitted world producers to undercut American cotton, and has resulted in a steadily increasing foreign production.

Title VI, section 604, of H.R. 9811 as reported out by the Senate Agriculture Committee—the cotton section—would eliminate this favored position now enjoyed by our foreign rivals at the expense of our American farmers.

World prices for cotton are determined from offerings of more than 40 producing countries—shipping to more than 50 importing nations. There are many reasons why export prices in some world markets vary widely from preseason estimates. Common causes of those price fluctuations include, first, unforeseen changes in production or demand; second, currency revaluation; and third, changes in policies of governments regarding raw cotton and textile import limitations.

Cotton farmers and many Members of Congress have recommended time and again that the Commodity Credit Corporation offer its stocks at regular intervals at competitive prices. Specifically, sales should be limited in quantity but not in price. The quantity to be sold quarterly should be determined by supply-demand studies.

Sales prices should be adjusted upward or downward in such reliable markets as Bremen, Germany, and Liverpool, England. Relating the sales price levels to fluctuations in major world markets would provide an approach that would expand markets for U.S. cotton by removing the umbrella that we now hold over the world price structure.

H.R. 9811, as reported by the Senate Agriculture Committee, creates this realistic market system, and provides that any bid based on competitive world prices which is rejected must be reported to Congress by the Secretary of Agriculture.

It is essential that there be a positive approach related to major world markets rather than trying to guess a year in advance what the world price will be and maintaining a fixed position throughout the entire marketing year.

While providing for lower prices for U.S. cotton in export markets, the House bill does nothing of a basic nature to correct the "umbrella effect" of our export pricing policy. Our prices, while lower, will still be announced a year in advance and foreign producers will be in a position to shoot under our prices and obtain sales throughout the world.

On the other hand, H.R. 9811 as reported by the Senate Agriculture Committee provides for an aggressive sales policy based on competitive bidding in the world market. We would no longer give our competitors the advantage of an advance announcement of cotton prices, as the Commodity Credit Corporation does now.

The next table shows how our export "umbrella" has affected U.S. and foreign cotton.

I ask unanimous consent to have this table printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Basic data on U.S. and foreign free world cotton*

Marketing year beginning Aug. 1—	Foreign free world production	Foreign free world consumption	Foreign free world exports	U.S. exports	U.S. cotton acreage	Foreign free world acreage
	Million bales	*Million bales*	*Million bales*	*Million bales*	*Million acres*	*Million acres*
1956	15.9	20.9	6.7	7,540	15.6	45.9
1957	16.9	20.4	6.9	5,707	13.5	46.0
1958	17.5	20.5	9.0	2,766	11.8	46.8
1959	16.6	22.2	8.4	7,178	15.1	45.0
1960	19.0	23.5	8.5	6,625	15.2	46.0
1961	19.5	23.6	8.9	4,908	15.6	48.3
1962	21.9	23.2	10.9	3,348	15.5	48.8
1963	21.9	24.3	10.5	5,661	14.1	49.7
1964	22.4	24.9	10.8	[1] 4,000	14.0	49.8

[1] Estimated.

Mr. MONTOYA. Mr. President, foreign free world production has been aided and encouraged by various technical assistance and direct aid programs provided by the United States and by our agricultural policies.

During the period 1956–64, cotton production in the free foreign world increased from 15.9 million bales to 22.4 million bales. Acres devoted to cotton in the foreign free world increased from 45.9 million acres in 1956 to 49.8 million acres in 1964.

In the United States, cotton acreage has declined by more than 1.5 million acres during this period, while production has remained remarkably stable.

Foreign free world consumption has increased from 20.9 million bales in 1956 to 24.9 million bales in 1964, an increase of 4 million bales. U.S. exports have declined from 7.5 million bales in 1956 to 4 million bales for the marketing year ending July 31, 1965.

During this period, the carryover of U.S. cotton increased from 11.2 million bales to 13.3 million bales. It should be noted, however, that the carryover was worked down to 7 million bales in 1960 with the end of the A and B program—these letters refer to the support level at two different rates at the option of the producer—but has built up over the past 4 years.

What has actually taken place during this period is that the United States has more and more assumed the position of residual supplier in world markets. It appears that this country has been a willing partner in this arrangement and has not only carried world stocks but has provided price stability for the entire world.

While this policy has worked to the advantage of the free foreign world, it has worked to the great disadvantage of the U.S. producer who has been called upon repeatedly to make big supply adjustments. During the Korean war, export controls and price ceilings were clamped on U.S. cotton. Foreign cotton prices soared while our cotton was held off foreign markets because of its need as a strategic defense item.

For the next 2 years, cotton farmers were urged to produce 16 million bales for national defense. Then came acreage controls again in 1954, and cotton acreage was reduced from 26 million acres in 1953 to 21,379,000 acres in 1954. The current allotment is 16.2 million acres and represents the minimum acreage necessary to maintain any degree of efficiency in cotton farms.

The cotton section of H.R. 9811 as passed by the House is aimed at again shrinking cotton acreage in this country, with a target of a 35-percent reduction.

If history repeats itself, foreign production will move up to new high levels and the efforts of U.S. producers to adjust supplies will be wasted. Not only that, but a large segment of a very important industry will have been sacrificed needlessly.

I urge the Senate to consider instead the alternative that is offered by the cotton section of the Senate Agriculture Committee, which establishes the realistic and practical conditions which are required for an expanded export market.

I ask unanimous consent to insert at the end of my remarks a table containing a summary.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MONTOYA. Mr. President, I do not want to leave the impression that my comments are in any way critical of my good, close, personal friend, Orville Freeman, who has done an admirable job pursuing our export sales in spite of the crippling limitations placed upon him by previous cotton legislation.

I believe that adoption of this amendment will free the Secretary of Agriculture from the hobbles which now bind him, and will allow him to achieve the goal that all of us who are concerned with the welfare and economic health of American cotton have in common.

EXHIBIT 1

TABLE 3.—*Summary of data on cotton*

	Allotment	U.S. production	Consumption	Exports	Ending carryover	CCC ending stocks	Loans	Acquired	Spot market average	Export subsidy or differential	Loan rate, Middling 1 inch	Foreign free world			Cotton acreage	
												Production	Consumption	Exports	United States	Foreign free world
	Thousand acres	*Million bales*	*Thousand bales*	*Thousand bales*	*Thousands*		*Thousands*	*Thousands*	*Cents*		*Cents*	*Million bales*	*Million bales*	*Million bales*	*Million acres*	*Million acres*
1954	21,379	13.5	8,730	3,445	11,028	8.1	2,308	1,648	35.0	--------	34.03	15.9	18.7	7.2	19.2	43.5
1955	18,113	14.6	9,085	2,194	14,399	9.8	7,257	6,038	35.4	(1)	34.55	16.4	19.5	9.4	16.9	47.2
1956	17,391	12.9	8,496	7,540	11,269	5.2	4,830	3,677	33.5	7.2	32.75	15.9	20.9	6.7	[2]15.6	45.9
1957	17,585	10.8	7,900	5,707	8,615	2.9	3,657	2,464	34.4	6.2	32.31	16.9	20.4	6.9	[2]13.5	46.0
1958	17,554	11.3	8,594	2,766	8,733	7.0	6,832	6,039	34.5	6.5	35.08	17.5	20.5	9.0	[2]11.8	46.8
1959	17,346	14.4	8,879	7,178	7,404	5.0	335	(A & B) 26	31.9	8.0	(A) 34.10 (B) 28.40	16.6	22.2	8.4	15.1	45.0
1960	17,553	14.3	8,131	6,625	7,090	1.5	540	(A & B) 1	31.0	6.0	(A) 32.42 (B) 26.63	19.0	23.5	8.5	15.2	46.0
1961	18,458	14.3	8,783	4,908	7,741	4.7	4,850	3,247	33.7	8.5	33.04	19.5	23.6	8.9	15.6	48.3
1962	18,101	14.7	8,258	3,348	11,016	8.0	6,853	4,744	33.5	8.5	32.47	21.9	23.2	10.9	15.5	48.8
1963	16,250	15.0	8,468	5,661	12,131	10.2	8,088	6,029	33.2	8.5	32.47	21.9	24.3	10.5	14.1	49.7
1964	16,200	15.0	[3]9,400	[3]4,500	13,350	10.1	7,300	[3]5,200	[3]30.8	6.5	30.00	22.4	24.9	10.8	14.0	49.8
1965	16,200	--------	--------	--------	--------	--------	--------	--------	--------	--------	29.00	--------	--------	--------	--------	--------

[1] Export differential on 1,000,000 bales averaged 7.5 cents per pound. There was no export differential on 1,200,000 bales.

[2] Acreage reserve program was in effect in United States in 1956 to 1958.

[3] Estimated.

Mr. KENNEDY of Massachusetts. Mr. President, I rise in support of the proposed substitute title VI to H.R. 9811 as reported by the Committee on Agriculture and Forestry. This substitute would extend the current one-price cotton system for an additional 4 years. Under the one-price cotton system, our domestic textile manufacturers purchase cotton, their most important raw material, at the same price at which it is sold to textile manufacturers in foreign countries.

Unless the one-price system is maintained and extended, severe damage will be done to this Nation's textile industry, an industry which plays a vital role in our national economy.

Our textile industry is one of this Nation's largest employers. It has been classified as "essential to our national security." Unemployment within the textile industry has often struck hardest at those communities suffering from depressed conditions. And the inability of domestic manufacturers to buy their raw materials at competitive prices was one of the main causes of the difficulties encountered by our domestic cotton textile industry in the last decade. For this reason, when President Kennedy instituted his seven-point program to meet the wide range of problems faced by the textile industry, he placed the highest priority upon the institution of a one-price cotton system.

That objective was achieved by the one-price cotton legislation passed last year. Although this legislation, making cotton available to domestic mills at competitive prices, has been in effect for only slightly over 1 year, the benefits of this approach to the industry and to the Nation have already been strikingly demonstrated.

One-price cotton has stimulated employment. In the past year 28,000 jobs have been added to the textile industry—bringing the industry to the highest level of weekly work hours in its history.

It has helped increase by 600,000 bales the consumption of cotton by American textile mills.

The one-price cotton legislation has improved the wage structure for textile workers by contributing to conditions under which the textile industry in general has been able to raise wages twice since its enactment.

It has greatly stimulated capital investment by the textile industry in plant and equipment. Expenditures in 1965 will exceed $1 billion—almost $400 million more than the average for the previous 5 years and the highest in history.

And the system of one-price cotton has helped bring the cotton industry into a more competitive position with manmade fibers and halt the decline in per capita cotton consumption.

Yet, strangely enough, despite the demonstrated success of the one-price system, the cotton provisions approved by the committee would eliminate one-price cotton and reinstitute the discredited system by which one subsidy rate would be applied to domestic consumption and a higher rate applied to exports.

The National Cotton Council says of the committee bill that "it would turn back the clock to a system which has failed and which would destroy the American raw cotton industry." The New York Cotton Exchange points out that foreign mills would be subsidized by anywhere from 5 to 12 cents a pound or as much as 40 percent lower than the American price, and that the selling procedure for export would amount to "dumping." Textile manufacturers have characterized the committee proposal as "tragic."

The necessarily disastrous effect of domestic industry of this inequitable, unrealistic, and impractical approach to cotton pricing is now recorded history.

Under the two-price system the foreign textile manufacturer had an immediate cost advantage over an American mill in addition to the many other cost advantages he might enjoy as a result of manufacturing outside the United States.

As a result, during the period that the two-price cotton system was in effect, imports of cotton textiles quadrupled while our domestic industry declined. And in many cases the high cost of cotton forced the American mills to shift to manmade fibers and other competing fibers, when, if the price had been lower, good quality cotton would have been preferred.

As President Johnson observed:

> The needs of neither the cotton-grower, the cotton-handler, the cotton textile mill, nor the consumer are being satisfied (by a two-price cotton system).

But if the cotton provisions approved by the Senate committee remain in this bill, these undesirable effects of a two-price system will be repeated.

We cannot allow this to happen. Nor can we permit putting the U.S. Government once again in the position of having to serve as "pawnbroker" in the cotton market.

Under the present provisions, the U.S. Government will become in effect the biggest buyer and seller of cotton. In my view, such a result is not in the best interests of our country. It may be quite proper for the Government to be a referee, a mediator, and to set guidelines in contributing to stability in the industry. But it is wholly inappropriate for the Government to be the major cotton buyer, warehouseman, domestic salesman, and exporter. Yet the present provisions would encourage the movement of cotton not into trade channels but into the ownership of the Commodity Credit Corporation and, I might add, at a cost in excess of $1 billion more than the sensible one-price cotton system would cost if continued.

The Talmadge substitute, however, would provide the same basic cotton program included in H.R. 9811 as passed by the House. It would lower cotton price supports to about world levels, and the income loss to growers would be made up through direct payments. This program would allow cotton to move more freely and competitively through the normal channels of trade.

I do not claim to be an expert on the mechanisms required for effective farm programs. I am certain, however, that the national interest requires that farm programs be directed toward the goals of a reasonable balance between commodity supply and demand, maintenance of a sound economy, a price structure that encourages maximum consumption at home and abroad, and a minimum of Government controls and fair income to the producer.

A basic step toward the achievement of these objectives in this area is the construction of a farm program around the one-price cotton principle.

The House has passed H.R. 9811 with cotton provisions which embody such a one-price principle.

We should reject the Senate provisions which reflect a mechanism which did not work and which Congress only last year rejected.

We should replace these provisions with the substitute offered by the distinguished junior Senator from Georgia and continue the wise and proven policy of one-price cotton.

PROPOSED SALE OF WHEAT TO THE SOVIET UNION AND THE RECORD OF CONCILIATIONISM

Mr. DODD. Mr. President, I have been profoundly disturbed by recent items in the press reporting major sales of grain by Canada and our other allies to the Soviet Union and Red China, and also reporting that we ourselves are getting ready to sell wheat to the Soviet Union and that we are even prepared to drop the restriction that 50 percent of this wheat move in American bottoms.

I am also disturbed by reports which have appeared in the press that some of our Senators from the Western grain States have let it be known that they will not support the repeal of section 14b of the Taft-Hartley Act unless the union movement abandons its insistence that 50 percent of the wheat moved to Communist countries be shipped in American bottoms. It is difficult to describe this operation by any other word than "blackmail."

There is apparently no end to the artifices of those who favor the unconditional sale of wheat to the Soviet Union. Thus the Senate Agriculture Committee last Thursday voted out an agriculture bill which most of us would strongly support, but amended in a manner which would make it necessary for me to vote against the bill if the amendment ever carried. This amendment, which was introduced by the junior Senator from Minnesota, would by law remove the shipping restriction on any commercial sale of farm products.

If I may speak bluntly, I see absolutely no difference between the attitude which some of our grain growers and grain dealers and grain politicians are now taking on the question of wheat sales to the Communist world, and the narrow profit-taking-and-the-future-be-damned attitude of those who in the 1930's insisted that it was in the national interest to sell scrap metal to Japan.

In time of war it has always been taken for granted that each side tries to make things as difficult as possible for the opposing side by denying them access to food and raw materials and other imports necessary for the prosecution of the war.

The methods used will vary from situation to situation, but they include submarine warfare, blockades, preemptive buying, and pressure on neutrals not to sell to the enemy the commodities he most requires.

If there had been a formal declaration of war between ourselves and the Communist world, I do not think that anyone in his right mind would recommend that the free world sell massive quantities of wheat to the Soviet Union and to Red China, to help them overcome their food shortages.

Our difficulty in assessing the matter of East-West trade springs from the fact that we are involved in a twilight situation in which we have neither peace nor all-out war.

American boys are fighting and dying in Vietnam, and we are told that the security of all southeast Asia and ultimately our own security are involved in this limited but vicious war.

American boys have also died in recent months in attempting to prevent a Communist takeover in the Dominican Republic, and more than 10,000 of them are still on duty there in an effort to maintain an uneasy truce.

Rumblings in other Latin American countries suggest the possibility of more Cubas and more Dominican Republics in the very near future.

But despite the Soviet Union's open support of the Vietcong insurgency and of Communist subversion in Latin America, the free nations not only continue to do business as usual with the Soviet Union and the Communist-bloc countries, but they appear to be almost falling over themselves in their eagerness to export both machinery and agricultural produce to the Communist bloc—and this with increasingly more generous credit terms.

> When the time comes to hang the capitalist class—

Lenin is once reported to have said—

> they will compete with each other to sell us the rope.

The truth of this dictum was never more literally or more tragically apparent than it is today.

In the field of industrial equipment, the free world sales to the Communist bloc in recent years include entire chemical processing plants, oil refineries, textile plants, papermills, synthetic rubber plants, and so on. And it has not just been a matter of selling equipment to the Communists, because these sales have generally involved turnkey operations, in which we turn over to the Communists a fully operating plant, including technology and training of management and labor.

In the field of grain exports, the free world over the period 1960 to 1964 exported to the Soviet Union, Red China, and the other Communist countries, a total of more than 40 million metric tons.

I think it important to underscore the fact that much of this went to countries which, before they were taken over by the Communists, were substantial exporters of food grains whose agricultural production helped to compensate for food deficits in other areas of the world.

I am convinced that without the 40 million metric tons of grain which they obtained from the free world over the 5-year period 1960–64, the Soviet Union and Red China and Castro Cuba would today be in such dire domestic straits that they would have to cut back sharply on their subversive activities in other countries and, especially on their encouragement and support of so-called wars of national liberation.

I am convinced, too, that if the shoe were on the other foot, and if the Communist world had had our food surpluses while we had had their shortages, they would have utilized this advantage mercilessly to complete the burial of the free world.

And I am also convinced that, had the free world insisted, beginning in 1960, that the Communists would call off their subversive activities internationally as a condition of our grain sales to them, the world situation would be vastly different today.

We ourselves, have in recent years, gone into the business of feeding the Communist world on a major scale, and we are, therefore, not in a very good position to point our finger at other Western nations or to urge a more considered approach to the entire question of food exports to Communist countries.

But a few facts about our good neighbor to the north will help to illustrate the terrible disarray that characterizes our own economic relations and those of other free countries with the Communist bloc.

For the 1964–65 crop year, Canada exported a total of 395 million bushels of wheat and flour, of which 150 million bushels went to the Communist countries.

For the 1965–66 crop year, which began on August 1, it is estimated that total exports will run approximately 600 million bushels, of which the Communists will get some 350 million bushels, or roughly 10 million metric tons.

Moreover, these Canadian sales are made without political restrictions of any kind.

Not only has Canada become the chief purveyor of grain to Red China, but it is also a matter of public record that much of the Canadian flour purchased by the Soviet Union is delivered to Castro Cuba.

While the U.S. Government has, in recent years, manifested a willingness to support a certain relaxation of trade with Communist countries, we have, nevertheless, continued to oppose long-term credits because of the conviction that such credits constitute a form of aid.

However, the process of relaxation has an inexorable logic of its own; and, having given our blessing to the relaxation of trade restrictions, we now find ourselves powerless to prevent the relaxation of credit terms.

Several years ago no western nation granted more than 5 years' credit on sales to Communist countries, and even such a credit was a rarity.

But today 10- and 15-year credits are commonplace, and there has even been some talk of 20- and 25-year credits. In recent months, our own Export-Import Bank has approved a 7½-year credit to Rumania for the purchase of an oil refinery.

There should be nothing surprising about this development, because it is a maxim of economics that credit inevitably follows trade.

THE FALLACY THAT TRADE PRODUCES INTERNAL RELAXATION

Three arguments have been advanced in favor of continuing to sell grain and industrial equipment to the Communist bloc.

Argument No. 1 is that by so doing we are helping to "build bridges," and that this building of bridges will ultimately produce a more relaxed internal regime.

I am all in favor of doing everything in our power to encourage tendencies to decentralization and relaxation within the Communist countries, because I believe that such tendencies place certain restraints on the ability of Communist regimes to engage in aggression and subversion abroad.

But I consider it a complete inversion of the experience of history to argue that we encourage such relaxation by helping the Communist governments to overcome the food crises which are the inevitable product of Communist agricultural policies.

The experience of political history has been that the Communist regimes tend to tighten their political controls when their food problem is not acute and that they tend to relax controls—as they did in the Soviet Union in the early twenties under the so-called new economic policy, and as the Soviet Government has again done in recent years on a more limited scale—only under the pressure of increasing food shortages.

Our massive sales of wheat to the Soviet Union and to the other Communist countries have—although I am certain we did not intend it this way—placed us in the position of political strikebreakers.

The peasants of the Soviet Union and of the satellite countries have engaged in a continuing sit-down strike, or to be more accurate, in a continuing slowdown strike directed against the hated collective farms, in the hope that their governments would thus be induced to make greater concessions to private production in the sphere of agriculture.

To the extent that we of the free world have taken the pressure off their governments, we have undermined the stubborn and heroic struggle of the peasant masses for relief from the blight of total, or near-total collectivization.

By this I do not mean to say that we should refuse under all circumstances to sell food to the Communist countries.

I have never said that. I do not say it now.

I simply want to make the point that the massive sale of food grains to them, by taking some of the pressure off the Communist government, serves to retard rather than encourage the process of relaxation in the sphere of agriculture, and, as a consequence, in the sphere of foreign policy.

It is important that we should have our eyes open on this point.

THE FALLACY OF THE WORLD GRAIN GLUT

The second argument advanced in favor of agricultural sales to the Communist bloc is that this is the only serious way in which the major grain producing nations of the free world can relieve themselves of the serious internal problem posed by the heavy grain surpluses of recent years.

This argument, too, is false, because it relates to a situation that may have existed a decade or so ago, but which no longer exists today.

Over the past decade, more than 400 million people have been added to the world's population. Although much of the world still goes hungry, the increase in population has inevitably resulted in a major increase in grain exports, and this tendency is bound to continue over the coming period.

With a rate of population increase that now stands at some 50 million annually, it would require an additional 10 million tons of food grains each year to maintain the current level of caloric intake.

And the sad fact is that, as of this juncture, the increase in agricultural production is lagging sadly behind the world's increase in population.

This was the subject of some very dramatic testimony which I recently took from Mr. Tom Ware, president of the Freedom From Hunger Foundation, in a hearing of the Foreign Relations Committee Subcommittee on Economic and Social Affairs over which I presided.

Mr. Ware also made the point that one of the chief factors in the world food crisis is the spread of what he called "the Communist incentive desert."

He said that the spreading blight of collectivized agriculture over so much of the world's surface had probably cost the world more in terms of total food output than all the natural calamities put together.

A rational agricultural export policy for the coming period would require that we take inventory of the anticipated food requirements of the so-called hungry nations.

If we did so, I am certain that it would immediately become apparent that the era of undisposable grain surpluses has now come to an end and that we have entered into a new era characterized by growing food shortages in many parts of the world, Communist and non-Communist alike.

The only countries in the world with sizable surpluses of food grains, at the present juncture and over the foreseeable future, are the United States, Canada, Argentina, and Australia.

It is my belief that our own Nation and the other three grain-exporting nations of the free world, should organize themselves into a consortium for the purpose of planning future grain exports in a manner that most effectively copes with the problem of hunger and which, at the same time, gives maximum political support to the cause of freedom, to our own security, and to the peace of our world.

I believe that it would be possible to get the backing of Canada, Argentina and Australia for such a consortium if we could provide the governments of these countries with a firm assurance that, if circumstances at any time require that they forego sales to the Communist bloc, they will not be left holding the bag on undisposable grain surpluses.

I believe that a careful setting forth of the facts would help to win support for this proposal.

Mr. DOMINICK. Mr. President, will the Senator yield at that point?

Mr. DODD. I yield.

Mr. DOMINICK. The Senator has made an important suggestion. I wanted to call the attention of Senators to what I think is a fact—that in Canada there is a nationalized government agency involved in the selling of all wheat. What they do in Canada is to obtain a market for wheat. They buy it up at a predetermined price or sale price, and then sell it so that the grower of the wheat has no interest in or any idea where the wheat or grain is going. Is that correct?

Mr. DODD. I believe so. I am not informed as to the facts. I have heard the situation described as the Senator has described it.

Mr. DOMINICK. So far as Canada is concerned, she is actively concerned in selling wheat on the ground that Canada needs the money to support her economy. So long as there is assurance of a market through a consortium, it seems to me it would be politically possible and very advantageous if we could get it through.

Mr. DODD. I believe so. It makes sense to me. I am glad the Senator from Colorado thinks so.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. CARLSON. Following the suggestion of the Senator from Colorado, I wonder if the Senator has thought through the situation that of all the surplus wheat-producing nations in the world, the United States, Argentina, Australia, and Canada, we are the only nation in the world that curtails production by farm legislation. Canada is increasing production. Australia and Argentina are doing the same. Has the Senator any idea that we could get them to agree through legislation to require their farmers to do the same thing?

Mr. DODD. No, I do not think so; and I do not believe it would be necessary to do so here.

Mr. MONDALE. Will the Senator yield?

Mr. DODD. I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I believe the Senator from Connecticut puts his finger on one of the most serious problems in the world today, and that is the problem of the world hunger explosion.

It is estimated that more than 10,000 people die every day of hunger, and that millions are stunted physically and mentally because of malnutrition. Of the world's 3 billion population, it is estimated that about half of them suffer from serious malnutrition.

In the Dominican Republic, where we are having such troubles, it is estimated that 1 out of every 5 children dies of malnutrition. The tragic and growing cost of hunger in today's world is one of the least recognized and most explosive factors with which we must deal.

I join the Senator from Connecticut in urging that this Congress seriously consider improving our programs of food for peace and our efforts, in cooperating with other countries and the U.N. to meet this enormous and tragic hunger problem.

Mr. DODD. I am grateful to my friend and colleague the junior Senator from Minnesota. He has a very good understanding of the problem, indeed, there are few Members of the Senate who have a clearer understanding of the nature of the Communist menace. With respect to agriculture, I am sure that his understanding is far greater than mine. And it is comforting and encouraging to me that he approves at least in part what I am trying to say to the Senate this afternoon. I have a high respect for him, and think highly of him.

If Canada, Australia, and Argentina could be persuaded that the era of undisposable gluts has come to an end and that the grain exporting nations must start thinking in terms of expanding production rather than curtailing production, and if they could be persuaded to expand their storage facilities and to join us in a number of other measures designed to take the pressure off the world market, such a concert of policy would soon produce tangible economic benefits in the form of a more realistic price for wheat in the markets of the world.

It is an anomaly that surpasses understanding that the price of wheat should be $2 per bushel in the United States and $2.20 in Europe, while it is only $1.50 in the world market. It puts the U.S. Government in the position of subsidizing everyone, friend and foe alike, who buys our wheat.

It is absurd on the face of it that rice should be selling at twice the price of wheat, when both have the same caloric and nutritional content. Wheat prices should, by agreement among the major producers, be allowed to rise to the international price under the new European Economic Committee Agreement—EECA—or else the U.S. support price.

I would even be prepared to consider committing ourselves to purchase from Canada, Australia, and Argentina any surplus remaining after a period of several years, in consequence of any decision by the consortium to suspend sales to the Communist bloc.

There are some who may object that such an arrangement might cost us hundreds of millions of dollars before we were through. I think this estimate is exaggerated, because ultimately the surplus we purchase would be disposed of, and because the cost of the program would be largely offset by the increased price of wheat.

But even if it did cost us some hundreds of millions of dollars, this is a very small price to pay compared with the price we are today paying to stem the tide of Communist aggression in southeast Asia, in Latin America, and elsewhere.

In this connection, I think it is interesting to note that while free world agricultural exports to the Communist bloc were of critical importance to the bloc countries, the total value of the 40 million tons exported over the period 1960–64 was approximately $2½ billion. This is almost exactly equivalent to the amount of foreign aid lavished on Tito's Yugoslavia, and only one-half the amount invested in our aid programs to Yugoslavia, Poland, Indonesia, and Nasser's Egypt, combined.

Mr. GRUENING. Will the Senator yield at this point?

Mr. DODD. I am happy to yield to my distinguished friend the Senator from Alaska.

Mr. GRUENING. Is the Senator from Connecticut aware of the fact that negotiations are now underway with Sukarno to give him atoms for peace?

Mr. DODD. I was not aware of it, and I am shocked and saddened to hear it.

Mr. GRUENING. They are on the way, and the transaction is about to be concluded.

Mr. DODD. I do not know where they are going to wind up.

Mr. GRUENING. I am no less shocked than my friend from Connecticut. It is inconceivable that our country could do such a thing.

Mr. DODD. It is indeed. It is unthinkable.

But the point I am trying to make is that it really would not be any burden on us, if we would stop wasting our money on the countries and individuals I have named.

The creation of such a free world consortium would enormously enhance our bargaining power with the Communist world, especially in coping with crisis situations like Vietnam.

But this is not the only reason why we must seek to enter into a joint understanding with the three other major grain producing nations.

Even if there were no cold war, such a consortium would be necessary for the purpose of planning the most effective possible distribution to the areas of greatest need.

And the mere existence of the consortium would automatically result in a substantial increase in world grain output by raising the world price of wheat to a more realistic level.

Mr. President, the fallacy that food sales strengthen peace is a matter I should like to discuss briefly, because this is the argument advanced in favor of agricultural sales to the Communist bloc—that we are thereby proving our good will, creating an atmosphere more conducive to diplomatic negotiations, and reducing the danger that the Vietnam war will escalate into an Asian war, or even world war.

We are even told that such sales will encourage the continuation of the so-called detente which is supposed to exist with the Soviet Union and the European Communist countries.

The argument is made that if we truly seek the goal of peace and understanding, we must abandon or mute our suspicions and our criticisms and offer the Soviets tangible evidence of our good will, above all in the form of increased East-West trade.

If I thought for a moment that increased trade with the Communist countries would make freedom more secure and peace more stable, I would be in favor of it.

But the facts of history indicate that the contrary is true—that each concession or act of conciliation has been followed by a further intensification of Communist cold war activities rather than by a genuine relaxation of tensions.

The continuing pressure to sell wheat and industrial equipment to the Communist bloc, without conditions of any kind, springs from what I believe may properly be described as the philosophy of conciliationism.

According to this school of thought, the communism of today is not the same as the communism of yesterday; the Soviet Union, in particular, they tell us, has given us many significant evidences of its desire for peaceful coexistence.

Our conciliationists remain unperturbed by the fact that their talk of detente has coincided with a period during which the Communists have been deploying the broadest, the most massive, and the most ruthless offensive in the entire history of the cold war.

In three continents—in Asia, in Africa, and in Latin America—the forces of communism have been on the move, confronting the free world with crisis after crisis in such rapid sequence that the facts are perhaps blurred by the sheer pace of events.

Since facts sometimes do not concern our conciliationists, they do not consider it necessary to establish that the Soviets have responded in an affirmative manner to any action of trust or generosity or good will on our side; nor are they troubled by the overwhelming evidence that the Communists have invariably responded to every such action on our part by stepping up their propaganda attacks and their political offensive against the free world, and even their ruthless aggression against the free world.

The conciliationist philosophy enjoys the support of a substantial segment, but by no means a majority, of our academic community.

It is espoused with enthusiasm by the ultraliberal minority in our society who are now urging that we abandon the people of South Vietnam to communism—and the consequences be damned.

But it is through the permanent personnel of the Department of State that the conciliationist philosophy has been able to put its imprint on so much of our foreign policy since the close of World War II.

CONCILIATIONISM AND THE DEPARTMENT OF STATE

By this I do not mean to say that the State Department is a conciliationist organization.

The State Department is anything but monolithic.

I can personally vouch for the fact that there are important officials and key staff members of the Department who could not, by any stretch of the imagination, be classified as conciliationists. They are political realists.

The shifts in State Department policy over the years can, indeed, only be understood in the light of the continuing tug of war between the realists and the conciliationists.

It is to the eternal credit of the realists that, although they have in the past frequently been ignored, their advice and their judgment has prevailed over that of the conciliationists in an increasing number of crisis situations.

If anything, the philosophy of conciliationism is far more strongly entrenched at desk level and lower in the Department than it is in the upper strata.

The conciliationism within the Department is essentially bureaucratic rather than ideological in inspiration, although there is unquestionably an overlapping between the two.

It is impossible to operate any large organization without a bureaucracy; and bureaucracy carries with it certain inevitable penalties.

There are rare men who possess enough strength of character to resist the corrosive effects of bureaucracy.

They are worth their weight in gold.

But most men—even good men—who become members of a gigantic bureaucracy ultimately do succumb to the pattern.

What are the essential attributes of a bureaucrat?

The State Department bureaucrat is by nature inclined to play it safe.

He shies away from difficult decisions.

He avoids recommending any course which entails risk.

He is disposed to pretend that all is well, when all is not well.

He admits to no errors.

He reacts violently to any criticism of the bureaucracy.

And this combination of traits makes him all too prone to run away from the harsh reality of the cold war, and to rationalize his flight from reality by constructing a philosophy which appears to justify it.

The power of these desk level bureaucrats must not be underestimated.

It is they who do the basic research and who prepare the analyses and the position papers for the guidance of their superiors. And, although their names are frequently unknown even to Congress, they play a role of critical importance in the formulation of policy.

THE RECORD OF CONCILIATIONISM IN THE FIELD OF POLICY

There is nothing essentially new about the argument that by the force of our example, and by dint of making a few concessions, we can move even dictators and aggressors to abandon their ways and to live in peace.

What is not commonly realized is that, thanks to the very strong influence which the conciliationists have until now wielded in the Department of State, we have tried this approach in many of our dealings with the Communist world and with extremist dictators in Asia and Africa.

Invariably, the results have been the same.

Our concessions, our demonstrations of good will, our commitment to the quest for peace even to the point of imperiling our own security, have all been interpreted as signs of weakness and have inspired the Communists and extremists whom we sought to influence to respond with contempt and ingratitude and new aggression.

If our efforts at appeasement and conciliation had scored even a single conditional victory, it might be more difficult to argue against pundits who have been talking about detente and the need for abandoning our rigid and antiquated attitude toward the cold war.

But the fact is that this approach has failed, and failed miserably, in every single instance in which it has been tried.

CONCILIATIONISM IN THE POSTWAR PERIOD

We gave the Soviets unstinted lend-lease; and, at the Yalta, Potsdam and Teheran conferences, we made important political concessions to them on Central Europe.

Our generosity, our good will and our naivete, in fact, knew absolutely no bounds during the war years and for a period of time thereafter.

The Soviets responded to our conciliatory attitude by installing Communist dictatorships in all of the central European countries, and they responded to our virtually total disarmament in the postwar period by imposing the Berlin blockade.

CONCILIATIONISM AND THE CHINA DISASTER

We pursued the policy of conciliation in China when we forced Chiang Kai-shek to call off his offensive against the Communists and to enter into negotiations for a coalition government with them. And the result was the loss of China to communism.

China probably could have been saved from communism with a fraction of the effort we subsequently invested in Korea or that we are today making in Vietnam.

But we made it clear by our action or, to be more accurate, by our complete lack of action, that we were not prepared to lift a finger to prevent the Communists from overrunning the Chinese mainland.

The first reward for our inaction in China was the Korean war. And this was only the first of many heavy payments that we shall have to make for permitting our desire for noninvolvement and conciliation to override our political judgment.

When the Chinese Communists sued for peace in Korea because their economy was exhausted and their army in full retreat and on the verge of collapse, we again showed our good will by agreeing to an immediate cease-fire.

The Communists took advantage of the cease-fire to reconsolidate their military position, and to launch new offensive actions which cost more American lives than had been lost in the period preceding the cease-fire.

And, in proving our desire for peace, we agreed to an armistice so lenient in its terms that the Communist negotiators rushed from the tent at Panmunjom, shouting "We have won."

The repayment for the conciliatory attitude we displayed in Korea was quick to come in the form of the Communist-led insurrection in Indochina and the partition of Vietnam.

CONCILIATIONISM AND KHRUSHCHEV

Not to be discouraged, we again made an effort to create the conditions for peaceful coexistence when President Eisenhower consented to meet with Khrushchev at the ill-fated Geneva conference in 1955.

For a brief period of time, we beguiled ourselves with the belief that the so-called spirit of Geneva marked the beginning of the end of the cold war.

We were awakened from this dream by the announcement that the Soviets were shipping massive quantities of arms to Nasser, thus establishing a Soviet political presence in the Mediterranean for the first time, and creating a situation which has over the past 10 years gravely disturbed the peace of the entire area.

But our conciliatory spirit knew no bounds.

When, in the summer of 1956, the flames of popular revolution erupted in Moscow's satellite empire, we let it be known that we looked upon Eastern Europe as an area vital to Soviet security and that we had no intention of intervening.

And the result was the bloody suppression of the Hungarian revolution, and the restabilization of the Communist bloc.

We again carried our desire for conciliation to the point of folly when, in October 1958, we announced to the world that we were embarking on a voluntary 1-year moratorium on nuclear testing while the possibilities of a test ban treaty were being further explored with the Soviet Union.

The voluntary moratorium was, in effect, a test ban treaty without any mechanism of inspection or control.

Although there was absolutely no way at that time—and there is still no way today—of verifying Soviet underground tests, we took it for granted that the Soviets would honor their word and refrain from clandestine testing.

Our military men and our nuclear experts warned us that the moratorium was imperiling our security.

But apparently it was considered more important at the time to prove to the Soviet leaders that we harbored no suspicions about their honesty or intentions.

And so we committed ourselves to this historic act of overtrustfulness and naivete, completely abandoning the principle that every step in the field of disarmament must be accompanied by corresponding safeguards.

Exactly 4 weeks after we embarked on the moratorium, on November 27, 1958, Khrushchev promulgated his famous Berlin ultimatum.

The ultimatum was followed by a whole series of missile-rattling perorations by Mr. Khrushchev; by the bloody riots in the Panama Canal; by the establishment of a Communist regime in Cuba in January of 1959; and by stepped-up activities by the Communist parties throughout the free world.

This was our reward for the trustfulness and good will we displayed in consenting to an honor moratorium on all nuclear testing.

But our final reward for the test ban moratorium came in August, 1961, when

Khrushchev announced that the Soviets would resume the atmospheric testing of nucelar weapons.

In the 2 months that followed, the Kremlin exploded 26 bombs, culminating in their 60-megaton monster.

And when the tests were analyzed by our experts, it turned out that the Soviets had virtually succeeded in liquidating the precious 3- to 4-year lead in nuclear technology which we possessed before we embarked on the moratorium.

Our blind insistence on answering every new affront and every new act of aggression with the new demonstration of conciliation was again apparent in the decision to invite Khrushchev to visit our country in September 1959.

We rolled out the red carpet for Khrushchev, we completely muted our criticism of communism, we did our utmost to prevent or discourage demonstrations against the Red dictator.

And when President Eisenhower and Prime Minister Khrushchev met for several days at Camp David toward the end of September, the meeting was hailed on every side as a positive move toward improved understanding and the relaxation of tensions.

The spirit of Camp David turned out to be as illusory and fleeting as the spirit of Geneva.

For the hospitality he had received in Washington, Khrushchev repaid us by tearing up the Soviet invitation to Eisenhower at his Paris press conference, while Communist-led rioters in Venezuela spat upon Vice President Nixon and Mrs. Nixon and, across the world in Japan, other Communist-led rioters forced President Eisenhower to cancel a long-planned visit at the invitation of a friendly foreign government.

The larger political consequences of Khrushchev's visit to America is a subject big enough for a separate speech.

Let me, therefore, confine myself to the comment that the Khrushchev visit opened up a Pandora's box of bilateralism within the NATO community, and to state invitations at all levels to the Soviet leaders.

Indeed, I think it is not too much to say that the grave weakness of NATO today is in large measure due to the unfortunate example of bilateralism established at Camp David.

The NATO community is no longer united in its approach to the Soviets.

We deal with them on our own, De Gaulle deals with them on his own, the British deal with them on their own, and so on.

Needless to say, the Kremlin has profited tremendously from this disorganization of the West.

CONCILIATIONISM AND CASTRO

We again displayed a restraint that defied discouragement in our dealings with Castro after he came to power.

One by one he nationalized the American firms operating in Cuba.

Every day he assailed the United States in tirades of almost psychopathic vehemence.

One by one he eliminated the non-Communist members of his government, while his firing squads kept busy from dawn till dusk.

But for a year and a half, until June 1960, we continued to pay Castro a sugar subsidy that averaged $11 million per month.

For this show of restraint and conciliation, the payment we received was, first, the complete communization of Cuba; second, the Cuban missile crisis; and third, Castro's massive subversive offensive directed against the free countries of Latin America.

CONCILIATIONISM IN LAOS

The policy of restraint and conciliation was also tried in Laos, where we have been repaid in much the same kind of currency.

In December of 1960, the Soviet Union began an airlift of military equipment and North Vietnamese specialists to the pro-Communist forces in Laos, thus initiating the crisis which now threatens to bring this important southeast Asian country under complete Communist control.

The first Soviet planes that came in brought fuel and oil. But we refused to be alarmed or provoked, and we did nothing.

The next Soviet planes brought small arms and ammunition. But still we did nothing.

The next Soviet planes brought mortars and howitzers and other heavy equipment. Still we insisted on restraint, although our Laotian friends pleaded for permission to shoot the Soviet planes down.

Finally, when it was abundantly clear to everyone that we had no intention of taking any action, the Soviet planes started flying in North Vietnamese specialists.

When the pro-Communist forces in Laos, with this assistance, scored a number of victories during the first part of 1961, we still adhered to the policy of conciliation.

Instead of beefing up the Government forces so that they could better cope with the Communist offensives, we urged the Laotian Government to agree to an armistice and to enter into a coalition government with the Communists.

The Laotian armistice was repeatedly violated by the Communists, until they now control more than half the country.

The coalition government was utilized by them so long as it served their purposes, but today they have for all practical purposes withdrawn from participation in the government.

The North Vietnamese Communists exploited the armistice from the first to move men and equipment down the Ho Chi-Minh trail to South Vietnam.

And, having decided against any military involvement in Laos, in 1961 when the Communist forces were much weaker, we today find it necessary to send American planes on almost daily bombing and strafing missions against the Laotian Communist forces.

THE AFTERMATH OF THE TEST BAN TREATY AND THE SOVIET WHEAT DEAL

Our most recent and most dramatic experience with the fatal consequences of conciliationism took place in 1963.

In July of 1963, on American initiative, a treaty was signed banning all nuclear tests in the atmosphere, under water, and in space. To achieve this treaty, we made numerous important concessions to Soviet obduracy. Among other things, we agreed to include underground explosions for peaceful purposes within the framework of the ban.

I myself supported this treaty, and I believe that my resolution of May 21, 1963, played some role in making the treaty possible. I supported this treaty—and I still support it—on its intrinsic merits, and not because I harbored any illusions that it would produce any abatement in Communist subversive activities.

One month after the treaty was signed, in August 1963, the news broke that the Soviet Union was facing one of the gravest food shortages in its history and that it was in the market for American wheat.

In the month of October, we agreed to sell to the Soviet Union $200 million worth of wheat.

The wheat was sold not at the price which the Government had paid the American farmer, but at the artificially low world price, so that the American Government, in effect, was subsidizing the Soviet Union.

Concessions were also made on freight rates and on credits.

The sale was made without condition of any kind.

The test ban treaty has been hailed on every side as the first serious move toward a reduction of the arms race and a relaxation of tensions.

The terms of the wheat deal, moreover, should have been enough to persuade the hardest Soviet heart of our good intentions, because here we were saving the Soviet Union and asking nothing in return.

How did the Soviets react to these two historic manifestations of good will?

First. On October 22, the very anniversary of the Cuban missile crisis, Soviet Mig fighters, operating out of Cuba and more than likely manned by Soviet crews, attacked an American-owned freighter on the high seas.

Second. There was a series of harassments in October 1963, of American and British convoys on the Berlin Autobahn.

Third. In the month of October 1963, an official Soviet delegation in Hanoi, the capital of North Vietnam, broadcast a call for the overthrow of the Diem government and for the expulsion of the "American imperialists" from South Vietnam.

Fourth. The Soviets, again during the month of October 1963, further inflamed the highly dangerous situation in north Africa by sending arms and equipment to the Ben Bella government in large quantities, and by openly inciting the Algerians against the Moroccans.

In the month of November 1963, the Congolese Government was compelled to expel the entire Soviet mission when members of the mission were caught red-handed with documents proving their complicity in a leftwing plot to overthrow the Congo Government.

In January 1964, there were the Panama riots, which were organized and led by identified Castro agitators and which were supported to the hilt by the entire Soviet propaganda apparatus.

Such, over a brief 5-month period, was the tally of Soviet gratitude for the nuclear test ban treaty and for our decision to sell them wheat on highly favorable terms.

CONCILIATIONISM AND GHANA

We have had other disastrous experiences with the policy of conciliationism.

In Ghana, we did our utmost to cooperate with Prime Minister Kwame Nkrumah.

We agreed to underwrite the Volta Dam project to the tune of some $200 million.

We muted our criticism of the Stalinist aspects of the Nkrumah regime; we ignored its subversive activities in the surrounding African countries; and the State Department assiduously defended it against charges that the regime was communoid, if not Communist.

We were repaid for this by the violent anti-American riots in January of 1963, and Nkrumah's open support of the Communist-led insurrection in the Congo.

Today, I believe that few people would challenge the assertion that Ghana must, for all practical purposes, be regarded as part of the Communist bloc.

CONCILIATIONISM AND INDONESIA

In Indonesia, too, we followed the policy of conciliation.

We poured in aid totaling almost $1 billion, which only in recent months has begun to taper off.

When Sukarno demanded the territory of West New Guinea, we supported his demand despite the fact that the territory was in no sense part of Indonesia and that there is no bond of race or language or culture or religion between the Papuan people of West New Guinea and the Indonesian people.

To show our good will, we even refused landing facilities to planes of our Netherlands allies en route to New Guinea, and we exerted every ounce of pressure we could bring to bear to compel the Netherlands to cede the territory to Sukarno.

For all this we have been repaid by attacks on the American Embassy, by the seizure of USIA offices, by the confiscation of U.S. industry, by the current invasion of Malaysia, and by Indonesia's unbroken support for the Communist position in foreign policy.

CONCILIATIONISM AND NASSER

The conciliationists have until recently also had their way in our dealings with President Nasser of the United Arab Republic.

It was the United States, more than any other nation, that saved Nasser at the time of the Suez crisis.

Since the close of the war, we have pumped into Egypt almost $1 billion in aid, including $715 million worth of Public Law 480 food shipments. Without these shipments the Nasser regime could not possibly have kept alive.

Nasser has repaid us for all this in coin very similar to Sukarno's.

His diatribes against the United States have become increasingly violent.

There have been repeated attacks on the U.S. Embassy installations.

He has done his utmost to force the United States out of the great Wheelus Air Force Base in Libya.

He has occupied Yemen with a force of 50,000 men, and from this strategic position he is now seeking to drive the West out of the vital oil fields of greater Arabia.

CONCILIATIONISM AND TITO

In the case of Tito, our aid totaled around $2½ billion during the period of his purported disaffection from the Communist bloc.

In return for this assistance, Tito has spearheaded the anti-Western neutralist movement and has voted with the Communist bloc and the Afro-Asian extremists on every important issue, including the Stanleyville rescue.

Let there be no mistake about it:

Tito bears a very large part of the blame for the now total anti-Western commitment of Nasser and Sukarno.

It is a fitting conclusion to this sorry adventure in conciliationism that Tito now appears to have completed his reconciliation with the Soviets.

But since myths tend to fade away rather than die sudden deaths, the myth that Tito's government is Titoist continues to linger on.

THE LESSON OF THE PAST, AND THE QUESTION OF NEW WHEAT SALES

In the case of Nasser, as in the case of Nkrumah and Sukarno, we are at long last beginning to realize that appeasement does not pay off.

I think every American will applaud the harder attitude which the administration is now displaying in its dealings with these upstart dictators.

To this extent the influence of the conciliationist wing of the Department of State has been compromised and diminished.

But while we seem to have learned the lesson of the past decade in our dealings with Nkrumah, Nasser, and Sukarno, for some strange reason we do not yet appear to have learned that the same lessons apply in even greater degree to our dealings with the Soviet Union and the Communist bloc.

In this vital area the influence of the conciliationists within the Department of State still appears to be paramount.

Thus, despite the Vietnamese war, despite the Soviet and Chinese intervention in the Congo, despite the massive political offensives now being conducted by the Communists in every continent, the Western nations are now competing with each other, hand over fist, in their anxiety to sell food grains and industrial equipment to the Communist bloc, and serious consideration is now being given in our own country to a further dramatic expansion of trade with the Communists.

I believe in trade with the Communist bloc—but only on the condition that they call off their subversive and aggressive activities.

In the absence of such an understanding the shipments of food and sophisticated industrial equipment to the Communist nations is tantamount to subsidizing Communist aggression in southeast Asia and Communist subversion in Africa and Latin America, and ultimately tantamount to subsidizing our own destruction.

Mr. MURPHY. Mr. President, will the Senator from Connecticut yield at that point?

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from Connecticut yield to the Senator from California?

Mr. DODD. I am happy to yield to the Senator from California.

Mr. MURPHY. Is it not a fact that in the original recognition of the Soviet Government, one of the conditions made by President Franklin D. Roosevelt was an agreement whereby the Communist government promised to stop its subversion throughout the world?

Mr. DODD. The Senator is correct.

Mr. MURPHY. Has there been any indication, at any time, that they have acknowledged this agreement and lived up to it?

Mr. DODD. None that I know of. On the contrary, the record is replete with evidence that they have broken it on practically every occasion when they desired to do so. They have never lived up to that agreement.

Mr. MURPHY. Is it not also a fact that the pattern of the agreements which have been made during the past 30 to 35 years by our Government is almost exactly the same, that each time there is a new condition and a friendly atmosphere in existence, we make a conciliatory move, and each time we have the same sad experience which the Senator from Connecticut is so well expressing on the floor of the Senate today?

Mr. DODD. I believe so. That is what has happened. That is why I am taking the time to deal with this subject in some detail.

Mr. President, to those who say that we have been too suspicious in our dealings with the Communists, I reply that we have not been suspicious enough.

Mr. MURPHY. I congratulate the Senator from Connecticut on his carefully planned and well documented recitation of the diplomatic history. I believe that it should be read by all Members of the Senate and also by the citizens of this great country, so that finally the exact conditions and the exact problems which face us today can be known and understood by all.

Too often, an example of abuse comes to light, it passes by, and in a few weeks is forgotten. I believe that the Senator from Connecticut has performed a valuable service, and I congratulate him.

I promise that I shall have reprints made of his remarks, and they will be sent to all citizens on my mailing list.

Mr. DODD. That is a generous compliment. I wish that I deserved it. I am grateful for it, nonetheless. I really have not performed a service any greater than that of the Senator from California, or the Senator from Colorado, or any other Senator. We have all tried to hammer out a policy which will best serve the cause of peace and justice throughout the world.

Mr. President, to those who urge a more conciliatory attitude, my answer is that we have turned the other cheek for far too long.

To those who say that conciliationism is the only road to peace, I reply that it is the certain road to disaster.

Not through our own choosing, but because our enemies have forced it on us, we are involved in a life-and-death struggle for survival.

The recognition of this basic fact is the beginning of all wisdom in the field of foreign policy.

The refusal to face up to this fact has, by the same token, been the source of all the follies we have committed, under both Democratic and Republican administrations, since the close of World War II.

THE WAY OUT

Is there then no way out of the cold war? Is there no realistic way of dealing with the Communists, and ultimately of coming to terms with them?

If the policy of conciliation has invariably led to disaster, the policy of firmness in the postwar period has just as invariably obliged the Communists to back down or desist.

I quickly remind my colleagues of this and tell them what I mean.

When the Soviets refused to bow to diplomacy and evacuate northern Iran after World War II had come to an end, President Truman backed the Government of Iran in sending its army into the so-called State of Azerbaijan to depose the puppet government which the Russians had installed.

The Soviets protested.

But there was no war.

The Truman doctrine was another manifestation of the policy of firmness.

What it amounted to was a public commitment that we could not and would not tolerate the subjugation of Greece and Turkey by communism.

Once again, the Communists were instructed in the meaning of defeat.

The policy of firmness again prevailed in the Berlin airlift.

It prevented the Communists from taking over South Korea.

It frustrated their grab for power in Jordan and Lebanon.

It called the Communist bluff in the Quemoy-Matsu crisis.

It forced the Soviets to back down ignominously in the Cuban missile crisis.

In recent months, it prevented a Communist takeover in the Dominican Republic.

And it is my conviction that if we continue to adhere to the policy of firmness in Vietnam, the Communists will again back down, as they have done so many times in the past.

Herein lies the one serious hope for the future of mankind; if we continue to hold the line against the further expansion of communism, the extremist elements in Moscow and Peiping will be so compromised by their successive failures, that more moderate elements will ultimately come to the fore.

Mr. President, I have set forth the record of the failure of conciliationism in some detail because I believe that the implications of the proposed sale of wheat to the Soviet Union can only be understood against this background.

I have in the course of these remarks presented certain thoughts dealing with the readjustment of our agricultural and trade policies. I pretend to no finality in these remarks—but the one thing I am certain of is that there must be some far-reaching readjustments in these policies.

Because I believe that the time has come for a comprehensive congressional study of the entire question of East-West trade, I send to the chair an amendment to the Agricultural Act, calling for the establishment of a joint select committee of Congress to study the problem, and asking that the conclusion of further wheat deals with the Soviet Union be postponed until the committee has had an opportunity to bring in its report.

I ask unanimous consent that the text of the amendment be printed at this point in the RECORD, together with the statement by Mr. Thomas Ware, to which I have referred in my remarks, and several other documents dealing with the question of East-West trade.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment and other material will be printed in the RECORD.

The amendment is as follows:

On page 108, strike out lines 14 through 24.

On page 109, strike out lines 1 and 2 and substitute in lieu thereof the following:

"SEC. 703. (a) There is hereby established a Select Joint Committee of Congress To Study East-West Trade (hereinafter referred to as the Select Committee), to consist of a total of eighteen members, two majority members and one minority member each from the House Agriculture Committee, the House Foreign Affairs Committee, the House Ways and Means Committee, the Senate Agriculture and Forestry Committee, the Senate Finance Committee and the Senate Foreign Relations Committee, to be chosen by the respective committees.

"(b) The Select Committee shall report its findings and make recommendations to Congress and to the President on or before February 1, 1966, after hearings, studies and consideration of the whole range of East-West trade, to include:

"(1) The historical background and development of trade between the Free World and Communist or Communist-dominated countries;

"(2) The present state of trade relations between the free world and Communist or Communist-dominated countries; and

"(3) The possible advantages and disadvantages to the United States and other free world countries of expanded trade with Communist or Communist-dominated countries.

"(c) The select committee shall pay particular attention to the various devices which have been suggested to encourage greater trade between the United States and the Communist or Communist-dominated countries, including, but not limited to:

"(1) The waiving of restrictions, limitations, or conditions connected with the sale through normal commercial channels of agricultural commodities;

"(2) The guarantee by agencies of the Federal Government of credit arrangements, worked out through normal commercial channels; and

"(3) The development of a modified list of strategic goods, intended to make our policy more consistent with those of other free world nations.

"(d) The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the members representing each House, taken separately.

"(e) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the 89th Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

"(f) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

"(g) The expenses of the committee, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

"(h) The select committee shall expire once it has made its report of findings and recommendations, in any event not later than February 1, 1966."

The matters presented by Mr. DODD are as follows:

STATEMENT BY MR. THOMAS WARE TO THE SUBCOMMITTEE ON ECONOMIC AND SOCIAL POLICY, SENATE FOREIGN RELATIONS COMMITTEE, JUNE 29, 1965

First, Mr. Chairman, I should like to introduce myself briefly and to thank you for this opportunity to testify before you.

My name is Tom Ware and I am the Chairman of the Board of Trustees of the Freedom From Hunger Foundation, to which it was my honor to have been appointed by the late President Kennedy. Former President Truman is honorary chairman of the foundation.

The Freedom From Hunger Foundation is a private, nonprofit organization supported by business and private firms, and cooperating with the Food and Agriculture Organization of the United Nations in a worldwide effort to expand the production of food and improve the standards of nutrition in countries today suffering from food shortage and seriously inadequate diets. Among the foundation's trustees are Miss Marian Anderson, Mrs. Orville L. Freeman, Senator GEORGE MCGOVERN, George Meany, Walter P. Reuther, David Sarnoff, and Adlai E. Stevenson.

By profession, I am an engineer and the chairman and chief executive officer of International Minerals & Chemical Corp., one of the world's prime producers of fertilizers and other agricultural chemicals.

THE WIDENING WORLD FOOD GAP

As chairman of the Freedom from Hunger Foundation and chief executive officer of International Minerals & Chemical Corp., I have become increasingly concerned about the widening gap between the world's agricultural resources and its rapidly expanding population. I believe that much more must be done about this problem than has been done. But obviously little will be done until people understand it. I have found, however, that very few grasp the magnitude of the danger that confronts us. Most are unconcerned about it.

I do not criticize them for this. We live in a world of extremes. It is difficult for us to think in terms of an impending food crisis when we ourselves are plagued by the problem of food surpluses and national obesity rather than national famine. It is difficult for us to realize that while we enjoy a diet of 3,400 calories per day, there are many parts of the world where a man must do a hard day's work on half that, and that in Madras, India, the food allowance amounts to less than 800 calories of rice and wheat per day for an adult and only half as much for a child.

I am grateful for the opportunity to testify before your subcommittee to present the facts to Congress and to the American people, and to outline certain measures which I believe must be taken.

ONE PARAMOUNT PROBLEM

It is essential that we create a total awareness and urgent public concern with one supremely important problem: There is a global food catastrophe now building up on the horizon which threatens to engulf the free world and the Communist world alike.

The catastrophe is not something that may happen; on the contrary, it is mathematical certainty that it will happen unless the free nations of the world, acting in concert, embark without further delay on a whole complex of dramatic and farseeing measures.

There are some who speculate that human ingenuity and modern technology are theoretically capable of providing enough food for 10 or 20 or 50 billion or some other enormous population. But the reality is that the world is not right now producing enough food for its present population. The optimists fail to take into account two salient points:

First, their theoretical projections are always based on the assumption that we will be operating under ideal conditions. Such an assumption flies in the face of reality. This is a restless, divided world. Natural calamities and the scorched earth of wars past, present and future exact a heavy, continuing toll on food production.

Second, lead time is incredibly precious—and our lead time is going fast. Major technological developments are always painfully slow. Antibiotics, nuclear fission, plastics, powered flight—all took several decades. Developing natural resources is equally time-consuming.

Every major, modern business concern has to make its plans far into the future. There are many concerns that have contracts for resources running 25 or 50 years. I know of one paper company, for example, which has contracts that extend to the year 2080.

With respect to potash, that resource so vital to food production, I have lived through the many years of careful study and engineering design, agonizing decisions and heartbreaking disappointments, the heavy investment of time and effort and $60 million to tap the world's richest potash reserve 3,200 feet beneath the Canadian prairie in Saskatchewan. Many others have tried and are still trying to reach this important mineral reserve.

However, the biggest problem of technology and the biggest problem of supply must be deemed microscopic when compared with the enormity of the problem of preventing a global food catastrophe.

For these reasons, we would do well to err on the side of pessimism rather than on the side of optimism.

There is an equation of potential catastrophe which contains three prime factors.

Factor number one—and this is fixed within narrow limits—is that only a tiny portion of the world's surface is arable and food producing.

Let's examine this a moment. If you look at a demographic map of the world, there seems to be much land that is underpopulated. Why can't we make room for the world's increasing population in these areas?

THE SCARCITY OF LAND

Land alone is an extremely deceptive criterion. The fact is that very little of the world's surface is suitable for agriculture. If you subtract the oceans, the polar ice caps, the tundras, most savannahs and deserts, the areas of inadequate rainfall, the thin tropical soils, and the regions which for a variety of other reasons are unsuitable for agricultural use, you discover that only 3.5 percent, or less than 4 billion acres of the world's surface of 110 billion acres, is arable food-producing land.

Even with the most imaginative and energetic program of land reclamation and development, optimists agree that this figure cannot be pushed beyond 5½ billion acres.

This globe which I have prepared will help to illustrate the point. The thin line that squiggles down through the temperate zones, a bit wider in some spots, very narrow in others, brings together in a single island all the arable soil that exists at every latitude. This amazingly thin-soil lifeline represents all the cultivatable soil that is available today.

This area can be expanded somewhat, but the most that can possibly be brought under cultivation is about 5 percent of the earth's surface. To bring these marginal lands under cultivation will require sophisticated technologies and great expenditures of capital over a long period of time.

All of this effort will be constantly sapped by the millions of tons of topsoil lost every year in every land through the flooding of rivers and soil erosion—some of it unavoidable, some of it caused by bad agricultural practices.

TOPSOIL MUST BE TREASURED

As we all know, many areas that were fertile croplands in Biblical times are desert today—the result of deforestation, soil exhaustion, wars, and the unscientific use of the land. Despite the growth of scientific knowledge, man is still creating deserts and plundering his planet.

In our own country, we plowed the soil bare in an area where precipitation and evaporation were precariously balanced, and the great dustbowl of the thirties resulted.

In recent years the Russians have made the same mistake in Khrushchev's much-touted "virgin land" program. In areas of marginal rainfall, they plowed up millions of acres of steppeland that had previously been suitable only for light grazing. For their prodigious expenditure of effort, they have reaped crop failure after crop failure and they now appear to be on the way toward creating a great Kazakhstan desert.

The irredeemable tragedy of soil erosion becomes apparent when you consider how miraculous a thing agricultural topsoil is, and how difficult to replace.

There is a little book called "The Web of Life" that describes an experiment carried out on a tiny plot, 2 feet by 2 feet by 6 inches deep. The experimenter planted the plot with rye. At the end of 3 months he had a stand of rye some 20 inches high, with a total leaf area of 55 square feet as compared with the 4 square feet of soil. He calculated that there were 368 miles of roots and some 6,000 miles of root hairs, growing at the rate of 50 miles per day. This is the miraculous mechanism that was required to push up a small stand of rye, and to pick up the chemical values from air and water and soil and translate them into plant growth and soil structure.

That is why topsoil is so precious and why, once eroded, it is not readily replaced. It remains to be seen whether man can arrest the process of erosion in lands now under cultivation, and at the same time expand the area available for food production by the opening up of marginal lands.

THE POPULATION EXPLOSION

Factor No. 2 in the equation of potential disaster is the population explosion.

The world's population is increasing at an unprecedented rate. It is estimated that during the first 1,600 years of the Christian era the world's population grew from 250 to 500 million, and that during this period the rate of increase varied from 2½ to 5 percent per century. The progressive conquest of disease has sent the rate of increase soaring a hundredfold from 2½ percent in 100 years to almost 2½ percent in a single year. And the rate of increase continues to soar as epidemic diseases are conquered and as modern medicine become available to larger numbers of people.

It has taken a million years or more—from the beginning of time to this moment—for mankind to become 3 billion in number on this earth. The next 3 billion will come unbelievably fast—today's teenager will live most of his life in a world of 5 to 6 billion.

It will take all the ingenuity and energy we can muster to stave off disaster through the few remaining years of this century, while the world population figure climbs inexorably toward the 6 billion mark.

Moreover, the greatest expansion of population is now taking place in precisely those countries that are the least developed, the most overcrowded, the most underfed, the least susceptible to population control because of their backwardness, and the most impoverished in administrative experience and personnel.

It is noteworthy that the developed world and the underdeveloped world both have about the same agricultural land resources in terms of acreage under cultivation and available for cultivation. But whereas the population of the developed world during the period from 1960 to the year 2000 will grow from nine-tenths of a billion to an estimated 1.3 billion, the population of the underdeveloped world during this same period will increase from just over 2 billion to almost 5 billion.

To emphasize the present, skyrocketing rate of world population growth, let me point out that a simple, mathematical projection of today's rate—if it continued unabated—would indicate the incredible total of 50 billion in the year 2100, just 135 years from now. I cite this astronomical figure only to stress the very real situation of this moment and the certainty of our having 6 billion or more people by the close of this century.

Unless nations and individuals grasp the urgency of assuming responsibility in the matter of procreation, and match this responsibility with requirements for food and shelter, chaos for all our institutions would seem inevitable.

POPULATION TIME BOMB

As matters are today—with the possibility of 6 billion people on earth only a few years from now—it is as though the entire world had become a gigantic time bomb. With each passing hour the population-land-food problem becomes more acute.

But the population explosion is a variable factor. It is within our power to bring the rate of increase under control. If we do, catastrophe may be averted. If we do not, then no combination of other measures can stave off the calamity that threatens.

Now I am sure that much of what we have covered so far is familiar ground. Millions of words have poured forth. The Department of Agriculture has just published another revealing study. The Food and Agriculture Organization of the United Nations has published many excellent volumes, replete with comprehensive charts and tables on the population-land-food equation. Various popular journals have treated the subject, and the news media have not ignored it.

Perhaps this is part of the trouble. Everyone has surely been exposed to some aspect of the problem by now, but because there are so many aspects, because the problem is so complex and seemingly impossible to solve, the natural tendency is to dismiss it, to put it out of mind, to shrug it off and say that time will provide the answer, that it will all work out somehow.

Indeed it will, but in which direction—toward survival or chaos? And because this is not the kind of threat that towers over the world in a mushroom cloud, but the kind that creeps over everything and closes in like a dense fog, the danger is even more grave.

What we desperately need is to find the means to make more people aware of the total dimensions and the urgency of this great world problem—not just some of the pieces, but all of them and how they are interrelated and closing in.

This is my mission here today, this and to spotlight one particular factor which has never been interpreted for its true significance in the world food dilemma. This element is generally regarded as the wellspring of world unrest, but it needs to be recognized as perhaps the greatest single contributor to the world food catastrophe.

COMMUNISM AND FAMINE

I refer to factor No. 3 in the equation, the most important of all: the growing assault of communism on freedom and individual enterprise. The spreading blight of collectivized agriculture has, by the simple process of destroying human incentive, inflicted far greater losses on the world's food potential than all of the other blights combined.

Food production is the Achilles heel of communism. It is in farming that communism has scored its most monumental failures. By forcing the independent peasant into collectives and depriving him of his independence and initiative, communism has done vast harm to the peoples it has conquered and to the world's flickering hopes for feeding its exploding population. It is here that the whole fallacy of communism is most starkly revealed, and it is here that the whole Communist ideology may well meet its Waterloo.

There is no substitute for individual initiative and personal incentive, for the challenge and reward of personal risk-taking. The peasant who is obliged to live in a Soviet collective or a Chinese commune and sell his produce to the state at decreed prices has none of these things. The farmer who owns his own land and can sell his own produce has all of them.

As an example of the importance of personal ownership, I often think of a landowning peasant in a Japanese film called "The Island." He owns the island, a small nub of land just off the coast. There is no water on it. So the Japanese peasant and his wife fill 4 buckets from a well on the mainland and put them in a boat, and row out to the island, and carry the buckets up the hill. They plow and they plant and they water, day after day—sometimes they row back and forth from morning till night.

The film is tedious. At times it almost drives you crazy, but at the end you can almost feel a personal relationship between the peasant couple and every plant on that island. This is what individual incentive will do. It is not easy to grow food in much of Asia. That kind of loving care can make a world of difference in a world food production, and it just isn't there with communism.

The Chinese people tilled their land with loving care before the Communist takeover. They worked with primitive tools and ancient techniques. Their lives were hard, but most owned their land and all lived in a rigorous harmony with it. The old Chinese philosophy that made man one with his soil and the distinctive Chinese architecture which blends with the soil like no other, are reminders of a food-producing past. They mock the famine-making communes.

Out of those communes have come hundreds of letters from peasants, compiled and edited by Prof. Richard Walker, head of the University of South Carolina's Far Eastern Research Institute. Better than any documents I know, these "Letters from the Communes" spell out the agony and sullen resistance of the Chinese peasants under communism.

Why does the People's Daily in Peiping sadly recall that before the revolution "a hoe would last for three generations—the property of the man who used it, repaired it and cared for it," while today a hoe frequently does not last a single season? Hoes, it seems, "are lost, wasted, or destroyed * * * left scattered in the open air, in the fields where rains and winds ruin them."

Why? Because communism killed individual incentive—and with it the pride and responsibility of personal risk taking.

The Chinese-American author, Valentin Chu, writes of large areas of land in 13 provinces overgrown by weeds, and millions of city dwellers being mobilized with the peasants and thrown into a war on weeds.

Tracing the downfall of Chinese agriculture under communism, Valentin Chu points out that the land area affected by reported "natural calamities" has risen year by year, from 13 million acres in 1950 to 29 million in 1954, 38 million in 1956, 78 million in 1958, 108 million in 1959, and 148 million in 1960. Again this year, more great agricultural disasters appear to be in the making. Chinese broadcasts have been complaining of a drought and other difficulties. To maintain the national diet even at near starvation level, Red China has imported some 22 million tons of grain during the past 4 years.

The Soviet Union, the heartland of communism, is not overcrowded, and it has been endowed by nature with some of the richest agricultural soils to be found anywhere in the world. I think it is no exaggeration to say that if the Soviet farmlands had been operated by American farmers under the American private enterprise system during the past 4 decades, the Soviet Union would today be competing with America as an agricultural producer. Instead, Soviet agriculture has bogged down in one crisis after another ever since the Bolshevik revolution, and the graph of Soviet food imports goes up and up. During 1963–64 alone, Soviet wheat imports ran to 11,431,000 tons.

In 1964, the Senate Subcommittee on Internal Security brought out a symposium on the Soviet economy which included five separate studies of the crisis in Soviet agriculture. They are among the best and most carefully documented articles I have come across in a good deal of reading on the subject.

This report presented some amazing statistics on the performance of the vast socialized sector of Soviet agriculture and the creative productivity of the tiny sector that is still permitted to operate more or less on a private enterprise basis. At the time the report was issued, collective farm regulations permitted each family to farm a tiny plot of land not exceeding one-half hectare in size, and to own one cow, one pig, and a handful of other animals.

"In 1961," said the report, "these private plots accounted for 3.3 percent of all land under cultivation in the U.S.S.R. In that year, the Soviet State received from this 3.3 percent of its farmland, 26 percent of all potato deliveries, 34 percent of all eggs, 15 percent of all wool, 14 percent of all meat and poultry, and 7 percent of its green vegetables."

With individual incentive the Russian farmer produced; under state control he resisted.

RESISTANCE TO STATE CONTROL

That resistance has been manifested in many ways. We hear of weed crises, a total disregard for collectivized property, and scores of thousands of tractors and other farm machines reported prematurely inoperable every year.

This is the reason why the Soviet Government last December decided to ease up somewhat on the restrictions governing the private sector of agriculture, and why its undisguised hope for the future is that this relaxation will result in a sharply increased agricultural output. And this is why Pravda in a recent article castigated "errors in the management of agriculture resulting from violation of the principle of material incentives for collective farmers and from fascination with administration by fiat and organizational restructurings."

Bureaucratic fiat can never take the place of personal incentive and even the Communists are coming to realize it.

A paragraph from Valentin Chu depicts, better than anything I know, the berserk character of Communist administration by central government fiat. The frantic shifting of millions of calamity fighters back and forth between planting, dike building, canal digging, village steel, foraged manure, and hillside coal is a tragicomedy of failure. I won't take time to read it here, but it is so significant that it is appended for the record.

SECRETARY BREZHNEV'S INDICTMENT

Perhaps the most damning indictment of Communist agriculture is contained in the speech delivered by Party Secretary L. I. Brezhnev at the March 25 plenary session of the Soviet Communist Party Central Committee in Moscow. Blaming "ill-conceived reorganizations" and "administration by fiat," Mr. Brezhnev detailed the Soviet failure in food production and called for sweeping reforms.

I will quote only one brief passage and append the rest for the record. It is well worth reading.

"We encounter the consequences of the mistakes in the guidance of agriculture in all zones of the country, but they have had a special effect in the regions of the non-black-earth belt," Mr. Brezhnev said.

"Take Smolensk Province for example. In the past 5 years the gross output of agriculture there has risen by only 1 percent. The province has not even reached its prewar level of production of the most important types of crops * * *. All the branches of agriculture except flax are unprofitable * * *. Is it really possible to run a farm in this way for very long?"

That is not my question. That is Mr. Brezhnev, Secretary of the Soviet Communist Party, asking that question. And his answer?

"The level of profitability must be placed at the foundation of an objective evaluation of the economic activity of the collective and state farms," he told the Central Committee.

"We must also study questions of material incentives for the collective farmers and state farm workers," he said.

I could not agree more. There is no substitute for individual incentive. This is precisely where communism has failed. We cannot afford to take comfort in communism's failure, for it has compounded the world food production problem beyond measure. We can even hope to see the Communist countries improve their food production, for the world food problem transcends political ideologies.

I have dealt with the failure of Communist agriculture in some detail because I believe it is central to the world food problem. Obviously, in this desperate land-food-population equation, we dare not let the Communists expand their realm of influence—and the barren incentive desert that goes with it—by one square inch. Less obvious, perhaps, but supremely important, is that their food production failures in the face of the world's rapidly increasing demand for more and more food will inevitably bring tremendous pressure to bear on the side of individual incentive and human freedom in the Communist countries.

Their failure is our great opportunity. We cannot feed the world, but we can show the world how to produce more food. We can help the world feed itself.

And in the process, we can continue to demonstrate that bureaucratic control is no match for individual incentive, in food production as in any other field. And we can expect this lesson to become increasingly powerful, as the food production problem becomes more and more critical around the world.

FREEDOM AND FOOD VERSUS COMMUNISM AND FAMINE

The further expansion of communism must be considered a variable factor in our equation of catastrophe, because it is within our power to limit it. It is imperative that we do so, not merely because it constitutes a threat to our ultimate security, but also because of the immediate and long-term threat it poses to a world food supply which is already gravely inadequate. The problem is compounded each time the Communists take over new countries and expand the areas of their incentive desert.

If communism is not contained, if the population explosion is not controlled, if we are tardy in taking other measures which I propose to describe, then the coming decades will almost certainly witness famines on a cataclysmic scale—famines that will claim victims not by the millions, but by the tens of millions and even by the hundreds of millions.

But this is only one aspect of the catastrophe that threatens.

FREEDOM'S SURVIVAL AT STAKE

The survival of freedom is threatened, because mass hunger is far more likely to spawn either Communist regimes or extremist dictators than it is to nurture moderate and constructive institutions.

The Communists and extremists have no solution for the problem of hunger; indeed, no regimes in history have ever done so much to aggravate the problem. But they are terribly adept at exploiting hunger for the purpose of hoisting themselves to power.

The growing food crisis also constitutes an immediate and current threat to the peace of the world. Certainly it is an important factor in Red China's annexation of Tibet and her drive against southeast Asia; and it is also a factor in Sukarno's confrontation with Malaysia. In the not-too-distant future, this crisis could develop into a threat to the physical survival of Western civilization.

China already has the atom bomb, although it does not yet possess an arsenal of weapons and delivery systems. Let us suppose that 15 years hence, the Chinese Communists do possess an arsenal of H-bombs, they have a population pushing the 1 billion mark, and they have allowed their food crisis to worsen apace. With these pressures at work, will the Red Chinese feel compelled to reach outside to gain the land and food-producing potentials now in the hands of countries like India or even the United States? Will they be deterred from launching a nuclear attack on the United States because they fear retaliation—or might they welcome such an exchange as a means of destroying American power while they simultaneously reduce their own population to manageable levels?

There are now some 200 nuclear reactors in 50 different countries. Even newly emerged African States like Ghana and the Congo possess reactors. The chances are, therefore, that more nations will develop the bomb within coming decades. It is not inconceivable that an all-powerful tyrant in some country, some time, confronted by the same problems of over-population and mass starvation, might decide to press the button in a moment of desperation or frustration.

These, then, are the prime factors in the equation of potential catastrophe: (1) a tightly limited area of food-producing land; (2) the population explosion which now seems to be following an almost vertical upward curve; and (3) the continuing spread of world communism with its disastrous effect on individual initiative and its consequent blight on agricultural output.

THE INTERDEPENDENCE OF FOOD, PEACE, AND FREEDOM

It is a truism that food and peace are conditions for human survival. But it is not so commonly realized that freedom is also a condition for survival, and that there is complete interdependence among these three conditions.

When there is starvation, freedom, and peace are both imperiled. On the other hand, the growing problem of mass hunger cannot possibly be met without continued peace and without the preservation and extension of freedom.

The maximum agricultural output will only be realized when every producer down to the lowliest peasant is free to own his own land, to make his own decisions, to take his own risks—large and small—and to try to maximize his own worth; and when governments create a climate that will reward individual initiative.

Conversely, collectivized peasants—deprived of their land, deprived of incentive, deprived of the right to sell their produce, deprived of all their personal liberties—simply do not produce efficiently. State-owned enterprise has shown itself pathetically lacking in the imagination, the energy, and the entrepreneurial genius which have brought American agriculture to the point where one man can produce enough food for 29 others, and which have made agriculture in Japan and Taiwan models for the rest of Asia.

THE MEASURES TO BE TAKEN

Although the food and population problem seems insurmountable now, it is my profound belief that this problem can be solved—if we recognize that food, peace, and freedom are interdependent, and we plan and act accordingly.

No single measure will suffice to prevent the catastrophe that looms. It will require a complex of measures in many fields. It will require international cooperation on a scale exceeding by far any cooperative action undertaken in the past. It will require the determined mobilization of all our technological resources. And it will require the broadest possible extension of the incentive revolution in those areas, both Communist and non-Communist, where those who work on the land are driven to do what they must, rather than inspired to do all that they can with the irreplaceable element of personal incentive.

Somehow, the world must find the means to double and more than double its food production before the close of the century.

Let me list some measures which, as I see it, must be taken in concert if the world is to find a formula for survival. Please do not look for panaceas here. It will take all of these things and then some to avert a world food catastrophe.

1. Education for the primitive and illiterate: Literacy has always been a limiting factor. It is obviously easier to inform a man who can read, about population control and improved methods of agriculture.

Every possible assistance must be given to countries seeking to break the shackles of mass illiteracy. The war against illiteracy is directly related to the war against starvation, and it deserves a very high priority. There are formidable obstacles to combating mass illiteracy among impoverished peoples, whose vital energies are very low, and who lack the incentive for self-government. They do not know that they do not know.

Some remarkable successes have been reported in reducing illiteracy in these countries in recent decades, but in a large percentage of the cases, illiteracy has simply been replaced by near-illiteracy. People have learned their alphabets, and they can write their names and read and write a few simple words, but any serious instructional text is still beyond them.

The genuine conquest of illiteracy will be a task of at least several decades' duration. And before that point has been reached, the food and population crisis will be upon us in its full magnitude.

I would like to suggest one way of coping with this situation. The relatively few film vans now in operation have been enormously successful in imparting information and instructions in public health, agriculture, and other subjects to audiences of every kind in the underdeveloped countries.

In many of the developing lands, India, for example, motion pictures have an excitement and appeal for people. Movie films are accepted and looked forward to in much the way they impacted people in this country 40 or 50 years ago. The motion picture is a well-developed communications medium, of proven worth, easy to move fast from place to place and requiring simple operating instructions.

With our experience in this field and our success at electronically combining pictures and sound, we possess a tremendous educational tool. Yet according to AID, we will this year have in operation only 187 mobile film units in 48 countries. The average cost of these units is $4,200. The budget for 1965–66 calls for the replacement of 34 units at a total cost of $142,800. It is my understanding that some countries have purchased or constructed film vans on their own, but there are not many of these "indigenous" vans in operation.

It seems to me that our present budget for this purpose is altogether inadequate. We must move as rapidly as possible to impart information of population management and improved agricultural methods to the peoples of Asia and Africa and Latin America. One of the cheapest and most effective ways of augmenting the impact of our aid program over the coming decade would be to increase substantially the budget for each country in additional films and film vans, in training technicians and film van crews, and the preparation of instructional films.

The number of film vans in operation could easily be expanded to an education armada 20 to 50 times the present size.

2. Population control: It is now commonly realized that we must deal with the population explosion frankly and energetically, because if we do not overcome the problem, it will overcome us.

There are now several new techniques available, and techniques more suitable for universal use in the underdeveloped countries can no doubt be developed.

I, for one, believe that dissemination of information concerning the need to limit procreation should be an important part of our AID program. Without such assistance, India, Pakistan, Turkey, Iran, Brazil, and many other countries will continue to fall behind no matter how much aid we pump into them.

3. The opening up of new land, land reclamation and irrigation: These are programs that should be pushed as rapidly as possible in those countries that are already suffering from serious food shortages. These programs alone will not solve the problem, but they can make a significant contribution.

Because big engineering projects are exciting and photogenic, there has been a tendency to credit them with a far greater food production potential than they actually possess.

The Aswan Dam is a good example. Thousands of stories have been written about this project. When it is completed, the croplands on either side of the Nile River will be pushed out to add some 2 million acres to the UAR's irrigated land surface. But this increase in acreage will barely be sufficient to feed the increase in population that will have taken place between the time the Aswan Dam was begun and the date of its completion.

Now the Aswan Dam is still very much worthwhile, because without it the situation would be that much worse. But we must recognize that projects of this kind have definite limits. It has been estimated by experts that less than 10 percent of the increase in agricultural production over the coming half-century will come from large scale engineering works like the Aswan Dam. The bulk of it must come from increased production on currently available land.

The 3½ percent of the earth's surface now being cultivated represents the best available land. An additional 1½ percent of the earth's surface, as I have pointed out, is potentially cropbearing. But these are marginal lands. If these marginal lands are some day to produce food economically, it will require all the personal dedication of the peasant in the Japanese film I described to you, and every possible scope of individual human values, and every encouragement for personal initiative.

4. Industrialization and better tools: Somewhere on our list of food production factors, industrialization and better tools deserve an important place, though I frankly hesitate because I believe that too many people automatically think of agricultural progress in terms of tractors. Industrialization and machinery have a powerful lure, sometimes irrespective of the basic needs of food production.

Attempts to introduce powered machinery into backward areas are too often ill-conceived. In many areas tractors and combines are utterly useless, while simple hand tools are needed and highly effective. Similarly, industrialization is not always the magic elixir for struggling economies. Agriculture and industry are interdependent. In many developing countries we must look first to the farm to generate the basic capital which permits industrialization, in the same way that we look to industry to provide better tools for agriculture in the more advanced countries.

5. Food from the sea: Far more than is the case today, the resources of the sea should be used to overcome the growing animal protein shortage throughout the world. At present more than 60 percent of the world's population has less than the minimum daily requirement of protein. Protein malnutrition is a prime cause of infant mortality in the underdeveloped countries; it is one of the root causes of their many social and economic difficulties.

To overcome this shortage, some 80 million tons of animal proteins are needed each year. According to testimony before the Senate Commerce Committee on April 12, 1965, the ocean is able to provide 400 million tons of protein annually without depletion of its resources; yet only 50 million tons of fish are taken each year now, amounting to a mere 10 million tons of protein.

It becomes increasingly urgent that means be found to use these available resources. The proposed National Oceanographic Council could do valuable research on this aspect of the problem.

6. Agricultural reform: Far-ranging agricultural reforms must be encouraged in certain of the countries that now face critical food shortages. Absentee landlordship, usurious rates of interest on agricultural credit, and the dearth of simple everyday commodities, all contribute to the stifling of individual incentive.

The first principle in any effective land reform program is to assist the peasant in the less developed countries to become the owner of the land he tills. In Asia, as in our own country, ownership with the opportunity to market one's produce provides an incentive to the individual for which there is no substitute. This has been dramatically demonstrated in Japan and Taiwan, where ambitious land reform programs have made peasant proprietorship the general rule, and where agricultural production is far ahead of that in other Asian countries.

The agricultural cooperatives of Japan and Taiwan also provide examples for the other Asian countries. The Asian peasant, who lives close to the subsistence level, desperately needs the assistance of easy credit and the benefits of purchases and sales made on a cooperative basis.

It is within our power to assist the crisis countries in the free world toward such reforms. We cannot similarly influence the course of events in the Communist world, but we can hope and expect that the Communist bloc will continue to make concessions to personal enterprise as the pressure for food production mounts.

7. Seeds and crops: Much can be accomplished through the development and introduction of more productive seed strains.

Hybrid corn is of course an outstanding example, not only of how much hybrids can contribute, but also of how long it takes to develop new genetic strains and to get them widely accepted.

Hybrid corns were a long time coming in the United States, and their spread to other areas of the world has been even slower. But other countries have scored some sensational successes with American help. Both the Ford Foundation and the Rockefeller Foundation have done outstanding work in this area. A program carried on jointly by the United States and the Rockefeller Foundation has produced hybrid corn with yields of 150 to 200 bushels per acre in Mexico.

In India, a program conducted by the Ford Foundation in cooperation with the Indian Government has produced strains of hybrid corn capable of 150 percent greater yield than the local varieties now being planted.

In Thailand, a hybrid corn program set up by a team from Oregon State University has helped to increase corn output from an annual average of 182,000 tons between 1956 and 1959 to 1 million tons in 1965. This program has had the revolutionary effect of converting Thailand from a one-crop rice country to a diversified and more stable agricultural system. It has also made Thailand the fourth largest corn exporting country in the world.

Food output can also be substantially increased through the extension of multiple cropping. In many parts of Asia—Taiwan and Japan in particular—this is already a highly advanced science. There are large areas which now produce only one crop that could produce two crops, given improved irrigation, earlier maturing strains of seed, increased fertilizer use, and, of course, showing the farmers how to do it. India and Pakistan offer perhaps the greatest potential. Thus in Taiwan, two crops a year is the average, but in India more than 85 percent of the land produces only one crop a year.

8. Weed and pest controls: The world's food outlook would unquestionably be even darker than it is today if it were not for modern pesticides and herbicides. Nevertheless, weeds, insects, and plant diseases still do untold damage to the world's agricultural output, especially in the less developed areas of the world.

New and improved materials are coming along. My own company has a new product called Thuricide, a live spore. It is nonresidual and nontoxic to human beings and warmblooded creatures, but highly effective against insect pests. Its development, however, has taken 9 years so far and has another year to go.

One cannot wave a magic wand and decree either the development or the more widespread and effective use of pesticides. In countries like India, dramatic improvement in this area will depend on education, credit assistance to farmers, and the availability of pesticides in much larger quantity. But Japan has already shown how beneficial they can be.

9. Planned production and distribution of food surpluses: Even given the most energetic measures to increase food production, the Asian countries over the coming decades will require increasing quantities of food imports, while the United States and Canada, and, to a lesser extent, Australia and New Zealand, will have to produce increasingly larger surpluses for export.

As of today, Asia is importing some 16 million tons of grain per annum. According to "Man, Land, and Food," published by the U.S. Department of Agriculture in 1963, Asia will import 30 million tons of grain in 1980, and 54 million tons in the year 2000. The book's author, Lester Brown, believes, however, that in the light of recent developments these projections are entirely too conservative.

The United States and the other food-exporting countries will have to pool their resources and embark on some kind of planned export program if they are to cope with the growing food shortages that are now predictable in Asia, Africa, and Latin America.

The problem will be an enormous one. It will be complicated by the fact that few of the grain-importing countries outside Western Europe can afford to pay for grain in dollars. To cope with this situation, the United States has thus far sent abroad $13.038 billion in Public Law 480 shipments in addition to $1.895 billion under the Mutual Assistance Act, accepting payment in nonconvertible local currencies. In the case of India alone, U.S. shipments of Public Law 480 foods have totaled $2.5 billion, and the U.S. holdings in counterpart funds reputedly approximate half the total circulation of Indian currency.

10. The fertilizer revolution: I think it is generally accepted that our chief hope of coping with the world's growing food deficit lies in the expanded use of chemical fertilizers. Fertilizer is the most potent and immediately effective instrument for increasing world food production.

Now the fertilizer industry is one I know well, but in discussing this tremendous potential, I want to emphasize that I am not speaking as a salesman for my company's principal products. To cope with the world food production problem will require the combined resources of all the fertilizer companies in the world and of many governments, large and small, working in cooperation.

The fertilizer revolution is a child of the 20th century. In fact, it is only within the last 25 years that chemical fertilizers have begun to be used on a large scale. Over the past quarter century the use of fertilizers worldwide has increased almost fourfold, while in North America it has increased sixfold. This is the chief reason for the miraculous gains in production per acre.

The Food and Agriculture Organization of the United Nations has carried out experiments around the world to find out what fertilizers alone can do, given no other change in local farming methods. All told, this program involved 9,500 field trials in 14 countries. Let me give you a few of the results of this worldwide survey.

In Turkey they found that the yield of wheat per hectare could be increased by 73 percent, and that this would return to the farmer 2.5 times what he spent on fertilizer. They found that the corn yield could be increased by 85 percent, which would give the farmer a return equivalent to 2.8 times his investment in fertilizer.

In Lebanon, they found that the wheat yield could be increased by 101 percent, which would result in an increased crop value seven times the cost of fertilizer.

In Nigeria, the wheat yield per hectare was increased 30 percent, producing additional income four times the cost of the fertilizer.

In Honduras they found that the corn yield could be increased by 120 percent, which meant that the farmer would receive a return 4.8 times greater than his fertilizer cost.

These are some of the more impressive results reported. But you will see from the table I have brought along (appendix III) [Not included in the RECORD] the use of fertilizer in every case produced crop values substantially greater than double the cost of the fertilizer. The results varied from country to country and crop to crop. On potato crops, the increased crop value ranged from 10 to 13 times the cost of the fertilizer.

I would like to quote briefly from a report on these 9,500 field trials issued last July 7 by the Fertilizer Industry Panel of the Food and Agriculture Organization of the United Nations.

"There can be no manner of doubt that when farmers in developing countries use fertilizers—even without other improved farming methods—the results will be good * * *. The average response to the best (most economic) treatments, for all countries, crops, and seasons was 74 percent (increase in yield). * * * The regional averages were Near East and north Africa, 54 percent; west Africa, 72 percent; northern Latin America, 95 percent."

These are the results that can be achieved with today's fertilizers. Even more impressive results can be expected when fertilizers are teamed with other modern agricultural techniques. For example, my own company is now working with growth regulators, including a new product called triiodobenzoic acid, developed by Iowa State University. One ounce of it, spead over an acre of soybeans at the proper time, can substantially increase the yield by making plant growth more compact, permitting denser planting, and encouraging seed rather than leaf growth.

There is no question that fertilizers and modern agricultural technology can have a tremendous impact. The question is whether fertilizers can be made available and the new technology can be brought to bear on the food production problems in Asia, Africa, and Latin America, where population is increasing so rapidly.

Dr. Raymond Ewell, vice president for research at the State University of New York in Buffalo, has made most interesting calculations on this subject in an article which appeared in the December 24, 1964, issue of Chemical and Engineering News. Dr. Ewell, I should point out, is one of the outstanding experts in this field. Among other things, he is the founder and first editor of Chemical Economics Handbook, and he has served as a consultant with the Indian and Philippine Governments.

By 1970, the population of Asia, Africa, and Latin America will have grown by 400 million. By 1980, it will have increased by another 900 million. Dr. Ewell has calculated that in order to provide 16 ounces of grain per person per day for this anticipated population increase, fertilizer consumption on those three crises continents will have to rise from the current level of 4 million tons per annum to 15 million tons by 1970 and 30 million tons by 1980. If they are not using this quantity of fertilizer by 1980, he says, they are bound to be engulfed by widespread famine.

The magnitude of the task may be gleaned from the fact that 30 million tons approximates the figure for the total world consumption of fertilizer today.

Dr. Ewell believes that to stave off famine during the coming period, Asia, Africa, and Latin America will require massive imports of fertilizer from the producing countries. However, he urges that we make it a prime purpose of our foreign aid program to help the crisis countries become self-sufficient in fertilizer production by the year 1980. He points out that enough fertilizer plants to produce 30 million tons per annum would cost $5 billion—and this he adds, is only 10 percent of the cost of putting a man on the moon.

Finally, Dr. Ewell points out that this would be one of the most effective forms of foreign aid, because not only would we be helping the recipient countries to meet the stepped-up food requirements of the coming decade, but we would be giving them plants capable of producing approximately $4 billion worth of fertilizer a year.

In terms of increased agricultural output this volume of fertilizer would enhance national income in these countries by at least $12 billion per year. I am in wholehearted agreement with Dr. Ewell's basic argument, so long as we understand that the problem will be bigger than just building $5 billion worth of fertilizer plants.

Farmers have to be trained in the use of fertilizer; credit facilities have to be expanded so that they will be able to purchase the fertilizer; and countries which are already desperately lacking in internal transportation will have to find the means of moving an additional 26 million tons of fertilizer from plants in the cities to thousands of villages scattered around the countryside. Also, the means of distributing the food, once produced, must be established. Until these developments are at least underway, fertilizer plants on the scene would be useless.

All of this can be done, at least within the limits of our power to effect progressive programs among the free nations of the world. For although food production is a global problem, we cannot expect to find a global solution for it in this politically divided world.

On the contrary, it is my frank opinion that a truly global solution will have to wait until the Communists abandon their agressive, subversive, incentive-killing ways or until they are compelled to do so by their own embarrassment in food production, plus firm resolve and spectacular progress in the free world.

Thus as matters stand today, I think it would make great good sense for the free nations of the world, rich and poor, to concert our efforts in a master plan to deal with the problems of food and population in our own part of the world. Let us hope that the Communist nations will do likewise in their part of the world. And let us hope that at some future date, the Communists will have so moderated their ways that we can realistically begin to talk of a final worldwide assault on the problems of hunger. But meanwhile, let us not be discouraged by the division of the world or dismayed by the enormity and the complexity of the world food problem.

THE NEED FOR CONCERTED ACTION

As the late President Kennedy said, "Let us begin." The year 2000 is only 35 years away, just long enough for today's children to have children of their own. In projects of the magnitude of those which we are facing, 35 years is precious little leadtime.

The situation calls for a comprehensive, concerted attack on many fronts. We cannot afford to have the slightest doubt that it can be done, but there must first be a far greater total awareness of the problem in all its troublesome difficulties. To create and intensify this awareness throughout the world, to marshal all of the free world's talents and resources into common action is a task which commends itself to the urgent attention of this Nation's highest councils.

For if we fail to meet this problem, all of our other plans and aspirations will be swept away in an already predictable floodtide of human want. The free world and the Communist world alike will be engulfed.

The time is short. But if we act with foresight, energy, and a sense of immediacy, the situation can be saved. And should we succeed in overcoming man's ancient enemy, hunger, in its most terrifying proportions—should we succeed in solving this overwhelming land-population-food equation during these next 35 years—we will, at the same time, have gone a long way toward solving the great problems of peace and freedom in our age.

To give to the world the means for survival—to foster freedom and food production where humankind hungers for both—is surely America's highest mission in the remaining years of this century.

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON EAST-WEST TRADE, BAL HARBOUR, FLA., MARCH 1, 1965

The economy of all Communist countries has been beset for some time by grave economic difficulties. Their much-vaunted system of totalitarian economic planning is plagued with serious imbalance, shoddy production, costly dislocation of manpower and waste. Communist collectivized and state agriculture have been in continuous crisis. The dearth of consumers' goods continues unabated in the U.S.S.R. and in all other Communist countries. These economic difficulties have been profoundly aggravated, especially in the Soviet Union and Communist China, by their relentless drive to build a huge arsenal of nuclear and other modern weapons for aggression. The huge sums they have been spending on economic and military projects for subversive purposes in some developing countries have further strained their economies and placed additional heavy burdens on the Soviet and Chinese people.

The Communist governments are seeking expanded trade with and long-term credits from the Western democracies in order to overcome their economic plight. Some free world businessmen have been showing real interest in expanding trade with and credits to Moscow, its satellites and even Peiping. In facing this problem, these businessmen must realize that, in all Communist countries, all economic matters are totally dominated by the state. In these totalitarian societies, all economic relations are, first of all, political in character and aim. Khrushchev made this clear several years ago when he told a delegation of U.S. Senators that "We value trade least for economic reasons and most for political reasons."

Consequently, it would be utterly unrealistic for American industrialists and traders to think that they can do "business as usual" when they deal with Communist governments. It is not true that in such deals "the only thing that matters is profit and competitive advantage." This practice of doing "business as usual" with the Nazi and Fascist dictators proved disastrous before World War II. "Business as usual" with Communist dictators will certainly be no less disastrous. The decisive consideration in commercial transactions with these dictatorships is that such deals must serve the national interest of our country and its free society and not merely help bail the Communist regimes out of their economic difficulties.

The record shows that, in seeking expanded economic relations with the West, Communist governments have been motivated primarily by a desire to strengthen their economic system and totalitarian rule rather than by serious concern for speeding the improvement of the living conditions of the people. The substantial Western aid extended to date to these countries, including Yugoslavia, has not resulted in a comparable improvement of the living standards of the people.

The executive council maintains that under no circumstances should any strategic goods be sold today to any Communist government. We further propose that no American businessman should enter into any commercial transaction with Moscow or its European satellites which would enable them to provide Castro or Mao Tse-tung with any material they need for bolstering their faltering economy.

There is no reason for American businessmen to join in a mad scramble for trade with Communist countries. Such a scramble only puts the Communist rulers in a position to exploit, for their own benefit, such competition among Western economic interests and to divide and weaken the democracies.

There is no foundation to the myth that the expansion of Western trade will promote the liberalization of any Communist government or encourage the separation of the satellites from the U.S.S.R. These regimes are tied to Moscow by strong ideological, political, military, and economic bonds. Their rulers share with Moscow the basic aim of Communist world domination. The revolutionary upheavals of 1953 and 1956 have demonstrated forcefully that these satellite regimes could not survive without Moscow's military support.

Their armies are part of the Warsaw Pact Organization. Their economies have, in large measure, been integrated into the Comecon, the Communist counterpart of the Common Market. In spite of $700 million in U.S. aid, Communist Poland has set the pace in championing the Comecon and Soviet foreign policies. Its domestic policies are increasingly retrogressive. Tito's Yugoslavia which has received over a billion dollars of Western aid has lately strengthened its economic ties with Moscow by associating itself with the Comecon. Rumania, which is supposed to be turning away from Moscow, has more political prisoners than any other satellite and lends aid and comfort to Pieping.

Increased economic relations with the Communist satellites will not improve the general East-West relations. The satellite regimes continue to support Soviet foreign policies in Vietnam, the Congo, in the U.N., and Cyprus. The American legations in Bulgaria and Hungary were recently subjected to the same mob attack as was our Embassy in Moscow.

American businessmen would be guilty of terrible short-sightedness if they were to provide the Kremlin, on a business-as-usual basis, the goods and technical know-how it needs so badly. American businessmen are not starved for foreign markets. They do not have to chase for such low-grade outlets as the Iron Curtain countries. The U.S. foreign trade balance has, for years, continued to be highly favorable. There is no reason why American businessmen should compete with others in doing the wrong thing. Let none forget that agreements with the Soviets, whether they be in the realm of science, politics, diplomacy, or economics are worthless. The Kremlin rulers never enter into any agreements on the basis of a mutuality of interests. Despite much effort and generous scientific help by the United States in the realm of space science, Moscow persists in refusing to contribute any weather information obtained through space satellites.

All Moscow wants to get from expanded commercial and financial relations with our country and the other democracies is help for overcoming its serious economic difficulties, help to enable it to give its people some badly needed consumers' goods while it continues to build up its nuclear weapons arsenal, help to continue its program of economic and political subversion of the developing countries. Such help by American and other business interests can only finance and facilitate further Soviet aggression against the democracies.

We urge our Government to make utmost effort to have the Western democracies develop a concerted policy toward trade with the Communist countries. No trade or credits concessions should be accorded to Moscow, Peiping, or any Communist government without an adequate political quid pro quo like ceasing subversion and invasion of Vietnam, dismantling the "wall of shame" in Berlin, and calling off their military infiltration of the Congo. Only under such conditions, can trade and credits be a valuable weapon in the hands of the Western democracies in their dealings with the Soviet Union and other Communist regimes, and in furthering human freedom and world peace.

[From Commentary, March 1964]

PEACE IN OUR TIME?

(By Hans J. Morgenthau)

(EDITOR'S NOTE.—Hans J. Morgenthau's column appears every other month. Mr. Morgenthau is Albert A. Michelson distinguished service professor of political science and modern history at the University of Chicago.)

That the cold war should come to an end is indeed a rational wish shared by the overwhelming majority of people on both sides of the Iron Curtain. This wish is particularly strong among us whose instincts still long for the normalcy of isolation from the risks and liabilities of world politics and who find ourselves engaged in a contest for the world only (so we like to think) through the ill will of the enemy. If the Russians would only change, if they would only liberalize their domestic affairs and be less harsh in the conduct of their foreign policy (so the reasoning goes), we could "normalize" our relations with the Communist bloc, disarm, and live happily ever after. Thus we continuously search for the swallow which will make a summer, and whenever we feel a little less cold than we did yesterday we imagine a "thaw" in the cold war.

The emotions from which such expectations spring are honorable and generous, but they are politically blind, and pernicious if translated into action. And it makes no difference whether they manifest themselves as euphoric statements by high government officials, as involuted theories about polycentrism by former diplomats, as indiscriminate trading with the enemy by businessmen, or as the longing of the man in the street for peace and quiet and lower taxes.

Paradoxically enough, these manifestations of a decent aspiration for peace are actually a threat to peace; for they are a source of weakness in judgment and action, and hence they encourage and strengthen the enemy. Of decent emotion engendering futile and self-defeating policies, Neville Chamberlain has become the historic symbol. We pride ourselves on having learned the lessons of Chamberlain's appeasement. But in truth we have only learned half the lesson. On the one hand, equating negotiations with appeasement, we have shied away from negotiated settlements even when there was a chance for them, as in 1953 after Stalin's death. On the other hand, we have yielded to pressure where the enemy was, or gave the appearance of being, strong—e.g., Hungary in 1956 and Cuba in 1962—and we have forgone the opportunity of offering inducements and exerting pressure when the enemy was weak, as he is at present. We have, moreover, been unable to shed the illusion that civilized social intercourse among nations whose interests clash is somehow conducive to peace, and that the cold war could easily be ended if the antagonists would only treat each other in a more friendly and reasonable fashion. These attitudes and the policies springing from them have not brought peace but only a fleeting illusion of peace, for they leave the conflicts of interest from which the cold war arose and on which it has fed exactly as they found them.

The next to the latest euphoric interval occurred in 1959 in the aftermath of Mr. Khrushchev's visit to the United States; its symbol was the "spirit of Camp David." At that time I assumed in this magazine[1] the thankless task of contrasting the illusory character of that "relaxation of tensions" with the inescapable realities of the cold war. Today we are living in another such interval, and the thankless task must be performed again. It is, indeed, even more urgent today than it was in 1959 because then our illusion was primarily intellectual and had no great political consequences, whereas today that same illusion is reflected in policies advantageous to the enemy. Responsible people are even talking about "replacing" the cold war with the war against poverty, as though the cold war had already come to an end.

In order to see our present condition in its true perspective, it is necessary to remind ourselves again of the origin and the nature of the cold war. The cold war arose in the aftermath of the Second World War from a conflict of interests, operating on two different levels, between the Western world and the Soviet Union. On the level of traditional power politics, that conflict has centered upon the control of Europe and, in particular, Germany. On the level of competing philosophies and social and political systems, the issue is the control of the world. The substance of these two great issues has remained constant for almost two decades. Only their modalities have been transformed, in that all-out nuclear war has been ruled out as a rational instrument of national policy and the struggle for the world is being waged primarily through political and economic competition and through what Mr. Khrushchev calls "wars of national liberation." Has anything happened to affect this picture in any material way?

Secretary of State Dean Rusk, in his press conference of January 2, 1964, answered that question by enumerating five changes which in his view have contributed to the improvement of relations between the United States and the Soviet Union: the establishment of a "hot-line" teletype link between Washington and Moscow; the limited nuclear test-ban treaty; the United Nations resolution prohibiting weapons of mass destruction in orbit; negotiations for wheat purchases between the Soviet Union and the United States; the suspension by the Soviet Union of its jamming of the Voice of America. It is hardly necessary to demonstrate in detail that the Secretary of State has, by implication, given a negative answer to our question. None of these five changes has any bearing upon the substance of the cold war, while only one of them bears upon its modalities, and in a way that is detrimental to the interests of the United States.

The "hot line" facilitates communications between Washington and Moscow, but obviously the all-important question as to the kind of communications to be transmitted is not answered one way or the other by the installation of this politically neutral device. The limited test-ban treaty transforms into a temporary multilateral obligation the technological necessity, which had previously been observed by the nuclear powers unilaterally, to stop testing for a considerable period of time after the completion of a series of tests. The United Nations resolution prohibiting weapons of mass destruction in orbit is a recommendation which the United States and the Soviet Union have been able to accept because they are at present incapable of doing what the recommendation asks them not to do (though both nations are engaged in research exploring the usefulness of outer space for purposes of war). The sale of wheat—as we shall see in greater detail in a moment—helps the Soviet Union to wage the cold war, but does nothing to liquidate it. Finally, the decision to cease jamming is a peripheral measure which may be due to any number of technical or political reasons but does not affect the substance of the cold war.

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[1] Khrushchev's New Cold War Strategy," November 1959.

While the issues over which the cold war started, then, still divide the United States and the Soviet Union today, three interrelated changes have occurred in recent years which add up to a drastic deterioration of the position of the Soviet Union: the conflict with China, the weakening of control over its allies, and an economic crisis of the first order.

The issue dividing the Soviet Union and China is in the short run the leadership of world communism; in the long run it is the same issue that currently divides the United States and the Soviet Union: who shall inherit the earth? On the one hand, the Soviet Union has been able to stifle the economic development of China by severing economic relations. On the other hand, in the dispute as to who is the true exponent of Marxism-Leninism, the Chinese—both objectively and in the eyes of many Communists, especially outside the developed industrial nations—have had the better of the argument. Indeed, Khrushchev and Togliatti are today defending the positions which Bernstein and Kautsky held 50 years ago, while Mao Tse-tung and Chou En-lai are advancing the arguments which Lenin and Trotsky formulated then.

This conflict between the Soviet Union and China has weakened the control of the Soviet Union over its allies, for it provides the allies with an alternative to the Soviet connection. And while only Albania has openly defied the Soviet Union and taken the side of China, by being able to do so with impunity it has set an example for the other allies of the Soviet Union. Thus Cuba has refused to sign the test ban treaty; Rumania has defied the Soviet in its plan for a division of economic labor within the Communist bloc which would have inhibited Rumanian industrial development; and Poland has, however cautiously, tried to play the Chinese off against the Russians in order to gain a greater measure of national independence.

Finally, and most importantly, the crisis of agricultural production, endemic in all Communist countries, has become acute in the Soviet Union. The Soviet economic system has proved incapable of providing "guns and butter" plus consumer goods at the same time, and is in consequence undergoing a drastic reallocation of resources. This economic crisis is bound to impose severe limitations upon the Soviet Union's ability to keep pace with the United States in the armaments race and to make political use of its economic resources through the instruments of foreign aid and trade.

One does not need to be an expert in foreign policy in order to notice that this triple crisis in which the Soviet Union finds itself today opens up new and unprecedented opportunities for Western initiative. Commonsense will tell us that, given the relativity of power, the weakness of our enemy is a source of strength for us—provided we know how to use that weakness to further our own interests. This is not the place to spell out these opportunities; nor is it possible for the outsider to analyze such opportunities in detail. It is sufficient for the purposes of this discussion to state the general principle which ought to guide our policies, and to judge the policies we are actually pursuing in the light of that principle.

There is only one lesson nations will readily learn, and that is the lesson of necessity. This is particularly true of a nation like the Soviet Union, which combines the traditional objectives of a great imperial power with the worldwide aspirations of the leader of a revolutionary movement. Nations will stop when they realize that to advance entails risks greater than the benefits to be expected, and they will retreat when they realize that the advantages to be gained from retreat outweigh those to be expected from standing pat. The art of diplomacy consists in presenting the enemy with inducements, in the form of advantages and liabilities, for doing what one wants him to do.

Applying this principle to the present stage of the cold war, one would think that the West is in an excellent bargaining position vis-a-vis the Soviet Union. It has for sale what the Soviet Union desperately needs—agricultural products and industrial machinery—and it could use that need as a diplomatic lever to gain concessions concerning the Soviet Union's control over Eastern Europe and, more particularly, East Germany, the Western presence in Berlin, the Soviet military presence in Cuba, its subversive activities throughout the world (especially through the instrumentality of Cuba), and disarmament. As I wrote in the New York Times magazine on September 20, 1959:

"Yet it is exactly because trade between the United States and the Soviet Union poses an issue which is not primarily economic but political that it could be affected by a political agreement. An American concession in the form of increased trade might be a proper price for a Russian guarantee of the status quo in Berlin, especially since it could be enlarged, decreased, or cancelled altogether, as circumstances might require. Foreign trade is by its very nature a most flexible instrument of foreign policy and can be a most potent one, provided one side has a much greater interest in trading than the other. The use of foreign trade in the Russian manner—that is, as a political instrument rather than in an economic context—offers the United States a bargaining power of which it has not even begun to take advantage."

"Idiotic" is not too strong a term to characterize the Western response to these opportunities—"idiotic" meaning, according to Webster, "foolish; senseless." For we have welcomed the present crisis in the Communist camp as an opportunity for trade, and we are willing to sell the Communist nations everything they ask for from wheat through buses and airplanes to whole petrochemical plants.

In order to understand the folly of this commercial approach to issues of high policy, it is first necessary to point to the obsolescence of the traditional distinction between strategic and nonstrategic trade. The total war communism has been waging against the West since Lenin accounts for that obsolescence. Ideally, foreign trade is carried on by private enterprise for the purpose of private gain. Actually, however, governments have time and again endeavored to use foreign trade as an instrument of national policy. "Dollar diplomacy" is a case in point.

The leaders of the Soviet Union have consistently laid the greatest stress upon the expansion of foreign trade. They have evoked memories of Cobden and Bright, the leaders of the Manchester liberals of a century ago, as well as of our own former Secretary of State Cordell Hull, with their emphasis on what foreign trade can do for private profits and international peace. They have consistently shown a particular interest in whole industrial plants rather than manufactured goods. But the Russian leaders are not Manchester liberals. They have wanted foreign trade not for the commercial purposes our businessmen want it for, but in order to gain the political strength necessary to achieve the universal triumph of communism. As Lenin put it: "We welcomed Genoa (the International Economic Conference at Genoa in April 1922), we understood perfectly well, and did not conceal it that we were going there as merchants because trade with capitalistic countries is absolutely essential for us (so long as they have not yet collapsed)." Khrushchev was even more explicit when he said in 1957: "We declare war upon you * * * in the peaceful field of peaceful production. We are relentless in this, and it will prove the superiority of our system." And in 1952 Stalin also voiced his confidence in the profit motive of Western businessmen as an instrument through which the Soviet Union would be made strong enough for its final triumph.

It is against this background of consistent Soviet attitudes and policies with regard to foreign trade and the accentuation of these attitudes and policies owing to the present critical weakness of the Soviet Union that one must judge the Russians' current lack of aggressiveness and our response to it. The supremacy of the Soviet Union in the Communist camp is seriously threatened by Chinese competition, and in order to counter this threat the Soviet Union must be able to demonstrate to the world Communist movement that its policies are more likely to have beneficial results than those advocated by China. Thus the Soviet Union must be able to point at least to a semblance of successes in its dealings with the Western World. The partial test-ban treaty, enormously oversold by Soviet propaganda, has been important for the Soviet Union primarily as such an argument against Chinese competition.

The Soviet Union is compelled by the dynamics of that competition to search for other successes, real or apparent. It might find one in the placing of stationary ground observers on both sides of the Iron Curtain in order to prevent a conventional surprise attack. Such an arrangement would be innocuous because those observers could observe nothing that ordinary intelligence could not detect more completely and reliably, and it would also be meaningless since no government in its senses could seriously consider a conventional surprise attack in the center of Europe. It is exactly for these reasons that such an agreement has a better chance of being concluded than others that have been discussed.

As long as the Soviet Union can hope to follow up the test-ban treaty with other agreements, it will persist in its present nonaggressive attitude. If, however, this hope should fail, the Russians would then be compelled by the very same dynamics of their competition with China to compete with the latter in revolutionary militancy. For if the Soviet Union can no longer demonstrate that its policies—in contrast to the Chinese—strengthen communism without increasing the risks of war, it must at least show that its revolutionary militancy is second to none.

Yet this alternative is unlikely to be of much avail to the Soviet Union. For China can counter by pointing to the advantages it is reaping in spite, or by virtue, of its militancy. Do not Western businessmen compete with each other for the privilege of trading with China, just as they do with the Soviet Union? And if Chinese militancy has not opened the door to the uncommitted nations, the United Nations, and general international respectability, it certainly has done nothing to close it.

I am not arguing here against Western trade with Communist nations per se. I am only arguing in favor of the proposition that foreign trade has a different meaning for Communist nations than it has for us. Trade with Communist nations is a political act which has political consequences. It is folly to trade, or for that matter to refuse to trade, with Communist nations without concern for these political consequences. There is no reason to object to our selling a Communist country goods it needs in exchange for goods we need. There is no reason to object to trading with Communist countries like Yugoslavia, if such trade promises political results favorable to our interests. But it is a folly, comparable to that of selling scrap iron to Japan in the thirties, to stabilize the Castro regime by trading with a Cuba that is today the most important training center for Communist subversion throughout the world and to equip the Soviet Union and China with whole industrial plants and transportation systems which will then be used as weapons in the political, military, and economic offensives of communism against the West.

That folly is compounded in the case of trade with China. The Soviet Union terminated its economic relations with China, especially in the form of aid, at the beginning of the sixties because it did not find it in its interest to supply the economic foundations for the power of a hostile China. An industrially developed China, whose population might then approach a billion, would be the most powerful nation on earth, more powerful than either the Soviet Union or the United States. It is extremely doubtful that China, in view of the numbers and poverty of its population, could find within her own borders the resources for such industrial development if she is not supplied with capital and goods from abroad. She would then remain for the foreseeable future a weak and fragile giant, a threat to her immediate neighbors but not to the two superpowers.

The Soviet Union has understood this prospect and has left China to her own economic devices. Yet with that blind and self-destructive folly which is the quality of men and nations whom fate has doomed, Western governments and businessmen are rushing into the gap left by the Russian withdrawal, replacing the Soviet Union as a source of capital and goods for China. But is China less hostile, and will she be less dangerous, to the West if and when she has become an advanced industrial nation, than she is, and will be, to the Soviet Union? Obviously, the West has at least as good reason as the Soviet Union to fear a powerful China. If it is in the interest of the Soviet Union not to help China become a modern industrial nation, it is by the very same token in the interest of the West.

Yet while the Soviet Union knows its interest and acts upon it, the West does not know it and, insofar as it does, is unable to act upon it. Marx said that the capitalists would be their own gravediggers. Western businessmen, so stanchly anti-Communist when it costs nothing, except perhaps freedom of speech for others, seem bent upon proving that Marx was right.

[From the Washington Post, Nov. 3, 1963]

Politics of Wheat Deal Gives United States Upper Hand

(By Zbigniew Brzezinski)

It has been argued that the wheat deal with the Soviet Union is desirable on humanitarian grounds. If Russian people are starving, the United States should not stand back, said former President Truman on the radio, and he has been echoed by some clergymen and by various people of good will.

Others have suggested that the wheat deal is purely a matter of economics. The Russians need our wheat; we can use their gold. Their food needs will be met; our food surpluses will be diminished. We both gain equally.

The humanitarian argument can be dismissed quickly. First of all, there is no famine in Russia. The Soviet people are not starving, and the government has not lost all of its ability to meet a food crisis. It could certainly divert some of its resources from heavy industry to better agricultural management, and it is still capable of providing the basic staples to meet Russian needs.

Even if all the Western countries were to refuse wheat to Russia, no Russian would starve because of it. There is no doubt, however, that certain kinds of foods would be in short supply, and this would create considerable social and political difficulties for the Soviet government.

OUTRAGEOUS APPROACH

The economic argument is more complex. The simple equation of profit and trade is deeply rooted in the American tradition, and it is not easy to convince an American that the Soviet approach to the problem is somewhat different. Yet as George Kennan has amply demonstrated in his book "Russia and the West," the Soviet approach to the problem of trade is a highly political one.

Writing about the Soviet attitude toward the West in the very early 1920's, Kennan thus projected the Soviet reasoning on the subject of trade with the West:

"We despise you. We consider that you should be swept from the earth as governments and physically destroyed as individuals. We reserve the right, in our private if not in our official capacities, to do what we can to bring this about: to revile you publicly, to do everything within our power to detach your own people from their loyalty to you and their confidence in you, to subvert your armed forces and to work for your downfall in favor of the Communist dictatorship.

"But since we are not strong enough to destroy you today—since an interval must unfortunately elapse before we can give you the coup de grace—we want you during this interval to trade with us * * *. An outrageous demand? Perhaps. But you will accept it nevertheless.

"You will accept it because you are not free agents, because you are slaves to your own capitalist appetites, because when profit is involved, you have no pride, no principles, no honor. In the blindness that characterizes declining and perishing classes, you will wink at our efforts to destroy you, you will compete with one another for our favor."

One may wonder, in the light of the 1962 Cuban confrontation and Khrushchev's general policy of "burying" us, whether this approach has changed so very fundamentally.

A NECESSARY FAILURE

To the Soviet leaders, the wheat deal is political because two very vital Soviet political interests are involved. The first is the stability of the collective agricultural system itself. Over many years, that system has failed to deliver the goods, at least insofar as the Soviet consumer is concerned. Yet to the political leadership, the collective system is essential.

A recent critical reevaluation of the Stalinist drive for collectivization, published in Voprosy istorii, states quite categorically that the collectivist system was necessary in order to build socialism in the Soviet Union and for the defense of the country. Mounting consumer dissatisfaction with the inability of the present agricultural system to produce adequately might, over the long haul, force the Soviet leaders to revise the agricultural system. However, if the Soviet leadership finds other means of meeting domestic needs; i.e., imports paid for with gold, it can perpetuate the collectivist system.

Collectivization was abandoned in Poland and Yugoslavia because the leadership had no way out. By importing wheat, the Soviet leadership sees a way out, and hence the wheat deal is necessary to Moscow in order to maintain its domestic system of collectivization.

EXPORTS POLITICAL, TOO

Secondly, the importation of wheat is necessary to the Soviet Union in order for it to meet its grain export commitments. These commitments are important to the Soviet leadership primarily for political reasons.

Last year the Soviet Union exported approximately 7.8 million tons of grain, of which wheat constituted 4.7 million tons. The list of clients shows clearly the political importance of the exports: the largest consumer was East Germany, followed successively by Czechoslovakia, Poland, Brazil, and Cuba.

The restriction that President Kennedy wishes to impose on the reexportation of American grain to these countries creates a technical impediment to such exports. The Soviet Union would not be able to ship them American wheat directly. Nonetheless, the availability of American wheat, and indeed of other Western wheat, would mean that Soviet grain itself could be exported to the countries concerned. Hence the political problem would not be resolved by the proposed restriction.

The above comments should not be construed as an argument against an American-Soviet wheat deal. They are meant to suggest, however, that this wheat deal ought to be viewed in a political perspective and that U.S. negotiators ought to seek political concessions from the Soviets in return.

Naturally, there would be no point in expecting fundamental concessions. For example, it would be illusory to expect a Soviet acknowledgement of our position in Berlin in return for our willingness to sell Russia some wheat; there is no political equivalence between these two interests. However, on a number of marginal issues, there is no reason why the United States should not insist on a quid pro quo.

For example, it would seem ironical for the United States to be enabling the Soviet Union to maintain its collectivized agriculture and its politically motivated grain exports and at the same time for this country to endure continued Soviet harassment in its access to Berlin. At the very least, our negotiators could insist on a clear reciprocal understanding of the technical arrangements involved in Western access.

Similarly, we could demand that the Soviets lift their travel restrictions within Russia. Indeed, a political quid pro quo should be sought in the case of other so-called nonpolitical, technical arrangements.

For many years, for reasons of political prestige and also as a precedent, the Soviet Union has been very anxious to establish direct American-Soviet air links. Perhaps there is no reason to oppose such links, but it might be preferable to negotiate about them in the context of a reciprocal Soviet willingness to meet some of our political objectives.

Of course, proponents of the purely economic approach might say that if our position is too hard, the Soviet Union will buy the wheat somewhere else. That may be true, but the argument is not entirely convincing. If the Soviet Union could easily buy wheat elsewhere, then why does it not do so?

It either wishes to deal directly with the United States because that would strengthen the impression in the West and elsewhere of an American-Soviet detente—an impression which intensifies Western European fears concerning the American position; or, conceivably, the Soviet Union does not see other markets so readily available and the American wheat is thus of some economic importance to it as well.

One may safely assume that the Soviet Union is not anxious to buy American wheat merely in order to reduce our balance-of-payments difficulties and to alleviate our own internal agricultural problems.

Finally, it should be stated unambiguously that it would be wrong to conclude that since the wheat deal is political, the United States should have no part of it. That is fallacious and extreme. It would be a pity if we failed to use the limited leverage that this particular situation affords.

> Since the Soviet Union wishes to buy wheat from us, it puts us in a favorable bargaining position. By all means, we should go ahead with the deal, but our approach should be very conscious of its essentially political character.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. DOMINICK. I share with the Senator from California his feeling of commendation and congratulations to the Senator from Connecticut for his accurate documentation and his very excellent presentation.

This is something that I believe is badly needed, something which I believe applies directly to the pending bill insofar as this proposal is concerned. I shall have a substantial address to deliver on the same subject.

Mr. DODD. Mr. President, I am grateful to the Senator from Colorado for his statement. I am glad that he will speak concerning the same subject. I am confident that all Senators will find his remarks to be exceedingly valuable and helpful.

Mr. President, I yield the floor.

Mr. HART. Mr. President, I wish to support the amendment made to the bill expressing the sense of Congress that no restriction with respect to transportation in American vessels should be applied to commercial exports of agricultural commodities if not applied to the exportation of other commodities.

Let me give an example of the kind of difficulty we get into when we attach restrictions on vessel use. During 1963 and 1964 an ad hoc subcommittee of the Senate Commerce Committee, ably chaired by the senior Senator from Ohio [Mr. LAUSCHE], held hearings on the St. Lawrence Seaway. The purpose of these hearings was to review the causes which led to the creation of the seaway, the results of its several years of operation, the problems which have developed, and the remedies that might be provided to cure the problems.

During the hearings it was pointed out that although traffic on the seaway is increasing and is of growing importance to the economy of the Midwest, it has not yet reached the hoped-for levels. In analyzing the reasons why the traffic had not lived up to expectations, high priority was assigned to this question of American vessels. Witnesses testified repeatedly to the scarcity of American ships in the Great Lakes, a scarcity that has apparently resulted in large part from the administration of cargo preference laws which require that 50 percent of all foreign aid shipments and that 100 percent of all Government cargoes must be shipped on American bottoms.

The cargo preference law provides for exceptions to the 50-percent formula if American vessels are not available. But with each Government department keeping its own accounting of the percentage, the shipper is at a loss to know when a foreign vessel may be used. There is no coordination among Government departments and agencies on this matter, to the detriment of Great Lakes shipping.

Second, the Department of Defense Atlantic Terminal Command combines Atlantic coastal ports and Great Lakes ports in determining availability of American vessels. This has the practical effect of drastically reducing the number of occasions on which American vessels are available to the Great Lakes shipper: he is required to go by rail to the east coast to ship, rather than taking advantage of the seaway at his door.

So I say, Mr. President, that this cargo preference provision has worked to the detriment of the full utilization of the seaway and the development of our Great Lakes ports. It is an unhealthy restriction to trade expansion, just as the Agriculture Committee tells us has been the experience under the export license requirement. I compliment the committee for coming to grips with this problem. I oppose the effort to strike from the bill the sense of Congress language.

If it is in the national interest further to subsidize the American merchant marine, let us do so openly and forthrightly, rather than piecemeal as a sideline to other objectives and in a manner that discriminates against our inland ports.

Mr. MONDALE. Mr. President, today the senior Senator from Connecticut [Mr. DODD] severely criticized my "sense of Congress" amendment, presently in the farm bill. I respectfully suggest to the Senate and to the eminent Senator from Connecticut that his remarks, although forcefully expressed and persuasively delivered, do not come to grips with the issues raised by the "sense of Congress" provision.

Let me first of all make it clear that it is not correct to say that my provision would have the immediate and binding force and effect of law. It merely states the feeling and intent of the Congress on the advisability of retaining certain shipping requirements in commercial agricultural sales, which do not apply to any other nonstrategic commodities exported to any nation in the world.

Second, the Senator's allusion to the sale of scrap iron to Japan in the 1930's has no bearing on my provision. He is attempting to put those who favor the sale of American wheat to Iron Curtain countries in the same category with those who sold scrap metal and other war material to Japan prior to World War II. This is a totally unfair comparison for the simple reason that, unlike scrap metal, wheat is not used to kill people. Wheat cannot be loaded into guns and shot at people. Wheat kernels are not bullets. Loaves of bread are not cannon shells. Wheat flour is food for the stomach, not for the iron muzzles of rifles or howitzers.

Sales of wheat to Russia mean that they have that much less gold to use for the manufacture of weapons or in the purchase of scrap iron to make the weapons of war.

But the Senator is flogging a dead horse. The issue on whether we should sell wheat to Russia and the nations of Eastern Europe was resolved long ago. After thorough debate throughout the country and within the councils of government, the 88th Congress and the Kennedy administration 2 years ago declared that it was in our national interest to conduct foreign trade with those nations.

The late President John F. Kennedy said in 1963, in a letter to the Congress on October 10:

> These transactions are not inconsistent with existing U.S. policies on trade with Cuba and the Communist bloc. We have never sought to implement those policies by restricting East-West agricultural trade or embargoing the shipment of foodstuffs to Cuba. Our country has always responded to requests for food from the governments of people who needed it, so long as we were certain that the people would actually get it and know where it came from.

He went on to say:

> These transactions advertise to the world, as nothing else could, the success of free American agriculture. They demonstrate our willingness to relieve food shortages, to reduce tensions and to improve relations with all countries; and they show that peaceful agreements with the United States which serve the interests of both sides are a far more worthwhile course for our adversaries to follow than a policy of isolation and hostility.

President Lyndon B. Johnson said in his historic state of the Union message on January 4, 1965:

> Your Government, assisted by leaders in labor and business, is now exploring ways to increase peaceful trade with these countries (of Eastern Europe) and with the Soviet Union.

The President pledged to report the conclusions of these studies aimed at increased trade to the Congress, and has continued the course and direction of American foreign policy.

Even before 1963, the Congress itself made a clear declaration of its policy in the Export Control Act of 1949. Section 2 of that act states in part:

> The Congress further declares that it is the policy of the United States to use its economic resources and advantages in trade with Communist-dominated nations to further the national security and foreign policy objectives of the United States.

It is a matter of fact that the export licenses issued by our Commerce Department in the fall of 1963 were issued pursuant to section 3 of that same Export Control Act.

The president of the AFL–CIO, Mr. George Meany, stated just yesterday that he had advised President Kennedy that he favored sales of wheat to Soviet bloc nations. He said he did so because of the humanitarian aspect of wheat as a foodstuff, and because of the value of such a transaction in dramatizing the superior performance of the American system in meeting human needs as against the Soviet system. Mr. Meany said in 1962 that, "Hunger knows no politics."

So it seems to me to be clear that my provision does not run counter to American foreign policy, clearly expressed and stated by the Congress of the United States, by President John F. Kennedy, and by President Johnson.

I think it would be unfortunate to retreat in policy to the theory that by refusing to deal with the Soviets we hurt them in some way. The plain fact of the matter is that we do not. We know as past history that Canada, France, Australia, Argentina, and other countries will satisfy Soviet and eastern bloc wheat needs, and that our refusal to sell will not injure anybody but ourselves. Those who say it will seem to believe that you can make a pan out of a sieve merely by plugging up one hole with American bubble gum.

The Soviets cannot merely buy wheat and then turn their other resources to cold-war weaponry. They have to give up gold, and drain their own monetary resources, and have that much less to devote to other cold war pursuits.

Senator DODD makes one point with which I entirely agree. He asks for an all-out effort to plan grain exports for world hunger needs in support of basic principles of humanity, the cause of freedom, our own security, and the peace of the world. I could not agree more wholeheartedly. On July 29, 1965, in my first major speech on the floor of this Senate, I asked for greater progress in meeting the needs of world hunger through cooperation with other agricultural nations, encouragement of agricultural self-sufficiency in poorer nations, and improvement of our Public Law 480, food-for-peace programs.

In summary, Mr. President, whether or not wheat or grains or any other nonstrategic goods will be sold to Iron Curtain countries is not at issue. That question has been resolved by the 88th Congress and the Kennedy administration. What is at issue is whether we wish here and now to express our intent that agricultural commodities be treated the same as all other commodities, and whether agriculture will continue to receive unequal treatment.

This question has nothing to do with my stand on the repeal of section 14(b) of the Taft-Hartley Act, for I have supported repeal and continue to do so. And the issue is not whether I am opposed to communism—because I do oppose it with every resource at my command.

Let me cover in greater depth the meaning and effect of my "sense of Congress" amendment, section 703 of the farm bill, section 703 expresses the intent of Congress. It is phrased as a "sense of the Congress" declaration. I offered this amendment in the Senate Agriculture Committee on my behalf and on behalf of Senator MCGOVERN, and I urge the Senate to retain it in the farm bill.

Section 703 merely expresses the feeling and sense of Congress that export licenses issued by the Department of Commerce for the exportation of grain to Soviet bloc nations should not contain any requirement that one-half of the grain, sold for cash, be carried in U.S.-flag vessels.

The amendment contained in section 703 has no effect on the terms or provisions of the Cargo Preference Act, Public Law 54–664, governing the shipment of Public Law 480 commodities or other commodities owned by the Government, or sales of commodities aided by the Government. This section has no effect, and is intended to have no effect, on the provisions of the Trading With the Enemy Act. It has, in addition, no effect on any law or regulation governing or restricting the use of credits or Export-Import Bank loans in cash or credit sales to any countries, or any terms, conditions, restrictions, or prohibitions with respect to the sale or transfer of any commodities.

This amendment urges only that we not extend U.S.-flag preference requirements in the commercial area on cash-grain sales. It declares only our intent that wheat sales for cash be accorded the same status as cash sales of any other nonstrategic goods, and that grain and other agricultural commodities not be treated discriminatorily.

Under the Export Control Act, licenses are required for the shipment of export of any and all commodities to every country except commodities for internal consumption in Canada and to territories and possessions of the United States. The Secretary of Commerce, as the delegate of the President, has broad authority to prescribe conditions for the issuance of export licenses.

An entirely different act, the Cargo Preference Act, requires that Government-owned commodities or Government-aided sales should move in international commerce at least 50 percent in American shipping. The Secretary of Commerce has in effect written the statutory requirement of the Cargo Preference Act into the export licenses required under the Export Control Act.

This has been done, even though it is in our national interest to have nonstrategic trade with Communist-dominated nations in furtherance of our national security and foreign policy objectives. This declaration of national interest was made in the Export Control Act.

The Export Control Act further declared that rules and regulations for exportation of agricultural commodities should not be applied unless necessary to protect foreign policy objectives of the United States.

In 1963, the Kennedy administration authorized sales of wheat to Russia as a step in the best interests of this Nation. But, at the same time, the Kennedy administration agreed to write into the export licenses required for the sale of wheat the additional requirement that 50 percent of those sales be shipped in domestic bottoms. This requirement was brought into the export license from the provisions of the Cargo Preference Act, even though the latter is based on entirely different policy and purposes.

The effect of that requirement was immediate. In the fall of 1963 when wheat sales to the Soviet bloc were authorized, we expected to sell grain in the amount of approximately 150 million bushels. But only through very aggressive salesmanship were we able to export even half of that amount to Russia and the other Eastern European nations, an amount far short of our expectations. In fact, the Soviet Union bought that year 10.05 million tons of wheat from the free world, and we were able to market only 17 percent of that total. Our share was insignificant in view of our large wheat surplus at that time and our productive capabilities.

The effect of this requirement has been felt in subsequent years. In the marketing year which closed July 1, 1965, Russia and Eastern Europe had bought from Canada, Argentina, Australia, France, and other countries a total of 7.56 million metric tons, or over 290 million bushels of wheat. Our share was 1.3 percent of total Soviet bloc purchases. Since July 1, 1965, Russia has purchased an additional 9.7 million metric tons of wheat based on sales since that date or based on previous sales to be shipped after July 1, 1965. Our grain traders were unable to share in these sales.

Since we require that half of our cash grain sales move in U.S.-flag vessels, American wheat is priced out of foreign agricultural markets in the Soviet bloc nations, because our shipping rates are very much higher than those of foreign-flag ships. The differential amounts to about 11½ cents per bushel for American grain in a world market in which fractions of a cent per bushel are determinative.

This shipping differential makes all the difference. On August 11, 1965, when the massive Canadian sale was being consummated, No. 3 Manitoba was selling at $1.69⅜, free on board port of origin, while American wheat of comparable quality, No. 1 Hard Dark Winter and No. 1 Hard Spring were selling at $1.61½ and $1.69¾, free on board port of origin, respectively. Of course, lower quality American wheat may sell up to 18 cents cheaper than high-quality Canadian wheat, but in terms of the wheat that the Soviet Union actually did buy, our wheat would have been competitive were it not for higher shipping costs.

The purpose of this administrative ruling presumably is to further the health and vitality of U.S. merchant shipping. It does not achieve that goal. Indeed, it has just the opposite effect. The regulation involved here has proved to be illogical and irrational. We do support and subsidize our merchant marine for entirely valid military and domestic justifications. But it seems to me there must be a better way to support our merchant marine than by this contradictory, self-defeating policy.

Maintenance of the present domestic bottoms requirement does not in any way aid or assist the United States. I have yet to learn of a single group or individual in the United States which benefits from present policy. This requirement does not employ any more workers in transportation, in handling of marine or agricultural commodities, or in loading and shipping. It does not grant or assure us any new jobs. It does not mean the use of U.S. ships or U.S. maritime workers. As Senator MCGOVERN has so ably expressed it, this requirement means only that we are insisting upon 50 percent of nothing.

It has been estimated that we lose each year in the neighborhood of $100 to $200 million of cash sales, which would have measurable beneficial impact on our economy.

There are those who say that this requirement cripples and injures the Soviet bloc nations and is therefore in our national interest. I say that they are wrong. It does not hurt the Communist countries in any way. They merely buy their wheat, as they have done for the past 4 years, from other countries. As a matter of fact, Canada and Australia together furnished 62 percent of all the wheat moving to the Communist world from 1961 through 1964.

This market helped to stimulate increased wheat production in those two countries. Canada's land acreage in wheat last year was 30 percent above the 1955–59 level, and Australia's was 60 percent above that average.

In effect, they would have us believe that we could make a pan out of a sieve by plugging up one hole.

The Iron Curtain countries merely obtain their grain elsewhere, and in addition, obtain wheat indirectly from the United States by buying flour made out of American wheat from West Germany, France, and other countries. Our domestic bottoms requirement in addition does not impair the Soviet cold war effort, since all of their needs can and will be filled by sales from other free world nations. We are merely losing cash markets that other countries are cultivating.

Wheat is not something you load into guns and shoot at people. If they have to spend money for food, that much less will they be able to spend for weapons. If they spend their gold for U.S. food, not only will our balance of payments improve but we will have that much additional money to spend to improve the conditions of life all across the United States.

And the present barrier to sales of wheat must be assessed, not only in terms of its ill effects, but in terms of the positive gains that we might expect to realize from increased agricultural trade with those countries.

Passage of section 703 as a part of the farm bill would demonstrate once again, as we have in the cultural and athletic exchanges of the past, that peaceful agreements and negotiations with Communist countries are possible, and that continuation of peaceful relationships are in their interest as well as ours.

We might expect through section 703 to encourage reliance of Soviet bloc nations upon American trade policies and agricultural exports, and in addition demonstrate to the world the superiority of a free agricultural system and free enterprise over the Communist, state-controlled collectivist system.

The Congress might expect to see increased trade, increased opportunities for trade, and increased exchanges of individuals and nonstrategic information. This is clearly to our national advantage. It is our fundamental belief that the American system is so far superior to the Communist system that exposure to the successes and benefits of our way of Government will move them toward our system.

In addition, we must not forget that this is a farm bill that we are debating. Retention of section 703 in the farm bill will permit American farmers and the American economy to share in the gains reaped by other nations in the sale of wheat and flour to Iron Curtain countries. I would hope that we could see a reduction in Commodity Credit Corporation surplus stocks of wheat, and a corresponding reduction of Federal budget expenditures. This would free more American funds to wage our war against poverty, our education programs, our housing programs, our medical care for the aged program, and for a host of other pressing and immediate domestic concerns, not the least of which is our farm program.

We might expect to see added income and employment for those employed in American shipping, longshoremen, railroad workers, grain traders, millers, and farmers. I would hope that this amendment would strengthen farm prices in the United States.

This is not the time to recount the plight of the farmer. It is enough to say that his return on his investment of capital and labor is sadly below what it should be. Many of us have labored long hours on the Senate Agriculture Committee and elsewhere to be of help. We have tried to increase the farmer's income and reduce government costs. We have sought to bring supply into balance with demand so that the normal forces of the market could be used to help our farm economy. We are fighting for every dime we can get for our farmers.

Cash grain sales in the international market are the classic response to these needs and the most effective method to secure these objectives.

There is another aspect of this requirement that we must face. The United States has seen in the past and must continue to be concerned about our severe balance-of-payments problem. To meet this problem we have adopted an unprecedented program of voluntary restraints on businessmen and bankers, on the use of American capital and overseas money market, but we are denying ourselves a market in agricultural commodities which could provide in excess of $100 million a year, and favorable trade balances. I think the Congress should declare that cash sales of grain will help the President in his magnificent efforts to seek a better balance in our world trade.

Everyone agrees that export cash sales are the most desirable source of improvement in our balance of payments, and it is inconceivable to me that in the face of this we deny ourselves the benefit of a multimillion-dollar cash market in U.S. grain.

Mr. President, in addition, the regulation presently written into our export licenses under the Export Control Act may be illegal. Export licenses for the shipment of grain, and especially American wheat, to the exclusion of all other agricultural or other nonstrategic commodities, contain this 50-percent domestic bottoms requirement. This is done even though we have declared that trade with Communist-dominated nations may further our national security and foreign policy objectives. This is done even though the Export Control Act declares that rules and regulations for the exportation of agricultural commodities shall not be applied unless necessary to protect the national security of this country.

The 50-percent bottoms requirement is written into the export license from the Cargo Preference Act, which is based on the entirely acceptable policy that Government-sponsored cargoes should not be used to defeat our entire merchant marine policy. However, neither of these policies are applicable to normal commercial sales for dollars.

In addition, our friendship, commerce, and navigation treaties with over 30 nations contain nondiscriminatory shipping clauses. Any decision to extend discrimination to commercial cargoes would place us in violation of all these treaties. The treaties are, of course, of basic importance to our commercial policy and our commercial relations.

Any move in the direction of extending U.S.-flag preference into the commercial area would be certain to bring forth a violent foreign reaction, and would rightly be recognized as constituting a major reversal in American foreign policy. It is certainly open to question that our present requirement of U.S.-flag preference for commercial sales of wheat are in violation of these friendship, commerce, and navigation treaties.

However, even though the most eminent authorities were to state that this requirement is entirely legal and authorized by law, we could not as a matter of good public policy see it continued to be enforced. The present regulation has serious adverse effects on our economy, our balance of payments, and upon our agricultural economy. We also lose the opportunity and possibility of direct and beneficial gains in the area of international trade, international relations, lessening of cold war tensions, and increased maritime, transportation, and farm employment and income.

The sense of Congress amendment on this particular matter in the farm bill was approved unanimously by the Senate Agriculture Committee. A great deal of discussion was devoted to this requirement and the language was in fact redrafted to insure that the point we intended to cover was accomplished without affecting any other provision of law or any other applicable regulation. Its retention in the farm bill will place the Congress of the United States on record as supporting positive steps to improve our balance-of-payments situation and our agricultural economy, and to further reduction in world cold war tensions.

TRADE WITH COMMUNIST BLOC

Mr. DOMINICK. Mr. President, the United States is apparently involved in a major policy change, the results of which could profoundly affect the long-range outcome of the present cold war struggle. Our national policy of long standing with regard to trading with the nations of the Communist bloc is about to be reversed by the Johnson administration. This is no secret, but like so many other ventures of the Federal Government, the issue is sufficiently complex to befuddle all but the most serious students of long-range governmental policy. This issue, upon which may very well hang the balance of the entire free world is, at present, of interest primarily to the world traders and the governmental policymakers. It is grossly oversimplified, sugar coated, and nicely ribboned for the final presentation to the Congress and the American people, upon whose approval the policy change depends. It is, therefore, incumbent upon each of us to look beyond the glossy cover and into the substantive portions of this particular package to determine its true market value to the free world.

We have heretofore followed a policy wherein we would not trade with these nations on a large scale, and even then only in so-called "nonstrategic" goods. The rationale behind this policy is a sound one and a very realistic one. Communist governments are oppressive, dictatorial, and ruthless, and in no way can they be considered to represent the people over which they exercise control. Part of the Communist scheme of things is to utilize economic policy in the establishment and maintenance of their political power. Thus, any trading done with these governments will be done under conditions agreeable to its leaders and will necessarily add to the stability of their respective positions of authority over the people in those countries.

Our Government has recognized this basic principle and acted accordingly throughout the years since the end of World War II. While American trade with the Soviet bloc has never been extensive, the onset of the cold war brought with it certain export controls on strategic goods in the late 1940's. In 1950 the United States placed a total embargo on goods to North Korea, Communist China, Manchuria, and Outer Mongolia. In 1954 a similar embargo was placed upon North Vietnam and in 1960 we ceased exporting goods, except food and medical supplies, to Cuba. Thus, there has been a clear policy adhered to by the U.S. Government acknowledging the danger of aiding and abetting, through trade, the Communist governments of enslaved nations.

This policy, clear as it is, has, of course, been modified if and when the particular administration in the White House determined that such modification would be beneficial to the free world by somehow infringing upon the monolithic character of the Communist bloc. It should be noted parenthetically that such modifications have always met with a considerable amount of resistance throughout this country. Nevertheless, such modifications have in fact taken place, particularly in Yugoslavia in 1948 and in Poland in 1957. Each of these nations has received special consideration by our Government in an effort to wean them away from Soviet dominance.

In the case of Yugoslavia, the United States granted them the highly desirable trade classification of "most favored nation" as a direct result of its assertion of independence from Russia. After the Posnan riots of 1956 special trade concessions were made to Poland for the same purpose and the "most favored nation" classification was extended in 1960. Since that time, of course, we have relaxed our trade restrictions with Rumania and have taken certain other steps which appear to prelude the new era of trading with the Communist bloc.

In all of these cases, however, with the exception of Rumania, our Government has not dared to stray too far from the basic premise upon which our trade restrictions are based; namely, that to aid Communist nations is to endanger the free world. The modifications made in the cases of Yugoslavia and Poland were designed not to aid communism, but to weaken it. Whether these modifications have been fruitful is beside the point for the moment, since the intent of our Government's action in these cases is clear: halt the spread of communism.

This policy has, however, been American policy only, and as such infers no control over the commerce activities between other free world nations and the Communist bloc. In fact, the flourishing trade between some of our allies and the Communist bloc is one of the major arguments propounded by those in favor of greater U.S. participation in this area. Hence, we find ourselves being urged to abandon a fundamental aspect of our foreign policy because of our apparent inability to exercise adequate control over the commercial intercourse of other nations.

Recent events make it quite obvious that the Johnson administration will take those steps it feels necessary to relax Communist bloc trade restrictions as soon as it becomes politically practical.

In his state of the Union message this January, President Johnson said our Government was exploring ways of increasing trade with the Soviet bloc and in April named a 12-man special Presidential committee to study the possibilities and implications of expanding trade with Eastern Europe and the Soviet Union. The January 18, 1965, issue of Newsweek stated that "sometime this spring, the President plans to submit a special message on East-West trade to Congress."

On Capitol Hill, the Senate Foreign Relations Committee held 3 days of hearings in February on East-West trade policy in "order to obtain valuable information that will be helpful to the Congress and the public in considering any future legislative and administrative action in this area." And Senator WARREN MAGNUSON, chairman of the Senate Commerce Committee, has introduced a resolution—Senate Joint Resolution 36—calling for the establishment of a Council for Expanded Trade composed of private citizens to advise the President and Congress as to how trade in peaceful goods can be boosted with the Communist nations.

The stage is set: American businessmen touring Communist nations and advising the President on increased trade possibilities; ranking administration spokesmen, including the President, commenting on the efficacy of increased trade vis-a-vis our balance-of-payments situation, our unemployment situation, our agricultural surplus situation, and our entry into a new era of precariously hopeful detentes with the Soviets; Members of Congress pouring favorable arguments into the CONGRESSIONAL RECORD and compiling a backlog of expert testimony in committee hearings upon which to fall back when the clarion sounds from 1600 Pennsylvania Avenue.

The one unknown quantity is the resolution of the American public to forego possible profits in a market expanded by inclusion of Communist bloc nations in order to contain, and perhaps one day eliminate Communist tyranny. Were not the proponents of increased trade with the Communists concerned about the "gut reaction" of the man on the street to such a policy change, they would not have hesitated so long, nor prepared their case so carefully. Their case has been prepared, however, and the enticements they visualize in increased trade have become strong enough to bring the issue to a head. The question is, are those who oppose this major policy change equally prepared for the challenge? Let us look at some of the arguments.

To Members of Congress concerned with our national security, they say that increased trade will provide a greater opportunity for westerners from the free world to penetrate the Iron Curtain. It follows, according to these people, that the Communists will then see the great productivity of the free world and the wondrous aspects of our way of life, repent their sins, and move away from their bloody path of the past.

On the other hand, they tell the businessman looking for new markets that everyone else is doing it, so why should we not? They are quick to cite chapter and verse of how many dollars have been made by other free nations who have not adopted the same restrictions we have imposed upon ourselves.

To the citizen who is busy paying his bills, educating his children, and trying to keep his head above water, this sounds superficially convincing and the same proponents of trade with the Communists say the matter is much too complicated for most of us to understand, so that we should just leave it to those who have become experts in the field.

Well, the fact of the matter is that none of these arguments holds water. The much-heralded "liberalization" of some Communist-dominated countries exists only at the pleasure of the Communist masters. It is a ploy to keep internal pressures from building up to the point of revolt, as has occurred in the past in East Berlin, in Poland, and in Hungary. We must remember that any such "liberalization" is relative to the Communist police state and not to a democracy such as ours. Even in Yugoslavia, which, according to the so-called political intellectuals, is one of the most liberal Communist states, and which, incidentally, has been receiving assistance through our food-for-peace program for many years, people are thrown in jail for being publicly critical of the Soviet Union.

As recently as March 12, 1965, a young Yugoslav scholar was arrested and interrogated for this very reason. The young man was not demonstrating against anyone or anything, nor was he advocating any active resistance. He was not being critical of his own government, but rather was charged with "writing derisively" about the government of another nation, the Soviet Union. Thus, we get some idea of the way of life under a so-called liberalized non-Soviet-controlled Communist state.

Those who argue that this "liberalization" of Communist states has made it advisable for the United States to change its policy with regard to extending trade opportunities overlook some very basic facts. They imply through their arguments that the present leaders of the Communist satellite nations have no other thought than to shed their Kremlin shackles and become members of the free and thriving international capitalist camp. They conveniently overlook the fact that these leaders owe their very existence and hence their loyalties to the Soviet Union. Should Soviet support disappear overnight, Communist bosses such as Gomulka of Poland, Kadar of Hungary, and Novotny of Czechoslovakia, would probably be on the next plane out of their respective capitols.

To believe that increased trade will somehow weaken the grip of communism over the peoples of these nations is to believe that these Communist leaders are willing and anxious to remove themselves from the powerful positions they now hold. It is much more logical to believe that they are, on the contrary, seeking trade with the free world as a mechanism to stay in power. They are well aware of the weaknesses in their agricultural and industrial systems and are anxious to let the free world jack them up where they are weakest.

While Communist bloc nations may not purchase items we label as strategic, the fact that we show a willingness to sell them other commodities enables them to concentrate their domestic industrial potential on a wider range of products, including strategic items. Thus, it becomes quite apparent, as Dr. Lev E. Dobriansky, of Georgetown University, told the Foreign Relations Committee recently, that no item desired by the Communist bloc could be considered nonstrategic.

Christopher Emmett, of the American Council on Germany, told the Foundation for Foreign Affairs in Chicago essentially the same thing just a few weeks ago. He said:

> The bulk of Eastern Europe's trade is with the Communist countries and nearly half is with the Soviet Union. Hence any strengthening of productive facilities, especially in scarce items, bolsters the whole bloc, including the military and cold war potential.

And a recent statement by the AFL–CIO states:

> All Moscow wants from expanded commercial and financial relations with our country and other democracies is help in overcoming its serious economic difficulties, help to give its people badly needed consumer goods while it continues to build its nuclear weapons arsenal, help to continue its program of economic and political subversion of developing countries.
>
> Such help by American and other business interests can only finance and facilitate further Soviet aggression against the democracies.

In order to control the export of items to foreign nations, a complex system of export commodity listings and licensing is required. The Department of Commerce, in conjunction with the State and Defense Departments and a number of other Federal agencies, has drawn up a "Positive List of Commodities" which require special validated licenses for shipment to Communist bloc nations. In 1964 this list contained over 1,300 items deemed strategic or critical to the military-industrial base of the Communist bloc.

This method of controlling our exports applies, of course, only to those items exported from the United States. The Positive list does not apply to foreign subsidiaries of U.S. concerns, who over the last 24 months have sold Russia some $13 million worth of items forbidden from sale by the U.S. parent firms.

Table 1 shows the increase in trade with the Sino-Soviet bloc in recent years. I ask unanimous consent that this table may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Import-export trade between the United States and the Sino-Soviet bloc and the Soviet Union*

[In thousands of dollars]

	Exports	Imports
1950—Total Sino-Soviet bloc	72, 428	227, 230
Soviet Union	752	38, 296
1955—Total Sino-Soviet bloc	7, 046	65, 656
Soviet Union	252	17, 139
1960—Total Sino-Soviet bloc	193, 853	83, 848
Soviet Union	38, 440	22, 629
1961—Total Sino-Soviet bloc	133, 331	84, 641
Soviet Union	42, 662	23, 228
1962—Total Sino-Soviet bloc	125, 184	82, 281
Soviet Union	15, 297	16, 136
1963—Total Sino-Soviet bloc	166, 685	85, 114
Soviet Union	20, 926	20, 337
1964—Total Sino-Soviet bloc	339, 584	102, 435
Soviet Union	146, 360	20, 756

Source: Bureau of International Commerce, Department of Commerce.

Mr. DOMINICK. Mr. President, this positive list contains those items which are exportable under validated licenses to Communist bloc nations and hence considered strategic. For example, validated licenses are required outside of the Western Hemisphere to export certain petroleum based aviation lubricating oils, since they are considered strategic items. On the other hand, certain synthetic aviation engine lubrication oils are not considered by our Government to be strategic to Communist nations such as Poland and Rumania. Bolts, nuts, rivets, screws, washers, and similar items of copper can apparently be shipped to Poland and Rumania without license restrictions, while certain types of continuous yarns do require validated licenses. The Soviet bloc nations in eastern Europe may receive certain plywoods, paperboard, fiberboards, hard rubber goods, leather, machine belts, iron oxide pigments, and 15-horsepower outboard motors—all without validated licenses. Communist China, on the other hand, can receive none of these in spite of the fact that these are apparently considered nonstrategic items to the East European Communists.

To suppose that there is no interplay between one set of Communist nations and another with regard to these strategic items makes little sense. This is particularly true today, in spite of the Sino-Soviet rift, when we note that both the Russians and the Chinese Communists are supporting the aggressive Communists in Vietnam.

A classic example of this interplay took place last summer after the United States and Rumanian governments announced a trade agreement in which Rumania would be allowed to purchase industrial facilities in the United States. The facilities were in the field of petrochemicals, glass manufacturing, synthetic rubber, and possibly a nuclear powerplant.

Two weeks later, on June 14, President Johnson notified the Congress that it would be in the national interest for the Export-Import Bank to issue guarantees in connection with this Rumanian deal.

The State Department claimed at the time that this deal was made only upon the condition that Rumania would not pass on any of the products, designs, and technology she received from the United States to other Communist nations. Yet, on July 8, only 5 weeks after the agreement, news stories began to appear in the papers that Rumania and Red China had entered into an agreement to exchange information in the fields of oil, chemical, and food production, and that Red China plans to increase her purchases of oil from Rumania.

These matters take on added significance when placed against the background of commodities licensed for export to Communist nations last year. According to Secretary of Commerce's "Export Control" quarterly report for the fourth quarter of 1964, export licenses were granted for a number of items I find difficult to consider nonstrategic. For example, licenses were granted to ship to Bulgaria chemical specialty compounds, hand tools, industrial sewing machines, vulcanizer for automobile tires, portable electric tools, and parts. Czechoslovakia was licensed to receive crude sulphur, coal tar products, vinyl synthetic resins, industrial chemicals, electric motors, tape recorders and tapes, tungsten ore, construction equipment, hydraulic power pumps, foundry equipment, and naval stores. Licenses for shipment to East Germany were granted for electronic computer parts, industrial instruments, research laboratory equipment, and motion picture equipment. The Soviet Union itself was licensed to receive carbon black, rubber hose and tubing, synthetic rubber, petroleum products, plastic products, power transmission systems and parts, manmade fibers, tires, and tubes. These, mind you, comprise only a small percentage of the items listed for only the fourth quarter of 1964.

In 1964 alone 3,187 licenses valued at over $406 million were issued for export of commodities to the Soviet Union and its Eastern European satellites. This is a phenomenal jump over 1963, which saw the issuance of 2,377 licenses valued at $139 million, and 1962, during which the total value of export licenses was slightly less than $50 million.

In addition to licensing these commodities for export to Communist nations, our Government has taken another step in advancing the cause of trade with the Communists. Through the Export-Import Bank, sustained by tax dollars, guarantees are being extended to commercial banks covering the credit involved in many of these sales to the Communists. During 1964 alone, the Eximbank issued guarantees to U.S. commercial banks covering sales of $30,500,000 of agricultural products to Hungary; $5,290,000 of agricultural products to Poland; $437,535 of capital goods to Yugoslavia.

An example of how this can work to the detriment of the American taxpayer is seen in the case of the export license issued last August authorizing the shipment of butter valued at $860,000 to East Germany. In accordance with the provisions of the license as approved by the Commerce Department, the American exporters made a deal to sell 2,204,600 pounds of butter at $39.009 per hundred pounds.

But the American taxpayer, through the Agriculture Department, pays a subsidy of $24.50 a hundred pounds to enable the American exporters to acquire butter. This amounts to $540,127.

The deal, therefore, involves a subsidy by U.S. taxpayers of more than half a million dollars to the Communists.

And when taxpayers' money is used to sell subsidized products or commodities to members of the Communist bloc, or to guarantee credits, that is a form of aid to the Reds, no matter how the transactions may be described.

It is becoming evident that what many of us have feared for some time is coming to pass. The machinery for extending credit to the Communists and the ridiculous semantic distinction between strategic and nonstrategic commodities have begun to merge so that we will soon find ourselves guaranteeing the loans to sell items, many of which we subsidize at taxpayers' expense, to strengthen a Communist bloc which has vowed to destroy our way of life.

We have heard a great deal in the last year or so about old myths with respect to our dealings with foreign nations. One of these myths, which by now seems quite old, is the myth that "a fat Communist is less dangerous than a lean Communist." This little cliche is based upon the philosophy that the greater the prosperity of Communist regimes, the less they need fear discontent in their own countries. Experience has taught us, however, that as fear of internal discontent is reduced in Communist-dominated countries, its leaders begin to smack their lips in anticipation of benefits to be reaped through subversion and eventual domination of their neighboring states.

Every Communist state has undergone an initial period of ruthless police brutality to completely subjugate its people and quell all resistance. Once it has terrorized the citizenry into submission through midnight arrests, state executions, and mass political imprisonment, it then tells the world it is "liberalizing" its hold over its people. In fact, what it is doing is moving from living hell to political purgatory while telling anyone who will listen that it has ascended into Communist heaven. We have seen this in Russia, Yugoslavia, Poland, East Germany, Cuba, and every other Communist controlled country. And as the country's masters become more "liberal," the fat Communist argument is trotted out again and again as a justification for helping the Communists over the hurdles they have created by destroying the nation's productive capacity and butchering its citizens. Never mentioned is the fact that Cuba was subjugated by the Communists in spite of the fact that it had one of the highest per capita incomes in Latin America prior to Castro. Also never mentioned is the growing strength of communism in Italy, which also has a thriving economy.

The sustenance of communism is not so much a function of internal economics as it is of internal military and police control. As stated in the Christian Science Monitor of March 31, 1965, in an article entitled, "West Europe: How Red?":

> Where there was no Red army, free competition prevailed between the existing political parties. In such free competition, the moderate conservative and moderate Socialist Parties won over the Communists.

The article also states that with the exception of parts of Italy and Greece, there is no stark poverty in Western Europe. It continues:

> Still, Communist parties of considerable strength and influence exist today in some of the Western European countries.

This does not imply that the Communists control Western Europe but it does point out certain weaknesses in the theory that a Communist is born and can only survive in areas of abject poverty and social discontent.

The heart of this "fat Communist" theory rests in the argument that in addition to bringing about an exchange of goods and services through trade, we will also achieve somewhat of a breakthrough in bringing about an exchange of ideas. This, it is felt, is the best way of bringing about a gradual change in the Communist aggressive intent. There is, of course, not the slightest historical proof supporting this point of view.

Nazi Germany and Fascist Italy had the busiest business relations with many democratic countries, but that exchange of goods did not in any way affect the dictatorial structure of their governmental systems; nor did it have the slightest influence on the carrying out of their policies. And as already pointed out, not even in the case of postwar Yugoslavia did the exchange of goods with democratic countries succeed in adversely affecting her dictatorial regime over the long-suffering "liberalized" Yugoslav people. And yet, somehow the lessons of the past become hidden in pronouncements of bureaucratic sophistry calculated to justify policy already decided upon.

The same holds true for Poland, to whom we have been exceedingly kind these last few years through granting "most favored nation" trade classification and foreign aid through the food-for-peace program. In spite of these steps, which should have at least held her in a fixed ideologic position between ourselves and the Soviet Union, State Department officials are concerned over the new subservience of the Polish Government to the Soviets. In fact, the Washington Evening Star pointed out on March 25, 1965:

> One of the ironies of our time is the way in which Poland, under the Communist regime headed by Wladyslaw Gomulka, seems to be coming completely subservient once again to the Kremlin.

The simple but not necessarily pleasant fact is that we must begin to utilize our economic power as a tool in the conduct of the cold war more effectively than has been the case in these last few years. Certainly we should not open up the floodgates to increased trade with the Communists indiscriminately. On the contrary, as stated in House Report No. 1442 of June 1, 1964, by the House Foreign Affairs Committee:

> The instrument of economic policy should be used to promote further liberalization of the internal systems and the shifting of Soviet bloc resources from military programs into areas of civil and consumer production.

This will not be accomplished by relieving their military-industrial complex of the burden of producing consumer items. It can only be accomplished by placing the Communists in the position wherein they must relinquish some of their desired military goals in order to satisfy their nonmilitary internal demands.

We cannot afford to overlook the monolithic aspect of the Communist economy in comparison with the capitalistic system. There is only so large an economic capability in any society at any given moment. An economy determined by the cost-price ratio and the open market has always shown its capacity to outproduce the planned economy in which profit plays no part. It is not, however, as susceptible to direction as the planned or communistic economy. Hence, over a reasonably short period of time, we should be cautious not to underestimate the effectiveness of a Communist economic thrust in a politically motivated direction. Perhaps the best example of this is the present space race, in which the Soviets have an acknowledged lead, particularly in booster rocketry. That the Soviets use this approach in achieving economic-political objectives needs no additional elaboration. It has, however, been particularly well stated in the Soviet publication, Red Star, of July 7, 1965:

> An economy subordinated to a single plan, a single will, can more fully and purposefully utilize material and human resources, and insure the harmonious functioning of all links of the national economic organism.

Subordination of Communist economic procedures to political goals is not relegated solely to internal policies. The Communist businessman is usually playing a dual role, in that he is not interested only in making a "good business deal," but is willing, able, and prepared to literally steal his way into economic success.

Placation of the American businessman is attempting by holding out the vision of juicy short-term profits engendered in an environment blessed by our Federal Government. What is not emphasized is that he is strengthening a political system which is overtly and actively dedicated to the abolishment of the very conditions which have made it possible for him to reap profits in the first place. The proponents of increased trade with Communist bloc nations resent the suggestion that this new business is being bought with 30 pieces of silver, but the analogy is not entirely without justification.

J. Edgar Hoover, Director of the Federal Bureau of Investigation for 40 years, discussed the problems facing those directly involved in trade with the Soviet bloc in an excellent article published last year in the Harvard Business Review. The article, entitled "The U.S. Businessman Faces the Soviet Spy," is much too long to discuss at this point, but I want to include several pertinent quotes well worth considering. Mr. Hoover states that there is today a massive, systematic, and purposeful attempt by the intelligence services of the Soviet bloc nations, headed by Moscow, to obtain information, legally and illegally, about American industry.

Mr. Hoover says:

> The United States today is Soviet spy target No. 1. Never in history has a nation been under such highly organized and competent spy attack. Reputable businessmen, often without their being aware of it, are playing key roles in it.

For those who continue to argue that we are weaning the satellites away from Soviet control, Mr. Hoover has some frightening facts:

> Soviet espionage (in the United States) is closely coordinated with the intelligence systems of the satellite countries. FBI investigations reflect that the Soviets guide and direct the satellite spy systems. In Western countries, for example, Soviet and satellite military, naval, and air attachés meet together under Russian direction. Moscow has full access to data gathered by the satellites. Hence, we must speak not of Soviet but of Soviet-bloc intelligence. As of November 1, 1963, there were 407 satellite diplomatic personnel and 540 dependents in the United States. This almost doubles the potential of Soviet intelligence.

Unfortunate as it may be, and unpleasant as it certainly is, we are opening a "Pandora's box" when we talk of greatly increasing our trade with Communist-bloc nations. Should we misjudge the Communist's intent by assigning to him noble motives alien to his history, we run the risk of creating a Frankenstein monster, too belligerent to live with in peace, and with further growth, perhaps too powerful to defeat.

It would be extremely foolish and irresponsible for this Government to trust the Communists in economic matters any more than we are willing to trust them in political affairs. Just as we demand a quid pro quo in diplomatic negotiations, we should insist upon doing likewise in any business barters.

Let the administration come forward with a plan of action which involves the utilization of our economic power as a political wedge just as the Communists do. Let this be our nonviolent approach to resolution of cold war problems.

If the Communists wish to purchase large quantities of agricultural commodities, let this administration license those sales contingent upon the opening of a given number of checkpoints along the Berlin wall.

If the Cuban Communists need wheat, let our businessmen provide it after we have received concrete and enforceable assurances that United States, or perhaps even U.N. inspectors have free access throughout the island.

If the Communists anywhere need heavy industrial equipment or other items we might now consider too strategic to provide, let us provide it after they agree to open their gates to the free press.

Any number of political concessions could be insisted upon as a prerequisite to expanded trade. The magnitude of our demands could very easily be tailored to the extent of trade the Communists desire. We could demand that amnesty be granted to political prisoners; that they allow the entry of foreign books, magazines, and newspapers; that they cease aiding Castro, Ho Chi Minh, or Sukarno; that free world businessmen be allowed to maintain commercial representation within their borders; that they will uphold rights to patents and copyrights; that they will refrain from dumping surpluses to glut the market; that they halt transshipment of Western goods to embargoed nations, and many, many more.

As Republican Leader Senator DIRKSEN stated at the joint leadership meeting on March 4, 1965:

> If we are not going to negotiate the Vietnamese question until the aggression against South Vietnam ceases, an equally necessary step would be to stop entertaining the overtures of the Communist nations for broader trade and diplomatic relations and to intensify our efforts to persuade our friends to do the same, until the Communists have demonstrated their good faith in areas where not only freedom but life and death are at stake.

And as House Minority Leader JERRY FORD stated immediately thereafter:

> We, the members of the Joint Senate-House Republican leadership, urge a "no concession, no deal" policy, meaning that the Communists must be ready to make concessions as the price of agreements with the United States.
>
> Until we and our allies arrive at such a policy, we can only expect more Koreas and Vietnams and an ever-widening circle of Communist subversion around the earth.

As long as we continue to send our young men around the world to fight and die, as long as we burden our citizenry with a $50-billion-a-year Defense Establishment, and as long as we live in an age of terror—all because communism exists and menaces freemen everywhere—we would be foolish indeed to adopt any other policy.

I ask unanimous consent to have printed in the RECORD at this point several news articles dealing with this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Denver Post, June 2, 1965]

RED CHINA SUBSTANTIALLY BOOSTS FOREIGN FUND FROM HONG KONG

HONG KONG.—Communist China has substantially boosted its foreign exchange income through an increase of trade with Hong Kong and private investment in the British colony.

According to reliable information Peiping received about $500 million in foreign exchange from Hong Kong during 1964, about 30 percent more than in the previous year and nearly 60 percent of total of fully convertible foreign exchange earned by Peiping from business with the non-Communist world.

Urgently in need of foreign exchange, the Chinese Communists sold their products, especially food and textiles, to Hong Kong at prices below world market levels.

Peiping was expected to increase it foreign exchange earnings in Hong Kong this year by about 25 percent. By 1966 Chinese Communist income should total about $700 million if the present rate of expansion is maintained.

Because of its economic reliance on Hong Kong, Peiping has made a strong effort to maintain good relations with the colony. Soviet taunts about its toleration of British colonialism on Chinese soil have been dismissed.

FEEL CONCERN

Nevertheless, some British observers have become concerned about the growing influence of Peiping over the economy of Hong Kong and its Chinese businessmen.

There are 14 banks in Hong Kong which are listed as Communist-owned or controlled. The recent failure of two non-Communist banks was a major factor in a sharp rise in savings deposits of the Bank of China, the chief Communist institution here, and, its subordinate banks. The colony's population of 3.7 million, which is about 98 percent Chinese, has begun to regard Communist banks as safer repositories for their money.

Chinese Communist banks offer competitive rates of interest for savings accounts as high as 7 percent.

The Chinese Communists are investing in private corporations and insurance companies. They receive some income from rents and are constructing a large housing and shopping center.

RETAIL STORES

Thirty-one retail shops, including 19 China products department stores, are operated by Chinese Communists in the colony. Two additional large department stores are being built.

From initial emphasis on fairly sophisticated goods aimed at the tourist trade department stores have begun to appeal more to the Chinese lower middle class income groups. Stores offer at cheap prices such items as clothing, piece goods, tableware, and cutlery.

In these commercial activities as well as in bulk trade with Hong Kong, the Chinese Communists narrow their profit margins to maximize their total foreign exchange earnings.

OVERSEAS CHINESE

A greater part of Peiping's income from Hong Kong comes from trade and remittances of overseas Chinese through Communist banks.

About 30 percent of Peiping's exports to Hong Kong are reexported to such countries as Japan, Indonesia, Thailand, Cambodia, and Formosa, which takes such products as Chinese native medicines which it cannot obtain elsewhere.

The Chinese Communists received $343 million last year from trade with Hong Kong.

In the first 4 months of 1965 Peiping earned $131 million.

More than half of the colony's food and water comes from the Communist-controlled mainland. The colony paid Peiping $2.8 million last year for water.

TOTAL INCOME

The total foreign exchange income from Hong Kong was approximately equivalent to what Peiping spent in non-Communist countries last year to import 6.3 million metric tons of grain to help make up a domestic food deficit, and for cotton and fertilizer. This exchange also has helped Peiping to buy some industrial equipment from such countries as Japan, Britain, France, West Germany, and Italy.

[From the New York Times, Sept. 3, 1965]

PEIPING DECLARES VIETNAM IS FOCUS OF ANTI-UNITED STATES FIGHT—NEW STATEMENT OF MILITARY DOCTRINE SAYS WAR THERE IS PART OF ENCIRCLEMENT

(By Seymour Topping)

HONG KONG, September 2.—Communist China declared today that its support of revolutionary wars in underdeveloped countries was a strategy directed at the eventual encirclement of the United States and Western Europe.

In a new statement of military doctrine, Peiping said that the focus of this worldwide revolutionary struggle was now in Vietnam.

The war in Vietnam demonstrates that a "people's war" in Asia, Africa, or Latin America can be waged successfully against the United States, the statement asserted.

These definitions of Chinese Communist global strategy were contained in an article by Marshal Lin Piao, Minister of Defense, a deputy chairman of the Communist Party and a Deputy Premier.

An extensive summary of the article, marking the 20th anniversary of the World War II victory over Japan, was distributed by Hsinhua, the Chinese Communist press agency.

ALL PAPERS TO PRINT TEXT

The text, of more than 50,000 words, is to be published tomorrow in Jenmin Jih Pao, the party newspaper; Hung Chi, ideological journal of the central committee, and all provincial and municipal newspapers throughout the country.

Marshal Lin stated that the outlook for a worldwide revolutionary movement against the United States was more favorable than ever before and that the application of the theories of Mao Tse-tung, the chairman of the party, could result in an overcoming of the superior material strength of the industrial powers of North America and Western Europe.

The article reviewed the military strategy of Mr. Mao, which holds that revolutionary bases must be established in rural areas so that cities can be encircled from the countryside. This technique was employed successfully in the war against Japan and in the civil war against the Chinese Nationalists.

THEORY RELATED TO PRESENT

Marshal Lin then stated that the Mao theory was "of outstanding and universal practical importance for present revolutionary struggles." He wrote:

"Take the entire globe—if North America and Western Europe can be called 'cities of the world' then Asia, Africa, and Latin America constitute 'rural areas of the world.'

"Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in North America and the West European capitalist countries while the people's revolutionary movement in Asia, Africa, and Latin America has been growing vigorously.

"In a sense, the contemporary world revolution also presents a picture of the encirclement of cities by rural areas."

The marshal added:

"In the final analysis, the whole cause of world revolution hinges on the revolutionary struggles of the Asian, African, and Latin American peoples, who make up the overwhelming majority of the world's population. The Socialist countries should regard it as their internationalist duty to support the people's revolutionary struggle in Asia, Africa, and Latin America."

The first hint that this doctrinal statement would be forthcoming was given in a speech made last May by Peng Chen, mayor of Peiping and a Politburo member, at the Jakarta celebration of the 45th anniversary of the founding of the Indonesian Communist Party.

Mr. Peng asserted:

"To win victory in the world revolution, the proletariat must attach great importance to revolutions in Asia, Africa, and Latin America—that is, to revolutions in the world's rural areas, and there is no other path."

This reference in his speech attracted little public attention, although it aroused the interest of analysts here.

Marshal Lin's article elaborates on the theory that has become Chinese Communist dogma. In essence, it conflicts with the global pattern of Marxist-Leninist theory, adherded to by Moscow, that the proletariat must lead the revolution, and subscribes to the Maoist theory that it must be based on the peasantry.

SOVIET POSITION RIDICULED

The article accused the Soviet leadership of collaborating with the United States in opposing "people's wars." It ridiculed what it described as an untrue assertion of "Khrushchev revisionists" that "a single spark on any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind."

Expressing determination to stand by the Vietnamese Communists, Marshal Lin declared that his forces were prepared for any United States attack.

"We want to tell the United States imperialists once again that a vast ocean of several hundred million Chinese people in arms will be more than enough to submerge your few million aggressor troops," he asserted. "If you dare to impose war on us we shall gain freedom of action. It will then be up to you to decide how the war will be fought. We shall fight in ways most advantageous to us to destroy the enemy and wherever the enemy can be most easily destroyed."

The article asserted that a world war would result only in the turning of hundreds of millions of people to communism and the doom of the United States.

[From the New York Times, Sept. 3, 1965]

CHOU BARS U.N. ROLE

TOKYO, September 2.—Premier Chou En-lai of Communist China declared today that Peiping would "never allow the United Nations to poke a hand into the Vietnam question."

Mr. Chou spoke at a reception in the North Vietnamese Embassy in Peiping.

His remarks, reported in a Peiping broadcast monitored in Tokyo, emphasized China's opposition to United Nations peacemaking efforts. This opposition was also proclaimed yesterday in a statement by the press agency Hsinhua.

"The United States is playing no end of tricks for its peace-talks plot," Premier Chou said. "It has openly asked the United Nations to intervene in the Vietnam question. And officials of the United Nations, including the Secretary General, feeling much flattered, are working to this end in all directions."

[From the New York Times, Sept. 3, 1965]

CLOSE VOTE IN U.N. ON RED CHINA SEEN—U.S. FIGHT AGAINST SEAT FOR PEIPING TO BE DIFFICULT

(By Raymond Daniell)

UNITED NATIONS, N.Y., September 2.—The United States will be fighting a rearguard action to prevent the seating of Communist China by the 20th General Assembly.

After battling successfully for 15 years to keep the Peiping government out of the world organization, the United States will be forced to rely on a tactical maneuver to avoid defeat by a slim majority.

There are few who believe that, even if this succeeds, the United States will be able to hold the line much longer. Dr. Ralph J. Bunche, Under Secretary for Special Political Affairs, said twice this summer that he expected Communist China to be in the United Nations in 2 years.

CLOSE VOTE INDICATED

If a vote were taken tomorrow on a resolution favoring Red China's admittance, it would probably be 52 to 50 or 54 to 53, depending upon how wavering delegations finally voted. As many as nine delegations may abstain.

These figures are based on a count taken by several delegations favoring the U.S. stand.

The outcome of the battle in the Assembly, which will open September 21, probably depends on whether a simple majority or a vote of two-thirds of the members attending and voting is required.

The last time the issue came before the Assembly, in 1963, it was ruled that the matter was of such importance that a two-thirds vote would be required for affirmative action.

Some supporters of the United States have come to the conclusion that the next President of the Assembly is likely to refuse to rule that a procedure adopted 4 years ago is still valid.

TWO-THIRDS RULE SOUGHT

The two-thirds rule proved superfluous in 1963 when the resolution to seat the Chinese Communists was defeated, 57 to 41. Times have changed, however, and this year the United States and its supporters will seek reaffirmation of the rule. This was imposed by a simple majority in 1961.

It was recalled that in 1961 all the countries backing Communist China voted against the "important question" resolution with four exceptions. These were Britain, which supported the resolution, and Pakistan, Somalia, and Sierra Leone, which abstained.

Assuming that the former abstainers voted affirmatively, the result would be 61 in favor and 53 against.

Several major events that affect the issue of Chinese Communist membership have taken place since the last time it came before the Assembly, which did not consider it at its last session because of a deadlock among the great powers over payment of peacekeeping expenses.

One was the decision by France in January 1964, to establish diplomatic relations with Peiping. Another was the withdrawal of Indonesia from the United Nations last March.

Still another consideration is the fighting in Vietnam and the emergence of Communist China as a nuclear power.

TWO CHINAS ISSUE REMAINS

Just what form of resolution proposing membership for Communist China will take is not known. In making their calculations, most of the delegations that have undertaken to count votes have assumed that it will propose the expulsion of Nationalist China which, now represents all China, as well as the granting of membership to the government of mainland China.

A resolution that provided that Nationalist China could remain in the organization would attract more support.

Although there was no voting in the last Assembly session, only two countries spoke in favor of the two Chinas in the general debate while many times that number spoke against the idea.

[From the Washington Post, Aug. 7, 1965]

UNITED STATES HESITANT ON RED TRADE TALKS NOW

Administration sources have thrown cold water on a proposal that Commerce Secretary John T. Connor and Senator WARREN MAGNUSON, Democrat, of Washington, visit Russia and other Iron Curtain countries to explore prospects of expanding East-West trade.

MAGNUSON had been quoted as saying the plan had President Johnson's blessing.

But an administration source said last night that MAGNUSON's announcement was "very untimely and unwelcome" in view of the current deterioration of Soviet-American relations over Vietnam.

He said the idea originated with MAGNUSON, not within the administration. It was learned that the President did discuss it with the Washington Senator but made no commitment.

On the other hand, the White House has not ruled out such a trip for some time in the future. But, as one official put it, the administration wants "to put it on the back burner" for the present because of the intensification of the cold war.

Other sources have indicated that American public opinion may not be sufficiently prepared for such a mission. As one case in point, the AFL–CIO, representing more than 15 million trade unionists, is solidly on record against any expansion of East-West trade without extracting political concessions from the Soviet bloc.

[From the National Farmers Union Washington Newsletter, June 11, 1965]

FARM PRODUCTS ACCOUNT FOR MOST BLOC TRADE

U.S. goods valued at $34.9 million were approved for export to the U.S.S.R. and other eastern European countries in the first quarter of 1965, according to the Department of Commerce.

The principal destinations were the U.S.S.R., $21.8 million; Hungary, $4 million; Czechoslovakia, $3.9 million; and East Germany, $2.4 million.

Agricultural products accounted for $22.7 million of this volume. Soybeans, valued at $18.7 million, was the principal agricultural commodity. Of the soybeans licensed, $14.4 million was destined for the U.S.S.R. The next largest commodity category licensed was miscellaneous industrial chemicals, valued at $4.6 million, to the U.S.S.R.

In 1964, significant agricultural commodities exported to bloc countries included $181 million in wheat; unmanufactured cotton, $25.5 million; rice, $10.4 million; and soybeans, $8.3 million.

FOOD AND AGRICULTURAL ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. EASTLAND. Mr. President, the substitute proposal offered by the distinguished junior Senator from Georgia would provide for the repeal of the support loan concept of 65 to 90 percent of parity. That proposal has been in effect for 27 years.

We are entering a program, if this substitute is agreed to, which would undermine the entire farm price-support program in this country for all other basic commodities. It would go further and destroy the cotton industry of the United States. There would be limitations based on payments. It is inherently wrong that a farmer should receive a large percentage of his income from the Treasury of the United States. No business should receive a substantial part of its income from the Treasury.

The new concept with respect to cotton, the compensatory payment, with a low world price loan of 21 cents a pound, which the substitute would provide for Middling inch cotton—let me specify with reference to the first year—would thereafter decline to 90 percent of the estimated average world price.

Mr. President, this would set in motion a downward spiral in world cotton prices with no brakes or no pullout mechanism. The growers' income, if there were no limitation, would be protected in the first year, and only in the first year. This is a 4-year program.

It would be rapidly undermined for the reason that it is geared to a forced decline in the world price, and a higher percentage of the farmers' income would be dependent each year upon Government appropriations.

Mr. President, in my judgment the thing that would destroy the whole program is found in the testimony of Mr. Godfrey before the Senate Committee on Agriculture and Forestry when he stated that if the world price should go down to 20 cents, to 19 cents, or to 18 cents, this would be compensated for by a check from the Treasury of the United States.

I do not have to tell the Senate that such a program would not work. We could not get those appropriations, and that would destroy the program. It would involve a tremendous cost to the Treasury of the United States.

The substitute proposal would permit producers to stay out of the program and plant and sell some 50 percent more than their allotted acreage production without penalty. Every added bale would compete with production by cooperating farmers, and with Government stocks. Government stocks now total more than 10 million bales.

Why should we make it mandatory for some growers to cut back and allow other growers to increase their production at a time when our accumulated stocks are approximately 14,200,000 bales?

The distinguished chairman of the House Committee on Agriculture stated that it was necessary to put open end planting in for the State of California in order to get a vote on the House Committee on Agriculture. He left the impression that he was personally opposed.

Mr. President, that would mean that, in my judgment, the cotton acreage would leave the Southeast and go westward, to California.

If the raw cotton industry is in such desperate straits, why is it that we permit growers to plant 150 percent of their allotment, which is provided for in this substitute?

The substitute fails to provide a positive type of export program for U.S. cotton. The 21-cents-a-pound loan for the first year, if it is administered as in the recent past, would enable sellers of cotton from other countries to offer their stocks at prices just below ours.

That has been true in the past. We have had a policy of letting the world know what our export price is, and therefore foreign countries have sold their cotton just under ours and have been able to market their product. As a result, the United States has been a residual supplier.

The 21-cents-a-pound loan for the first year is another umbrella over world production. We shall see further expansion in foreign countries as against the United States.

There is another thing that is unfair. As we have reduced acreage in this country, foreign countries have increased their acreage. We have asked the American cotton farmer to shoulder the load of acreage reduction, and we have followed the foolish path of reducing acreage in this country in an attempt to bring world stocks into line with world consumption. It has been a failure, because, as we reduce, foreign countries increase their production at our expense.

This substitute would hold an umbrella over that production.

The most important part of the bill is the amendment by the distinguished Senator from Louisiana, which requires exports to be sold at the world price. If we would export cotton, we must take it out of the hands of the State Department. The amendment offered by the Senator from Louisiana would do just that, because it would require them to accept a bid at the prevailing market price, or else, if they refuse to report to Congress.

What could be simpler for our export program than for us to follow the market up, or follow the market down, and always follow the market? If we had done that, we would have exported much more cotton. We would have had our historic share. We would not be a residual supplier in the export market.

I believe the amendment of the distinguished Senator from Louisiana would correct the situation.

If we had had normal cotton exports from this country, we would not have a real cotton surplus today, in my judgment.

The substitute nullifies, though it retains the language, the national minimum cotton allotment of 16 million acres. It would establish, instead, a mandatory acreage reduction of 10 percent, plus such attractive incentives that farmers would be forced to make approximately a 35-percent decrease in production. This would cause a proportionate loss for the gins, warehouses, merchants, transporters, and cotton suppliers of all kinds. It would be equivalent to closing down every third business concern in the cotton industry.

There is no point in the American cotton grower bearing the acreage reduction of the whole world. We are doing this when we cut the acreage a third in this country, as is here provided, and as a farmer is induced to do by the payments provided. We shall merely cause an increase in production in Mexico, Central America, and the Asian and African Continents.

The substitute provides cotton to the domestic mills at 2 cents a pound less, beginning with the 1966 crop, than the 23½ cents a pound current base cost to the domestic user. This will represent another windfall of $90 million for the raw cotton cost. How could it be considered other than a windfall, since the textile prices have not been reduced proportionately with the reduction in the price of raw cotton during the past 2 years?

I was present in the Agriculture Committee when the representatives of the textile industry appeared. They assured the committee that if Congress gave them one-price cotton, textile prices would be reduced in proportion.

But what happened? Textile prices have been increased and increased again, and the profits of the mills are at an alltime high level. Yet we are granting another subsidy of $90 million.

Then when the world price of cotton slumps after the first of the year, when the support price will be 90 percent of the world market, there will be another tremendous subsidy to the mills.

I shall read from the testimony before the Agriculture Committee:

> The CHAIRMAN (Mr. ELLENDER). Well, assuming that this relief for which you are asking is obtained, how much less would you sell your cotton cloth at?
>
> Mr. RUFFIN——

At that time Mr. Ruffin was president of the American Textile Institute. He was appearing before the committee as a witness for the institute, stating the position of the textile industry.

> Mr. RUFFIN. I think it is very clear, based on Mr. Ehrman's testimony, that as cotton goes down—I understand, Mr. Ehrman, that it is probably the most remarkable direct correlation that economists and chartists have come into contact with, cotton goods follow the price of cotton down, I believe, more closely than any other commodity.
>
> Mr. EHRMAN. I have never personally come across a series which shows such a high correlation.
>
> The CHAIRMAN. That may be the answer to the question. But assuming that a subsidy would be paid on cotton, say, of 6 cents or $30 a bale, if you were to get that beginning on July 1, let us say, how much change in price would there be in the same kind of cloth that you manufacture in June in contrast to the one you manufactured in July?
>
> Mr. RUFFIN. Mr. Chairman——
>
> The CHAIRMAN. It would be very little, wouldn't it?
>
> Mr. RUFFIN. Sir.
>
> The CHAIRMAN. It would be very little, wouldn't it? It couldn't affect the cost of a shirt or a dress or——
>
> Mr. RUFFIN. Let me preface this by saying this. For instance, in one line of goods that we manufacture to a very big extent, merely the prospect of an end to two-price cotton has reduced the price of those goods 4 and 5 and 6 cents a yard.
>
> The CHAIRMAN. And the prospect of maybe a law being enacted has restrained a lot of people from buying cotton, too.
>
> Mr. RUFFIN. Yes, sir; to a terrific extent.
>
> The CHAIRMAN. Yes, sir. I know that.
>
> Mr. RUFFIN. Yes, sir.
>
> The CHAIRMAN. So, it goes both ways.
>
> Mr. RUFFIN. I think we can be very sure, based on many years of history, that as the cotton cost goes down you are going to see cotton goods prices go down in directly the same proportion.
>
> The CHAIRMAN. And that would, of course, affect immediately the cost of the shirt?
>
> Mr. RUFFIN. Yes, sir.
>
> Bear in mind, Senator, that cotton, on the average makes up 55 percent of the cost of manufacturing the goods, and a high official of the Department of Commerce testified to a congressional committee not too long ago, an estimate that the consumer, the buyer of cotton goods, would save from $600 to $800 million a year by reason of doing away with two-price cotton.

Last year I led the fight in the Senate for one-price cotton, on the assurance of the mills that the saving would be passed on to the public. Now the cotton farmer has had it taken out of his hide. Cotton is down $17.50 a bale, or over $250 million a year based on last year's crop, with a similar reduction facing him this crop year.

All of the farmers' contribution went into effect at the domestic and export mill door. The mills received a bonanza payment based on cotton unopened in mill hands when the program went into effect, and have been able to buy their cotton at 6½ cents a pound less than the price previously paid.

Decreased mill outlays for raw cotton through reduced prices, whether brought about by payments into trade channels or directly to the mills, have lowered their cost of raw materials over $800 million.

I grant that the mills shared their good fortune with textile laborers, by three wage increases amounting to 5 percent each. I grant that they increased their investment in new plant and equipment by $120 million, up to $760 million, as evidenced by their own publications. This helped mill suppliers.

But what did it accomplish on their promise to farmers, to increase consumption and to help consumers through reduced prices?

The price at the back door of the mill for mill goods went up. The promise of a 1.1 million-bale increase in domestic consumption dwindled down to 600,000 bales, and most of the increase can be accounted for through inventory replacement, because the pipelines of goods had been depleted in the expectation of a price drop. The facts are that we did not consume any more cotton because of the one-price policy, but because the pipelines had been allowed to run empty. They were expecting a decrease in the price of cotton.

The mills paid increased wages, and increased their investment in plant out of their profits. But in addition, their earnings per share of stock increased from nearly 100 percent to more than 1,000 percent in a 2-year period. One of the larger mills increased its earnings per share from 30 cents in the first quarter of 1963 to 64 cents in the last quarter of 1964. Another increased its earnings from 17 cents a share in the first quarter of 1963 to 48 cents a share in the last quarter of 1964.

That is where the test is, Mr. President, in the earnings of the cotton mill owners.

Another mill, one of the largest, increased its earnings from 68 cents a share in the first quarter of 1963 to $1.35 the last quarter of 1964. An outstanding example is a mill that increased its earnings from 7 cents a share in the first quarter of 1963 to 76 cents a share in the first quarter of 1965.

What are we doing? In the face of these large profits, we are reducing the price of cotton still further. The mills realize $90 million additional savings in the price of their raw material the first year, and after that even more, as the price of cotton goes down below the world price level.

Mr. President, this is a bill which will destroy the cotton industry in the United States and the cotton farming industry in the United States as we have known it.

I do not single out these textile mill companies as unique examples and I prefer not to call them by name, but these results are contained in their own financial reports of their operations. To illustrate that they are not exceptions, the textile industry as a whole has fared extremely well. Textile industry profits before income taxes in the first quarter of 1963 amounted to $146 million. This had increased to $178 million in the first quarter of 1964 and had gone up to $281 million in the last quarter of 1964.

Mr. President, I would be the last to suggest that the textile mills are not entitled to a profit. In fact, I would insist that the mills operate at a profit so that they would enjoy a healthy economic atmosphere in which to expand and meet the textile needs of this country. I am happy that they were able to provide needed wage increases to textile workers. But, I would point out that during the period when textile profits were doubling and textile wages were increased by over 15 percent, that the farmers' price for raw cotton has declined by $17.50 a bale, or over 15 percent.

The cotton farmer is in dire straits. Eighty-five percent of them have allotments of 15 acres or less and the gross production at the national average per acre under the proposed price in this substitute would provide a gross income less than the $3,000 poverty level established under other law. This is without regard to the labor of the cotton farmer, a return on his investment in land and equipment, and the cost of fertilizer, insecticides, and chemicals needed in his production operation. How can we in this Congress justify the transfer of income from a segment of our economy that is essential to our public welfare in providing healthful nutrition and fiber to our civilian population and armed services, and that is essential to maintaining world peace, and that constitutes the base of our strength to meet the chaotic conditions existing in many areas of the world today? How can we further deprive these poor cotton farmers of income-producing opportunities and further reduce the prices of cotton to the textile mills in the face of their performance over recent months?

I have shown you the increased profits of individual textile mills and of the textile industry as a whole due to reduction in raw cotton prices that the mills assured us would be competitive with and regain markets for cotton. Let us look at what actually happened. From the table included in the testimony of then Under Secretary of Agriculture, Charles Murphy, before the House Agriculture Committee this year, we find these startling facts. The consumption of all textiles from 8,595,700,000 pounds in 1963 to 9,336,400,000 pounds in 1964 reveals an increase in textile production of 740,700,000 pounds. This was an increase of 3.2 pounds per capita. Not all of this increase was consumed by individuals, but a good part of it was cotton filling pipelines that had been emptied in the expectation of raw cotton price reduction.

How did cotton share in this domestic consumption increase? Cotton consumption increased by 195,800,000 pounds from 1963 to 1964, but its percent of the market continued to decline from 48.1 percent to 46.4 percent, or a further relative reduction in the total market of 1.7 percent.

To which fibers did the increase go? Rayon's proportion of the market decreased by one-half of 1 percent as against cotton's 1.7 percent. The noncellulosic manmade fibers, with which cotton is not competitive in use, increased 470,800,000 pounds, and its share of the market increased by 2.9 percent.

Mr. President, the mills assured us last year that one-price cotton would solve the problems of the cotton mills and the cotton producers. They promised that one-price cotton would eliminate their need for import quotas against foreign-made textiles which have an impact on domestic consumption of raw cotton. Again, let us look at what has happened. The Department of Agriculture lists the average price of cloth obtainable from a pound of cotton on 20 constructions for the calendar year 1963, when domestic mill prices were 8½ cents above our export price, at 60.52 cents and imports of manufactured cotton goods at the equivalent of 634,000 bales. We reduced the price of cotton to the mills when we passed the existing law last year in April. We did expect that cloth price would decline proportionately to the reduction in price per pound since cotton constitutes 55 percent of the cost in textiles as witnessed by mill representatives before the Senate committee. What actually happened, according to the Department, is that the average price of cloth from a pound of cotton went up from 6.52 cents to 61.65 cents and textile imports were the equivalent of 626,000 bales of cotton. The Department of Agriculture, basing its report on the January–May 1965, period, reports that cloth prices from a pound of cotton increased to 62.98 cents per pound and that imports of cotton manufactured goods during the first 5-month period of this calendar year are running at the rate of 700,000 bales.

Cotton mill prices are approximately 2½ cents per pound higher than they were previous to the price change and textile imports are running at a rate of 66,000 bales annually more than when cotton prices were high. I have not heard the mills scream about this increase. But, I can tell you that the cotton farmers of this country are not happy with our raw cotton exports dropping 1,600,000 bales and the foreign-produced cotton coming back into our market and absorbing 66,000 additional bales of consumption through textiles.

I have heard the merits of one-price cotton preached over and over. I have taken a look at what happens under one price cotton over the last 18 months. The substitute before us would continue one-price cotton and reduce this price by an additional 1½ or 2½ cents per pound. What assurance do we now have that the mills will reverse their profit trends and fulfill commitments they have over a year been failing to carry out?

Where does this leave us? Because of the mills' failure to fulfill their commitment to increase consumption by over a million and a half bales, and because the Department of Agriculture permitted a decline of 1,600,000 bales in exports we find the carryover increased by about 2 million bales. The farmer has made his sacrifice in price, but the failure of his Government and his market has worsened his plight.

We now have facing us a proposal to require him involuntarily to further reduce his production, idle his land, and curtail the economy of his rural community.

Let us compare the provisions of the bill before us and the substitute now being offered. The provisions in the bill maintain the 16 million acre minimum allotment and would permit a farmer to plant his full allotment without penalty. The substitute would not take away the 16 million acre minimum, but would penalize the cotton farmer by forcing him involuntarily to reduce his plantings below his allotted acreage by at least 15 percent in order to be eligible for price support and the Government payments involved.

Existing law preserves the parity concept and the minimum price-support floor of 65 percent of parity on the production from the allotment established by law on the individual farm. Though the substitute leaves in the parity formula, it destroys the parity concept by reducing the price support 7¼ cents below the price-support minimum of 65 percent, and for the first time makes the farmer dependent upon a direct payment from the Federal Government on a portion of his production and requires that he involuntarily reduce his acreage below his allotment in order to be eligible for either price supports or payments.

The committee bill provides a plan whereby the farmer may voluntarily reduce his production and receive a rental payment from the Government to maintain his net income. The substitute proposal would require an involuntary reduction that would mean eventually further reduction in the national domestic allotment and finally permit production for domestic consumption only.

The committee bill preserves the national allotment of 16 million acres and the farmer's right to plant within it, or to reduce his plantings to domestic allotment levels voluntarily and receive a payment therefor. The substitute bill effectively destroys the national allotment concept by both the involuntary reduction of 15 percent that I have already discussed, and providing a new open-end planting for those who, because of advantageous conditions, can grow a quality of cotton to compete in world markets. I cannot conceive that this Congress would destroy an industry that has contributed so much to the development of this Nation by providing a large portion of the foreign exchange necessary to it in world trade channels through nearly two centuries just in order to give a selected few in an isolated area of the country the privilege of open-end planting.

The committee bill preserves the status quo of allotments to land. This provision has served the cotton industry well since the inception of acreage controls. The substitute offered would destroy this concept by permitting the lease or sale of allotments by farmers to other farmers and even to the Federal Government. There are limitations imposed on these provisions, but they are simply to butter the bread in an effort to destroy this time-proven concept established by previous Congresses.

The committee bill would provide mills with cotton at slightly increased prices. It would raise the present mill price by less than 2 cents per pound and would still provide raw cotton to mills more than 5 cents per pound cheaper than they did obtain it 2 years ago.

The committee bill would guarantee the farmer around 28 cents per pound for Middling inch cotton based on current parity price. This is still only 65 percent of the parity price.

The substitute bill would reduce this support price by 7 cents per pound to 21 cents for the crop year 1966, and then would lower the price support to 90 percent of the estimated world price, which would certainly further recede under the pressure of our substantial supplies. I have a letter from Under Secretary Murphy estimating that as U.S. cotton achieved 7 million bales next year under a program of this kind, that the world price level would decline to 16 or 17 cents. Is it our purpose to destroy the American cotton farmer? Is it our purpose based on mill performance since April of 1964 to give them an additional 2½ cents price reduction for 1966 by further lowering the support price? Is it our purpose to continue to lower our raw cotton prices by further reductions in the price-support level to follow world markets down to 16 or 17 cents in order to maintain their production base?

Mr. President, following the passage of S. 203 of the Agricultural Act of 1956, U.S. cotton exports rose to over 7 million bales from 2,800,000 the previous year. A part of this was due to filling the pipelines in foreign countries that were expecting our export price adjustment. It was due primarily, however, to the Congress establishing the price for that year in the legislation passed. In the following years we exported an average of 5,600,000 bales. After this our export prices were announced in advance and were held at levels above world prices. Our exports declined to slightly over 4 million bales average over the last 5 years and this difference in annual exports accounts for all of the surpluses in Government stocks and in excess carryover. The committee bill would again set the price at world levels and would require the Secretary of Agriculture not to establish an export price floor in advance of the marketing year, but would direct him to accept bids that were equivalent to the prices on the largest world cotton markets. This would again regain our share of exports which should be in excess of 6 million bales annually. The substitute bill completely ignores the export problem which is the source of the cotton farmer's trouble and the cotton industry's plight.

Mr. President, the substitute provision before us would effectively destroy the cotton-producing segment of the cotton industry by curtailing it permanently to Government-controlled production to fill our domestic consumption requirements. To arbitrarily force the farmers to involuntarily reduce his production over a 4-year period would mean that he would have to sacrifice existing equipment in a glutted secondhand market. He would have to move labor off of his farm because he couldn't provide employment. Farm labor dwellings would deteriorate at a faster rate because they are empty and once the farm laborer has moved to our cities and been absorbed in our industrial plant, or for 4 years been furnished a livelihood through welfare programs, he would not return to the farm when the opportunity for increased production might, if ever, reoccur.

Farm implement dealers would close their businesses and it is doubtful that they would reopen. Land values would decline in cotton-producing areas and fail to recover after a 4-year period. Gins, which have been purchased on credit, would have to be repossessed because the volume of business would be too small to meet their credit commitments and their operating costs. The operating costs would go up and these would have to be passed on to the farmer from those gins that survived. Compresses would empty and employment drop and storage costs would have to increase on the small volume of cotton handled.

Four years of the farmer being isolated and bearing the entire brunt of Federal costs would curtail Government expenditures and assure that the farmer would never again obtain the support of his Government in reaching the export markets of the world after 4 years of producing for the domestic consumption only and export markets being supplied from dwindling Government stocks.

Mr. President, the adoption of the substitute being offered on the floor at this time will insure the destruction of a vital industry on which millions of people are dependent for employment and on which the economies of some 16 States depend for a major part of their economic activities.

Mr. President, I cannot believe that this Congress will destroy the cotton industry by accepting the substitute offered here in lieu of the sound provisions provided in the committee bill.

Mr. STENNIS. Mr. President, I commend my colleague from Mississippi on his fine exposition of one of the most important bills to come before the Senate this year. He is unusually well qualified to speak on the subject. He has given the Senate a complete exposition of the economic aspects of the bill as they apply to cotton.

I heartily agree with him. I also wish to state for emphasis the effect in our State of the reduced acreage, which has already taken place. I have gathered some figures, commencing in 1950, which was the year when the Korean war started. In that year the allotment in Mississippi was 2,295,545 acres. In 1964 it was 1,545,958 acres. That was a reduction of one-third. Reductions had already been made before 1950. But even for this modern period of the last 14 years a reduction of one-third has been made, and that affects the production of one-third of our economy.

That type of loss is like closing one out of every three machines in a factory, or taking out one of every three factories in a city. We have been cut to the bone. We have been bled white already. These are the sacrifices that we have made in this program.

Mr. EASTLAND. My colleague realizes, certainly, that when we lose this additional acreage, it will never come back; that it has gone to Mexico, has gone to Central America, and has gone to California. The one who will suffer will be the small farmer.

Mr. STENNIS. Yes. A great many of the small farmers have already been liquidated. They have been put out of business. It reduces the economy of a community to follow this practice. It takes the ginner out of operation. It takes the fertilizer dealer out of business. It takes the farm machinery seller out of business. It destroys the economy of small communities. We know by experience, in driving through our State, in county after county, that that is the way it affects our economy. We have gone further than we should have been required to go or asked to go. We have gone as far as we can go.

This is a life-and-death matter, particularly for the little producers in areas of our State.

Mr. EASTLAND. The cotton industry has a tremendous surplus. If it is in these dire straits, as it is claimed, why permit open-end planting of 150 percent of an allotment?

Mr. STENNIS. That is a refutation of what purports to be the theory of the bill. Although reductions are being made, the bill states, in effect, "Provided, however, that without price supports a producer can produce an unlimited amount."

That principle will strangle us and destroy our economy in our area of the country.

Mr. EASTLAND. The extra cotton grown on this extra acreage by a few big California growers will compete directly with all the cotton grown in the rest of the belt and, furthermore, it will reduce the value of the stocks of the Commodity Credit Corporation.

Mr. STENNIS. Oh, yes.

Mr. EASTLAND. It will hurt the Government.

Mr. STENNIS. That is another aspect of it. We have gone as far as we can go to survive. Many of our producers have not survived at all.

Mr. President, I also commend the Senator from Louisiana [Mr. ELLENDER] on his amendment, and on having worked this matter out, not only this year, but over the years, as chairman of his committee.

Mr. RUSSELL of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISSUANCE OF TRADE CREDITS TO NATIONAL CENTRAL BANKS

Mr. HARTKE. Mr. President, Nicholas Davenport, financial columnist for the London Spectator, is among the most respected and informed analysts of monetary and economic developments at work in the world today. His column, which appears in the weekly magazine edited by the Conservative Party's spokesman on economic affairs, Ian McLoed, speaks with the prestige and authority of the city of London. I am, therefore, both honored and proud to have merited Mr. Davenport's praise, together with that of the distinguished senior Senator from Minnesota [Mr. McCARTHY] and my able friend and adviser, Mr. Eliot Janeway, of New York. In his column of September 3, Mr. Davenport described a proposal which my distinguished colleague from Minnesota, Mr. Janeway, and I formulated and which is now embodied in Senate Resolution 142. This proposal would head off the deflationary forces at work in the world by empowering the International Monetary Fund to issue a limited volume of trade credits to national central banks.

Incidentally, this same proposal is, in general terms, the one recommended by Mr. Roosa.

Mr. Davenport continued:

> These American initiatives in the monetary field are important because they explode the idea that Washington is a reactionary

banking center issuing harsh deflationary edicts against Britain and the inflationary world.

As I have stated repeatedly, America can never help itself by hurting Great Britain. The purpose of our international economic policy under President Johnson will, I am confident, continue to be the same as the purpose of our Government's domestic economic policy. Balanced economic growth, continually rising income, employment and living standards, and ever-increasing trade and commerce—these goals constitute our purpose. I am proud, indeed, to have been among those responsible for making clear to all the world that the American Government under the Johnson administration stands for positive policies of economic expansion.

I ask unanimous consent that the column by Nicholas Davenport be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. HARTKE. Mr. President, the significance of the British realization that America opposes deflation and unemployment as economic solutions is critical at this point in time. For Britain is now caught between the proven success of the Johnson economic philosophy and the proven failure of Gen. Charles de Gaulle's deflationary approach. As Andrew Mulligan, writing in the London Observer of September 5, has revealed, France is now in a serious and deepening recession, marked by industrial stagnation and significant unemployment. For the first time since the rise of Adolf Hitler, young citizens of a major European industrial power are unable to find a place for themselves in the society of their fathers.

I ask unanimous consent that Mr. Mulligan's article be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HARTKE. America's prosperity is unprecedented and it leads a prosperous world. France, by contrast, is fast becoming an island of unemployment in a worldwide sea of prosperity. That is why I do not want to see my President ever being led to school in the No. 1 college of unemployment, whose principal is Charles de Gaulle. For almost 30 years, President Johnson has been counseled by some of the most respected and experienced mentors on economic affairs to be found anywhere in the world. These men have brought him the confidence of the American business community. With these men at his side, President Johnson has nothing to learn from Charles de Gaulle so far as the prudent promotion of balanced economic growth is concerned.

EXHIBIT 1

THE ECONOMY AND THE CITY: WHO WANTS DEFLATION? NOT THE U.S.A.

(By Nicholas Davenport)

It must be great fun being a political correspondent. Especially on a Sunday paper which requires the discovery of a story only once a week. I read over the weekend that the Prime Minister on his return to London had to settle a difference of view which had blown up between the Treasury and the Department of Economic Affairs about what further measures, if any, are necessary to secure greater restraint in wage and price increases. Mr. Brown, it was said, is prepared to see an early warning system introduced. Surely this is an old chestnut. I was under the impression that Mr. Brown had secured the full support of his colleagues for this next move in his incomes policy. In the censure debate the Prime Minister himself said: "If the voluntary system fails we might have to provide for statutory reference of every claim for increased incomes above the norm to go to an expanded and strengthened Prices and Incomes Board and * * * proposed price increases in cases which seem to require justification." The American Government has been aiming at the same thing and I do not believe that either the trade unions or the employer organizations here would now try to stop an early-warning system being put on the statute book. Certainly, without it an incomes policy is quite impossible to administer.

While there should be full Cabinet agreement on this sensible and practical reform, there may well be some disagreement on the extent of the deflationary policy, which is imitating Mr. Selwyn Lloyd's freeze. No one wants to see industrial stagnation setting in and lasting, as the National Institute of Economic and Social Research has forecast, until the end of 1966. As Mr. Jeremy Bray has pointed out, the Labor government was elected to modernize industry and is expected to plan the economy so as to avoid widespread unemployment. The suspicion may therefore be growing that Mr. Callaghan has come too much under the influence of reactionary American bankers. There was, it is true, nothing to suggest such an untoward event in the joint statement which was issued after his visit to Mr. Henry Fowler, the new Secretary of the American Treasury. But Mr. Fowler's appearance and talk suggests the stern, unbending conventional banker and there are some people in Washington who believe that Britain should put its economic house in order by downright job-cutting deflation of the labor market. As the recent OECD report on Britain warned: 'The aims of the prices and incomes policy are unlikely to be achieved unless the economy is run with a lower pressure of demand than that prevailing recently and in previous peak periods.'

But I would like to reassure Mr. Jeremy Bray and his friends that Washington opinion is by no means unanimous on the question of whole hog deflation. Take, for example, Mr. J. L. Robertson, a member of the governing board of the Federal Reserve. In giving evidence before a Senate banking committee on the extension of the interest-equalization tax—the 15 percent special levy imposed on the issue of foreign securities to discourage American investment abroad—Mr. Robertson said that a continuing deficit in the American balance of payments would be necessary for some time to oil the wheels of an expanding world trade. "I am not one," he said, "who is particularly bothered whether the deficit is $500 million or $1 billion or $2 billion as long as the dollar is sound. It seems to me that in the present situation there will be a continuing need for more dollars in the world." Coming from the banker who is in charge of the voluntary campaign to curtail bank lending abroad this enlightened and expansionist view is encouraging. It was also good to read in the IMF annual report that "countries reject the concept * * * that deflation and economic stagnation or inflation and overheating of the economy must automatically be accepted in the interest of external equilibrium."

This antideflationary stand is finding a good deal of support in Congress. Two Democrat Senators—Mr. HARTKE, of Indiana, and Mr. MCCARTHY of Minnesota—aided by the well-known economist Mr. Eliot Janeway, have been fighting Mr. Secretary Fowler over international monetary policy. These experts are concerned at the shortfall in international liquidity brought about by the closing of the American payments deficit, which, they believe, has already had an adverse effect upon American exports, and they are pressing for recognition that a modest deficit in the region of $1,000 million fulfills "all the conditions of equilibrium in the international accounts of the United States." (The deficit was $3,000 million in 1964.) There is even Republican support for this view and it is said that President Johnson has been won over. In point of fact the payments surplus which was recorded in the quarter ending June is not likely to be maintained in view of the heavy spending on the Vietnam war and it may be safely assumed that in the second half of the year America will once again be comfortably in deficit in its payments accounts with the rest of the world—to the great benefit of us all.

This month will bring together the annual meetings of the IMF and the World Bank. It is significant that the progressive Democrat Senators HARTKE and MCCARTHY have put in a paper calling for the IMF to be empowered to issue trade credits (i.e. acceptances) against goods actually shipped in world trade on the basis of a new gold subscription of the member nations. (The amount of the credits would be an internationally negotiated multiple—two or three or four—of the internationally negotiated gold subscription.) They rightly argue that a fundamental reform of the world monetary system will take time—probably 2 years—and that the immediate need is for credit-creation measures which will offset the creeping deflation caused by the rundown of the American deficit and by the partial freezing of available gold supplies which the French gold policy involves. These American initiatives in the monetary field are important because they explode the idea that Washington is a reactionary banking center issuing harsh deflationary edicts against Britain and the inflationary world. Mr. Eliot Janeway, who is well informed on the Washington scene, writes in his current service letter: "When unemployment is forced on a major power in admitted financial distress as Britain is, everyone gets jumpy." Deflation can spread—from Britain to world markets. Here is the opportunity for statesmen on both sides of the Atlantic to get together to avoid a joint lurch toward world deflation through wrong ideas about how to cure a payments deficit in the United States and a wage-cost inflation in Britain.

EXHIBIT 2

FRENCH ANGRY AT RISE IN JOBLESS

(By Andrew Mulligan)

PARIS, September 4.—The French economy is stagnating. At his press conference next Thursday, President de Gaulle will face a press and an electorate which is increasingly dissatisfied with the social consequences of his Government's economic policy.

Next week the famous French "plan de stabilization" introduced by the Finance Minister, M. Valery Giscard d'Estaing, will celebrate its second birthday.

It was introduced to halt rising prices, to curb inflation, and build up the gold reserves, but as Le Monde in a recent economic survey points out, it has brought industrial stagnation, unemployment, and no increase in productive investment. This is the economic reality to which Frenchmen have returned from their holidays.

The Government is cautiously backing away from stabilization. At this week's Cabinet meeting M. Giscard d'Estaing said he was certain that French price indexes would now remain stable until the end of the year.

SHORTER HOURS

The French Premier, M. Pompidou, has been openly in favor of stimulating the economy, and at one time a rift between him and M. d'Estaing seemed inevitable. They now appear to agree on the measure necessary to get the economy going again.

Industrial activity has risen in France by only 3 percent since January 1964. During the same period the Germans achieved a gross rate three times as great, the Americans 12 percent, and even Britain managed an 8-percent increase.

Owing to stringent price controls and credit restrictions, productivity in some French industries, such as textiles, leather, and machine tools, has diminished during the past year. Others have achieved the same level as a year ago. Many factories have introduced shortened working hours and only the petroleum, construction, and chemical industries have increased their productivity.

France now has 153,000 unemployed and only 30,000 vacant jobs. The drift of the agricultural population into towns, and the demographic bulge caused by young people born since the war and now of working age, has accentuated the situation. Thirty thousand of the unemployed are under 24 and looking for their first jobs.

The 1966 budget expects a 4-percent rise in wages and a 2-percent rise in the cost of living, which for workers in state-owned industries will mean only a 2-percent increase in their purchasing power. The purchasing power of workers in the private industrial sector has risen faster, which has produced widespread discontent.

The Organization for Economic Cooperation and Development (OECD) annual report on France, published last month, pointed out that French exports can only remain competitive in a climate of productive investment. This climate has not existed since the introduction of the stabilization plan.

Companies were permitted to increase their borrowing only at the rate of 10 percent a year, and even when credit restrictions were recently eased, few companies seemed inclined to use the extra facilities made available.

CREDITS RELEASED

The Government decided this week to make £70 million of investment credits available to selected industries and to increase credits for public investment by 10 percent. Other measures to encourage savings and stimulate investment are under consideration.

It will be interesting to see how and if President de Gaulle justifies his premise that "the comparison of salaries and living costs demonstrates an improvement in the French standard of living." As one OECD expert put it, "it is difficult to see how the objectives of the fifth French economic plan can possibly be attained in the present state of economic stagnation."

SUPERSONIC TRANSPORT DEVELOPMENT

Mr. HARTKE. Mr. President, I have previously spoken in the Senate concerning the change in personnel at the Federal Aviation Agency in the area of supersonic transport development, and have placed in the Record the text of a letter from the Administrator, Gen. William F. McKee.

It is the business of Aviation Daily to report the news in all areas of concern to the aircraft industry. In the course of doing so, that publication on August 26 printed an article concerning the shift from Gordon Bain as head of the SST program to Air Force Brig. Gen. Jewell C. Maxwell as his successor. A part of the article also discusses the SST program itself as viewed by Mr. Bain.

Mr. President, I ask unanimous consent that the article to which I refer may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bain Departure Not Based on Conflict With McKee, Outgoing SST Chief Says

Gordon M. Bain's decision to resign after 2 years as FAA's deputy administrator for supersonic transport development was prompted by a desire to return to private industry, and the belief that this is a good time for a transition in the management of program. No conflict of views with FAA Administrator William F. McKee was involved in the resignation, Bain insisted in an interview with the Daily.

Bain has definite future plans but refused to discuss them until he officially leaves the agency September 15. But he did say his new position is not with an airline, and not in Washington. He plans to go on leave at the end of this week and start on his new job shortly after the September 15 resignation date.

The outgoing SST chief met his successor, Air Force Brig. Gen. Jewell C. Maxwell, only once about 2 years ago, he said. He added, however, he is confident Maxwell is qualified to take over the program.

There will be "continuity of activities" in FAA's supersonic transport—SST—program, Bain said, even though the office is being downgraded from his own deputy administratorship level to the level of a directorship. The present staff "will stay together and will probably be augmented," he added.

Bain's staff has "worked exceptionally well," he said. "To my knowledge we have never missed any deadline." Although Bain insists much of the credit for the work FAA has accomplished in the SST program goes to the staff, he himself is known throughout the industry and the Agency as a dedicated worker who willingly puts in evening and weekend hours in the office. A hard bargainer in FAA's dealings with its SST contractors, Bain is respected for his knowledge and firmness.

FINANCING PROBLEM WILL BE SETTLED SOON

The problem of how to finance SST development and construction "will be resolved in the coming months," Bain predicted. He added that the controversial 75–25 share arrangement, under which the Government pays three-quarters of costs and the contracting companies the remainder, will probably be modified. A source of additional cash that could be made available to the contractors is FAA's kitty of $9.6 million in SST deposits from prospective aircraft purchasers.

These deposits are designated as advance payments against royalties the Government will collect from airline operators of SST's, but Bain hinted this may be changed and the cash channeled into actual program costs.

In the meantime the deposit fund is likely to grow, since the Government's policy is to continue to accept them. Industry spokesmen have criticized FAA for taking the deposits, saying it is ridiculous to accept money and assign delivery positions for a still-undesigned airplane. But—unless present agreements are modified—the final SST contractor will have to honor the delivery commitments, Bain said.

There are "many difficulties, but no unworkable problems" in the SST development effort, Bain said. Disagreeing with recent statements that engines are the biggest problem in the project, Bain commented that "if anything, the airframe has a slight edge" in the problem scale.

Greatest challenge, he said, is to produce a supersonic airplane that will deliver the reliability necessary in airline service. "We're going to need thousands of hours of test" to achieve this. Bain foresees no great difficulty in terms of aircraft capacity, saying the plane can be designed for 200–250 passenger capacity.

There is "every possibility" the British-French Concord will be on the market first, Bain said, but relative sales of the competing models will depend largely on the time lag between them. "Two years will not be significant," he believes.

Although both the Concord and the U.S. SST "can be absorbed" by the world's airlines, Bain said, "the tendency will be to buy the more economic aircraft." He estimates the selling price of the American entry at $25 to $30 million, and the Concord at "somewhat less."

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House has passed, without amendment, the following bills of the Senate:

S. 76. An act for the relief of Anna Maria Heiland;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 192. An act for the relief of Maria Liberty Burnett;

S. 440. An act for the relief of Jose L. Rodriguez;

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 573. An act for the relief of Dr. Sedat M. Ayata;

S. 584. An act for the relief of Ming Chup Chau;

S. 586. An act for the relief of Maria Tsilis;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 828. An act for the relief of Cha Mi Hi;

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena B. Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manuel D. Racelis;

S. 1736. An act for the relief of Jennifer Ellen Johnson Mojdara; and

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 602. An act to amend the Small Reclamation Projects Act of 1956;

S. 1104. An act for the relief of Mirhan Gazarian; and

S. 1689. An act to amend paragraph (a) of the act of March 4, 1913, as amended by the act of January 31, 1931 (16 U.S.C. 502).

The message further announced that the House had passed the bill (S. 137) for the relief of Rosauro L. Lindogan, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 168. An act to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes;

H.R. 1311. An act for the relief of Joseph J. McDevitt;

H.R. 1389. An act for the relief of Lt. Col. Phillip L. Vetrone, U.S. Army;

H.R. 1393. An act for the relief of Mrs. Maria Eduvigis Aran Heffernan;

H.R. 1836. An act for the relief of Constantinos Agganis;

H.R. 1931. An act for the relief of Alexander Porzse;

H.R. 2557. An act for the relief of Frank Simms;

H.R. 2752. An act for the relief of Kock Kong Fong;

H.R. 2757. An act for the relief of Maria Alexandros Siagris;

H.R. 2762. An act for the relief of Manlio Massimiliani;

H.R. 2906. An act for the relief of Mrs. Lily Ning Sheehan;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 2938. An act for the relief of Przemyslaw Nowakowski;

H.R. 2939. An act for the relief of Manojlo Verzich;

H.R. 3062. An act for the relief of Song Chung Ja;

H.R. 3079. An act for the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine;

H.R. 3082. An act for the relief of Yester Arpacioglugil;

H.R. 3103. An act for the relief of Joanne Marie Evans;

H.R. 3288. An act for the relief of Hwang Tai Shik;

H.R. 3515. An act for the relief of Mary Ann Hartmann;

H.R. 3669. An act for the relief of Emilia Majka;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 4194. An act for the relief of Angelica Anagnostopoulos;

H.R. 4203. An act for the relief of Alton G. Edwards;

H.R. 4464. An act for the relief of Michael Hadjichristofas, Aphrodite Hadjichristofas, and Paniote Hadjichristofas;

H.R. 4995. An act for the relief of Muhammad Sarwar;

H.R. 5006. An act for the relief of Diosdado F. Almazan;

H.R. 5204. An act for the relief of Joseph K. Bellek;

H.R. 5457. An act for the relief of Maria del Rosario de Fatima Lopez Hayes;

H.R. 5530. An act for the relief of the estate of Robert A. Ethridge;

H.R. 5554. An act for the relief of Mary Frances Crabbs;

H.R. 5904. An act for the relief of Nam Ie Kim;

H.R. 6229. An act for the relief of Kim Sun Ho;

H.R. 6235. An act for the relief of Chun Soo Kim;

H.R. 6312. An act for the relief of Mario Menna;

H.R. 6819. An act for the relief of Dr. Orhan Metin Ozmat;

H.R. 7084. An act for the relief of Mrs. Elena Vassiliou;

H.R. 7357. An act for the relief of Dr. Felipe V. Lavapies;

H.R. 7453. An act for the relief of Margaret Elizabeth and Frederick Henry Todd;

H.R. 8457. An act for the relief of Robert G. Mikulecky;

H.R. 8646. An act for the relief of Rifkin Textiles Corp.;

H.R. 9521. An act for the relief of Clarence Earle Davis;

H.R. 9526. An act for the relief of Raffaella Achilli;

H.R. 9991. An act for the relief of Santa Giammalva;

H.R. 10104. An act to enact title 5, United States Code, "Government Organization and Employees," codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees; and

H.R. 10256. An act for the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 168. An act to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes; to the Committee on Finance.

H.R. 1311. An act for the relief of Joseph J. McDevitt;

H.R. 1389. An act for the relief of Lt. Col. Phillip L. Vetrone, U.S. Army;

H.R. 1393. An act for the relief of Mrs. Maria Eduvigis Aran Heffernan;

H.R. 1836. An act for the relief of Constantinos Agganis;

H.R. 1931. An act for the relief of Alexander Porzse;

H.R. 2557. An act for the relief of Frank Simms;

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H.R. 3062. An act for the relief of Song Chung Ja;

H.R. 3079. An act for the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine;

H.R. 3082. An act for the relief of Yester Arpacioglugil;

H.R. 3103. An act for the relief of Joanne Marie Evans;

H.R. 3288. An act for the relief of Hwang Tai Shik;

H.R. 3515. An act for the relief of Mary Ann Hartmann;

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H.R. 6229. An act for the relief of Kim Sun Ho;

H.R. 6235. An act for the relief of Chun Soo Kim;

H.R. 6312. An act for the relief of Mario Menna;

H.R. 6819. An act for the relief of Dr. Orhan Metin Ozmat;

H.R. 7084. An act for the relief of Mrs. Elena Vassiliou;

H.R. 7357. An act for the relief of Dr. Felipe V. Lavapies;

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H.R. 10104. An act to enact title 5, United States Code, "Government Organization and Employees", codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees; and

H.R. 10256. An act for the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth; to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Additional Research Laboratory Space at Stanford University, California

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the use of funds to provide additional research laboratory space at Stanford University, Stanford, Calif. (with an accompanying paper); to the Committee on Aeronautical and Space Sciences.

Report on Certain Facilities Projects for Air Force Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain facilities projects for the Air

Force Reserve (with an accompanying report); to the Committee on Armed Services.

Report on Military Construction Awarded Without Competition

A letter from the Assistant Chief for Construction, Department of the Navy, Washington, D.C., transmitting, pursuant to law, a report on military construction awarded without competition, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

Report on Research and Development Procurement Actions

A letter from the Assistant Chief of Naval Material (Procurement), transmitting, pursuant to law, a report on research and development procurement actions of $50,000 and over, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

Report on Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the fiscal year 1965 (with an accompanying report); to the Committee on Banking and Currency.

Title of Assistant Surgeon General for Chief Medical Officer of Federal Bureau of Prisons

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Acts of July 1, 1944, and February 28, 1948, to provide that the Chief Medical Officer of the Federal Bureau of Prisons shall have the title of Assistant Surgeon General (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

The petition of A. Purams, of Oak Park, Michigan, relating to the liberation of the Baltic States; to the Committee on Foreign Relations.

A resolution adopted by the Board of City Commissioners of the city of Fargo, N. Dak., commending the Garrison Diversion Project; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service (Rept. No. 699).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

S. 1826. A bill to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba (Rept. No. 701).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives; (Rept. No. 706);

S. Con. Res. 46. Concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez; (Rept. No. 703);

S. Con. Res. 47. Concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; (Rept. No. 703);

S. Con. Res. 48. Concurrent resolution to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez; (Rept. No. 703);

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of "The Prayer Room in the United States Capitol."; (Rept. No. 705); and

S. Res. 21. Resolution providing for the awarding of service pins or emblems to Members, officers, and employees of the Senate; (Rept. No. 702).

By Mr. PELL, from the Committee on Rules and Administration, with amendments:

S. 1310. A bill relating to the National Museum of the Smithsonian Institution; (Rept. No. 704).

REPEAL OF SECTION 14(b) OF NATIONAL LABOR RELATIONS ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS—(S. REPT. NO. 697)

Mr. McNAMARA. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of Senators FANNIN, JAVITS, PROUTY, DOMINICK, and MURPHY.

The PRESIDING OFFICER. (Mr. RUSSELL of South Carolina in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

BONDING PROVISIONS OF FEDERAL LABOR LAWS—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS—(S. REPT. NO. 698)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (H.R. 5883) to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the supplemental views of Senators JAVITS, PROUTY, and FANNIN, and the individual views of Senator PROUTY.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

PROVISION FOR RESPONDING TO INVITATIONS FROM FOREIGN PARLIAMENTARY BODIES—REPORT OF A COMMITTEE (S. REPT. NO. 700)

Mr. SPARKMAN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 145) to provide for responding to invitations from foreign parliamentary bodies, which report was ordered to be printed, and the resolution to be placed on the calendar, as follows:

S. Res. 145

Resolved, That the President of the Senate is authorized to appoint as Members of official Senate delegations such Members of the Senate as may be necessary to respond to invitations received officially from foreign governments or parliamentary bodies during the 89th Congress, and to designate the chairmen of said delegations.

Sec. 2. The expenses of the delegations, including staff members designated by the chairmen to assist said delegations, shall not exceed $25,000 for each such delegation, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairmen of said delegations.

FANNIE E. HOLLOWAY—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 146) to pay a gratuity to Fannie E. Holloway, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Fannie E. Holloway, widow of John H. Holloway, an employee of the Senate at the time of his death, a sum equal to nine and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY:

S. 2509. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Finance.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 2510. A bill for the relief of the city of El Dorado, Kans.; to the Committee on the Judiciary.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 2511. A bill for the relief of certain postal employees in Bloomington, Ind.; to the Committee on the Judiciary.

By Mr. HART:

S. 2512. A bill to amend section 5(a) of the Clayton Act with respect to the evidentiary effect of judgments and decrees entered in proceedings instituted by the United States under the antitrust laws; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (by request):

S.J. Res. 107. Joint resolution providing for acceptance by the United States of two instruments for the amendment of the constitution of the International Labor Organization; and

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor; to the Committee on Foreign Relations.

(See the remarks of Mr. SPARKMAN when he introduced the above joint resolutions, which appear under separate headings.)

By Mr. MUNDT:

S.J. Res. 109. Joint resolution directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such Center; to the Committee on Public Works.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

TO EXPRESS THE SENSE OF CONGRESS WITH RESPECT TO THE CURRENT ARMED CONFLICT BETWEEN INDIA AND PAKISTAN

Mr. JAVITS (for himself and Mr. MORSE) submitted a concurrent resolution (S. Con. Res. 58) to express the sense of Congress with respect to the current armed conflict between India and Pakistan, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RESOLUTIONS

PROVISION FOR RESPONDING TO INVITATIONS FROM FOREIGN PARLIAMENTARY BODIES

Mr. SPARKMAN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 145) to provide for responding to invitations from foreign parliamentary bodies, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. SPARKMAN, which appears under the heading "Reports of Committees".)

FANNIE E. HOLLOWAY

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 146) to pay a gratuity to Fannie E. Holloway, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees".)

THE HUMAN INVESTMENT ACT

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, a bill which is a substantially revised and improved version of S. 1130, "The Human Investment Act," which I first introduced on February 17, 1965. This bill, like the earlier version, provides for a 7-percent credit against tax for certain employee training expenses of private employers.

Only recently have economists begun to realize the overwhelming importance of human capital—the skills, experience, and knowledge of working men and women—as opposed to financial and physical capital. One of the pioneers in this field, Prof. Theodore W. Schultz of the University of Chicago, has made a trenchant observation of the importance of human capital in his paper. "Reflections on Investment in Man," printed in the Journal of Political Economy Supplement for October 1962.

Professor Schultz says:

> Suppose there were an economy with the land and the physical reproducible capital including the available techniques of production that we now possess in the United States, but which attempted to function under the following restraints: There would be no person available who had any schooling, no one who had any information about the economy except of his locality, each individual would be bound to his locality, and the average life span of people would be only 40 years. Surely, production would fall catastrophically. It is certain that there would be both low output and extraordinary rigidity of economic organization until the capabilities of the people were raised markedly by investing in them.
>
> Let us now take a Bunyan-like step and suppose a set of human resources with as many but no more capabilities per man than existed as of 1900 or even as of 1929 in the United States. The adverse effects on production in either case would undoubtedly be large. To continue these speculations, suppose that by some miracle India, or some other low income country like India, were to acquire as it were overnight a set of natural resources, equipment, and structures including techniques of production comparable per person to ours—what could they do with them, given the existing skills and knowledge of the people? Surely the imbalance between the stock of human and nonhuman capital would be tremendous.

Professor Schultz has put his finger upon a crucial point—the importance to our 20th-century economy of investment in human capital.

Investment in human capital takes many forms. Every dollar spent by public bodies, by individuals and by groups in the private sector on the education of youth, on the improvement of our Nation's health, and on upgrading the skills of our labor force is an investment in human capital. It is this last aspect—upgrading job skills—that is the focus of the Human Investment Act of 1965.

As early as 1948 a major aircraft company stated in a personnel report "Recruitment of semiskilled and unskilled workers presented few problems during the year, but an increasing amount of difficulty was encountered in recruiting experienced engineers and certain types of skilled craftsmen." Those early remarks have foreshadowed what has today become one of the most critical problems facing our Nation today: the dual problem of a shortage of persons trained in critical skills, and a distressing oversupply of persons—many of them youths—who do not have the skills to move into one of these beckoning job categories.

The data to illustrate the first part of this dual problem are not hard to find. The minority of the Joint Economic Committee reported this spring that "help wanted advertising is running at a 12-year high." The Wall Street Journal for several months has been carrying stories on the serious shortages of certain kinds of skilled workers. The July 5, 1965, issue of U.S. News & World Report carried an article headed "Growing Worry—Jobs With Nobody To Fill Them." The article begins with these remarks:

> With much talk of serious unemployment, a shortage of workers is troubling many employers. Jobs by the thousands are going begging. There aren't enough workers with the right skills. Construction, especially, is hard hit. Other employers, too, are feeling the pinch—in autos, steel, aircraft, transportation, all sorts of fields.

This same article reports that in June of this year the Department of Labor listed 30,850 positions which had been turned over to it by State employment services because the State agencies were unable to fill them. Another Labor Department survey showed that local employment offices had a total of 341,000 job openings at the end of May—the largest total since September 1952, during the Korean war. In my own State of Vermont a campaign is underway to induce Vermonters with needed skills who have moved to other States to return to Vermont to take jobs with Vermont employers.

Yet, amid this serious shortage of qualified job applicants, the Nation is still confronted with a serious problem of unemployment. The 1965 Manpower Report of the President stated bluntly:

> Unemployment, at close to 5 percent of the civilian labor force at the end of 1964, remains our most serious economic problem.

Secretary of Labor Willard Wirtz, testifying before our Labor and Public Welfare Committee earlier this year, said:

> Four years of steadily expanding job opportunities have not brought us full employment. Some 3¾ millions of our citizens want work but are unable to find it. Up to a million more—the hidden unemployed—would enter the labor force if the unemployment rate could be brought down. And if we look behind the average monthly figure of unemployment, we could identify almost 14 million workers who have experienced some unemployment at some time during the year.

What is the explanation for this apparent paradox of unemployment in a labor-shortage economy? It can, of course, be summed up in one useful term—structural unemployment. Those who do not have jobs are not out of work because the economy is sluggish, but because they do not have the skills to qualify for the higher-level jobs now going begging.

The minority members of the Joint Economic Committee, in their 1965 views, struck to the heart of our problem when they stated:

> The nature of today's unemployment problem is no less serious because of its structural character. Indeed, persistent unemployment that falls with a special severity on particular age, education, or racial groups poses a real threat to our democratic system. Unless our efforts to attack structural unemployment succeed in enabling these individuals to lead productive lives, a growing and insurmountable gap may appear between the have's and have-not's in our society, or between those who have good education and good jobs and those who have little education, inferior jobs, or no jobs at all, and who are hostile or indifferent to their society. The increasing emphasis on high skills, on technical competence, and on expertise will increase the problem in years ahead and pose an even greater danger for the survival of our free and open democratic system. It is precisely for this reason that the attack on chronic unemployment takes such high priority among our national goals.

The answer to this problem is clear, and it has been recognized by all but the most doctrinaire extremists of the right and left. Again in the words of the Joint Economic Committee minority:

> The solution to the program of technological displacement demands a broad national effort to upgrade the labor force by small stages all along the line—providing the unskilled with minor skills, preparing the semiskilled for skilled work, turning the skilled into advance technicians, and rehabilitating the handicapped. Workers on all levels of the skill ladder must be encouraged and helped to move up into higher and more demanding jobs, leaving the positions which they once held to be filled by the less skilled but striving applicant.

But even those who agree on the analysis of the problem and the general outline of the solution may yet differ on the precise means to be used to bring the solution into effect. A principal division between rival camps is along the lines of private versus public responsibility.

The advocates of increased governmental involvement in training bring to bear weightily historical precedents, dating back to the Morrill Land-Grant Act of 1862, which was the first Federal grant to the States to spur vocational and agricultural education. They point to the Vocational Education Act of 1963 and its forerunners as examples of the kind of legislation that is needed to solve the structural employment problem, operating throught the school systems of our Nation. Similarly, they support the institutional training provisions of the Manpower Development and Training Act, through which the Department of Health, Education, and Welfare enters into agreements with State agencies to pay for the cost of vocational training, usually conducted by public and private schools in the State.

On the other side, Mr. President, are those who believe that the most efficient and effective job training in this country is being done by the Nation's greatest job trainer—the American private enterprise system. Proponents of this school point to the Fitzgerald Act of 1937, which provided technical assistance in arranging apprenticeship agreements, and to such programs as the on-the-job training provisions of the Manpower Development and Training Act, administered by the Secretary of Labor. Recently the Office of Economic Opportunity has experimented with this school of thought by contracting with private enterprise to operate urban Job Corps centers, like the one at Camp Kilmer, N.J., operated by Federal Electric Corp.

Happily, membership in these two camps is not mutually exclusive. This Nation certainly needs a sound program of vocational training operating through our school system. At the same time, however, we must not lose sight of the fact that our private enterprise system has always been in the forefront of the training business, and over the years has acquitted itself magnificently with regard to value per dollar invested in training, the high quality of training offered, and the ability to move quickly to aid the Nation in times of danger to our national security.

We are now witnessing, Mr. President, what I believe to be a massive shift of emphasis away from institutional training programs for job skills and toward training conducted by the Nation's private employers. Less than 2 years ago the Labor Department's interest in on-the-job training by private employers was so low that John Henning, then Undersecretary, wrote Senator CLARK, chairman of the Employment and Manpower Subcommittee, in reply to a query concerning suggestions for possible additional programs to provide positive incentives for on-the-job training:

> There has been so little experience to date on this point that sound conclusions cannot yet be formulated.

In April of 1964, however, the Employment and Manpower Subcommittee report entitled "Toward Full Employment" was issued. In it, joined by Senator LEN B. JORDAN, I advocated an idea that had been increasingly on my mind since the previous year—the idea of encouraging private business to expand their training programs by offering them the incentive of a 7-percent tax credit toward their training expenses. To my knowledge this was the first time a Member of Congress had advocated the application of the tax credit principle to job training efforts by private business.

Shortly after our report came out, an article on the subject by Gerald J. Robinson appeared in Michigan State University's publication "Business Topics" for spring, 1964. After analyzing our national problem of structural unemployment, Mr. Robinson said:

> This combination of circumstances points clearly to the solution: a liberal tax credit to industry for worker retraining.

In June of 1964 the task force on subsidies on apprenticeship, under the Federal Committee on Apprenticeship, reported to the Bureau of Apprenticeship and Training:

> The task force is of the opinion that of all the financial incentives for apprenticeship examined, Federal income tax credit is best.

Justifying this conclusion, the task force used language strongly reminiscent of my language in support of what became the Human Investment Act:

> To spur capital investment, the Congress has enacted a Federal income tax policy which reduces an employer's tax liability for any year in which he has made expenditures for certain specified capital items. After the tax is computed, a deduction is permitted equal to 7 percent of the cost of such capital expenditures. The same type of incentive could be applied to the development of skills through apprenticeship and training. The amount of such tax credit is not the most important consideration, but the 7 percent allowed for capital expenditures would serve as a tentative goal.

On February 17, 1965, I introduced a forerunner of the bill I am introducing today, which was given the number S. 1130. In this I was joined by Senators JORDAN of Idaho, ALLOTT, FANNIN, LONG of Missouri, SCOTT, TOWER, CASE, and FONG.

On March 17 my proposal received influential support when the Republican members of the Joint Economic Committee specifically recommended the Human Investment tax credit approach.

As the summer approached, various publications began to report a quickening of interest in administration circles concerning this proposal. On May 31, Lawyer's Weekly Report, a Prentice Hall publication, reported:

> One of the President's task forces is quietly weighing a number of ideas for inducing businessmen to hire and train unskilled teenagers. Some concrete proposals will be offered next year. One proposal we know being given careful study is a tax incentive for worker training.

On June 14 the same publication said:

> The administration is considering a number of measures—some stringent—to get youths in the employed working force. Some of the suggestions made so far:
>
> Enlarge present Government aided training programs.
>
> Provide tax incentives for businessmen doing youth job training.

And again on July 5, Lawyer's Weekly Report noted:

> The Department of Labor is increasingly concerned that current labor training practices do not meet the needs of the growing market for skilled workers. Consequently, the Department seems about ready to move to revise traditional standards and operating procedures of the age-old apprenticeship system—hoping to funnel more workers faster into growth industries and occupations. Administration aides point out the system is basically sound, but needs to be brought up to date.

Two weeks later, on July 19, Newsweek reported:

> A significant policy switch is underway in the Government's manpower training program. Under the direction of Manpower Administrator Stanley Ruttenberg, the Government is giving increased emphasis to on-the-job training * * * In the OJT programs, the Manpower Administration underwrites a share of the cost of training men at specific companies—with the jobs guaranteed. In

> a sense, the government subsidizes private company training costs. But manpower officials argue that it is just as defensible to invest in people as it is in new machines with programs such as the investment tax credit.

On August 16, Lawyer's Weekly Report stated:

> Action may soon be in the offing for the much-touted plan to stimulate company training programs through tax incentives * * * Now, agencies which have been halfheartedly tinkering with the idea for years are going to pour on the coal and you will hear more and more about it in the coming weeks and months.

During these months, Mr. President, I received a great deal of comment on my initial proposal. Over 140 corporations have written me to express their views and to make suggestions. My staff and I have consulted a number of experts in the manpower field, in the tax field, and in the ranks of business. The Associated Industries of Vermont saw fit to endorse the idea, as did a local of the A.F. of L. Bricklayers Union in southern California. The result of all this discussion is the bill I now introduced, changed in several respects from S. 1130, but relating the same fundamental principles.

The 7-percent tax credit and the technical language adapted from the investment tax credit provisions of the 1962 Revenue Act remain unchanged. Five substantive changes were made in the present measure:

First, a new "declaration of purpose" was added to make clear the objective of the bill, as follows:

> It is the purpose of this act to provide incentives to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Second, and most important, the concept of "employee training expenses" was significantly revised.

The initial bill specified that "employee training expenses" were to be those expenses incurred in training unemployed workers for a job with the taxpayer or in training an employee for continued employment or a better job. Specifically included were books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries. It was more or less left up to the Internal Revenue Service to decide what it would or would not allow.

These provisions gave rise to the most serious objections to the initial bill. It was argued that it is very difficult for a company to specify exactly what activities would come under the heading of training and how much was spent on them. Too much would depend on the IRS, and the individual taxpayer would not have a clear idea of what he could claim. Some firms would be tempted to pad their tax returns by listing all sorts of things as training expenses to be able to claim the credit. The natural result would be excessive scrutiny by the IRS, interfering in business practices and recordkeeping. Some firms reported that it would cost them the amount of the proposed credit just to isolate in their records the information needed to apply for it.

As a result of these objections, this section was completely revised according to the following criteria:

First. The eligible expenses should be those which primarily contribute to providing new job openings at the botton end of the skill ladder; training of managerial, administrative, professional or scientific personnel should not be the focus of the bill.

Second. The eligible expenses should be so defined as to permit ready identification in the firm's bookkeeping system.

Third. The discretion to be exercised by the IRS should be held to the minimum necessary.

Accordingly, six new categories of specific training expenses were spelled out:

First. The wages and salaries of workers who are apprentices in apprenticeship programs registered with the appropriate State or Federal agency.

Apprenticeship agreements are in the form of contracts. If the contract meets minimum Federal standards it may be registered with the Bureau of Apprenticeship and Training or a State apprenticeship council—providing the State's standards are not below Federal standards. This makes it easy to determine exactly what dollar figure is to be used in computing the credit.

Note that the wages of instructors of apprentices are not included. This is because it is often difficult to apportion a foreman's time between apprentice supervision and other duties. Where a foreman conducts a regular class, however, his salary would be included in item 6 below.

Second. The wages and salaries of workers enrolled in on-the-job training programs under section 204 of the Manpower Development and Training Act.

Under the on-the-job provisions the Bureau of Apprenticeship and Training and the employer sign an agreement, in which the employer agrees to provide certain training. In over 90 percent of the cases the trainee is an actual employee of the company. The Bureau of Apprenticeship and Training pays the employer for instructors' fees, scrapbooks, training materials, but not any portion of wages of trainees. Here again it should be easy to determine the amount to which the credit may be applied.

Third. Wages and salaries of secondary workers in a cooperative work-study program with a secondary school, college, or business, trade, or vocational school.

These expenses should be easy to determine because the co-op program operates through specific agreements between the employer and the school, at both the high school and college levels.

Fourth. Tuition and course fees paid to an institution of higher education or an accredited business, trade, or vocational school.

The definitions of eligible institutions included in this paragraph are taken from the National Defense Education Act, in the case of institutions of higher education, and from S. 600 in the case of business and trade schools.

To administer this portion of the act, the IRS would examine the return to see what institutions received the payments, compare with the list of institutions approved by the accrediting commission listed by the Commissioner of Education, and approve the credit if the institution is listed.

Fifth. Home study course fees paid to an accredited college or correspondence school.

This is very similar to paragraph 4 above.

Sixth. Expenses to the taxpayer of organized group instruction, including classroom instruction, including expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items and instructors' fees and salaries. More than the first five categories, this is the area where the IRS would have to set some guidelines. The intent here is to cover those expenses which would be eligible for Federal reimbursement were the group instruction contracted for under section 204 of the Manpower Development and Training Act. If the instruction actually were under the Manpower Development and Training Act, the employer could not claim a credit under this paragraph, since his expenses would be reimbursed and thus not expenses "to the taxpayer."

Third, the initial bill contained the requirement that employees remain on the payroll for at least 12 months before the employer could claim the credit. This was objected to on two grounds: First, it would be tedious and expensive to try to keep tabs on each individual employee who was trained for a year thereafter, and the application of the carryback provisions would complicate reporting; and, second, certain industries, such as the construction, ski resort, and agricultural processing industries, do not work a standard 12-month year and thus could not make use of the credit.

The obvious way to meet these criticisms would have been to eliminate the employment period altogether. It was decided, however, to reduce it to 3 months, which should in most cases remove the second objection and the second part of the first one.

Fourth, the initial bill would have deprived the taxpayer of credit in the case of an employee who was trained but later fired for good cause. The new version provides that the credit can still be claimed when the employee terminates at his own discretion, incurs disability or death, or is discharged "for reasonable cause based on the behavior of such employee." This still would prevent a credit to a taxpayer who trained new employees and then laid them off within 3 months. Discharge of an employee because of a slowdown in sales or production would disallow the credit, because such "cause" would not be based on the employee's behavior.

And, fifth, a new paragraph was added to make explicit what had been the intent of the earlier bill: that expenses for training managerial, supervisory, human relations, professional and advanced scientific personnel, and for training in subjects not contributing specifically and directly to such individual's job or prospective job with the taxpayer, could not be claimed in computing the credit.

The intent of this language is to bar credit for such courses as graduate-level mathematics, personnel psychology, advanced management skills, speed reading, plant safety, and art appreciation.

Beyond these five major changes the new bill is essentially the same as the earlier version. A training expense must still be tax deductible under section 162 of the code, relating to trade or business expenses. As before, the credit is applicable in addition to the deduction, and in addition to whatever other credits may be claimed under other sections of the code.

One provision of the earlier bill, repeated in this bill, has caused enough confusion to warrant a detailed explanation. This is the provision, taken verbatim from the investment credit provisions of the 1962 act, for computing the maximum amount of credit allowable. It can best be clarified by means of an example.

The maximum amount of credit that a taxpayer may claim for 1 taxable year is $25,000 plus 25 percent of his tax liability in excess of $25,000.

Suppose a taxpayer has a tax liability to the Federal Government of $425,000 for a tax year.

The maximum amount of credit that he could claim under the act is $25,000 plus 25 percent of the tax liability in excess of $25,000. The tax liability in excess of $25,000 is $400,000—$425,000 to $25,000. Twenty-five percent of this $400,000 is $100,000. The maximum that could be claimed is thus $25,000 plus $100,000, or $125,000.

The taxpayer then adds up his allowable employee training expenses.

Case A: Suppose his training expenses amount to $2 million. Seven percent of $2 million is $140,000. Since this is in excess of the maximum allowable—$125,000—the most the taxpayer could claim would be $125,000.

Case B: Suppose the figure for allowable training expenses is $1 million. Seven percent of $1 million is $70,000. Since this figure is less than the maximum allowable, the taxpayer would claim the full $70,000.

I think this explanation will make clear how the maximum amount of the credit is computed. In no case, of course, would the credit exceed 7 percent of the allowable training expenses. It can easily be seen that a firm would have to spend about $357,000 on allowable training expenses to claim a $25,000 credit. Only the largest firms will find it necessary to compute the maximum amount, since the great majority of taxpayers will not have allowable training expenses in excess of the $357,000 figure.

Before closing, Mr. President, I should like to recapitulate some of the reasons why job training by private industry is preferable to equivalent institutional job training programs.

First, job training by private industry minimizes the necessity for Government intervention and regulation in the economy. Instead of taking money in taxes, paying a number of bureaucratic middlemen, and spending the difference on public programs, the tax credit method gives a true incentive to business to accomplish the same ends much more efficiently. The Government does not need to get into the business of screening instructors, determining curriculum, supporting trainees, and other such appendages of Government-run programs, beyond the point of assuring that useful training is in fact being imparted by the employer. Federal-State complications, elaborate placement procedures, and general administrative problems are largely avoided. It is interesting in this connection to note that the British Government, faced with the identical problem in 1963, chose to promote job training through private industry instead of setting up an elaborate Government-operated program. The British Industrial Training Act of 1964 vests responsibility for organizing job training programs with joint labor-management boards, one for each major industry, which use the proceeds from a payroll tax to support training programs conducted by the employers.

Second, the great majority of those trained by private business are actually employees on the payroll. A number of studies, notably that by Prof. Richard Cloward of Columbia University's School of Social Work, reported in the January 1965 issue of American Child, have shown that the motivation of an unskilled and unemployed person to complete a training program bears a direct relation to his perceived chance for obtaining employment promptly at the conclusion of his training. Much of the dropout problem in such institutional programs as the Job Corps and Manpower Development and Training Act are traceable to a sense of discouragement and uncertainty felt by the trainee with respect to his job chances after training. When the trainee has been positively assured that he will be hired for a given job if he satisfactorily completes the training, the chances that he will abandon the program decrease drastically. One of the most pitiful spectacles to me, Mr. President, is the spectacle of a man who has completed a Manpower Development and Training Act institutional program, only to find that there are no job openings for him in his area. When private firms are responsible for the training, however, the trainee is almost invariably either hired at the beginning or given a firm promise of employment when his training is complete. Recognition of the importance of this concept is included in the provision of the Human Investment Act that the trainees must be on the payroll for at least 3 months after their training for the taxpayer to claim his tax credit.

Third, when private industry trains a man it invests in him. That investment is made with the expectation that the trainee can contribute to the company's productivity as an employee following training—else it would be difficult to justify the expense to the stockholder. Thus there is a built-in bias in favor of the employer giving top quality training, carefully designed to prepare the trainee for a position for which a worker is needed. It would make little sense for a firm to train men and women as a public service project, and then see its investment wasted because the company has no appropriate job openings. Speaking on this point, Prof. William Faunce of the Labor and Industrial Relations Center of Michigan State University has said, "A retraining program which did not involve retraining with respect to specific job openings is not a meaningful retraining program." Here training by private industry has a great advantage over Government-run programs.

Fourth, the instructors in on-the-job training programs are directly involved in the latest day-to-day developments in the field. Unlike instructors in schools, they are in the forefront of innovation and technological change, and thus can give, by and large, more up-to-date instruction to trainees.

Fifth, private industry can train workers on the latest models of machines without investing in new equipment for the purpose. Faced by the rapid pace of innovation in many training fields, schools too often are left with the choice between trying to train people on obsolete equipment, or obtaining new equipment, with a resulting increase in the cost of the training program. This fact accounts for a large part of the cost savings that can be realized by utilizing the resources of private industry for job training.

Sixth, by training the trainee in the context of an actual job situation, private industry provides a more realistic preparation for continued employment. The trainee is spared the problem of making what may be a difficult adjustment from a simulated to an actual worksite. To many trainees at the bottom end of the ladder, the prospect of regular employment with a company is a strange and bewildering experience. To have to adjust to this situation at the moment of maximum subconscious anxiety—just when training in an institutional program has been completed—puts an additional psychological burden on the worker, which may be reflected in poor performance. This factor does not apply, of course, in the case of longtime workers who are merely changing from one line of employment to another via retraining. In the case of a hard core unemployed person, however, it merits consideration.

Seventh, on-the-job training has conclusively proven to be more economical than the equivalent institutional training. Experience of the Bureau of Apprenticeship and Training in comparing per hour costs of trainees in institutional and in on-the-job training programs shows that where the average cost of the former runs over $5 per hour, the latter cost the taxpayer only 55 cents per hour. Even when the wage of the trainee, paid by the employer, is added on, it is still obvious that the on-the-job programs are more than twice as economical as the school programs.

Eighth, on-the-job training is adaptable to any size training class and to any location, urban or rural. Institutional classes are limited to minimum numbers which may not exceed the required number of workers in a given occupation. Institutional facilities are not often available at all in rural areas; private business, however, can design programs for even one trainee—small firms with one apprentice in training are not uncommon. In fact, as of spring, 1962, more than half of the apprentices surveyed in a national survey conducted by the Labor Department were employed in establishments with fewer than 100 workers.

Last, but not least, there is what I believe to be an important philosophical advantage in job training by private industry. Increasingly the advocates of radical change urge upon us a new reliance on Government—most commonly the Federal Government—for the cure to society's ills. Far too often, in my opinion, Congress has succumbed to these entreaties, while tending to ignore or belittle the great resources of the private sector of our economy. Passage of the Human Investment Act would, I believe, add new emphasis to the undeniable fact that the principal source of America's strength today has not been Government, but the American system of free enterprise, the most productive known to man since the dawn of history.

This fact is recognized clearly by the Republicans here in Congress. Today, under the leadership of the distinguished Representative from Missouri, THOMAS B. CURTIS, 44 Republican Members of the House are sponsoring legislation identical to the Human Investment Act I am now introducing in the Senate. I am grateful that so many respected Members of the other body have received this tax credit approach to job training by private business with such enthusiasm. I hope the architects of the Great Society, both in Congress and the executive branch, will give the most earnest consideration to the principle embodied in the Human Investment Act in the months ahead. Speaking for myself, I pledge my wholehearted willingness to cooperate with the administration and the majority in producing legislation of this kind to harness for the improvement of America's vital labor skills nothing less than the might of America's great free enterprise system itself.

Mr. President, I ask unanimous consent that the following articles and a technical explanation of the Human Investment Act be included in the RECORD at this point. They are:

Capsule summary of the Human Investment Act of 1965.

Technical explanation of the Human Investment Act.

An article, "Company Profs," by George Melloan, from the Wall Street Journal of February 26, 1965.

An article, "Unemployment and Taxes—Tax Credit as a Selective Economic Stimulant," by Gerald J. Robinson, from Michigan State University "Business Topics," spring, 1964.

An article, "Growing Worry—Jobs With Nobody To Fill Them," from U.S. News & World Report, July 5, 1965.

An article, "Tax Incentives for Employee Retraining," from Lawyer's Weekly Report, August 16, 1965.

An article, "Private Initiative Overcomes Economic Handicaps," by W. P. Gullander, from the Burlington, Vt., Free Press of July 17, 1965.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the material presented by the Senator from Vermont will be printed in the RECORD.

The bill (S. 2509) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Finance.

The matters presented by Mr. PROUTY are as follows:

CAPSULE SUMMARY: THE HUMAN INVESTMENT ACT OF 1965

(Revised version of S. 1130, first introduced by Senator WINSTON L. PROUTY, Republican of Vermont, on February 17, 1965.)

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed."

Method: The act offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: Seven percent of the allowable training expenses with a maximum of $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other parts of the tax code.

Allowable employee training expenses:

1. Wages and salaries of employees who are apprentices in registered programs.

2. Wages and salaries of employees enrolled in on-the-job training projects under section 204 of the Manpower Development and Training Act of 1962.

3. Wages and salaries of employees participating in cooperative education programs involving alternate periods of work and study.

4. Tuition and course fees paid by the employer to colleges or business or trade schools for the training of employees and prospective employees.

5. Home study course fees paid by the employer to colleges or accredited correspondence schools for the training of employees and prospective employees.

6. Expenses to the taxpayer of organized group instruction, including classroom instruction, of employees and prospective employees, including instructors' salaries, books, equipment, etc., but not the salaries of trainees.

Other provisions:

1. Allowable expenses would have to be tax deductible under section 162 of the Code, "Trade or business expenses."

2. To claim credit for training a given individual, that person would have to remain on the payroll for 3 months after completion of the training. Exceptions are made for death, disability, voluntary separation, and firing for cause.

3. The tax credit could be carried back 3 years and carried forward 5 years.

4. No credit would be allowed for the training of managerial, professional, or advanced scientific employees. The intent of the act is to encourage business to upgrade the skills of those at the bottom end of the skill and income ladder, not middle management or professional employees.

Comment: The Human Investment Act is patterned closely after the investment credit provisions of the Revenue Act of 1962, which permitted a 7 percent tax credit toward investment in certain depreciable plant equipment and real property.

This bill is an attempt to meet the increasingly serious problems of structural unemployment caused by a labor force ill-fitted for existing and developing job opportunities. Its intent is to advance workers up the skill ladder, thus opening vacancies at the bottom for the presently unskilled and unemployed. Its major premise is that private business has, over the years, learned how to obtain the most results per training dollar, and should now be encouraged to expand its training programs to meet this national need. Instead of undertaking training programs of its own, with all the resulting bureaucracy, inefficiency, and expense, the Government would provide a tax incentive for private industry to apply its tested techniques in this field.

TECHNICAL EXPLANATION OF HUMAN INVESTMENT ACT OF 1965

This measure is patterned after the investment credit provisions added to the tax law by the Revenue Act of 1962. It is analogous to that provision in almost every respect.

The Revenue Act of 1962 provided a credit against taxes for investment in certain depreciable property. The credit amounted to 7 percent of the qualified investment. There were, however, top limits of the credit measured by so much of the tax liability as does not exceed $25,000, plus 25 percent of the tax liability in excess of $25,000. Tax liability in this frame of reference meant the tax imposed without reference to personal holding company or accumulated earnings increments less credits against tax already provided for by law (foreign tax credit, dividend credit, tax exempt interest, and retirement income credit).

In the case of a husband or wife filing a separate return the top limit is measured in terms of $12,500 of tax liability instead of $25,000 except where the spouse of the taxpayer has no qualified investment for or no unused carryback or carryover credits for such earlier investment to that tax year. The effect of this limitation is to put the same limit on sole proprietorships and partnerships as would be imposed on corporations.

Affiliated groups must reduce the top limit available to them individually by apportioning the top limit among the members of the group. Once again, this provision provides that related corporations or business groups shall get no more than the credit allowed single business entities.

A carryback and carryover are provided for any year in which the credit exceeds the limitations imposed. The excess is carried back to each of the 3 taxable years preceding the unused credit year and carried over to the 5 taxable years following the unused credit year. However, the top limit applies to the amounts allowable for credit for those carryback and carryover years. For example, if the tax credit for 1969 exceeded the limitation for 1969 by $10,000 then that $10.000 could be carried back to 1966. If, in 1966 the credit allowed amounted to $25,000 and the top limit for that year was $30,000 only $5,000 of the $10,000 carryback could be applied to the tax year 1966. The remaining $5,000 of unused credit could be applied to the 1967 tax year if there was any leverage between the credit for that year and the top limitation.

Where a net operating loss carryback causes an excess of credit over the top limitation the carryback provisions on the excess for that year are not available. In other words, where a net operating loss carryback to 1968 from 1965 wiped out or reduced taxable income for that year and a credit for investment in qualified property had been allowed for that year, 1965, the loss of the credit for that year because of its excess over the top limit (which was reduced by the application of the net operating loss carryback) cannot be recouped by a carryback to the 3 tax years preceding 1965, but can only be applied as a carryover to the succeeding 5 tax years. This restriction eliminates the possibility that tax returns would be subject to amendments for a full 6 prior years (3 carryback years for net operating loss plus 3 carryback years for unused investment credit).

To this point the Human Investment Act and the investment credit plan of the Revenue Act of 1962 for investment in certain depreciable property are almost identical. Under the Human Investment Act credit against taxes of 7 percent is allowed instead for investment in specified training programs for employees and prospective employees. Otherwise, the top limitation is computed in the same way. The same treatment is accorded married persons and affiliated groups. The same carryback and carryover provisions are made and the impact of net operating loss carrybacks which reduce or eliminate the credit allowable is the same. Unlike the provisions for phasing in the credit for investment in property over the first year of the plan, however, a full credit is allowed for training expenses incurred in 1966.

The sole difference of substance between the Human Investment Act and the credit for investment in property is in the nature of the investment or expenditure for which the credit applies.

Under the Human Investment Act there are six categories of employee training expenses toward which credit may be claimed:

1. The wages and salaries of apprentices in registered apprenticeship programs;

2. The wages and salaries of workers enrolled in on-the-job training programs under section 204 of the Manpower Development and Training Act of 1962;

3. Wages and salaries of employees who are participating in cooperative work-study programs involving alternate periods of study and employment;

4. Tuition and course fees paid by the employer to a college or vocational, trade or business school for the training of an employee;

5. Tuition and course fees paid by the employer to a recognized home study school or college for the training of an employee;

6. The expenses to the employer of organized group instruction, including classroom instruction, including the expenses for instructor's salary, books, equipment, training materials, etc.

A credit will not be allowed if—

1. The training expenses are not deductible under section 162 as trade or business expenses;

2. Employees trained are not retained on the payroll for at least 3 months following the completion of training;

3. Prospective employees trained are not hired upon the completion of training and kept on the payroll for at least 3 months;

4. The training is of a managerial, supervisory, professional, or advanced scientific nature.

Exceptions are made in items 2 and 3 above in cases of death, disability, voluntary separation, or firing for cause.

Finally, similar in spirit to the amendment of the investment credit provisions which appeared in the Revenue Act of 1964 and which eliminated a section requiring a reduction in the value of the property, when computing depreciation to the extent of the credit taken, the Human Investment Act in no way reduces or limits the deductibility of expenses of training incurred merely because a credit is also available based on those expenses. Such qualified expenses remain 100 percent deductible while at the same time a credit against tax in the amount of 7 percent of those expenses is fully allowed.

[From the Wall Street Journal, Feb. 26, 1965]

Company Profs—Businesses Speed up Formal Training Efforts for Employees, Others: GM Trains Dealer Personnel; Closed-Circuit TV Moves Into Corporate Classrooms—The Cost: $4.5 Billion in 1965

(By George Melloan)

For many a college—or even high school—graduate today, taking a job is surprisingly like staying in school.

At International Business Machines Corp., for instance, a college graduate becoming a systems engineer spends 33 weeks out of his first 5 years in IBM classrooms, learning about company machines and policies. After "graduation" from that period, formal training on new IBM products still takes 10 percent to 15 percent of his time. Later still, if he shows promise, he might go back to a noncompany school, at IBM expense, for management training or to earn a Ph. D.

And this differs only in degree from what happens elsewhere. Few firms can yet match IBM's 1,800-man training staff, which is said to give 10 million hours of instruction a year to employees of IBM and its customers. But throughout industry, companies of all sizes are stepping up educational activities of all sorts.

A $4.5 BILLION BILL

By some estimates, indeed, the bill for corporate educational efforts, rising 5 percent to 6 percent a year, will hit $4.5 billion in 1965—half what it costs to run the Nation's colleges and universities. The expense of informal on-the-job training still accounts for most of this, but more and more is going into formal programs; these range from orientation courses that advise office girls against beehive hairdos to 6-week refresher courses in advanced math for engineering managers. Also, corporate contributions to colleges and college students are rising more than 15 percent a year.

The growing complexity of modern business will force still faster expansion of corporate teaching in the future, says Gerald L. Phillippe, chairman of General Electric Co. He and others add that this complexity no longer affects only managers and technicians, but extends onto the factory floor.

Even sweepers in electronics plants now use specialized equipment to clean up microscopic particles. And many a factory hand who once had little responsibility might today, through an error, damage a $1 million automated machine.

So, to cope with their diverse training problems, companies have devised equally diverse programs Like IBM, many train customers' employees, as well as their own, to handle complex equipment.

Auto and appliance companies, in particular, strain hard to train sales and service men hired by independent dealers. General Motors Corp. operates 30 regional training centers for dealer personnel. Radio Corp. of America operates electronics trade schools in New York and Los Angeles. So does Ford Motor Co.'s Philco Corp. division in Philadelphia.

AN INSURANCE "CAMPUS"

Sears, Roebuck & Co. runs a correspondence school, teaching 15,000 employees to sell and service products. Travelers Insurance Co., spending $5 million a year to train employees and agents, takes more of a campus approach; it not only runs a school at Hartford, Conn., but operates a dormitory for agents who matriculate there.

GM, going further, operates General Motors Institute as a full-fledged 4-year college for selected young employees; in size, its 2,500 students place it in the top third of all U.S. colleges. At the other end of the educational scale, a private elementary school is part of the Greenfield Village museum Ford partly subsidizes at Dearborn, Mich.; the school accepts pupils from neighboring areas.

Among businesses with more limited resources, the San Joaquin Valley Wine Growers Association in California has set up a $200 scholarship at Fresno State College to encourage study of enology (winemaking). Similarly, vending machine makers have established a foundation to award scholarships to students who show an interest in automatic vending.

Nor is all corporate education confined to information of immediate use on the job. Some corporations send executives to Aspen Institute at Aspen, Colo., where the discussion deals not so much with practical management problems as with broad philosophical concepts which might widen a manager's outlook. George R. Kemp, director of an art correspondence school in New York, says 5,000 corporations pay for art courses for their employees—mostly as a recreational benefit.

NEW TECHNIQUES

In many of these programs, corporations are experimenting with methods that may make permanent contributions to teaching technique. Harold L. Moon, director of the training division of Stevenson, Jordan & Harrison, New York management consultants, observes that company training directors are pressed to teach employees at the lowest possible cost.

So, says Mr. Moon, some firms are using engineering analysis—more commonly applied to product or process design—to design training programs. The method consists simply of determining precisely what a trainee needs to know and then designing a program to teach it to him. "Too many training programs leave relevant material out, or, of equal importance, put too much irrelevant material in," says Mr. Moon.

Programed instruction, a technique basic to the use of so-called teaching machines, is particularly suited to corporate needs because the trainee largely instructs himself, reducing the need for instructors, classrooms, and time off the job. Programed materials are designed so that a trainee reads information and immediately tests his grasp of it, proceeding at his own pace through a sequence of statements and questions that gradually build his knowledge. By substituting such programs for training that relies heavily on instructors, American Telephone & Telegraph Co. cut by 27 percent the time needed to train telephone operators who handle outgoing calls.

IBM says use of such programs at branch offices has cut training costs, largely because it reduces the need to pull employees into training centers. Later this year, IBM will experiment with using a big computer in Poughkeepsie, N.Y., to prepare and store instructional materials, which then will be transmitted electronically to training "terminals" in three scattered branch offices. It hopes the computer will permit constant and immediate revision of training programs to incorporate new data.

Use of elaborate training aids, such as simulators, also is growing. Philco's Techrep

Division recently increased capacity 30 percent at Charleston, S.C., facilities making such devices. John W. Kinnally, general marketing manager, says the complex workings of a chemical plant, say, often can be quickly explained with the aid of lighted panels that simulate the flow of materials.

Industry demand for Techrep's services, which also include setting up and conducting training programs, has risen about 50 percent annually in recent years, Mr. Kinnally says. Among heavy users of simulators are airlines, which utilize elaborate nonflying hulls to train flight crews.

TV AND RADIO

In another innovation, North American Aviation Corp.'s Autonetics and Space & Information System (SIS) Divisions not long ago set up intricate closed-circuit TV training systems linking their California plants. The SIS system has 600 sending and receiving stations; all the division's workers are within a minute's reach of one. A given group can be quickly summoned to a station for a quick TV lecture, losing little time from the job.

First National City Bank in New York has equipped a classroom with a shortwave radio transmitter that broadcasts tape recorded typing and shorthand instruction to students equipped with small radios and earphones. The use of radio eliminates wiring, the earphones aid concentration, and the system frees the instructor to move around and offer individual aid to students.

Despite such gadgetry, company demand for teachers has been rising. Membership in the American Society for Training and Development has climbed about 20 percent in the past 5 years, reports Gordon M. Bliss, executive director.

But companies are also relying more heavily on outside sources for training, especially of managers and engineers. George W. Bricker, a Wilton, Conn., management consultant, counts 54 universities now offering "in-residence" executive development courses lasting 2 to 16 weeks. Costs range from $300 to $3,500 per executive.

REGULAR SEMINARS?

"I predict the day will come when business schools around the country will be conducting regular seminars, directed at businessmen, with the same regularity with which classes are now being offered to undergraduate and graduate students," adds Paul L. Noble, dean of the Ohio University College of Business Administration.

Many business organizations help teach employees of their member companies. The American Management Association drew over 75,000 persons to management-training functions last year, double the number a decade ago. Consultant Bricker estimates corporations are spending $15 million a year on AMA and university executive development courses.

Corporate "retreading" of engineers whose knowledge is outmoded by the rapid advance of technology also draws heavily on outside resources. Two years ago, A.T. & T. arranged with eight universities to provide training for Bell System engineers. Students in these courses spend a year alternating between 4 weeks on the campus and 4 weeks on the job. A.T. & T. spends about $3,900 per trainee for each 6-month semester, including tuition, board and travel costs.

The plan provides A.T. & T. with professional teachers and campus facilities, and permits the company to help design course materials. Colleges usually benefit from such arrangements, too; their professors gain practical knowledge from their experienced students, and the school gets revenue from the contract to help cover faculty pay.

A HIGH SCHOOL PROGRAM

Sperry Gyroscope Co., division of Sperry Rand Corp., supplies the instructors for a similar program at a Great Neck, N.Y., high school. Some 1,350 Sperry engineers and technicians spend an hour and a half after work in the high school's classrooms learning more about transistors, computers, and the like. The course for technicians is open to the public as part of Great Neck's adult education program.

Company refunds of tuition to employees who take night courses to improve their performance also are growing. GE now refunds about $1 million annually to some 9,000 night-student employees.

Donald E. Marlowe, dean of the School of Engineering and Architecture at Catholic University of America in Washington, D.C., says 9 out of 10 of his engineering graduate students now get industry or Government support; 15 years ago, only 1 out of 10 did. Some companies base reimbursement on grades: An A rates 100-percent reimbursement, a C only 50 percent.

Industry-supported organizations are another important training source. New York's College of Insurance, supported largely by insurance companies either directly or through sponsorship of students, has 3,000 enrollees. It became a full-fledged college 2 years ago when New York State granted it the right to award bachelor of business administration degrees.

BANKING, LABOR SCHOOLS

The American Institute of Banking enrolls 90,000 bank employees in courses conducted in 258 U.S. cities and towns. And local employer groups, such as the Merchants & Manufacturers Association of Southern California and the Mountain States Employers Council in Denver train supervisors for local firms. The Denver group calls in such labor specialists as Ford's Vice President Malcolm Denise and American Motor Corp.'s Vice President Edward Cushman to lecture.

Whoever does the teaching, the cost of training a corporation student can outrun the cost of educating a noncorporate pupil. George W. Tisdale, secretary-treasurer of the Insurance Company Education Directors Society, figures insurance companies spend $3,000 to $20,000 during an employee's career to train him in such skills as appraising losses or using actuarial tables. By contrast, taxpayers spend roughly $6,000 to give a youth 12 years of public schooling.

One reason for the disparity: The corporate trainee, unlike other students, draws a salary. Paul A. Jordan, education director for Great American Insurance Co., says salaries represented $190,000, or nearly two-thirds, of the $300,000 his company spent on training last year.

TRAINING BOSSES

When the trainee commands a boss' salary, the cost naturally balloons. A 6-week course to give engineering managers a grounding in modern math and science at a GE management training school in Crotonville, N.Y., costs $5,000 to $6,000 per trainee. But, "if as a result of our program we avoid just one big mistake, you might get the whole cost of the program back," says Dolph G. P. Ebeling, who runs the program.

Because some companies don't include trainee salaries in their training budgets, attempts to assess U.S. industry's total education outlays can be tricky. Some estimates run up to $20 billion a year, but $4.5 billion annually is a more conservative figure.

Of this, it can be computed that formal training accounts for about $1.5 billion. A Federal Reserve Bank of Boston survey of 210 New England companies shows outlays averaging $10 weekly for each employee in training, including orientation and apprenticeship instruction. A Labor Department study shows that at any given time industry has about 2.7 million workers undergoing formal training. This 2.7 million, times $10 a week for 52 weeks, works out to about $1.5 billion a year.

AN 80-PERCENT RISE

Studies by Fritz Machlup, a Princeton University economist, put the 1956 cost of formal training at $800 million, so it would appear to have grown 80 percent in the last 9 years.

Professor Machlup further figures informal training—learning a job by doing it and listening to what the boss says—costs U.S. employers about 0.8 percent of what they spend on total compensation for employees. This includes costs incurred because of low productivity of new workers and the extra cost of supervising them. Taking 0.8 percent of total employee compensation yields a cost of $2.7 billion now for this on-the-job training, up from $1.9 billion in 1956.

A third cost, industry spending to support colleges and college students through grants, scholarships and other aid, is growing fastest of all. The Council for Financial Aid to Education estimates companies spent $200 million to $225 million in the 1962–63 school year (latest figures available) and figures this is growing about 15 percent a year.

STILL TOO SLOW?

Funds raisers note, however, that corporate aid to colleges isn't rising as rapidly as aid from alumni or big foundations. And other critics contend total corporate spending on training, though growing, isn't growing fast enough.

David S. Bushnell, a Stanford Research Institute training specialist, recently noted that even now only 1 out of 5 U.S. companies provides any formal training. So, he says, corporate training activities "must be tagged as relatively limited in scope."

Also, says Mr. Bushnell, "training tends to be one of the first departments cut back in the face of rising costs" or falling profits. "In general," he concludes, "management has failed to recognize what most economists have recently come to accept—that investments in human capital may account for a large share of the productivity increases achieved in the United States."

[From Michigan State University Business Topics, Spring 1964]

UNEMPLOYMENT AND TAXES—TAX CREDIT AS A SELECTIVE ECONOMIC STIMULANT

(By Gerald J. Robinson)

A proper objective and responsibility for the American people is the maintenance of full employment. In a civilization which values efficiency, justice, and humanitarian ideals, nothing less can long be tolerated. But the workers' ancient nightmare of job-destroying machinery is becoming a reality in the latter half of the 20th century. The full implications of automation are now becoming discernible. The president of a company manufacturing automation equipment has recently estimated that automation is eliminating more than 40,000 jobs a week, a figure higher than the Labor Department's own estimates. Yet in many areas of our technological economy there is not a shortage of jobs but a shortage of people to fill them. This combination of circumstances points clearly to one of the solutions to unemployment: worker retraining. A substantial part of the net decrease in employment could be offset if workers displaced by automation could be educated and trained in the new technology.

How can this be done? Retraining is a costly process and, disturbed as our corporate managers may be about the problem, they cannot freely devote corporate resources to retraining. This is a problem of national welfare for which the whole Nation is responsible. Yet there can be little doubt that industry itself is the best qualified to carry out the retraining job. It knows its own needs, has the essential know-how and has many of the facilities needed. Once again, this combination of circumstances points clearly to the solution: a liberal tax credit to industry for worker retraining. Using the tax credit as a stimulant places the financial burden for retraining where it fairly belongs—on the entire Nation. The credit also has the virtue of allowing industry to do the retraining itself. Thus it is twice blessed, by equity and by efficiency.

There is ample precedent for use of the tax system to bring about desirable economic and social conditions. Hardly any individual deduction or credit is enacted without economic or social objectives. But the most compelling precedent for the retraining credit is the 7-percent credit for investment in new equipment enacted in 1962. This credit was enacted largely because American plants were not being modernized quickly enough to meet vigorous foreign competition. The credit is designed to reduce tax by 7 percent of the amount invested in qualified machinery, thereby increasing industry's incentive to modernize. It could hardly be argued that a similar credit to reduce unemployment is less desirable. On the contrary, there are powerful economic and social reasons for a retraining credit. From the economic point of view increased employment will bring greater purchasing power and increased gross national product. It will also reduce the need for unemployment compensation as well as public and private payments to support the indigent and their dependents. While initially producing some tax revenue loss, the longer term stimulative effects would ultimately increase Treasury receipts. Moreover, placing displaced workers back on the payroll will make them taxpaying citizens again, thus preserving a revenue source which might otherwise be lost forever. From the social point of view the benefits are ample. As obsolete skills are replaced with productive skills the widespread indignity of joblessness would be reduced. Racial tensions will be eased. Poverty will be reduced and with it the delinquency and squalor which fester in our slums. And from a moral point of view it is apparent that we could not be true to our humanitarian ideals if we did not try to improve obsolete workers as much or more than obsolete machines.

Whether the credit would be an effective device to induce management to undertake dynamic retraining programs would depend on numerous factors. The size of the credit would be critical. Without suggesting any figure it is clear that it would have to be substantial. It might be argued that a credit will not induce a company to do something it didn't intend to do in any event. But this same argument could have been advanced against the investment credit. Experience with the investment credit seems to have been favorable: while not conclusive it is noteworthy that investment in new machinery has advanced significantly since the credit became available. Perhaps the answer to the incentive question is that the credit acts as a nudge to the undecided. If it is not a sufficient inducement in itself further inducements can be considered. For example, to encourage the retention of workers where displacement is imminent or after displacement and retraining, an additional deduction for wages could be temporarily permitted for certain workers. Canada's new tax incentive program allowing a deduction of 150 percent of increased research expenditures has spurred research and development in that country. A similar transitional spur to employment in the United States may be warranted. While business spends to make money, not to save taxes, the enactment of a temporary tax differential favoring labor over machines may keep the advance of automation at a more orderly pace by allowing more after tax profits to be made by employing certain displaced workers rather than machines.

Widespread agreement on the need for full employment can be assumed. However, the community of views rapidly vanishes when the techniques for achieving this desirable state are explored. The diversity of views is primarily based on different economic philosophies, most generally reflecting differing economic affiliations. Granted the pressing danger of increasing structural unemployment, a solution which does the least violence to the main armed camps—laissez-faire versus planned economy—has, as a practical political matter, the greatest promise of becoming reality.

Employing a tax credit to encourage worker retraining and retention has some remarkable practical political attractions. For those who believe the best government is the government which governs least, it has the attribute of getting Washington out of the retraining business by putting the job in the hands of industry. There is respectable opinion that industry can do both a better and more efficient job than government. On the other hand, those who favor increased Federal economic planning may derive a large measure of satisfaction from witnessing the Federal tax system actively used to create fuller employment. Moving from the battle of philosophies to the war of pressure groups the prospect is also bright: industry generally cannot be expected to chafe at a tax reduction which increases profits and labor would doubtless hesitate to bewail a measure calculated to increase employment.

Of course, objections to the proposal will be raised. At the congressional hearings on the investment tax credit numerous reasoned and not-so-well-reasoned complaints were made. Among the latter group the standard lament over Government incursions into the realm of business was heard. Of course the power to tax is the power to destroy. But the converse of this antique truism is also true: the power to tax is the power to create. Creation or destruction depends not upon the tool but the use to which it is put. This fact cannot be hidden by slogans and thus it may be expected that a preponderance of power group opinion would favor the measure. Moreover, the reaction of the general public also should be favorable: a sense of fair play and justice would certainly require at least as favorable treatment for investment in human assets as the treatment accorded to investment in machines.

Perhaps the most ambitious action taken so far to combat unemployment is the Manpower Development and Training Act which provides Federal funds to States for retraining. It has been a disappointment. Very few States have passed enabling legislation and the necessity for States to match Federal funds in the future does not augur well for the program in view of the pressing financial problems of most States. A tax credit is a more efficient device for getting the job done. It will cost the Nation less because industry will use its own existing facilities eliminating the need for expensive expansion of State facilities. Administration of the program will also be greatly simplified; instead of creating a large agency in Washington to establish and supervise training standards the job will be done by business itself under the observant eye of an existing corps of revenue agents.

Other measures have been urged to aid in alleviation of the problem, but the suggested cures seem as bad as the disease. A shorter workweek has been suggested—but roundly criticized as tantamount to an inflationary wage increase making it harder for American goods to compete in domestic and world markets. Massive public works programs, increased Government employment, lower interest rates and various other proposals have been made. Like the shorter workweek, each of these proposals involves serious drawbacks. While these broad measures may initially promote employment, they do long-range economic damage in other areas. On the other hand, use of our tax system to combat structural unemployment provides a highly specific approach which can be solely addressed to the automation-unemployment problem without other adverse long-range effects. The rifle versus shotgun analogy is apt here—the credit remedy targets directly on the problem; other remedies scatter undesirable side effects. The ability of the tax credit to focus on a single problem is one of its unique features as an economic planning device.

Of course, the enactment of this proposal would be only a partial solution. The basic need is more jobs. The existence of more job opportunities depends to a large extent on greater demand for the goods our economy produces, particularly goods with a high labor content. The pending tax bill providing for across-the-board tax cuts is a move in the right direction, but its emphasis is wrong. The value of the tax cut would be greatly increased if more of the tax reduction were provided for lower income taxpayers, who would spend the additional income, rather than to higher income taxpayers who would be more likely to save or invest it. Our national need at this juncture is for more consumption; with existing overcapacity there seems little justification to stimulate investment. But even a tax cut for low-income groups is also only a partial solution. As the true proportions of the automation problem become visible it is becoming apparent that attack on many fronts is essential, requiring the joint strength of industry, labor, and Government. The tax credit is only one of many ideas which must be explored.

In view of the nationwide scope and urgency of the unemployment problem it is reasonable to expect that the excess costs of employing certain workers should be borne by society in general. Certainly any tax credit remedy can be criticized. But unless the threat of automation is overcome, political pressure may build to impair or destroy the advance of technology, and with it some of man's best hopes for abundance and betterment. In the absence of effective countermeasures there is danger that labor unions eventually will be forced to sponsor featherbedding as a nationwide industrial institution. Or, perhaps worse, grave unemployment may build sentiment to compel the Government to institute massive aid comparable to the farm program. These dismal alternatives should be avoided and they can be by vigorous action now. Automation is neither a blessing nor a curse. It is merely another economic fact of life which we, with good sense and ingenuity, can shape to serve our general welfare.

CONCLUSION

Any proposal of this type requires careful study to assay its validity. Perhaps the most critical areas for investigation are administrative difficulties, whether the credit would in fact induce industry to retrain and reemploy, how much incentive is needed, and what effect it would have on industrial efficiency. Study should also be directed at determining how much unemployment results from workers' geographical immobility. If this is an important factor, consideration should be given to extending the credit to worker relocation costs. Investigating these problems requires extensive research. In view of the great potential benefits we should get on with the task.

[From U.S. News & World Report, July 5, 1965]

Labor Week—Growing Worry—Jobs With Nobody To Fill Them

(Note.—With much talk of serious unemployment—a shortage of workers is troubling many employers. Jobs by the thousands are going begging. There aren't enough workers with the right skills. Construction, especially, is hard hit. Other employers, too, are feeling the pinch—in autos, steel, aircraft, transportation, all sorts of fields.)

The job problem suddenly has entered a new phase: There is growing concern over where to find workers to fill all the jobs that are open.

Unemployment still is considered a national problem, but many companies are suffering from a shortage of workers.

A spot check of employers across the country indicates that the shortage is becoming more serious.

One manufacturer in Chicago is offering $100 to any employee bringing in a job applicant with the right skills.

Thousands of jobs are reported going begging in the building business.

In some industries, laborers are in short supply, but for the most part it is skilled craftsmen that employers are seeking.

Two Labor Department surveys confirm the rise in unfilled jobs.

One report covers hard-to-fill positions which State employment services turn over to the Federal Government for nationwide recruiting efforts. In early June 30,850 such jobs were listed—the largest number since June 1957.

The other survey reported that local employment offices across the country had a total of 341,000 job openings at the end of May. This was the largest such total since September, 1952, and was 100,000 more than the average level for all of last year.

Newspaper help-wanted advertisements, too, are on the rise. In May, 62 percent of the participating papers reported gains in such ads, according to a survey of the National Industrial Conference Board.

The spot check, made by U.S. News & World Report, turned up many examples of worker shortages in various parts of the United States.

The construction industry was found to be one of the hardest hit.

Bricklayers are in such short supply in central Illinois that contractors are "raiding" each other's crews. One firm said it had to offer bricklayers work for 10 hours a day, 6 days a week in order to recruit enough men. At those hours, a bricklayer could earn $392 a week.

APPRENTICESHIP PROBLEMS

Nationally, an official of the Associated General Contractors reported shortages of construction workers is "quite serious in some areas and some trades." He added:

"One problem is the failure to expand the apprentice-training programs fast enough to meet the new demand. We think more apprentices should be taken in, but the unions tend to hold down on the number being trained.

"The construction industry is losing its mobility, too. Formerly, craftsmen were willing to move anywhere in the country, as projects opened up. Now many refuse to leave their home city. They prefer to draw unemployment pay. Also, they say they'd lose credit toward their pensions if they transfer."

Youths are being hired by construction firms, the official said, but they are going chiefly into laborers' jobs. Apprentice courses sometimes take five years to complete.

The head of a home-building firm in the Chicago area, Roger W. Ladd, said many youths are not interested in training courses. One reason: Starting pay for laborers exceeds that for apprentices.

Workers who have had the apprentice training, Mr. Ladd said, can now earn $185 to $200 a week in Chicago.

A scarcity of skilled men was reported by other construction firms in Chicago, Detroit, Los Angeles and various other areas. On the other hand, New York and a few other cities reported unemployment in this field.

In Detroit, construction was booming even during the winter. An "acute" shortage of skilled workers was reported, with carpenters, electricans and ironworkers in especially short supply.

FOR STUDENTS: $2 AN HOUR

Help-wanted signs are up at nearly every major building project in Detroit. Students earn $2 an hour and up as laborers.

Help-wanted columns of newspapers in many cities include appeals for carpenters, plumbers, sheet-metal workers, bricklayers, painters and others in the building trades.

The auto industry also is advertising for skilled workers.

Chrysler Corp., for example currently is seeking experienced workers in at least 20 different crafts. General Motors and Ford also are trying to find skilled workers.

In Detroit alone, employment in the 3 major auto firms has risen nearly 40,000 since June 1963. During the next 2 years, 10,000 more jobs are expected to open up in Detroit auto plants.

An early-retirement plan negotiated by the United Auto Workers may add to the recruiting problem. On September 1, when the plan becomes effective, about 30,000 auto workers will be eligible to retire. Union officials believe most of those choosing to retire will be semiskilled workers and not the highly skilled who are in chief demand.

Aerospace companies in many areas also are recruiting. Engineers, computer experts and others are sought through newspaper ads in out-of-town papers.

One Houston, Tex., employer reported: "Competition for skilled employees is getting tough. It is expensive to send recruiting teams throughout the Nation. You run into a lot of competition from other firms doing the same thing. We are turning, instead, to on-the-job training programs to create our own skills."

The $100-reward plan was tried by Stewart-Warner Corp. in Chicago. Employees are told they can collect the bonus if they bring in a skilled operator for machine tools. Lately, there have been no takers.

Shortages of almost all types of highly skilled craftsmen were reported by Robert Muldoon, personnel director of Stewart-Warner. As a result, the company is farming out more work to smaller shops.

Inland Steel Co. has been hiring hundreds of workers at its East Chicago mill. Many are offered on-the-job training in skills. Employment at the plant passed 21,500, a record high.

Frank H. Cassell, Inland's personnel director, added things up this way: "In the entire midwestern labor market, there are probably enough skilled-job openings to balance off against the number of unemployed."

The problem is that most of those on the unemployed rolls lack skills required for the available jobs. Older workers sometimes lose out to youths, Mr. Cassell said, because young men are considered "more promotable" once they get jobs and begin learning skills.

It's not just the skilled factory job that's going unfilled. Bus and taxicab drivers are needed in some areas.

In Chicago, the Yellow Cab Co. reported trouble finding drivers. A company official said commission and tips can bring $100 or more a week for a driver, plus fringe benefits.

In Washington, D.C., a local bus company is advertising for drivers, promising a minimum of $6,000 a year, plus fringe benefits.

NEEDED: 50,000 APPLICANTS

A survey by New York City found that about 50,000 vacant jobs could not be filled this spring because there were no satisfactory applicants.

James J. McFadden, the acting labor commissioner for the city, reported that oil-burner and air-conditioning firms recently said they could use 3,000 more mechanics. Four thousand jobs were reported waiting for stenographers and typists with the required skills.

For New York State, shortages were reported in such jobs as metal trades, woodworking, engineering, and electronic computers. Positions were waiting for nurses, therapists, bookkeepers, cashiers, and repairmen of various kinds.

Houston reported special shortages among machinists, toolmakers, tool-repair craftsmen, and electricians.

One employer said he would hire a dozen good machinists immediately if he could find them. Hughes Tool Co. is training its own skilled workers.

Advertisements run over a period of 4 months failed to turn up enough qualified men for Reed Roller Bit Co., Houston.

And so it went, in city after city. Jobs were waiting for anyone with the right skills in the right city.

[From Lawyer's Weekly Report, Aug. 16, 1965]

WHAT'S HAPPENING IN WASHINGTON

Tax incentives for employee training: Action may soon be in the offing for the much-touted plan to stimulate company training programs through tax incentives. Aides both in Congress and the administration candidly admit that Federal training and retraining projects are both more costly and less effective than comparable industry programs. Now, agencies which have been half-heartedly tinkering with the idea for years are going to pour on the coal and you will hear more and more about it in the coming weeks and months.

In Congress, Senators HARTKE and JAVITS have just introduced a bill—late for this session but good timing for an early spot on the next session's agenda. Their proposal would amend the 1962 tax credit law—the 7-percent incentive tax credit for new purchase of machinery—to apply also to investment in training or retraining workers. The training would have to (1) be in skills necessary for the national defense; or (2) replace skills made obsolete by automation; or (3) retrain workers dislocated by defense shutdowns. The cost to the Government would be no greater than was originally estimated for the tax credit because the bill is designed to let a company use only what is left over after applying credit to the machinery. There's a ceiling on the amount a firm can save on the 7-percent credit—but many firms do not reach that ceiling. Congressional aides say these "leftovers" amount to more than $3 billion a year.

For information on this proposal and what it would mean to your company, contact Stephen Kurzman, Committee on Labor and Public Welfare, 4230 New Senate Office Building, Washington, D.C. Members of the House, where all tax legislation must originate, are working closely with the Senate on this proposal and their version is expected any day.

To rally support behind some sort of incentive plan for training, Senator CLARK, Chairman of the important Employment and Manpower Subcommittee, has scheduled hearings for September 13, 14, 15. Many key industry heads as well as labor and academic leaders will be queried on what sort of inducements would encourage broader job training in industry. The Massachusetts Senator KENNEDY is working with CLARK to line up an impressive list of experts to file through the subcommittee room on those 3 days.

Give your own ideas on incentive plans to the subcommittee before the hearings. Or if you want more information on what will be covered get in touch with Bill Smith, Subcommittee on Employment and Manpower, 4230 New Senate Office Building, Washington, D.C.

While President Johnson won't be stampeded into supporting an incentive plan, the administration evidently feels a certain amount of congressional pressure already A

Labor Department study on the subject was due to come out earlier this year (see WL Oct. 10, 1964). But officials there have revealed that the study now may never be released by the Department. Talk is that the study which began on a fairly low key has been upgraded to the task force level, and if enough enthusiasm is generated in industry the President himself will announce the task force findings in one of his addresses early next year and will request legislation.

Note: Administration aides are tight-lipped about the task force but there have been some hints that it is looking hard at the so far successful British Industrial Act of 1964. This program taxes employers on the basis of their payroll. Refunds of this tax are made in proportion to the number of workers the employer trains in relation to his capacity for training.

[From Burlington, Vt., Free Press, July 17, 1965]

PRIVATE INITIATIVE OVERCOMES ECONOMIC HANDICAPS

(By Victor Riesel)

(Some 2 years ago, when the National Association of Manufacturers wanted someone to give it a new, crackling dynamic image, it appointed W. P. "Gully" Gullander its permanent president. He took the assignment with the gusto of a plunging fullback. During one of the moments when he stood still long enough to listen to a question, I asked him what he thought of President Johnson's poverty program. Here is his reply):

(By W. P. Gullander, president, National Association of Manufacturers)

The widespread attention given the Federal poverty program has largely obscured the fact that a variety of nongovernmental solutions are assisting the jobless or disadvantaged citizen in overcoming his economic handicaps.

These solutions, often unheralded, continue to spring up in community after community. Getting to know about them presents a problem. There is no GHQ to turn to. No big boss gives orders or gets reports. No master computer spews out the results of this endless variety of voluntary effort.

Nevertheless, we know that from countless clusters of private initiative and responsibility various kinds of help continue to emerge for the hapless citizen who may be handicapped by lack of skill, training or education in his quest for greater economic opportunity.

Last summer the National Association of Manufacturers set out to collect case histories of company-inspired or community-inspired programs that were getting results in this social service area. Later we set up a national clearinghouse called STEP, which stands for Solutions To Employment Problems, to which citizen-leaders could turn for validated methods of dealing with some of these problems.

Big towns, middle-sized towns and small towns all have been the sources of useful examples, some of them long antedating the birth of the Federal poverty program. Let me give some illustrations of what goes on voluntarily in industrial America to permit more citizens to participate in the mainstream of American economic life.

In Chicago, a job mecca where the versatile usually thrive but where the unskilled may falter in face of changing job requirements, some notable examples exist, of which the following may be of particular interest.

A national food processor had long provided employment in its Chicago warehouse for applicants with minimal educational backgrounds. But the demands of the marketplace for a greater variety of products and product labels recently began dictating a change in hiring standards. To curtail errors in shipments, it became imperative that a greater portion of the warehouse workers be able to comprehend packaging and shipping instructions more efficiently.

The company, therefore, has established classes at the grammar school level, grades 1 to 6, to provide present employees and applicants with the required visual and verbal skills to handle today's type of work.

In Indianapolis, a leading electronics plant has found it advisable to provide in-plant instruction at the high school level of learning to make it possible for employees to adapt to increasingly sophisticated manufacturing methods. With the flicker of learning reawakened, a number of employees requested the opportunity of pursuing their studies through to the goal of a high school diploma. Company officials worked out such an acceptable plan with Indianapolis public school officials, and graduating exercises recently were held in the plant for the accredited pilot group.

In Bedford, Ohio, near Cleveland, two communitywide problems were simultaneously faced: An alarmingly high school dropout rate existed, and local industry found itself short of skilled help. Industrialists and school authorities teamed up to produce a twin solution.

Local businessmen contributed over a million dollars of equipment to the schools. Youngsters willing to complete specified vocational training courses were promised jobs in local plants on presenting their school certificates. Bedford's school dropout rate has been cut far below the national norm, and industry's recruiting problem has been largely solved.

In Freeland, Pa., an anthracite coal region northwest of Allentown, chronically unemployed miners are now productively engaged in making exhaust fans, range hoods, air purifiers, and other home equipment. This is due to the conviction of an industrialist, Gerald L. Cohen, who grew up in the area, knew the character of the work force available, and built a plant in the depressed town. Relying on on-the-job training methods, Mr. Cohen quickly disproved the theory that the future holds no hope for the worker whose only occupational experience theretofore has been in the mines.

Other step case histories have been researched on the San Francisco Peninsula and in Spartanburg, S.C.; Lynchburg, Va.; Braxton Court, W. Va.; Dayton, Ohio; Toms River, N.J.; Baltimore, Md.; Ithaca, N.Y.; Hartford, Conn.; Meadville, Pa.; Camden, N.J.; Melrose Park, Ill.; Cleveland, Ohio; and many other cities and towns, small and large across the land.

The private probing for solutions goes on constantly. The local businessman is working in harness in many cases with the educator, the social worker, the public official, and as results of their mutual interest they all are getting to know and respect one another in a meaningful manner.

They are building a stronger America, community by community, in the American tradition of voluntary cooperation for the common good.

CITY OF EL DORADO, KANS.

Mr. CARLSON. Mr. President, I am today introducing a bill for the relief of the city of El Dorado, Kans. This proposed legislation would provide the city with matching funds for an effective communications system in their civil defense center. El Dorado is now in the process of building an emergency operating center which would serve not only the city residents, but also would provide a central communications control point for the whole county. The city has demonstrated an active interest in planning this project and a willingness to provide funds for construction.

In light of the fact that their center would be serving a large area, the city became interested in the possibility of receiving matching Federal funds for communications equipment. On January 20, 1965, the city of El Dorado advised the State office of civil defense of their interest in receiving matching funds for a communications system in the planned Public Safety Building. Several days later they received a letter from the State office stating that they could receive the requested matching funds for all the communication equipment items except one. On the basis of this approval, the city developed final construction plans, including the receipt of bids and the awarding of contracts.

By June of 1965, the building was under construction and seemed to be progressing satisfactorily. On June 28 State and regional civil defense representatives visited El Dorado for the purpose of completing the project application. The representatives agreed that the project met the required standards for receiving matching funds.

However, at this time it was discovered that the city of El Dorado, although meeting the qualification standards, could not receive Federal assistance for their project. They had unwittingly broken a civil defense regulation by executing contracts prior to the final approval of the application. They were thus ineligible for matching funds.

This regulation is, of course, a necessity under usual circumstances. The Office of Civil Defense must take precautions to avoid sponsoring projects which fail to meet their program requirements. But, the El Dorado program did not fail to meet the Office of Civil Defense requirements.

It is indeed unfortunate that the city should now find their program severely crippled by a lack of budgeted funds. They are proceeding to fulfill as much of their commitment to the community as possible. However, the project must now be cut down and limited in its effectiveness. Even so, the citizens of El Dorado will be burdened under an unexpected increase in the cost of a project which could justifiably receive Federal support.

Therefore, I am suggesting corrective legislative action to waive the regulation and allow the administration of funds in the best interest of the community and all the inhabitants of the surrounding county. I urge early consideration of this bill to enable the citizens of El Dorado to construct an effective civil defense emergency operating center.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2510) for the relief of the city of El Dorado, Kans., introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

NOLO CONTENDERE PLEAS IN ANTITRUST CASES

Mr. HART. Mr. President, in 1962 a Federal grand jury undertook an investigation of possible antitrust violations in the steel industry. In April 1964 the grand jury indicted eight of the Nation's largest steel companies for conspiring to fix prices of carbon sheet steel. Because this type of steel accounts for about one-fourth of all finished steel mill products and represents an estimated $3.6 billion in annual shipments, the significance of the criminal conduct alleged was far-reaching. Pretrial procedures were begun and trial was set for this fall. However, this summer the defendants petitioned the court to change their pleas from not guilty to nolo contendere. The Government did not oppose the nolo contendere pleas. On July 23, Judge Edward Weinfeld accepted the new pleas and imposed the maximum allowable fine of $50,000 per defendant. This example points up a real problem in antitrust enforcement.

By having their nolo contendere pleas accepted, the steel companies won a victory. They erected an almost insurmountable barrier for prospective private litigants seeking compensation for the injury sustained by paying the steel companies' artificially rigged prices. Now, private litigants will not be able to rely on section 5 of the Clayton Act. This section provides:

> That a final judgment or decree hereafter rendered in any criminal prosecution or in any suit or proceeding in equity brought by or on behalf of the United States under the antitrust laws to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any suit or proceeding brought by any other party against such defendant under said laws as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto: *Provided,* This section shall not apply to consent judgments or decrees entered before any testimony has been taken: *Provided further,* This section shall not apply to consent judgments or decrees rendered in criminal proceedings or suits in equity, now pending, in which the taking of testimony has been commenced but has not been concluded, provided such judgments or decrees are rendered before any further testimony is taken.

This section was designed to ease the plaintiff's burden and to permit a judgment in a Government suit to be used in a private antitrust suit based on the same facts. The courts have held that a nolo contendere plea—whose acceptance rests with the discretion of the judge—cannot be so used. However, like a guilty plea it permits imposition of the allowable sentence for the crime charged.

The nolo plea, in effect, creates a legal loophole through which defendants can escape what is likely to be the most severe sanction the antitrust laws provide: the imposition of treble damage liability for the wrong they have inflicted. Yet Congress has long intended that treble damages in private suits for antitrust violations would serve as an effective policing arm of the antitrust laws. And as Congress anticipated, it has proved in many instances more effective than Government action.

The acceptance of nolo pleas, therefore, weakens enforcement of antitrust laws. Its frustration of private actions runs directly contrary to enforcement techniques marked out by Congress. The advantage gained by use of this tactic is great. In the carbon sheet steel cases, for instance, it is estimated this plea will save the companies literally millions of dollars.

When the Government has accumulated evidence sufficient to warrant an indictment and to induce acknowledgment of guilt, a party injured by the violation should be able to rely on the judgment which has been reached in the Government's case.

> It is not fair—

Said President Woodrow Wilson in 1914—

> that the private litigant should be obliged to set out and establish again the facts which the Government has proved. He cannot afford, he has not the power, to make use of such processes of inquiry as the Government has command of.

It is no more fair today.

If section 5 is to do the job that it should in antitrust enforcement, remedial legislation is essential. This could take many forms. But the simplest course is an amendment to section 5 to provide, in effect, that cases ended by judgments entered in cases on nolo pleas shall be treated the same as judgments in cases ended by a guilty plea or a finding of guilty after trial. In all such cases the judgment should be prima facie evidence of violation in a subsequent civil damage suit. At the conclusion of my remarks I shall send to the desk and ask for its appropriate reference, a bill to so amend the antitrust law.

While a plaintiff seeking damages has to surmount many obstacles in gaining relief from an antitrust violator—even where he can rely upon a judgment entered in an earlier Government suit—the availability of that judgment can often be crucial to his success. Indeed, without this advantage plaintiffs are likely not to bring a case at all or to settle for a negligible amount. As things now stand, when a criminal suit has been ended by a nolo plea, the evidence collected by the Government, at great expense and time, literally is sealed and placed in locked file cabinets to collect dust. This makes no sense at all.

It can be argued that the Government, by accepting nolo pleas, can fulfill its purposes. But this is done at the expense of private enforcement. Based on past performance, courts generally accept nolo pleas where their entry is not opposed by the Justice Department—and the Department opposes only a small percentage. Therefore, if private enforcement is not to be frustrated, Congress must act. Certainly it is important to increase the vitality of private enforcement and it is fair, reasonable, and logical, in seeking that objective, to permit litigants to rely on judgments founded upon nolo pleas.

The electrical conspiracy cases provide another good example of the wisdom of remedial legislation. The cases so far have resulted in settlements and damage verdicts approaching $300 million.

At the time the companies appeared before the Court to plead, the Justice Department's Antitrust Chief appeared personally to urge that nolo pleas not be accepted.

He was successful. But if the Court in its discretion had turned him down—or if the Attorney General had taken a different position—the punishment for this gigantic conspiracy could have been a negligible slap on the corporate wrists because of the fine limitations of $50,000 in the Sherman Act.

Many of the approximately 2,000 private litigants damaged for all practical purposes probably could not have received relief. The results of years of Government investigation could not have been used. And the congressional intent that private litigants be private enforcers of the antitrust laws would have been frustrated.

Certainly when the acts complained of amount to a crime and the defendants voluntarily accept the legal consequences of a criminal statute, the laws should not allow such a discrepancy in results depending on the attitude of a particular judge or Attorney General toward nolo pleas. The judgment should be available to private litigants in all cases.

Both justice and legal logic require the consistent and even-handed application of the law.

This bill would aid in achieving that result, and I send it to the desk.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2512) to amend section 5(a) of the Clayton Act with respect to the evidentiary effect of judgments and decrees entered in proceedings instituted by the United States under the antitrust laws, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

ACCEPTANCE BY THE UNITED STATES OF TWO AMENDMENTS TO THE CONSTITUTION OF THE INTERNATIONAL LABOR ORGANIZATION

Mr. SPARKMAN. Mr. President, by request, I introduce, for appropriate reference, a joint resolution providing for acceptance by the United States of two amendments to the constitution of the International Labor Organization.

The proposed legislation has been requested by the Secretary of State and I am introducing it in order that there may be a specific resolution to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this resolution, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the joint resolution may be printed in the RECORD at this point, together with letter from the Secretary of State, dated August 31, 1965, and the two letters from the Secretary of Labor, both dated January 15, 1965, in regard to it, together with the instruments of amendments relating thereto.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, letters, and Instruments of Amendments, will be printed in the RECORD.

The joint resolution (S.J. Res. 107) providing for acceptance by the United States of two instruments for the amendment of the Constitution of the International Labor Organization, introduced by Mr. SPARKMAN, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 107

Whereas the United States of America is a member of the International Labor Organization, having accepted membership in the Organization pursuant to authority granted by the joint resolution approved on June 19, 1934 (48 Stat. 1182; 22 U.S.C. 271); and

Whereas the United States of America accepted the revised constitution of the Organization adopted by the twenty-ninth session of the International Labor Conference on October 9, 1946, pursuant to authority granted by the joint resolution approved on June 30, 1948 (62 Stat. 1151; 22 U.S.C. 271 note); and

Whereas the International Labor Conference, considering the desirability of adapting provisions of the constitution of the International Labor Organization relating to the application of Conventions to non-independent territories to the fundamental changes which have taken place since they were adopted, adopted for this purpose at Geneva on July 6, 1964, at its forty-eighth session an instrument for the amendment of the constitution of the International Labor Organization, which may be cited as the Constitution of the International Labour Organisation Instrument of Amendment (No. 1), 1964; and

Whereas the delegation of the United States of America to the forty-eighth session of the International Labor Conference unanimously supported the aforesaid Instrument of Amendment (No. 1), which was approved by 300 votes to 0 with 31 abstentions; and

Whereas the International Labor Conference, having decided upon the inclusion in the constitution of the International Labor Organization of a provision empowering the Conference to expel or suspend from membership any Member which has been expelled or suspended from membership of the United Nations, adopted for this purpose at Geneva on July 9, 1964, at its forty-eighth session an instrument for the amendment of the constitution of the International Labor Organization, which may be cited as the Constitution of the International Labour Organisation Instrument of Amendment (No. 3), 1964; and

Whereas the delegation of the United States of America to the forty-eighth session of the International Labor Conference unanimously supported the aforesaid instrument of amendment (No. 3), which was approved by 238 votes to 0, with 2 abstentions: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept on behalf of the United States of America the Constitution of the International Labour Organisation Instruments of Amendment (No. 1), 1964, and (No. 3), 1964, adopted at Geneva on July 6 and 9, 1964, respectively, by the International Labor Conference at its forty-eighth session.

The letters and instruments of amendments, presented by Mr. SPARKMAN, are as follows:

THE SECRETARY OF STATE,
Washington, August 31, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed draft joint resolution providing for acceptance by the United States of America of two amendments to the Constitution of the International Labor Organization, designated instrument of amendment (No. 1), 1964, and instrument of amendment (No. 3), 1964, adopted at Geneva on July 6 and 9, 1964, respectively by the 48th session of the International Labor Conference.

The purpose of instrument of amendment No. 1 is to require members to apply ratified ILO conventions so far as practicable to all territories for whose international relations they are responsible. As the United States traditionally follows such a policy in the territorial application of its treaties, the amendment presents no practical problems for this Government.

Instrument of amendment No. 3 would permit the General Conference of the ILO to expel from membership or suspend from the exercise of membership rights and privileges any member similarly expelled or suspended by the United Nations. This recognition of the United Nations as providing the basic framework for action on political problems within the United Nations system is in accord with U.S. policy.

More detailed explanations of the two instruments of amendment and the coordinated views of the Departments of Labor and Commerce on the desirability of accepting them are included in letters dated January 15, 1965, from the Secretary of Labor to the Secretary of State. Copies of those letters, together with the texts of the two instruments of amendment, are enclosed. The Department of State concurs in recommending that Congress authorize the acceptance by the United States of instruments of amendment No. 1 and No. 3.

The two amendments would involve no increase in expenditures or other obligations on the part of the United States. The Department has been advised by the Bureau of the Budget that there is no objection to the submission of the proposed legislation to Congress for its consideration.

A similar communication is being sent to the Speaker of the House of Representatives.

Sincerely yours,

DEAN RUSK.

(Enclosures: (1) Draft joint resolution to authorize acceptance of ILO Instrument of Amendment (No. 1), 1964, and ILO Instrument of Amendment (No. 3), 1964; (2) letter of January 15, 1965, from Secretary of Labor, enclosing text of instrument of amendment (No. 1), 1964; (3) letter of January 15, 1965, from Secretary of Labor, enclosing text of instrument of amendment (No. 3), 1964.)

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, January 15, 1965.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: At its 48th session, the International Labor Conference adopted "Constitution of the International Labour Organisation Instrument of Amendment (No. 1), 1964," a certified true copy of the text of which is enclosed. The instrument was adopted by a vote of 300 for, none against, with 31 abstentions. The U.S. delegation voted unanimously for it.

The instrument would substitute for the present provisions of article 35 of the ILO constitution additional provisions in article 19 dealing with the application of conventions to territories. The new provisions would in essence require members ratifying conventions to accept their provisions "so far as practicable" in respect of all territories for whose international relations they are responsible. Present provisions of article 35 permit, with respect to non-self-governing territories, exception of application "owing to the local conditions" or application "subject to such modifications as may be necessary to adapt the Convention to local conditions."

Provisions regarding the application of conventions whose subject matter is within the self-governing powers of any territory remain the same. The essential difference in effect, therefore, between the proposed amendment and present article 35 is a somewhat greater emphasis on the importance of extending the provisions of conventions to non-self-governing territories. This emphasis is made apparent by mechanically moving the provisions from a separate article (No. 35) to the article (No. 19) dealing with the adoption of ILO proposals in general.

The amendment reflects the fundamental changes which have taken place in the world since article 35 was adopted, with many of the territories to which it had application having achieved independence. Placing a provision concerning territories in the same provision as concerns the obligations of ratifying countries in other respects acknowledges in the Constitution of the ILO the nature of the changing world.

Consideration has been given by representatives of the Department of Commerce and the Department of Labor, in consultation with the Department of State, to submission of this instrument of amendment to both Houses of the Congress, since this Government's original acceptance of membership in the International Labor Organization was taken upon the authorization of the two Houses of Congress by joint resolution. It is the view of these Departments that the instrument is completely satisfactory to this Government and that its early submission to both Houses of the Congress for acceptance would be highly desirable.

The United States has customarily pursued a policy of accepting in behalf of non-self-governing territories those conventions of the ILO which it has ratified. If the United States should desire in the future to refrain in any case from applying such a policy, the new language of article 19, which includes limiting the phrase "so far as practicable," would not prevent carrying out that decision.

It is recommended that early action be initiated to bring about acceptance by the United States of the instrument of amendment in evidence of its good faith as one of the leading members of the Organization, with its added responsibility as a state of chief industrial importance. This action would be consonant with the unanimous support by the U.S. Government, employer, and worker delegates, to the adoption of the amendment at the 1964 conference. Suggested language to accomplish this action is enclosed.

Your early consideration of this matter will be greatly appreciated.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

(Enclosures.)

INTERNATIONAL LABOR CONFERENCE

CONSTITUTION OF THE INTERNATIONAL LABOR ORGANIZATION, INSTRUMENT OF AMENDMENT (NO. 1), 1964, ADOPTED BY THE CONFERENCE AT ITS 48TH SESSION, GENEVA, JULY 6, 1964

The General Conference of the International Labor Organization, having been convened at Geneva by the Governing Body of the International Labor Office, and having met in its 48th session on June 17, 1964; and having decided upon the substitution for article 35 of the Constitution of the International Labor Organization of the proposals referred to the Conference by the Governing Body at its 157th session, a question which is the ninth item on the agenda of the session, adopts this 6th day of July 1964, the following instrument for the amendment of the Constitution of the International Labor Organization, which may be cited as the Constitution of the International Labor Organization Instrument of Amendment (No. 1), 1964.

Article 1

As from the date of the coming into force of this Instrument of Amendment, article 19 of the Constitution of the International Labor Organization shall be amended by the addition of the following paragraph:

"9. With a view to promoting the universal application of Conventions to all peoples, including those who have not yet attained a full measure of self-government, and without prejudice to the self-governing powers of any territory, Members ratifying Conventions shall accept their provisions so far as practicable in respect of all territories for whose international relations they are responsible.

"(a) Where the subject-matter of the Convention is within the self-governing powers of any territory, the obligation of the Member responsible for the international relations of that territory shall be to bring the Convention to the notice of the government of the territory as soon as possible with a view to the enactment of legislation or other action by such government; if the government of the territory so agrees, the Member shall communicate to the Director-General of the International Labor Office a declaration accepting the obligations of the Convention on behalf of such territory.

"(b) A declaration accepting the obligations of any Convention may be communicated to the Director-General of the International Labor Office (i) by two or more Members of the Organization in respect of any territory which is under their joint authority; or (ii) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

"(c) Acceptance of the obligations of a Convention in virtue of subparagraph (a) or subparagraph (b) of this paragraph shall involve the acceptance on behalf of the territory concerned of the obligations stipulated by the terms of the Convention and the obligations under the Constitution of the Organization which apply to ratified Conventions.

"(d) Each Member or international authority which has communicated a declaration in virtue of this paragraph may, in accordance with the provisions of the Convention relating to the denunciation thereof, communicate a further declaration terminating the acceptance of the obligations of the Convention on behalf of any territory specified in the declaration.

"(e) With a view to encouraging the universality of application envisaged above, the Member or Members or international authority concerned shall as requested by the Governing Body, report to the Director-General of the International Labor Office the position of the law and practice of territories for which the Convention is not in force in regard to the matters dealt with in the Convention and the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the acceptance of the Convention.

"(f) This transitory paragraph shall cease to be applicable to the peoples of dependent territories as they become independent."

Article 2

As from the coming into force of the amendment to article 19 provided for in the preceding article, article 35 of the Constitution of the International Labor Organization shall cease to have effect.

Article 3

On the coming into force of this Instrument of Amendment, the Director-General of the International Labor Office shall cause an official text of the Constitution of the International Labor Organization as modified by the provisions of this Instrument to be prepared in two original copies, duly authenticated by his signature. One of these copies shall be deposited in the archives of the International Labor Office and the other shall be communicated to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations. The Director-General shall communicate a certified copy of the text to each of the Members of the International Labor Organization.

Article 4

Two copies of this Instrument of Amendment shall be authenticated by the signatures of the President of the Conference and of the Director-General of the International Labor Office. One of these copies shall be deposited in the archives of the International Labor Office and the other shall be communicated to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations. The Director-General shall communicate a certified copy of the Instrument to each of the Members of the International Labor Organization.

Article 5

1. The formal ratifications or acceptances of this Instrument of Amendment shall be communicated to the Director-General of the International Labor Office, who shall notify the Members of the Organization of the receipt thereof.

2. This Instrument of Amendment will come into force in accordance with the provisions of article 36 of the Constitution of the Organization.

3. On the coming into force of this Instrument, the Director-General of the International Labor Office shall so notify all the Members of the International Labor Organization and the Secretary-General of the United Nations.

The foregoing is the authentic text of the Constitution of the International Labor Organization Instrument of Amendment (No. 1), 1964, duly adopted by the General Conference of the International Labor Organization during its Forty-eighth Session which was held at Geneva and declared closed the 9th day of July 1964.

The English and French versions of the text of this Instrument of Amendment are equally authoritative.

In faith whereof we have appended our signatures this 13th day of July 1964.

The text of the Instrument of Amendment as here presented is a true copy of the text authenticated by the signatures of the President of the International Labor Conference and of the Director-General of the International Labor Office.

Certified true and complete copy.

For the Director-General of the International Labor Office.

U.S. Department of Labor,
Office of the Secretary,
Washington, January 15, 1965.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: At its 43d session, the International Labor Conference adopted "Constitution of the International Labor Organization Instrument of Amendment (No. 3), 1964," a certified true copy of the text of which is enclosed. The Instrument was adopted by a vote of 238 for, none against, and 2 abstentions. The U.S. delegation voted unanimously for it.

The Instrument would provide for the inclusion in the Constitution of the ILO of a provision authorizing the General Conference of the ILO to expel from membership any member which the United Nations has expelled from United Nations membership, or suspend from the exercise of the rights and privileges of membership of the ILO any member which the United Nations has suspended from the exercise of the rights and privileges of United Nations membership. Suspension, moreover, would not affect the continued validity of the obligations of the member under the Constitution and Conventions to which it is a party.

The amendment grew out of consideration by the governing body of the ILO of the various questions raised by the policy of apartheid practiced by the Government of the Republic of South Africa. The special committee considering these questions for the governing body reported:

"Apartheid is a monstrous evil which confronts the world, the United Nations and the International Labor Organization with a moral challenge of the first order of importance and urgency. It is in our judgment as a committee imperative that the International Labor Organization should take prompt and effective action in the matter; it is no less imperative, both to preserve the character of the Organization itself which the Constitution defines as a body for 'free discussion and democratic decision with a view to the promotion of the common welfare' and for the protection, now and in the future, of the rights and interests of all members of the Organization and of governments, employers and workers alike, that the necessary action should be taken by due process of law."

At present there is no provision in the ILO Constitution enabling the Organization to follow actions taken by the United Nations on political questions relating to membership. The amendment, therefore, would fill a gap in the Constitution of the ILO, namely that while provision was made for the admission to the ILO of any member of the United Nations, the possibility of taking parallel action with the United Nations on the question of the expulsion or suspension of a members has not been provided for.

The amendment is drafted in general terms and not in terms directed at any single nation or situation. It would empower the ILO to take actions similar to that taken by the United Nations when the continued exercise of the rights and privileges of United Nations membership by a particular member was found by the United Nations to be contrary to its aims and purposes. Thus, the amendment embodies the principle, advocated by the United States, that the United Nations as the general international political forum should provide the basic framework for action on political problems affecting the international community of the United Nations system.

Consideration has been given by representatives of the Department of Commerce and the Department of Labor, in consultation with the Department of State, to submission of this instrument of amendment to both Houses of the Congress, since this Government's original acceptance of membership in the International Labor Organization was taken upon the authorization of the two Houses of Congress by joint resolution. It is the view of these departments that the instrument is completely satisfactory to this Government and that its early submission to both Houses of the Congress for acceptance would be highly desirable.

It is recommended that early action be initiated to bring about acceptance by the

United States of the instrument of amendment in evidence of good faith as one of the leading members of the organization, with the added responsibility as a state of chief industrial importance. This action would be consonant with the unanimous support given by the U.S. Government, employer, and worker delegates, to the adoption of the amendment at the 1964 Conference. Suggested language to accomplish this action is enclosed.

Your early consideration of this matter will be greatly appreciated.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

(Enclosures.)

INTERNATIONAL LABOR CONFERENCE

CONSTITUTION OF THE INTERNATIONAL LABOR ORGANIZATION, INSTRUMENT OF AMENDMENT (NO. 3), 1964, ADOPTED BY THE CONFERENCE AT ITS 48TH SESSION, GENEVA, JULY 9, 1964

The General Conference of the International Labor Organization, having been convened at Geneva by the Governing Body of the International Labor Office, and having met in its 48th session on June 17, 1964; and having decided upon the inclusion in the Constitution of the International Labor Organization of a provision empowering the Conference to expel or suspend from membership any Member which has been expelled or suspended from membership of the United Nations, a question which is the eleventh item on the agenda of the session. adopts this 9th day of July 1964, the following instrument for the amendment of the Constitution of the International Labor Organization, which may be cited as the Constitution of the International Labor Organization Instrument of Amendment (No. 3), 1964.

Article 1

As from the date of the coming into force of this Instrument of Amendment, article 1 of the Constitution of the International Labor Organization shall be amended by the insertion after paragraph 5 of the following new paragraph, the present paragraph 6 becoming paragraph 7:

"6. The General Conference of the International Labor Organization may, at any session in the agenda of which the subject has been included and by a vote concurred in by two-thirds of the delegates attending the session, including two-thirds of the Government delegates present and voting, expel from membership of the International Labor Organization any Member which the United Nations has expelled therefrom or suspend from the exercise of the rights and privileges of membership of the International Labor Organization any Member which the United Nations has suspended from the exercise of the rights and privileges of membership; suspension shall not affect the continued validity of the obligations of the Member under the Constitution and Conventions to which it is a party."

Article 2

On the coming into force of this Instrument of Amendment, the Director-General of the International Labor Office shall cause an official text of the Constitution of the International Labor Organization as modified by the provisions of this Instrument to be prepared in two original copies, duly authenticated by his signature. One of these copies shall be deposited in the archives of the International Labor Office and the other shall be communicated to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations. The Director-General shall communicate a certified copy of the text to each of the Members of the International Labor Organization.

Article 3

Two copies of this Instrument of Amendment shall be authenticated by the signature of the President of the Conference and of the Director-General of the International Labor Office. One of these copies shall be deposited in the archives of the International Labor Office and the other shall be communicated to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations. The Director-General shall communicate a certified copy of the Instrument to each of the Members of the International Labor Organization.

Article 4

1. The formal ratifications or acceptances of this Instrument of Amendment shall be communicated to the Director-General of the International Labor Office, who shall notify the Members of the Organization of the receipt thereof.

2. This Instrument of Amendment will come into force in accordance with the provisions of article 36 of the Constitution of the Organization.

3. On the coming into force of this Instrument, the Director-General of the International Labor Office shall so notify all the Members of the International Labor Organization and the Secretary-General of the United Nations.

The foregoing is the authentic text of the Constitution of the International Labor Organization Instrument of Amendment (No. 3), 1964, duly adopted by the General Conference of the International Labor Organization during its 48th Session which was held at Geneva and declared closed the ninth day of July 1964.

The English and French versions of the text of this Instrument of Amendment are equally authoritative.

In faith whereof we have appended our signatures this thirteenth day of July 1964.

The text of the Instrument of Amendment as here presented is a true copy of the text authenticated by the signatures of the President of the International Labor Conference and of the Director-General of the International Labor Office.

Certified true and complete copy,

For the Director-General of the International Labor Office.

REMOVAL OF STATUTORY LIMITATION ON ASSESSED CONTRIBUTION TO THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

Mr. SPARKMAN. Mr. President, by request, I introduce for appropriate reference a joint resolution to remove the statutory limitation on the U.S. annual assessed contribution to the Pan American Institute of Geography and History.

The proposed legislation has been requested by the Secretary of State and I am introducing it in order that there may be a specific resolution to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this resolution, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the joint resolution may be printed in the RECORD at this point, together with the letter from the Secretary of State dated August 31, 1965, and a memorandum of explanation of the proposed amendment.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, letter, and memorandum will be printed in the RECORD.

The joint resolution (S.J. Res. 108) to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor, introduced by Mr. SPARKMAN, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 108

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 31, 1954 (68 Stat. 1008) is hereby amended by deleting the phrase "not to exceed $50,000 annually" in Section (b) and adding "(c) Such additional sums as may be needed annually for the payment of all necessary expenses incident to participation by the United States in the activities thereof."

The letter and memorandum, presented by Mr. SPARKMAN, are as follows:

THE SECRETARY OF STATE,
Washington, D.C., August 31, 1965.

Hon. HUBERT HUMPHREY,
President of the Senate.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed draft amendment to the joint resolution, as previously amended, providing for membership and participation by the United States in the Pan American Institute of Geography and History.

The proposed amendment provides for removal of the statutory limitation of $50,000 on the U.S. annual assessed contribution to the Institute. The basis of assessment was changed in 1963, by a Special Assembly of the Institute, from gross population figures to ability to pay. This action raised the U.S. percentage of contribution from 33.61 percent to 60.62 percent. Further, the Institute's 1965 budget was increased to $250,000. Because of the existing limitation, the United States is unable to pay its full assessment for 1965 of $151,550.

The draft legislation also provides authority to meet the expenses of the U.S. National Section of the Institute, currently estimated at $3,000 per annum. Meetings of the Section can be attended now only by members residing in Washington, unless personal funds are used to perform official functions.

A memorandum setting forth the considerations which lead me to propose enactment of the draft amendment is enclosed.

The submission of this proposed legislation has been approved by the Bureau of the Budget as being consistent with the administration's objectives.

Sincerely yours,

DEAN RUSK.

(Enclosures: (1) Draft amendment; (2) memorandum of explanation of the draft amendment.)

MEMORANDUM TO ACCOMPANY PROPOSED AMENDMENT TO THE JOINT RESOLUTION PROVIDING FOR MEMBERSHIP OF THE UNITED STATES IN THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The Pan American Institute of Geography and History was created by a resolution of the Sixth International Conference of American States in 1928. In 1949 it entered into an agreement with the Organization of American States whereby it became an inter-American specialized organization. It is composed of the American States (the present Government of Cuba is excluded) and Canada. The Secretariat, numbering about

18 persons, is located in Mexico. The United States has played a leading role in the institute since its formation.

The institute divides its work among the fields of cartography, geography, and history. It serves government agencies concerned with those fields by providing a means for the exchange of technical information, developing scientific studies requested by the governments, and organizing projects which can best be carried forward through cooperative efforts of the member states. Its technical competence and significant contributions are recognized throughout the Americas.

The continuing work of the institute is carried out through meetings of scholars and scientists at general assemblies and commission consultations, through some 30 committees and working groups, and through the publication of professional journals, newsletters, and special publications of a technical nature.

Other accomplishments of the institute have included the encouragement of aerial photo and mapping programs in cooperation with the Inter-American Geodetic Survey of the U.S. Army, the organization of an international training center in Brazil for scholars in the field of resource development, and the organization of regional pilot projects requiring the cooperation of cartographers, geographers, and historians.

Our immediate pertinence to the budget increase adopted by the Directing Council for fiscal year 1965 is the Institute's proposal to undertake, as funds become available, more than a score of specific projects which will directly benefit the economies and the technical potentials of the member states. Among these projects are the following:

1. Geographic studies of renewable natural resources in Latin America.
2. Pilot study of sub-Andean valleys (for economic development purposes).
3. Special subject maps of Latin American population, land use, climatic phenomena, transportation, techtonic conditions, etc.
4. Grants for the exchange of teachers and students, to improve the level of instruction in cartography, geography and history.
5. Extension of geodetic control networks.
6. Rectification of leveling in southern Chile.
7. Magnetic determinations in Central America.

The statutory limitation of $50,000 on the U.S. annual contribution was reasonable during the early and formative years of the institute's existence, both because the Organization was able to function fairly effectively on a very low budget while it was developing and because our share of the total budget was only 33.60 percent.

In recent years, the institute has developed its work to a point where larger budgets can be used with good effect. In addition, the U.S. percentage share was increased by action of the Special Assembly in 1963 to 60.62 percent, effective in calendar year 1965. The previous percentage was predicated on gross population figures whereas the new figure is based on capacity to pay principles. Under the present ceiling, the United States cannot pay its assessed share ($151,550) of the institute's budget ($250,000).

The proposed section (c) would permit the allocation from the department's appropriation for Missions to International Organizations of funds required (now estimated at $3,000 annually) to meet the expenses of the U.S. National Section of the Institute. The Institute's statutes provide for National Sections whose functions, as organs of the Institute, include the preparation of annual reports which are submitted to the Institute's Directing Council, to the Commissions on Cartography, Geography, and History, and to the Institute's General Assembly. The U.S. National Section came into existence in 1961 when the Institute's General Assembly adopted the Directing Council's draft regulations creating National Sections.

The present U.S. National Section consists of 7 voting members and approximately 30 advisory members, all highly qualified professionals. Most of them are connected with institutions of higher learning located throughout the country. Its activities are now limited, for financial reasons, to those programs which can be organized and carried out by correspondence.

The regulations of the U.S. National Section of the Institute call for, among other things, an annual meeting of the Section's voting members. Of the seven voting members of the Section, four currently reside in Washington, two in the mid-west and the seventh on the west coast. The proposed section (c) would enable the Department to pay the round-trip air coach fare (plus per diem for 2 days) for the latter three and to defray the cost of publication of the Section's reports in English and Spanish. Based upon past experience, the cost of air travel and per diem would be approximately $1,000, and the cost of publication of reports would be approximately $2,000.

Enactment of the proposed section (c) would greatly strengthen the Section and enable it to provide necessary leadership in the Institute's fields of interest. Now, as in the past, both the civil and military agencies of the Government, as well as the several professions in the fields encompassed, benefit substantially from the United States membership in the Institute. The extent of this benefit is influenced to a very large degree by the measure of the U.S. National Section's technical contribution to the Institute. If the Institute is to continue to be a vehicle for furthering U.S. objectives in the economic and social fields in Latin America, the U.S. National Section must be enabled to function effectively.

The Department of State believes that experience over the past years has demonstrated that the Institute is an effective instrument for promoting geographic and historical research development throughout Latin America. Furthermore, the U.S. Government is interested in improving the economic structure of these countries, and the Institute, a small organization whose activities are especially adapted to the area, is contributing significantly to the overall development in this field.

STUDY BY NATIONAL CAPITAL PLANNING COMMISSION OF SITE FOR THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a joint resolution requiring the National Capital Planning Commission to make a detailed study and to hold public hearings on the subject of the best possible site for the John F. Kennedy Center for the Performing Arts.

I am sure that all of us have become increasingly aware and worried over the public debate and controversy that has developed as a result of the selection of the present Potomac River site. Many influential and knowledgeable organizations have criticized the Potomac location. Recently the American Institute of Architects adopted a resolution which questioned whether the present location is adequate to receive properly a building of the size and importance of the contemplated Center, and stating that it believed that another location might provide a more appropriate site for this great memorial. Several leading newspapers, including the New York Times and the Washington Post, have urged that a better site be chosen.

In view of the serious questions that have been raised, the permanency of the building to be erected, the amount of money involved, and the general desire to insure that our Capital City be developed in an orderly and satisfactory way, I think it only logical and prudent that the National Capital Planning Commission, which is the agency created by the Congress to be responsible for the development of the Nation's Capital, make this study.

I do not believe that this matter has received the detailed consideration that it deserves. The National Capital Planning Commission has never really been consulted. In 1958, when previous plans calling for a cultural center directly across from the National Gallery were abandoned, the Planning Commission was more or less told to select a site along the Potomac. Attempts to get the project off the ground were less than successful and it was not until the cultural center was selected as the memorial for the late President Kennedy that the impetus was provided for the completion of the project.

At the time it was only natural for those in charge of planning the center to want to move forward as quickly as possible with the existing authorization. The entire country was engulfed by a wave of emotion that has never been equaled. Now, however, I believe we should take a sober second look and select the best possible site for this memorial.

Mr. President, I do not pertain to be an expert on city planning. This is why I am proposing no particular spot and this is why I am suggesting that a competent panel be placed in charge of the decisionmaking. I must say, however, that I am not particularly impressed with the reasons advanced by those who wish to keep the Potomac site which is presently proposed.

The board of trustees of the Kennedy Cultural Center seem to believe that we have gone too far to change our minds. I disagree. We have not started to build. We have not expended any funds for acquisition of land. All that has been accomplished thus far is to let the bids for demolition. While there may be some added cost if the existing plans would have to be modified, this would be a minimal sum when you consider the total cost involved and how permanent that expenditure will be once the building is constructed. If the Potomac site is a mistake, then it should be corrected and it is still not too late to correct a bad mistake, even if we have to do it at this 11th hour.

I must admit that I am personally reluctant to see the Potomac River bank utilized for a project of this type. This is valuable land. Perhaps not as valuable in a monetary sense as some other locations might be, but valuable in the sense that it still contains much God-given natural beauty.

In my home State of South Dakota we are fortunate in having thousands of acres of land that still repose in their natural setting. It is beautiful scenery for man cannot improve upon the Lord's architecture. This is a legacy that has been given to us by our ancestors and which we in turn should endeavor to pass on to those who succeed us. It is, unfortunately, a dwindling legacy.

In Washington this matter is becoming particularly acute. When you consider the total metropolitan area as belonging to the city of Washington, it is evident that we are rapidly approaching the time when we will be the center of a gigantic circle of concrete miles away from such things as open space, grass, trees, winding river banks, and fresh air. With the exception of Rock Creek Park, the banks of the Potomac represent just about the last possibility to preserve these natural beauties.

Recreation has taken on added significance during the past decade. It is only natural to assume that this trend will continue. The Potomac will grow more valuable as the demand for recreational areas increases. To future generations, a place to swim, to fish, to sun bathe, or simply take a walk along a wooded lane may well be fully as important as a cultural center.

I do not believe, however, that the reasons for calling for a reappraisal of the location need rest on these arguments alone. It would appear that several positive factors have entered the scene that were not considered originally and could very well change the initial plan.

This site was chosen in 1958 before the plan for redesigning Pennsylvania Avenue came along. Now a Commission has been established and these gentlemen are attempting, assumably, to make Pennsylvania Avenue into the showcase thoroughfare envisioned by Pierre L'Enfant more than 150 years ago. A cultural center located on the avenue could very well contribute to this plan. It should at least be considered along with all other attractive and available sites.

A location that would be more centrally located and thus more easily accessible would seem to be a cogent reason for relocation. The Potomac site is nowhere near the center of the city and visitors would have to rely almost entirely on automobile transportation. In contrast, a cultural center located in the heart of the city could utilize the new subway system as well as old-fashioned shoe leather. The subway system, once again, is a new factor that has arisen. At the time of the original selection it was merely a dream; now it is becoming a reality.

Finally, there is the question of availability of new funds. With the enactment into law of the recently passed housing bill, urban renewal funds are available for the first time for the District of Columbia. Such funds have been used in other cities to acquire sites for cultural centers and this possibility should be examined in Washington.

Mr. President, I want to make it clear that in sponsoring this resolution I am not attempting to delay the construction of the Cultural Center. I am interested only in insuring that the best possible site be selected. Furthermore, I am not proposing any particular site but rather suggesting that the National Capital Planning Commission be required to make a detailed study of the site selection and to propose its knowledgeable recommendation. Finally, I am not proposing that such a study long delay the project. Under the terms of the resolution, the Planning Commission would be required to make its report in 90 days and no construction could be carried on while the Commission makes its study.

Similar resolutions have been introduced in the other Chamber. I urge that the Senate pass this joint resolution so that we may bring this matter out in the open. If the relative merits of the proposed sites are to be debated, they should be debated before the agency responsible—the National Capital Planning Commission. Passage of this resolution would assure such careful consideration by the appropriate group.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 109) directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such Center, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Public Works.

CONGRESSIONAL SUPPORT URGED FOR INDIA-PAKISTAN PEACE EFFORTS

Mr. JAVITS. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE] and myself I submit a concurrent resolution concerning the hostilities which are going on in India and Pakistan.

In submitting this measure I point out that the stakes are too high for India, for Pakistan, and for the world to permit a continuation or escalation of the fighting that could ultimately lead to the destruction of one or both of the adversaries and virtually invite Communist China to interfere in a major way in the affairs of the subcontinent.

I feel that Congress, as representatives of the people of the United States, should make known its support of all efforts by the United Nations and other international organizations to bring about an immediate cease-fire in the Indian subcontinent.

We should support the President's interim action in withholding military aid to both countries. We should also support the President, and not tie his hands, in the dispensing of nonmilitary aid to India and Pakistan. The President has complete authority, under the Gruening-Javits-Morse amendment to the Foreign Assistance Act, passed in 1963, to make a factual determination whether or not any country receiving our assistance is preparing for or engaged in aggressive military efforts against another aid recipient, requiring that assistance to that country be temporarily suspended. That amendment is now section 620(i) of the Foreign Assistance Act of 1961, as amended.

We should support the President and not tie his hands, and we should back the United Nations in its effort to end the fighting, and thus maintain a consistent, unified policy.

I am pleased to note that this is a bipartisan concurrent resolution. It is the great tradition of our country that we close ranks in international emergencies. That is what this resolution seeks to accomplish.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 58) was referred to the Committee on Foreign Relations, as follows:

Whereas the United States is committed to the peaceful settlement of international disputes; and

Whereas the current armed conflict between India and Pakistan is inimical to the interests of the countries concerned and of the United States, and endangers international peace; and

Whereas it is the desire of the United States to maintain mutually friendly and productive relations with both Pakistan and India: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) The United States should support and encourage United Nations efforts and take other appropriate measures, as the President determines, to bring an end to the armed conflict between India and Pakistan at the earliest possible moment.

(2) The Congress supports and approves the interim action of the President in withholding military assistance during the continuation of military hostilities between India and Pakistan and invites the President to consider making a determination pursuant to section 620(i) of the Foreign Assistance Act of 1961 with respect to the temporary suspension of economic and military assistance to Pakistan or India during the continuation of military hostilities between them.

APPROVAL OF COPPER ACCORDS BY CHILEAN SENATE

Mr. JAVITS. Mr. President, every Member of the Senate should be heartened by the fact that, according to a news dispatch which has just come in, the Chilean Senate has approved the copper agreements which President Frei negotiated with American copper companies in Chile. The copper accords already had the approval of the Chilean Chamber of Deputies, where President Frei's Christian Democrats have a majority, but there had been considerable question whether the agreements would be blocked in the Chilean Senate.

The Chilean copper agreements demonstrate the range of possibilities of mutually satisfactory settlement in a sensitive area of private foreign investment in Latin America, and as such have very broad significance. Not only does the removal of this last major obstacle to final approval of the agreements constitute an important victory for President Frei's program, but the action which the Chilean Senate has just taken is a great and constructive contribution to inter-American cooperation.

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENT

AMENDMENT NO. 437

Mr. McGOVERN. Mr. President, I have just submitted an amendment to the wheat title of H.R. 9811 which will:

First. Continue the domestic certificate, two-price approach, which has been used successfully the past 2 years.

Second. Provide for a variable export certificate under which wheat farmers would receive the full net returns from commercial wheat export operations.

Third. Enable wheat to be competitive with feed grains, as in recent years, and thereby permit the continuation of the popular acreage substitution provision of the wheat and feed grain programs.

All other provisions of the Senate bill relating to allotments, diversion, price support, and income goals would be unchanged.

The bill reported by the Senate committee provides direct payments to the cooperating producer on this entire production while maintaining the requirement that wheat users buy certificates. This approach could, in the years ahead, create difficulties in trade negotiations, since it supports export wheat as well as wheat used domestically—a device which invites retaliation by other governments. By returning to the domestic parity approach, the McGovern amendment will enable U.S. wheat producers to produce for only the domestic market if they wish and receive price support based on parity. If producers want to produce more, they may do so at world market prices or near that level without depending on heavy export subsidies. This will enable U.S. wheat to compete for a fair share of the world markets within trading rules acceptable to competing countries.

The variable export amendment would follow the pattern now used by some other wheat exporting nations. On all export wheat, farmers would receive the basic price support loan. In addition, the Department of Agriculture would establish for exporters on a daily basis either a certificate sale value or a refund, which would make U.S. wheat prices competitive at the world level. If world wheat prices were above U.S. wheat prices, certificates would be sold to exporters. Receipts would be pooled, and net receipts above refunds to exporters would be allocated to wheat producers at the end of the year.

The amendment provides that the loan level shall take account of the feed value of wheat and will enable farmers who participate in the wheat and feed grain programs to substitute, acre for acre, between feed grains and wheat as best suits their individual farming operations.

The Senate committee bill did not contain authority for setting the basic loan level on wheat so that it could be competitive with feed grains. My amendment takes care of that situation.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

AMENDMENT NO. 438

Mr. PROXMIRE (for himself, Mr. MAGNUSON, Mr. HART, Mr. JACKSON, and Mr. FULBRIGHT), submitted an amendment intended to be proposed by them, jointly, to House bill 9811, the Food and Agriculture Act of 1965, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 439

Mr. DODD submitted amendments, intended to be proposed by him, to House bill 9811, the Food and Agriculture Act of 1965, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 440 AND 441

Mr. BREWSTER submitted two amendments, intended to be proposed by him, to House bill 9811, the Food and Agriculture Act of 1965, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL AND CONCURRENT RESOLUTIONS

Mr. GRUENING. Mr. President, I ask unanimous consent that at the next printing of S. 1676, my bill to provide for certain reorganizations in the Department of State and Department of Health, Education, and Welfare, the name of the junior Senator from Wyoming [Mr. SIMPSON] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I ask unanimous consent that at the next printing of Senate Concurrent Resolution 43, my concurrent resolution to print as a Senate document all of the congressional tributes to the late Adlai E. Stevenson the name of the senior Senator from California [Mr. KUCHEL] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent that at its next printing the name of the senior Senator from Texas [Mr. YARBOROUGH] be added as a cosponsor of Senate Concurrent Resolution 57, to recognize the World Law Day.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney, southern district of Alabama, term of 4 years. (Reappointment.)

Macon L. Weaver, of Alabama, to be U.S. attorney, northern district of Alabama, term of 4 years. (Reappointment.)

Casimir J. Pajakowski, of Indiana, to be U.S. marshal, northern district of Indiana, term of 4 years. (Reappointment.)

James E. Luckie, of Georgia, to be U.S. marshal, southern district of Georgia, term of 4 years. (Reappointment.)

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, September 16, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, September 9, 1965, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 795. An act to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State;

S. 949. An act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise;

S. 2420. An act to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes;

S.J. Res. 89. Joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; and

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

BIG BROTHER: HOME IS NOT A CASTLE

Mr. LONG of Missouri. Mr. President, today's Big Brother item consists of an article from the Los Angeles Herald-Examiner of August 20, 1965. The article brings to light a new and probably vicious means whereby the average citizen's privacy can be invaded. Apparently, someone has invented an automatic solicitation device which can flood the homes of all telephone subscribers with more and more recorded advertisements.

According to the article, this devilish machine will outwit all but the most persistent subscriber. For example, if the subscriber hangs up his telephone halfway through the recording, the machine will simply redial his number.

If this machine is introduced into widespread use, not only will the telephone subscribers have to endure unwarranted advertisements, but they will have the use of their telephones considerably curtailed.

I shall bring this article to the attention of both the Federal Communications Commission and the American Telephone & Telegraph Co.

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PHONE DEVICE PROBED

(By Jack Welter)

SACRAMENTO, August 20.—Assemblyman Joseph M. Kennick, of Long Beach, said today he has initiated preliminary investigation of automatic solicitation devices that can make telephone subscribers virtual captives of prerecorded sales pitches.

Unless there is action, either by the public utilities commission or the legislature, telephone solicitations may reach a new and unbearable high in California, Kennick said.

Kennick, chairman of the assembly committee on public utilities and corporations, said the device described in an August 17 PUC report represents "a new and frightening technique for flooding homes with prerecorded advertisements."

"The device places calls automatically and then calls back immediately if the line is busy or no answer," Kennick said. "But this is not all. This devilish machine is also capable of placing the call again if the solicited person hangs up before the call is complete.

"Unless use of this kind of material is controlled, I can envision the day when a person will have to listen to dozens of solicitations before he can call out of his own home."

Kennick said his committee staff is working with the PUC to locate the source of this machine and the extent of their actual or potential use.

He said telephone companies are not to blame for their distribution, and apparently neither phone companies nor the PUC can control them without new law.

FIFTIETH ANNIVERSARY OF NATIONAL BANK DIVISION OF AMERICAN BANKERS ASSOCIATION

Mr. ROBERTSON. Mr. President, this year the National Bank Division of the American Bankers Association is celebrating its 50th anniversary. Having been associated with many of the division officers and members over the years, and in recognition of the division's service to national banks, I am pleased to offer my congratulations on this important occasion.

The division was officially organized on September 7, 1915, in Seattle, Wash. One of the major topics at that meeting was the new Federal Reserve Act and the problems it was raising for national banks. The following excerpts from an article in the September issue of Banking magazine by John Cooley illustrate the situation at that time:

> The Secretary, noting that all national banks were members of the Federal Reserve System, added: "Experience has already shown that changes in the Federal Reserve Act are desirable and, in respect of some revisions, are necessary. Moreover, the interpretation of the Federal Reserve Act through the rules and regulations promulgated by the Federal Reserve Board is a matter of great importance to the national banks. It should be within the province of national bank section to consider all matters pertaining to the amendment and interpretation of this law, and there would seem to be much work for such a section."
>
> The impact of the Federal Reserve Act and System on American banking was evident throughout the program at the association's 1915 convention; it overshadowed the still-distant war in Europe. Mr. Law (ABA chief executive) in his presidential speech said that the premier banking event of the year had been the opening of the 12 Reserve banks. The act, he asserted, provided a comprehensive plan for banking cooperation; and he suggested that national banks in larger cities be authorized to open branches to provide adequate banking facilities for rapidly growing populations.
>
> Reminding the convention that the country now had "in many respects practically a central bank, but without its economy and simplicity," President Law said that while the act was being framed the association's currency committee had been "in close touch with the situation and frequently, by friendly criticism and counsel, directed the legislation along sound lines."
>
> Another speaker, F. A. Delano, Vice Governor of the Federal Reserve Board, discussing "some neglected features of the act," said: "If you gentlemen who are complaining of the ruinous effect of competition brought by the Reserve System, will apply yourselves loyally to the task, you can make this Federal Reserve System, chartered as it is under Federal law, the bulwark against the fiercest kind of competition—unfair competition, competition which makes for payment of high rates of interest for bank or individual deposits or encourages other equally absurd practices."
>
> Governor Delano was sure the banks could "find a way to abolish many of these absurd practices, and by means of your Reserve bank create a real system—a system in fact as well as in name—which will make for better banking, safer banking, more stable profits, more uniform interest rates, and certain accommodations for the merchant, manufacturer, and producer who are your clients."

The division now represents the approximately 4,700 national banks which hold membership in the ABA. One of its prominent long-term objectives is the maintenance of the dual banking system. The division's statement of principles contains the following expression of general attitude in this regard:

> We believe the dual banking system reflects the philosophy and form of United States constitutional government with its division of powers between the States and the Federal Government. By our every action we intend to preserve the checks and balances of this system which has contributed significantly to the vitality and progress of commercial banking and served as a deterrent to inappropriate or unduly burdensome actions at either the State or National level.

Mr. President, I subscribe to this philosophy myself and have been constantly reassured by the fact that this important segment of organized banking believes all banks should be free to operate and develop according to their own needs and to maintain a competitive balance under either form of charter, subject to the authority of the appropriate State or Federal bank supervisory agencies.

National banks can be proud of their official organization. May it provide many more years of excellent service.

PROPOSED REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY LAW

Mr. DOMINICK. Mr. President, in recent weeks increased public attention regarding the proposed repeal of section 14(b) of the Taft-Hartley law has centered on the question of employees' right to vote in a secret ballot election in union representation cases.

This public interest regarding this issue is reflected by numerous editorials which have appeared in newspapers throughout the country. It would be well if we, in our deliberations regarding proposed fundamental changes in the country's labor-management law, were to consider public interest in this secret ballot issue, as reflected by the opinions of the Nation's editors.

With unanimous consent I therefore ask that the following editorials endorsing a secret ballot amendment to the Taft-Hartley law be included in the Congressional Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Lexington, (Ky.) Leader, Aug. 31, 1965]

If Section 14(b) Is Repealed, Workers Must Have Secret Vote

The Senate this week is expected to vote on repeal of section 14(b) of the Taft-Hartley Act, the section which allows States to have laws prohibiting union shop contracts.

Repeal is demanded by the labor unions and supported by President Johnson, and it passed the House of Representatives after a rule had been adopted to bar any amendments. The vote was 221 to 203.

Now the question is up to the Senate, and there, too, labor and administration forces are predicting they will achieve success, although by a very slim margin. In the Senate, however, they will not be able so easily to impose a no-amendment rule, and there is one amendment which, if 14(b) is repealed, should be attached to the repealer.

It is an amendment giving rank-and-file workers the right to vote by secret ballot on the question of whether they do or do not want to belong to a union. Strangely enough, present regulations deny employees this right, which would seem to be basic, in many cases.

The Leader believes, and often has stated that section 14(b) should be retained in the Taft-Hartley Act. It believes that, if repeal is achieved, it must be accompanied by a "right to vote" provision which will insure that a majority of workers in any particular instance actually do prefer the union.

Under present rules of the National Labor Relations Board, a union can be certified as bargaining agents for employees if the union presents "pledge cards" signed by a majority of the employees. These cards are no substitute for a secret ballot, they are not even secret, and in numerous instances they do not represent the workers' true preference for union membership. They make coercion possible and even likely.

The intent of the "right to vote" provision is to make sure that an uncoerced majority of workers wants the union. It would do this by requiring a fair, secret election, and it would permit the use of "preference cards" as a determining factor only if an employer had, by unfair means, destroyed an employee majority.

This, surely, is an amendment to which no legislator, no union leader, should object, and it is needed to protect a reasonable, fundamental right of millions of workers.

[From the Washington (D.C.) Daily News, Sept. 7, 1965]

Full Debate on 14(b)

We do not believe Congress should repeal the Taft-Hartley Act's section 14(b), which gives States the right to decide for themselves whether they want to permit compulsory union membership contracts within their borders.

We oppose repeal for the clearest of reasons—because we oppose any law, anywhere, which forces a man to join any organization whatever as a condition of holding his job.

In those circumstances, it is encouraging to hear that a bipartisan group of Senators plans to launch an "extended debate" on the repeal measure when it reaches the Senate floor.

There should be full debate on an issue as far reaching as this one. If the principles involved are spelled out clearly and in detail, we are confident the public will let their Senators know they don't want repeal.

A series of amendments to the repeal proposal also should receive searching consideration by the Senate. Most of those were rejected by majority members of the Senate Labor Committee, who thus missed an opportunity to improve their own bill.

One of the most important would strengthen provisions for secret ballot elections in union representation disputes. Under the present NLRB rules, union officials in many cases can become bargaining agents for an entire work force simply by showing cards signed by a majority.

Experience has shown that the card system is subject to abuse. Employees often sign the cards without really understanding what they mean. Numerous unions have failed to win a follow-up election even though they had produced signed cards from more than 70 percent of the workers involved.

There should be equally full discussion of the problem of union use of dues money for political purposes. Technically, this is prohibited by law—but the law has many and obvious loopholes.

If section 14(b) should be repealed, and a national policy established that workers everywhere could be forced to pay dues against their will, tightening of the antipolitics provisions would become doubly important.

Labor and administration leaders obviously would rather see Congress pass the repealer quickly and go home. But this is a question on which the voters should hear all the facts, no matter how long it takes.

[From the Cincinnati Enquirer, July 13, 1965]

PROTECTING THE VOTE

Congress, spurred by pressure from the President and the union leaders, very well may amend the National Labor Relations Act so as to deprive the States of their present power to pass laws to prevent compulsory unionism. There are 19 States that say, in effect, that an employee can't be compelled to join a union to hold his job.

If the act that the late Senator Robert A. Taft of Cincinnati helped fashion is amended to prohibit such protection, the change should not take place without serious thought to protecting the right of employees to vote on whether there is to be a union in their factory, shop or store. The right of the employee to have his say on his future in regard to his job should be regarded with as much importance as the right of each qualified citizen to vote on candidates and issues.

Certification of a union as the bargaining agent for a group of employees should not be made on the basis of signatures to cards, as pressures conceivably could be used to obtain these that would not be operative in a secret election supervised by the National Labor Relations Board. Nor should there be a recognition simply on the basis of a contract between employer and union leader because there have been cases where so-called sweetheart contracts scratched the back of the employer and the union boss but sold out the workingman.

[From the Missoula (Mont.) Missoulian, Aug. 20, 1965]

SECRET UNION ELECTIONS

A major byplay of the battle over the right-to-work repeal is an attempt to get a law through Congress which would require secret ballot elections to determine if workers want a particular union to represent them.

The National Labor Relations Board (NLRB) in some instances has ordered employers to bargain with unions without the workers actually voting to let the unions bargain for them.

The NLRB has recognized some unions as bargaining agents solely on the basis of authorization cards. When 51 percent of the workers have signed authorization cards, the union then can become the bargaining agent.

This is not a secret ballot election. Because authorization cards can be presented to a worker to be signed in public, a worker is subject to potential coercion if he refuses to sign.

That is entirely unfitting and unfair. The NLRB should be told, by law, to recognize only those unions which have been elected by a majority of workers in a secret ballot election to represent them.

There is nothing more basic to freedom than a secret ballot election. The door must not be opened to coercion of individual workers. It can be shut firmly by always requiring secret ballot elections when workers are asked to approve a union to represent them.

To fail to do so undermines not only the democratic basis of the union movement, but a cornerstone of freedom itself.

We hope Congress passes a law requiring free, secret union elections as an amendment to the National Labor Relations Act.

[From the Parkersburg (W. Va.) News, Aug. 22, 1965]

DENYING THE RIGHT TO SECRET BALLOT

If Congressmen were elected to office by some of the same procedures used by a union to get selected as the employees' representative, there would be a hue and cry around the country that would make the current dispute over the repeal of section 14(b) of the Taft-Hartley law look like a tempest in a teapot. The fact is that in some instances the National Labor Relations Board in Washington is depriving employees of the right to a secret ballot election in determining whether or not they want a union. In some cases the Board is actually requiring businessmen to bargain with a union when a majority of their employees do not want that union.

Senator FANNIN of Arizona on June 29, in a speech on the floor of the Senate said, "While Congress is struggling to secure the right to vote for all Americans, the National Labor Relations Board is eliminating such right for the American workingman in determining union representation."

Several Senators have introduced bills to guarantee employees this right to a secret ballot election and irrespective of the outcome of 14(b), we think that Congress should enact one of the employee right-to-vote bills now pending.

The News suggests that even if a Senator favors repeal of 14(b), he cannot and should not in good conscience vote for such repeal without first guaranteeing employees the right of a secret ballot to determine whether they want a union in the first instance. Certainly, if a Senator is opposed to the repeal of 14(b), he should support the employee right-to-vote amendment.

Let's not put the cart before the horse. Before Congress gets rid of right to work, let's make sure that employees are guaranteed the right to vote.

[From the Birmingham Post-Herald, Aug. 6, 1965]

SECRET ELECTIONS ON UNIONS

Passed by the House is an act repealing the right-to-work laws, now in effect in 19 States. A strong effort will be made to pass the repealer in the Senate, with good likelihood of success.

If this repealer is passed and the right-to-work laws thus are outlawed, Congress should take another step and spell out the right of employees to have a secret ballot election on the question of whether they should be represented by a union.

The right for such an election, supposedly a part of the Taft-Hartley Act, has been weakened by administrative and judicial decisions which have substituted a "card check" for the secret ballot.

From Senator JAVITS of New York, a strong friend of organized labor, has come a bill which would insure the right of a secret ballot election to decide whether employees want to be represented by a union.

In a recent House speech Representative ASHBROOK, of Ohio, said: "Despite the clear intent of the Taft-Hartley framers to safeguard employees' voting rights, the courts and the National Labor Relations Board in recent years have eroded such protection in labor representation elections.

"The crux of this issue is the NLRB's practice of ordering union recognition and collective bargaining based on a count of so-called authorization cards rather than by secret ballot. This practice does not simply violate the secret ballot principle. From a purely judicial and administrative standpoint, it has also created a coast-to-coast shambles in the labor-management field."

These cards are signed by workers, saying that they authorize the union to represent them in collective bargaining. It has been found that the cards do not always express the true intent of the signer.

Senate action on the repeal of section 14(b) is pending. But whether it is repealed or not, action also should be taken by Congress to nail down the fact that secret elections must be held on the question of union representation.

[From the Indianapolis Star, Aug. 7, 1965]

FOR THE RIGHT TO SAY "NO"

The apparently impending doom of right-to-work laws makes it more than ever desirable to remedy a flaw in the National Labor Relations Act so as to guarantee the right to vote on designation of a union as bargaining agent.

Under present Federal law a ballot is assured only in case of a dispute between a union and the employer as to whether union representation is wanted by a majority of the affected employees. Then an election is held to decide the question. If the employer wants to accept a union's claim that it has signed up more than half of the workers, he can go ahead and make a bargaining agreement without any ballot.

This is unfortunate at best, because, for all anyone knows, a union may become bargaining agent in such cases even though only a minority of workers really want it. Signed cards do not necessarily prove the case, for some workers might feel constrained to sign up in a membership drive even though they would vote "No" in a secret ballot.

An agency arrangement actually opposed by a majority becomes even more unjust when it results in a union shop, with all workers required to join or at least to pay dues to the union.

Proposed in the Senate is an amendment which would require that an election be held in all cases for designation of a union as bargaining agent, unless the employer has attempted illegally to undermine a union majority. This would be a simple way to make sure that Federal recognition of a union as bargaining agent is extended only when really wanted by a majority of the workers concerned.

Closing this loophole would not make any more palatable the repeal of section 14(b), which allows for State right-to-work laws. But if the section is repealed, as seems likely, the assurance of secret ballot on union selection is the very least that should be done to provide some protection for workers against union activity which they do not want.

[From the Memphis Press-Scimitar, July 27, 1965]

THE 14(b) SAFEGUARDS FOR WORKERS

It now appears evident the administration has the votes both in the House and Senate to repeal section 14(b) of the Taft-Hartley Act.

Before that happens, the leadership should take a look at proposed safeguards for rank-and-file workers who may be forced to join unions once repeal takes effect.

One of these would require ratification by secret ballot of any union shop agreement, in place of the present arrangement under which the union simply shows signed pledge cards representing a majority of workers in a plant.

This makes considerable sense. If a contract is to bind every employee to pay union dues whether he likes it or not, is it too much to ask for a secret ballot to make sure the union at least has majority support?

So does the proposal for tighter restrictions on use of union funds in politics. The Supreme Court has ruled that a union member's dues cannot be used for political purposes against his will. But in practice, without specific legislation, it is almost impossible for an individual worker to get his money back.

Also meriting serious consideration are curbs on union disciplinary powers over "forced" members and a ban on union shop contracts where racial discrimination is practiced.

Proponents of repeal deny it will result in any "enslavement" of workers by union leaders. They should write into the law guarantees to make sure they're right.

[From the Wisconsin State Journal, Aug. 6, 1965]

THE SECTION 14(b) ISSUE—MORE DEMOCRACY IN UNIONS

The congressional battle over compulsory unionism is largely symbolic rather than a bread-winning issue, but it has been obvious for a number of months that the Johnson administration had enough votes in Congress to repeal section 14(b) of the Taft-Hartley Act.

Wisconsin has never had such right-to-work legislation and today only 19 States—few of them industrial—have such laws.

The repealer has already cleared the House and will be approved by the Senate and signed into law by President Johnson as part-payment for the generous campaign help given to Democratic candidates by organized labor. Mr. Johnson is now behind the repealer push although as a Congressman and Senator he took the opposite position. Texas is still one of the 19 States with right-to-work legislation in effect.

The pros and cons of the issue have been battered about since the law's enactment in 1947 and they provide ample material for both sides to continue the debate into the next century.

However, because of the November landslide, Congress will decide the issue in favor of the union position, a result which does not change this newpaper's basic objection on the grounds that this is another State right being usurped by the Federal Government. A majority of the people in each State should have the right to make their own decision.

Recognizing that Congress will soon conclude action on the repealer that will affect 19 States, the Wisconsin State Journal supports a series of amendments to the repealer which will improve democracy in unions in all 50 States. The amendments, all of which were rejected at Chairman Representative ADAM CLAYTON POWELL's direction by the House Labor Committee, should have the support of the workingman in that they improve his individual rights as a union member.

One would forbid a union to deny or limit membership or apprenticeship on account of race, color, religion, or national origin. Discrimination has become a barrier to union membership for many Americans, both in the South and industrial North.

The labor law would be improved by the inclusion of this one amendment. Three others which would improve union democracy would:

Exempt from compulsory unionism persons whose religious beliefs or scruples forbid them to join a union but who are willing to contribute a sum equal to their union dues to the U.S. Treasury or an appropriate charity.

Require a secret ballot to determine that a minority in a union shop favor the union which was to bargain for them.

Forbid a union to fine or penalize a member for exercising any constitutional right, including freedom of speech.

A further amendment which should be approved would prohibit a union from using dues or assessments for political purposes not directly connected with the union's statutory function as a bargaining agent. The role of labor as an exclusive political machine for one political party has reached such giant proportions that it has a negative effect on the two-party system.

Partly as a concession to the large percentage of people who strongly oppose compulsory unionism and partly in recognition that the labor laws are in need of improvement in order to provide more democracy for the members, these amendments should become law.

WINDSOR LOCKS, CONN., LITTLE LEAGUE TEAM WINS WORLD CHAMPIONSHIP

Mr. RIBICOFF. Mr. President, the town of Windsor Locks, Conn., has ample reason to be proud of a great team of young men and an outstanding coaching staff, who have just won the Little League World Series.

Little League baseball is a fine sport. It demands much of a young boy, and gives much in return—a sense of participation, the thrill of competition, the meaning of sportsmanship and the importance of physical and mental well-being. The Windsor Locks All Stars are champions in every sense of the word. I salute them and their great manager, Bob O'Connor, and coach, Russ Matteson. Together with other members of the coaching staff they provided leadership and inspiration which enabled a great team to become greater, and a group of fine young men to learn the benefit of teamwork and become the best Little League baseball team in the world.

Mr. President, I ask unanimous consent that four articles concerning the Windsor Locks team from the Hartford Courant and the Hartford Times be put into the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

GOOD NEWS TODAY—BIG TIME FOR LITTLE LEAGUERS

WINDSOR LOCKS.—Win or lose, more than 1,500 fans are expected to heap hometown praise on the biggest Little League team in the United States during a celebration at Bradley Field Sunday, September 12.

Admirers of the Windsor Locks All Stars who are set to meet the Stony Creek, Ontario, Little League champs tomorrow in the final game of the Little League World Series in Williamsport, Pa., will start the hometown festival with a parade through town.

Team players will receive plaudits of their boosters during a banquet in their honor at hangar 3 at Bradley Field the same night, September 12.

First Selectman Michael Sartori is honorary chairman of the planning committee, Jean P. Berard, local sports enthusiast, is general chairman.

The long road from the Center Street Little League diamond here to the international Williamsport park has been traveled by more than 400 local fans.

The same supporters followed the team through a round of elimination games at Staten Island, N.Y.

League officials are expected to entertain the All Stars at a game between the San Francisco Giants and the New York Mets at Shea Stadium this Sunday. The National League game will be followed on Monday and Tuesday with visits to the New York World's Fair.

Governor Dempsey has forwarded his "best wishes and good luck" to the team in a telegram to Mr. Sartori.

[From the Hartford Times, Aug. 30, 1965]

BIG PLANS AHEAD—CHAMPS DUE HOME

WINDSOR LOCKS.—They'll be home Wednesday at 8:20 a.m. That is the official word from Windsor Locks Little League President Francis Aniello who now has the honor of being league president of the world's champion Little League team.

He said the Windsor Locks team, now spending 2 days at the World's Fair, will arrive at 8:20 a.m. at Bradley Field and "anticipates a large crowd for the welcome home."

For the first time in its 15-year history, a Windsor Locks team has come up a district, State, regional and U.S. winner and then become the world's champions defeating the Stoney Creek, Canada, team, 3 to 1, Saturday.

As estimated by Robert McKenna, president of McKenna Travel Agency, Windsor Locks, who handled travel arrangements to Williamsport said, "Over 600 residents were in attendance for the final game."

One reason why there was no public celebration Saturday evening was many residents were on their way home by chartered bus, planes, and cars.

The big job of welcoming the team now falls to a committee headed by Jean P. Berard, a school teacher and president of the Old County Manor Homeowners Association. First Selectman Michael Sartori is honorary chairman.

The banquet honoring the team will be September 12 at 5 p.m., at hangar three, Bradley Field.

Mr. Berard estimates some 2,000 persons will attend the banquet that evening. "Additional tickets are being printed," he said, "and will be sold on a first-come, first-served basis."

With only 2 weeks remaining until the banquet, one of the largest held in this town of 15,000 people, the committee in charge will meet this evening at 8 at Bellarmine Center, Southwest Avenue.

In a proclamation, setting September 12, as Little League Day, First Selectman Sartori said, "We honor not only the team, but the parents and those of you who have so ably supported the entire Little League organization."

The team was "a credit to the name of their town," he said.

[From the Hartford Courant, August 30, 1965]

WINDSOR LOCKS KIDS' DREAM REALIZED

(By Pat Bolduc)

WILLIAMSPORT, PA.—"It is a big dream which came true for Windsor Locks. The boys were taught to play to win and that is what they did out there today."

Thus did Manager Bob O'Connor sum up his elation sometime after his Windsor Locks baseball team had defeated Stoney Creek, Ontario, Canada, 3–1 in Saturday afternoon's 19th Little League World Series finale before a record crowd of 21,000.

Saturday's triumph was a big one for O'Connor since it was his maiden assignment as manager of the all-star club. Previously, he was a coach for two seasons.

He started his Little League career as coach of a Windsor Locks farm team in 1960. One year later he moved up to the "majors" and in the last 2 years he has guided his C. H. Dexter squad to the Windsor Locks championship, fashioning records of 12–2 and 13–1.

But leading an all-star team to a world championship is not a one-man task. The likeable O'Connor readily admitted he had excellent assistance on the road leading to the 1965 title.

OUTSTANDING COACH

"Coach Russ Mattesen truly made some outstanding contributions to our club," explained O'Connor. "A successful all-star team needs a good coach and Russ was one of the best. He did an excellent job of working with the boys and helped make my job easier."

O'Connor also lauded Walt Arendt, John Carnevale, and Fred Salvatore for their assistance. Arendt, a former professional pitcher, scouted rival tournament pitchers while Carnevale and Salvatore scouted future Windsor Locks' tournament opponents.

O'Connor shied away from picking out any one outstanding individual player.

"It may sound corny," O'Connor smiled, "but our tournament success was strictly a team effort. You can look back to each tournament win and just about every boy on the club came through with the big hit or the big play. We had tremendous balance."

Fran Aneillo, president of the Windsor Locks League and team statistician, agreed with O'Connor.

"Prior to the start of tournament play," Aneillo explained, "we selected individuals whom we felt would do the job best. Today these boys proved they were the best."

MARKED IMPROVEMENT

"We may have had teams in the past which were equally as good in the field but we have never had a pitcher throw as hard as Mike Roche. I know Bob will agree that marked improvement was evident in each successive tournament victory. This year's club is the best balanced team ever to represent Windsor Locks."

Don Berger of Rockville, district 8 administrator and a member of the Little League Board of Directors, was another Connecticut supporter who seconded O'Connor's claim.

"This Windsor Locks team was the best insofar as hitting, batting, and fielding talents were concerned ever to represent district 8," Berger verified.

"I have been attending the Little League World Series for the last 10 years and I believe this year marks the first time two teams so close to Williamsport played in the final. Windsor Locks, which has a population of around 11,000, is approximately 340 miles away while Stoney Creek, which has a population of 6,500, is only 240 miles away. Perhaps this is the reason for the record crowd of 21,000."

Connecticut had another ardent supporter in Carl Kilgor, manager of the Waco, Tex., entry.

"I'm not surprised over Connecticut's win today," Kilgor stated. "Before we met Windsor Locks in the semifinals Thursday I told my players that this is the championship game. I felt that the Connecticut-Texas winner would win the championship."

PRETOURNEY FAVORITES

Windsor Locks shaded Texas, 1–0 in that game. Waco and Jeffersonville, Ind., were the pretournament favorites.

Getting back to Saturday's championship duel, two questions were directed to O'Connor: 1. Did you ever think of lifting Roche because of his wildness? 2. Prior to hitting his home run Dale Misiek squared around to bunt. Did he have orders to sacrifice?

"The answer to question No. 1 is positively no," O'Connor replies. "Mike had walked only 10 batters in 6 previous tournament games and we were not overly concerned with his wildness today. I went out once and told catcher Wayne Arendt to move his target inside more. And despite his control trouble, Mike was always coming up with the big strikeout when he needed it most."

O'Connor smiled when he answered question No. 2. "Our scouting report told us that the Canadian catcher had difficulty holding onto the ball whenever a batter squared around to bunt. After Fran Aniello led off the fourth with a single, we instructed Dale to fake a bunt, hoping the ball would get by the catcher and enable Aniello to reach second.

"No, Dale was not up there to sacrifice. He's our cleanup batter and he certainly lived up to that position with that long home run."

Another observer wanted to know why Windsor Locks had so much difficulty defending against two Canadian bunts, the first of which set up the losers' only run in the second inning.

"It's tough to explain," admitted O'Connor. "We do a great deal of bunting ourselves and therefore should know how to defend against the bunt. Misiek told me after the game that the ball got stuck in his glove when he fielded the second bunt in the third inning."

Misiek, incidentally, wound up with a robust .419 tournament batting average and led the club in home runs with 6 and runs batted in with 20. Other .300 hitters were Aniello .342, Mike O'Connor, Bob's son, .303, and reserve Howie Tersavich, who played shortstop when Bill Boardman pitched, .350. Aniello, Misiek, and Bob Creech each collected 13 hits.

Final pitching statistics credited Roche with a 7–0 record, 5 runs (only 2 earned), 19 hits, 17 walks and 79 strikeouts while Boardman had a 6–0 record, gave up 7 runs (5 earned), 22 hits, walked 7 and struck out 47.

Sunday afternoon all eight finalists were guests of the New York Mets at Shea Stadium. The boys will be quartered at Long Island University and tour the World's Fair Monday and Tuesday.

The Windsor Locks team will leave Kennedy Airport on flight 2, 7:30 a.m. Wednesday morning and will arrive at Bradley Field at 8:10. Then on Sunday, September 12 the team will be honored at a community banquet in one of the Kaman aircraft hangars.

WINDSOR LOCKS WELCOME—RETURN WEDNESDAY

(By Bruno Sniders)

Windsor Locks hasn't seen this much excitement since the first two-engine job put down at Bradley Field.

It's a bunch of 11- and 12-year-old youngsters who got them all chanting following their dramatic 3–1 conquest of Canada's Stoney Creek for the world's Little League championship.

All set to welcome the young conquering heroes in a big way is the whole town. Little League officials admit they are beginning to worry about all the things the town, in fact the whole State, plans for the youngsters.

They won't be home until Wednesday morning, but already wheels are hard at work arranging that September 12 dinner for 2,000 in the Bradley hangar and other activities to toast the champions.

The Windsor Locks All Stars and the other seven teams who made it to Williamsport as a result of regional championship are touring New York as part of the series setup. Some feel it gives the towns a chance to simmer down before the boys get home.

But they'll be hard put trying to cool off Connecticut, no stranger to Little League world titles, but just the same quite impressed every time it happens.

The fear of overemphasis and the always present danger of jeopardizing the boys' amateur status has officials busy fighting off do-gooders who want to give away everything from gold watches to snappy blazers. The Little League is shunning most of the offers, no matter how well meant.

The dinner, however, has been okayed and the kids no doubt will be richly rewarded. They are due at Bradley Field at 8:10 Wednesday morning.

Perhaps the most levelheaded people through the tournament have been the kids themselves, right down from the last team, Rota, Spain, to the champion Nutmeggers.

Unless you had seen the game and know the youngsters, there was no way of telling who won this thing when they all got together for the last night Saturday night.

"It, perhaps best of all, exemplified what this program stands for," said Rockville's Don Berger, the District Eight administrator and the at-large member of the national board of directors.

He added, "It is not always easy to keep it on an even keel, but you can't ask for anything more than this." As for the Connecticut kids, he does concede they deserve all the credit coming to them but will not OK personal appearances, television, or any great amount of banquets. The one at Windsor Locks may be it:

"Remember," he emphasized, "these kids are going back to school next week and it could disrupt things for weeks to come." Don speaks from experience when it comes to educational problems. He is a school teacher in Manchester.

While Mike Roche's mound effort and the big blast by Dale Misiek provided the big fireworks, Manager Bob O'Connor is quick to point up the role of every Windsor Locks youngster.

"They played great ball and I am proud of them," he said.

Bob, an All-Star coach for 2 years before being named manager, will make way for Coach Russ Mattesen with next year's club.

"This is a once-in-a-lifetime shot," admitted Mattesen. "Getting to Williamsport is a big enough miracle, not to mention the world championship."

The Windsor Locks club, however, had a fine nucleus and the victory was no fluke. Beating the Canadians in the finale climaxed a month of tournament play that began with the district championship.

Roche and Billy Boardman carried them all the way, young Mike winding up with seven wins and Billy, who plays at short when not pitching, 6-0.

They all had an important role. Outfielders Fran Aniello, O'Connor, Teddy Holmes, Bruce Akerlind, Phil Devlin, and Tom Billick responded brilliantly when called on, as did the smooth-working infield.

Except for the shaky game aaginst Venezuela in the opener, the few errors they did commit didn't hurt. There was, in fact, some question whether they had one Saturday when Canada's Brad Ackles bunt singled and advanced on the throw with nobody covering third.

The infield of third baseman Steve Scheere, second baseman Bob Creech, big first baseman Mike Misiek, who iced it for Windsor Locks with a 225-foot blast to center in the three-run fourth, substitute shortstop Howie Tersavich and regular Boardman all did a creditable job. The catching was well handled by Wayne Arent. Only one boy, Al Barrett, didn't get into the lineup but he contributed as a coach and was happy to be there.

U.S. FOREIGN POLICY

Mr. INOUYE. Mr. President, ever since the end of the Second World War the United States has followed two general lines of foreign policy at one and the same time. There is nothing inconsistent in this. Indeed, we could not avoid it—for we faced a world with a split personality.

On the one hand, the world has been made one by the discoveries of scientists and the inventions of technicians.

The old barriers of space and time which once cut off nations one from the other have been destroyed. The industrial revolution and the agricultural revolution and the power revolution and the revolutions in communications and transport have given us the means to conquer the environment and to raise standards of living to levels of decency throughout the planet—to liberalize and to humanize life for all mankind.

And plainly the way to deal with this world of new opportunity—of progress and color and excitement—was the way of international cooperation.

Our Nation rose splendidly to the challenge of the world of opportunity. We did well in matching scientific invention with social invention. We invented the Marshall plan. We invented the point 4 program. We launched the AID program and the Alliance for Progress and food for peace and atoms for peace and the Peace Corps, for example.

We have shared our resources and our technology and our know-how. We have cooperated with all who would cooperate with us.

And we have organized for permanent cooperation in this world of opportunity in one way after another. We are members in good standing of every useful international organization in the world. We send delegations to almost every international conference—and there are half a thousand of them every year. We participate in cooperative regional organizations wherever it is appropriate for us to do so. We take part in the World Bank and the International Development Agency and the Inter-American Bank and have offered to do the same in the Asian Development Bank.

We have lent more support and provided more leadership in the United Nations than any other member. And not just in the Security Council. Not just in the General Assembly. As the whole family of United Nations agencies has come into being and then gone into operation, the United States has been in the forefront of the initiators, the contributors and the leading supporters of these agencies in which the nations share their resources and talents cooperatively to help make good the opportunities opened up by science and technology.

I could go on and on with examples. Taken together, they comprise the first line of our postwar foreign policy. We have done all this partly out of compassion and partly out of enlightened self-interest; for the cooperative path is the path to peace and order, to progress and justice, in a world made one by science.

But regrettably, these actions—this preferred course of our leaders and our people—could not be the whole of our foreign policy. For there was another aspect of the world which had to be dealt with too—another face to world affairs. This was the face of danger, of threat, of force, of violence, and of war.

This face of the world was not designed by us; it was designed by others. By the very nature of our society we could only react to it. But to defend our society—and our kind of society elsewhere—and the very hope of our kind of society anywhere—we were obligated to react to it. And we did. Taken together our reactions to force and the threat of force make up the second general line of our postwar foreign policy.

When our offer to turn over to the United Nations full control of the dangerous aspects of atomic energy was rejected by the Soviet Union—in one of the most tragic decisions in history—we had no choice but to build up an arsenal of nuclear weapons.

And when it became indisputably evident that our wartime Russian ally was more imperialist than the czars, we organized to defend ourselves and our friends—and indeed all who were prepared to resist aggression to preserve their national independence.

That policy was laid down for all the world to see on March 12, 1947, by President Harry Truman. It is well worthwhile to recall here today the key passage of that historic proposal which came to be known as the Truman doctrine. The President pointed out that the survival of Greece required assistance—that there was no other place to turn except the United States—that the future of Turkey as an independent state also was threatened. And then the President enunciated the policy he was recommending to the Congress and the people in these words:

> I am fully aware of the broad implications involved * * * we shall not realize our objectives, however, unless we are willing to help free peoples to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes.

I would remind the Members that when President Truman spoke, the Greek Army was in no shape to put up much of a fight. The terrorists controlled most of the countryside and Government forces had retreated to a shrunken area around the capital. Lines of communications were broken. Refugees from burnt-out villages were shuffling into Athens. Foreign exchange was exhausted. Prices were out of control. And a deep sense of panic infected the people.

That doctrine laid down in 1947 has been in force ever since. It was tested first in Greece and Turkey. Then it was tested in Berlin. Then it was tested in Korea.

To support that doctrine has cost this Nation dearly in time and effort—and yes, in treasure and in lives. But it worked. Not since Korea—15 years ago—has any nation marched its armies overtly across another nation's frontiers.

But unfortunately mainland China is still in the hands of men who believe—as Mao Tse-tung has said again and again—that "all political power grows out of the barrel of a gun." And his disciples have turned to a new form of aggression which they offer to the world behind a false face called wars of national liberation.

These are, of course, neither liberating nor national. They are aggressions undisguised by the fact that they begin without bugles or banners—that their agents may dress not in uniforms but in the work clothes of peasants—that they strike not at dawn but after sunset—that their tactics are not those of conventional armed forces but of nonconventional guerrilla bands.

If it succeeds in Vietnam it will be taken as hard evidence that militant violence is a better way to promote communism than competitive coexistence.

But if it fails in Vietnam, the policy of promoting wars of national liberation will be dealt a body-blow everywhere. So let us be very, very clear what may well be at stake here.

Now clandestine aggression is on trial in Vietnam. If that, too, can be shown to be futile, is it too much to hope that the day of the aggressor may be over for all time? So Vietnam could well be the last chapter in the long, long story of military conquest. The stakes could be just that high.

THE SUCCESS STORY OF WONG BUCK HUNG

Mr. FONG. Mr. President, no true-life story is as inspiring in our free society as the rise of a man from humble beginnings to a position of eminence and respect. Such is the story of Wong Buck Hung, who arrived in Hawaii in 1911 as a poor immigrant youth of 16 and worked his way up from grocer's apprentice to bank president. He gave a lifetime of toil and devotion to his family, his community, and his country. In the words of George Chaplin, editor of the Honolulu Advertiser, Mr. Wong "typifies the American dream and is a worthy reminder that our Nation's strength is in its diversity—in the blending of many cultures, many races, many religions."

Mr. Wong and his wife were recently honored on their 71st and 63d birthday anniversaries, respectively. On that occasion, they gave $1,000 to the building fund of the Hawaii Chapter, American Red Cross.

Their life story is briefly recalled in an article which appeared in the Honolulu Advertiser on August 16, 1965. I ask unanimous consent to have printed in the Record the article entitled "Thousand Friends Honor Wong Buck Hung, Wife."

There being no objection, the article was ordered to be printed in the Record, as follows:

Thousand Friends Honor Wong Buck Hung, Wife

Wong Buck Hung, who rose from grocer's apprentice to bank president in true Horatio

Alger style, marked his 71st birthday and his wife's 63d last night at a Lau Yee Chai dinner attended by close to a thousand friends.

Actually, Wong is 70 and his wife 62, but they adhere to Chinese tradition which gives a 1-year head start on the next 10-year cycle.

The Wong's two sons and six daughters were all present: Leonard D. Y. Wong, manager of the wholesale division of the Tai Hing Produce Co.; Kin Ming Wong, treasurer of Bishop Securities, Ltd.; Mrs. Milton Goo, a department of social service supervisor; Mrs. David Chu, a Castle & Cooke secretary; Mrs. Stephen Chun, who with her husband operates Fook Yuen Jewelers; Mrs. Charles Yim and Miss Leora Wong, public school teachers; and Mrs. Benjamin Lee, assistant cashier of Liberty Bank.

In a candle lighting ceremony, Wong Inn and Samuel K. Young lit the candles assisted by two grandsons of the Wongs, Kendall Wong and Michael Goo.

William Chee was toastmaster and two family friends delivered speeches—K. Y. Quon and Advertiser Editor George Chaplin. From their remarks this story of the Wongs emerged:

Conditions in the Cantonese village in which Wong Buck Hong was born were meager so, as the oldest of four brothers, he came to Hawaii in 1911 at the age of 16 to seek economic opportunity in the atmosphere of democracy.

He joined his father, who was already here, in the operation of the Tai Hing produce firm, which remains in the family.

Honolulu in 1911 was a horse-and-buggy town with muddy roads. Wong Buck Hung worked from 4 in the morning to 6 at night each day, 7 days a week. He used a pushcart and sometimes a pack on his back to deliver eggs and limes and other commodities to such customers as the Young Hotel, the Kamehameha School and the Union Grill which was on King Street near Fort. For his work he received room and board—but no money.

He was ambitious and he wanted to learn. He tried to enter day school. He knew the English word for "pencil," but not the English word for "book," so they turned him down.

He went then for a year to a private school which was in back of the old First Chinese Church. But his most productive schooling was during the year and a half he attended night school at St. Elizabeth's Church on King Street. He recalls that his teacher, a Miss Miller, was very good and that she taught him and three other young people lessons in reading, spelling, geography, and history.

Miss Miller talked about the development of America and she explained how the Government functioned in Washington. Wong Buck Hung says that from this he "learned that people have individual opportunities" and he realized that he could do something for himself and for his new country.

He decided—in his words—that he would "like to learn something better than the pushcart," so he went to work for C. Y. Hop Wo, who had a butcher shop. Through this family he met his bride-to-be, Yan Sum Ching, who was born in Waikiki, of parents who had come from Canton province, and after a courtship of 7 months they were married.

The ceremony took place in a house which Wong had rented and was performed by an Englishman, the Reverend Mr. Waller, who did a bit of moonlighting, since he also managed a meat company.

This was in 1917 and 2 years later, when Wong's father returned to China for a visit, he returned to the produce firm, which he built into a substantial enterprise. He also began showing a deep and productive interest in affairs of the Chinese community and of the community at large—an interest which continues to this day.

Since 1953 he has been president of Liberty Bank after having served as vice president since 1935 and a director since 1930. He has been president of the Liberty News, which was founded by Dr. Sun Yat Sen; the Lung Doo Benevolent Society; the Wong Kong Har Tong; the Chinese Chamber of Commerce for two terms; the United Chinese Society; Lin Yee Chung (Manoa Cemetery) Society; and Hoo Cho Chinese Language School.

During all these years, Mrs. Wong has quietly but effectively met her responsibilities as wife and mother of eight children. They and the 18 grandchildren reflect the Confucian emphasis on the strong, closely knit family as the basis of a healthy society. They share the faith which Thomas Jefferson expressed in the value of education when he said, "No other sure foundation can be devised for the preservation of freedom and happiness." Three of the eight Wong children hold master's degrees and two of them are full-time career teachers in Hawaii's public school system.

Wong Buck Hung's philosophy is simple and clear. He says, "An individual is supposed to be a share of his community and his country." He says, "A man has to work hard and think of the future." He says, "A man should try to help people and be honest with people." He says, "A man needs friends. He should make friends by being a friend."

Wong Buck Hung has been a friend to many in Hawaii and to some who have long since departed these shores. In his early days here, many who wanted to return to China came to get his help with the necessary papers and with changing their money into $10 and $20 gold pieces, which they sewed into belts or on the inside of their jackets—to be drawn on, a coin at a time, when the need arose.

Editor Chaplain, in his talk, said that in forging ahead from humble beginnings to success Wong "typifies the American dream and is a worthy reminder that our Nation's strength is in its diversity—in the blending of many cultures, many races, many religions."

He said that brotherhood and love are still the world's major needs and that science and technology can be no adequate substitute.

"If the qualities which the Wongs exemplify—by which they have guided their own lives and inspired their children's—are emulated widely and deeply enough, the goal of peace and justice may someday be within our grasp."

JOHN BIRCH SOCIETY HARMS ITS OWN CAUSE

Mr. McGOVERN. Mr. President, I recently rose on the floor of the Senate to speak out against the John Birch Society and the other groups of the radical right which pose a serious danger to the American democratic system.

At that time I said that it is time for true American patriots to expose the John Birch Society for what it really is, an organization which is far outside the mainstream of American political thought and heritage. I urged that responsible American citizens in communities throughout our country stand up and combat the extremist doctrines of the John Birch Society.

The Sioux Falls Argus-Leader, South Dakota's largest daily newspaper, published an excellent editorial on this subject in its September 5 edition. This editorial, written by Mr. Fred C. Christopherson, and entitled "John Birch Society Harms Its Own Cause," makes very succinctly the basic point that the Birch Society is playing into the hands of the Communists. In the words of the editorial:

> The reason for this is that the Birchers have accepted a leadership and a program so absurdly radical that they are defeating their own purposes. In tolerating the abusive condemnation of many fine American spokesmen, they have promoted a destructive distrust of constructive and useful national institutions.

I commend the Argus-Leader and Mr. Christopherson on this well-reasoned editorial. In order that my colleagues in the Senate and other American citizens may share it, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOHN BIRCH SOCIETY HARMS ITS OWN CAUSE

Members of the John Birch Society—and there's a considerable number in this area—are as a rule men and women of probity and good purpose.

Many of them have been notably successful in their businesses and professions. In a broad sense they are among our best citizens—eager to do what they should, willing to exert energy and expend money in the promotion of that which they deem worth while.

They are among the most loyal of all Americans, cherishing deeply the principles embodied in this Nation's format. They appreciate the virtue of our freedoms and recognize the fact that their preservation requires constant vigilance and upon occasion militant defense.

In joining and supporting the Birch Society, they are motivated by the good Americanism that has been through the years a vital part of their lives.

They seek to promote the laudable stated goals of the Birch organization. These are, as officially summarized: less government, more individual responsibility, a better world and the "stopping and routing of the international Communist conspiracy."

COMMUNISTS ARE HELPED

But—and this is a sad and unhappy reflection upon their activity—they are playing into the hands of the Communists.

They are among the best friends, unwittingly, of the Communist organization. In truth the Communists could well afford to finance the Birchers.

The reason for this is that the Birchers have accepted a leadership and a program so absurdly radical that they are defeating their own purposes. In tolerating the abusive condemnation of many fine American spokesmen, they have promoted a destructive distrust of constructive and useful national institutions.

Because so many Birchers are substantial citizens, their words have carried much weight and they have tended to blunt the swords of impressive leaders in the practical struggle to maintain Americanism.

WHAT RECORDS SHOW

It may be said—and it will be said—that this criticism of the Birch Society is without validity and that the facts are being tortured.

But impressive evidence is at hand. Robert Welch, the society's founder, continues as its leader. He is the man who insinuated that President Eisenhower was a tool of the Communists and that his brother, Milton, was his superior in this group. He said that Allen Dulles, head of the CIA, aided the Communists. He made the same charge in respect to John Foster Dulles while he was Secretary of State. And there's much more of the same.

Still tolerated as a member of the Birch Society's top advisory council of 30 men is Dr. Revilo P. Oliver of the University of Illinois. It was Oliver who charged that President Kennedy was assassinated because he wasn't proceeding as rapidly as the Communists felt he should in turning the United States over to them.

That comment by Oliver was printed in the American Opinion, an organ of the Birch Society.

Oliver's article about Kennedy concluded with this statement: "And if the international vermin succeed in completing their occupation of our country, Americans will remember Kennedy while they live and will curse him as they face the firing squads or toil in a brutish degradation that leaves no hope for anything but a speedy death."

ABOUT VIETNAM

Much more could be said based upon comments of Welsh and those appearing in American Opinion.

Let me cite just one, the following allusion in American Opinion to Vietnam: "As for Vietnam, one thing is certain: no action really detrimental to the Communists is conceivable or even possible so long as Rusk, McNamara, and Katzenbach remain in power."

WHAT BIRCHERS COULD DO

All of this is profoundly distressing because the country so sorely needs a unity of force in the battle against not only the Communists abroad but against the encroaching tide of Marxism in this country.

Yet a group that could be powerful is virtually in effect on the other side because it is following so naively the imploring of men such as Welch and Oliver.

This is written not so much in criticism as in sorrow—sorrow because so much energy and spirit are being dissipated.

The rank and file of the Birchers could be a powerful force in the struggle against subversive elements here and abroad today.

And it isn't too late for a reconstruction—for a revision of the Birch leadership on a solid and sensible basis. Let the Birchers reflect and realize that it is they, not everybody else, who are being misled.

F. C. Christopherson.

WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. McGOVERN. Mr. President, on Thursday of last week I introduced, for myself and several of my colleagues, Senate Concurrent Resolution 57, expressing the support of Congress for the World Conference on World Peace Through Law being held September 13 to 18 in Washington, D.C.

I am most hopeful of early congressional approval of this resolution to welcome to this Conference the many hundreds of distinguished members of the legal profession from all over the world. I have been advised by Mr. Charles Rhyne, Chairman of the Conference, that should the resolution be speedily approved, plans would be made to have it translated into other languages and distributed to all in attendance at the meeting next week.

Mr. President, Roscoe Drummond has written a fine article on the upcoming Conference, describing it as a "magnificent defeat for the cynics."

I ask unanimous consent that this article, which appeared in the Washington Post on September 3, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Sept. 3, 1965]

World Law Meeting: Defeat of the Cynics

(By Roscoe Drummond)

Mark down the World Conference on World Peace Through Law in Washington, September 12–18, as a signal and magnificent defeat for the cynics.

The cynics said it couldn't be done. They said it was silly to think it could be done and sillier still even to try it.

The cynics said that, with hot war in many parts of the earth and cold peace everywhere, this would be no time to talk about peace through law.

But the leaders of the American Bar Association didn't think so at all. They thought this was the best time to start, because something needed to be done before it is too late.

World law, let alone world peace through law, is not just around the corner. Far from it. But a tremendous and exciting start has been made.

As a result, more than 2,500 leading lawyers and jurists from 110 countries, including 65 chief justices, 153 high court justices, and 59 attorneys general or ministers of justice will gather in Washington to draft plans for new international courts, to codify and strengthen international law, and to build acceptance for an alternative to force—for resort to the bench rather than resort to the battlefield.

The first such conference in history was held in Athens in 1963 when the leaders of the legal profession from more than 100 countries formed the World Peace Through Law Center, which now has 2,000 dues-paying members, a sizable annual budget, and a $100,000 gift for a world headquarters building.

It has already compiled the first of 50 volumes bringing together all of the international law existent into a world law code for ready use.

It is developing proposals for expansion of the World Court through regional courts for easier access and for still lower trial courts to make it easier for nations to turn to law to settle many lesser disputes.

It is publishing for the first time a directory of law, judges, and lawyers of the world, a long-needed and valuable tool for the legal profession.

Lawyers from most of the Iron Curtain countries will be present for the Washington conference, which is a meeting of individuals, not of governments. Lawyers from North Korea and North Vietnam have not responded. Peiping coined a phrase and denounced the meeting as an "imperialist plot."

It all began 8 years ago, when the president of the American Bar Association, Charles S. Rhyne, followed Winston Churchill, Chief Justice Warren, and the Lord Chancellor of London to the podium in London's historic Guildhall, and proposed that all lawyers join in a common effort to make law strong enough to replace force as the controlling factor in the fate of man.

Rhyne, a Washington lawyer, has been working at it ever since.

It is safe to assume that things will keep on happening. Two reasons are:

Lawyers constitute the most powerful segment of society in almost every country on every continent.

When the legal profession of the entire world mobilizes its influence and talents, as it is now doing, a powerful force is in motion. This is no miracle, but a solid beginning that points the way in which the nations must move if we are ever to lay hold of a means to make peace equal to our means to make war.

The world's legal profession is magnificently giving its services to a new client—civilization itself.

THE CONSTITUTION AND MRS. COLLIFLOWER

Mr. HRUSKA. Mr. President, the Senate Subcommittee on Constitutional Rights, since 1961, under chairmanship of the Senator from North Carolina, has been engaged in an intensive investigation into the constitutional rights of the American Indian. The preliminary research and the hearings into the legal status of Indian citizens were prompted by complaints received by the subcommittee alleging that Indians were being deprived of their rights by Federal, State, and tribal governments.

In June of this year, the subcommittee held hearings on Senate bills 961 through 968 and Senate Joint Resolution 40 which comprise a 9-point legislative package. This package was aptly described by the chairman, Senator Ervin, as legislation "designed to guarantee American Indians the constitutional rights and privileges which are justly applicable to the first Americans."

These bills, which will represent a giant step forward for our American Indians, are being readied for consideration by the Senate. The reports are in the final drafting stages and there is every reason to anticipate that the bills will soon be reported and will be available for Senate action early in the next session.

One area of this complex problem which came for searching inquiry was the relationship between the tribe and the individual Indian. While over the years the Congress has examined and reexamined the economic status of the American Indian, this represented the first comprehensive look into the apparent denial to Indians of rights which are available to all other Americans.

In the Indian Citizenship Act of 1924 all the incidents of citizenship were given virtually all American Indians, but as recently as 1960 one Federal circuit court held that an Indian does not have the protection of the Federal Constitution when he is dealing with his tribe; that the tribe is not limited by the Bill of Rights; and that the tribe is not limited by any provision of the Federal Constitution in dealing with its tribunal members.

One tribal member did not accept this denial of her constitutional rights. Madeline Colliflower, an Indian member of the Gros Ventre Indian Tribe, petitioned for a writ of habeas corpus in Federal district court when jailed following a summary proceeding in a tribal court in which none of the rights of due process were observed.

The district court held that it was "without jurisdiction to issue a writ of habeas corpus" and granted a writ to quash the petition. She then appealed to the Ninth Circuit Court of Appeals.

The court of appeals held that the Federal district court had jurisdiction to issue the writ of habeas corpus and remanded the case to the district court.

In a decision that may well signal a new day in the relationships between tribes and the members, the district court concluded that even before tribal courts, the Indian is entitled to the basic guarantees of the Constitution.

I ask unanimous consent that there be printed at this point in the Record an article describing this case from the September 3 issue of the Time magazine.

There being no objection, the article was ordered to be printed in the Record, as follows:

Civil Rights: The Constitution and Mrs. Colliflower

Congress in 1924 capped the conquest of the American Indian by granting U.S. citizenship to all Indians born from that year on. Until then, tribal Indians had been considered "wards of the Government." But the gesture by no means fully extended the U.S. Constitution to about 70 percent of the country's Indians—the 380,000 tribal members who live on 399 reservations and enclaves maintained by the Federal Government.

Because the law still regards Indian tribes as quasi-sovereign nations. State courts have no jurisdiction over reservations; Federal courts try only major reservation crimes, such as murder. The vast majority of lesser crimes are left to 56 tribal courts manned by Indian judges, who are usually picked by tribal councils, but have little or no legal training. Tribal defendants cannot appeal to outside courts; they have even been consistently denied writs of habeas corpus. As a result, tribal judges have been free to ignore constitutional rights.

GUILTY WITHOUT TRIAL

Fortunately, this situation is bound to improve—all because of Madeline Colliflower, 46, a stubborn member of the Gros Ventre Tribe (part of the Blackfoot Nation) on Montana's Fort Belknap Reservation. In 1963 the tribal court ordered Mrs. Colliflower to quit pasturing her cattle in someone else's field. Having apparently ignored the order, she was arrested by the reservation's Police Chief Joe Plumage and Officer Lyle Reddog, and haled before Indian Judge Cranston Hawley. She pleaded not guilty. But without ever giving her a trial, Judge Hawley offered her the choice of a $25 fine or 5 days in jail.

Mrs. Colliflower chose jail—and thereby aroused the sympathy of the Reverend Francis Conklin, a Jesuit law professor at Spokane's Gonzaga University. Claiming a patent denial of due process, Father Conklin petitioned Montana's U.S. District Judge William J. Jameson to "spring" Mrs. Colliflower on a writ of habeas corpus. Judge Jameson dismissed the case on the ground that he was without jurisdiction.

CHANCE FOR DEFENSE

Father Conklin went to the U.S. Court of Appeals for the Ninth Circuit, which last February broke precedent by holding that Judge Jameson had jurisdiction. However, sovereign Indian tribes may be in theory, ruled this court, tribal courts are obviously "in part" arms of the Federal Government and are thus apparently bound by minimal standards of constitutional fairness.

Last week Judge Jameson heard the case and granted Mrs. Colliflower's petition. Because she was sentenced with no chance to defend herself, said the judge, "I must conclude that there was a lack of due process under the fifth amendment." Mrs. Colliflower is not exempt from retrial and possible conviction, but her victory will sharply curb the power of tribal courts.

PAINFUL AND COSTLY LESSONS REGARDING LAW AND ORDER

Mr. HRUSKA. Mr. President, there has been an increasing awareness across the country that the breakdown in respect for the law is rapidly becoming, if it is not already, the No. 1 problem facing our Nation. This feeling has been reflected in the increased attention the problem is receiving.

Recently I had the opportunity to discuss this matter personally at some length with the Director of the Federal Bureau of Investigation, J. Edgar Hoover. Much of the discussion related to matters which are dealt with in his "Message From the Director" article in the September 1965, FBI Law Enforcement Bulletin.

His typical straight-from-the-shoulder appraisal hits the nail on the head, and is in refreshing contrast to the position taken by those who would blame this increasing lawlessness on the nature of our society:

> No doubt, society has failed our youth, but not in the way many seem to think. Rather, the dereliction has been in the failure to teach them the meaning of discipline, restraint, self-respect, and respect for law and order, and the rights of others. Consequently, the lesson now is both painful and costly.

I commend to my colleagues the Director's article as well as the column by David Lawrence from the September 8 Washington Evening Star which discusses the article. I ask unanimous consent that these two articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the FBI Law Enforcement Bulletin, September 1965]

Message From the Director

Young thugs and teenage criminals may be pressing their luck by increasing their violent escapades while blaming society for their faults.

It appears that the public is beginning to gag on the steady sociological diet of excusing the conduct of teenage hoodlums because "society has failed them." Resort communities racked by senseless riots and citizens who cannot venture from their homes without being assaulted and beaten are getting fed up with pampered and insolent youth gangs.

Some courts in the troubled areas are taking a more realistic approach in handling those involved in these outbreaks. New laws providing stiffer penalties are being enacted in a few places. We can only hope that authorities everywhere will follow this trend. Certainly, the mere desire of young miscreants to have a "blast" or to "let off steam" is no excuse to ravage a community and to maim and terrorize its residents.

That holiday riots and similar antics by carousing youths have evoked widespread concern is not surprising. It is surprising, however, that strong public reaction did not come sooner. For several years, the increasing volume of criminal acts by young people—spurred on by the lenient treatment received—has presented a clear barometric reading of what we are now witnessing. For instance, from 1960 through 1964, the percentage of young age-group arrests for homicide, forcible rape, aggravated assault, robbery, burglary, larceny, and auto theft more than doubled the population increase percentage of the same group. Arrests of persons under 18 for simple assault rose 79 percent, drunkenness and related violations 52 percent, disorderly conduct 18 percent, and concealed weapons 17 percent during the same 5 years. In the light of this shameful picture, we cannot say that we were not forewarned.

The immediate objective, of course, is to put a stop to these rumbles and mass vandalism. Meanwhile, the question puzzling most people is what caused the principles and morals of some of our youth to degenerate to near animal level. Recognizing the problem comes much easier than its solution. However, of all the factors involved, I am convinced one of the most damaging is the false teaching which tends to blame society for all the frustrations, woes, and inconveniences, real or imaginary, visited upon our young people. Teenagers, and their parents, have been subjected to a foolhardy theory which condones rebellious conduct against authority, law and order, or any regulatory measures which restrict their whims, wishes, desires, and activities. This astonishing belief has spread into the schoolroom, the living room, the courtroom, and now into the streets of our Nation in the form of wild, drunken brawls.

No doubt, society has failed our youth, but not in the way many seem to think. Rather, the dereliction has been in the failure to teach them the meaning of discipline, restraint, self-respect, and respect for law and order and the rights of others. Consequently, the lesson now is both painful and costly.

John Edgar Hoover,
Director.

[From the Washington Star, Sept. 8, 1965]

Hoover Indicts "False Teaching"

(By David Lawrence)

J. Edgar Hoover, Director of the FBI, probably knows more than anybody else what's causing crime to increase throughout the Nation. He keeps in close touch with local officials and police in all areas, and certainly is able to form a judgment as to whether recent disturbances have been due primarily to "sociological" factors. Hence, his latest message—published in the September issue of the FBI Law Enforcement Bulletin—about hoodlums and riots is particularly significant.

Hoover does not accept the explanation—frequently offered even in the administration—that the disorders can be blamed on the failures of society. He says:

"It appears that the public is beginning to gag on the steady sociological diet of excusing the conduct of teenage hoodlums because 'society has failed them.' Resort communities racked by senseless riots and citizens who cannot venture from their homes without being assaulted and beaten up are getting fed up with pampered and insolent youth gangs.

"Meanwhile, the question puzzling most people is what caused the principles and morals of some of our youth to degenerate to near animal level. Recognizing the problem comes much easier than its solution. However, of all the factors involved, I am convinced one of the most damaging is the false teaching which tends to blame society for all of the frustrations, woes, and inconveniences, real or imaginary, visited upon our young people.

"Teenagers and their parents have been subjected to a foolhardy theory which condones rebellious conduct against authority, law and order, or any regulatory measures which restrict their whims, wishes, desires, and activities. This astonishing belief has spread into the schoolroom, the living room, the courtroom, and now into the streets of our Nation in the form of wild, drunken brawls.

"No doubt society has failed our youth, but not in the way many seem to think. Rather, the dereliction has been in the failure to teach them the meaning of discipline, restraint, self-respect, and respect for law and order and the rights of others.

Consequently, the lesson now is both painful and costly."

Hoover did not discuss specially the riots which have developed out of racial friction but confined himself to the misbehavior of teenagers generally. There are, however, many people, inside and outside the Government, who feel that to blame society for the recent disturbances is a convenient excuse and overlooks the fact that criminal elements have taken advantage of the racial controversy.

Just a few days ago, William H. Parker, chief of the Los Angeles Police Department, revealed that many persons who participated in the recent riots in California were veteran criminals. He said:

"We processed 2,500 of those arrested and found that 76 percent of them had criminal records prior to the riot. * * * There were 26 of these people on parole at the time they were arrested."

Most police officers are unhappy about the attitude of the courts in letting criminals go free. Indeed, Hoover, in his message in the Law Enforcement Bulletin, makes a comment on this point, too. He says:

"Some courts in the troubled areas are taking a more realistic approach in handling those involved in these outbreaks. New laws providing stiffer penalties are being enacted in a few places. We can only hope that authorities everywhere will follow this trend."

There is no doubt that the emphasis on "police brutality" has been stirring up hostility toward law enforcement and at the same time provoking considerable criticism from thoses responsible for the arrest and punishment of criminals.

Judge Norman Elkington of the California Superior Court, in sentencing an ex-convict to life imprisonment a few days ago, lashed out at the attention given to allegations of "police brutality." The prisoner—described by the judge as "the most vicious criminal" he had ever seen—had claimed that his civil rights were violated by "brutality" on the part of the two arresting officers, and the charges had been investigated by the Department of Justice. The judge asked:

"How should a policeman disarm a desperate criminal coming at him with a knife? Are there some some sporting rules he must follow, such as allowing the assailant to draw first blood?"

One college professor, in a paper presented to the American Sociological Association Convention in Chicago last week, even advocated that policemen should carry no weapons. The theory is that disarming them would improve their public image and reduce antagonisms.

Law enforcement is being made more and more difficult despite the fact that the crime wave now is disturbing American life more than at any other time in history.

EXTENSION OF THE NATIONAL WOOL ACT

Mr. McGEE. Mr. President, the National Wool Act is one farm program which has worked well. It is for this reason that I introduced a bill extending this act—a bill on which 43 of my colleagues joined as cosponsors, including the majority and minority leaders of the Senate.

The Wool Act program has been in operation for 11 years. I think it is important to bear in mind that in 1954 the U.S. Tariff Commission, following an investigation under section 22 of the Agricultural Adjustment Act, recommended to the administration that the duty on imported wool be increased 10 cents per pound. The White House said this additional duty would jeopardize U.S. relations with nations exporting wool to us. The National Wool Act was then evolved in lieu of a tariff increase. Payments under the act are limited to 70 percent of the duties on wool and wool manufactures.

It is significant that the Wool Act program is now costing considerably less than it did during the early years of its operation. One of the reasons for this is the fact that the market price for wool has improved, thereby reducing the amount of payments necessary to compensate for the difference between the market level and the incentive level. An important factor contributing to the better market prices for wool has been the promotion program which growers themselves have financed and which has been in operation since 1955. Growers are spending their own money to promote both of their products—wool and lambs.

Unfortunately, in the present program, there has been no reflection whatsoever, through the incentive level, in the increased production costs. During the 11 years' operation of the Wool Act program, the incentive level has remained at 62 cents while the costs of production have risen approximately 15 percent. In view of this and the further fact that costs of the program have been reduced substantially in recent years, I strongly endorse the amendment which the Senate Agriculture Committee has included in the farm bill as a part of the Wool Act extension. This amendment establishes a formula to relate the incentive price level to changes in costs of production.

The Wool Act is vastly superior to the old and unsatisfactory loan program whereby wool went into Government stockpiles at high storage expense to the Federal Government and built up into surpluses that depressed the market. Certainly it is much better to have wool selling freely on the open market as it does under the National Wool Act.

The Wool Act has helped to maintain a domestic sheep industry and a domestic supply of wool so that the United States has not become dependent on foreign producers to fill our wool needs.

It is a good program, one that has been working well and one that should be extended.

USE OF PRERECORDED TELEPHONE MESSAGES BY EXTREMIST ORGANIZATIONS

Mr. McGEE. Mr. President, I am among those who have viewed with alarm the increasingly common practice of extremist organizations which bring their hate and vilification to the public via prerecorded telephone messages. Others, too, have commented upon this practice which abuses, with libel, slander, and falsehood, the message service provided by the telephone companies of America for the convenience of the public.

The attention which has been focused on this problem, largely by members of this body, is becoming wider, Mr. President. The Washington Post today, September 9, carries a report that the Anti-Defamation League of B'nai B'rith has filed a protest with the Federal Communications Commission, specifically naming as an offender an organization known as "Let Freedom Ring," which operates out of Sarasota, Fla. Recently, the Denver Post took editorial note of the problem and urged action to get to the bottom of what it called the telephone recording racket.

Mr. President, I ask unanimous consent that both the Washington Post news report and the Denver Post editorial be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 9, 1965]

TELEPHONE MESSAGES ON TAPE CAUSE PROTEST TO FCC

(By Burnell Heinecke)

Chicago.—A tape-recorded telephone message operation, which is labeling the Peace Corps as "subversive," has led the Anti-Defamation League to file a protest with the Federal Communications Commission.

The FCC was asked to initiate proceedings requiring telephone companies to curb "flagrant abuses of their recorded message service" such as those listed against Let Freedom Ring, Inc., of Sarasota, Fla.

The league took the action a few days after issuing a special 4-page "Facts" edition for August, devoted exclusively to the "Let Freedom Ring" operation across the Nation.

The report links the Let Freedom Ring telephone-recording setup to the John Birch Society and calls it "a new voice of the radical right in America."

The petition charges that the anonymous recordings make "abusive and extremist attacks and libels on individuals and institutions."

Obscene, fraudulent and libelous statements are not within the area of constitutionally protected speech, the league's petition asserts. It acknowledges the telephone companies cannot be held liable if they have no knowledge of the libelous intent of the messages broadcast on their automatic announcement service. However, the petition declares, once the officials of the phone company are informed of libelous content of a message, the company should be able to deny use of its facilities for such messages.

The Chicago operation has been under careful watch of Illinois Bell Telephone Co. officials since its inception earlier this year. Similar phone setups are operating in nearby communities of Illinois and Indiana, according to the Chicago office of the Anti-Defamation League of B'nai B'rith.

Each message usually concentrates on one subject with a closing appeal to send 25 cents to either a local or a Florida postal box number for literature on the topic.

Last week's Chicago message, for example, declares: "The Peace Corps, long a sacred cow of the administration, has become a taxpayer-financed anti-American brainwashing operation for America's youth. One gets the uneasy feeling that something akin to the Hitler youth movement, with a Communist twist, has been born in America and is spawning its poison here and abroad."

An April message of former President Dwight D. Eisenhower, which called him "an ersatz conservative with a pro-Communist record" and "one of the greatest phonies ever put over on the American people," first brought the Let Freedom Ring telephone setup to public attention here.

In October 1964, Senator Jacob K. Javits (Republican, of New York) in a Senate speech said after one tape contended that U.S. military forces were demoralized, that Pentagon analysis of the tape "makes it clear how propagandists make full use of half-truths as well as outright falsehoods to give their message the appearance of credulity." He said the group was spreading "suspicion, hate, and invective" in six States.

The Anti-Defamation League's report last week declares the Let Freedom Ring stations are now found in many of the major cities plus a host of smaller ones.

The messages come from tapes supplied by Let Freedom Ring's creator, Dr. William Campbell Douglass, a Sarasota physician listed by the Anti-Defamation League as a John Birch member. In his literature, Dr. Douglass says his is "a nonprofit corporation established to disseminate anti-Communist, anti-Socialist, pro-American broadcasts via a telephone tape recording. Your 'customer' dials a number and gets two minutes of anti-Communist dynamite."

But Anti-Defamation League said in both its report and its FCC petition that the scripts consist of "lurid visions of a 'Communist conspiracy' lurking behind civil rights, the United Nations, the Supreme Court, the last three U.S. Presidents, the State Department, the press, the National Council of Churches, the American Civil Liberties Union, the Anti-Defamation League, and so on."

[From the Denver Post, Aug. 20, 1965]

SENATORS TUNE IN ON HATE CALLS

We hope the Senate Subcommittee on Communications gets to the bottom of the telephone-recording racket being used increasingly by extremist groups.

Chairman JOHN O. PASTORE, Democrat, of Rhode Island, says the phone investigation will be part of a broad study of anonymity in public communications. One specific study will be made of the adequacy of identification of the source of telephone hate messages.

Evidence so far indicates that it is right-wing extremists who are using the recordings, but the same facilities are available to agitators of any political stripe.

The usual technique is to advertise a telephone number. When the caller dials the number, he hears a transcribed message of one sort or other. Some are religious, some commercial. But the Pastore subcommittee is concerned about anonymous recordings that are false, slanderous, and abusive.

In the Senate last month, Senator GALE MCGEE, Democrat, of Wyoming, said telephone recordings are "a tool of extremists coast to coast." He spoke particularly of an attack on a "teach-in" recently held at the University of Miami. That recorded message, MCGEE said, was "an irresponsible mish-mash of character assassination and name-calling." He said a Senator who had participated at Miami was described in the recording as being "shoulder to shoulder with a Marxist who advocates selective assassination."

Senator RUSSELL LONG, Democrat, of Louisiana, suggested that Congress might wish to require "people who would use the telephone to transmit recorded messages in this irresponsible manner to identify themselves and make themselves available to be sued for libel and slander, or we should require that the (telephone) company should assume responsibility for permitting that kind of message to be transmitted."

Senator JACOB JAVITS, Republican, of New York, who had complained earlier of telephone hate campaigns, said phone companies have no power to regulate the use of their equipment unless the use is clearly illegal.

Locally the Mountain States Telephone & Telegraph Co. provides equipment for playback messages. Some subscribers offer prayers and other inspirational messages. Others are promotional and commercial. Last year in Boulder, however, an organization identifying itself as "Let Freedom Ring" sponsored a series of racist messages.

The telephone company here is unaware of current uses of this type, but the company does not censor messages or monitor them. Phone customers who apply for playback service are treated generally like other customers so long as they do not practice obscenity or break other laws.

The legal presumption is that the customer is basically responsible for his use of the telephone. The Pastore subcommittee—properly, we think—will try to find out nationally whether some customers are responsible enough.

NEW YORK STATE SOCIETY WINS AWARD

Mr. KENNEDY of New York. Mr. President, I would like to call to the attention of my distinguished colleagues the selection of the New York State Society of Washington, as the most outstanding State society of the year. The New York State Society was presented with the Roy C. Haines Memorial Award in recognition of their civic and charitable activities during the past year.

The New York State Society has many members who are making an important contribution to our Federal Government here in Washington. Their additional participation in this society is a testimony to their public spirit.

I wish to compliment the officers and members of the society for the excellent program that they have conducted during the past year and ask unanimous consent that an article about the society appearing in the Washington Post on August 29, 1965, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 29, 1965]

STATE SOCIETIES—CONFERENCE HONORS NEW YORK

(By Adelaide Harris)

The New York State Society has captured the Roy C. Haines Memorial Award given anually by the Conference of State Societies for the most outstanding State society of the year.

The silver trophy went to the Empire State at a conference party given Friday night to honor Joseph C. Brown, former president of the conference. The event took place in the Crystal Room of the Naval Weapons Plant, with conference vice president, Col. Robert J. Schissell, as host.

State Societies receiving honorable mention were Hawaii, Illinois, Kentucky, Massachusetts, Oklahoma, Texas, and Virginia.

In the absence of New York State Society president Richard J. Sullivan, who is chief counsel for the House Public Works Committee, E. Erwin Dollar, an officer of the New York group, received the award.

On hand, too, was conference head L. Ray Smath, of Kentucky.

Brown, in his presentation speech, noted that officers of the New York State Society have not only served their own group but "have devoted a large portion of their time and talent" to the conference, as well. He said that they have raised, through the 1964–65 season, nearly $1,000 for civic and charitable purposes. He also observed that they have attracted top Government officials, civic leaders, and business executives to many receptions and benefits throughout the year.

TESTIMONY BY SENATOR MORSE RAISES SMALL BUSINESS ISSUES

Mr. NELSON. Mr. President, a fellow member of the Senate Small Business Committee, Senator MORSE, testified recently before the Patent Subcommittee on pending bills to formulate a uniform patent policy.

The Senator has devoted considerable time and effort to compiling a history of Government patent legislation and the consequences of alternative policies. After showing that the two or three largest firms received most of the Government's R. & D. awards, Senator MORSE advocated that small business be given fair and equitable access to the results of this research.

I ask unanimous consent that an article from the Washington Post of August 20, summarizing this testimony be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 20, 1965]

MORSE CALLS PATENT BILL CLAUSE EFFORT TO STEAL BILLIONS

(By Morton Mintz)

Senator WAYNE MORSE, Democrat, of Oregon, said yesterday that a key provision in a pending bill amounts to "an attempt by private business and its representatives to steal" patent rights to billions of dollars worth of public property.

He testified before the Senate Judiciary Committee's Subcommittee on Patents, which is winding up hearings on proposals intended to unify a now diverse set of Government patent policies.

The central issue is the ownership and use of property rights in inventions made with Government research and development expenditures of $15 billion a year. All but $3 billion is spent with private contractors.

Although Senator JOHN L. MCCLELLAN, the subcommittee chairman, is sponsoring the measure attacked in part by MORSE, the Arkansas Democrat said it is largely an administration bill.

The provision MORSE denounced would permit title to Government-financed discoveries to be vested in the contractors that make them. This is now done—even before the inventions are made—by the Defense Department.

By regulation that MORSE said "is in direct contravention of the law" that created the National Aeronautics and Space Administration, NASA also permits advance waiver of patent rights to contractors.

MORSE said the provision would "sweep away" 10 laws, enacted over the last 30 years, under which other agencies retain title to discoveries they finance but make them available to all industry.

The agencies include the Agriculture and Interior Department, the Tennessee Valley Authority, the Atomic Energy Commission, and with certain exceptions, the Department of Health, Education, and Welfare.

The provision would stimulate a trend toward monopoly and concentration, MORSE said. It would enable large firms to become bigger and more powerful and put increasing pressure on small business, including 300,000 small manufacturers, "to merge, sell, or be driven out of business."

MORSE said that about 85 percent of Federal research and development funds, goes to a handful of large corporations, which take out one-half to two-thirds of all patents.

Several subcommittee witnesses have testified that contractors require incentives to risk the often substantial sums needed to develop a patented discovery to the point of usefulness and marketability.

Yesterday, for example, Walter A. Munns of Philadelphia, president of Smith Kline & French Laboratories, made this point regarding drug discoveries to which the Government, drug houses, and scientific institutions all have contributed.

Munns said that SKF has been unable to win Government agreement to give the firm "reasonable exclusive rights," although in an example he cited, SKF already has invested a large sum and would have to spend a great deal more to test and prepare a new compound for human use.

Morse said it would be "child's play" for the subcommittee to provide incentives to contractors in cases like this.

He advocated legislation under which Government agencies, while retaining title to inventions they finance wholly or in part, would have flexible powers to grant patent licenses—exclusive or nonexclusive, as circumstances dictate—to inventing contractors.

The licenses would run for 2 to 5 years and could be renewed. The Government would waive title only under "emergency conditions."

Morse recalled the publicly financed development of a test to detect PKU, a preventable form of mental retardation. He said that a private licensee had priced the test at 52 cents per baby, but that after the Public Health Service took title to the discovery, commercial firms sold the test profitably for 1½ to 2 cents per baby.

APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. NELSON. Mr. President, a proposal for a 57,500-acre Apostle Islands national lakeshore in northern Wisconsin, developed by an Interior Department task force, was announced on Sunday, August 29. On September 7, I introduced a bill to carry out this splendid proposal.

I do not recall any comparable legislative proposal which has met with such immediate, widespread editorial endorsement in my State. Already this proposal to save one of the most significant natural areas in the Midwest, for the permanent enjoyment of conservationists, nature lovers, hunters, fishermen, and many others, has been endorsed by many of our outstanding Wisconsin newspapers. On September 7, I introduced editorials praising the project from the Wisconsin State Journal, Ashland Press, Chippewa Falls Herald, Portage Register, and the Eau Claire Telegram.

Today I wish to introduce into the Record editorials from newspapers ranging from the tiny but lively Mellen Weekly-Record to the Milwaukee Journal, Wisconsin's largest newspaper. Also, I wish to offer editorials from the Milwaukee Sentinel and the Appleton Post-Crescent and a column of news comments from the Superior Evening Telegram.

All of these newspapers describe the project as a fine opportunity to meet our soaring demand for recreational space while also doing something for a vast section of the Midwest, whose people have missed out on the economic boom enjoyed by much of the rest of the Nation.

I ask unanimous consent to introduce the editorials at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record as follows:

[From the Milwaukee Journal, Sept. 5, 1965]

Apostle Islands Park

Few who view the hilly green loveliness of Wisconsin's Bayfield Peninsula, with its offshore islands beckoning from Lake Superior, remain indifferent to its charm. It impressed the late President Kennedy during a helicopter swing over the area 2 years ago.

Now Senator Nelson, Democrat, of Wisconsin, has released details of a plan to put all but one of the islands, shore portions of the peninsula and the Bad River-Kakagon Slough area east of Ashland into one recreational package as a new Federal park. It would be called the Apostle Islands National Lakeshore.

An Interior Department task force study brought out these facts: More than a third of the 57,500 acres being eyed already is in public ownership—Federal, State, county. Value of the land involved is set at about $2.9 million but acquisition costs probably would be lowered through grants or land transfers from various public owners.

Even at the higher price, this is a good bargain in superb scenic land. By contrast the National Forest Service now hopes to buy the far smaller (18,352 acres) Sylvania tract in the Upper Peninsula for a price which probably will exceed $5 million.

Portions of two Indian reservations are included in the plan. Indian councils will be asked to decide whether they wish to sell, lease, or trade their land within the proposed project, a practical, and tactful approach to the matter.

Without disparaging the project in the least, it is possible to maintain a certain skepticism over glowing predictions that the future parks eventually will pump $7.2 million a year into the area economy and attract 920,000 visits a year. Still, study after study predicts an almost insatiable future public demand for just such recreation lands as these.

The important thing is to preserve portions of this superb region, while it still is available at such a bargain price, and develop it wisely as a whole in the future public interest. The alternative may be piecemeal and possibly unwise development in private hands.

[From the Appleton Post-Crescent, Sept. 3, 1965]

Apostle Islands Park

There will be some objection to the proposal by the Department of the Interior, carried out by a bill introduced into the Senate by Senator Gaylord Nelson, to create a national park of the Apostle Islands and a piece of the Lake Superior shoreline. But overall it is a sound proposition both to expand recreational resources and to improve economic conditions in a lagging area.

Private property owners are usually concerned when such parks are created and with reason. But about 37 percent of the area proposed for the new park is already publicly owned although there are more than a hundred cottages in the area. However, residents could continue to use their property for 25 years and the public lands could remain under State ownership. Local tax rolls would be somewhat affected, but in the long run the increase in visitors to the area with the resulting increase in employment opportunities and value of privately owned adjoining property should serve to balance the loss.

While sometimes park proposals have valid opposition in that the land might be better adapted for private use—including privately-owned cottages and wilderness areas—there is often a shortsighted attitude among local residents. Northern Wisconsin's economy has not grown with that of much of the rest of the country. It has been plagued with the closing of iron mines and a virtual end to the once lucrative logging industry. Practically the only new business in much of the area in recent years has been that of winter skiing. Tourism has developed into an extensive industry in much of the Nation including northern Wisconsin and a national park in the Apostle Islands should serve to expand it.

More and more Americans take to the fields and streams, the woods and the lakes for their vacations every year. Camping has become big business. There is a need, not only for extensive areas for such sports as fishing and sailing and activities like swimming and water skiing but for hiking trails and remote campsites. While some find recreation in competition and sport, others find it in the vastness of forests and the beauty of untrammeled beaches. The proposals for the Apostle Islands would include all such opportunities.

[From the Milwaukee Sentinel, Sept. 7, 1965]

Growing Late

America's open spaces and unspoiled waterways are fast being gobbled up by encroaching civilization. It is none too soon to act to preserve the few refugees that still remain.

Every effort should be expended to save, for ourselves and for posterity, two such refuges in Wisconsin.

One is a national lake shore, proposed for the Apostle Islands region, near the western end of Lake Superior. The other is a national scenic riverway along the St. Croix River.

SHORE LINE DRIVE PROPOSED

The proposed Apostle Islands lakeshore would preserve the wild, almost unsettled area of the State for hiking, fishing, and sightseeing, to be administered by the national park service. A narrow strip, one-fourth to one-half mile wide and 30 miles long, would run along the Bayfield Peninsula shore line. A drive would be built so that visitors could see the lake and the nearby islands. In Ashland County, a 10,000-acre wild rice marsh would be preserved in its natural state as a wildlife sanctuary and fishing preserve. Most of the 22 Apostle Islands would be included in the project, and some of them would be equipped with minimum docking facilities, hiking trails, campsites, and a ranger station.

The St. Croix riverway project would create a narrow strip along both the Wisconsin and Minnesota banks of the river, which would be protected by scenic easements and zoning.

The riverway would include a wild river section on the upper 90 miles of the St. Croix and the length of its Wisconsin tributary, the Namekagon River, and a recreation section on the lower St. Croix.

A Federal commission has urged a great expansion of our Nation's outdoor recreation facilities to meet a demand which is expected to have tripled by the year 2000. The facilities in the shortest supply and in the greatest demand are water based recreation projects near large centers of population.

The lower St. Croix, generally considered the last large clean river near a major population center in the Midwest, is within a half hour drive of the growing 1.7 million population Twin Cities area. This river and its banks must be preserved for public recreation.

These two proposals have a good chance of becoming reality. The Apostle Islands plan has the endorsement of the Interior Department, which has called for the expenditure of about $11 million over a 5-year development period.

The St. Croix proposal has been unanimously approved by the Senate Interior Committee, which has urged the spending of $6.5 million over 5 years for development of the riverway.

These plans deserve the support of all Wisconsin. In not too many years, we'll be glad we had the foresight to preserve these priceless assets.

[From the Superior (Wis.) Evening Telegram, Aug. 31, 1965]

Interest in Apostle Islands Proposal Said Enthusiastic

ASHLAND.—Interest in the Apostle Islands national lakeshore proposal, which was explained at hearings in Ashland, Saturday, was described as being most enthusiastic.

Experts were present from Washington, Philadelphia, Minneapolis, top men in the field of study, including Superintendent Johnson the Isle Royal National Park.

The subject was the proposed $11 million Apostle Island lakeshore project, which U.S. Senator GAYLORD NELSON will introduce this week at Washington, D.C. The officials were in Ashland to explain the various details to county board officials and other interested persons.

The proposal is expected to add $7 million a year in new business in this region and to provide a 30-mile scenic driveway all along the Bayfield Peninsula lakeshore. The prospect for this highway on the Lake Superior shore from Red Cliff north to Cornucopia excited great interest on the part of everyone, it was reported.

Those at the hearing estimated that the Apostle project would create at least 460 new jobs in the area; would include purchase and development of 21 of the Apostle group (all except Madeline which already is developed) and that would create arrangements for continuous boat service to a number of the islands. It would necessitate the establishment of portable docks, ranger station, nature trails, nature study projects, camp sites, lodge, and opportunities for many other features. A marina for small craft at Red Cliff Creek, north of Bayfield, was discussed, and an observation tower for nature lovers to view the primitive Kakagon Sloughs north of Odanah, where countless species of animal and bird life abound.

Questions were asked and answered concerning hunting and fishing regulations. It was stated that these would continue under State laws. Payment to private property owners was explained. Those with cottages already in the region could accept lifetime tenancy or arrangements of 25-year tenancy, or a fair value of purchase of property after appraisal.

The hearing was purely informative with no action taken, but the day was described as one of the "tops" in the history of development in this era. There was no question that it bore a powerful impetus on the local level.

[From the Mellen Weekly-Record, Sept. 2, 1965]

A Must for Northern Wisconsin Economy

(By Jasper Landry)

The proposed $11 million Apostle Islands national lakeshore recreational area is almost too good to be true.

It is, beyond the shadow of a doubt, the answer to the revival of northern Wisconsin economy which has been a serious problem for some time and finally climaxed with the closing of the mines in the Upper Peninsula.

The facts given at Saturday's public meeting at Ashland by officials from Washington and the information provided by an intensive study by the University of Wisconsin left little doubt as to what the national park would do for this region.

Up until Saturday, many people in northern Wisconsin were of the opinion that the national park development was wishful thinking on the part of a few people. The sincere approach and extensive work in compiling data and information that went into Saturday's meeting, and the enthusiastic and almost feverish willingness of U.S. Senator GAYLORD NELSEN to "see it through," has kindled an amazing interest for the project. This is by far the soundest of any proposal to help the north that has been presented in many years.

While there has been skepticism in some places at the Federal Government's attempt to lead us out of the woods, this is one proposal that has captured the imagination of the most critical.

We must give every encouragement possible to the people, both private and in the political and government field, to make this dream come true.

J. LEONARD REINSCH

Mr. RUSSELL of Georgia. Mr. President, the current edition of the magazine Atlanta contains a fascinating article about one of Atlanta's foremost citizens and one of the country's leading broadcast executives—Mr. J. Leonard Reinsch.

A close friend of mine of many years standing, Mr. Reinsch is president of the Cox Broadcasting Corp., an Atlanta-based firm which operates a number of radio and television enterprises throughout the Nation. He is the dynamic spirit that has built this company into one of the outstanding success stories of the broadcast industry.

As this article by Norman Shavin relates, Mr. Reinsch literally has grown up with the broadcast industry. His vast knowledge of the field and rare abilities in all phases of broadcasting have won him not only a merited position of preeminence within the industry, but have placed him in positions of responsibility in the broader realm of national affairs.

He has served as an adviser and consultant in radio and television to every Democratic President since Franklin Roosevelt and as executive director of every Democratic National Convention since 1956. Currently he is a member of the U.S. Advisory Commission on Information.

We Georgians are proud of Mr. Reinsch's many accomplishments in broadcasting and of the rich contribution he has made to the development and improvement of this great media of communications.

I believe all Members of this body will find this account of Mr. Reinsch's exciting career interesting reading, and I ask unanimous consent that it be published in the body of the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Angel on His Shoulder

(By Norman Shavin)

"I'd love to have the status quo, but we're not going to be that way. Nobody who ever fought for the status quo ever won. I'm a believer in 'Get thar fustest with the mostest.' It's a good lesson."

Confederate cavalry Gen. Nathan Bedford Forrest coined the ungrammatical epigram as a determined summation of how to unhinge Yankees. The gentleman who quoted Forrest, and who lives by the dictum, rides a different horse—broadcasting—an animal of unpredictable mood and temperament. Forrest's contemporary disciple is, says a close friend and admiring broadcasting leader, "a gentile Sammy Glick, in its best meaning." Sammy Glick was the hero of Schulberg's "What Makes Sammy Run?" a self-propelled figure who raced toward dominance with such unerring certainty that his shadow always came in a poor third, well behind his awesome reputation.

Broadcasting's "Sammy Glick," says a friend, "is constantly on the run, but knows precisely where he's heading. He's the best organized individual I've ever known, in a sort of disorganized way. He's constantly making little notes and stuffing them in his pocket. He never misses a trick."

The "organized note-stuffer" has labored for years in the vineyards of Presidents of the United States, but never for pay. His salary is more than any President ever enjoyed, though the company he runs is considerably smaller than the United States of America. And he once was offered, by one President, a sensitive governmental post but did not take the job, partly because of a minor flap the projected appointment raised. He is on a first-name basis with practically every member of the Federal Senate and the House who has attended a Democratic National Convention the last three times out. In his own industry, he is admired by contemporary titans as a knowing giant who makes the jolly green for stockholders. Almost 25 years ago, when he was but 33, Broadcasting magazine, the industry bible, called him a dynamo, a statement-of-fact, not a cliche, not a prediction, as time has repeatedly proved.

The "dynamo," the "organized note-stuffer," the "gentile Sammy Glick" is Leonard Reinsch, president of Cox Broadcasting Corp., one of the few Atlanta-based firms listed on the New York Stock Exchange, a man paid $100,000 annually to lead a company which earned more than $21 million last year, an increase of more than 46 percent over 1963.

The increase in revenue is attributable, in part, to Mr. Reinsch's firm posture about progress: "We're not going to be caught in the buggy-whip business when automobiles are in vogue."

Today, the Cox Corp. owns five TV stations, four radio outlets (each is AM and FM) and operates several CATV (community antenna TV) systems ranging from Washington State to Pennsylvania. The Cox broadcasting complex employs more than 800 persons and, with its cautious corporate eye on diversification (possibly into electronics industries) "growth" is the byword.

Leonard Reinsch is the hub of Cox's corporate wheel, a wheel propelled also by carefully selected executives. "I'm a great believer," he said, "in the delegation of authority. We have good executives, and they have complete authority in their own areas. We discuss policy problems—but these men know best their own communities and people. Their responsibility is to run good and profitable organizations and take part in their communities. We lay great store in having 'backup' people to promote from within." (Virtually all of the corporation's key executives are veterans of its ranks.)

"There are certain characteristics we look for in an executive," he said, "Good intelligence, good education, an intense interest in his work, a stable temperament, reliability, a good family life, and financial responsibility. I cannot tolerate a lack of interest or pride in work, or for any executive to be ignorant of his job. I cannot understand why everybody doesn't have the same pride in his work as I do." This is not a complaint; it is rather a statement of position.

These may seem strong demands on time, dedication, and loyalty. But no firm, intensely competitive for a market, can erect a stable, progressive structure on weak props. And no Cox staffer can match Reinsch's dedication. He's on the road a total of 9 months out of each year, engaged in corporate matters, industry problems, and driven by the intense determination to "get thar fustest with the mostest." Onc has but to scan his schedule for a typical 3-week period to grasp the intensity of his enormous drive. As he detailed it, in brief:

On the 5th day of a recent month, he led a board meeting in Atlanta, already aware that he wouldn't see his Northside Drive home for days to come. On the 7th, he was in New York to receive an industry award. On the 8th, back in Atlanta, leaving on the 9th for Phoenix, Ariz., for a meeting. On the 11th, he was in Palm Springs, Calif., to attend a board meeting of Broadcast Music, Inc., during which period he spent more than 10 hours, while in his pajamas, negotiating on the phone for a professional football team franchise. On the 12th, he flew to New York for more football negotiations (involving Atlanta Stadium) and to meet corporation executives from Miami, Atlanta, and New York. He left promptly for Phoenix but was deflected in Chicago for other business. From there, he went to Baltimore, Md., then took a train for New York. On the 13th, he left it for Denver, again to negotiate for the team, the Broncos, engaging in talks which, after 2 days, proved fruitless.

Mr. Reinsch's inability to secure a pro football team, to meet the terms of a franchise with the American Football League, did not diminish Atlanta's awareness that he contributed mightily to the final result. In the forefront of such plans, he agreed that the Cox Corp. would pay $7,500,000 for the AFL franchise, on the condition he could secure a lease with the stadium (and line up a team, of course). Reinsch's major approach was to the Denver Broncos; this fell through. Some inquiry also was made of the San Francisco Chargers. The NFL "frowned on a corporation owning a franchise," as one official put it, so Reinsch went after an AFL pact. In June, Rankin Smith secured a franchise from the National Football League, with plans to field a team in the stadium starting in the fall of 1966. AFL games are on NBC–TV, with which the local Cox outlet, WSB–TV, is affiliated. The NFL games, broadcast via CBS–TV (its present contract ends at the close of the 1966–67 season), apparently will be seen on WAGA–TV, WSB's prime competitor locally. It is presumed, in keeping with telecasting traditions, that games played at the Atlanta Stadium will not be televised within a radius of at least 50 miles of Atlanta.

On the 15th, he flew to Los Angeles (met there by his wife and daughter). On the 16th, he met with radio and CATV officials in Los Angeles, returning, on the 17th, to Palm Springs for the continuing BMI meetings. He was back in Los Angeles on the 22d. That same day, he went to San Francisco, to meet with officials of KTVU, one of the newer Cox TV acquisitions, and 2 days later was in Sacramento, Calif., for more CATV sessions. On the 25th, he was in San Francisco again, for CATV talks, and stayed overnight for more sessions with KTVU officials. On the 27th—3 weeks after he left Atlanta—he was home again, with a new cycle of trips looming.

What makes Leonard Reinsch run? What are his personal, and his corporate, ambitions? "They're the same thing," he smiles, and Mr. Reinsch usually is smiling, though one senses that the warm and genuine smile has hardened when the chips are down or the pressures up. (Said an ex-employee, perhaps soured: "Nobody can smile that much.") Where one observer, who knows him, regards Reinsch this way, "He enjoys being a big operator," an associate suggests: "He has a strong desire for recognition by people of substance. The only way he can possibly receive that recognition is by doing things others can't do—or by doing them better." The question persists: What makes Mr. Reinsch run?

"I've often wondered," says another associate. "I don't think he's after wealth or power. It's an inborn desire for accomplishment, a desire to build, but not necesarily for himself. He doesn't own this company, but he couldn't work any harder for it if he did." Others cite his "tremendous energy, his enthusiasm for anything he does, his complete dedication. He's pretty much all business; he doesn't chase the cocktail circuit."

Listen to Reinsch: "I enjoy the growth of this company and the people in the organization." Said a friend: "He has the uncanny ability to surround himself with people he has confidence in." Reinsch, again: "I enjoy the acceptance of the corporation. We're an instrument for the good." There is pride mingled with accomplishment and fulfillment, personally, all strong motive powers.

Frank Gaither, a corporation vice president who directs all its TV properties, has worked for Reinsch 19 years, competing against him, before that, for 13 years when Gaither was with WGST. "He has an endless supply of energy," says Gaither. "It's a terrific job for us to keep up with him. His real relaxation is work. But he's very human in spite of the fast business pace he takes." Has Gaither ever run afoul of Reinsch? "If I've ever been on the wrong side of him, he's let me know it, and we've worked it out."

Marcus Bartlett, a corporation vice president in charge of the CATV complex, has known Reinsch for a quarter of a century. "When he first came to Atlanta 25 years ago to evaluate the WSB staff," says Bartlett, "he told me: 'I want you to continue in your capacity and I want to tell you one thing: I don't want any yes-men around me.'"

That is a mandate for honest disagreement. One associate "had doubts" about getting into the CATV field. "But Mr. Reinsch's judgment to do so was based on intensive study of CATV." Reinsch won the day, the associate concedes. Others who have known him over the years paint, in some respects, contrasting views of him. "He will hear you out and is extremely fair in considering the suggestions of subordinates," says one. "He has good communications." Said another, however: "He does not listen well. If you come to him with a question, he'll give you an answer before he hears it out and then goes on to something he wants to talk about." Between these poles of viewpoint is another's observation.

"He's an excellent executive," said an associate. "He paints the broad picture and allows associates to fill in the details."

Another associate observed: "He always dominates a group or meeting. It would be uncomfortable for him to occupy a secondary position." Said another: "Inefficiency upsets him but he rarely gets angry or shows it. He always sees the other man's point of view." Says an associate: "I have never seen him fly off the handle at a subordinate, but I've seen him have an emotional reaction regarding something he believes is an act of unfairness toward him. He will then explode to one of us, using us as an escape hatch or a sounding board." One subordinate recalled a direct, if gentle, confrontation: "I had mispronounced a name on the air and Mr. Reinsch came up to me and said, 'I think you'll find it's pronounced this way,' and gave it correctly." This may explain the feeling, among subordinates, that Reinsch is omnipresent, though he himself is often away from the Atlanta office. "You can feel his influence all the time," says one.

A sense of humor? Yes. A practical joker? No. He admires "gentleness, forthrightness, and honesty in people," says one close to him, and "he treats everyone with the utmost fairness." At his Northside home, where he works from a study, "he's always on the phone." Not quite "always": He occassionally watches TV, from one of several domestic sets; the house is wired for music and with a public address system; telephones abound, and there's more than one fireplace and oven. "He's gadget-minded," says an associate.

He's also a self-disciplined executive, says a longtime friend who's seen him "on the road." He is "basically a meat-and-potatoes guy. Nine times out of ten, it will be a thick cut of roast beef for dinner, a green salad, and a dish of ice cream—if it fits his caloric intake. He manages to keep his weight fairly constant, and if he goes up a pound or two, out go the sweets." There's another facet to the hard driving Mr. Reinsch: "He's the worst driver I know," laughed an associate. "He's got an angel riding on his shoulder. He'll take chances an angel won't take. He's not a careless driver; he's just in a hurry. I hate to ride with him."

Among Cox executives and stockholders, Reinsch's corporate drive is obviously sound. The firm has TV and/or radio stations in Atlanta, Dayton, Miami, Charlotte, Pittsburgh, and Oakland. In the early days of TV, newspapers bought into major TV properties. In an inversion of this technique, the Cox Broadcasting Corp. has initiated (or bought into) CATV systems which are then linked to newspapers—such as the Toledo (Ohio) Blade, the Perry chain in Florida, the Cleveland (Ohio) Plain Dealer, the Baltimore Sun, the McClatchey chain in California, and the Columbus (Ohio) Dispatch.

"We're 'way ahead of the field in terms of CATV," says Reinsch. This is a system by which tall towers pick up signals from extant stations, boost their power and relay the signals, via wire, to homes which have not enjoyed good reception or to homes which crave more program variety. This is obviously not a public-service venture alone: For wiring the home, the customer pays an installation charge and a monthly service fee.

"Most other TV station owners are fighting CATV," said Reinsch, and the Federal Communications Commission has eyed regulation of its methods. "I see CATV as a new form of communications and service to the listener," he said. And, of course, a striking source of new revenue. "Pay-TV and CATV have, unfortunately, been linked as the same in the public mind. We are, as a company, opposed to pay-TV, that system representing payment for preselected programing." Beyond CATV, as Reinsch envisions the future, lie new fields of communications conquest: Wall-sized TV screens, tape mechanisms to record TV shows for playback (as a movie projector works), a TV set in every room of the house (remember the mobility of midget-sized radios), and "even a smaller TV set to carry around with you." Reinsch's eyes glow with excitement of fields untapped.

Those prospects, observers insist, will lead to larger and larger revenues and at least a portion of them will be collected, personally, by Leonard Reinsch, 57, a Streator, Ill., native who reads voraciously, and, despite the pressures, is "a most unruffled man," according to the person who knows him best but sees him seldom, his wife of 29 years. Stability and equilibrium, characteristics which Mr. Reinsch admires in others, are key facets of his own personality.

Reinsch's control room is the largest of the offices in the ground floor of the white-columned WSB facilities in Atlanta. Reflecting his own taste in subdued or muted dress, a green carpet melds with silver, gold, and green drapes, adding casual warmth to paneled walls of an office featuring a sofa, six easy chairs, a dormant fireplace, and bookshelves dominated by such technical volumes as "Radio Regulation, 4,000 Years of Television," and a couple Reinsch might have written (but didn't, although he coauthored one, on radio management, with WSB Radio

Manager Elmo Ellis) "The Managers" and "Manual for the President of a Growing Company." There rests also a boxed volume of hallowed southern literature, "Gone With the Wind."

A chair is covered with reports to be read; the mahogany desk is cluttered with other material. Only two framed letters relieve the walls. One, dated April 2, 1962, is from the late President John F. Kennedy, designating him Chairman of the U.S. Advisory Commission on Information; the second, signed by President Lyndon Johnson, named him a member of that committee for 3 years, as of January 1964.

These are but a hint of the citations Reinsch has won, and key industry positions he has held, in a career which began at the age of 16, when he took part in a minstrel show on radio station WLS, Chicago. It was 1924—and Reinsch was still in high school. In retrospect, one sees that role as a prophetic one: He played the interlocutor, a position he still plays but with keener sophistication and greater power on a stage more vast.

There was an earlier introduction to the mysterious and promising world of business. "I started writing ads for clients while I was still in the 8th grade," Reinsch recalled, all the while playing clarinet in a band as a part-time job. As a teenager, Reinsch found he liked broadcasting and did turns on nine Chicago radio stations from time to time, all the while studying every aspect of the then-infant industry, from transmitter to microphone. In 1928, WLS made him a full-time announcer; in 1929, he turned to selling air-time, and for a year also served as golf editor of a magazine. In the midst of it, he was attending Northwestern University, attending class by day, working radio at night. When his radio schedule was shifted to daytime, he attended night classes, ultimately winning his degree in commerce from Northwestern and collecting the D. F. Kellar prize for a thesis on radio merchandising. This so impressed the dean that Reinsch was asked to prepare a curriculum for radio courses at the university's School of Journalism.

Reinsch tried agency work, helped organize two radio stations, and set up a commercial schedule for a third. The training was sound but he was casting about for a position with a newspaper-owned station. (Reinsch had already dipped a tentative toe in TV—appearing in 1931 on his first video program, an experimental effort on WMAQ, Chicago). The break Reinsch wanted came in 1934.

In that year, James M. Cox, Sr., former Ohio Governor and the 1920 Democratic Party presidential candidate (on the unsuccessful ticket with Franklin D. Roosevelt) bought radio station WLEU, Erie, Pa., and moved it to Dayton. Reinsch, identified with radio for 10 years even then, was called to Dayton to help set up the new facility, renamed WHIO. He was 26. Since 1934, Reinsch and Cox—and later the elder Cox's son, James M. Cox, Jr.—had been the Gemini twins of a highly successful—and growing—newspaper-broadcasting combine. "In broadcasting," says Sol Taishoff, editor and publisher of Broadcasting magazine, "Leonard is regarded as a most successful, effective, and efficient leader. He is an all-radio success story."

Ten years after linking with the Cox company in Dayton, he entered a new phase of his career when President Roosevelt asked his onetime running mate, former Governor Cox, for the loan of his "radioman" for the Democratic Convention and the presidential campaign. Reinsch was detailed to the job, a significant development which brought him to the forefront of Washington politics.

Since then, and partly because Government regulations through the Federal Communications Commission is an area of deep concern to broadcasters, he has been deeply, but quietly, engaged in Washington political life, an engagement of value to the corporation and to the entire broadcasting industry. He cannot be regarded as a paid lobbyist, but little of interest to the broadcasting industry goes through the Washington sieve without his knowledge, if not involvement. The work with Roosevelt led to an occasion when Reinsch came perilously close to being shunted into politics as a full-time career.

"Leonard," Taishoff recalled in Washington recently, "learned about President Roosevelt's death on April 12, 1945, while he was traveling to Washington from New York by train. He heard it on one of the very early midget radios. He went directly to the White House, having also functioned there as Harry S. Truman's radio adviser.

"Truman immediately had Steve Early, press secretary to F.D.R., announce to the press that Leonard would be his new press secretary. There was no advance warning to Leonard; he hadn't cleared with Governor Cox, and he was in a bind. Among other things, Leonard could ill afford to give up what he was doing. The upshot was, several days later, Charles Ross, head of the Washington bureau of the St. Louis Post-Dispatch, was named press secretary and Leonard continued as radio adviser to the President on what amounted to a consulting basis. But he was in and out of the White House regularly and nothing in regard to broadcasting was done without his prior advice and consent."

Thus, prior to the advent of network TV, Reinsch was adviser to President Truman in the latter's successful "give 'em hell" radio campaign of 1948, when the man from Missouri defeated Dewey. Thus, since 1944 Reinsch has advised Democratic Presidents—and hopefuls—on how to make the most effective use of media of enlarging impact, radio, and TV. In each Democratic National Convention, he has been arranging broadcasting exposure. Taishoff pinpoints the power position this way:

"By controlling the (broadcasting) platform at Democratic Conventions, he, more than anyone else, is in a position to give TV 'exposure' to party members. Because of his knowledge of production, he is a master of timing and techniques of air exposure." Of such knowledge are images born.

In 1956, 1960, and 1964, he was executive director of its national conventions. Indeed, as TV adviser to the late John F. Kennedy, it was he who arranged the striking Kennedy-Nixon debates, a series of programs which, it is commonly conceded, showed Kennedy to powerful advantage. Reinsch was in evidence at the last national convention and remains President Johnson's TV adviser.

As Taishoff puts it "Leonard tries to work as anonymously as possible, in the political sphere. Probably his greatest production achievement—and the least publicized—was his spontaneous handling of the Kennedy funeral. Leonard worked practically around the clock in setting up camera positions and the necessary draping and arrangements at St. Matthews Cathedral where the services were held. He also arranged for the coverage at Arlington Cemetery, including the erection of a camera tower. All of it went off without a hitch and the cathedral 'pickup' was acclaimed as a masterpiece of dignity and good taste under the most trying circumstances."

He is seldom seen by members of the Rotary Club to which he belongs, nor by members of two other executive clubs here and one in Washington, or by industry societies in New York. His wife, his recently married son, his daughter see him as his schedule permits. When they do not, it is reasonable to assume broadcasting's "Sammy Glick" is engaged in negotiations of one kind or another, ranging from San Francisco to Washington, working persistently for his corporation, for the industry's image, for a President—but always determined to "get thar fustest with the mostest" in the business he loves, and never to be aboard a one-horse shay in an age of jets.

THE FOLLY OF OUR CONTINUATION OF AID TO INDONESIA

Mr. GRUENING. Mr. President, yesterday I had occasion to praise President Johnson for his prompt action in cutting off military aid to India and Pakistan and expressed the hope that similar action would be taken to end economic aid to both countries while they persist in their present folly of armed conflict.

On the other hand, this morning's papers carried the story that the United States had renewed for 5 years its atomic energy agreement with Indonesia.

This action is absolutely incomprehensible.

In view of Premier Sukarno's repeated statements that he wants no further United States aid, in view of the mob burnings of USIA libraries in Indonesia, in view of Sukarno's publicly stated objective of destroying Malaysia, in view of his expropriation of American properties in the face of the Hickenlooper amendment, in view of this open boast that he will build an atomic bomb, possibly with the aid of Red China, the action in renewing the agreement to provide Indonesia with atomic assistance seems to be the height of folly.

Such action will bring discredit to the entire program of Atoms for Peace of the United States in the eyes of the other nations of the world. It announces to all the world that tweaking Uncle Sam's nose can be a profitable business and invites similar action by other nations.

It is in clear violation of the spirit of the so-called antiaggressor amendment which I proposed in 1963 and which is the law of the land prohibiting assistance to nations found by the President to be "engaging in or preparing for aggressive military efforts against any country" receiving assistance from the United States.

I hope that this action does not presage the renewal of the Public Law 480 agreement with Egypt. Despite the fact that the Congress did not this year adopt an absolute prohibition against such an agreement with Egypt, it did express its disapproval of Egypt's actions by limiting any such agreement to 1 year. Until there has been further evidence that Egypt intends to stop its warmongering against Israel and stops its aggressive actions in Yemen, and elsewhere, such an agreement to supply Public Law 480 materials to Egypt should not be concluded and negotiations should not even begin.

I ask unanimous consent that the news item dealing with the atomic energy agreement with Indonesia appearing in the New York Times for September 9, 1965, and a column by the famous reportorial team of Allen and Scott appearing in Human Events for July 24, 1965, entitled "State Department Is Urging Atomic Fuel for Indonesia," be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Sept. 9, 1965]

ATOM AID TO DJAKARTA IS CONTINUED BY UNITED STATES

(By John W. Finney)

WASHINGTON, September 8.—After considerable deliberation and with some reluctance, the United States has decided to continue extending peaceful atomic assistance to Indonesia.

The American Embassy in Djakarta recently informed the Indonesian Government that the United States was willing to extend its atoms-for-peace agreement, first signed in 1960, for 5 more years.

The only new condition imposed by the United States was that Indonesia must accept inspection by the International Atomic Energy Agency of a small research reactor built with American aid.

The present agreement, one of about 40 entered into under the Eisenhower atoms-for-peace program, expires later this month, and the administration deliberated for months over whether to renew it. In the end, the issue was carried up to the White House for a decision.

The hesitation resulted from exasperation over the anti-American policy of the Sukarno Government and concern over Indonesian aspirations for an atomic bomb.

In retaliation for the pro-Communist drift of the Sukarno government, the mob demonstrations against American libraries and consulates and the expropriation of American property, the administration in recent months has reduced diplomatic relations with Indonesia to a minimum.

With all aid programs terminated and United States Information Agency libraries closed, the question arose whether to continue the atomic agreement, the last remaining cooperative program with Indonesia.

Illustrative of the incidents that have exacerbated United States-Indonesian relations was the mob invasion yesterday of the American consulate grounds in Surabaya.

STRONG U.S. PROTEST

The State Department reported that a strong protest had been made over the incident and said the fact the mob of 4,000 was able to enter the grounds and occupy them for 24 hours was evidence that the Indonesian Government had not furnished adequate police protection. There was no indication, however, that the incident would interfere with the current negotiations over extending the atomic agreement.

On the technical side, there was concern that in extending the agreement the United States could seem to place itself in the position of aiding Indonesia in its avowed goal of developing an atomic bomb.

In recent months there have been boasts by Indonesian leaders, including one last month by President Sukarno, that Indonesia would build her own atomic bomb soon. In view of the primitive state of nuclear technology in Indonesia, American officials are skeptical.

In recent weeks, however, as they faced the decision over whether to extend the agreement, some administration officials have tended to view the boasts more seriously. It is still viewed as improbable that Indonesia will try to develop an atomic bomb. But some officials believe that Communist China, to demonstrate its nuclear strength, may help Indonesia.

WAR USE A POSSIBILITY

The American assistance, although limited to peaceful applications and research, could indirectly assist Indonesia militarily by training a small corps of scientists and engineers in a nuclear technology that can be applied for war purposes.

In the end the administration was persuaded to continue the cooperation basically by the argument that there was no graceful way to end the program without the Indonesians taking full control of it.

The recently completed reactor at the Institute of Technology in Bandung, built with a $350,000 grant from the United States, has been subject to periodic inspection by American officials to assure its peaceful purposes. The inspections were carried out mostly as a matter of principle, since the 250-kilowatt reactor is too small to produce significant amounts of plutonium for atomic weapons. The reactor, with its annual capacity of five grams of plutonium, would have to operate several centuries to produce enough plutonium for one bomb.

If the agreement had not been renewed, Indonesia would have been compelled to return the 5 pounds of enriched uranium fuel that had been leased by the United States to run the reactor. Presumably, Indonesia would have been able to obtain the fuel from other sources, such as Communist China or the Soviet Union. But in the process, the United States would have lost the right to insist upon inspection over the reactor.

It was decided, therefore, that it was desirable to continue the cooperation, if only to maintain some form of international inspection and safeguards over Indonesia's atomic activities.

A major question to be answered in the negotiations is whether Indonesia is willing to accept inspection by the International Atomic Energy Agency.

[From Human Events, July 24, 1965]

STATE DEPARTMENT IS URGING ATOMIC FUEL FOR INDONESIA

(From the Allen-Scott report)

President Johnson has before him a strong State Department recommendation that more military aid be given Indonesia—including atomic fuel for a research reactor.

As vigorously urged by Secretary Rusk, the President is being asked to—

Authorize additional atomic fuel for a research reactor the United States gave Indonesia in 1961.

Permit a U.S. firm to sell some $4 million of latest communications equipment to the Indonesian Army.

Extend the atomic agreement between the two countries that expires in September.

These extraordinary proposals were submitted by Rusk despite Sukarno's long series of deliberate provocations and offenses—among them, his world-publicized contemptuous repudiation of U.S. aid, totaling more than $900 million since 1949; the burning and sacking of U.S. Information Agency libraries in Jakarta and Surabaya by unrestrained mobs last December; his denunciations of U.S. foreign policy, particularly in Vietnam; his threatened confiscation of American-owned oil properties; his armed attacks and war threats against neighboring Malaysia; and his close ties with the Communist bloc, especially Red China.

Unless Congress intervenes by enacting special legislation expressly prohibiting the State Department's secret plan, the President has the power to approve it.

By overwhelming majorities, both the Senate and House have repeatedly voted bans against aid to Sukarno—over strenuous White House and State Department opposition. Only last month the Senate again did this by writing such an amendment, by Senator FRED HARRIS, Democrat, of Oklahoma, into the new multibillion-dollar foreign aid authorization bill. But under administration pressure, this was eliminated in the closed-door deliberations of the House-Senate conference committee.

Under existing law the President can authorize the proposed new military aid for Sukarno by making a public finding that it is in the "national interest." That is what Secretary Rusk is pressing him to do.

Originator of the idea of giving more military aid to Indonesia's bombastic ruler is Ambassador Ellsworth Bunker—one-time envoy to Jakarta and now U.S. member on the Organization of American States Peace Commission in the Dominican Republic.

In May, after Sukarno threatened to seize American-owned oil properties, the President sent Bunker on a special mission to Jakarta in an effort to "improve relations." The result of this expedition was an unannounced recommendation by Bunker that more military aid be given to Sukarno—of a kind obviously very much desired by him.

Nothing was known about this until ferreted out by the House Foreign Affairs Subcommittee on the Far East, headed by Representative CLEMENT ZABLOCKI, Democrat, of Wisconsin.

In 2 days of closed-door grilling of Assistant Secretary William Bundy, in charge of Far Eastern affairs, ZABLOCKI and Representative WILLIAM BROOMFIELD, Republican, of Michigan, uncovered the details of this astonishing plan—which Bundy justified as necessary "for the United States to keep a foot in the door."

Under sharp questioning the State Department official also stated "This program is pretty far down the road."

"What do you mean by that?" demanded ZABLOCKI.

"It has been approved by the State Department and is now at the White House for final approval," replied Bundy. "The feeling is that if we don't send this material, the Russians will."

"If that is the case," retorted ZABLOCKI, "why don't we let the Russians do it? Sukarno has seized U.S. property; has repeatedly flouted and insulted us, and is just as anti-American as the Russians and Communist Chinese. So why give him more aid?"

"Has a license been granted to ship this communications equipment?" asked BROOMFIELD.

"Not yet," said Bundy. "That must be cleared with the Commerce Department. I want to point out this equipment is being sold to the Indonesian Army and not the Indonesian Government."

"What's the difference?" demanded BROOMFIELD. "Isn't the Indonesian Army under the Indonesian Government?"

"Yes," said Bundy.

"Then what difference does it make who buys this communications equipment?" declared BROOMFIELD. "It will be used against Malaysia."

"We hope not," said Bundy. "When Sukarno leaves the scene, the military will probably take over. We want to keep the door open."

"What proof do you have, if any, that the army leaders are likely to be any more friendly to the United States than Sukarno?" asked BROOMFIELD.

"We have hopes," said Bundy. "I also want to point out that this communications equipment is to be used for internal security purposes only. That is what Sukarno promised."

"What reason is there to believe his promises are worth any more now than in the past?" demanded BROOMFIELD. When Bundy sat silent, BROOMFIELD continued, "This communications equipment is virtually to be used to step up Indonesia's warring against Malaysia. I think approval of an export license for this equipment would be extremely dangerous, and would work to the serious detriment of our national interest in this strategic part of the world.

"We have been highly critical of some of our allies for dealing with North Vietnam. Yet our own Government is now proposing to deal with Indonesia, a country which is openly waging war on Malaysia and is shipping oil and other vital supplies to North Vietnam."

In an effort to block the new military aid for Sukarno, Representatives ZABLOCKI and BROOMFIELD plan to raise the issue publicly on the floor of the House. They are rallying bipartisan support for this attack.

THE ROLE OF RAPID TRANSIT IN REVITALIZING THE CENTRAL CITY

Mr. SCOTT. Mr. President, Leland Hazard, a member of the board of directors of the Port Authority of Allegheny County in Pittsburgh, Pa., recently gave a stimulating address on the role of rapid transit as a means of moving masses of people efficiently and quickly and as a means of transforming the central city from its present status of being "an island of inaccessible excellence." While much of Mr. Hazard's address relates specifically to Pittsburgh and its environs, it also goes into the generalities of why communities should, in his view, develop rapid transit systems. I ask unanimous consent that Mr. Hazard's interesting and hard-hitting remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CENTRAL CITY—ISLAND OF EXCELLENCE—THE ROLE OF RAPID TRANSIT

(Address by Leland Hazard before the 1965 Carnegie Conference, Pittsburgh, Pa.)

In 1794, when Pittsburgh became a borough, one of the first acts was to post an ordinance prohibiting hogs from running in the streets. It has been said that since the hogs could not read, the ordinance was not well observed. The human rationalization for nonenforcement of such an ordinance was noted as late as 1831 by DeTocqueville in New York City. A citizen is quoted as follows:

"Well, experience, sir, has proven that the most efficacious and powerful method of keeping streets of a town in a state of perfect and refined cleanliness is plenty of hogs. And if the hogs aren't doing the trick, then you haven't got enough of them." [1]

The analogy of the no-hog signs at the turn of the 19th century to the no-parking signs of the mid-20th century is obvious. If I make the sematic suggestion that contemporary motorists are hogging the streets, I descend, of course, to the level of punning. And do I go too far if I add that most of our modern municipalities, including Pittsburgh, are repeating the 19th century citizen's nonsense prescription: more hogs for more cleanliness (19th century); more autos for more central city mobility (20th century)?

Perhaps I do go too far, if I seek popularity in a society which still permits one person behind the wheel of an automobile—with a statistical half-person for a passenger—to invade the central city. But the mood of our cities is changing. They have been wallowing in a slough of intellectual and physical immobility. They have had building booms—20th century office housing which is not so slowly choking our 19th century transit—but without rapid transit, comprehensive urban renewal will not occur. One might say that our cities go higher and higher into the air and slower and slower on the ground. All this is changing—must change—and quickly.

Los Angeles is a case in point. A number of years ago John Keats, writing in "The Crack in the Picture Window," described Los Angeles as a vast, smoke-shrouded slum in southern California, populated with 4 million automobiles. He stated the average commuting time by automobile to be 1½ hours. He described luckless, local figures who sit half an hour every morning in their own driveways, foot on the clutch, engine idling fast, awaiting a chance to scuttle into a hole in the traffic.

One Los Angeles transit plan calls ultimately for a 160-mile rail network that would cost about $1½ billion. But how to finance it? Surveys have shown generally that a public transit system cannot make its way on fares alone. That means a public subsidy. But Los Angeles is confronted with opposition from automobile clubs, automobile dealers, and other groups. And so Los Angeles continues to wallow in its 19th century transit mire.

San Francisco, on the other hand, always a more civilized community than Los Angeles, has, as is now well known, approved in 1962 an almost $800-million bond issue to build a 75-mile rapid transit system. A test track of 4½ miles is already laid and in operation.

Presumably a community like Los Angeles, which will not face up to financing a rapid transit program, must suppose that the private automobile and buses can provide mobility. Any city, county, or metropolitan area which is not actively planning and developing rapid transit must be indulging that same assumption. The assumption is a delusion, and the delusion will be fatal for any community which persists in it for long.

There is a difference between mass transit and rapid transit—a simple but fundamental difference. Mass transit may mean simply that a significant number of people move in vehicles, buses for example, which will carry 50 persons past a single point per unit of time, as distinguished from the private automobile which carries an average of 1.5 persons past the same point in the same time. But bus travel commingled with private automobile and truck travel can be no more rapid than the whole assortment of low-powered, high-powered, underloaded, overloaded, flat-tired, dead-engined, longitudinal complex. And when some youth, still in his salad days, decides to share his driving responsibilities with a willowy female plastered to his right side, the community mass transit is subjected to utterly unpredictable erotic vagaries.

Rapid transit, unlike mass transit, must have its own exclusive right-of-way. In contemporary urban communities only subways and an occasional elevated railway, as in Chicago, or an occasional monorail can be called rapid. And the term does not necessarily imply high speed; it does imply, and must mean, separation from all other traffic. It is separation—exclusiveness of right-of-way—which is the fundamental. Exclusive right-of-way, and only exclusive right-of-way, can assure mobility on schedule for large masses of people. Any community which thinks otherwise is suffering from the 20th century opiate of the people—the private automobile.

Now any community which persists in the delusion that the private automobile and buses can move masses of people into and out of the hard-core business and shopping center of the community must be prepared to deal with the assumption that ultimately all who move will move by that method. Take a measure of that assumption:

The percent increase of families owning automobiles in the decade following 1950 (source: "Automobile Facts and Figures, 1965"; published by Automobile Manufacturers Association).

[In percent]

Metropolitan area	1950	1960-61	Percentage point of difference
Chicago	54	71	+17
Los Angeles	72	84	+12
New York City (only)	39	50	+11
Pittsburgh	51	67	+16
Philadelphia	41	63	+22
Cleveland	65	79	+14

Or take another set of indexes: Percentage increase by counties in passenger automobile registration during the period 1956 to 1965 (source, Editor and Publisher Market Guide, 1956 edition; 1965 edition):

County and percentage point of increase	
New York City (only)	+13
Los Angeles	+40
Cook	+41
York (Toronto, Ontario)	+72
Allegheny	+40

Increases in automobile population in this order of magnitude make the human population explosion look like a regression. So I repeat the premise: If one may enter the high-density traffic area of the central city by private automobile, then all must be permitted to enter in their "insolent chariots," to borrow again from John Keats. Take Allegheny County, Pa., the Pittsburgh area, as a case in point. I analyze the problem in point of space and in point of time.

First as to space. The average passenger load for the bus is 23 and for the automobile, 1.5. This ratio means that it takes 16 automobiles to do the work of 1 bus; that in linear space, to move 23 people, the automobiles require 256 feet against 40 feet required for the bus, and that the automobiles require 1,600 square feet against only 320 square feet required by the bus.

Consider now the relative efficiency of the bus versus the private automobile at the peak outbound tour 5 p.m. to 6 p.m. in the Golden Triangle area.[2] At the peak it takes burgh Bureau of Traffic Planning.
30 passenger automobiles to do the work of 1 bus. In other words, the private automobile requires 1,000 percent of the space required by the bus and then to move only 3 percent of the people the bus will move.

Take another facet of the assumption that if one is permitted to enter, for example, Pittsburgh's Golden Triangle, then all must be permitted to enter by private automobile. This would mean 225,000 people daily. At 1.5 passengers per automobile approximately 150,000 private automobiles would enter the Golden Triangle each day and approximately the same number would leave.

If 150,000 automobiles entered the Golden Triangle without benefit of garages, they would occupy on a single-car basis all but 16 acres of the 374 acres of that now legendary area in which Carnegie, Frick, and the steel barons held their courts. In other words, if everyone came by automobile, there would be no point in coming because all of the destination would be occupied by the vehicles trying to get there.

But assume now that the 150,000 automobiles will be accommodated in parking garages of 700-car capacity. This would require 214 such garages at a cost, excluding land cost, of $535 million. Now to the point: This would be approximately the cost of a rapid transit system. Come one, come all, by private automobile, and any community will spend approximately the cost of a rapid transit system; and will get for the expenditure only additional immobilization on the streets of the city's center.

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[1] "Democracy in America," scripts of 14 dramatizations by Lister Sinclair and George E. Propst, based on the classic work by Alexis DeTocqueville, National Educational Television and Radio Center, New York.

[2] C. B. D. Cordon Information, 1963; Pittsburgh Bureau of Traffic Planning.

Now consider the wasted time and energy. Take for an example the 15-mile distance from Monroeville, one of Pittsburgh's burgeoning suburbs—the distance from that suburb to Pittsburgh's Golden Triangle. The average speed could be 50 miles per hour either for buses or for automobiles—about 20 minutes for the trip. Actually at the peak hours the speed is cut to 22 miles per hour, and the time required is 40 minutes or more. If one assumes the 150,000 automobiles, and if one assumes, as he must, that every exit from the central city—like the parkway from the Golden Triangle to Monroeville—becomes a part-time parking station at the peak traffic hours, for such is the case, and since the 150,000 automobiles will average 150 horsepower per car, we have the spectacle of 22,500,000 horses jumping up and down during half the trip—going nowhere. If the horsepower were, in fact, produced by real horses and if, in fact, the spectacle were one of that number of graceful horses dancing on a parkway, there might be some esthetic relief in the sight. But since the horses are represented only by the noxious fumes which emanate from the rear ends of automobiles, the result is nausea rather than esthetic uplift.

Nevertheless, it is said that the cost of rapid transit—by which I mean a system or systems in which the transit vehicles occupy exclusive rights-of-way and move from peripheral centers of population, and among them, right into the hard core of the central city—it is said that the cost is prohibitive. But the case of San Francisco has now become the cost model for all areas. For a three-county community the cost is calculated at $792 million. This apparently great cost is, in fact, no more than many communities are planning to spend for highways. Pennsylvania Governor Scranton's proposal for a highway program for Allegheny County postulates the cost of $1,059 million. The San Francisco Bay area district cost will be $350 per capita for rapid transit. Governor Scranton's highway program for Allegheny County, Pa., will cost $650 per capita for highways. So it is in many communities which are proposing to spend per capita almost twice the amount for antiquated and obsolete methods of mobility than the San Francisco Bay area will spend for an up-to-date rapid transit system.

Or consider another typical case: In the 10-year period expiring in 1963, the Pennsylvania Department of Highways expended in Allegheny County a total of $334,465,213. This was an expenditure which has resulted in moving into the hard core of the Pittsburgh central city about half of the people who could come there by automobile—and that but haltingly. It is a fair assumption that to move all the people by automobile would involve an expenditure of at least double that amount. Four-lane highways would become eight-lane highways and the like. This would mean an expenditure of an amount substantially as Governor Scranton has projected—something in the area of magnitude of a billion dollars (inflation considered). Add to this figure the cost of the parking garages estimated above, and we have a figure of $1½ billion. This figure is about three times the roughly estimated cost of a rapid transit system.

Of course, a rapid transit system will not eliminate wholely the necessity for a highway complex for motor vehicles—private passenger cars, trucks and buses. But the comparison in costs is really shocking: An eight-lane freeway has a person-trip capacity of 9,000 at a capital cost of $1,600 per person. A subway or elevated, express or local, has a person-trip capacity of 50,000 at a capital cost of $440 per person.[3] Rapid transit does five times the work at one-fourth the cost. What are we waiting for; or should we have our community heads examined?

I do not foresee rapid transit as the liquidation of the private automobile industry. Quite the reverse. For example, in New York City, 61 percent of employed persons use public transportation. Nevertheless, in New York City in the period from 1954 to 1963 passenger automobile registrations have increased 13 percentage points.[4] In Chicago, where 39.5 percent of employed persons use rapid transportation to get to work, automobile registrations have increased 41 percent. And by contrast in Los Angeles, where there is little if any rapid transit, the increase in automobile registrations is slightly less than in Chicago; namely, 40 percentage points. Strikingly enough, in York County (Toronto, Ontario), where there is one of the finest demonstrations of what rapid transit can do for a community anywhere in the world (of this, more later), the increase in private automobile registrations in the period of 1954 to 1963 has been 72 percentage points. In Allegheny County, Pa., where only 24 percent of the employed persons use public transportation, the increase in automobile registration has been no more than in Cook County, where a higher percentage use rapid transit.

Henry Ford once said, "I will build a motor car for the great multitude * * * so low in price that no man will be unable to own one—and enjoy with his family the blessing of hours of pleasure in God's great open spaces."[5] Obviously, not even Henry Ford thought that the automobile should invade and preempt God's great closed spaces—our central cities.

Let me go now to the proposition that not only can we afford rapid transit but also we cannot afford to be without it. The most spectacular proof of this fact on the American continent, perhaps anywhere in the world, except Tokyo, Japan, is Toronto, Ontario, Canada. About 10 years ago Toronto began construction of its Yonge Street subway. There were opposing points of view. Some people said that the subway wouldn't make much difference to the area involved, that the downtown was on the decline anyway, and that the fact of people traveling below ground wasn't going to cause any more significant property development than if people continued to travel on the surface.

Others had a different view. They predicted fantastic changes in the city and a drastic upgrading in both value and use of the land adjacent to the subway.

The prophets of gloom were wrong.

Toronto's new east-west subway—scheduled to open in early 1966—is adjacent to properties presently valued at $250 million. Mr. G. Warren Ileenan, president, Toronto Real Estate Board, predicts that these same properties will double in value to $500 million in a few years. He predicts that the subway will generate approximately $2 billion in new developments along its route.

The City of Toronto Planning Board recognized the heavy impact on the value of air rights and land use adjacent to the new subway and developed a comprehensive report recommending significant zoning changes. These changes, when carried out in full, will double, it is estimated, possibly triple, the market prices of the adjacent lands.

Toronto's original Yonge Street subway, which cost $67 million, sparked an increase of more than $5 million worth of tax revenues over and above what would have occurred under normal development conditions—more than enough to cover amortization. Although it is usually said that a rapid transit system cannot pay for itself out of the fare box, Toronto's system has been earning not only its out-of-pocket costs but also its depreciation—and all of this with only a 15-cent fare.

Our cities are on the move toward rapid transit; no doubt of that. But there is a great danger that people will assume that we have rapid transit in given situations, Pittsburgh, for example, before we actually have arrived. To illustrate: Both Los Angeles and Pittsburgh and Allegheny County have recently consolidated ancient, mostly decrepit, multiple streetcar and bus lines and systems into one integration owned by public authority. The first danger is that the public will think that just by changing the ownership some magic will be worked. This is not the case.

Then there is the danger that because large sums of money are being expended for new buses, the community will think it is getting rapid transit. Again, such is not the case. A new bus is just as immobile on an expressway where traffic goes single lane because of an accident or a flat tire as the oldest, foul-smelling wheezer of the fleet. Expenditures for new buses to travel nonexclusive rights-of-way are just treadmill expenditures—necessary to keep a bad condition from getting worse. For example, the Port Authority of Allegheny County will spend in the next 5 years a total of some $25 million just to keep the mobility of the community at its present state of mediocrity. The worthless streetcars and the old buses acquired from private companies will be replaced, it is true. Defunct facilities will be renewed, true enough. All this will cost $25 million of capital investment in the next 5 years, but the transit services in Allegheny County will be essentially just what they are now. We will have simply maintained status quo. There is a danger that because so much money is being spent, it will be thought that something new and better is coming about. Again, such will not be the case.

There is an even greater danger. To operate the present system in Allegheny County—really scarcely better for its time than the horsecars at the turn of the century—there will be out-of-pocket costs to the community, too. This is because transit vehicles running on nonexclusive rights-of-way cannot hope to recover costs of operation out of the fare box. They cannot provide the rapid service which would justify requisite public patronage. The difference between the amount the fare boxes take in and the amount which must be paid out in cost of operation in a given period—conventionally a month, quarter-year, year—is called a loss. The term loss is used because of a cultural lag: Actually the publicly owned system of mass transit can have neither a profit nor a loss. If the fare box takes in more than the cost of operation and replacements, as in Toronto, the surplus is turned back to the taxpayers; if less, the taxpayers pay the deficit.

Now the danger is that by publicizing so-called losses every month or every quarter or every year, the public will get the impression that rapid transit is beyond the ability of the public to support. Such is not the case. No such psychology applies to paving streets or maintaining a fire department or a police department. No such psychology applies to a highway program scheduled to cost far more than a rapid transit system. I have made an estimate of what the difference will be between what the fare box for the Allegheny County existing system takes in over the next 5 years and what will be the cost of operations: about $17 million. This will be the so-called loss over the next 5 years. The

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[3] Traffic Quarterly, April, 1962.

[4] Editor and Publisher Market Guide, 1956 edition; 1965 edition.

[5] Peter Blake, "God's Own Junkyard" (New York: Holt-Rinehart Publishing Co., 1964).

$17 million is the cost which must be added to the costs which have already accumulated for the community's failure to modernize its transit system.

It is really so much foolishness for any community to look every month at a figure of alleged losses as if that figure were news. There is no likelihood that the figure can vary much in one way or another. It would be better to report the figure once a year and then with the kind of explanation which I have given here. We shall stop these so-called losses only when we make the new capital investment in a new system adequate for contemporary needs.

If we had no other reason to accelerate the progress of our communities toward rapid transit and exclusive rights-of-way for all mass transit—the objective of stopping the losses would be sufficient. Every automobile owner—villain though he may be in insisting upon driving his car right into the parlor of any place he wishes to go, pigs in the parlor—every automobile owner knows that the time comes when it is wasteful to keep repairing the old car. He must put up new capital for a new vehicle. It is no less wasteful for a community to hang on to outmoded transit systems and traffic equipment. Only by new investment can the community's cost of transit be kept within bounds.

At this point the question always arises: Must the community forever move people around at the cost of the taxpayers—as if the taxpayers were other than those who are to be moved around? Well, one answer is "Why not?" We move human waste through pipes to disposal plants at the cost of the community. Is it less valid to move human bodies around? I know what sullen expressions will usually greet this argument. Again, we have a cultural lag. In an agrarian society it is a virtue to stay on one spot of land; to tend it and its crops and its animals. To leave that spot of land is irresponsible and wrong. But now our society is not agrarian, it is urban; soon 8 out of 10 people will live in big cities. They must move about those cities to work; to garner food and supplies; to pay bills; to see doctors; to go to hospitals; to find places to meet, to play, and to learn; to be spiritually revived; and even to see the sunset, which in earlier times our ancestors saw in "God's great open spaces." Yet the agrarian psychology persists.

When Pittsburgh and New York drove the hogs off the streets, then the streets were paved at the cost of the taxpayer. Why? To provide mobility. Indeed the hogs were separated from the people so that the people might have mobility.

But now that the streets are cluttered with pedestrians and their natural enemies, the automobiles, a new need arises—one as persistent and insistent as the original need to get the hogs off the streets and to pave them. If something more than paving is needed to provide mobility in the mid-20th century, why should that shock us?

I have long since raised the question whether public transit should be free. But I do not press that question now. Suffice it now to ask: What fare is best administered for the purpose of avoiding irresponsible use of public facilities; and at the same time what fare is most appropriate to, and compatible with, the most extensive use of public transit? Certainly it would seem that on the basis of today's currency value, a fare of 15 cents in Toronto is more appropriate than Pittsburgh's fare of more than 30 cents for service not half so good as Toronto's. Pittsburgh's high fare is just another evidence of the high cost of our obsolete transit system.

I come now to a final and all-compelling reason why every community must press for rapid and mass transit and with all sensible speed. We now know that rapid transit routes shape the community and determine values in proportions of great magnitude. It is more important that the routes of rapid transit get settled than that those routes be impeccably located. The whole process of urban and community planning is arrested until rapid transit routes are laid out.

Take an illustration in Pittsburgh. There is currently proposed a 60-story building to be located at the very base of the Golden Triangle. Roughly a $60 million investment is involved. There is an existing railroad tunnel under a portion of the site for the proposed building—the tallest in Pittsburgh. The tunnel is actually in use at the present time by the Pennsylvania Railroad; but after the manner of all railroads these days, the Pennsylvania may give it up at any time. Railroads, because of the private automobile and the airplane, both of which will run out of space presently, now find that they can haul hogs, but not people, with a profit. Now the immediate question: Is this tunnel to be preserved, or is it to be destroyed and lost for any future rapid transit use?

Take another case. The whole lower end of the Pittsburgh Golden Triangle is now open for private development, and the pressures are mounting. If buildings go up now without regard to an underground traffic system, then the future costs of a possible subway might be prohibitive. If, on the other hand, the city knows now that there will be a subway, then the city can proceed to acquire necessary rights-of-way, require new buildings to be set back and have the best of two possible worlds.

Another question. How much more parking will be required in the Golden Triangle. The master plan calls for many more parking spaces. But if the port authority provides rapid transit which will attract 60 percent of our people, as in New York City, then much less automobile parking space would be required. If, on the other hand, public transit pursues a dreary, downward spiral, then this means more and more parking, requiring more and more expropriation of downtown land for parking facilites, with more and more loss in tax revenue, greatly increased congestion, if that be possible, and relative deterioration of the central city—a grim prospect, but the only outlook for Pittsburgh or any other city which will not grasp the transit nettle.

And why is rapid, comprehensive transit so important? Because only as we decrease distances by the speed, low cost, comfort, and dependability of rapid transit can we recapture for central city excellence the dispersed people of our modern, confused, uncertain age.

The loss to the central city has occurred because good citizens who cross the imaginary line from city to suburbia in search of the open places appear to lose all loyalty to the city. Once ensconced in suburbia all sense of responsibility to the central city seems to vanish. Thereafter the city is regarded merely as a place to get to on time in the morning and to get out of on time in the evening—the day's living earned, all else forgotten.

And there is another ominous prospect for our cities unless by rapid transit we create, in effect, new communities and a new integration of old communities. The people who have crossed the antiquated, artificial boundaries from our cities to suburbia have been white people. Consequently, the proportion of Negroes in our cities has sharply increased.

Even more striking is the percentage increase of Negroes in the public school population. During the past 25 years, from 1940 to 1964, the enrollment of Negro children in public schools has jumped out of all proportion to even the percentage increase of Negro population in our cities.

City	1940 Negro school population (percent)	1964 Negro school population (percent)	Percent of Negroes in population, 1964 [1]
Chicago	9	51	22.9
New York	8	47	14.0
Philadelphia	14	54	26.0
Pittsburgh	14	36	16.7

[1] Source: World Almanac, 1964; p. 256.

In Washington, D.C., the percentage of Negro children in public schools has risen from 53 in 1954 to 86 today. Washington, D.C., can bus Negro children and white children around until the poor dears are giddy with busing; but that will not affect significant integration where the Negro school population is so close to 100 percent of the whole.

Rapid transit will not only open new territories for new starts. It will also do something electrical to old psychologies; to old patterns of hate and fear. We are trying to divide up cultural scarcity instead of creating new spiritual wealth out of new techniques for achieving anew the good life.

So long as programs of integration must stop at city boundaries, we are headed for frustration and defeat. A simple word—dilution—is the key. Dilution is affected by mobility; mobility is accomplished by rapid transit.

Now while a department store may pursue its customers into suburbia with a branch or branches, or even with completely stocked establishments the equal of the original in the central city (although this would be the exception), and while filling stations and cleaning establishments and all of the service institutions can do likewise, the sad fact is that cultural institutions cannot reproduce themselves for all out-of-the-city real estate developments.

Let me illustrate. In a community like Pittsburgh, with substantially 605,000 people in the central city and that number again in the environs and suburbs, there can be only one symphony orchestra; only one central library; only one Point Park at the confluence where the Allegheny and the Monongahela form the Ohio; only one gothic tower reaching for the heavens from the beautiful greensward of the University of Pittsburgh campus; only one county courthouse of such sturdy grace as that one done by Richardson in the last century; only one art museum with its growing collection of colorful, sometimes disturbing, examples of contemporary art; only one museum of natural history with its world-famous collection of prehistoric mammals; only one children's zoo to create young wonderment; only one community playhouse with its sometimes experimental offerings; only one cathedral with notably beautiful towers in a Presbyterian community; only a few architecturally beautiful churches; only one area like that around Phipps Conservatory with its cherry trees, plane trees, lily pools, azalea and pyracantha—old and mature enough to seem rightly there and properly a part of the whole city. And when people leave for suburbia, never to return save only in that mad daily rush of starts and stops, alterations between throttle and brake—bent only on getting and spending—something goes from their lives, something of the spirit which we call cultural; and gone, leaves them less worthy of the city and the city less worthy without them.

The city is 5,000 years old in man's culture. It came next after the agricultural revolution in which man ceased to hunt for food in an environment thought to be given. The urban revolution came because of, to enable, to justify the specialization which changed man from a nomad to a citizen. Our cities are an ancient heritage—islands of excellence—whose excellence we are challenged now to make ubiquitous in our national community.

How do we get rapid transit to tie our Allegheny County and western Pennsylvania communities into a new and vital area in which Pittsburgh is no longer an island of inaccessible excellence? We will get rapid transit by leadership. Fortunately we have our county government already. Recently, when our county commissioners traveled to Toronto to see the thrilling changes which rapid transit produced there, they learned that 12 municipalities had to be forced, in effect, by the Ontario Legislature to consolidate for the function of transit. That will not be necessary in Allegheny County. Our commissioners need only take the lead to bring Allegheny County back into the rank of great modern communities—a hub from which all of western Pennsylvania can radiate into new economic and cultural excellence.

Our Allegheny County Port Authority has launched the necessary rapid transit study and the requisite planning. The work is going forward. City, county, and southwest regional planning organizations are working cooperatively in a committee of high technical competence. In about 18 months, perhaps a little earlier, a report will be ready. Then will come the testing time for Allegheny County. A bond issue of unprecedented proportions will be submitted. The citizens of Allegheny County will be asked to vote whether "to be or not to be"—that will be the fateful question.

THE ART IN THE EMBASSIES PROGRAM

Mr. McINTYRE. Mr. President, in these times of challenge and turmoil from abroad, we often either forget or are unaware of the constructive efforts which are underway to promote better understanding among all people. Not guns nor butter, but original works of art are now being used in a combined Government-private interest effort to portray our proud cultural achievements to those of foreign lands.

I can think of no more effective approach to cultural diplomacy than that which the State Department is presently engaged in—the art in the Embassies program.

The art in the Embassies program involves the loan of representative paintings, scultpures, carvings, graphics, ceramics, mosaics, wall hangings, and photography by private sources for display in our embassies and chanceries abroad.

I salute the members of the national committee and the executive committee of this program for their superb efforts in presenting our accomplishments in the field of art for viewing throughout the world. This is a fine example of how government and private interests can work together in removing shadows which cloud our image abroad.

Mr. President, I ask unanimous consent that a description of the art in the embassies program along with a feature article from the September 6 Washington Daily News on the adviser for this outstanding program, Mrs. Nancy Kefauver, wife of our beloved former Senate colleague and my good friend, the late Senator from Tennessee, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ART IN THE EMBASSIES PROGRAM

THE PROGRAM

Purpose

The art in the Embassies program is based upon the belief that it is important for Embassies of the United States to reflect current and traditional culture of this country in an effective manner. One way to present the high level of American cultural attainment is through visual arts. Consequently, this program plays an integral role in the building of an improved U.S. cultural image abroad.

The art in the Embassies program is a service of the Department of State, the purpose being to provide art appropriate for the representational rooms of Ambassadors' residences and chanceries.

We think of this program as cultural diplomacy in action.

Scope

This is a worldwide program to place original art of our country in U.S. Embassies. Art transcending all periods will be selected throughout the United States. This will include paintings in all media, sculpture, carvings, graphics, ceramics, mosaics, and wall hangings.

The art of photography will be used in those chancery areas where certain aspects of American life can be most effectively presented through this realistic and telling medium.

Criteria

We believe that:

1. Works of art must be original.
2. All must be recognized quality to best represent American culture.
3. Cultural concepts and art trends of the foreign countries are important factors in planning a collection.
4. For Embassy residences, preference of the Ambassador and his wife should be considered, and related to established criteria.
5. To insure conservation of the art, climatic conditions must be taken into account.
6. In the placement of art, the architecture and interior design of the buildings should be given consideration, for this art is intended to enhance the overall atmosphere of the buildings.

Operating procedure

This is a program of cooperation between Government and private interests. The art is on loan to the Department of State, preferably for a minimum period of 2 years, from museums, galleries, private collections, corporations, and individual artists. The Department of State underwrites the packing, transporting and insuring of the art on loan.

After a loan or outright gift, has been agreed upon, following receipt of specifics as to the art—title, artist, dimensions, evaluation—the Department of State will initiate the packing, shipping, and insurance arrangements for the works concerned. These aspects are covered for the period from the time the art leaves the lender until it is returned.

Outright gifts are most acceptable, subject as are loans, to approval by the executive committee. These may be presented either to the Department of State or to the National Collection of Fine Arts of the Smithsonian Institution for use in the art in the Embassies program.

The National Collection of Fine Arts, Smithsonian Institution, serves as a repository for works shipped to Washington, D.C. The art is inspected upon receipt, and placed in a humidity and temperature controlled area, under 24-hour security guard. Should the need arise, the Smithsonian will supervise restoration of the art, if the lender desires.

The Department of State registration system provides:

1. For a detailed condition report upon receipt from the lender.
2. Location records which show at all times where a given piece of art is located.
3. Annual inventory and condition report from the Embassy.

A kit is made up to accompany each collection. This includes a brochure on the program; a letter from Mrs. Kefauver containing general information regarding the collection, with precautions for conservation of the art; placement suggestions; a set of registration-location-condition-receipt record cards; biographic data on the artists represented in the collection; information on types of art; unpacking, as well as packing and shipping instructions for the return trip.

Recognition

International recognition is afforded the lender and the artist, as all publicity regarding the art on loan refers to both parties. Brochures printed by the embassies for use in connection with the art on display give reference to lenders and artists. Plaques will be used when appropriate.

Committee responsibilities

A geographically representative group of knowledgeable people in the art field compose the national committee. The members assist in the finding and initial screening of art.

The executive committee is responsible for the overall decision as to acceptance.

FROM THE SECRETARY OF STATE

"In the world of today, international relations are no longer exclusively, nor perhaps even primarily, relations between governments. They have become increasingly relations among peoples. Important among them are the great international communities of the arts. I am proud of the art in the embassies program, both because it represents important aspects of our national culture and because it is a cooperative enterprise which blends the ideas and energies of government and private citizens and organizations interested in the visual arts.

"DEAN RUSK."

NATIONAL COMMITTEE MEMBERS

Mr. Richard Collins, director, arts and sciences department, International Business Machines Corp., New York, N.Y.

Mrs. Dorothy Dunn, honorary associate in Indian arts, Los Altos, Calif.

Mr. Norman de Haan, architect, Chicago, Ill.

Mr. Donald Goodall, chairman, University of Texas Art Department and director, University Museum, Austin, Tex.

Mr. Eugene Kingman, director, Joslyn Art Museum, Omaha, Neb.

Mrs. Katharine Kuh, art editor, Saturday Review, New York, N.Y.

Mr. Robert H. Thayer, director, Governmental Relations, American Field Service International Scholarships, Washington, D.C.

Mr. Thomas W. Leavitt, director, Santa Barbara Museum of Fine Arts, Santa Barbara, Calif.

Mr. Paul Mills, curator, Oakland Art Museum, Oakland, Calif.

Mr. Roy Moyer, director, American Federation of Arts, New York, N.Y.

Mr. Perry Rathbone, director, Museum of Fine Arts, Boston, Mass.

Mrs. Janet Rubin, director, Obelisk Gallery, Washington, D.C.

Mr. Edwin C. Rust, director, Academy of Art, Memphis, Tenn.

Mr. Rexford Stead, director, Museum of Fine Arts, St. Petersburg, Fla.

Mrs. Sue M. Thurman, director, Institute of Contemporary Arts, Boston, Mass.

Mr. Gudmund Vigtel, director, High Museum of Art, Atlanta, Ga.

Mr. Otto Wittman, director, Toledo Museum of Art, Toledo, Ohio.

EXECUTIVE COMMITTEE MEMBERS

Dr. Richard F. Brown, director, Los Angeles County Museum of Art, Los Angeles, Calif.

Mr. Lloyd Goodrich, director, Whitney Museum of American Art, New York, N.Y.

Mr. Bartlett H. Hayes, Jr., director, Addison Gallery of American Art, Phillips Academy, Andover, Mass.

Mrs. Nancy P. Kefauver, advisor on fine arts, Department of State, Washington, D.C.

Mr. David Scott, director, National Collection of Fine Arts, Smithsonian Institution, Washington, D.C.

Mr. Laurence Sickman, director, William Rockhill Nelson Gallery of Art, Kansas City, Mo.

Persons interested in participating in the Art in the Embassies Program may either contact a National Committee member, or write directly to: Nancy P. Kefauver, advisor on fine arts, Office of the Deputy Under Secretary for Administration, Department of State, Washington, D.C.

NANCY KEFAUVER THRIVES ON KEEPING BUSY HERE—SHE HAS TWO JOBS: CHILDREN AND STATE DEPARTMENT WORK

(By Wauhillau La Hay)

Nancy Kefauver hadn't the remotest idea of leaving Washington when her husband, Senator Estes Kefauver of Tennessee and Democratic vice-presidential candidate in 1956, died in August 1963.

"Estes transplanted me from Scotland to Chattanooga when we were married, then from Tennessee to Washington," said the tall, good-looking Scottish redhead. "Our four children were born here and right here in Washington is where my jobs are."

Jobs—plural. Nancy has two, plus the obvious one of raising her son and daughters and keeping their attractive home in Georgetown and the carriage house of the old Sumner Wells mansion on Massachusetts Avenue.

Nancy is an artist of ability. Graduated from Glasgow School of Art, she studied in Paris, London, and Washington. Now she has no time to paint, but "I have classes at the school Wednesday night and Saturdays. And they are a labor of love," she said firmly.

J.F.K. APPOINTMENT

The State Department job was given her in November 1963. It was one of President Kennedy's last appointments and her duties were to work on a consultant basis 3 days a week.

"By September of that year it was a full-time job," Nancy said. "And it has grown and grown and I can't tell you how exciting it is."

Just what is the job? The operation is based on the belief that it is important for the 114 embassies of the United States to reflect current and traditional North American culture in an effective manner. One way is to present the high level of our cultural attainment through art.

Embassies request the services of Nancy's office (18 embassies have been completed; work is now going apace on 52 requests). There is no fund for buying the art, so it must be obtained through loans or outright gifts.

ART WORKS STORED

Most of the loans are on a 2-year basis. As the art works are collected—oils, water colors, ceramics, graphics, mobiles, constructions, wood carvings, sculpture—they are stored in humidity-controlled vaults at the Smithsonian just off Massachusetts Avenue.

FANCY TITLE

Her most important job has a fancy title. She is Adviser on Fine Arts, Department of State. That may sound fairly ephemeral, but she is in charge of a complicated and important program called "art in the embassies."

Her second job is a partnership in a successful art school. With her closest friend, Byrd Farioletti, she founded the school 11 years ago. It has grown from 6 students to 100; from a garret studio in Institution. Nancy spends a day a week there.

A newly appointed ambassador, usually accompanied by his wife, calls on Nancy. They discuss personal likes and dislikes. In the meantime, Nancy knows what is needed in color and size and shape, for she has detailed descriptions, dimensions, color schemes and even fabric swatches of each residence and chancery.

She consults with the State Department desk officer of the particular country and always see the cultural attaché of that country to find out climatic conditions, local taboos and national preferences in art. It is a lengthy, complicated procedure, but Nancy Kefauver and her staff have, as she says, "whipped it down to size."

PLAN AFRICA TRIP

This autumn she and her assistant, Carol Harford, plan to go to Africa. Although she has traveled extensively, she has never visited Africa.

"It's wonderful to keep so busy," Nancy said happily. "The children are grown—or almost. I've just put the youngest 14-year-old Gail, on a plane for England and Scotland to visit relatives.

"Lynda, who is 23, is doing art research for a New York magazine. David, 19, enters Colorado State University this fall. He's going to be a large-animal veterinarian. Diane, 17, has another year at Madeira School. I need to keep busy. I thrive on it."

THE NATIONAL HARDWARE SHOW

Mr. SCOTT. Mr. President, I take this occasion at this point in the RECORD to call to the attention of Congress the National Hardware Show which will be held from September 20 to 24 in the New York Coliseum, which in 1965, is celebrating its 20th year of service to the industry.

Over 1,000 leading manufacturers of hardware, housewares, allied products and lawn and garden equipment exhibit annually in this trade show which now represents a $15 billion industry. Exhibitors are from every State in the Union, and more than 45,000 buyers attend each year.

These buyers come not only from 50 States, but from 41 foreign countries as well. Over 10,000 people are required to set up and staff the exhibits at this mammoth trade show, and over 75,000 packages and crates are received from exhibitors.

I am happy to say, Mr. President, that my State of Pennsylvania plays no small part in this great industrial enterprise. This year 91 Pennsylvania producers of hardware products manufactured from steel, aluminum, oil and other raw materials of the Commonwealth are exhibiting. An estimated staff of 2,800 persons will handle these exhibits. Last year, some 5,000 Pennsylvania buyers purchased over $100 million worth of business for resale from manufacturers exhibiting at the National Hardware Show, and it is expected that a similar level of business again will be transacted. Pennsylvania manufacturers already have invited buyers from 37 foreign countries to their exhibits.

The National Hardware Show, Mr. President, was founded in 1946 by the Charles Snitow organization and is still under the same management. It is the only show to utilize every square foot of exhibition space at the huge New York Coliseum. This great enterprise is a noteworthy example of the contributions made by industry and labor to the American economy, in which the State of Pennsylvania plays such a large part. Pennsylvania is proud of the role it has taken in making this one of the world's truly great industrial shows.

MARYLAND YOUNG DEMOCRATS PRAISE ADLAI STEVENSON

Mr. TYDINGS. Mr. President, several weeks ago the world lost a man who had devoted his life to the preservation of peace in our time. Many words have been written since then and many more will be written. This month's issue of the Burro, the monthly publication of the Young Democratic Clubs of Maryland, included a particularly touching eulogy written by Carl R. Tuvin, former northeastern conference chairman of the Young Democratic Clubs of America.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD Mr. Tuvin's moving memorial.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

IN MEMORIAM: ADLAI EWING STEVENSON OF ILLINOIS, 1900–65

Final goodbyes are always the hardest. It is especially hard when it is for one whom all held so dear to their hearts. This, many of us found to be quite true as we silently filed past the flag-draped coffin of Adlai Ewing Stevenson when his body lay in repose at the National Cathedral in Washington, D.C., a few weeks ago. It was hard to conceive that at a time in world affairs when his powerful voice with its provocative thoughts were so dearly needed that he was gone from us forever.

Adlai Stevenson had eloquently eulogized Dag Hammarskjold, John F. Kennedy, Jawaharlal Nehru, Eleanor Roosevelt and Winston Churchill. The words that he used to eulogize these world figures could very well serve as his own eulogy. The eloquence of his oratory will be sadly missed with the passing of this great world statesman.

Fate had it that that Adlai Stevenson's life would end with this man toiling ever so hard in the cause of world peace. Twenty years earlier, in 1945, he had helped in the formation of the United Nations and served on the first U.S. delegation to the world body. When his end come he was once again serving his country as Ambassador to the United Nations, a position in which he served with great distinction.

The years between 1945 and his demise were packed with adventure for this man of great vision. He emerged as a candidate for the Governorship of Illinois in 1948. He won a tremendous victory and became a great Governor. President Truman urged Adlai Stevenson to run for the Presidency in 1952. The Governor was reluctant for several reasons, one of which was that he wanted to run for a second term in Illinois.

The Democratic National Convention drafted Adlai Stevenson as the Democratic Party's standard bearer and although he felt that he could not seek the nomination, he accepted it. His acceptance speech sounded the keynote of his campaign and his philosophy: "Let's face it. Let's talk sense to the American people. Let's tell them the truth, that there are no gains without pains * * *." That we are involved in a "costly struggle which alone can assure triumph over the great enemies of man—war, poverty, and tyranny."

Adlai Stevenson was defeated in that campaign. During the next 3 years he traveled extensively. He sought to see, and to speak to, and with the people of his own beloved America and the world. Since he had been his party's nominee, he had the responsibility to be its spokesman.

It was during this time that he formulated his view of a new America. This was to be the theme for his second presidential campaign. He told the Democratic Party in convention assembled, 1956:

"History's headlong course has brought us, I devoutly believe to the threshold of a new America—to the America of the great ideals and noble visions which are the stuff that our future must be made of * * * a new America where poverty is abolished and our abundance is used to enrich the lives of every family * * * a new America where freedom is made real for all without regard to race or belief or economic condition * * * a new America which everlastingly attacks the ancient idea that men can solve their differences by killing each other."

When the campaign was over he said, "Win or lose, I have told you the truth as I see it." This was the true Adlai Stevenson: the honest politician, in the rough game of politics, the idealist, in a world where many had placed their ideals aside for material gain, a statesman, in a world where cool heads and thoughtful purpose were never needed so badly. He saw in his two presidential campaigns, his speeches, his writings, and his travels a chance to educate people to what he felt were the great issues facing the American Nation and the world. He opened his mind and let the words fall where they may.

He was never to be President. But, we can see everyday where his ideas have had a great influence in the concepts of the New Frontier of John F. Kennedy and the Great Society of Lyndon B. Johnson.

Adlai Stevenson's idealism, his wisdom, his vision, and his sensible thinking, rallied many Americans to take an interest and an active role in this Nation's political affairs. He had the same effect on many citizens throughout the world.

And now Adlai Stevenson is gone. It is the responsibility of good citizens everywhere to see to it that his work was not in vain.

PLANNING FOR PEACE

Mr. TYDINGS. Mr. President, several weeks ago I had the opportunity to place in the Record the winning essay on steps toward world peace. The contest was sponsored by the Baltimore Life Insurance Co., whose chairman of the board is Mr. Henry E. Niles. A distinguished Baltimorean, Mr. Niles has testified before the Senate Foreign Relations Committee on several occasions, most recently on Senator Clark's planning for peace resolution—Senate Concurrent Resolution 32.

On August 8 the Sunday Sun did an excellent feature article on Mr. Niles.

As the article indicates, we all too often think of the peace movement in terms of unshaven sit-in demonstrators, rather than distinguished businessmen. I commend this article to my colleagues in hopes that they too may be aware of the service being performed by such distinguished persons as Mr. Niles.

I ask unanimous consent that the article be reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Promoting Peace Is Dear to Niles' Heart—Baltimore Insurance Executive Sees World Law as No Empty Dream of an Idealist and Works for Amity Among Nations

(By J. D. Dilts)

After years of exposure to ban-the-bomb marches in Britain, the public tends to conceive of the movement for world peace as proceeding in sandals, to the accompaniment of guitars, its face, for the most part, unshaven.

Yet while the annual mass migration to Trafalgar Square and the occasional efforts of other fervent activists in the fight for peace get most of the publicity, in the background other men labor, among them—the antithesis of the bearded marcher—the American businessman. This small group's methods are quieter, their idealism is tempered by practicality, but they are equally dedicated to promoting peace.

One of the more active among them is Henry E. Niles, the tall, articulate chairman of the board and director of the Baltimore Life Insurance Co. The most recent evidence of his long-standing interest in world affairs was his announcement July 7 of the winners in an essay contest conducted by his company for high school students in seven States and the District of Columbia. They answered the question: "What steps should the United States take toward insuring world peace?"

Both Mr. Niles and his brother, Emory H. Niles (former Chief Judge of the Supreme Bench in Baltimore and a member of the U.S. Commission of International Rules for Judicial Procedures) were brought up in a family tradition that citizens should take an interest in world affairs. Mr. Nile's real interest began in his twenties when with his father, the late Judge Alfred E. Niles, he attended the first meeting of the League of Nations.

His father also influenced his career in the insurance business. After graduating (cum laude) from the Johns Hopkins University in 1920, Mr. Niles spent 2 years studying statistical methods, here and abroad, and then came to Baltimore Life, of which the older Niles was general counsel. He soon became mired in routine tasks and he chose to leave.

He went to New York, to the statistical department of the Federal Reserve Bank, then spent several years as assistant manager of the Life Insurance Sales Research Bureau in Hartford, Conn. For 10 years beginning in 1930 he and his wife, Mary Cushing Niles, were consultants to management, mainly in the insurance field. In 1940 Mr. Niles rejoined Baltimore Life as superintendent of agencies, a top-level job safely removed from the routine.

Because of his growing reputation as a management expert, Mr. Niles was asked, 2 years later, to become the chief management analyst for the Office of Price Administration, where he again demonstrated an impatience with petty procedures. Discovering, for example, that a manufacturer's simple request for a copy of the regulation on the price of hardwood generated an unprecedented amount of correspondence, he set out to track down each triplicate copy of the blizzard of memorandums and letters that went to each department. He then pasted them down on a piece of wrapping paper 4 feet wide by 16 feet long, and traced the course of the original request and its eventual reply with several yards of red tape. The effect on the administrator's office was instantaneous.

Mr. Niles launched a similar attack on bureaucratic inscrutability when in 1947, while attending the Eighth International Management Congress in Stockholm, he became interested in the Committee for the Blind of Poland. It was a New York-based organization founded that year to ship clothes, food, medicines, etc., to the Polish Institute for the Blind at Laski, run by Catholic nuns. No one knew if the supplies were getting through. Mr. Niles made two trips behind the Iron Curtain to find out if they were (they were). He now serves as chairman of the board of the committee.

In 1951 Mr. Niles was again in Europe, this time in Baden-Baden to lead seminars for German industrialists. The subject was human relations, and Mr. Niles went on behalf of the Marshall plan.

The following year he was asked by Chester Bowles, whom he had met in his work at the OPA and who was then Ambassador to India, to go to that country as deputy director of the point 4 program.

For the past several years Mr. Niles has been attending periodic gatherings near Washington of about 120 representatives of government, business, and colleges and universities called the Conference to Plan a Strategy for World Peace. Riding on a bus to the latest conference, he found out from a friend that high school students all over the country would be debating in 1964–1965 the question of the best means of controlling atomic weapons.

He felt that it wasn't a basic enough question, devised what he thought was a better one, and announced the contest to schools last November. A panel of judges picked the 3 winners from over 3,000 entries. The winners received a total of $4,750 (first prize $2,500) to help pay for their college education.

Many of the essays were well-researched and thoughtful responses to one of the world's thorniest questions and one which many of Mr. Niles' business acquaintances, ironically, dismiss as too complex and too remote.

Mr. Niles gives credit to its complexity, but not its remoteness. Although as a Quaker he has a philosophical commitment to world peace, he is also a hardheaded businessman.

Insurance death claims increase in wartime, even in such limited engagements as those in Santo Domingo and Vietnam. Still: "Last year," he says, "our company's growth was 50 percent better than in any previous year. But all that could be wiped out in 15 minutes of nuclear war.

"It is estimated that the average scientist today has a half-life of 10 years, i.e., half the knowledge he has today will be obsolete 10 years hence. Our problem is to change our political and social thinking to keep up with what the scientists have done. World law is no longer the dream of the idealist; there must be some agreement among nations about how we are going to live in a world of speeded-up transportation and great destructive power."

His main purpose in sponsoring the essay contest was to inspire new thinking by the younger generation.

Mr. Niles remembers, from his stay in Geneva during the first days of the League of Nations, Spanish Philosopher Salvador de Madariaga's statement that if the League failed, another institution would be set up to take its place. It was, of course, but now there is talk in some quarters of that Organization being broken up in favor of still another. Mr. Niles would prefer to see the United Nations strengthened rather than abandoned; provoking thought and discussion, especially among the young, seems a good way to accomplish this.

RECESS UNTIL 10 A.M. TOMORROW

Mr. RUSSELL of South Carolina. Mr. President, if there is no further business to be transacted, I move, in accordance with the order heretofore entered, that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 3 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, September 10, 1965, at 10 o'clock a.m.

EXTENSIONS OF REMARKS

Outlook on Vietnam Improves

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that my newsletter of recent date, Capital Comments, be printed in the RECORD.

The newsletter follows:

OUTLOOK ON VIETNAM IMPROVES

(By JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

An air of cautious optimism is running through congressional and administration circles as reports reach Washington that U.S. military power is being applied with increasing effectiveness against the Vietcong in the battles in southeast Asia.

It is too early to overstate the case—to indicate that the tide has turned generally. But the fact is that in the first major U.S. engagement of the war on the Van Tuoung Peninsula near the U.S. air base at Chu Lai, this Nation demonstrated to North Vietnam just what happens when the Vietcong is forced to stand and fight in regimental strength.

The Communists were soundly beaten, caught in a military trap, cut off from escape and cut to shreds. The message implicit in this encounter will not be lost on Ho Chiminh, the premier of North Vietnam.

The feeling here is that American military might is being felt in Vietnam. Our planes are strafing and bombing strategic military targets in North Vietnam. Our troops are assisting the South Vietnamese in detecting the enemy in South Vietnam and aggressively attacking. Supply routes have been bombed repeatedly and the stream of the enemy troops and materiel into South Vietnam slowed markedly.

The Communists do not understand democracy. They do not understand that while there is some American disagreement and dissent that we are united. Simply because there is some dissent from President Johnson's foreign policy does not mean that this dissent will be reflected in any degree in the Nation's military effort.

As a matter of fact, there has been remarkable unity on American policy in Vietnam among members of both parties—and this unity seems to be growing stronger as President Johnson's determination begins to bear fruit in terms of greater success for the forces of freedom.

Ambassador Averill Harriman reportedly made it clear to the Russians that the U.S. commitment in South Vietnam will be backed to the hilt, that there will be no equivocation and withdrawal to permit a Communist takeover.

The North Vietnamese had let it be known that during the monsoon season it would make its major effort to drive American forces into an untenable position in Vietnam. The nation is well into the monsoon season and the Vietcong has been unable to muster the resources and the men to make the gigantic attack necessary to inflict a telling defeat on the South Vietnamese and American troops.

Morale in South Vietnam appears to be rising. Reports indicate it is weakening in North Vietnam.

All of these factors add up to a more optimistic mood on Vietnam. But we are not out of the woods. The advantage in a guerrilla war is with the aggressor. He can pick his time and spot for an attack. He can concentrate forces overwhelmingly superior to the forces he is attacking. He is operating in familiar jungles.

The casualties in the Vietcong and its North Vietnamese elements are rising. They are being pounded. Their supply lines are in jeopardy. And, most important, they are losing face.

Losing face in the Orient is a prelude to losing everything. It means loss of spirit, lowered morale, less cooperation from civilians, and a loss of prestige and power.

The sands of history are shifting in Vietnam. And time now may be running on our side—the side of liberty and freedom.

Federal Government and Idaho: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. FINO. Mr. Speaker, today I would like to bring to the attention of the Members of this House some statistics concerning gambling in the State of Idaho. Idaho is another of those States where the partnership of the State and Federal Governments in keeping gambling illegal is tantamount to a partnership in perpetuating illegal gambling's bankrolling of organized crime.

Last year, the parimutuel turnover in Idaho came to $600,000. Illegal gambling was far more extensive. Testimony given to the McClellan committee supports an estimate placing nationwide illegal gambling at $120 billion annually. On a population basis, Idaho's share of this sum would be $480 million. This seems excessive, but no doubt an Idaho illegal gambling turnover in the tens of millions is passing through mob hands, and a part of this sticks in the form of profits. Mob gambling profits bankroll every seamy form of vice known.

The answer is National or State lotteries. Government-run gambling makes gambling dollars work for rather than against society.

World Peace Through Law

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. ST. ONGE. Mr. Speaker, on September 2, 1965, I joined with a number of my colleagues in sponsoring a concurrent resolution which expresses the sense of Congress that World Law Day be officially recognized.

In connection with the 20th anniversary of the founding of the United Nations, Congress adopted a concurrent resolution last June to encourage international cooperation within the framework of law and order. Subsequently, President Johnson proclaimed September 13, 1965, as World Law Day, thereby emphasizing the need to strengthen international cooperation through law and legal institutions.

On this day, September 13, leading jurists, lawyers, and legal scholars from 120 countries throughout the world will gather in Washington to discuss the development of legal rules and judicial systems and their application toward the maintenance of world peace. The series of meetings will last for a whole week and will be known as the World Conference on World Peace Through Law.

The purpose of the several resolutions my colleagues and I introduced in Congress, in addition to official recognition of World Law Day, is also to welcome to our shores the many hundreds of jurists and scholars from abroad during their deliberations. We are very proud that our Nation's Capital was chosen for this significant meeting, coming especially at a time in world affairs when peace through law and order is a crying need of humanity everywhere. Their task is not merely to talk of peace through law, but also to draft plans for new international courts, to codify and strengthen international law, and to develop greater acceptance of the principle of law and order rather than resorting to force and aggression.

The legal profession and all those associated with that profession—and that includes indirectly parliamentarians of all nations—have a magnificent opportunity to show the way for mankind to seek and attain peace through law and order. Any progress in this direction will be to the advantage of civilization and the survival of humanity.

Royalston's 200th Anniversary

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. CONTE. Mr. Speaker, I represent a part of our land that is rich in history. The proud heritage of the Commonwealth of Massachusetts began at Plymouth in 1620, when a sturdy band of Englishmen arrived on these shores to build a new and better society. They and their families soon spread out, to the north, to the south, and many to the beautiful western hills and valleys that now comprise my congressional district.

These settlers grew and prospered. They were joined by others, of different religious and national backgrounds, but all eager for a new and better life in a young, free land. As a result, many of the communities in my district are this year celebrating their 200th anniversaries. Royalston, in Worcester County, Mass., is one such community.

It is always a pleasure for me to take note of such an historic occasion as a bicentennial year. But in Royalston's case it is a special pleasure, and I want to share it with my colleagues in the Congress. It is special because among Royalston folk there is a long tradition of mutual trust, friendship, and civic spirit of which any American community could be proud.

One hundred years ago, the Honorable A. H. Bullock gave an eloquent speech commemorating Royalston's centennial year. The sentiments he expressed at that time hold true today, and they go a long way toward explaining the kind of tradition in Royalston. Mr. Bullock said in part:

> I apprehend that scarcely an ancient town in the State can present a parallel with this. Such has been the uniformity, the harmony, the serenity of this smooth current of population, from the commencement until now, that the present occasion is furnished with little that is eventful and with nothing that is dramatic. A town far away from the sea, and therefore without the inspiring excitement of ocean commerce—a precinct that bears no vestige of the aborigines, and is in this respect so unlike the more southerly towns, which had half a century of life crowded with Indian traditions, that I cannot find that those original lords ever lighted a pipe or a fire here, a church without a schism in a century, a ministry that never knew how to quarrel, a people that have walked the paths of unambitious duty; these make our record uninteresting for the public address. But these also make our claim to the highest distinction of municipal fame. This agreeable progress of four generations, without anything that is startling in savage or civilized adventure, has made our history comparatively tame; but it is the tameness of beneficence, of a people who have been content without observation to pour the ceaseless tributaries of a small and distant town into the swelling volume of the growth, the power, and the renown of the State.

In fact, Mr. Bullock was being a bit modest. There are many interesting sides to Royalston's history, and in 1917 Mr. Lilley B. Caswell compiled a town history of no less than 550 pages. Mr. Caswell begins by recording the original grants and purchases of land in Royalston—one as early as 1737—and describes the proprieters meetings held "at the Bunch of Grapes Tavern" in Boston. He reports that the first permanent settlement was made in 1762, when six families established residence. When the French and Indian War ended shortly thereafter, these intrepid settlers were joined by others, and soon there were 75 homesteads dotting Royalston's hillsides.

Roads were laid out, mills were built, and a meeting house was erected. The growth and development of the little community was such that within 3 years it was ready to achieve the status of a full-fledged township. Responding to a petition by the townspeople, the general court on February 19, 1765, passed "An act for erecting a town in the County of Worcester by the name of Royalston." And thus took place the event that we are commemorating this year.

I am sure that my colleagues in Congress will join me now in saluting this sturdy and responsible community for her progress and achievement in the past, and on this, her 200th birthday, will offer her our warmest wishes for success in the years ahead.

Survivorship Benefits for Servicemen IV

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. TEAGUE of Texas. Mr. Speaker, previously I have inserted in the RECORD the benefits available to a sergeant who has lost his life and who leaves dependent parents. Today I want to include as a part of my remarks, the benefit to survivors of a noncommissioned officer when he leaves a widow and two children:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Sergeant, U.S. Army.
2. Age 25 at death.
3. Death was service-connected.
4. Seven years service at death.
5. Three years in grade at death.
6. Average earnings $251.10 a month (base pay).
7. Left a widow, age 25, and two children, ages 1 and 3.
8. Widow lives out her expectation of life (50.8 years).
9. Children receive maximum number of payments.
10. Widow does not remarry.

Benefits

Payee	Paying agency	Type of payment	Payment period (months)	Payment rate	Total payments
Widow	HEW	Social security	[1] 204	$63.80	$13,015.20
2d child	HEW	do	[2] 252	[3] 63.80	16,562.40
1st child	HEW	do	[4] 228	[5] 63.80	14,788.80
Widow	VA	Social Security (38 U.S.C. 412(a))	[6] 165	81.30	13,414.50
Do	HEW	Disability insurance compensation	609	151.00	91,959.00
2d child	HEW	WOEA	36	110.00	3,960.00
1st child	HEW	WOEA	36	110.00	3,960.00
Total					157,659.90

[1] Until youngest child reaches age 18.

[2] 204 months to age 18 plus 48 months in full-time training.

[3] $63.80 to age 18; $73.90 from age 18 through age 21.

[4] 180 months to age 18 plus 48 months in full-time training.

[5] $63.80 to age 20; $73.90 from age 20 through age 21.

[6] Beginning at age 62.

Survivorship Benefits for Servicemen—V

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. TEAGUE of Texas. Mr. Speaker, I have previously indicated the benefits and the commuted value of such benefits to privates and noncommissioned officers who lose their lives today in defense of their country. I want to include as a part of my remarks today the case of a second lieutenant who had 4 years of service at the time of his death and who leaves dependent parents:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Second lieutenant, U.S. Army;
2. Age 23 at death;
3. Death was service connected;
4. Four years' service at death;
5. Four years in grade at death;
6. Assumed average monthly pay was $329;
7. Base pay at death was $384.30 a month;
8. Left dependent parents (no other income), each age 50;

9. Parents live out their expectations of life (mother, 27.7 years; father, 23 years).

Benefits

Payee	Paying agency and type of payment	Payment period	Payment rate	Total payments
		Months		
Mother	VA: Social security (38 U.S.C. 412(a)).	[1] 188	[2] $90	$17,414
Father	do	[3] 132	90	11,880
Mother	VA: DIC	332	[4] 55	12,172
Father	do	276	[5] 55	9,372
Total				50,848

[1] Beginning at age 62.
[2] Increasing to $99 after death of the father.
[3] Beginning at age 62.
[4] Decreasing to $11 at age 62 and then increasing to $50 after death of the father.
[5] Decreasing to $11 at age 62.

Profiles in Wyoming Greatness

EXTENSION OF REMARKS
OF
HON. TENO RONCALIO
OF WYOMING
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 9, 1965

Mr. RONCALIO. Mr. Speaker, in my series of Wyoming greats commemorating my State's 75th anniversary, I am particularly pleased to present this profile of my beloved friend and mentor, the late Joseph C. O'Mahoney.

STRUGGLE AS A YOUNG MAN

Joseph Christopher O'Mahoney was born in Chelsea, Mass., November 5, 1884, the son of Irish immigrants. Following his father's death, he moved to New York at the age of 18 with an older brother, studying at nights, working in the day, and attempting an education as best he was able. His brother's tuberculosis forced a move to Boulder, Colo., where O'Mahoney worked as a newspaperman. In 1915 he wandered northward to Cheyenne and settled there as city editor of the old State Leader.

In 1917 he was appointed secretary to Wyoming's newly elected U.S. Senator John B. Kendrick. In Washington, Joe O'Mahoney attended Georgetown University, won a law degree in 1920, and returned to Cheyenne to set up the practice of law and begin his career as possibly the greatest lawmaker in the history of Wyoming's 75 years of statehood.

APPOINTED SENATOR

In 1932, O'Mahoney helped formulate the national party's platform and served as a vice chairman of the Democrat National Campaign Committee under his good friend, national chairman, James A. Farley. Following Roosevelt's election that year, O'Mahoney was appointed first Assistant Postmaster General by his friend, Jim Farley. He resigned that post in December 1933 to accept an appointment to the U.S. Senate, designated by Wyoming's Governor, his friend, Leslie A. Miller, to fill a vacancy caused by the death of the beloved Kendrick, his former boss.

According to Raymond Moley, Joe O'Mahoney "neatly telescoped the usual 2- or 3-year novitiate on Capitol Hill, emerging after a few months as one of the most respected young members."

FOUGHT COURT-PACKING PLAN

He came into the national spotlight when he fought against President Roosevelt's Supreme Court organization plan. As a member of the Senate Judiciary Committee, he authored a minority report condemning Roosevelt's plan to increase the court from 9 to 15 judges and "tampering with the hallowed institution which separates the power in American Government." For this he won national respect of the American bench and bar, but his relations with F.D.R. were never again the same. Gone were the halcyon days of "Joe O'Mahoney and the New Deal."

STUDENT OF ECONOMICS

In 1938 Congress created the Temporary National Economic Committee. Under the leadership of O'Mahoney as its chairman and of such men as Thurman Arnold, Leon Henderson, and the late Dr. John D. Clark, this probe was carried on for almost 3 years, studying the concentration of wealth in American industry. The author I. F. Stone declared that these investigations "will rank with the great inquiries of the past" and called O'Mahoney's final TNEC report "a document which deserves to be read by every American."

OUTSTANDING LEGISLATOR

Senator O'Mahoney established an outstanding record as a sponsor of important legislation. He twice put through defense funds to make airpower of America the most effective in the world; in 1945 he authored a resolution to submit to the States the question of abolishing the poll tax.

In the same year he introduced legislation asking Congress to support America's participation in a worldwide international agreement to outlaw the use of the atomic bomb.

Although a New Dealer, O'Mahoney lacked the propensity for big spending. He was tightfisted with the dollar and kept hammering away at inflation, high prices and Government participation in private industry through foreign deals. He felt foreign cartels were never fully aired so that the American people could know what their great corporations were doing in the world market.

DEVELOPER OF WYOMING

Although his close New Deal associations made him a national power, he always pumped for the development of the West. In 1944 he presented to Congress the bill for projects of the Missouri River Basin—Glendo and Boysen Dams; the O'Mahoney-Hatch Oil Leasing Act of 1946 served to make wildcatting more profitable and oilfield investments more attractive; he secured the authorization for the multimillion-dollar Trona plant near Green River and for the alumina plant at Laramie; he pushed through an authorization for the Bureau of Mines building at the University of Wyoming; when Fort Warren was slated to be abandoned at the close of the war, O'Mahoney used his prestige to the limit to save it and, by a personal appeal to Air Force authorities, was successful in having the post changed to an Air Force base.

After 19 years in the Senate, he lost narrowly in the 1952 Eisenhower landslide. He spent 2 years in private law practice, then easily made his Senate comeback in 1954. Senator GALE McGEE, Democrat, of Wyoming, served as his legislative assistant in 1955–56. I am proud to have served on his staff briefly in 1942.

In June 1913, he married Agnes Veronica O'Leary of Massachusetts. They were childless, but helped to raise her young relatives, and guided literally dozens of Wyoming young people along life's paths.

A well-liked Washington figure, he was known for his unaffected warmth, sincerity, and good humor, and as one "who speaks for the wide open spaces of Wyoming with a Boston accent." He battled in the great tradition of Western progressives with a capacity for fierce indignation and dedicated effort against those who extracted great riches from our soil and water without making a contribution for the benefit of future generations. Joe O'Mahoney will go down in history as one of the greatest Senators of all time.

Crusade for Safety

EXTENSION OF REMARKS
OF
HON. SAMUEL N. FRIEDEL
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 9, 1965

Mr. FRIEDEL. Mr. Speaker, on September 3, 1965, Baltimore, Md., was the site of first day ceremonies on the occasion of the issuance of a special 5-cent traffic safety stamp.

The Safety First Club of Maryland campaigned for 5 years for the approval of this stamp; and for that reason Baltimore was given the privilege of serving as the site for the first day issuance ceremonies.

The 5-cent traffic safety stamp will help call attention to the tragic traffic toll registered during 1964: 48,000 deaths, 3,840,000 injuries, 285,000 pedestrian casualties, more than 1,300,000 casualties from speeding; and 18,960 deaths on weekends, almost 40 percent of the total. Over the last weekend alone, 536 Americans lost their lives in traffic accidents.

As one of the highlights of the first day program, the Safety First Club of Maryland sponsored a "stamp out accidents" luncheon on September 3 at the Lord Baltimore Hotel in Baltimore. Principal speakers at the luncheon included Frederick C. Belen, Deputy Postmaster General; the Governor of Maryland, the Honorable J. Millard Tawes; and Mayor Theodore R. McKeldin, of Baltimore.

The executive committee for the observance included Morris A. Kasoff, general chairman; William F. Laukaitis, postmaster of Baltimore City; Warren M. Bloomberg, assistant postmaster of

Baltimore City; Delegate Maurice Cardin, cochairman; Aaron B. Cohen, cochairman; Judge Edgar P. Silver, cochairman; Congressman SAMUEL N. FRIEDEL, cochairman; Paul Huddles, president of the Safety First Club of Maryland and Maurice R. Shochatt, executive vice president, Safety First Club of Maryland.

The citizen's committee included J. Charles Beasley, Melvin M. Berger, Paul El Burke, Oliver D. Davies, David Gordon, James Hajimihalis, Richard G. Hunter, Philip Kershner, Morton Levinstein, Samuel Matz, Jay H. Monfred, Sidney B. Needle, Mose Ottenheimer II, Bernard Potts, William J. Ryan, Lee A. Strassner, Richard H. Thompson and U.S. Marshal Frank Udoff.

As part of the celebration, a traffic safety postage stamp commemorative brochure was issued by the Safety First Club of Maryland. In conjunction with this event, President Johnson transmitted a message to me which I would like to insert at this point in the RECORD so that all our citizens may know of the President's concern about the tragic loss of life resulting from careless driving.

THE WHITE HOUSE,
Washington, August 24, 1965.

The issuance of the special traffic safety stamp is a good opportunity for me to express my deep concern over the mounting death toll on the Nation's highways.

Last year, nearly 48,000 Americans died in traffic deaths. Most of them could be prevented. I intend to recommend steps next year to mount a major campaign against such senseless and terrible loss of life.

I hope the issuance of this stamp will call public attention to the need for safe and efficient driving practices and that it will be a "stop-look-and-listen" reminder to every American to drive as if the next mile could be his last.

LYNDON B. JOHNSON.

I also ask unanimous consent to have the remarks of Governor Tawes, Mayor McKeldin and Deputy Postmaster General Belen included at this point in the RECORD in the hope that they will impress upon all our citizens the need for safe driving to reduce the slaughter on our Nation's streets and highways. These three addresses follow:

GREETINGS BY GOV. J. MILLARD TAWES, AT THE ISSUANCE OF TRAFFIC SAFETY STAMP CEREMONIES, BALTIMORE, MD., SEPTEMBER 3, 1965

Chairman Kasoff, Reverend O'Hara, Rabbi Shusterman, Governor Terry, Deputy Postmaster General Belen, Mayor McKeldin, Mr. Newton, distinguished guests, ladies and gentlemen, today marks the culmination of 5 years of effort by the Safety First Club of Maryland. I offer them my sincere congratulations and I know that it was because of their efforts over these past 5 years that the State of Maryland, and, in particular, Baltimore City, has been honored by being the site today of the first-day issuance of the U.S. traffic safety commemorative postage stamp.

The stamp itself, our presence here today, and the ceremonies connected with this event, all have the same purpose—to serve as a reminder and as a plea to the people of our State and of the entire Nation to exercise the highest degree of caution on the highway.

The selection of Friday, September 3, for this ceremony further demonstrates the purpose of this occasion. Today on the eve of the Labor Day holiday weekend, with the dire predictions of recordbreaking deaths on our roads and highways, let us express our confidence that the people of America will realize the need for a special degree of care these next 3 days. To emphasize this need, the Governors of most of the States and myself, as Governor of Maryland, have asked that travelers turn their lights on low beam during the daylight hours tomorrow, Sunday, and Monday.

Studies have shown that this action has a definite safety value. Its greatest value lies, perhaps, in that it shows that traffic safety is a common problem and that ultimate responsibility rests with the individual motorist.

All of us concerned in an official capacity with traffic safety are, in the final analysis, limited in our efforts.

Legislatures can pass more and more stringent motor vehicle regulations. Law enforcement officers can be more and more vigilant. Trial magistrates can levy stronger and stronger penalties on persons guilty of violations.

Organizations such as the Maryland Traffic Safety Commission and the Safety First Club of Maryland can promote traffic safety with all the facilities at their command.

All of these efforts, as important as they are, will only achieve partial success if the individual motorist fails to assume the ultimate responsibility which is his.

Only when each and every motorist has a healthy respect for the vehicle he is driving and for the dangers inherent in its use can we expect to overcome this terrible waste of lives and property.

I am appalled by the latest fatality statistics for our State thus far in 1965. We are far ahead of our fatality figure of this date last year.

As Governor of the State of Maryland, I plead with our citizens to exercise the most extreme caution on the road not only over this Labor Day weekend, but for the remainder of the year.

Not a single life need be lost if every—I repeat—every motorist will obey the rules of the road.

I have an especially pleasant assignment today, and that is to present to our distinguished guest and principal speaker, the Honorable Frederick C. Belen, a certificate designating him as an honorary citizen of the State of Maryland.

I would also like to officially thank Mr. Belen for his part in causing the first issuance of this traffic safety commemorative postage stamp to be held here in Baltimore. It is indeed a high honor for Maryland.

As chairman of the national teenage safety pageant, I have the honor of presenting an award to Postmaster General John A. Gronouski in recognition of his interest in traffic safety and of the excellent safety record of the postal service, which has one of the largest fleets of vehicles on the roads today. I will ask Mr. Belen to accept this award on behalf of Postmaster General Gronouski.

Thank you.

REMARKS OF MAYOR THEODORE R. MCKELDIN, UPON THE OCCASION OF THE FIRST DAY CEREMONIES LUNCHEON IN HONOR OF THE TRAFFIC SAFETY COMMEMORATIVE POSTAGE STAMP, BALTIMORE, MD.

Today is hardly a beginning in Baltimore's efforts at traffic safety, but neither is it an ending of the kind which signals that we can cease our efforts.

It is, however, a significant point along the way.

The beginning of the specific efforts which have culminated in today's ceremony goes back some years to the start of the campaign of the Safety First Club of Maryland to have a traffic safety postage stamp issued.

The end of efforts at traffic safety is and should be nowhere in sight as the need for attention to good safety practices becomes ever more urgent.

Today is appropriately a time for expressions of congratulation and appreciation, and I would like to take this occasion to offer the congratulations and appreciation of the people of Baltimore to the members of the Safety First Club of Maryland for their relentless campaign not simply to have the stamp issued, but to promote traffic safety in all its aspects.

I would also like to express the appreciation of the city of Baltimore to the U.S. Post Office Department for its decision to issue the handsome and meaningful stamp in our city.

I think it is particularly noteworthy that this event should come only a week after the announcement by the National Safety Council that Baltimore is to be one of two cities to receive its top honor—the Trustees Award—for the best long-range accident-prevention activities during 1964 and thus far in 1965.

The other city is Hamilton, Ohio.

As the National Safety Council's winner in the over 350,000 population category, Baltimore will receive a specially designed art creation in Steuben glass fashioned to symbolize the flame of life that accident prevention seeks to sustain.

It will be my privilege to represent Baltimore in Chicago in October at the award ceremonies.

I am certain that at that time there will be fitting references to the fact that the traffic safety commemorative postage stamp, with its emphasis on enforcement, education and engineering, was issued in the city of Baltimore.

This is as it should be, and I once again extend the city's appreciation to all those who are in any way responsible for today's events for their good work in helping make Baltimore one of the most safety-conscious cities—perhaps the most safety-conscious city—in the Nation.

REMARKS BY FREDERICK C. BELEN, DEPUTY POSTMASTER GENERAL, AT THE DEDICATION OF THE TRAFFIC SAFETY STAMP, BALTIMORE, MD., SEPT. 3, 1965

Today we issue a stamp of special significance.

Besides its commemorative value, the traffic safety stamp is particularly important.

It is intended to remind the Nation's motorists that they must improve their driving habits. It is an appeal to the national conscience to take every possible step to prevent accidents and the needless tragedy and death that go with them.

Today is the beginning of the last big holiday of the summer—the Labor Day weekend—and millions of Americans will be on the Nation's highways headed for beaches, parks, and the homes of relatives to take advantage of the warm weather.

We choose this time for our stamp ceremony because we want to dedicate this weekend to a safe journey home for every vacationing American.

The Labor Day weekend ranks with the Fourth of July as the most hazardous for the driver and his family. Last year 557 persons died in traffic accidents during the Fourth of July weekend; the toll was even worse for Labor Day: 561 died during that holiday in 1964.

Again this year the National Safety Council is predicting major tragedy for the Labor Day weekend. We must prove this prediction wrong.

Safety is no accident. It is a very deliberate endeavor, and it must be promoted and cultivated and encouraged if it is to be achieved.

Such work can be undertaken with no less zeal and determination than that displayed here in Baltimore by the Safety First Club of Maryland.

This organization, now under the able leadership of President Paul Huddles, has been a persuasive force for traffic safety in this State since 1956. Twice the club has won National Safety Council awards for its work.

Its successful campaign to reduce traffic accidents in Maryland is an inspiring demonstration of what might be done if its work were emulated in other States and cities and towns throughout the country.

Let me tell you what I've learned about the well-balanced program developed by the Safety First Club.

It sponsors a message of safety that is regularly delivered to the public through radio and television announcements, newspaper articles, billboards, special conferences and exhibits, pamphlets, stickers, and special mailings.

It builds for a better tomorrow by passing along a tradition of traffic safety to our youth.

It presses for passage and enforcement of proper laws to safeguard those who use our streets and highways.

It gives awards and recognition to individuals who have contributed significantly to traffic safety.

Governor Tawes has given major credit to the Safety First Club for enactment of the 1961 law requiring the State's 140 high schools to offer driver education courses. Now the club is seeking even more extensive driver education programs, and it is supporting the formation of teenage traffic courts in Maryland communities similar to the one in Baltimore that has earned so much admiration and respect.

Morris Kasoff, past president of the club, has secured a grant that provides two teachers with driver education scholarships to the University of Maryland each year.

Two major revisions of State law—chemical tests for drivers accused of intoxication and a drivers' point system—were original projects of the Safety First Club.

It was this organization that first polled city legislators in 1957 and discovered a consensus in favor of hiring meter maids. The poll was in good part responsible for the program that is in operation today.

And it was the Safety First Club that championed a memorial to Thomas Harry Riley, late traffic analyst of the Baltimore News-American, and in 1961 contributed the plaque dedicating the new Patapsco River Bridge in his name.

All these projects took considerable time, but the Safety First Club, once convinced of its cause, is a persistent organization.

I can testify to that.

The club's campaign for a traffic safety stamp arrived at the Post Office Department a number of years ago and the campaign for the stamp never stopped.

The drive for a commemorative stamp began more than 6 years ago when your Congressman Samuel N. Friedel spoke in your behalf and inserted into the Congressional Record a request for such a stamp.

Congressman Friedel pointed out that traffic safety is not just a problem in Maryland.

He said: "We need to make each and every automobile driver conscious of the fact that it is his personal responsibility to drive safely for the protection of himself and his fellow citizens."

He endorsed the suggestion of the Safety First Club that a special stamp would be an excellent method of calling the national attention to this effort.

Your Congressmen, George Fallon and Edward Garmatz, took up the cause with no less enthusiasm than Sam Friedel. Like the Safety First Club, all three men are persuasive and persistent, and their good arguments did a lot to convince us of the value of such a stamp.

As Congressman Friedel said 6 years ago, no war or calamity has taken the lives of so many of our people as traffic accidents.

And yet, we all know that accidents can be prevented. That they are not is waste.

President Johnson is particularly concerned about the waste of manpower through accidents. He is concerned about the cost and the lost worktime and most of all about the pain and human suffering or death for which nothing ever compensates.

The President has said: "Americans have always placed the highest value on human life, in accord with our concept of the worth of every individual. As the public repository of our social ideals, Government has a direct obligation to express our regard for human life in every measure necessary to safeguard and protect it."

President Johnson has inaugurated a new program to meet the problem of accidents in the Government service. It's called Mission Safety–70, and through it the President has devised a rather direct method of dealing with the problem.

He is ordering the heads of Government offices to reduce the number of employee injuries and injury costs 30 percent by 1970.

We in the Post Office Department intend to meet our share of that commitment.

A good place to begin is with our traffic safety program. Last year our fleet of 88,000 postal vehicles drove 1.1 billion miles and averaged a little more than 14 accidents for every million miles on the road.

That average is down about 5 percent from the year before. The number of fatal accidents involving postal vehicles is down 8 percent even though the national fatality average increased 5½ percent last year.

We are particularly proud of the accomplishment of our 31,000 rural letter carriers who drove 593 million miles last year and incurred fewer than two accidents per million miles.

Still, even with our improvements, our overall safety record in the Post Office is the worst in the Federal Government. Disabling injuries deprived us of 303,000 workdays last year and cost us $27 million in lost time, sick pay, and attendant items. And, of course, the unnecessary suffering inflicted upon our employees is beyond any value in dollars.

That time, money, and effort all could have been used to provide additional service to the American public.

We intend to see that our record undergoes a rapid and dramatic improvement. Safety is a high priority project at the Post Office Department. The Postmaster General has made it the direct responsibility of our top headquarters and regional officers and postmasters. All of them have been directed to submit plans and suggestions for safety improvements.

We are going to make a post office by post office search of safety records, and we intend to accord the good ones proper recognition. The rest are going to get a thorough examination, and if improvements are not forthcoming, we're going to bring the responsible official to Washington and ask why.

Safety performance is going to have a more important place in our postmaster appraisal program; it will become a consideration in promotions within the Postal Field Service.

Right now, our bureau of personnel is analyzing safety suggestions and mapping our general plan for achieving President Johnson's safety objectives. We are establishing a safety performance review group at headquarters to review activities at the post office level.

And we intend to solicit advice from those private businesses and industries that have developed the most distinguished records in safety. We are about to establish an advisory safety committee made up of executives from such firms.

With the Safety First Club, we at the Post Office share a firm commitment to motor vehicle safety equipment.

The Safety First Club is campaigning for greater use of seat belts among the general public. We at the Department are spending $350,000 to install seat belts in all of our motor vehicles. We are issuing firm instructions to our drivers and supervisors that these belts are to be used and not ignored.

In addition, we have contracted with private firms for a series of executive tests in order to determine the best type of automobile construction and safety features. We are giving special attention to the three-wheeled mailsters used by some of our city letter carriers. We have had some complaints from one of our employee unions, and we want to make sure that no employee is driving an unsafe motor vehicle.

From the results of these tests, we expect to learn how to build a safer vehicle for all our postal drivers. Perhaps the innovations and safety advances pioneered in postal vehicles will be adopted by the manufacturers and used to construct an improved automobile for the general public.

We would be glad to make this contribution to the public welfare, of course, but this does not change the fact that ultimate responsibility for safety on the highways is in the hands of the individual driver.

He is the one who must get the message to drive carefully.

There is no better way to reach him than through the public-spirited efforts of such organizations as the Safety First Club.

That group was begun in 1956 as the inspiration of two men—J. O. Shuger who was president for 6 years and Executive Vice President Maurice R. Shochatt—and has since grown to 400 members and influence beyond its numbers.

It is an example of a united, articulate citizenry doing something about a problem that concerns all of us.

The traffic safety stamp is a proper commemoration of that effort; we dedicate it to a continuing crusade for safer streets and highways over all America.

I bid you all safe journey home.

Thank you.

Survivorship Benefits for Servicemen VI

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. TEAGUE of Texas. Mr. Speaker, my last discussion on the subject of survivorship benefits used the example of a second lieutenant, and today I wish to include as a part of my remarks the case of a second lieutenant who leaves a widow, age 23, and a child, age 3:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Second lieutenant, U.S. Army;
2. Age 23 at death;
3. Death was service connected;
4. Four years service at death;
5. Four years in grade at death;
6. Assumed average monthly pay was $329;
7. Base pay at death was $384.30 a month;
8. Left a widow, age 23, and a child, age 3;
9. Widow lives out her expectation of life (52.7 years);
10. Child receives maximum number of payments;
11. Widow does not remarry.

Benefits

Payee	Paying agency and type of payment	Payment period months	Payment rate	Total payments
Widow	HEW, social security	[1] 180	$90	$16,200
Child	do	[2] 228	90	20,520
Widow	VA (38 U.S.C. 412(a))	[3] 164	99	16,236
Do	VA, disability insurance compensation	632	167	105,544
Child	VA, WOEA	36	110	3,960
Total				162,460

[1] Until child reaches age 18.

[2] 180 months to age 18 plus 48 months in full-time training.

[3] Beginning at age 62.

Congressman Ray J. Madden Brands 14(b) in Labor Day Speech at Crown Point, Ind.

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include the address of the Honorable RAY J. MADDEN at the AFL-CIO Labor Day picnic at the Fair Grounds at Crown Point, Ind., on September 6, 1965.

As Congressman MADDEN, a member of the Rules Committee, handled the rule and opened the historic debate in the House of Representatives of the Congress of the United States on the repeal of 14(b) of the Taft-Hartley Act, his speech at Crown Point will hold unusual interest for his colleagues in the Congress and the American people generally. The speech follows:

Labor Day, 1965, can truly be observed and celebrated not only by members of organized labor but by the American people. This year, 1965, the working men and women of America have economically arrived at the greatest heights of recognition and prosperity than any year in our Nation's history.

Older folks need only reflect and look back to the early days of this century and compare the deplorable working conditions, low wages, long hours, and child labor sweat shops to realize the up-hill fight American workers made against powerful opposition to be able to participate as a recognized segment of American economy. As late as the 1920's men and women were working in the mills and factories for $2 and $3 a day and in some cases 7 days a week and a 12-hour day was the standard.

Low wages brought about lack of buying power and as the population increased, unemployment became the Nation's problem. In 1929 and the early thirties, our Nation was hit by the most devastating depression in our history. Closed factories, businesses and bank failures, home and farm foreclosures brought turmoil, unemployment and hunger to millions of our citizens. Congress passed legislation in the middle 1930-40 period that inaugurated a change in our economy so that millions of the neglected working people in America would, in the future, have something to say about their government.

I need not remind the older people in this audience about the legislation enacted 30 years ago which included the Wagner Act (labor's Magna Carta), social security, housing, protection of bank deposits, home and farm loans, retirement security, living wage legislation, and many other bills which gave the common people an opportunity to enjoy some of America's potential abundance.

During the last intervening years our people have become educated to the fact that prosperity is built on public buying power. They have learned that all American families are entitled to share in an income sufficient to provide a home and some of the modern conveniences and necessities which this modern age has to offer.

A PINNACLE YEAR: 1965

In the past 8 months the 89th Congress has enacted the greatest program of progressive legislation in the history of any nation. These programs strengthen our economy and provide opportunity for millions of Americans who have been struggling under financial handicaps which should have been corrected generations ago. This session of Congress has passed more than 100 public laws beneficial to the economy of our Nation. They range widely over such fields as education, medical care, housing, transportation, employment, public finance, farming, voting rights, mental health, conservation, and labor.

MEDICAL CARE AND HEALTH

After a generation of consideration by many Congresses, medical care legislation for the elderly, better known as medicare, was signed by President Johnson on June 30. Most of the benefits will be available beginning July 1, 1966, although those relating to nursing home care won't be until January 1, 1967. Both hospital bills and doctor bills are covered.

Nursing home and special legislation for mentally retarded is also provided in the bill. In separate legislation a bill was enacted extending through June 30, 1968 Federal assistance for mass immunization of preschool children against polio, diphtheria, whooping cough, tetanus, and measles.

DEPRESSED AREAS AID

The House passed a bill authorizing about $3.3 billion through June 30, 1970, to help rejuvenate the economies of U.S. depressed areas plagued with or threatened by chronic unemployment.

The money would be used mainly for such projects as building waterworks, waterlines, sewage treatment plants, sanitary and storm sewers, industrial parks, police and fire stations, tourism facilities, airports, watershed protection, and flood-prevention projects. This legislation will aid the economy and employment in all sections of the Nation. It will bring about a great market for automobiles, refrigerators, machinery, food, and other necessities which will aid all sections including the Calumet region of Indiana.

AID TO EDUCATION

After years of controversy, broad Federal aid to education became a reality with the President's signature April 11 on the Elementary and Secondary Education Act of 1965. It authorizes $1.3 billion in the fiscal years begun July 1, mostly to aid public and private students in low-income areas. Of the total, $1.1 billion is to be allotted to the Nation's school districts according to the number of pupils aged 5 to 17 within their boundaries whose families have annual income of less than $2,000—about 5 million children in all.

Other portions of the new act would establish "supplemental educational centers" to provide such special services as remedial instruction, finance textbook purchases, and other instructional materials, and expand federally supported educational research with emphasis on setting up regional, university-based research centers. The measure's authority extends over 3 or 5 years, depending on the section, but it allocates funds for only the first year.

President Johnson's bill to aid higher education passed the Congress last week.

The above bill was supplemented in this session by another bill which will aid millions of American youths to secure facilities, loans to attain college and university educations both academic and professional. I remember 10 years ago I participated in a debate on the floor of the Congress for a Federal aid to education bill that was defeated by only 4 votes out of 390 votes cast. That bill, had it been enacted, would have made a great start but by reason of a political coalition of reactionary Members of the House, the legislation was defeated. Had we been successful then hundreds of thousands of our youths during the last 10 years could be reaping the benefits of college and university educations to prepare themselves for the problems of this modern space age and scientific world in which we live.

VOTING RIGHTS

About 2 months ago I opened the debate on the floor of the House for the bill which was eventually enacted and signed by the President giving all American citizens the right to vote. This American right has been guaranteed by the 15th amendment of our Constitution. The legislation was the second civil rights bill enacted in 2 years.

This voting rights law will eventually be the final culmination in complete freedom for millions of Americans who have been denied the right of franchise in the past.

EXCISE TAX CUT

Congress passed a measure reducing excise taxes by $4.6 billion between now and January 1, 1969. These special wartime taxes were levied in World War II and in the Korean war. Here's the schedule of repeal, in part:

Retroactive to May 15, 1965: Repeal of the 10-percent tax paid by manufacturers on air conditioners; reduction to 7 percent of the 10-percent manufacturer's tax on autos.

Immediately: Repeal of the 10-percent retail tax on jewelry, watches, furs, cosmetics, toilet preparations, luggage, and handbags: repeal of the 10-percent manufacturer's tax on business machines, sporting goods (except fishing equipment), phonographs, records, musical instruments, cameras, film, radios, televisions, pens, mechanical pencils; and repeal of the 5-percent tax on refrigerators and freezers, and of lesser taxes on matches, lighters, and playing cards.

ANTIPOVERTY AID

This Congress passed far-reaching legislation properly called the Antipoverty bill which will rehabilitate and give employment eventually to millions of unemployed over the Nation. We hear a great deal of criticism from certain sources on the legislation as to its cost. The critics do not mention that the restoration of jobs to millions are creating taxpayers instead of tax consumers. Millions will be taken from the relief rolls of local, State, and Federal tax units. This expenditure is not a dole, but an investment in contented and self-providing taxpaying American citizens.

REPEAL OF 14(b)

I handled the rule and opened the debate on the repeal of 14(b) of the Taft-Hartley law.

Section 14(b) provided that any State which enacted restrictive antilabor laws—those laws would take precedent over the provisions of the Federal Taft-Hartley Act. The Indiana Legislature, last spring, repealed the so-called right-to-work law which is a misnomer for section 14(b).

Thirty-one States have either repealed or rejected the so-called privileges granted under 14(b) or the mislabeled "right-to-work" law.

Section 14(b) has made it possible for thousands of corporations and companies to close their business and factories in Indiana and other Northern States, and move into so-called low-wage right-to-work States. Right to work is in reality a tricky or phony label—a better label would be "14(b) States."

By reason of these runaway industries and an influx of newly established industries into antilabor areas, millions of factory workers are underpaid and, in most cases, are submitting to the same working conditions as in the early part of this century. These millions of workers are not in the market for $3,000 to $4,000 automobiles or $200 to $300 refrigerators, or thousands of other productions which are manufactured in living-wage States. Economists agree that the big depression in the early thirties was brought about by reason of lack of buying power for millions of workers in America. I am quoting verbatim the two closing paragraphs of my speech to the Congress during the debate on 14(b): If 14(b) is not repealed millions more will be working in transplanted industries in 14(b) States at low wages. Buying power will recede and unemployment and recession will again destroy our prosperity.

"The issues involved in the repeal of section 14(b) is as simple as any bill ever presented to Congress."

NO. 1

"If a Member of Congress believes that 19 States in the Nation can openly disregard the rights and working conditions of working men and women as set out in the Wagner National Labor Relations Act he should vote to retain 14(b)."

NO. 2

"If a Member of Congress believes that the 31 States who reject the phony labeled 'right-to-work' law and believe that labor is a part of the American economy with the right to collectively bargain as an integral body on wages and working conditions, he should in conscience vote for the repeal of 14(b). All the excuses and doubletalk we hear in this Chamber today will not change the above two simple propositions."

ONE MAN, ONE VOTE

The House upheld the decision of the Supreme Court on equal legislative reapportionment. A powerful special interest lobby worked to permit one branch of our State legislatures to be elected by geographical apportionment instead of by population. This effort by political bosses to gain control of our State legislative branches is still pending in the Senate. President Johnson is opposing this political power grab.

IMMIGRATION

The House passed immigration legislation which abolished the bigoted 41-year-old "national origins" provision of our immigration laws. This bill will fairly distribute immigrant quotas to all nations without prejudice as to nationality, race, or religion.

Our Nation became the leader of the world by reason of the amalgamation of immigrants from all nations and races throughout the globe. This legislation will not in any way let the bars down indiscriminately to people of every nation to successfully knock at our door demanding admission and citizenry. The bill would place all nations outside the Western Hemisphere on a population pro rata, equal footing with added provision that immigration from a single country could not exceed 20,000 per year. Western Hemisphere nations would be exempt from the 20,000 and so would the spouses, children and parents of U.S. citizens living in many countries.

SOCIAL SECURITY

The new social security amendments should add about $1.5 billion a year to retail sales.

The increased spendable income should start flowing into the economy in mid-September as a result of the 7-percent boost in social security payments and other benefits that are retroactive to January 1.

SOLVENCY

Critics of the Johnson administration continually talk about the national debt. They carefully fail to mention that our national debt in 1965 is "percentage-wise" much lower in comparison to our gross national production than the same percentage comparison was 20 years ago.

Last week I requested the exact figures from the U.S. Treasury. They reported the following facts:

In 1946, public debt $270 billion, gross national product $202.8 billion.

In 1954, public debt $271 billion, gross national product $362 billion.

In August 1965, public debt $319 billion, gross national product $650 billion.

The $650 billion economy of gross national product of 1965 is double our national debt which reveals that the New Frontier and the Great Society have been a great stimulant to employment and prosperity.

Time and space do not allow me to give all the facts of progress during this 89th Congress. After adjournment I plan to make a detailed report on our accomplishments to the citizens of the Indiana First Congressional District.

Key De Gaulle Advisers See Hope in Federal Union

EXTENSION OF REMARKS
OF
HON. PAUL FINDLEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 9, 1965

Mr. FINDLEY. Mr. Speaker, press interpretations of French President de Gaulle's news conference this week leaves the impression that he is adamantly opposed to any form of supranationalism—whether by means of the Common Market, European federation, or a wider Atlantic federal union.

Certainly, his recent moves have been toward French independence. He pulled France out of Common Market negotiations because he did not want majority vote substituted for national veto—at least until the agricultural issue was settled.

In his press conference he gave notice that by 1969 at the latest, France will have no part of the present integrated command structure of NATO.

In his press conference he also said:

> I do not believe that this type of national abdication would be justified.

By "this type" he meant arrangements in which France would "take a back seat, put aside its national personality within international organizations constructed so that the United States can exercise, either inside or from outside, a dominant influence to which we have only to submit."

He thus qualified his criticism of "a federation called European, which would in fact be Atlantic."

Perhaps De Gaulle is gun shy of alliances for much the same reasons once set forth by the first U.S. President, George Washington.

In his farewell address Washington warned that alliances could be entangling and thus impair national effectiveness. He said all alliances, in all time, have been subject to interruptions and infractions.

Still, the same Washington in the same speech spoke favorable of a government for the whole in order to make possible the efficacy of the Union.

In its present form NATO is a union but a very imperfect one. Dressed up with a command structure which Washington himself might well describe as "entangling," it is nonetheless simply an alliance. As such it is of course subject to the same historical weaknesses which were just as obvious in Washington's day as ours.

Given the opportunity, would De Gaulle embrace a federal-union government for "the whole" as did Washington in an earlier era?

Suggestions that the answer may be affirmative come from Clarence K. Streit, editor of Freedom & Union magazine and for many years an advocate of a NATO federal union government. He was recently in Paris interviewing key advisers to President de Gaulle on the question of NATO's future.

Here is his report, prepared for the September issue of the magazine:

HOPE FOR ATLANTIC FEDERATION FOUND IN THREE DE GAULLE ADVISERS

The main thing politically speaking, I got from my recent trip to Europe was greater cause to believe that the best hope for meeting both the Gaullist and the anti-Gaullist difficulties, which Atlantic unification faces, lies in transforming NATO into a 15-nation federal union.

I brought back also a greater sense of the urgent need to push this solution forward more energetically on both shores of Atlantic, and (perhaps most of all) in the once great—and still potentially great—island in between. This urgency stems particularly from:

Declining European confidence in the United States and in President Johnson;

Growing pessimism as regards the danger of a currency crash precipitated by devaluation of the pound;

Receding belief in the danger of Communist aggression in Europe, which hitherto has been NATO's main cement, coupled with little understanding that the resulting Atlantic disunion allows communism to advance much more safely through a monetary crash;

Increasing division among the Europeans themselves, along with stagnation of thought and action, as a result of the coming parliamentary elections in Germany in September and the presidential election in France in early December.

With all this comes the growing force of two approaching deadlines. The first is January 1, 1966, when the Treaty of Rome ends the veto power in the Common Market, as regards agricultural and a number of other decisions—although the right to blackball a new member, which France exercised against British entry, would continue. The second deadline comes on August 24, 1969, when the NATO treaty will have been in force for 20 years, and the provisions in it allowing any ally to withdraw takes effect.

These two dates are now generally deemed disuniting factors because the Gaullist government is using them as means of pressure to retain its full veto power in the Market and to secure no less radical revision of the NATO treaty. The latter revision, we shall see, need not, however, weaken the treaty; it could strengthen Atlantica.

President de Gaulle is now the only powerful active force in Atlantica, thanks to President Johnson having defaulted leadership in this region ever since he entered the White House. Following Washington's example, the other Atlantic capitals now confine themselves to reacting like it, more or less querulously, to what Paris says and does. Since President de Gaulle is thus the precipitating factor in the situation, I would now turn to my main point and give some of the new reasons I found to believe that Atlantic federation is the best, if not the only, hope for effective Atlantic unification at present.

Twelve men have the ear of President de Gaulle, according to an article in May Réalités by the well-informed political editor of Le Monde, Pierre Viansson-Ponte. Three of the 12 have been friends of mine for periods ranging from 15 to 35 years. Two of them are among the half-dozen whom the General is said to be considering as possible successors. I shall refer to the three here as X, Y, and Z. On this trip, I saw all three—and Z several times.

All three I know to be convinced Atlantic Unionists of many years standing. Another of the 12 shares this view, to my knowledge; I do not know the private attitude of the other eight. It seems to me that there is hopeful significance in the mere fact that at least one-third of the 12 and one-third of the six are Atlantic Unionists. Certainly this fact does not fit into the picture of President de Gaulle that pervails in Washington, and elsewhere. Still less does what my three friends told me.

When I saw X, I reminded him that:

Soon after he had come to power with the general, I had asked him, in 1959, to use his influence to have France lead, jointly with the United States or alone if need be, in calling the proposed convention to explore the possibilities of transforming NATO into an Atlantic federation. He had told me at the time that he himsef was ready to "go for" in this direction, but must consult the general.

After that consultation, he had informed me of the result. It was not at all the rejection of my proposal which so many in Washington, and elsewhere, would have thought "inevitable," by their reasoning that, since the general opposes federation in Europe, and also the present U.S. role in NATO and the Atlantic Community, he must a fortiori oppose the Atlantic federal union proposal. The answer which X gave me was, instead, that France was still so weak that, if it took this initiative, Washington would not listen. The French Government would first have to bring to an end the war then going on in Algeria, stabilize the franc, and restore the economy.

After reminding X of this 1959 talk of ours, I pointed out that all three of these conditions had now been met: The Algerian war was ended. The franc had been restored to its 1914 gold value. The economy was so properous that France for several years had been among the nations with the greatest balance-of-payments surplus. In the light of this changed situation, I asked, what was his thinking now on the subject.

"I have been giving the Atlantic problem—and the long view of it—a great deal of thought, a great deal, lately," he answered. One reason for this was that he now "had more time to think" another was that in a few years any ally would be free to withdraw from NATO.

"If NATO is going to remain the present purely regional military pact it now is," he added, in a matter-of-fact tone, "it is finished as far as France is concerned." It must be revised before 1969, he continued, to include the global questions that affect the Allies, and widened also to include economic, monetary, and other nonmilitary affairs.

Mere revision of the Atlantic treaty, I said, was not enough. Too much time had been lost. A change as revolutionary—but as peaceful—as the change from the Articles of Confederation to the Federal Constitution in U.S. history was the only prudent solution now. The time had come to raise our sights to this level, turn from patching the obsolete to building an enduring new structure. This was imperative if only because of the rising threat of a world monetary crash, and the resulting depression, from which communism alone would profit.

When our 13 States had 13 different dollars, this monetary chaos and consequent danger of social upheaval had provided the incentive then for the revolutionary change from alliance to federation. Leadership in Atlantica now should have the foresight, wisdom, and courage to harness the monetary danger now to similar constructive aims. Reverting to the opportunity for such leadership which its strengthened position now gave France, I said:

"The improvement has been so remarkable, in fact, that, considering the situation facing the French, British, and American Governments in 1959, it seems to me that France, with the weakest cards, had done much more with them than the other two."

"That is true as regards Britain," Monsieur X said, "but not as regards your country. The United States remains the world's strongest power by far. And there lies the heart of the difficulty. The result is that the relations between it and us, and the other Western European nations, remains one in which the latter are in the position of receiving, or asking, while Washington is in the position of Lady Bountiful, granting favors. This is not a good basis for friendly relations."

To X, this was obviously the heart of the difficulty, not only for France but for a Western Europe in general. I believe he is right, both as regards his thinking that the enormous power of the United States, and the resulting problem of balancing it fairly, is the main problem from the French standpoint, and also as regards its being the nub of the matter for the other European allies.

Clearly, Monsieur X could not conceive of the United States sacrificing any of its power that mattered, least of all its power to go it alone or handle as it thought best the interests it now has "all round the globe." The "State Department and the Defense Department feel—enjoy—the power they now wield, and naturally want to keep it." It was equally inconceivable to X that any self-respecting Europeans could remain in the position of "accepting" whatever minor concessions Washington might accord (grant) them, while remaining in the driver's seat.

I answered that I could understand this feeling in France and in Europe, and agreed that there could be no real solution of the problem, so long as the relationship of the European nations with the United States remained on the present basis of national sovereignty. No matter what slices were cut off it, the result would still be baloney; Washington would remain a dominant giant, towering above its European allies. But the American federal system, I reminded him, had long assured a fair and yet workable arrangement between large and small States by its Senate-House balance. This balance was made possible because the essential unit in a Federal Union is the sovereign citizen, not the sovereign state, as in an alliance.

A Federal Union—as my friend, X, knew from our previous communications—safeguards the equal status of each sovereign citizen in both his roles—as citizen of his own state or nation, and as a citizen of the Union. In the former capacity, he would retain, in an Atlantic Federation, equal voting power in the Senate. The national government would lose its power to instruct and recall the nation's Senators, since they would be elected by the people and responsible only to the citizens.

At the same time, the citizen of every nation in the Union would gain equal voting power with all other citizens of the Union in the House of Representatives, since the number of these Representatives from each nation would be proportionate to its population. The equality of the sovereign citizen, whether he lived in the smallest or the largest nation, was further assured by the fact that the consent of both Senate and the House would be required for action.

"Once the NATO alliance is turned into a Federal Union," I concluded, "France and our other allies would no longer be faced with the U.S. Government's colossal power. The basic relationship thereafter would be the equal democratic one of sovereign citizen to sovereign citizen. Each citizen of France, and of every European nation in the Union, would enjoy the same voting power as would every American citizen, in electing his representatives in both Federal Houses, and in choosing the Federal Executive. The combined voting strength of the European nations in the Senate would guarantee each of them against American domination resulting from its huge population, and the combined voting strength of the American members of the House would safeguard the United States against domination by any European bloc in the Senate."

Our Federal Union association, Monsieur X already knew, has long been working to get the United States to invite its NATO allies to explore the possibility of transforming the present government-to-government relation to this federal citizen-to-citizen one. I pointed out that we have made substantial progress, especially in recent years, in gaining influential support for this proposal. I cited evidence of this with which our readers are familiar, but which is news to most Europeans, because their press, like the U.S. press, has not reported it.

"A major obstacle we now face" I went on, "is that most Americans think that such an offer would be naive because they assume, from the reports they read of President de Gaulle's statements, that France would inevitably reject it. But suppose that we should nonetheless succeed in our efforts; suppose that Washington should propose to its NATO allies that their delegates explore with ours in a convention the Atlantic federation idea. What do you think would be the response here?"

After a thoughtful pause, Monsieur X answered slowly: "If the United States made such an offer of federal union, it would change the situation radically for us, and all concerned. Personally, I would be happy to participate in such a convention."

He thought this favorable reaction would be general in Europe, where thinking on the future of Atlantica and of Europe was now very confused. He was clearly troubled himself about their future, and skeptical that Washington in the foreseeable future would offer such a Federal answer to the problem. He said that he would be glad to talk with any U.S. Senators or Members of the House who were thinking along such lines.

I then explained the two approaches to such action which American supporters of it are now considering:

1. Governor Rockefeller's proposal that the purpose of the convention be to seek agreement on a solemn declaration that the eventual goal is to turn NATO into a Federal Union, and to fix a tentative timetable for achieving it by stages.

2. The idea of harnessing the present monetary danger to the Atlantic Union cart by calling the convention to "explore the possibility of creating a common Atlantic currency, 'and related matters.'" I stressed the importance of the three words so quoted: They allowed the convention to explore also the political, military, nuclear, and economic matters that are tightly related to the monetary question, and thus tackle the problem as a whole, as did our Convention in 1787.

Monsieur X agreed that the monetary peril was now a much better motive power for Atlantic Union than was the military one. He also agreed that it was essential, however, to assure that the "related matters" were added to it. He saw constructive possibilities, too, in having the convention aimed at agreement on federation as the eventual goal, and on target years for transition to it in the monetary, economic, nuclear, military, and political areas. I got the impression from his attitude toward both approaches that it might be best to combine them.

About an hour later that day I had a talk with my old friend, Monsieur Y, in the key office he occupies. I told him of the answer X had given (in boldface type, page 4) to my question. Y found it very significant.

"The readiness of X to participate in such a Federal Convention means he believes it would have the general's support," Y commented at once. 'His [X] participation would be interpreted by everyone to mean the project had the Gaullist stamp of approval."

This indicated to me that Y considered X very close indeed to President de Gaulle's thinking on this subject.

Before telling of my talk with X, I asked Y the same question that I had asked X. Y thought the European and especially the French reaction to such an offer would depend a good deal on its timing. He explained he meant that action to revise the NATO treaty must start "well before 1969, when any ally can withdraw," and that "between now and 1969 there will come a moment when such an American proposal to federate would go over big." I suggested that this moment might be hastened by the danger of devaluation of the pound bringing the monetary crisis to a head this autumn. He agreed it might well be the precipating factor.

Before coming to Paris I had sent Y the statement which Senator Frank Carlson had made May 31, on the occasion of his coming on the Board of the Federal Union association. In it the Senator had urged that "all in NATO cease blaming our towering troubles on this or that ally" and "begin to explore, as our forefathers did, whether the basic fault does not lie in the alliance structure itself."

The statement went on to back Governor Rockefeller's Federal Union proposal. The Senator's concluding paragraphs are given in the box below.

My friend Y told me that on his own initiative he had personally given the full Carlson statement to President de Gaulle, because he found it so important. When he saw the President again a few days later, he continued, the general had told him that he found the statement very interesting, and had added:

"When the time comes for us to get down to fundamentals with our American ally, I shall keep in mind Senator Carlson's statement."

I am not sure how to interpret these cryptic words, but was pleased to find that both Y and my friend Z, to whom I repeated them, considered them a favorable reaction. Certainly it would seem a favorable sign that the Senator's strong Federal statement not only was thus read by the general but was not dismissed as out of the question. Nor is this all.

PARIS WHITE HOUSE READS F. & U.

When I happened to ask Y, who gets Freedom & Union regularly by airmail, if he had read a recent article of mine in it, he answered: "I not only read it, but I read everything you write on Atlantic Union. What is more, I keep them all filed over there [pointing to a filing cabinet]. And I can assure you, further, that your magazine is also read and kept on file in the Elysée Palace [the Paris White House]."

How can all this be accounted for by those who accept the view of President de Gaulle held by the State Department and echoed by most of the U.S. press? If his rejection of a sincere U.S. Atlantic Federal offer is so sure that there's no use in even sounding him, why does a Frenchman who knows the general's thinking much better than does Secretary Rusk, venture to give him the Carlson statement?—and get a reaction he deems favorable?

If the general is moved only by delusions of grandeur and nationalistic aims, why should such a magazine as Freedom & Union be read in his establishment—let alone receive apparently more consideration there than in the White House? Is the answer perhaps that the federation we urge gives the best safeguards against any nation dominating Atlantica—and that what the general really seeks to block is not closer union with the United States but any solution of the Atlantic relationship that lets Washington continue to dominate?

After leaving Monsieur Y, I saw that evening my third friend among the dozen "who have De Gaulle's ear"—Monsieur Z. I had seen him a couple of times before since arriving in Paris, and knew that he too believed that the General's door remained open to a genuine offer by Washington to explore Atlantic federation. I told him of my talks with X and Y. (All three have known each other, of course, for many years, but each seemed very interested in what the other two had said to me on our common concern.)

Z shared Y's view of the significance of X's answer to my question and interpreted it in much the same way. He was pleased to learn that Y had handed Senator Carlson's plea for federal union to the General and got the reaction he did. Monsieur Z made some concrete suggestions—which I cannot divulge now—on what should be done next to advance our cause in France.

My talks with X and Y clearly encouraged Z in the Atlantic Union views and hopes he had previously expressed to me. They left him sharing the conclusion which I myself drew from my talks with all three De Gaullist friends that day—June 22—and expressed that night in my notebook in these words: "Am confirmed in the thought that if the United States offers Federal Union to France it will have a good reception." They left Z, as they did me, cheered by the most optimistic conclusion I heard that day. It came from Monsieur Y; his parting words when I left his office were these:

"You know, mon cher, I think that one of these days practically everyone is going to wake up and find he was an Atlantic Federalist all along."

—Clarence Streit.

The statement by Senator Carlson, referred to in Mr. Streit's article, was issued May 31. In it the Kansas Republican and member of the Senate Foreign Relations Committee urged Atlantic Federal Union. Here was his concluding comment:

> Obviously the goal of Federal Union involves great difficulties—but I believe they are much less "towering and troubling" than those which President Johnson agrees we face by our present course.
>
> It will take time, of course, to reach this goal—and how much time do we have left? We must speed action—and we shall hasten it greatly merely by joining with our allies in a solemn Declaration that our final objective is an Atlantic Union. When we have reached that agreement, can we not agree on a tentative timetable for reaching the goal?
>
> Once we Americans decided to send men to the Moon, we fixed a time for achieving even that unprecedented goal—and our Atlantic goal is not unprecedented. In our own history we have the best of precedents for Federal Union of the Free. It must encourage us to lead now in this enterprise of bringing more of Heaven down to Earth—a truly "towering" enterprise, but not a troubling one.

SENATE

Friday, September 10, 1965

(Legislative day of Wednesday, September 8, 1965)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God of hope, as even through the dust of conflict and through battle flame, youthful warriors from our hearts and homes are contending far away that freedom's glorious light shall not be extinguished, we turn to Thy ever-waiting presence where, beyond these voices of tumult, there is peace. Even as we gaze at the ghastly havoc when man forsakes Thy light of truth, and defies Thy law of love, we thank Thee for a vision of the new earth, the glory of whose coming has been heralded by the prophets of old.

We rejoice in the newborn hopes with which an awakening world is thrilling, and for the rainbows of a fairer earth which are seen by faith through the tears and terrors of today's conflict. Grant that our dear land may play its full part in the fulfillment for all men of the bow of promise now arching the stricken earth, foretelling a social order where each people shall enrich the world with the gifts of its excellence when Thy Kingdom comes.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 9, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 6277) to amend the Foreign Service Act of 1946, as amended, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 468) to recognize the World Law Day, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6277) to amend the Foreign Services Act of 1946, as amended, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

FOOD AND AGRICULTURE ACT OF 1965

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

The VICE PRESIDENT. Under the unanimous-consent agreement, the amendment of the Senator from Georgia [Mr. TALMADGE] is the pending question.

The time on the amendment is controlled equally by the Senator from Georgia and the Senator from Louisiana [Mr. ELLENDER].

CALL OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, aside from the time allocated, I may call up at this time certain measures on the calendar to which there is no objection, beginning with Calendar No. 674.

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will state the first bill.

MAJ. ALEXANDER F. BEROL, U.S. ARMY, RETIRED

The bill (H.R. 3684) for the relief of Maj. Alexander F. Berol, U.S. Army, retired, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 692), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Maj. Alexander F. Berol, U.S. Army (retired), of Oreland, Pa., of liability to the United States in the amount of $3,161.28, based upon compensation paid him for service rendered the United States while employed as a civilian by the Department of the Navy from January 7 through September 13, 1963, which employment was subsequently ruled to have been in violation of the Dual Office Act.

CLARENCE L. AIU AND OTHERS

The bill (H.R. 8351) for the relief of Clarence L. Aiu and others was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 693), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to provide reimbursement in the amounts set forth in the bill to 62 employees of the Federal Aviation Agency stationed on Guam for losses of, and damage to, personal property, and in some cases for expenses incident to evacuation, resulting from Typhoon Karen on November 11, 1962.

A. T. LEARY

The bill (H.R. 9854) for the relief of A. T. Leary was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 691), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to pay to A. T. Leary of Beaufort, N.C., $3,778.02, to reimburse him for amounts paid to the United States as employee and employer taxes under the Railroad Retirement Tax Act, which were not credited to his retirement account, so as to provide the basis for retirement under that act, nor refunded to him. This amount was paid to the Government in connection with services performed by him in connection with the operation of the Beaufort & Morehead Railroad Co.

M. SGT. RICHARD G. SMITH, U.S. AIR FORCE, RETIRED

The bill (H.R. 1892) for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 694), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve M. Sgt. Richard G. Smith, U.S. Air Force (retired), of all liability to repay to the United States the sum of $790.44, representing overpayments made by the Department of the Air Force resulting from an erroneous credit of longevity pay. The payments were for basic pay, accrued leave, and a reenlistment bonus. Payments were made between 1948 and 1963. The legislation furthermore allows for credit in the accounts of any certified or disbursing officer for the amounts involved. Refund is authorized of any amounts repaid by or withheld from the claimant.

WALTER K. WILLIS

The bill (H.R. 8218) for the relief of Walter K. Willis was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 695), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Mr. Walter K. Willis of all liability to repay $726.73, representing the aggregate amounts received by him from the Department of the Air Force, as a result of administrative error on the part of the Department, for (1) accrued leave at the time of his discharge on January 22, 1962, as an enlisted member of the U.S. Air Force, and (2) pay and allowances for 50 days of leave taken by him, in excess of his entitlement, during the period beginning May 16, 1960, and ending January 12, 1961.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

EXECUTIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to the consideration of the Executive Calendar to consider nominations for the Department of Justice only.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations in the Department of Justice on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a quorum call, the time consumed for the call to be equally divided.

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

Who yields time?

Mr. TALMADGE. Mr. President, I yield 20 minutes to the distinguished junior Senator from South Carolina.

Mr. RUSSELL of South Carolina. Mr. President, at the outset, let me say that I associate myself with the remarks made by my colleagues on the committee by way of tribute to the distinguished and able chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER].

I am the youngest member of that committee. I heard remarks concerning the difficulties encountered in filling the membership of his committee. I am sure the chairman will recall that I am not one of those who were drafted on his committee, but one who enlisted with great enthusiasm and great zeal.

I have felt very much rewarded, especially because of his graciousness, his unflagging courtesy at all times, and his tolerance of the viewpoints of others, but, above all, the encyclopedic knowledge on all agricultural matters of the distinguished chairman.

I have found the chairman to be a wise mentor at all times on the problems of agriculture, except in one field, I regret to say; namely, cotton.

I enjoyed with a great deal of interest the fine comments made by the chairman of the importance of agriculture in the life of this Nation. I share with him the feeling that the strength of this Nation lies as much in its ability to feed and clothe itself as it does in its armor, or even in the wisdom of its leadership.

This Nation is peculiarly fortunate that it can say with pride that it is the best fed and best clothed nation in history. I believe that is a basic element in the strength of America and one of the real reasons why, today, we enjoy world leadership.

To a large extent, this situation is due to the American farmer. He is entitled to consideration for that reason. He has achieved it not by being inefficient in many things, but has proved that he is as efficient as anyone in the economy.

In recent years, the productivity of American farmers has outpaced the productivity of the industrial worker in America. We were very much interested in certain figures presented by a distinguished economist—who comes from my own State of South Carolina—who appeared before the committee and who, by his statistics, established that in the past few years the productivity of the American farmer increased 176 percent, as contrasted with only a 56-percent increase in the productivity of the industrial worker.

In short, the American farmer is increasing his productivity at a rate 2½ times as fast as the industrial worker.

Yet this is, in truth, the tragedy of the American farmer.

Unlike the industrial worker, the American farmer has not been able to translate this increase in productivity into a corresponding increase in income.

As we all know, in the past 2 years the share of the American farmer in the consumer's dollar to buy goods and services has been decreasing.

Certain figures published in an outstanding national magazine a week or so ago indicated that in the past 20 years the share of the American farmer in the consumer's dollar had dropped 15 percent.

Again, I am referring to the statistics presented by the able economist who comes from my own State, which established the fact that since 1954 the income of the farmer was decreasing at the rate of 1.4 percent a year, as contrasted with an increase in income of the wage earner of 3.3 percent during the same period of time.

It is significant that the nonfarm population enjoys an income, according to his statistics, 86 percent greater than the farm family. Today 43 percent of the farm families have an income of $3,000 or less. In short, 43 percent of the population on the farms fall in the poverty group, as contrasted with 14 percent of the nonfarm population.

I believe, therefore, that it is obvious that we must have a farm program. All recognize the reason for this. The farmer does not have the same opportunity that the manufacturer has to regulate and control his production against demand, and thus stabilize prices. For that very reason, there is justification and need for a farm program. I believe that the farmer deserves it. The man who provides America with the strength to be a have nation and not a have-not nation in the way of food and clothing, deserves consideration at the hands of this Government.

We should realize that, if we do not have such a program, the ultimate cost to this Government may be far greater than the cost of any farm program. If we do not have a sound farm program, if we were to destroy American agriculture, thousands of farm families would be forced into the already overcrowded slums of our great cities. They would be added to the already overburdened public assistance rolls. They would demand increased public housing, and they would contribute to an increase in the dangerous social situation in many of our cities.

I believe that the cost of a sound program is far less than what the cost would be if we were to destroy American agriculture, especially when we consider the value of agriculture to the national economy and to the strength of this Nation.

We cannot afford not to have a farm program. It is not a waste of money. It is sound economy. This does not mean, I hasten to add, that we should not have a sensible and reasonable and sound farm program, one that will impose as small a burden as possible on the taxpayers.

A sound farm program must have three basic and fundamental objectives.

First. It must seek to maintain, and insofar as practical, to increase the farmers' income.

Second. It must seek to achieve a better balance between production and consumption, and it must do so by the use of both the tools of curtailing production, and, insofar as possible, increasing the consumption at home and abroad.

Third. It should seek to reduce Government cost.

In 1964, by amendment to the Agricultural Act, we made progress in developing a sound, sensible, and economical farm program. It has been remarkably successful in the field of feed grains and wheat. We have seen the stock of both of those crops decreasing. We have seen the income of the farmers engaged in those fields maintained.

We have achieved real progress in that direction. As this month's issue of Fortune magazine indicates, we are on the road to meeting the problem in those two fields, but we have a problem in the field of cotton, and it is particularly to that field that I wish to address myself.

The act of 1964 established the one-price cotton system for the first time. It has often been criticized. It is said that it has not achieved results, despite the fact that it has been advocated consistently by President Eisenhower, President Kennedy, and President Johnson. I do not subscribe to the idea that the one-price cotton system, established in 1964, was a failure or should be criticized.

It has shown real progress. It has not done all that was expected of it, not all that was anticipated, but it has represented progress.

First of all, it has increased domestic consumption. It may be said that it did not increase domestic consumption as much as its advocates said that it would. However, the significant fact is that it increased domestic consumption more than it had been increased in any year since the two-price system was inaugurated in the cotton industry. I do not believe that we should fault any program that increases the consumption of a product 600,000 bales a year. Moreover, I believe that this is only a beginning, because, as a result of the establishment of the one-price cotton system and the establishment of a fair and just method of marketing cotton to the cotton mills, there has come a new opportunity, a new hope, and a new vitality imparted to the textile industry. New mills are being projected. Employment is being expanded. Wages are being increased.

I read this morning in the Wall Street Journal an article concerning an occurrence in my own State. In a small community in South Carolina a little mill that was decayed, one which people expected to close and throw hundreds of people out of employment, announced yesterday that it was going to spend $2 million to modernize the mill and expand employment. That has occurred because we have a one-price cotton system. The textile industry has confidence in its tomorrow. There will be an increase—an increase in employment, an increase in wages, and an increase in opportunity for the cotton farmer, the cotton worker, and the cotton manufacturer. It may be said that the cotton manufacturer has increased his income. I am happy that he has. If the cotton manufacturer were not making a profit, he would not be expanding, and he would not be maintaining his plants. He would not be providing steady employment. He would not be increasing wages.

I want all those things. I know that we cannot have them unless we have a profitable and not a decaying industry. Furthermore, as a result of the one-price cotton system, we are increasing the wages of the textile workers of this country. In anticipation of the enactment of the one-price cotton system in 1964, there was a 5-percent increase in wages. Since that time there have been two increases, of 5 percent each.

As a result, there has been an increase in the income of workers in States such as my own. There is a great deal of discussion about how much it has been and how much it has amounted to.

I have before me a clipping from a newspaper published in the capital of my own State only a week ago, in which the statement is made as to the increase in the weekly wage of textile workers in South Carolina between July 1964 and July 1965. Weekly wages increased from $73.99 to $83.81, or a little better than a 12-percent increase in a single year.

I also have in my hand the text of an interview with a distinguished representative of the Texile Workers Union of America, a representative of the union in the Rock Hill area of my State.

He said the effect of the one-price cotton in this area was to boost textile payrolls by an estimated $12 million in a period of about 15 months.

Mr. Ray Berthiaume, area representative for the Textile Workers Union in the Rock Hill area, one of the most knowledgeable men in the industry, concludes this interview with the following statement—and this is a representative of the union:

> The entire industry will suffer without the one-price cotton. The mills will go more and more to synthetics and the cotton industry, as we have known it, will go out of existence.

That statement shows exactly how one-price cotton has contributed to the improvement of the income of textile workers of this Nation. It is said that there has been no decrease in prices, and that that was promised if we enacted one-price cotton legislation. It must be considered that for some cloth prices, there have been increases in cost and price in the past year or 15 months, but in the less sophisticated manufacturing areas, where the raw product plays a prominent role, there has been a decrease in the price of cloth. This is shown on page 658, volume 2, of the hearings.

There are listed the prices of unfinished cotton cloth. It will be noticed that where the raw product is not the dominating factor, but where supply and labor enter into the picture, there has been an increase; but if one looks at the areas where raw cotton has a more dominant part in cost, it will be seen that there has been a decrease in price.

If Senators will look at page 1228 of the hearings, at the table dealing with yarn, where the raw cotton cost is the predominant factor, it will be found that the price of yarn decreased in that field after the passage of one-price cotton legislation more than the price of cotton decreased.

So I submit that there has been a reasonable decrease in price—not as much as was anticipated, but certainly a sound adjustment in relation to the one-price cotton system. More than that, it has arrested the shift, the erosion of cotton usage by synthetics.

During the first year of the operation of the one-price system we began to see that the share of synthetics in the market for the first time showed a slight reduction. We are maintaining and bettering the position of cotton.

So I submit that the one-price cotton system has not been a failure. It has achieved real success in certain areas, particularly in the area of increasing domestic consumption. Where the system has failed has been in the fact that there was a drop in exports and an increase in production. Without question, all must agree that stocks of cotton have been increasing at an alarming rate.

We note that by the end of this season we shall probably be reaching close to a 16-million-bale carryover. We must stop that overproduction of cotton. The fundamental question, therefore, in developing a sound cotton program, is not the abandonement of the one-price cotton system, which has aided us so much in increasing domestic consumption; what we must have is a program that will enable us, first, to increase exports; and second, to curtail unnecessary production.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator's time has expired.

Mr. TALMADGE. How much time does the Senator wish?

Mr. RUSSELL of South Carolina. Ten minutes.

Mr. TALMADGE. I yield 10 minutes to the Senator from South Carolina.

Mr. RUSSELL of South Carolina. We have before us two proposals dealing with this question. One is generally referred to as the Ellender bill, which was approved by the Agriculture Committee by a single vote. The other is what has been appropriately called the Talmadge bill. It was rejected by the same committee by a single vote.

There is a fundamental difference between the two bills. The Ellender bill would abandon one-price cotton. It would disclaim any interest in anybody but the cotton producer. Some of those who advocated it said there should be no concern with anybody except the grower. I do not subscribe to that. If we are to write a sensible bill, it must be one that serves the interests of the cotton producer and the consumer. There is no use trying to grow cotton unless we can develop a market for it.

Therefore, we have an interest and concern and obligation to legislate for the grower, the mill owner, the mill worker, and the taxpayer. That is the only way to legislate—in the public interest.

We are talking about a bill that would result in an increase of cotton by 600 million bales a year. I submit that that would be folly indeed. It is true that under the Ellender bill there is a pawn, a sop, of 3 cents; but basically and essentially we would abandon the one-price system. I submit that it would be folly for us to do so.

There is a second fundamental difference.

Both the Ellender bill and the Talmadge bill recognize and accept the assumption that there must be a curtailment in the production of cotton. Significantly enough, the same figure is used as a goal; namely, 35 percent of the production.

The difference between the two bills is significant. The Ellender bill is a purely voluntary bill. All the curtailment that it would bring about must and will be voluntary. On the contrary, under the Talmadge proposal, there is a 10-percent mandatory reduction and a 25-percent voluntary reduction.

Furthermore, under the two bills the prices are different. Under the Ellender bill, a loan price of 28 cents is to be maintained. A premium of 7 cents would be paid in order to induce the farmer voluntarily to reduce production. If he reduces to 65 percent, he receives 35 cents. If he does not reduce that amount, he receives 28 cents. On the other hand, under the other basis, we are balancing against the world price and against the loan price of 21 cents a pound.

There can be no difference of opinion about which of these plans would bring about a real curtailment in production. The plan that imposes the mandatory 10 percent plus the 25-percent voluntary reduction assures more of a curtailment, more of an approach to the goal of a 35-percent reduction than the plan that is wholly voluntary.

What would happen with no mandatory program? That would mean bidding against 28-cent cotton. The only ones who are likely to come in under the voluntary program are the marginal producers, those with the least productive acres. Those who had highly productive acres would not participate. They would continue to produce the 28-cent-price cotton.

That is the reason why, if we look at the estimates prepared by the Department of Agriculture and submitted to the Congress, it will be seen that under the Ellender bill, it is estimated that in the first year there would be a reduction of only 100,000 bales in surplus cotton stocks, whereas under the Talmadge bill, there would be approximately a 1-million-bale reduction.

If a major part of the problem is reducing our surplus stocks, and one plan offers only the promise of a 100,000-bale reduction and the other promises a reduction of approximately 1 million bales, how can there be any difference of opinion as to which is the superior plan for the cotton industry, for the Nation, and for the taxpayer? If the goal is to curtail production, there can be only one answer, and that is that the substitute motion offered by the able Senator from Georgia [Mr. TALMADGE] should be adopted.

I point out further that in the first year, the advantages to the cotton farmer under the Talmadge bill are equal to—and in my opinion better than—under the Ellender bill. If one reduced his acreage in production to 65 percent of his domestic allotment, he would receive 35 cents a pound under the Ellender plan. Under the Talmadge bill, the grower would receive 35.65 cents a pound, or a little better than half a cent a pound more.

Under the Ellender plan, he has no option other than to reduce to 65 percent, or come in under the loan program at 28 cents a pound. But under the Talmadge plan, he can go up to 75 percent, curtailing only 25 percent, in which event he will receive about 34 cents for his cotton; or he can curtail only to 90 percent, the mandatory part, and receive between 29 and 30 cents. He has far more options. He would receive a better cash return the first year under the Talmadge plan than under the Ellender bill.

It is said that the Talmadge proposal does not write out specifically what the income of the farmer would be in the years succeeding the last 3 years. But I am persuaded, and I am sure that other Senators will be persuaded, that the Secretary of Agriculture will not permit the level of income of the cotton farmer to drop, and that he will order diversion payments sufficient to enable the cotton farmer to maintain his income.

Moreover, I call particular attention to two other facets of the farm legislation proposed by the Senator from Georgia [Mr. TALMADGE].

Under both the Ellender bill and the Talmadge bill, the small farmer with 10 acres is protected. His entire acreage is treated as domestic allotment. Under neither proposal is he forced to curtail production. Under both, he receives the full amount payable to one fully complying. He would receive, therefore, 35 cents under the Ellender plan, and 35.65 cents under the Talmadge plan.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. RUSSELL of South Carolina. May I have about 2 minutes more?

The PRESIDING OFFICER. Without objection, the Senator is recognized for 2 additional minutes.

Mr. RUSSELL of South Carolina. Therefore, I submit that the cotton producer has at least the same if not slightly improved rights under the Talmadge bill.

Let me mention two other things. Under the treatment of diverted acres provided in the Ellender bill, the farmer can produce anything that is not covered by a commodity program. He can begin producing soybeans.

At the present time soybeans constitute one of the most profitable of crops for our farmers. But if we were to convert all the diverted areas to the production of soybeans, we would create in soybeans exactly the same problem we have today with cotton. In solving one problem, we would have created a new one.

But as Senators will note, under the Talmadge plan, the converted acres can be used only to produce what the Secretary finds will not become a surplus crop. Therefore, there would be no production of soybeans.

A second feature: Under the Talmadge bill, one-half the diversion payment would be made to the farmer as soon as he signed up. He would receive the other 50 percent whenever there was evidence of performance. He would receive his diversion payments before he harvested his crop, at a time when he could use them to pay for his fertilizer and to finance the creation of his crop. That is a consideration of substantial value.

If we look at this bill from the standpoint of the cotton farmer, the cotton manufacturer, the cotton mill worker, and above all the taxpayer, this is a program which the Department estimates will cost three-quarters of a billion dollars less than the Ellender bill over the period of the life of the bill. I submit that however we match them, the Talmadge proposal represents the superior approach to the dilemma of cotton, and I earnestly and sincerely hope the Senate will approve the substitute submitted by the distinguished and able Senator from Georgia, to whom I pay particular tribute. I express gratitude both personally and on behalf of all centers of the textile industry and the cotton industry, for the fine contribution he has made to the solution of the problem that besets the cotton farmer, the cotton manufacturer, and the cotton world.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Missouri [Mr. SYMINGTON].

SENATE COMMITTEE COTTON PROVISIONS CONSTRUCTIVE

Mr. SYMINGTON. Mr. President, the cotton provisions contained in the farm bill reported by the Senate Agriculture Committee are designed primarily to protect the income of cotton producers and to preserve and implement several previous determinations by the Congress that have worked well for both the entire cotton industry and the consuming public.

The bill would preserve the parity concept, which is the only realistic indicator of the relationship between what it costs to produce a crop and what that crop finally brings in the marketplace. The parity concept in a real sense measures the success or failure of farm programs and should be continued without question.

The farmer's right to produce his full allotment without penalty and with full eligibility for price supports would be preserved. This right to produce is basic to the maintenance of cotton farm income and the economies of cotton communities, as well as to the future well-being of the entire cotton industry.

The national minimum acreage allotment of 16 million acres would be preserved. Continuation of the minimum allotment is essential to convince foreign countries that we are not surrendering our production base and that we will insist on our fair share of the world cotton market.

Under the bill, the present surplus would be reduced in an orderly manner. Cotton's role in the defensive strength of the United States and the free world would be maintained and there would be adequate reserves to provide a cushion against an unwarranted increase in consumer prices. The reduction would be accomplished through a voluntary reduction in farm acreage allotments and through increased export sales of our cotton.

Mr. President, as we all know, last year the distinguished Senator from Louisiana [Mr. ELLENDER] opposed, and warned the Senate about, too heavy a subsidy to the textile mills.

Most textile stocks in the past 3 or 4 years have at least doubled in value. I noted in the newspaper this morning that one of the world's greatest textile manufacturers, headed by a good friend, just made more money than it ever made before in its history.

There is a "choice" plan for the cotton producer which would permit him to plan his operations to suit his individual situation. The wide variations in land capability and farming conditions peculiar to the Cotton Belt require a "choice" program to sustain the income of individual producers and to insure fully adequate supplies of cotton at reasonable prices.

The bill would provide a 4-year program under which farmers could make long-range production decisions in the purchase of farm equipment, land formation and other capital investments while considering alternative land uses.

Implementation of section 203 of the Agricultural Act of 1956 would be assured. Our cotton would be made, and kept, competitive in world markets by authorizing and directing the Secretary of Agriculture to accept bids for cotton for export at prices in line with those quoted on the world market.

The principal weakness of the current program, which would be continued by the House-passed bill, is the requirement for a single-price system regardless of freight rate differentials between domestic and foreign points and fluctuating conditions in world markets that are in no way related to normal functions of the domestic market. It is quite clear that domestic and export pricing policies must be separated if we are to reestablish and maintain a workable pricing arrangement in the world market that would hold and increase markets for our cotton and keep costs to the Government within reasonable bounds.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield 5 additional minutes to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, what I say has reference not only to cotton and agriculture. One of the saddest aspects of recent developments—economic, fiscal, and monetary—in the United States is a continuing loss of markets in many fields with respect to foreign trade. Naturally it is closely correlated with our continuing loss, for the past 16 years, of gold bullion, on which the value of our currency is based.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. Would the Senator let me finish my statement?

Mr. PASTORE. Will he answer a question on my time?

Mr. SYMINGTON. I shall be glad to do so, if the Senator will permit me to finish my statement.

The cost of the program would be reasonable in view of the importance of our cotton industry and the fact that much of our surplus has been created by not maintaining a "fair share" of the world market for our cotton.

The bill provides a payment in kind to the cotton trade for the benefit of domestic users of cotton which, when considered along with lower price levels to producers of the past 2 years, would keep cotton reasonably competitive with manmade fibers in the domestic market.

In summary, the bill would protect farm income and production levels, hold and expand markets, and protect the interests of the consuming public. Experience the past year shows that the cotton farmer and the taxpayer cannot afford a continuation of the so-called one-price system as provided by the House-passed bill. The American Cotton Producer Associates has prepared an analysis of the results of this system during its first year of operation.

ONE YEAR RESULTS OF ONE-PRICE COTTON PROGRAM

Mr. President, first the analysis points out that cotton's share of the domestic fiber market dropped by more than a full percentage point to a record low of 54.5 percent. Even though domestic consumption of cotton increased by 500,000 bales, manmade fibers' share of the domestic fiber market climbed to a record high of 41 percent.

Second. The 500,000-bale increase in the domestic market cost the farmer $12.50 per bale in price reductions on his total production, and cost the taxpayer an additional $32.50 per bale in textile mill subsidies on every bale that went into domestic consumption. The combined cost to the farmer and to the taxpayer was $45 per bale or a total cost of $409,500,000. The average per-bale cost of the 500,000-bale increase amounted to $819 per bale or about 6½ times the value of the cotton involved.

Third. Cotton farm income dropped from $2,784 million in 1963 to $2,546 million in 1964—a reduction of more than 8 percent even though the 1964 crop was equally as large as the 1963 crop.

Fourth. Textile mill margins increased almost 40 percent. The difference between cloth prices and cotton prices increased from an average of 26.19 cents in April 1964 to 36.49 cents in April 1965.

Fifth. Prices of cotton cloth increased in spite of the $45-per-bale reduction in the price of raw cotton. The value of cloth obtainable from a pound of cotton increased from 61.82 cents in April 1964 to 63.89 cents in April 1965.

Sixth. Cost of the program to the Government increased by the amount of the domestic mill subsidy.

Seventh. Exports of U.S. cotton dropped from 5.6 million bales in the previous year to 4 million bales. This is what I referred to a few moments ago with respect to foreign trade.

Eighth. Imports of cotton textiles into the United States for the first 5 months of 1965 were equivalent to 307,000 bales of cotton, up nearly 20 percent from the same months of the previous year.

Ninth. Considering the increase of 500,000 bales in domestic consumption and the decrease of 1.6 million bales in exports, the total off-take of cotton dropped 1.1 million bales.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield 1 more minute to the Senator from Missouri.

Mr. SYMINGTON. Tenth. The carryover of cotton increased about 2 million bales to the second highest level in history.

It is for these reasons that I intend to vote for the cotton provisions as reported by the Senate Committee on Agriculture and Forestry. I would hope that these provisions will meet with the approval of the Senate and the conference committee.

Now I am glad to yield to my able and respected friend, the Senator from Rhode Island.

Mr. PASTORE. I have always had great admiration for my distinguished friend from Missouri and for his deep sense of good conscience and fairness.

First, as a prelude, none of us wants to do anything that would injure the cotton farmers of America. I would be the last to do so.

Does the Senator consider it to be morally right to sell to a foreign producer who competes in the American market with the domestic consumer? Does he think it morally correct to allow the foreign producer, who competes with the American producer in America, to buy the raw material that goes into that production at a cheaper price than the American farmer has to pay for it? Is it morally right to do so?

Mr. SYMINGTON. There is nobody who respects more the high moral character of the distinguished Senator from Rhode Island than the Senator from Missouri. But I do not believe this a question of morality.

The profits textile manufacturers have been netting have been steadily improving, to the point where they are now at alltime records. Although I cannot answer the question on the basis of morality, I would answer this way:

The income of the cotton farmers of Missouri, based on their acreage, has been driven down steadily for years. At the same time, the profits of textile manufacturers have gone up steadily, during the same years.

With that premise, I would think it is not a question of morality. Rather whether once more, on the floor of the Senate, we are to discriminate against people who live in the rural areas of the United States.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I understand there is a discussion.

Mr. PASTORE. If it is a discussion.

Mr. ELLENDER. The Senator from Rhode Island asked the question.

Mr. PASTORE. I asked the question, but I did not ask for a speech. I did not get the answer yet.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Who yields time?

Mr. ELLENDER. I yield 5 minutes to the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, I know that some phases of the Talmadge plan look good on paper, but from the viewpoint of the cotton farmer or cotton producer the trend of the plan is to take the whole program away from the producers and to put the emphasis and benefits in hands of other groups in our economy.

From the outset of the cotton program in the 1930's, the very concept or design of the plan was to protect those farmers who produce the raw material, the raw product, the essential product—cotton. It was on that basis that Congress, many years ago, felt justified in taxing the public, if necessary, to insure a continued flow of the raw product, cotton. The plan has been successful in that respect, and the basic cotton program should be kept on that basis now and hereafter.

However, a major objection to the Talmadge proposal is that it is a further encroachment upon acreage allotments. It will take more acreage away from the man who lives on the land. As I said yesterday, the cotton farmers of my State have already lost more than one-third of the cotton acreage that they had in 1950, just 15 short years ago. The acreage has been reduced one-third under requirements of the law in the last 15 years. That is like closing down one-third of the factories in some industrial area of the country, except that when a factory closes, frequently another one opens later on.

But when cotton acreage is reduced under the price support program, it leaves the farm and the community and never returns; it is gone forever. That has been the history of more than 30 years of this program.

Under the Talmadge amendment, that situation is made more certain because of the loose, open-end feature of the bill. After taking away 10 percent of the meager acreage that a 20-acre farmer may have, in order to qualify under the program, the other section of the proposal opens up unlimited, open-end production for the large producer, enabling him to produce thousands of bales if he so desires, on unlimited acreage. Of course, he will not receive any price support but he can have unlimited production year after year. That is an absolute guarantee that the removal of acreage, which hurts the little man so much, will never return to him or to the community. These steady acreage reductions are depopulating our communities. Acreage reductions cripple producers and gradually destroy the economy of the area including the great fertilizer dealers, machinery dealers, small merchants at the crossroads, the laborers, and every other business that is connected with the production of cotton.

Now I wish to say a word about the small-farm feature. I have been amazed to listen to the argument about supporting this amendment as it will protect the little farmer. We who have been Members of the Senate for a long time know much of the history of this provision for the little farmer. I recall the time when the small farmer provision was defeated on a yea-and-nay vote by two votes.

The amendment, which I was sponsoring, merely afforded a little protection for the 5-acre farmer. The former Senator from Minnesota, Mr. HUMPHREY, now the Vice President of the United States, and the late former Senator from New York, Mr. Lehman, when they understood more clearly the purpose of my amendment, announced they would change their votes and would vote for a motion to reconsider the vote whereby the amendment was defeated. Thus, the first amendment protecting the acreage of the 5-acre farmer was written into law.

The distinguished Senator from Georgia [Mr. TALMADGE] has done much as a member of the Senate committee in years past to increase the limit to 10 acres, as it is today. I commend him for it. But that is no reason why this present amendment to this bill should be adopted.

I hope that the pending amendment will be rejected and that the provisions of the committee bill will be sustained.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield 5 minutes to me?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. I am not enthusiastic about either the committee bill as it refers to cotton, or the so-called Talmadge amendment. As between the two, I greatly prefer the committee's proposal, and I shall state briefly why I prefer it.

First, if we adopt the basis of production payments or compensatory payments for a large basic commodity like cotton, as proposed by the Talmadge amendment, we might as well forget about basing the whole price-support program on any idea of protecting and continuing private enterprise, or private initiative, because the program would become a dole or welfare program. Soon the whole program for agriculture would be converted to that basis.

The people of my State of Florida, who are most interested in agriculture, almost as one man, are opposed to compensatory payments. They feel that the beginning of such a system with reference to cotton would quickly spread to the other basic commodities and would have a destructive effect on the whole agricultural support program as we have known it.

I invite attention to the fact that this is only a part of the so-called discredited Brannan plan. I also invite attention to the fact that the amendment now at the desk proposed by the distinguished Senator from Maryland [Mr. BREWSTER] makes it clear that we are turning in the direction of the Brannan plan.

Mr. President, I ask unanimous consent that the proposed amendment to section 707 be included in my remarks at this point. This shows that the trend is toward making the cotton program a welfare program rather than one based upon business principles, and I cannot support it for that reason.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> At the end of the bill add a new section as follows:
>
> "SEC. 707. Notwithstanding any other provision of law, no producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer."

Mr. HOLLAND. Mr. President, next, I invite attention to something I have not heard mentioned, and that is that the amendment proposed by the able Senator from Georgia and others, called the Talmadge amendment, not only approves, but I believe also encourages, a 50-percent increase in acreage in the most productive areas of cotton in the Nation, and particularly in the irrigated areas of the West, which are in this field of competition largely because Uncle Sam has expended countless millions of dollars to put them in business on an irrigated farm basis.

I believe that the pending amendment, if adopted, would be doing a disservice to the small producers in all of the Southeast and all the producers in the Southeast except in the delta regions—including all those States which have delta areas along the Mississippi River. I can see clearly that the amendment, if adopted, will surely increase greatly the irrigated acreage in the Far West, which produces from 3 bales per acre up, in many instances, of cotton, as against one bale or less than one bale in the hill areas of the South.

For that added reason, I oppose the pending amendment.

Next, I oppose the amendment for the reason mentioned by the distinguished Senator from Mississippi [Mr. STENNIS] a few moments ago. The committee bill includes arrangements to take care of the small farmer wherever he may be, in the East, West, far West, by providing that up to 10 acres of the production of any farmer who has an acreage of 10 acres or less shall be considered as exclusively devoted to the domestic field and is, therefore, entitled to the highest measure of price support.

I believe that is a much needed provision which is absent from the pending amendment, and I believe that the Senator from Mississippi [Mr. STENNIS] is eminently correct in pointing to that as one of the major reasons.

Mr. TALMADGE. Mr. President, will the Senator from Florida yield to me, on my own time?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Florida yield to the Senator from Georgia?

Mr. HOLLAND. I do not have charge of the time——

Mr. TALMADGE. I should like the Senator from Florida to know that the 10-acre amendment is in my bill.

Mr. HOLLAND. I shall be glad to yield to the Senator from Georgia when I am through. The method followed by the distinguished Senator in his amendment takes care of small farmers only through compensatory payments, to which I strongly object.

What I am saying now is that the Senator from Mississippi is eminently correct in his statement that the 10-acre devotion to support for the domestic allotment field is clearly stated in the committee bill, and I believe that it is a desirable feature.

I say also—and I do not believe my distinguished friend the Senator from Georgia will deny it—that his amendment would permit a 50-percent increase in acreage in the highly productive areas of the West, and I am against this amendment for that reason also.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. ELLENDER. Mr. President, I yield 2 additional minutes to the Senator from Florida.

The PRESIDING OFFICER. Without objection, the Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. The last reason why I oppose the pending amendment is that although I supported the measure which was adopted to come to the aid of the textile industry last year, I am completely disappointed in the results, because I have not seen any showing of gratitude on the part of the textile industry which was promised at that time, and which we fully expected.

To the contrary, that showing of gratitude has been wholly lacking, as so clearly shown by the senior Senator from Louisiana.

Now the textile industry says, "We demand the right to have the same price as the foreign processors," when the fact is that it is asking for a price approximately 3 cents per pound less than foreign producers, because it would get the cotton without the cost of transportation to foreign shores.

I am not too greatly impressed by the pleas of the fervent cotton planters from Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut who, of course, are pleading only the case of the textile manufacturers.

Mr. President, I believe that the committee provision is vastly to be preferred to the pending amendment, and for that reason I shall vote for it and against the pending amendment.

Mr. TOWER. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I yield 1 minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

Mr. TOWER. Mr. President, if the committee version of the cotton section of this bill prevails, it is my opinion that the cotton industry as a whole will plunge speedily toward financial disaster—a disaster so severe that the industry may never recover.

Cotton problems are, of course, not partisan in nature. We have given consideration, time and again, to these problems, but the problems have not been solved.

Production costs are too high; research is too limited; marketing methods are too complex; Federal Government involvement is too great and too confusing. Our exports are down, and our surpluses continue to increase.

Mr. President, it is my opinion that it is essential any cotton legislation restore a market price system for cotton. We have here the opportunity to do just this.

Many millions of dollars in administrative expenses, storage costs and interest charges will be saved under the alternative proposal.

I wish to emphasize that I am confident the only way cotton can survive as a major industry in the face of foreign competition and of substitute fibers is to sell competitively. The American taxpayer cannot be expected to continue indefinitely to vote payments for ever-increasing stored surpluses.

After more than a century of growing cotton in this country, the industry is on the verge of being liquidated. It is a senseless loss and one the Nation can hardly afford. We have taught the world how to grow cotton, and they have taken over 70 percent of the business. We have forfeited completely our share in the growth of the world market to others while we stagnated. While everyone else increased production to meet demand, we reduced acreage as yields improved through the development of new farming techniques. When there was a world shortage in 1950, we let all the farmers benefit from the price increase except ours, on whom we imposed price ceilings. We must be the most experienced people on earth in building up Government surpluses and then finding cumbersome ways to dispose of them. All it takes is money. The first 10 postwar years were profitable for cotton, even for the taxpayer. But beginning with fiscal year 1956 through July 1964, the U.S. Department of Agriculture admits the cost of its cotton programs has been in excess of $4.14 billion—and that is exclusive of interest, administrative costs and the cost of all the hearings, investigations, and other Government activity occasioned by its cotton programs. During that time, CCC had to take over unredeemed loans on over 32 million bales, and these represented 26 percent of our total cotton production. This year the trend is the same.

I think we well might note that in 1958 Congress passed adequate cotton legislation and that during the time when the congressional intent on its administration was followed, it worked satisfactorily. However, in early 1961, the Secretary of Agriculture increased the support price, thus increasing the export subsidy. Exports fell from an average of 6.9 million bales yearly to 4.1 million. The carryover rose from 7.1 million bales to 11 million bales and is still rising. We lost our competitive position in the world market.

The current cotton mess resulted because the Secretary of Agriculture unwisely exercised his discretionary power to set price supports at a higher percentage of parity.

Past decisions and actions, which now seem impossibly unwise, have brought the cotton industry in this country far beyond the point where it can be saved by anything less than an immediate reduction to the competitive world price, under a program that is convincingly permanent.

What is needed is a loan at the world-price level. Such a loan would permit our export business to resume its past high levels. Such a loan would enable U.S. mills to obtain cotton at the same price foreign mills do.

To bridge the gap between the world level and the price necessary to preserve a solvent producer, the equalization payment must be made for several years to the producer, as cotton gradually reenters normal channels of trade and progressively retains its competitive status in the world. No arbitrary ceiling or limits could be placed on the amount of equalization payment.

If the loan is placed at or near the world market price, the cotton trade and the consumer can stock cotton. Furthermore, instead of being bought on a hand-to-mouth basis, as has been the practice in recent years, the cotton will move into market consumption.

Many millions of dollars in Government administrative expenses, storage costs and interest charges will be saved. The farmer will benefit from income protection while he is assisted by additional research projects to become competitive.

I think it is obvious that the Government loan was not intended to be a market for cotton, but only a marketing device. So long as the loan remains above the market price, it will attract into storage cotton that should be going into consumption.

So long as the export subsidy is maintained, some other subsidy will be necessary to achieve a one-price system at the mills.

In brief, Mr. President, cotton must be made permanently competitive by implementation of a convincing U.S. program aimed at restoring confidence of both domestic and foreign purchases of our cotton. Farmers' income must be protected, but by a single payment, not by a five-sided monster. Congress must move cotton toward lesser Federal regulation, a goal that cannot be achieved by adding more subsidies and more acreage allotments.

If this committee bill goes through, it means simply that the support price next year will be 1 cent cheaper than now; and there will be a 3-cent domestic subsidy instead of the present subsidy.

The farmer will receive less for his cotton, and the mill will pay more. The Government will pay less subsidy but will have to pay more for the lands that are idled and for the cotton that is not grown.

Caught in the middle will be the ginners without cotton to gin, the banks without cotton to finance, the merchants without cotton to buy and sell, in the areas where cotton is dropped and where all the diverse business interests will suffer.

It would end the one-price system for cotton that is presently employed and return to the program of 2 years ago with just new frills added. It appears that it would consequently and necessarily mean another trend toward use of less cotton by domestic mills.

Last year Congress took a short step toward a new day for cotton by acting to restore a one-price system. Last year's plan could have operated to move cotton into markets rather than into surplus storage; it could have allowed the private enterprise marketplace to operate with renewed vigor.

But bypassing the intent of Congress, the Secretary of Agriculture made a basic mistake. He chose not to administer the 1964 Cotton Act so as to reduce surpluses and to encourage free enterprise. Instead he administered it in a way which increased Government interference and increased taxpayer costs.

This year, the Secretary's mistake became abundantly clear. Cotton's problems are worse, not better. So this year the administration joined in a serious attempt to establish and preserve a one-price plan for cotton. The House of Representatives approved that plan in its farm bill.

Unfortunately, the Senate Agriculture Committee threw out the wisdom of the House and ignored the lessons of the past. The committee reported to the Senate a two-price proposal which would give the farmer less for his cotton, make the mills pay more for it, and increase cotton costs so that competition in the marketplace would be virtually impossible.

For that powerful reason, I support the Talmadge amendment and urge its adoption. I do not expect this year's cotton regulations to be a final answer.

But, I do know we must get the cotton industry moving on the right track, not into Government storage, to stand and often rot, but moving into the market at competitive prices.

The hour is late for cotton. Long years of governmental mistakes have taken their toll. I hope we can find our way this year onto the right track, because if we stay on the old track—cotton is doomed.

The cotton industry is at the crossroads. The issue is a simple one. It boils down to one question. Do we return to the two-price system under which the American cotton industry suffered tremendous market losses, or do we continue one-price cotton which has breathed new life into our domestic market.

The basic purpose of a competitive one-price system for cotton was to check cotton's losses to other fibers in the domestic manufacturing of textiles and to permit American mills to compete with foreign mills on equal footing, insofar as raw cotton costs are concerned. The effect of a two-price system on cotton's competition with rayon and noncellulosic fibers is clearly shown by the fact that cotton's share of the market dropped almost 10 percent from the first quarter of 1961 to the first quarter of 1964. This was just prior to the enactment of the one-price cotton legislation. Rayon and noncellulosic fibers gained by this much at the expense of cotton. One-price cotton was made effective with the Agriculture Act of 1964 on April 11, 1964. From the first quarter of 1964 to the first quarter of 1965, which represents the first year under a one-price system, cotton's share of the market dropped by only four one-hundreds of 1 percent. Stated another way, the terrific inroads which synthetics were making on cotton's market were brought to an abrupt halt with the institution of one-price cotton.

What is the significance of this record of fiber consumption? During the whole period from 1961 to the present, the total consumption of cotton and synthetic fibers was rising. Thus, the textile industry was experiencing a period of growth. The big question is which fibers shared the most in this growth. The answer is clearly synthetic fibers. Cotton actually suffered a heavy loss relative to synthetic fibers. Thus, it is the raw cotton industry which has the greatest stake in seeing that one-price cotton is continued. This means cotton farmers, cotton ginners, and others engaged in the business of handling and marketing raw cotton. These are the people whose incomes are almost solely dependent on a healthy cotton economy. It is clear that the textile industry is not dependent solely on cotton. This has been demonstrated by the substantial shift away from cotton to synthetics during the last 3 years of the two-price system. As one who represents cotton farmers, cotton ginners, and others engaged in handling and marketing raw cotton, I want to see one-price cotton continue. I am unalterably opposed to a return to a two-price system.

Mr. President, let me add further that I believe the basic issue is the viability of cotton as a competitive, high demand fiber. I believe that the issue is the viability of the cotton industry in the United States. I am convinced that the only way we can keep the cotton industry alive is to move cotton into free market at competitive prices.

The one-price cotton system is designed to do this.

I am a supporter of the views of the Senator from Georgia [Mr. TALMADGE]. I intend to vote for his amendment, and I hope that it will be adopted.

Mr. President, I do not believe that the Talmadge amendment is a panacea. I do not believe that it is the best program in the world. I know that the sponsor himself feels that perhaps there are some things in it which could be improved upon.

We all recognize that legislation is, after all, the art of the possible. We feel that this is the best possible provision we can get through Congress at this time.

Therefore, for the sake of the life of the cotton industry, and for the sake of not diminishing but improving the position of cotton as a competitive fiber as one of the great crops produced in this country, I believe that we should support the Talmadge amendment. I fervently hope that it will be adopted.

The PRESIDING OFFICER. Time still remains equally divided on both sides between the Senator from Georgia [Mr. TALMADGE] and the Senator from Louisiana [Mr. ELLENDER]. Who yields time?

Mr. TALMADGE. Mr. President, is the Senator from Louisiana prepared to yield back the remainder of his time?

Mr. ELLENDER. No; I am not ready yet. I have yielded time to many Senators, and others will follow.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. Mr. President, I yield 2 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 2 minutes.

Mr. ERVIN. Mr. President, I am convinced that the only way to help the American cotton grower is by a bill which establishes a one-price cotton market and which does economic justice to the American textile manufacturer, regardless of whether that manufacturer is in Maine, Rhode Island, Massachusetts, Connecticut, North Carolina, South Carolina, Georgia, or elsewhere.

I say this because the American textile industry is the biggest customer the American cotton grower has. If the American cotton grower is to have the benefit of a market on which he can sell his products most easily, it is essential that Congress render economic justice to the textile manufacturer.

Mr. President, that is the purpose of the Talmadge amendment. For that reason, and because it would undertake to establish free trade, both domestic and foreign, I shall support his amendment.

Mr. PASTORE. Mr. President, will the Senator from North Carolina yield at that point?

Mr. ERVIN. I am glad to yield.

Mr. PASTORE. I should like to read into the RECORD a statement made by the National Cotton Council on the very point which is being developed by my good friend, the Senator from North Carolina.

It reads as follows:

> The committee bill—

Referring to the bill as reported—

> would turn back the clock to a system which has failed and which would destroy the American raw cotton industry.

That is from the National Cotton Council.

Mr. ERVIN. I thank the Senator from Rhode Island for his contribution, and also the Senator from Georgia for yielding to me at this time.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, I covered the cotton proposal at length yesterday. It is my contention that this bill should be a producer's bill and not a textile mill bill. If the textile mills desire protection, they should go to the proper committees of the Senate and the House.

Mr. President, an article entitled, "J. P. Stevens Sets Earnings Record" appears in the New York Times of today. This earnings record was made possible by the so-called one-price system.

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

J. P. Stevens Sets Earnings Record—Textile Producer Reports Highest Sales and Profit in Its 151-Year History

J. P. Stevens & Co., Inc., the Nation's second largest publicly owned textile producer, achieved the highest sales and earnings in its 151-year history in the 3 and 9 months ended July 31, according to a report issued yesterday by the company.

Its consolidated net earnings for the third fiscal quarter ended with July rose to $6,460,502 from $4,355,861 in the corresponding 3 months last year. The earnings were equal to $1.24 a share, compared with 83 cents a share a year earlier, adjusted for a 10-percent stock dividend declared last October.

J. P. Stevens, which ranks behind Burlington Industries as a textile producer, reported consolidated net sales of $185,236,075, compared with $171,121,008 for the third fiscal quarter last year. This brought to $538,674,403 its volume for the 9 months ended July 31, compared with sales of $479,882,902 in the corresponding three-quarter period a year earlier.

The company's net income for the 9 months climbed to $18,394,486, or $3.52 a share, from $10,631,257, or $2.04 a share, on the adjusted basis for the 9 months ended August 1, 1964. Federal and State income taxes totaled $17,377,000, while a year earlier the tax bill was $9,369,000.

Mr. ELLENDER. Mr. President, another article appeared in the Wall Street Journal on February 10, 1965, headlining that domestic mills in 1964 had one of the best years since the early 1950's with the help of the cotton bill enacted in 1964. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

Textiles Get Brighter—Mills in 1964 Had One of Best Years Since Early Fifties, With Help of Cotton Bill; Profit Gains Spur Stocks

(By Ted Stanton)

Textile mills in 1964 had one of their best years since the early 1950's, helped considerably by the cotton program that President Johnson in his farm message said should be extended and improved.

Expansion, diversification, and modernization, all fueled by soaring earnings, are bringing a luster to textile company stocks that reflects the industry's brighter image.

The provision of the law that has been a major factor in the textile mills' gain permits them, in effect, to buy U.S. cotton at the same price foreign mills pay. It has provided for payment of 6½ cents for each pound of cotton domestic textile firms use. That's roughly the difference between the world price of about 23½ cents a pound and the higher domestic support price for last year's crop. Mills formerly had to pay the higher price.

Mill executives are generally optimistic about this year's operations, too. Their confidence stems from the industry's overall firmness, and also from widespread expectations that Congress will vote to extend the one-price program, with, at most, minor revisions. The present law expired in mid-1966.

The table below marks the rise of some leading mills' stocks from the bottom of the market slump in 1962 to yesterday's closing price. Many have outpaced the broad market advance; some have almost doubled, and shares of Burlington Industries, Inc., biggest concern in the industry, are up even more. Prices are New York Stock Exchange closing quotations, with those of J. P. Stevens & Co. adjusted for two 10-percent stock dividends.

June 26

	1962	Now	Gain (percent)
Burlington Industries	18⅞	66¼	250
J. P. Stevens	24	47⅝	98
United Merchants-Manufacturers	18¼	27⅜	50
M. Lowenstein & Sons	8¾	17	94
Cone Mills	12⅛	24⅝	103
Dan River Mills	12¾	24¼	90
Dow-Jones industrials	535.76	901.24	68

The substantial earnings gains that are a prime force in these rises seem likely to continue into the summer at least. Industry profits in the first 9 months last year rose 38 percent from those of a year earlier, the Securities and Exchange Commission said. Third quarter profits were up 60 percent three times the 18-percent gain reported for all manufactuers. An analyst close to the industry calls the outlook better than in Lord knows how long.

The Nation's economic boom has carried the textile firms with it. "Tastes," says one executive, "have been upgraded. Now the consumer wants nicer clothing, better furnishings. The worker has swapped his blue collar for 10 different sports shirts. And we make more money on the better quality goods."

Because of changes in the industry in the past few years, the companies have been in a relatively good position to make the most of their opportunities. Some key factors, by industry consensus, are rising spending for new plants and equipment, increasingly skillful management, and the big push from the cotton legislation.

Besides lowering the price mills pay for cotton, the bill also dispelled the uncertainties that had been adversely affecting our market in 1963 and earlier, according to Ceasar Cone, president of Cone Mills Corp.

EARNINGS, SALES SPURTS

Company earnings and sales graphically demonstrate the strength of the industry. Burlington's profit in its 53-week fiscal year ended October 3, jumped 25 percent to $50,800,000, or $4.15 a share, from the 52-week fiscal 1963. Sales climbed 11 percent to $1,206,393,765. In the current year's first quarter, Burlington's net soared 47.4 percent above the year earlier pace and sales were up 13.2 percent. J. P. Stevens' profit in the year to October 31 climbed 27.3 percent from fiscal 1963 to $17,685,000, or $3.73 a share, and sales were up 12.3 percent to $684,860,013.

United Merchants & Manufacturers, whose diversified operations include the Robert Hall clothing store chain, earned $14,119,000, or $2.35 a share, in the year ended June 30, up 30.6 percent from fiscal 1963. Its profit in the first half of this fiscal year jumped 40 percent from the fiscal 1964 level to $9,415,000, or $1.57 a share. In all fiscal 1963 the company's earnings had declined 3 percent to $10,810,000, or $1.80 a share.

Kendall Co. recently said 1964 earnings jumped 23.5 percent from 1963 to $7,196,000, or $3.42 a share, while sales were up 7.1 percent to $149,405,000. It ascribed the gain in part to lower raw material costs and lower income taxes. The company also proposed a 3-for-2 stock split and said it planned to boost the quarterly dividend to the equivalent of 37½ cents on present shares from the current 34-cent rate.

Cone Mills 9-month profit in 1964 more than doubled and net of Dan River Mills, Inc., rose 27 percent in the period. And both companies in recent months have lifted their quarterly dividend to 25 cents from 20 cents.

Industry earnings have shown strong trends before, of course. The following figures illustrate the severe fluctuations textile producers have experienced. These industry profit totals, in millions, were calculated by the SEC:

1958	$218
1959	416
1960	329
1961	280
1962	354
1963	354

Many close to the textile situation, however, contend progress has been made toward curbing such gyrations. They note the streamlining of management and equipment plus better inventory control, and cite growing use of man-made fibers as another stabilizing influence. Total fiber use in the 5 years through 1960 averaged 6.4 billion pounds annually, of which 27 percent was in man-made fibers. Last year synthetics accounted for a third of the total.

Observes Edward Goldberger, secretary-treasurer of M. Lowenstein & Sons, Inc.: "Up until a few years ago, the industry would expand and produce like the devil in good times, until it was suddenly ahead of demand. Then it would let things taper off. The results were sharp swings in earnings. I think there's been some leveling of this in the past few years and more is probable."

BIGGER AND BROADER

The continuing move toward larger, broader companies that began after World War II has helped bolster the industry's corporate structure, some textile people say. A congressional panel noted that 838 textile firms closed between 1947 and 1950; 110 others were acquired from 1958 through 1961.

Many family-owned, smaller firms have either disappeared or been swallowed by larger ones. A sign of the change: The 10 largest companies in the field had about 13 percent of total sales in 1950. In 1964 they had close to 25 percent. Sales of such giants as Burlington and Stevens are continuing to climb.

Capital spending programs, bringing more automation and hefty operating efficiencies, have soared in the past 4 years. Total mill outlays last year are estimated at almost $750 million, 50 percent above the $500 million of 1961. Outlays by all manufacturing firms in the same period are up only about a third. And preliminary estimates for textile spending this year call for another increase. Burlington, for example, expects its spending this year to rise to $80 million from $66 million last year.

A Government study describes some results: "Broad-scale introduction of textile machinery that operates at higher speeds, requires less maintenance and has devices such as electronic stop motion units that increase total efficiency and maintain quality."

Charles F. Myers, Jr., Burlington president, ascribes part of the spending boost to the emergence of larger, stronger companies in the industry. "These firms are better able to finance investment required for expansion and new technology. They can put capital equipment into plants that couldn't afford it themselves," he says.

The spending torrent has helped lift productivity while allowing mills to hold down employment. Federal figures show industry employment fell an average 1.7 percent in the 5 years through 1962 while output rose an average 3.6 percent yearly. Job rolls now are a slim 0.5 percent above 1962's, while the production index is up 12 percent more.

The one-price bill has spurred the heavy capital outlays, and enhanced the industry's general health. Industry and Government officials had contended, in advocating it, that the bill would enable domestic mills to compete more equitably with foreign firms, while increasing U.S. cotton consumption. In general, these proponents now say, it has worked well.

Cotton usage jumped sharply last year, to 9.6 billion bales from 8.5 billion in 1963, and mill profits spurted, they note. In addition, textile workers received a pay rise last year that may have been due at least in part to the mills' greater prosperity, they say.

Frank Lowenstein, an Agriculture Department economist, similarly notes the bill's benefits, but adds it may still be "too early to judge" the legislation's success. "When there is a whopping price change such as the bill provided, it sometimes takes 2 or 3 years or more for the effects to work down through the marketing system," he says.

When the bill took effect April 11, prices of cotton cloth slipped briefly. But then buyers, who had been holding off awaiting the bill's passage, began to pour their orders in, and prices edged up. Because of the rush, some mills early last fall had cotton goods output booked through this year's second quarter to a much greater degree than in several years. And prices generally held firm.

SOME EXECUTIVE CONCERNS

Some mill executives fret that if Congress delays acting on extension of the bill, the uncertainty of which Mr. Cone spoke could return. Adding to their concern: In his farm message President Johnson said he would offer specific proposals to reduce the cost of this program and the level of cotton stocks. Administration sources indicate, however, that a radical overhaul of the cotton pricing program isn't likely.

In urging passage of the bill last year, industry and Government spokesmen suggested consumer prices would be cut, too. While prices of corduroy, denim, and some other goods have fallen, the widely used print cloths are generally above last April's levels, and critics of the bill cite this often. "They promised savings would be passed through, but on too many goods it just hasn't happened," says Max Milstein, House Dress Institute counsel. Commenting on mill earnings gains, he adds wryly, "I'd be more prosperous, too, if the Government would hand me a present of millions of dollars."

Senator AIKEN, Republican, of Vermont, senior Republican on the Senate Agricultural Committee and a foe of the bill last year, sees a need for legislation to allow the mills to compete on an equal basis with foreign mills. But he believes the mills should prove their need for the present program in light of their earnings of the past 12 months.

Mr. Lowenstein of the Agriculture Department adds that the high level of capital expenditures may ultimately help bring the lower consumer prices the bill's opponents have urged.

The wage rise southern textile workers won last year may soon be followed by another for those in the North. The union has announced plans to seek a 15-percent wage increase, a pension plan, and fringe benefit gains for its northern members when it reopens its contract this spring.

George Perkell, Textile Workers Union research chief, noted the union endorsed the one-price bill last year but will await results of the wage negotiations before taking a stand this year. Last year's pay boost, he adds, "was advertised as 5 percent, but often worked out to less. The firms could have given us 25 percent across the board and still had 55 percent of the pricing bill's savings left."

Though the law's impact on earnings has been sharp for many textile companies, for others it has been negligible. Collins & Aikman, Inc., for example, which uses synthetic fibers mainly, notes cotton goods account for so little of the firm's output that "we'll hardly feel the law at all."

IMPROVING PROFIT MARGINS

Along with other favorable factors, nevertheless, the new law has helped to lift the industry's traditionally low profit margins. Some gains have already been posted. More are expected.

The SEC figures industry profit margins for 1963 at an average 2.3 percent, off from 2.47 percent in 1962. But for the first 9 months of 1964, profit as a percentage of sales was 2.9 percent, and for the third quarter alone it was 3.7 percent, the SEC reported. Here are some of the latest samples of profit after taxes as a percentage of sales, compared with year-earlier levels: In the year ended October 3, Burlington's was 4.2 percent, up from 3.7 percent; in the 9 months to September 30, Lowenstein's was 2.4 percent, up from 0.8 percent; Cone Mills, 3.3 percent and 1.5 percent, and Dan River, 4.2 percent and 3.4 percent, both for the 9 months.

Prime reasons for the rise: The pricing bill, last year's tax cut, benefits of efficient new equipment, and sales gains that almost certainly pushed industry volume above 1963's record $15 billion. Nine month sales, the SEC said, jumped 7 percent from 1963.

Another trend reflecting the health of the industry is the apparent reduction in unit labor costs. Official statistics aren't available, but one company executive notes that "figuring employment against either total sales dollars or production would show a decline in labor costs."

The Textile Workers' Mr. Perkell says industry output per man-hour has climbed an average 5 percent annually in recent years while wages have gone up 2 percent a year on average, even with last year's rise. Fringe benefits, the union official contends, "have gone up only slightly."

A prime problem still facing the industry, executives and analysts agree, is the continuing competitive pressure of imports. Mills making woolens and worsteds, in which imports aren't regulated, have been hit hardest. The cotton goods inflow has been contained somewhat through an international agreement that took effect in 1962. A similar accord on woolens is desired by many in the industry.

Under the cotton pact, the flow of imports will rise gradually. "But," notes one executive, "it helps us because it provides for more orderly marketing procedures, allowing for more reasonable planning and production. In the past, we might be flooded by one item one year and then, after gearing to meet that competition, get flooded by another next year. Now we know in advance how much of each item is coming in and this creates some stability that previously was lacking."

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD two tabulations. One is entitled "Unfinished Cloth Prices, Cotton Prices, and Mill Margins, July 1963, 1964, and 1965." The other tabulation is entitled "Bureau of Labor Statistics—Wholesale Prices Indexes for Selected Cotton Items—1957–1959 Equals 100—July 1963, 1964, and 1965."

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

Unfinished cloth prices, cotton prices, and mill margins, July 1963, 1964, and 1965

[In cents]

Cloth	Cloth prices [1]			Cotton prices [2]			Mill margins [3]		
	July 1963	July 1964	July 1965	July 1963	July 1964	July 1965 [4]	July 1963	July 1964	July 1965
20 constructions average	60.28	60.95	65.30	35.57	35.60	27.33	24.71	25.09	37.97
Print cloth:									
Average (6)	66.98	68.11	80.77	36.33	36.51	28.28	30.65	31.60	52.49
38½ inch, 44 by 36, 8.60	69.48	72.41	90.71	36.33	36.51	28.28	33.15	35.90	62.43
38½ inch, 64 by 60, 5.35	67.20	66.00	81.60	36.33	36.51	28.28	30.87	29.49	53.32
39 inch, 68 by 72, 4.75	67.10	67.10	79.88	36.33	36.51	28.28	30.77	30.59	51.60
39 inch, 80 by 80, 4.00	66.88	65.98	73.60	36.33	36.51	28.28	30.55	29.47	45.32
45 inch, 60 by 48, 5.35	65.71	69.02	77.90	36.33	36.51	28.28	29.38	32.51	49.62
45 inch, 64 by 56, 4.75	65.52	68.16	80.94	36.33	36.51	28.28	29.19	31.65	52.66
Carded broadcloth:									
Average (2)	63.55	65.73	70.94	36.83	36.97	28.78	26.72	26.19	42.16
37 inch, 100 by 58, 4.00	63.29	66.88	66.50	36.83	36.97	28.78	26.46	26.56	37.72
41 inch, 78 by 56, 4.57	63.80	64.58	75.37	36.83	36.97	28.78	26.97	25.81	46.59
Sheetings:									
Average (4)	56.92	58.10	58.66	35.14	35.09	26.76	21.78	23.01	31.90
40 inch, 48 by 48, 2.85	55.95	58.75	56.25	35.14	35.09	26.76	20.81	23.66	29.49
40 inch, 48 by 44, 3.75	56.10	57.35	57.75	35.14	35.09	26.76	20.96	22.26	30.99
40 inch, 56 by 48, 4.30	59.54	59.54	65.21	35.14	35.09	26.76	24.40	24.45	38.45
40½ inch, 42 by 44, 3.00	56.10	56.76	55.44	35.14	35.09	26.76	20.96	21.67	28.68
Drills:									
Average (2)	54.28	54.30	53.80	35.36	35.29	26.99	18.92	19.01	26.81
40 inch, 68 by 40, 2.55	55.13	53.66	53.96	35.36	35.29	26.99	19.77	18.37	26.97
39½ inch, 72 by 60, 1.96	53.42	54.93	53.63	35.36	35.29	26.99	18.06	19.64	26.64
Twills:									
Average (3)	56.06	56.34	55.79	35.82	35.80	27.66	20.24	20.54	28.13
39 inch, 68 by 80, 3.00	60.95	61.61	61.96	35.82	35.80	27.66	25.13	25.81	34.30
44 inch, 88 by 42, 1.72	51.88	52.06	50.54	35.82	35.80	27.66	16.06	16.26	22.88
44 inch, 88 by 42, 2.01	55.34	55.34	54.87	35.82	35.80	27.66	19.52	19.54	27.21
Osnaburg:									
40 inch, 40 by 26, 2.11	45.54	44.75	44.21	32.64	32.28	24.07	12.90	12.47	20.14
Ducks:									
Average (2)	63.34	62.02	62.87	34.21	34.21	25.66	29.13	27.81	37.21
8 ounce, S.F. grade A	59.07	57.28	57.28	34.21	34.21	25.66	24.86	23.07	31.62
8 ounce Army	67.60	66.76	68.45	34.21	34.21	25.66	33.39	32.55	42.79

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[1] The estimated value of cloth obtainable from a pound of cotton with adjustments for salable waste.

[2] Monthly average prices of cotton used in each kind of cloth for 4 territory growths, even-running lots, prompt shipment, delivered at group 201 (group B) mill points, including landing costs and brokerage.

[3] Difference between cloth prices and prices for the average qualities of cotton used in the 20 constructions.

[4] Prices are for cotton after equalization payments of 6.5 cents per pound, which became effective Apr. 11, 1964.

Source: Cotton price statistics, Consumer and Marketing Service.

Bureau of Labor Statistics—Wholesale prices indexes for selected cotton items (1957–59=100), July 1963, 1964, 1965 [1]

Item	July 1963	July 1964	July 1965
Raw cotton, spot market	98.7	96.9	91.0
Cotton products	99.8	98.3	100.3
Cotton yarns	97.5	93.0	93.6
Carded, W, 10/1	98.7	92.2	91.6
Carded, W, 20/2	96.0	91.7	94.6
Carded, K, 20/1	97.4	91.5	92.1
Carded, K, 30/1	97.3	92.8	93.7
Combed, W, 40/2	97.9	95.2	95.4
Combed, K, 36/2	98.1	94.8	95.7
Combed, K, 30/1	96.6	92.2	91.6
Finished broad woven	96.8	95.3	96.8
Fabrics except mill finish			
Percale, 64 x 60	105.7	107.7	115.9
Percale, print, W & W [2]	103.5	102.2	107.1
Broadcloth, combed	82.8	81.8	83.5
Twill, combed, 36 inch	100.9	97.0	97.0
Shirting, combed	98.7	94.9	94.0
Corduroy, carded	101.7	97.6	93.2
Twill, carded, uniform	98.1	93.0	91.9
Sateen, carded, W & W [2]	88.7	89.7	88.2
Cotton broadwoven	102.0	99.9	104.5
Grey fabrics:			
Sheeting, class A	107.7	113.2	109.5
Sheeting, class B, 3.75 lb./yd	104.1	104.0	107.1
Sheeting, class C	102.6	108.1	108.0
Osnaburg	111.0	107.7	109.9
Industrial sheeting	96.5	92.4	97.5
Drill	106.1	107.1	107.1
Twill carded 4 leaf	101.6	98.6	99.4
Tobacco cloth	101.6	98.1	103.8
Print cloth, 78 x 78 [2]	80.4	77.2	88.0
Print cloth, 68 x 72	98.7	99.1	117.9
Broadcloth carded 98x56	97.8	100.4	103.8
Broadcloth carded 78x54	98.3	98.3	119.3
Window shade cloth	103.7	96.4	101.6
Lawn, combed, 40 inch	90.3	86.6	118.8
Broadcloth, combed 47 inch	91.9	92.3	101.8
Sateen, combed [2]	96.9	82.8	85.9
Barkcloth	98.6	106.7	106.7
Denim, millfinished	105.2	101.5	95.9
Bedticking, millfinished	106.2	105.0	108.8
Gingham combed, mill-finished	97.8	93.4	94.2
Outing flannel, mill-finished	100.5	101.0	98.1
Canton flannel, mill-finished	109.4	102.6	105.5
Flatduck	110.9	105.8	105.8
Armyduck	104.3	101.2	103.8
Numbered duck	113.9	110.9	110.9
Zipper tape	82.5	82.5	83.9
Thread, home use, size 40	131.8	117.2	125.2
Thread, industrial, size 70	104.4	105.0	105.0
Thread, industrial, size 40	101.8	101.8	101.8
Cotton, house furnishings	102.3	103.4	102.8
Sheets, type 128	103.6	105.3	105.3
Sheets, type 180 [2]	104.7	106.8	106.8
Pillowcases	107.4	110.9	110.9
Towels	99.1	99.1	97.9
Toweling	107.0	107.8	104.4
Blanket	103.5	104.5	104.4
Bedspread, jacquard weave	97.7	97.7	97.7
Cotton apparel	102.2	103.3	103.7
Housedresses, women's	101.4	101.4	101.4
Nightgown, women's	101.7	101.7	101.7
Hosiery, women's	99.0	99.0	99.0
Shirt, men's, pop. quality	103.4	104.2	103.4
Work trousers, men's twill	102.9	103.1	103.0
T-shirt, men's, knit	104.1	104.3	104.2
Polo shirt, men's	98.9	100.0	100.0
Shirt, boy's	113.0	114.6	114.8
Dungarees, boy's	105.8	106.1	104.6
Polo shirt, boy's	132.7	132.7	133.5
Dress, girls', pop. quality	99.7	99.7	99.7
Dress, girls', medium quality	104.8	104.8	104.8
Blouse, girls'	100.0	100.0	100.0
Slip, girls'	101.5	101.5	101.5
Sleeping garment, children's	113.4	118.4	117.8
Hosiery, children's	96.1	96.1	96.1

[1] Compiled from BLS data.
[2] ERS. E. & SAD.

Mr. ELLENDER. Mr. President, these tabulations indicate that, notwithstanding the fact that there is a one-price system, cotton goods prices have not gone down.

I shall not take time to explain all this material.

Mr. PASTORE. Mr. President, will the Senator yield

Mr. ELLENDER. On the opposition time.

Mr. PASTORE. Mr. President, if the Senator will grant me the time, or, even on our own time, I ask the Senator how he accounts for the fact that scores of mills have closed down in Rhode Island in the past 10 years. If this picture is so rosy, how does the Senator account for the half a million mill workers who are walking the streets today and applying to the antipoverty program? How about the mills that have closed down all over the country, to the tune of 1,000 mills in 10 years, while some farmers have been riding around in air-conditioned Cadillacs?

Mr. ELLENDER. The answer is very simple. The cotton mills of the Northeast were probably constructed in the year one. They are antiques. This is the same condition which existed in my own State, in regard to the production of sugar, as I stated yesterday. In my own parish there were eight mills to grind the cane produced in that parish. Today there are two. They are of the modern kind. That is what is lacking in Rhode Island, Maine, and in other sections of the United States.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ELLENDER. The Federal Government is making a tax subsidy and a cotton subsidy available to those cotton mills so that they can be rebuilt. That is the entire story. That is what has happened since the bill was put into effect.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ELLENDER. On the opposition time.

Mr. PASTORE. Has the Senator visted Rhode Island to see the modernity of our mills?

Mr. ELLENDER. Mr. President, I know that not all of them are new. The mills which are closed are the ones which were built in the year one.

Mr. PASTORE. They are not as new as the ones that have been built in Japan with foreign aid money. Of course they are not, but, they are new enough.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I am not yielding on my time.

Mr. President, the duty of the Committee on Agriculture and Forestry is plain. Its duty is to protect the producers of agricultural commodities. The purpose of the bill is designed not only to keep the cotton producers in business, but also the producers of other commodities such as wheat, rice, and wool.

Mr. President, under the logic of the amendment the wheat millers would have the right to ask for a subsidy, as the cotton mills have done, because wheat millers must pay the equivalent of 75 cents a bushel more for the wheat to produce flour than the cost of wheat sold abroad.

As I have indicated on many occasions, the cotton mills of the United States cannot compete with the mills abroad. Therefore, we have afforded them protection through tariffs. It is true that tariffs may not be high enough. However, I point out that 96 percent of the production of the mills of this country is sold on the best market in the world, and that is the American market.

I realize that the textile mills of the Northeast cannot compete with those of Japan because of lower labor costs there. No effort is made on the part of any of our textile mills to compete abroad with the manufactured products of other countries, because that cannot be done.

Mr. President, I have labored with agricultural problems for almost 30 years. Since 1937 I have had a hand in developing every agricultural law now on the statute books. I have tried, to the best of my ability, to keep the producers, who are the lifeblood of America, in business.

Mr. President, it is true that the distinguished Senator from Georgia has taken out of my bill a clause or a section which would take care of the small farmer. However, this would be only for the first year. What would be done in the first year is spelled out. However, the rest of the time too much is left to the discretion of the Department of Agriculture. If Congress really has the welfare of the producer at heart, the Congress should by statute provide him with adequate price protection, rather than leaving such matter almost entirely to the Secretary's discretion.

There is no comparison between the provisions in the bill as conceived by the committee and the amendment proposed by the distinguished Senator from Georgia insofar as protection for the producers of cotton is concerned. In the bill before us, the producers, large and small, are assured of a 65 to 90 percent parity payment on all of their allotted acres.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield myself 5 additional minutes.

The amendment of the Senator from Georgia is similar to the House provisions for cotton.

The Senator's amendment would—

First. Authorize payments on raw cotton in inventory on July 31, 1966.

Second. Permit a producer to overplant his allotment by 50 percent without being subject to marketing penalties.

Third. Require a producer who cooperates with the program to reduce his acreage 10 percent below his allotment in 1966, and up to 10 percent, as prescribed by the Secretary, in 1967, 1968, and 1969.

Fourth. Provide protection to the small grower similar to that provided for by the committee bill. The producer with an allotment of 10 acres or less under the amendment of the Senator from Georgia could plant his entire allotment, receive price support through loans and payments at between 65 and 90 percent of parity, and receive diversion payments on 35 percent of his allotment at such rate as might be prescribed by the Secretary—but not less than 50 percent of the loan rate, there being no minimum loan rate after 1966.

Fifth. Reduce the minimum cotton support price for all other producers from 65 percent of parity on the production from the entire allotment to 65 percent of parity on the production from 65 percent of the acreage allotment—an average of 42.25 percent of parity if spread over the entire allotment. This support would consist of the following: First, a loan of zero to 90 percent of the estimated world price—except that it would be 21 cents for 1966; second, a payment on the projected yield of not less than 65 percent of the acreage allotment at a level which, with the loan, equals not less than 65, nor more than 90 percent of parity; and third, a payment for diverting acreage from cotton to conserving uses to the extent prescribed by the Secretary. This payment could not be less than 50 percent of the loan level—and again I might point out that there is no minimum loan level after 1966—multipled by the farm projected yield multiplied by the number of acres diverted.

Sixth. Payments to producers who plant no cotton. The rate of payment in this case would—for 1966—be 10½ cents—50 percent of the loan rate—and for 1967 through 1969 a rate comparable to that paid other producers for diverting acreage from cotton. This rate would be paid on 15 percent of the producer's allotment, and he could release the remaining 85 percent for reapportionment to other farms.

Seventh. Acreage not planted because of natural disaster would be considered as planted for the purpose of any payments under the Senator's amendment.

Eighth. Require cotton to be made available by Commodity Credit Corporation for unrestricted use at current market prices in the amount by which production is less than requirements.

There are a number of things that are wrong with the Senator's amendment.

First, it would permit those who do not want to cooperate in the program to overplant their allotments by 50 percent. At the same time it would cut those who do want to cooperate by up to 10 percent. When we are trying to keep production in line, we should not cut those who cooperate and permit additional production by others.

Second, the Senator's amendment would not provide as much protection for the small producer as does the committee amendment. The Senator's amendment would guarantee such producers at least 65 percent of parity on the projected yield of their acreage allotments. That is the minimum guarantee for 1967 through 1969. The committee amendment would give such producers the same minimum guarantee for those years plus a further minimum guarantee of at least 20 percent more.

Third, all other producers would fare much worse under the Senator's amendment than they would under the committee amendment. They would be guaranteed only 65 percent of parity on 65 percent of their allotments. Under the committee bill they would be guaranteed 65 percent of parity on their whole allotments.

The principal difference between the Senator's bill and the committee amendment is that the Senator's amendment would reduce the support price in order to add to the profit margins of the mills, while the committee bill would continue price support at current statutory levels as a protection to the producer. Because there are so many producing units, which individually have little bargaining power, and because a small surplus is so destructive of price in such situations, Congress has seen fit to support farm prices. This is also helpful to the mills and the consumers because it keeps a healthy farm economy producing for their needs. To the extent that we remove price supports, the mills will get cotton cheaper for a while. Experience in 1964, shows that the consumer will not get the advantage of it. The use of cotton in relation to synthetics will not increase. But mill margins will go up. That is what the experience of 1964 shows us. That is what the amendment of the Senator from Georgia will do.

One other provision of the Senator's amendment probably should be mentioned. Perhaps it is the keystone of the amendment, for it is the one provision which I believe has been contained in every version of the House cotton provisions. It begins on page 9, line 5; and it provides what shall be done if Congress refuses to permit the amendment to be carried out as written.

I do not believe that the Senate should approve an amendment, when even its proponents doubt that Congress would be willing to permit it to be carried out.

The amendment of the Senator from Georgia really differs very little from the present law in philosophical terms. The important one-price concept has been maintained, although the level has been reduced by about 2½ cents. In retaining the one-price concept the Senator would also retain the same ills of the present program. For example, our exports under the present law have suffered and I predict that exports under the amendment will also suffer, although perhaps not as much. We still announce our export price at the beginning of the season, and our competitors in world markets will still be able to undersell us just as they have done this year and last. The amendment does not change this in any respect.

Second, domestic mills will receive cotton at the same price as foreign mills, but, I predict that the use of cotton domestically will not attain the levels predicted by the Department of Agriculture. I predict further, that mill profits will continue to improve at the expense of the Federal Government and to the detriment of producers and local communities throughout the Cotton Belt.

Because of the drastic acreage cuts contemplated by the amendment on the one hand, and the open-end planting on the other, the small rural communities in the South which are surrounded by small farms will become ghost towns. These small farms cannot afford not to cut, while the large corporate farms in the West cannot afford not to plant in excess of the allotment. Cotton acreage during the next 4 years will move west, while the small cotton acreage in the Southeast will disappear, never again to be planted, whatever we do after the next 4 years. Further, I predict that sometime during the next 4 years an effort will be made to limit the payment to farms. This would never be done to mills, but it will be done to the farmers of the Nation. As a result cotton producers will find themselves faced with attempting to produce cotton virtually at world prices. Under these circumstances economic chaos can be expected in cotton-producing areas.

I can see no earthly good in the amendment before us. I see nothing that will benefit the farming areas of the Nation. I see only more and bigger profits to domestic cotton mills which are already reaping the rewards of the 1964 law passed last year.

The PRESIDING OFFICER. The additional 5 minutes the Senator yielded himself have expired.

Mr. ELLENDER. I yield myself 2 additional minutes.

That protection was established by the Agricultural Act of 1958. That law provided the producer with a guaranteed support price of not less than 65, and not more than 90 percent of parity. It guaranteed to the producer national acreage allotment of at least 16 million acres, plus a reserve of about 300,000 acres. The Senator's amendment would do away with both of these twin protective devices. The price-support loan would be reduced to not more than 90 percent of the estimated world price, but it could be fixed as low as the Secretary saw fit, at 80 percent, 70 percent, or any lower percent of the world price. And as the world price was driven down the loan level would go lower and lower. The Senator, himself, has said that the committee bill in seeking to export 6 million bales a year would disrupt the world cotton market, and that his amendment would get the Government out of the pawnbroker business by selling more cotton at competitive world prices. So under the Senator's amendment the world price would be forced down further and further, and the support loan would be forced down further and further. If Congress continued to provide funds for ever-increasing payments, the difference between this decreasing loan and 65 percent of parity would be paid to the farmer on the production of 65 percent of his allotment. On the rest of his allotment he would get only the loan.

When we passed the Agricultural Act of 1958, there was no reasonable minimum national acreage allotment and the cotton producers were faced with continually decreasing allotments. We had to give up a little in price support, in order to obtain a guaranteed minimum acreage for the farmer. But we did it, and the acreage was increased. But the Senator's amendment cuts both the price and the acreage.

The committee bill does not do this. The committee bill maintains both the support-price range and the minimum allotment that we obtained in 1958. In addition it provides producers with increased support if they reduce to their domestic allotments. It provides small producers with these payments without requiring them to reduce their acreage. In other words, while the Senator's amendment takes from producers at both ends, the committee bill takes nothing away from the producer.

One of the reasons our exports suffered last year was that we required the domestic price to be equalized with the export price. This meant that every time we reduced our export price we had to increase the domestic subsidy. In order to keep our domestic subsidy within some limits the Department consequently held the export price up, and exports fell. The Senator's amendment continues a one-price system in effect, and will therefore continue this inhibiting influence on exports.

The committee bill would divorce the domestic and export prices. The domestic mill would benefit from a 3-cent payment. The export sales would be made on a bid basis and we would dispose of more cotton.

We are facing almost exactly the same situation which prevailed last year when the present law was enacted. At that time the Department of Agriculture vigorously supported the proposal just as they support the present proposal. Then, as now, they presented cost estimates and other projections to the Congress showing how wonderful the program was to be. At that time carryover stocks of upland cotton were estimated at 12.1 million bales. Domestic consumption of cotton allegedly was losing ground to manmade fibers and exports were held to be suffering, and the cost of the old program was held to be excessive.

On the floor of the Senate I predicted that the proposal which is now law would be detrimental to producers, would be more costly, would make no contribution toward solving the problems facing us, and the only ones to benefit from this type program would be the domestic cotton mills.

But the proponents argued otherwise. They claimed that according to the Department of Agriculture the cost of the program would be reduced to $448 million, that consumers would benefit to the tune of $700 million, that domestic mill use of cotton would increase by 1.1 million bales, that exports would total 5 million bales, that CCC stocks of cotton would decrease 2,150,000 bales, that total carryover would decrease by 1,650,000 bales, that the use of manmade fibers would decrease, and that all problems then facing the cotton industry would be solved.

But the fact is that in no instance were the estimates by the Department of Agriculture correct, or the proponents of the present law correct. The cost of the 1964 program, as estimated by the Department of Agriculture on February 19, 1964, only months before the existing law was to become effective was put at $448 million. I might add that last year the Department estimated the cost of my alternative proposal at $500 million. I will have more to say about this a little later because again this year the Department has estimated my new proposal at a higher level than the one it favors. I do not want to accuse them of rigging the figures but I thought I would mention that somehow or other their cost estimates always show the program they favor to be the less expensive. But to get back to my point. As I said, the Department estimated the cost of the present law for 1964 at $448 million. But what has the actual cost been? Well, in the latest estimate received by the committee, the cost of the 1964 cotton program amounted to $892.7 million—almost double the original estimates of the Department of Agriculture and $392.7 million more than the cost of the program I proposed last year.

The proponents of the present law used a letter from the Secretary of Commerce, which can be found on page 510 of part II of the hearings held in January and February of 1964, to substantiate their claim that consumers would benefit. In a letter addressed to me, Mr. Hodges said that the Department of Commerce estimated that savings to consumers would amount to about $90 million for each cent reduction in the price of raw cotton, with the total savings to consumers estimated to be $700 million. Now that the first year of the present law is behind us, the record shows that cloth prices have increased rather than decreased.

For the past 25 years the Cotton Division of the Consumer and Marketing Service of the Department of Agriculture has regularly published prices of cloth and cotton and mill margins. As a matter of fact the American Textile Manufacturers Institute used these same data to substantiate their claim that cloth prices would immediately reflect the lower cotton price contemplated by the proposed law. The information I have placed in the record shows that the average cloth prices of 20 constructions in July 1963 amounted to 60.28 cents per pound, in July 1964 cloth prices averaged 60.95 cents per pound, and in July of this year the same 20 constructions averaged 65.30 cents per pound, an increase of 4.35 cents during the same year that consumers were supposed to save $700 million by the enactment of the present law.

During this period prices of cotton to the mills declined from 35.57 cents in 1963 and 35.60 cents in 1964 to 27.33 cents in July of 1965. This is a decline of 8.27 cents per pound in the price of raw cotton to the domestic mills of this Nation.

Mill margins, which is the difference between cloth prices and cotton prices increased from 24.71 cents in 1963 and 25.09 cents in 1964 to 37.97 cents in July of 1965, an increase of 12.88 cents per pound. In other words, the tremendous saving that was supposed to be passed on by the domestic mills to the consumers of this Nation not only was retained by the domestic mills, but margins actually increased even over and above cotton price reduction. As a result, consumers are paying more now for textiles than they were last year and the year before, notwithstanding the fact that domestic mills are getting cotton at about 8.5 cents a pound less than they did before the one-price cotton law became effective.

Now what about exports? The year before this new law became effective, exports of cotton from the United States amounted to 5.7 million bales, but during the first year of the so-called one-price system, exports amounted to only 4 million bales, a decrease of 1.7 million bales in the first year of its operation and about 1 million bales less than the Department's estimate. Furthermore, exports during the present marketing year are again very slow and are not expected to total much more than last year's very poor showing.

The Department of Agriculture also estimated that the Commodity Credit Corporation's stocks of cotton would decrease by 2,150,000 bales. But the facts show that instead of decreasing there was an increase of about 550,000 bales, for a total error in the Department's estimates of 2.7 million bales.

Total carryover stocks were also supposed to decline according to the predictions of the Department of Agriculture by 1,650,000 bales. However, the record shows that instead of declining, carryover stocks actually increased by 1.1 million bales for a total error of 2,750,000 bales.

The proponents also claimed that the one-price program would result in a decrease in the use of manmade fibers by domestic mills. Here again they were wrong. Instead of decreasing, the use of manmade fibers increased by 210,000 bales over the year before, and the use of rayon is slightly above the previous year.

Their claim that one-price cotton would halt the trend to synthetics was disputed by me on the floor of the Senate. At that time I contended that the trend toward synthetics was not peculiar to the United States but was in evidence throughout the world. I pointed out that in the United Kingdom the use of cotton as a percentage of all fibers used amounted to 52.3 percent in 1952, whereas in 1963, the latest data available, cotton use had declined to 28.6 percent of the total. In Japan, cotton use declined during this same period from 64.6 to 27.4 percent. In Belgium, cotton use declined from 69.2 to 45.7 percent. In France, the decline was from 60.3 to 46 percent. In Italy, the decline was from 62 to 44.4 percent. Purchases of cotton by foreign countries is made on world markets at world prices. In the United States the decline was from 69.5 to 55.8 percent, a smaller decline than in other countries, notwithstanding the fact that domestic mills bought cotton at higher prices.

Finally, the Department of Agriculture last February estimated that domestic mill consumption of cotton would increase by 1.1 million bales under their so-called one-price cotton program.

The results are now in, and the actual mill consumption increased by only 600,000 bales, slightly more than one-half the Department's predictions.

Mr. President, I said earlier that I would have more to say about the Department's predictions. So far I have shown, from their own figures, how utterly wrong they were last year in February when they were predicting for the crop that was to be planted in just a few months. Now, this year, even before the 1965 crop is fully harvested, they are predicting for 1966-67. Undoubtedly they believe that they are seers—but from past performance, as I have shown, I do not believe that their crystal ball is any better than anyone elses. As a matter of fact, I said on the Senate floor last year that they were wrong in their estimates, and my predictions did come to pass, for the law that was enacted, and the Department supported, turned out to be an absolute failure in every regard.

Last year's legislation was designed to help only the domestic mills. They received a windfall amounting to about $32.50 for every bale of cotton they consumed. On a 9.1-million-bale consumption this amounted to $295.7 million—quite a pocketfull.

But, Mr. President, the bill that the committee approved this year is a farm bill in every sense of the word. It is designed to protect farm income, to provide markets for producers of cotton, to insure the well-being of the thousands of small rural communities scattered throughout the Cotton Belt upon which farmers depend so heavily, and to lay the groundwork for a sound future for cotton.

The Senate cotton amendment is a very simple but direct attack on the fundamental problems facing cotton. It provides for a minimum of changes, but these will accomplish our purposes.

Under the Senate amendment we retain the 65 to 90 percent of parity price-support concept on the total allotment of producers. The Senate amendment provides farmers with the price and income protection they so sorely need. The amendment, however, provides farmers with protection only on 65 percent of their allotments and then part or perhaps all of this could be payments. Actually, the amendment, as it relates to cotton, is a wide-open affair, giving the Secretary of Agriculture unheard of discretionary authority. Under the amendment, price support consists of payments plus a loan level. But the loan level cannot be set above 90 percent of the world price, and could be set at zero. Therefore, the Secretary could, and I do not say he would, but he could set the loan level at zero with payments to cooperators set at 65 percent of parity or 27.31 cents per pound.

In other words, under the amendment the producer would depend upon the Government for the major portion of his income.

The Senate bill also provides for an orderly reduction in stocks, but not so sharply as to critically injure the economies of the many local rural communities which depend upon cotton for their well-being. Farmers and the local communities are partners, so to speak, in maintaining economic stability in their areas. Business in small communities depend upon farmers for this well-being just as farmers depend upon the local communities for the many supplies and services needed in operating their farms. This is a joint venture and one which must be preserved.

The Senate bill makes this possible by providing for a domestic allotment equal to 65 percent of the total allotment. Farmers who wish to reduce production are offered an incentive payment of between 20 and 40 percent of the support price. In 1966, the incentive payment would amount to 25 percent of the support price. This is purely voluntary. There is no mandatory cut such as contained in the amendment. The method provided by the Senate bill is far superior and under it the committee believes that enough grower participation can be secured so that stocks can be reduced in an orderly fashion over the 4-year period to reasonable levels. After the stocks are reduced we can proceed under the law as originally intended.

Although I believe that the domestic mill subsidy is wrong, the committee felt that some concession should be made in order to bring domestic prices more in line with prices paid by foreign mills. Therefore a 3-cent subsidy was provided for. This ought to compensate for the higher transportation costs paid by foreign mills, which the record shows is about 2.5 to 3.5 cents more than domestic mills pay.

Finally the committee felt that cotton exports must be increased if the cotton industry in this country is to survive.

During the 5-year period 1956-60 our exports averaged just at 6 million bales. The average for the 1961-65 period, however, amounts to only 4.4 million bales in spite of the fact that world consumption has increased.

The practice by the Department of Agriculture in announcing a fixed subsidy prior to the beginning of the marketing year, which has remained in effect throughout the year without change, has been detrimental to our export effort. In effect, this sets the world price, and our foreign competitors market their entire crop by selling their cotton just below our announced price.

The committee believes that our competitive position abroad will be improved materially by the amendment to existing law which would prohibit the preseason announcement of our export price and to move instead to a bid basis. In this way, world supply and demand will determine world prices and our exporters will be on equal footing with foreign exporters in marketing cotton abroad. In closing, Mr. President, I predict that the proponents of this amendment will be proved just as wrong as were the proponents of the present law.

Mr. President, I have placed in the RECORD quite a few tables indicating that notwithstanding all that has been said by the proponents of this bill in regard to the additional amounts that will be used——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. May I ask how much time remains?

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. ELLENDER. I yield 5 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I do not come from a State which produces a great amount of cotton, and I do not have such specific and intimate knowledge of cotton as do both those who support and those who oppose the Talmadge amendment. But as a member of the Agriculture Committee, and one who voted against the Talmadge amendment—defeated in the committee by a vote of 8 to 7—I think I have a duty to explain my views as one who is concerned with the question from a national standpoint.

The arguments of the Senator from Georgia are very persuasive. I know, of course, that both those who support Senator TALMADGE, and those who support Senator ELLENDER's cotton plan, adopted by the committee, are equally concerned that the cotton grower secure a fair price for his cotton.

At first impression, I thought the proposal of the able Senator from Georgia [Mr. TALMADGE] should be adopted. But as we discussed the plan in the committee, several questions arose which I do not believe have been satisfactorily answered.

As I see it, the success of the Talmadge proposal depends upon the assumption that cotton will move freely into the world market. The danger in this assumption seems to me to be this: If all or a large part of the U.S. cotton crop over domestic needs, not to mention CCC holdings, begins to move abruptly into the world market, the world price, of course, will go down. But as the price drops, other cotton producers throughout the world will be able to meet the price at which this country can sell.

As this happens, I believe we will be in the same situation we are in today—that is, our exports will not increase in any significant volume, and the CCC would be required to take additional stocks into its inventory.

This is a contingency which the Talmadge amendment does not anticipate, and in fact assumes will not occur. However, I think it is reasonable to believe that other nations may be as competitive at a lower price as they are today, unless the world price drops to an extremely low level.

Then what will happen? Under the Talmadge proposal, the Federal Government must make up the difference between the 65 percent of parity support price and the CCC loan level set by the Secretary at not more than 90 percent of the world price. That would mean, of course, that as the world price declines, the Government would have to make larger payments to the cotton producers than is anticipated in the first year of operation under the bill.

A third point which I do not believe has been sufficiently considered is that under the Ellender proposal, as contrasted to the Talmadge proposal, the U.S. Government has some control over the cost to the Government of the cotton program. This must be considered, as the public interest is involved. If the Talmadge program does not work, we could lose control of the cost.

The textile mills and their workers deserve consideration. But the mills constitute the one element in the cotton industry which has an inflexible guarantee under the Talmadge amendment—the guarantee that it will be able to buy cotton at whatever the world price becomes, regardless of whether the plan works, and whatever its cost to the Government.

I think the Ellender amendment meets all the objectives fairly, and with reasonable assurance of success to assure a fair price for the producer, to assist the mills and their workers, and to leave in the Federal Government some control over the cost of the program. For these reasons, I support the Ellender plan, voted by the committee, and oppose the pending amendment of the Senator from Georgia.

Mr. ELLENDER. I yield 1 minute to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table appearing at page 60 of the report, a table showing the percent of original allotment farms by size groups.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

1964 upland cotton: Percent of original allotment farms by size groups

State	Number of original allotment farms	Size of original allotment (in percent)[1]										
		0.1 to 4.9 acres	5 to 10 acres	10.1 to 14.9 acres	15 to 29.9 acres	30 to 49.9 acres	50 to 99.9 acres	100 to 199.9 acres	200 to 349.9 acres	350 to 499.9 acres	500 to 999.9 acres	1,000 acres and over
Alabama	93,714	40.6	34.0	10.5	9.6	2.9	1.6	0.6	0.2	(2)	(2)	(2)
Arizona	3,218	6.9	9.9	9.1	15.9	13.3	17.2	14.5	7.7	2.5	2.2	0.8
Arkansas	44,244	20.6	24.3	15.1	19.9	8.1	6.4	3.4	1.3	.4	.4	.1
California	10,467	11.5	11.6	17.0	17.9	12.4	14.3	9.0	3.6	1.0	1.2	.5
Florida	5,589	56.7	27.7	7.0	6.7	1.3	.5	.1	(2)	-----	-----	-----
Georgia	61,730	30.0	32.3	12.9	15.8	5.3	2.8	.8	.1	(2)	(2)	-----
Illinois	335	59.1	21.5	8.1	5.9	3.3	1.2	.6	.3	-----	-----	-----
Kansas	3	-----	100.0	-----	-----	-----	-----	-----	-----	-----	-----	-----
Kentucky	805	68.6	14.8	3.0	6.2	4.1	2.2	1.0	.1	-----	-----	-----
Louisiana	27,330	23.2	32.2	13.8	16.7	6.2	4.6	2.2	.8	.2	.1	(2)
Mississippi	73,128	32.8	30.4	12.3	12.9	4.5	3.3	2.0	1.1	.4	.2	.1
Missouri	14,006	21.0	19.6	14.8	22.4	10.7	7.9	2.7	.6	.2	.1	(2)
Nevada	20	-----	5.0	-----	15.0	15.0	-----	55.0	-----	-----	5.0	5.0
New Mexico	4,870	15.2	17.5	10.0	22.7	14.7	13.4	4.9	1.3	.1	.2	(2)
North Carolina	66,742	61.6	23.3	6.6	5.6	1.8	.9	.2	(2)	(2)	(2)	(2)
Oklahoma	34,198	18.0	22.1	13.3	24.4	12.7	7.5	1.7	.2	.1	(2)	-----
South Carolina	59,332	44.3	26.5	10.6	11.0	4.1	2.6	.7	.2	(2)	(2)	-----
Tennessee	51,332	43.0	29.2	10.7	10.0	3.4	2.0	.6	.1	-----	-----	-----
Texas	152,618	10.9	12.1	9.4	23.6	16.4	17.4	7.6	1.9	.4	.2	.1
Virginia	4,712	79.6	14.7	3.2	1.9	.5	.1	(2)	-----	-----	-----	-----
United States	708,393	31.2	24.5	10.9	15.4	7.6	6.5	2.8	.8	.2	.1	(2)

[1] Original allotments refer to those established for all farms prior to release and reapportionment programs.

[2] Less than 0.05 percent.

Mr. YARBOROUGH. This cotton section of the bill means a great deal to the people of Texas, which is the leading cotton producing State. The Cotton Research Committee of Texas estimates that more than 1 million Texans derive all or part of their incomes from growing, processing, manufacturing, or selling cotton, cottonseed, and their products. Some 152,618 of the 708,393 original allotment farms in the country are in Texas. Texas produces $566 million out of a national total of $2,258 million worth of cotton lint, and $76 million out of a national total of $274 million worth of cottonseed. Clearly cotton is a commodity of immense importance to Texas.

Mr. President, the cotton industry is in great danger. I fear that unless meaningful corrective action is taken, we will be witnessing the last days of the small American cotton farmer, who has contributed so richly to the development of the southern and southwestern regions of this country and who has played such an important role in the political and social history of this country.

After much study, I have come to the conclusion that the committee bill is best designed to restore the health of the cotton industry.

The committee bill will provide a more adequate support price for the grower. At the same time it will encourage the growth of domestic use of cotton through a mill subsidy of 3 cents per pound and encourage exports through a larger export subsidy.

If we try to compete at the world market price, other cotton growing countries of the world can simply undercut us. The committee bill wisely meets this problem by instituting a bid procedure which will enable the United States to compete more favorably on the world market.

Moreover, although I acknowledge that there is some dispute on this point, the Ellender proposal offers the best opportunity to cut back our production to a point where supply more nearly equals demand. The Ellender program increases the payments for cutting back production from the present 4.35 to 7 cents in the first year. In the following 3 years the Secretary could raise the incentive payments if experience shows that this is necessary. The Secretary would have the flexibility to set payments at the level necessary to achieve the desired cutback in production.

Mr. THURMOND. Mr. President, I am pleased to be a cosponsor of the Talmadge amendment to H.R. 9811. The Talmadge amendment is vital to our national economy, and particularly to the economy of South Carolina, because of the economic importance of our domestic cotton industry, from the producer to the consumer.

The basic question posed to the Members of this body on this vote is whether our Government is going to continue the new one-price cotton concept as embodied in the Talmadge substitute and approved again in principle by the House of Representatives or whether we are going to adopt the multiple-price concept as embodied in the Eastland-Ellender amendment, which was voted by the Senate Agriculture Committee in a close vote.

In 1964, the Congress voted to change from a two-price to a one-price cotton system in order to try to save cotton from losing out in competition with synthetic fibers. This was deemed to be important by the Congress not only because cotton is an essential basic fiber, but also because of the adverse effects which a sick cotton economy could have—and indeed was having—on so many aspects of our economic life. The cotton industry in our country is a vast industry. It cuts across virtually every segment of our population. Involved are growers, farmworkers, merchants who sell supplies and equipment to farmers, banking institutions which help finance farm operations, ginners, cotton buyers, textile and apparel manufacturers and their employees—who number approximately 2 million—and the consuming public. Many communities in my State and in other States are directly dependent on cotton for their economic health. Indeed, even our Defense Establishment has found our textile industry to be second in importance only to steel in providing the vital resources and supplies necessary for the defense of our Nation.

In an effort to try to help solve some of the problems of the cotton industry, there was introduced in Congress in 1956 a two-price cotton plan to stimulate a rapidly deteriorating cotton export situation. In this same legislation there was incorporated a provision to place import quotas on cotton goods being manufactured overseas and returned to this country at a low price because of the advantage gained by the foreign manufacturers on the export subsidy and also because of the very decided wage differential favoring the foreign mills. However, when the two-price system was approved by the Congress, the import quota feature was dropped. Thus, from 1956 to 1964, foreign mills enjoyed an 8½-cent-per-pound raw material advantage over domestic mills. In other words, our Government, in order to move our surplus cotton production on the world market at a price 8½ cents lower than the domestic market was giving a one-fourth price advantage to foreign mills on cotton grown, in some cases, next door to American cotton mills.

During that 8-year period, the domestic textile industry experienced terrific hardships. Cheap imports increased from about 300 million square yards to 1.2 billion. The impact on the market structure of the industry was devastating. In spite of the great population increase, and a much higher gross national product, domestic consumption of cotton dropped—while the use of competitive products soared.

Because there is no way for American cotton to move to market except through the domestic industry, this was a tragic situation not only for the textile industry but for the entire cotton economy as well. The strength of cotton obviously can be no greater than the strength of the industry through which the product moves to market.

The subject of ever-increasing cotton textile imports was subjected to close studies by the Senate Commerce Committee's Special Textile Subcommittee. I had the privilege of serving on this subcommittee with the distinguished senior Senator from Rhode Island [Mr. PASTORE] and the distinguished senior Senator from New Hampshire [Mr. COTTON]. Each time our subcommittee issued a report, we stressed the fact that the two-price cotton system was proving to be grossly unfair to the domestic cotton textile industry and to the entire domestic cotton economy. We recommended strongly that corrective action be taken on this and other problems by the executive branch of the National Government.

Unfortunately, the most appropriate approach to this problem created by two-price cotton—the imposition of import quotas or at least an offsetting import fee—was never adopted by the executive branch.

Since no effective administrative action was taken, the Congress was asked last year to enact a cotton law which would eliminate the two-price system, making it possible for American mills to buy American cotton at the same price as it is sold for export to competing foreign mills. Thus was a great injustice balanced, and the posture of the domestic cotton industry improved.

Last year's cotton program cost more than was expected because an extra 2 million bales of cotton was produced, and we exported 1 million bales less than was estimated. This 3 million bales had to wind up in the hands of the Commodity Credit Corporation, and the excess cost actually is in the inventory. Even so, it is unrelated to the one-price feature. Actually, this exact situation could have occurred with either the one-price or two-price system in effect.

The truth of the matter is that the one-price feature is the one aspect of the law that did work well so far as domestic cotton consumption and the welfare of the domestic textile industry and its related apparel industry are concerned. Under the one-price system, mills gained a new confidence in cotton. Consumption increased by 600,000 bales. Employment rose by 27,000 jobs in the textile industry and another 58,000 in the apparel industry. This contrasts with findings by the Senate's Textile Subcommittee that textile employment dropped by 400,000 during 1947–60 while 828 mills were closed during the same period.

Since establishment last year of the one-price system, there have been three wage increases of 5 percent each. Mill profits have improved but they are still not equivalent to the level of all manufacturing. In 1964, the textile profit percentage on sales was 3.1 compared to 5.2 for the average of other industries. Much of the increased profits—in fact, more than $1 billion—has been invested in new machinery and equipment to make the textile industry more competitive. This investment represents twice the amount put in machinery in previous years.

Some farmers have expressed concern over last year's legislation because their support level was lowered in an effort to make cotton more competitive with synthetics. The support level on 1-inch Middling cotton was reduced from 32½ to 30 cents and later to 29 cents. However, those farmers agreeing to a voluntary cutback in acreage were guaranteed another 4.35 cents. Thus those feeling the price squeeze foremost were the larger farmers who preferred to produce in quantity.

Under the Talmadge amendment now pending, it is my understanding that farmers agreeing to a 35-percent reduction in their acreage will be guaranteed 35.65 cents per pound for next year. If, as expected, the market price is another cent above the guarantee level, then the price would be almost 37 cents per pound. Also understand that those farmers taking the mandatory 10 percent acreage reduction would be guaranteed 32 cents per pound plus a possible 1-cent increase in the market price. This would result in a higher price guarantee than now available or which would be available under the four-price Eastland-Ellender plan. I ask unanimous consent, Mr. President, to have inserted at this point in my remarks three charts which show the difference in farmer price benefits under the present program, the Talmadge plan, and the Eastland-Ellender plan.

Farmers in South Carolina have expressed the desire that three other items pertaining to cotton be rectified in this farm bill. I am glad that both the Talmadge and the Eastland-Ellender plans are designed to insure that there can be a release and reapportionment of unused acreage allotments across county lines, that certain limitations are applied to open-end planting, and that the Secretary of Agriculture will have no authority, as originally proposed, to permit him to buy up cotton allotments on a permanent basis.

Another important question at stake in this debate is the question of the costs of the Talmadge and Eastland-Ellender plans. After all, this is certainly an important factor to be considered. Agriculture Department estimates show that the Talmadge plan should cost $2.8 billion over the 4-year period as against $3.9 billion for the Eastland-Ellender plan. The reason for the difference in cost is that less cotton will be planted and more consumed under the Talmadge plan.

These, Mr. President, are my primary reasons for being a cosponsor to the Talmadge plan. At stake here is a basic concept of one-price versus a multiple-price plan that will prove more costly and less workable. I am convinced from the careful study I have made of all the factors involved that the interests of all segments of the cotton industry—from producer to consumer—as well as the overall public interest will be better served by adoption of the Talmadge plan, which I am confident will prevail in the forthcoming vote.

Mr. President, I ask unanimous consent that three examples dealing with a 480-pound yield be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Farm example: 10-acre allotment farm with 480-pound yield

1965	
10 acres at 480=10 bales × $145	$1,450
10×480×4.35 cents (domestic allotment payment)	208
Total	1,658
1966	
Talmadge proposals:	
10 acres at 480=10 bales × $110	1,100
10×480×14.65 cents (domestic allotment payment)	703
Total	1,803
Ellender proposals:	
10 acres at 480=10 bales × $145	1,450
10×480×7 cents (domestic allotment payment)	336
Total	1,786
H.R. 9811 as passed by House (domestic allotment for 10-acre allotment farm would be 6.5 acres):	
6.5 acres at 480=6.5 bales × $110	715
6.5×480×14.65 cents (domestic allotment payment)	457
Total	1,172

Farm example: 100-acre allotment farm with 480-pound yield and 65-acre domestic allotment making maximum diversion

1965	
65 acres at 480=65 bales × $145	$9,425
65×480×4.35 cents (domestic allotment payment)	1,357
Total	10,782
1966	
Talmadge proposals:	
65 acres at 480=65 bales × $110	7,150
65×480×14.65 cents (domestic allotment payment)	4,570
Total	11,720
Ellender proposals:	
65 acres at 480=65 bales × $145	9,425
65×480×7 cents (domestic allotment payment)	2,184
Total	11,609
H.R. 9811 as passed by House:	
65 acres at 480=65 bales × $110	7,150
65×480×14.65 cents (domestic allotment payment)	4,570
Total	11,720

Farm example: 100-acre allotment farm with 480-pound yield and 65-acre domestic allotment making minimum mandatory diversion

1965	
100 acres at 480=100 bales × $145	$14,500
1966	
Talmadge proposal (10 percent mandatory diversion):	
90 acres at 480=90 bales × $110	9,900
65×480×10.62 cents (domestic allotment payment)	3,313
Total	13,213
Ellender proposal (no mandatory diversion); No diversion is required under this proposal and the carryover and stocks of cotton held by CCC will continue to increase.	
H.R. 9811 as passed by House (15 percent mandatory):	
85 acres at 480=85 bales × $110	9,350
65×480×11.42 cents (domestic allotment payment)	3,563
Total	12,913

Mr. TALMADGE obtained the floor.

Mr. President, I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, farmers and others who are far more conversant than I with the farm bill, and particularly the cotton section of it, are much confused and are having extreme difficulty in comprehending exactly what the consequences will be if either the House bill or the Senate version is finally enacted into law.

I cite as a specific example a problem which farmers in my State have had in trying to understand Senator Talmadge's substitute. Subsection (8) of section 602 of the Senator's amendment to H.R. 9811 would "condition payments on a farm maintaining an acreage of approved conservation uses equal to the sum of, first, the acreage taken out of cotton to qualify for payments and, second, the average acreage of cropland on the farm devoted to designated soil conserving crops or practices, including summer fallow and idle land, during a base period prescribed by the Secretary." The portion about which I speak appears on page 8 in subsection (8), part 2, lines 3 through 6, and more particularly the phrase "during a base period prescribed by the Secretary." Perhaps a simple example will best point out our difficulty. I have farmers in my State who, during the base period of 1959 and 1960, had thousands of acres in timberland. Since that time, this land has been cleared and planted primarily in soybeans, which up until early this year was not considered a surplus crop. The problem now arises: Should the Secretary of Agriculture decide to set a retroactive base period, these farmers would be required to let this timberland that has been cleared and planted in soybeans lie idle. That is, any further planting on the land might be prohibited as a condition for that farmer to participate in the cotton program.

For that reason, I had intended to offer an amendment in behalf of myself and my colleague [Mr. Fulbright], who is necessarily absent. We have felt this amendment would alleviate the problem to which I have just referred. Our amendment would have stricken out on page 8 of the Talmadge amendment all of the language in line 3, after subpart 2, down to the word "Secretary" on line 6, and in its place we had intended to insert this language: "not to exceed the number of acres of cropland on the farm required during the crop year 1965 to be devoted to designated soil conserving crops or practices, including summer fallow and idle land."

I discussed our proposed amendment with both the distinguished Senator from Georgia [Mr. Talmadge] and Mr. Horace Godfrey, who is the Administrator of the Agricultural Stabilization and Conservation Service. Mr. Godfrey assures me that the amendment is unnecessary under regulation changes which the Secretary of Agriculture proposes to make. I requested a letter from the Secretary which would define and clarify this point.

In lieu of offering the amendment, I ask unanimous consent to have printed in the Record at this point the Secretary's letter, which I understand is intended to assure the farmers of my State that timberland which has been cleared and planted in soybeans, at least such land as was cleared up to early 1965, would not be required to lie idle.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, D.C., September 10, 1965.

Hon. John L. McClellan,
U.S. Senate.

Dear Senator McClellan: This is in response to your inquiry relative to the establishment of farm conserving bases. You particularly questioned the requirement that a farm conserving base be increased by the amount of any noncropland which is brought into cropland status.

As you know, our voluntary programs for feed grains and wheat have required that acreage diverted from such crops be devoted to conserving uses in addition to the average acreage of conserving uses on the farm in 1959 and 1960. This average conserving acreage is called the farm conserving base. By regulations we have required an increase in the conserving base when noncropland was brought into cropland status. The objective was to prevent additional and unneeded acreage of surplus crops.

It is my understanding you have many constituents who have brought acreage of noncropland into a cropland status and who are concerned about the conserving base requirement. I further understand that these farmers have not devoted this new cropland to the production of crops in surplus but have devoted such acreage to soybeans.

This letter is to inform you that our regulations will specify for 1966 that the farm conserving base will not reflect the acreage of noncropland brought into a cropland status since the base period (1959–60) if such new cropland was not devoted to the production of crops in surplus. This means that this new cropland which has been devoted to the production of soybeans will not be added to the conserving base and the farmer may continue to produce the acreage of soybeans as produced in prior years. Where necessary, farm conserving bases which now reflect increases based upon new cropland will be adjusted downward.

Sincerely yours,

Orville L. Freeman.

Mr. TALMADGE. Mr. President, I yield 3 minutes to the able senior Senator from Rhode Island.

Mr. PASTORE. Mr. President, the reason I rise is to restate in affirmative language what I stated when I asked the distinguished Senator from Missouri [Mr. Symington] a question. I have a strong and conscientious conviction that it was absolutely immoral for the United States to sell a raw product to a foreign producer who, when he produces his product, competes with an American producer in the American market, when the American must pay 8½ cents a pound more for the raw material that goes into that product. That is how simple the question is.

When I was Governor of the State of Rhode Island, between 1945 and 1950, 45 percent of the gross income of my State came from the textile mills and the people who held jobs in those mills. Today that 45 percent has dropped to 15 percent. Mills are closing down in Rhode Island all around us.

Here I am on the floor of the Senate with a toothache, and Senators rise and say, "You feel fine, Pastore, because I don't feel your pain."

Many reports have been placed in the Record to show how good it is with the textile industry. Yet over the past 10 years 1,000 mills have closed in the United States, and we have lost almost one-half million jobs. All this has occurred in the United States of America today when we have more people employed than ever before in the history of our country.

A short while ago I stepped out of the marble room. While in that room I observed on the front page of yesterday's newspaper in my home State an article, the title of which is, "Governors Urge One-Price Cotton."

Do not tell me that the Governors of New England do not know what they are talking about. They are the chief executives, and they know the economic plight of their own States.

Only last Sunday in the Providence Journal appeared an editorial entitled "Dropping One-Price Cotton Would Be a Senseless Step."

Mr. President, I ask unanimous consent that the editorial and the article to which I have referred be printed at this point in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Providence (R.I.) Evening Bulletin, Sept. 4, 1965]

Dropping One-Price Cotton Would Be a Senseless Step

If anything needs knocking down in a hurry, it is this notion in the Senate Agriculture Committee that the one-price cotton system which is now law should be abandoned.

In a closed door session, secret because the committee has not completed action on cotton, it was voted 8 to 7 not to continue equalized prices for another 4 years.

That leaves the committee, unless it does something about it, with a program proposed by committee chairman, Allen Ellender, Democrat, of Louisiana, which calls for 3-cents-a-pound payment instead of full equalization to "persons other than producers" or, in other words, cotton mills.

Up to the time when the existing law was passed, cotton was sold to mills at the U.S. support price which was 6 to 8 cents higher than world market prices. Foreign competitors of the mills thus had a 6-to-8 cent cost advantage which they put to good use in manufacturing cotton fabrics for shipment into this country at prices domestic mills simply could not meet.

It took a long time to convince Congress that this kind of competition was wrong but finally the present law was passed which provides for Government payment to mills of the difference between the U.S. support price and world prices.

Now Senator ELLENDER wants to go back to something approaching the old dual price system. He has managed to prevail, persuading a majority of the Agriculture Committee to accept his complicated proposal.

This may be a good deal for Louisiana cotton growers but it makes no sense at all, either for mills having to compete with foreign producers or for that segment of the U.S. economy depending on textiles, which is large.

The Senate Agriculture Committee went fully into the pros and cons of dual cotton prices and foreign competition when the existing law was passed. It ought to remember this, get back on the track and continue the only system that gives U.S. mills a fair shake in the competitive open market.

GOVERNORS URGE ONE-PRICE COTTON

(By John P. Hackett)

The New England Governors' Conference urged the region's U.S. Senators yesterday to work for legislation that would let American textile manufacturers buy this country's cotton at the same price charged foreign mills.

The U.S. House has passed a so-called one-price cotton bill, but the Senate Agriculture Committee last week recommended a measure that would let the raw material be sold abroad more cheaply than at home.

Gov. John H. Reed, of Maine, conference chairman, said the one-price plan is essential to the health of the remaining New England textile industry.

The Senate committee's version, he declared at a press conference at the Elms, Newport mansion used as the conference site, would be "detrimental" to an industry that still accounts for 17 percent of the area's manufacturing employment, or 190,000 jobs.

The six Governors resolved not only to transmit the resolution urging amendment to the senatorial delegation, but decided that each chief executive will get in touch with his State's Senators personally on the matter.

Governor Chafee, host at the first regional gubernatorial gathering in Rhode Island since 1956, was named to a subcommittee with Gov. Philip H. Hoff, of Vermont, to study feasibility of a nonprofit corporation to take maximum advantage of two new Federal acts.

These are the Technical Services Act and the Public Works and Economic Development Act.

Under the former, the object would be to utilize, with Federal financial assistance, the research capabilities of area industries to seek solutions of such governmental problems as waste disposal, transportation, and growing crime rates.

Mr. Chafee reported that California already has embarked on inquiries in these and other fields by components of its aerospace industries.

SUGGESTED BY MORSE

He and Mr. Hoff will be assisted by Richard B. Morse, former assistant defense secretary for research and now at the Massachusetts Institute of Technology, who is chairman of the New England Committee for Science and Technology.

Mr. Morse discussed the subject with the Governors yesterday and suggested the nonprofit corporation as the best vehicle for carrying out a regional project.

The Economic Development Act, holding out the prospect of Federal help similar to that being given the depressed Appalachia region, is one on which New England Senators split along political lines in Washington recently.

The Democrats, including Senators JOHN O. PASTORE and CLAIBORNE PELL, of Rhode Island, urged the Commerce Department to designate New England as a region eligible for such aid. The Republicans argued this was a matter to be initiated at the gubernatorial level—a position with which Mr. Chafee later expressed agreement.

PRELIMINARY STAGES

However, the politically evenly divided Governors—three Democrats and three Republicans—disavowed any partisan involvement on their parts.

Mr. Reed said the Chafee-Hoff study will pursue the project among regional officials without going to Washington for now. "It is still in the preliminary stages," he said.

In a demonstration of close liaison with the area's GOP and Democratic Congressmen and Senators, the Governors announced that they will meet with them in Boston sometime after Congress adjourns to discuss regional matters. Gov. John W. King, of New Hampshire, said the planned session is an outgrowth of a successful one held last April in Washington.

In an effort to develop State government executive talent, the Governors announced that a 2-week course will be given at the University of New Hampshire next month for four topnotch department heads from each State.

FIRST OF ITS TYPE

The first of its type in the Nation, according to Mr. Hoff, the course will be financed by the Kellogg Foundation and carried out by the Brookings Institute, a governmental research firm.

A topic that took up most of the morning session was the plan of Northeast Airlines—a major regional carrier outside of Rhode Island—to buy 115-passenger jets that more than half the 22 airports served by the company cannot handle.

The Governors, seeking improved local service from the carrier, said they received some assurance the line also has in mind purchasing smaller new planes to serve the smaller airports.

Gov. John A. Volpe, of Massachusetts, said the Governors will hear from Northeast's new management at a future conference on their plans. State aeronautics officials advised the Governors that passenger volume and airport sizes warrant smaller planes than the DC–9 for local purposes.

TWO MORE INTERVIEWED

Gov. John Dempsey, of Connecticut, obtained the support of the others for a resolution urging congressional study of means of preserving the Connecticut River Valley as part of the national beautification movement.

The Governors interviewed two more candidates for the new position of conference secretary and scheduled more interviews at their next conference September 18 at 2 p.m. at West Springfield, Mass., in conjunction with the Eastern States Exposition.

Put off until then was discussion of a proposed Federal power project on the St. John's River in northern Maine. It is supported by Maine political officeholders as a harbinger of lower power rates for the region, but private New England power firms oppose it. Mr. Chafee has come out for the project.

RESOLUTION OF SYMPATHY

The Governors passed resolutions of sympathy to Mr. Volpe on the recent death of his mother and of congratulations to Mr. Reed on his election in July as chairman of the National Governor's Conference.

A resolution of appreciation was adopted for Mr. Chafee's conduct of the conference, which closed with a clambake club dinner for the chief executives and their wives after the day-long business sessions.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. If Senators wish to do equity and justice to America, its economy, and American jobs, they should vote for the Talmadge amendment.

A COTTON PROGRAM THAT FORGETS THE FARMER

Mr. EASTLAND. Mr. President, you have heard much about the cotton section of this omnibus farm bill. The cotton provisions developed by the Senate Committee on Agriculture and Forestry and reviewed yesterday by its distinguished chairman, Senator ELLENDER, are sound, workable, and fair. It is centered upon the problems of the cotton farmer and would bring about an orderly solution to problems confronting this Government because of the accumulation of excess cotton supplies.

In sharp contrast, an approach has been outlined by the distinguished Senator from Georgia that differs from the committee's recommendations as much as night does from day.

You have been told it would reduce the production of surpluses, cut Government costs, get the Government out of the cotton business, maintain farm income, and, in general, give each part of the cotton industry more free play in the market. This would be done at whose expense? The farmers.

It is obvious that the proposals made by Senator TALMADGE are based upon H.R. 9811 which the Senate committee used as a starting point and promptly set aside because it was designed to change the entire framework of the program. It was laid aside because it cut deeply into the future prospects of the farmer and set a program stage that others in the industry might prosper with a lush level of profits.

Mr. President, may I bring to the attention of this Senate a clear-cut description as to how the cotton section of H.R. 9811, the basic pattern of Senator TALMADGE's proposals were put together. I quote from the July 9, 1965, issue of the Wall Street Journal:

HOUSE UNIT VOTES NEW COTTON LEGISLATION, BREAKING DEADLOCK THAT STALLED FARM BILL

WASHINGTON.—The House Agriculture Committee finally broke the long deadlock on cotton legislation that has tied up the Johnson administration's farm bill.

By a vote of 20 to 13 the panel approved a new system of cotton price props and acreage controls that stresses bonus prices for growers who curtail production. Its multifold objectives are to sustain grower income, reduce surplus stocks and Federal outlays, and keep the cotton costs of domestic textile mills pegged at world market levels.

Cotton brokers and dealers also figure to benefit because the legislation promotes price speculation and encourages the placement of cotton crops on the open market rather than under Federal price shelters.

* * * * *

The measure adopted by the House unit yesterday follows guidelines laid down by northern and western members last week after cotton State panelists proved unable to get together on proposals of their own. Several cotton emissaries, notably Democrats,

> HAGEN of California, JONES of Missouri, and POAGE and PURCELL, of Texas, ultimately joined with the northerners after gaining committee approval of concessions sought by back-home growers. The "no" votes were cast by six Deep South Democrats and seven Republican foes of nearly all Federal farm programs.
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> The House bill would slash the Government's cotton price support, currently 29 cents a pound, to 21 cents for the 1966 crop. In the 3 succeeding years, the price drop would be 90 percent of the world market price, now between 23 and 24 cents a pound.
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> A domestic price skid that big, taken by itself, would probably put most U.S. cotton growers in the red. Thus, the effect of the bill is to make them dependent on supplementary Federal payments which are provided only for those growers who agree to cut acreage by at least 15 percent. The aim is to trim a new cotton production below demand, in order to promote the selloff of cotton surpluses mounting in Government warehouses.
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> * * * * *
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> As a lure to influential California growers, the bill would lift all acreage restrictions for producers willing to operate without any Federal price supports or bonus payments. Only a handful of growers who specialize in premium quality cotton that sells for well above the world market average would be likely to take advantage of this, but their voice is important in California cotton circles.
>
> The legislation would assure cotton textile mills of low-cost raw material. A Federal subsidy that started with the 1964 crop is designed to keep mill costs down to the world market level paid by foreign competitors, but the subsidy arrangement has cost the Government far more than expected. In effect, the House committee's bill would channel the subsidy to growers instead of mills. Economy features would cut Federal costs to a projected $650 million yearly from around $900 million in the fiscal year just ended on June 30. (Even this reduction isn't enough to suit Federal budget planners who hope to impose a $600 million annual ceiling on cotton program costs.)

Mr. President, the amendment would restore the basic provisions of the House bill which I have outlined was not written by farmers, but by those who live off of farmers.

On yesterday I documented the textile mill use of the reduction in raw cotton prices which they had promised to pass on to consumers. I pointed out that their earnings per share had doubled and more in many instances—that the earnings before taxes of the industry as a whole had doubled in the past year. They did not reduce the costs of textiles at the mill door. In fact, they raised them.

Mr. President, this certainly is not a consumer's bill, though it would further reduce the raw cotton prices to the mills. The consuming taxpayer would not benefit from a continued history of the past year.

It is not a cotton producer's bill because it would destroy the national minimum allotment on which he has capitalized his land, equipment, gins, and other services necessary for the production and handling of cotton. The arbitrary 10-percent reduction in allotments in order to be eligible to participate in the price support and payment program is a high price to pay for the privilege of being a cotton farmer. The author of the amendment, I believe, recognized the bad features of the House bill and has endeavored to mitigate their effect in the drafting of his amendment. He reduced the 15-percent mandatory reduction to 10 percent. Though this reduction provides some little relief, it maintains the onerous approach developed in the House committee. The author of the amendment closed half of the door in open end plantings because I believe he recognized that this is unfair legislation even to the producers in the South and East. The author of the amendment struck the lease and sale of allotments provisions that were in the House bill that were included there to obtain votes to report the bill to the floor.

Mr. President, in spite of the whittling done by the author of the amendment on the House title on cotton, we still have a monstrosity for the farmer that would destroy forever his ability to produce for exports and confine him for the future to producing for domestic consumption. It is a bill designed to facilitate the operations of cotton merchants and broaden their profit potential, a bill designed to insure hedging in the exchanges and multiply many times their current volume of business, and a bill to further widen textile mill profits on cotton operations. I assure you again that the bill is not designed for the benefit of the cotton producer, ginner, warehouseman, nor consumer. This is the group who through reduced production and reduced volume will make the initial heavy payment of the costs of this program on their income potential.

Those who vote for the cotton substitute offered by Senator TALMADGE are voting to reduce the price of cotton in the country markets on the streets of Lubbock, Harlingen, El Paso, Pine Bluff, Memphis, Greenville, Charlotte, Macon, and Statesboro—from Virginia through Arizona—by 8 cents per pound in 1966 and 2 to 4 cents more reduction from 1967 through 1969. You are being asked to vote the price of cotton down to 15 cents and less in much of Texas and Oklahoma.

The Talmadge proposals will reduce the market value of cotton and cottonseed by more than a billion dollars per year. Is that justice to the cotton farmer? Will it get the Government out of cotton?

It is a bad amendment and I hope it will be defeated.

Mr. TALMADGE. Mr. President, I yield myself as much time as I may have remaining.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Georgia is recognized for 10 minutes.

Mr. TALMADGE. Mr. President, 40 years ago the United States of America produced 16,105,000 bales of cotton.

What is the picture today? Last year we produced 15,180,000 bales of cotton. In other words, our total production of cotton has declined by almost 1 million bales during the last 40 years.

But what has happened to the production of foreign countries during this same period? Forty years ago the combined total of all foreign cotton-producing countries produced only 12,135,000 bales of cotton, or some 4 million bales less than the United States.

However, in 1964, production outside the United States came to 36,425,000 bales, an increase of over 24 million bales. This means, while U.S. production has suffered an overall decrease in total baleage during this 40-year period, foreign production has enjoyed a 300-percent increase in production for the same period.

Does this represent progress? Is this the kind of farm bill that is designed to help the farmers? Are we to continue to "plow under" our farmers? Are we to continue to hold a price umbrella over the foreign producers and say, "Yes, you may profit, because we are not going to allow our American farmers to plant cotton. We shall continue to restrict their acreage year after year in continuation of this same old policy of 'plow the farmers under'."

The majority of the Senate committee would say, "Yes, that medicine is bad, just as you have demonstrated TALMADGE, but that is what we want. Let us continue to plow them under. Let us continue to expand cotton production in the rest of the world."

I cannot, and do not, subscribe to that theory. Due to that type of approach, the synthetic industry has dramatically expanded not only in the United States of America, but throughout the entire world.

The substitution of synthetics for cotton fibers is increasing rapidly, and many cotton mills now use a far greater quantity of synthetics than they do cotton.

While we have been plowing our farmers under, while we have been restricting our acreage, while we have been encouraging the rest of the world to produce, what has happened? We have accumulated 15,700,000 bales of unusable and unsalable cotton in our warehouses.

Who gets the benefit from warehouse storage? Not a living human being on earth, except the men who own and operate warehouses. In this sense, I speak also of the Government commodity warehouses. At present we have over 11 million bales of cotton in CCC, for which there is storage, depreciation, and handling costs. What does it cost to keep cotton in CCC? According to the Department of Agriculture, $25.15 a bale for each bale stored. Bear in mind, these costs are borne by the taxpayers of our country. Furthermore it is extremely harmful to the farmers to have such an enormous surplus threatening the existence of their program, and for the Government to be unable to move stocks into the normal channels of trade.

While our exports have persistently declined over the past several years, our surpluses have steadily mounted.

Is this the type of program we are going to choose for our farmers? It shall never by my choice. I want my farmers to plant. I want them to produce. I want them to receive a fair payment in return for what they produce. But this is a far cry from the type of program we have had in the

United States of late, characterized by the pawnbroker feature under which we have operated for so long.

I say that when it become evident that the patient will not respond to a certain medicine and is so sick he is about to die, then it is time to prescribe a new remedy and seek a cure. I say that the time has come and we have found a cure. It is to make our cotton competitive both at home and abroad with synthetics and foreign textile products. Once we have enabled our cotton to compete in these markets, then our stocks can be depleted to a reasonable level, and our markets greatly expanded.

What will happen to farm income? I certainly do not propose to restrict it one dollar. On the contrary, the amendment which is pending before the Senate would increase farmer income. If he produces, the small farmer—the 10-acre man whom the chairman spoke of—would receive a greater income under my amendment than he would under the committee proposal. He would be guaranteed 35.65 cents for every pound of cotton produced on every square foot of his entire acreage allotment. The larger farmers who produce for domestic consumption would receive far better prices than they do at the present time, or would under the chairman's program. They would receive payments for diverting acres in order to reduce surpluses to a level at which we could again produce cotton more freely and get the cotton business back into the hands of private trade.

Mr. President, it is very easy to demagog a textile mill. It is particularly easy to demagog a textile mill when one does not have a mill in his home State. But in my States there are textile mill employees who are walking the streets unemployed looking for jobs. I have had many thousands of them in my State over the past several years.

There have been many thousands of these unfortunates throughout the United States for too long a time. I think it is time we enact a farm program that is fair, not only to our farmers, but to everyone who is affected by the misfortunes of the cotton industry. That includes the ginner, the crusher, the warehouseman, the man who buys raw cotton, the man who spins it, the man who works on the loom, and finally the man who exports a finished product and the man who sells it. That is the kind of cotton program I urge the U.S. Senate to agree to.

What about cost comparisons of my amendment with the committee plan? The Department of Agriculture has estimated that the pending amendment would cost, during the next 4 years, $762 million less than the amount contained in the bill as reported by the committee. That statement was inserted in the RECORD yesterday.

What about present surpluses? At the present time we have a carryover of something in excess of 15 million bales. The estimates of the Department of Agriculture show that if the committee bill is agreed to by the Senate, we shall have at the expiration of the program a carryover of 12,550,000 bales of cotton, equal to a 2-year supply. In other words, cotton will be just as critical 4 years from now as it is presently.

What about the Talmadge proposal pending at the desk? The Department of Agriculture has said that we shall have a carryover at the termination of this proposal of 8.7 million bales, or approximately a normal carryover.

Mr. President, that is the issue before the Senate. The future of cotton is at the crossroads. The producer is being driven out of business. It is becoming increasingly difficult for domestic cotton to compete with foreign production and synthetics. The costs are burdensome to the taxpayers of our country, and it is time that the U.S. Senate faced up to the desperate plight of cotton. We made a mistake in placing the farmer in the hands of a Government manipulated and dominated farm program. We must free him and compensate for the difference between prices received and parity with direct payments just as we have done successfully with wool, sugar, feed grains, and wheat.

Why should we do any less for our cotton farmers?

Mr. KENNEDY of New York. Mr. President, I shall vote today for the Talmadge amendment to the omnibus farm bill. The amendment offered by the Senator from Georgia essentially restores the one-price cotton system which was contained in the bill as it was passed by the House.

The one-price cotton proposal, which is what the administration has proposed, offers some hope for bringing cotton back into the free market system. It can have significant effects in lowering cotton surpluses and in putting cotton on the world market on a realistic basis.

Without a per pound loss to producers, the Talmadge substitute will help the American consumer by stabilizing the price of cotton contained in the garments and other textile products which he purchases. The one-price system is simpler than the proposal which the Senate committee adopted, and will allow cotton to move freely and competitively through the normal channels of trade, the income loss to farmers being made up through direct payments.

To me, this is the most hopeful avenue for bringing the United States back into a balanced position in the world cotton market. By contrast, the proposal which the Senate committee has adopted could have serious adverse effects in the world market. The dumping of cotton which it contemplates could have most unfortunate repercussions on the world price.

I hope, therefore, that the Senate will accept the amendment offered by the Senator from Georgia. It has the support of many cotton producers, of the textile industry, and of cotton shippers and merchants.

The VICE PRESIDENT. All time has expired. The hour of 12 o'clock having arrived, the question is on agreeing to the amendment of the Senator from Georgia [Mr. TALMADGE]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER (when his name was called). On this vote I have a pair with the Senator from Nebraska [Mr. HRUSKA]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. SMATHERS (when his name was called). On this vote I have a pair with the Senator from Minnesota [Mr. McCARTHY]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Connecticut [Mr. RIBICOFF]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. HARTKE (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. BAYH (when his name was called). On this vote I have a live pair with the Senator from Utah [Mr. MOSS]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], and the Senator from Michigan [Mr. HART] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. McCARTHY], the Senator from Utah [Mr. MOSS], and the Senator from Connecticut [Mr. RIBICOFF] are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan [Mr. HART], and the Senator from Idaho [Mr. CHURCH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. HRUSKA] is absent on official business and his pair has been previously announced.

The result was announced—yeas 62, nays 24, as follows:

[No. 252 Leg.]

YEAS—62

Aiken
Allott
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ervin
Fannin
Fong
Gruening
Harris
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
McGee
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Morton
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Young, Ohio

NAYS—24

Bass
Bennett
Brewster
Burdick
Carlson
Cooper
Eastland
Ellender
Gore

Hayden
Hickenlooper
Holland
Lausche
Long, Mo.
Long, La.
McClellan
McGovern
Montoya
Mundt
Stennis
Symington
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—14

Anderson
Bartlett
Bayh
Church
Fulbright
Hart
Hartke
Hruska
Mansfield
McCarthy
Miller
Moss
Ribicoff
Smathers

So Mr. TALMADGE's amendment was agreed to.

Mr. TALMADGE. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. PASTORE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, during the markup of the bill, the committee adopted as a committee amendment an amendment which I proposed, which is section 706 of the bill beginning on page 109, line 24 and ending with line 8 on page 110.

Mr. President, it develops that this amendment as proposed by me is so worded as to cover greater territory than I believe to be the principal point for discussion during this debate. Therefore, I ask leave to propose, for myself, my distinguished colleague [Mr. SMATHERS] and the distinguished Senator from California [Mr. MURPHY] a substitute amendment which I send to the desk. This amendment, in effect, would do nothing but strike from the wording of that part of the bill the words which relate to all other activities affecting agricultural commodities except labor.

Mr. President, I have been advised that at a later time certain Senators will propose to strike this amendment from the bill, and debate should well be postponed until that time. I have cleared this matter with some of them, and I understand that the question has been rather well cleared.

If there is objection to this substitute, we will gladly withdraw it, but it will mean two debates instead of one.

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. ROBERTSON. The Senator's original amendment provided that when the question arose concerning the need for foreign workers to pick the crops and fruits, the Secretary of Agriculture should make the recommendation instead of the Secretary of Labor. Has the Senator abandoned that?

Mr. HOLLAND. Let me say to the Senator from Virginia that not only have I not abandoned it, but I have concentrated on it by eliminating some of the wording which applied to certain fields of agricultural operations. I find that Senators who proposed to direct their objections to my amendment are interested only in that particular part of the amendment which I have retained.

Mr. ROBERTSON. I should like to be associated with the distinguished Senator from Florida in this move, because today we are having some personal experience with this problem.

A large apple crop is ready to be picked. We have gone into 46 different areas to try to find the 5,000 workers we need. We have found only 1,000 workers. We have not found a single one more who is willing to pick apples on a bushel basis, under which they could make from $20 to $25 a day. Why? First, because they have no skills. Second, because they do not wish to work very hard, even though they would be taking the guaranteed wage of $1.65 an hour, which is quite high for farm labor.

We asked for 1,500 workers from the Bahamas, and we have not heard from them yet. I understand from the Senator from California that he was told those workers could be brought in. California has lost in strawberries, asparagus, prunes, and lemons, and now it faces a teriffic loss in the current crop of tomatoes.

When we were considering the supplemental request for $1,900,000 to expand the program in the current year, for recruiting more farm labor domestically, I asked for a report of what had been done with the original appropriation and the Department could not furnish it. They did not know where they sent anyone, or how long a worker stayed. Out of the number who say they will report for work perhaps not more than 10 percent will report, and those who do get there do not stay.

In Virginia, we are offering free transportation, and free sleeping quarters, much better than our troops in the jungles of southeast Asia are provided.

They would receive 15 cents a bushel plus a bonus of 2 cents. If the workers remain for the crop, they can make $25 a day for an 8-hour day. They will not report for work.

Under those circumstances I do not believe that we should continue to ask the Department of Labor to supervise this matter when its judgment has proved to be so erroneous all through this season.

Mr. HOLLAND. Mr. President, I could not agree with the Senator more thoroughly.

The proposed amendment concentrates the amendment which I requested of the committee, and which was agreed to by the committee, to the extent that it refers only to the problem which the Senator is so ably discussing.

I shall be fighting as hard as he will be to give to the Secretary of Agriculture, the right, the authority, and the duty to fix the number of workers needed and the timeliness of their work, in such a way that if the Secretary were to make a mistake, growers could have access to the courts to correct the mistake. They cannot have such access to the courts under the present law by an appeal from the findings of the Secretary of Labor.

Mr. ROBERTSON. Mr. President, I thank the Senator. I hope that his amendment, as revised, will be agreed to. It has my wholehearted support.

The VICE PRESIDENT. Is there objection to the request of the Senator?

Mr. HOLLAND. Mr. President, I yield to my distinguished friend, the Senator from Tennessee.

Mr. BASS. Mr. President, I have an amendment which has been placed on the desks of all Senators. My amendment would strike the amendment of the Senator from Florida. However, I do not plan to offer my amendment today.

I understand that the Senator from Florida desires that I offer the amendment on Monday. I shall withhold the offering of my amendment to strike the amendment in the committee bill.

I have no objection to the revision offered by the Senator from Florida. However, I want it understood that, even with the revision, I do not support this section of the bill, but shall offer an amendment when we meet on Monday, to strike the entire section as amended.

Mr. HOLLAND. Mr. President, that statement is in accord with my previous understanding with the distinguished Senator from Tennessee.

I understood that he had conferred with various colleagues who had the same interest that he has, and that this course of action is agreeable to them.

Mr. BASS. The Senator is correct.

Mr. HOLLAND. Mr. President, I ask that the amendment be stated and agreed to.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed by Mr. HOLLAND, as follows:

> Beginning on page 109 with line 24, strike out all through line 8 on page 110 and insert the following:
>
> "SEC. 706. Notwithstanding any other provision of law, whenever the application of any law of the United States requires determinations to be made of the amounts of labor needed for the production and harvesting of any agricultural crop, or of the availability thereof for such production and harvesting, such determinations shall be made by the Secretary of Agriculture and shall be accepted by all agencies of the United States in the carrying out of activities in which such determinations are needed."

Mr. HOLLAND. Mr. President, if the amendment is agreed to, I shall then ask that the amendment be considered as a part of the original bill so that no point of order can be made. I want everyone to understand the situation exactly as the Senator from Tennessee and I understand it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

The VICE PRESIDENT. Is there objection to the adoption of the amendment as original text to the bill?

The Chair hears none, and without objection and by action of the Senate the amendment of the Senator from Florida is considered as original text to the bill, subject to further amendment and action by the Senate.

Mr. HOLLAND. Mr. President, as I understand, the way in which the distinguished Presiding Officer has put the matter makes it unnecessary for me to ask that the amendment be regarded as part of the original bill.

The VICE PRESIDENT. The Senator is correct.

Mr. BASS. Mr. President, without trying to address myself to the issues involved in the amendment which I shall offer on Monday, I want it to be clearly understood that I believe now that the amendment that has been offered and revised by the distinguished Senator from Florida will pinpoint the issue that has to be discussed, as to who shall make the determination regarding the needs, qualifications, and treatment of migrant workers, the so-called braceros, who are brought into this country year after year as imported labor.

For several years during my experience in Congress, I supported this program. However, I feel that we must settle the question of how the determination shall be made, when it shall be made, and all the other factors involved.

The main objection that I have to the amendment is that I consider this to be strictly an extraneous matter. It should not be connected with a general farm bill of the nature that we are considering today.

I believe that hearings should be held, a broad study should be made of the subject, and some determination should be made. The matter should not be handled by means of a single amendment to a major farm bill.

Mr. HOLLAND. Mr. President, I yield to the Senator from Missouri.

EQUAL RIGHTS FOR AGRICULTURE SALES FOR GOLD

Mr. SYMINGTON. Mr. President, the distinguished senior Senator from Connecticut made a talk yesterday opposing the amendment in the currently considered agriculture bill. All this amendment does is request that the sale of agricultural products to countries behind the Iron Curtain should not be prohibited or penalized more than manufactured products.

The Senator discusses and then disagrees with several arguments used in favor of selling agricultural products; but he omits any discussion of what, to my mind, is by far the most important argument for such sales; namely, the fact that all the other countries of the free world, countries we continue to defend and finance, including our two chief enemies in World War II, through such sales are now building up heavily their own gold stocks at the expense of the United States; and this to the point where, unless this continuing loss of gold to them can be reversed, the future value of the dollar will be heavily impaired.

In itself this would be a disaster, because one of our basic concepts in this, the American way of life, is to first work hard over a long period; and then, through such policies as social security, retirement plans, pensions, life insurance, and so forth, retire on a fixed amount of money.

If through the continuing sale of agricultural products by our friends and allies to countries behind the Curtain, this gold flow to other countries in turn continues at our expense, the value of the dollar will be affected to the point where the annual return to tens of millions of Americans that is considered essential for satisfactory retirement will be totally inadequate because of heavy loss in the purchasing power of the dollar.

The distinguished junior Senator from Minnesota answered most effectively points raised by the Senator from Connecticut, ably pointing out for example the vast differences between the sale of scrap iron and the sale of wheat.

The Senator from Minnesota also presented what we know, namely, that both the late President John F. Kennedy and President Lyndon Johnson have urged trade of this type and character, as they and the rest of the world watch such developments as "proliferation" and the unprecedented telescoping of time and space in this nuclear age.

Last year, with several other Senators, I listened to the head of West Germany industry, Dr. Fritz Berg, state that ever since the end of World War II, the West German Government had done everything in its power to sell all products possible behind the Iron Curtain; and to buy all possible from those same countries. He pointed out with pride that as a result, West Germany now bought more, and sold more, behind the Iron Curtain than any other nation in the world.

In open Senate hearings both the Secretary of the Treasury and the Secretary of Commerce testified that to the best of their knowledge the United States was the only highly developed industrial country in the world which was not doing its best to sell as much as it could to countries behind the Curtain.

As the Senate knows, except for a general war, I believe there is no more serious problem facing this Nation and the world than our continuing unfavorable balance of payments, including a steady loss of gold for over 16 years.

Today the United States possesses less than 25 percent of that free gold necessary to pay off the current liabilities it has incurred with foreign countries, primarily the foreign central banks. If these countries called for payment in gold, we would either have to pay, or go off the gold standard.

To those who say this is beyond the realm of possibility, let me remind them that not one person in a million would have predicted in 1929 that Britain would be forced to go off the gold standard in 1931, and that action, more than any other, wrecked the world's economy.

Let me ask this simple question: How long can the United States, first, continue to defend most of the free world; second, finance most of the free world; and third, refuse to sell behind the Curtain when at the same time all other countries of the free world do so, increasing thereby their gold supply while ours is being reduced, thus jeopardizing the future value of the dollar.

It is with deep regret that I noted references to actions of the past which have little to do with the world situation of today, a time when every country once considered far away, in effect, is now in the same county.

Regardless of who is right, many policymakers in this Government with as much experience as any Member of the Senate, place a great deal of hope for the future in possible growing friction between the two leading nations behind the Iron Curtain.

As to whether it would benefit the United States for the Soviets to become apprehensive about such statements as those made only last Saturday by Red China's Marshal Lin Piao, I do not know. This long address attacked some of the leaders of the Soviet Union almost as much as it did the United States.

In his talk the Senator from Connecticut used the word "appeasement."

I personally do not believe there could be appeasement in the promotion of such a rift.

I do not believe there was appeasement in the amendment proposed to the Senate by the Senate Agriculture Committee, or the amendment with the reference to this problem which I had the privilege of introducing in the absence of the Senator from South Dakota.

The policies expressed therein were recommended by the late President John F. Kennedy and by President Lyndon B. Johnson.

I do not believe there was any appeasement in John F. Kennedy and I do not believe there is any appeasement in Lyndon Johnson.

One of the chief reasons why I wanted to come to the Senate was to continue my efforts over a great many years to maintain a strong America in order to maintain a free America. And I would never back any amendment which worked against that policy.

No one has accused anyone in promoting the gold reserves of other countries such as France, and I am sure no one has that in mind, especially as the latter country would now appear to be almost as firm in its decision to destroy collective security in Europe today as were other European countries to destroy that collective security in the 1930's.

The sale of food and fiber for gold is a definite step toward improving the economic strength of the United States; and I would point out to those who disagree that in our way of life, the Nation's physical strength, already heavily strained, all over the world, can only come from our declining fiscal and monetary strength.

It is General de Gaulle himself, a devotedly religious man, as he continues to build the power of France, who believes that whereas ideologies come and go, national interests always remain.

I would hope, as we discuss this matter and related matters, that we give this philosophy some consideration.

Mr. MONDALE. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Oregon.

Mr. SYMINGTON. Mr. President, I had the floor.

Mr. LAUSCHE. Mr. President, who has the floor?

Mr. MONDALE. Mr. President——

The VICE PRESIDENT. The Senator from Missouri has the floor.

Mr. LAUSCHE. Mr. President, I thought the Senator from Alabama had the floor and yielded to the Senator from Missouri. I have been waiting. The Senator from Oregon [Mr. MORSE] has been waiting to make a speech. Now, through some circuitous route, another Senator obtains the floor.

The VICE PRESIDENT. The circuitous route is the rules of the Senate. The Senator from Missouri has the floor.

Mr. SYMINGTON. Mr. President, I would yield——

Mr. LAUSCHE. Mr. President, when did the Senator obtain the floor?

The VICE PRESIDENT. About 7 minutes ago.

Mr. SYMINGTON. Mr. President, I yield to the Senator from Minnesota——

Mr. LAUSCHE. What becomes of the——

Mr. SYMINGTON. Mr. President, I demand the regular order.

Mr. LAUSCHE. Mr. President, I call for the regular order.

Mr. SYMINGTON. Mr. President, I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I wish to commend——

Mr. LAUSCHE. Mr. President, regular order. I did not intend to call for the regular order, but since the Senator from Missouri did, I call for it. It is only 12:20 p.m., and the matter under discussion is not germane to the matter before the Senate.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I ask unanimous consent, with the concurrence of the Senate, that the Senator may proceed briefly.

Mr. SYMINGTON. Mr. President, I appreciate the courtesy of the majority leader, but the sale of wheat, food, and fiber of the Nation is pertinent to the discussion of the matter now before the Senate. Therefore, the Senator from Ohio is out of order, and I proceed in order.

Mr. LAUSCHE. The Senator from Missouri is out of order.

Mr. SYMINGTON. Mr. President, that is incorrect. I now yield to the Senator from Minnesota.

Mr. LAUSCHE. Mr. President, I withdraw my objection.

Mr. SYMINGTON. I thank the Senator.

Mr. MONDALE. Mr. President, I commend the distinguished Senator from Missouri for his excellent presentation of the balance-of-payments problem as it relates to American sales of wheat to Russia and other Iron Curtain countries.

In 1963, the late President Kennedy announced his view that such trade was in the national interest. As a part of the procedure toward seeing that there might be more commercial sales, he directed the Secretary of Commerce to study the subject. The Secretary proposed a requirement that 50 percent of the bottoms used to carry commercial cash sales be carried on U.S.-flag ships.

The result was that over the long run this increased the cost of American wheat by between 11 and 14 cents a bushel over the world price, depending on the port. The result was that the price of wheat was increased 11 to 14 cents for American wheat sales. That took place in a market where a difference of a penny can make the difference between making and not making a sale. The result has been that from the initial cash sales in 1963 the United States has virtually been cut out of the market for cash sales. It is difficult to know what our share would have been if we had been permitted to sell wheat to Russia and other Eastern European countries without this commitment, but conservative estimates indicates that it would have been between $100 and $150 million last year, and the same thing this year.

Three weeks ago Canada sold something like $450 million worth of wheat to Russia; more than was produced in the entire State of South Dakota.

The result has been that the requirement that 50 percent of such sales be carried in American ships has not resulted in selling more wheat or producing more jobs, but has bogged us down, to the extent of as much as $150 million worth of beneficial trade, in our efforts to establish a healthy equilibrium in the farm economy of this country.

There are many other disadvantages, but the particular point the Senator from Missouri so eloquently states is one of the most crucial elements of this problem. We cannot continue to run a serious balance shortage, take care of our problems at home, and continue to assume the burdens of leadership in the free world, with all that is involved.

We are saying goodbye to $150 million of Russian gold, gold that they could not use to buy arms, gold that they could not use to manufacture, or shift their subversive activities elsewhere.

We are not hurting the Communists a single bit with our policy, because they are buying their grain elsewhere. We are only hurting ourselves.

Mr. SYMINGTON. Let me say to the able Senator from Minnesota that in recent years Canada alone, the foremost country, relatively as against the other countries we have been talking about, has increased its balance of gold payments $2 billion, just by the sale of products to Iron Curtain countries.

Mr. President, I should like to yield again to the Senator from Minnesota [Mr. MONDALE], the able senior Senator from Oklahoma [Mr. MONRONEY], and the distinguished Senator from South Dakota [Mr. McGOVERN], but first, because of a pressing engagement that I understand some other people as well as my friend from Oregon have, I wish at this point to yield to the Senator from Oregon [Mr. MORSE].

FERNANDO BELAUNDE TERRY—A GREAT DEMOCRAT

Mr. MORSE. I am particularly pleased to make the very brief comments I propose to make while the distinguished Vice President of the United States is presiding over the Senate.

The Vice President, when he was a member of the Senate Foreign Relations Committee, and the senior Senator from Oregon, in his work as chairman of the Senate Subcommittee on Latin American Affairs, came to know very well one of the great democratic statesmen of Latin America, the present President of Peru, Fernando Belaunde Terry.

President Belaunde is an architect by profession. He is not only a builder of great material edifices, but the architect of a great democratic political philosophy in his country. It is my appraisal that President Belaunde is one of the greatest democratic statesmen of all Latin America.

That does not mean that this great statesman of independent mind—as all statesmen are bound to be—agrees with every policy of the United States vis-a-vis relations between the United States and Latin America, but there is no question, in my judgment, that one of the greatest friends we have in Latin America is President Belaunde of Peru.

Recently I ran across a fine statement that President Belaunde, before he became President of Peru, made at a ceremony in the Andean village of Chincheros, up in the high mountain areas of rugged Peru. One needs only read that statement to have all the proof that is necessary to support the tribute I pay him. He is a great democratic statesman of Latin America.

I know the Vice President of the United States shares my approval of this great speech, because this is the ideal. This is the inspiration in support of democracy that we have been trying to develop in Latin America, through that great program known as the Alliance for Progress.

I point out that one needs only consider a few of the paragraphs of this masterful, beautiful, inspiring speech, to know whereof I speak when, on the Senate floor today, in the presence of the Vice President of the United States, I pay tribute to this great democrat of Latin America and great friend of the United States.

The subject of his speech was "The People Built It." That is a speech in itself, Mr. President. When the President of a Latin American country speaks of the participation of the people in developing the affairs and the policies of their country, one knows he is listening to a democrat.

I read from the speech:

THE PEOPLE BUILT IT

Every time I look from some height upon a Peruvian village, I ask the same questions, and I get the same inspiring answer.

As I look at the humble town with its colorful bell tower, I inquire of my guide, "Who built the church?" and the guide replies, "The people built it." Again I ask, "Who built the school?" and he answers, "The people built it."

And following the winding dirt road among the mountains, I ask once more, "Who made this road?" and again, resounding now in my ears like a triumphal march, I hear in these eloquent words the history of all of Peru's yesterdays, its present, and the prophesy of its future, "The people built it."

The people built the road, the church and the schools.

The people raised the terraces and dammed the torrents.

Once there was an earthquake and they recovered their debris and rebuilt their homes.

And when it was required of them they gave their sons to the army, and they suffered the nation's indifference without complaint.

They were denied their ancestral rights of freedom to choose their own leaders and goals. Rulers were imposed upon them. Their properties and income were taken from them. But they could not be deprived of their traditions.

And the people went on building roads, schools, and churches. Because fortunately, though Peru's small villages have been forgotten villages, they have not forgotten their own heritage.

Can we have any doubt as to the statesmanship of this great democratic leader, the President of Peru?

I take these few moments on the floor of the Senate today to pay my tribute to that great leader. We expect much of him. We shall receive great leadership from him.

I highly commend these characteristic gems from his inspiring speech. In him we have not only a builder of great edifices, but we have a builder of democracy. I compliment and commend him.

FOOD AND AGRICULTURAL ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. SYMINGTON. Mr. President, I yield to the able senior Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I compliment the distinguished senior Senator from Missouri on his recent remarks made a short time ago, with reference to the dangerous policy advocated to the effect that we withhold trade on agricultural products, of which we have such a great surplus, and which the rest of the world particularly the countries behind the Iron Curtain would like to buy on normal credit terms. We are looking forward to the day when we can plan the great productivity that we have, and increase our gold reserves, and in doing so withhold that much in gold reserves from the Iron Curtain countries.

To force trade into channels of other nations, I believe, is idiocy. To put a penalty on the movement of agricultural commodities that does not exist on any trade or commodity is dangerous, unfair, and prejudicial to our great American agricultural interests.

I compliment the Senator on his timely speech and the forceful manner in which he had delivered it. I sincerely hope that the Congress will keep in the bill section 703, which provides that no such penalties in shipping arrangements can be made against agricultural products when they are not made against other products of the United States.

Mr. SYMINGTON. Mr. President, I am grateful for the remarks of the able and distinguished senior Senator from Oklahoma. Not only is he a ranking member of the Committee on Commerce, but also he is a student of agriculture. I am sure that his opinions and convictions on this question will have great weight with the Senate.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the able Senator from South Dakota.

Mr. McGOVERN. I join in commending the Senator from Missouri in pointing up so effectively the self-defeating nature of a shipping restriction that makes it impossible for us to make sales for dollars or for gold to the Soviet Union and to other countries in Eastern Europe.

There is no question that unwise restriction has this year and last year cost us at least $100 million, which could have been used to improve our balance-of-payments position. There is no question that sales of that kind would have been of great help to the agricultural economy of the United States. We know that at the present time the Canadian wheat farmers are plowing their fields from fence row to fence row. There is an agricultural boom in progress in Canada that is explained in considerable part because they have been wise enough and have had enough commonsense to recognize that at a time when there is a surplus of wheat and someone else is willing to pay gold for it, it is good business to make an exchange. We have lost the opportunity to move hundreds of millions of bushels of American wheat into markets in Eastern Europe.

Yesterday it was said on the floor of the Senate by the Senator from Connecticut [Mr. DODD] that he regarded the removal of this restriction which would permit our wheat to flow into Eastern Europe as a kind of softening of our opposition to communism. The truth is that the restriction is helping the Communist cause by undermining the United States, by undermining our agricultural economy, and by undermining our balance-of-payments position.

Mr. SYMINGTON. If the Senator will permit me to interrupt, he could not be more correct. I should think that those who are opposed to Communist advancement would recognize the importance of policies which remove gold from their country, which gold otherwise could be used to purchase strategic materials needed to pursue any possible aggression, such as planes, tanks, and ships.

Why can we not follow the lead of such nations as the British, the Australians, and the Canadians? I understand the French are now selling 1 million tons of agriculture products a month. Why can we not adopt also such a policy?

Mr. McGOVERN. Mr. President, yesterday, in his remarks, the Senator from Connecticut tried to draw a parallel between the sale of scrap iron to Japan in the 1930's and our sale of wheat to the countries of eastern Europe today. The one thing which will encourage the Soviets to purchase food instead of scrap iron is to make food available on terms that are competitive. I would think that anyone who is concerned about trying to direct Soviet purchases to peaceful purposes would wish to do everything in his power to enable them to use their gold which might otherwise go for scrap iron and the weapons of war for the purchase of food for their people. That is in our interest as well as theirs.

If the Senator from Missouri will yield further for a moment, I believe it is interesting that the Senate Committee on Agriculture and Forestry reported out a provision calling for an end to the shipping restriction by unanimous vote. Included among those who voted in favor of removing the restriction was the distinguished Senator from Mississippi [Mr. EASTLAND], who is a longtime chairman of the Senate Subcommittee on Internal Security, a person who is, I believe, recognized all over the country as one of the most militantly anti-Communist Members of the Congress.

Certainly he would not lend his name and his influence to a recommendation to remove this requirement unless he thought it were forwarding the interests of the United States and strengthening our security position.

So I believe the points made by the Senator from Missouri are well taken, and I commend him again for his excellent statement on the floor of the Senate.

Mr. SYMINGTON. I thank my able friend from South Dakota. For some years, it has been my conviction that it is wrong to continue policies which, in effect mean we turn our backs on hundreds of millions of people who at various times say they would like to stab us in the back. We should be strong, but we should be willing to reason.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend, the able senior Senator from Kansas.

Mr. CARLSON. I wish to commend the Senator from Missouri for calling to the attention of the Senate the problem to which he addressed himself. He has not only well analyzed the subject, but I think from a practical standpoint, he has pointed out something that should have the consideration of the Senate. We should remove this restriction. We are the only nation on the globe that limits production by legislative action. In other words, we restrain our farmers from producing by congressional enactment, and that action has turned the wheat market of the world over to our strongest competitors—Canada, Australia, and Argentina. It seems to me that in the interest not only of our own people, but also the Nation, the Senator's proposal would do several things.

For example, as the Senator has mentioned, our action would have an effect on our balance of payments position. We refuse to sell for dollars. What we are talking about would not be credit sales. A year ago we made some dollar sales, and we would have made substantially more had it not been for the shipping restriction.

Mr. SYMINGTON. If the Senator will permit an interruption, in my opinion, the reason the German gentlemen referred to were over here before was to indicate they felt it was all right to give countries behind the Iron Curtain credit up to 7 years, but wrong to extend that credit for 15 years.

Our friends and allies of the free world, however, are now extending credit up to 15 years. But because of ideological differences, and despite the opportunities which could come to this country as a result of a real rift in the Iron Curtain, we will not even sell our products for gold.

Mr. CARLSON. The Senator has not only made a factual statement, but one about which the country should know. The country should know the situation which we are facing. I know what I am speaking about when I say that in the recent wheat sale the Soviet Union placed a substantial quantity of gold in England to pay for the wheat they are now receiving. That was for this year's crop from Argentina and other countries. At the same time we refuse to sell it. If we would sell the wheat, we would not only make more favorable our balance-of-payments position, but we would reduce the cost to the taxpayers of our surpluses.

Second, if we permitted the sale of 200 million bushels of wheat by the farmers of our Nation, I think it would mean as much as 20 cents a bushel to the farmers of our Nation. I think we could easily sell that quantity.

Mr. SYMINGTON. I thank the able Senator from Kansas, one of the great authorities on the subject in the Congress.

Mr. YOUNG of North Dakota. I commend the Senator from Missouri for his very able presentation of this problem. Few people realize that wheat is the only commodity singled out for this special treatment. Russia and the satellite countries can get—and they are getting—all the wheat they need from Canada and other countries. Canada is increasing her wheat production. It is not a question of their not being able to obtain wheat.

The United States has a monopoly in soybeans. We are the only major surplus soybean producer in the world. Soybeans are much more useful in making ammunition than wheat, but there is no restriction on soybeans such as applies to wheat and industrial goods.

Mr. SYMINGTON. The distinguished Senator from North Dakota, who knows as much about this subject as any Member of the Senate, could not be more correct.

The farmers of Canada, a nation that spends less than one-half as much per capita for its defenses as does the United States, are farming every piece of ground they can in order to produce wheat to sell for gold.

Mr. YOUNG of North Dakota. I might point out that North Dakota farmers are going to Canada to raise wheat.

Mr. SYMINGTON. That is interesting to know. At the same time that we are getting off on this "kick" about hating people, we are not interested, even, in what is the farm income of the United States and what its impact is on the overall economy.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the Senator from New York. I know that he has studied this proposal carefully.

Mr. JAVITS. I am only a window-box farmer who has a particular interest in this subject. On the question of the balance of payments, on which the Senator and I jousted before, I agree that it is a difficult problem and that we must deal with it. The Senator from Missouri is an accomplished businessman. I have had experience in business, too. I feel that we cannot be so all-fired scared. We do not want the situation to get out of hand; hence I am in accord with the voluntary program. Although I am much against the equalization tax, I think we have a tendency to be so much afraid of it as to want to eliminate it entirely.

Mr. SYMINGTON. The senior Senator from New York and I understand each other. He has some thoughts on balance of payments to which I have listened with great respect.

In this particular case I know he does not mean that he would object to our selling agricultural products of the United States for gold.

Mr. JAVITS. For gold. I voted for that. Not only that, but I voted to sell them on modest credit terms.

As the Senator knows, for a long time I was Chairman of the Economic Committee of the NATO Parliamentarians Conference. One of the major things we have insisted on is an equalization of policy between the United States and other countries in the alliance with respect to selling to the Eastern European Communist bloc.

I feel—and that is what this policy expresses—that if we are not in the act, we cannot have any influence on the policy.

Mr. SYMINGTON. The Senator is correct.

Mr. JAVITS. In other words, if we stand away from it, we cannot expect to have influence upon them. I feel that we have to apply the GATT trade rules in any major expansion of trade with Eastern Europe. On that ground, we should be in the program if we are to have influence. I am sure I agree with the policy the Senator stated.

Leaving aside a discussion of the balance of payments, if we recognize the problem of American merchant marine and grant a subsidy, is it not true that that is a necessary corollary of the policy the Senator recommends? We would be required to pay a subsidy to the American merchant marine, including American seamen. We would say to them, in effect, "We understand it is in the national interest to keep you viable, but this should not destroy the total economics of the United States. We would rather keep you viable and keep American ships going, but without imposing upon the other business of the United States a completely uneconomic mess, that cannot be justified except on subsidy grounds.

Mr. SYMINGTON. The senior Senator from New York has made a wise observation from the standpoint of the overall problems of the economy. There are many other ways in which conditions can be recognized with respect to the problems of those in the maritime union. I do not believe one of them should be penalizing the American farmer, making him noncompetitive in the free market with sales of agricultural products for gold.

Mr. JAVITS. Those of us who vote that way can say to the American seamen that at one and the same time, we are perfectly willing to work out the terms of keeping them viable and afloat, while not destroying the process of American farm policy.

The seaman has a right to have us tell him that, at one and the same time.

Mr. SYMINGTON. I agree with the Senator from New York, and now yield to the Senator from Maryland.

Mr. BREWSTER. I thank the distinguished Senator from Missouri for yielding to me. I commend the Senator for his brilliant analysis of an intricate and complicated problem and also, once again, express my great admiration for his outstanding talent.

Mr. SYMINGTON. The Senator from Maryland is much too kind. Especially from him, because of my respect and admiration, I appreciate what he says.

Mr. BREWSTER. With the Senator's permission, I should like to comment on this general subject.

I have at the desk amendment No. 440, which I propose to call up on Monday next. The amendment would strike section 703 from pages 108 and 109 of the bill. It seems to me that the assumptions which lie behind the thinking that caused the insertion of section 703 in the bill are twofold and erroneous.

First, the proponents of section 703 argue that the restrictions placed on commercial wheat sales represent favoritism toward the American Merchant Marine; second, that shipping restrictions are preventing large sales of wheat to the Soviet Union.

First, the requirement that 50 percent of any wheat sold to Russia be shipped in American ships means an additional freight cost of 11 cents a bushel, because of the higher wages paid American seamen. Yet at the same time that we hear the cries of favoritism because of the 11-cent freight differential, we hear no cries of favoritism about the price differential which the Government now pays.

Mr. SYMINGTON. Mr. President, will the Senator yield back at that point?

Mr. BREWSTER. I yield.

Mr. SYMINGTON. I am not a member of the Committee on Agriculture and Forestry, but respectfully refer to the committee amendment and present to the Senator the fact it provides that greater restrictions should not be applied to agricultural products than other commodities. All the farmer is asking for is reasonable equal opportunity and rights with the manufacturers of this country.

Knowing of the Senator's belief in private enterprise, may I present that we are now talking about a Government regulation with respect to helping a particular union in connection with sales that are private.

The Senator from South Dakota is a member of the Committee on Agriculture and Forestry, so he can develop the point more fully. I supported his amendment on this question.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. McGOVERN. First, I point out, to the Senator from Maryland that this restriction as it operates today is not helping the maritime industry one iota. It is not generating one additional dollar for the U.S. maritime industry. If the Senator from Maryland could show me and other Members of the Senate how this restriction is producing $100 million in business for the U.S. maritime industry, even though it was coming out of the pockets of American wheat farmers, perhaps an argument could be made that at least someone in this country is gaining at the expense of someone else. But the restriction does not work that way, for the simple reason that, because of this restriction, neither the wheat farmer nor the maritime industry has derived one dollar of business from the sale of wheat to the countries of eastern Europe and the Soviet Union.

Thus, while I can understand the Senator's logic in arguing that some kind of subsidy may be in order for the American merchant marine, this is not the way to do it, because this restriction is killing business for the American merchant marine as well as for the farmers. Because of this restriction, there is not one bushel of wheat moving.

Mr. BREWSTER. In answer to my very distinguished and learned colleague, let me argue that the Government-supported price of wheat in this country is 50 cents a bushel higher than the world market price of wheat. Taxpayers pay this 50 cents a bushel, which is five times higher than the freight differential we are discussing.

Mr. McGOVERN. Does not the Senator realize that both in 1964 and 1965 we had a two-price system on wheat? The wheat that goes into export is marketed at world prices. We are going to be dealing with my amendment shortly—which I am sure will be accepted by the Senate, and which has been cleared on both sides of the aisle—which would perpetuate the two-price system and permit wheat to move into export at the world market prices without any subsidy at all. Thus, I believe that if the Senator is concerned about that point, once the wheat amendment we are about to consider has been adopted—assuming that it will be adopted by the Senate—it has already been approved on the House side—the subsidy he is worrying about on the export side will disappear, and I hope that it will lead to a withdrawal of his objection.

Mr. BREWSTER. On that very point, in 1964, the wheat export subsidy totaled $97 million. It seems to me that more favoritism is being shown the wheat exporter than the American merchant marine. If the Russians were forced to pay this price differential of 58 cents a bushel, they would be reluctant to make any purchases.

I invite the attention of Senators to a statement made by Secretary of State Dean Rusk last month, that the Russians have not made any approach to the United States concerning any purchases of wheat.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Maryland yield?

Mr. BREWSTER. I yield.

Mr. YOUNG of North Dakota. Did I correctly hear the Senator say that the export subsidy was 58 cents a bushel?

Mr. BREWSTER. In answer to the Senator's inquiry, I stated that the wheat export subsidy in 1964 amounted to $97 million.

Mr. YOUNG of North Dakota. This was before the present program went into effect, there is practically no export subsidy at the present time; is that not correct?

Mr. BREWSTER. The Senator is correct.

Continuing with my brief presentation. Another misconception which seems to me to be widespread is the notion that 50 percent of the American shipping requirement has impeded huge wheat transactions.

I point out that the Wall Street Journal of last August 30—2 weeks ago—reported that Russia could have purchased wheat more cheaply from the United States, even with the shipping requirements, than from Canada, yet the Soviet Union still purchased 222 million bushels of wheat from Canada in August. The Canadian price was $2.22 a bushel. The American price, including the freight cost of American ships, was $2.03.

Mr. President, to summarize, it seems obvious to me that it is not undue favoritism to require that 50 percent of the wheat sold to Russia be shipped in American ships, and that it is surely not this requirement which is holding up any sales to the Soviet Union.

This being the case, on Monday next, I shall offer an amendment, No. 440, which would strike out section 703 of the bill.

Mr. President, yesterday, each of us received a detailed letter from the president of the AFL–CIO, Mr. George Meany. Mr. Meany wrote to explain the position of organized labor on the shipment of wheat to Russia in foreign bottoms.

A recent issue of the Baltimore Sun published a summary of the contents of the Meany letter in an excellent article on the subject written by Helen Delich Bentley. Mrs. Bentley is one of the recognized experts in this country on maritime matters, and this article is particularly timely to our debate today.

For this reason, and because I believe that every American should understand this problem and have the benefit of Mr. Meany's views, I ask unanimous consent to have Mrs. Bentley's article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEANY EXPLAINS RED GRAIN STAND—AFL–CIO PRESIDENT IN BID TO SET RECORD STRAIGHT

(By Helen Delich Bentley)

WASHINGTON, September 8.—George Meany, AFL–CIO president, today warned the Senate that no ships would be loaded with American wheat for the Communist bloc countries if through "ill-considered action" the lawmakers eliminated the requirements that half of any wheat sold to those nations must move on American bottoms.

In a 10-page document sent to each U.S. Senator, Meany went over the details which led up to the 50-percent provision and then proceeded to elaborate with his own views. He said he wanted to set the record straight.

This was the first public statement by the top labor leader as well as the first detailed statement ever issued by anyone involved with the donnybrook of February 1964, when longshoremen refused to load wheat for Russia because exporting firms were vacillating from the White House pledge to American maritime labor.

WOULD BE TRAGEDY

"It would be a tragedy if that hope of providing a long-range program for the American merchant marine were shattered and the function of the Presidential Maritime Advisory Committee destroyed by ill-considered action by the Senate, under the illusion that the nullification of a constructive understanding will succeed in getting ships loaded with American wheat."

Meany also said:

1. All the discussions concerning grain sales to the Soviet Union now are "hypothetical" as far as the AFL–CIO is concerned.

2. The allegations that the AFL–CIO is blocking consummation of such a sale are false.

3. If President Johnson should decide to make sales to Russia, the AFL–CIO would cooperate if asked to do so "in attempting to work out any reasonable new arrangements which might be necessary to facilitate it."

4. In so doing, the AFL–CIO would argue that the abandonment of the legitimate interests of the American merchant marine and of the public interest in the merchant marine is neither justified nor necessary to accomplish this purpose.

5. Seamen, as well as wheat farmers and the stockholders of Cargill, Inc., and Continental Grain Co., must eat, and it is wholly unnecessary and destructive to attempt to drive a wedge between the interests of farmers and workers, as some now seek to do, to resolve this issue in a manner fair to both.

6. If the freight rate differential is, in fact, the only barrier to a transaction with Russia, and if its consummation is deemed a matter of over-riding national interest, there are various ways in which the problem can be approached which would respect the legitimate interests of all parties and would not entail the betrayal of one vital segment of our economy by another.

7. The freight differential might be absorbed into the export subsidy as some of the costs of rail shipment to U.S. ports now are.

In his concluding remarks, the AFL–CIO chief stated that these and other alternative approaches merit serious consideration and discussion.

Any effort to arbitrarily abolish or negate U.S.-flag protection without putting a better plan or procedure in its place, can lead only to the most harmful consequences, he warned.

READY TO COOPERATE

"The AFL–CIO is ready at any time to cooperate fully in any effort to find a better method of achieving the objective sought by the 50 percent American-flag requirement. We are strongly opposed to any misguided effort to resolve the issue by the arbitrary and ruthless elimination of that requirement."

Meany took the time today to present the full statement to each Senator because of the pressure being applied to the agricultural bill to have an amendment passed thereto that would eliminate the cargo preference requirement on wheat moving to Russia.

There also have been suggestions that if the amendment is not passed on that bill, it will be attached to the legislation that would eliminate section 14(b) (the so-called right-to-work clause) from the Taft-Hartley Act. Organized labor has been waging a strong fight to have 14(b) removed from the law.

In the course of the pressure by agricultural interests to have wheat sold to Russia again, forces on Capitol Hill as well as the press have been blaming the requirement that 50 percent of any such sales move on American-flag ships as the reason the Communists are not buying wheat from this country this year, although they placed a $450 million order with Canada.

"These accounts have invariably misrepresented the position and role of the AFL-CIO and of myself in this matter," Meany stated.

Mr. BREWSTER. Mr. President, in conclusion, I argue that of course we should sell the food and fiber of the United States behind the Iron Curtain to the Soviet Union. It would certainly benefit our balance-of-payments program. All of our so-called allies across the world are making similar sales. It is utter foolishness for us not to sell something that we have in great abundance and in surplus, and which we now hoard at great cost in storage, interest, and spoilage. I also argue that the fourth arm of the U.S. defenses is our U.S. merchant marine, but that our U.S. merchant marine is now the withered arm of the U.S. security forces.

At the end of World War II—and I have made this same speech from this same desk time and again, but I repeat—we were the leading maritime nation in the world.

Today, we are far down the list.

Many small countries have more ships flying their flags than we have ships flying the flag of Uncle Sam. I resent this.

Mr. President, I also invite the attention of the Senate and the country to the fact that most nations require all of the government cargoes owned by their governments to be carried in their ships, when they have the ships.

It makes no sense to me to ship U.S.-owned cargoes in foreign ships under foreign flags, manned by foreign seamen.

As a representative of the second biggest port on the east coast, Baltimore, I believe that it is in the national interest to promote the U.S. merchant marine.

The men we now have in Vietnam, in 9 out of 10 cases, are carried there by ship. They should be carried there by our ships. The travels that many of us took in the 1940's in defense of our country, all over this globe, were made in U.S. ships.

It seems ridiculous to me that we should promote any policy which would be detrimental to the U.S. merchant marine.

Finally, I argue that this is a maritime and a merchant marine question, and that it should be settled in the Committee on Commerce. It is not appropriate to have it included in a farm bill.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Vermont is recognized.

Mr. AIKEN. Mr. President, I believe that perhaps there is some misunderstanding concerning the situation presented by the Senator from Maryland. I commend him for looking after the important interests of his State, but I do not believe that we should let the impression get out that the merchant marine is such a great benefactor of the wheatgrowers of this country. In the first place, the wheatgrower does not have 45 percent of the cost of his farm paid for by the Government.

I am not sure, but I believe that 45 percent of the cost of our merchant ships is paid for by the Government, and has been paid for during the past 25 years, at least since I came to the Senate, but the important point is that on the exports of wheat, under Public Law 480 alone, the merchant marine will receive an estimated $201 million in 1964 and 1965, and that amount is charged to agricultural appropriations.

I do not believe we can say that the merchant marine, particularly when it hamstrings the exports of wheat to foreign countries, is any great benefactor of American agriculture. Furthermore, the $201 million does not include the transportation costs on several hundred million bushels of wheat that was not sold or shipped under Public Law 480.

The United States has been overly generous with the merchant marine of the United States. I recall during World War I, when many of the older ships were sunk by German submarines, largely between here and the Caribbean, that the insurance which the United States paid to the owners in one case was 68 times the value of the particular ship. Other insurance costs were paid accordingly. The United States has been overly generous to the American merchant marine. It has given them enough money so that they should own the establishment. Perhaps we ought to nationalize it. We did nationalize part of the industry once but it did not work so well. The merchant marine of the United States, important as it is, has probably received as large a portion of its income from the U.S. Treasury as has any other industry in this country.

It ill behooves the merchant marine to try to deprive the wheatgrowers of sales to foreign countries. Why are the manufacturers of electric motors not treated in that fashion, or the manufacturers of machinery which is shipped overseas? Why are they not given the same treatment? Why do they discriminate against the wheatgrowers? It is not because they want to wave the flag. It is because they they want the $201 million, and as much more as they can get.

Mr. McGOVERN. Mr. President, before I call up my amendment, I yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of the Senator from South Dakota.

One of the articles that I wanted to have placed in the RECORD on this same subject yesterday is an article from the Denver Post. I do not have it with me at the present time. The article was written by Bill Hosakawa.

The article is based upon a proposal made by the Senator from South Dakota [Mr. McGOVERN] in connection with the fact that we will not be long in food for a very long time. We will be short in food.

We ought to be paying the money into an acceleration of the production of food. We do not have to worry long over the fact that we must get rid of the surplus wheat. That seems to be the purport of many of the comments made today. If this were to happen, I suspect, on the basis of the population increase on a worldwide basis, perhaps we would not have some of the problems which we are faced with today.

In answer to the Senator from Vermont, for whom I have vast respect, let me say that I am now serving on the Subcommittee on the Merchant Marine. I am well aware of the amount of money that we provide to the merchant marine for the promotion of the American merchant marine. It makes very little sense to me to have the U.S. taxpayers put money into that program, and then say, at the same time, that we will ship all the Government-supported surplus commodities in foreign ships.

It seems to me that if we are to try to promote the American merchant marine—which I hope we shall do, and which we have been trying to do—we should continue with some kind of consistency to try to give it the kind of cargo that it can carry. That is the purpose of the 50-percent limitation.

I have a great deal of difficulty in understanding why this is the wrong approach.

There is more than this involved. I have stated—and I made a speech on the same subject on the floor yesterday—that if we are to trade with the Communist countries—and I am talking about the governments of those countries and not the people in them—we should persuade the governments of those countries to give us some concessions before we ease off whatever shortages they have by providing them with their necessary supplies.

I can see no point in sending American boys all over the world to try to fight Communist aggression, wherever it may be, in the Dominican Republic or in South Vietnam. I can see no point in providing troops to protect Berlin against all the people who try to press in and take over Berlin and West Germany.

There is no point in doing that on a worldwide basis and then saying that we will provide the very countries which create the problem with the necessary resources so that they can continue their struggle against us. That does not make sense to me.

So far as our allies are concerned, they are selling to those countries. We know that they are selling and that they are selling for gold and making a great deal of money. I am positive that that is true. However, while they are doing that, we are taking a good many of their irons out of the fire and providing protection for them.

I believe that it is up to us to take the lead in bringing about a change of policy. That is what the Senator from Connecticut [Mr. DODD] and I were talking about yesterday on the floor. The question is important, and that it should be even more widely debated than is now the case.

I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I have listened to the statement of the Senator from Colorado. I agree with him. Before we ship wheat to other countries, we should require concessions from them. The Senator from Colorado, as an expert in the field of banking, must know that one of the greatest concessions which they could give us at this time would be gold.

Mr. DOMINICK. Mr. President, I appreciate the comments of the Senator.

Mr. AIKEN. When they are willing to pay for wheat with gold, I would call that a very interesting concession.

I point out one other concession that the United States has made to the U.S. merchant marine, and that is that for 62 years it has been privileged to use the Panama Canal at the same rate it started to pay in 1903.

There are rumblings now that the merchant marine is very much concerned over the possibility of a new canal, which would perhaps increase the toll charges.

I believe that we have given them great concessions since 1938, when, I believe, that unfortunate Merchant Marine Act was passed. They have been virtually dependent on Government money ever since. I do not think that ought to be the case. I believe that they ought to stand on their own feet, or, should I say, the ships should sit on their own bottoms? I do not know what the proper term is.

I agree that it is desirable to have a good American merchant marine. However, in utilizing the merchant marine, there should be no discrimination against agricultural commodities, and particularly wheat.

Mr. DOMINICK. Mr. President, I have vast respect for the knowledge and experience of the Senator from Vermont. I hesitate to disagree with him at any time on these points. However, I should point out for the sake of the Record that I believe at no time has Russia or any other country ever given us any gold for wheat. So far as I know, they have never made any suggestion that they would. This, it seems to me, would be arguing something that we hope will happen, but has not happened.

Mr. AIKEN. Gold has been transferred to other points in exchange for dollars with which we were paid.

Mr. DOMINICK. I understand that there have been sales of Russian gold on the London gold market.

Mr. AIKEN. We do not get it first hand. But I am sure that the Senator from Colorado will agree that good silver dollars would be as good as gold.

Mr. DOMINICK. If we had them, I would be very happy. We do not have them any more.

I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I could better understand the position of the Senator if he included all other farm commodities, particularly soybeans. The United States is the only surplus soybean producer in the world. We have a monopoly on the surplus of this crop. We could easily starve Russia and her satellites out of soybeans; and soybeans are much more useful in many types of munitions than is wheat. We cannot stop Russia from getting all the wheat she wants. Canada is increasing its production. She could produce all that Russia wants.

So we are not accomplishing what the Senator from Colorado is suggesting. I think there would be more merit in his suggestion if he were to include all farm commodities.

Mr. DOMINICK. There may be some benefit coming from this suggestion. Yesterday the distinguished Senator from Connecticut [Mr. Dodd] at least brought forth a new type of proposal as to how we might be able to settle the problem so far as the United States, Canada, Australia, and Argentina are concerned. That was to permit a pool, with an agreed-on policy as to where the wheat is to go.

Mr. CARLSON. Mr. President, if the Senator will yield, in regard to the sale of wheat to the Soviet Union and the Eastern bloc countries, we made a sale a year ago. Every bushel was paid for in dollars 24 hours afterward. I am opposed to selling on long terms of 7 or 15 years. Canada insists on getting gold. It gets either gold or Canadian dollars. The money is sent to London to pay for the shipment. I do not see why we should not insist on cash sales for commodities.

Mr. DOMINICK. I appreciate the comments of the Senator. He and I have discussed this matter privately and publicly. It does not strike me as making sense for us to sell to potential enemies when, at the same time we are strengthening their economies, we must provide more armaments for struggles all over the world in order to contain the very nations we are strengthening by supplying commodities to them.

Mr. McGOVERN. Mr. President, I wish to make one brief reply to the statement made by the Senator from Colorado, to clarify the Record. Everyone ought to understand that the proposal to remove the 50-percent shipping requirement on commercial sales has nothing to do with the Cargo Preference Act, under which 50 percent of the agricultural commodities that move under Public Law 480 must move in American ships. No one here has been proposing the abolition of that part of the law. It is under that law that the great bulk of our export wheat now moves. There is no attempt to remove that requirement, under which 50 percent of the commodities must be carried in American ships.

That in itself is a great concession to the American merchant marine. They appreciate that very deeply. They do not want that historic concession to be disturbed. No one is proposing that it be disturbed. All we are saying is that we do not want to apply to commercial sales of wheat a restriction that has never been applied in the past to wheat or any other commodity, and that does not apply to anything other than this important food crop. I think it is a very modest amendment. It would not hurt the American merchant marine in any way. It would not cost one dollar's worth of business, for the simple reason that we are not doing any business as long as this restriction is in effect.

Mr. DOMINICK. I appreciate the Senator's effort to make that crystal clear. I am in disagreement with him. In 1961 we had in the Agricultural Act a sense of the Congress that no surplus commodities should be distributed or sold to Communist countries. Now in the short space of 4 years we are to have a sense-of-Congress provision which takes away at least one limitation on such sales, if it does no more than that. It seems to me that we are going as rapidly as we can into reverse so far as trade and aid are concerned while we are accelerating forward so far as helping Communist aggression all over the world is concerned.

AMENDMENT NO. 437

Mr. McGOVERN. Mr. President, I wish to call up my amendment No. 437 and ask to have it stated. Then I shall be happy to yield.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The legislative clerk proceeded to read the amendment.

Mr. McGOVERN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. McGovern is as follows:

On page 64, line 12, after the period, add the following: "Whenever a wheat marketing allocation program is in effect for any marketing year the Secretary shall determine (1) the wheat marketing allocation for such year which shall be the amount of wheat he estimates will be used during such year for food products for consumption in the United States, and (2) the national allocation percentage for such year which shall be the percentage which the national marketing allocation is of the amount of the national marketing quota for wheat that would be determined for such marketing year if a national marketing quota for such year had been proclaimed less the expected production on the acreage allotments for farms which will not be in compliance with the requirements of the program. Each farm shall receive a wheat marketing allocation for such marketing year equal to the number of bushels obtained by multiplying the number of acres in the farm acreage allotment for wheat by the projected farm yield, and multiplying the resulting number of bushels by the national allocation percentage."

On page 68, strike out lines 10 through 17, and substitute the following:

"(1) (a) price support for wheat accompanied by domestic certificates shall be at 100 per centum of the parity price or as near thereto as the Secretary determines practicable, but in no event less than $2.50 per bushel, (b) price support for wheat not accompanied by marketing certificates shall be at such level, not in excess of the parity price therefor, as the Secretary determines appropriate taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, and the level at which price support is made available for feed grains."

On page 68, beginning with line 18, strike out down through line 21 on page 69 and substitute the following:

"(2) In establishing the levels of price support pursuant to paragraph (1) and in establishing the rates of diversion payments for diverting acreage under subsection (a) of section 339, the objective shall be to assure a total amount of returns to producers, including any proceeds from export marketing certificates, at a level not less than $1.90 per bushel."

On page 67, beginning with line 9, strike out down through line 4 on page 68 and substitute the following:

"(f) Section 379e of such Act is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this Act, Commodity Credit Corporation shall sell marketing certificates for the marketing years for the 1966 through the 1969 wheat crops to persons engaged in the processing of food products at the face value thereof less any amount by which price support for wheat accompanied by domestic marketing certificates exceeds $2 per bushel; except that if the Secretary determines that the average price of bread in the United States has increased following enactment of the Food and Agriculture Act of 1965 and prior to the beginning of such marketing year, the Secretary may increase such price to an amount not exceeding the face value of such certificates. The exception contained in the preceding sentence shall not be applicable to the marketing year for the 1966 crop.' "

On page 72, after line 25, insert the following:

"(2) Amendment (13) of section 202 is amended by striking out 'only with respect to the crop planted for harvest in the calendar year 1965' and substituting 'with respect to the crops planted for harvest in the calendar years 1965 through 1969'."

On page 65, strike out lines 12 through 23.

On page 72, beginning on line 24 after the semicolon, strike out down through line 25.

On page 63, lines 8 to 10, strike out "by striking out 'not accompanied by marketing certificates,' and substituting 'under section 107(1) of the Agricultural Act of 1949,' and (3)".

On page 75, between lines 16 and 17, insert the following:

"Section 379d(b) is amended by striking out the second sentence and substituting the following: 'The cost of the export marketing certificates per bushel to the exporter shall be that amount determined by the Secretary on a daily basis which would make United States wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States.'

"Section 379c(a) is amended by striking out everything in the next to the last sentence after 'United States' and substituting the following: 'The Secretary shall also provide for the issuance of export marketing certificates to eligible producers at the end of the marketing year on a pro rata basis. For such purposes, the value per bushel of export marketing certificates shall be an average of the total net proceeds from the sale of export marketing certificates during the marketing year after deducting the total amount of wheat export subsidies paid to exporters.'

"Section 379c(c) is amended by striking out 'and the face value per bushel of export certificates shall be the amount by which the level of price support for wheat accompanied by export certificates exceeds the level of price support for noncertificate wheat.' "

Mr. McGOVERN. Mr. President, I yield to the Senator from Ohio [Mr. Lausche].

SECTION 14(b) OF THE TAFT-HARTLEY ACT

Mr. LAUSCHE. Mr. President, a few days ago there was sent to my home a letter from the International Typographical Union, addressed to me. I want to read the letter because I want all Ohioans to know the attitude reflected by the statements made in this communication. It reads:

Sir: Your attention is directed to a brief address, quoted below, made by President Elmer Brown, of the International Typographical Union to the delegates in attendance at the 107th convention of the ITU held in Washington, D.C., August 14–20, 1965:

"It has been called to my attention by some of the delegates who have been visiting U.S. Senators from their various States, that there seems to be a tendency on the part of some of the Senators, who are allegedly our friends, to sit on the proposed amendment to the Taft-Hartley law which would eliminate section 14(b). These alleged friends are under great pressure, undoubtedly, but we should not let them forget that we of the labor movement put them in office.

"I think at this time we should state at this convention that those Members of the U.S. Senate who were elected on the ticket with President Johnson on a platform to repeal 14(b) will either discharge their obligation or we shall mass our forces and discharge them at the next election. I think the delegates from this convention should express themselves in no uncertain terms to the Senators, who are now weakening, that we shall not only express our feelings here, but we shall express them also at our local union meetings and the entire labor movement if necessary. The ITU will take part in mobilizing delegations that will make the civil rights demonstrations look like Sunday school picnics.

"Our patience is about exhausted with being doublecrossed and the Senators ought to know that they cannot doublecross the labor movement again and get away with it.

"It should be obvious that they are trying to prevent the adoption of the bill to repeal 14(b) by their stalling tactics. It would be even more difficult for its passage at the next session of Congress. So, I would say to these U.S. Senators, on behalf of the members of the International Typographical Union, that we are not going to tolerate their dilly-dallying tactics. We expect them to discharge their obligations to the labor movement. We expect them to keep their promises or we will have to do our best to keep them out of office."

That is the end of the statement made by the president of the International Typographical Union.

Mr. President, this letter is an insult to the intelligence and the honor of the U.S. Congress.

The men who made that statement and those who approve it look upon the Members of the Senate as groveling, abject slaves to the commands of what these men tell them to do. If I had any question about my position on this matter, it was resolved when I read this statement.

Am I to lie face down on the floor, abjectly, and there bow as a slave to the commands of these men? I owe a duty to speak in accordance with the promptings of my thinking and my soul. If I do otherwise, I lie to myself, I lie to the public, and I lie to God. That I do not propose to do.

The letter implies that we are cowards. It can mean nothing else. It means they expect with the threat that they will defeat us at the next election, that we will abandon our honest judgment.

I will not do it, and I want the people of my State to know exactly the methods that are used to bring into line those Senators who may feel differently than these men feel who made this statement. I will exercise my mind and my conscience, and vote accordingly. The man who made this statement will not think for me nor speak for me nor act for me.

Mr. AIKEN. Will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. AIKEN. I appreciate the Senator's having read that letter, because I received one almost exactly like it from a prominent industrialist this morning.

Mr. LAUSCHE. It is just as bad, regardless of whom it comes from.

Mr. AIKEN. If the Senator from Ohio can find out some way to vote against both categories who write that kind of letter, I wish he would confide in me how to do it.

Mr. LAUSCHE. Mr. President, I weighed whether I should make this statement on the floor of the Senate, whether I should reveal the context of this letter.

I decided that failure to do so would be an injustice to me, an injustice to the Senate, and an injustice to the people of Ohio.

Mr. AIKEN. I think the Senator has performed a service by reading the letter.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade; to afford greater economic opportunity in rural areas, and for other purposes.

Mr. McGOVERN. Mr. President, I yield to the Senator from Maryland.

Mr. BREWSTER. I thank the Senator for yielding, and ask him a question.

Returning to section 703 of the farm bill, we all agree that the 50–50 requirement on wheat sales is not a part of the Cargo Preference Act, it is a result of a regulation promulgated by President Kennedy some years ago. All section 703 does is to state what the sense of Congress is.

Why is it necessary, in an agricultural bill, to go into maritime policy, particularly when the policy is by virtue of a Presidential directive that can be changed by the Chief Executive should he choose to change it, and not a policy that has been established by us as part of the Cargo Preference Act?

Mr. McGOVERN. In reply to the Senator's inquiry, he is quite correct that the restriction was the result of an administrative ruling by the late President Kennedy, and not of an act of Congress.

But as the Senator will recall, before President Kennedy made that judgment, he consulted rather widely with Members of the Congress, and it was to a great extent, I think, on the basis of those consultations that he decided to lay down this shipping restriction as a means of removing some of the objections to the Russian wheat sales.

It now becomes clear, after 2 years of experience under the restriction, that as a matter of fact it killed any opportunity for additional sales. It has been a dismal failure, and has had the effect of simply canceling out the judgment that the President reached at an earlier day, a judgment that was shared by President Johnson, that it was in the national interest to make these sales.

So it seems to me that it is now perfectly proper for the Committee on Agriculture and Forestry, which has primary responsibility in the Senate for matters affecting the welfare of our agricultural producers, to express the view of our committee—and it was a unanimous view—that the shipping restriction is working great harm to the farm producers of this country.

All section 703 of the pending bill does is express the sense of the Congress that there should not be any discriminatory provision applied against agricultural commodities when it comes to shipment to the Soviet Union, but that they ought to be treated the same as industrial commodities or any other items which move in international trade.

Mr. BREWSTER. Does not my wise and learned colleague agree that the President of the United States could change the present policy without any action on the part of the Congress with reference to the issue?

Mr. McGOVERN. I certainly agree that the President has that authority.

Technically, the Secretary of Commerce administers the regulation that was placed in effect on these shipments. This might be a good place in the discussion for me to call attention to a letter which I recently received from the Secretary of Commerce, in which he advises me that he regards the regulation as harmful to farmers, as harmful to our balance of payments, and as of no benefit whatsoever to U.S. shipowners or to maritime labor.

I shall read into the RECORD Secretary Connor's words. I am sure the Senator from Maryland will be interested. Presumably the Secretary of Commerce would not speak if he did not have the authority to speak for the administration point of view.

This is what he says:

> I appreciate your concern with this matter and I agree with your analysis that the present situation is highly unsatisfactory and seems to offer no advantages to anyone.
>
> The farmers and grain dealers are not getting business they might otherwise have; the longshoremen are not getting workloading cargo they might otherwise have; the seafaring employees are not benefiting because no wheat sales are being made and, therefore, no wheat is being transported on U.S.-flag vessels; and, of course, the United States loses an opportunity to improve its balance-of-payments position.

So the administration not only has the authority to remove the restriction, but, if we can take the word of the Secretary of Commerce, at least a part of the administration has already decided that it is not in our interest to continue that restriction.

I was interested in a communication that came to Members of the Senate from Mr. George Meany, the President of the AFL–CIO, in which he says that the key maritime unions never really demanded such a requirement. It comes as something of a new interpretation to me, but Mr. Meany adds that neither did labor leaders institute any boycott of shipments, except when it appeared that the grain traders who had received an export subsidy covering excess shipping costs, attempted, on the ground that no suitable U.S. ships were available, to ship a part of the wheat which was supposed to go in U.S. bottoms in cheaper foreign vessels.

It was only at that point, according to Mr. Meany's communication, that the maritime unions threatened to boycott the loading of vessels.

This would have meant that the traders would gain the amount of the freight differential since they had sold wheat to Russia at a fixed price and had already been given the U.S. export subsidy commitment.

Mr. Meany writes:

> Contrary to recent press accounts, I placed no terms or conditions of any kind upon the cooperation and support of the AFL–CIO in this matter. The dispute which caused the cessation of loading grain ships arose as a result of the successful efforts of the grain dealers to further reduce the participation of American vessels by securing waivers of the 50 percent shipping requirement through various contrivances which disqualified American vessels * * * the use of foreign vessels in this instance did not reduce the price paid by the Soviet Union for the grain. The net effect of the substitution of foreign vessels was to increase the proceeds of the sale to the dealers * * * The protest action of the maritime unions was directed entirely at these private corporations who, for reasons of their own profit, were undermining and nullifying the policy and assurances of the President of the United States.

I do not personally know all the facts in this situation, but these statements indicate that there is a possibility of settling this impasse.

At least, as far as Mr. Meany is concerned, he seems to be saying that labor leaders are willing to sit down and talk about a possible basis for removing this restriction. He went so far as to say that the restriction was never imposed at the insistence of labor leaders. If that is true, and the maritime leaders do not demand a shipping restriction but are chiefly concerned with the possibility of a windfall to the grain traders, it ought not to be difficult to insure against such windfalls in the future. The firms which handle international sales have assured me repeatedly that they do not seek any such windfall. They are not asking for any special concession.

So if the grain traders are not asking for the restriction, and if the labor leaders are now indicating that they have no real interest in maintaining it, and we have the statement of the Secretary of Commerce, Mr. Connor, that he thinks the restriction is a mistake, it seems to me that we ought to be coming pretty close to the day when we will see that restriction removed.

In view of these developments in regard to the administration's and labor's position, and the pending Foreign Relations Committee study of the propriety of shipping restrictions in relation to our treaty obligations as well as the legality of the restriction under our own laws, I now feel that another effort at settlement by the administration should be made. If these statements can be taken at face value, agreement should be possible without legislative actions by the Congress.

If these possibilities do not work out, there will still be time for the Senate to express its views on the matter.

I should like to believe that the Senator from Maryland is correct in saying that we may not have to take legislative action to bring about that result, and that it may be done by direction of the administration.

A resolution which the Senator from Missouri (Mr. SYMINGTON) submitted on my behalf last Thursday has been referred to the Committee on Foreign Relations, with the request that that committee immediately look into the question of whether or not the shipping restriction is in fact a violation of our treaties with some 30 countries. I have no doubt that when the committee pursues that subject, it will come to the conclusion that the restriction is, in fact, a violation of treaties, and that is one more very important reason why it ought to be removed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. I agree with the Senator from Maryland. The question of the shipment of wheat should not be the subject of proposed legislation. By a stroke of his pen, the President could take care of the whole situation. I would like to see him do so.

On the other hand, action taken in that respect could conceivably determine the position of Congress on the repeal of section 14(b) of the Taft-Hartley law. I am sure some people would like to have it continue in order to wield a little influence in that direction. But the President could easily take care of the situation if he would.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from Maryland.

Mr. BREWSTER. The distinguished Senator from South Dakota has accurately quoted the statement of Mr. George Meany. I have the entire statement in my hand. So that Senators may have the benefit of the full text, I ask unanimous consent that Mr. Meany's statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, ON THE MATTER OF WHEAT SHIPMENTS TO THE SOVIET UNION

During the past 2 weeks, a number of accounts have appeared in the press, purporting to describe the circumstances surrounding the adoption of the requirement that at least 50 percent of all wheat sold to the Soviet Union must be shipped on American vessels, where available.

These accounts have invariably misrepresented the position and role of the AFL–CIO and of myself in this matter. They seem to have relied upon speculation or biased second- or third-hand reports, for none of the reporters or columnists under whose bylines these stories have appeared have bothered to inquire as to the facts or to check the accuracy of their statements concerning the AFL–CIO position with the AFL–CIO itself.

In view of the current effort by some Members of the Senate to cast the AFL–CIO in a "dog in the manger" role and to arbitrarily revoke the application of the flag preference principle, I believe it is important to set the record straight.

As regards the original application of this principle to Soviet wheat sales, the facts are these:

1. I made no demand or request of any kind upon President Kennedy in connection with this transaction. Prior to the consummation and announcement of the wheat sale, President Kennedy did inquire as to my views on the advisability of selling wheat to the Soviet Union. I advised him that I would favor such a step, because of (a) the humanitarian aspect of wheat as a foodstuff, and (b) the value of such a transaction in dramatizing the superior performance of the American system in meeting human needs, as against the Soviet system. Contrary to recent press accounts, I placed no terms or conditions of any kind upon the cooperation and support of the AFL–CIO in this matter.

As a matter of fact, in April of 1962, I had publicly urged that the United States give foodstuffs to the peoples of Iron Curtain countries, contending that "hunger knows no politics."

2. At a press conference in October of 1963, President Kennedy made the first public announcement of the Soviet wheat sale, at which time he stated that all of the wheat would be shipped on American vessels, if available. It is my impression that this decision was motivated in large part by the desire to realize maximum value to all segments of the American economy from the transaction.

A Labor Department representative did confer with officials of the International Longshoremen's Association at that time and received a commitment of full cooperation on this basis, despite the historic reluctance of east coast longshoremen to handle goods consigned to or originating in Communist nations.

3. Subsequently, upon the representations of the Commerce and Agriculture Departments, it was deemed not feasible to carry out the objective of using American vessels for the entire shipment. The provision governing the use of American vessels was thereupon reduced to not less than 50 percent, where available, and this provision was contained in President Kennedy's Executive order.

4. The maritime and longshore unions did not protest this reduction. The dispute which caused the cessation of loading of grain ships arose as a result of the successful efforts of the grain dealers (Continental Grain Co., and Cargill, Inc.) to further reduce the participation of American vessels by securing waivers of the 50-percent requirement through various contrivances which disqualified American vessels, which were in fact ready and able to carry the cargo, and substituting foreign-flag vessels on grounds that no U.S.-flag vessels were "available."

The use of foreign-flag vessels in this instance did not reduce the price paid by the Soviet Union for the grain. The transaction was consummated on the basis of a fixed price for the wheat delivered at Soviet ports. The net effect of the substitution of foreign-flag vessels was to increase the proceeds of the sale to the dealers.

The protest action by the maritime unions was directed entirely at these private corporations who, for reasons of their own profit, were engaged in undermining and nullifying the policy and assurances of the President of the United States. A prime example of the devices employed by these companies and their agents in engaging vessels for this trade was the disqualification of large-capacity, deep-draft ships, although these ships were the most efficient and lowest cost bulk carriers under the American flag. Subsequent investigation clearly showed that the grounds advanced for excluding such ships were spurious and that their use was entirely feasible. They were in fact used to complete the wheat shipments following the settlement of the dispute.

5. I entered this controversy only after being requested to do so by President Johnson, in February of 1964. In cooperation with Secretary of Labor Wirtz, I then interceded with the maritime and longshore unions in the effort to find a fair and reasonable basis for ending the dispute. A considerable amount of persuasion was necessary to induce these autonomous organizations, concerned with a problem vitally affecting the welfare of their own industry and membership, to abandon the course of direct action and to resume work on this cargo on a basis which, to a very large extent, left the future disposition and resolution of the grain shipment problem to the good faith and sense of justice of public officials.

The circumstances and basis of settlement were fully and favorably reported at the time and are matters of public record. The CONGRESSIONAL RECORD, volume 110, part 3, page 3529, contains a full and complete exposition of the matter by Vice President (then Senator) HUBERT HUMPHREY. The relevant excerpt of the CONGRESSIONAL RECORD is attached. It includes the remarks of Senator McGOVERN, in an exchange with Senator HUMPHREY, which indicated his complete approval, at that time.

6. It is important to note that the understanding which led to the resumption of wheat shipments to the Soviet Union in 1964 set forth an orderly method for the continuing review of governmental policy concerning cargo preference, flag quotas and maritime policy generally, including any future changes in Government policy relating to U.S.-flag participation in the shipment of wheat to the Soviet Union. For this purpose, a Maritime Advisory Committee, composed of Government officials, representatives of maritime labor, the shipping industry, and the public at large, was established by the President. This Committee is functioning and has submitted a number of recommendtions on maritime issues which are currently under consideration by the administration.

This Committee was intended to create a channel through which the problems of maritime labor and management might be presented to the appropriate officials of government, with the public interest fully represented. It was hoped that this would provide an orderly and constructive alternative to the method of direct economic action, which the maritime unions have too often found the only effective way to attract attention and gain consideration of the very serious problems affecting the livelihoods of their members. The maritime unions and the AFL–CIO have, to date, participated cooperatively in the work of the Committee in that spirit and with that hope and intention. It would be a tragedy if that hope were shattered and the function of the Committee destroyed by ill-considered action by the Senate, under the illusion that the nullification of a constructive understanding will succeed in getting ships loaded with American wheat.

As regards charges by certain Senators that the AFL–CIO is now blocking the consummation of hypothetical grain sale to the Soviet Union, the allegations are false. Contrary to reports that have appeared in some press accounts, the AFL–CIO was not responsible for the removal of language in the administration farm bill which would have nullified a flag quota on wheat shipments. I know of no such language and do not believe that there ever was such language since it would not be necessary to accomplish the purpose if the administration saw fit to do so. The AFL–CIO was not, at any time, consulted in the drafting of the farm bill and did not see it, or any part of it, until its introduction in Congress.

If there is any current desire on the part of the Soviet Union to purchase wheat from the United States on any terms I am not aware of it. I have not discussed the prospect with President Johnson or any other officials of the administration nor have my views as to the desirability of such a transaction at this time been sought.

If my views as to the desirability of a wheat sale to the Soviet Union should be sought, they would be the same as those which I expressed to President Kennedy in 1963. If the President should decide that it is in the best interests of the United States to pursue such a course, the AFL–CIO would support that decision, and we would cooperate, if asked to do so, in attempting to work out any reasonable new arrangements which might be necessary to facilitate it.

In so doing, however, we would argue that the abandonment of the legitimate interests of the American merchant marine and of the public interest in the merchant marine is neither justified nor necessary to accomplish this objective.

Seamen, as well as wheat farmers and the stockholders of Cargill and Continental Grain Co.'s must eat, and it is wholly unnecessary and destructive to attempt to drive a wedge between the interests of farmers and workers, as some now seek to do, to resolve this issue in a manner fair to both. Seamen face the same problem in competition in a cheap world market, when standards are below American levels, as wheat farmers do. Both American ships and healthy American farms are essential to the welfare of the Nation, and neither American farmers nor American sailors should be expected to reduce themselves to Hong Kong standards.

The American labor movement has long supported every effort to bring income parity and a better way of life to those who seek a livelihood in agriculture.

The AFL–CIO has continuously supported substantial Federal outlays to raise farm income through the price-supporting loan program, stockpiling and subsidized agricultural commodity sales. In addition, we have aided passage of Federal programs to expand farm credit, help farm cooperatives, conserve the soil, accelerate rural electrification, insure crops against damage, and other measures to improve rural education, health, and housing. We have never complained of the cost, though workers, including merchant seamen, bear a full share of the tax burden.

Taxpayer-supported aid to wheatgrowers, to assure them a fair price for their product and profitable sales at home and abroad, has been substantial.

We have supported subsidies to assure wheat price maintenance through the Government loan mechanism. We have supported the various Government subsidies which seek to increase wheat consumption both at home and abroad. We have supported the taxpayer-financed direct wheat export subsidy which is necessary to bring wheat export prices down to the world market level because other subsidized programs have succeeded in keeping the domestic wheat price up.

According to the Department of Agriculture, the total costs of operating U.S. Government wheat-related support activities in fiscal 1964 exceeded $1.8 billion.

The export subsidy to commercial wheat exporters is made necessary by the gap between the lower world market wheat price (at which American exporters must sell) and the higher supported U.S. domestic price (at which they must buy). This subsidy also includes cost factors involved in transporting the wheat to U.S. ports of exit. In fiscal 1964, the wheat export subsidy totaled $97 million.

To describe the sale of wheat to the Soviet Union, therefore, as a purely private "commercial" transaction is highly inaccurate and misleading.

I am informed that the Soviet Union paid $140,200,000 to Continental Grain and Cargill, the two exporting companies that handled the 1963–64 wheat transaction. This was the price paid for delivery at Soviet ports and included the cost of partial delivery on American ships. The direct U.S. tax-supported export subsidy on the sale was equal to 31 percent of the delivered price, or about $43 million. This does not include, of course, the pro rata indirect cost of other U.S. subsidies involved in supporting the price and sale of U.S. wheat.

This export subsidy was equal to about 66 cents on each of the 63 million bushels sold. By way of contrast the additional cost of transporting part of this wheat on American ships averaged out to less than 8 cents per bushel for the total shipment.

In face of the generous outlays by all of the American people in behalf of the welfare of wheatgrowers and exporters, continued consideration of the welfare of American maritime workers and of our national security also would seem valid under a Government-subsidized and sponsored wheat export program.

It is the view of the AFL–CIO that, if the Federal Government finds that a wheat sale to the Soviet Union is possible and desirable, the mutual problems and needs of both wheatgrowers and maritime workers can be accommodated. If the freight rate differential is, in fact, the only barrier to such a transaction, and if its consummation is deemed a matter of overriding national interest, there are various ways in which the problem can be approached which would respect the legitimate interests of all parties and would not entail the betrayal of one vital segment of our economy by another.

The freight differential might be absorbed into the export subsidy as some of the costs of rail shipment to U.S. ports now are. The administration now has before it a proposal from the Maritime Advisory Committee, supported by the unions, for a change in the maritime subsidy program which would enable bulk carriers to compete at or near world market freight rates so as to reduce or eliminate any added cost to exporters or to the farm program where American vessels are used, whether in a shipment to the Soviet Union or in the Public Law 480 program.

These and other alternative approaches merit serious consideration and discussion. Any effort to arbitrarily abolish or negate U.S.-flag protection, without putting a better plan or procedure in its place, can lead only to the most harmful consequences.

The AFL–CIO is ready at any time to cooperate fully in any effort to find a better method of achieving the objective sought by the 50-percent American-flag requirement. We are strongly opposed to any misguided effort to resolve the issue by the arbitrary and ruthless elimination of that requirement.

Mr. BREWSTER. I should like to make one closing comment, and I hope a concise one. I am in complete agreement with the position that we should sell our food and fiber anywhere to improve our balance-of-payments situation. I also vigorously support the position that we should protect the U.S. merchant marine.

I thank the Senator for yielding to me.

Mr. McGOVERN. Mr. President, I return now to the amendment to the agricultural bill which relates to the subject of wheat.

Mr. COOPER. Mr. President, is the Senator now leaving the debate on the question of the restrictions imposed by the Secretary of Commerce?

Mr. McGOVERN. Yes.

Mr. COOPER. Before the Senator does so, will he yield to me for a question?

Mr. McGOVERN. I yield.

Mr. COOPER. I supported the amendment offered by the distinguished Senator from South Dakota in the committee. Today, while listening to the Senator from Colorado, I thought that a question was brought into the debate which does not bear specifically upon the amendment. As I understand, the Secretary of Commerce licenses private trade to make commercial sales of wheat or other agricultural products to Russia or to other Communist countries.

Mr. McGOVERN. The Senator is entirely correct.

Mr. COOPER. The purpose of the Senator's amendment is to provide that in the event the Secretary of Commerce issues licenses to the private trade for commercial sales of wheat or other agricultural products, he shall not impose on those private commercial sales a condition which is not imposed on other commercial sales.

Mr. McGOVERN. That is exactly correct. As the Senator from Kentucky knows, there is no shipping restriction of any kind on the sale of many industrial commodities. All the amendment would do is to ask that agricultural commodities be treated in the same way.

Mr. COOPER. Mr. President, will the Senator yield further?

Mr. McGOVERN. I am happy to yield.

Mr. COOPER. I heard the distinguished Senator from Colorado speak a few moments ago. I also read in the RECORD the speech of the distinguished Senator from Connecticut yesterday. It seems to me that there has been raised a question of policy as to whether the United States should make sales of wheat or agricultural products to Russia or Communist countries. I believe that is a separate question. Though there is a relationship, it is a separate question.

When the question first came before the Senate in 1963, when it was first proposed to make commercial sales of wheat to Russia, I opposed that initial sale and upon the following grounds:

While I know there is no law which forbids the sale of wheat or other agricultural products to Russia or to what are termed nonfriendly countries, it has been the policy of the United States, as expressed in a number of acts, particularly acts relating to agriculture, and a policy which has been adhered to, that such sales should not be made.

The argument which I made in 1963—and I believe that I was the first one to speak on the subject on the floor of the Senate—was to the effect that because such sales involved a measurable change in policy, the question ought to be submitted to the Congress by the President as a change of policy, and considered by the Foreign Relations Committee and by other affected committees, so that there would be an expression of either approval or disapproval by the Congress as to this change of policy.

I think it is still a major question, and I believe if it represents a continuing and permanent change in our policy, it should be so stated by the President of the United States and should be debated in the Congress and before the people.

That was my position then; it is my position now. That being a question of policy, I hold with the Senator that export of agricultural products should be treated in the same way as are the commercial sales of all other products.

Mr. McGOVERN. I thank the Senator from Kentucky.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I wish to propound a unanimous-consent request, which I believe has been cleared with all interested parties.

I ask unanimous consent that beginning at the conclusion of the prayer on Monday next, that there be a time limitation of 2 hours on each amendment, 1 hour to be controlled by the proposer of the amendment, and the other hour to be controlled by the chairman of the committee, the distinguished Senator from Louisiana [Mr. ELLENDER], or whomever he may designate, and that there be 4 hours on the bill.

The PRESIDING OFFICER. Is the time on the bill to be divided?

Mr. MANSFIELD. It is to be divided equally between the majority and minority leaders or whomever they may designate.

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. Mr. President, reserving the right to object, would the majority leader agree to make the time on the bill 6 hours?

Mr. MANSFIELD. If the Senator wishes.

Mr. ELLENDER. Not that the 6 hours would be used, but as to some amendments additional time may be necessary.

Mr. MANSFIELD. That will be satisfactory.

Mr. President, I change the request to 6 hours on the bill.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. So that the debate will not extend into Tuesday, if that can be avoided, I thought there ought to be a condition that debate on an amendment should be germane to the amendment, because if extraneous subjects were brought up, I do not know when we would be through.

Mr. MANSFIELD. That is a reasonable suggestion. The agreement should provide for the usual germaneness of amendments and we should remind all Senators that the existing rules of the Senate provide for germaneness of debate during the first 3 hours of debate.

Mr. ELLENDER. I have no objection to that.

Mr. AIKEN. Mr. President, I should like to have one thing understood. I am thinking of the so-called dairy amendment, sponsored by Senators PROXMIRE, MAGNUSON, and FULBRIGHT. I should like to make certain that there will be enough time to clarify the meaning of their amendment and its effect, before I agree to the unanimous-consent proposal.

Mr. DIRKSEN. Mr. President, that is a reasonable suggestion. Six hours under the bill should be enough. I should be glad to yield time for that purpose, because I want to have the proposal clarified. I am receiving opposing views on this subject and would like to know where truth and equity lie.

Mr. AIKEN. The entry of the foremost advocate of oleo in the Senate [Mr. FULBRIGHT] into the matter of how to run a dairy program prompts me to feel that perhaps it may take a little longer time to get a full clarification. I do not understand how the oleo people happen to be undertaking to decide what is good for the dairymen and the butter producers. I notice the Senator from Wisconsin in the Chamber. The Senator from Washington is not in the Chamber. I hope they will be prepared to explain how it is that the oleo people are willing to be so helpful in arranging programs for the butter manufacturers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. AIKEN. I would like to have an answer to that one question.

Mr. McNAMARA. I have no intention to object, but since Senators are making claims for time, I should like to have about 30 minutes to explain the "50-50" shipping item in the bill. The Great Lakes and the St. Lawrence Seaway are having very bad results under this arrangement.

Mr. MANSFIELD. The Senator will have the time.

Mr. JAVITS. Mr. President, I did not hear the conditions.

Mr. MANSFIELD. There would be 6 hours on the bill.

Mr. JAVITS. Something was said about germaneness.

Mr. MANSFIELD. The amendments that are offered will be germane. We will stick to a discussion of the bill and any germane amendments.

Mr. JAVITS. I do not feel free to go along with that condition. I am in agreement with the leadership, but I do not believe germaneness should be a condition. I believe the proposal as to time is satisfactory. I do not believe there should be included a condition that has never been included before.

Mr. MANSFIELD. The idea was to keep out extraneous subjects, so that we would finish action on the bill in time. The provision is for germaneness of amendments, which I might add is the usual provision in our unanimous consent agreements. The rules of the Senate require germaneness of debate for the first 3 hours of debate and our proposed request is not intended to modify that provision.

Mr. JAVITS. As to germaneness of the amendments I did not want some new condition about germaneness included in the consent agreement, as was just stated.

Mr. MANSFIELD. No.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and the request is agreed to.

Mr. MANSFIELD. This does not mean there may not be votes this afternoon, because amendments will be considered having to do with the subject of wheat, the use of American shipping on a 50-50 basis, and other matters. So I should like the Senate to be on notice.

Mr. DIRKSEN. Will the distinguished majority leader yield?

Mr. MANSFIELD. Gladly.

Mr. DIRKSEN. I suggested to the majority leader this morning that two Members of the Senate will be honored tonight by the American Political Science Association. It is a little affair that starts reasonably early. I expressed the hope there would be no rollcalls after, let us say, 5 o'clock in the afternoon.

Mr. MANSFIELD. Very likely there will be none, but we cannot give any ironclad guarantees.

Mr. ELLENDER. Some amendments may be considered as to which a record vote will not be necessary.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. I hope we may have votes on as many amendments as can be considered this afternoon, especially amendments to which there is no objection.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. I hope we may dispose of as much of the bill as to which there is no serious objection, as possible.

Mr. MANSFIELD. We are in agreement.

Mr. MANSFIELD subsequently said: Mr. President, complementing the unanimous-consent request which the Senate granted this afternoon, I wish to make a further stipulation to the effect that on the dairy amendment, if and when it is offered, there be a time allocation of 1 hour, the time to be divided equally between the proposer of the amendment and the senior Senator from Vermont [Mr. AIKEN], the ranking minority member of the Committee on Agriculture and Forestry.

Mr. AIKEN. I see no reason why the proponents of the dairy amendment could not explain its purpose and probable effect in half an hour, if they can do so at all. I assume that if 30 minutes does not give them enough time to think up the answers to the questions which I shall ask, we would then be able to take time on the bill itself before a vote is taken on the amendment.

I expect to ask for a yea-and-nay vote on the amendment.

Mr. MANSFIELD. The Senator may rest assured that he will have all the time he needs on the bill in discussing that amendment.

Mr. AIKEN. I believe the proponents of the amendment can state their case in one-half hour, if they can do it at all.

The PRESIDING OFFICER. Without objection, the unanimous-consent agreement is amended as stated.

The unanimous-consent agreement, as modified, and as reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday September 13, 1965, after the prayer, during the further consideration of the bill H.R. 9811, an act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, to afford greater economic opportunity in rural areas, and for other purposes (except the so-called dairy amendment, if offered, on which debate shall be limited to 1 hour to be equally divided and controlled by the mover and the Senator from Vermont [Mr. AIKEN]) debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Louisiana [Mr. ELLENDER]: *Provided*, That in the event the Senator from Louisiana is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final pasage of the said bill debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

Mr. McGOVERN. Mr. President, turning now to the wheat section of the bill, I wish to express my appreciation to the distinguished chairman of the Committee on Agriculture and Forestry and to all the other members of that committee for the careful consideration that was given to the important problems of our wheat producers.

During the years that I have been privileged to serve in Congress, I cannot recall any time when any committee went more carefully into an important subject than our committee did with reference to the problems of wheat.

The amendment that I am offering this afternoon is an important one. It changes the wheat section of the bill in certain respects, yet all the efforts with regard to this proposed amendment are designed to accomplish the objectives on which our committee agreed.

I wish to pay particular respect to the senior Senator from North Dakota [Mr. YOUNG] for the special leadership he provided in our committee on behalf of all wheat producers.

The amendment now pending has been cleared with the Senator from North Dakota. He wishes to suggest certain changes at a later time to further improve the amendment, but the basic outline of the proposal has been cleared and met with the approval of the Senator from North Dakota, with the chairman of the committee, and with Senators on both sides of the aisle.

I would like to think of this amendment as one that is more in the nature of a perfecting proposal rather than one that changes radically the bill as it emerged from committee.

The wheat title in the proposed amendment sets forth the objective of assuring producers not less than $1.90 a bushel for their output. This was the objective the Senator from North Dakota incorporated in the bill as it left the committee. My proposal is that the Senate accept this objective.

I digress for a moment to say that there are two or three little perfecting changes. On page 3 it is proposed to strike out the words on line 6, "The objective shall be to" and substitute in lieu thereof "the Secretary shall". There are also two changes on pages 4 and 5 that do not change the substance of the bill in any way.

Mr. President, I ask unanimous consent that the perfecting changes in the amendment be accepted.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. McGOVERN. Mr. President, the modifications in the amendment now pending before the Senate are presented to strengthen the means of assuring achievement of the income goals as spelled out in the committee bill. To make sure that the income objective is reached, it might be well, in my opinion, to put into the hands of the administrator of the program—the Secretary of Agriculture—all the tools and methods that may be useful in strengthening farm income and contributing to the efficient operation of the program.

We know that our wheat producers currently receive income from the market, which is affected by the price support loan, and from the loan itself, from both domestic and export marketing certificates, and from diversion payments. There is a mix of those various tools which make up the income our wheat farmers receive. Each source of that income is important and may be important in the future. Sometimes it is difficult to project ahead as to which one is the most valuable, or the exact combination in which they should be used, but it is my view that every one of those tools should be made available to the Secretary of Agriculture to achieve the income goals spelled out by the committee in the pending bill.

Thus, my first proposal is to modify the wheat provisions of the bill so as to permit the issuance of domestic and export marketing certificates to producers.

As the bill now stands, direct payments to producers are permitted, but certificates are not. The certificate program is now rather widely accepted, I believe. It is operating well enough so that its use in the future could very well be authorized, particularly in view of the need for variable export certificates, which I shall describe next.

These variable export certificates are the subject of the second modification in the proposed amendment.

The Senate bill provides that the wheat loan rate will be set at about the world price. However, it is often difficult to determine the world price and to maintain the proper relationship between domestic and world prices without excessive export subsidies. It is also difficult to set the value of export market certificates at one level for a whole year without encountering some undesirable results.

At present, export certificates have a fixed value—30 cents. Exporters buy them at that price regardless of the U.S. market price of wheat, regardless of the export price, and regardless of the amount of the export subsidy.

If it turns out that the exporters pay the Government more for export certificates than the Government pays out in the form of export certificates issued to producers and export subsidies to exporters, then the Government is making money on the export operation and has no way to return it directly to producers.

This shortcoming could be corrected merely by providing a variable export certificate which presents no real problem in administration. Under that formula, any profit made by the Government on the export of wheat would be available to help to carry out the income objectives of this proposed legislation; namely, to provide farmers with a blend price of $1.90 on our wheat output.

The value of the certificate would be determined each day. It would be the difference between the world price and the U.S. price. Exporters would buy the certificates to cover their operations, when the U.S. price is lower than the world price and would receive refunds when the U.S. price is higher than the world price. The Government would operate a certificate pool, and any money in the pool at the end of the year would be paid to producers on a pro rata basis.

Thus, any profit made by the Government on exports of wheat would be available to help carry out the income objective of this legislation.

Under the present certificate program, exports are moving well. In the first 2 months of this marketing year, dollar sales of wheat for export were nearly four times the amount sold for export in the same period a year ago. Export subsidies after deduction of the 30-cent certificate value are currently ranging from a net of 24 cents down to a minus 4 cents, depending on the class of wheat and the port. The point is that our wheat is being priced competitively with the aid of certificates, and our wheat is moving out to world markets with relatively little subsidy from the U.S. Treasury. This strengthens our negotiating position with other countries, which of course are always critical export competition heavily backed by subsidies of the United States Treasury. We would do well to keep the present program method available to help us move wheat and to help us maintain the wheat farmer's income. Without this modification to the wheat section of the bill, all export wheat would be supported by payments out of the Treasury along with wheat for domestic use, and this type of operation leads to difficulties in our trade negotiations and other relations with friendly countries. The variable export certificates would improve our ability to compete for world markets within trading rules that are acceptable to all competing countries.

My third and final suggestion, as incorporated in the pending amendment, is to safeguard the farmer's opportunity to substitute acreages of wheat and feed grains freely in the wheat and feed grain programs. The substitution provision is very popular among farmers because it enables them to use their land for the crops to which it is best adapted and which seem to offer the best chance for profit. A wheat farmer who does not do very well with corn can plant wheat on the acres that are eligible for corn in the feed grain program. And the corngrower who has little use for wheat can plant corn on acres allotted to wheat in the wheat program.

This substitution or interchange can take place only when the wheat and feed grain programs are kept in proper relationships. The price support loan rates for wheat and feed grains must be closely related. Otherwise, the corngrower will have to grow wheat that he does not care to grow, and the wheat producer will have to produce corn or grain sorghum. We can keep the substitution opportunity open by instructing the administration, as this amendment does—in setting wheat loan rates—to take into consideration the world price of wheat and the relative feeding value of wheat. That amendment, in other words, would protect the feed value of wheat, which is important to our wheat producers and to the agricultural economy. The amendment I offer would insert language to this effect and thus make it clear that Congress wishes to maintain the legislative basis for the substitution provision.

Mr. President, with the few modifications to which I have referred, together with those which may be submitted by the Senator from North Dakota [Mr. YOUNG], we believe that the income objectives of the pending legislation can be achieved. The Secretary of Agriculture will have a full kit of tools and methods in order to adapt the program to changing conditions over the 4-year life of the act. The Nation will have the benefit of a wheat program which carries out a definite income objective, while permitting our abundant wheat supplies to go into use both at home and abroad—not into expensive, dead storage.

The proposal on wheat which I have suggested will add $400 million in income to our wheat producers for each of the next 4 years. It guarantees 100 percent of parity on domestic wheat sales.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from South Dakota yield?

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. McGOVERN. I am happy to yield.

Mr. YOUNG of North Dakota. First, I wish to thank my friend, the Senator from South Dakota, for his kind comments in reference to my work on this wheat legislation. I am happy to point out that it was the Senator from South Dakota who was the author of the present voluntary wheat certificate legislation, after the defeat of the compulsory wheat program in the producer referendum some 2 years ago.

I believe that the amendments which the Senator from South Dakota is offering are satisfactory. In some respects, they will make the program more complicated, but I understand that the Department of Agriculture feels that most, if not all, of these changes are necessary, and I am willing to accept them.

There is one point, however, that is most important, which I should like to have clarified.

I am sure that the Senator from South Dakota agrees that the most important part of the wheat section is that which provides for a guaranteed minimum price support of $1.90 a bushel.

The bill which came from the committee, and it was my amendment, reads, on page 68, line 18, as follows:

> Additional price support for wheat shall be made available through payments in such amount as (1) will bring the total amount of price support made available under this section up to a level not in excess of 100 per centum of the parity price for wheat and not less than $1.90 per bushel.

The language which came from the Department of Agriculture, and which language I believe the Department is pressing, seems to change this in a very important way. It reads, on page 3, under section 2, of the amendment as follows:

> In establishing the level of price support pursuant to paragraph (1) and in establishing the rates of diversion payments for diverting acreage under subsection (a) of section 339, the objective shall be to assure a total amount of returns to producers, including any proceeds from export marketing certificates, at a level not less than $1.90 per bushel.

I believe that the amendment is wrong in that it includes all producer returns. That could mean that premiums a farmer might receive for high quality wheat when sold on a cash market would be included in this computation.

It would establish a very complicated and unacceptable procedure. I do not believe that this was the intent of the committee. I am sure that it is not the intent of the Senator from South Dakota.

I have some language to suggest which will cover this. This has been prepared by the Agriculture Committee staff. It may be subject to some technical changes. However, I believe that it would accomplish what we want to do. The language reads:

> The level of price support pursuant to paragraph (1)(a) multiplied by the number of bushels for which domestic marketing certificates are issued to producers, plus the level of price support pursuant to paragraph (1)(b) multiplied by the number of bushels of wheat for which domestic marketing certificates are not issued, plus diversion payments for diverting acreage under subsection (a) of section 339, plus the proceeds from export marketing certificates shall, when averaged over the projected yield of the national average allotment, be not less than $1.90 per bushel.

While it may be subject to some technical changes, this is what we need, I believe, to accomplish what we set out to do in the committee.

Mr. McGOVERN. Mr. President, the Senator from North Dakota is truly an expert in this field of wheat legislation. He is a wheat farmer himself.

As I understand the language the Senator has just read, it would firm up and spell out in greater detail exactly what we are trying to accomplish in this legislation. As the Senator states, it is intended to assure the farmers of full parity on their domestic production so that when blended with the export wheat, we would end with a total blend price of not less than $1.90 a bushel.

I believe that the language which the Senator from North Dakota has proposed makes good sense and that it should be incorporated in my amendment.

Mr. YOUNG of North Dakota. Does the Senator from South Dakota accept this language?

Mr. McGOVERN. Mr. President, I modify my amendment to incorporate the language suggested by the Senator from North Dakota.

I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I appreciate very much the kindness of the distinguished Senator from South Dakota in accepting the language submitted by the Senator from North Dakota [Mr. YOUNG].

I believe that this language clarifies the amendment. I believe that both Senators are probably trying to accomplish the same purpose.

The language that has been submitted would definitely assure the $1.90 a bushel price for wheat, regardless of protein content or any of the other items that enter into the cost on the farm.

The Senator from North Dakota had a good point. If we must analyze every phase that enters into the cost, it would be such a complicated piece of legislation that it would not be operative.

This is a very worthy suggestion. I appreciate very much the acceptance by the Senator from South Dakota of this modification to his amendments. I believe it will be most helpful.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. YOUNG of North Dakota. Mr. President, the sole objective of the modification is to assure the farmer a minimum blended price support of $1.90 a bushel.

Mr. McGOVERN. Mr. President, I appreciate the efforts of the Senator to make sure that that language is contained in the bill. It is comforting to have the words of reassurance from the Senator from Kansas [Mr. CARLSON].

Mr. President, I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, the section entailed a great deal of discussion. It was discussed pro and con for some time. The committee desired more or less to guarantee to the wheat farmers a minimum sum a bushel.

It will be recalled that the administration sent up wheat provisions under which the consumer would have paid a larger part of the cost of this program. There was such opposition in the House to raising the cost to the consumer that the House amended the administration bill to keep the amount paid by the consumer at the same level as in the past.

The objective of the House was to attain a blended support price of at least $1.81 a bushel. Pursuant to that objective, I suggested a method to attain that goal. The Senator from North Dakota had a different proposal that would increase that goal from $1.81 to $1.90. The committee considered this proposal at length and finally agreed to it. There was no opposition.

As I understand the amendment that is now being proposed, the same goal that is provided for in the bill would be attained through a different method without any further cost to the Government. The blend price will not be less than $1.90. We are trying to reach the same goal for the producer of wheat. The only difference is in the method of attainment.

I understand that one of the amendments which has been added would provide for obtaining a part of the $1.90 a bushel through diversion payments on the diversion required as a result of reducing the national acreage allotment below 55 million acres.

Mr. McGOVERN. The Senator is correct.

Mr. ELLENDER. That is really the essential difference between the two plans. As I understand the situation, the program more or less would retain and maintain the certificate program which was worked on a few years ago, but by counting the diversion payments just mentioned and returns from a variable export certificate, as well as the support price, is designed to give the producer a blended return of $1.90 per bushel.

Mr. McGOVERN. The Senator is correct.

Mr. ELLENDER. As I understand, the amendment, as modified, changes the wheat provisions of the bill to provide for:

First. The issuance of domestic marketing certificates to producers.

Second. Price support for wheat accompanied by domestic marketing certificates at as near parity as practicable, but not less than $2.50 per bushel.

Third. Price support for noncertificate wheat at a level not more than parity, determined after consideration of competitive world prices of wheat, feed value in relation to feed grains and the feed grain price support level.

Fourth. A total return to producers of not less than $1.90 per bushel from first, support prices; second, payments on the diversion required as a result of reducing the allotment below 55 million acres; and third, proceeds from a new type of export marketing certificate.

Fifth. An export marketing certificate which would be sold to exporters at an amount determined on a daily basis which would make U.S. wheat and flour competitive without disrupting world prices.

Sixth. Issuance of export marketing certificates to producers at the end of the marketing year on a pro rata basis. The value of such certificates would be based on the total amount received from exporters less the total amount of wheat export subsidies paid to exporters.

The maximum cost of certificates to processors would, as in the committee bill, be not more than the difference between the loan level and $2 for 1966, with discretionary authority in the Secretary to increase it up to the difference between the loan level and parity in subsequent years if bread prices rose.

The amendment also strikes out the provision in the committee bill which would have permitted the Secretary to suspend the requirement that processors acquire certificates.

Mr. McGOVERN. The Senator is correct.

Mr. ELLENDER. Mr. President, as chairman of the committee, I had a full discussion on the matter before the committee and went into every phase of these payments. I have no objection to agreeing to the amendment.

Mr. McGOVERN. Again I express appreciation to the chairman of the committee for his consideration throughout the hearings, not only on the wheat section, but on other complex sections of the legislation. No one could have possibly been more thoughtful and considerate toward the other members of the committee than was our chairman, the Senator from Louisiana [Mr. Ellender]. So I very much appreciate his support of the proposed amendment.

Mr. President, if there are no further comments, I move the adoption of the amendment of the Senator from South Dakota [Mr. McGovern], as modified.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 437), as modified, was agreed to, as follows:

On page 64, line 12, after the period, add the following: "Whenever a wheat marketing allocation program is in effect for any marketing year the Secretary shall determine (1) the wheat marketing allocation for such year which shall be the amount of wheat he estimates will be used during such year for food products for consumption in the United States, and (2) the national allocation percentage for such year which shall be the percentage which the national marketing allocation is of the amount of the national marketing quota for wheat that would be determined for such marketing year if a national marketing quota for such year had been proclaimed less the expected production on the acreage allotments for farms which will not be in compliance with the requirements of the program. Each farm shall receive a wheat marketing allocation for such marketing year equal to the number of bushels obtained by multiplying the number of acres in the farm acreage allotment for wheat by the projected farm yield, and multiplying the resulting number of bushels by the national allocation percentage."

On page 68, strike out lines 10 through 17, and substitute the following:

"(1) (a) price support for wheat accompanied by domestic certificates shall be at 100 per centum of the parity price or as near thereto as the Secretary determines practicable, but in no event less than $2.50 per bushel, (b) price support for wheat not accompanied by marketing certificates shall be at such level, not in excess of the parity price therefor, as the Secretary determines appropriate taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, and the level at which price support is made available for feed grains."

On page 68, beginning with line 18, strike out down through line 21 on page 69 and substitute the following:

"(2) The level of price support pursuant to paragraph (1) (a) multiplied by the number of bushels for which domestic marketing certificates are issued to producers, plus the level of price support pursuant to paragraph (1) (b) multiplied by the number of bushels of wheat for which domestic marketing certificates are not issued, plus diversion payments for diverting acreage under subsection (a) of section 339, plus the proceeds from export marketing certificates shall, when averaged over the projected yield of the national acreage allotment, be not less than $1.90 per bushel."

On page 67, beginning with line 9, strike out down through line 4 on page 68 and substitute the following:

"(f) Section 379e of such Act is amended by adding at the end thereof the following: 'Notwithstanding any other provision of this Act, Commodity Credit Corportion shall sell marketing certificates for the marketing years for the 1966 through the 1969 wheat crops to persons engaged in the processing of food products at the face value thereof less any amount by which price support for wheat accompanied by domestic marketing certificates exceeds $2 per bushel; except that if the Secretary determines that the average price of bread in the United States has increased following enactment of the Food and Agriculture Act of 1965 and prior to the beginning of such marketing year, the Secretary may increase such price to an amount not exceeding the face value of such certificates. The exception contained in the preceding sentence shall not be applicable to the marketing year for the 1966 crop.' "

On page 72, after line 25, insert the following:

"(2) Amendment (13) of section 202 is amended by striking out 'only with respect to the crop planted for harvest in the calendar year 1965' and substituting 'with respect to the crops planted for harvest in the calendar years 1965 through 1969'."

On page 65, strike out lines 12 through 23.

On page 72, beginning on line 24 change the semicolon to a period, and strike out down through line 25.

On page 63, lines 8 to 10, strike out "by striking out 'not accompanied by marketing certificates,' and substituting 'under section 107(1) of the Agricultural Act of 1949,' and (3)".

On page 75, between lines 16 and 17, insert the following:

"Section 379d(b) is amended by striking out the second sentence and substituting the following: 'The cost of the export marketing certificates per bushel to the exporter shall be that amount determined by the Secretary on a daily basis which would make United States wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States.'

"Section 379c(a) is amended by striking out everything in the next to the last sentence beginning with the words 'United States' and substituting the following: 'United States. The Secretary shall also provide for the issuance of export marketing certificates to eligible producers at the end of the marketing year on a pro rata basis. For such purposes, the value per bushel of export marketing certificates shall be an average of the total net proceeds from the sale of export marketing certificates during the marketing year after deducting the total amount of wheat export subsidies paid to exporters.'

"Section 379c(c) is amended by striking out 'and the face value per bushel of export certificates shall be the amount by which the level of price support for wheat accompanied by export certificates exceeds the level of price support for noncertificate wheat.' "

Mr. YOUNG of North Dakota. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, in the Washington Daily News of Thursday, September 9, 1965, there appeared an article written by Mr. John Herling, commenting on what is known as section 703 of the Food and Agriculture Act as recommended by the Committee on Agriculture and Forestry, which sets forth certain figures on the cost of wheat, designed to indicate that the U.S. 50-percent shipping requirement is not a factor in the sale of American wheat. I was surprised to read these figures, because I had never heard them before. I checked them carefully with the U.S. Department of Agriculture, agricultural service, and find on proper analysis, that they prove the point of those of us who have charged that this restriction prevents the sale of American wheat rather than improves it.

I ask unanimous consent that the article by Mr. Herling, together with my analysis with respect to it, be printed in the Record at this point.

There being no objection, the article and analysis were ordered to be printed in the Record, as follows:

Soviet Wheat Rhubarb

(By John Herling)

A great storm has been whipped up in the Wheat Belt over the alleged bullheadedness of the American maritime unions on the subject of wheat shipments to the Soviet Union.

According to some farm State Senators, notably Senators George McGovern, Democrat, of South Dakota, and Walter Mondale, Democrat, of Minnesota, more than a quarter billion bushels could be sold to the Soviet Union were it not for the blocking tactics of the American labor movement.

It appears that the American unions insist on sticking to the agreement brought about in 1963 by President Kennedy and nailed down under President Johnson. This calls for the export of U.S. wheat on a 50–50 shipment basis: at least half to go in U.S. ships and the rest in foreign-flag ships.

Because of the superior wage scales and employment conditions on U.S. ships, U.S. shipping costs are higher than those charged by foreign-flag ships. While U.S. unions would be ready to ship wheat abroad, they believe that it should not be done at the expense of hard-won U.S. living and working standards. They also maintain that shipment of more than 50 percent grain in foreign-flag ships could prove another blow to the diminishing U.S. maritime industry.

In the meantime Senators McGovern and Mondale have introduced an amendment to the farm bill which calls for the relaxation of the foreign-flag restrictions as applied to wheat shipments.

Union spokesmen express puzzlement not so much about the concern of farm State Senators for their constituents which they regard as natural—but about the nature of the attack on the labor position.

First of all, say the AFL–CIO spokesmen, the issue here is not the sale of wheat but the size of the profit which the Continental and the Cargill grain companies want to make on the export deal. Already the Russians have bought from Canada for $2.21 a bushel the same quality of grain which the exporters can buy in Galveston for $1.74. With an export subsidy of 50 cents a bushel, this brings the cost down to $1.24. At this point a series of charges are added: 3 cents a bushel for loading, 54 cents a bushel for U.S.-flag ships and 30 cents for an export certificate—which brings the export price up to $2.11 a bushel, as compared with the $2.21 paid by the U.S.S.R. for Canadian wheat. Even if all the wheat were shipped in U.S. vessels, the wheat exporters would still be making a good profit. If the wheat is shipped 50–50 between foreign-flag ships and U.S. ships, under the Kennedy-Johnson agreement, the wheat exporters would be making a handsome $41 million profit. But if the agreement were scrapped and the wheat were shipped in foreign-flag ships alone, the export companies would harvest a $60 million profit.

At the same time, the AFL–CIO spokesmen declare the unions are not arbitrary or inflexible on the whole issue. But so far, they say—contrary to the impression created by a spate of stories on the subject—neither President Johnson, Vice President HUMPHREY, Commerce Secretary Connor, Labor Secretary Wirtz, Agriculture Secretary Freeman, or even the Senators involved, have talked to AFL–CIO President George Meany. Nor, says the AFL–CIO, has any proposition been placed before the Maritime Advisory Committee, which was set up in 1964 to handle such problems, following a similar crisis on wheat shipments.

ANALYSIS

In yesterday's Washington Daily News, a column by John Herling puts forward the dubious thesis that the American bottoms requirement is not preventing wheat sales to Russia at all. The author quotes some figures which, he argues, show that even if all our grain were shipped in American vessels to Russia, our wheat exporters could still make a sizable profit at existing prices.

Unfortunately, the figures Herling uses are simply inaccurate. He quotes the price of $2.21 a bushel paid by the Russians for wheat they bought in Canada, and argues that, using U.S.-flag ships, we could sell wheat abroad for $2.11 a bushel. Unfortunately, he apparently does not realize that the $2.21 price he uses for Canadian wheat is really a price in Canadian dollars. At the August 12 exchange rate of 92.78, this would translate to a price of roughly $2.06 in U.S. dollars. This means that the relevant comparison is between $2.06 a bushel for Canadian wheat, and $2.11 a bushel for American wheat in American bottoms.

Mr. Herling's article also demonstrates some other unfortunate misunderstandings. He writes as though the issue concerns all of American wheat shipments abroad, or all of American cash wheat sales. In fact, no one is questioning the 50-percent bottoms requirement for Public Law 480 grain sales, and there has never been a 50-percent restriction on commercial sales to countries other than those in the Soviet bloc.

I think it is important to get the real facts here. The latest Foreign Agricultural Service figures estimate that the No. 3 Manitoba wheat sold by Canada to the Russians has a delivered price, at Odessa, of $76.82 a metric ton. The comparable American grade is No. 1 Heavy Northern Spring, 15-percent protein. This wheat, on September 1, 1965, had a delivered price, at Odessa, of $79.12 a ton, when sent 50 percent in American bottoms.

Latest Department of Agriculture estimates indicate that the extra cost per ton of sending wheat in 50 percent American bottoms is about $3.

If we subtract this from the present delivered price of American wheat to Odessa, $79.12, we can conclude that, if it were not for the American bottoms requirement, we could supply wheat to the Russians at Odessa for $76.12, about 70 cents less than the Russians are paying the Canadians for equivalent wheat.

It seems to be alleged in Mr. Herling's article that the high present American price—$79.12 a ton delivered at Odessa in 50 percent American bottoms—includes excessive profits for the American wheat export companies, and that they could afford to provide wheat at much lower cost. I do not believe there is very much substance to this argument. Wheat exporting is a very competitive business, and this fact tends to drive profits down. According to exports in the Grain Division of the Foreign Agricultural Service, a profit of $1 per ton is a very good one on such large scale sales, and such sales are often made on profits very much smaller than this, even less than 25 cents a ton.

Thus any claim that the difference between the present delivered prices of comparable American and Canadian wheat—roughly $2.30 a ton—is due to profit margins of wheat exporters simply does not make very much sense.

Mr. McNAMARA. Mr. President, much has been said today—both for and against the requirement that 50 percent of the wheat shipments authorized under this act must go in American bottoms. What concerns me is the fact that little if anything has been said concerning the obligations of the American merchant marine.

A substantial number of our shipping lines receive Government operating subsidies—the purpose being to enable the American flags with their higher operating costs to compete with the foreign flag lines. The theory behind such a program is excellent. However, the actual experience is much more sobering.

The experiences which I have in mind relate specifically to the Great Lakes and the St. Lawrence Seaway, and may be unique to this area.

However, as this Great Lakes area comprises the heartland of American manufacturing and farming, as well as being one of the largest taxpaying areas of our country, I firmly believe that it is entitled to fair and equal treatment, especially by those shipping lines receiving Government operating subsidies. The opposite, I am sad to say, is true.

The St. Lawrence Seaway owes much of its remarkable progress thus far to the efforts of the foreign-flag shipping lines who have been primarily responsible for the development of this fourth seacoast.

It seems that the American-flag lines, knowing they automatically must receive 100 percent of military cargoes and 50 percent of all other cargoes shipped under Government programs, are satisfied to wait and, therefore, force the cargoes to come to them at tidewater ports of their choosing. Many of these lines, I might add, are subsidized.

In theory, it should be cheaper to ship directly to Europe from the Great Lakes area where products are manufactured rather than transport those products overland to tidewater ports and then ship them to Europe.

But because the American-flag lines have jacked up the Great Lakes to Europe freight rates so high on cargoes with military potential, direct shipments from Great Lakes ports to European destinations have been virtually eliminated.

As I said earlier, the Federal Government pays subsidies to U.S.-flag lines to enable them to compete with foreign-flag lines. But in the case of the Great Lakes this purpose has not been realized.

For example, on military-type items being shipped to Europe, the ocean rates from tidewater ports for all lines, foreign and domestic, and the foreign-flag lines rates from the Great Lakes to Europe, are almost identical.

But American-flag line rates from the lake ports to Europe, despite the Federal subsidy, are 65 percent higher than via foreign-flag ships. This same situation generally holds true for most other cargoes originating in the Great Lakes area.

Under the law, 100 percent of military cargoes must be shipped in American bottoms. However, military cargoes shipped from Great Lakes ports have dropped from a high of 151,000 measurement tons in 1962 to an estimated low this year of only 45,000 measurement tons.

What is the reason for this?

Well, when it comes time to ship these military products manufactured in the Great Lakes area, as required by law in American bottoms, American ships mysteriously just are not available at Great Lakes ports. And so the cargoes must be transported overland, at greater cost, to tidewater ports, where American line ships are available to carry them.

However, in this instance, the Defense Department must share an equal portion of the blame.

For example, in 1964, 89.5 percent of all military cargoes carried on ships chartered by the Defense Department came from the Great Lakes area, but were actually shipped via tidewater ports.

This action is contrary to a study made by the Defense Department in 1961 in which the use of controlled ships was recommended to take advantage of the lower landed costs via lake ports.

Whatever the outcome of the vote on section 703, I firmly believe that serious consideration should be given by the Senate toward taking whatever action it deems necessary to insure that the Government is getting a fair and just return for its subsidy dollar.

This should include, I believe, a study into the current method of subsidy payments. Further, it should result in the development of a method whereby all areas of the country would share in the benefits of the American-flag line subsidies, for which we all pay.

Mr. MANSFIELD. Mr. President, I have been giving some thought to section 703, about which there has been discussion on the floor of the Senate on yesterday and today. May I say, in all frankness, that I am in favor of the proposal advanced by the distinguished Senator from Minnesota [Mr. MONDALE], the distinguished Senator from South Dakota [Mr. McGOVERN], and others, and I am delighted we have had this chance to discuss the matter out in the open so a better understanding could better be achieved.

I do not feel wheat should be penalized at the expense of every other commodity. If we are going to penalize wheat, why do we not penalize all the other commodities which are sent abroad without any of the burdens and drawbacks that are applicable in the case of wheat?

In other words, I join with my colleagues from the wheat-producing States in saying all we want is the same kind of fair deal for wheat that other commodities are given when they are sold overseas.

I am aware of the fact, as are other Senators, that some days ago a resolution was introduced by the Senator from South Dakota [Mr. McGOVERN] and the Senator from Missouri [Mr. SYMINGTON], seeking to investigate an additional ramification of this existing requirement with respect to the shipments of wheat abroad. That resolution is now in the Committee on Foreign Relations. Just today I had a talk with the distinguished acting chairman of that committee, the Senator from Alabama [Mr. SPARKMAN]. He told me hearings had been scheduled on the McGovern-Symington resolution for Monday next.

Therefore, if Senators would agree, and most especially those from the same area that I come from, the wheat-producing area, I would like at this time, on my own initiative, because of the fact that a hearing will be held on Monday and the resolution will in all likelihood be reported out—I repeat, on my own responsibility at this time, even though I favor it—to move to strike section 703. I am of the opinion that the Committee on Foreign Relations will agree that the existing policy is unwise and when the resolution returns to this Chamber for consideration, we will have the benefit of the considered judgment not only of the Committee on Agriculture but also the Committee on Foreign Relations.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. MONDALE. I believe the discussion and debate that have been engendered by section 703, and as contained in the committee report, have already been most useful in creating a broader public understanding of what is involved. The section was unanimously approved by the Agriculture Committee——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. MANSFIELD. I am delighted the Senator has emphasized the fact that section 703 was unanimously approved by the Senate Committee on Agriculture and Forestry. When the matter is investigated thoroughly the wisdom of the proposal by the distinguished Senator from Minnesota [Mr. MONDALE] is clear.

Mr. MONDALE. I thank the Senator very much. I think it is significant, in terms of expressing the unanimous feeling, that after a substantial discussion of the committee, it was felt that the 50-percent limitation was very unfair to the agriculture economy, denied improvement in the international balance-of-payments situation, and did not hurt the Communist bloc in any way, shape, or form whatever. It simply gives us 50 percent of nothing.

Since the discussion on this matter has come up time and time again, there has come to attention the existence of a memorandum from the legal section of the State Department indicating that 30 existing laws are probably being violated in principle by the 50 percent American bottom requirement. In line with that, the hearings by the Foreign Relations Committee, set for next Monday, on the resolution by the Senator from Missouri [Mr. SYMINGTON] and the Senator from South Dakota [Mr. McGOVERN], are well in order.

I am 100 percent enthusiastically in favor of section 703, but in line with that information, and because further information will strengthen that view, I therefore do not oppose the motion.

Mr. MANSFIELD. I appreciate the understanding shown by the distinguished Senator from Minnesota. I know how much this means to him, and how interested he is in this particular section. I have discussed with him the value of adding the consideration and deliberations of the Foreign Relations Committee to the existing arguments so ably developed and articulated by him.

I note that since we started the colloquy the distinguished acting chairman of the Foreign Relations Committee has returned to the floor. I wish to repeat, so he may either confirm or deny the statement I made, that it had been his intention to hold hearings on the McGovern-Symington resolution on Monday next in the Foreign Relations Committee.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. What the distinguished majority leader has said is correct. Earlier today I had discussed with the staff director of the Foreign Relations Committee our agenda for Monday's meeting. This resolution was included. This was the first I knew of the move to strike the section out. We will proceed as expeditiously as possible.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, as was stated by the distinguished majority leader, as well as the distinguished Senator from Minnesota [Mr. MONDALE] the proposal that is included in section 703 was adopted by the committee unanimously. Although I am somewhat disappointed that it should be abandoned and referred to the Committee on Foreign Relations, there is yet a possibility that the Foreign Relations Committee may take a little stronger action than we did, because section 703 simply states that it is the sense of Congress that such and such be done.

All this came about, Mr. President, when the late President John F. Kennedy agreed to sell wheat to Russia. One of the conditions he imposed by Executive order was that at least 50 percent of the wheat sold to Russia be shipped in American vessels.

There is no law at all on the statute books with respect to that problem. As the majority leader has stated, why should we restrict the shipment of wheat when, as a matter of fact, there is no restriction whatever on any other commodity sent abroad to countries who desire to buy from us?

I am hopeful that if the Committee on Foreign Relations takes up this matter, they will come in with something of substance upon which the Senate may act as quickly as possible.

I think we have sufficient protection in the law at present, as regards the shipment of wheat and other surplus commodities, under the Public Law 480 program. That restriction has been with us for a long time, and since that wheat is more or less used to effectuate our foreign policy, there has never been any serious objection to the requirement of 50–50 shipment in American bottoms under Public Law 480.

But in relation to the sale of other commodities which we sell for dollars in the regular course of trade, to impose restrictions on wheat—or in fact on any commodity—I think is wrong, no matter to whom the commodity is sold. All commodities should be treated similarly. I again express the hope that if, as and when the Foreign Relations Committee deals with the subject, it does not put it in the sense of Congress, but makes it legal.

Mr. CARLSON. Mr. President, I shall certainly not oppose the motion made by the distinguished majority leader [Mr. MANSFIELD] in regard to removing section 703.

I, too, am somewhat disappointed that we do not get action immediately, but on the other hand, I am a member of the Senate Foreign Relations Committee, as is the distinguished Senator from Montana. Our ranking majority member on the committee, the Senator from Alabama [Mr. SPARKMAN] has just stated that the committee will begin hearings Monday.

This is an issue upon which we should get action, and I sincerely hope we can get action this session of Congress. I realize that any action coming from the Senate Foreign Relations Committee in the form of a resolution would probably not only have to pass this body, but the other body on the other side of the Capitol, in order to become law. But it is a matter that should be resolved, and I hope we can get early action.

For that reason, I shall certainly not oppose the removal of the section, but sincerely hope for early action on some such resolution.

Mr. DOMINICK. Mr. President, I wish to express my appreciation to the Senator from Montana for the action he has taken. I think it points up the degree of interrelationship which seems to exist—and sometimes it is unfortunate—between the State Department and the Department of Agriculture.

It strikes me that since this issue affects so many different branches of our Government and so many facets of our foreign relations, nothing could be better than to get it before the Committee on Foreign Relations, so that they may consider it at some length. I am happy to support the motion.

Mr. McGOVERN. Mr. President, I simply wish to state that I subscribe completely to the views of the Senator from Montana, the distinguished majority leader, and with those of the Senator from Louisiana [Mr. ELLENDER], the chairman of our committee, and the others who have spoken.

I think the route now proposed is the most practical one for us to take. The case has been made on the Senate floor, it seems to me, in a very compelling fashion. There seems to be some indication that on the administration side, in maritime circles, and elsewhere, there is willingness to take a careful and thoughtful look at this restriction, which is helping no one and hurting many parts of our economy, and which may in fact be in open violation of some of our sacred treaty obligations.

It is to that latter question that my resolution which will be heard before the Foreign Relations Committee on Monday is directed.

So I am happy to support the motion of the distinguished majority leader.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment to the committee amendment was agreed to.

Mr. MANSFIELD. I ask unanimous consent that the Senate reconsider the vote by which the amendment was agreed to.

Mr. MONDALE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 428

Mr. CARLSON. Mr. President, I call up my amendment No. 428.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. CARLSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the RECORD at this point.

The amendment ordered to be printed in the RECORD is as follows:

> On page 44, line 8, after the words "wheat so stored", strike out the period and quotation mark and insert the following: ", and a married producer shall be deemed to be in compliance with the provisions of this Act unless the Secretary finds: (1) Managerial control of a noncomplying farm by either husband or wife is shared by the spouse, or (2) there have been changes in the operations or managerial control of a noncomplying farm which would tend to negate the offsetting compliance provisions for either spouse."

Mr. CARLSON. Mr. President, my amendment, on its face, seems ridiculous. Stated very simply, it permits a man and wife to live together in the same household and still comply with the farm program.

We hear a great deal about the family farm and keeping the farm family together, but all I seek to do with this amendment is to make it possible for a legally married couple—who owned property individually, previous to their marriage—to live in the same dwelling and still participate in the farm program.

Here is what actually happened in a case with which I am familiar:

A lady whose husband passed away in 1948 purchased a quarter section of land in 1951 and later remarried. Her second husband also owned land. She operated her quarter section of land on her own through all the years from 1948 to 1965, and still does. Her second husband operated his land, but was informed last year that he would have to give up his wheat program benefits because his wife overseeded her wheat allotment. He was in compliance on his land, but the USDA ruled the land must be treated as a unit.

I would agree if they each own an interest in the land, or share in the profit, the land should be considered one unit, and this is provided in the amendment.

The Department in its letter dated August 17, 1965, stated:

> Therefore, we hold the opinion that husbands and wives, as well as minor children, who share the same household may not be considered as separate producers in determining the compliance of one family member under the offsetting compliance requirement of the feed grain and wheat program.

In this particular case, the State ASC office granted relief this year, but it is about seeding time again, and according to the ruling of the Department of Agriculture, it will be necessary for Mrs. X to live in another household in order to be in compliance with these orders. If this were done, they would be able to operate their farm separately and participate or not in the present wheat program.

It is situations like this that make it so difficult for farmers to understand what Congress intends when it passes a farm bill.

I have also received a letter from a county agent in a large wheat-producing county, in which he mentions similar situations. There are only a few of them, but this sort of thing certainly discredits the farm program in the Wheat Belt and in every State in which wheat is grown.

I sincerely hope that the Senator from Louisiana will take the amendment to conference. If there were something wrong with it, I would not offer it. I believe it should be adopted in order to clear up situations like this, and to similar situations from developing.

Mr. ELLENDER. Mr. President, I am told by our counsel that the proposed amendment would not do what the Senator from Kansas believes it would do. An amendment will be proposed by the distinguished Senator from Washington [Mr. MAGNUSON], which deals with the same subject matter. The only difference between the amendment to be offered by the Senator from Washington and the proposal now before us by the Senator from Kansas is that the Magnuson amendment deals with State lands which are leased to various farmers.

If one farmer fails to live up to the contract, all other farmers who obtain lands through lease from the State suffer. The Department now has authority to deal with the problem. The Senator stated a moment ago that the subject was dealt with last year by the Department, and I presume in a way that was satisfactory to the individuals involved.

I ask my good friend the Senator from Kansas to permit us to consider the amendment on Monday. I should like to consult with the Department and give the representatives of the Department an opportunity to point up the implications involved in both the amendment offered by the Senator from Kansas and the amendment offered by the Senator from Washington [Mr. MAGNUSON]. I stated to the Senator from Washington that I would consider his amendment, and since both amendments deal with the same problem, though in a different way, it might be well for that procedure to be followed.

I do not see any objection to the amendment. At least, I see no objection to what the Senator seeks to do. But whether the language he has proposed would do that is something I question. For that reason, if my good friend will withdraw the amendment, we shall consider the subject on Monday. Meanwhile I shall have something done about it by the Department so that we can accomplish what the Senator seeks to do.

Mr. CARLSON. Mr. President, as usual, our distinguished chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] is most generous in his desire to be helpful. I have but one desire, and that is to avoid not only the problem about which we have spoken, but a great deal of criticism which results in discrediting a farm program. When people in a rural community discuss the subject, they say that they do not understand people in Washington when they write this kind of language and laws like this. I am anxious to cooperate with the chairman, and sincerely hope that we can work out something together. I have no pride of authorship in the amendment. I am merely trying to relieve a situation that I believe should be corrected. On that basis I withdraw the amendment.

Mr. ELLENDER. I am sure we can probably get together on some language.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 433 AND 434

Mr. CARLSON. Mr. President, I call up my amendments Nos. 433 and 434.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the amendments be considered en bloc?

Mr. CARLSON. I ask unanimous consent that the amendments be considered en bloc and that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments will be printed in the Record.

The amendments are as follows:

Page 9, line 3, after the word "amount" strike the period and insert the following: "; *Provided*, That in no event shall the Secretary require any producer, as a condition of eligibility for conservation payments made pursuant to this section or price support loans or payments made pursuant to section 105 of the Agricultural Act of 1949, as amended, to increase the average acreage of cropland that was devoted during the base period to designated soil-conserving crops or practices (including summer fallow and idle land) to more than 50 per centum of the total cropland on the farm."

Page 33, line 14, strike the period after the word "reserve" and insert the following: ", but in no event shall the total average acreage of cropland that was devoted during the base period to designated soil conserving uses (including summer fallow and idle land) be more than 50 per centum of the total cropland on the farm."

Mr. CARLSON. Mr. President, the purpose of these two amendments is to correct an inequity in the present wheat and feed grain program in regard to its application to farmers in dryland areas where summer fallow is a necessary farming practice.

These amendments were not considered in the Committee on Agriculture in the House of Representatives, although my very good friend, Representative Robert Dole, has discussed them with me following that, because these amendments had not been called to the attention of the committee.

Summer fallow is a farming practice under which farmers set aside a portion of their farms each year in order to preserve necessary soil moisture thereby insuring that any crops planted during the following year will be able to develop and grow.

It is a practice that must be followed if farmers in these areas will be able to produce a crop.

The present wheat and feed grains law both establish a requirement that when a farmer participates in these programs he must add additional acres to his soil conserving base. The soil conserving base is generally defined as permanent pasture, farm roads, timberland, and so forth, and summer fallow land during an established past period of time.

The idea behind the soil conserving base and the requirement that it must be increased if a farmer participates in the program is a sound one. The idea is to prevent a cooperating farmer from idling some wheat or feed grain acres and then plowing up pastures or grassland and plant other crops, thus defeating one of the basic purposes of these programs, which is of course to hold down the overall production of crops.

This requirement, however, when applied to dryland farmers who must use the summer fallow practice in order to survive, often results in a severe hardship on these farmers.

These farmers often must devote substantial portions of their farms each year to the summer fallow practice in order to keep their soil in a condition which will enable it to produce crops the next year.

Thus, the requirement that the soil conserving base be supplemented by additional retired acres frequently results in an individual farmer being unable to farm less than one-half of his farm.

The two amendments would provide that these farmers not be required to maintain over one-half of their farms in soil conserving and summer fallow practices.

In other words, these amendments would insure farmers participating in the wheat and feed grains programs that they could farm at least one-half of their farms.

This amendment is needed to alleviate a hardship applicable to the limited number of farmers who are in summer fallow areas.

As can be seen by the language of the wheat title of this bill there is already proposed a special reserve for cases of this nature. The proposed amendment would simply further clarify these provisions.

In the case of feed grains the amendment would allow participating farmers to receive all the program benefits, even though their soil conserving base would otherwise represent more than one-half of the total cropland of their farms.

Certainly our farm programs should allow cooperating farmers the opportunity to farm at least one-half of their farms. Certainly the present law and the bill establish and perpetuate an inequity for summer fallow farmers. These amendments will help to correct these inequities, and I urge their adoption.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I wish that I could agree with my good friend the Senator from Kansas, but the amendment would allow the farmers to plant soybeans, and almost any other crop they might desire, on the land that they are supposed to divert from planting anything on.

Therefore, I hope that the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas [Mr. Carlson].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 435

Mr. MANSFIELD. Mr. President, I ask unanimous consent, at the request of the distinguished Senator from Tennessee [Mr. Bass], to call up amendment No. 435, and to have it stated.

The PRESIDING OFFICER. The amendment will be stated by title for the information of the Senate.

The Legislative Clerk. On page 109, strike out line 24.

On page 110, strike out all language beginning with line 1 and going through line 8.

Mr. MANSFIELD. Mr. President, there will be no further business today, insofar as the farm bill (H.R. 9811) is concerned.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the Department of State on page 1.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The legislative clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of Dr. Gustav Ranis, of Connecticut, to be Assistant Administrator for Program Coordination, Agency for International Development.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Bernard Zagorin, of Virginia, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED NATIONS

The legislative clerk proceeded to read sundry nominations in the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc, and that they include the name of James M. Nabrit, Jr., of the District of Columbia, on page 3.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

WORLD HEALTH ORGANIZATION

The legislative clerk read the nomination of Dr. James Watt, of the District of Columbia, to be a representative of the United States of America on the Executive Board of the World Health Organization.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The legislative clerk read the nomination of John A. Gronouski, of Wisconsin, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 682, and that the rest of the calendar be called in sequence.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The clerk will state the various measures in order.

INCREASE IN RETIRED PAY OF CERTAIN MEMBERS OF THE FORMER LIGHTHOUSE SERVICE

The bill (H.R. 8761) to provide an increase in the retired pay of certain members of the former Lighthouse Service, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 699), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide an increase in annuities for members of the former Lighthouse Service to place them on an equal status which recipients of civil service annuities.

BACKGROUND

H.R. 8761, and an identical bill, S. 2216, were requested by the Secretary of the Treasury in an executive communication.

The Lighthouse Service was merged with the Coast Guard in 1939 and the remaining civilian employees of the Service continue to serve until they reach retirement age. As of May 31, 1965, the Service has 546 retirees, with 82 still on active service.

The retirement system for these individuals is separate from the Civil Service Retirement Act and previously attempts have been made to equalize the benefits. However, Lighthouse Service retirees received no increase when civil service retirees were given a 5-percent increase in 1962.

The bill as introduced provided for a similar 5-percent increase for the Lighthouse Service retirees, but the House Committee on Merchant Marine and Fisheries believed a greater increase should be made because they have not benefited from this increase for the past 3 years. Accordingly, the Coast Guard was requested to calculate that percentage which, on an annuity basis, would place Lighthouse Service retirees on a parity with civil service retirees. As a result of those studies, which indicate a 6.5-percent figure, the House amended the bill to that figure. The Senate Committee on Commerce accepts the 6.5-percent figure.

INVITATIONS FROM FOREIGN PARLIAMENTARY BODIES

The resolution (S. Res. 145) to provide for responding to invitations from foreign parliamentary bodies was announced as next in order.

Mr. MANSFIELD. Mr. President, this resolution has been referred to the Committee on Rules and Administration, and I believe it is on the calendar in error.

BILL PASSED OVER

The bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AWARDING OF SERVICE PINS OR EMBLEMS TO MEMBERS, OFFICERS, AND EMPLOYEES OF THE SENATE

The resolution (S. Res. 21) providing for the awarding of service pins or emblems to Members, officers, and employees of the Senate was considered and agreed to, as follows:

Resolved, That the Committee on Rules and Administration is hereby authorized to provide for the awarding of service pins or emblems to Members, officers, and employees of the Senate, and to promulgate regulations governing the awarding of such pins or emblems. Such pins or emblems shall be of a type appropriate to be attached to the lapel of the wearer, shall be of such appropriate material and design, and shall contain such characters, symbols, or other matter, as the committee shall select.

SEC. 2. The Secretary of the Senate, under direction of the committee and in accordance with regulations promulgated by the committee, shall procure such pins or emblems and award them to Members, officers, and employees of the Senate who are entitled thereto.

SEC. 3. The expenses incurred in procuring such pins or emblems shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 702), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 21 would authorize the Committee on Rules and Administration to provide for the awarding of service pins or emblems to Members, officers, and employees of the Senate, and to promulgate appropriate regulations governing the awarding of such pins or emblems. The pins or emblems would be of a type appropriate to be attached to the lapel of the wearer, and would be of such appropriate material and design and contain such characters, symbols, or other matter as determined by the committee.

In accordance with the committee's directive, the Secretary of the Senate would procure the pins or emblems and award them to the Members, officers, and employees who qualify. The expenses incurred in procuring the pins or emblems would be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee.

The Committee on Rules and Administration has made a preliminary survey of the procedures and qualification requirements established by a number of Government agencies for the awarding of service pins. If Senate Resolution 21 is agreed to by the Senate, the committee will issue implementing regulations to make the service awards proposal operative.

Regulations tentatively approved by the committee would provide, in pertinent part, as follows:

1. Type of award: The service pins or emblems shall be of a material and design and shall contain characters, symbols, and other matter as selected by the committee. In each case the recipient of an award will also be presented with an appropriate certificate of service, signed by the Secretary of the Senate.

2. Awards made annually: Early in 1966, the Secretary of the Senate shall arrange an appropriate ceremony for the initial awards of the pins or emblems to Members, officers, and employees of the Senate who were on the Senate payroll on date Senate Resolution 21 is agreed to and who at the end of the year 1965 were qualified for such award. Each recipient of these initial awards shall receive a single pin or emblem corresponding to his highest period of qualifying service. On an annual basis thereafter, the Secretary of the Senate shall arrange similar ceremonies for the presentation of awards to those who qualify therefor during the preceding calendar year.

3. Eligibility for award: The award of a pin or emblem to a Member, officer, and employee of the Senate shall be made after completion of 10 years of Senate service. Subsequent awards shall be made after the completion of succeeding 5-year periods up to and including 50 years of Senate service. Former employees of the Senate who previously have completed a minimum of 25 years of service shall also be eligible for an award upon application to the Secretary of the Senate.

4. Senate service defined: Senate service shall be limited to all service, whether continuous or not, performed while on the Senate payroll.

FANNIE E. HOLLOWAY

The resolution (S. Res. 146) to pay a gratuity to Fannie E. Holloway was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Fannie E. Holloway, widow of John H. Holloway, an employee of the Senate at the time of his death, a sum equal to nine and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

AUTHORIZATION TO STATE OF NEW MEXICO TO PLACE A STATUE OF THE LATE DENNIS CHAVEZ IN THE NATIONAL STATUARY HALL COLLECTION

The concurrent resolution (S. Con. Res. 46) to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Senator Dennis Chavez Statuary Hall Commission is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Dennis Chavez, of New Mexico, and to hold ceremonies in the rotunda on said occasion, and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

ACCEPTANCE BY CONGRESS OF A STATUE OF THE LATE DENNIS CHAVEZ IN THE NATIONAL STATUARY HALL COLLECTION

The concurrent resolution (S. Con. Res. 47) to authorize the acceptance by Congress of the statue of the late Dennis Chavez was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of the late Dennis Chavez, presented by the State of New Mexico, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for his historic renown and distinguished civic services; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of New Mexico.

AUTHORIZATION TO PRINT AS SENATE DOCUMENT PROCEEDINGS INCIDENTAL TO ACCEPTANCE AND DEDICATION OF A STATUE OF THE LATE DENNIS CHAVEZ IN THE NATIONAL STATUARY HALL COLLECTION

The concurrent resolution (S. Con. Res. 48) to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez was considered, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Dennis Chavez, to be presented by the State of New Mexico in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed five thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and two thousand eight hundred copies shall be for the use of the Members of the Senate from the State of New Mexico, and five hundred copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of New Mexico.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 703) explaining the purposes of the three concurrent resolutions.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 47

Senate Concurrent Resolution 47 would provide that the statue of the late Dennis Chavez, presented by the State of New Mexico as its first contribution to the National Statuary Hall collection, be accepted in the name of the United States; and that the thanks of Congress be tendered to the State for this statue of "one of its most eminent citizens, illustrious for his historic renown and distinguished civic services."

Senate Concurrent Resolution 46

Senate Concurrent Resolution 46 would authorize the Senator Dennis Chavez Statuary Hall Commission to place the Chavez statue temporarily in the rotunda of the Capitol and to hold appropriate ceremonies in connection therewith. The Architect of the Capitol would be authorized to make the necessary arrangements.

Senate Concurrent Resolution 48

Senate Concurrent Resolution 48 would provide that the proceedings in the rotunda at the presentation, dedication, and acceptance of the Chavez statue, together with appropriate illustrations and other pertinent matter, be printed as a Senate document. The copy for the document would be prepared under the supervision of the Joint Committee on Printing. There would be printed and bound 5,000 additional copies of such document, of which 100 copies would be for the use of the Senate (1 per Member), 2,800 for the use of the Members of the Senate from the State of New Mexico (1,400 each), and 1,600 copies for the use of the Members of the House of Representatives from the State of New Mexico (800 each).

NATIONAL MUSEUM ACT OF 1965

The Senate proceeded to consider the bill (S. 1310) relating to the National Museum of the Smithsonian Institution which had been reported from the Committee on Rules and Administration with amendments.

On page 2, after line 2, to strike out:

SEC. 2. The Director of the National Museum shall (1) report annually to the Congress on progress in museums and their collections and other activities, such report to be included in the Smithsonian Institution's annual report of its other operations; (2) advise and cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; (3) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities; (4) assist museums and their professional organizations in training career employees in museum practices; (5) prepare and distribute significant museum publications; and (6) perform research on, and otherwise contribute to, the development of museum techniques.

And, in lieu thereof, to insert:

SEC. 2. (a) The Director of the National Museum under the direction of the Secretary of the Smithsonian Institution shall—

(1) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities, both in the United States and abroad;

(2) prepare and carry out programs for training career employees in museum practices in cooperation with museums and their professional organizations, wheresoever these may best be conducted;

(3) prepare and distribute significant museum publications;

(4) perform research on, and otherwise contribute to, the development of museum techniques;

(5) cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; and

(6) shall report annually to the Congress on progress in these activities.

(b) There are authorized to be appropriated such sums, not to exceed $200,000 for any fiscal year, as may be necessary to carry out the provisions of this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Museum Act of 1965".

SEC. 2. (a) The Director of the National Museum under the direction of the Secretary of the Smithsonian Institution shall—

(1) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities, both in the United States and abroad;

(2) prepare and carry out programs for training career employees in museum practices in cooperation with museums and their professional organizations, wheresoever these may best be conducted;

(3) prepare and distribute significant museum publications;

(4) perform research on, and otherwise contribute to, the development of museum techniques;

(5) cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; and

(6) shall report annually to the Congress on progress in these activities.

(b) There are authorized to be appropriated such sums, not to exceed $200,000 for any fiscal year, as may be necessary to carry out the provisions of this Act.

SEC. 3. The first paragraph under the heading "National Museum" contained in the Act of July 7, 1884 (23 Stat. 214; 20 U.S.C. 65), is amended by deleting the following sentence: "And the Director of the National Museum is hereby directed to report annually to the Congress the progress of the museum during the year and its present condition.".

Mr. MANSFIELD. Mr. President, I move that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and the amendments are considered and agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was amended, so as to read:

Whereas the museums of the Nation constitute cultural and educational institutions of great importance to the Nation's progress; and

Whereas national recognition is necessary to insure that museum resources for preserving and interpreting the Nation's heritage may be more fully utilized in the enrichment of public life in the individual community: Now, therefore,

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 704), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 1310 is to give recognition to the Nation's museums as significant cultural and educational institutions and to assist the museum field by authorizing the Smithsonian Institution to strengthen its activities of service to other museums. Specifically, it would provide for cooperative and coordinated programs of museum training, research, surveys, and publications, to be carried out by the Director of the National Museum under the direction of the Secretary of the Smithsonian Institution. Section 3 of the bill would repeal an obsolete reporting provision.

COST OF THE LEGISLATION

The Smithsonian has traditionally supported activities to benefit the museum community. Such activities are being carried forward on a modest scale. It is because they have proved so effective that this legislation is recommended. The Smithsonian estimates that the expansion of these activities, as specified in the act, would entail an annual expenditure of $200,000. On the basis of comprehensive testimony presented at the hearing on this legislation, conducted on June 24, 1965, by the Subcommittee on the Smithsonian Institution under Senator CLAIBORNE PELL's chairmanship, this investment is much needed and would prove of substantial value to the Nation's museums, now numbering over 5,000 and visited by Americans an estimated 300 million times a year.

AUTHORIZATION OF PRINTING OF ADDITIONAL COPIES OF "THE PRAYER ROOM IN THE UNITED STATES CAPITOL"

The concurrent resolution (H. Con. Res. 451) authorizing the printing of additional copies of "The Prayer Room in the United States Capitol" was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed fifty-four thousand two hundred additional copies of House Document Numbered 234 of the Eighty-fourth Congress, entitled "The Prayer Room in the United States Capitol", of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives and ten thousand three hundred copies shall be for the use of the Senate.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House Document Rooms.

Passed the House of Representatives August 17, 1965.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 705), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 451 would authorize the printing of 54,200 additional copies of House Document 234 of the 84th Congress, entitled "The Prayer Room in the United States Capitol," of which 43,900 would be for the use of the House of Representatives (100 per Member) and 10,300 would be for the use of the Senate (100 per Member). The copies of the document would be prorated to the Members of Congress for a period of 60 days, after which the unused balances would revert to the respective House and Senate document rooms.

OFFICE SPACE FOR MEMBERS OF CONGRESS IN THEIR HOME STATES OR DISTRICTS

The Senate proceeded to consider the bill (H.R. 10014) to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives which had been reported from the Committee on Rules and Administration with amendments, on page 1, line 3, after the word "That", to insert "(a)"; and, at the top of page 2, to insert:

(b) The second paragraph under the subheading "Administrative Provisions" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 52), is amended to read as follows:

"Each Senator shall be entitled to office space suitable for his official use at not more than two places designated by him in the State he represents. The Sergeant at Arms is authorized and directed to secure for each Senator such suitable office space in post offices or other Federal buildings at the places designated by each Senator in the State he represents: *Provided*, That in the event suitable space is not available in post offices or other Federal buildings at one or both of the places desginated by a Senator within his State, such Senator may lease or rent other office space for the purpose at such place or places, and the Sergeant at Arms shall approve for payment from the contingent fund of the Senate vouchers covering bona fide statements of rentals due in an amount not exceeding $2,400 for any fiscal year for such Senator."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An Act to amend the Act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the Act of June 27, 1956, relating to office space in the States of Senators".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 706), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

H.R. 10014 as referred would amend the Legislative Appropriation Act, 1955, as amended, by increasing from $1,200 to $2,400 per year the rental allowance of Members of the House of Representatives for office space in their home districts. The other provisions of law relating to the rental procedure applicable to Members of the House of Representatives (see below) would remain unchanged except for the omission of the obsolete terms "the Delegate from Alaska, the Delegate from Hawaii."

The Committee on Rules and Administration has amended H.R. 10014 by adding a new subsection to the first section of the bill revising the provisions of the Legislative Branch Appropriation Act, 1957, which relate to office space in the home States of Senators. The revised provisions would increase from $1,200 to $2,400 the maximum amount which could be paid in any fiscal year as rent for privately owned space for Senators in their home States, to correspond to the above-described change in the provisions relating to House Members. In addition, the revision contains other changes in the provisions relating to Senators designed to bring about uniformity in the provisions applicable to the two Houses. The most significant of these changes provides that Senators also will be entitled to office space in two places in their home States. Where available, this space will be in post offices or other Federal office buildings at places designated by the Senator, and in such cases no rent will be paid on privately owned space. If, however, suitable Federal space is not available at one or both of the places designated by a Senator, rent will be paid under the revised provisions on privately owned space at the place or places, as the case may be, where suitable Federal space was not available. Whether rental space is obtained at one or both of the designated places, the total amount that could be paid for any Senator during any fiscal year could not exceed $2,400.

Section 2 of the bill provides that the changes described above will be effective on the first day of the first month which begins after the date of enactment of the bill. Thus, for the fiscal year in which the bill is enacted only that part of the increased rental attributable to the remaining months of that fiscal year would be available.

The committee has also amended the title of the bill to reflect the changes made by its amendments to the text of the bill.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 84–689, appoints the following Senators as delegates to the 11th NATO Parliamentary Conference, to be held in New York City between October 4-9, 1965: Claiborne Pell, Chairman, Harrison A. Williams, Maurine B. Neuberger, Birch Bayh, Robert F. Kennedy, Leverett Saltonstall, Karl E. Mundt, Jacob K. Javits, and Clifford P. Case.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Acting Archivist of the United States, dated August 26, 1965, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 2513. A bill for the relief of Dr. Anselmo S. Alvarez-Gomez; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2514. A bill for the relief of Ching Han; to the Committee on the Judiciary.

By Mr. BENNETT:

S.J. Res. 110. Joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week; to the Committee on the Judiciary.

(See the remarks of Mr. Bennett when he introduced the above joint resolution, which appear under a separate heading.)

FREEDOM WEEK—FREEDOM SUNDAY

Mr. BENNETT. Mr. President, I am today introducing a Senate joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week.

I think it most proper and fitting that a Freedom Sunday and a Freedom Week be proclaimed each year to act as a constant reminder to each of us of the heritage which we as Americans enjoy in this great land. Likewise, I think the most appropriate time for celebrating these events is during the week in which we commemorate the birth of our first President, George Washington.

It is with some pride that I announce that the suggestion for a National Freedom Sunday and a Freedom Week originated with the Salt Lake City Sertoma Club. For the past 6 years, the Utah Governor and the mayors of various cities have by proclamations set aside Freedom Sunday and Freedom Week, at the request of Utah's Sertoma Clubs. Similar celebrations have been held in other areas of the United States under the direction of civic and patriotic organizations such as Freedoms Foundation at Valley Forge.

The 450 Sertoma Clubs throughout the United States, Canada, and Mexico have a freedom program which dates back nearly half a century. Last year more than 5 million copies of the Declaration of Independence were distributed by Sertoma Clubs in the United States. The Utah Education Association has fully endorsed the freedom program as one which helps to instill better citizenship in our youth.

Mr. President, I ask unanimous consent that there be printed at the end of my remarks a letter dated August 27, 1965, which I have received from H. A. Zethren, president of Sertoma International, indicating that organization's executive committee has unanimously approved the sponsorship of a congressional resolution relating to Freedom Sunday and Freedom Week.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The joint resolution (S.J. Res. 110) to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week, introduced by Mr. Bennett, was received, read twice by its title, and referred to the Committee on the Judiciary.

The letter presented by Mr. Bennett is as follows:

Sertoma International,
August 27, 1965.

Hon. Wallace F. Bennett,
U.S. Senate, Washington, D.C.

Dear Senator Bennett: The Executive Committee of Sertoma International, in its regular meeting of August 19, 20, 21, 1965, unanimously approved the activity of Dr. Levi E. Reynolds of Salt Lake City, in seeking the sponsoring and approval of a resolution of Congress, authorizing the President to issue annually, proclamations designating a Freedom Sunday. Therefore, as president of Sertoma International, and speaking for our entire membership, I respectfully join in requesting your sponsorship of the attached resolution directing such authorization.

We, in Sertoma, have observed over a period of years, the complacence and lethargy of our people generally in regard to that precious freedom heritage given us in our Declaration of Independence, and guaranteed to us in our Constitution. Our forefathers had such regard for these freedom principles, that they gave of their substance and even their lives to assure our children and succeeding generations, this freedom heritage and its related opportunities, as exemplified in our free enterprise system and its precious freedoms of speech and religious worship.

This complacence of our citizens generally, caused us in Sertoma, to feel that a gradual deterioration of these freedom principles can take place as the years go by, unless we have a means of creating a renewed awareness of this heritage of freedom. We also feel the need of implanting in the minds and hearts of our children, an appreciation and understanding of these basic freedom principles that have enabled us to achieve a stature as a nation that we now enjoy, and that have given us our abundant way of life.

This is the thing that has motivated us as an international service club organization, to establish our freedom program, that has been cited year after year by the Freedom's Foundation at Valley Forge. We feel, though, that there is so much at stake, that we cannot guard our freedom program as a selfish personal program and interest, but must share it with everyone as an American way of life program.

We, in Sertoma, are grateful for your understanding of, and dedication to, these great freedom principles, and your willingness to give of yourself in sponsoring this resolution.

I will be pleased to hear of any suggestions that you may have for us as an assist to you in your sponsorship of the resolution.

Sincerely,

H. A. Zethren,
President.

Mr. CARLSON subsequently said: Mr. President, I ask unanimous consent that a joint resolution introduced this morning by the Senator from Utah [Mr. Bennett] lie at the desk for 10 days for cosponsors before it is referred to the appropriate committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF SECTION 14(b) OF NATIONAL LABOR RELATIONS ACT—AMENDMENTS

AMENDMENTS NO. 442 AND 443

Mr. MUNDT (for himself and Mr. McClellan) submitted two amendments, intended to be proposed by them, jointly, to the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, which were ordered to lie on the table and to be printed.

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 444

Mr. MUNDT (for himself, Mr. Young of North Dakota, Mr. Curtis, and Mr. Pearson) submitted amendments, intended to be proposed by them, jointly to the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes, which were ordered to lie on the table and to be printed.

WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. McGOVERN. Mr. President, I ask the Presiding Officer to lay before the Senate a message received today from the House of Representatives, and ask for its immediate consideration.

The PRESIDING OFFICER. The Chair lays before the Senate a concurrent resolution received today from the House of Representatives, which will be stated.

The legislative clerk read as follows:

H. CON. RES. 468

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the people of the United States welcome to their shores the jurists and members of the legal profession of these many nations and will join with them in this important effort to build world peace.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

There being no objection, the concurrent resolution was considered and agreed to.

The preamble was agreed to.

ADDITIONAL COSPONSORS OF BILL

Mr. PEARSON. Mr. President, I ask unanimous consent that the names of Senators BAYH, CURTIS, TYDINGS, and YOUNG of Ohio be added as cosponsors of the bill (S. 2411) for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. HARTKE. Mr. President, I ask unanimous consent that, at the next printing of the resolution (S. Res. 142) proposing a study to determine feasibility of utilizing trade credits issued by the International Monetary Fund to facilitate international trade, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of September 1, 1965, the names of Mr. BIBLE, Mr. CANNON, Mr. FONG, Mr. HART, Mr. JORDAN of Idaho, Mr. MCGEE, Mr. MCGOVERN, Mr. RANDOLPH, and Mr. TOWER were added as cosponsors of the concurrent resolution (S. Con. Res. 55) to express the sense of Congress relative to certain water problems confronting the United States and Canada, submitted by Mr. Moss on September 1, 1965.

FARM BILL INCLUDES WILDLIFE SERVICE PAYMENTS

Mr. NELSON. Mr. President, I am pleased that the farm bill we are considering today includes a new wildlife service payments program and a permanent wildlife Advisory Board to the Secretary of Agriculture.

The service payments program will compensate farmers and ranchers who agree to manage idled cropland for wildlife and permit the public to use it without charge for hunting, fishing, trapping, hiking, and other types of recreation. It also gives State fish and game agencies an opportunity to assist in carrying out the wildlife recreation aspects of our farm program.

The Advisory Board, chosen from members of wildlife organizations, farm organizations, State fish and game agencies, and members of the general public, will make recommendations on wildlife policy relating to farm programs.

These new provisions, which I proposed in July, were added to title V of the farm bill by the Committee on Agriculture. They create an unusual opportunity for the farmer or rancher, who needs more income, and the urban resident, who needs more outdoor recreation space.

This program provides the best opportunity in recent years to greatly expand outdoor recreation opportunity through a small dollar investment in our rural areas.

The need is clear. The demand for recreational space, based on the availability of all kinds of outdoor resources, is creating so much pressure that a substantial part of this increasing demand will have to be met on private land if it is met at all. This is because of resistance to public land acquisition in many areas and lack of sufficient public money to buy and manage the recreation space that is needed.

This new program has widespread support from leading farm and conservation organizations. It has enthusiastic endorsement of the Farmers Union, National Grange, National Wildlife Federation, International Association of Game, Fish, and Conservation Commissioners, Midwest Pheasant Council, Wildlife Management Institute, Southeastern Association of Game and Fish Commissioners, North American Wildlife Foundation, and the J. N. "Ding" Darling Foundation.

In addition to providing a change in land use policy from the standpoint of recreation, this program also can reverse the serious and longtime downward trend in farm game populations. The great concern of conservationists over this trend is not prompted so much by the need for increasing hunting opportunity as it is to maintain farm game populations in the face of increasingly intensive farming practices.

Farming practices are becoming more and more unfavorable to wildlife in most parts of the United States, but particularly in the Midwest. Two of our best game birds, the quail and the pheasant, are most seriously affected because they require nesting cover in hayfields and similar areas. But habitat for all kinds of small game—grouse, rabbits, doves, partridge, and many others—is disappearing.

The trend to more cultivated row crops such as corn and soybeans at the expense of small grains and hay is drastically reducing the acreage of these nesting cover crops. Crop rotation patterns have shifted away from the corn-oats-hay of recent years, eliminating the nesting cover it provided. Improved harvesting and weed control methods have sharply cut waste grain and weeds that once furnished food and cover for farm wildlife.

Cover for all types of wildlife also has been reduced by the trend toward "clean" farming: clearing of woodlots and brushy fence rows, burning and draining of marshy areas, indiscriminate spraying of weed and brush killers on fence rows and roadsides, and heavier grazing.

All these factors have cut small game numbers in our rural areas. And because of them our city sportsmen will soon have to look to properly managed private land for hunting opportunity. Farmers are willing and able to provide the management and hunting access that is needed in many instances, but they should have some assistance to do so.

This cropland retirement program, with the wildlife and recreation aspects properly emphasized, provides the incentives that will make that possible.

The wildlife service payments program goes hand in hand with the cost-sharing soil and water conservation practices that farmers would be expected to adopt in idling cropland. Such practices as pond building and tree and shrub planting help provide habitat for fish and wildlife, land use permanence for furbearing animals, and badly needed nesting and feeding areas for migrating waterfowl.

The service payments program will encourage positive programs of wildlife management on retired cropland and make several million acres available for public use. This management and use would be administered in cooperation with our State fish and game agencies, giving them an opportunity to apply their know-how to this aspect of the farm program.

In administering this provision, the Secretary will use these State agencies as his technical arm to work with farmers in adopting wildlife practices, designating desirable areas in which the additional payment should be offered, evaluating the worth of the land for wildlife use, and formulating rules governing the use of the land. Where necessary, these agencies will assist the Secretary in determining compliance.

The service payments program is not mandatory in any respect. A producer who did not want to open his land to public access under this provision would not be precluded from participating in the program, applying wildlife uses to the land, and permitting limited public access on a fee basis. In such cases, of course, he would not be entitled to the wildlife service payment. I think this is a creative opportunity to expand our wildlife habitat and recreation opportunities at the same time.

THE AMERICAN DREAM

Mr. PEARSON. Mr. President, Kansas is perhaps the only place on the face of the earth in which it was said that a newspaper was started before there was any news to print. Henry King, an early Kansas journalist of some renown and a lover of colorful exaggeration, made this statement in 1906. His reference was to the Kansas Weekly Herald whose first issue was published at Leavenworth on September 15, 1854.

It has been said, too, that Kansas has more newspapers per capita than any other State. Among these newspapers are the one- or two-man or family operated newspaper which still exist in Kansas performing a significant function even in this fast-moving world.

One of the finest small newspapers in the State of Kansas is the Washington County News of Washington, Kans. And one of the finest publishers and editors in Kansas is my friend, Tom Buchanan.

Recently an editorial appeared in this newspaper called "The American Dream" which comments upon the philosophies now prevalent in the minds of many of our citizens as engendered by the so-called Great Society. Within this editorial there is room for thought but there is more; there is hope in the fulfillment of the American dream and in the American people.

Mr. President, I ask unanimous consent that this editorial be inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICAN DREAM

"The great American dream." Millions of people left home and family to cross the ocean in search of it. Millions moved again from the coast to the Great Plains enduring hardships so severe we can only dimly imagine them—all in search of the "great American dream."

So the years have passed—only about 300 of them all told. And the dream has changed to a nightmare.

The lush prairies have been plowed under to make farmland that can't be planted. Forested hillsides have been ravished so that the rains rush down them in torrents filling streams with mud.

In the valleys huge cities sprawl in confusion, choked with traffic, bathed in acrid smoke. In the suburbs, ugly, treeless subdivisions mar the country landscape.

That freedom of religion so many sought has become freedom from religion. The farmer and the laborer and the businessman is controlled and taxed as European despots did in times gone by.

The automobile is a wonderful thing—until it is piled in a junk heap along the roadside.

Every man's dream of becoming his own boss is changed these days. In the Great Society every man dreams of getting a Government check each month—and most every man does.

Our patriot forefathers rioted in Boston harbor over a tax on tea. Their grandsons and great grandsons have dreamed up taxes that make the tea tax look like a tea party.

Is the "Great American Dream" lost forever?

Not if thinking Americans will reexamine themselves and their ideals. This great Nation can become greater still. But it can't do it as long as its goal is a Government check every month for every man.

Freedom and liberty and opportunity and happiness and all great things do not come from the Great White Father in Washington, D.C. They come from the people.

GRANT TO THE CHILDREN'S ORTHOPEDIC HOSPITAL AND MEDICAL CENTER IN SEATTLE FOR RESEARCH ON THE SUDDEN DEATH SYNDROME IN INFANCY

Mr. MAGNUSON. Mr. President, I am pleased to announce that last month the Children's Orthopedic Hospital and Medical Center in Seattle was awarded a 3-year grant in the amount of $144,000 by the National Institute of Child Health and Human Development for research into the cause and prevention of the sudden death syndrome in infancy. The dedicated and gifted staff of the Children's Orthopedic Hospital, under the guidance of two of Seattle's most outstanding doctors, Dr. J. Bruce Beckwith and Dr. Abraham B. Bergman, has been studying this tragic problem in conjunction with the University of Washington Medical School since 1963, when the State legislature authorized an appropriation for this purpose. The State of Washington is, I believe, the only State in which the legislature has assumed primary responsibility for the solution of this problem. The new grant from the National Institute of Child Health and Human Development contributes greatly to strengthening and enlarging current efforts to overcome this mysterious and fatal attacker of young children.

The sudden death syndrome, often abbreviated SDS by doctors, is commonly known as "crib death" or "cot death." It has no more precise name because, until now, its source and cause have eluded some of the most brilliant minds in the medical profession. Each year, the baffling phenomenon claims the lives of over 15,000 apparently healthy infants. It usually strikes during the night, in the first few months of life, but may occur in children up to the age of 2 years. Sometimes there is a minor inflammation or congestion in the lungs; sometimes blankets are displaced to suggest smothering. Researchers in New York, Seattle, and elsewhere found through autopsies that these conditions are almost never the cause of the sudden deaths, however. In a large number of cases, no unusual condition whatever could be discovered.

The strange and inexplicable nature of these deaths has led many parents to torture themselves needlessly with blame and guilt. But all research indicates that SDS strikes so unexpectedly that there is no remedy or preventive. Its victims can be the most healthy, thriving, and well-cared-for of babies. The Children's Orthopedic Hospital has emphasized that "SDS cannot be predicted, and in the light of present knowledge, there is no known way to prevent it." When parents are able to overcome their fears and join with others in seeking solutions to this problem, the hospitals and doctors engaged in research can make greater strides. Many generous and brave persons across the Nation have contributed their time and funds to the quest for a solution to the sudden death syndrome. The people of Seattle and the State of Washington are proud to have been in the forefront of these efforts. With the additional resources made available through the grant from the National Institute of Child Health and Human Development, let us hope the day will come speedily when this mysterious and tragic killer will no longer threaten infant lives.

Mr. President, I ask unanimous consent that the Children's Orthopedic Hospital's summary of the facts about the sudden death syndrome be included in the RECORD at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FACTS ABOUT THE SUDDEN DEATH SYNDROME (SDS) of Infancy

WHAT IS SDS?

SDS, commonly known as crib death, or cot death, accounts for about 15,000 deaths annually in the United States, and about 200 deaths in the State of Washington. The condition is best defined by describing a typical case. An apparently healthy infant, usually between the ages of 1 and 6 months, is put to bed without the slightest suspicion that things are out of the ordinary. Some time later, the infant is found dead. There is no evidence that a violent struggle has taken place, nor did anyone hear the baby struggling. An autopsy reveals at most, a minor degree of pneumonia or inflammation of the upper respiratory tract, but no lesion sufficient to account for death. Often the autopsy reveals absolutely no evidence of illness. However, in about 10 percent of such cases, careful examination does demonstrate a previously unsuspected abnormality, or a rapidly fatal infectious disease such as meningitis. It is for this reason that autopsies upon such infants are so important.

HOW CAN A HEALTHY BABY DIE SO SUDDENLY, WITHOUT OBVIOUS FINDINGS AT AUTOPSY?

SDS remains a mystery. We know so little about the nature of life, that unraveling the mystery of death can be extremely difficult. There are many theories as to the cause of SDS, but none of these has yet been proven. However, promising leads have been obtained, and real progress toward solutions of this mystery should be forthcoming in the next few years.

WAS IT MY FAULT?

In untold thousands of cases, a great deal of needless blame has been placed by the parents or other relatives upon one or the other parent, upon a babysitter who happened to be with the infant at the time it died, or upon the family doctor who pronounced the infant healthy shortly before it died. We know of families that have been broken up by repercussions arising from this problem. Therefore, it is important to make clear that SDS cannot be predicted, and in the light of present knowledge, there is no known way to prevent it. SDS occurs in the best of families, to the most skillful, careful, and loving of parents, and does not reflect upon the ability of the parents to care for their child. Indeed, we often feel that the victims of SDS are unusually robust, healthy, and obviously well cared for.

DID MY BABY SUFFOCATE IN ITS BEDDING?

It is not uncommon for victims to be found wedged into the corner of their cribs, or with the head covered by blankets. Under such circumstances, it is natural that the parents assume the baby smothered. However, identical cases occur under conditions where there was no possibility of smothering. The autopsy findings are identical in both types of cases. Therefore, we are convinced that, while the cause of death is not known, it is not due to smothering.

DID MY BABY SUFFER?

Experience with a large number of cases has shown that SDS can occur within 5 minutes. It is probably almost instantaneous. There may be some movement during the last few seconds of life, accounting for the displaced blankets or unusual positions mentioned above. However, the babies do not cry out, and very often show not the slightest trace of having been disturbed in their sleep. Therefore, we feel it is safe to conclude that SDS does not cause pain or suffering to the baby.

WAS IT SOMETHING INFECTIOUS?—IS THE IMMEDIATE FAMILY IN DANGER?

Unless the autopsy reveals a condition such as meningitis, the answer is no.

WHAT ABOUT BABIES I MIGHT HAVE IN THE FUTURE?

A rough calculation from available statistics suggests that about 1 in 500 liveborn babies will die of "crib death." According to the best available data, SDS is not hereditary. Therefore, it is probable that any future babies, in a family, will run no more than the random 1/500 risk. This, after all, is quite a small risk. More harm than good may be done to a subsequent child by excessive anxiety over SDS. As stated before, there is no known way to prevent its occurrence.

WHAT IS BEING DONE IN WASHINGTON STATE ABOUT THIS PROBLEM?

The State legislature in 1963 granted an appropriation to the University of Washington for studies on this problem. This is the only State in which the legislature has assumed primary responsibility for the solution of this problem. Utilizing these funds and additional support obtained by grants from other sources, the university and its affiliated teaching hospital, the Children's Orthopedic Hospital and Medical Center, have initiated an active research study aimed at the problem of SDS. This is an important study, affording advantages not available elsewhere in the Nation. Through the excellent cooperation of the parents of victims, we are able to document in a fashion hitherto not possible, the factors predisposing to SDS. Any benefits to future children arising from this study will be due in large part to the interest and cooperation of these parents.

In 1965, a group of concerned parents formed an organization, called Washington State Association for Preventing Sudden Infant Death, dedicated to assisting in various phases of this study. This group of parents are kept informed of progress in the research underway, and afford invaluable support to those parents of new victims desiring their help. Interested parents may contact any of the following:

Grace Paschall (Mrs. Edward S.), 628 129th Place NE., Bellevue, GL 4–1187.

Mary Beth Marx (Mrs. David), 8846 Southeast 40th, Mercer Island, AD 2–2228.

Rowena Lee (Mrs. Joseph A.), 4661 West Mercer Way, Mercer Island, AD 2–5521.

Mary Dore (Mrs. Fred), 3721 East Marion Street, Seattle, EA 20304.

Judy Mickel (Mrs. Wm. C.), 906 North 163d Street, Seattle, LI 6–2709.

Marie Jones (Mrs. Francis), 7304 33d NW., Seattle, SU 3–3314.

Jan Flint (Mrs. Richard), 16505 Southeast 30th, Bellevue, SH 6–7471.

J. Bruce Beckwith, M.D., Abraham B. Bergman, M.D., Children's Orthopedic Hospital and Medical Center, Seattle, Wash.

THE TFX AIRCRAFT PROGRAM

Mr. THURMOND. Mr. President, since 1963, the TFX aircraft program has been the center of a major controversy. In all probability, the TFX will be the most expensive single weapons program in history. The importance of this controversy, however, goes even beyond the cost of the TFX system, for the decisions involved and the procedures used will influence and affect our entire national defense effort.

As all the Members of this body are quite well aware, this matter has been the subject of an investigation by the Permanent Subcommittee on Investigations of the Committee on Government Operations of the Senate. Voluminous testimony was taken and published. The TFX has also been the subject of many newspaper articles directed at some particular aspect of the controversy.

Despite the availability of so much information on this subject, it was only recently that a relatively concise but thorough analysis of the entire matter was available. This concise analysis of the complete TFX controversy to date was prepared for and published by Barron's National Business and Financial Weekly in a series of three articles. These articles appeared in the issues of July 12, August 16, and August 30. In preparing and publishing this series of articles on the TFX, Barron's has performed a very useful and needed service to the country. I ask unanimous consent that the three articles be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, only the future can provide the answer to the ultimate expense of the TFX and to the usefulness of the aircraft to be produced. As is demonstrated by this series of articles, however, the management of this program from conception to implementation provides a lesson in what should not be done and errors to avoid in the field of defense management. One cannot avoid the conclusion that Mr. McNamara hatched a fiasco.

Nevertheless, not all the blame for the TFX fiasco can be saddled on the executive branch. The Congress has the responsibility for assuring that the taxpayers' moneys are efficiently and sensibly administered and that our Defense Establishment is adequate to the need. The Congress cannot abdicate this responsibility and expect to escape the responsibility for the messes such as the TFX.

Exhibit 1

[From Barron's National Business and Financial Weekly, July 12, 1965]

Flying Edsel?—The TFX May Wind Up Satisfying Neither Buyers Nor Sellers

(Note.—The controversial Air Force-Navy fighter plane, officially designated the F–111 is scheduled to take wing this year. This is the first in a series of articles by staff writer J. Richard Elliott, Jr., on the program.)

Fiscal 1966, which began inauspiciously on July 1, shapes up as a crucial year for the powers-that-be at the Pentagon. Congress soon will approve a defense budget of more than $45 billion. While $2.5 billion under last year's actual appropriations (including a $700 million supplemental "emergency fund" for Vietnam), the authorization scarcely can be described, even in Pentagonese, as a limited or conventional one—and is almost certain to be increased as the United States moves ever closer to full-scale conflict in southeast Asia. As it is, the Defense Department's new shopping list is an extraordinary mix of slashing economy and escalating procurement. On the latter score, one of the most controversial development programs in military history, the TFX (for Tactical Fighter, Experimental), is scheduled to emerge this year from research and development to full-fledged production status. Designated the Air Force-Navy F-111 fighter-bomber, the plane is this country's single biggest new Cold War weapon.

Since it was launched in 1963, the TFX program has cost roughly $900 million. Another $700 million has been earmarked for it in fiscal 1966. If the Pentagon buys as many F–111's as it now plans, the price tag through the early 1970's will run to at least $8 billion. Such a figure would make the TFX by far the most costly single piece of military goods in history. Some observers in and outside Washington expect the cost to rise above $10 billion before the program ends, and a few peg the ultimate bite even higher.

In a day when every defense dollar counts—or so insists Secretary of Defense Robert S. McNamara, the man who does the counting—such astronomical funding surely ranks the F–111 as something special. And so it is. The first military plane conceived, designed and developed on a biservice basis, the F–111, off its advance notices, rates as the most versatile aircraft in the Nation's growing arsenal of conventional weaponry. For the Air Force, it will serve as the primary tactical air-strike vehicle. For the Navy, a slightly modified, carrier-based model will seek to maintain air superiority at sea. What's more, the Pentagon is working to find further applications for what may be a truly all-purpose plane.

Nevertheless, there are signs that the $8 billion TFX program may prove something less than the biggest bargain in the budget. For one thing, despite all the bullish predictions of Mr. McNamara's band, the actual number of F–111's which the military intends to build has been shrinking. What undeniably is going up is the program's cost: each plane may run nearly 50 percent more than Mr. McNamara's famed "cost-effectiveness" experts had forecast. Worse still, the TFX has run into a number of technical snags which are likely to delay the program and diminish the effectiveness of the aircraft.

Under the best of circumstances, the Air Force and the Navy both would get less of a plane than either wanted. From the onset, compromises and tradeoffs were necessary to squeeze contradictory specifications into a single design. As things stand now, the Air Force, which had to give less ground and more urgently needs the new planes, seems firmly committed to the F–111. However, the Navy, unhappy with the TFX from the start, has become increasingly disenchanted. To keep the simmering controversy within the Pentagon from boiling over, more tinkering with the supposedly set program is certain—and just as certain not to please everybody. Like the ill-fated Edsel, in which Mr. McNamara also had a hand, the TFX may wind up satisfying neither buyers nor sellers. It also may lead to this long-overdue revision of Clemenceau's famous dictum: War is too important to be left to civilians.

As it shapes up on the drawing boards, of course, the F–111 is quite a chunk of airplane. Compared to any U.S. tactical fighter—or that of any other country—it's a superior machine, distinctly advancing the state of the art of military aerodynamics. Big as the B–29 of World War II, the two-man jet is designed to fly faster than twice the speed of sound, outmaneuver, and outclimb any present or potential enemy attacker, bristle with an unmatched assortment of bombs and missiles. Nor is that all. The first production plane ever to be fitted out with swept wings of variable geometry (they pivot back and forth in flight at the pilot's comand), the F–111 is unique in combining two aerodynamic capabilities which usually are mutually exclusive: supersonic swiftness and high lift. The plane, in other words, can operate just as effectively at very low altitudes and speeds as it can zoom in the farthest reaches of the wild blue yonder.

Hence, the TFX should find it a breeze to take off and land on aircraft carriers and austere jungle clearings. Its planned missions range from "loitering" for hours as a naval task force watchdog to tactical strike sorties—dashing under the radar defenses of an inland target, dropping its payload, fighting off interceptors, and returning to its base for another bomb load. Moreover, it's so-called ferry range of up to 3,000 miles without refueling means that whole squadrons could wing their way to any spot on the globe with unprecedented swiftness. Whether as an Air Force plane (officially the F-111A) or its naval twin (the F-111B), in short, the TFX could be worth its weight in gold.

Moreover, this awesome aerial weapon, its advocates proudly claim, is a real bargain. Secretary McNamara, for one, has been defending the TFX conceptually, contractually, and costwise—before congressional committees virtually from the day in 1962 when he awarded its development to General Dynamics Corp. Whatever it finally costs, says the Secretary, by developing and building essentially one plane for both services (the components in the two versions are said to be 85 percent identical), rather than two separate aircraft, the Pentagon stands to save $1 billion.

The final cost, to be sure, must be reckoned not only in dollars and cents but also in terms of the Nation's security. It has been 5 years since the Air Force and Navy set down their respective requirements for new tactical aircraft. Both services plan to replace existing air fleets by the end of this decade. Accordingly, the F-111 must do more than prove it can get off the ground and flap its ungainly wings. It must convince the admirals as well as the generals that it can outperform anything the other side may come up with in the next 15 years or so. What's more, it must do so soon. Fiscal 1966, it appears, is the year of decision.

To all outward appearances, the program enters this critical period flying high, wide and handsome. Development schedules have been met, or exceeded by General Dynamics, the prime contractor, and by Grumman Aircraft, its principal subcontractor with responsibility for key airframe sections and final assembly of the Navy version. General Dynamics, in fact, has earned a tidy $800,000-plus in incentive bonuses on its early work. Its sprawling Fort Worth (formerly Convair) plant and Grumman's age-scarred facility on Long Island already are beginning to hum with wartime urgency.

In recent months, the airplane has visibly taken shape. At Fort Worth, five F-111A's have been turned out, as the project's prototype production now approaches a rate of one a month. In May, Grumman rolled out the Navy's F-111B No. 1 right on time. All told, F-111's have logged over 75 test flights. Under the original contract for R.D.T. & E. (research, development, test and evaluation), awarded 2½ years ago, the contractors are to supply another 13 Air Force and 4 Navy models experimentally, while ironing out production kinks.

Last April, without awaiting further results, the Pentagon put its money where its faith is by granting General Dynamics a production contract. The award covers an unusually long 4-year run. It calls for delivery of 431 F-111's through 1969, all but 24 in the Air Force version. Detailed negotiations still are in progress, but the Defense Department has disclosed that the order will exceed $1.5 billion. At the same time, it revealed to Congress that it plans an eventual procurement of some 1,600 F-111's.

What's more the TFX may attract demand from other sources. For one thing, the Pentagon has been busily hustling orders from our Allies. Thus, Australia has signed up for 24 F-111's for its air force, while Britain, which decided not to build a tactical fighter of its own, took an option on 120 of the planes. Even the West Germans have been approached by Mr. McNamara's salesmen.

The U.S. Air Force, meanwhile, which so far is committed to the F-111's only for its Tactical Air Command (TAC), is eyeing an adaptation for possible use in its strategic (SAC) squadrons as well. Both the Navy and the Air Force are considering a longer-range reconnaissance model. Finally, the Federal Aviation Authority, under its newly designated head, General William F. McKee (who was a key Air Force officer during the TFX source selection process), may decide to use the F-111 in extensive studies of the variable wing, for possible application on the stretched-out supersonic transport (SST) program.

THE NUMBERS GAME

The F-111, all this might suggest, is as hot a plane in the market as it is on paper. Like chickens, however, military aircraft in development never can be counted before they hatch. The ill-fated B-70 superbomber and, for that matter, the short-lived B-58 Hustler (which was to have kept GD's Fort Worth plant busy for years, until it was abruptly phased out in 1962) are two recent reminders that military and political minds can change. Indeed, the mind-changing process has been going on, with very little notice, in the TFX program, too.

Specifically, since 1961, the Pentagon has made several "adjustments" in its long-range planning for the F-111. During the bitter design competition of 1961–62, in which Boeing finally was eliminated, bidders were told to base their proposals on a total program of 1,460 Air Force and 231 Navy planes, or nearly 1,700 in all. Then, in mid-1963, when development had barely begun, the Navy unexpectedly upped its overall buy to 592 aircraft, putting the total for both versions well over 2,000. By early 1965, industry insiders, apparently with some assurance from the administration, were assuming a run of at least 3,000 F-111's.

But the program presented in closed hearings on Capitol Hill, a few months ago, revealed a distinctly different set of numbers. As noted, the planned total now is down to 1,600—of which 1,100 are to be F-111A's and 500 F-111B's. Actually, the Pentagon is contractually committed for the next few years, at least, to just 431.

This deterioration may not count for much over the long pull, of course. Indeed, the numbers themselves have been well hidden behind a smoke screen of Pentagon propaganda (over and beyond the call of military security). Behind the smoke, however, at lease two factors are discernible that appear to be cooling off some of the early enthusiasm. One is the mounting cost of the program; the other, mounting evidence that the plane itself may fail to measure up to expectations.

SOME PAINFUL TRUTHS

On the first score, recent top-secret congressional testimony revealed some hard truths that must have been particularly painful for the computerized whiz kids of the Pentagon. A major element in General Dynamics' winning proposal 3 years ago, Mr. McNamara later emphasized, was its "cost realism." Though submitting a higher bid than Boeing, General Dynamics was adjudged more realistic because it took into account probable future developmental problems. In the end, the company proposed to develop and build 1,700 TFX planes for a total price of $5.8 billion—roughly $3.4 million apiece.

Experience, however, has caused the customer to go back to his computers. The cost per plane over the life of the program now is figured at about $4.5 million—a 30-percent markup in 30 months. (According to one admiral, the first four production F-111B's—that part of the Navy's share funded in the fiscal 1966 budget—will average $35 million apiece.) A realistic projection, though, still seems hard to come by. For since the total program, by the latest Pentagon estimate, will cost $7.78 billion, the 1,600 airplanes involved actually will average out at nearly $4.9 million each. Furthermore, no one believes the end to escalation is in sight.

BACK TO THE DRAWING BOARDS?

The spiraling costs, as it happens, trace to both unexpected technical difficulties and changes required in the winning design to meet minimum operational specifications. These problems are far from overcome at the moment; some are proving particularly stubborn. In fact, there is a noticeable undercurrent of concern in Washington—evident at recent hearings, if not in the corridors of the Pentagon—that, the F-111 may fall short of Air Force hopes and almost certainly will prove less of an airplane than the Navy had bargained for.

Ironically, such fears were foreshadowed in the stormy TFX probe conducted in 1963 by Senator JOHN MCCLELLAN's Permanent Investigations Subcommittee. While raising a number of questions about the procedures by which the contractor was selected, the hearings yielded some revelations that won scant attention in the general press. The most significant of these was that Boeing's losing design outscored the winning one in most performance characteristics and, accordingly, was the overwhelming choice of the top service brass, including the technical men assigned to evaluate the competing proposals. Now, 2 years down the road, the General Dynamics airplane is shaping up as vulnerable for weaknesses pinpointed by the Pentagon's own experts.

For one thing, it is seriously overweight. This could both shorten the Air Force's ferrying range and hobble the Navy's ability to get on and off its carriers. TAC wanted an aircraft that could span the Pacific with a single refueling (as Boeing's design promised to do). The F-111A may, however, need as many as three refuelings.

The Navy had placed a maximum limit on "gross takeoff weight" (which includes fuel, equipment, bombs and crew) of 50,000 pounds. It was forced to up the ceiling to 55,000 pounds, in a tradeoff, to give the Air Force better supersonic dash qualities. When the General Dynamics proposal was declared the winner, its design already blueprinted a plane which the computers said would weigh 63,500 pounds (1 ton more than Boeing's).

Actually, despite heroic efforts by both major contractors to cut every unnecessary ounce, the first F-111B rolled off the assembly line at a whopping 70,000 pounds. One result is that the Navy is spending $170 million this year to strengthen 2 of its 15 attack carriers, in order to accommodate the unexpectedly heavy plane; at that, only 9 of the presently commissioned flattops will handle it.

SPUTTERING ENGINE

Nor is overweight the program's only headache. The F-111's twin engines, built by Pratt & Whitney (division of United Aircraft), have been kicking up. Pratt & Whitney was selected in the competition 3 years ago because its motor was in an advanced stage of development; a rival proposal by General Electric (incorporated in Boeing's first bid) was ruled out because it would not be ready for 2 years. But, in ground tests to date, the Pratt & Whitney engine has failed to achieve either the power or the endurance demanded by the military.

Moreover, "marrying" the engine to the plane has caused unforeseen aerodynamic problems. Owing to insufficient wind-tunnel testing, the estimates of air flow at the jet intakes used by General Dynamics engineers proved far off the mark. To date, redesign of the inlet area has failed to correct the difficulty. Unless it is corrected soon, the first slippage in the overall TFX program schedule will result. So admits no less an authority than the F–111's project director at Wright-Patterson Air Force Base, Maj. Gen. John L. Zoeckler.

Finally, the Navy's version of the F–111 has hit still another snag—this one peculiar to its weapons-system makeup. The trouble lies in a new missile called the Phoenix. This deadly bird, for the admirals, is a vital part of the program. The F–111B could be outfitted with conventional missiles (such as the Sidewinder and Sparrow); however, only armed with the longer-ranged, more sensitive, air-to-air Phoenix would the fleet enjoy the range and punch it deems absolutely necessary to do its job in the 1970's.

Under development by Hughes Aircraft (like Pratt & Whitney, as associate price contractor dealing directly with the Government), the Phoenix already is a year behind schedule. The big drags: an inadequate guidance system (built by the usually reliable computer manufacturer, Litton Industries); and an inability, on the part of the General Dynamics-Grumman team, to find a way to mount the missile efficiently on the aircraft.

TO BUY OR NOT TO BUY

To be sure, the Navy, according to Pentagon sources, can wait until after 1970 before it must begin phasing out its F–4 jets. By contrast, TAC ought to start replacing F–105 squadrons in the next few years. Be that as it may, the delays and redesigns inevitably will add vastly to the cost of the TFX. Hence, Secretary McNamara's cost-effectiveness inevitably will diminish further on a weapons system already difficult to justify in terms of dollars and cents.

Significant, then, are statements from top military brass (transcribed at the appropriations hearings) purporting to explain why both services lately have altered their plans for making the F–111 operational. The Air Force, Congressmen were told, will stretch out its modernization because it finds that it can get more mileage than expected out of present equipment. The Navy, for its part, decided against replacing today's carrier planes with F–111Bs on a one-for-one basis. Its reasoning: rather than doubling the fleet's fighter power, it could maintain its present strength by merely subbing one F–111 for every two F–4s—clearly, the TFX is twice as good as its predecessor—or perhaps twice as expensive.

The hard fact is that the Navy—while officially still in line for 500 of the planes (to the Air Force's 1,100), according to the Pentagon's master plan—has agreed to take only 24 of that first 431 actually on order for delivery through 1969. Plainly, the Navy still has not made up its mind whether to go all the way with the TFX. In a heavily censored transcript of the recent hearings, the admirals revealed their doubts. "We need what (the F–111) can provide us, * * *" admitted Rear Adm. W. I. Martin, Deputy Chief of Naval Operations (Air). "But we would like to fly this airplane sufficiently to make sure that it would be a completely useful aircraft before we make a commitment for procurement."

The official administration view, to be sure, remains completely free of doubts. This undeviating cheerfulness, in part, may stem from a curious memorandum distributed by Assistant Secretary of Defense for Public Affairs, Arthur Sylvester, last year. The gist of the message was an order that henceforth, in all publicity or public statements, the F–111 will be described in such a manner as to make it clear that (it) will meet the requirements of the Air Force's tactical air mission, the Navy's carrier-based mission and the fighter mission of the Marine Corps.

IRREVOCABLY COMMITTED

The Pentagon's civilian secretariat, in short, is irrevocably committed to the success of the TFX as it has been to few other projects in recent history. The F–111A, said Secretary McNamara recently, "is proceeding very well indeed." As to the F–111B, while it is "plagued by two difficulties (weight and the Phoenix) * * * I have no doubt that with the weight reduction program and other possible modifications we will be able to develop a very satisfactory aircraft for the Navy."

Conceivably, Mr. McNamara's confidence ultimately will be justified. At the moment, though, the snags in the TFX program, as Barron's will detail further, make this an open question. After all, confidence and determination—even when combined with a decade of planning and the efficiency of Detroit—were not enough to save the Edsel.

[From Barron's National Business and Financial Weekly, Aug. 16, 1965]

TOO MUCH, TOO LATE: THAT ABOUT SUMS UP THE CURRENT STATUS OF THE TFX

(NOTE.—This is the second in a series of articles on the controversial F–111 Air Force-Navy fighter plane, by staff writer J. Richard Elliott, Jr.)

As President Johnson bustled about Washington last week, signing an $8 billion housing bill here and authorizing a $280 million health and research center there, briefing contingents of Congressmen on foreign policy at one moment and creating at the next a task force "of the great experts of this Nation * * * to tell me and tell America where we are going and how we are going to get there," the Great Society hurried toward is rendezvous with destiny. Meanwhile, at the Pentagon, the lights were burning late, as the generals and admirals sought to make vital command decisions on how to deploy the additional $1.7 billion in emergency funds—downpayment on a far larger sum—earmarked for southeast Asia. According to reports from the Capitol, Defense Secretary McNamara suddenly must spend billions to buy old—10 years or more, in some cases—but available (and, fortunately, reliable) U.S. aircraft like the Boeing B–47, Republic's F–105, McDonnell's F–4 (the "Phantom II"), Lockheed's "Starfighter," and perhaps the propeller-driven Douglas A–7. Even the highly touted whiz kids, it appears, cannot fight today's wars with tomorrow's weapons.

Wherever else it may be going, the United States is marching off to war—inadequately armed and equipped as usual. Nobody doubts that the Nation's so-called military-industrial establishment sooner or later will do the job. But what a commentary on the preparedness policies launched at the Pentagon 5 years ago and hailed, even today, on nearly every side. Specifically, when Secretary McNamara and his computers took over at Defense, plans for a new Air Force variable-wing plane, designed to cost around $2.5 million apiece, were ready for his signature. The Navy was equally eager to launch development of a new fighter for its carrier-based tactical squadrons. Instead the whiz kid from Ford conceived the TFX—one all-purpose aircraft for both services. After nearly a year of inter-service opposition, the Secretary of Defense convinced the Chiefs of Staff to embark on a joint-development effort. Although one contractor, Boeing, was ready with an acceptable design, 13 months later, after an unprecedented four-round source-evaluation marathon, another company, General Dynamics emerged with the contract. A year after that—following a stormy but inconclusive investigation by a Senate committee—plans were finalized and work begun.

Today, as Barron's has reported and is prepared to detail much further, that development program is beset with technical, operational, managerial and financial difficulties. The flying Edsel, quite simply, is yet to take wing in meaningful numbers. The incredible program is expected to cost at least $8 billion, assuming it continues as planned; its ultimate cost remains to be seen. What the 3-year delay wrought by Secretary McNamara and his band has cost the Nation in battle readiness, however, is clear.

In the jolting words of John Stack, "father of the TFX" (and now vice president and director of Republic Aviation): "There could have been a work statement on the variable-wing tactical fighter plane in 1960. They could have been flying prototypes at least by 1963. Here you are just now flying prototypes in 1965."

In a Pentagon that prides itself on decisionmaking the TFX has been one long chronology of delay. Its whole story has never been told—but it's well worth telling today. The Tactical Fighter, Experimental, originated in a concept evolved by staff members of the National Advisory Committee for Aeronautics (NACA), predecessor to the post-sputnik NASA. Directed by Mr. Stack, the NACA/NASA team developed a basic design—called variable geometry—for an aircraft with movable wings. When extended straight out from the fuselage, the wings afforded high lift as well as aerodynamic control at low altitudes, swept all the way back, they formed the classic Delta configuration of the supersonic jet; pivoted to a position somewhere in between, they permitted both long-distance medium-speed cruising and supersonic dashes at treetop level. Hence, one plane that could perform a variety of missions became theoretically possible.

Before long, Mr. Stack's group had aroused the interest of all three military services. Sensing the mounting interest, the aerospace industry plunged into competition en masse. General Dynamics began small-scale testing at Langley Field's wind tunnel late in 1959; Boeing, ahead of the pack, had been working closely with Stack's team (at its own wind tunnel in Seattle) since early 1958. By mid-1960, the air arm indicated it was ready to go ahead with a $2.2 billion program for development and production of TFX fighter-bombers. Deliveries were to begin in 1965; the cost of some 840 planes was projected at around $2.6 million each. (As noted last month, the TFX now is expected to become operational for the Air Force no earlier than 1967—and not before 1969 for the Navy, if at all—and is costing some $5 million per plane.)

With a presidential election looming, however, the Eisenhower administration decided to defer a final decision. President Kennedy and Secretary McNamara came on the scene with ideas of their own—controlled response and cost effectiveness, to name two. By the time the new Defense chief got around to reviewing the TFX program, the variable-wing Air Force plane seemed a once-in-a-lifetime opportunity to put such theories to the test. In brief, the notion struck Mr. McNamara that a single TFX could be designed that would meet the requirements of all three services.

Army, Navy and Air Force rebelled at the idea. The Navy's concept of a light tactical plane for carrier use would weigh at most 50,000 pounds, said the admirals, and pack bigger wings than those the Air Force had blueprinted on its 75,000-pound version. (The Army, for its part, needed nothing so big and costly as either model.) Both services feared a long and inconclusive struggle over conflicting technology. The Air Force particularly was upset over the likelihood that now it would not get its new planes by 1965.

After a long, hot summer, Mr. McNamara had the last word. On September 1, 1961, he sent out a memo, authorizing the start of a joint development program. Leadership and design specifications would be furnished by the Air Force, but the Navy would pass on any final version. The memo, drafted by one of the top civilian aides to Mr. McNamara, A. W. Blackburn, was historic for another reason: it introduced the estimate of a $1 billion savings (over the cost of two separate development programs) should the project succeed.

The military and technical experts now regrouped themselves at Wright-Patterson Field, in Dayton, Ohio. Mr. Blackburn, a graduate of both the Naval Academy and MIT, as well as an experienced aeronautical engineer and jet pilot, became the Pentagon's resident expert on the TFX. Astonishingly, he has admitted that the famous billion-dollar-savings figure—which was to become the main prop for the Defense Department's rationale—was estimated without the aid of a computer, as nothing more than a rough order of magnitude. From first to last, moreover, he was a stanch supporter of the concept of one plane for two services. Thus it's significant that when he resigned from the Defense Department in 1963, he took exception to the way it had all come out—the Secretary's selection of General Dynamics as prime contractor. "There is no real, supportable case to be made for his choice," Mr. Blackburn wrote, "on the grounds of operational, technical, management, or cost considerations."

COSTS PLUS

But that's another part of the story. Mr. McNamara's decision, after all, was based on cost realism. In testimony before the Senate Permanent Investigations Subcommittee, chaired by Senator JOHN MCCLELLAN, Democrat, of Arkansas, which investigated the TFX contract award throughout most of 1963, he enumerated three main conditions for the winning proposal. They were: (1) Satisfaction of both services that "a significant improvement to their tactical air capabilities" could be achieved by the single TFX; (2) "minimum divergence from a common design" (the concept that came to be known as commonality), "compatible with the separate missions of the Air Force and Navy to protect the inherent savings of a joint program"; and (3) "demonstrably credible understanding of costs (by the contractor) both for development and procurement of the complete TFX weapon system * * *."

After the marathon 13-month technical evaluation, both final proposals were considered "acceptable" to both services—that is, they both met the first of Mr. McNamara's conditions. (The Boeing bid—which made use of such state-of-the-art breakthroughs as titanium alloys, thrust-reversers and overhead engine mountings—was adjudged vastly superior in nearly every aspect of performance, as will be seen.) General Dynamics was adjudged better on the second or so-called commonality factor. Despite a more complex design, finally, Boeing's bid was the lowest—and its proposal spelled out what appeared to be a thorough and credible understanding of costs.

BEHIND THE LOW BID

There were several good reasons why. First, Boeing had established a cost record far superior to that of General Dynamics. Boeing had come up with fewer overruns; General Dynamics, contrariwise, had been plagued by them in several of its military programs. In commercial competition, where costs are even less flexible, Boeing's dominance in the market was clear.

In addition, Boeing—a more profitable concern—could afford to cost its administrative expenses below its rival's. Boeing further proposed to develop and build the fighter-bomber at one plant, in Wichita, while General Dynamics' plans called for splitting the final assembly between its Fort Worth (Air Force-owned) facility and Grumman's plant in New York.

Boeing also proposed to use a production technique which it had perfected (and gained no little fame thereby in the trade) on other large-volume contracts involving similar but not identical planes. Rather than investing in separate tooling for uncommon (but comparable) parts, the firm would use the same computer-directed tools, simply equipping them with two sets of programed instructions. The practice had enabled Boeing to turn out cheap KC-135 tankers with tools that doubled on B-52 bombers.

Finally, Air Force statistics (developed on many other contracts with both concerns) showed a wide disparity in both labor rates and productivity at Fort Worth and Wichita. From 1956 through 1961, Boeing at Wichita consistently ranged well below the industry's average of direct manpower hours per pound of aircraft produced. By contrast, General Dynamics/Fort Worth had required between double and triple the industry's average workforce per pound. (The Pentagon claims that Fort Worth typically produced more sophisticated aircraft than Boeing's bombers and tankers, but this scarcely would explain so marked a different; bombers and tankers, too, are complex pieces of machinery.) As to wage rates, an average difference of 72 cents hourly existed between Forth Worth and Wichita. Projected on a program involving nearly 2,000 airplanes (the figure then likely), wages alone gave Boeing a potential cost advantage of several hundred million dollars.

CAN FIGURES LIE?

Thanks to such factors, the Seattle-based company proposed a total price for development and production of 1,700 TFX aircraft of $5.36 billion; General Dynamics came up with a figure of $5.46 billion. Air Force evaluators quickly discovered that the two bidders were really further apart, since the respective proposals failed to include all the necessary program costs in comparable ways. Adjusting the two bids, the Air Force put Boeing's proposal up to $5.39 billion; General Dynamics shot up to $5.8 billion.

The two proposals differed even more strikingly in their respective bids for the research, development, test and evaluation (General Dynamics) contract immediately at stake. Boeing's price was $466.6 million; adjusted by the Air Force to include comparable support items and accounting methods, it became $576.8 million. General Dynamics bid of $543.5 million, after adjustment, became $711.2 million—over 23 percent higher. The Wright-Patterson valuation team, meanwhile, made its own independent estimates of what the programs would cost—roughly $900 million in either case, but with Boeing's still likely to be the lower by a meaningful amount.

The team, however, made up of outstanding technical experts, focused on technical and operational criteria in the two design proposals, and on that basis unanimously and consistently recommended Boeing. Their evaluation was passed along, in a kind of ad hoc chain of command, to a Source Selection Board, composed of senior military and naval officers (mostly of general or flag rank). The board was charged with making a joint recommendation, on behalf of both services, directly to the service Secretaries. Traditionally the judgment of such a board is accepted as conclusive.

UNANIMOUS VOTE

Late in October 1962, for the fourth time since the previous January, the Source Selection Board cast a unanimous vote for Boeing's lower-cost bid. But, Mr. McNamara's band of civilians found the word from the admirals and generals still far from persuasive. In particular, the Secretary of Defense was troubled by what appeared to his computer-like mind to be an obvious contradiction.

Here was Boeing, with a clearly lower bid. Yet according to the evaluation, General Dynamics was supreme in the matter of commonality. How could Boeing propose to make two different airplanes, cheaper than General Dynamics could turn out one? What had become of the billion dollars which commonality was designed to yield? Still worse, how could the Air Force evaluators, in projecting realistic costs, possible have come up with the same basic contradiction, showing General Dynamics bid relatively higher? Boeing's costs, he decided were suspect. The decision, in effect, had been dragging on now for nearly 3 years. It seemed at last to be on hand. In order to resolve this dilemma, Secretary McNamara decided a few more days could be well spent. He ordered Air Force Secretary Eugene M. Zuckert to find the answers.

MISSION TO DAYTON

The Air Force Chief promptly dispatched James E. Williams—no accountant, but an assistant to the deputy assistant secretary—to the remote outpost at Dayton. After several days of poring over the books and sipping coffee with the natives at Wright-Patterson, Mr. Williams returned to Washington and, on November 17, 1963, dutifully fired off a memo to his chief. Briefly, he reported that he was "impressed with the apparent thoroughness" of the Air Force cost estimates, and sought to explain why they came out lower on Boeing's evaluation than on General Dynamics'.

"The Air Force estimates," he wrote, "in each case represent a much more realistic estimate of what the presently defined program will cost." However, "negotiations with both contractors (though not recommended) would result in a lower contract price with Boeing." This was so because (1) they'd start at a lower level, (2) spread their overhead on a larger base, (3) hourly rates at Wichita were significantly lower, (4) Boeing proposed large quantity tooling rather than just enough to get through the research, development, test, and evaluation phase, and (5) Boeing's past performance shows they can beat the industry man-hour averages. This fact plus the company desire to support this reputation will tend to contribute to a lower contract price.

Having taken note of several reasons for Boeing's outstanding bid, Williams somehow managed to write this contradictory and almost incomprehensible summary. Because it came closer to the high Air Force estimates, "The General Dynamics cost proposal is more realistic than the Boeing. * * *According to General Dynamics, the TFX fits somewhere between the F-106 (a General Dynamics fighter plane) and the B-58 (a General Dynamics bomber) and their proposal reflects this thought throughout. Boeing, apparently, approached the proposal in a more thoughtful manner. * * * Boeing actually submitted more detail in support of their cost. Measured by almost any cost standard the Boeing cost is low. The reputation of the pricing people at Boeing argues against gross mistakes. The whole Boeing cost proposal is set in optimism to the extent of bragging on company capability."

Williams signed off the memo with this parting shot: "As I was leaving, they (the Wright-Patterson people) gave me a quote which seemed appropriate enough to pass on to you: 'There is hardly anything in the world that some man cannot make a little worse and sell a little cheaper, and the people who consider price only are this man's prey.'"

MEMO FROM ZUCKERT

This incredible document seemed to resolve the matter in Mr. Zuckert's mind. On November 21, 3 days before the public announcement, Secretary Zuckert sat down to write his own memorandum for the record. This 5-page paper—signed also by Navy Secretary Fred Korth, reviewed by Deputy Defense Secretary Roswell Gilpatric and approved by Secretary McNamara—became one of the most celebrated exhibits in the TFX case. It seeks to explain and justify the choice of General Dynamics. Whether it also served as an aid to Mr. McNamara in reaching his own final decision never has been clear; ostensibly, it is the recommendation of the two service secretaries to their superior, and thus a basis for his choice. Even in the memo-mesmerized Pentagon, however, it is hard to believe that so weighty a matter could be resolved on such flimsy evidence.

For the famous Zuckert memo is shot through with inconsistencies, inaccuracies, and illogic. For example, it begins by acknowledging the competition as by far the most comprehensive source-selection evaluation in our experience—failing to mention that the results of the officially designated source-selection and evaluation teams had been summarily rejected.

Then the memo proceeds to demonstrate how "the TFX design represents a significant advance in the state-of-the-art, and results in a weapons system superior to those now in production for either service." As proof it offers a comparison of the TFX and the F–4C, using the General Dynamics version of the TFX as an example. Unfortunately, the figures used were not those for the General Dynamics plane but, curiously, similar to those from the Boeing design.

This was hard to explain to the inquisitive McClellan panel, but Secretary Zuckert tried. "Perhaps this has happened to you Senator," replied the Secretary glibly. "What happened is when the last draft of this memorandum came out of the typewriter, I thought it would be better to have the General Dynamics figures, seeing the decision went for General Dynamics. I sent somebody out to get the figures. They took them off the chart that was developed * * * when we were comparing representative performances."

FACT VERSUS FANCY

According to the Air Force team's evaluation—which never found its way into the memo or any of the other data all four Secretaries claim to have studied—Boeing enjoyed a spectacular superiority in performance. Though the actual figures still remain classified, here's a sample of how the respective General Dynamics and Boeing data compared: Ferry range, Boeing's, 1,100 miles greater. Reaction time (to an alert) in subzero climates: Boeing's, twice as fast. Landing distance required, over a 50-foot obstacle: Boeing's, 590 feet less. Weight of Boeing's Navy version: 2,208 pounds less. Navy loitering missions: Boeing's outlasted General Dynamic's plane by 30 minutes on one mission, by 5½ times on the other. On intercept missions, Boeing's range was 177 miles greater. In ordnance loading capability, Boeing's was 11 percent greater with wings tight, 69 percent greater with wings outstretched. Ordnance-variety carrying capability—Boeing's higher in every weapon from nuclear bombs to air-to-air missiles, by factors ranging from 44 to 250 percent.

Off to so damaging a start, the Zuckert memo never slackens its pace. It concentrates on proving that General Dynamics' plane would in fact turn out to be both better and cheaper. Here is the conclusion: "We should accept the General Dynamics proposal on the basis that it proposes the greater degree of commonness, contemplates the use of conventional materials, provides the higher confidence in structural design and offers the better possibility of obtaining the aircraft desired on schedule and within the dollars programed." (The questions of materials and structural design, relating to factors to be reviewed by Barron's, refer to technical choices between the two designs which affected weight and performance. In both areas General Dynamics has been having problems with its actual F–111 program 3 years later. Neither convention nor confidence has helped solve them.)

THAT COMMON TOUCH

First and foremost in Secretary Zuckert's judgment was that trusted old test of commonality. Despite a concession that "the Air Force gives a significant edge to the operational characteristics of the Boeing aircraft (and) the Navy also favors Boeing's operational features but to a lesser degree * * *," the memo finds that Boeing is, in effect, proposing two different airplanes from the structural point of view. (In terms of configuration and appearance to the naked eye, it should be noted—as some of the Congressmen did—Boeing's version actually looked more alike than General Dynamics'.)

To prove his point, Mr. Zuckert cited figures purporting to show the percentage of total parts that were identical for the two planes in each proposal: they gave an 85 to 60 percent edge to General Dynamics. Even qualified on his own terms, these figures turned out, after scrutiny by the McClellan committee staff, to be inaccurate, too. Moreover, what is the real test of commonness? As Boeing spokesmen testified when they finally got their chance, on the basis of other possible comparisons—such as number of parts similar, and made by identical tools—the Boeing design came out ahead.

The Zuckert memo, to this day regarded as a kind of white paper for the McNamara decision, more than anything else stirred the McClellan committee into action. The Senators wanted to know just what these details of cost realism really were, since the record seemed to be overflowing with data of all sorts except the financial. Soon after the TFX hearings had begun, Senator McClellan himself called in the Government Accounting Office for help. On April 2, he wrote to Joseph Campbell, the Comptroller General:

"An important factor in the evaluation of the proposals and the determination to award the contract to General Dynamics Corp. were cost standards * * * prepared by the Air Force against which the proposals of the bidders were applied * * * as a method of evaluating (their) reliability * * *. The subcommittee would like to have the GAO make an independent review of the cost standards prepared by the Air Force and used by the Department of Defense in making its decision."

Senator McClellan thoughtfully sent a copy of the letter with a request for Pentagon cooperation along to Secretary McNamara. Almost immediately, the Secretary himself replied to the Senator with the news that has since become an accepted part of the McNamara mystique but at the time, 4 months after the contract award, was quite stunning.

"The fact is," Mr. McNamara wrote, "at the secretarial level the cost estimates prepared by the Air Force were considered so unreliable * * * that they could not be used as a foundation for the source selection."

The Senator from Arkansas is not easily fazed. Wryly, he addressed another letter to the Comptroller General: "In view of the letter from the Secretary of Defense, my request should be modified. * * * It is requested that you review the cost studies used at the secretarial level (to determine why the Air Force estimates were 'unreliable') * * * (and) I would like you to review the cost estimates and related cost data actually used by the Secretary in reaching his decision."

THE MISSING RECORDS

Two weeks later, a reply came back from Mr. Campbell that caused even Senator McClellan to raise his shaggy eyebrows. It reported that the Defense Secretary told GAO that the Air Force estimates dealt with a "hypothetical airplane," and so were useful to the Pentagon in gaging "the probable cost of the total TFX program," but not for comparing "the inherent differences in the two designs." The Comptroller General added: "However, we have found no independent or additional cost estimates covering the TFX program as a whole, and the Secretaries have informed us that none exist. Both Secretary McNamara and Secretary Zuckert have stated to us that the conclusions reached by them were on the basis of their judgment, rather than on independent cost studies. * * * We therefore do not believe any further review * * * on our part would serve any useful purpose."

The subcommittee reacted quickly to this distressing account. On May 1, the Government's chief auditor and a number of his examiners were summoned. A team of GAO experts, Mr. Campbell testified, after talking with Secretary McNamara for over an hour on April 16, had determined that no cost records, indeed, were anywhere to be found at the Pentagon. They then were advised by a general in the corridor to take their search to Wright-Patterson Field. Consequently, the GAO head sent two of his top auditors to Dayton.

"We found that the Air Force files contain a wealth of raw data on completed and recent aircraft programs," one of the investigators told the fascinated committee members, "but Colonel Linerooth's team could not show us specifically how the Air Force estimates were developed or how the raw data were applied." Who was Colonel Linerooth? He was head of a special team sent out by the Pentagon in advance of the GAO agents (4 months after the decision was made) trying, as Senator McClellan himself paraphrased the account, "to reconstruct the records or do something."

The worksheets used by the evaluation team to transform raw data into estimates were in fact a missing link. They "had served their purpose," the GAO men said they were told, and apparently had been "destroyed in accordance with their normal procedure."

Normal procedure? "As far as I personally am concerned," the Comptroller General put in, "I was surprised that all records having to do with this matter were not more carefully preserved and available for inspection by our own Office." At another point he added: "I would expect the fullest kind of documentation in this case for two reasons. One is the enormous expenditure involved, and second * * * (if it were I) in case I were not around to explain something, the supporting documents would be available." Were you surprised? Senator McClellan asked of Mr. Campbell. "I would have suggested that our Office not get into this if I did not think that the documentation was available * * * with respect to financial costs," he replied succinctly.

"ROUGH JUDGMENTS"

There was only one place in the Defense Department where the cost data could be found. "When it came time to examine the records and we had access to anything we wanted," reported one member of GAO's staff, "Secretary McNamara stated that he had the figures in his head, indicating to us that he did not have them on paper." To make sure they had heard right, the GAO men asked a McNamara man, David E. McGiffert, who was present at the meeting and took notes, to furnish them with a copy of what was said.

In the form of a memo, naturally, the McGiffert account read in part: "The Secretary said that after finding the Air Force estimates inadequate * * * he had made rough judgments of the kind that he had made for many years with Ford Motor Co. It did not take very much time to do this. Neither the contractors' nor the Air Force estimates could serve as an adequate basis for the kind of judgment necessary."

GAO man Newman, in his testimony, recalled something more. Mr. McNamara had stated that, back at Ford, "if they found their cost estimates were off one-tenth of 1 percent, they dove back into them to find out just where they had made a mistake."

But in this case, Mr. Newman was asked by the committee counsel, "there is no indication whatsoever as far as you can see that Mr. McNamara had made any effort to make any independent cost survey of his own, and there is no indication that he sent any teams out to these companies to examine their cost estimates?" "That is right, sir," said the man from GAO.

DIVING BACK

The TFX committee did find, however, that even as they probed, Mr. McNamara, at last, was putting Ford-style teams into action. Besides the one hunting down the missing records at Dayton, there were two more hard at work in the Pentagon. The point was that he had not sent the teams "diving back" into the data when he first began to mistrust the official and contractor estimates—which by his own testimony had been about a year previous, and by his own yardstick clearly were outside the acceptable bounds of one-tenth of a percent. In any case, the teams were busy in the spring of 1963, and one of the conscriptees described the effort.

"At the end of the second week of (TFX) hearings," recalled Mr. Blackburn, "the course of the investigation had become a source of deep concern to the top echelons of our Government. Top level talent was made available at the Secretary of Defense level to assist in preparing for defense of Secretary McNamara's decision * * *." Specifically, about a dozen Pentagon experts were rounded up and grouped into two teams. The Red team (Blackburn's) was charged with putting together "the case for Boeing, a kind of Devil's Advocate exercise to assure that all possible challenges to the Secretary's position were anticipated." The Blue team, headed by Pentagon Counsel Solis Horwitz, had the job of "supporting the decision made by Secretary McNamara some 4 months before."

All but locked up in a Pentagon cubicle, with slide rules and computers, the Red team "worked essentially around the clock for 5 days." They came up with the best case they could make, a task that was "comparatively simple, as the superiority of the Boeing proposal was well documented" The Blues had the conference room adjoining the Secretary's office. They "could avail themselves of General Dynamics if they chose, as that company was under contract to the Government * * *" and they came up with a case for General Dynamics that was better than the one the company itself had been able to make at the time of the final proposals. They did so, said Mr. Blackburn, because they used data that had not been worked out or did not even exist before.

Needless to add, the team assigned to defend the Defense Secretary's exposed flank won again. But when Mr. McNamara asked the "Reds" to "concur * * *(on the basis of newly computed data) * * * the professionals on the Red team would not accede to such a proposition. * * * The idea that a reevaluation of certain selected items in the design proposals could be realistically verified without several weeks' intensive review by a large team of unbiased experts, and without working with both contractors, was professionally repugnant to the members."

As a result of the palace revolt, some of the "Reds" soon resigned from the team and from the Pentagon. Indeed, not the least of the unexpected costs of the TFX decision and its strange aftermath was a wholesale exodus from military service of many of the country's top professionals—NASA's John Stack and the Navy's Admirals Pirie and Anderson (the latter removed as chief naval officer and sent packing as Ambassador to Portugal), to name just a few. Other controversies played a part in some cases, to be sure, but nothing in recent years has rent the Pentagon so seriously as the supposedly unifying, biservice, superplane development.

WHAT PRICE "REALISM"?

In view of this background, then, what has happened to costs should surprise no one. A comparison of the various estimates of projected costs on the principal item involved in the contract—development of the airframe—illustrates the point. This part of the fixed-price contract amounted to $486.6 million, including 9 percent as profit. Yet General Dynamics, in its final proposal, had estimated the airframe at $519.9 million as its best and lowest bid, and the Air Force evaluators pegged the same item (developed and built according to General Dynamics' proposal) at $616.8 million.

All told—including parts the prime contractor would not supply—General Dynamics said it would cost $711 million to develop the plane (and build 23 prototypes). The final contracts, disregarding those "unreliable" Air Force estimates of some $900 million, actually were pegged to that figure. That was "realism." In reality, funding for the research, development, test, and evaluation phase of the F–111 program through fiscal year 1966—before any funds earmarked by Congress for procurement—totals $1,149 million.

Meanwhile, of the prime contractor's $47 million projected profit, some $35 million (according to reliable estimates) already has been nibbled away by costs which General Dynamics will have to bear. What's more, the development, testing, and evaluation program is far from over for despite the recently awarded procurement contract, Congress has refused to authorize production tooling on the Navy version of the plane.

It's clear that problems like the troublesome Phoenix missile and the F–111's excess weight are taking their toll. So, too, ironical is the TFX's crash-diet regimen—a super-weight-improvement program called "SWIP" and another reducing project called "SCRAPE"—which belatedly seeks to get the pounds off one way or another. Last March, Rear Adm. A. M. Shinn, head of the Navy's Bureau of Weapons, called the weight-saving task "a sizable effort and an expensive one for the contractor, General Dynamics." These problems—the specific instances of rising costs—will be analyzed in detail. The real gap between Mr. McNamara's "realism" and reality, however, traces to factors underlying the original TFX concept itself and inherent in the making of the contract-award decision.

In short, here was a program which, once it became biservice in character, clearly had grown into (and was so regarded) the biggest and potentially most expensive military procurement in Pentagon history. How, then, could the Government go out of its way—literally adding years to the ultimate delivery of so vital a weapons system—in order to see that the highest of two competitive bids won? That unprecedented decision, and its subsequent, unabashed justification, are of more than historical interest. For the way in which cost realism was determined in the McNamara Pentagon 3 years ago not only helps to explain the high costs of the F–111 today, but also raises unsettling questions about the posture, efficiency, and managerial capability of the Nation's entire Defense Establishment in this time of mounting world crisis.

[From Barron's National Business and Financial Weekly, Aug. 30, 1965]

Wing and a Prayer: The TFX, "Best Plane Ever Built," May Not Be Good Enough

"F–111 program management was diverted and distracted by the congressional investigation. I attribute such problems as extra weight directly to the fact that top people were prevented from making appropriate decisions at the proper time." (Maj. Gen. John L. Zoeckler, USAF F–111 System Program Director.)

"That's the silliest, most asinine statement I have ever heard. Mr. McNamara said the best plane could be built by General Dynamics. Well, they've built it, and it's his airplane. They had better get busy changing the design or the materials or change their thinking on this commonality business, and never mind about the committee. We're just watching and waiting." (Senator John McClellan, Democrat, of Arkansas), Chairman, Permanent Investigations Subcommittee.)

(By J. Richard Elliott, Jr.)

On October 15, 1964, in Fort Worth, Tex., under sunny skies and amid fitting fanfare, the first Air Force model of the famous TFX fighter-bomber rolled out at the U.S.-owned plant of General Dynamics Corp. "On view here today," said Secretary of Defense Robert S. McNamara pridefully, "is a weapon system which some said could never be made—(the F–111A) is unique. It is an aircraft which fulfills two missions which were previously considered contradictory or mutually exclusive. For the first time in aviation history, we have an airplane with the range of a transport, the carrying capacity and endurance of a bomber and the agility of a fighter-pursuit plane."

UPS AND DOWNS

Two months later, the superplane took to the air on its maiden flight and—although a malfunctioning trailing-edge flap forced it down in 20 minutes, 40 minutes sooner than the engineers had intended—the TFX proved it could get off the ground. Thereafter, milestone followed milestone. On flight No. 2 early in January, the plane maneuvered its variable-geometry wings while airborne. On March 5, 1965, during its 10th experimental sortie, for the first time it flew faster than sound.

Then, on May 18, high above the Long Island facility owned by Grumman Aircraft (the program's major subcontractor), the Navy's first TFX—model No. 1 of the F–111B—made its debut in the wild blue yonder. "Two little micro-switches need slight adjustment," the test pilot noted upon alighting. "That's the only thing that didn't operate perfectly."

Indeed, just a week before, when Grumman conducted its own ceremonial rites of rollout, Vice Adm. Paul H. Ramsey, Deputy Chief of Naval Operations (Air) had proclaimed: "This is an incredible advancement in the concept of an airborne manned weapons system. Its adaptation to the attack carrier is the focal point of our efforts and hopes. Whatever normal difficulties we experience we expect to overcome. We are confident that the genius (of Grumman, abetted by General Dynamics) will deliver—as usual."

OPERATION FALLSHORT?

In the summer since, nothing has happened to discourage the F–111's backers in and out of the Pentagon. Undeniably, it is the unique airplane Secretary McNamara said it is. Whether the TFX is an unqualified success, however, is another question. The record (see Barron's, July 12 and August 23), strongly suggests that in terms of timeliness and dollars and cents the program leaves much to be desired. From the technical and military standpoints, moreover, the TFX also appears considerably less than it's cracked up to be. It may well prove to be the most advanced aircraft in history (it certainly will be the costliest and most controversial). Yet, the evidence is mounting that it won't be good enough for either the Air Force or Navy.

The TFX originated in the design for an Air Force tactical fighter-bomber. However, its justification as an $8 billion (or around $5 million per copy) program always has been its vaunted flexibility. For example, the superplane, it was early determined, could double in brass as a strategic bomber. Specifically, Mr. McNamara saw in it a new plane for SAC, to replace the aging B-52's when they become obsolete in the mid-1970's. Now, however, hopes of any such early adaptation of the F-111 have all but faded, and not only because some generals have steadfastly argued against stretching commonality too far. The so-called B-111, it turns out, would offer no great improvement over the newly modified planes in SAC's 1965 squadrons.

NOT IN THE CARDS

More than a new strategic bomber, the Air Force did want the RF-111, a reconnaissance version of the TFX, and wanted it ready to fly when the new tactical bomber went operational. This isn't in the cards, either. "Last year we tentatively scheduled the first operational units of RF-111's," Defense Secretary McNamara told Congress a few months ago. "It now appears that the capability of the reconnaissance force will be large enough to permit deferral of the introduction of this new aircraft. Pending (restudy), the full development of the RF-111 has been postponed and requirements will be met with RF-101 and RF-4C squadrons"—both of which, on paper at least, will be considerably hard put just to keep up with the TFX.

What the Navy, for its part, wanted as far back as 1962 (when the TFX contract was awarded) was a new tactical fighter for its carrier force "as quickly as we can get it," according to former Navy Secretary Korth. He said that he chose the less complex and more realistic design proposed by General Dynamics over that of Boeing, because he "did not want to delay securing that aircraft by adding complexity to it."

But the Navy's plane, 3 years later, has been delayed indefinitely. Only one F-111B still has been flight-tested; radical design changes now are being made. The House Appropriations Committee, after reviewing the status of this increasingly complex machine with the top Navy brass, turned thumbs down on a Pentagon request for funds with which to start tooling up for F-111B mass-production. The reason: "The overall program has not advanced to this stage."

CONTINENTAL CONS

Such straws in the wind, beyond intimating that the TFX is suffering what the Pentagon calls a stretchout, take on a special significance when placed alongside other negative elements. Overseas, for example, the Pentagon has been busily trying to drum up trade for Mr. McNamara's premier product. Australia signed up for 24 planes; orders from Britain and even West Germany were confidently expected to pour in. But Bonn, working closely with French aircraft interests, now is engaged in less cumbersome variable-wing developments of its own, and has taken itself off the list of possible TFX patrons. Other continental powers, lacking empires to oversee, similarly have come to realize that the F-111 is just too big an airplane for their modest tactical needs.

No one yet knows what the Labor government will do, under attack as it is for scuttling Britain's once-powerful aircraft industry. In consequence, the United Kingdom has become an importer of military planes. But the Royal Air Force's recent agreement to buy 40 of McDonnell's supersonic F-4C's (with a July 1966 option for 110 more) and the Royal Navy's plan to follow up with a purchase of 140 F-4B's, leaves the TFX pretty much out in the cold. True, the British also have 10 F-111's on order, and hold an option (extended to April) for another 100 (at a reported price of $6 million apiece); but it's clear that the F-111A's planned range far exceeds the RAF's needs, while the F-111B's weight is much too great for any of the Royal Navy's relatively small aircraft carriers. By comparison the revamped $2 million "Phantom II's" (or F-4) more nearly fills the bill.

As to the Pentagon's own procurement plans, the F-111's seagoing limitations have engulfed the program in doubt. That still-to-be-completed R.D.T. & E. contract calls for 18 Air Force and 5 Navy versions of the plane—and the ultimate ceiling, as far as the military mind can see, is 1,600 F-111's. A procurement contract for the first 431 TFX's was awarded to General Dynamics earlier this year. Of the 407 F-111A's, the Air Force (and the Aussies) hope to begin receiving their first planes late next year; immediately thereafter, to begin training crews, maintenance and administrative personnel; and to start deployment of operational F-111A's by late 1967 or early 1968. But the Navy, in line for just 24 of these first production models of the TFX, now has indicated that 4 have been redesignated as R. & D. planes—to work out the persistent bugs. The remaining score of F-111B's on order are not due before 1968-69.

F-111B IN OUR FUTURE

Beyond this minimal commitment, however, the admirals have refused to sign any blank checks. Although the Pentagon master plan has them down for an additional 475 planes, starting around 1969, the Navy has yet to say unequivocally that it will buy any more. Many other promising developments are underway both here and abroad; if fueled by sufficient funds, some could put prototypes in the air before 1970. The Navy is known to have done some judicious shopping around, just in case.

"We are greatly concerned about the weight of the F-111B," said Rear Adm. W. I. Martin, then Acting Deputy Chief of Naval Operations (Air). (Shortly after, he became Assistant Deputy, under Admiral Ramsey). Added Admiral Martin: "It influences nearly all of the performance figures in one way or another. Weight growth at this point can be a very serious thing, because aircraft are known to grow even after the initial production."

What would the Navy do should it find it cannot go ahead with large-volume procurement of the F-111B? Senator JOHN STENNIS, Democrat, of Mississippi, asked Admiral Martin this question. "We will use the F-4," he replied without hesitation: "It's a very good aircraft with some growth potential. Then we will have to look for a follow-on * * * make another try for a new plane."

PROFOUND REPERCUSSIONS

Such a decision would have profound repercussions. To be sure, the Air Force eventually will buy at least its tactical fighter-bomber version of the TFX in large numbers. But without the Navy's full-scale participation, the F-111 obviously no longer would become the biservice, all-purpose plane which Secretary McNamara conceived—and on which concept it was designed. That projected $1 billion savings would, as Mr. McNamara himself once said, simply evaporate. The TFX would become a very expensive, not entirely suitable, piece of single-purpose military goods. In short, like the ill-fated Edsel, it would be an attractive product that failed to make the grade.

Not all the blame for rising costs, delays and disenchantment rests on such factors as poor design, inadequate planning or faulty management. Like any weapons system, the F-111 has benefited from new developments. Like any defense program, moreover, it has endured the run-of-the-mill setbacks for which a prime contractor cannot be held accountable. For example, the first Navy plane rolled out by Grumman weighed some 8,000 pounds more than its final design allowed. But according to Air Force Maj. Gen. John Zoeckler, overall F-111 project director, "The Government is responsible for a third of that growth."

Responsible for some of the Government's extra poundage, in turn, are a dozen major, additional pieces of electronic gear which the United States asked contractors to design into the plane. Of these, it might be added, none is dispensable.

Government-furnished equipment—GFE, as the jargon has it—also is behind some of the more serious bottlenecks. This kind of supporting gear—usually large and complicated subsystems—is supplied directly by the services to General Dynamics-Grumman for final installation. But the Government orders and pays for it, and otherwise is accountable for what happens to it along the way. In the TFX program there are two associate contractors dealing directly with the Pentagon. Hughes Aircraft, in charge of the Navy's Phoenix air-to-air missile system, and Pratt & Whitney (United Aircraft), on the F-111's twin, TF-30 jet engines.

The latter almost threw a monkey wrench into things this summer. After four consecutive prototype failures in 150-hour endurance tests, the first two production engines were put on the test stand last June and promptly fractured their blades. Late last month, with new blades reset at new angles, the engines passed the same tests, thus completing their ground-endurance (simulated-flight) qualification. Air Force Secretary Zuckert described the engine-failure experience as "more or less routine * * * ulcer-producing, but not much else."

The engine still must prove it endurance capability in actual flight, of course. Above all, it must be equal to speeds considerably above mach 1.2, which was as much as it had to demonstrate in the test stand to make the initial qualification. Development, at the moment, is said to be proceeding apace.

PHOENIX FLAP

The other major piece of GFE—the Phoenix missile—has been bucking even rougher headwinds, technically speaking. The air-to-air missile, sleeker and longer range than either of the fleet's two operational deadly birds, Sparrow and Sidewinder, will cost five times as much as the more expensive of that pair. In fiscal 1966, $70 million was funded for its development—more than for any other Navy missile except the big ICBM, Polaris.

If all goes well, each F-111B is expected to tote six of the new birds, probably mounted three under each wing (although Dynamics and Grumman have had trouble working out the aerodynamics). Hence, privately owned Hughes ultimately may get orders for as many as 6,000 copies of the Phoenix, including spares.

At the moment, though, all is not going well. "It is not Hughes' fault," says Rear Adm. William E. Sweeney, deputy to General Zoeckler in charge of the Navy's part of the F-111 program. "We had the program moving too fast, trying to push the state of the art farther than it's ever been pushed.

EXIT LITTON

Actually, what went wrong with the Phoenix was its airborne missile controls system (AMCS)—a computer developed by Litton Industries 3 years ago. The trouble simply is that the AMCS of 1962 has proved not good enough for a missile still under development in 1965.

The Navy took its time facing up to this, but did have several backup programs going (including another at Litton) against the contingency. Last month, to the astonishment of Chairman Charles ("Tex") Thornton, the Litton computer quietly was dropped from the Phoenix program. A brandnew competition for the ACS subcontract was initiated by Hughes and the Navy, with

Sperry Rand, Control Data, and IBM reportedly among the leading contenders.

A few days before the blow fell, Mr. Thornton told Barron's that he was unaware of any serious difficulty in the program. In the overall TFX program, meanwhile, Litton remains a subcontractor to General Dynamics for the navigation-attack system, a separate hunk of avionics and one without any apparent bugs so far. In any case, the switch in Phoenix computers has caused project designers and engineers virtually to start again from scratch. It will delay the missile's readiness, according to top Navy officers, by at least a year.

Whether it will delay the overall F-111B program that much, however, is not clear. "The (F-111B) was intended to be about a year behind the Air Force plans," Admiral Martin told Congress. Because of the Phoenix delay, it can be later than that."

The F-111B is incomplete without a suitably advanced rocket like the Phoenix. The Navy based its requirements for a TFX on the perfect union of plane and bird; one without the other, an extraordinarily expensive prospect, would sink Mr. McNamara's cost-effectiveness test without a trace.

SATISFIED CUSTOMER?

At any rate, much has happened to the TFX over which General Dynamics (or Grumman) had no control. But much has happened, too, for which General Dynamics is plainly accountable. Some of the present woes of the program trace back to the very bases on which the contract was awarded to General Dynamics. After considerations of cost realism and commonality the decisionmakers stressed three factors: (1) Managerial competence; (2) design feasibility; and (3) the preferability of solving weight problems without resorting to new and complicating materials like titanium. Critics have tellingly attacked the program on all three counts.

First is the question of managerial competence. How well has the General Dynamics-Grumman team performed? There is, to be sure, ample evidence that the Pentagon is satisfied. Not least was the procurement contract last April, with its unusually long 4-year production run—awarded before the F-111 actually had completed even half its R.D.T. & E. span. What's more, General Dynamics early this year picked up a tidy incentive bonus of some $875,000 by demonstrating the variable geometry of the F-111A's wings in flight fully 24 days before the deadline.

General Dynamics' management, not surprisingly, feels it is doing quite a job. (Grumman has made no recent public comment on the subject.) "The development program," President Roger Lewis said in reply to a stockholder's question at the annual meeting last April, "is proceeding exactly as could be expected. If you could design a perfect airplane on paper, no development program would be needed."

The company's top brass at Fort Worth are equally pleased. "I have a feeling," says F-111 Program Director J. T. Gosby, "we're going to make some money for the stockholders."

Frank W. Davis, a company vice president, once director of the design group that produced the Atlas ICBM missile, and head of the Fort Worth division, is even more positive. "We have successfully built an airplane," he remarked not long ago. "We have demonstrated that it works. We have been ahead of our own program milestones. We have successfully defended the program against a wide variety of competitors and other detractors. We've got a contract."

GENERAL LIKES GENERAL

Adds Mr. Davis: "When this program gets hard—that is, when all the details are finally adjusted in negotiations on the contract—it will be so far along it can't be headed. Mr. McNamara's $1 billion savings will be realized. Our projected profit will be, too."

Maj. Gen. John Zoeckler, the Pentagon's overall F-111 program boss at Wright-Patterson, agrees wholeheartedly. Says he: "Just because I'm 100 percent behind the free-enterprise system doesn't mean I can't get tough with a contractor. But General Dynamics has done a brilliant job on this program—particularly in negotiating subsystems, both pricewise and on technical performance. And we are constantly on their tail to avoid deficiencies, to correct costs now, when it's cheaper, rather than later."

What's more, the general is convinced that "this program will be completed with as good a financial record as any in our recent history. I believe in giving credit where credit is due. I also believe you can catch more flies with honey. In a meeting recently back at the Department of Defense, it was suggested that I should get tougher with General Dynamics. Frankly, I was horrified."

Such touching confidence and glowing optimism, however, don't quite square with the way things are. To begin with, there seems to be a few strains in the management end of the program. Last year, it was reported in the trade press that the Air Force was trying to nudge Navy-oriented Grumman out of the deal. On this score, a high official of the service told Barron's: "If we're trying to reduce costs, of course we have to look at every possibility, including that one."

General Zoeckler pooh-poohs such speculation in his own fashion. "Is it worth it," he asks rhetorically, "in the name of economy to take a few million dollars away from Long Island—from Senator KENNEDY and Senator JAVITS?

NAVY'S NEW LOOK

On the other hand, the Navy—which, earlier this year, replaced a captain with a rear admiral as General Zoeckler's deputy assistant project director at Wright-Patterson—also has been trying to throw its weight around. Specifically, the fleet has awarded two unusual study contracts to Grumman. The first was to determine, according to Admiral Sweeney "what would make the best total weapons system for the Navy." That, of course, was supposed to have been settled in 1962. The second, a captain in Washington says, was "to reexamine the system and look for more ways to use it or to optimize its use in the fleet."

All this sounds innocent enough. But Grumman, which must look to the Navy for the bulk of its business, has refused to comment on what's going on. Nonetheless, apparently several proposals for radical design changes have sprung from the studies. One would eliminate the Gemini-like, McDonnell escape module, to save the 800 pounds this capsule adds to the F-111. Instead, the two pilots would be equipped with standard ejector seats. The unique cockpit, however, offers many advantages that offset its heft. It furnishes a more comfortable environment for F-111 copilots during the long hours of ferrying or loitering; it's submersible, so that pilots forced to eject at sea would be virtually as well-protected as U.S. astronauts who land in the drink, and it is ejectable (unlike conventional gear) at what the technicians call "zero-zero" altitude speed (i.e., when the plane is on the ground, or deck, and immobile). Lack of the latter capability particularly has cost lives in the past.

Another suggestion, evidently with a reduction in the plane's drag as an objective, would change the seating arrangement of the pilot and copilot. In the present version, the two sit side by side. The Navy-Grumman new-idea squad has offered a design putting one behind the other, as on a tandem bike.

"The arrangement we have," says General Zoeckler, "was itself a concession to Navy requirements. Of course it would be better for both pilots to have full lateral vision. But the Navy insisted on putting a 36-inch radar in the nose for loitering capability, and in order to accommodate that big dish the best configuration for the rest of the airplane is to seat the pilots side-by-side."

General Zoeckler is one who claims to see a pattern of mischief in the study-contract suggestions, which obviously would require belated and massive reengineering. "These design changes actually work to the Navy's disadvantage, and they'd also seriously disrupt the program's schedule and even hurt the plane's effectiveness," he says. "I know the official Navy attitude toward the F-111 is full-speed ahead with the best possible aircraft. I can't understand how these suggestions, coming from another level of the Navy establishment, are in line with that policy."

Interservice rivalry aside, TFX management can be faulted in several critical areas. Take the matter of meeting schedules. The contract was awarded November 24, 1962. Yet design changes known to be essential at the time of the award (and upon which it was conditioned) were not finalized and approved until December 1963—a lag of 13 months.

As to clicking off the milestones subsequently, these "triumphs," too, lose something on close scrutiny. To begin with, the milestones were spaced out further down the road at the outset, to allow for time lost during the first year's snafu. Even so, the program has fallen behind since the first big incentive bonus went to General Dynamics for flapping the F-111A's wings ahead of schedule. Because of propulsion problems, the act of flying the prototype F-111A at supersonic speed whizzed by without a salute. The event was to have occurred early in February; it took place on March 5.

DESIGN FIZZLES

"It's nobody's fault," says General Zoeckler. "The wind tunnel tests didn't tell us what we are finding out in real life," General Dynamics, of course, was criticized before, during and after the contract award for its comparatively meager wind tunnel data preparation—a criticism the company has hotly refuted. In short, program delays scarcely have all resulted from circumstances beyond the control of the prime contractor.

So much for management. A second major factor on the list of the Pentagon Secretaries was design feasibility: Boeing's was considered more complex, General Dynamics' more straightforward. Among the items mentioned by Mr. McNamara at the time were the need, according to his evaluation of the Boeing proposal, for substantial radar revisions and adequate provisions for storing missiles. These very drawbacks seem somehow to have crept into the General Dynamics concept; in particular, the contractors still are wrestling with the vexing problem of where to put the six Phoenix missiles.

The present structural design actually provides fewer wing cross-members than the one proposed by Boeing. In consequence, some of the deadly birds may wind up in the F-111B's bomb bay, thereby crowding out other ordnance the plane originally was expected to carry. "The hardest part of all in making this thing a weapons system," Admiral Sweeney told Barron's not long after he'd arrived at Wright-Patterson, "is integration of the electronics—particularly radar—and where to put the doggoned missiles."

The chief fault Mr. McNamara's band found with Boeing's design, however, were with elements in the propulsion system installation. Specifically, overhead air intakes and thrust reversers were regarded as too risky; the latter devices, however, almost made their way from Boeing's losing bid to Dynamics' drawing boards, only to be thrown out for good (several months after the contract was awarded) when the Pentagon discovered that, while thrust reversers were included in Boeing's bid price, if added to the General Dynamics design would cost an extra $450 million. In the end, straightforward brakes and aerodynamics around the engines were deemed more feasible.

Here, however, General Dynamics engineers have had one of their biggest fizzles. Part of the trouble relates to the difficulties Pratt & Whitney has run into with the jet engine itself. But the toughest nut was completely unexpected. During the design competition, General Dynamics moved its air scoops around quite a bit before finally tucking them in under the armpits of the wings. Putting them under the wings was supposed to be as conventional as putting the radiator of an automobile under the hood.

The company says it had 5,000 hours of wind-tunnel testing when it submitted its final proposal, an exceptional amount—except for so complex a plane. Boeing already had 3,000 hours under its belt a year earlier, before bids even were sought. By the time the first F–111 flew, Dynamics had put behind it another 15,000 hours. Even that didn't tell the engineers what was wrong with the positioning and configuration of its conventional air intakes.

"General Dynamics is responsible for parts that are on the airplane," says Capt. "Red Dog" Davis, Admiral Sweeney's deputy. "That's where the propulsion holdup is." The intake nozzles, it seems, caused a high degree of vortex, or air turbulence, at the mouth of each jet. A "splitter plate"—added in front of the scoop after the contract award, to deflect any possible gaseous exhaust from fired armaments as well as the unsatisfactory boundary layer of air immediately adjacent to the fuselage—had to be redesigned using fiberglass instead of aluminum. Then it had to be repositioned. The problem still has not been worked out satisfactorily. "You can't tell everything in a wind tunnel," explained General Zoeckler recently.

Whether or not the optimum configuration ever is discovered by General Dynamics, such tinkering inevitably changes other factors of the overall design. Thus, there has been a reduction in the maximum speed of the F–111. Original plans had it zooming along at mach 3. This idea, however, soon was junked. The specifications put to both final bidders called for a top speed of mach 2.5. Now, that level may be out of reach. On this possibility, Dr. Alexander Flax, Secretary Zuckert's assistant for R. & D., will only comment that mach 2.5 really isn't all that overriding: "You only need that top speed for 5 or 10 minutes of a typical mission."

The heavily censored transcript of the Senate Armed Services Committee hearings carries the story a little further. Senator ALLOTT, Republican of Colorado, asked Admiral Martin: "What is the top speed of the F–111?" The then acting Deputy Chief for Air replied: "It is a little over mach 2, sir. It is listed as mach 2." However the Air Force feels about it, the Navy has to regard the TFX as something less than a superplane; its own F–4B, the Phantom II, built by McDonnell, is in the mach 2 class.

UP TITANIUM

The final item in McNamara's shopping list was weight saving, it will be recalled, with emphasis on Boeing's use of titanium and General Dynamics' avoidance of it. The sad fact is that the TFX is getting heavier and heavier. According to General Zoeckler, however, "We are less than 10 percent over the empty weight in the final General Dynamics design proposal. If we were to replace everything with titanium, it might help, but it would cost three times as much."

The truth is that both the plane's gross weight and the plane's use of titanium are increasing. The TF–30 engine now is over 30 percent titanium metal by weight. The airframe now being rolled out by General Dynamics and Grumman contains some 1,700 pounds of titanium, or nearly 5 percent of the empty weight of the plane.

In short, the winning design already is up virtually to half the amount, originally proposed by Boeing, of what Secretary Zuckert called this complicating material. What's more, the technical advisers in the services who asked for more of it during the 1962 design competition still are pushing the contractors into greater use of the more expensive metal.

The heft of the TFX, though, remains far above maximum specification. The problem is particularly acute on the carrier-based Navy version which (because of its Phoenix missiles, extra electronics gear and, on loitering missions, greater fuel load) is a heavier plane to begin with, yet has more severe limitations on both landings and takeoffs. The Navy's original specification, 50,000 pounds gross weight, was raised in interservice tradeoffs to 55,000; the acceptable General Dynamics proposal which won the competition called for a weight of 63,500 pounds. The first F–111B produced by the carrier-plane veterans at Grumman soared past 70,000 pounds—and frantic efforts to whittle down the gross-weight figure so far have barely succeeded in holding the line.

The effects of weight in an aircraft like the TFX are many, varied—and all bad. Costs rise, but effectiveness drops. "We can meet the present Air Force 'spec' of 3,300 miles," says General Zoeckler, "and that's enough to get us to Hawaii." But the TFX was supposed to go more than 4,000 miles nonstop.

The real tipoff to the downgrading of the ferry capability is the design change calling for airborne refueling equipment in the already instrument-crowded nose of the superplane. The distances from Hawaii to likely points east are inaccessible to the F–111 without help from an accompanying tanker—an extra logistical cost that was never a part of Secretary McNamara's original cost-effectiveness formula.

The Navy has had to chuck even more ballast from its already depleted specifications. Most serious of all is the slippage in the essential capability to land and takeoff from carriers. Only 9 of the fleet's 15 attack carriers now in commission will be able to accommodate the F–111B fully equipped (and only after 2 of the 9 complete a $170 million overhaul); by 1970, there will be 11.

Capt. J. L. Rees, one of Admiral Sweeney's TFX deputies, stationed in Washington, recently noted: "The problem is not so much taking off with this airplane. You can increase your thrust—and the afterburner on the TF–30 engine provides this kind of acceleration—to give an assist to the catapult. But that doesn't help in landing the plane, which is the real problem."

Before an aircraft can land on a flat-top, a number of variables must be precisely coordinated. "You start with the known strength of your arresting gear, cables, motors, aboardship," says Captain Rees. "Then you need to know exactly the WOD—wind-over-the-deck—requirements of the plane. This in turn is based on the weight of the plane, its minimum landing speed and the maximum wind it needs to land into."

The precise statistics on the F–111B's WOD requirements are secret, of course. But because of the plane's severe weight problem, experts peg the figure at a 130–135 knot landing wind requirement, or a net WOD of 30–35 knots—which is faster than a carrier can steam. In other words, in the worst of circumstances, a Navy TFX pilot flying over the ocean today couldn't even get back to his ship.

Little wonder, then, that General Dynamics-Grumman are speeding their joint weight-reduction efforts, as well as other corrections. The dietary and other programs—called Swip, Scrape, and High-Lift (the latter an expansion of the F–111B's wing surface)—will take effect with the fourth and fifth Navy plane, due for rollout next summer. They have added up to a whopping $34 million in extra expenses so far, borne not by the United States but by General Dynamics directly.

Such costs are cutting deeply into the prime contractor's programed profit, which is fixed, along with the overall price of the contract. Unless it takes the risk and succeeds, however, the company stands to lose the Navy as a quantity market altogether—a threat the admirals, in recent congressional testimony, have made implicitly, explicitly and abundantly clear.

THE NET EFFECT

To sum it all up, the TFX has turned out to be a flying Edsel—a well-intentioned product, but misconceived and mismanaged, and ultimately unsatisfactory to everyone involved, buyer and seller alike. The net effect for the makers almost certainly will be a lower profit than expected, and, because of the stretchouts, a deferred one at that. This is particularly true, of course, in the case of the prime contractor, General Dynamics. Should the Navy abandon ship, finally, everybody will be in hot water.

At the outset of this series, Barron's suggested that one of the most famous quotations—that of Clemenceau's—was due for revision. We suggested: War is too important to be left to civilians. Another revised quote also seems called for, this time from a current television commercial: In matters of defense and national survival, we must be doing something wrong. The evidence warrants of renewal of the McClellan committee investigation—this time with no holds barred. Better yet, the President himself, we humbly suggest, should take a new look at the most powerful agency in his Government.

STARS AND STRIPES ENDORSES S. 9, THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the weekly magazine Stars and Stripes, which has become a major voice in veterans affairs, this week endorsed the cold war GI bill as "highly desirable legislation." This action came in an editorial which appeared on page 4 of the Thursday, September 9, 1965, issue of the Stars and Stripes.

This supporting editorial is significant both because it comes from this very fine veterans' weekly newspaper, and also because it adds yet another voice to the steadily increasing chorus of support from veterans groups and from responsible news media throughout the country.

As stated by the Stars and Stripes in their editorial:

> It is simply inconceivable that the administration, the Department of Defense and most particularly the VA are opposed to these benefits which would directly aid military personnel fighting in defense of America and the Nation as well.

To illustrate the well-reasoned position of the Stars and Stripes, I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Stars and Stripes-the National Tribune, Sept. 9, 1965]

Highly Desirable Legislation

The House Veterans' Affairs Committee has begun hearings on S. 9, the so-called cold war GI bill. This measure has already been approved by the Senate and there appears to be little doubt that it will also receive the approval of the House of Representatives.

We can see no objection to the passage of this measure. There seems to be little doubt that the legislation would be of great value not only to the men serving in the armed services but also to the economic position of the Nation as well.

It should be remembered that this is not bonus legislation but purely a measure calling for readjustment for those veterans who are forced to forgo their civilian occupations and enter into military service. Approximately 40 percent of those eligible for service are called up, which means that the other 60 percent of the Nation's youth is unemcumbered by service and has the opportunity to forge ahead in their chosen occupations.

The original GI bill enacted in 1944 has been universally acclaimed as one of the most farsighted veteran program ever adopted in the history of our Nation.

Under the provisions of that legislation, later amended to include Korean veterans, nearly 11 million former GI's received education and training which highly increased their productiveness and their incomes. It has been estimated that the cost of this program ran to nearly $19 billion but the returns have far exceeded thus far the original cost and our Government stands to reap benefits from it for years to come.

Another feature of the original GI bill is that it developed hundreds of thousands of doctors, engineers, scientists, teachers, who through their abilities and knowledge have greatly aided this Nation in its highly complicated space programs.

In view of the foregoing facts it is simply inconceivable that the administration, the Department of Defense and most particularly the VA are opposed to these benefits which would directly aid military personnel fighting in defense of America and the Nation as well.

CONSUMER PROTECTION: ALL TALK—NO ACTION

Mrs. NEUBERGER. Mr. President, the Christian Science Monitor for August 26 carries a timely article on consumer legislation.

Mr. Robert Cahn, Monitor correspondent, has summarized the existing lack of enthusiasm to do anything about the consumers' pocketbook.

Mr. President, I ask unanimous consent that the article "Consumer Bills in Doldrums" be printed in the Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Aug. 26, 1965]

Consumer Bills in Doldrums

(By Robert Cahn)

Washington.—Is enough being done to assist and protect the American consumer? Although some strides are being made, supporters of new consumer legislation say that the voice of the consumer is too weak and unorganized to make itself heard or heeded in Congress, the White House, the statehouse, or city hall.

The major pieces of consumer legislation are stalled and blocked in congressional committees, with little or no likelihood of even getting to the floor of either House this session.

The truth-in-packaging law needs two votes it does not now have to get out of the Senate Commerce Committee.

Truth-in-lending is stymied in the Senate Banking and Currency Committee, where the chairman has not scheduled hearings.

And an omnibus consumer law with special emphasis on safeguarding food and drug production and sales is making snail-like progress in the House of Representatives.

For 3 years in a row, the publicly stated needs of the Commissioner of Food and Drugs to hire an additional 400 inspectors have been rejected by the Bureau of the Budget.

EDUCATION STRESSED

State legislatures have passed little consumer legislation. A few Governors—notably of California, Massachusetts, and Connecticut—have appointed boards or special assistants to help consumers.

In most communities, the politicians have ignored the consumer. The principal efforts to correct consumer abuses have been made by women's clubs, labor unions, and civic organizations.

However, concerted programs to help the low-income consumer are now underway in several large cities, with financial support from the Federal Office of Economic Opportunity.

The Johnson administration's interest has been centered in the area of increasing benefits to consumers in general, rather than in protection for the individual consumer or help for him at the marketplace.

Thus income tax reduction and elimination of some excise taxes, housing legislation, increased social security benefits, hospital and medical benefits, curbing of increases in utility rates, and other price stabilization moves have been the administration's principal consumer objectives.

Twenty months ago, Mr. Johnson appointed Esther Peterson as his Special Assistant for Consumer Affairs. He sent a strong consumer message to Congress in 1964 (but not in 1965). And last June he appointed a President's Consumer Advisory Council of civilians, experts to advise the Government and protect consumer interests.

PRIORITIES ARGUED

So far, however, executive action has chiefly emphasized education of the consumer. The President has not indicated to Congress any urgency for approval of the proposed consumer protection laws. Nor has he laid down policy for the Budget Bureau to increase appropriations requests in areas of enforcement.

Administration sources say this reluctance is just a matter of other things having higher priority. Critics say the President does not want to do anything that might affect his glowing relations with the business community.

There is by no means agreement in the Nation that additional consumer legislation is needed, either in Congress or the States.

Manufacturers and retailers generally oppose the packaging and labeling bill on the grounds that existing legislation is adequate, that the new bill would impose standardization controls over private enterprise, and that it would actually result in higher costs because of lessening of competitive enterprise.

BILLS SUPPORTED

Banks and loan companies, retailers, manufacturers and industry organizations oppose the truth-in-lending bill on the basic assumption that existing laws are adequate and that fraudulent practices should be corrected by better enforcement of present laws.

The loudest and most persistent voice for the consumer in the House of Representatives is Lenore Sullivan, Democrat, of Missouri. Since 1961, Mrs. Sullivan has introduced in every Congress an omnibus consumer bill.

The legislation, Mrs. Sullivan says, would correct all of the inadequacies and close all the loopholes in the Food, Drug, and Cosmetic Act.

SUPPORT URGED

Among the bill's features are provisions for protesting the safety of all cosmetics and protesting of all therapeutic devices for safety and efficacy. It also provides for tighter regulation of food and drugs, comprehensive factory food inspection, and sets safeguards to prevent fraud and deception in packaging and labeling.

"Congress is like the accelerator of your car—that is, very sensitive to pressure," says Mrs. Sullivan.

"Women, especially, need to become aware of the deficiencies in our basic consumer laws and should write their congressional delegation."

She is optimistic that the consumer legislation will get through eventually. But she thinks it could be speeded if the White House would back the legislation now before Congress with written messages and active support.

In the Senate, Maurine B. Neuberger carries on a consumer interest that won fame 15 years ago in the Oregon House of Representatives.

COMMITTEE PROPOSED

At that time she dramatized efforts to repeal a law banning the sale of colored oleomargarine by bringing a mixing bowl and a pound of margarine to a crowded Agriculture Committee session.

She tied on an apron and proceeded to demonstrate what a messy and time-consuming job it was to blend a pellet of coloring into an unappealing white block of margarine. The law, incidentally, was repealed.

In addition to her present role as one of the leading backers of truth-in-packaging and truth-in-lending bills, Senator Neuberger is urging the establishment of a select committee of Congress for consumer problems.

She hopes to hold hearings soon on this idea and thus focus more citizen attention on consumer problems.

Despite the lack of action in Congress, Mrs. Neuberger says the introduction of the bills has already brought much voluntary progress among business firms.

Another longtime advocate of consumer interest is Illinois Democratic Senator Paul H. Douglas. Before coming to the Senate 30 years ago he was a member of the Consumer Advisory Board appointed by President Roosevelt. Today Mr. Douglas is the leading sponsor of the truth-in-lending bill.

"The basic purpose of the bill is to require that anyone who lends money or extends credit must supply the would-be borrower or credit user with a statement of the total finance charge in dollars and cents; and a statement of the finance charge in terms of a true annual rate on the outstanding unpaid balance," Senator Douglas says.

He adds that the bill does not attempt to regulate or control the rate of interest or cost of credit. It would enable the typical consumer to compare the cost of credit from various sources and make an intelligent decision.

SAVINGS ESTIMATED

The Senator believes that billions of dollars are drained from the pockets of consumers by excessive interest charges.

"All I am asking is that the borrower know the truth about the charges," he says. "One shouldn't be afraid of the truth."

Senator Philip A. Hart estimates the fair packaging and labeling bill he has sponsored could save the average consumer $250 a year.

"The new proliferation of package weights, sizes, shapes, and their often noninformative labels has played havoc with our traditional system of weights and measures," Senator Hart says.

"The package has, in effect, replaced the live salesman," he adds. "Without standards for comparison, the average buyer has found it almost impossible to judge accurately the prices of competing products as a first step to making a rationale choice between them."

George P. Larrick, Commissioner of Food and Drugs, believes that present laws are inadequate in protecting the consumer.

He says that better controls are needed over patent medicines and in the labeling and sale of cosmetics. The number of inspectors available to check on drug manufacture also is sufficient only for occasional spot checks.

COMPLAINTS AIRED

Chairman of the Federal Trade Commission (FTC) Paul Rand Dixon takes the position that Congress will pass new consumer legislation when the need is conclusively demonstrated.

He has recently called on all Commission personnel to intensify their efforts to prevent unfair and deceptive acts and practices in commerce and to protect the honest businessmen from unscrupulous competitors. And in Washington, the FTC has opened an office to receive consumer complaints.

The FTC is handicapped by having to prosecute on a case-by-case basis, with frequent legal delays. While a case is in litigation, the questionable practice continues. And even when a case is decided against a firm engaging in fraudulent advertising or practices, there is no redress for people who have been bilked.

POOR AFFECTED

The consumers affected most by deceptive packaging and pricing, unethical business practices, or excessive interest and carrying charges are the poor.

They have little opportunity for comparative shopping, are frequently susceptible to high-pressure sales tactics, and know little of their legal rights.

They spend most of their meager income on consumer products. And, by force of circumstances, they frequently become involved in dealings with loan sharks.

The term "consumer" includes the wealthy, middle class, and poor, industrialist, and laborer, lobbyist, and politician. The consumer is everybody, and so far has had no common interest and no effective lobby working for passage of legislation.

Middle class consumers, for the most part, may talk about consumer problems while at dinner or at social gatherings. But in the current affluent society, they are rarely moved to do anything about it.

STEEL SETTLEMENT—FAIR AND REASONABLE

Mr. NELSON. Mr. President, the steel industry has signed a new labor contract which should be enthusiastically greeted by every American. This contract gives labor a fair and reasonable share of the industry's rising prosperity. It gives management a contract it can live with while continuing to operate profitably and in such a manner as to contribute to the continued economic stability of the country.

Before the ink was dry on this excellent agreement, however, some of our newspaper editorialists were already denying the value of what has been achieved. Several have alleged that the wage increases and fringe benefits incorporated in the agreement would violate the Government's wage-price guidelines, and thus contribute to inflation. It is worth noting that this view is not shared by any of the distinguished economists who devised those guidelines.

The President's Council of Economic Advisers, in fact, points out that the settlement, averaged over a period of 39 months, amounts to an average annual increase in labor costs of 3.2 percent. This is the exact allowable wage increase for all American industry spelled out by the existing price-wage guidelines.

To deny this interpretation requires some rather fancy statistical footwork. Most of those who allege the wage increases to be inflationary calculate the new wage levels as though they extended only over the 35 months covered by the contract. The truth is, however, that the last steel contract expired on May 1 of this year. At that time, steelworkers were given an interim increase of 11½ cents an hour as a sort of downpayment on the wage increase to be finally negotiated. Thus, those who wish to calculate on the basis of 35 months ought to subtract the 11½ cents from the cost of that settlement. This would mean that just before signing of the new settlement, average compensation in the steel industry was about $4.53 an hour, and that the new wage agreement adds about 36½ cents an hour. Thus calculated, the percentage increase would come out to much less than 3 percent.

What some of the critics do, on the contrary, is to credit the 11½ cents to the period after signing of the new agreement, and then say that there has been a 3.6-percent annual increase based on the wages that were being paid last April.

None of this statistical sleight of hand should mislead us about the true character of the settlement. For myself, I agree with the Chairman of the President's Council of Economic Advisers that the only sensible approach is to treat this as a 39 months' settlement which has a total labor cost increase of about 48 cents an hour as compared to the wages being paid when the last contract expired. On this basis, which as I say is the only sensible one, the increased labor cost in the steel industry matches exactly the administration's guideline figure of 3.2 percent.

This means that the wage increase is not inflationary. It means that nothing in the settlement is calculated to launch a new price-wage spiral. It means that we are guaranteed 3 more years of labor peace in our most basic industry. And it means that all this has been achieved on a basis that is just and fair to all concerned.

While the steel negotiations were in progress, the President urged negotiators on both sides to consider not only their own interests, but the interests of the Nation as well. They responded with reasonableness and patriotism to the President's request, and by so doing, spared their country from a disastrous shutdown which would have harmed the lives of millions of Americans. No attempts to obscure the magnitude of their achievement can diminish the debt we owe them for their patriotic and selfless contribution to our national welfare.

THE GREAT POVERTY SNAFU

Mr. SCOTT. Mr. President, during the recent debate in the Senate on H.R. 8283, the Economic Opportunity Act Amendments of 1965, I pointed out that although the purpose of our antipoverty programs is to help the poor people, much of the funds for these programs are going to the poor by the way of the politicians with the unfortunate and unintended result that the latter are skimming as much of the cream from the milk as they can. An illuminating article in the September 1965 edition of the Greater Philadelphia magazine, which describes the mobilization for and the opening skirmishes of Philadelphia's war against poverty offers some vivid illustrations of the point I made. I ask unanimous consent that this article, by S. H. Kristal, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Greater Philadelphia magazine, September 1965]

The Great Poverty Snafu

(By S. H. Kristal)

Pop went the flashbulbs, teeth glittered in effervescent smiles, and beads of sweat glistened in the unnatural white-hot glare of the klieg lights. Silently the mechanical retina of the television eye scanned the scene, recording for the home screen the headquarters of the Nation's first poor people's election.

Excitement effused through the normally dingy room on the third floor of city hall annex. Pasted on dusty buff-colored walls and pinned to clumsy, wooden easels were long strips of paper bearing the names of the 354 candidates. An ever-changing scribble of numbers raced across the once empty columns.

Puffed up by the occasion, election workers from the city's 48 poor people's polling places rushed about delivering returns. Eagerly the crowd—women in faded cotton dresses, men in short-sleeved, open-necked shirts—hung over the shoulders of the election-night clerks as they scratched in the latest figures on the tally sheets.

Reporters from the farthest reaches of the Luce empire rubbed shoulders with local newshawks as each, in search of a story, jostled through the swarm of candidates, workers and well-wishers.

"Housing is the first thing I'm going to suggest," said Mrs. Eunice H. Gale who was running strong out of J district in West Philadelphia.

"Housing, yes," echoed Mrs. Mary Rocco, one of the 12 winning candidates in D district just to the east of the North Philadelphia Jungle, "but also recreation centers."

Another North Philly candidate from late reporting E district jumped up and down with excitement when she discovered she had been elected. Then with the disappointed grimace of a real pol she said dolefully, "Wouldn't you know. The TV men have already gone home."

"It was," recalled Health and Welfare Council's society public relations woman, Willy Landruth, with maternal enthusiasm, "just like a real election."

The much-publicized poll this past spring did more than simulate a genuine electoral process, it salvaged, at least temporarily, the Tate poverty program and along with it the reputation of the Tate administration. Polling the poor was the mayor's last desperate claim stake in the poverty field. Until the idea was filed, he had panned little but fool's gold. In the 9 months between the time the Federal money started to flow and the time Philadelphia was able to get its first sizable swallow, the city had suffered a series of humiliating rebuffs. Gone irretrievably was Philadelphia's reputation as a leader among cities.

Four separate poverty plans were paraded down to Washington before approval was finally granted. Each new plan was heralded with great fanfare. Officials scurried back and forth to the Capitol with the regularity of commuters and the sureness of purpose of conditioned laboratory mice. With each failure city hall news releases waxed rosier while, privately, executive tempers grew shorter.

In the words of one prominent city hall figure, "The poverty fiasco is a classic example of the way Jim Tate operates. I guess you could call it government by tantrum. The sad truth is that the present Philadelphia city government is barely able to carry out old programs and is completely incapable of creating new ones."

Because it took the Tate administration almost a year to set up a program acceptable to the Federal authorities, the city fell far behind in the race for a billion dollars in poverty prizes. Money was handed out on a first-come, first-serve basis. Between October 1964 and April 1965, Philadelphia received less than $500,000 while much smaller cities such as Pittsburgh garnered $7.7 million, Washington, D.C., was awarded $4 million, and St. Louis received $3 million.

Despite the high-sounding words of square-jawed solemn-miened professional do-gooder Charles F. McNeil, then city poverty braintruster and head of the superboard of private local agencies, the health and welfare council, said that he had faith "that there is leadership amongst the poor." The elections were meant less as a door opener to the affluent life for the mass of the city's impoverished, than as a key to unlock the valve to Federal funds.

A month after the balloting, Sargent Shriver announced that Philadelphia had finally been awarded $5.9 million for a variety of antipoverty projects, many of which, on close examination, turn out to be oriented toward the politicians rather than the poor.

POVERTY PROFILE

Despite the ludicrous scramble for money, jobs, and power conducted by the politicians and the leading professional Negroes, poverty in Philadelphia is no laughing matter. Nor, despite the talk of city leaders, is it just the black man's burden, although the entire thrust of whatever programs that exist is directed toward the Negro (or, to be more accurate, the Negro vote).

One Philadelphia family in five lives on less than $3,000 per year. Of the 142,000 impoverished households, less than 60,000 are Negro. But, white or black, being poor in the affluent 1960's means more than having a limited income. It often means growing up in a broken home, in a rat-infested, overcrowded house with inadequate heat and plumbing, eating a starchy diet, and wearing fourth-hand clothing. It means being unemployed or underemployed and ill educated. To be poor is to be twice as susceptible to tuberculosis and four times as prone to psychosis. It means to have more children and be less able to care for them. It means to live tragically, less well, and for a shorter time than the rest of America. Above all to be poor is to be without hope.

"I wish for the Lord to come to us soon," a toothless, age-shrunken crone muttered as she sat forlornly on the eroded, stained stoop of a ramshackle house in North Philadelphia. "I hope when He comes He takes us all at once, then there won't be anybody left to grieve."

The poverty act was conceived as a radical remedy for the malignancy of want which afflicts 40 million Americans. Goaded into developing a new prescription by the civil rights revolution, whose followers constitute one-third of the Nation's poor, the Johnson administration abandoned the palliatives of the dole and came up with what it expects to be a possible cure. The miracle drug is money. In essence, the poverty act was conceived as a sugar daddy for an infinite variety of educational, vocational, and self-help schemes.

Categorically, the law states that its purpose is to stimulate the poor into mobilizing their own resources. "Programs," it says, should be "developed, conducted, and administered with maximum feasible participation of the residents of the areas and the members of the groups served." In other words operations are to be performed with the poor not on them.

BATTLE PLAN

In the war against poverty, grand strategy is planned in OEO (Office of Economic Opportunity) headquarters in Washington. The choice of tactics is left to the discretion of local community action commanders. But before financial ammunition is issued, local organizations must pass Federal muster.

Community agencies come in three basic varieties: Municipal governments in mufti (such as those fielded by Detroit and Chicago); foundation structures (similar to those in New Haven and Boston); and nonprofit corporations (which operate in Washington, D.C., and Pittsburgh).

Philadelphia tried all three gambits and failed to capture Federal approbation. It was only after a year of bloody internecine warfare that a poverty beachhead was established here.

Tate's first approach to the poor man's pot of gold was a direct assault. In the spring of 1964, months before the passage of the Poverty Act, he set up something called Human Renewal, generaled by his managing director, Fred Corleto. The task force, 11 of whose 13 members were city officials, was only a paper plan. Its purpose was to simulate a strategic posture against poverty and to act as the mayor's pocket for Washington money. Tate intended to use his Federal allowance to finance existent municipal departments. Welfare Commissioner Randolph Wise, a round-faced man whose character and countenance have been lined by years of dealing with the problems and frustrations of human misery, said on April 26, 1964, "The city has already built a program in the past 11 years to fight the problems of poverty."

Washington saw through the shabby camouflage. OEO suggested that the PCCA (Philadelphia Council for Community Advancement, the Ford Foundation's all-purpose remedy to cure North Philadelphia poverty) run the Quaker City show. Federal experts were much taken at that time with Ford's gray areas study concept. Ford Foundation people in New Haven and Boston actually sat in on the writing of the Poverty Act.

What the national poverty savants did not know was that Ford had flopped monumentally in Philadelphia and was contemplating an exacuation of its forces here. Tate, seemingly unaware of the precariousness of PCCA's position, obligingly placed the reins of Philadelphia's poverty program in Ford's faltering grasp and simultaneously issued an invitation to 100 local civil groups to submit proposals. It was the mayor's hope that PCCA would not only dream up acceptable projects but would ante up the matching funds. Ten percent of the requested grant is required to be supplied locally before the Government will release its own money.

FALLOUT

This new award of power made in July 1964, set the NAACP's silk-suited, cigar-smoking Duce, Cecil Moore, to howling.

"The PCCA," he barked, "has no grass roots among the poor. The law (then in the process of being written) would demand that the poor be involved."

PCCA, already mortally wounded by earlier Moore attacks, not only refused to finance the mayor's war on poverty but had already reduced its staff from 35 to 9. To fill the breach, the Human Services Committee, PCCA's cover name, was restaffed by 12 city agencies. Its new chairman was an old face—city welfare boss Randy Wise.

In September, the word came from Washington. Applications for grants under the new law were to be filed immediately. The mayor issued his own misinterpretation.

The poor, the word went through city hall, were to be on the payroll by election time.

Ideas gathered by the Human Services Committee from 73 civic agencies and a variety of city departments were presented to the mayor's newly reconstructed task force (which was actually his cabinet). The best suggestions were eliminated. The remainder were emasculated.

Applications were then thrown together in slap-dash haste and forwarded to Washington. "It was," recalls one city staffer who had been in the middle of the frantic flurry, "absolutely unbelievable—not so much the chaos as the incredible stupidity at the top."

A Washington official concurred, "The trouble with the Tate administration, he said, "is that it doesn't know how to ask for money. As a result, Philadelphia gets less Federal aid than it is entitled to." The reason is intimately connected with the decline in caliber of the top men. Once the leader in Federal-local cooperation, Philadelphia has become the laggardly follower.

NEW FACES

In October the blow fell. All of the mayor's anti-poverty requests were refused. In Philadelphia only Rev. Leon Sullivan's Opportunities Industrialization Center received Federal recognition. Sullivan's successful application for a quarter of a million dollars was made independently of the city programs.[1]

Humiliated, first by the perversion and then the rejection of their plans, the human services committee rebelled. The longtime formerly effective local welfare professionals wanted assurances that future recommendations they made would not be destroyed or distorted. Wise, supported by not-too-gentle hints from Washington, suggested a shift in command.

In exchange for a promise of reformation, Washington gave tentative approval to selected city requests amounting to $1.5 million. One grant was to go to the board of education to provide needy high school students with 10 hours work a week A second grant was earmarked for the city administration. As a token of good faith $105,000 was advanced to the mayor's committee. But

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[1] The Reverend, a tall, broad-shouldered man with a pencil thin moustache, a matinee-idol profile and a stagey personality, once served as an assistant pastor to ADAM CLAYTON POWELL. The ablest of the city's 400 Negro ministers, Sullivan with $300,000 from the Ford Foundation, the chamber of commerce and assorted well wishers put together a prize training program. In a reconverted police station at 19th and Oxford, he set to work teaching the poor how to talk, dress, apply for a job and hold it.

Washington brass warned that Philadelphia's community action would have to be revamped before more money would be released.

The hesitation on the Potomac was created by the amount of static picked up by OEO officials. The noise was largely generated by those who had been omitted from the mayor's original task force.

"The poverty bill," explained an official on the scene from the beginning, "provided an open invitation to any private group to go to Washington and present a better idea. Many local people needled Shriver and raised a good deal of hob."

LABOR REVOLT

At this juncture a new front was opened in the mayor's battle, if not in the poverty war itself. Appalled by Tate's failure, the Philadelphia AFL–CIO Council decided to move into the breach. An alliance was formed by the labor council, the ADA (Americans for Democratic Action, a reform-minded outfit with a built-in bias against the mayor), a newly created "indigenous" Negro group called the ICCI (Intra-Community Councils Inc.) and a scattering of other contentious associations. The insurgents proposed that the local war against poverty be commanded by a citizens' junta, in the form of a nonprofit corporation. The rebel cry, swiped from Cecil Moore, was that the mayor's poverty army failed to include representatives of the poor. The insurrectionists, pointing to the ICCI, claimed the poor were in their camp.

It was a disingenuous maneuver in the fight over the poverty spoils. The ICCI, although ostensibly headed by Mary Richardson, a self-described ex-gang girl who lives in North Philadelphia, was actually created by Mattie Humphries and Isiah Crippins.

Mattie Humphries is a well-educated and handsome middle-class Negro woman who served as job counselor for the almost defunct PCCA. When the tide of Ford money receded she was left high and dry. In order to sail once more on the sea of poverty she helped launch the ICCI.

Isaiah Crippins is a small man with a dazzling array of teeth and expression of a nervous ferret. Many people believe he was acting as cat's paw for Cecil Moore when he helped form the ICCI. The organization was to be used as a smoke screen behind which Moore could move into the poverty field and take the play away from the mayor. It was during these maneuvers that Cecil was going around town desperately trying to get people to think up poverty programs that he could use.

Threatened by defeat in Washington and insurrection in Philadelphia, Tate went on the offensive. He ordered City Solicitor Edward Bauer to quash the rebellion. Obligingly, Bauer issued an opinion which stated that the formation of a nonprofit community action corporation unconnected with city hall would be illegal. Bauer made this ruling despite the fact that just such corporations were running successful poverty programs in Washington, D.C., and Pittsburgh.

Tate then turned his attention to the political front. To defend himself against sudden death at the hands of Democratic city committee assassins, the mayor determined to use the poverty program to build and enhance his own political power.

Brushing aside commitments to place poverty workers under civil service, the mayor handed over the right to awards jobs to the Democratic members of city council. Appointments were cleared through Tom Rogers, the mayor's administrative assistant.

DONKEY SERENADE

"It finally dawned on Tate that not having a poverty program had political implications," an insider explained. "In the beginning he didn't think it was important. After all he was schooled entirely in politics and he never heard anything about poverty in the wards. Jim Clark (former finance chairman of Democratic city committee and the real power behind the throne until his death in 1962) didn't tell him about it. Frank Smith, now the power on the throne, didn't push. So how was he to know?"

Following the advice of Welfare Commissioner Wise, Tate replaced the much-abused, overworked, and underinstructed city aids on the Human Services Committee with a spate of Health and Welfare Council representatives.

At Wise's urging, Robert Hilkert, then president of health and welfare and vice president of the Federal Reserve bank, took over the chairmanship of a racially and religiously balanced committee of prestigious Negroes, Jews, Catholics, and WASPS.

It was this committee which developed the structure of Philadelphia's community action agency which was christened the Philadelphia Anti-Poverty Action Committee (known as PAAC for short). According to the organization chart, PAAC was to have 30 members. Twelve were to be representatives of selected community organizations.[2]

The mayor received five free choices.[3] The president judge of county court was also put on the committee. The poor were to get the remaining 12 seats, which were elective. Corleto was again designated temporary chairman and the mayor preserved the right to choose the executive director.

Early in February, a contingent of city hall's brighter lights went to Washington to present the Philadelphia hybrid. Puzzled by an animal that was part public, part private, part elective, and all political, Washington nevertheless gave its approval.

It was now up to the mayor to select an executive director. Said one insider, "I can tell you and I might as well. If the mayor had immediately appointed an executive director or even an acting director in December when Randy Wise offered his resignation, this job would not have gone up for grabs. But Tate developed a fixation. It had to be a Negro."

GHETTO POLITICS

Tate's fixation was actually a politician's realistic evaluation. The fuel that spins the wheels of the Democratic organization is supplied by Negro votes. Without this solid support the mayor would have lost the last election. Tate failed to obtain a majority of the white votes cast in 1963. He was elected because as much as 83 percent of the vote in some Negro wards went Democratic.

As a riposte to rumors rife in Democratic city committee circles that Frank Smith plans to dump his honor by opposing Tate for reelection in 1967, it has become necessary for the mayor to construct his own political machine. The only available building blocks are Negro votes. The only source of jobs to buy these votes is in the poverty program. Obviously the director of PAAC had to be a Negro. The question: Which Negro?

The choice lay between the candidate of the Negro ministerial-political establishment, Charles Bowser, and Cecil Moore's candidate, Isaiah Crippins. The battle between the two raged from late December to mid-April. First one side, then the other would seem to have the inside track. At one point Tate sent a list of names to Sargent Shriver asking him to decide. Washington was amused but refused. Tate then offered his own compromise selection, Richard Edwards. Edwards had been appointed by Tate as a deputy police commissioner and served briefly until he flunked his civil service test. The policeman candidate was hooted down by both factors of the Negro community.

At last the administration Negroes—the Reverend William Gray, Councilman Thomas McIntosh and Congressman Nix—won out. Charles Bowser was appointed director at $17,250 a year.

Bowser is a short, quiet young man whose major claim to political reward appears to be his continual residence in North Philadelphia from his birth in 1930 to the present. A lawyer, a Boy Scout, an Elk, and a veteran, Bowser is a graduate of Temple University and active in the Bright Hope Baptist Church run by politically powerful Rev. William Gray.

Bowser was brought into public life by Dilworth who appointed him to the police advisory board. "The thing to remember about Bowser," said a Washington-paid OEO specialist, "is that he's a good boy."

Isaiah Crippins was awarded second prize by the ingenious solution of creating a new post—general counsel. Lawyer Bowser could have Lawyer Crippins as his attorney. Manpower commissioner and former official city booster, Paul B. (Burt) Hartenstein was put on as training director to do the work.

Cecil was not appeased. He decided that Crippins would have no part of such a sellout. Crippins, however, with a history of tax troubles, saw the offer in a different light. "The program in Philadelphia," he declared, "is larger than Mayor Tate, Charles Bowser or Isaiah W. Crippins." Rising above factionalism, he snapped up the $15,250 a year job without even so much as a by-your-leave from his erstwhile mentor, Cecil Moore. At the official swearing-in Judge Raymond Pace Alexander joined into the spirit of things by advising the new troika of poverty leaders to, "Play the game, fight hard, and get into those ghettoes."

Cecil blustered for a while about running his own slate of poor and taking over PAAC via the electoral process. Then he lost interest. Demonstration, not organization, is his strong point.

TO THE POLLS

During the interim when the two major Negro leadership groups were locked in battle for the executive directorship, the machinery of the famed poor people's election was being devised.

Twelve poverty districts were created along traditional neighborhood lines. Each was to be serviced by its own 12-member community council. The purpose of the election was to choose these 144 community council members. The council members in turn would choose their representative on the citywide PAAC board.

"Enthusiasm," McNeil said, "is built into the plan. The election aroused some initiative on the part of the people to get elected." The councils will hold down meetings, provide feedback to their neighborhoods as projects are approved and provide suggestions for programs. PAAC's job is to tap and test these ideas.

With the elections safely over and the 12 poor people's representatives chosen from among the 144 elected community council members, Philadelphia's poverty program was, at long last, set to roll.

Even before the ink had a chance to dry on the election returns, Bowser submitted a $14 million batch of requests to Washington. He did not even pretend that the poor had partaken in their development.

Of the $14 million asked for, $5.9 was granted. The remaining proposals for $8.1 million were turned down as ill conceived and poorly worked out. In the main, they were unrelated old chestnuts that various city departments had been pushing unsuccessfully for years (such as a halfway house for newly released jailbirds).

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[2] The Catholic Archiocese of Philadelphia, the chamber of commerce, CORE, Delaware Valley Settlement Alliance, Federation of Jewish Agencies, Greater Philadelphia Movement, Health and Welfare Council, NAACP, the board of education, the AFL–CIO Council, the Philadelphia Council of Churches, and the Urban League.

[3] He selected Patrick J. Stanton, Charles Gerhard, Samuel F. Evans, Pascual Martinez, and Fred Corleto.

Bowser announced that the reason for the refusal was "a shortage of Federal funds." That even he didn't believe his own propaganda was demonstrated when he quickly asked Washington to put $6 million in escrow until he could find someone, somewhere to concoct a way for the dough to be spent in Philadelphia.

TRIPLE PLAY

To date, $12.5 million in poverty funds has oozed into Philadelphia. This sum is equal to that spent annually by the city on recreation. It represents a 5-percent addition to the total municipal budget. The question is what, if any, benefits have been purchased with the inundation of cash?

Roughly one-third of the Federal allowance has gone into education. By far the largest and most important program is geared to preschool training and is run by the board of education. Head Start and Get Set are part of a nationwide effort to eliminate the first grade dropouts—the millions of children who start to fall behind from the first day they enter school.

Said Mrs. Cora Knowles who presided over a class of 15 at the Chester A. Arthur School at 20th and Christian during the summer, "It was all informal teaching. Through play we got the children to learn the things middle class youngsters learn from their parents such as how to sit still, how to count, and, above all, how to ask questions."

Although it is too early to evaluate the success of preschool training, when the time comes it will be possible to judge the concept of its merits. In the meantime, poverty moneys has enabled the board to nearly double its preschool program without taint of scandal or politics.

The second third of the bundle has been split between Leon Sullivan's flourishing job retraining center and a gaggle of health and welfare agencies' job-training programs. Sullivan, not connected in any way with the city, has come up with an exceptional program on his own. He was consequently awarded $1.7 million and has expanded operations into training centers in West Philadelphia, South Philadelphia and Germantown. In addition, he set up a feeder plant where applicants waiting to enroll are taught basic English, deportment and dress. To insure that his graduates don't slip back into the sloth of despondency from which they have been lifted, Sullivan has hired a crackerjack team of job recruiters who place the newly trained.

The last third of the money has unfortunately gone into Tate-controlled projects. More ominous still is that all future grants will have to be okayed by His Honor.

The Tate cache has been spent on the top-heavy political superstructure, PAAC, and on the scandalously run neighborhood youth corps and summer camp and work programs.

Although there is much talk by PAAC people such as McNeil and Bowser about the role of the poor, the substance is, of necessity, of little consequence. So far, it has consisted of two polls, one taken by teenagers, the other by community council members, to ascertain what slum dwellers think they need.

The trouble with this approach is that it is largely fraudulent. When poor people state that they want better housing, or an overburdened, impoverished mother makes a plea for day-care centers, they haven't created a program and it is hypocritical and patronizing to pretend that they have.

FRONT MONEY

To finance this charade PAAC will spend $768,159 over the next year to pay staff salaries and operate its headquarters and 12 field offices.

In addition to the $47,750 allocated to Bowser, Crippins and Hartenstein, a $13,000 per annum lady director of Organization and Services and four community action coordinators are on the payroll at $9,000 each, a youth specialist draws down $9,114, a public relations assistant gets $10,250, an administrative assistant $8,250, a dozen social service officers receive $6,750, and assorted stenos, clerks, and typists are in the $4,500 bracket. In addition, PAAC tried to put its 144 election winners on the payroll at $100 a month until Washington blew the whistle.

Despite Bowser's brave public declaration, "If any committeeman or politician contacts me about any of these jobs, that person will not be hired," no candidate was selected who did not have political sponsorship and who had not been cleared by the mayor's patronage chief, Tom Rogers. It is significant that although half of the poor are white, only a handful of whites hold jobs in the program. PAAC is the Negro politicians pork barrel.

Proof, if further proof were needed, that Bowser and Co. care more about patronage than poverty was offered when they attacked the Little Neighborhood Schools. The LNS is a small nursery school started in North Philadelphia before PAAC was born. Technically it is a community action program. However, it received its meager $22,000 Federal grant independently of the city's program. This independence rankles. And when LNS had the temerity to make job appointments without clearing them through PAAC, Bowser struck back. In chorus with Chief Counsel Crippins he charged LNS with fiscal irregularities and demanded that Washington disinherit it. The demand was rejected. However, an OEO official did concede that although the Federal Government "reserves the right to aid any projects for the poor," he did not believe "that it would be necessary to bypass PAAC again."

The most notorious city poverty program is the Neighborhood Youth Corps, a project that purports to impart basic employment skills to failure-oriented youths between 16 and 21.

Contrary to the U.S. Department of Labor statement that there will be "no implications of make work, handout or charity in Youth Corps jobs" and that "the corps will perform socially useful and necessary projects," most of the jobs provided do not call for the development of skills. In those instances where city agencies, like the housing authority attempted to develop genuine job-training programs, they were met with the implacable and politically powerful opposition of the labor unions.

One group of Neighborhood Youth Corps boys, at the suggestion of that master city administrator, Fred Corleto, is scraping old campaign handbills off of lampposts. Another bunch of boys is plucking weeds in Fairmont Park. Literally hundreds of Youth Corps girls have yet to receive assignment anywhere and are sitting around being trained by osmosis. Predictably, the dropout rate among the dropouts is high.

In an attempt to defend Youth Corps programing a welfare department higher-up said, "You can't give these kids anything but the most rudimentary tasks. You have to get them used to the idea of working and the simple discipline of just showing up."

Other critics wonder if monotonous, unskilled, make-work projects could ever instill discipline in anyone, let alone in kids who view the working world as square.

THE LINEUP

Run by George Brown, who formerly headed up the city's excellent Youth Conservation Corps, the Youth Corps has been staffed on a strictly political basis. The results have been breathtaking. Instructing and counseling boys and girls with low scholastic aptitudes and lower aspirations have been some characters from the wards. Among the first 16 group leaders hired, 13 had arrest records. One group leader had a list of 14 separate charges including larceny and assault and battery with a knife, a second had eight charges against him, and a third had a history of seven morals counts almost all of which were forcible sodomistic sex acts with minor males.

To make matters worse these same recruitment methods were used in hiring over 800 recreational leaders for the summer day and overnight camp projects. Hired as counselors were persons with records of fraudulent conversion, gambling on the highways and keeping and maintaining disorderly houses.

Also best left to the imaginations are the range of future programs to be dreamed up by the Povertyteers.

However, it does seem pretty safe to assume that until Philadelphia's poverty program is completely extracted from politics and patronage, the most likely gainers will not be the poor.

S. 938—THE RESOURCES AND CONSERVATION ACT

Mr. McGOVERN. Mr. President, in 1864, over a century ago, George Perkins Marsh, philologist, diplomat, and Congressman from Vermont, penned one of the most prophetic books ever written by an American, "Man and Nature." In it he wrote:

> Man is everywhere a disturbing agent. Wherever he plants his foot, the harmonies of nature are turned to discords.

Congressman Marsh never saw a bulldozer, nor the asphalt and concrete cities of the 1960's, nor any of the numerous leviathans of technology with which enterprising 20th-century American man has learned to increase his effectiveness as a disturbing agent. Yet, a century ago, this scholar foresaw that the covering of the soil with houses and highways, the ruthless plowing of the land, the excessive logging of the forests, the damming of the rivers and streams, the poisoning of the atmosphere and waters would lead Americans toward a grim and anxious future.

Marsh's vision of conservation was what we might call whole. He saw man's fate interlocked not with just one feature of nature, but in relationship to climate, atmosphere, forests, rivers, land, and wildlife. While he did not have a kitchen faucet with hot and cold running water, nor air conditioning to control the temperature in his house, nor did he work or ride to work on miles of concrete, he never lost sight of the fact that man was a creature of nature—sustained by the air, fed by the soil, preserved by the waters of the planet, like other creatures of nature about him. Is it possible that today we have let our technology delude us into thinking that we are set apart from the rest of the earth's inhabitants?

Marsh articulated the philosophy of conservation. The professions and politics of conservation followed. The first professionals in resources and conservation emerged on the American scene at the beginning of the 20th century: foresters, ichthyologists, hydrologists, agronomists—and with their appearance, conservation developed into a science—a science to become steadily more technical, more compartmentalized, and more alienated. Its tendency was to lose sight of the "whole view of what industrialized American man would do to the lush virgin continent to which this Nation so fortunately found itself the inheritor."

From a philosophy and a movement in which dedicated amateurs worked, conservation became a science, or a whole array of sciences. Today, it is highly technical and professionalized—a mixed blessing. Experts have appeared in many areas—to look at forests only, or water only, or wildlife only, as individual concerns apart from the rest.

This compartmentalizing brought with it a myriad of Federal agencies with fractional responsibilities in the broad field of resource use and conservation. As a consequence, the activities of Government in this vital resource area are spread, horizontally and vertically throughout the government structure, including local, State, and Federal sectors.

One result is that today—after a hundred years of concern with conservation—no Member of the Congress and no private citizen can receive authoritative replies to broad questions: "How are we doing? What are our prospects? Will our resources of land, water, air, timber, rangeland, wildlife, recreation, and scenery sustain us in the year 2000?"

We are charged with the task of making wise, long-range resource development policies. But we do not have access to the information we need to make those decisions judiciously. We have a tangle of programs and officials going in a multitude of directions, all interrelated but, at the same time, compartmentalized and confined.

Let me illustrate the scope of our operations federally in the resources field and the magnitude of our task when trying to unravel it by using the current session of Congress as an example. In the U.S. Senate there were 94 measures introduced before July 15 dealing with resources and conservation policy. This figure excludes all bills relating to specific development and conservation projects such as the Garrison irrigation project, Tocks Island Recreation Area, a specific park or a natural monument.

I have broken these 94 proposals down into a number of categories. I have found, for example, that there are 30 proposals dealing with the conservation and use of land. There are 17 bills relating to minerals and mining, and 16 are concerned with the protection of fish and wildlife. Water pollution is the subject of 11 measures, some dealing with water pollution alone and some including air pollution, which is covered in 7 proposals. Recreation is the topic of 10 measures, water supply and use is the subject of 16, and marine and oceanographic resources are intensively considered in 6.

Some of these bills, of course, are included in more than one category because they cover more than one topic. While one measure may deal exclusively with water pollution, another may cover marine resources in a very broad sense as well, or may be primarily related to housing or urban development.

The overlapping and interrelation of Federal responsibilities in all of these areas is made clear by the fact that the 94 measures were referred to eight separate committees of the Senate. No one committee had a monopoly on any single conservation or resource subject.

Significantly, the 11 measures on water pollution were referred to five different committees: Public Works, Finance, Commerce, Government Operations, and Agriculture. The 30 measures on land use and conservation went to seven separate committees; the five already listed plus Interior and Insular Affairs and Banking and Currency.

But let me go further. Of the 94 measures, 18 would create new public offices, committees, commissions or agencies, ranging from fact finding boards to new executive departments. Using water pollution as an example once again, there are three bills which would create Government bodies to be a part of Federal activities in this field—all at different levels. One would create a technical committee within the Department of Health, Education, and Welfare; another would create a Federal Water Pollution Control Administration in the same Department; and the third would establish coordination of Federal water pollution activities as a function of a new Office of Community Development in the Executive Office of the President.

Moreover, there are cases in which two or more proposals designed to accomplish essentially the same thing in the resources field are referred to different committees. Two of the water pollution coordination measures went to the Committee on Public Works, and a third was referred to the Committee on Government Operations. Or, using another example, two bills were introduced to coordinate and intensify Federal oceanographic and marine study and research. One was referred to the Committee on Government Operations, and the other went to the Commerce Committee. I am not implying that any of these committee references were improper. They merely serve to illustrate the complexity and confusion of the machinery with which we deal with resource and conservation problems both in executive agencies and in the Congress. We have let the subject be fragmented into dozens of parts.

I could relate more, but I believe this is sufficient to indicate that the intricacies of Federal resource and conservation action are virtually insoluble without some form of coordinated evaluation—some effective means of learning where we stand, how the bits and pieces are fitting together, and how well all of the things we are doing will serve to meet our needs.

We do not now have such a means, so we move forward as best we can with the fragmentary information available to us. As a result, in all too many cases, planning suffers and our actions are piecemeal reactions to emergencies. We are, for example, all painfully aware of the water needs of the Northeastern United States this summer. The emergency situation there will surely give great impetus to our water supply efforts. Major steps are already being taken in our studies of saline water conversion. But all of these actions and more are too late to be of benefit to the citizens of New York City in the long, dry summer of 1965. Long-range planning and development should have begun on a systematic, coordinated basis long ago.

All of this is clear evidence of the need for the U.S. Congress to have an annual report—not a decennial study—on where we stand in the various aspects of conservation, development, and utilization of natural resources. There can be no justification of waiting for a crisis affecting the national security, or a critical civilian shortage of one or another of the resources on which our general welfare or our national survival depends, before we find out that our planning has been inadequate and our works inappropriate.

Emergency programs are not only worrisome and often inadequate, they also tend to be costly and inefficient. In 1935 we could have purchased 400 miles of seashore recreation area on the Atlantic and gulf coasts for $14 or $15 million. At that time there were no requirements projections looking ahead to 1965—or even to 1950. As a consequence, on this one type of resource requirement alone, the Nation will have to pay out a billion dollars more than would have been required 25 years ago.

There might have been enormous savings had we had projections over even the past 10 years; lacking them, we are now having to pay the price of insufficient information in staggering appropriations to meet the requirements for outdoor recreation resources demanded by an effluent, burgeoning population.

In connection with recreation resources, I want to pay tribute to Senator CLINTON P. ANDERSON, to the late Senator James E. Murray to Vice President HUBERT HUMPHREY and all the others who worked with them for early recognition of the rising recreation resource emergency in the fifties.

It was my privilege to sponsor the original wilderness bill in the House of Representatives. The Vice President was its first author in the Senate. Thanks to farsightedness in this field, we have preserved the Nation's opportunity to reserve a considerable amount of wilderness and scenic beauty without billions of dollars acquisition expense—and to preserve bona fide wilderness, undisturbed by man.

Thanks to Senator ANDERSON'S initiative, not only was the wilderness bill finally enacted—he finished that job with the brilliant help of Senator FRANK CHURCH—but a nationwide review of the whole recreation resources emergency was conducted in 1959 and 1960.

Again thanks to Senator MIKE MANSFIELD who first suggested it, and the late Senator Murray of Montana and the senior Senator from New Mexico, who followed through, we have had a recent decennial study of water problems which, unfortunately, is not being kept up-to-date so we can see how we are doing in meeting those problems from year to year.

In almost every other field—I mention economics and demography as illustrations—there are infinite current statistics to guide our actions in both public and private enterprises. But on the natural resources and conservation front, nobody now reports to the Congress, or the President, or the people, whether overall we are gaining or losing in relation to our requirements—or whether in 10 or 20 years the foreseeable requirements of our people can be supplied and sustained. We should not allow this State of affairs to continue.

A permanent mechanism should be set up to study and develop and report on whole programs and policies that will protect and prudently use all of our natural resources of soil, water, forests, air, minerals, grazing lands, fish, and wildlife, and related recreational, scenic, economic, and scientific qualities in our life and heritage.

Two late, great Members of this body—Senator James Murray of Montana and Senator Clair Engle of California—sought some 5 years ago, in 1960 and 1961, to set up such machinery for the Congress and the President to use. Today I urge the consideration of that proposal somewhat modified, which would be authorized by S. 938, "To declare a national policy on conservation, development, and utilization of natural resources." My proposal calls for an annual report to Congress from the President, assisted by a Council of Resource and Conservation Advisers, on the condition of the Nation's natural resources, particularly in terms of their multiple-purpose use; trends in their management and use; an evaluation of their adequacy and availability; a review of all conservation programs and activities and their expected effects; and a suggested program for carrying out the national policy, including proposals for legislation. At any time, this annual report could be supplemented by the President with additional reports or suggestions for legislation having to do with natural resources conservation and development. To assist the President in preparing the annual report, the bill provides for a three-member Council of Resources and Conservation Advisers, appointed by the President with the advice and consent of the Senate. These advisers would be qualified by training, experience, and accomplishment to analyze and interpret natural resources policy and to formulate recommendations. The council could utilize whatever sources of information, services, and facilities—public or private—which would be available either through cooperation, or by employment of its own staff.

The annual report of the President to the Congress would be referred to select committees on the Resources and Conservation Report in the Senate and in the House. The select committee in the Senate would be made up of the chairman and ranking majority and minority members from the Committees on Interior and Insular Affairs, Public Works, Agriculture, and Commerce. The President pro tempore of the Senate would appoint the chairman and vice chairman of the Senate select committee, and the Speaker of the House would make similar designations for the House select committee.

Each of these select committees would make a continuing study of the President's report and/or assign such studies to the appropriate standing committee of the House and Senate; the select committee of each body would make reports on resources and conservation matters and on studies undertaken as it deems advisable.

These select committees would bring together the leaders of the major committees in Congress dealing with resources at least once a year to consider together, in connection with the annual Resources and Conservation Report, the overall situation and the broad resources picture.

Two decades ago, in 1946, the Congress declared that it was the continuing responsibility of the "Federal Government to foster and promote free and competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power." The Employment Act of 1946 has been hailed in many quarters as the major achievement of the Congress in the 20th century. Authored by Senator Murray, it established a Council of Economic Advisors in the Office of the President and a Joint Economic Committee in the Congress. The approach taken in S. 938, the "Resources and Conservation Act of 1965," is a similar approach in the area of resources and conservation.

In the Employment Act of 1946, the Congress asserted that it is the national policy of the U.S. Government to create a climate in which human resources will be utilized. It seems to me, and to the 15 other Senators who have joined with me in sponsoring S. 938 that the Congress has an equal responsibility to take the necessary steps which will preserve and utilize in their most productive state our natural resources. If the Congress and the Federal Government are on record as being responsible for doing all they can to insure a sound and progressive national economy, then it appears to follow that there is likewise a governmental responsibility to assure the proper and best use and conservation of our natural resources. Our economy cannot long remain dynamic if our resources are wasted or developed in an uncoordinated, piecemeal manner.

I do not criticize the Federal agencies because they have not engaged in the kind of overall resource planning that we are here concerned with. Each of these agencies has been assigned a specialized and limited mission. All of these programs at whatever level have merit and many are excellent and essential in themselves. However, this restricted approach by each agency or department results in a sort of jigsaw puzzle of conservation, where no one ever puts all the pieces together to see what the total picture is or where we are going to come out at the end. We clearly need to develop a better program of coordination among the many agencies of the Federal Government, along with the various levels of State and local governments, as well as with industry, agriculture, labor, conservationists, and private property owners. All of these groups are interested in developing the best possible long range programs for the conservation and utilization of our land, water, minerals, forests, and wildlife. The essential mechanism for the coordination of these programs and policies in the best interests of the Nation is the missing feature.

The Resources and Conservation Act of 1965 would place this review and coordination job in the Office of the President, where with the assistance and counsel of his advisers, he might make unified evaluations and recommendations to the Congress regarding the attainment of the maximum potential of America's natural resources for our generation and those to come after us.

The late President Kennedy, when he was campaigning across the country in the 1960 presidential campaign, stated again and again that all our resources programs involving numerous Federal agencies require coordination by the executive. He supported the Resources and Conservation Act, with its concept of high-level professional advisers in the Office of the President. He so stated in Durango, Colo.; Helena, Mont.; Redding, Calif.; Billings, Mont.; and Phoenix, Ariz. In his great natural resources message to the Congress on February 23, 1961, President Kennedy presented a stirring challenge once again:

> This statement is designed to bring together in one message the widely scattered resource policies of the Federal Government. In the past these policies have overlapped and often conflicted. Funds were wasted on competing efforts. Widely differing standards were applied to measure the Federal contribution to similar projects. Funds and attention devoted to annual appropriations or immediate pressures diverted energies away from long-range planning for national economic growth.

President Johnson, in his conservation message on February 8, 1965, has again stated the challenge in eloquent terms:

> The same society which receives the rewards of technology must, as a cooperating whole, take responsibility for control * * * to deal with these problems will require a new conservation * * *. Our conservation must not be just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but the total relation between man and the world around him.

Congressman Marsh would have agreed with President Johnson, because that was exactly what he was telling his fellow Americans a hundred years ago—long before it was called ecology. The wheel has made its turn, from the prophet of 1864 to the leader of 1965 in conservation of all resources, both human and of nature.

During the second session of the 88th Congress and in the first session of the 89th Congress, we have been implementing President Johnson's concept. We have been giving the President, the Government at all levels, and the American people, one conservation tool after another: The Classification and Multiple

Use Act; the Water Resources Research Act; the Land and Water Conservation Fund; the National Wilderness Preservation System; the wetlands acquisition program; the Public Land Law Review Commission; the Economic Opportunity Act which establishes a Youth Conservation Corps for work on public lands; the Appalachia Act; the water pollution control bill now in conference; the wild rivers preservation bill now before both Houses; the Water Resources Planning Act; the expansion of the saline conversion program; the Federal Water Project Recreation Act; the Federal installations, facilities, and equipment Pollution Control Act already passed by this body; a program for the expansion of oceanographic research and the establishment of a Commission on Marine Sciences, Engineering and Resources; and the air pollution control bill.

This is a brilliant array of tools. Now the next concern must be: How do we put them together? Do we have the organizational setup to make all of these programs work? Does the President have the kind of assistance he needs to reconcile all the conflicts over resource use which our growing, urbanized, industrialized population engenders? To return to my opening question—How can modern man make the best possible use of his natural environment? Can our political leaders and conservationists and agency planners be wise enough to fit together their short-term programs for a long-term yield? A major answer to these questions would be the enactment of the Resources and Conservation Act.

From the broad and fundamental consideration of Congressman George Perkins Marsh to the experiences and pragmatic liberalism of the late Senator James Murray of Montana, Senator CLINTON ANDERSON, of New Mexico and the bright and promising enunciations of President John F. Kennedy, President Lyndon Johnson, and Vice President HUMPHREY, a century of thought and action in the field of conservation has brought us to the threshold of this great consolidation of our resources policies and concerns. Action is needed now to bring all the pieces together into a unified whole.

When I introduced the Resources and Conservation Act on February 1, this year, I quoted to the Senate a paragraph from a report to the President by the National Academy of Sciences on renewable resources, which said:

> It is evident that optimization of natural resources for human use and welfare cannot be achieved by fragmentary and sporadic attention given to isolated parts of the problem, but that the issues involved must be made the subject of a permanent, systematic process of investigation, recording and evaluation, carried on continuously in reference to the total perspective. It would appear mandatory, therefore, to entrust an independent organization with the task.

This does not mean a new administrative agency is necessary. It means that we should do in the field of resources what we have done in the economic field—create a council of advisers who can stand a little apart and take a careful overall look at resource and conservation programs and needs to assure abundant resources in 1980, 2000, and for all the years to come.

We have done an outstanding job of coordinating economic policy, and bringing the many Federal activities which effect economic growth into harmony through the Council of Economic Advisors, the annual economic report and the Joint Economic Committee. We have been able since 1961 to stimulate economic growth rate and sustain a high level economy for the longest period in our national history.

We can end the conflicts and bring harmony again in resource and conservation matters through the same sort of instrumentality we use in the economic field—not a new administrative agency, or a new competitor for prerogatives, but an agency which will help existing agencies weave their programs into a pattern which restores harmony between man and nature, ends the erosion of our resource base, and assures supplies to meet the needs both of our generation and of generations to come.

I urge the serious consideration of all those concerned with resource problems—and the many bills before this Congress testify that such concern is widespread—of S. 938.

BIG BROTHER: A VIEW FROM BRITAIN

Mr. LONG of Missouri. Mr. President, recently, on August 26, 1965, the Manchester Guardian published an excellent article on "The Right to Privacy." It should be most interesting for Americans who are concerned with the subject, especially those of us who are charged with considering the need for legislation in this field. Therefore, I ask that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Manchester Guardian,
Aug. 26, 1965]

THE RIGHT TO PRIVACY

Detector capsules which may be swallowed unknowingly can transmit to a distant listener everything a person says. This item from the world of telecommunications made the starting point on Sunday night for a British Broadcasting Corp. broadcast discussion on the right to privacy. It wound up with the reminder that among the human rights acknowledged by the United Nations is freedom from arbitrary interference with privacy—family, home, or correspondence. With the means of observation and recording developing at an explosive rate, what rights does the individual have to be protected from what he would, in simple terms, call snooping, eavesdropping, and intrusion?

In the English law the position is far from clear. In 1961 Lord Mancroft introduced a right of privacy bill into the House of Lords. It made no progress, not because it was held that the existing law was adequate to protect a person's legitimate privacy, but because it was thought impracticable to distinguish between improper invasion of privacy and the due reporting of matters of public interest. And there the matter still stands. But the cause of public concern (such as it is) has changed and is changing. Then the main complaint was the conduct of journalists chasing the trivialities of the gossip column. Now there is rather more particular anxiety about the use of new devices, and not chiefly by journalists.

Is it proper to use television to keep watch against thieves on car parks and in shops? Or to record conversations unbeknown to the participants? In the BBC discussion an important distinction was made between observing wrong conduct, which was held to be a legitimate use of television for criminal investigation, and the recording of speech which, when unguarded, is liable to be seriously misleading. The law already implicitly recognizes the point in requiring a suspect to be formally warned, when he is questioned by the police, that what he says may be used in court against him.

The developing of communications of all sorts has made the world much less private for public figures. But this is a price to be paid for going into public life, whether in the accepted public occupations such as politics or entertainment, or in positions of authority in the professions and in business. Here the public (mainly through the agency of the press) has "a right to know." But again a distinction has to be drawn which is not at present defined by the law. The public has the right to know what is a matter of public concern, but not what is merely a matter of popular curiosity. Public figures are entitled to privacy in their family lives and in their leisure, and to be protected, among other things, from the attentions of photographers with long-range cameras.

If the pressure for a defined right of privacy grows there will be the inclination to misuse it to buttress the habit of secrecy in matters of public interest. That will have to be watched and resisted. While the right to know does not extend to trivial gossip, the right to privacy should be no bar to inquiry in public affairs. This again is a principle that deserves to be written into the English law. Lord Shawcross would allow the defense of qualified privilege for the publication in the press of matters of public concern and interest. Once this were conceded it would be easier to secure the right of privacy on defined grounds.

SENATOR HART'S STATEMENT ON DOCTOR-DISPENSING OF EYEGLASSES

Mr. MONDALE. Mr. President, we in Congress who care about—and fight for—consumer causes do not hesitate to acknowledge the magnitude of the load carried in this area by the junior Senator from Michigan [Mr. HART].

Frankly, when he talks of consumer problems, we listen. And we learn. Therefore, it was with great interest that I followed hearings held by Senator HART's Antitrust and Monopoly Subcommittee on the question of doctors profiting from the sale of products they prescribe. Last year, the hearings centered on doctor-ownership of pharmacies and drug packaging companies. This year, they dealt with doctors selling eyeglasses.

Based on the information developed in these hearings, Senator HART has announced he plans to introduce legislation aimed at prohibiting a doctor from profiting from such sales. If Senator HART, in his usual fairminded way, has decided legislation is needed, we must all be aware that there is indeed a problem in this area.

Mr. President, I ask unanimous consent that Senator HART's statement at the close of the eyeglass hearings be inserted in the RECORD at the conclusion of my remarks. In this, he outlines exactly what legislation he thinks is needed. Also, I would like inserted a story by Morton Mintz from the August 9, 1965, Washington Post which elaborates on the concern with which doctors themselves view this practice.

I think my colleagues should be aware of the problem which exists and these two pieces do an admirable job of presenting it briefly.

There being no objection, the statement and the article were ordered to be printed in the RECORD, as follows:

Closing Statement by Senator Philip A. Hart on Doctor-Dispensing of Eyeglasses

This committee seldom is asked to resolve uncomplicated problems. But the case before us is even more difficult than most.

We are asked now to determine if a doctor's profiting from the products he prescribes is harmful to competition and consumers.

Last year we heard that 5,000 physicians were owners of small drug companies. An additional 3,000 or more were designated as owners of pharmacies. Both of these figures are conservative because ownership of these businesses is difficult to ascertain. Now we learn there are approximately 2,500 ophthalmologists who sell eyeglasses. Conservatively, then, we have 10,500 doctors profiting from products they prescribe. There is reason to believe that considerably more of the Nation's 200,000 physicians have earnings from similar commercial endeavors.

All indications are that next year there will be more—and the year after that still more.

In this situation we consider not only conflicting economic interests of trade groups; here we have men who are indeed acting as merchants but who are members of a profession which all Americans set apart—and to whom all turn with confidence and trust for treatment of their most valued possession, their health.

This trust is essential in the doctor-patient relationship. And it is an integral part of the problem before us. For in most other purchasing decisions the consumer operates to some degree against the background of "let the buyer beware." In these cases, the total—and essential—trust which a patient has in his doctor proscribes this. This trust, then, must be considered in our deliberations.

Before going any further, let me make clear that I do not for a minute think that all doctors who own pharmacies—or sell eyeglasses—are operating in an unethical manner. Many, I am sure, sell drugs or glasses because in their opinion this is the way best to serve their patients.

But this record indicates that a substantial number do not operate with this motivation only. As a result consumers suffer. Competition suffers. Perhaps most dangerous and regrettable, the degree of patient trust in the doctor is weakened.

Cases have been presented which substantiate the accusation that some doctors always charge more for glasses than would the optician and in some cases the quality and fit was poorer.

Worse, we have been told of cases where doctors have increased their daily workload so that it is difficult for them to give the necessary medical attention each patient needs.

Clearly, these cases are in the minority. But they demonstrate how far down the road this practice can lead physicians. And they are to be compared to examples detailed in last year's hearings where purchase of a pharmacy seemed to lead to overprescribing by the doctor-owner. We heard of one doctor who wrote $10,000 worth of drug prescriptions the year before and $50,000 the year after he bought a pharmacy.

By interfering with—and sometimes even denying—a patient's right to take his prescription and shop for the best style, quality, and price, a doctor dispensing his own wares not only takes advantage of that patient but also interferes seriously with the competitive opportunity of other sellers of optical goods. The result is to restrain trade. Competition is lessened and competitors are injured. We have learned of opticians forced into bankruptcy—of one who lost 40 percent of his business in the year after doctor-dispensing began in his city—and of many others similarly damaged.

The economic effect the practice can have—and has had—on the consumer is documented also. Included is one survey that showed consumers paid $7.50 to $15.10 more for glasses from a doctor than they would have from an optician. Further, we learned of many cases where consumers couldn't wear the doctor-dispensed glasses without adjustments by an optician. In one case, a lady was charged $65 by a doctor for glasses she couldn't use and ended up paying an optician $33 more for a pair she could.

If the disadvantages of "doctor merchants" were limited to the field of eyeglasses the problem would be serious enough. Unfortunately, last year in our hearings we learned that the same problems exist in the area of doctor-ownership of pharmacies and drug companies.

Three ways to eliminate these practices once were seen as possible—action by the American Medical Association, action under present law, or writing new law.

The AMA, unfortunately, seems incapable. The association nationally says it is a matter for the local societies. Local societies, we have found repeatedly, do not cope with these situations. Usually they say it is a problem for the national association.

Further, reputable doctors have appeared before us and said that dispensing ophthalmologists would rather give up AMA membership and hospital privileges than deprive themselves of the financial rewards of dispensing.

The testimony of nondispensing ophthalmologists—in person, by telegram, and by letter—I think deserves special consideration. For while it might be possible to explain away the case presented by the opticians, it is impressive that members of the profession themselves vehemently condemn the practice.

On the question of how effective any medical association ruling against the practice might be, two things should be noted.

First, two surgeons who dispense glasses appeared at these hearings. Neither belongs to the American College of Surgeons, which does have a rule against doctors selling glasses. One of the doctors said he did not belong because he does not agree with this ban.

Second, the AMA had an ethical rule flatly prohibiting doctors from profiting from sale of prescribed products in 1951 when the Department of Justice obtained consent judgments to stop 4,000 ophthalmologists from accepting rebates from opticians. The AMA ethic today proscribes a doctor selling products unless it is "in the best interest of his patient."

As for present law eliminating the practices, we have had reports from the Department of Justice and the Federal Trade Commission that present law cannot do the job.

All that is left open is writing new legislation. This I do not like; it is not an area in which I would enjoy seeing legislation written.

But, as I said at the close of our hearings last year on doctor-ownership, the consumer and the independent businessmen deserve protection from doctors who abuse their prescription power for private monetary gain.

Until 1955, the American Medical Association prohibited this with a simple ethic: An ethical physician does not engage in barter or trade in the appliances, devices or remedies prescribed for patients, but limits the sources of his professional income to professional services rendered the patient.

That ethic made good sense then; it makes good sense now.

As soon as practical I will introduce legislation to give that ethic the force of law. In drafting such a bill we will have to iron out the problems caused by exceptional situations. For example, we must consider the remote areas where technicians such as opticians and pharmacists may not be available. Also, we must weigh the effect of the fact that in some cases—such as opticiary—not all States license the technicians who fill prescriptions.

But the problems of drafting the bill seem to me worth the effort, for legislation appears the only way to protect the interest of the consumers, nondoctor competitors and the doctor himself.

[From the Washington Post, Aug. 9, 1965]

Doctors Assail Greed of Some Eye Specialists

(By Morton Mintz)

Probably never before have physicians at a congressional hearing looked through a glass so darkly at other physicians.

"It is not easy for me," said Dr. Christopher Wood, "to testify that the unethical practices of a majority of my fellow ophthalmologists are a disservice to the heritage of medicine and, more important, to their patients."

A second eye specialist, Dr. Alfons F. Tipshus, asked if ophthalmology is so deeply infected "with the germ of greed that it may contaminate the rest of medicine?"

A third, Dr. Clarence B. Foster, said, "For too long, I sat in silence while many of my fellow physicians deliberately flouted ethical and moral standards in their quest for every dollar they can acquire."

ATTACKS NOT NEW

Public denunciations of organized medicine—by persons outside of it—are nothing new. They were heard last year for example, when Senator PHILIP A. HART's Senate Antitrust Subcommittee showed that about 8,000 doctors had interests in pharmacies and drug repackaging plants.

The attacks were renewed by opticians—who admittedly have a lens to grind—in the Michigan Democrat's 5-day hearing on doctors who sell the eyeglasses they prescribe.

But not until this hearing, which ended last Friday, did physicians—voluntarily and in number—join in.

Their language was as bitter as some of their medicines, as sharp as 20–20 vision. They saw their profession being eroded by a kind of Gresham's law in which shabby ethics tend to drive out the good. They depicted organized medicine as unwilling or unable to act and they pleaded for legislation—which HART seems certain to propose.

THE 1951 BAN ON REBATES

The explosive force had been building up since at least 1951, when a constant decree was issued forbidding doctors to receive or opticians to pay rebates on eyeglass prescriptions. At that time, the Justice Department estimated, 3,000 of the Nation's 5,000 ophthalmologists were receiving kickbacks.

Some ophthalmologists hoped that an end to profiting by doctors on eyeglass prescriptions had been assured by the decree and by the American Medical Association's Code of Ethics, which prohibited physicians from selling eyeglasses or drugs unless optical shops or pharmacies were remote.

Such hopes "turned out to be a mirage," HART was told by Dr. Foster, a Southern Pines, N.C., ophthalmologist, who has found it possible to make a reasonable living—not the two Cadillacs and country club type—by confining his practice to rendering purely professional services.

CALLS IT REPREHENSIBLE

The decree, he said, merely stimulated some of the colleagues to become "eyeglass merchandisers to their captive patients." He termed this new method "as reprehensible as the kickback system."

The new method replaced the old almost without a pause. HART was persuaded by the hearing evidence that it is used today—in ophthalmologists' offices, in adjoining offices, as in doctor-owned optical firms—by at least 2,500 of the 6,200 ophthalmologists, and that it accounts for a substantial share of the $155 million annual business in eyeglasses.

Once the system became widespread, Dr. Foster said, the next step was to induce the AMA to water down its code of ethics so as to bring the system within it. "I have read that no AMA convention has ever attracted so many ophthalmologists as the 1955 session, where this action was taken," Dr. Foster said.

Some of the results described by Dr. Foster included eyeglass dispensing by laymen "with little training" by an optician "who takes the job to survive," or by the doctor himself, "though I know that nothing in his medical training gives him this competence."

PRACTICES REVEALED

He said many ophthalmologists refuse to give a prescription to the patient, impose an extra charge for it or reject responsibility "if the work is done elsewhere."

Spokesmen for the country's 18,000 opticians said that since 1957 the failure rate among independent optical stores has been 10 times as high as that of other retailers.

They submitted evidence—names, dates, places, photostatic copies of doctors' bills—showing that in city after city the prices charged by ophthalmologists are higher—sometimes very much higher—than those charged by opticians. Their estimates of the annual clear profits to ophthalmologists were in the five-figure range.

In Orange County, Calif., testified Dr. Tipshus, who is from Anaheim, 30 out of 40 ophthalmologists dispense glasses. Opticians cited even higher ratios elsewhere—all in Lubbock, Tex., and Bakersfield, Calif., nearly all in Reading, Pa., 15 out of 16 in Charlotte, N.C., 10 out of 11 in a sector of Los Angeles. The ratio in Washington was indicated to be very low.

APPEALS FUTILE

Appeals for help to the Justice Department and the Federal Trade Commission have been fruitless, one reason being that interstate commerce was said not to be involved.

Appeals to local medical societies have been lost in what Optician A. G. Jefferson of Lynchburg, Va., called the AMA's "revolving-door code of ethics."

Optician J. W. Broom, Jr., of Lubbock told HART he had to write the local medical society in his town, the Texas Medical Association and the American Medical Association, without results.

Some of the bitterest testimony came from Dr. Wood, a former member of the AMA's House of Delegates, who goes beyond HART's estimate to say that even by 1962 more than half the ophthalmologists were dispensing glasses.

CONDEMNS AVARICE

After settling in Myrtle Beach, S.C., in 1958, he told HART, he was shocked to find colleagues new to ophthalmology committed to this unethical practice. He condemned their avarice, and I repeat the word loudly and clearly, and said:

"It is an absolute certainty that if there were no money involved, if the patient's care were the only factor, there would be no selling of glasses."

In a letter put in the record, Dr. John W. Dickerson of Norfolk, Va., asked "how one can clearly decide whether a patient needs glasses 'when one can make money by giving the patient glasses.' It makes the profit motive an important part of a medical decision. It is wrong."

Dr. Marvin Joe McKenney of Lansing, Mich., suggested that "more eyeglesses are prescribed in those offices that sell eyeglasses than in those that do not."

The AMA's Dr. William O. La Motte, Jr., a nondispensing Wilmington, Del., ophthalmologist termed "reasonable and responsible" the AMA's code which was revised to say that doctors may dispense drugs, remedies, or appliances "provided it is in the best interest of the patient."

But under questioning by subcommittee counsel S. Jerry Cohen, he acknowledged that in determining the patient's best interest the doctor is, in effect, "lawyer, judge, and jury."

The AMA spokesman and physican-witnesses who do dispense glasses emphasized market-age patients want one-stop service. Optometrists examine eyes and also prescribe glasses. Dispensing of glasses is an integral part of professional ophthalmologic service.

INCONVENIENCE IS SEEN

"A universal prescription against physician dispensing would deny some patients glasses, require other patients to seek incompetent dispensers, and cause still other patients personal inconvenience," Dr. LaMotte testified.

Dr. LaMotte agreed emphatically that certain practices, such as a physician refusing to give patients a free choice as to where to have prescriptions filled, violate AMA ethics.

Often, however, he said, what the AMA gets are generalized complaints, not specific facts. Hart then gave him some cases that the physician concerned to be "ironclad."

Drs. Charles W. Tillett and Marvin Lymberris of Charlotte, N.C., contended that complaints of price-gouging by dispensing ophthalmologists are "completely without foundation." Dr. Tillett said that opticians sometimes charge more, and he cited cases of opticians refusing to fill complicated prescriptions.

PRESIDENT JOHNSON'S TEAM AT THE UNITED NATIONS

Mr. MONDALE. Mr. President, President Johnson has demonstrated in the only way it counts—by his actions—that he supports the United Nations and its vital role.

The most recent example of his determination to contribute to world peace through the United Nations was the announcement of his team at the U.N. As the following column in the August 28 Evening Star, Washington, D.C., states:

> It is a team qualified in many ways and the President thought of them all.

Because this column outlines in some detail the qualifications of each member of President Johnson's U.N. team, I ask consent to insert it in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON'S TEAM GOES TO THE U.N.

(By Doris Fleeson)

UNITED NATIONS.—A Johnson team is in charge of American interests at the United Nations. U.N. diplomats, for all the immense regard and affection they had for the Kennedy choices, feel a certain relief.

It could hardly be a secret from the men and women who are at the United Nations because their countries value their political acumen that the President was more or less keeping the U.S. mission at arm's length. Aware of the power of the Presidency, they are happy to have with them a group of Johnson's choice.

The Johnson manner is again in question. Ambassadors Francis T. P. Plimpton and Marietta Tree and Franklin Williams deserved much more than the cold abruptness of the change. They have served with distinction and their attention to all the little things that count was above praise.

Personality differences no doubt played a part in the change, but its political complexion is its true significance. Johnson has brains and he looks ahead. He has a plan for the United Nations and he is preparing for its political defense at home.

In the surprise appointment of Justice Arthur Goldberg to succeed Adlai Stevenson as U.S. Ambassador to the United Nations, Johnson made plain that he regards the world organization as a bargaining place. He chose, therefore, the best and most famous negotiator the country has to offer.

Goldberg is an activist; sitting and talking is not his line. The bargaining efforts now indicated may not succeed but that will not be for want of trying.

The ground, therefore, must be prepared for defending what happens not just on the scene but to the folks. A congressional campaign is less than a year away, a presidential election 2 years later. Already Republicans are making some telling criticisms of Vietnam policy.

Goldberg has a powerful political constituency in every State, labor and the intellectuals. Charles W. Yost who moves up next to him is a highly regarded Foreign Service officer with marked skill for translating the State Department to Congress. That skill was not among Plimpton's assets.

James Madison Nabrit, Jr., has been president of Howard University since 1961 and has been an active civil rights lawyer. Enough said. He should encounter no problems as representative to the talkative Security Council or in explaining what goes on in areas vital to Democratic victory.

Mrs. Eleanor Roosevelt is gone but her oldest and favorite son, Representative JAMES ROOSEVELT, was available for the United Nations, and while he does not look like his father, he sounds like him. Service in the House since 1955 has taught him the congressional byways and like his mother, he never gets tired of working.

Mrs. Eugenie Anderson of Minnesota is a veteran of its activist politics and a former Ambassador. Her like is to be found, though perhaps she is more simply dressed, in the good works sector of every American town and city. She is an articulate and sensible expert in the soft sell.

In short, it is a team qualified in many ways and the President thought of them all.

A TRIBUTE TO THYRA THOMSON, WYOMING'S SECRETARY OF STATE

Mr. SIMPSON. Mr. President, in an excellent feature article in the September 5 Denver Post, tribute is paid to Wyoming's intelligent and attractive Secretary of State Thyra Thomson. Mrs. Thomson, the widow of former Wyoming Congressman and U.S. Senator-elect Keith Thomson, holds the highest elected executive post of any woman in the United States. She also holds the position, which she values just as highly, of mother and homemaker for three fine boys, ages 13 to 22.

Thyra Thomson was elected in 1962 by what in Wyoming is a very substantial margin—15,000 votes. As the article points out, this victory "makes the first lady of Wyoming politics one of the West's most powerful political figures."

Had her husband, Keith, lived, he would have been occupying this Senate seat, but his death 1 month after his election in 1960 deprived Wyoming of one of her finest and most promising political figures.

Mr. President, I ask that the feature article by the Denver Post's Rena Andrews, entitled "Love Affair With Wyoming," be printed in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Love Affair With Wyoming

(By Rena Andrews)

Cheyenne, Wyo.—Thyra Thomson, Wyoming's first woman secretary of state, holds the highest elected executive position of any woman in the United States. That's because Wyoming has no Lieutenant Governor, so the secretary of state is Acting Governor when the Governor is absent.

This, plus the fact Mrs. Thomson, a Republican, defeated her opponent for the secretary of state's job by a decisive victory—15,000 votes—makes the first lady of Wyoming politics one of the West's most powerful political figures.

And Wyoming's politicians, both Republicans and Democrats, are fidgety because Mrs. Thomson might decide to run—for Governor or the U.S. Senate, not to mention her present job—in the elections of 1966. The general feeling in political circles is that if Mrs. Thomson decides to run—for anything—she'll be a "sure winner."

Meanwhile, Thyra Thomson remains Sphinxlike.

When told that several political figures—representatives of both parties—say they feel certain she could finish ahead in the gubernatorial race, Mrs. Thomson just smiles and says, "I'm flattered." But she adds that Wyoming's Gov. Cliff Hansen, also a Republican, is "one of the greatest men I've ever met."

Would Mrs. Thomson consider running for the Senate?

"I love my job and I love Wyoming," she answers. "There's an awful lot to be done right here in our State."

It's a woman's prerogative not to give her age, but Mrs. Thomson has no qualms about saying, "I'm 49."

Yet, when it comes to her political plans, her answer is:

"Ask me this time next year."

Mrs. Thomson was born in Florence, Colo. She moved to Wyoming when she was in the eighth grade and says she considers the Equality State her country.

A graduate of Cheyenne Central High School, Mrs. Thomson was graduated cum laude from the University of Wyoming in Laramie in 1939 with a major in psychology and minors in sociology and business administration.

Her husband, the late Keith Thomson, was Wyoming's three-term Republican Congressman who was elected to the U.S. Senate in 1960. He died of a heart attack December 9 of that year at his Cody, Wyo., ranch before taking office.

"I wasn't even near Keith when he died," Mrs. Thomson recalled recently. "The children and I were in Washington preparing for the holidays and getting settled." She has three children—Bill, 22; Bruce, 18, and Casey, 13.

"It was so forlorn coming home from Washington after Keith's death," she said. "We had sold our home in Cheyenne and had bought the ranch in Cody. The children and I just drove around aimlessly. Then we spotted a pet shop. This is how we got Tootsie," a mixed breed black and tan dog.

Mrs. Thomson sold the ranch at Cody and settled in a spacious four-bedroom home at 204 E. 22d St. in Cheyenne.

Mrs. Thomson likes to point out her home is only about one and one-half blocks from the home Mrs. Esther Hobart Morris once occupied. Mrs. Morris, whose statue adorns the grounds of Wyoming's capitol building, was the proponent of the legislative act in 1869 which made Wyoming the first government in the world to grant women equal rights.

Until after her husband's death, the closest Mrs. Thomson had gotten to politics was as a Congressman's wife. While living in the Nation's Capital from 1954 to 1961, Mrs. Thomson wrote a weekly column, "Watching Washington," which was published in 14 newspapers. She also "shared and discussed ideas with Keith" about politics.

Today it is hard to say what made Thyra Thomson decide on a political career. Some Wyomingites maintain it was an accident, others say it was anger at "what happened with (former Governor) Hickey," and still others say she may have wanted to keep the Thomson name alive by continuing in her husband's chosen field.

Mrs. Thomson gives no specific explanation as to why she decided to run for and become Wyoming's first woman secretary of state. The fact is that she was urged to run both for the U.S. Senate seat to which her husband was elected and for the secretary of state office.

The Hickey incident involved the then Gov. J. J. Hickey, a Democrat, who resigned his post after Thomson's death. The then secretary of state, Jack Gage, succeeded Hickey and in turn appointed Hickey to the Senate to fill Thomson's vacated seat. Hickey ran in 1962 for the unexpired term and lost to ex-Gov. Milward L. Simpson.

Mrs. Thomson at the time predicted Hickey would be defeated in 1962.

One of the main reasons she cites for not running for the Senate at that time is because she didn't want to be a sympathy candidate.

However, there was nothing to stop her from getting the votes and confidence of Wyomingites when she ran for secretary of state.

"I have traveled in the State of Wyoming for 11 years with my husband, my children, and alone," she said. "While I was campaigning, I covered all 97,000 square miles of it."

Mrs. Thomson beat her Democratic opponent, Frank L. Bowron, of Casper, by some 15,000 votes.

Keeping records, mailing out annual reports on corporations, and publishing bills passed by the legislature are included in the secretary of state's job.

As soon as Mrs. Thomson took office in January of 1963 she displayed her talents as an efficient housewife by straightening out files and records in the office and, by so doing, reducing expenses.

"It used to cost this office about $20 for the fancy ribbons, retyping, and proofreading of each certified copy of registered documents on file," she said. "What we do now is pull the original document, Xerox it and stamp it with a special stamp that says it's certified. Then, I sign it and it can be put in the mail in 5 minutes."

Mrs. Thomson also saw to it that the 7,000 active corporation documents that used to be scattered in four vaults on different floors are kept in one fireproof file near her office.

The secretary of state, who draws a salary of $12,000 a year, occupies a large, cool office which is furnished with comfortable leather chairs, a large desk, a long table for conferences, and a bookcase. A wall near Mrs. Thomson's desk displays the only feminine touch in the office—a gold-framed mirror. There's also a portrait of Mrs. Thomson's husband.

Mrs. Thomson's staff occupies two adjacent offices.

Part of the Thomson efficiency is having trained "every person in this office" to answer questions within minutes and to answer letters which are read and signed by Mrs. Thomson.

"The most important thing in a successful office is a good staff—people who are bright and well-trained, delegation of authority and a system of controls," Mrs. Thomson says.

"Each person in my staff is responsible for his own work. I oversee it. When something unusual arises, my staff checks with me. Otherwise they're on their own."

Part of Mrs. Thomson's job is to open and preside over the Wyoming House of Representatives.

"We have a 40-day legislature and I have to handle all the bills, send them to the printers, write titles for each bill and publish session bylaws," she explained. She also contracts pocket supplements of the statutes for general distribution.

Mrs. Thomson also gives from 30 to 40 speeches a year throughout the State and outside of Wyoming and occasionally entertains at the Governor's mansion when the Hansens are out of town.

But when she entertains officials at home, Mrs. Thomson likes to give garden parties.

"I'm so proud of our garden," she says. "Casey (her youngest son) is my gardener and does a wonderful job." The garden is shaded by tall trees and neat flowerbeds decorate the close-trimmed grass.

In order to have more time with her children, Mrs. Thomson has hired a housekeeper who cleans her home, does the laundry and does most of the cooking.

"When I went into office I decided no man works full time and cares for a home and three children, too," she said. "So I never do my own hair and don't have to worry about cleaning house or doing laundry. It's all done for me."

Mrs. Thomson is on the five-member commission that governs Wyoming. In this capacity, she attends several meetings of State committees. She also is chairman of the Legislative Review Committee, North American Securities Administrators, and is vice chairman of the Public Lands Committee, Western Conference of the Council of State Governments.

"Because of this five-member commission, you can change the government of Wyoming by changing the elective officials," she said. "Affairs of State are under the policymaking of the five top officials in the State."

Mrs. Thomson said the big difference between Wyoming's government and the Federal Government is that in Washington "they have proliferated to the extent where no one can keep track of the whole thing."

She said Wyoming's system of government is particularly good for the State because there are 330,000 persons in Wyoming.

"It would be folly to impose a superstructure type of government, such as they have in Washington, in Wyoming," she said.

Mrs. Thomson said that about 90 percent of the persons who serve on State commissions do so without pay.

"These Wyomingites work to support their families, yet they volunteer their services for their State," she said. "They are proud of it and to them it's an honor."

The secretary of state, who also is on the board of institutions and reformatories in Wyoming, discussed a program which has recently been introduced in Wyoming's institutions.

This program is called reality therapy and was introduced by Dr. William Glasser, she said.

"Under this program, the person who is sent to the institution is no longer asked, 'Why did you do this?' Instead, he is asked, 'What did you do?' "

She said, "The point we try to stress is that the person involved is responsible—not his environment or anybody else—for his own actions. This way he realizes the penal staff has faith in him that he, himself, can do something about his problem."

Dr. B. D. Kuchel, superintendent of the Wyoming Industrial School in Worland, among others, reported he finds this type of program works particularly well, Mrs. Thomson said.

As far as her political views are concerned, Mrs. Thompson does not like to describe herself as a conservative or liberal Republican.

"I dislike labels," she said. "They give the wrong impression."

And she won't discuss Barry Goldwater or reasons for his defeat.

"That is all in the past," she said. "The GOP needs a new view for the future. It needs intellectual exertion to bring the conservative and liberal elements of the party together."

But what Mrs. Thomson doesn't seem to mind discussing is Keith Thomson and her children.

She has worn since 1961 a gold watch which would have been presented to her husband at Senate swearing-in ceremonies.

"Isn't he beautiful?" she says of her late husband as she proudly shows his pictures which are displayed both in her office and at home.

"I wouldn't know what to do without them," she says of her three children. "They are everything to me."

Mrs. Thomson skis, dances, takes trips and plays golf with her sons at Cheyenne's Municipal Golf Course.

In the meantime Wyoming's politicians are contemplating what office Thyra will seek next.

In all probability, Mrs. Thomson will not say until she's ready to run and, in ladylike fashion, will keep her political suitors guessing until she's made her decision.

REFORM OF IMMIGRATION LAWS

Mr. SCOTT. Mr. President, it now appears that I will be serving, by designation of the Vice President, as a delegate to the International Telecommunications Union Plenipotentiary Conference abroad during the Senate's consideration of H.R. 2580, the companion to S. 500, a bill which I have cosponsored to revise the immigration laws, and particularly to remove the discriminatory national origins quota system.

The Senate will, I am confident, pass the kind of immigration reform that I have been fighting for for many years, and my position against any crippling amendments and in favor of final passage will be noted of record.

I have long felt that in the forefront of the unfinished business of our free society has been the urgent necessity to eliminate the discriminatory national origins quota system from our immigration laws. This system, based on the national origins of our population in 1920, says in effect that the people who produced a Plato, a Michelangelo, a Kosciuszko, are less welcome in America than those who come from other parts of the globe.

I have opposed this repugnant philosophy of discrimination throughout my public life because I do not believe that there is any room in our society or in its laws for discrimination of any kind. We must eliminate once and for all this degrading concept of subjecting human beings to the indignity of being judged on the basis of their place of birth or racial ancestry rather than on their merits and qualifications.

One of the first bills which I introduced in this session of the Congress was a bill—S. 436—to reform our immigration laws and eliminate the national origins quota system.

I am cosponsor of S. 500, and have testified before the Immigration Subcommittee of the Senate Judiciary Committee in its behalf as well as on behalf of my own bill. I have also closely followed its progress and helped as a member of the Judiciary Committee, in having this bill reported to the Senate Calendar. It is my belief that passage of this legislation is not only of great importance, but a long delayed act of justice.

LAWLESSNESS AND LAW ENFORCEMENT

Mr. KENNEDY of New York. Mr. President, the newspaper Newsday, published at Garden City, Long Island, N.Y., recently printed a column by the distinguished commentator Ralph McGill. The comments are solid and sensible. I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

LOOKING BACK

(By Ralph McGill)

In chapter 5 of "Through the Looking Glass," Alice and the White Queen are confused. "I'm sure my memory only works one way," Alice remarked. "I can't remember things before they happen."

"It's a poor memory that only works backwards," the Queen remarked. The Queen fell into confusion because in her world time ran backwards. Time runs forward with us—but a backward look helps.

Mail devoted to the Los Angeles riots runs chiefly to a denunciation of "nigger lawlessness" and "what else can you expect from niggers?" There will always be some of that mentality and while one may feel sad about those who think in such patterns, they are outside the facts of our time. A few letters insist that all riots are simply a matter of lawlessness, and that all one needs to do is to enforce the law. (One could wish it were really that simple.)

There must, of course, be enforcement of law. And, especially, there must be prompt application of law to the Muslim groups, which admittedly are committed to incitement of riots and of violence. But having so said, it is imperative that all Americans—and perhaps more particularly southerners—know that hard facts may not be solved by prejudice or oversimplifications. We are confronted with the end of an era in history. It is, perhaps, as abrupt and harsh and as difficult for many to accept as was the end of slavery itself for those who had accepted it as a way of life and as being appointed by God himself. The thoughtful, intellectually honest citizen must let his memory run backward. He must admit to himself what he knows to be the truth. Unless he wants to explain the greatest social revolution of our times in terms of "nigger" or "more police."

A wall has been torn down. Some 19 million Americans have all their lives been on the other side of it. While on that other side of the wall they were rarely allowed to vote. They were not admitted to such simple community affairs as PTA meetings or community gatherings to discuss bond issues, taxes, or community needs. Most of them lived in what was called, by the thoughtless, "niggertown." It was a place of unpaved streets and little municipal supervision. There were separate schools and they are on the conscience of every thoughtful American. There was separate justice. The sheriff, the deputy, the policeman and most courts, unhappily became a symbol not of justice, but of injustice.

There was precious little, or no, opportunity to learn the responsibilities of voting or of citizenship. There were few opportunities for jobs save the most menial. There inevitably developed certain stereotypes of thought—"They are happy the way they are." "They are dirty, uncouth, shabby, illiterate." President Johnson said of this condition that we had "created another nation." And so we had. Two great wars and industrialization caused millions to leave farms and go to the big cities of the East and West where huge industrial complexes offered jobs. Mechanization and automation have now ended most "common labor."

The big cities have the worst problem. In the first place they have the most deprived persons, the most of the very poor—the good poor and the criminal poor—the most really illiterate, the most hoodlums, the most hopeless. They are crowded as if under pressure. The environment is conducive to violence. The wall is down. It will take a long time to correct the past—to provide education, training, and opportunity. There will be those who can't be trained. It will take time to make the poor Negro (and the poor white) feel that the policeman does not "have it in for him."

Somehow we must mobilize the best we have, our truest voices and the forces of intelligence and of civilization. But above all, man today is called upon to be true to himself—not to deceive himself about what is required of us as a people and a nation—to know that the wall is down.

BANK MERGERS

Mr. ROBERTSON. Mr. President, in 1960 the Senate passed without a dissenting vote a bill that was intended to put new restrictions upon bank mergers but which did not change the fact that the Clayton Antitrust Act did not apply to bank mergers. Numerous statements were made on the floor of the Senate that mergers authorized under the Senate bill would not be subject to the Clayton Antitrust Act. That bill was favorably reported by the House Banking and Currency Committee and passed the House without a dissenting vote.

The fact that bank mergers were not to be controlled by the Clayton Antitrust Act was not clearly spelled out in the bill, although there were repeated statements on the floor of the Senate that it was the intention not to have the Clayton Act apply to bank mergers. To the surprise of all Members of the Congress who had taken an interest in the bank merger bill and all of the interested financial institutions, the Supreme Court held in 1963 that bank mergers were subject to the Clayton Antitrust Act. That act, as previously construed by the Supreme Court, means that if there are two competing corporations which are merged into one, competition has been diminished by the merger and therefore the merger is illegal. Incidentally, both Justices Harlan and Goldberg united in a dissenting opinion in which among other things the statement was made that no one was more surprised than the Government lawyers that the Supreme Court took that position.

In recent years more than 2,000 banks have been merged, involving assets of billions of dollars. Since there is no statute of limitations on such mergers they are all subject to attack by the Justice Department and if, as, and when attacked, the merged banks cannot win unless the Supreme Court reverses its astounding opinion that bank mergers are subject to the Clayton Antitrust Act.

It is apparent to all who have considered this problem that the application of the Clayton Antitrust Act is an unnecessarily harsh rule for bank mergers.

The purpose and the only purpose of the bank merger bill, which has been pending for weeks before the House Banking and Currency Committee and on which apparently hearings will be continued as long as this session of the Congress lasts, is to give relief to the banks which in the past have merged in good faith, after securing the approval of the required banking agencies, and to provide protection for all future bank mergers unless the Justice Department, after all other agencies had agreed upon the mergers, gave notice in 30 days of its objection.

I ask unanimous consent to have published at this point in the RECORD an editorial from the Wall Street Journal of September 10, 1965, entitled "The Measure of Difference," indicating why banks should be treated differently from other corporations with respect to mergers and why the pending legislation would be a modest first step toward more clarity in bank regulation.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[The Wall Street Journal, Sept. 10, 1965]

THE MEASURE OF DIFFERENCE

Why should banks be treated differently from other types of business concerns?

In essence, that's the question posed by opponents of a bill that would limit the Justice Department's ability to overturn banking mergers; they claim the Department should have the same power over such mergers that it does over others. Their question, however, seems to us to be easy to answer: Banks should be treated differently because they are different.

That fact ought to be obvious; it has been recognized by laws of the States and the Nation ever since banking became a business of some importance to the country's economic well-being. By now bankers are surrounded by a tangle of legal rules which not only provide close control of mergers by Federal and State banking agencies but also impose restraints that no legislator would think of applying to the average businessman.

Though governmental agencies are taking an ever-widening interest in private business activities, for example, no agency has yet suggested that it should take a look at the character and finances of a fellow who wants to set up, say, a shoe store.

If the shoe store fails, it's a sad day mainly for the owner and his clerks. A bank's failure, on the other hand, would damage not only its owners and employees but quite possibly its depositors, borrowers and anyone else who had any dealings with the institution. More than that, one bank failure can, and often has, weakened public confidence in other banks in its area.

The difference between banks and other types of institutions, in other words, is measured largely by the degree of public interest.

Consideration of the public's interest has done much to shape the legislative approach to banking competition. In the business world generally the freest possible competition is clearly to be desired. In banking, however, a total absence of restraints on competition could allow an eager institution to overexpand, to make shaky loans and otherwise compete itself right out of business. Such a bank could damage the public interest in an attempt to serve it.

The need, in the banking industry, for a somewhat different approach to competition was in the minds of Congress when it passed the Bank Merger Act of 1960. The committee reports indicate that the legislators intended to leave decisions on banking mergers to the Federal banking agencies: the Federal Reserve Board, the Federal Deposit Insurance Corporation and the Comptroller of the Currency.

In making such decisions, the agencies are required to consider the possible adverse effects on competition. But they are also compelled to ponder the financial condition of the banks, their earnings prospects, the character of their management, and, certainly not least, the convenience and needs of the community to be served.

Any merger, of course, reduces the number of banks by one. Yet at the same time it may save a weak bank from insolvency or, by creating a larger and more versatile institution, provide banking services badly needed by a fast-growing community. As committee reports noted in 1960, a merger sometimes can be in the public interest even if it would result in a substantial lessening of competition.

Soon after the Bank Merger Act went on the books, however, the Justice Department began attacking a number of bank mergers in the courts solely on the basis of competition, and on a pretty restricted view of competition at that. Since the courts have backed the Department, banks now may have a merger approved by a Federal bank agency and, possibly years later, have it thrown out by the courts. It is this situation that the pending legislation would straighten out.

In the first place, the bill would wipe out the past 5 years of confusion: It would validate all mergers approved up to now by the banking agencies, whether they've been challenged by the Justice Department or not. After all, banks entered such transactions in the belief that Congress meant what it said in 1960.

After approval of any future bank merger, the Department would have 30 days to challenge it in the courts; during that period and any resulting litigation, the merger could not be consummated. Though there's more than a little question whether the Department should have that much power, it would at least end completely the threat of any future effort to unscramble a merged bank.

As opponents of the proposed bill have argued, such unscrambling can be handled. But it can't be handled without a great deal of confusion and inconvenience for the bank's customers—in other words, without damaging the public.

The pending legislation, in sum, would be a modest first step toward more clarity in bank regulation. If Congress bothers to measure the Nation's interest in a sound banking system, it's hard to see how it could do anything very different from that.

REA PRIZE WINNERS

Mr. MONRONEY. Mr. President, members of the Oklahoma delegation were fortunate to entertain again this year the youthful winners of essay contests sponsored by various rural electric cooperatives in the State. There were some 1,500 essays prepared and judged this year in Oklahoma, so it is not extraordinary that the 40 winning essays on rural electric cooperatives are excellent. I ask unanimous consent to have two of them printed in the RECORD at the close of my remarks.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

WHY HAVE COOPERATIVES?

(By Johnny Snyder, Dacoma, Okla.)

The lack of money is the root of much evil, including extreme poverty, suffering without relief, hunger pangs never eased, and youth with no hope for a better tomorrow. This pictures much of the world today with 10,000 persons starving daily.

Already one-third of mankind lives as virtual slaves under Communist governments. Many others live under the grasping hand of big business bent on profits. But there is a private enterprise that must be locally owned and controlled, because its owners must be those who use its services; this is our cooperative way.

These cooperatives have played a big part in making the United States a land where the farmer stands economically in his rightful place. This is also true now in Sweden, Norway, Finland, and Denmark, which were once very poor countries.

However, a cooperative is not always the answer. When private industries offer the same service at a comparable or better rate a cooperative is not needed. Then when do we need cooperatives? We need them when they can provide service at a more reasonable rate or when they can provide service that would not otherwise be provided.

Last summer with Oklahoma 4–H people-to-people delegation, I was privileged to visit several European countries. From our Danish guide we learned that Denmark takes pride in being like the United States in many ways, which include patterning their cooperative life from ours.

Today Denmark is known as a land of cooperatives, which has been the most important factor in the advancement of Danish agriculture. For example, cooperative enterprises process 90 percent of their milk and pork. In general their standard of living is good.

Hungary and Czechoslovakia, the two Communist countries we visited, make a sharp contrast with Denmark. These are not lands of cooperatives—no, these are lands of socialistic community farms. As I watched women use the ancient hoe through long weary hours and eat their lunch in drainage ditches, often without the comfort of even a shade tree, I viewed a land I never want to call my home. World history verifies that where communism reigns, there are no citizen-owned cooperatives; but where democratic freedom exists, cooperatives flourish.

Through the American Institute of Cooperation, I learned that many countries of the world would prefer that we guide them in the organization of cooperatives rather than giving the handout of food. They know that nothing lasting will be accomplished until they learn to provide for themselves.

For example, government officials, engineers, and technicians from 31 countries have been visiting our rural electric cooperatives and our REA headquarters to get firsthand ideas. In turn we have been sending well-trained men to Ethiopia, Tunisia, South Vietnam, and many Latin American countries to train their own people to develop cooperative rural electrification for themselves.

Desperate people turn toward dictatorship not always because they want to but because they see nothing else to do. There is a better way, and we are the ones to show the world that way—not by guns, not by free food, but by an educational plan to train for the cooperative way of life.

To better understand what cooperatives can do for the world, let us look at what they are doing for the United States where two-thirds of the farmers belong to one or more cooperatives.

First, we will consider the marketing cooperatives. Whenever a producer raises any product for sale, he faces a marketing problem. The cooperatives—marketing grains, cotton, and dairy products—have put millions more dollars annually into the farmers' pockets. About one-fourth of all farm crops are marketed cooperatively. Herbert Hoover once said, "I see no way out for the farmer except by cooperative marketing."

Second, we will consider the consumer, purchasing, or supply cooperatives. These appeared in large numbers after World War I. The farmers at this time were receiving low prices for their products and paying high prices for their purchases. Their survival as individual farmers was at stake. Thus they began to purchase feed, seed, and fertilizer from a wholesaler and distributing these among themselves. Soon formally organized cooperatives appeared. Today three out of four farm families purchase supplies through cooperatives. Here are services provided at more reasonable rates.

Third, we shall consider the service or utility cooperative with electrical cooperatives heading this list. By 1935 the urban areas of the United States were enjoying light and power provided by commercial electric power companies while 90 percent of the farmers remained in darkness and powerless. Why? Because it was not profitable for these companies to bring electricity to the sparsely populated rural areas. However, what the profit motive could not and would not do, the service motive of the cooperatives did. There is much difference between the 33 customers per mile of line among commercial electric power companies and the 3.3 customers of the rural electric cooperatives. Here is a service offered by a cooperative that would not otherwise be provided to the sparse population in rural areas. From 1935 to 1965, a period of only 30 years, the United States has dropped from 90 percent of her farmers being without electricity to only 2 percent not having this valuable light and power. The Rural Electrification Administration and the rural electric cooperatives have made this possible.

The coming of this light and power ranks with the advent of modern genetics, fertilizer, pesticide, and the farm tractor as one of the five most revolutionary forces to be introduced into agriculture during our century. Some even say electricity tops the list in importance.

This cooperative service has made our farm life comparable to urban life in comfort and convenience and gives us a way of life known to no other average farmer of the world.

In closing let me ask, Why do the people of the world want cooperatives? True, the cooperative way does not offer dazzling wealth to anyone, but it can and does provide many services at more reasonable rates and many others, including electrical power in our sparsely populated farm areas, that would not otherwise be provided. All this contributes toward comfortable homes, thriving communities, and a secure country. What more could we ask for?

RURAL ELECTRIFICATION GOOD FOR ALL AMERICANS

(By Patsy Hill, Cotton Electric Cooperative, Walters, Okla.)

The dream of an electrified America for all Americans was conceived in the minds and hearts of far-seeing men many years before it was born. It lay there—shimmering like foxfire—sometimes quiet—sometimes struggling to be born. Even the doubters conceded that electricity over the entire country would be good for all Americans, for in this Nation the poor farmer makes the poor businessman; poor rural communities make poor cities; low standards for the farmer make low standards for the Nation. So the dream grew, matured, and burst upon the American way of life with an impact that has shattered forever the isolation and bleakness formerly associated with rural living. From the hand-drawn water, salt-cured meat, lamp-lit homes, and newsless weeks, today's farm family has graduated to the same appliances and equipment as their city friends.

But the dream wasn't born without struggle. There was the usual shadowy army of scoffers and doubters in the background, raising their usual battle cry of "It can't be done," as there has always been when anything new and startling threatened their complacency. Somewhere in the memory of the dreamers must be a heroic story of visits to influential men, telephone calls to people in high-up places, and letters written to government officials. There is a record of the organizing committees—committees of dedicated workers who visited rural homes and held meetings almost nightly to spread the story of what could be done. In these gatherings the longings of rural families came to light: the dream of having lights, electric pumps, freezers, and the many other advantages of electricity that their city neighbors were enjoying as a matter of course.

As in most united efforts, dedication paid off. In 1935, in an age when letters were becoming a way of life to the people of the United States, three new letters burst upon the American scene—REA. These magic letters meant Rural Electrification Administration, set up by Congress to loan money to extend electrical systems into rural areas. This all-important step became an official act of the Federal Government on May 11, 1935, by Executive order of President Franklin Delano Roosevelt. It authorized a 10-year electrification loan program, which was extended indefinitely in 1944. Its purpose was to make loans to qualified borrowers, with preference to nonprofit and cooperative associations. These loans were to bear 2-percent interest and were to be repaid over a maximum of 35 years. Private utility companies were not interested, so the U.S. Government decided to try the rural electric cooperative method—an old American custom—people working together for a common cause.

So, electric cooperatives were started, even though there were many, many problems to overcome. But it seems as though, working together, men can accomplish anything. By the end of the 1930's, rural people had held meetings, discussed their problems, and signed up as members of rural electric cooperatives. Besides getting enough people to sign up to make a system worthwhile, these kilowatt pioneers had to get easements for lines and substations, obtain land rights from owners, and elect boards of directors. With dependable electric service at the lowest possible rate a nonprofit system can supply, as a goal, each newly formed board set up policies and hired a manager to operate the systems they were starting to build. Nearly half of all member-consumers in the United States are farmers, and no one knows better the necessity of a profit system than the American farmer; but behind the rapid and successful development of rural electrification in the United States, lie the efforts of almost 1,000 nonprofit electric systems. While a few of these were organized as public bodies, the vast majority are consumer cooperatives. To obtain capital necessary to build their electric systems, to purchase poles, wire, and equipment, local coops turn to the REA in Washington for loans. These loans must be repaid with interest, but time has proved that rural electric cooperatives can and do pay their own way. As a matter of fact, the repayment record of rural electric systems is considered by many financiers to be an all-time miracle. Though created on small capital and big wishes, rural electric systems have repaid their loans from the Government on schedule, many making the necessary payments plus large future payments every year. The Cotton Electric Cooperative of Oklahoma, for instance, paid the REA loan of $230 million 24 years in advance of its due date.

And time has proved that rural electrification is good for all Americans. Financially, it has brought in the greatest returns for the smallest investment of tax dollars of anything the American people have ever seen. Large sums of money have reached the Treasury of the United States in interest from co-op loans and from co-op taxes; for while rural electrics do not pay profit taxes, they do pay sales, property, excise, and vehicle taxes like any other business firm. Often they are the largest single source of revenue from property taxes in their countries. And added to the taxes they pay directly, rural electrics bring in an enormous amount of revenue in many other ways. The electricity they supply has given birth to scores of local enterprises, expanded the scope of other businsses, and vastly enlarged community payrolls. All this has materially broadened the rural tax base, produced badly needed public revenue, and thus strengthened the economy of the United States in an era when a presidential assassination has definitely rocked the ship of state, especially in the areas of stock markets, foreign aid, and inflation.

The benefits of the rural power program to all Americans are too obvious to be doubted. Since electricity has increased the prosperity of farmers, it has consequently improved the prosperity of their city friends as well. Prosperity has come as a natural result of time-saving and more efficient management—thanks to the rural electrification program. Electricity now performs more than 600 different tasks on the farm, and has promoted the development of all America by extending the boundaries of modern living to the country's most remote areas. It has been instrumental in putting American agriculture out front as the most modern and most successful in the world. Electricity, as dispensed by member-owned cooperatives, has raised farm production to such heights that our expanding city population has an abundance of nutritional food at reasonable prices. This has enabled the people of the United States to be the best fed in the world. The abundance of fresh meat, eggs, and fruit in this country keeps well-fed Americans the envy of less fortunate peoples. And these farmers who worked so hard to help themselves, have helped their city cousins in other ways too. In small towns and big cities everywhere, merchants and businessmen can credit millions of dollars in purchases to the new rural market. Low-cost electricity is such a boon to all Americans that rural living in the United States today is considered the epitome of all that is desirable, for farm families can now build and equip all-electric homes, with electric heating, air conditioning, ranges, washers, dryers, television, dishwashers, and disposal units—all because rural electrification has given them the wherewithal, the power, and the means to live on a par with people anywhere.

Household equipment isn't nearly the whole story of rural purchases either. Large investments, like automatic dairies, irrigation systems, electric pump units, and grain loaders are everyday buys in today's modern, electrified rural America.

As a direct result of electricity and member-owned cooperatives, new enterprises have sprung up all over previously thinly settled areas of the country. In rural areas where once were seen only lonely lamplit farmhouses, today can be found modern, flood-lighted homes, with electrically equipped barns, stables, and chickenhouses; large shopping centers with clothing, shoe, and grocery stores; service stations, garages, motels; concrete block plants and lumber mills; plus drive-in movies and drive-in banks. Members of electric co-ops, as participants in local development groups, are helping to launch a wide range of ventures to develop industry in rural areas and to provide thousands of jobs for local inhabitants. Rural electrics are in addition helping their communities to develop recreational areas and needed public facilities like hospitals and water and sewage systems. The availability of electricity in rural schools, churches, and small communities has helped provide equal opportunity to many thousands of people who would otherwise have been denied these advantages.

Yes, rural electrification has revolutionized rural living in the United States and proved a boon to all Americans. It has helped keep efficient farmers on the land and made the freedom, energy, and attainments of America's rural population the envy of the world. It has increased sales, services, and revenue of the small American community, and its benefits have penetrated into the largest cities. It has truly lighted a torch in present-day America, and promises to shed its rays even more brightly in the future; for the future of electricity is beyond present-day imagination. In this brilliant future, we should see every farm home heated in winter and cooled in summer—by electricity; we should see family-sized filtration plants that will purify farm pond water for household use—by electricity; we should see new barn equipment that will blend feed concentrates with roughage and meter out the correct portion to each cow—by electricity; we should see farm soil made more porous and thus more absorbent—by electrical treatments. These and many more unforeseeable miracles will mean that all Americans should live better, more productive lives—through the miracle of having electricity available to all.

So the REA and its member-owned cooperatives is a story to equal the "Arabian Nights" tales of old. It is a modern success story of dedicated farmers who built electrical distribution systems that most experts believed and predicted were destined for bankruptcy. It is the story of a force that has held the most efficient people on the farms, that has supplied a large part of the world's population with food and clothing, that has kept capable young people on the farm, engaged in worthwhile activities such as FFA and 4–H work; that has brought the American farm home into the brilliantly lighted 20th century, with modern plumbing, lights, appliances, television and radio, and all the countless blessings of modern-day living. It is the story of a force that has contributed to America's greatness in many areas; that has insisted on progress for all segments of American life—not just for the city folks, or just the country folks, or just the industrial workers, or just the scientists—but has insisted that all Americans, big or little, rich or poor, must have the chance that the U.S. Constitution guarantees them—the opportunity of freemen to advance. This then is the story of member-owned cooperatives and their impact on the American way of life—an impact that has brought many blessings to all Americans and made the rest of the world aware of what concentrated effort and dedicated people can do when the need is great and the dreams are clamoring to become realities.

IRA KAPENSTEIN, POST OFFICE DEPARTMENT'S SUPERLATIVE PRESS CHIEF

Mr. PROXMIRE. Mr. President, rarely does the general public have a chance to hear about the performance of the men behind the Nation's top policy makers. The advisers and experts who can make or break a Cabinet officer.

The retiring Postmaster General John Gronouski is blessed with such a man in his top press officer, Ira Kapenstein. Ira came to the Post Office Department from the Milwaukee Journal, where he was as able a reporter as any I have ever observed anywhere. It was no secret in newspaper and political circles that Ira Kapenstein could have had his choice of a number of excellent newspaper opportunities throughout the country.

Two years ago at the age of 27 he had mastered reporting—as a clean, crisp writer, an astute, sharp observer, and a scrupulously fair and honest reporter. He chose to serve his Government and the Postmaster General John Gronouski.

As press chief to the Postmaster General, Kapenstein not only was responsible for the press relations of the head of the Post Office Department, he was consulted frequently on policy decision, and he administered an excellent press section of his own.

A few days ago in a ceremony at the Post Office Department Ira Kapenstein was awarded the Benjamin Franklin Award with this citation:

> To Ira Kapenstein, the architect of public information programs and perceptive adviser on postal policies which have had an outstanding beneficial impact upon the American public. His loyalty and his selfless devotion to duty have made him an asset of inestimable value to the Postmaster General and the postal system.

Mr. President, Ira Kapenstein richly earned that award. He has served his Nation well. And at the age of 29, he faces a very bright future indeed.

GRONOUSKI APPOINTMENT AS ENVOY TO POLAND APPLAUDED BY PRESS

Mr. PROXMIRE. Mr. President, there has been generally warm and enthusiastic approval of the appointment by President Johnson of Postmaster General John Gronouski as Ambassador to Poland, an enthusiasm which I happily share.

I ask unanimous consent that a number of the editorials applauding the Gronouski appointment be printed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Kansas City (Mo.) Times, Sept. 1, 1965]

L.B.J. Shifts Players in the Big Game

The administrative changes in Washington—Goldberg to the United Nations, Gronouski to the Warsaw Embassy and O'Brien to the Postmaster Generalship—are beginning to sound like infield changes in a baseball game. L.B.J. shifts the team around, but few players are consigned to the bench.

As a man who gets things done, Lawrence F. O'Brien can be expected to expedite the mail as Postmaster General. It is an enormous task and a function of Government that deals every day with hundreds of millions of transactions affecting millions of Americans. More and more, the Post Office Department is concerned with computers and the mechanics of mail delivery. O'Brien, we predict, will retain for the Department a touch of humanity. At the same time, through the Kennedy years as political adviser, and as the White House congressional assistant to both John F. Kennedy and Lyndon Johnson, O'Brien demonstrated efficiency and a talent for detail work.

When John A. Gronouski visited Poland last year, it might have been suspected that changes were in the wind. Gronouski's name will not hurt him in Warsaw, and the United States needs help there because of deteriorating relations. The American Vietnam policy has caused alarm among what might be described as young Polish liberals. In that Communist state the young identify to a surprising degree with their Western counterparts who dislike authority, engage in peace marches and denounce the bomb.

Gronouski in Poland probably will be a happier man than Gronouski in the Post Office Department. His qualifications as a former college professor and an American-style liberal will be more applicable.

The O'Brien-Gronouski switch has a certain logic, and it shows the Johnson touch of producing more than one desired result in a single transaction. The question is, who's next?

[From the Newport News (Va.) Daily Press, Sept. 1, 1965]

An Appropriate Role for Gronouski

The selection of Postmaster General John A. Gronouski to be Ambassador to Poland was both appropriate and imaginative. It is to a degree startling that the head of a department devoted to the delivery of the mail should receive such a demanding diplomatic assignment, but Mr. Gronouski has special qualifications for his new role.

Grandson of a Polish immigrant, speaker of the language, a director of the Pulaski Institute, and in general the possessor of a large fund of knowledge in United States-Polish relations, Mr. Gronouski should carry out as well as possible the President's desire to establish a closer, more friendly contact with the people of Communist-dominated Poland.

As Postmaster General, Mr. Gronouski has not been outstanding—he has been most often described as "adequate." He was named to the job in response to a political need for representation of people of his background in the administration; we can expect him to operate with more assurance and more adeptness in Warsaw than in the giant postal bureaucracy. Of course the nomination still has to be considered by the Senate, but there is no apparent reason to expect it to be overturned.

As for Mr. Johnson's choice to take over as Postmaster General, Lawrence F. O'Brien has established himself in two administrations as a man who can get things done. As legislative troubleshooter and chief liaison man between the White House and Congress, he has gained widespread respect in official Washington.

In short, the President's latest two appointments are as promising of good results as any he has made in the past.

[From the New York (N.Y.) Herald Tribune, Aug. 30, 1965]

L.B.J.'s CHANGING OF THE GUARD

There must have been some red faces in the Washington press corps when President Johnson announced the new changes in his official family. One correspondent recently confided to his readers his exclusive information that Lawrence O'Brien would leave the White House by Labor Day for a public relations job. Another concluded that President Johnson's recent reappointment of John A. Gronouski would assure him the Cabinet hat of Postmaster General for the next 4 years.

The shifts announced yesterday, of course, were motivated by something much deeper than the President's special delight (even on a birthday occasion) in upsetting the speculations and conclusions of newspapermen. The President disclosed some time ago his special interest in "building bridges" to the East. One of the key spans in any bridge of that kind obviously is Poland. Mr. Gronouski, as a close associate of President Johnson in the Cabinet post he is now leaving and as the grandson of Polish immigrants, is himself exceptionally qualified to serve as a bridge between Washington and Warsaw.

Mr. O'Brien's succession to the vacated seat gives formal Cabinet recognition to a man who played a key role in securing congressional approval of the legislative program first advanced by President Kennedy and then carried forward by President Johnson. More than that, it will insure that Mr. O'Brien's public relations talents will remain in the service of the President and his program for a Great Society.

[From the Philadelphia (Pa.) Inquirer, Aug. 31, 1965]

ANOTHER CABINET CHANGE

Slowly, but steadily, the President's Cabinet is becoming more personally identified with the Johnson administration. This year has been one of continuing transition to the L.B.J. brand.

The appointment of Lawrence F. O'Brien as Postmaster General increases to five the number of Cabinet members named by President Johnson. Others are Attorney General Nicholas Katzenbach, Commerce Secretary John T. Connor, Treasury Secretary Henry H. Fowler, and Secretary John W. Gardner of the Health, Education, and Welfare Department. In addition, U.N. Ambassador Arthur J. Goldberg, who holds Cabinet rank, is a Johnson appointee.

In tapping Mr. O'Brien for the Postmaster Generalship, President Johnson has selected one of the inner circle of the late President Kennedy's confidants. There seems to be unanimous agreement in Washington that O'Brien's ability to get things done, as liaison man between the White House and Congress, has been notably efficient in both the Kennedy and Johnson administrations.

The O'Brien appointment is to fill a vacancy created by President Johnson's selection of John A. Gronouski to be Ambassador to Poland. From Postmaster General to a diplomatic post in Warsaw is a switch of major proportions but Mr. Gronouski, the grandson of a Polish immigrant, will take to his new assignment a broad background of knowledge and interest in Polish-American relations.

The President, in announcing the Gronouski appointment, gave special emphasis to the administration's strong desire to establish closer contact and friendship with the people of Poland. This is an admirable purpose, but the objective is not an easy one.

It was 26 years ago this week that Hitler's invasion of Poland touched off the Second World War. Although the Nazi war machine was defeated 6 years later, Poland did not taste the victory. For two decades the Polish people have suffered under Communist domination. In recent years some measure of autonomy has been evident in Poland but it remains a Soviet satellite.

We are certain, beyond any doubt, that the fires of freedom still burn bright in the hearts of the Polish people. We want them to know of America's continuing hope that a completely free and independent Poland will become not merely a dream but a reality in the not too distant future.

Getting this message across to the people of Poland, while conducting relations with the Communist-controlled Polish Government, will be a difficult exercise in diplomacy requiring the best that Mr. Gronouski can give to the task.

[From the New York (N.Y.) Journal American, Aug. 31, 1965]

L.B.J.'s JACKPOT

In appointing his ace assistant, Lawrence F. O'Brien, to be Postmaster General, and in naming John A. Gronouski, the incumbent, as Ambassador to Poland, President Johnson has demonstrated once more his superb mastery of politics in the highest meaning of that word.

The elevation of Larry O'Brien to a Cabinet post is a deserved recognition of his talents as an organizer and director of victorious election campaigns, as an astute liaison with Congress, and as a presidential adviser who held the respect of John F. Kennedy, as he is granted it now by L.B.J.

As a holdover from the Kennedy administration, Mr. O'Brien has not been, at least technically, a member of the Johnson White House team. That is another indication of the value the President places on, in L.B.J.'s words, his "strong right arm."

There is plenty of precedent for Presidential appointment of close political advisers as Postmaster General. Mr. O'Brien, who thrives on hard work, can be counted on to give the job a full measure of his intelligence and energy.

The choice of Mr. Gronouski, grandson of a Polish immigrant, is a natural. Perhaps the best way to sum it up is to quote a news story out of Warsaw, saying the appointment is met with "widespread satisfaction."

[From the Springfield (Mass.) Union, Aug. 31, 1965]

AN ENVOY WELL CHOSEN

The task of cultivating understanding between the peoples of Poland and the United States shapes up as a difficult one—simply because this Nation's image has deep roots in Poland, and there always has been a great warmth of feeling between the two peoples. But President Johnson's appointment of Postmaster General John Gronouski as Ambassador to Poland promises to make strong ties stronger—whether the powers that be in Warsaw like it or not.

Mr. Gronouski—who succeeds John Moors Cabot, a career Foreign Service officer, now to be reassigned—would have been an excellent choice under any circumstances. Grandson of a Polish immigrant, he holds a doctor of philosophy degree in economics and taught at several colleges before joining the Wisconsin tax department. He is regarded as an expert in public finance and international economics, and has made a study of Polish customs and history. As U.S. Postmaster General, he visited Poland in 1964. His interest in foreign affairs and his talent for administration—displayed in economies and job improvements within the Post Office Department—should also serve the new Ambassador well.

There have been few times in history when diplomacy has been as important to peace as it is today. In fact, the problem facing the world is the more serious because in this nuclear age the alternative to peace could become the destruction of mankind. President Johnson hopes that the achievement of Gemini V will encourage nations to feel a unity of purpose, in space and on earth. The prospective travels of the astronauts to other countries will cast them in the role of ambassadors of good will. Similarly, it is important to promote feelings of kinship at every opportunity through the regular channels of international contact.

The personal magnetism of John Gronouski impressed people who met him last April when he visited greater Springfield as Postmaster General. The transplanting of that quality and others from the Cabinet post to the ambassadorship of Poland was a well-considered move.

[From the Federal Times, Sept. 8, 1965]

UNIONS EXPRESS REGRET AT GRONOUSKI TRANSFER

WASHINGTON.—John Gronouski is an informal man with a pipe and a gravel voice and a willingness to go to the people and talk with them.

His unaffected interest in the well-being of the 600,000 men and women who work for the Post Office Department won him the confidence of the postal unions.

Employee leaders expressed their regret at his leave taking, wished him well on his new assignment and adopted a wait-and-see attitude about the incoming Postmaster General, Lawrence F. O'Brien.

Francis S. Filby, administrative aide for the United Federation of Postal Clerks, said of Gronouski: "His door was always open; he never denied us the opportunity to present our views."

His union and others had had disagreements with the Department, Filbey said, but it was possible to negotiate differences and sometimes obtain a compromise on certain issues, he said.

Legislative Representative Patrick J. Nilan of the Postal Clerks described Gronouski as "the most outstanding Postmaster General in the last 15 or 20 years." Nilan said Gronouski "recognized the human element and was understanding and honest."

Nilan said he expects "no sharp change" in relations with the Department under O'Brien.

Jerome J. Keating, president of the National Association of Letter Carriers, said Gronouski is a "conscientious man who applied himself well." O'Brien's policies "remain to be seen," Keating said.

Floyd E. Huffman, president of the National Rural Letters Association, said his group "looks forward to working with Mr. O'Brien."

NRLCA Secretary John W. Emeigh said Gronouski was "the best all-around Postmaster General." He said that "the mark of his service will be his contributions to the field of labor-management relations; he tried to help the employees understand what the Department's policies were all about."

Henry J. Stoffer, president of the National League of Postmasters, agreed that Gronouski "is very easy to talk to." He gave "an important role in management to the postmasters," Stoffer said.

He described O'Brien as "an astute politician" who is aware of "the political scene in the post office" as well as "the need for service to the public." Stoffer expressed confidence in O'Brien's ability.

John P. Snyder, executive director of the National Association of Postmasters, said that Gronouski "made a wonderful Postmaster General" and expressed his congratulations at the new appointment as ambassador.

He said his organization is as willing to work with O'Brien as it was with Gronouski.

Sidney A. Goodman, president of the National Postal Union, paid Gronouski a compliment for his "frank and open attitudes" and his willingness to hear union views.

He agreed that O'Brien would come under close scrutiny by the unions during his first months in office. NPU, he said, will be waiting to learn O'Brien's attitude on a number of things, matters affecting employees.

Frederick J. O'Dwyer, president of the National Association of Postal Supervisors, expressed his appreciation for Gronouski's "interest in things affecting the upper and middle levels, which include most of our members."

He said he is "sorry to see him go" but agreed that O'Brien is a capable man for the job.

[From the Hartford (Conn.) Courant, Aug. 31, 1965]

A New Postmaster and Ambassador to Poland

Whatever other merits the appointment of John A. Gronouski as Ambassador to Poland may have, it is a break in the Johnson habit of appointing close friends and Texans to high posts. One might almost say the same thing about the appointment of Lawrence F. O'Brien to be Postmaster General, except that the latter has been working closely with the President since the death of President Kennedy, and has been Mr. Johnson's liaison man with Congress.

At least four of Mr. Johnson's appointments have been individuals who have served the Johnson family privately: Leonard Marks, new Information Agency head, served the Johnson family as attorney. Sheldon Cohen, new Commissioner of Internal Revenue, was the President's personal adviser on income taxes. Edward Clark, now Ambassador to Australia, and Abe Fortas, now Justice of the Supreme Court have also served as personal advisers to the President.

In addition to these, there is quite a bag of Texans filling top spots. These include, among others, Adm. William F. Rayburn, of Decatur, Tex., now head of Central Intelligence, and Lloyd Hand, former president of the University of Texas and now Chief of Protocol in the State Department.

There are others, all of them reflecting the rather circumscribed area of the President's interests. There is nothing inherently wrong with this, but one can only remember the simple day when the then President Truman was criticized severely for appointing a crony, Maj. Gen. Harry Vaughn, as his military aide. The Government is now being filled with friends of the President, although he has made some splendid nonpolitical appointments.

When he assumed office, he had at his disposal a reservoir of brains and skills bequeathed to him by the late President Kennedy. During the past 8 months, these men have gradually been drifting from Government, so that Mr. Johnson found himself with more vacancies than men available to fill them. It is only natural, then, that he should look to his immediate friends, some like Abe Fortas, who were loath to leave private life.

His appointment of John A. Gronouski was particularly fitting, and it is hoped that he will be able to build the bridges between this country and Poland, traditionally a friend of the United States.

[From the Miami (Fla.) News, Aug. 31, 1965]

L.B.J.'s Latest Surprises

President Johnson's surprise choice of Postmaster General John Gronouski, the grandson of a Polish immigrant, to be our new Ambassador to Poland is an excellent one. Not only will all Americans of Polish descent be pleased, but our relations with Poland, always friendly, should be strengthened despite the fact the country is a captive of Soviet communism.

The President's confidence in Mr. Gronouski is evident when you consider that the Warsaw Embassy is one of the most sensitive in the world, since it is there that the United States maintains its only contact with Red China.

To succeed Mr. Gronouski as Postmaster General, the President has also chosen well. His legislative aide, Lawrence O'Brien, strong on efficient organization, will move up to the Cabinet as head of the postal service, where organization talent is always in demand.

Both Mr. Gronouski and Mr. O'Brien were first chosen by the late President John F. Kennedy and were kept on by Mr. Johnson. Both have served with distinction and will have opportunity for even greater service in their new posts.

[From the Nashville (Tenn.) Tennessean, Aug. 31, 1965]

Two Able Public Servants Rewarded by President

President Johnson selected wisely when he named Mr. John Gronouski the new Ambassador to Poland and placed Mr. Lawrence O'Brien in the Cabinet as Postmaster General succeeding Mr. Gronouski.

These nominations by Mr. Johnson are far more than political rewards to political friends. Both Mr. Gronouski and Mr. O'Brien are able men. They come from different sections of the Nation—even as their ancestors came to America from different parts of the world—and they come from different backgrounds. But each in his own way represents the very best that the American political system can develop and offer in the way of public servants.

Mr. Gronouski—actually it is Dr. Gronouski, by virtue of a Ph. D. earned at the University of Wisconsin—is an intellectual who was a college professor before he entered government service at the State level. President Kennedy picked him to be Postmaster General—the last Cabinet appointment he made before his assassination.

As Postmaster General he was a candid critic of the bureaucracy in his Department, once commenting that he was surprised that he ever got a letter mailed to him. He worked to shake his Department out of its lethargy—and to some degree he was successful.

His name, his candor, and his strong will will make him an effective voice for his Nation in the country from which his grandfather immigrated to America.

Mr. O'Brien's life has always been involved in the world of politics and public relations. As a child he worked with his father, an Irish hotelkeeper in Boston, in ward politics. In 1950 Mr. O'Brien saw a flash of great promise in a young congressman from Massachusetts. He selected Mr. Kennedy and dedicated all his efforts to helping make him the President. He was with Mr. Kennedy all the way—even to the end at Dallas.

After President Kennedy was elected in 1960 Mr. O'Brien reportedly had hoped he would be Postmaster General. But the President needed his talents elsewhere—in the area of legislation. And so Mr. O'Brien went to work on the White House staff, striving to push through a sometimes stubborn Congress, the New Frontier program.

He worked diligently—even courageously. His job was never easy. Much of the program came into law after Mr. Kennedy's death.

President Johnson—who has a telling way with Congress—graciously paid great tribute to Mr. O'Brien for his work in getting the Kennedy-Johnson legislative program enacted.

Neither of the two new appointees was originally a "Johnson man." Neither came to Washington to serve the man from Texas. But when Mr. Johnson came to the White House both demonstrated loyalty to his administration. They put their best talents to work to help make Mr. Johnson's presidency a success.

There is every reason to believe that both would have continued to serve in their jobs—or would have vacated their jobs if Mr. Johnson had desired it. The President has promoted them. And even the most severe critics of the administrations will be hard pressed to find fault with these appointments which show politics to be, not a "dirty business" but a most worthwhile business because it offers able men the opportunity to give high service to their country.

[From the Baltimore (Md.), Sun, Aug. 31, 1965]

Bridging With a Flair

President Lyndon Johnson has raised the ratio of career ambassadors to political ones from two to one to three to one in the past 2 years. This has been good for State Department morale and good for the Nation's interests overseas. It has also tended to overshadow the care and imagination the President has used in selecting noncareerists.

On Sunday the President named Postmaster General John Gronouski to be Ambassador to Poland, an appointment that is an excellent example of imagination and care.

Mr. Gronouski is a highly esteemed public servant. He has been adequate in his present job, one in which "adequate" is an adjective of high praise. He has been a teacher of economics and banking and the tax commissioner in his native Wisconsin, earning praise and respect. This record and his interest in international finance are recommendations enough for his new job. But there is more.

He is the grandson of a Polish immigrant, a director of the Pulaski Foundation, a speaker of the language.

Last year the President promised to build bridges to Eastern Europe. To be precise, what is needed is bridge rebuilding, certainly in the case of Poland. As the President said Sunday, part of Mr. Gronouski's job is to strengthen the "deep and historic bond" between the two countries.

The choice of a Polish-American who rose to the top in this country as a public servant is bridge rebuilding with a flair.

WISCONSIN INCORPORATION OF NATIONAL FARMERS HALL OF FAME

Mr. PROXMIRE. Mr. President, Assemblyman Milton McDougal, of Wisconsin, has forwarded to me the certificate of incorporation of a remarkable Wisconsin group. It has been established not for profitmaking, but for a purpose urgently needed in this country: "To form a nonprofit, educational institution, to honor, elevate, and enhance the image and status of the American farmer."

Mr. President, on a day when we have been debating the Nation's farm bill and considering a program for the most basic and essential producer in America—and I might add both the most economically depressed and the most efficient producer in this country, such an organization is mighty welcome.

MILWAUKEE'S CY RICE, A GREAT REPORTER

Mr. PROXMIRE. Mr. President, Cy Rice of the Milwaukee Sentinel, has for many years been one of Wisconsin's most respected and competent political reporters. He has been the kind of driving, inquisitive, persistent reporter who could elicit a fruitful interview from a granite statue.

But he has always been a responsible reporter. His articles have been scrupulously fair to both Republicans and Democrats.

Cy Rice has not only been a great reporter. He is a man with a delightful sense of humor. One of the best known and most beloved political characters in our State is Duffy J. Guffey, Cy Rice's fictitious brainchild who has opined in Sentinel columns for years at Herman's Heist about the vagaries of Milwaukee and Wisconsin politics.

A few days ago Cy Rice—having reached the age of 65, retired. And Milwaukee and Wisconsin newspaper reporting will never be the same without him.

Of course Cy has many more years of useful service in many capacities. He is not only a political expert. He has been a theater reviewer and a man of many and diverse interests.

I ask unanimous consent that a recent article from the Milwaukee Sentinel about Cy Rice and his retirement be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Milwaukee (Wis.) Sentinel, Sept. 3, 1965]

CY RICE, SENTINEL POLITICAL WRITER, RETIRES; ENDS 43 YEARS AS NEWSMAN

(By Harvey Schwandner)

Around midnight Thursday, Cy Rice yanked a cover over his typewriter in the Milwaukee Sentinel city room and strode off to retirement.

He is 65 and he feels it in his bones. That's the way he puts it and he should know.

Cy Rice has put in almost 43 years in the news and communications business. He is one of Wisconsin's most widely known newspapermen.

For years he has covered politics with a hard and sometimes cynical eye. He has also covered the theater with deep affection, insight and knowledge.

He has covered most of the runs in our town at one time or another. He has a host of friends outside the city room as well as in it. He knows who has the answers and he knows how to get stories when the youngsters fall on their faces.

Cy Rice is one of the few remaining characters in our profession. He has the capacity to almost destroy a typewriter with a scowl when he is working on a difficult story. Sometimes he grumbles to his machine when the words do not come just right.

When it is necessary to roar at a missing copy boy, he can do it with the best of them, in a voice composed of gravel and cinders.

A 100-percent Irishman, Cy has a sense of humor that goes deep.

Some years ago he invented a character, Duffy J. Guffey, "Milwaukee's alderman at large," a portly fellow with a scowl, a fat cigar and a bowler hat.

Mr. Guffey, according to Rice, held forth at Herman's Heist on Meinecke Avenue.

When Guffey was not putting away boilermakers and helpers, he spewed forth wisdom on issues of the day and the general sins of political life.

Politicians read the word from Guffey with delight and sometimes twinges. The reason—sometimes the barbs hit home.

Rice's love of the Irish and Ireland moved him some years ago to visit the land of his ancestors. He tramped over much of the country and came back feeling refreshed.

Rice lives with his wife, Cleo, at 773 North Prospect Avenue.

Cy Rice has a law degree but he has never practiced law. He studied law at Marquette University while working nights at the Sentinel.

Just why he never quit the newspaper business to go into law has never been explained completely by Barrister Rice and it's a bit late to push the matter now.

When Cy retires, he is going to put more effort into his only hobbies—reading and walking. He will also continue to write a weekly column for the Sentinel on the theater and literature.

And if Rice should happen to bump into Duffy J. Guffey on Meinecke Avenue and take a few notes, you just might see that in print, too.

THE STAMP ACT CONGRESS

Mr. RANDOLPH. Mr. President, last week the distinguished Senator from Virginia [Mr. ROBERTSON] spoke in support of House Joint Resolution 598, a measure to authorize the President to issue a proclamation commemorating the 200th anniversary of the Stamp Act Congress of October 1765. This resolution was introduced in the House of Representatives by the Honorable JOHN O. MARSH, of Virginia. It was passed by the House on August 26. I commend the Senator from Virginia [Mr. ROBERTSON] and Representative MARSH for their efforts to insure that this significant event receives appropriate recognition on its 200th anniversary. I join them in support of House Joint Resolution 598, and I hope it will be promptly reported and passed by the Senate. As the Senator from Virginia [Mr. ROBERTSON] has stated:

> That Congress was a milestone in our fight for independence.

The Stamp Act Congress was strong evidence that the sturdy citizens in the American Colonies were willing to move—even at great personal sacrifice—to resist any infringement of their rights. It is indeed appropriate for this Congress to authorize the President to commemorate the Stamp Act Congress which declared opposition to taxation without representation and trail by admiralty courts without a jury. It is timely because today the United States is assisting many less fortunate nations in the struggle for freedom and there surely is a lesson to be learned from the sacrifices of our forebears.

During a recent Senate prayer breakfast, I noted the many sacrifices and ideals of those American patriots who, during the Continental Congress, endorsed the principle of unalienable rights of "life, liberty, and the pursuit of happiness." Although this Congress which adopted the Declaration of Independence met 11 years after the Stamp Act Congress, the ideals of patriotism, freedom, and honor were the motivating forces at both of these significant events.

For this reason, Mr. President, I ask unanimous consent that excerpts from my address "The Shield of Freedom," be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE SHIELD OF FREEDOM

We are gathered to pay observance to the ideals and sacrifices of the patriots who formally proclaimed our struggle for independence 189 years ago in the city of Philadelphia. Those men of the Continental Congress who endorsed the principle of the unalienable rights of "life, liberty, and the pursuit of happiness" launched a revolution whose echoes we again hear throughout the world.

This is the true political and social revolution of our times—the revolution of the American proposition that the fruits of this life are best secured by freedom and that freemen are capable of creating their own destinies.

As we glory in our freedom, we should reflect not only on those who gave their lives in the Revolution and in intervening wars but, also, on this question:

What sort of men were the 56 Members of the Continental Congress, who pledged their "lives, fortunes, and sacred honor," even while a British fleet was at anchor in New York Harbor?

We know that, on July 4, 1776, Thomas Jefferson's shining document was adopted without a dissenting vote, and that John Hancock signed it as President of Congress.

We recall, too, that 4 days later, on July 8, 1776, "freedom was proclaimed throughout the land."

The Declaration of Independence was ordered engrossed on parchment. August 2, 1776, was set for its formal signing by the 56 Members of Congress.

We must not overlook the fact that the actual signing of such a document, under British or any other law of the time, was a formal act of treason against the Crown. But every Member eventually—some were absent on August 2—yes, every Member eventually signed in spite of the consequences.

So, the question is pertinent: What happened to the men who signed the Declaration of Independence? Few people know the terrible penalties that many of the signers were made to pay. We are indebted to the American Legion magazine for the vivid story in its July issue which gives us answers.

We are reminded that, for rebels, the 56 Members of Congress who signed the Declaration of Independence, were a strange breed. Almost all of those signers had a profusion of the "lives, fortunes, and sacred honor" they pledged.

Ben Franklin was the only really old man among them; 18 were still under 40, and 3 still in their twenties. Twenty-four were jurists and lawyers. Eleven were merchants and nine were landowners or rich farmers. The others were doctors, ministers, or politicians.

With only a few exceptions, like Samuel Adams—whom well-wishers furnished a new suit so he might be presentable in Congress—the 56 Members of the Continental Congress were men of substantial property.

All but two had families, and the majority were men of education and cultural standing. In general, each came from what would now be called the power structure of his home State. Actually, the Members of that Congress—the signers—had security as few men had it in the 18th century.

Each had far more to lose from revolution than he had to gain from it, except where principle and honor were concerned. It was principle—not property—that brought those men to Philadelphia. In no other light can the American Revolution be understood.

The Legion magazine story reminds us that John Hancock, who had inherited a great fortune and who already had a price of £500 on his head, signed the Declaration of Independence parchment in enormous letters, so, as he said, "His Majesty could now read his name without glasses and could now double the reward."

Benjamin Franklin said, as our history books tell us, "Indeed, we must all hang together. Otherwise, we shall most assuredly hang separately."

The signers knew what they risked. The penalty for treason was death by hanging.

Stephen Hopkins, of Rhode Island, was a man past 60 and signed with a shaking hand. But he snapped, "My hand trembles, but my heart does not."

These men were all human, and therefore fallible. Perhaps, as Charles Thomson once admitted, the new Nation was "wholly indebted to the agency of Providence for its successful issue." But I agree with the author of the story in the Legion magazine, "whether America was made by Providence or men, these 56, each in his own way, represented the genius of the American people then already making something new on this continent.

"Whatever else they did, they formalized what had been a brush-popping revolt and gave it life and meaning, and created a new nation, through one supreme act of courage."

Most of the 56 members of the Continental Congress who signed the Declaration of Independence were later called reluctant rebels. Most of them had not wanted trouble with the British Crown. But when they were caught up in it, they had willingly pledged their lives, their fortunes, and their sacred honor for the sake of their country.

It was no idle pledge. Of the 56 who signed that noble document, 9 died of wounds or hardships during the Revolutionary War.

Five were captured and imprisoned, in each case with brutal treatment.

Several lost wives, sons, or family. One lost his 13 children. All were, at one time or another, the victims of manhunts, and driven from their homes.

Twelve signers had their houses burned. Seventeen lost everything they had.

Not one defected or went back on his pledged word.

Their honor and the Nation they did so much to create are still intact.

But, as the author wrote in the Legion magazine, "freedom, on that first Fourth of July, came high."

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Mr. President, am I correct in believing that, on the basis of the unanimous-consent agreement which the Senate entered into earlier this afternoon, the time limitation will start at the conclusion of the prayer after the opening of business on Monday next?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. I thank the Chair.

ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until Monday next at noon.

The motion was agreed to; and (at 3 o'clock and 17 minutes p.m.) the Senate, under the order previously entered, adjourned until Monday, September 13, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 10 (legislative day of September 8), 1965:

DEPARTMENT OF STATE

Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be an Assistant Secretary of State.

Charles Frankel, of New York, to be an Assistant Secretary of State.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Dr. Gustav Ranis, of Connecticut, to be Assistant Administrator for Program Coordination, Agency for International Development.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Bernard Zagorin, of Virginia, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

UNITED NATIONS

Charles W. Yost, of New York, to be the deputy representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and a deputy representative of the United States of America in the Security Council of the United Nations.

James Roosevelt, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations.

Mrs. Eugenie Anderson, of Minnesota, to be the representative of the United States of America on the Trusteeship Council of the United Nations.

WORLD HEALTH ORGANIZATION

Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the Executive Board of the World Health Organization.

DEPARTMENT OF STATE

John A. Gronouski, of Wisconsin, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

UNITED NATIONS

James M. Nabrit, Jr., of the District of Columbia, to be a Deputy Representative of the United States of America in the Security Council of the United Nations.

DEPARTMENT OF JUSTICE

Sidney O. Smith, Jr., of Georgia, to be U.S. district judge for the northern district of Georgia.

Richard E. Eagleton, of Illinois, to be U.S. attorney for the southern district of Illinois for the term of 4 years.

George M. Stuart, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years.

SENATE

MONDAY, SEPTEMBER 13, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, in whose peace our restless spirits are quieted, from the flickering torches of our own understanding into Thy holy light, we would lift the difficult decisions of the public service which are focused within these walls.

In the brooding silence of this still moment may the open windows of faith flood our darkness with the radiance of the eternal, that in Thy sunshine's blaze this toiling day may brighter, fairer be.

We give Thee thanks for all interpreters of Thy mind who, with brush or pen, or winged words, bring even one more syllable of reality, one more gleam of the truth which makes men free. Clothe our failing flesh, we beseech Thee, with Thy renewing grace as now we bring our incompleteness to Thy completeness. Grant us the vision to meet and match the vast designs of this glorious and challenging day that we may keep step with the drumbeat of Thy truth which is marching on.

In the dear Redeemer's name we lift our prayer. Amen.

FOOD AND AGRICULTURE ACT OF 1965

The PRESIDENT pro tempore. Under the previous order, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill. I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 10, 1965, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 11, 1965, the President had approved and signed the act (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Saudi Arabia, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE NONGERMANE BUSINESS

Mr. MANSFIELD. Mr. President, in view of the fact that conditions covering the weather are affecting the return of some Senators to Washington, I ask unanimous consent that there be a brief period for the transaction of nongermane business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

What time limitation does the Senator from Montana fix?

Mr. MANSFIELD. I yield 3 minutes to the Senator from Maryland, on the bill.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946, AS AMENDED

Mr. TYDINGS. Mr. President, I introduce, for proper reference, a bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States.

The Federal Government is making an effort as never before to improve the quality of its civil servants by increasing the appeal of a career in the Government. The President, as is well known, has sought to attract to the Federal service the most valuable and capable people in the Nation, and to retain the qualified people already in the Federal service. The recent pay raises, designed to bring our Federal salary standards closer to those of the private sector of the economy, are another example of the efforts to upgrade our civil service. A third example is provided by the management intern program whose goal is to select and train promising individuals for high Government posts.

There are worthwhile steps toward a worthwhile goal. Our Federal Government must attract the most qualified personnel possible. The problems of today require no less.

In this era, an efficient government is a mobile government. The functions of the Federal Government are spread throughout the United States. Federal employees frequently must move so as to keep the performance of regional offices at the highest level.

Yet more and more Federal employees are reluctant to move, even with the incentives of pay grade increases. This is so because there is a definite, sizable gap between what it costs to move and the amount of that cost which is assumed by the Federal Government. John W. Macy, head of the Civil Service Commission, believes that this gap is the most important single factor in the reluctance of Government employees to move. Mr. President, we must eliminate that gap.

When a Federal employee is asked to move for the improved operation of the Government, he must make a difficult decision. If he has children, he must take them from their school to another, a move which rarely is pleasant for anyone concerned. If he has his own house, he must dispose of it. This always involves certain costs of selling, such as closing costs, and brokerage fees. It may also involve a loss of the employees' equity investment. To find a new home, he must make a househunting trip at his own expense.

When an employee moves, he must pay his family's living expenses while enroute from the old home to the new. If, by the time he is required to begin work in his new location, he has not found permanent lodgings, he must occupy temporary quarters, often at quite considerable expense—his own expense. If his new quarters are such that he cannot find room for all of his household goods, he must store much of his furniture—again at his own expense.

I do not think it fair to the employee or in the best interest of the Government to require him to bear these expenses himself. Almost all large businesses offer their employees generous moving allowances. If the Federal Government expects to compete with private industry for qualified personnel it must not lag behind industry in the consideration given to the moving expenses of its employees.

Nonetheless, we cannot repay Federal employees for the intangible and psychological costs of moving from their circle of friends, for the difficulties their children suffer when they move from one school to another, for the unpleasantness of tearing up their roots in the community. To absorb these social costs, we must depend upon the devotion of Federal employees to their Government.

But, Mr. President, we should do what we can to mitigate this financial burden upon employees who are required to relocate.

The Civil Service Commission has surveyed those employees who moved for the good of the Government in fiscal 1962. The conclusions cry for action. More than four out of five employees lost money on their moves, and the losses were significant. The average loss was $558. Approximately 17 percent of the movers lost more than $1,000. The average loss on closing costs for selling a home was $677. Needless to say Federal employees are generally not rich men.

Both the Civil Service Commission and the President are anxious to see the burden of moving lifted from the shoulders of the Government employee. I agree with them, and accordingly I am submitting this bill, based on Civil Service Commission recommendations, which will make our Federal service more equitable, more mobile, and more efficient.

Four major types of employee moving expenses are covered.

First, moving and storing household goods: The weight limit on goods which can be moved at Government expense will be raised from 7,000 to 11,000 pounds.

Employees who are assigned to locations where their quarters cannot accommodate their household goods would be reimbursed for storage costs for up to 3 years.

Second, travel: The bill would provide for payment of expenses of employees and their families, including meals, lodging, and transportation while en route to their new location. It would pay for a round-trip househunting trip for the employee and spouse to seek permanent quarters and for expenses of occupying temporary quarters for a reasonable length of time.

Third, real estate transactions: The bill would reimburse employees for the expenses of selling a residence or settling an unexpired lease in connection with the move. It would not—and I emphasize—it would not pay for losses on the sale of real estate incurred because of an actual decline in the selling price and reimbursement for brokerage fees on the sale of the residence could not exceed the amount generally charged in the area where it is located.

Fourth, miscellaneous: Employees would receive a flat allowance for miscellaneous expenses not otherwise covered. For employees without dependents, compensation would equal one week's basic compensation, and for those with dependents, the amount would equal 2 weeks' basic compensation.

It is important to note that the bill provides for reimbursement of moving expenses only if the employee agrees in writing to remain in the Government service for 12 months following his transfer.

The Civil Service Commission estimates that the Government-wide annual cost of the legislation will be about $22 million. In view of the increased efficiency this will bring to the Government, this will turn out to be a long-term saving of money. For both the good of the Federal Government and equitable treatment of civil servants, I urge that this bill be enacted into law. A companion bill, H.R. 10607, has already been introduced in the House by Representative Rosenthal.

Mr. President, I ask unanimous consent that this bill be laid on the table for 10 days to give my colleagues an opportunity to cosponsor. I also ask unanimous consent that the text of the bill be printed in the Record.

The PRESIDING OFFICER (Mr. Harris in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Maryland.

The bill (S. 2516) to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States, introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 806, as amended; 5 U.S.C. 73b–1(a)), is amended by—

(1) striking the words "the Act of February 14, 1931" appearing in the first parentheses contained therein, and inserting in lieu thereof "section 4 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 837)";

(2) striking the word "seven" appearing in the second parentheses contained therein, and inserting in lieu thereof the word "eleven";

(3) striking out of the first proviso contained therein the words "the Subsistence Expense Act of 1926 (5 U.S.C. 828)" and inserting in lieu thereof the words "section 5 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 838)".

(b) Subsection (b) of section 1 of the Administrative Expenses Act of 1946 (60 Stat. 807, as amended; 5 U.S.C. 73b–1(b)), is amended by adding the following words immediately before the period at the end of the first sentence in the subsection ", except that payment of actual expenses may be made whenever, under regulations prescribed by the President, the head of the agency determines that such method of payment is more economical to the Government."

Sec. 2. The Administrative Expenses Act of 1946 (60 Stat. 806), as amended, is further amended by adding the following new sections:

"Sec. 23. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, appropriations or other funds available to the departments for administrative expenses shall be available for the reimbursement of all or part of the following expenses of officers or employees for whom the Government pays expenses of travel and transportation under subsection (a) of section 1 of this Act:

"(1) The expenses of per diem allowance in lieu of the subsistence expenses of the immediate family of the officer or employee while enroute between his old and new official stations, not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836).

"(2) The expenses of per diem allowance in lieu of subsistence of the officer or employee and his spouse, not in excess of the maximum per diem rates prescribed in the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), and the expenses of transportation to seek permanent residence quarters at a new official station when both the old and new stations are located within the continental United States, excluding Alaska, provided that such expenses may be allowed only for one round trip in connection with each change of station of the officer or employee.

"(3) The subsistence expenses of the officer or employee and his immediate family for a period of thirty days while occupying temporary quarters when the new official station is located within the United States (including the District of Columbia, its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone: *Provided,* That the period of residence in temporary quarters may be extended for an additional thirty days when the officer or employee moves to or from Hawaii, Alaska, the territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone, except that reimbursement for subsistence expenses actually incurred may not exceed an amount determined from such average daily rates per person as may be prescribed in such regulations, but not in excess of the maximum per diem rates prescribed in or pursuant to section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U.S.C. 836), for the localities in which the temporary quarters are located, for the first ten days of such period, two-thirds of such rates for the second ten days, and one-half for the balance of such period, including the additional thirty days.

"(4) The expenses of the sale of the residence (or the settlement of an unexpired lease) of the officer or employee at the old official station and purchase of a home at the new official station required to be paid by him when the old and new official stations are located within the United States (including the District of Columbia), its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone, but reimbursement for brokerage fees on the sale of the residence shall not exceed such fees as are customarily charged in the locality where the residence is located and no reimbursement shall be made for losses on the sale of the residence. This provision applies regardless of whether the title to the residence or the unexpired lease is in the name of the officer or employee alone, in the joint names of the officer or employee and a member of his immediate family, or in the name of a member of his immediate family alone.

"Sec. 24. Under such regulations as the President may prescribe and to the extent deemed necessary and appropriate, as provided therein, and notwithstanding other reimbursement authorized under this Act, an officer or employee who is reimbursed under section 1(a) or section 23 of this Act shall, if he has an immediate family, receive an amount equal to two weeks' basic compensation, or, if he does not have an immediate family, an amount equal to one week's basic compensation: *Provided,* That such amounts shall not exceed amounts determined from the maximum rate of grade GS–13 in the General Schedule of the Classification Act of 1949, as amended.

"Sec. 25. Under such regulations as the President may prescribe—

"(a) Whenever any civilian officer or employee (including any new appointee in accordance with section 7(b) of this Act, as amended) is assigned to a permanent duty station at an isolated location in the continental United States, excluding Alaska, to which he cannot take or at which he is unable to use his household goods and personal effects because of the absence of residence quarters at such location, nontemporary storage expenses or storage at Government expense in Government-owned facilities (including related transportation and other expenses), whichever is more economical, may be allowed such officer or employee under regulations issued by the head of the Executive Department or agency concerned. In no instance shall the weight of the property stored under this subsection, together with the weight transported under section 1 or section 7(b) of this Act, exceed the total maximum weight the officer or employee would be entitled to have moved, and the period of nontemporary storage shall not exceed three years.

"(b) This section does not authorize reimbursement to officers and employees traveling under orders issued more than sixty days prior to the effective date of this section.

"Sec. 26. Under such regulations as the President may prescribe and notwithstanding the provisions of the fourth proviso of section 1(a) of this Act, in transfers between departments for reasons of reduction in force or transfer of function, expenses authorized under section 1, subsections (a) and (b) and subsections (e) and (f) other than expenses authorized in connection with transfers to foreign countries, and under sections 23 and 24 of this Act may be paid in whole or in part by the department from which the officer or employee is transferred or by the department to which he is transferred, as may be agreed upon by the heads of the departments concerned.

"Sec. 27. Under such regulations as the President may prescribe, a former officer or employee separated by reason of reduction in force or transfer of function who is reemployed within six months of the date of such separation by a nontemporary appointment at a different geographical location from that where such separation occurred may be allowed and paid the expenses authorized by section 1 of this Act, and may receive the benefits authorized by sections 23 and 24 of this Act, in the same manner as though he had been transferred to the location of reemployment from the location where separated in the interest of the Government without a break in service.

"Sec. 28. Notwithstanding the provisions of subsections (a) and (b) of section 1, and of sections 23, 24, 25, and 27 of this Act, the travel and transportation expenses, including storage of household goods and personal effects, and other relocation allowances shall not be allowed thereunder when a civilian officer or employee is transferred within the continental United States, excluding Alaska, unless and until such officer or employee shall agree in writing to remain in the Government service for twelve months following his transfer, unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States under said sections of this Act on account of such officer or employee shall be recoverable from him as a debt due the United States."

SEC. 3. Regulations under this Act shall be prescribed within ninety days following the date of enactment but shall be retroactive to such date.

Mr. MANSFIELD. Mr. President, I yield 3 minutes under the bill to the distinguished Senator from New York [Mr. JAVITS].

NEO-NAZISM 20 YEARS AFTER HITLER

Mr. JAVITS. Mr. President, 20 years have now passed since Hitler's suicide and Mussolini's sordid end. Yet their ghosts continue to roam the world and even haunt us in the flesh in the persons of literally hundreds of neo-Nazi and other extremist groups whose racist ideas and political themes recurrently gain currency and apparent respectability. A whole new generation has grown up since the end of World War II—a generation which never knew Hitler and has no personal experience of the horror and holocaust that Nazi ideas brought to Europe and the world. And if, as has been said, each generation must win its freedom anew, then it is not untimely to remind this new generation—as well as the old, again that those who claim the tragic tradition of the murder of liberty and of freemen are still abroad in the world and are still circulating their poisons of hate and fear and violence with strong determination and sometimes widening acceptability in many areas of the world.

Mr. President, the American Jewish Committee has just published an extensive report on neo-Nazi activities in Europe on the 20th anniversary of the end of Hitlerism. It concludes that the hundreds of neo-Nazi parties and splinter groups organized throughout Europe in the late 1940's and early 1950's may have lost members and strength during the past decade but their racist ideas and political views recently have been gaining "currency and prestige."

The report describes two major anti-Semitic campaigns carried on by these groups—one undercover and one open. The former, often in alliance with Arab league groups, seeks to prevent adoption by the Ecumenical Council of any declaration making clear the opposition of the Catholic Church to anti-Semitism and repudiating charges of Jewish responsibility for the death of Jesus. The open campaign is a constant drive to establish that the Nazi murder of 6 million Jews is only "a fable," and that the casualties are exaggerated.

Mr. President, this report deserves wide currency and careful reading by all who love liberty and who understand that its price is eternal vigilance—against the forces of extremism, whether of the left or of the right, that preach hate instead of love, violence instead of justice, fear instead of courage, and war instead of peace. The American Jewish Committee, its author, has pioneered in the protection of Jewish and other rights throughout the world and has done many other illuminating studies of human relations and extremism. I ask unanimous consent that the report entitled "Neo-Nazism Twenty Years After Hitler" be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

NEO-NAZISM 20 YEARS AFTER HITLER

Twenty years after Hitler's suicide in a Berlin bunker and Mussolini's ignoble end, a spate of smallfry Fuehrers and would-be Duces still strive to promote new European orders patterned on the Nazi and Fascist regimes.

In Austria and Germany, Belgium and Scandinavia, Italy, France and Great Britain, dozens of leaders avidly seek primacy among the scores of neo-Nazi and neo-Fascist organizations, cultural societies, bunds, fronts, and internationals that have sprung up, splintered, merged, dissolved, disappeared and reemerged in postwar Europe since World War II. Some have achieved international notoriety; others are virtually unknown. Some brazenly sport brown shirts and swastikas; others are more subtle. Some openly spout their racist and totalitarian ideologies; others seek the cover of respectability. Almost all prophesy disaster—tragedy for their nation or ethnic group, or submergence of the white race by black or yellow hordes—unless their programs are adopted.

Perhaps their most significant accomplishment has been the ability of these groups to survive. Despite the revulsion against them in once-occupied lands, the continuing search for war criminals and bans on antidemocratic organizations in Germany, Austria, and Italy, these elements have managed to continue functioning and to develop ways of cooperating with one another.

THE NEO-NAZI WORLD SURVIVES

In West Germany, according to a Government report, there were 119 Nazi-like organizations at the end of 1964.[1] In Austria, over 40 such groups were formed in the late 1950's, shuffling and reshuffling members like a deck of cards.[2] A Belgian journalist, Michel Géoris-Reitshof, described more than a dozen extreme rightist groups in that country as worthy of attention. And in Great Britain, Maurice Orbach, General Secretary of the Trades Advisory Council, wrote late in 1963: "It is estimated that about 175 such organizations (which exist primarily to seek power or publicity by the dissemination of racial and religious hatred) have been started since 1945, though it is doubtful whether a score of them exists today."[3]

By most observable criteria, neo-Nazi elements, for all their febrile activity, clearly have been checked and circumscribed in Western Europe since their first postwar spurt in the late 1940's and early 1950's. The major right-radical political parties—such as the Italian Movimento Sociale, the Austrian Freedom Party and the German Reichspartei—are stagnant or shrinking. Indeed, recent elections in several countries indicate that as the older generation dies off the right-radical parties are having trouble finding replacements.

Nor have the various neo-Nazi splinter groups and "internationals" achieved any real role in postwar Europe, for all the front-page attention accorded the recent swastika smearings and cemetery desecrations in Bamberg, Coblenz, and elsewhere.

The current right-radical challenge lies not so much in their political parties and internationals as in the realm of propaganda and ideas. The neo-Nazis predict and hope for economic and political disaster. Their goal is to maintain themselves until their antidemocratic and nihilistic ideas again catch fire, and they are catapulted back into power. "What are our chances?" asked veteran British blackshirt leader Oswald Mosley in his National European last September. "None, until crisis." But that crisis, he went on, "is certain."

While the early organizational neo-Nazi thrust has been blocked by European prosperity and the establishment of working democratic regimes in Germany and Italy, there remain a number of dangerous factors. These include:

Support for anti-Semitic and right-radical groups in Europe and South America by the Nasser government and the Arab League. Striking evidence of this appeared recently with the exposure of a neo-Nazi underground in Sweden.

The attraction to right-wing ideologies of large numbers of university students, a key element in society.

The increased currency and prestige of certain racist and political themes which, in the early postwar period, were advanced almost solely by neo-Nazis. While crude Nazi racist theories are still anathema, emphasis on ethnic or national personality is much more widespread in Europe today than a few years ago. The demand that the United States withdraw from Europe, voiced primarily by rightist fringe groups a few years ago, has become part of legitimate controversy. Similarly, aid to underdeveloped countries and support of the United Nations, both under longstanding attack by right-radical groups, are now open to more general questioning.

Although these developments are apparently a reflection of currents and changes on the European scene rather than a response to extremist appeals, they are nevertheless deeply troubling. As Political Scientist Peter G. J. Pulzer points out, the anti-Semitic movements which matured in Germany and Austria after 1918 originated in a period of hibernation and underground survival from 1867 to 1914 when, side by side with the lack of outward success, anti-Semitism penetrated political thinking and undermined the acceptance of liberal values.[4]

COOPERATION ON MANY LEVELS

Immediately after the defeat of the Third Reich, a number of top war criminals, including Adolph Eichmann and Dr. Joseph Mengele, the physician-murderer of Auschwitz, eluded Allied forces with a smoothness that indicated an efficient underground. Later, such well-known figures as SS Col. Otto Skorzeny and German war ace Hans Rudel crossed frontiers without hindrance while being sought by German and Austrian authorities. And the recent escapes of men charged with neo-Nazi or anti-Semitic activity from German prisons to the Near East demonstrate this network is still operating.

Cooperation is more open in other spheres. When one neo-Nazi publication denounces aid to underdeveloped countries, the others soon follow suit. A subscriber to a right-radical Hungarian-emigrant sheet in Austria may find himself on the mailing list of a like-minded group in Australia. French, English, and German scholars, returning home from a conference in Cologne on Christian and Jewish philosophy in the Middle Ages, found in their mail an anti-semitic booklet written by a well-known American rabble-rouser. London neo-Nazis carried coals to Newcastle last summer, sending leaflets with swastikas and Nazi slogans to Frankfurt and Munich. In Spain, a rash of anti-Semitic literature appeared recently, at a time when the Government was taking significant steps toward improving the status of the small Jewish community.

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[1] Erfahrungen aus der Beobachtung und Abwehr rechtsradikaler und antisemitischer Tendenzen im Jahre 1964. Der Bundesminister des Innern, Bonn, February 1965.

[2] Forum (magazine of the Congress for Cultural Freedom, Vienna), February 1960.

[3] Anti-Semitism in Great Britain. Views (London), number 3, Autumn-Winter 1963.

[4] "The Rise of Political Anti-Semitism in Germany and Austria," by Peter G. J. Pulzer. New York: Wiley, 1964.

Extremists also have been quick to take advantage of local turmoil. British neo-Nazis capitalize on resentment against the immigration of colored peoples from the West Indies, Pakistan, and other Commonwealth areas. Austrian extremists have engaged in sabotage in the Alto Adige region of Italy, to support the claims of the German-speaking minority. During the doctors' strike in Belgium a year ago, local neo-Fascists not only hailed the physicians as "defenders against state socialism" but also infiltrated their councils to goad them to greater intransigence. Pierre Poujade's tax protest movement in France was seized upon by rightwing ideologists, as was the 7-year French struggle to retain Algeria.

NEW TIMES, NEW HATREDS

Although anti-Semitism is usually the touchstone for authoritarian and totalitarian movements, the Jew is rarely an open target for European right-radical groups today. Publicly to attack Jews, as Jews, is still to put oneself outside the pale in a Europe where, for a quarter of a century, Jews have been the arch-symbol of the horrors Hitler visited on the entire continent. Moreover, the deliberations of the Ecumenical Council have thrown into sharp focus certain theological roots of anti-Semitism, and spurred efforts to improve Christian-Jewish relations.

In most European countries, Jews make poor targets for another reason: there are too few of them. France, with the largest Jewish population in Western Europe, has an estimated 600,000 just over 1 percent, scattered throughout the country. Great Britain has about 500,000 Jews. Then the numbers fall sharply: about 40,000 in Belgium, somewhat fewer in Italy, 35,000 in Western Germany, 25,000 in Holland, the same in Scandinavia. Most are completely integrated and hardly visible as Jews. With few exceptions, Jewish quarters no longer exist. Thus, while rabble-rousers attack cosmopolitan capitalism or the Jewish international, they seldom find serious everyday frictions to exploit.

Other minorities now draw the fire once directed against Europe's Jews. The present labor shortage and booming economy have brought Algerian Moslems and black Africans to French factories, and Spanish maids to French kitchens. Colored Commonwealth peoples have been flowing into Great Britain. Geneva, the city of Calvin, has more Catholics than Protestants because of the influx of workers from Latin lands. Italians make up 17 percent of the Swiss population, dig in Belgian mining pits and wait on tables in Germany. Having reabsorbed its own 11 million refugees, Germany has also brought in tens of thousands of workers from Eastern Europe, as well as large numbers of Greeks, Turks, and Moroccans on labor contracts.

These changes have resulted in a definite increase in xenophobia and race prejudice. The newcomers are characterized as "dirty," "brutal," "impolite" and, above all, "not like us." They are accused of making entire areas unfit for habitation and are blamed for increases in crime.

For the time being, the racists find the immigrants a more profitable target than the Jews—and occasionally even invite Jews to join in "defense of the West" against the colored peoples. More often, however, an attack on Jews is gratuitously added to a primary racist thrust. Thus Europe Action, the French right-radical monthly denounced the American "Jewish bourgeoisie" for helping Negro organizations, and blasted American Jewish Committee President Morris B. Abram for proposing an international agreement that would outlaw all groups refusing the mixture of communities.[5]

In politics, too, other hates have higher priority. In France, the radical right now has one major "enemy," President Charles de Gaulle. Yet certain of the General's nationalist stances, if proposed by anyone else, would win rightist approval. In Italy, the targets are mainly the government, Pope John XXIII's spirit of aggiornamento and the opening to the left in national politics.

IMPACT OF ISRAEL AND NASSER

The political questions that do affect European Jews revolve mainly around Israel and the Arab League.

The Arab effort to boycott firms doing business with Israel is an issue in every European country, whether it comes to the surface or not. Private or quasi-governmental acquiescence in the boycott means, among other things, that the Arab League has the power to demand the dismissal of Jews from their jobs.

The attitude of the extremist press toward Israel is mixed. Germany's major rightist newspaper, the Deutsche National Zeitung und Soldaten Zeitung (NZ), consistently supports Nasser and the Arab League. Its pattern of response to a number of issues and its persistent anti-Israel campaign reflect an underlying anti-Semitism. In contrast, the French right-wing weekly, Rivarol, deplored Bonn's halt in arms shipments to Israel, pointing out that Egypt serves Soviet interests while Israel "defends the Occidental cause." The Italian neo-Facist publication, Borghese, took a similar line, arguing that Bonn's decision could only aid the Communists.

To counteract pro-Israel sentiment, Egypt's Nasser and the Arab League have been cooperating with neo-Nazi movements in many European countries. According to the International Union of Resistance and Deportation (UIRD), which maintains a watch on neo-Nazi groups, Dr. Hassan Fakoussa, the Arab League representative in Bonn, received 23 million marks in 1960 for the double purpose of aiding the FLN in Algeria and supporting neo-Nazi movements in Germany in their campaigns against Jews and Israel. UIRD also reports that Gerhard Frey, editor of NZ, was promised financial help from Nasser when they met in 1964; and that Wilhelm Landig, editor of the anti-Semitic Europa Korrespondenz in Austria, also receives support from Nasser.

In 1962, British papers reported an agreement between an Egyptian military attaché in London, Colonel Shazly, and British Nazis, Colin Jordan and John Tyndall, to distribute some 15,000 pounds worth of anti-Semitic materials.

In May 1965, Swedish authorities cracked down on an antigovernment group conducting an espionage network to supply the United Arab Republic with information about the Israel Embassy and Swedish Jewish organizations and personalities. The newspaper, Expressen, whose revelations led to government action, carried a transcript of a tape recording between the so-called fuehrer of the neo-Nazi group, Bjoern Lundahl, and a representative of the United Arab Republic, together with a photostat of Lundahl's membership card in the Ku Klux Klan.

TWO ANTI-SEMITIC CAMPAIGNS

During the last few years, Europe's neo-Nazis have concentrated on two major propaganda campaigns, one open, the other covert.

The first drive seeks to minimize the number of Jews murdered by the Hitler regime by insisting that the figure of 6 million Jewish dead is only a fable. Jewish losses for all reasons, it is argued in numerous articles and leaflets, totaled just over 1 million. "By ceaselessly invoking this figure of 6 million of victims," declares France's Rivarol, "they [the Jews] strive to maintain a guilt complex among Germans, so as to profit financially."

For scientific proof, neo-Nazis depend mainly on the writings of Paul Rassinier, a former Socialist deputy later expelled from the party. Himself a camp internee, Rassinier is the author of "Ulysses Betrayed by His Own," published by Henri Coston, a notorious French anti-Semite.

Besides the campaign to blot out the Jewish dead, a far more insidious drive has been waged to prevent the Ecumenical Council of the Catholic Church from adopting a proposed declaration eliminating the centuries-old deicide canard against the Jews.

In 1962, during the Council's first session, each of the 2,300 church fathers assembled in Rome found in his personal box a privately printed, 764-page Italian book entitled "Complotto Contro la Chiesa" ("The Plot Against the Church"), by Maurice Pinay, a pseudonym. A lengthy rehash of the anti-Semitic libels in the so-called Protocols of the Elders of Zion, this was a clumsy attempt to develop resistance to any Council statement concerning Jews. Though its very crudeness lessened its effectiveness, the volume was privately reprinted in Spain in the German language, apparently without government authorization, and sent to Austria and Germany. The distribution evoked a Bonn Government protest to Madrid.

Three more anonymous anti-Jewish pamphlets have appeared since the first Council session, one claiming justification in theology for the deicide charge, the others asserting that Cardinal Bea, chief of the secretariat for Christian unity, is of Jewish origin, and that the entire secretariat has been infiltrated by Jews.

At its last session, the Ecumenical Council adopted in principle a declaration rejecting the deicide accusation against Jews past and present, and enjoining teachers and preachers to spurn ideas that might foster hostility against Jews. Since then, intensive meetings of rightist groups have taken place on this subject in Italy, France, Spain, and Germany. Undoubtedly, new propaganda pieces will be issued in the months ahead.

The Arab League and the Nassar government are known to be exerting strong political pressures to prevent the declaration's final adoption. There are also reports that European businessmen are being asked to use their influence against the declaration, on the ground that it would hamper trade with the Arab world.

THE INTERNATIONALS

Although informal cooperation goes on among right-radical groups in different countries, personal jealousies, overweening egos, and differences about strategy and tactics have thwarted all endeavors to create a single international. Thus, while American neo-Nazi George Rockwell and British neo-Nazi Colin Jordan may lay claim to the title of "fuehrer" of a World Union of National Socialists, there is no evidence that England's Oswald Mosley, Jean Thiriart or Belgium's Jeune Europe, Sweden's neo-Nazi theoretician Per Engdahl or others of their ilk pay any attention to these claims.

The first move to set up an international took place in May 1951, at Malmö, Sweden, following a preliminary 1950 gathering in Rome, where the Duce's oldest daughter, Anna Maria Mussolini, was a featured speaker. Initiator of the 1951 meeting was Per Engdahl, a 20-year veteran of totalitarian-oriented movements, and head of the New Movement of the Swedish Opposition.

Both the time and the place seemed propitious. Since Sweden had never been occupied by the Germans it had no legislation barring neo-Nazi activities. Nor was there any intense revulsion against those who had espoused the Nazi cause. The 30-odd neo-Nazis from 14 lands meeting in the pleasant little city across the strait from Copenhagen were also encouraged by signs of a fairly strong, well-directed neo-Nazi party emerging in West Germany, the significant number of votes polled by Italy's Movimento Sociale Italiano (MSI) and the fact that Petainists in France were reasserting themselves.

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[5] "U.S.A.—The National Movement," by Fabrice Laroche. Europe Action, June 1964.

Out of the Malmo Conference came the European Social Movement, with plans for a secretariat in Trieste, a press service and youth affiliates. But some participants soon decided that the new organization was not sufficiently anti-Semitic or activist, and the ESM was split. In 1952 the European Liaison Office was launched in Lausanne by Gaston Amaudruz of Switzerland and Charles Luca of France.

In 1953, in an attempt to heal the rift, the European People's Movement was founded in Paris to unite all forces fighting to save Christian civilization from Judaism, communism and freemasonry. This effort also failed. In Austria in 1957, another merger was launched under the aegis of the Social Organic Movement of Europe (Sorbe), but Austrian authorities clamped down, and the more extreme elements founded still another group, the European New Order—actually the European Liaison Office under another name.

More recently, new competition has entered the field. In Scotland a Northern League was formed in 1958 to preserve the ethnic and cultural heritage of the North European peoples. In Belgium, the neo-Fascist Jeune Nation sought international status and established itself as Jeune Europe. The Rockwell-Jordan combination, the World Union of International Socialists, first emerged in 1962. The latest body with international pretensions is Paris-based Europe Action, which operates primarily as an information and ideological clearinghouse.

TACTICS AND IDEOLOGIES

Since the Malmo meeting, two major approaches have been evident among neo-Nazi ideologists. One group considers it essential to play the parliamentary game and not frighten the public. Its leaders argue that they must first attract a following under cover of vague, general nationalist slogans and later propose concrete rightist programs. The philosophical and scientific bases of its ultranationalist ideology are advanced in intellectual terms, in magazines such as Nation Europa, published by former SS Gen. Arthur Ehrhardt in Coburg, West Germany, and Défense de l'Occident, the French monthly of Maurice Bardèche.

The other camp sneers at appeals to the masses and favors the creation of an elite which can take advantage of revolutionary situations. It considers street incidents, swastika smearings, and raids more effective than polite parliamentary maneuverings and stresses a strong racist approach. Vitriolic articles in Belgium's Révolution Européene and Gored Oredsson's Nordisk Kamp in Sweden, and leaflets outlining techniques for street fighting and revolutionary takeover express this element's philosophy.

The European social movement with its relatively moderate outlook has managed to survive all splits and probably remains the most important of the "internationals," with sections or contacts in a dozen countries. But it represents an older neo-Nazi generation. Per Engdahl is now 55 and nearly blind. Maurice Bardèche, at 63, is ever busy and looked up to by other authoritarians and right radicals, but he is adviser rather than leader.

The initiative today lies increasingly with younger men, such as Colin Jordan and Europe Action's Dominique Venner. Having no defeat to live down, they reject what they call an artificially created guilt complex about war crimes and seek to capitalize on what they view as youth's tendency to boredom and nihilism.

Attacks on the United States have been a constant component of neo-Nazi literature: "All mistakes since 1945 are due to the pseudodemocratic policies of Roosevelt and his advisers, who drove their country into a war that had nothing to do with U.S. interests." Rightists also scored the Yalta settlement as the division of Europe by non-European powers. A brief break in this persistent anti-Americanism came with the nomination of Barry Goldwater for President by the U.S. Republican Party. Even after Goldwater's defeat, Europe's rightwing felt deeply encouraged by what was construed as an impressive display of American rightist strength.

Rightwing ideologies seem to have a special appeal for one vital and vocal group—the university students. The tendency is strongest in Austria. The Ring Freiheitlicher Studenten, associated with the rightwing Freedom Party, had polled as much as one-third of the vote in student-government elections. In March 1965, rightwing students clashed in the streets with those demonstrating for the dismissal of a Viennese professor, Taras Borodajkewycz, who boasted of his prewar Nazi Party membership and made anti-Semitic statements.

In the last university student elections in Rome, groups affiliated with the neo-Fascist MSI Party won 13 seats of a total of 59. Traditional rightwing student organizations, some quite militant, also continue to exist in France.

THE RIGHT-RADICAL POLITICAL PARTIES

Although the ultimate goal of the internationals is to develop a solid base for political operation, they have thus far failed to involve the major rightist parties of Europe in any direct affiliation, despite cross-membership of individuals and attempts at amalgamation.

Where are these rightist parties to be found, and how have they fared in the past two decades? As might be expected, the most prominent are in the former homelands of totalitarianism—Italy, Germany, and Austria.

Italy: The major political voice of Italy's rightist forces is the Movimento Sociale Italiano (MSI).

In December 1964, when Guiseppe Saragat was finally chosen President of Italy after 20 inconclusive parliamentary ballots, the MSI interrupted the voting with catcalls and boos. Its members sat on their hands during Mr. Saragat's acceptance speech. This petulant behavior stemmed less from the MSI's rage at the election of a candidate of the center-left than from realization that it had failed to transform itself into a respectable political party.

Since the end of World War II, two major forces have confronted each other in Italy. The Italian Communist Party, more intelligent and less dogmatic than most, is independent of the Kremlin and thus able to present itself as a homebred Italian phenomenon. The governing Christian Democratic Party contains many disparate tendencies drawn together by fear of Communist gains. The MSI hoped to use its own virulent anticommunism and its ability to supply crucial votes during parliamentary crises to force its way into a governing coalition.

Until 1960, whenever parliamentary balloting was close, one Italian premier after another declared that he would resign rather than seek MSI votes to stay in office or win passage of disputed bills. But in July 1960, Premier Fernando Tambroni, a Christian Democrat, indicated he was ready to do business with the MSI. The marriage of convenience might have taken place, initiating a new trend in Italian political life, had not the overconfident MSI decided to hold its annual congress that year in Genoa—a stronghold of the Italian resistance movement, whose population had suffered greatly in the war. Outraged public opinion and anti-MSI demonstrations forced cancellation of the congress and toppled Tambroni out of office.

In actual numbers, the MSI has been stagnating for the past decade. To win 1,600,000 votes (about 5 percent of the electorate) and 29 parliamentary seats in the 1953 general elections was a resounding achievement; to poll 1,550,000 votes and 27 seats 10 years later was, in effect, a defeat. In 1951, the MSI chalked up outstanding gains in Sicily, a semiautonomous region. Its 11 strategic seats made it the third largest party on the island. Today it holds seven seats and ranks fifth among Sicilian parties.

MSI ideology is a chaotic catchall with at least three different views on how extreme the party should be. In the early years, control was vested in men like Giorgio Almirante, editor of the Mussolini-regime paper, Defense of the Race, and Prince Valerio Borghese, commander of Mussolini's 10th Legion and a supporter of the Salo Republic, the puppet state formed at Hitler's instigation after Italy's surrender to the Allies. The party's founders adopted as guidelines what they called the revolutionary socialist-fascism of 1919.

Another group, led by MSI's present Secretary General, Arturo Michelini, believed that talk of socialism, even of a Fascist kind, would hurt the party. Today the MSI concentrates on anti-Bolshevism and appeals to patriotism. It attacks even the Christian Democrats as Marxists, and criticizes all government attempts at social reform. At first the MSI sought to get into the Church's good graces; later it criticized Pope John XXIII for failing to wage a crusade against communism.

The party also harbors out-and-out extremists who take their inspiration from such men as Julius Evola, author of Mussolini's racial laws. This wing includes the activist organ Ordine Nuovo and the Giovane Italia student group, both of which boast of being good Nazis and Fascists.

Besides its failure to gain leverage in the parliament, the MSI is now confronted with a new challenge—an Italian-style Gaullism. De Gaulle is cited by the Italian right as a man of authority who knows how to maintain order. The neo-Fascist magazine, Borghese, hailed the general's book, "Sword's Edge," as "the political creed of the only chief of state who has rebelled against the Russian-American atomic dictatorship."

One would-be De Gaulle in Italy is Randolfo Pacciardi, a former resistance fighter who broke with the Italian Republican Party. He is now getting support from the FUAN, and Secolo XX, two of the most activist rightwing groups, as well as from former Republican colleagues and big-business circles in Italy.

Germany: Whatever its weaknesses, the MSI is at least a viable party. The most prominent German neo-Nazi Party, the Deutsche Reichspartei (DRP), polled less than 1 percent of the vote in the 1961 national elections and has continued to slip back in municipal and state contests.

In the early postwar years, Germany's neo-Nazis seemed to be making a significant political impact. The Deutsche Reichspartei began in 1946 as a splinter group seeking to build on small, traditional Lower Saxony political forces such as the century-old German Farmer's and People's Party. In 1949, three men with well-known Nazi records—Dr. Fritz Doris, then a Bundestag deputy, Dr. Gerhard Kruger, and Count Wolf von Westarp—broke away to create the Socialist Reich Party, whose star spokesman and rabble-rouser was Hitler's Maj. Gen. Otto Ernst Remer. Boasting an imitation storm troop unit called the Reichsfront and a Reichsjugend organized on the lines of Hitler youth, the SRP sponsored Nazi-style rallies, appealing to farmers, civil servants, and other middle-class groups whose privileged social positions had vanished.

The climate in West Germany in the early 1950's seemed to augur further gains. SRP's membership consisted primarily of younger war veterans; its avowed goal was to organize the front generation, a potential of 3 million. At the same time, older veterans' groups were beginning to reform, in spite of laws prohibiting their existence, determined to recover their considerable prewar financial assets and to secure the rehabilitation of SS units. The 11 million German refugees from the east, though they had their own political party, the Bund der Heimatvertriebenen und Entrechteten (BHE), also seemed open to ultranationalist persuasion.

In the past decade, however, many political forces which loomed so large in the 1950's have been absorbed or circumscribed. In 1952, after some hemming and hawing, federal authorities outlawed the SRP as unconstitutional. The economic boom in Germany, coupled with government-sponsored benefits, brought about the rapid absorption of the refugees, and veteran groups such as the SS HIAG have proven circumspect, seeking personal benefits rather than political objectives.

West Germany has been moving steadily toward a two-party system. The requirement that a party must poll at least 5 percent of the popular vote to be represented in the Parliament has hampered not only such outright neo-Nazi parties as the DRP but all smaller parties, including the refugees' BHE and the ultraconservative Deutsche Partei. In 1957 these two groups merged to form the Gesamtdeutsche Block, but the new party polled less than 3 percent in 1961 (compared with a combined total of 9.1 percent in the 1953 elections), and will present no candidates in 1965.

The merger of several neo-Nazi parties last November into a new National Democratic German Party (NDP), with 798 officially registered members, underscores the weakness of all these groups. Head of the NDP is a 49-year-old Bremen cement manufacturer, Fritz Theilen of the Deutsche Partei, who managed to squeeze into the Bremen State Diet with 5 percent of the vote. Vice chairman are BHE member Wilhelm Guttman; Adolf von Thadden of the DRP—who made it clear from the outset that his party would not fuse with the others but would only provide DRP technical facilities—and former Free Democratic deputy Heinrich Fassbender, whose Deutschnationale Volkpartei supported Hitler.

The NDP propaganda line stresses order, the return of the lands in which Germans have grown up for centuries, and the need to protect peasants, workers and the middle class against foreign interests. Peace in Europe and the world, it is emphasized, depends on German unity. Though these sentiments are shared by wide segments of the population, nobody seriously expects the NDP to make an effective showing in the forthcoming national elections.

A brand of Gaullist-style nationalism in West Germany revolves around one of the country's colorful political figures, Franz Josef Strauss, leader of the Bavarian Christian Social Union. One-time Defense Minister and outstanding challenger to Ludwig Erhard for the Chancellorship, Strauss has more than once shown disregard for the democratic process while in office—most notably, his highhandedness in the so-called Spiegel affair[6] which forced his resignation from the Cabinet in 1962.

A leading advocate of West German cooperation with General de Gaulle at the expense of Great Britain and the United States, Strauss has taken ultranationalist positions hitherto avoided by responsible Bonn political figures. In the conflict with Nasser over military aid to Israel, however, Strauss took a vigorous pro-Israel position.

Strauss' main strength lies in the fact that CSU support is vital to the government to overcome the challenge of the Socialist Democratic Party. His present appeals to the right may be primarily an election gambit but could nevertheless lend respectability to its cause.

Austria: In Austria, the Freedom Party (formerly the League of Independents) manages to stay within the law, but its neo-Nazi inclinations are clearly evident. The party was founded by Anton Reinthaller, a Nazi as far back as 1923 and a Minister in the wartime Seyss-Inquart quisling regime. Its present head is Friedrich Peter, former Obersturmfuehrer of the infamous Waffen SS.

The Freedom Party's newspapers describe Austria as part of the German cultural and language group. When Adolf Eichmann was caught, these papers at first avoided all mention of the incident; later they complained that his trial was a new scheme to blacken Germany's name while non-German war criminals went unpunished. Nazi war crimes are shrugged off as aberrations, which Austrian Nazis knew nothing about.

Like the MSI in Italy, the League of Independents and the Freedom Party have dreamed of playing a balance-of-power role in the Austrian Parliament. But the People's Party and the Socialists, which run neck-and-neck in elections, have found it more profitable to rule the country in coalition. Both major parties have consistently ignored Austria's role during the Hitler period. Since, out of a population of 7 million, 537,000 Austrians were registered Nazis and 700,000 boys and girls belonged to Hitler youth movements, former Nazis became respectable again by universal consent within a few years after the war; consequently, they have felt little need for their own party.

In 1949 the Independents took 12 percent of the popular vote and 16 seats in the Parliament; this success has never been matched by the Freedom Party, which polled 315,000 votes and gained 8 seats in the 1962 national elections. In Vienna, in October 1964, the party received fewer than 60,000 of the million votes cast.

Other countries: Outside of Germany, Austria, and Italy, neo-Nazi parties, whatever their national political pretensions, are seldom able to elect candidates. England's Union of British Fascists (Oswald Mosley's party), for instance, had 30 candidates in the latest London municipal elections, in the districts most plagued by racial troubles. They failed to win a single seat. After a disastrous experience some years ago, Scandinavian neo-Nazi parties stopped presenting candidates. Holland, too, has no group worth mentioning.

Belgium's neo-Nazis are also without electoral strength, but wartime collaborators have found a home in the Volksunie, a Flemish Nationalist Party hostile to the present unified national regime and its institutions. Volksunie preaches greater federalism, calls for amnesty for collaborators, and seeks to exacerbate the split between the French-speaking Walloons and the Flemish segment of the country. During the war, the Germans treated the Flemish more favorably than the French-speaking Belgians, and the majority of Belgian collaborationists were Flemish. In 1949, the Flemish nationalists reorganized under the name of the Vlaamse Concentratie, which managed to garner 103,000, or 2 percent, of the national Belgian vote. In 1954, this group changed its name to the Volksunie and won a seat in the Parliament. In 1961, it polled 182,000 votes, electing 5 deputies and 2 senators; and in May 1965, Volksunie more than doubled its 1961 vote, electing 13 deputies and 4 senators.

A new nationalist party may be in the offing in France; the candidate is already at hand. Jean-Louis Tixier-Vignancourt is a 57-year-old, bronze-voiced lawyer whose background holds attractions for several rightist groups. He appeals to the Pétainists because he was an Assistant Minister in Pétain's Vichy government; to OAS elements for his legal defense of leaders such as Gen. Raoul Salan; and to the former colons of north Africa and the French repatriates from Algiers, Oran, Tunis, and Casablanca for having defended their cause. He is also acceptable to oldtime French ultras- and anti-Semites—the Royalists, Action Française, and the anti-Dreyfusards—and is favored by the "activist" neo-Fascist groups.

SPREADING RIGHTWING IDEAS

While the organized right has been shrinking and fumbling about for new formulations, the circulation of rightwing newspapers, magazines, and books has been growing.

A recent register of neo-Nazi militarist and nationalist literature in West Germany analyzes some 80 publishers, periodicals, and book clubs dealing in the works of former Nazis, ex-generals, and right radicals. Among the featured authors are the widow of Joachim von Ribbentrop, Panzer SS Gen. Kurt Meyer, Otto Skorzeny, and Oswald Mosley. Owners of the publishing houses include Helmut Suendermann, a former Goebbels deputy and head of the prolific Druffel Verlag publishing house, and Dr. Herbert Grabert, author of "Volk ohne Fuehrung," a book which was declared subversive by the Government in 1958.

One writer frequently quoted by the rightist propagandists is an American historian, Dr. David Hoggan, who taught at San Francisco State College and was a research fellow at the Hoover Institute. His 898-page book, "The Enforced War," casts the British as the villains who caused World War II, and Hitler as their victim. Despite a price of $12 per copy, his book reached the national nonfiction bestseller list in Germany, where it is now in its fifth printing. It is also scheduled for publication in France.

The top right-radical weekly paper in Germany is the Deutsche National Zeitung und Soldaten Zeitung (NZ), published by 32-year-old Gerhard Frey, who shows great imagination in handling hackneyed Nazi themes. With emotional appeal, racy language, and innuendo, NZ addresses itself to latent German frustrations and resentments. It calls for return of Germany's lost lands, labels the wartime bombings of Dresden and Hiroshima as Allied war crimes, and repeats Hoggan's thesis of British war responsibility.

A GROWING CHORUS

In France, as in Germany, the rightwing's most notable achievement has been the growth of its press and publications. In March 1964, several French ultra groups—Poujade's Fraterité Francaise, Colonel Trinquier's Association for Study of Reform of the State, Europe Action, and the Center of

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[6] When the editors of Germany's gadfly weekly Der Spiegel wrote that military maneuvers had proven the armed forces unready for combat. Strauss ordered them arrested for treason. Without informing the Minister of Justice he requested the Spanish police to pick up one editor vacationing there. These tactics, so reminiscent of Nazi days, aroused a storm of protest. Strauss at first denied his actions, later admitted them. To quiet criticism, Chancellor Adenauer dropped Strauss from the Cabinet.

Social Studies—attempted to set up a liaison office. The effort failed because the only point of unity was mutual hatred of De Gaulle. An extreme rightist literary group, the Society of the Friends of Edouard Drumond, formed late in 1963, seems destined for greater durability. The group includes virtually every important ultranationalist French writer, among them Maurice Bardéche; Xavier Vallat, former Commissioner for Jewish Affairs under the Vichy regime and editor of Aspects de la France; editor Dominique Venner of Europe Action; Pierre Dominique of Rivarol; and publisher Henri Coston.

France has no outstanding rightwing weekly, such as the NZ in Germany, and the veteran Rivarol and Aspects de la France have dropped slightly in circulation, with a current readership of about 42,000 and 23,000 respectively. But two new and successful publications have appeared since 1963: Europe Action, a monthly magazine with a circulation of about 25,000 in France and Germany which, in addition to its regular publication, issues weekly newsletters and special booklets; and Cahiers Universitaires, a university-student publication of professional caliber. The 3-year-old popular weekly, Minute, with a circulation of about 150,000, often voices rightwing themes.

Rightwing heroes are getting a greater play than at any time during the past two decades. With the 50th anniversary of the start of World War I in 1964, articles about Marshal Pétain, hero of Verdun and later head of the Nazi-controlled Vichy Government, sprouted everywhere. The campaign to transfer his remains to the French military cemetery at Drouamont gained new intensity, and his portrait was featured on the covers of record albums and the front pages of many major weeklies.

An impressive number of rightwing books were published in France in 1963 and 1964, including the notebooks of Charles Maurras, intellectual mentor for many rightists. More than a dozen current record albums glorify French collaborators, the OAS, Salan, and Céline, and revive the songs of the Spanish Falangists and the old German and Nazi armies. One record, quite popular among students, interlards excerpts from speeches by Hitler, Goering, and other Nazi spokesmen among Nazi and German war songs; the blurb on the jacket stresses the fact that Hitler came to power through democratic elections. Jean Marie de Pen, a former Poujade aide, and two Vichy regime collaborators control a lucrative record company that produces these novelty items. The Librairie de L'Amitié (Friendship Library) in Paris is a busy distribution center for such material.

This renewed interest in World Wars I and II is warmly welcomed by all the right-radical groups, for it offers them another opportunity to impress the youth and to argue for a rewriting of history.

CONCLUSION

On the surface, the status of neonazism two decades after Hitler's defeat seems to offer its adherents scant encouragement. The number of activists appears to be decreasing, the seasoned leaders are fading, and no unified international movement is in sight.

On the other hand, the themes, slogans, and pseudoscientific arguments of the radical right seem to exert a potent attraction for young people, especially the intellectuals. The rising popularity of publications and recordings ennobling Nazis and nazism could indicate a growing receptivity to their basic idealogy.

A new and serious element is the Arab League's secret aid to various groupings of neo-Nazis. Arab resources may well determine the future of many now-obscure conspirators—and their intended victims.

Some observers believe that the neo-Nazis and right radicals are currently in a period of hibernation from which they will one day emerge in force. Others doubt that great numbers of supporters can ever again be rallied to such a cause. There is general agreement, however, that if the relatively stable climate of present-day Europe should be disturbed by social, economic, or political crisis, extremist groups would gain considerably in strength and influence.

Mr. MANSFIELD. Mr. President, I yield, under the bill, such time as the Senator from Rhode Island [Mr. Pell] may require.

SUPERVISION OVER CENTRAL INTELLIGENCE AGENCY

Mr. PELL. Mr. President, I have always been of the belief that some sort of closer supervision should be exercised over the Central Intelligence Agency than is presently the case. For this reason I have cosponsored bills calling for so-called congressional "watchdog" committees.

I well recall during the Bay of Pigs the acceptance of the generally held belief that those individuals and activities connected with intelligence estimates should be separated from those who plan and execute operations. This would mean that intelligence estimates will not be cut to the cloth of those who would like to engage in operations. To the best of my knowledge this has not been done.

While I recognize that the Central Intelligence Agency cannot announce its triumps, I do believe that from the negative viewpoint the article by Mr. Stanley Karnow in the Providence Journal of September 7, 1965, might be of interest to my colleagues. It outlines various abortive projects of the CIA in the Far East, apparently often the result of the nonseparation of intelligence analysis from the execution of operations. And I believe that the reading of it will emphasize the need for tighter controls.

I ask unanimous consent that the article by Mr. Karnow be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Record of CIA in Southeast Asia Places U.S. Name in Disrepute

(By Stanley Karnow)

Washington.—In a petulant mood one day last week, Prime Minister Lee Kuan Yew of Singapore, unfolded an intriguing glimpse of history. Late in 1960, he disclosed, a Central Intelligence Agency operative had offered him a $3 million bribe to conceal a bungled American espionage attempt. The shadowy affair involved girls, too—or, as Prime Minister Lee put it, "Like James Bond, only not so good."

A House subcommittee on foreign affairs led by Clement Zablocki, Wisconsin Democrat is scheduled to begin a closed inquiry into what happened in Singapore tomorrow.

But what happened in Singapore, though rather embarrassing, was relatively innocuous compared to a clumsier assortment of other covert American efforts in southeast Asia over the years. For example:

In Burma, more than a decade ago, U.S. secret agents striving to influence Burmese political leanings were somehow sidetracked into the more rewarding pursuit of opium trading.

In Cambodia, U.S. secret agents were indirectly involved in an abortive coup d'etat contrived to overthrow Prince Sihanouk's government.

In Indonesia, U.S. secret agents backed a desultory rebellion aimed at undermining President Sukarno.

In Laos, U.S. secret agents' operations ranged from stuffing ballot boxes to bulwarking a full-scale military offensive by insurgents against the country capital.

None of the operations succeeded in any significant long-range sense. Some served to justify local leaders' doubts or hostility toward the United States and nearly everywhere in southeast Asia, though supposedly clandestine, American covert activities were widely known.

INGENIOUS PLAN IS FAILURE

The first of these earnest efforts, back in the 1950's, was focused on the tangled jungles of northwest Burma. Defeated by the Communists in China, bands of Chinese Nationalist troops had retreated into this area, where they became brisk opium traders. It was considered, however, that they might perform a nobler purpose.

As it does now, Burma in those days adhered to a neutralist line. But neutralism, insisted the then Secretary of State John Foster Dulles, was not only immoral, but shortsighted. Thus a clever scheme was elaborated to help the Burmese see the light.

The remnant Chinese Nationalists would be inspired to provoke Communist China into attacking Burma, thereby forcing the Burmese to seek salvation in the Western camp. Ingenious as it was, the plan worked poorly.

For one thing, the Americans assigned to supply the Nationalists with weapons and gold enlisted the aid of Gen. Phao Sriyanod, the police chief of neighboring Thailand. But Chief Phao, a leading narcotics dealer, cared little about international politics. He simply wanted to latch on to the Nationalists opium.

And under his aegis, an operation originally dedicated to saving Burmese souls soon degenerated into a lucrative narcotics traffic. Aircraft mobilized to supply the Nationalists were employed mostly to transport opium, and several American agents, unable to resist temptation, eagerly joined in the smuggling. Finally, in 1953, Gen. "Wild Bill" Donovan went out to Bangkok, ostensibly as U.S. Ambassador, effectively to clean up the mess.

CIA REMAINS UNDETERRED

The whole maneuver, dubiously conceived and artlessly executed, had inevitable repercussions. Blaming the United States for supporting the Chinese Nationalists on their territory, the Burmese renounced American aid and came close to quitting the United Nations. For other motives as well, Burma has since found an accommodation to Communist China more advantageous.

The abortive Burmese experience did not deter further convert efforts, however. In 1958, a somewhat different sort of tactic was initiated against another uncooperative leader, Cambodia's Prince Norodom Sihanouk.

Financed by U.S. funds and equipment, a team of South Vietnamese operatives joined Cambodian rebels in attempting to overthrow Prince Sihanouk and replace him with Dap Chuon, then the Cambodian Minister of Security. The plot fell apart when loyal Cambodian troops invaded the rebel headquarters, killed Dap Chuon, and discovered among the insurgents a U.S. Information Agency employee.

Only a month before, Prince Sihanouk had publicly praised U.S. aid and denied any intention of flirting with communism. After the plot against him, he promptly recognized Red China and rejected a new offer of American assistance, terming it "suspicious."

About the same time, U.S. operatives began to cast an eye toward Indonesia, where local army commanders scattered across the far-flung archipelago were rumbling against President Sukarno's government. Some objected to growing Communist strength, others had regional grievances.

As rebellions spread through Sumatra, East Java, and other outlying areas, Secretary of State Dulles intruded with the opinion that the United States wished for Indonesia a regime that "reflects the real interests and desires of the people." Against the opposition of American diplomats in Jakarta, covert U.S. support for the rebels started to flow south from bases in Formosa and the Philippines. One American pilot, Allan Lawrence Pope, was shot down while on a bombing mission over Indonesia.

TURNING POINT FOR SUKARNO?

Undercover United States help to the Indonesian rebels was never extensive, it seems. It was enough, however, to reinforce Sukarno's distrust of the United States. Some analysts believe it was a turning point, after which Indonesian-American relations have steadily slid downhill.

By contrast, CIA operatives fanned out through primitive Laos with the authority of game wardens in a national park. They selected and subsidized local political leaders and actuated uprisings. They so rigged the April 1960, elections that all the contested seats were won by right wingers.

In one constituency their chosen candidate received 18,000 votes, while his pro-Communist opponent polled only 4.

Later in 1960, while a State Department spokesman warned that civil war would only help the Communists, a team of covert American advisers engineered General Phoumi Nosavan's drive against Vientiane, the seat of the neutralist government headed by Prince Souvanna Phouma. One effect of the turmoil was to open the way for Soviet intervention in Laos.

After the Bay of Pigs disaster, President Kennedy fortified a watchdog committee to supervise CIA activities, and the day of romantic undercover operations waned, but there is still talk in Washington of putting the CIA under some kind of firm surveillance.

And as Prime Minister Lee Kuan Yew reflected in his Singapore charge, the notion still persists that U.S. policy in southeast Asia is planned and activated by characters out of Ian Fleming novels—only not so good. In the popular image, these characters topple governments, subvert leaders and seduce dragon ladies.

But whether the image is always true or sometimes exaggerated, U.S. policy is often a victim of its image.

FURNISHING OF ARMS TO FOREIGN COUNTRIES

Mr. PELL. Mr. President, those of us who have been concerned with the giving of arms to neighboring countries who are hostile to each other, such as India and Pakistan, Greece and Turkey, have the wisdom of our concern confirmed by the present war between India and Pakistan.

While I fully believe in the importance of educational and economic development of the underdeveloped nations of the world, I continue to believe that our encouragement of the military development of these nations is a self-defeating policy on our part. In Latin America we find the military assistance often used as a means of perpetuating the oligarchies, or providing the means for military or nondemocratic groups to perpetuate coups overturning popularly elected governments.

A list of the nations south of the Rio Grande where this has occurred is very long indeed in this regard.

In order to emphasize the importance of exercising restraint when it comes to giving military aid to the underdeveloped nations of the world or to neighboring hostile pairs of nations, I ask unanimous consent to insert into the RECORD at this point a table from this week's Newsweek, showing who give what arms to India and Pakistan, and an article by Mr. Stanley Karnow that appeared in this morning's Washington Post.

There being no objection, the table and article were ordered to be printed in the RECORD, as follows:

Arms: Who supplied what

[From Newsweek, Sept. 20, 1965]

	India	Pakistan
United States:		
F-86 Sabre jets	0	100
F-104 Starfighters	0	50
B-57 attack bombers	0	30
C-130 transports	0	4
C-119 transports	25	0
Patton tanks	0	200
Sherman tanks	30	0
Great Britain:		
Hunter jet fighters	150	0
Vampire bombers	100	0
Gnat jet fighters	100	0
Canberra bombers	80	50
Canberra photo planes	8	0
Viscount transports	5	0
Centurion tanks	210	0
Stuart tanks	80	0
Soviet Union:		
Mig 21 jet fighters	6	0
Ilyushin transports	2	0
Anonov transports	24	0
France:		
Mystère IV jet fighters	100	0
AMX 13 tanks	40	0

[From the Washington Post, Sept. 13, 1965]

A CATALOG OF PAST EMBARRASSMENTS—KASHMIR CLASH POINTS UP DILEMMA INVOLVING U.S. WEAPONS AID ABROAD

(By Stanley Karnow)

The angry shots being fired across the Kashmir lowlands and the hot Punjab plains are causing anguished echoes in Washington. For the warring Indians and Pakistanis are both armed with U.S. equipment originally intended not to aggravate old antagonisms, but as protection against Soviet or Chinese Communist aggression.

Thus, the clash currently shaking South Asia indirectly dramatizes an American dilemma—whether the United States can effectively supervise its foreign military aid.

The problem is not new. Over the past decade, the United States has endowed nearly 60 nations with more than $20 billion worth of military hardware, ranging from revolvers to missiles. The recipient countries have all vowed, among other conditions, to use American weapons only for defensive purposes.

Yet several foreign governments, measuring their defense needs by their own yardsticks, have betrayed U.S. objectives. And the United States, though disclaiming guilt, has often borne the onus for the ill-advised actions of its allies.

Here is a partial catalog of U.S. embarrassments:

American material delivered to the French under North Atlantic Treaty agreements was wielded against Algerian nationalists, thereby creating the pervasive impression in Africa that the United States supported French policy.

American weapons given to Portugal under NATO accords were used to repress Angola insurgents.

In Cyprus, both Greeks and Turks reinforced their positions with U.S. equipment—which they will undoubtedly also employ if they attack each other.

American tanks rumbling through Latin American capitals have served to overthrow governments painfully nurtured by the United States.

American aid weapons supplied to the Chinese Nationalists were surreptitiously shipped to remnant Kuomintang guerrillas in North Burma in an apparent effort to exacerbate a tense situation in southeast Asia in late 1960.

American-armed South Vietnamese police under the late president Ngo Dinh Diem's regime transported Buddhists and students to jail in American trucks bearing the U.S. handclasp emblem.

In aiding India and Pakistan, the United States tacitly acknowledged that military assistance might ignite an explosion. The program to build up Pakistan's armed force, initiated in 1954, was accompanied by an assurance to India that the United States would take appropriate action if American weapons were used against her. American military aid to India, started in 1962, was clearly earmarked for "defense against outright Chinese aggression."

Since then, Pakistan's $1.2 billion worth of U.S. military material has included Patton and Sherman tanks as well as the latest F-104 jet fighters equipped with Sidewinder missiles. India's far more modest allocation—an estimated $80 mililon—has largely consisted of communications equipment, ammunition, blankets, and weapons for mountain warfare.

Now and again in the past, lone voices pointed to the volatile nature of the Indian subcontinent. As far back as the mid-1950's, Ambassador to India Chester Bowles argued that military aid to Pakistan would heighten the danger of conflict. As recently as last March, Senator WAYNE MORSE, Democrat, of Oregon, warned that continued military assistance to both India and Pakistan "increases the possibility of war between them."

Now that wars has erupted, the United States has taken some forms of appropriate action. It has halted the ships carrying additional American hardware to the subcontinent. It is also using its military assistance treaties with both belligerants as a legal lever for diplomatic involvement in the situation.

But while a crimewave provokes loud appeals for law enforcement, the outbreak of hostilities in south Asia has inspired surprisingly little discussion about ways to limit the use of American weapons abroad. In some quarters, however, questions have been raised. Can the United States prevent the violation of its military aid agreements? If so, how? If not, why not?

The range of answers varies widely—and many answers generate fresh questions.

A critic of military aid who unsuccessfully tried to shave appropriation last June, Senator FRANK CHURCH, Democrat of Idaho, says: "I oppose the way we've institutionalized and globalized our military assistance programs. We should only give aid where the Communist threat is direct and immediate, as in Korea, Vietnam, or India when the Chinese invaded."

Unrealistic, counters a Pentagon official. "Military aid isn't merely providing weapons. Troops need training, and there's no time for that when the threat is immediate. There's really no way to control our arms abroad.

Our hardware may be misused, but that's a risk we must take."

That Pentago view, in turn, draws fire from a Congressman who complains that Secretary of Defense Robert McNamara is now selling arms abroad "the way he used to peddle Fords." Besides distributing military aid, the Pentagon's weapons merchants—grandly called the Office for International Logistics Negotiations—have sold $9 billion worth of military hardware over the past 4 years, thus stemming some of the U.S. gold drain.

About 90 percent of the Pentagon sales go to Western Europe. "If they don't buy from us," argues a Pentagon official, "they'll buy from somebody else."

To several officials, the proliferation of U.S. arms around the world reflects a lack of selectivity in American defense pacts. The United States actuated the creation of such groups as the Southeast Asia Treaty Organization (SEATO) and the Central Treaty Organization (CENTO) in the Middle East, hoping that its members would face the threat of communism together.

"But we found," submits a State Department specialist, "that many allies cared less about the cold war than about their parochial interests. We're observing now that Pakistan fears India much more than she ever feared China or Russia. Knowingly or not, we armed her to fight India, not communism."

For still other officials, the question goes beyond the use of weapons to the very issue of disarmament. "Our efforts at disarmament started at the wrong end of the scale," contends one expert. "Since World War II, rifles and machineguns have killed more people than our atomic bombs on Japan. We should be discussing the limitation of conventional weapons in disarmament talks.

"But so many countries that want the United States and Soviet Union to disarm refuse to disarm themselves. Maintaining armies lends them a feeling of strength."

Perhaps the Indians and Pakistanis would have never clashed if our military aid hadn't given them the illusion that they were strong enough to wage war."

DESCALATION IN VIETNAM

Mr. PELL. Mr. President, when it comes to Vietnam there has been a great deal of talk in the past of escalation. Now I am glad to see that the word "descalation" is coming more in vogue. In this connection I must congratulate President Johnson and the administration in the unswerving, determined way in which they probe for peace.

Not only does he seek to descalate, but just as we seek descalation in the future in Vietnam, so that descalation can only be achieved if the Communists also practice it.

In this connection I ask unanimous consent to insert into the RECORD an editorial from the New York Times, which not only spells out descalation steps that have been taken, but by the very use of the term makes the word "descalation" official.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DESCALATION IN VIETNAM

For more than 10 years the United States has been following a policy of escalation in its military commitment in Vietnam. Now it has apparently decided to explore whether descalation might not offer a more promising approach to a settlement of the southeast Asian conflict. The efforts Washington is currently making in this direction represent an invaluable addition to the numerous other peace feelers that have been and still are being undertaken.

The newest proposal, as Times diplomatic correspondent Max Frankel reports, is that Hanoi withdraw some or all of the 325th North Vietnamese Division it has sent into South Vietnam, in return for a reduction or cessation of American bombing of North Vietnam. This report clarifies the American offer of August 8—revealed in Britain's white paper yesterday—to initiate another perhaps more prolonged pause in the bombing as quid pro quo for an appropriate and commensurate military step by North Vietnam.

There is little reason, of course, to be overoptimistic about the new approach at this stage. No reply has yet come from Hanoi and many past attempts have failed. The British white paper details in 62 documents the innumerable attempts that have been made since February by London, Washington, and other governments to bring about talks. All have been fiercely rejected by Peiping and—occasionally after hesitation—by Hanoi. "Yet," as the official British commentary points out, "there is room for hope."

There have been a number of recent hints that interest in negotiations may be reviving in North Vietnam. Hanoi has admitted and held discussions with envoys from Britain and Ghana. Secretary General Thant, as reported in press dispatches earlier this week, has made undisclosed new peace proposals to the governments most concerned at the request of Ambassador Arthur J. Goldberg.

The substance of a settlement—or at least its main principles—is being commented on by both sides in unilateral public and private statements so explicit that they virtually take on the form of preliminary informal exchanges. Thus, President Johnson on July 28 offered to discuss Premier Pham Van Dong's four-point peace proposals of April 8. And Ho Chi Minh replied in some detail on August 13 to probing questions put to him by the French scholar, Phillipe Devillers, in a cabled interview published in Le Monde of Paris. The North Vietnamese President made it clear that, when the time comes, Hanoi would prefer an international Geneva-style conference rather that bilateral negotiations with Washington. He insisted that the United States actually accept the four points in principle before a conference is held.

For the most part, the four points merely summarize the key elements in the 1954 Geneva agreements, which President Johnson has said the United States also accepts as the basis for a settlement. There is one difficult sticking point. The Communists have added a demand—not in the Geneva accords—that the Saigon Government be reconstituted before elections are held. They demand a coalition regime in which the Vietcong would participate and even, in some versions, be given a decisive voice.

Negotiations, if opened, could go on for a long time. Militarily, both sides are digging in for a long war. But the increasing evidence that neither can win a victory by force of arms makes a political settlement essential. Descalation would be the best way to begin.

TRIBUTE TO G. WILLIAM MILLER, PRESIDENT, TEXTRON, INC.

Mr. PELL. Mr. President, I wish at this time to pay special tribute to Mr. G. William Miller, president of Textron, Inc., whose headquarters are in Providence in my home State of Rhode Island. Mr. Miller has recently completed his 2-year term as Chairman of the Plans for Progress Advisory Council, which was developed through the President's Committee on Equal Employment Opportunity.

Mr. Miller has achieved remarkable success during his period of service as Chairman of the Council. He has brought his skills and talents, as one of our Nation's most eminent young business leaders, to bear on the deeply meaningful principles of equality in employment. He has translated these principles into reality for the betterment of our people and our country.

Under his leadership the number of major participating employers in the plans for progress program increased from approximately 100 companies to more than 300—a tripled rate of growth, now encompassing over 8½ million employees in manufacturing concerns, in retail firms, in banks and insurance companies, and in universities.

In commending him for his service, President Johnson praised Mr. Miller as an "industrial statesman," as a "resourceful motivator of men," and as a "far-sighted leader in the search for voluntary solutions to the unfinished requirements of a free society based on equal opportunity."

Vice President HUMPHREY has similarly praised Mr. Miller for welding into a "vital and lively program" plans for progress and for "extending its efforts and interests beyond equal employment opportunity to community relations, to training programs, to the quality of education available to minority citizens, and to relations between high schools and colleges and the business community." Mr. Miller has given abundant evidence of his public-spirited qualities in Rhode Island. He is a director of the Rhode Island Hospital Trust Co., a commissioner of the Providence Redevelopment Agency, and a director of the Rhode Island Research and Design Center, premised on the future growth and improvement of our State. Indicating his keen interest in Rhode Island cultural affairs, Mr. Miller previously served as a director and chairman of the fund drive of the Rhode Island Philharmonic Orchestra.

In my opinion he represents a combination of vigorous and imaginative business enterprise and dedicated public service—a combination of particular value to our country in these times and one which sets an exceptional example for others to follow.

I am delighted to bring Mr. Miller's achievements to the attention of my colleagues, and extend to him my heartiest congratulations.

I ask unanimous consent to have an article on the subject printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUMPHREY PRAISES TEXTRON PRESIDENT

WASHINGTON.—G. William Miller, president of Textron, Inc., was praised by Vice President HUBERT H. HUMPHREY for his dedicated leadership as the Providence man stepped down yesterday after 2 years as chairman of the National Advisory Council of Plans for Progress.

Mr. HUMPHREY said that under Mr. Miller's leadership the program to raise the economic status of Negroes and other minority groups had been made vital and lively, encompassing 313 companies in its equal employment opportunity phase and extending its interests beyond jobs to community relations, training programs, quality of education and relations between schools and colleges and the business community.

Mr. Miller said the program had made impressive and substantial gains toward greater job opportunities for Negroes. He said the number of nonwhite persons employed by the participating companies had increased by more than 100,000 and he called a 71.4-percent gain in salaried or white collar jobs the most impressive achievement.

From 103 companies 2 years ago, he said the number of participants had increased to 313 firms employing a total of 8,600,000 persons.

Charles E. Spahr, president of the Standard Oil Co., of Ohio, succeeded Mr. Miller yesterday as National Advisory Council Chairman.

NATIONAL BROADCASTING CO.'S "WHITE PAPER"

Mr. PELL. Mr. President, a few days ago, the National Broadcasting Co. devoted its entire evening of prime program time to a sweeping and searching analysis of U.S. foreign policy since World War II. The marathon program, presented under the title of an "American White Paper," was an extremely interesting and informative presentation. It touched all of the great moments in world affairs for the last 20 years—the birth of the atomic age, the Marshall plan, the Berlin blockade, the Korean war, the Hungarian revolution and the genesis of the present crisis in Asia. The visual reconstruction of this turbulent era evoked poignant memories and at the same time gave new perspective to all of us who have lived through these events.

As the press reviews indicated, there are inevitable technical problems involved in the conception and presentation of a program of such vast scope and content, but it seems to me that these problems are of secondary concern. The real significance of last night's effort by NBC was the fact that a major network set aside the usual consideration of public response and attempted to give a serious and responsible treatment to a whole sector of history that needs to be considered in panoramic fashion. It was an excellent effort and the public is the better informed for having seen it. I hope there will be many more, but at this time NBC deserves the applause and thanks of us all for having ventured into the depths of a difficult matter. Finally, Mr. President, I ask unanimous consent that Jack Gould's review of the program in New York Times and also Bernie Harrison's review in the Washington Evening Star, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TV: FOREIGN POLICY—NBC DESERVES CREDIT FOR A GOOD TRY, BUT TOPIC NEEDS DEEPER TREATMENT

(By Jack Gould)

A network that cancels an entire evening's regular schedule for a 3½-hour consideration of U.S. foreign policy since World War II is bound to command respect for its earnestness in dealing with an issue of overriding moment. The National Broadcasting Co. did that last night in a marathon review of the country's international relations.

Robert E. Kintner, NBC president, gave the assignment for an exhaustive summary, just as 2 years ago he initiated a 3-hour evening program on civil rights. Fred Freed, producer, was put in charge of digesting in visual form the staggering volume of material on 20 years of world affairs.

Last night's evening was curiously history à la television. Each transpiring event from the explosion of the atomic bomb in 1945 to the agony of Saigon in 1965 was dutifully and methodically recorded, yet the total effect was strangely monotonous and enervating.

The mind boggled at the onrush of fateful happenings that tumbled out in all the superficial brevity common to the newsreel. The viewer was left with a gnawing hunger for some knowing editorial hand to exercise incisive selection, to give evocative meaning and clarity to the evolution of our overseas relations. History bereft of assessment and appraisal quickly reduces itself to a rewrite of headlines.

Not that "American White Paper: U.S. Foreign Policy" lacked potential value for the younger viewer, to whom events of the last two decades are only hearsay. It will be interesting to learn from the ratings how the evening was received, whether the program may have been too long for those who might have learned the most from the presentation, and inadequate for those who looked for meatier content.

There was a fitfulness of approach that was consistently disconcerting. It takes a quick study to absorb in lickety-split fashion the measure of the atom bomb, Churchill's Iron Curtain speech, civil war in Greece, the Marshall plan, the Berlin blockade, the formation of the North Atlantic Treaty Organization, the Korean war, European prosperity, Stalin's death, the Hungarian revolution, sputnik, the U-2 incident, the Cuban missile crisis, and De Gaulle's intransigence. And that was merely a third of the evening.

The second installment explored the role of the United States in confronting the emerging world with humanitarian aid and military might, a sequence that took in Guatemala, Lebanon, and Santo Domingo. It was the best third of the evening's presentation.

The last segment, on the other hand, was the least satisfying. To be sure, there was a speedy review of the Japanese invasion of Manchuria, the dashed hopes of the United States in making China an ally, and the Korean war.

But NBC did an inexcusably cursory and hurried job in covering the details of the debate over American policy in Vietnam. Except for an interview with Norman Thomas, the opponents of the administration's policies were made to appear as videogenic eccentrics. The program's visual concern for battle scenes took precedence over all contemplation of the political, social, and economic future of Asia.

Where the NBC program had a chilling relevancy was in rerunning the miscalculations of high officials as to the duration of the Vietnam war, and in showing the remorseless process of escalation.

A 3½-hour program, out of which roughly 20 minutes was set aside for commercial messages, may require a new cinematic technique, some fusion of the raw events with a searching analysis of their meaning.

Foreign policy simply does not lend itself to police reporting of the what, where, and when of events. The need is for searching and provocative study of the why, not only in terms of how the United States looks at the world but, to a much greater degree than was undertaken last night, how the world looks at us.

Mr. Kintner and NBC must be credited with an important innovation in TV. But to realize their goal of penetrating mass indifference to a difficult subject they should not be afraid of shooting high in terms of stimulating substance. With the specter of war now a reality the public is ready for a much sterner examination of world affairs than NBC provided last night.

ON THE AIR: 3½ SUPERB HOURS

(By Bernie Harrison)

Chalk up a big one for NBC. TV's accomplishments in the documentary field, the light in the wasteland, should come as no surprise, but last night's prodigious 3½-hour white paper on American foreign policy also demolished for good, I hope, the medium's inhibiting time concepts.

Executive producer Fred Freed had said earlier of its length that he didn't see how it could be done in less time. He was right—but not a moment was wasted.

The networks have devoted more time to other subjects, but not in one chunk taking up an entire evening of a network's prime time. It needed, I think, to be so presented; one part of the review led naturally to another, and a lapse of time between segments simply wouldn't have worked.

For example, how many parts of the splendid four-part CBS Reports on Vietnam did you see, including last Monday's? That show brought the war home in one dramatic shot of a marine with his leg caught in a Vietcong bear trap.

All things considered, it was a thoughtful, balanced achievement in an obviously difficult and complex area. It set out to answer one question: How did we get where we are?

I think it did this very well. Less clear, possibly because of the variety of dissent, was a clear statement of our foreign policy in relation to specific cases.

Unlike some documentary shows with a lot to say and which wind up confusing the viewer with flashing comment and picture, the white paper was beautifully paced. Many documentary techniques were employed, including the use of excerpt comments from opposing guest experts to provide a kind of running debate. Dean Rusk, Egypt's Nasser, and an astounding number of world leaders contributed comments for the program.

The film editors did their work well. The sequence on the meaning of a third atomic world war, during the confrontation over Cuba, employed graphic shots of missiles rising out of silos. It was one long gulp.

Other film on the French disaster in Indo-China, with the onrushing soldiers, looked like a scene from a DeMille movie.

In almost all cases, the choice of visual material for illustration of points to be made was good. The first part, which reviewed the confrontation with the Soviet Union, beginning with World War II, only sketched the highlights. But it was a serviceable introduction, even if the economic aspects were barely spelled out.

But the program got better as it went along, beginning with the sequence on the emerging nations. One piquant and revealing segment showed British Commonwealth members discussing the Vietnamese war and the effort to wall up China.

NBC's entire team of producers, directors, and reporters rate a salute on this one. It's one thing to do something prestigious like this one because you ought to; it's quite another to do something that ought to be done and to do it boldly and well. It wasn't exactly an evening with Dean Rusk.

Mr. MANSFIELD. Mr. President, I yield such time to the Senator from Pennsylvania [Mr. CLARK] as he may require, on the bill.

WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLARK. Mr. President, there is now in progress at the Washington Hilton Hotel a most interesting—indeed, I might say, exciting—conference entitled "The Washington World Conference on World Peace Through Law." It was my privilege to be present at the opening session this morning, at which an excellent opening address was delivered by Hon. Earl Warren, Chief Justice of the United States.

I ask unanimous consent that this address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY THE HONORABLE EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT THE INAUGURAL SESSION OF THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, MONDAY, SEPTEMBER 13, 1965

I bid you welcome to my country and to our Nation's Capital City. Especially do I welcome my colleagues of the high courts of nations and judges of international courts who are our honored guests, this being our first meeting together on a worldwide basis. I have met many of you in my travels and look forward to renewing the warm friendship thus created. And I am certain many new friendships will be born here among those of you whom we meet for the first time. May I say that anything I or my colleagues on the Supreme Court of the United States can do to make your visit more pleasant and fruitful will be done.

We of the law are gathered here from the four corners of the earth to make our personal contributions to a program to help achieve mankind's greatest need—world peace. We come from more than 100 nations. Collectively, we live under all political systems, adhere to all religions and creeds, use all languages, and are composed of all races; yet we possess a common core of understanding which springs from universal ideals of fairness and reasonableness which are inherent in the principles of the rule of law. Thus the rule of law gives us a "common language" which bridges our differences and enables us to work together on the great task for which we are assembled.

The control of force in international relations is the paramount problem of our day. I believe that the legal profession has a unique contribution it can make to the solution of that problem. The lawyer's skills in problem solving, the judge's experience in deciding, the leadership of all elements of the law in public affairs are sources of strength we must draw upon as we face up to our challenge and responsibilities.

Our task at this Conference is to move humankind forward along the road to peace. We will do this by counseling together upon concrete steps to strengthen existing rules of law and existing judicial institutions. We will do this also through the formulation of ideas for new rules and new adjudicating institutions.

This year has been designated International Cooperation Year by proclamation of the U.N. General Assembly—a year "to direct attention to the common interests of mankind and to accelerate the joint efforts being undertaken to further them." No more important common interest exists than our shared interest in a world ruled by law; for mankind's most practical hope for world peace lies in an orderly world community under the rule of law.

We live in an era in which concentrated research involving worldwide exchanges of knowledge and experience in the physical sciences has brought dramatic achievements.

When the scientists split the atom, their success was the end result of the combined cumulative research of men of science from throughout the world. The knowledge and experience of these thousands of scientists was used to achieve this great goal. Centuries of hard work were thus finally crowned with success, and a seemingly impossible result was thereby accomplished.

My thesis is that we can and must accomplish our objective in like manner. But our approach must be different. Instead of breaking society down to its most minute elements, we must bind it together into a viable whole. Achieving and maintaining a rule of law strong enough to regulate actions of nations and individuals in the world community is no more dreamy, impossible or impracticable than was the idea of splitting the atom, or putting a man on the moon, or sending a missile to Mars a few years ago. I believe we of our generation can translate the centuries-old dream of a world ruled by law from dream into reality. In part, my belief is based upon the imperatives of our day which make this a necessity to save mankind from nuclear holocaust. In part, my belief is based upon the fact that there is more law and judicial institutions today, nationally and internationally, than ever before in the history of mankind. Given this knowledge and reliance and taking note of the necessity that we succeed in order to survive, I would like to comment upon factors we possess which should enable us to move forward in our quest for a world ruled by law.

First. We know more about law in the world internationally and within nations than any other generation of the legal profession. There is an ever-growing worldwide dialog among men of the law which is making itself a factor in world affairs. Human unity and interdependence of men and nations upon each other have reached such a degree that none of us can remain ignorant or indifferent to what is happening in law in other nations or in international organizations. Because of the faster and more comprehensive communications which now exist we know more about the basic facts of the law systems and judicial systems of the world than ever before.

This is not to say our knowledge is as complete as it should be, but only that it is greater than in the past and is continuing to grow. Through exchanges of law books, law journals and other media, we are learning more about law and justice all over the world. In the field of law, we will soon be able to bring the totality of man's legal knowledge and experience to bear on our task of creating enough law and enough judicial agencies to enable the world to operate under the rule of law.

Second. More and better law exists today in each nation than ever before. All recent surveys prove this fact. Nearly every nation is reforming, updating, and expanding the rule of law within its borders. This tremendous ferment and growth in the field of law on a global basis is the response by the law to the great changes which are the hallmark of our day.

In England they are doing a major overhaul of their ancient criminal laws, as are we on many subjects. Newly developing nations have new constitutions and new law codes. Many illustrations could be cited nation by nation. The most obvious development is the expansion of protections for the individual, a response to the universal striving for human dignity and freedom.

As we learn more about the law systems of other nations, our respect is increased for some of the improvements many nations have made in such fields as criminal law, family law, commercial law, and others. By exchanging ideas and experiences on a worldwide basis we will enable ourselves to perform a better service in our respective nations.

We must get to know each other as well as to know each other's law because from personal friendships we can forge links of great worth to the people we serve and provide continuous contacts for further collaboration on matters of mutual interest.

The unique exhibit at this Conference of great historic and current instruments of law gives us an opportunity to share the law heritage upon which we must build the world of law we seek. These great documents like the Magna Carta, the Code of Justinian, the Declaration of Rights of Man, the Code of Napoleon, the U.N. Charter, and many others of even earlier times which are on display, lend a glowing inspiration to our meeting and our work together.

When such an exhibit for this Conference was suggested, it was with the thought that this common heritage of the law would give impetus to our work by spotlighting the ideals we have in common, thus minimizing our differences. It was an acknowledgment that we, a young nation, honor the older nations for their contributions to the laws and institutions which we cherish.

Third. More international law exists today than ever before. The pace of discovery and invention has forced this rapid development of law. In the past 20 years, the U.N. and its specialized agencies have spurred, spawned, updated, or sponsored more international law and legal institutions than was created in all human history. In the preoccupation with some of the more divisive problems of the United Nations, we sometimes overlook the law that has been generated by it. But when one takes an inventory of what has happened, this growth of law and legal institutions stands forth as conclusive proof of how tremendously valuable the U.N. has been, and is today.

The United Nations has updated such ancient world law as the law of the sea and the law of diplomatic immunity. It has drafted new law on subjects such as the nuclear test ban, human rights, space, aviation, and communications. The new law and the new legal institutions which the U.N. and its specialized agencies have brought into existence are tremendous in their scope and volume.

In aviation, for example, there is a worldwide regulatory agency for rates and one for safety operations. There are also agencies for decision of airline disputes and law rules relative to a veritable host of related needs like weather, customs, and accidents on the ground and in the air. Domestic law on aviation in nation after nation complements international aviation law, and together they form an excellent example of how wise it is to develop each in step with the other.

Regional agencies under the U.N., and non-U.N. agencies like the European Common Market and the recently born South American and Central American Common Markets, are also creating a vast volume of new law and new law agencies. By necessity the interdependent nations and peoples of our day are demanding the creation of new rules of law to govern and guide their ever-accelerating international trade, travel, investment, and other relations—new transnational law for both men and nations.

Above all, one must note that in every field, on every subject, where law and judicial agencies are in existence they are working well and their acceptance and use are at an alltime high. That law which is adequate will work where used internationally is easily proved. Those relations of men and nations now amply covered by world law provide this proof. I cite the law of the sea, the law of diplomatic immunity, and the postal convention. For relations and contacts in those fields operate smoothly under law rules that are well-nigh universal because so many nations are parties to those treaties.

If we had hundreds of other subjects covered by such universally accepted law rules, frictions and disputes would be lessened and world peace through law would be within reach. Our great task is to draft and sell to the peoples and governments of nations the hundreds, perhaps thousands, of agreements needed to cover in an adequate manner transnational relations of men and nations. And the most certain fact is that, with the ever-growing increase in international trade, travel, and other contacts, the number of such agreements needed for this purpose will increase greatly in the years ahead. We must therefore set up law drafting, law creating procedures, and methods to meet this obvious need.

Fourth. International judicial bodies have grown in number and use. We have a World Court (International Court of Justice) whose use and prestige are increasing constantly; in fact there is a growing tendency in treaties to expressly provide for jurisdiction of the World Court over disputes involving their provisions. I am happy to know that the distinguished Chief Justice of the World Court will soon follow me to this podium. The European Court of Justice has had brought before it more than 1,000 international cases arising out of the functioning of the European Common Market. The Conciliation Commission of the European Human Rights Court has considered, mediated, or dismissed over 2,000 complaints, making it necessary for the Court itself to consider only 2 cases.

Many U.N. and non-U.N. international agencies have quasi-judicial bodies as a part of their legal structure to which governments and individuals may take disputes for decision under prescribed law rules. Last year the use of international arbitration bodies in the commercial area reached an alltime high. The World Bank's recent proposed Convention to create a world dispute center to provide judicial arbitration and conciliation panels to decide commercial disputes over foreign investments will accelerate this use of international adjudication manifold.

Domestic courts, too, are increasingly called upon to decide international law questions. My own Court has recently decided such questions as whether to uphold the "law of the flag" and the "act of state" doctrines. I am sure that you judges of national courts are having similar experiences, the exchange of which among us will add to the value of this Conference.

Fifth. The rapid expansion of the scope of international law and the expansion of the jurisdiction of international judicial institutions to encompass rights and protections for the individual have brought to this field thousands of new supporters. While fully recognizing that traditionally international law and its institutions have been largely confined to governmental relations among nations, we cannot blind ourselves to the impact of this new and growing constituency, who out of self-interest, are demanding that international law be developed to meet their needs as individuals.

The individual of our day trades and travels on a worldwide basis and feels the necessity for law to govern, guide and protect his constantly increasing relations with his fellow man in other nations. The European Court of Justice for the European Communities and the European Human Rights Court both allow individuals to bring cases before them. Most of the new international courts now proposed would allow individuals to appear before them, and much of the new world law of recent years has as its main object the needs and desires of the individual.

Sixth. We are reexamining traditional concepts of international law in the light of the world of today, not only as to applicability of international law to individuals, but in an attempt to insure that international law of our day takes into consideration the history, traditions, customs, and needs of newly independent and newly developing nations. Thus the gap between East and West is being bridged. New international law is being created which is acceptable both to lawyers and the peoples of the East and West because it is a molding of the ideas and ideals of all mankind.

Seventh. Heads of state and other leaders of nations are giving more and more attention to world law and are resorting to it with increasing frequency in their dialog among themselves in their conduct of foreign affairs. In part, this is because more international law exists and it, therefore, offers an excellent starting point for many efforts in foreign relations. Nearly every dispute between nations today begins with a citation by both sides of alleged rights or claims under international law.

At this Conference and previous conferences leading up to this meeting, more than 100 heads of state have sent messages stating their adherence to the idea of a world rule of law. I believe that this increasing interest in and increased reliance on world law by governmental leaders is a relevant fact as we consider the road to peace through law.

Eighth. The peoples of the world are more and more aware of the promise and potential of a world ruled by law. This is shown by reports in news media and publications on a worldwide basis. One finds that religious, scientific and other organizations in their resolutions and statements more and more are urging a world rule of law. True, they ask for it in wondering sort of way without specifying the steps to achieve it. But discussions, arguments, speeches and debates on this subject all tend to educate both lawyers and laymen on the value of law in the search for ways and means of achieving and maintaining world peace. Law, in ultimate thrust, is the end result of conferences, discussions, diplomacy, resolutions and other public consideration. Especially valuable in building world law is public enlightenment, education, interest and support. All world law must result from international cooperation and agreement by nations and leaders of nations will hardly agree to any treaty or convention unless their people want them to agree. That is why I commend my colleague Chief Justice Yokota of Japan for his proposal of World Law Day which has resulted in so much international public attention being focused at this very moment upon world law and its promise and potential.

Ninth. Judges, professors and lawyers of the world are becoming organized to take advantage of the facts I have just enumerated. This organized strength of the legal profession helps make possible a breakthrough in the growth and development of world law parallel to those in science and other disciplines. We are learning to think and act globally for the first time in history. We can no longer await the slow and episodic growth over the centuries as was the case, for example, of the law of the sea. A more speedy and orderly process is essential and is evolving out of necessity.

This is only the second World Conference of the legal profession attended by delegates from more than 100 nations. The reports, addresses and discussions at this Conference will demonstrate the value of the organized effort thus far generated. The igniting of ideas on an international basis, the bringing to bear of this assemblage of manpower and brainpower on what to do and how to do it are all exciting new advances toward our towering goal of a world rule of law.

Tenth. This historic first world gathering of Chief Justices and High Court Judges is also a plus factor in the movement toward world peace through law. As in the case of law and lawyers, we have more courts and more judges that ever before in all history both nationally and internationally.

Since one objective of the world peace through law program is to have legal disputes decided in courts rather than by violence, we who devote our lives to deciding such disputes may be able to make a major contribution to this quest for peace under law. Just what our role should be in this program is yet to be developed but we should make a beginning here at this Conference. Perhaps we can begin to define the proper role for judges in this great effort by a frank exchange of ideas on this subject at out joint discussions. I feel certain that we can evolve a role for judges that is proper, beneficial, and adequate as our contribution to the great need which exists.

Knowledgeable observers of the development of law in the world community agree with the obvious conclusion which flows from this recitation of the incontrovertible facts describing the ever-accelerating expansion of the field of law. In every instance where the law is plentiful and strong enough to be effective, it works well.

This story of the law's dramatic growth is not intended to present the rule of law as a panacea for peace or as creating a utopia in ultimate thrust. Nations are run by men, and differences and disputes are inherent in human nature. The rule of law in a nation or internationally does not end all disputes or prevent the breaking of the law. In its simplest form, a law system is a set of rules to govern and guide human conduct so as to avoid conflicts and a court system for peaceful decision of the inevitable disputes that will arise.

No law system is put forth as providing perfection. Perfect justice is an ideal we all strive for but never quite accomplish. But the lesson of history is that when law systems and court systems become adequate within nations they do provide order and peace. When such systems are developed for the world community, they can and will perform the same service internationally. The international law that exists already is a force for peace and as we strengthen and expand it the occasions for disputes leading to war will lessen.

My message is one of hope and accomplishment—a report of achievements in the field of law which are clearly preludes to great advances—advances which will benefit the status of all peoples by advancing the cause of peace. The law is on the march everywhere. We now have a sound foundation upon which to erect a more complete rule of law for the world community.

We are matching our words about a world ruled by law with a program to give them substance. That the task is not easy and that it requires years of dedicated effort should make us undetermined rather than fainthearted. For success in our ultimate program means we will so harness mankind's newly developed power under the rule of law that it will be used for man's benefit rather than be used for his death in nuclear holocaust. The only provable harness for the peaceful containment of power yet developed by the mind of man is the rule of law.

I for one believe we can create just as mightily in the law field as our scientific brethren did in the field of science. We can, because we must, create sufficient law to prevent use of the awesome power of the atom to destroy man and civilization.

It is now time for us to get on with our task. Certainly it is that no man or woman can engage in a greater enterprise, for it is no less than a joint endeavor to save humankind from extinction by creating a world order under law wherein all men, women and children everywhere can live in peace and decency.

Mr. CLARK. The Chief Justice gave 10 specific suggestions as to how the rule of law could best be achieved in the world of chaos in which we live. I commend the reading of this address to my colleagues and others who read the CONGRESSIONAL RECORD.

Chief Justice Warren was followed to the podium by the Right Honorable Sir Percy Spender, President of the International Court of Justice, who spoke in somewhat more pessimistic tones than Chief Justice Warren, but I thought realistically. He concluded his address with these words:

> I express it perhaps as my own personal conviction that it will be only through educated and informed opinion of the world that ultimately the rule of law in international affairs will be accepted by the nations of the world.

Unfortunately, we are a long way from that situation at the moment.

I ask unanimous consent that excerpts from Sir Percy Spender's inaugural address be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE INAUGURAL ADDRESS BY THE RIGHT HONORABLE SIR PERCY SPENDER, PRESIDENT, INTERNATIONAL COURT OF JUSTICE, TO THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, SEPTEMBER 13, 1965

We live in an age of great unrest and change; the most remarkable age in mankind's history. The genius of man has opened vast vistas of achievement, yet we have failed to find the means to insure to man the peaceful enjoyment of his life.

Twice in this century millions of men, women and children have died, have been slaughtered in the madness of war. We seem able to resolve every problem that confronts us except one—the problem of human conflict.

It is Carlyle I think that observed one generation never learns from another. Whether that is true or false, it is certain that mankind has the capacity—perhaps fortunately—to forget the happenings of recent times. Will mankind never learn that only in an ordered world subject to an accepted discipline of international law can it ever escape from the scourge of war?

Twenty years have passed since the United Nations was created. After a terrible war man cried out for some means by which the horror of warfare would be obliterated. Yet in the last 20 years mankind has hovered more than once on the edge of disaster.

These 20 years have continued to reveal an age-old struggle of man against man, race against race, nationalism against nationalism, state against state.

The Charter of the United Nations lays obligations upon its members to refrain from the use of force, or the threat of force, in the settlement of their disputes. Indeed it is inherent in the Charter of the United Nations that all disputes between nations which are likely to imperil peace should be settled in accordance with justice in international law. Can it be said that every state, every member, of the United Nations has conscientiously sought to carry out these obligations?

The purpose of this Conference is to advance the cause of peace through international law. There could be no more noble a cause. Yet the task ahead is a tremendous one since it involves the acceptance by nations of the rule of law. Every nation is not prepared to accept the rule of law, nor am I optimistic enough to believe that in this generation it will come to pass.

It is said that the way of a transgressor is hard; the way of the peacemaker is harder still. It takes but one nation, large or small, to commit aggression. It takes more than one nation to make the peace. A nation that sets out on the path of aggression is rarely ever willing to retrace its steps to the path of peace.

World peace is challenged whenever any nation, great or small, engages in aggressive action, or indeed, in aggressive policy. The action of even a small nation, in the complex world we live, sets in motion a chain of events of unpredictable consequence.

In the result, international situations are created that may endanger the peace of the world and in these situations, leaders of these nations must take a position—negative or positive. What they do will produce its consequences which are not wholly predictable. If the situation is one which may imperil the peace of the world or one in which the vital interest of another nation is thought to be involved, they may feel obligated, if diplomatic action appears abortive, to settle the dispute which underlies the situation to act in this manner or that, setting off a chain of other actions, the result of which may not and often cannot be predicted. This is the inescapable fate of man.

Diplomacy seeks to anticipate danger and offset it before it gets out of hand. This requires great wisdom, but man is not always wise.

Where diplomacy fails, peaceful settlement of disputes between nations is still possible by the discipline of law. It is for this purpose that the International Court of Justice—the World Court—exists. Its constitution and functions are defined in the statute which is itself part of the Charter of the United Nations.

Its jurisdiction depends on consent of the states. Consent is the essential element. There are few disputes, whatever the kind, which cannot be pronounced upon by the Court if desired. Consent of states to submit to the Court involves acceptance of the Court's decision and there are more than a few states in the world who would prefer political freedom, for all it means, rather than submit to any form of adjudication.

It took many centuries before Western civilization was able to lift itself from the chaos of tribal disunity and accept in each of its states the rule of law to govern each of their societies. No society can exist except by the rule of law. By the same token, no ordered international society can exist without acceptance of the rule of law to which they adhere.

The peace of the world is a fragile thing indeed. As I have said, in the last 20 years, it happened more than once that it was imperiled by all that is involved in the nuclear age. Although attempts have been made to obliterate all weapons, the cold, hard fact is that chances are, despite every effort of nations to dissolve them, that nuclear arms will find their way into the hands of nations of more than those who possess them today. The sands of time have been running out in preparation of this effort, and already more than one arm stretches out with its nuclear finger on the trigger.

Sometimes one despairs of accomplishing an ordered international society accepting the rule of law, and perhaps it will not be achieved for many generations, but this great Conference is in earnest that man will struggle toward peace and seek to find the means in truth to vanish the scourge of war from the earth. Time, I do not believe, is on our side, which makes more urgent our task. One may hope that from this Conference may emerge some positive result to the leaders of the objective we all have at heart. There is, however, one final remark I wish to make.

I express it perhaps as my own personal conviction that it will be only through educated and informed opinion of the world that ultimately the rule of law in international affairs will be accepted by the nations of the world.

Mr. CLARK. Mr. President, it is interesting to note that at this Conference 12 Members of the Senate are enrolled as conferees, some of whom, including myself, will have an opportunity to participate in the proceedings. In addition to myself, Senators who have registered include Senators COOPER, HART, HICKENLOOPER, HRUSKA, ROBERT KENNEDY, MILLER, MONRONEY, SALTONSTALL, SYMINGTON, and TYDINGS.

Thirty-nine Members of the House are also registrants at the Conference.

The Conference includes the chief justices or principal judicial officers from 120 different countries. It was organized by a fine Washington lawyer, formerly president of the American Bar Association, Charles S. Rhyne.

I urge all my colleagues to take an active and keen interest in the Conference at the Washington Hilton. It will continue until Saturday. A banquet will be held Friday night, at which the principal speaker will be Hon. Arthur J. Goldberg, U.S. Ambassador to the United Nations.

STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG BEFORE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS, UNITED NATIONS

Mr. CLARK. Mr. President, on an allied subject, I am pleased at the start Ambassador Goldberg has made in his very difficult job of applying the rule of law in his duties as our Ambassador to the United Nations.

On the 16th of August he delivered a talk to the Special Committee on Peacekeeping Operations in which he outlined the new U.S. position with regard to U.N. financing.

I ask unanimous consent that a copy of his remarks may be printed in the RECORD at this point, together with a number of laudatory editorials which comment on Justice Goldberg's speech. One is entitled "Keeping the U.N. Afloat," which appeared in the Philadelphia Inquirer; another, entitled "A Wise Decision," from the Christian Science Monitor; and a third entitled "New U.N. Policy" from the New York Journal-American.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG, U.S. REPRESENTATIVE TO THE UNITED NATIONS, AS DELIVERED IN THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS, AUGUST 16, 1965

Mr. Chairman, I am deeply touched by your more than cordial welcome and remarks, and I hope that I can in small measure add to your efforts and the efforts of the distinguished colleagues who sit here and in the other organs of the United Nations in pursuing the goals we all share.

I have had the pleasure of meeting informally with some of the heads of delegations to the United Nations during the past few weeks. I hope that in the weeks to come I shall have the pleasure of meeting with all of them. This, however, is my first formal appearance before an official organ of the General Assembly. I therefore asked to be inscribed to speak first so that I might begin, with your indulgence, by assuring all members represented on this important committee of the great sense of responsibility I feel in assuming my new duties as permanent representative of the United States of America to the United Nations.

President Johnson, in announcing my appointment, said of my assignment: "In his new office he will speak not only for an administration, but he will speak for an entire nation, firmly, earnestly, and responsibly committed to the strength and to the success of the United Nations in its works for peace around the world."

My own thoughts, in accepting this assignment, are dominated by a strong conviction that the world is so full of danger and tribulation that every part of the United Nations' peacekeeping machinery must be in working order so that the United Nations as a whole can perform its appointed role, under the charter, of peacemaker and peacekeeper.

And I cannot enter upon my official duties without paying my respects to my great and gifted and eloquent predecessor, the late Adlai E. Stevenson. He will be sorely missed, not only by his own Nation but also in this great world assembly and by peoples throughout the whole universe. Governor Stevenson and I were personal friends of long standing; we came from the same part of the United States, the State of Illinois, and I knew him well enough to be sure that if he could be here today his message to us would be simple and forthright: Get on with your work of making peace.

I therefore turn to the business at hand.

I do not intend to review here in detail the position which the United States has taken with respect to articles 17 and 19 of the charter. As the members of this Committee are well aware, we believe in the soundness of the following straightforward principles: first, that the concept of collective financial responsibility adopted by the United Nations in 1945 is a sound principle and a landmark in the practice of international organizations; second, that article 17 of the Charter of the United Nations is impeccably clear on the right of the General Assembly to assess and apportion among its members the "expenses of the Organization"; third, that the costs of peacekeeping operations, once they are assessed and apportioned by the General Assembly, are expenses of the Organization within the meaning of article 17—a proposition confirmed by the International Court of Justice and accepted by the General Assembly by an overwhelming vote; fourth, that article 19 is clear beyond question about the sanction to be applied in the case of 2-year delinquents.

Our views on these matters have not represented a bargaining position, nor have they changed. They have not been based on narrow national interest, but on the clear language of the charter and what seemed to us to be the clear interests of the Organization.

This is not and never has been an issue in the so-called cold war. Under the law of the charter the questions would be identical regardless of which member or members happened to be in arrears, or for what assessed United Nations activity they failed to pay, or why they refused to pay for it.

Nonetheless, the issue has been interpreted widely as a "confrontation," not between the delinquent members and the law of the United Nations, but between major powers. And I will say for my Government and for myself that we do not so regard it.

We, for our part, cannot abandon our adherence to positions which we firmly believe to be constitutionally, legally, procedurally, and administratively correct.

Much less can we abandon positions taken and precedents established by the Assembly itself by overwhelming majorities, acting within the framework of the charter and according to its established procedures. I refer specifically to the formal actions of the General Assembly since 1956 leaving assessments to finance the United Nations emergency force; to the similar assessment resolutions since 1960 for the United Nations operation in the Congo; to the decision in 1961 to submit to the International Court of Justice the question of whether these assessments are, in the words of the charter, "expenses of the Organization" within the meaning of article 17; to the Assembly's authorization in 1961 of the United Nations bond issue; to the Assembly's acceptance in 1962 of the advisory opinion of the Court on the question submitted to it; to the reaffirmation by the Assembly's fourth special session in 1963 of the collective financial responsibility of all United Nations members; to the appeal by the same body to all delinquent members to pay their arrears.

All this has been done by the Assembly and cannot be undone by a few of its members. The law and the history of this matter cannot be revised.

The United States regretfully concludes, on ample evidence, that at this stage in the history of the United Nations the General Assembly is not prepared to carry out the relevant provisions of the charter in the context of the present situation. From private consultations, from statements by the principal officers of the organization, from the statements and exhaustive negotiations within and outside this Committee, from an informal polling of the delegations—indeed from the entire history of this affair—the inevitable conclusion is that the Assembly is not disposed to apply the loss-of-vote sanction of article 19 to the present situation.

We regret exceedingly that the intransigence of a few of the member states, and their unwillingness to abide by the rule of law, has led the Organization into this state of affairs.

The United States adheres to the position that article 19 is applicable in the present circumstances. It is clear, however, that we are faced with a simple and inescapable fact of life which I have just cited. Moreover, every parliamentary body must decide, in one way or another, the issues that come before it; otherwise it will have no useful existence, and soon no life.

Therefore, without prejudice to the position that article 19 is applicable, the United States recognizes, as it simply must, that the General Assembly is not prepared to apply article 19 in the present situation and that the consensus of the membership is that the Assembly should proceed normally. We will not seek to frustrate that consensus, since it is not in the world interest to have the work of the General Assembly immobilized in these troubled days. At the same time, we must make it crystal clear that if any member can insist on making an exception to principle of collective financial responsibility with respect to certain activities of the Organization, the United States reserves the same option to make exceptions if, in our view, strong and compelling reasons exist for doing so. There can be no double standard among the members of the Organization.

Some members may believe that in not applying article 19 no important decision is being made. The United States believes—and I believe—that no one can or should overlook the fact that the exercise of important prerogatives of the Assembly granted to it under the charter is being impaired. The United States wishes to strengthen, not weaken, the United Nations by adhering to rather than departing from basic, sound principles. Therefore, we must disclaim responsibility for the Assembly's attitude, which has developed contrary to the views which we still hold to be valid, and place the responsibility where it properly belongs—on those member states which have flouted the Assembly's will and the Court's opinion.

We look forward nonetheless to the not-too-distant day when the entire membership will resume its full range of collective responsibility for maintaining world peace. In the meantime, it is all the more important for the membership, though unready to apply article 19, to solve the United Nations financial problems and to continue to support in practice the sound principle of collective financial responsibility, and to adopt practical and equitable means by which those willing to share the responsibility for peace can act in concert to maintain and strengthen the indispensable peacekeeping capacity of the United Nations.

Meanwhile, the Security Council retains its primary—and I emphasize "primary"—responsibility, although this does not mean sole responsibility, for the maintenance of international peace and security; and the General Assembly retains its residual authority for this purpose, especially when the Security Council is unable to meet its responsibilities.

My Government has never been prepared, and is not prepared, to accept a situation in which the capacity of the United Nations to act for peace could be stopped by the negative vote of a single member. Nor should the effectiveness of this Organization be determined by the level of support forthcoming from its least cooperative members.

The world needs—the world desperately needs—a strengthened, not a weakened, United Nations peacekeeping capacity; and if we need additional proof, we have it in the events which have occurred this very weekend. Those who are prepared to help to strengthen it—the overwhelming majority—must be in a position to do so with or without the support of the reluctant few until they learn, as they surely will, that a workable and reliable international peace system is in the national interest of all members of the United Nations.

My Government states these views here today in the conviction that the time is now for the General Assembly to get on with its heavy agenda, which is indeed the unfinished business of mankind.

We must find new strength and new capacities for building, brick by brick, the community of man.

When my appointment was first announced by the President of the United States I said: "The effort to bring the rule of law to govern the relations between the sovereign States is the greatest adventure in man's history." Coming from a high tribunal of law, which I left with great regret, these were not merely ceremonial words. They described, rather, a deep conviction on my part and a precise evaluation of what I think this work at the United Nations is all about. If President Johnson did not agree, he would not have sent me here.

I would be less than candid if I did not state to my colleagues here assembled my conviction that the rule of law is not being furthered by the action of those member states which are responsible for not implementing it. But establishing a rule of law is not easy, as we know from our national experience and as we know from the entire history of civilization, and, despite temporary setbacks, we must persevere in what is not only a noble but an indispensable task if universal peace is to be achieved.

I therefore pledge to you, the representatives here assembled, and to the United Nations as a whole, on behalf of myself, on behalf of my delegation, and on behalf of the Government that I am privileged to represent, that the United States is prepared to join in a fresh drive to help the United Nations to gather new strength until the rule of law is universally acceped; until the present and future generations are indeed safe from the scourge of war; until better standards of life in larger freedom are indeed the order of the day, and until the dignity and worth of the human person, entitled to be treated on a plane of equality, which the charter so nobly speaks about, is realized everywhere.

The United States agrees, in light of present world tensions, that the General Assembly must proceed with its work. In doing so, it is well to remember the ancient counsel that, while the world is full of tribulations, "tribulation worketh patience; and patience, experience; and experience, hope."

[From the Philadelphia (Pa.) Inquirer, Aug. 18, 1965]

KEEPING THE U.N. AFLOAT

Ambassador Arthur J. Goldberg's maiden address to the United Nations was not a happy occasion. He was confronted with the difficult and unpleasant duty of announcing the decision of this country to abandon the long fight to enforce article 19 of the U.N. Charter, which calls for suspension of voting privileges of members 2 years or more behind in payment of dues and assessments.

Russia, six Soviet satellite states, Communist Albania, Castro's Cuba and De Gaulle's France are prominent among the 13 countries subject to loss of their U.N. votes if the charter were enforced. Unfortunately, as Ambassador Goldberg acknowledged with unconcealed sadness and regret, the majority of U.N. members are opposed to enforcing the charter. For the United States to have pressed the issue to a vote presumably would have resulted in decisive defeat and intensified the bitterness already generated.

What the United States has done is to try to make the best of a bad situation. It might have been better, though, to have coupled the retreat on enforcement of article 19 with firm and positive insistence on establishment of a commission to clarify the division of authority between the General Assembly and the Security Council—and to revise the charter so there would be no doubt in the future on precisely how much power each body has in the levying of special assessments for peacekeeping missions. We hope constructive steps toward this end will be taken, with U.S. initiative or support, some time soon.

The United States is fully justified, and Ambassador Goldberg made this point with appropriate emphasis, in reserving the right not to pay assessments for U.N. projects if it is considered in the best interests of this country to withhold payments. There is no reason why there should be a double standard in the U.N. on financial obligations. If other countries are to pay or not, as they choose, then it certainly is the prerogative of the United States to insist upon the same freedom of choice.

The crisis at the United Nations has not ended. It will require forceful action and sound judgment of wise men to get the organization on even keel and make it the instrument for peace which it ought to be and, with proper guidance, may yet become.

[From the Christian Science Monitor, Aug. 19, 1965]

A WISE DECISION

The United States decision to drop its efforts to force the Soviet Union, France, and 11 other nations to pay up what they owe on United Nations peacekeeping operations was wise and constructive. It put the cause of the United Nations as a whole before insistence upon the letter of the law, however right this latter might be. We believe that the majority of world body members will recognize the wisdom and the restraint which Washington has shown.

It has been apparent for some time that, regardless of its views on who was right and who was wrong, the majority was not prepared to back the American effort. To have done so, this majority apparently felt, would have been to mobilize the forthcoming General Assembly session and might even have resulted in the world body's breakup.

Since Washington rightly agreed that an operating United Nations is indispensable in this troubled world, America decided to cease defending a position which, however much might be said in its favor, was no longer practical.

This leaves the world body facing two problems:

The first is immediate. It is how to make up the $108 million deficit due in large part to the refusal of these 13 lands to pay their debts. It is hoped that voluntary donations will do the trick. Britain and the Scandinavian countries have offered $18 million. Nigeria has announced that it will contribute. There is a strong hope that, under the cloak of voluntary action, Russia will contribute substantially. America itself may also do so, even though it pays nearly one-third of the United Nations' regular budget.

The second is long-range. Will the decision not to try to force all countries to pay their share of peacekeeping operations discourage such operations in the future? This would be a severe setback to those who had hoped to see the world body become a strong, on-the-spot force for peace and order. Means should be found not to let this happen.

In judging the actions of those nations which refused to support the American position, it should be remembered that the majority of the new members from Asia and Africa are terrified of a knockdown, drag-out struggle within the United Nations between America and Russia. Thus one of their main purposes invariably is to seek to prevent a head-on clash between these two giants. They refused to support an American action which they felt might drive Russia from the world body. They would similarly have refused to support a like Soviet maneuver against the United States.

This conciliatory attitude may have its drawbacks, but it also can be advantageous to the United Nations in times of serious crisis.

[From the New York (N.Y.) Journal-American, Aug. 18, 1965]

NEW U.N. POLICY

Announcement that the United States has abandoned insistence that the Soviet Union pay its arrears in special assessments in the United Nations, or lose its Assembly vote, is not, as might first be supposed, a surrender.

Rather it is a statement of a new U.S. policy which recognizes realities, and which, if followed in deed as well as in letter, should protect American interests in the changing and changeable world organization.

The policy was skillfully outlined by our U.N. Ambassador Arthur J. Goldberg in his first speech since he succeeded the late Adlai E. Stevenson. In brief, it makes these points:

The United States continues to support article 19 of the U.N. Charter, under which members 2 years behind in paying assessments lose their Assembly vote. The Soviet Union, with $52.6 million in arrears, is the biggest holdout.

But the United States recognizes that the Assembly is not prepared to apply article 19. In the interest of getting the Assembly back in business (it has been immobilized over the issue), the United States will accede to the majority view.

Here comes the big "but." "There can be no double standard among members." Therefore, the United States reserves the right to refuse to pay assessments for U.N. operations that are considered contrary to our interests.

Never before has this statement been made. We have always paid assessments for special operations and, needless to say, have kicked in the most.

Also, needless to say, it is to be hoped that if an occasion comes up where an operation is against our interests we will demonstrate that we mean what the policy statement says.

It is time to stop shifting into positions that put Uncle Sam in the guise of genial Uncle Sap. Let's stick with this one.

MANNED ORBITAL LABORATORY—MOL

Mr. CLARK. I turn briefly to another subject that has to do with a new menace to peace in the world. It is known as MOL or the effort to organize outer space for military purposes.

An exceedingly able commentary on the new arms race in space appeared in this morning's New York Times under the byline of Harry Schwartz.

I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOL: THE NEW ARMS RACE IN SPACE

(By Harry Schwartz)

President Johnson's order to the Air Force to develop a manned orbiting laboratory (MOL) has provoked relatively little public discussion, in part because its announcement was overshadowed by the historic flight of Gemini 5. But historians may yet conclude that politically and militarily this Presidential decision was even more important than the Cooper-Conrad feat.

The President's MOL announcement came at a time when the Soviet Union was publicly attacking Gemini 5 as primarily a venture in military espionage. Just why the President chose precisely that time to supply the Russian propagandists with supporting ammunition is still a puzzle.

OUTLOOK FOR JOINT EFFORT DIM

Moreover, by underlining the potential military significance of space, the President may have finally ended any last lingering hope that there might be a joint Soviet-American program for sending a man to the moon or to some more distant objective in the solar system.

Most serious is the indication that the Soviet Union and its allies have interpreted the MOL decision as the American signal for an arms race in space.

Immediately after the Presidential announcement, several Eastern European newspapers warned that the Soviet Union could hardly fail to try to get similar military capability in space. Then last week the deputy commander of the Soviet rocket troops denounced the MOL as a means of bringing American atom bombs into space.

ARMS RACE INEVITABLE

One school of thought argues in effect that an arms race in space was inevitable from the beginning. It holds that the Soviet program has always aimed at maximum military space capability, and that the United States has been delinquent in delaying its own response so long.

The tight secrecy surrounding the Soviet space effort lends some credence to this argument, but, in the public domain at least, it is the United States that has now become the first to declare it wishes to develop an extraterrestrial military capability. Those who would have preferred a longer effort to keep space as a zone of peace can question whether the arms race now starting may not detract from American security, rather than increase it.

Now the United States and the Soviet Union regularly have camera-equipped satellites in orbit. These supply Moscow and Washington with enormous amounts of information about what is going on above ground all over this planet. This is the practical realization of President Eisenhower's old "open skies" proposal. The United States is the net gainer in this exchange.

Air Force proponents of the MOL have argued that this line of research will ultimately permit this country to inspect and destroy hostile satellites such as the Soviet spy sputniks. But by the same token similar Soviet development will permit Soviet spacemen to destroy the American automatic cameras in the sky. Then when all unmanned espionage satellites have been made inoperative, the question will arise of trying to force the other side's manned craft out of space, since these vessels will also be equipped for both automatic and hand cameras.

In the face of such dangerous possibilities, it is arguable that the United States should have tried to freeze the present situation.

The same problem arises in respect to other proposed military uses of manned spaceships. Thus some Air Force sources speak of using such craft as space command posts to direct military operations on earth. But will not such command posts be prime targets of enemy space vessels in the event of terrestrial conflict?

ALTERNATIVE SUGGESTED

These reflections suggest an alternative path. There are many nonmilitary uses for a manned orbiting laboratory that could serve the needs of astronomers, meteorologists and other scientists. Would it not have been better for the National Aeronautics and Space Administration to have been given the MOL assignment and thus avoid the provocation and propaganda setback represented by the decision the President actually took? And once a NASA MOL were developed, it could be used by the military if the need arose. That need would presumably be evidence that the Russians or others were actively exploiting space for military purposes other than intelligence collection. Such a course might have kept Washington from bearing the onus of seeming to start an arms race in space, while giving more time to exert pressure on Moscow for cooperation rather than rivalry in the new dimension of human activity.

Mr. CLARK. I should like to state publicly my own agreement with Mr. Schwartz.

We are moving too far and too fast in turning outer space into an arms race with Russia instead of proceeding with more persistence to trying to persuade Russia to join us in internationalism of outer space for peaceful purposes.

WINDS OF CHANGE IN THE SENATE

Mr. CLARK. Mr. President, I turn to another subject and call the attention of Senators to a most stimulating and interesting article which appeared in yesterday's New York Times magazine entitled "Winds of Change in the Senate" by the veteran reporter on Capitol Hill for the New York Times, Mr. Tom Wicker.

As my colleagues know, it has been my onerous task during the several years I have served in the Senate to call attention from time to time of my colleagues and the public to some of the deficiencies in our rules, procedures, traditions, and methods of operating. It is interesting to have the views of this veteran reporter on the same subject.

Mr. Wicker points out that the Senate has changed drastically since 1957, when it was first my privilege to represent the Commonwealth of Pennsylvania in the Senate.

The old times have changed. The old Senate establishment is gone. Democracy is now pretty much the rule in the Senate.

It is true, as Mr. Wicker suggests, that debate has fallen into disrepute. This is perhaps our principal deficiency at the moment.

We are now in a situation in which, as a result of the senatorial elections of 1958, 1960, 1962 and 1964 we have in the Senate a group of 100 excellent Senators prepared to take their equal part in the legislative and oversight functions of the Senate. For one, I am happy to see the changes outlined by Mr. Wicker.

I ask unanimous consent that a copy of the article by Mr. Wicker be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Winds of Change in the Senate

(By Tom Wicker)

Washington.—Tradition and myth, like bad oratory, suffuse the gently chilled air of the Senate of the United States. Snuffboxes and open inkwells are still on the desks, some of which date to the beginning of the Republic. There is as yet no blaring amplification system to carry Senators' immortal words to the far corners of the gallery. And even a garrulous ignoramus, spouting the most palpable nonsense, still will be referred to by a colleague as "the distinguished Senator" or "my learned and honorable friend" with scarcely a trace of sarcasm.

So tradition remains in the Senate, from whose recalcitrance George Washington once retreated in "sullen dignity." The myths remain, too, but without much connection to reality. For the Senate is no longer "the most exclusive gentlemen's club in the world" and it no longer is dominated by an all-powerful "inner circle" of southerners and conservatives.

The Senate of the United States is today a mildly progressive legislative body in which the Old South has lost its grip, in which junior Members are playing increasingly important roles, in which the fabled power of the committee chairmen has been scattered, and in which the dominant influences are those of urban, industrialized America, and the President of the United States.

The Senate's legendary dragon—the filibuster—has been exposed as a paper tiger, and its most cherished function—deliberation—is often inconsequential and usually subordinate to votes.

Nothing has shown the change more dramatically, in the session now drawing to a close, than the startling activities of the bright young men who—as myth has it—are supposed to be seen but not heard in the Senate.

When the Democratic majority caucused for the first time this year, Senator Joseph Tydings, of Maryland, then 36 and just embarking on his first term, closed the meeting with an impromptu speech urging his colleagues to go forth as "united Democrats."

When his father, Millard Tydings, served in the Senate, any freshman of any age who presumed to lecture his elders on anything, particularly their party duties, would promptly have been assigned to the Post Office Committee and shunned like an upstart schoolboy. That is just about what happened to Hubert Humphrey only 16 years ago and it took him at least a decade to recover.

Joe Tydings, in fact, already has become a leading figure among the younger Senators, as chairman of a subcommittee on improvements in the judicial machinery and in civil rights affairs. He was one of the principal spokesmen against the defeated constitutional amendment on reapportionment that was the brainchild of the hallowed Everett McKinley Dirksen.

Senator Birch Bayh, of Indiana, 37, and elected in 1962, is an important subcommittee chairman who conceived and steered through the Senate the proposed constitutional amendment named for him, dealing with Presidential disability. Only a decade ago, a Senator so junior could not have dreamed of such eminence, and scarcely could have hoped for a subcommittee of his own.

Senator Edward Kennedy, 33 and 3 years a Senator—with time out for recuperation from his airplane crash injuries—mobilized liberal forces in the nearly successful fight to put a poll-tax ban in this year's voting rights bill. He is chairman of the Immigration Subcommittee. His brother Robert, Tydings, Bayh, Senator Ross Bass, of Tennessee—a southerner who broke ranks to vote to end the filibuster and pass the voting bill—all are youthful freshmen who have made important contributions to the Senate this year.

Senator Frank Church, of Idaho, is more senior but still young. Church, elected in 1956 and now only 41, has become one of the most outspoken of those who are dubious about President Johnson's Vietnamese policy. Many of Church's elders share his views but lack the temerity to speak out.

But it is not only in the advent of young men to prominence that the Senate has changed. Committee chairmen, with few exceptions; are no longer the unchallengeable czars they were when Woodrow Wilson called them the real government of the United States.

In 1957, for instance, bipartisan liberal forces combined to bypass Senator James O. Eastland's Judiciary Committee and put a House-passed civil rights bill directly on the Senate Calendar. The trick has been repeated since; moreover, Eastland's committee on another occasion was given ironclad instructions, by vote of the Senate, to report out a civil rights bill, and did so. During consideration of the major civil rights bill of 1964, its most important titles were given for study to the Commerce Committee, not Judiciary.

It is doubtful if, in the old days, a Commerce Committee chairman would have been offered or accepted jurisdiction over a civil rights bill. The affront to the Judiciary Committee chairman would have been an affront to the system and those who maintained it. Instead, yesterday's affront has often become today's custom.

A veteran employe of the Senate recalled not long ago that when Carter Glass, of Virginia, and Walter George, of Georgia, chaired the Finance Committee, they simply would not permit their bills to be amended on the floor. They had the power to ram the measures through as they came from the committee. Today, Senator Harry Byrd of Virginia, the chairman, cannot even control the Finance Committee, much less the Senate; a more important figure in its deliberations is Senator Russell Long of Louisiana, the ranking Democrat, and he thinks nothing of bringing up floor amendments to Finance

Committee bills. As a result, much of the committee's legislation is rewritten on the floor.

Any change that weakens committee chairmen ipso facto weakens southern Senators. That is why another myth—that in the Senate the South has achieved its revenge for Appomatox—no longer has much validity.

It is true that 11 southern Democrats chair standing committees, entrenched by the tenure conferred by the South's one-party system. But today the only really powerful southern chairman is RICHARD RUSSELL of Georgia, who heads the Armed Services Committee and has great influence over the decision to establish, close or maintain prosperity-producing military installations for Senators anxious to provide something for the folks back home.

Senator J. W. FULBRIGHT of Arkansas, has high standing in the Senate because of his worldwide reputation as a student of foreign affairs; but he does not have the political or organizational power to make his word law in his Foreign Relations Committee. Years ago, when it was ruled by Tom Connally, of Texas, he was known literally to shout down upstarts who wanted to offer objections or amendment; moreover, Connally's browbeating went unchallenged.

Senator LISTER HILL of Alabama, for another example, recently had to forgo managing the administration's major bill to provide Federal aid to primary and secondary education. He was the chairman of the Labor and Public Welfare Committee, but he had to step aside because of liberal racial implications of the education bill that would have gotten him in hot political water back home. Not to be able to manage his own bills is a mortal blow to any chairman's prestige.

Senator LONG, the majority whip, did not win his post because he was a southerner but in spite of it. Twelve years ago, a few powerful southerners like RUSSELL decreed the selection of a young Texan named Lyndon Johnson as Democratic leader. This year, RUSSELL LONG had to run hard, trade votes, and win the support of key northern liberals before he could win a lesser post.

What of the so-called coalition of southerners and conservative Republicans? Well, it was EVERETT DIRKSEN who was the key figure in breaking filibusters and passing civil rights bills in 1964 and 1965. The southerners were as isolated in both battles as their forebears at Appomattox.

Then there was the appointment this year by New York's Republican Senator, JACOB K. JAVITS, of the first Negro page boy in Senate history. The long-tenured southerners still have a lot to say about Senate patronage. Yet, when JAVITS made known his intentions to his party leader, EVERETT DIRKSEN, the latter quietly informed the southern chieftains that if they denied the Negro youth the job, JAVITS would make a floor speech about the situation. JAVITS' page boy was quietly approved and the Senate's age-old color line was broken.

But surely, it may be argued, the southerners still have the filibuster when all else fails? That tactic has failed them, too. In 1964 and again in 1965, southern filibusters against civil rights bills were crushed.

In 1964, liberals—not southerners—did mount a successful filibuster against the Dirksen reapportionment amendment—and immediately a lot of the flimflam surrounding the idea of "unlimited debate" was cut away.

In short, it became clear that, if public opinion sustained them, a small group of Senators could balk a piece of legislation; but, if public opinion was sufficiently aroused against them no "little group of willful men" could long sustain a filibuster even on a "sectional issue" like civil rights. And there are few southern Senators who have not learned that on civil rights the public is overwhelmingly on the side of the Negro.

Moreover, time can be expected to remove from the Senate in the next few years such southern stalwarts as RUSSELL of Georgia (67), BYRD (78), and WILLIS ROBERTSON (78), of Virginia, SAM ERVIN of North Carolina (68), SPESSARD HOLLAND, of Florida (73), ALLEN ELLENDER of Louisiana (74), and JOHN MCCLELLAN of Arkansas (69). Olin D. Johnston of South Carolina died this year at 68—to be replaced by the more moderate (on the racial issue) DONALD RUSSELL.

A whole new generation of southerners will soon be moving onto Capitol Hill, bringing an outlook tempered by the changing economic, social, and political conditions of the postwar era.

The impending disappearance of the old-line southern hierarchy is symptomatic of a more far-reaching shift in the Senate—the erosion of power blocs, based on regional and economic self-interest, that once were among the strongest pillars of senatorial rule. Vanishing with the power blocs are hoary stereotypes describing the Senate as the graveyard of liberal legislation and the last stronghold of agrarians in a technological society.

The southerners were a power bloc. So were Members—mostly midwestern Republicans and southern Democrats—of the farm bloc. Western Senators formed a sort of "water bloc" based on their regional interest in irrigation and conservation. Some westerners also operated as a smaller but cohesive "mining bloc."

The bloc leaders, along with committee chairmen and senior members of the opposition party, tended to be older, conservative men from the South and from Republican one-party States. They knew the rules, they had the seniority, and upon them depended the chances of a newcomer for a good committee assignment, a bill he wanted passed, or a post office he wanted built.

The committee chairmen had a vested interest in supporting one another. "Those old chairmen would put their rumps together like mules," a Senator recalled recently. "There they stood in an unbreakable circle, one for all and all for one."

The power blocs also could make simple arrangements through this powerful leadership apparatus to protect each other's interests. Southerners, in the major case, were let alone to handle the Negro problem as they saw fit. Since southerners were many, long tenured and powerful, they had plenty of trading power. As long as a mining- or farm-State Senator satisfied the primary interest of his State—which the southerners eagerly helped him to do—he could go along with the South on civil rights without fear of the voters back home.

Then everything began to change. In the early fifties, national attention awakened to the social and political problem of the Negro (it is just now sensing the economic aspects of the problem). As the full power of the Presidency, the courts, and of most of the press swung behind the Negro cause—it has become almost impossible for, say, a western Republican to support the southern position as a give-and-take matter. One by one, old allies of the South have had to respond to national opinion, which would not let the Negro question remain a sectional matter.

During the same postwar years, a vast shift of population to urban industrial centers and the surrounding suburbs caused a number of other important political effects which have been reflected in the Senate.

The economies of most States have become far more diversified than before World War II. Now, it is no longer enough for most Senators to satisfy one home State or regional interest. They have to play broker among all sorts of conflicting groups and forces within their own electorates. They have to "vote right" on any number of issues.

The fate of the farm bloc illustrates the shift. Cotton, wheat and dairymen nowadays can scarcely agree among themselves on a program for their crops and commodities, so diversified and complex have agriculture and its economics become. Besides, few "farm States" are left; most of them now also have competing urban and industrial interests.

Just as the big urban States usually decide Presidential elections, in more and more States the big urban centers are electing more and more Governors and Senators. Pennsylvania, for an excellent example, is dominated in statewide elections by Philadelphia and Pittsburgh and both its Republican and Democratic Senators, HUGH SCOTT and JOSEPH S. CLARK, are urban liberals. It is hard to conceive of Pennsylvanians ever again sending to the Senate a man like, say, Boies Penrose, the image of stanch Republican conservatism that once dominated American politics.

The population shift, combined with other factors, also has diminished what little party discipline ever existed in Congress. As voters moved from farm to city and city to suburb, the familiar polarity of farm (Republicans) and city (Democrats) broke down. Divisions between "city" and "downstate" still survive but now millions of voters live in the new political climate of the suburb.

Among the suburbanite millions a new homogeneity has developed a political response to instant mass communications and the disinterested ideal of public service, rather than to the old party loyalties. Party distinctions quickly become blurred in such conditions, and the "independent" who "votes for the man" becomes a dominant figure.

As television became a force among such voters, "quiet sell" candidates simultaneously arrived to take advantage of it. Playing up their good looks and sterling character, proclaiming their allegiance first to "integrity in government" rather than to party labels, they have sought to win both Democratic, Republican, and independent votes. The result has been a certain blandness of approach, a tendency to be no more conservative and no more liberal than necessity requires, to ride with the prevailing mood of the electorate.

Thus, in the fifties and early sixties, the Senate came to be populated, first, by men whose political lives depended on the big urban and suburban centers; second, by men largely liberated from the old disciplines of party and single-interest States; third, by Senators who no longer had any logical rationale for submitting to the old Senate power system.

Many of them have no great sense of continuity with the lost past of the Senate, with the pre-World War II era, with the established customs and conventional wisdom of another day. Seniority impresses them only as it represents actual power. They are men of postwar America, impatient with the old and eager to get on with what they see as the new business of a new day.

As such men began to infiltrate the Senate, the final force was added to those which were changing the Chamber's ways. That remarkable mover and shaker from Texas, Lyndon Johnson, became the Democratic leader. He was mainly responsible for the rule that every new Democratic Senator would get at least one first-class committee assignment, shaking the old dominance of committee chairmen over their committees and Senate newcomers. After 10 years, the diffusion of power is beginning to have wide effect.

More important, Mr. Johnson, with his great energy, powers of persuasion, legislative skill, political sensitivity, and national ambitions, absorbed a great deal of the power of the old leadership group into his own commanding person. Since he was always careful to move slowly, and with deference to princes like Senator RUSSELL, and since—above all—he moved with, not against, public opinion and prevailing social trends, he came by the time of his departure to the Vice-Presidency to be the Senate's dominant force.

When external forces were breaking down the old fiber of the place, Lyndon Johnson was there to gather the threads into his own dexterous hands. But when he dropped them, no one else was there to pick them up. MIKE MANSFIELD, of Montana, the current majority leader, does not even try to command the Senate; instead, he is a conciliator and father figure, who worries over the health and good humor of his flock. RUSSELL LONG has proved too uninterested or too flighty to run the place, and HUBERT HUMPHREY—who might have been a strong leader—is a Johnson lieutenant in the Vice-Presidency. EVERETT DIRKSEN has too few troops, if no lack of skill.

The net effect is that the Senate has become an amorphous place, where every man is more or less for himself and no leader commands the power to make himself master; neither does any group.

There was, for instance, the astonishing brass of Senator DANIEL BREWSTER, a first-term Democrat from Maryland. BREWSTER was designated to preside over the Senate in lieu of Vice President HUMPHREY one recent evening and took the chair, supposedly until 7 p.m., when he had an appointment. At 7:15 p.m., with no replacement in sight, BREWSTER banged down his gavel, cut off the senior and protocol conscious Senator WAYNE MORSE, of Oregon, in the middle of a speech, and adjourned the Senate without a by-your-leave from anyone.

Few Senators would wish to defend WAYNE MORSE' rights to the floor, but in days gone by, BREWSTER's lèse-majesté would have all but finished him in the Senate. Majority Leader MIKE MANSFIELD, however, smoothed all feathers the next day and BREWSTER came off without even a tongue lashing from the waspish MORSE.

Into such a loosely run Senate, any politically powerful President could be expected to inject himself. When he moved into the White House, Lyndon Johnson needed no urging—and the result is that if he is not again the majority leader in name, he is largely—as before—the Senate's commanding officer in fact.

So now the Senate does respond to national needs, at least as the President defines them. The priorities and prejudices of a controlling group no longer take precedence; the imperative acting on the Senate—partially through the President, partially through its Members—is that of an active, growing urban society.

But the changes in the Senate have not been all for the better. The emphasis now is much more upon action than it is upon deliberation; yet, in many cases, debate is needed as badly. Recently, Members spent several days arguing in infinite detail the silver coinage bill but not for years has the Senate really extended itself for full-scale debate on a searching examination of something so important as national fiscal policy, or international monetary problems.

Similarly, the Senate paid great attention to the politically sensitive matter of duty-free allowances for returning tourists. But dedicated Senate watchers have yet to see as much time, effort, and thought expended on the broader question of the balance of payments.

As for the Senate's great tradition as a watchdog of foreign policy, the role has been all but abdicated in the case of the most pressing foreign issue of the day—Vietnam. Yet it is no secret that many Members are restive and unhappy at the Johnson policy.

What seems to be lacking in the energetic and progressive Senate that has evolved is a real sense of itself as an institution, an idea of its role in national affairs, a general determination not just to act on problems but to bring great educational force to bear on national attitudes and policies.

If the Senate ever had such a conception of itself, perhaps it depended upon the old, powerful, cohesive leadership. That leadership always suspected action, and rose to its greatest heights in deliberation—sometimes long deliberation. But in the social and political conditions of the late 20th century, it will be infinitely difficult for such a leadership to arise again and assert itself.

Times have changed and so has the Senate.

Mr. JAVITS. Mr. President, will the Senator yield briefly?

Mr. CLARK. I yield.

Mr. JAVITS. I must leave the floor to attend a luncheon of the Conference on World Law.

The fact that I am not enrolled in connection with what the Senator has referred to is an oversight.

I wish the RECORD to indicate that I am in accord with the purpose of this historic conference and I am happy to see some leading articles put in the RECORD on it.

I ask unanimous consent to insert as part of my remarks the speech of the Honorable Alex Quaison-Sackey, president of the General Assembly of the U.N. at the Conference.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS AND THE ROLE OF LAW

(By Alex Quaison-Sackey)

There is a commotion in the moral world. Today, it is a question of racial discrimination and apartheid in South Africa where a minority of Europeans are struggling hard to maintain their stranglehold on the majority of the indigenous Africans in utter disregard of human dignity and moral law. Today, it is the war in Vietnam, where a fierce struggle is being waged by the National Liberation Front to gain control over the Government of South Vietnam against the mighty strength of the United States, which claims that it is committed to assist the Saigon regime. Today, it is the Congo which has known no stability and tranquillity since its independence 5 years ago because of foreign interference. Today, it is a crisis in the Caribbean where the fear of Communist takeover led the United States marines to be landed on the soil of the sovereign state of the Dominican Republican. Today it is Indonesia conducting a policy of confrontation against Malaysia. Today, it is an armed conflict between India and Pakistan over Kashmir. Today, it is the question of Cyprus. Indeed, we are living in a very uneasy world. Everywhere we see and read of conflicts of ideologies and political principles, conflicts of sovereign states displaying a diversity of economic social and political systems.

It can be said that all these conflicts that are occurring today are not new to man, that throughout the history of mankind conflicts have never ceased. I agree with this contention and I must say that the world before and during the Second World War is not the world of today. In the past, international law conceived as a cluster of rules and principles governing the relations among states could be maintained because of the unwritten acceptance of the fact that such law was maintained and kept into being by the strength of the great powers. Thus, the balance of power and the doctrine of spheres of influence played a vital role in the maintenance of law among nations. Even the League of Nations could not shirk off these doctrines.

Today, the picture is different. Twenty years ago, a major step was taken when the Charter of the United Nations was promulgated. It is true that even in 1945 the role to be played by the great powers otherwise known as the permanent members of the Security Council was vital in the maintenance of peace and security. Indeed, there was an assumption implicit in the charter that it was the great powers who should act in concert to keep the peace. If they had acted during the war to crush nazism and all that it stood for, then it was assumed that they would act together to preserve the peace but, of course, this assumption broke down when the Peoples' Republic of China came into being with the revolution of China and the overthrow of the Chiang Kai-shek government. What is more, the world was polarized into two ideologically opposed camps. Be that as it may, the United Nations had been born and it was soon to become the greatest instrument man has devised to foster international cooperation in every sphere of human endeavor in order to preserve peace and security. Thus, while all these conflicts are going on today, because of the existence of the United Nations there is talk of conciliation, negotiation, arbitration, or compromise, and the virtues of interdependence. The United Nations has become a major instrument of peace. Such optimism is a testimony of the fact that above the strife and clamor of conflicts there still exists a common ground. This common ground translates itself into a common commitment which all governments and all peoples have made to the maintenance of peace and order—a commitment implicit in the acceptance of the Charter of the United Nations.

It is precisely this common ground which makes for the reality of international law and which sustains the work of the United Nations. In my view, the ultimate function of law in international relations must be the maintenance of a basic order among sovereign states which differ in values, goals, and interests except that they share a common objective in international peace and order, permitting all to pursue their policies and to develop their social systems within the limitations of the law, secure in the reliance that the international order will be observed by all states.

The principle of collective security and the doctrine of peaceful coexistence are now basic to the functioning of harmonious relations among states. The fact is that the United Nations now consisting of 114 states soon to be 116 represents different states, peoples of different religions, ideologies, and color; it functions according to a charter whose purposes and principles have been accepted by the member states and thus have become rules of law.

The relevance of the function of law to the work of the United Nations and its organs presents many important aspects. In these remarks I propose to highlight efforts toward the growth and development of international law. But first I want to touch briefly on the role of laws in the day-to-day working of the political organs of the United Nations, such as in the General Assembly and the Security Council. For the popular picture is one of a total irrelevance of law.

Bearing in mind that their main function is to arrive at effective political settlement for current problems, it is remarkable to note the extent of the reliance on principles of law in these organs. On the whole, established rules of procedures are essentially followed; indeed scholars have discovered a whole new field of parliamentary diplomacy in this respect. Any examination of the work of these organs will show that mingled with statements of political purpose and principle are found—in the representations of diverse viewpoints in private consultations so necessary for attainment of compromise and in the resolutions and solutions proposed—constant references to the principles of the charter and to international law. Now all these instances cannot be dismissed as play acting or as window dressing of unpleasant wares. They represent a clear manifestation of a real concern for the relevance of the law and observance of charter principles. It is well known that experienced officials as a matter of habit tend to base political action as close as possible on applicable rules principles and precedents if only to minimize risks and the provocation of others. Similarly, representatives of States relates the justification and judgment of political action to law in order to induce a responsiveness of those of opposing viewpoints on a similar level. And when the settlement proposed is founded as nearly as possible on principles of law and the charter, this alone provides good practical reasons for support by many member states. The effort is, of course, not always successful. The cut and thrust of debates and the disputatiousness which we see in the work of the General Assembly, is in part due to the difficulty of applying elastic rules and principles of law to concrete and complex political situations in the absence of authoritatively determined facts. And though much ingenuity can be exhibited in finding legal arguments to suit political positions, surely not all arguments are equally convincing, for the meaning of the charter principles or legal rules are not indefinitely elastic.

Besides, it must be recognized that for the most part legal considerations clarify the issues and perhaps in a given case might point to a desirable solution but cannot be substituted for the search of political settlements which would be effectively supported by member states in the effort to insure peace. Let us not forget that in many cases the only point on which many are agreed is that peace is the absence of war or hostilities. On the question of what kind of peace and, in a particular case, what kind of lasting peace founded on charter principles beyond a few generalities, few can afford to be sanguine.

The United Nations is essentially a political body but it has made significant contributions to the development of the corpus of international law. United Nations efforts have been directed toward bringing segments of international relations under regimes of general multilateral conventions. Progress in the field requires the intensive study of State practices, precedents and previous bilateral and multilateral treaties and other material sources of international law. It also requires the willingness of a majority of member states to participate in the conferences convened by the General Assembly for the conclusion of these conventions as well as a readiness to ratify them. The progress so far has been slow but steady. Through the conjunction of the patient and efficient work of the International Law Commission and the general support of member states, we now have the four Geneva conventions on the law of the sea and the Vienna conventions on diplomatic relations and consular relations. In the field of International commercial relations, the United Nations has sponsored conventions on commodities such as sugar, wheat, tin and on international commercial arbitration. The Commission on Human Rights and its subsidiary organs have inspired the conventions adopted by the General Assembly or at international conferences on the status of refugees, statelessness, political rights of women, nationality of married women. More recently following the United Nations Conference on Trade and Development, a United Nations conference has adopted the first general convention on the transit trade of landlocked states.

To these activities might be added the development of the charter principles by interpretation. The charter, as the fundamental law of the Organization, must be constantly interpreted in the light of the rapidly changing conditions of international society. The creative interpretation of the charter to meet the exigencies of the international community might well represent the area of greatest advance and hope for the role of law, comparable to the role of constitutional interpretation in municipal systems.

The International Court of Justice, at the request of the General Assembly, has done very useful work in this area. The political organs of the United Nations—the General Assembly and the Security Council—also have a part to play in the interpretation of the charter, as was recognized at San Francisco. Such interpretations by the General Assembly, for example, are often implicit in the political settlement or judgment of particular cases and have led to important clarifications of such matters as the limits of domestic jurisdiction, the use of force and the principle of self-determination. An outstanding example of an explicit interpretation leading to the establishment of additional procedures for peace enforcement is the uniting for peace resolution. In that case the General Assembly by emphasizing the collective responsibility of all member states which is implicit in the charter, in the face of the lack of agreement within the Security Council, because of the veto power enhanced the peacekeeping capabilities of the United Nations. Such interpretations by political organs derive their binding character and value from the support given to them by the overwhelming majority of member states from all regions and from among the great powers at the time of passage as well as by subsequent conduct. The subsequent history of the uniting for peace resolution and the further question of the applicability of article 19 as regards the financing of action taken under the resolution provides a useful example of the relation of law to the art of political action. Doubts were raised—on legal grounds—concerning the power of the General Assembly to fix assessments to cover these operations. The General Assembly has sought and accepted an advisory opinion of the International Court of Justice on this matter. But the practical consequences of that opinion raising the applicability of article 19 has involved some very shrewd political calculations.

Perhaps, I must speak a bit about the issue of article 19 which made it impossible for the 19th session of the General Assembly to function normally and which in turn, led sceptics to conclude that the United Nations was about to die. In fact the issue was a compound of constitutional problems, financial difficulties, and political stance. It came to a head, because of the United Nations military operation in the Congo which lasted for 4 years. It is true that the operation in the Congo was authorized by the Security Council with a required majority, but then at a certain stage the Soviet Union served notice that since the mandate of the Council was not being properly carried out by the then Secretary General, it would have nothing to do in the payment of such operation. It was the reluctance of the Soviet Union, France, and others to pay for an operation of which they did not approve that led the majority of the General Assembly to refer the question of payment to the International Court. The Court was in fact asked to give an opinion whether expenses incurred for peacekeeping operations like the Congo operation constituted expenses of the Organization within the meaning of article 17 of the charter. The majority opinion of the Court was that peacekeeping expenses are expenses of the Organization. Here, one should pause and ask whether in fact it was judicious to refer such a political question to the Court, and the answer is that since the International Court of Justice is in fact an organ of the United Nations and can give interpretations of the various articles of the charter, such referral was appropriate. Now, when the Court gave its opinion, the General Assembly by a majority vote accepted it, that is to say, they accepted the opinion that expenses incurred for peacekeeping operations are expenses of the Organization within the meaning of the charter. The argument then was (and the United States was a protagonist of this) that if the General Assembly had accepted the advisory opinion then ex hypothesi article 19 should apply. But then it can be argued whether an acceptance of an advisory opinion turns the opinion into law and whether in fact the majority of members of the General Assembly can impose their will on the minority. This was the crust of the problem.

By the end of the 19th session, there existed a consensus that article 19 should not be applied in the particular cases of the United Nations operation in the Congo and the United Nations Emergency Force and this decision has not been taken in ignorance or in disregard of the legal positions of the member states, but was an act of political courage taken in very difficult political circumstances. It is clear that this course was necessary to allow further consideration to be given to the whole question of the financing of peacekeeping operations as a matter of the greatest urgency.

There is another instance in which the International Court has been requested by the General Assembly to give an advisory opinion. This is in regard to the question of South West Africa. The advisory opinion given in 1950 was that the United Nations has jurisdiction over that territory even though the South African Government had refused to enter into an international trusteeship agreement with the United Nations as was done by all other administering authorities under the League mandate, but then the United Nations has been unable to get the South African Government to give up the territory of South West Africa, which does not belong to her in law and in fact. Today, the question of South West Africa is before the International Court of Justice, brought there by African states represented by Liberia and Ethiopia who are seeking a compulsory jurisdiction by the Court that the South African Government has not carried out the purposes and principles of the mandate given it by the League of Nations.

I wish to mention yet another explicit interpretation of great import to contemporary developments. In 1960 in a declaration on the granting of independence to colonial countries and peoples, the General Assembly declared with no objection that the subjection of peoples to alien domination and exploitation constituted a denial of fundamental human rights and is contrary to the charter and an impediment to the promotion of world peace and cooperation. This piece of authoritative interpretation has speeded up the process of decolonization considerably.

Another important aspect of the growth of the role of law through the work of United Nations organs can be found in the formative role of the declarations of the General Assembly and bodies of a similar composition. I refer to such statements of principles as the Universal Declaration on Human Rights, the resolution on peaceful uses of outer space, the resolution on permanent sovereignty over natural resources and parts of the final act of the United Nations

Conference on Trade and Development. The General Assembly is eminently suitable for the articulation of general principles of the international community—after a thorough study of each subject matter. Its composition allows for the participation of all states except the Peoples' Republic of China (which is unfortunate) in the formulation of international law principles, for prior to the 1950's this had been reserved to a certain group of states. Technically, we are assured, particularly by representatives of the older countries, that such declarations are not legally binding. No matter. For these declarations which have influenced the course of international negotiations, have been relied upon—together with traditional international law in the Councils of the United Nations and in the interpretations of the charter. Furthermore, specific rules of law have been and will be distilled from these principles in the form of constitutional and legislative provisions and in bilateral and multilateral treaties. Besides in certain areas, for example, outer space, such a declaration might well represent the only authoritative body of principles for the guidance of states.

In these remarks I have sought to highlight some of the ways in which the United Nations has developed the role of law in international relations. A complete picture would also include aspects of peacekeeping and the effort to achieve political and economic stability by removing such causes of conflict as inequalities among states, the settlement of disputes and the development of the cooperative capacities of states in matters of common concern. For it is only in stable conditions that law necessarily achieves its optimum function.

From all that I have said it must be clear that the United Nations has helped in bringing about some kind of discipline among states. While it is true that member states are influenced to some extent by international law, it is evident that the absence of any sanction or authority to enforce the law makes the law of nations an uneasy law. At best it can be described as moral law. It is in this sense that I must conclude that today what is required is a moral conscience of mankind and this can be found within the United Nations. The United Nations is not a world government, although from letters and messages which I received during my tenure as President of the General Assembly I could sense a growing feeling that the United Nations should act as a government. Of course, the realities of international politics do not allow the United Nations to play such a role, however much we stretch the charter. But there should be a way of investing the organization with more effective authority. If, for example, two-thirds of the majority of member states pass a resolution on any problem then it should be accepted that such resolution should have the force of law. For if we are to build a world based on justice and the moral law, then we shall do well to heed the conscience of mankind as exhibited by the overwhelming majority of the states of this world. We either do this or revert back to the days when the power of the big stick and the flexing of muscles of great powers were the order of the day. But no, we should move forward, we cannot go back. Since all states are now indissolubly linked together by the traumatic changes that have occurred in this nuclear age, we should all work together to preserve peace through moral law or perish.

Thank you.

BIRTH CONTROL

Mr. **CLARK**. I ask unanimous consent that an article which appeared in the Washington Post on September 10, 1965, under the byline of Eve Edstrom, entitled "Birth Control Aid Is a Right, Says HEW Official." I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIRTH CONTROL AID IS A RIGHT, SAYS HEW OFFICIAL

(By Eve Edstrom)

Birth control services should be available to all parents as a matter of "right," the Federal Children's Bureau chief declared last night.

Katherine B. Oettinger's speech was the most forthright statement that a Department of Health, Education, and Welfare official has ever made on the Federal Government's role in family planning.

It was released here in advance of delivery at a conference sponsored by the informational branch of the firm that marketed the first birth control pill, Enovid.

G. D. Searles & Co's. reference and resource program invited the 200 participants, charged no fees, and paid for 2 luncheons and a dinner during the 2-day meeting at New York City's Hotel Roosevelt.

Using the meeting for a major Federal policy speech on birth control was questioned earlier this week. When Robert C. Cook, president of the Population Reference Bureau, learned about Mrs. Oettinger's plans, he telephoned a protest to a high HEW official. He favored the speech but not the commercial auspices.

But Mrs. Oettinger remained principal dinner speaker. A Children's Bureau spokesman said the conference was attended by the Nation's top public and voluntary health and welfare officials who exchanged information on public family planning services.

Until Mrs. Oettinger's speech, HEW had emphasized population research, and had usually parried questions about Federal support of direct birth control services. They have insisted that it is "entirely a matter of State discretion" whether Federal matching funds are used for family planning.

But last night, Mrs. Oettinger revealed that the Children's Bureau is beginning this year to ask all States for the numbers of persons receiving family planning services. These data will be used to determine whether "additional new approaches" may be needed if existing programs are unable to serve all persons requesting advice.

Mrs. Oettinger said HEW was the appropriate Federal agency to carry forward research, training and service programs in the family planning field. She all but told local public health and welfare agencies to include birth control services.

"The conviction has grown that education and instruction in effective family planning should be an essential component of both the health and welfare agencies responsible for the payment of health services for dependent families," she said.

"For it is the families of the poor who too long have suffered spiritual dejection and demoralization after bearing successive babies without hope of these children being able to achieve their full potential or breaking the cycle of poverty."

Mrs. Oettinger then spelled out the family planning services that could be paid for with Federal matching funds available through the public relief programs of the Social Security Act.

"Such services," she said, "may include inpatient and outpatient hospital services, physicians' services, clinical services, prescriptions for drugs and devices, and other preventative and rehabilitative services associated with a comprehensive program for family planning."

If family planning is a useful tool in providing better health for children and mothers, Mrs. Oettinger declared that "it should be available on a universal basis as a right to parents, without coercion, but with a genuine and sympathetic attention to the needs of each human being." She emphasized that individuals from all faiths should determine freely the family planning methods "morally acceptable to them."

Mr. **CLARK**. Mr. President, this news story makes reference to the speech made by Katherine Oettinger the day before the article appeared. She is the Chief of the Children's Bureau in the Department of Health, Education, and Welfare. She has made what, to my mind, is an excellent address on the right of all individuals who desire to have the information to be given whatever information is necessary to plan their families. It is, to my way of thinking, a substantial contribution in the war against poverty.

A NEW BEGINNING IN THE DOMINICAN REPUBLIC

Mr. **MANSFIELD**. Mr. President, I yield myself such time as I desire under the bill.

Acceptance of the OAS plan for peace by both sides has finally cleared the way for a new beginning in the Dominican Republic. That is an achievement of great importance. It is not, however, an end-all for the troubles which have long plagued that unfortunate nation. The problems that existed before the revolution of April 24, exist today. Unemployment is heavy. The city of Santo Domingo, the hub of the country, is piled high with the rubble of bombings, mortar fire, and house-to-house street fighting. People are hungry. Poverty remains the only way of life for the large majority of the Dominican people. Democracy is a promise which remains to be fulfilled.

The new provisional government under Hector Garcia Godoy faces a monumental task. The months ahead need to be used and used well to bring about a national reconciliation. Dominicans now must turn their common efforts toward building a society in which democracy will be meaningful for all Dominicans, where economic opportunity and social justice will be more than a distant promise.

The Institutional Act devised by the OAS three-man group seems to be an eminently fair basis on which to build an effective interim government and to restore order out of the state of chaos which has crippled the Dominican Republic for the past 4 months. It is under this act that Hector Garcia Godoy, a mutually acceptable provisional president, has been appointed. He has designated, in turn, a cabinet to serve his government. Free elections, supervised by the OAS, will be held in 9 months. All parties are to suspend political activities for 6 months, that is, until 3 months prior to elections. Human rights are to be guaranteed the Dominican people.

In addition to the Institutional Act, the OAS Commission has also induced both sides to accept the terms of an act of reconciliation, which provides for a general amnesty of all political prisoners; the absorption of rebel territory into the Inter-American Zone of Security; maintenance of the zone for 30 days unless the President requests an extension; submission of all arms to the provisional government; return of all military forces to their barracks; reintegration without penalty of all troops; and negotiations for the withdrawal of the Inter-American Peace Force.

The design and plan of these two acts is a reflection of the outstanding work of the OAS three-man Commission in trying to work out a mutually satisfactory solution to the paralysis which has gripped the Dominican Republic since last April. Our own Ambassador to the OAS, Ellsworth Bunker, along with Brazilian Ambassador Ilmar Penna Marinho and Ramon de Clairmont Duenas of El Salvador have earned the respect and the admiration of the entire Inter-American community for their patience, their understanding and persistent and unbiased diplomacy in providing their good offices to all parties, and for suggesting solutions to bring relief from the internecine warfare. In this Nation, we owe deep thanks to Ambassador Bunker and his colleagues for their wise and tireless efforts to convert this situation into one amenable to peaceful solution.

But their work is only a beginning. The peace is an uneasy one. Suspicions and fears and bitterness run deep. Hostilities could break out again at the slightest provocation. Whatever success the Garcia Godoy government eventually may have will depend on the restraint, the patriotism, and the willingness of leaders on all sides to give their nation a chance to live in peace and harmony.

With acceptance of the plan for peace by both sides, it is possible for the Dominicans to turn to the difficult job of establishing a solid base for a full-scale effort to develop the country, economically and politically. With that base, there is reason to hope that continued cooperation on the part of this Nation with and through the OAS can be helpful in bringing about an economic and social recovery in the Dominican Republic.

Mr. President, I yield 5 minutes to the Senator from Iowa [Mr. MILLER] on the bill.

MORAL REARMAMENT

Mr. MILLER. Mr. President, in the August 28 issue of the Mason City, Iowa, Globe-Gazette there is an editorial entitled "What They're for, Not Against," which merits the attention of readers of the CONGRESSIONAL RECORD.

This article discusses the program for young people sponsored by Moral Rearmament Demonstration for Modernizing America in Mackinac Island, Mich., this past summer.

This is the same group which produced the hour-long show "Sing Out, 1965," which had a Washington showing recently, and which shortly will appear in the Hollywood Bowl, and then go to Asia for showing.

This is a very stimulating program. It is much needed today, particularly in view of some distortions that exist in the minds of people in other countries regarding the attitude of young people in the United States.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT THEY'RE FOR, NOT AGAINST

There was a big demonstration the other day up on Michigan's Mackinac Island.

More than 3,500 young people from 51 nations didn't make the headlines, however. They demonstrated quietly—not only what they are against, but also what they are for.

It was the Moral Rearmament Demonstration for Modernizing America. Some 350 colleges and schools participated, attracting interest from abroad.

Taking issue with the advocates of moral and military pacifism, noninvolvement, atheism, and the so-called new morality, these youth believe their generation is called on to pattern a society that works. In other words, to match man's tremendous technological growth with a growth in maturity, aim, and character in man himself.

Speaking at this Mackinac demonstration, J. Blanton Belk, U.S. Director of Moral Rearmament, put it this way:

"Youth is being confronted today with the alternatives of being communized, animalized, or modernized. Our purpose is to produce modern men and women who will demonstrate in their own lives the answer and formulate concrete plans and action for tackling the knottiest problems of our times.

One reason we have had riots on the American campuses is because no one has challenged young America to take on creating the right revolution in the whole world. We believe that a new generation can be trained with the character-toughening, problem-solving, nation-saving skills that this age demands."

It's a challenging concept. It sounds good.

COST OF LIVING

Mr. MILLER. Mr. President, the news media in the past few days have focused attention on a problem which I have long felt should be the subject of a public discussion.

For too long, the questions of the increase in cost-of-living and the inflationary pressures have been downgraded by too many Government officials and so-called experts.

On Monday, September 6, the Washington Post carried the Harris survey, which underscored the concern of the housewives on the cost-of-living increases.

But it took an astute editorial writer for the Washington Evening Star on September 8 to pinpoint the causes. In doing so, this writer ably put the skids to the favorite argument that the farmer is to blame for the rise in food prices.

The writer declared:

To blame the farmer for all the inflation is manifestly unfair. According to Government figures, farmers last year received only 37 cents on every dollar spent at retail counters for food.

The fact is that the cost-of-living index is computed from a list of some 300 goods and services ranging from refrigerators to haircuts, along with food. To say that farmers are prospering at the expense of city dwellers is to ignore the costly contracts that have been negotiated in auto, aluminum, steel, and other industries in the past year. These are the basic industries that pass on to the whole economy their inflationary settlement.

The housewife may not notice their impact every Friday on her shopping list, but before we impeach the Iowa and Texas meat producers, let's keep in mind that inflation, like termites, usually attack from several directions.

In the current issue of U.S. News & World Report, an article points out that by 1970, the dollar will be worth about 40 cents. And, it warns:

If inflation speeds up, to erode values at a faster rate, the 1970 dollar readily could be worth even less.

It should be stressed that inflation hurts those who can least afford it—those living on pensions, social security payments, and the like. When the value of the dollar, based on 1939, has sunk below 44 cents, as it stands today, the impact is deeply serious.

A superb analysis of the effects of inflation was made by R. K. Bliss, of the extension service of Iowa State University at Ames. I think it merits reading.

I ask unanimous consent that the following articles be placed in the RECORD:

First. "Cost-of-Living Rise Brings Criticism From Housewives," from the Washington Post of September 6.

Second. "Meat Counter Blues," from the Washington Star of September 8.

Third. "Thrift and Progress," transcript of a radio talk by R. K. Bliss, September 3.

Fourth. "Is Your Dollar in Trouble Again?" "Outlook for Inflation—What To Do About It," from the September 20 issue of U.S. News & World Report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 6, 1965]

THE HARRIS SURVEY—COST-OF-LIVING RISE BRINGS CRITICISM FROM HOUSEWIVES

(By Louis Harris)

The cost of living is now emerging as a storm that could upset the relative tranquility of consensus that President Johnson has so carefully wrought in the domestic economy. The Nation's housewives are nearly unanimous in their view that the cost of living has risen in the past year—and they do not like the trend.

They are right, of course, in believing that the cost of living is going up. The Bureau of Labor Statistics reports that it went up 1.9 percent between June 1964 and June 1965. And the complaints of women about the increase in the cost of specific items reinforces the idea that they know what they are talking about. In those areas in which they handle most of the family's expenditures, their complaints about which items have gone up the most almost match in proportion the categories where the increases have been the greatest.

The potential political dynamite in the cost of living lies in the fact that, by nearly a 3-to-2 margin, women shoppers believe that increases can be avoided. Since 87 percent of all women think the cost of living is going up, this provides a margin of dissatisfaction that could spell trouble for political leaders.

Following is a table of items which a cross section of the Nation's housewives cited as having gone up the most in the past year, compared to the latest Government figures. The 87 percent of the women who believe the cost of living has gone up were asked:

"Which items do you feel have gone up the most?"

Items that have gone up the most

[In percent]

	Housewife complaints	Consumer price index rise
Meat	46	+9.9
Vegetables and fruit	38	+4.7
Cereals and bakery products	32	+1.6
Clothing	20	+1.1
Other food	8	+.2
Dairy products	7	----------
Utilities (gas, electric)	3	-.2
Transportation	1	+1.8
Medicine	1	+2.4
Rent	1	+1.8
Personal care	1	+1.7
Household furnishings	1	+.2

NOTE.—Complaints total more than 100 percent because some mentioned more than 1 item.

Two facts are immediately apparent. First, it takes only a slight rise in the cost of an item to cause large numbers of women to single out that product as one in which prices have gone up. Second, while the areas in which they spend most of the family's budget—food and clothing—are the particular target of housewife complaints, transportation, medicine, rents, and personal care—which have increased close to the overall average of 1.9 percent—have escaped public awareness.

But the views of the women about rises in prices have established some firm opinions which have serious implications. In order to pinpoint where the blame is being leveled, the cross section was asked this question:

"What do you feel is the main cause for the rise in the cost of living: farm prices, wage increases, middlemen, Government spending, too high profits or what?"

Causes of the rise in cost of living

[In percent]

	Total housewives	Income group		
		Under $5,000	$5,000 to $10,000	Over $10,000
Middlemen	30	35	34	19
Wage increases	25	17	22	41
Government spending	22	22	18	31
Too high profits	7	5	8	7
Farm prices	4	4	4	2
Not sure	12	17	14	--------

Nationwide, the middlemen—primarily food processors, wholesalers and retailers—are the No. 1 target. But the pattern differs sharply by income groups. Lower income women tend to worry most about middlemen costs and are least critical of wage increases as inflationary pressures. In contrast, upper income women place the blame primarily on union demands, and secondly on Government spending. Obviously, there is a relationship between their views and their husbands' occupations.

A real question which economists pose about an economy such as ours, which is growing at a rate of over 6 percent a year, is whether consumer price rises are inevitable. The housewives of the Nation tend to say no. They were asked:

"Do you think that rises in the cost of living are bound to happen or do you feel they can be avoided?"

Are price rises inevitable?

[In percent]

	Bound to happen	Can be avoided	Not sure
Nationwide	33	46	21
By size of place:			
Cities	31	50	19
Suburbs	48	39	13
Towns	20	59	21
Rural	33	35	32
By income group:			
Under $5,000	11	68	21
$5,000 to $10,000	40	40	20
Over $10,000	34	52	14

The political impact of the issue could be potent, and it now appears to be looming up as a storm center of major magnitude.

[From the Washington (D.C.) Star, Sept. 8, 1965]

MEAT COUNTER BLUES

If Lyndon Johnson had to run for office today—and there's a school of thought that claims he's always running—the cost of living might well rank as a major domestic issue.

Housewives are griping. The Consumer Price Index has hit a record 110.2 percent of the 1957–59 (Eisenhower GOP era) average. And although such general factors as auto insurance and homeownership costs help account for the rise, food prices seem to be the scapegoat since they pose an immediate, conspicuous target.

To be sure, the farmers are having a wonderful year. Gross farm income is at a record peak of $43.3 billion, net income will total an estimated $13.5 billion in 1965, highest in 12 years, and the prices for beef and pork are bringing smiles to the growers.

At the retail counter, however, it's another matter. A recent poll of housewives found that 46 percent of complaints about the general cost of living centered on meat prices, with other equally important items such as rents and transportation trailing far behind.

Yet, to blame the farmer for all the inflation is manifestly unfair. According to Government figures, farmers last year received only 37 cents on every dollar spent at retail counters for food. Middlemen accounted for the rest.

The fact is that the cost-of-living index is computed from a list of some 300 goods and services ranging from refrigerators to haircuts, along with food. To say that farmers are prospering at the expense of city dwellers is to ignore the costly contracts that have been negotiated in auto, aluminum, steel, and other industries in the past year. These are the basic industries that pass on to the whole economy their inflationary settlements.

The housewife may not notice their impact every Friday on her shopping list, but before we impeach the Iowa and Texas meat producers, let's keep in mind that inflation, like termites, usually attacks from several directions.

THRIFT AND PROGRESS

(Radio talk by R. K. Bliss, extension service of Iowa State University, Sept. 3, 1965)

Thrift is almost a forgotten word in our present-day vocabulary. It was not always that way. Older people, especially those in their seventies, and eighties, had a good training in thrift, but what about the training of our young people now?

Today I would like to visit with you for a little while about the importance of thrift. To begin with, thrift does not mean miserliness and parsimony. Thrift means economical management, frugality, care and wisdom in management and intelligent use of our resources. Thrift is the opposite of wastefulness and extravagance. People that follow thrifty ways are self-reliant, prosperous, the strength of the Nation.

I am led to discuss thrift with you today because of the really tremendous effort that is being made over TV, the radio, in newspaper and magazine advertising and also by letter and handbill urging people to spend. Through various ways people are urged to buy now, pay later with only a small downpayment. Much of this advertising is for products of doubtful value such as pills to make you feel better fast, pills to put you to sleep, pills to stop a headache, pills to cure a cold, pills to allay pain, etc., and sometimes even pills to keep you awake.

Also, an amazing array of cosmetics and tonics to improve your looks, make you look younger, take the gray out of your hair, or change it to any other color, banish bad odor, provide a milder better cigarette to smoke, etc., all of which are of no real value to the individual. I suggest that some evening you take paper and pencil and keep a record of the ads that appear on your TV set; better still, if you keep a record for a week. It is amazing the effort that is being made to sell things of no particular value to the individual and most of which are actually of little or no real value to anyone.

A great effort is being made to get people to spend but we hear very little about thrift. Banks, building and loan associations, insurance companies and the urge given to selling U.S. E and H savings bonds are small voices crying in the hullabaloo of voices urging people to spend.

Why does this country have the billions of dollars that are being sent overseas to less prosperous people? The answer is clear. It is because of the thrifty savings of our people. The hardy early settlers who crossed the Atlantic Ocean in crowded little ships (no one would make the trip in such ships now) in order to get away from the tyranny of dictators and kings brought with them habits of thrift, of self-reliance, and of saving. It is the thrifty ways and teachings of our forebears and the pioneers that enabled this country to build a prosperous civilization and also to send billions of dollars in money, goods, and services to less prosperous people in other lands. It is the thrift of ordinary people who thought savings in banks, building and loan associations, U.S. bonds and other bonds, insurance, etc., that has made this possible.

It has been said that it is the natural resources of this country that have made our wealth possible. It is, however, something else in addition to natural resources. There were people living in what is now the United States hundreds—perhaps thousands—of years before the Pilgrims arrived. Other countries, South America and Africa, for example, have remarkable natural resources. The something else, it appears, is the willingness to work, to be thrifty, to save for old age and for a secure future. Also our free enterprise, universal education, free-choice-of-occupation system which has removed manmade restrictions and encouraged individual effort has been an important factor. These are the principal qualities that have made the United States outstanding in increase of wealth and well-being.

We now appear to be developing a philosophy in this country that we can spend ourselves into prosperity. Necessary adjuncts and supports for this philosophy are easy money and inflation or the decrease in the purchasing power of the dollar. Our wealth-measuring device—the dollar—changes in value. For example, suppose in 1940 you put away $1,000 in a bank or in bonds including E and H savings bonds, or you might have lent it to a neighbor. Now 25 years later, the original $1,000 that you laid away for your old age will purchase less than $500 of the things you need and want. More than half of the original value has been lost through inflation or the decrease in the purchasing power of the dollar or the increase in the cost of living, which now are polite ways of calling attention to inflation.

Inflation is a cruel tax on older people; it decreases the value of money laid away for old age. But instead of correcting the principal difficulty, inflation, the Government now begins collecting additional taxes and developing new programs to pay back part of what has been taken away from the savings of older people through inflation. This means more expense, more machinery, more centralized control. Inflation is, of course, also a tax on all thrifty people of any age who save in order to provide for their future well-being.

All will agree that people in need, especially old people, should be cared for; but the number who need care would be greatly reduced by having a wealth-measuring device that remained stable. Let us see what stabilizing the purchasing power of the dollar would do for older people and, of course, this would apply to all thrifty people who are saving for the future.

According to estimates there are now about 18 million people in the United States who are 65 years old or older. Let us assume for the sake of the illustration that these 18 million people will each on the average spend $1,500 for food, housing, clothing, church, entertainment, travel, and other things during the year. One thousand five hundred dollars is used because according to reports, the Government sets $3,000 a year as a minimum to keep a family out of poverty. If so, these 18 million oldsters will spend $27 billion during the 12 months. A 2-percent inflation or a 2-percent increase in the cost of living as we appear to be headed for this year will decrease the purchasing power of $27 billion by the huge sum of $540 million. If this goes on year after year as it has in many past years, you can see what it means to the savings of old people—and, of course, the same applies to all savings. To the extent that the dollar, our wealth-measuring device, is reduced in value by inflation, all savings are reduced correspondingly and public and private debts are also repudiated to that extent. What this country needs is a wealth-measuring device that is stable.

Inflation is a tax on thrift. Inflation discourages saving. Why save money today if the money you save today will buy less tomorrow? Inflation discourages thrift.

Inflation is a severe handicap to thrifty young people who are trying to get a start in business. It often takes years to save enough money to buy a farm or start a business. Inflation lowers the value of the money saved and at the same time increases the cost of the property or business to be bought. Thus young people saving money to get started in business or to buy a farm get soaked going and coming and may have to settle by working for someone else. Inflation works to the disadvantage of the small operator.

Speculators, people who study business trends and who buy today with the expectation of a rise in dollar values, are the principal beneficiaries of inflation. Inflation makes many millionaires and also a considerable number of bankrupts. Inflation is mostly paid for by reducing the value of the savings of thrifty people.

What can be done about it; how can the dollar be stabilized? One plan that has not been really tried since World War II, during which time the purchasing power of the dollar has been cut in half, would be for Congress to balance the Federal budget. When Government spends more than it collects through taxes, it has to borrow and under banking rules, borrowing increases the amount of money in circulation far more than the amount borrowed.

A family that continually year after year borrows more money than it earns is headed for serious trouble. A nation is a collection of families and by the same reasoning it, too, is headed for trouble when it continues year after year to spend more than it collects in taxes.

The country needs to remember the thrifty ways that made it great. A resurgence of thrift, wise management is needed in homes, businesses; and especially in Government—Federal, State, and local—it is greatly needed.

[From the U.S. News & World Report, Sept. 20, 1965]

Is Your Dollar in Trouble Again?

You hear it on all sides now—

People are complaining about high and rising prices. Just about everything seems to cost more.

This is known as creeping inflation. This erosion of the dollar promises to go on and on.

Not only are prices higher, but also there are more things to buy, more demands on paychecks.

It's true that pay is up too—for most people. But higher pay doesn't stop the grumbling over prices. Question: Is the dollar in real trouble?

Grumbling about the high cost of living is beginning to be heard from one end of the country to the other.

This grumbling is a sign that the dollar is in trouble again—its purchasing power eroded at a rising rate by the pressures of inflation.

Housewives complain about the shrinking supply of groceries that a $20 bill will buy. Families worry about the high and rising price of shoes for children going back to school.

Autumn is a time to buy winter clothing, and many items of clothing cost more.

Paychecks, it is true, are growing larger for most people. The rise in pay, overall, is greater than the rise in cost of living. And food costs, about which housewives complain most, still take less of the weekly paycheck relatively, than in years past.

Yet the grumbling grows.

The public, it seems, wants more and more of the luxuries of life and is more and more irritated by the fact that each of the rising number of dollars in pay gradually will buy less in the way of goods and services.

Vacations, people find, cost more. Color TV is something new to own. Demand is for more and more extras on cars.

A flood of youths is entering the Nation's colleges, and inflation of the costs of such higher education goes on year after year.

Now there is to be an increase in taxes to support social security.

In addition, real estate taxes rise year by year. Sales taxes are in an upward creep in States and localities.

As dollars buy less, everybody wants—and often demands—more dollars.

Yet, as pay goes up, it follows that wage costs to business tend to rise.

Soon business is under pressure to raise more prices in order to maintain profit margins.

The pay raise now taking place in the basic steel industry under terms of a recent contract settlement is expected to be followed by selective increases in the price of of steel and of steel products.

So the prospect is that wage costs will go on rising and prices will go on rising, and dollars gradually will buy less and less.

This is what is known as creeping inflation. More dollars are required to buy the same amount of goods and services.

[From the U.S. News & World Report, Sept. 20, 1965]

Dollar in Trouble?—Outlook for Inflation—What To Do About It

A 44-cent dollar now, compared with 1939—and experts are predicting further shrinkage as price inflation speeds up.

How can one guard against an eroding dollar? Is there a way to protect income, savings? Here are things to do—and avoid.

Erosion of the dollar's buying power is picking up momentum again.

The dollar in recent years has been losing value at about half a cent a year. In the year just past that rate increased to nearly a full cent a year. Right now it gives signs of losing value at an even faster pace.

A creeping inflation of prices of many goods and services that enter into the cost of living is the reason. That creep now is faster. It is back to the rate of the late 1950's.

Few economists seem to expect the creep to turn to a fast walk or to a trot, but the trend is there as it has been for more than 30 years.

A wage rise in steel, likely to result in some price rise, confirms the trend.

Dollars, in other words, seem sure to go on losing value in terms of things that people buy. The only question seems to be whether the rate of loss will speed up.

TODAY'S DOLLAR: 44 CENTS

Today's dollar actually is a 44-cent dollar compared with the 100-cent dollar of 1939, when measured in terms of the cost of living. By 1970, that dollar will be worth about 40 cents even with slowly creeping inflation. If inflation speeds up, to erode values at a faster rate, the 1970 dollar readily could be worth even less.

This trend is important to the investor, to the person thinking of retirement, to many jobholders, and to those thinking of careers.

Pay on some types of jobs tends to lag behind the rising trend in prices. Pensions in many cases do not go up as living costs go up. People who save and invest in fixed-income investments such as bonds find, with time, that inflation eats away at the buying power of the principal amount of dollars saved.

With inflation in the air once again, it becomes useful to have an estimate of how fast that inflation—and the erosion of the dollar's value—will become.

To get that estimate U.S. News & World Report sought the opinions of some of the Nation's top economists.

NO SNOWBALLING

Paul Samuelson, economics professor at Massachusetts Institute of Technology and an adviser to President Johnson, expects some increase in the rate of erosion of the dollar's buying power, but no snowballing, cantering inflation.

Professor Samuelson notes that more and more companies are producing close to capacity in order to meet strong demand from customers. "Under these conditions, firms can raise prices and increase their sales at the same time," he says.

From Beryl Sprinkel, vice president and chief economist of Harris Trust & Savings Bank in Chicago, comes this prediction: "We face the biggest gain in the cost of living in years. Consumer prices, on average, will climb 2 to 2.5 percent in the year ahead. Wholesale prices may go up 2 percent or more. This amounts to a significant acceleration over the rate of the past year or two."

A strong boom in business stretching well into next year is contributing to upward pressures on prices, as the Chicago economist sees it. He adds:

"There is not much slack in the economy now, order books are full and the expectation is that business will get better. That sort of environment is conducive to price increases."

SERIOUS PRICE PRESSURES

The sudden shift to higher military spending related to Vietnam is seen exerting an upward push on prices by Dan Hodes, economist for General Telephone & Electronics Corp. "Over the next year and a half these price pressures will be more serious than at any time since 1957," comments Mr. Hodes.

But barring a major blowup in Vietnam, requiring arms spending at the rate of increase during the Korean war, none of the economists expects that the United States is heading for an inflationary binge.

NO SIGNIFICANT INFLATION

Says Jules Backman, economics professor at New York University:

"Government spending is going up, but so are revenues. Labor costs now are rising faster than output per man-hour, and this will add to business costs. But remember that competition is intense in this country. In many cases, higher costs will have to be absorbed by firms, lowering their profit margins.

"There will be continuing modest erosion of the dollar, but no significant inflation."

Professor Backman, an authority on prices, was asked his views on the impact of selective increases in prices of steel. His answer: "Steel-price increases will have much less effect on the overall cost of living than a rise of a penny a loaf of bread, a penny a pack of cigerettes, or a penny a gallon of gas."

A similar view of only moderate shrinking of the dollar's purchasing power in the year ahead is voiced by Martin Gainsbrugh, chief economist of the National Industrial Conference Board.

Significantly, however, note that from all sides come predictions of a cheapening dollar, with differences only on the amount of cheapening that is likely to take place.

Against that background, what can an individual do to safeguard his income and his savings? Is there an "inflationproof" protection plan to follow in a period when the value of the dollar is going down?

HOW TO HEDGE

Experience shows that there is no surefire way to avoid the effects of price inflation that whittle down savings. But there are some points to keep in mind when planning for the future. For example—

A job

Best defense against the declining value of the dollar is a steady job. Most wage earners and salaried people improve their lot. The reason: Paychecks generally rise faster than prices.

Take the typical factory worker. His hourly earnings have risen more than 40 percent in the past 10 years—just about double the rise in consumer prices over that period.

This means that the worker's real income—his ability to buy today's goods and services at current prices—has risen rather sharply, pushing living standards of the worker upward.

A home

Owning a home, in most cases, can be a valuable form of inflation protection. Value of real estate in good neighborhoods in cities and suburbs has gone up faster than the cost of living.

But note this: Rising home values are not guaranteed. Neighborhoods can run down. Industry, the lifeblood of a community, can move to a new location. The home of a transferred worker can become a glut on the market, can be the source of a loss—not of a gain—to the seller.

A business

Owning a small business can be a worthwhile investment in a period of rising prices. Assets of a business tend to increase in dollar value as the general price level goes up.

But don't rush into setting up a business. Stick to a field you know something about. Be sure to have enough capital behind you to tide you over rough spots that are sure to crop up. Keep in mind that lack of adequate capital or insufficient know-how causes the great majority of new businesses to fold within 5 years after they open their doors.

Common stocks

Here is one investment spot to put your money that usually offers a good chance of keeping ahead of inflation.

Common stocks generally rise in value in times of inflation. Stock prices, on average, have nearly doubled in the last 10 years, while consumer prices have increased by only about 20 percent.

There is this note of caution: Not all stocks go up in value even in a strong bull market. And remember that "nobody buys the averages"—meaning that it's the performance of individual issues that count. Stock-market averages lately have been pushing into near-record highs. But in a recent week, for every three individual issues that hit new highs for the year on major New York stock exchanges, one stock slumped to a new low.

It's a question of picking the right stock for a long-term investment.

A farm

Mushrooming population, pushing cities and suburbs deeper into the countryside, has helped push farmland prices up faster than the general level of prices.

This trend is seen continuing around big population centers as more and more land is gobbled up for housing subdivisions, highways and shopping centers.

It's not necessarily all gravy. A farm, unless run properly, can lose money in a hurry. And there are real estate taxes to pay every year.

Income property

An office or apartment building that brings in rental income can provide a hedge against a dwindling dollar.

Investors can get burned, however. Speculative building of apartments and office buildings has gotten out of hand in some areas. Vacancy rates have soared in buildings in many places, with the result that owners have had to offer big concessions on rents to try to attract tenants. The hope is that, eventually, the buildings will fill up as population increases.

Resort property

An ocean-side lot, a cottage on a lake, a mountain cabin can offer protection against erosion of the dollar. As incomes go up, and people have more leisure time, demand grows for vacation retreats. But, as with all real estate, choose your site carefully.

Bonds

Owners of corporate or Government bonds do not fare well in times of rising consumer prices.

Dollars put into a bond are paid back in the same number as originally invested. Trouble is that these dollars, after years of rising prices, don't go as far when buying goods and services.

The same is true of interest paid on the bond. Take a bond paying 4 percent bought 10 years ago: Allowing for the steady rise in the cost of living in that period, the "real" return on a bond shrinks to a little above 3.6 percent, rather than 4 percent.

Cash savings

Money in a savings account is in a similar boat with money put into bonds: Dollars dwindle in buying power. Interest paid is eaten into by the mounting cost of living.

Mortgages

Putting your money in mortgages generally offers little protection. Buying power of fixed-value investments shrinks as the general price level goes up.

Works of art

Here is an inflation hedge quite popular with Europeans, but not much used by Americans. Idea is to buy paintings, sculpture, rare books, antiques, in the expectation that these will appreciate in value faster than the cost of living.

Jewelry and gems are another favorite investment among Europeans.

Trouble with these items is that you can make mistakes. Paintings can fall out of favor. Tastes change among art collectors. And money put into jewelry and gems earns no return for the owner while he is waiting to sell at a profit.

Pensions

People living on a pension or fixed income from an annuity usually find themselves losing ground as prices go up. That's why inflation is called the "worst enemy" of widows, orphans, and old people.

Social security pensions, just increased by 7 percent, about offset the rise in the cost of living since the last time pensions were raised in 1959. Difficulty for pensioners comes in the lag between the time that prices go up and the time pensions are raised.

People receiving pensions from private companies, in most cases, are worse off. Unlike social security, higher pensions granted to workers by most companies are not paid to persons already on the retired rolls.

Creditors

People who lend out money, generally speaking, are pinched by price inflation. Dollars loaned out come back in diluted form in terms of what they will buy in the marketplace. Interest charged on the loan helps to offset inflation's inroads, but lenders then find that "real" earnings on their money are less than they counted on.

Borrowers

People who use borrowed money tend to come out ahead in a period of rising prices. Inflation tends to lighten the burden of debts. These debts can be paid off in dollars of declining value.

Debt, thus, can take on new attraction in an era of inflation. Debt of people already is the highest in history, a fact that is worrying some economists. Charges to carry that debt are taking a growing part of people's incomes.

Now, as creeping inflation takes on added speed, economists feel that debt will grow in appeal. As one economist put it: "Whenever prices start moving up on a broad front, there is the danger that the thrifty will become spendthrifts—and do it more and more on the cuff."

That gives you an idea of what a shrinking dollar, in terms of purchasing power of that dollar, can mean in people's daily lives.

NO GUARANTEE

It's important to remember that there is no guarantee of perpetual inflation.

In terms of wholesale prices, for example, these prices held about unchanged for a remarkable period of about 6 years, until they started moving up a year ago.

An unexpected showing in business could change the outlook for inflation. Peace in Vietnam, if it should come, might bring cutbacks in arms spending, tip budget totals for defense downward instead of the other way.

Still, as the economists see it, chances are that prices will continue to creep upward as they have for years past.

That's been the trend for more than 30 years. Economists see no end to it so long as Government strives to insure perpetual prosperity without ever permitting the economy to slow a bit.

Records indicate that no one can count on coming out unscathed from the effects of a dwindling dollar. But those same records also indicate that the workingman—and the careful investor in stocks, a business, or real estate—stands a good chance of coming out ahead.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call not be allocated to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is amendment No. 435, offered by the Senator from Tennessee [Mr. Bass] to H.R. 9811.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield, without losing his right to the floor?

Mr. BASS. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be charged equally to both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BASS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BASS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. BASS. Under what type of consent agreement is the Senate now operating?

The PRESIDING OFFICER. Under the agreement in effect, 1 hour is allocated to each side of the pending amendment. One hour is under the control of the Senator from Tennessee, and 1 hour is under the control of the Senator from Louisiana [Mr. Ellender].

Mr. BASS. Do I correctly understand that my amendment has been called up but that no time has as yet been consumed on the amendment?

The PRESIDING OFFICER. The Senator is correct. His amendment is the pending question.

Mr. BASS. Mr. President, after a somewhat uneasy reentry but successful splashdown, I am happy to be back to call up my amendment today. I appreciate the courtesy of the majority leader in having it made the pending question and for being so patient as to await my return on my delayed trip back from Tennessee.

The effect of the amendment would be to strike section 703 from the pending bill. I interpolate to state that since the original section was placed in the bill, the distinguished senior Senator from Florida [Mr. Holland] has amended that section. I quote the section as amended:

> Notwithstanding any other provision of law, whenever the application of any law of the United States requires determinations to be made of the amount of labor needed for the production and harvesting of any agricultural crop, or of the availability thereof for such production and harvesting, such determinations shall be made by the Secretary of Agriculture and shall be accepted by all agencies of the United States in the carrying out of activities in which such determinations are needed.

This is the section of the bill to which I shall now address myself.

Mr. President, I wish to make it plain that I realize there are some problems existing in the area of farm labor relating to the dual responsibility in certain areas. However, I think these problems should be settled by other legislation or by the courts. I definitely do not think that this major bill, the Food and Agriculture Act, is the proper vehicle on which to tie this trailer. For this reason, I oppose this provision and shall point out some of the confusion which will result if it is retained. I shall also attempt to show why this section should be given much more study and consideration before it is enacted.

This provision was not proposed by the administration. It was not contained in the House bill. It was not contained in any version of the Senate bill considered by the committee, but was offered in the closing hour of the committee's consideration of the bill, and was considered very briefly. The subject matter this provision deals with is highly controversial, the effects are enormous, and the basis for such a proposal is in great dispute. Yet the amendment was treated in committee as a minor appendage to a major bill and was placed as the last section in the miscellaneous title of the bill.

The committee report devotes some 73 pages to discussing the various programs in the bill. Yet, only one small paragraph on page 73 is devoted to this very far-reaching provision and its effects. With respect to this paragraph, I might point out that while its primary import is in what it fails to say rather than in what it says, it is erroneous in the information which it gives.

The report states:

> This provision will have the effect of eliminating the confusion which now exists in connection with determinations concernng the admissibility of supplemental agricultural workers under the Immigration and Nationality Act. In considering the question of the admissability of supplemental workers the Attorney General needs to know what the requirements of agriculture are and whether there are available sufficient domestic workers capable of meeting these requirements. At present he relies upon advisory information only, obtained from governmental agencies which have neither statutory responsibility or the qualifications of the Department of Agriculture to obtain, evaluate, and supply such information. This section will correct this by placing the responsibility for such information in the agency of Government which has the facilities and expertise to make such determinations.

I submit that far from eliminating the confusion, if such does presently exist concerning admitting supplemental agricultural workers into this country, this provision will create such confusion that it may be necessary to go back to the old, illegal days of the so-called wetbacks in order to provide any supplemental foreign farm labor at all. It is true that the Attorney General needs to know the requirements of agriculture, and whether there are available domestic workers capable of meeting these requirements. The practice at the present time is for the Secretary of Labor and the Secretary of Agriculture, or their appointed agents, to confer on his matter and reach a consensus concerning the number of workers required to harvest a given crop. In this respect, the Department of Agriculture has information facilities and expertise exclusive of other agencies such as the Department of Labor. However, when it comes to the point of determining whether there are sufficient domestic workers capable of meeting the requirements necessary to harvest a particular crop, the Department of Agriculture has no facilities, expertise, or basis of information from which to determine these conclusions.

The report states that the Secretary of Agriculture has the facilities and expertise to make such determinations. I challenge this statement and raise the question as to what facilities or expertise the Secretary of Agriculture has for determining the availability of U.S. workers. What facilities and expertise does the Secretary of Agriculture have for determining the wages to be paid to the U.S. workers who are available? These determinations have been reached in the past after reviewing all of the information put together by the U.S. Employment Service working together with the various State employment services, the Bureau of Labor Statistics, and other parts of the U.S. Department of Labor. Are we to remove these agencies from the Labor Department and place them in the Department of Agriculture, or are we to establish new agencies to make these determinations in the Department of Agriculture even though we have agencies established for this purpose at the present time in the Department of Labor?

Mr. President, should this amendment, as contained in the pending bill, be made a part of the basic law of the immigrant labor legislation, it is apparent, without any doubt, that it would become absolutely necessary for the Department of Agriculture to establish a separate division in order to comply with the making of determinations under this act.

It is indeed surprising to find some of the people who are critical of Government spending now are alined on the side of needless duplication, inefficiency, and confusion which would result from this amendment—an amendment which would entail the spending of untold dollars to provide for this entirely new duplicative section of Government which this amendment would be required to create.

At least as surprising is finding people alined in support of this provision who in the past have stood as the stanchest defenders for proper, senatorial procedure and for respect for the committee system. This amendment serves not only to abrogate both principles, but indeed to relegate these principles to oblivion. For instance, assuming that it was a proper matter for the Agriculture Committee to consider and a proper matter to be placed in this bill, it should be noted that no hearings whatsoever were conducted on this measure even though its effects and ramifications are far reaching. It is true that back in January of this year the Agriculture Committee conducted 2 days of hearings concerning the lapse of the bracero program and the problems which this presented. However, at the conclusion of these hearings the chairman of the committee stated on the floor of this body that the purpose of the hearings was merely to advise the committee and the Senate of the effects of the termination of the bracero program.

Mr. President, during 8 years of my service in the House of Representatives, while on the House Committee on Agriculture, I made a rather extensive study of this particular problem dealing with the immigrant labor situation, and particularly the problem of the wetbacks and braceros who came into the country illegally, and under the old act.

After a rather long period of study, having voted for the program during the first 6 years of my service in Congress, I discovered that the program was doing irreparable damage with reference to human element involved, as well as failing to provide the proper labor, wages, and protection for the personnel involved.

The chairman concluded that the views presented were very conflicting in nature. No hearings were held; no study was made on this provision. Even so at the time it was presented to the committee, though the committee had been considering the bill for a period of almost 2 weeks, this particular section was given only cursory attention and was discussed for less than 10 minutes.

Mr. President, with due deference to the author of the provision, he stated earlier in the proceedings before the committee that he would offer his provision before final bill was marked up. We did have some notice, although a very short period of time. The author of the amendment advised the committee that he would offer the amendment before the hearings were concluded.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. HOLLAND. Mr. President, I am glad that the Senator made that last statement. It is true, is it not, that 2 days before the time of the offering of the amendment, the Senator from Florida advised the committee that he intended to offer an amendment to give the Secretary of Agriculture power to fix the number and availability of the workers in the various agricultural industries, with particular reference to those industries which produce perishable crops?

Mr. BASS. I do not remember whether it was 2 days, 3, or 4.

Mr. HOLLAND. It was several days.

Mr. BASS. The Senator is correct. I want it to be clearly understood that the Senator from Florida did give notice to the committee that he intended to call this provision up.

Mr. HOLLAND. Does the amendment offered by the Senator from Florida differ in any way from the notice given by the Senator from Florida at the time he called this matter to the attention of the committee?

Mr. BASS. So far as the Senator from Tennessee knows, I have no information to the contrary.

Mr. HOLLAND. Mr. President, I am happy to hear that. The Senator from Florida tried to give appropriate information, well ahead of time, that he expected to take this step. The Senator from Florida went further and also said, as I am sure the Senator will remember, that the courts have held that the Department of Labor was in this field solely in an advisory capacity and was not answerable in the courts to growers who were aggrieved. The Senator remembers my making that statement.

Mr. BASS. The Senator is correct. I wished to make it clear in my remarks that there was no indication of anything that would reflect on the way in which the amendment was brought up by the Senator from Florida.

We did not have any extensive hearings on the ramifications and the effect of the amendment. In my opinion, we did not have sufficient time in which to make a thorough study of the amendment and to obtain the advice of the officials in the departments affected.

Mr. HOLLAND. I thank the Senator.

Mr. BASS. Mr. President, this provision would affect very crucial matters within the jurisdiction of the Judiciary and the Labor and Public Welfare Committees. At least it would therefore appear to be a traversty of the whole committee system to allow such perfunctory examination by only one of the committees involved.

To cite a very good example, it might be noted that on September 7 the Senate passed a supplemental appropriation bill containing $1,723,000 for the U.S. Department of Labor. This is to be used for expenses necessary for the performance of the functions of the Secretary of Labor as he deems necessary to insure in connection with admission of nonimmigrant aliens under the Immigration and Nationality Act for employment in agriculture. This bill also insures that maximum efforts are made to recruit and retrain agricultural workers for available job opportunities, that these domestic workers be given preference and employment over alien workers, and that the employment of alien workers does not in any manner adversely affect the wages and working conditions of native workers.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. BASS. I yield.

Mr. HOLLAND. Mr. President, I am sure the Senator knows that the Senator from Florida worked on the committee which marked up the supplemental appropriations bill to which he referred.

Mr. BASS. The Senator is correct.

Mr. HOLLAND. And the earlier annual appropriations bill which covered the same subject matter.

Mr. BASS. The Senator is correct.

Mr. HOLLAND. I wonder if the Senator knows that, in both of those markups, the Senator from Florida insisted that the Secretary of Labor be given adequate funds with which to enlarge his recruitment program.

Mr. BASS. And to make a study of the entire subject.

Mr. HOLLAND. No. The recruitment program is the program for which funds were requested. That is what the Secretary was given the funds for, and the Senator from Florida in no sense wants to affect his right, duty, and obligation to do that work. It should be done much better than it has been done.

The Secretary will have a slight increase in two additional amounts of money for that purpose. However, that matter does not at all affect the purview of the pending amendment which the Senator seeks now to strike.

Mr. BASS. Mr. President, I thoroughly agree that it would be effective. If this amendment were adopted, the Secretary of Labor would be taken out of consideration in this very important problem; and the recruitment problem, in my opinion, and on the advice of the Senator from Florida, would be left in the hands of the Secretary of Labor.

Mr. HOLLAND. Mr. President, I am glad that the Senator has raised that question, because apparently he has gained a completely erroneous idea of the amendment.

The amendment makes it very clear that what the Secretary of Labor should not do is to determine what the labor needs are and the available labor at any time during the course of the picking or handling or harvesting of crops. By no means does the amendment attempt to amend or destroy existing legislation, or to cut off appropriations which the Senator from Florida is trying to provide to assist the Secretary of Labor to accentuate and enlarge his recruitment efforts which, up to now, have been hopelessly ineffective in obtaining labor for the various industries which produce perishable commodities, from one ocean to the other.

The Senator from Florida wants the recruitment to be stepped up, and he wants no other functions of the Secretary of Labor to be impaired. However, the Senator from Florida does not want the growers to be left without the assistance of some agency that has knowledge of the facts and that has authority to determine something that is certain and definite in the matter of the number of laborers needed in the fields. As the Senator knows, such decisions are made by the Secretary of Agriculture. The Senator knows, of course, that the decisions are changed from time to time as the crops are being harvested.

No one has a clearer picture of the problem than the Secretary of Agriculture, because he is required by law to make the estimates, to issue the market news reports, and to maintain the contact men in the field.

All he desires is to have something certain upon which the producers of perishable crops can rely; and that something certain is wholly wanting under the present system.

I thank the Senator for yielding.

Mr. BASS. If the Senator will allow me to proceed, I desire to extend every courtesy, but since we are working under a time limitation, I hope other Senators will be as generous with their time so that we may have full debate on both sides.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I am happy to yield briefly to the Senator from California.

Mr. MURPHY. Does the Senator realize that as to the setting of wages, there is a question as to whether or not that is a proper function of the Secretary of Labor?

I should like to report that in California, the wages which are paid for farm labor, both supplemental and regular, were the highest in the country, and yet the Secretary of Labor arbitrarily raised the wage rate from $1.35 an hour to $1.40.

Mr. BASS. I remember that; and I remember his testimony before the committee, and could quote it verbatim. But I shall merely state now for the record, that the standard of living and the costs of living in the areas involved were taken into consideration.

To continue with my statement, this language clearly contemplates the placing of the responsibility for determining the availability of domestic agricultural workers on the Secretary of Labor. Mr. President, this legislation passed this body on September 7 of this week and yet this amendment on which I am now speaking would completely undermine this act. It would extract from the Secretary of Labor the function of making the determination of availability which goes to the heart of this problem and for which the Senate appropriated almost $2 million. This amount was to assure that the Secretary of Labor dealt with this problem in accord with the wishes of the Senate as expressed in the provisions passed by this body. Obviously, this is a matter which is within the purview of the Labor and Public Welfare Committee and the Appropriation Committee. Since we have just finished appropriating almost $2 million to the Secretary of Labor to carry out these functions, it would be a travesty, not to mention the mistake involved, at this point to shift all these functions to the Secretary of Agriculture who has neither the facilities, manpower, information or expertise to make these decisions and carry them.

This provision would also usurp the functions of the Senate Judiciary Committee. Surely no Member of this body can question the fact that matters dealing with immigration and with the Immigration and Nationality Act are properly within the purview of the Judiciary Committee. This week we anticipated having before us the Immigration and Nationality Act revisions submitted by the Senate Judiciary Committee. These were previously considered by the Judiciary Committee of the House and passed by that body. Yet this provision, if enacted, even though never considered by the Judiciary Committee, would alter section 212(a)(14) and section 214 of the Immigration and Nationality Act as presently constituted. The former section and the regulations of the Immigration and Naturalization Service promulgated pursuant to section 214 are designed to insure the admission of aliens into the United States for employment in a manner which will not create unfair competition between such aliens or between our own workers for available job opportunities. It also insures that the wages and working conditions of the domestic workers will not be adversely affected. The Attorney General has requested the Secretary of Labor under this act to supply him with the pertinent information upon which to base these determinations. This was done in recognition of the very special sources of information and facilities existing in, or available to, the Department of Labor which are unique within our Federal Government system.

When the Immigration and Nationality Act revisions were recently considered by the House of Representatives—the bill we expected to consider sometime this week—the House saw fit to tighten the safeguards provided through section 212(a)(14). In doing so, they provided that an affirmative certification of nonavailability of domestic workers, stating there would be no adverse effects, would be furnished by the Secretary of Labor before any immigrants could be admitted for employment in the United States. The revised version of this section as passed by the House was given very careful and lengthy consideration by the House Judiciary Committee before it was reported to the House. Section 706 presents a direct conflict with the action of the House in a matter which is basically within the jurisdiction of the House and Senate Judiciary Committees.

The present proposal, however, would significantly modify the recent House action when it would affect the admission of immigrant aliens for agricultural employment. The determination required by the section discussed would, in such cases, be made by the Secretary of Agriculture instead of the Secretary of Labor. It apparently, however, leaves untouched the authority of the Secretary of Labor to make certification dealing with the adverse effects cited by this section. Thus, with respect to a single admission, two separate certifications, inextricably interrelated, would be required of two different Government agencies. The resulting confusion can only create further complications of the administration of the Immigration and Nationality Act, a law already overburdened with such complications and confusion.

Another aspect of this procedural snafu needs to be discussed at this point. The Appropriations Committee in reporting the Agricultural Appropriations Act of 1966 requested a comprehensive study of the entire agricultural-labor situation to be made. In the report the Appropriations Committee stated that it "recognizes that such a study will require careful planning and extensive research." Yet now, without the benefit of the study or without any such careful planning or extensive research we are asked to accept a provision which materially alters all of the existing relationships between the governmental agencies involved in the program.

The Secretary of Labor has stated:

> This section provides for a drastic realinement of responsibilities with respect to determinations affecting not only farm labor, but also the amounts of land, materials, and services needed for farm production and harvesting.

I state parenthetically that this statement was made by the Secretary of Labor before the Senator from Florida amended his section striking out the other parts.

> The reorganization proposed by this section of the reported bill would involve substantial shifts in functions and programs now performed by the Departments of Justice, Interior, Agriculture, and Labor under a variety of statutes, including the Wagner-Peyser Act and the Immigration and Nationality Act. Of special significance to the Department of Labor is the effect the proposal would have on the Department's responsibilities under various sections of the Immigration and Nationality Act involving determinations of availability of domestic workers in connection with the admission of both immigrant and nonimmigrant aliens. For example, section 706 is in sharp conflict with certain revisions of section 212(a)(14) proposed by the immigration and nationality bill recently ordered reported by the Senate Judiciary Committee. These latter provisions are also contained in the House-passed immigration and nationality bill, designed to tighten certain safeguards for American labor after a most thorough and careful consideration of all aspects of this issue.

I ask unanimous consent that the entire letter of the Secretary of Labor be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington.

Hon. ROSS BASS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BASS: I call to your attention section 706 of the omnibus farm bill (H.R. 9811).

This section provides for a drastic realinement of responsibilities with respect to determinations affecting not only farm labor, but also the amounts of land, materials and services needed for farm production and harvesting. The reorganization proposed by this section of the reported bill would involve substantial shifts in functions and programs now performed by the Departments of Justice, Interior, Agriculture and Labor under a variety of statutes, including the Wagner-Peyser Act and the Immigration and Nationality Act. Of special significance to the Department of Labor is the effect the proposal would have on the Department's responsibilities under various sections of the Immigration and Nationality Act involving determinations of availability of domestic workers in connection with the admission of both immigrant and nonimmigrant aliens. For example, section 706 is in sharp conflict with certain revisions of section 212(a)(14) proposed by the Immigration and Nationality bill recently ordered reported by the Senate Judiciary Committee. These latter provisions are also contained in the House-passed Immigration and Nationality bill, designed to tighten certain safeguards for American labor after a most thorough and careful consideration of all aspects of this issue.

Under section 212(a)(14), responsibility for determining the availability of domestic workers in connection with the consideration of applications for immigrant visas is vested in the Secretary of Labor. This determination cannot be made in the abstract. It requires an intensive, sustained and nationwide effort to reach all sources of labor supply. The function of determining the availability of labor is inextricably interrelated with the recruitment functions presently carried out by the Department of Labor through a nationwide network of state employment offices reaching into every rural and urban area.

The proposal has similar implications with respect to section 214 of the Immigration and Nationality Act which deals with the admission of nonimmigrant aliens for temporary employment.

Additionally, it would create confusion for the program authorized by the Congress in the Department of Labor supplemental appropriations bill which provides funds and authority for the Secretary of Labor to assure that, in connection with the admission of nonimmigrant aliens under the Immigration and Nationality Act, domestic workers are given preference in employment. This bill was passed by the Senate on September 7, 1965.

Because of the general and ambiguous language it is not possible to ascertain at this time the full impact of this proposal. It is clear, however, that it cuts across the responsibility of the Departments of Justice, Agriculture, Interior, and Labor.

I am aware that this whole issue has been proposed for a study under the leadership of the Secretary of Agriculture. I would of course look forward to cooperating fully with such a study and the opportunity it would provide for a review of the present program.

I am in full accord with the views expressed that the adoption of this proposal would not serve the best interests of the various programs within the scope of the proposed reorganization.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

At this time I should like also to quote from a letter from the Attorney General. The Attorney General stated:

The Department of Justice urges the deletion of this provision from the agriculture bill because it conflicts with the responsibilities of this Department in administering the immigration laws both as they now exist and, depending on the timing of enactment, as they would be amended by the pending immigration bill, H.R. 2580, which passed the House on August 25. The provision in question would supersede the present functions of the Attorney General, and of other Government agencies, such as the Department of Labor, with which this Department consults regarding the admission of temporary agriculture labor under section 214(c) of the Immigration and Nationality Act. As to aliens who are prospective immigrants and who contemplate agricultural employment, the provision conflicts with section 212(a)(14) of that act and with several portions of the pending immigration bill. These include (a) section 3 of the immigration bill, containing an amended section 203(a)(6) of the Immigration and Nationality Act establishing preferences for needed lesser skills, (b) section 10 of the bill, containing an amended section 212(a)(14) of the act prescribing clearances by the Secretary of Labor which affect the admissibility of various classes of aliens, and (c) portions of the bill cited in section 10 thereof which chiefly affect so-called special and nonpreference immigrants. These are important parts of the bill.

I ask unanimous consent to have printed in the RECORD a verbatim copy of the Attorney General's letter. The Secretary of Agriculture is also opposed to this provision.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., September 9, 1965.
Hon. ROSS BASS,
U.S. Senate, Washington, D.C.

DEAR SENATOR BASS: This is in response to your request for my comments on section 706 of the agriculture bill, S. 1702, as reported by the Senate Agriculture Committee. This section would vest in the Secretary of Agriculture the power to make determinations binding on the rest of the Government as to the need for and availability of economic resources, including labor. for use in agricultural production.

The Department of Justice urges the deletion of this provision from the agriculture bill because it conflicts with the responsibilities of this Department in administering the immigration laws, both as they now exist and, depending on the timing of enactment, as they would be amended by the pending immigration bill, H.R. 2580, which passed the House on August 25. The provision in question would supersede the present functions of the Attorney General, and of other government agencies, such as the Department of Labor, with which this Department consults regarding the admission of temporary agricultural labor under section 214(c) of the Immigration and Nationality Act. As to aliens who are prospective immigrants and who contemplate agricultural employment, the provision conflicts with section 212(a)(14) of that act and with several portions of the pending immigration bill. These include (a) section 3 of the immigration bill, containing an amended section 203(a)(6) of the Immigration and Nationality Act establishing preferences for needed lesser skills, (b) section 10 of the bill, containing an amended section 212(a)(14) of the act prescribing clearances by the Secretary of Labor which affect the admissibility of various classes of aliens, and (c) portions of the bill cited in section 10 thereof which chiefly affect so-called special and nonpreference immigrants. These are important parts of the bill.

Apart from its impact on immigration, I am informed that section 706 of the agriculture bill is likely to have drastic and unpredictable effects on many other laws and programs. For instance, it might affect occupational deferments under Selective Service, assistance for education or manpower retraining pertaining to agriculture, and operations of the U.S. Employment Service. So far as resources for agriculture other than labor are concerned, the amendment might affect the regulation and production of electric power and other services, flood control and irrigation projects, the acquisition, leasing and disposal of public lands, financial assistance to agricultural and supporting enterprises, policies affecting chemical or other materials used in agriculture, or programs and regulations pertaining to transportation affecting agriculture. It is also possible that determinations under the amendment might supersede functions of the States pertaining to agriculture in ways not now contemplated. All of the foregoing could result in much administrative delay for numerous agencies, and in unnecessary litigation.

For the foregoing reasons, I urge the deletion of section 706 from the agriculture bill.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. BASS. These agencies, Mr. President, are the agencies presently most intimately acquainted with the problems dealing with this subject. The Department of Agriculture has neither the facilities nor the expertise to handle this type problem, involving the determination that it does. The Justice Department's functions would be immeasurably complicated if this provision were enacted into law. Even if the Senate should give consideration to enacting such a provision into law, then the proper context in which to consider it would be in the amendments to the Immigration and Nationality Act, which are due to come before this body, as I stated previously, in the near future.

Mr. MURPHY. Mr. President, will the Senator from Tennessee yield at that point?

Mr. BASS. I shall be happy to yield in a moment, if the Senator will let me finish my statement first.

This provision, Mr. President, would be bad policy even if it were confined to the jurisdictions of the Secretaries of Labor and Agriculture. Are we to remove from the jurisdiction of a Cabinet officer certain areas and place these under the scrutiny of another Cabinet officer simply because the first officeholder has displeased a given group within this country? Many people at the present time are displeased with the actions of the National Labor Relations Committee. Are we to remove from this Board jurisdiction over the area in controversy and place it under the jurisdiction of the Secretary of Commerce? Many people, including myself, are very much disappointed in the assertion of authority by the Civil Aeronautics Board and the manner in which it exercises its jurisdiction. However, Mr. President, I have yet to come, and will not come, before this body and advocate, simply because I am displeased with this or any other Government agency, that we remove all its jurisdiction and place it before another agency with the expectation that my views would be better presented and my ends better accomplished there. If such be the case, then surely to say the least, complete internal governmental chaos would be the result.

I, therefore, ask this body to join me in voting against, and rejecting, this provision of the present bill. I urge Senators to vote for my amendment which would strike this obnoxious language from the text of the bill.

Mr. President, in the omnibus agricultural bill, this subject matter does not apply to any degree. There is no section of the bill which speaks directly to the immigrant worker, or to the bracero program. Over a period of years, during my experience in Congress, this program has been dealt with separately. It has been considered a separate issue.

I do not deny that there may be problems involved in determining the necessity and the application of the entire program of braceros or immigrant workers in the United States. But this is superfluous matter in a very important piece of farm legislation which I hope will go a long way at least, to solve temporarily some of the agricultural problems which exist in this Nation at this time.

Therefore, I hope that this material, which is extraneous, and which does not deal with the major provisions of the bill, will be stricken from the proposed legislation.

I hope that the proper committees of Congress will look at the problem, if there is a problem existing. If there is need for new legislation in the field, I hope that it can be settled as a choice piece of legislation which has been the case of the historical legislation in this field over many years.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. ELLENDER. As the distinguished Senator from Tennessee has stated, the Committee on Agriculture and Forestry held hearings lasting 3 or 4 days during the early part of this year, in order to try to impress the Department of Labor, as well as the Department of Agriculture—in fact, the whole Nation—as to what was happening on the farms on which perishable crops had been planted in abundance, where the farmers were having a great deal of trouble obtaining sufficient labor to cope with the situation of gathering the crops.

Mr. President, I fathered the Bracero Act long ago. Personally, I would not mind having that same act on the statute books now, but it was apparent when the last renewal was presented that we had no opportunity to have the act extended, even though Congress had seen fit to relegate the operation of the bracero program to stoop labor.

Mr. President, the provision of the committee amendment is simple. All it seeks to do is to place the problem in the hands of the Department of Agriculture and let it determine the necessity for importing labor. It does not mean that the Department of Agriculture itself would, in any way, take over administration of the laws relating to immigration. The Secretary of Agriculture would make the findings as to the necessity for obtaining labor in order to save the crops.

The hearings we had during the early part of this year showed that many farmers were not planting what they usually plant by way of perishable crops, because of the fact that they had no way to tell whether they would be able to obtain sufficient labor to gather the crops.

As a result, I am informed—and I am sure that my good friend the Senator from California [Mr. MURPHY]——

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. ELLENDER. I am sure that the Senator from California will be able to give a specific example of farmers who grew less. Some even moved to Mexico to grow crops which they could have easily grown in California or other parts of the Southwestern United States.

Mr. President, I do not believe that provision contained in the committee amendment would do any harm. It would place authority in the proper place where an informed determination can be made. If a good showing can be made that the labor is needed, the laws now on the statute books can then be put into effect to provide the needed labor. That is what the laws have been put on the books to accomplish.

I yield 30 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 30 minutes.

Mr. HOLLAND. Mr. President, before I begin my prepared remarks on the subject, let me say to my distinguished friend from Tennessee that he has apparently overlooked the important jurisdiction of the Department of Agriculture. Periodically, several times a year, the Department gathers information on the work force. It publishes reports, almost as big as books, on work force statistics. I have in my hand report No. 76, which is entitled "The Hired Farm Working Force of 1963, With Supplementary Data for 1962."

This is only one of numerous publications in the field. So the Department of Agriculture does keep up with the labor supply. It does have the expertise. It does have information in that field. It is by reason of the trouble to which the Secretary of Labor has led, not only in this matter but others, that we think the Department of Agriculture has to be given the authority to prescribe how much labor is needed, at any particular time during the season, and have the responsibility of issuing reports, both ahead of time and during the season, as to what crops are to be expected, what the conditions are, and the like. It can obtain that information from sources and information available to it. So there is no particular problem in that connection.

Only this morning I conferred with the Secretary of Agriculture. He tells me there is no doubt about their having the information, records, expertise, and personnel in the field to acquire the information. There is no difficulty in determining what force is needed and what can be used. The Department has in the field county agents and their staffs. The Department has the ASC committees. It has the crop reporting service. It has the crop insurance division and various other divisions on the job checking on these matters. It can do all that work.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be glad to yield in a moment. I am impressed by the fact that the Senator from Tennessee does not have a letter from the Secretary of Agriculture. He personally stated to me this morning that the Department has sufficient machinery to obtain the facts. As a matter of fact, the Department does so, as shown in the exhibit to which I have just referred.

Now I am glad to yield to the Senator from Tennessee.

Mr. BASS. First of all, I am advised by the Secretary of Agriculture's assistant that he opposes this section of the bill. I do not personally have a letter from him, but we might attempt to get one if we have time. Of course, the Secretary of Agriculture has the expertise and the facilities to determine how much agricultural labor is available in an area and how much is needed in the production of the crops. But my friend from Florida knows that we are not talking about agricultural labor, because if this work could be done with agricultural labor, there would be no controversy.

What we are talking about is part-time employees that have to be recruited from the nonagricultural labor force in the Nation at a given time. In order to recruit these workers, somebody has to know about the availability and the wage scales involved in paying the bill. The Secretary of Agriculture, in all the reports he may have issued, has never had such information. He does not have the information and he cannot know about the nonagricultural labor force which must be known if domestic nonimmigrant workers are to be given the opportunity of doing the work.

Mr. HOLLAND. I say to the Senator from Tennessee that, insofar as wages are concerned, we do not attempt to confer any authority at all on the Secretary of Agriculture. We have never conferred it on the Secretary of Labor. One source of the trouble that has concerned some of us is that he has assumed unto himself authority which has been withheld by Congress. Every time a labor bill has been considered in the 19 years I have been a Member of the Senate, and I am sure before that, there have been attempts to have agricultural wages included in a wage and hour bill. Every time that has been attempted while I have been a Member of the Senate, the Senate has voted such a provision down. The House has voted such a provision down. That authority has never been given by Congress. Yet the Secretary of Labor has blithely assumed this authority. Because of his advisory capacity, we cannot reach him through the courts, about which I shall have something to say later. He has set a minimum labor charge in various States which exceeds the minimum labor wage for industry which has been prescribed by act of Congress. Notwithstanding that Congress has refused to prescribe that authority for the Secretary, he has prescribed a larger labor charge as a condition to giving certification for letting workers come in from Canada, the British West Indies, or Mexico.

The fact of the matter is that wages have nothing to do with our amendment, nor does it have to do with the matter of cutting down the power of the Secretary of Labor to carry on a recruitment program.

We tried to provide additional sums this year to enable him to do a better job in the field, but after he has done all he can do by his efforts in the recruitment of labor for the industry, we want the Secretary of Agriculture to be able to say, "This is how much is available against such a need," and to say it in such a way that it can be relied on in the courts and by the Attorney General, through the Commissioner of Immigration, and that it will give some dependable information and relief to the industry which has been so badly hurt by the intransigence of the present Secretary of Labor.

We did not have this trouble under Secretary Goldberg. He was a reasonable man. He used commonsense in this field. I am sorry we have not had a demonstration of it by the present Secretary. We did not have such a situation under the late Secretary Mitchell. We had no trouble there. It is only since we have had this idealistic, evangelistic Secretary of Labor, who thinks he has authority to set wages——

Mr. BASS. Now, now——

Mr. HOLLAND. And who thinks he has authority to do other things which we regret, and who says he is not bound in court by these decisions and cannot be held accountable for them—it is only since we have had such a Secretary of Labor that we have had these troubles.

Mr. BASS. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment.

We are not trying to deal with the problem fully, but in one field only, in which we can deal with it effectively, and that is to give the Secretary of Agriculture authority to say, "So many workers are needed to handle this particular vegetable or fruit crop because our estimates are that so much will be needed this year."

To say we need more and that we do not have that large a number, the Secretary of Labor has not been able to produce them. We do not have available the labor force which we are seeking. We believe the Secretary of Agriculture is peculiarly and uniquely qualified to make that determination, and it is for that reason that we would impose this duty upon him.

Mr. BASS. To say that this problem has come about since the present Secretary of Labor has been in office is certainly snatching in air because, as the Senator well knows, this problem has existed for many years.

The problem, perhaps, has been magnified because Congress determined that the bracero program was bad and voted it out of existence. The Secretary of Labor then tried, as best as he could, to help the people who needed some assistance.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I have heard them come before my committee, both in the House and in the Senate, during my terms since I first came to Congress as a young lad, knowing that this problem existed. It has been magnified.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. I am thoroughly familiar with the matters which the Senator mentioned. I served with the committee which drafted the bracero act. It did not come from the Committee on the Judiciary. It came from the Committee on Agriculture and Forestry. I am familiar with the inception of this program. Mexico said it would not tolerate that kind of condition and asked for consultation which would be incorporated in the new bill, which was done. I am familiar with every step of the controversy.

I represent one of the two States most affected by the present arbitrary actions of the Secretary of Labor.

We produce more perishable crops—not as many as the Golden State, but we produce a billion dollars of produce a year. I know how badly we have been hurt this year and I am trying to take steps under which relief can be had. I am glad the distinguished Senator was fair, as he always is. I announced to the committee that I expected to offer this amendment, and the reason I did. I did it so there can be no question of surprise.

Mr. BASS. Mr. President, will the Senator yield for one more statement?

Mr. HOLLAND. I yield.

Mr. BASS. I want it understood that the Senate is not saying there is not a shortage of labor in certain areas in the State of Florida or the State of Tennessee.

Mr. HOLLAND. What is the Senate doing to correct that?

Mr. BASS. The Senator from Tennessee believes there is adequate labor in the United States if the recruitment program is properly administered, for domestic labor, instead of taking people who want to come across the border.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BASS. I wish to make one more statement.

Mr. MURPHY. Mr. President, I would like to have the floor, please. I have asked several times.

There is confusion here that I would like to straighten out.

Mr. HOLLAND. I yield to the Senator from California, after the Senator from Tennessee, has exhausted his remarks.

Mr. BASS. I wish to make one statement. When I voted against the bracero program in the House of Representatives I said that one of the great fallacies and one of the things which should be worked out in the program, was that no immigrant labor should be brought into the United States to produce crops that were in surplus in which we had acreage quotas. The small farmers in Tennessee want the privilege of raising crops, the labor is available, and they have the members of immediate families working on the farm. That is the reason why the Senator from Tennessee says the labor problems can be well taken care of and should be in the hands of the Department of Labor because we have not had the proper treatment.

We could not justify any vote in the Congress by saying we allowed immigrant workers to come in. Farmers in Tennessee have families to feed and want to produce crops.

This Senator will never vote that way.

Mr. HOLLAND. With respect to that, when we get further along we can pool time. I have been assured by the majority leader that we can have time on the bill. The Senator has been gracious in yielding to me. I do not want to have time problems when we are through. I am glad that the distinguished Senator from California made his gallant fight to keep in business thousands of people who are producing perishable commodities in his State. Some have already been run out of business by the treatment they have had from the present Secretary of Labor.

Mr. MURPHY. I thank the Senator from Florida. I would like to address the Senator from Tennessee. When I came to the Senate I found great confusion about this matter.

The Senator from Tennessee made a wonderful case, as have other Senators, with regard to handling the problem. He suggests that perhaps because the Government arrangements are too complicated and that we have to leave it alone while farmers in my State go out of business. I do not believe he meant to say that. He mentioned wetbacks.

I shall submit in my formal statement, which I shall make later, evidence that the wetback problem is back with us again because the operation has not been properly handled.

The Senator talks in terms of surplus crops giving the impression that these are crops supported by Government subsidy.

I am not speaking of Government-supported crops. I am speaking of crops grown by the small farmer in cooperatives, that have done so successively. It is the largest industry in my State. They are about to be completely ruined. Farms which have been operating successfully for 35 to 50 years are going broke because the Secretary of Labor has taken an arbitrary position. He is not listening to reason.

Much has been said about machinery that was necessary to obtain information. I suggest that the machinery exists.

There was State and Federal machinery. What did the Secretary of

Labor do? He appointed three college professors as experts to advise him on the number of bracero workers that were needed. They come in, pick and harvest, and never amount to more than 10 percent of the work force. Without them the Nation's work force will suffer. The Teamsters are suffering now. Other unions will suffer. This is the reason I may become a little emotional. I have lived with this problem for 2 years.

If the Senator from Tennessee will forgive me, I, too, have known about the problem for 20 years. The Secretary has taken the word of three professors about the number of workers needed on farms and arbitrarily cut it in half. The Secretary of Labor is a busy man, with dock strikes and steel strikes, and he has had too many problems to take care of this one.

The crops of our Nation must be picked when ready. That is why I join the Senator from Florida. I hope this can be transferred to the Secretary of Agriculture. I hope we can devise a good working program to get them by next year.

Mr. HOLLAND. I thank the Senator. I will now proceed on my prepared remarks.

Mr. President, in strongly opposing the pending motion of the Senator from Tennessee to strike section 706 of the pending farm bill I would like to discuss, in some detail, the meaning and objectives of said section 706.

On several occasions during the past 9 months, joined by many other Senators, I have called the attention of the Senate to the very serious farm labor problem facing major parts of American agriculture. The problem has, of course, arisen from the fact that many farmers producing perishable crops have been unable to obtain needed workers to meet their requirements.

Section 706 of the pending bill should go a long way toward remedying what has been a chaotic situation. It is designed to give specific responsibility to the Secretary of Agriculture for finding facts and making certain determinations regarding the need for and availability of workers at the time and place they are needed to produce and harvest the Nation's crops.

This is essential because there have been too many instances this year where workers alleged to have been available by the Department of Labor have been either nonexistent, or were unable, or unwilling to do the jobs for which they were hired. This has resulted in substantial costs and losses to many farmers. Large sums have been expended in often futile recruitment efforts. Significant losses have occurred in many perishable crops because of farmers' inability to harvest at maturity. Other crops were not planted, or plantings were reduced, because of legitimate fears of labor shortages. Several farmers have simply abandoned acreage as a result of too few farmhands. Some farmers have moved their operations to other countries. These crop losses sustained by the producers also result in higher consumer prices, in certain instances.

It is not necessary to review in detail these distressing past events. They were covered in thorough hearings held before the Senate Committee on Agriculture and Forestry on January 15 and 16 of this year and shown by a printed hearing record of 369 pages available to all Senators. They were documented in discussions on the floor of the Senate on February 18, February 25, March 9, May 12, and again on June 30.

It has been only after the greatest efforts on the part of individual Members of the Senate and House with the executive branch, sometimes with the President himself, that we have been able to obtain relief at all. And this relief has been frequently too little and too late.

This problem is made much more difficult because presently there is no statutory duty on anyone other than the Attorney General to obtain the facts and make the determinations necessary to support proper conclusions. The Attorney General, however, does not have the facilities to determine the facts on which his decisions must be based. He must look elsewhere. And the person who makes the findings of fact should be responsible therefor. By placing the responsibility on the Secretary of Agriculture to determine the facts, and making his findings binding on other Federal agencies, this amendment will prevent arbitrary or capricious actions and will allow such actions to be tested in the courts.

At the present time, as was indicated in the Court's decision in the Florida case of *Chase Glades Farms* v. *Wirtz* (No. 65–86–Orl.–Civ.) arbitrary and capricious acts on the part of the Secretary of Labor or his failure to act cannot be tested because he is performing only an advisory function not directed by law.

On May 5, 1965, 10 Florida celery growers filed an action to restrain and enjoin the Secretary of Labor from refusing to extend the certification for celery cutters from April 30 to June 15, 1965 to permit foreign agricultural workers holding temporary visas as supplementary agricultural workers under the provisions of section 101(a)(15)(H)(ii) of the Immigration and Nationality Act to continue to perform the operation of cutting celery until May 31 as to some of them, and until June 15, as to others—*Chase Glades Farms* v. *Wirtz*, No. 65–86–Orl.–Civ. The complaint alleged that the Bureau of Employment Security of the Department of Labor had arbitrarily and capriciously refused to extend its clearance order or certification for the use of this labor beyond April 30, 1965, and that irreparable losses of the celery crop would be sustained if the supplemental workers were not permitted to continue to cut celery. A restraining order and injunction was also requested against the Attorney General and the Commissioner of Immigration and Naturalization from deporting the workers.

The gist of the cast is well stated in the following paragraph from the opinion of the trial court:

> The refusal of the Secretary of Labor to extend the certification for celery cutters from April 30 to June 15, 1965, is the crux of the plaintiff's case. Plaintiffs are all celery growers in the Okeechobee area of Florida and are each a beneficiary of the Florida Fruit and Vegetable Association's contract for off-shore workers.

In the argument to the court with respect to the issuance of a temporary restraining order counsel for the Secretary of Labor and the Attorney General contended that the Secretary of Labor is vested with no authority whatsoever to determine whether any laborer should be admitted on a nonimmigrant status or whether having been admitted his stay should be continued, and that the Secretary of Labor acts only in an advisory capacity to the Attorney General.

Mr. President, because of the failure to adduce in court evidence of the extreme hardships that have been endured, the great farm organizations of this country have come out strongly for taking care of this matter. I have received a telegram from Mr. Bernard J. Imming, secretary of the United Fresh Fruit & Vegetable Association. I ask unanimous consent that his telegram be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.,
> *September 13, 1965.*
>
> Hon. SPESSARD HOLLAND,
> *U.S. Senate,*
> *Washington, D.C.:*
>
> We support section 706 of farm bill. U.S. Department of Agriculture has necessary facilities to make specific findings of fact which should be extremely helpful to U.S. Department of Labor and Attorney General in assuring adequate supplies badly needed supplemental farmworkers.
>
> BERNARD J. IMMING,
> *Secretary, United Fresh Fruit & Vegetable Association.*

Mr. HOLLAND. Mr. President, Mr. Imming's telegram makes it quite clear that we are not trying to knock the Secretary of Labor out of business and are not trying to displace the Commissioner of Immigration. To the contrary, we are trying to help them to do a difficult job which they have not been able to do well under the present setup because the Secretary of Labor has stymied the whole process.

I have also received a telegram from Mr. Charles B. Shuman, president of the American Farm Bureau Federation. I ask unanimous consent that his telegram be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.,
> *September 13, 1965.*
>
> Hon. SPESSARD L. HOLLAND,
> *U.S. Senate,*
> *Washington, D.C.:*
>
> The American Farm Bureau Federation board of directors, now in session, endorses your proposed amendment to authorize the Secretary of Agriculture to determine farm labor needs as the basis for the admission of supplemental foreign farmworkers. The Department of Agriculture has the statistical field force familiar with the labor needs of farmers to provide reliable and helpful data for this purpose.
>
> CHARLES B. SHUMAN,
> *President,*
> *American Farm Bureau Federation.*

Mr. HOLLAND. Mr. President, another telegram, a copy of which I have received, is from Kenneth D. Naden, executive vice president of the National Council of Farmer Cooperatives. I ask unanimous consent that his telegram be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL OF
FARMER COOPERATIVES.

Hon. MIKE MANSFIELD,
Senate Majority Leader.
Hon. EVERETT M. DIRKSEN,
Senate Minority Leader.
Hon. RUSSELL LONG,
U.S. Senate.
Hon. ALLEN J. ELLENDER,
U.S. Senate,
Washington, D.C.:

Members of National Council of Farmer Cooperatives strongly support Holland amendment, section 706 to farm bill (H.R. 9811) being considered today. Amendment essential because of skillful field staff and unique knowledge of Secretary of Agriculture of resources required for effective and efficient production of farm products. Timeliness in production and harvesting of farm products necessary to maintain quality, prevent waste, and support farm income as well as protect consumers.

KENNETH D. NADEN,
Executive Vice President.

Copy to Senator SPESSARD L. HOLLAND.

Mr. HOLLAND. Mr. President, I wish to emphasize one sentence of Mr. Naden's telegram:

> Amendment essential because of skillful field staff and unique knowledge of Secretary of Agriculture of resources required for effective and efficient production of farm products.

Mr. President, I have also received a fine letter from Herschel D. Newsom, national master of the National Grange, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL GRANGE,
Washington, D.C., September 13, 1965.
Hon. SPESSARD L. HOLLAND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HOLLAND: The National Grange strongly supports section 706 of H.R. 9811, the farm bill now pending before the Senate.

The matter of having the necessary number of farmworkers who are capable of performing the arduous tasks involved in the production and harvesting of the Nation's agricultural crops is vital to farmers, consumers and to our national well-being.

There is no question but that American agriculture gives first preference to the employment of qualified Americans but experience has demonstrated time and again that there are periods of time when supplemental farmworkers are needed. When these conditions exist this need must be met. There must be an orderly and certain procedure whereby the essential facts can be ascertained and whereby the needed supplemental workers may be admitted for temporary employment without farmers being subjected to inordinate and unreasonable requirements and without needless delays occasioned by bureaucratic experimentations.

The Immigration and Nationality Act specifically authorizes the admission of farmworkers whenever the need exists. The present procedure, however, of depending upon the Secretary of Labor to obtain and supply the facts has proven to be a complete failure. The Department of Labor obviously is not qualified, as is the Department of Agriculture, to determine the needs, availability, and capability of persons in the areas of employment to perform the different kinds of farmwork, or the urgent necessities of having the work performed at particular times. Through the facilities of the U.S. Employment Service the Department of Labor can and should make known and assist any prospective farmworkers to find jobs—just as it does workers seeking any other kind of employment activity—but the test of whether they will make themselves available and whether they are capable of performing agricultural fieldwork is something in which the Department of Labor does not have expertise comparable to that of the Department of Agriculture.

The need for supplemental farmworkers has been particularly acute this year from Maine to California because of policy changes not directed by law inaugurated by the Department of Labor. Farmers have been subjected to excessive and unreasonable requirements and even then agricultural needs have not been met. The National Grange believes that the time is now at hand for the Congress to provide a way for their agricultural needs to be determined and transmitted to the Attorney General.

There can be no doubt that the Department of Agriculture has the facilities and capabilities of making the determinations required under section 706. This fact, of course, is rather obvious when one considers that there are county agents and county committees dealing daily with agricultural matters in almost every county in the United States.

I am at loss to understand why anyone would object to having the Secretary of Agriculture specifically charged by the Congress with the responsibility for ascertaining facts and for making determinations which are peculiarly within his competence. It is clear that the necessary facts which are essential to prompt determinations so that agricultural needs can be met have either not been obtained or they have been ignored. This should be corrected and we believe section 706 will be helpful.

We, therefore, hope that the Senate will retain section 706 in the bill.

Sincerely yours,
HERSCHEL D. NEWSOM,
National Master.

Mr. HOLLAND. Mr. President, I wish to read for emphasis two parts of Mr. Newsom's letter.

> The Immigration and Nationality Act specifically authorizes the admission of farmworkers whenever the need exists. The present procedure, however, of depending upon the Secretary of Labor to obtain and supply the facts has proven to be a complete failure. The Department of Labor obviously is not qualified, as is the Department of Agriculture, to determine the needs, availability and capability of persons in the areas of employment to perform the different kinds of farmwork, or the urgent necessities of having the work performed at particular times.

I now read the last paragraph of Mr. Newsom's letter:

> I am at a loss to understand why anyone would object to having the Secretary of Agriculture specifically charged by the Congress with the responsibility for ascertaining facts and for making determinations which are peculiarly within his competence. It is clear that the necessary facts which are essential to prompt determinations so that agricultural needs can be met have either not been obtained or they have been ignored. This should be corrected and we believe section 706 will be helpful.

Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from Tennessee for the purpose of enabling him to ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BASS. Mr. President, on the pending amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BASS. I thank the Senator from Florida for yielding.

Mr. HOLLAND. Mr. President, in refusing the temporary restraining order as requested, the court said:

> This court concludes that under the law * * * the Secretary of Labor, his subordinates and the agencies of the Department of Labor are not vested with any authority to grant or deny the admission or the continuance in this country of any nonimmigrant laborer. Because of that, the determinations made by the Secretary of Labor in connection with such matters are solely advisory and can be accepted or rejected by the Attorney General in the exercise of his statutory authority on this subject. The giving of such advice is not subject to injunctions.

The growers are helpless. They have no place to go, the court said. I think the court was correct in that. I understand that two courts in California ruled in the same way. I have not seen those decisions, but the courts have held that the growers are without legal remedy. Is that American? Is that the way in which we are supposed to conduct important businesses in which the citizens of our Nation have money invested for the purpose of feeding people? I do not believe it is.

The PRESIDING OFFICER. The 30 minutes of the Senator have expired.

Mr. ELLENDER. Mr. President, I yield 15 additional minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for an additional 15 minutes.

Mr. HOLLAND. Mr. President, shortly after the issuance of the court decree in this case the Attorney General rejected the finding of the Secretary of Labor and ordered an extension of time for the offshore celery cutters involved in that suit. For this relief we are indebted to the Attorney General and to the President.

Mr. President, it is an unfortunate situation when the growers must go to the President. That is what we had to do in order to get relief when, at midnight of that day, the workers were supposed to be ejected from the country. The President called the Attorney General and told him to keep the workers in the country so that they could do this important work in harvesting perishable crops.

This problem will continue until a procedure for fixing such responsibility is established. And it is the purpose of our section 706 of the pending bill to provide just such a system. Under section 706 the Secretary of Agriculture will be designated as the appropriate official to ascertain agriculture's requirements for farmworkers and their availability and to make these findings known to appropriate agencies of Government.

Is this provision needed? To me the answer is definitely "yes."

Until recent years, supplemental farm labor programs worked smoothly and reasonably well although persistent efforts were made to use them as vehicles for achieving purposes never intended by Congress. Beginning this year, however, the Secretary of Labor made a sharp change in his policies and procedures in connection with issuing clearance orders for workers. He has imposed numerous onerous requirements as a condition to presenting a petition for workers to the Commissioner of Immigration. Just to cite one, he has required the payment of a minimum wage in several States, in excess of that established by Congress for industry. This has never been authorized by Congress, and in fact, agriculture has been expressly exempt from the Wage and Hour Act.

Not only have farmers been saddled with extremely burdensome regulations, but the Secretary of Labor has taken the position that foreign, supplemental, agricultural labor should be excluded. He attempted to support this position by the strange theory that the Congress by not extending his authority under Public Law 78, under which Mexican nationals formerly entered this country, somehow nullified the provisions of the Immigration and Nationality Act—Public Law 414—authorizing the importation of needed workers.

The Department of Labor has consistently misconstrued congressional intent with respect to supplemental labor programs. It has constantly maintained that Congress intended, by not extending Public Law 78, to discontinue making available supplemental agricultural labor to American farmers under other law provided for that purpose, which law is still on the books.

In his statement covering his December 19, 1964 regulations, the Secretary of Labor said with respect to the action of the 88th Congress in extending Public Law 78 to the end of 1964:

> The users of braceros were put on notice that this supply of foreign labor was, by Congress' decision, to be cut off.

He further declared in the same statement that the issuance of the December 19 regulations under the immigration law "does not imply that there will be any large-scale use of foreign workers in the future. To the contrary, it is expected that such use will be very greatly reduced and, hopefully, eliminated."

Subsequently, during the hearings before the Senate Committee on Agriculture and Forestry on January 15 and 16, 1965, Mr. Wirtz attributing to Congress an intent to nullify the Immigration and Nationality Act said on page 66 of the hearings:

> Or in short, Congress stopped this law (Public Law 78) and the rest of the legal point is that it will not be reinstated by administrative action through the back door.

I presume he was speaking of the immigration law in his reference to "the back door."

Later in his testimony following rather intensive questioning he did admit that the provisions of the Immigration Act clearly authorized the admission of supplemental farm workers and could be used for that purpose.

Notwithstanding this admission, the Department of Labor persists in contending that Congress intended to cutoff needed supplies of supplemental farm workers.

On August 22, the regional administrator of the U.S. Employment Service, Ernest Marbury, according to a United Press release, said:

> The Department of Labor's action was in accord with congressional directives in an effort to eliminate the mass importation of foreign agricultural workers.

The action referred to was the approval of 600 British West Indians to cut sugarcane in Florida for 2 months. This was permitted only after extraordinary and intensive recruitment failed to turn up domestic workers.

I wish I had time to tell about the absurd requirements of the Department of Labor. We had to recruit labor in Alabama, Louisiana, Tennessee, Georgia, and all across the east coast. Then we were sent to Puerto Rico to recruit labor, in spite of the fact that the Commonwealth of Puerto Rico would not permit its workers to come to the States south of the Mason-Dixon line. The amount of the expenditure was enormous.

Every Secretary of Labor before this one has known and found that domestic people will not get on their knees in the muck fields with machetes and cut cane, as is required.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. Mr. President, where did the 600 workers come from?

Mr. HOLLAND. They came from Jamaica.

Mr. LAUSCHE. Under what law?

Mr. HOLLAND. Under the immigration law, Public Law 414.

Mr. LAUSCHE. They came here for what period of time?

Mr. HOLLAND. They came here for the sugarcane planting season, a period of approximately 2 months.

Mr. LAUSCHE. What will happen after they serve their 2 months here?

Mr. HOLLAND. They will go back to Jamaica.

The Secretary applied the same conditions with reference to our harvesting labor. We were told in San Juan that they would not permit any of the few who were qualified to do this work to come and assist in the harvesting. Our harvesting season happens to be the same as theirs, and they harvest in the same way that we do.

Mr. LAUSCHE. Mr. President, whenever workers are brought to our country under the immigration law, they are brought in for the purpose of serving in an emergency, and when the emergency is over, they are sent back to the country from which they came.

Mr. HOLLAND. The Senator is correct. A bond must be put up before the workers are brought in, to guarantee against their remaining here.

Mr. LAUSCHE. Mr. President, that would mean that they do not remain here as a permanent, competitive labor force.

Mr. HOLLAND. The Senator is correct.

The clearest possible showing of the intention of the Department of Labor is shown in its justification to Congress of its request for additional appropriations to enlarge its recruiting program. I quote from such justification, as filed with the Senate Committee on Appropriations, the following statement of the Department of Labor:

> The task is now expected to be rendered singularly more difficult, since it will be directed toward the complete transition from foreign to domestic labor.

The contention that Congress intended to nullify the authority to admit supplemental workers under the immigration law is completely at variance with the fact and every official of the Department of Labor should know this is the case.

In the debates on the most recent extension of Public Law 78 in 1963, the point was made over and over that Public Law 414, the Immigration and Nationality Act, was in no way affected by limiting the extension of Public Law 78 to December 31, 1964, only. I discussed this at great length on the Senate floor on June 30 of this year. At that time I inserted in the RECORD colloquies between Senator McCARTHY and Senator PROXMIRE and myself which took place on May 15, 1963, on this subject.

I quote them again for emphasis:

> Mr. McCARTHY. Mr. President, will the Senator yield?
>
> Mr. HOLLAND. I yield.
>
> Mr. McCARTHY. Will the Senator explain who in the opposition does not understand about Public Law 414?
>
> Mr. HOLLAND. Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?
>
> Mr. McCARTHY. I certainly do.
>
> Mr. HOLLAND. I withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.
>
> Mr. PROXMIRE. Mr. President, I hope the Senator will withdraw it so far as the Senator from Wisconsin is concerned. I am thoroughly aware of the situation and have been for some time. I also know that the Labor Department has cracked down on the program very stringently. The Labor Department is now following a policy far different from that past policy. The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number that would come in under Public Law 78.
>
> Mr. HOLLAND. I wonder if the Senator agrees with the statement of Mr. Henning, Under Secretary of Labor, when he said that Public Law 78 is a better law than Public Law 414.
>
> Mr. PROXMIRE. I agree that Mr. Henning made that statement.
>
> Mr. HOLLAND. Does the Senator agree with the conclusion?
>
> Mr. PROXMIRE. In answer to the statement of the Senator from Florida, in the first place, I would like to eliminate Public Law 78. Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

This shows that it is not only a recognized fact that the immigration law was still in force, but also that it would still be used.

This is what the able Senator from Wisconsin said:

> The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number who come in under Public Law 78.

That was the Bracero Act.

These exchanges on the Senate floor clearly show that there was no intention on the part of the Congress to stop needed supplies of supplemental farmworkers and that it was well understood that the Immigration and Nationality Act, Public Law 414, was then available and would remain available after the expiration of Public Law 78 for the importation of supplemental farmworkers.

Mr. President, the Secretary appears to think that the unemployed domestic workers of our country might be good orange pickers in Florida or good apple pickers in Virginia.

I am glad to see on the floor the distinguished Senator from Virginia [Mr. BYRD]. Virginia is a State which needs apple pickers. Florida needs orange pickers.

We find that only a small percentage of the labor force is willing to climb ladders, and only a small percentage of the workers become proficient in picking the fruit from the trees.

The Secretary also argues that no supplementary workers should be permitted to enter the country because of the domestic unemployment problem.

If the Secretary were to find that their coming into our country was adverse, and he were to file an affidavit to that effect, that would control. However, he cannot supply information upon which depends our chance of obtaining workers when we need them. If we do not get them, we shall suffer the great losses which we have suffered this year.

In disregard of recognized facts, he forced growers to undertake fruitless, but expensive, recruitment activities. In addition, he launched a special program to get the unemployed to accept farm work. This was done at great expense to taxpayers and the results were negligible.

Thus we have a situation where the Secretary of Labor departed from judgments based on factual needs of agriculture. Instead he substituted for factual findings, his own predilections and assumptions.

These actions have deprived agriculture of its opportunity to exercise its rights under the law to obtain needed supplemental workers.

It is this type of action to which everyone should take exception. I say, as strongly as I can, that there must be a way to get the facts as to agricultural labor supplies and availability to the Attorney General in response to congressional direction.

This is what section 706 would do. This section takes away no authority whatsoever from the Attorney General. He has and would retain complete authority to admit or deny the entrance of nonimmigrant agricultural workers.

Neither does it remove any authority of the Secretary of Labor for the simple reason that with respect to section 214(c) of the Immigration and Nationality Act—the section concerning the entry of nonimmigrant workers—none has been conferred on him by the Congress. His functions are only advisory, although admittedly his recent actions have the effect of converting advisory functions to regulatory authority.

It is important to an understanding and fair determination of the questions involved here to bear in mind that the alleged authority of the Secretary of Labor is strictly advisory. This should be emphasized in view of the statements made in the minority report and in the press that this provision would take away authority from the Secretary of Labor and confer it on the Secretary of Agriculture.

A mere reading of the provisions of the law is sufficient to make it clear that complete authority is vested in the Attorney General and no other official has anything but consultative or advisory duties.

Section 214(a) of the Immigration and Nationality Act provides:

> The admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the Attorney General may by regulation prescribe.

Section 214(c) reads as follows:

> The question of importing any alien as a nonimmigrant—shall be determined by the Attorney General after consultation with appropriate agencies of Government upon petition of the importing employer.

The report of the House Committee on the Judiciary—House Report 1365, February 14, 1952—on the Immigration and Nationality Act stated:

> These provisions of the bill grant the Attorney General sufficient authority to admit temporarily certain workers, industrial, agricultural, or otherwise, for the purpose of alleviating labor shortages as they exist or may develop in certain areas or certain branches of American productive enterprises, particularly in periods of intensified production.

The Department of Labor, at my request on May 14, 1963, submitted a memorandum of law on the Secretary of Labor's powers to promulgate rules, regulations, and policies relating to the admission of aliens, other than Mexicans, for temporary agricultural employment in the United States.

The memorandum states:

> It is appropriate at this point to observe that the role of the Department of Labor in this process is basically an advisory one. As an agency designated by the Attorney General for consultation in deciding questions under section 214(c) of the Immigration and Nationality Act it issues the clearance order which has been requested with respect to the availability of domestic labor and the observance of Employment Service policies. That certification has no operative effect as such. The ultimate decision in these cases is the responsibility of the Attorney General who has imposed the requirement of the clearance order.

In testimony presented by Mr. Albert Misler, Deputy Associate Solicitor of the Department of Labor, to a subcommittee of the House Committee on Judiciary on June 24, 1963, it was said about the Department of Labor's authority on the admission of aliens for temporary agricultural employment:

> I would like to clarify something that has been unclear up to this point, that may be significant in connection with your consideration. Under the Mexican labor program, we make a statutory certification, the content of which is set out in the law. "In all other foreign labor programs, the certification we give is simply advisory to the Immigration and Naturalization Service."

In the case of Chase Glades Farms against Wirtz, to which I have previously referred, the statement by the counsel for the Government should be again emphasized. He said:

> Section 1184 (i.e., section 214 of the Immigration and Nationality Act) makes it clear that questions relating to permission to import nonimmigrant workers are to be determined by the Attorney General. This court in its memorandum of opinion of May 6, 1965, clearly recognized what the statute specifically provides, namely, that the Attorney General may reject or accept what constitutes a recommendation by the Secretary of Labor.

It should be completely clear from all these facts, Mr. President, that we are not taking away power from the Secretary of Labor. We are putting it where it belongs, and where it can be exercised reasonably, and in such a way as to give the Commissioner of Immigration the information which he needs, and, if an error be made, to give the growers access to our courts. Mr. President, who wishes to continue to deprive our growers of access to their own courts?

Decisions on matters affecting the making of a crop necessarily involve a high degree of risk and call for careful judgment. Where such decisions are required by an agency of Government, the agency with responsibility for them should be the one fully conversant with agriculture's problems and needs. This is the philosophy of the Sugar Act of 1948. Under it payments are made by the Secretary of Agriculture to sugar producers when he finds: First, that no abusive child labor—as defined in the act—has been employed in the production of sugar; second, that the farm allotment has not been exceeded; third, that full wages have been paid workers; and fourth, that the wage rate prescribed by the Secretary of Agriculture has been paid.

The Department of Agriculture has the organization for making these findings. It has agents and county committees in every county. State committees function in each State. It has available to it specialists in every field. It also has information from and the assistance of the land grant colleges and the Extension Services. It maintains the Federal-State market news service and a crop reporting service.

It can be expected decisions will be more timely and most of the conflict now existing between farmers and their Government should be eliminated. Because the Secretary of Agriculture knows and understands farming better than any other top official of Government, his decisions will be met with more confidence than is now the case.

That is why all these farm organizations are supporting our amendment.

With the Secretary of Agriculture making the determinations required, the views of all interested parties will be received with equal interest and fairness. Findings, however, will be based on facts.

The Secretary of Labor can continue to supply any information or advice on matters about which he has any peculiar knowledge. Nothing in section 706 is designed to change the functions of the Employment Service as a service agency whereby people desiring jobs in agriculture can be sought and can make their availability known and employers can ascertain their readiness to work.

With respect to domestic labor, the Secretary of Labor is given authority by the Congress under the Wagner-Peyser Act of 1933 (29 U.S.C. 49b and 49k) to promote and develop first, a national system of employment offices; second, to maintain a veterans service; third, to maintain a farm placement service; and fourth, to maintain a public employment service to assist in establishing and maintaining systems of public employment offices in the several States. The U.S. Employment Service was authorized to "assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment, and other information of value in the operation of the system, and maintaining a system for clearing labor between the several States."

As the following excerpts from the committee reports on the legislation show, there is nothing in the statute indicating that the Department of Labor is to exercise any substantive control through the utilization of the Employment Service.

These excerpts come from the committee's reports at the time of the enactment of the bill, subsequent to the enactment of the bill and from the provisions of the justifications of the Secretary when he asked for additional money this year, to better carry out his recruiting policies which was cleared by a subcommittee and by a full committee of which I am a member.

The report of the Senate committee on the bill—Senate Report 63, 73d Congress; S. 510—states the following as the purpose of the bill:

> To assist and stimulate the development of a system by the States, the Federal Government will give sums of money to match the moneys already appropriated by the States or set aside by the States, for the development of a free employment service. The committee feels that we should keep the pattern of the States in doing their own work in placement, and put the Federal Government in the position of helping and encouraging them to do so; the Federal Government being responsible for the statistical work and saving the States this expense, and the statistical information being available to all the States. The Federal Government is also to do research work, which is often too expensive for the States to do individually; the function of the States being to perform the task of getting the jobs and the workers brought together.

The House report—House Report 158, 73d Congress; H.R. 4559—stated:

> This bill in a word sets up a national system for cooperation with the various States and endeavors to promote the establishment and maintenance of national system of public employment offices; and for that purpose creates in the Department of Labor a bureau to be known as the "U.S. Employment Service" under the control of a director.

The Secretary of Labor will continue to be responsible for carrying out his duties as authorized by the Wagner-Peyser Act. Section 706 of this bill does absolutely nothing to change the functions of the U.S. Employment Service. It will create no duplications or confusions, nor will it transfer the Employment Service to the Department of Agriculture. The Department of Agriculture is not, under section 706, going to engage in the recruitment or placement of farm labor.

Now, Mr. President, one other point should be made clear and I am sure that the distinguished chairman of the committee will agree with me.

Section 706 would apply only to agricultural labor determinations.

I conclude by emphasizing again that one of the most essential reasons for this section is to get the facts—facts heretofore not obtained, ignored, or misunderstood—to the Attorney General for his use in making the decisions required.

No one is charged by Congress specifically with the responsibility for obtaining and keeping current the labor needs of agriculture as directed by section 706 of the pending bill.

Any decision affecting agriculture must be based on a knowledge of the total agricultural labor situation existing when the decisions are made. I repeat, any pertinent information of which the Secretary of Labor has knowledge can continue to be available in the decisionmaking process.

I urge the support of this section, and the defeat of the pending motion.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The time of the Senator has expired.

Mr. HOLLAND. One more minute.

Mr. ELLENDER. I yield the Senator a minute and a half.

Mr. HOLLAND. To cite one instance in which the facts as found by the Department of Agriculture would have saved a loss of $4 to $6 million this very year, to the growers of oranges in Florida, I wish to read from a letter of February 16, signed by William R. Huey, District Director of the Federal Crop Insurance Corporation, with reference to the condition of that citrus crop, which was not, under the present practice, acted upon by the Secretary of Labor. Apparently he did not even want to act. I quote only the last sentence from that letter:

> The factors noted above combined with the grower's inability to secure an adequate and timely harvesting force is resulting in a monetary loss of approximately $100 per acre since most of the fallen fruit was salvageable if it could have been harvested prior to the time deterioration and spoilage began.

To those who say that the Secretary of Agriculture does not have the information, does not have the field force, this is cited as an absolute instance in which great savings could have been accomplished had he had such information, force, and authority.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. SMATHERS. Mr. President, I desire to associate myself with the remarks of my senior colleague in behalf of the amendment which he has offered to provide an adequate labor supply to harvest fruit and vegetable crops. We in Florida have had difficulty from time to time in getting an adequate amount of domestic labor to do this type of work but were unable to do so. As a result it is vitally essential to the timely harvesting of these crops that offshore labor be imported for this purpose.

The amendment which I am cosponsoring with my very able and distinguished colleague provides that the Secretary of Agriculture make a specific finding of labor needs and the time when such needs exist. It is apparent that this is the proper department of Government to make such a factfinding determination.

The amendment does not take away any jurisdiction from the Secretary of Labor or the Attorney General of the United States. In fact, I feel very deeply that the amendment will be of great assistance to both of these Cabinet officers.

Certainly if domestic labor were available I am confident that insofar as Florida is concerned, and I am sure this is equally true of other parts of the Nation, that they would be utilized. We have, however, experienced great difficulty in getting an adequate supply of domestic labor to do this type of work. Consequently we have repeatedly become involved in factual differences with the Department of Labor as to these needs. Recruitment plans by agricultural interests for domestic labor have failed. Consequently delays have occurred in harvesting fruit and vegetable crops, as well as cutting of sugarcane at a time when such labor should be available for these purposes.

I feel that the amendment is a good one, will resolve much of the difficulty we have had in the past and be of substantial benefit not only to agricultural interests but to the consumers of this Nation as well.

Mr. President, for these reasons I sincerely trust that the amendment to eliminate section 706 of the bill respecting future determinations as to the use of offshore labor will be defeated.

Mr. BASS. Mr. President, I yield the Senator from New Jersey 10 minutes, or whatever time he needs.

Mr. WILLIAMS of New Jersey. Mr. President, I very much appreciate the generosity of my friend the Senator from Tennessee. I endorse his eloquence in dealing with the amendment added by the Committee on Agriculture and Forestry. I shall support him as strongly as I can in advocating the acceptance of his amendment, which would delete section 706.

It seems to me that we revive this entire subject on the floor of the Senate every fortnight. The issue is repeatedly raised by the distinguished senior Senator from Florida. I am not complaining that we have heard all of the arguments so many times before, but I am stating that we have heard all these arguments before.

I know of no issue that has seemed to present more panic, fear, and fancy than the question of whether we are meeting the needs of agriculture with American migratory farmworkers.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. Did the Senator not state earlier that he was present in the Florida strawberry fields earlier this year, when a great loss was being sustained and labor was not available, and that he called upon the Secretary of Labor to ask that labor be made available immediately, and was that not done?

Mr. WILLIAMS of New Jersey. To err is human, and I made an error.

I was in the fields in Florida. Four major growers persuaded me that during the following week they would be in serious trouble because their crop would be ready for harvest, and they did not have enough workers.

I called the Secretary of Labor, and he sent the 300 additional foreign workers. Only then was it found that these additional workers were not needed. These workers were then sent to other areas.

So I made a mistake, and Secretary Wirtz made a mistake, too, at my urging.

The distinguished representative from that area joined me in that request for workers. When the time came, they were not needed because there were enough Americans present to harvest the crop.

Mr. HOLLAND. I am glad we had available someone who had more influence with the Secretary of Labor than we had, because we had made that request and it was not granted.

Mr. MURPHY. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. The growers up there were persuasive. They persuaded me that there would be trouble in citrus because the crop could not be harvested. I was anxious and apprehensive, but my fears were fanciful, because that did not happen, either.

Can the Senator from Florida enlighten me as to the nature of an organization called the Florida Citrus Commission? I am informed that this is an official body. Am I correct in that understanding?

Mr. HOLLAND. The Senator is correct.

Mr. WILLIAMS of New Jersey. A few weeks ago, the Florida Citrus Commission stated:

> Florida orange juice is at the lowest price in years. Here is why. Over the past couple of years, oranges have been in short supply, but this year growers report one of the biggest crops in history. A big supply means one thing: lower prices. The price is so low, in fact, that orange juice is one of the most inexpensive drinks that anyone can buy.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. That comes from the Florida Citrus Commission. Yet earlier, it was feared——

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. It was feared that the oranges were going to rot. Now they are producing oranges at such a rate that orange juice is at the lowest price it has been in years.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I am glad to yield.

Mr. HOLLAND. The very thing which produced the crisis in the mid-season orange crop was the fact that the Secretary of Labor was not willing to understand that in the production of perishable crops it varies from year to year, and that we had a very much larger crop this year, as we showed him, and as the Department of Agriculture further showed, and yet he wished to hold us to the level of workers of the year before.

There could not be a better showing of the futility of trusting someone who has no understanding of basic facts.

Mr. WILLIAMS of New Jersey. Notwithstanding all the charges leveled at Secretary Wirtz, the fact is, as reported in the most reliable financial newspaper I know of, the Wall Street Journal, that this year, farmers' net income promises to bounce up to $13.5 billion, or more. This would be the highest since the year 1953.

Naturally, everyone is very glad that this is true; but in listening to debate in the Chamber, one would get the impression that every farmer was heading for bankruptcy because he cannot get enough workers. The fact is, the workers are there. The crops are coming in. Prices are lower for perishable products today than they were a year ago at this time. We have checked that repeatedly, week in and week out.

Mr. President, let me make one or two more points. The Senator from Tennessee has most adequately analyzed the extraordinary parliamentary situation which we face. I do not know—perhaps I should not say it—but it seems to me that there is some legislative piracy here; we are being asked to take a program that is within the purview of the Department of Justice, an immigration bill, which assigns responsibilities to the Secretary of Labor, and have the Committee on Agriculture and Forestry change that law, notwithstanding the fact that jurisdiction over this bill clearly rests with the Committee on the Judiciary. That has been fully explained. We also all know that last year this body killed the bracero program.

I believe that this debate makes it transparently clear that what we last year did most directly is now sought to be undone most indirectly.

I cannot believe that if it is important for the Senate to live within its rules, written and unwritten, it will permit this violation here today.

Let me say, finally, that the Committee on Agriculture and Forestry has presented a fine farm bill. Many of us from the consumer areas followed it with great interest, and are most happy that the bill is one which we can support. However, in my judgment, the addition of this provision would seriously threaten the success of the farm program.

For that additional reason, I ask unanimous consent to have printed in the RECORD an editorial published in the New York Times today, which states that the pending bill is a good bill but levels a full blast against section 706.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 13, 1965]

SOME SENSE IN AGRICULTURE

While the Senate has completed most of its work on the farm bill, it still has to vote on the controversial proposal sponsored by SPESSARD L. HOLLAND, who wants to take control over importation of foreign labor from the Department of Labor and give it to the Department of Agriculture. This proposed amendment has the obvious backing of the big growers, who have resented Labor's efforts to curb the supply of cheap foreign workers for harvesting crops.

Even Secretary of Labor Wirtz has given too much ground in recent weeks to corporate farm interests basically opposed to the idea that higher wages and better conditions will eliminate any holdback on the availability of domestic labor. The attempt of these interests to hand over jurisdiction to Agriculture, which is already overworked and has no competence in labor administration, must be defeated, since its clear purpose is to disrupt progress toward decent working conditions in American agriculture.

The passage of the rest of the farm bill will aid farmers. It does not entirely measure up to President Johnson's pledge to strengthen farm income while assuring low prices for food; but it does make a distinction between the efficient factory-sized farms, which have been getting subsidies they do not need, and the marginal farms, which have been victimized by the technological revolution in agriculture.

There will still be big surpluses calling for expensive storage facilities. And there will still be too many farmers on the farms. But in contrast to previous subsidy programs, the cost of the new farm bill promises to give taxpayers some positive returns for the large amount of money being poured into agriculture.

Mr. BASS. Mr. President, will the Senator from New Jersey yield at that point?

Mr. WILLIAMS of New Jersey. I am glad to yield to the Senator from Tennessee.

Mr. BASS. I was about to invite the attention of the Senate to the editorial which appeared in the New York Times this morning in support of the farm bill. Most of the readers of the New York Times are consumers. Yet the newspaper commends the agricultural bill and points out that this provision certainly should not be enacted into law and has no place in the pending bill.

I am happy that the Senator from New Jersey placed the editorial in the Record for everyone to read.

Mr. WILLIAMS of New Jersey. One additional point. I should like to include in the debate at this point a paragraph taken from the Appropriations Committee report for the Department of Agriculture for 1966. As reported by the distinguished Senator from Florida [Mr. Holland] the report calls for a comprehensive study by the Agriculture Department of the farm labor situation.

The Senator from Florida stated through his committee that:

> The committee agrees with the report of the House committee that there is a "severe shortage of farm labor" to meet peak needs of many of the Nation's producers. The committee believes that this situation will continue to exist. Unfortunately, there is a large void in the economic and statistical data upon which our farm labor policies are based. This should be corrected at the earliest possible date. For this reason the Department is requested to make a comprehensive study of the entire agricultural labor situation.

Mr. President, that was stated only a few days ago. Perhaps such a report should be made, but this hasty action is unwise. I understand everything the Senator from Florida has said except for one point which I did not understand. The Senator said that Florida growers were requested to go to Puerto Rico to obtain workers. I understood the Senator to say that we did not obtain Puerto Rican workers. It seems to me that Puerto Rican workers would certainly be the complete answer to the problem particularly in relation to sugar. Especially because of their experience in working in sugar in Puerto Rico.

Mr. MURPHY. Mr. President, will the Senator from New Jersey yield at that point? I can explain that.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I should like to yield first to the Senator from Florida.

Mr. HOLLAND. The requirement was imposed upon those seeking——

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Who yields time?

Mr. BASS. I yield 1 additional minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 additional minute.

Mr. HOLLAND. In the case of seed cane, we plant a whole stalk of cane sugar in the furrow, which produces the various shoots.

Mr. WILLIAMS of New Jersey. Who turned down the Puerto Ricans, or did they turn down the opportunity?

Mr. HOLLAND. They turned it down.

Mr. WILLIAMS of New Jersey. I cannot understand that. Even Florida's climate is similar to Puerto Rico's.

Mr. HOLLAND. All I can say is that the Secretary of Labor himself, obdurate as he generally is, admitted that he had gone the limit and that we could not get a single one of them.

Mr. WILLIAMS of New Jersey. This will have to be clarified, because I distinctly heard the Senator say that we were asked to go to Puerto Rico to get——

Mr. HOLLAND. If the Senator from Tennessee will yield me 2 minutes, I shall be glad to make a complete answer to that inquiry.

Mr. WILLIAMS of New Jersey. The imaginary geographical line was also mentioned too, earlier.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLAND. If the Senator from Tennessee will yield to me, I will take but a minute to explain.

Mr. BASS. Mr. President, I yield 1 additional minute to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. The fact is the Secretary of Labor imposed this condition. The people who went to San Juan were representatives of cane growers in the Okeechobee area, plus the Department of Labor, and were met with complete refusal on the part of the equivalent cabinet officer of the Commonwealth of Puerto Rico, the reasons being two: First, they would need cutters at the same time for their harvest season, and they were afraid some of the folks would stay here; second, on the racial question, they were not ready to permit their cutters to go to the southern section of the United States. The Department of Labor knows that, because the department's representative was there.

Mr. BASS. Was it the Puerto Rican Secretary of Labor who made that determination?

Mr. HOLLAND. The counterpart of our Secretary of Labor made that determination.

Mr. BASS. That is what I thought.

Mr. HOLLAND. Unfortunately, we had to abide by it, and the Secretary of Labor abided by it.

Mr. BASS. I point out that the Secretary of Labor in the Commonwealth of Puerto Rico handles the same problems as the Secretary of Labor in this country.

Mr. ELLENDER. Mr. President, I yield 5 minutes on the amendment and 5 minutes on the bill to the Senator from California [Mr. Murphy].

Mr. MURPHY. Mr. President, before I begin my prepared statement, let me say that there were 600 Puerto Ricans available to come into California to pick the early tomato crop. The producers would have sent an airplane to pick up the workers and would have paid the cost gladly, but the Secretary of Labor had made a stipulation that no one of them was to be used until after September 1, at which time about half the crop was damaged in the Merced area with 25 million pounds of tomatoes left to rot. I do not know whether that is the same group of 600 workers to which reference has been made, but that is what happened in California.

Mr. President, I wish to join with the distinguished Senator from Florida in expressing the hope that the Senate and the conference committee will retain section 706 in the farm bill, so that at long last we may begin to take a practical, enlighted, workable approach to the matter of supplemental foreign labor which, over the years, has come to the farms in 29 States to help at the peak harvest times.

As we know, the Attorney General by law governs the admission to our country of temporary foreign labor, under the Immigration Act, and by regulation has delegated to the Secretary of Labor the responsibility for deciding whether such foreign labor is necessary. With the expiration of Public Law 78, the Secretary of Labor assumed responsibility for all decisions as to whether foreign labor should be admitted to this country for agriculture.

The Secretary of Labor had an admirable hope that we might eliminate our unemployment by transferring great numbers of our urban unemployed to the farms to replace the temporary foreign farmworkers. He seemed not to realize that this was not a new idea, nor that the farmers always have been required by law, and have, in fact, hired domestic workers first—and were only permitted to hire foreign labor when the domestics were not available.

The fallacy of his plan was anticipated by nearly everyone but the Secretary himself and a few union leaders who, for many years, have hoped to organize farm labor and who saw here an ideal opportunity to swell their membership ranks.

The disastrous results of the new plan were evident almost immediately at the beginning of this year. Only about 20 percent of the domestic unemployed transferred to the farms stayed on the job over 2 weeks, and the productivity of their efforts was only a fraction of that of our experienced, competent, domestic workers, or of the extra foreign help we had had in the past.

To repair the damage, Indians were brought in from the Midwestern reservations but, here again, the Secretary should have known that this had been tried unsuccessfully by the farmers in years past. Rather than help the problem, this further complicated it and the damage increased.

Next, the Secretary tried a public relations stunt refered to as "A-teams." This envisioned the use of vacationing high school athletes organized with coaches, and from all reports, because of lack of organization and planning by the Department of Labor, this resulted in a most costly, unpleasant, and unproductive fiasco. This, too, was not a new plan, as students have been used locally and worked well in the past, but when the Department of Labor stepped in, confusion prevailed. The story of the frustration and failure is told in the California Farm Bureau Monthly of September 1965, and I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A-TEAM PROGRAM—A COSTLY BUNGLE

NOTE.—There have been good and bad reports on the U.S. Department of Labor A-Team program (Athletes in Temporary Employment as Agricultural Manpower). Here is a factual account of the program's operation in this State in the Stockton, Salinas and Blythe areas where the majority of teams were employed.

(By Betty Yater)

The general feeling among growers participating in the A-team farm labor program in this State is that it would have worked much better had the U.S. Department of Labor stayed out of it. However, the Department not only jumped on the bandwagon of California's 2-year-old program of employing teams of youth in agriculture, but also took over in the driver's seat without knowing the first thing about handling the vehicle. The result was a bungle which has left some growers as well as some A-team members very bitter.

As readers of this magazine know, the California Farm Bureau Federation and other organizations joined with the Farm Labor Division of the State Department of Employment 3 years ago in a program to develop opportunities for more youth to work in agriculture. Through trial and error, successful procedures had been developed for placing teams of students supervised by their coaches or teachers in farm work, primarily harvest jobs. The major prerequisites for success were found to include: (1) paying the youth on a straight piece rate basis so the grower could afford to hire them, (2) maintaining adequate supervision and training, and (3) obtaining the students from distances relatively close by the job location.

U.S. Secretary of Labor W. Willard Wirtz heard about this program when he toured California this spring, took over the idea, tagged a new name on it (A-team), and announced it May 4 as one of his crash programs to supply California growers with farm labor. But although he grabbed the idea, unfortunately he did not take advantage of the experience this State has had in operating such a program, and even the California Department of Employment was not allowed to advise on the program.

At the beginning of the summer, California had 45 A-Teams representing 1,679 students, according to George Geary, deputy chief, farm labor division, State department of employment. Twenty-six of these teams were employed in Salinas, 12 in Blythe, and three in Stockton, with the remainder scattered over the State in areas with crops under harvest. The majority of the teams were from out of State. This wasn't because California students failed to sign up in the program. Rather, it was a case of schools in other States getting out in late May, while California schools finish the year's term in mid-June.

Deputy Chief Geary reported that San Diego County, for example, had signed up 1,200 local young people who were interested in working under the program, but only a few teams from that area had been placed. They were too late. Jobs had already been taken by out of Staters.

From interviews with growers, growers' labor association managers, and A-Team members themselves, it can only be concluded that personnel of the U.S. Department of Labor were determined to round up enough numbers of people to make good on the Secretary's statement that there are ample domestic people available to do farm labor. The A-Team program became one vehicle to be used toward this end. It was a crash program to prove a point.

But in their efforts to get numbers, recruiters apparently oversold the program to the young people. And growers were forced to take the A-Teams in order to meet criteria for the foreign supplemental labor they might need at a later date.

STUDENTS MISLED

Most of the students were sold the program on the strength of a very brief, hurriedly published brochure, and statements made by U.S. Department of labor recruiters. A-Team members interviewed in Salinas said they had been led to believe that this was a recreation as well as a work program—that recreational facilities would be provided and that participants would be coached in sports.

From the standpoint of the work part of the program, the students said they were led to believe they would be guaranteed $1.40 per hour regardless of their production. (In Salinas, after a training and trial period during which they did receive $1.40 per hour, A-Team members were placed on the going piece rate of $1 per flat of berries. This the students didn't like.)

Although they understood their food would cost $2.25 per day, some said they didn't realize this was to be deducted from their wages. All interviewed said they hadn't been told that insurance costs (social security, State disability and off-the-job medical insurance) would be deducted from their pay.

The youngsters said they didn't feel that living conditions and food measured up to what they had been led to believe they would receive. In sum total, the Salinas A-Teamers interviewed were not at all happy with the program.

One little, freckled-faced fellow interviewed really had a tiger by the tail. His room and board and insurance deductions were running about $3.50 per day. On the day interviewed, he had picked two flats of berries (earning $2), had given up, and was sitting in the bus waiting to be taken back to camp. To him the program was "a gyp. They are deducting more than I am making." However, on the counsel of his adviser, a college student accompanying the group, he was going to finish out his contract, because then the grower would have to pay his way home.

Even those A-teamers interviewed who had picked from six to nine flats in a day felt they were being "taken" in the program. Some were placing the blame on the grower because "he wasn't paying enough wages," others were blaming the recruiter who had misrepresented the program to them.

GROWERS MISLED

The growers were told they would receive junior and senior high school athletes accompanied by their coaches. They say they were also led to believe by U.S. Department of Labor personnel that if they cooperated in the A-team program, they would also receive braceros this season. Growers will tell you now that they were double crossed on both counts.

Some teams were comprised of 16-, 17-, and 18-year-old student athletes accompanied by their coaches. But there were far too many 14- and 15-year-olds in many of the groups, growers said, and some of these groups were accompanied not by a coach but by a college student.

When the Blythe growers, who had gone all out in cooperating on the program, tried to obtain braceros, they were turned down flat.

In both Salinas and Blythe, growers were sent more A-teams than they had agreed to take. In Salinas, Salinas Strawberries was saddled with 24 of the 26 teams in that area. Bill Pihl was pulled off his regular work with the firm and assigned to handle Salinas Strawberries' A-team efforts. According to Pihl, the firm, a former bracero user, thought it had agreed to take 90 boys under the program—until June 1, when suddenly they were deluged with A-teams, and eventually ended up with 868 boys.

This is like expecting one weekend guest and having nine show up. You make do as best you can in feeding and sleeping them. And thats exactly the position in which Salina Strawberries was caught. The firm didn't have facilities for such numbers, so had to quickly contract for use of camps in the area which had previously been used to house and feed braceros.

In Blythe, it was much the same story.

For several years, growers in the Palo Verde Valley, which lies along the Arizona border, had been using teams of athletes supervised by their coaches. Before the Secretary's tour, the growers had already started laying their plans for employing teams of youth in this summer's harvest of melons. Representatives of some of the growers had already been into Arizona to talk with coaches and junior and senior student athletes in high schools there.

The growers had decided they would recruit 150 Arizona high school athletes accompanied by their coaches. However, after the Department of Labor came out with its A-team program, the Blythe growers were talked into taking an additional 100 students, or a minimum of 250.

The growers went ahead with their plans and recruited 264 students in Arizona through a team made up of a growers' representative and a U.S. Department of Labor coordinator. Contracts were signed between the growers, the parents, and the A-team members before the latter came to the Palo Verde Valley to work.

Operating through Blythe Growers, Inc., a local growers' labor association, the farmers went all out for the 264 boys they were expecting. They rented new, air-conditioned apartments in the heart of the town to house the A-teams and leased the high school cafeteria to feed the boys. They hired semiweekly maid service and weekly linen service. Since there is no municipal pool in Blythe, arrangements were made for the boys to use the swimming pools at various motels in the area and the use of local basketball and baseball facilities were obtained for them. The farmers even hired a local coach to work with the boys on their day off—they were to have 1 day off in 7 on a staggered basis.

The Blythe growers laid their plans thoroughly and were well organized. However, they ended up with just about double the number of boys they thought they were getting. Besides the original 250, they were sent an additional 235 by the Department of Labor. Like the Salinas growers, they had to scramble around and quickly line up additional facilities for the overflow boys, including leasing a labor camp formerly used for braceros.

It should be pointed out that of the areas in which interviews were made throughout the State, Blythe achieved the greatest success with the program. Some of the growers have made verbal agreements with some of the teams and their coaches to return next year.

What problems the Blythe growers did have were with the teams that were sent to them—those they didn't recruit themselves. On these, the growers report the boys were younger than anticipated and in many cases were not athletes.

In their own recruiting efforts, the Blythe growers had taken great pains to recruit boys from a similar climate, quite a factor in the

Palo Verde Valley where summer temperatures can rise as high as 119°. Some of the teams sent by the Department were from cooler climates, and the heat proved a real hardship for these.

Generally speaking, the Blythe growers were satisfied with the boys, but were upset over the costs incurred.

COSTS EXORBITANT

Growers had to foot the entire bill on the A-Team program, and it has been an extremely costly venture. The Secretary of Labor has spent the growers' money as though it were Government money.

Even though the growers received youth under the program—and some of the A-Teamers were mighty young—the growers had to pay them on the same basis as adult farmworkers. The growers had to provide each worker no less than 24 hours' training and a 40-hour trial period—a total of 64 hours—at $1.40 per hour. Thereafter, the A-Teams could be placed on piece rates if by record it was proven the worker's productivity was determined to be below that of the average qualified farmworker.

In Salinas, Salinas Strawberries guaranteed $1.40 for the first 64 hours, then put the A-Teams on piece rates. In Blythe, the growers paid the workers on the basis of $1.40 throughout the contract plus an added bonus of 10 cents a crate for melons picked and an additional 5 cents a crate if the A-Teamer stayed throughout his contract. The Blythe growers added the per crate bonus in an attempt to provide an incentive for the youngsters to work. Stockton growers, who used the A-Teams mostly in weeding and thinning operations, paid the young workers on the basis of $1.40 an hour throughout the program.

But the productivity of the A-Teams was not on a par with the average qualified farm worker. Nat Scatena, president of the Stockton Growers' Group, Inc., which managed the teams for growers in the Stockton area, ranked their productivity at .56 percent that of a qualified farmworker.

All growers interviewed reported they were having to pay for considerably more productivity than they were getting.

In addition, the coach or adult accompanying the team had to be paid on the basis of $4 per team member per week. Teams averaged 30 members each, thus the coach or accompanying adult received about $120 per week. The duties of these persons were not clearly defined. In the Salinas area they occupied the role of chaperones—staying in camp during the day while the boys were out in the fields. This meant the grower had to hire supervisors to work with the boys when in the fields.

In Blythe, the growers stated they were afraid to go along with the $4 per head per week arrangement since they believed it to be in violation of the labor contractor regulations in this State. So the growers made an arrangement with the coaches and other adults accompanying A-Teams to accept a salary of $25 per day (about $175 per week) and supervise the boys in the fields as well as chaperone them in the camps at night. Of course, the Blythe growers also had to maintain some field supervisors, since those accompanying the A-Teams knew nothing about picking melons.

(Editor's note: Farm Bureau's Secretary to the Labor Committee Tom Richardson points out that while paying the coaches on a fee-per-worker basis makes them labor contractors under the definition of California regulations, the A-Team program, a Federal project, would undoubtedly be exempt from State regulations.)

In Stockton, the A-Team coaches went into the fields to work beside their boys, but the growers' association also maintained its regular field supervisors.

In all areas, the supervisory costs on A-Teams were above, and in most instances about double, those required with adult farm labor.

Besides these costs, the growers were responsible for the transportation and subsistence to get the A-Teams to and from their hometowns. Growers stood the cost one way if the worker completed 50 percent of his contract, both ways if the A-Team worker completed his entire contract (contracts ranged from 4 weeks in the Blythe area to 6 weeks in Salinas).

As previously mentioned, out-of-State schools closed in late May, ahead of the California schools, therefore the A-Teams from other States got the jobs here and the growers were stuck with the costs of bringing them in.

Salinas received 26 teams—only 5 of which were from California. The remainder, according to records at the Salinas farm labor office, included: 10 from New Mexico; 3 from Utah; 2 from Kansas; 2 from Iowa; 2 from Idaho; 1 from Nebraska; and 1 from Wyoming.

When a grower starts transporting teenagers round trip from as far away as the midwestern States and paying for their meals en route, it is costing him a minimum of around $100 per youth, or an average minimum of $3,000 per team. And many of the growers found themselves paying for transportation costs both ways whether the youth completed his contract or not, because something had to be done with these teenagers.

As Pihl pointed out, "You can't abandon minors on the streets."

In addition, the $2.25 allowance for meals did not cover the costs incurred in providing menus to meet those dictated under the program. Besides paying the room costs, the growers were having to underwrite the food costs of their A-Teams.

According to Pihl, Salinas Strawberries will have lost about $75,000 out-of-pocket costs on this program by the end of the season.

Blythe Growers, Inc., had just finished its melon-picking season when interviewed and had not as yet assembled all A-Team costs. However, Manager Jess Barcala said growers' costs will run between $35,000 and $40,000 exclusive of wages and supervisory, State compensation, and social security costs.

But there was more of a loss to the growers than reflected in the aforementioned costs. Many also lost portions of their crops. Mother Nature was extremely cooperative this year in California. It was a good year weatherwise for summer-harvest crops. But even though the yields were abundant and the weather held just right, giving the grower prospects of harvesting top yields per acre, these yields failed to materialize.

Dan Riggi, supervisor for the J & A Farms in Blythe, for example, said his firm lost 40 percent of its crop of cantaloupes in the field. This year's workers, including A-Teams, left that many melons behind in the fields.

ADDITIONAL HEADACHES

There were headaches in the program over and above the financial ones, too.

The program in the Salinas area got off to a bad start. It had been misrepresented to the boys as to the type program it was, as to living conditions, and as to wages to be received. Salinas Strawberries received nine times the number of boys they had anticipated under the program. The camps leased for the boys were up to State standards, but not up to the boys' standards. The majority of the cooks had been accustomed to cooking for braceros, and the boys complained bitterly of the food's greasy and spicy quality. At one camp, the cook was changed four times in an attempt to satisfy the boys, but they were still complaining.

The attrition rate on the A-Teams in Salinas was extremely high. Some teams, as soon as they saw the camps where they would be living and learned they would go on piece rates after the training and break-in period, simply picked up and went home, according to Art Klein, Monterey County farm labor representative, State department of employment, Salinis.

One team from the Salesian High School in Richmond, Calif., left 3 days after arrival, Klein said. Another, from Newcastle, Wyo., left the fifth day after arrival, and two teams from Los Alamos, N. Mex., left 10 days after arriving. The Salinas area started the season with 868 A-Team members. The number had dropped to 322 by July 19, Klein reported. Of those leaving by July 19, only one team left because it had completed its contract—and not all of its members had stayed through the contract period. Only one team—the one from Waterloo-Cresco, Iowa—still had the same number it had arrived with, Klein stated.

An interview later in the day with the coach of the Waterloo-Cresco team—Charles O'Brien—revealed some of the reasons why the team was still together. The majority of the team members were O'Brien's own boys—junior and senior athletes who would be working under him this coming year. Before ever getting into the program, he said he held a meeting with the boys and their parents and essentially unsold them on the program. He presented it the way he saw it, not the way it had been built up by the recruiter.

Upon arrival here, O'Brien said he stuck to his guns until his boys were transferred into the best camp in the area. He worked out a split-the-cost arrangement among the boys on chartering buses and took the students around to see some of California on their weekends off. He coached them in sports each evening and said he tried to build a team spirit among the boys, a determination to stick out their contract. Besides having the only team with as many members as it started, O'Brien's team also had the fewest hours lost off the job--just 2 days missed because of illness.

But the success of Coach O'Brien and his A-Team definitely was the exception in Salinas. Another coach interviewed there—Merle Johnson of Wichita, Kans.—had started out with 36 boys from Wichita, 3 of whom he knew previously. Half of these boys, Johnson reported, went home the first week. When interviewed, he was the coach for the remnants of four teams which had been put together to make one.

Most of the A-Team members who stayed on in Salinas were disillusioned with the program, it appears. These youngsters were looking for a means to release their pent-up frustrations over a program which hadn't turned out to be anything like they thought it would be. A number took out their frustrations on each other in scraps. Some took out their feelings on the camp facilities, breaking windows and causing other damage. Two hundred of the boys took part in a food throw-in in the messhall at one camp.

Reports on the living conditions and rumors of all sorts and altercations reached home to the parents who understandably became alarmed and either sent money for their youngster to return home or complained to their elected representatives to do something about the program.

The U.S. Department of Labor had assigned five of its men to live one to a camp in the Salinas area to try to keep the lid on the program there. Of two of these interviewed, one, a young man, admitted he didn't have much patience with the growers in correcting conditions in the camps and was taking boys down to file complaints with the local labor commissioner.

According to Salinas Strawberries, as of July 20, a total of 83 complaints had been filed against them before the local labor commissioner. Pihl, a relatively young man, commented, "It looks like I'll be in court the rest of my life over this program."

Besides the complaints before the local labor commission, Salinas Strawberries was involved in a hassle with the U.S. Department of Labor over the manner in which it is paying the A-Teams.

According to Pihl, the controversy revolves about the productivity of an average qualified farm worker. By its records from previous years, Salinas Strawberries maintains the productivity of the average qualified farm worker in picking strawberries is 1½ flats per hour. On the basis of $1 per flat, their piece rate is higher than the $1.40 hourly minimum set this year by the Secretary of Labor.

However, Pihl says the Department of Labor has challenged the 1½ flats per hour as being too high. The Department, Pihl said, eliminated all foreign workers but included all youth workers in establishing its basis for productivity of the average, qualified farm worker.

Pihl also pointed out that Salinas Strawberries was 3 weeks into the program before receiving contract forms. The forms have to be signed by the A-Team member, his parents, his coach or supervisor, and the employer. On those members leaving in the initial portion of the program, Salinas Strawberries never had a contract. Of those remaining, they still don't have the contract on many, because they were sent to the parents for their signatures and haven't been returned.

The Blythe growers had relatively few headaches compared to the Salinas growers. Complaints and ruckuses were held to a minimum due to the day and night efforts of local Farm Labor Division Manager Jerry Smith and Blythe Growers' Manager Barcala, both of whom were determined their area was going to make a good showing in the program. Only 10 percent of the A-Team members there left before their contracts were up.

Stockton growers, who rented a good camp from a grower outside of town and put in basketball and baseball facilities, reported no complaints on the camp or wages paid. The problem was trying to get the growers to use the A-Teams, reports Scatena. (A-Teams had to be guaranteed work for three-quarters of the work days covered by the contract.)

There had been an influx of domestic farm workers into the Stockton area early this summer, the growers' labor management service president said. Growers were able to get adult workers at costs of $1.75 per hour including wages, transportation to the job and insurance costs. Consequently, he said, they weren't anxious to use the A-teams at costs about double that amount. But, as it turned out, the A-Teams didn't like the work and left before completing their contract.

IN SUMMARY

Although bitter over the mishandling and costs of the program, every grower interviewed said he would hire youth again—but to a man, each qualified the statement by adding "only if the U.S. Department of Labor has nothing to do with the program."

All in all, the A-Team program in California can only be described as a botch. California agriculture and the Farm Labor Division have a real job on their hands if they are to salvage their youth farm work program for future years after the setback the program received this year at the hands of the U.S. Department of Labor.

Mr. MURPHY. It is important to remember that the farmers had been assured that if they cooperated with the Department of Labor, followed the Secretary's criteria, and then it was still seen that they needed foreign help, that help would be forthcoming. Secretary Wirtz had personally assured that no crops would be lost for lack of foreign labor.

Each time attempts were made hopefully to cause the Secretary of Labor to see the error of his plan, they were greeted with new criteria, new conditions, and always the coercive threat that if the farmers did not accede to these demands, the farmers would never get any foreign help. It would almost seem that the Secretary was determined to destroy the farming industry, and the evidence of his reckless, arbitrary decisions crowds my office daily. The largest shipper of melons may have to go into bankruptcy. The largest grower of boysenberries has failed and sold out. The best known grower and packer of nectar peaches has lost everything he has spent 30 years in developing. The largest grower of tomato plants is in desperate straits—all due to the lack of farmhands for harvest—and this is only the beginning of the story.

Now that the peak of the harvest is here, the farmers are still being told to recruit domestics at a cost of over $100 per head for transportation, wherever they can be found west of the Mississippi River. In one instance, the Department said that the Dallas region had 2,500 workers available, but after 3 days of intensive recruiting by Federal, State, and private teams only 76 workers had been found. Only last week, the farmers in the Watsonville area of California were told that they should go to Poplar Bluffs, Mo., for 650 available workers. Recruiters went there and found 13 people to interview, 3 of them children, one with a broken arm, and 2 of whom said they could not do the work, with the result that a grand total of 6 workers was hired. Then the teams went to Springfield, Mo., where they interviewed 17, of whom 14 were hired after 3 had rejected themselves. The teams are still trying to find 12 more workers in order to make up a 32-man bus. This is not good business.

In summary, I can truthfully say that there has been a determined and extremely costly effort made by all concerned, both Government and growers, to implement the Secretary of Labor's theories, and we must finally come to the inevitable conclusion that the plan will not work. Everyone seems ready to admit this and to do what can be done to repair the damage except the Secretary himself. The San Diego Union of September 1 summarized the experiment very well, and I ask unanimous consent that this editorial be made part of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the San Diego Union, Sept. 1, 1965]

TOO FEW BRACEROS IN STATE—MORE FARM LOSSES ARE FEARED

In a candid but apt statement a California farmer recently observed that officials seeking nonexistent American labor for farmwork would do more good if they went to work in the tomato fields themselves.

It is a strong observation that has just enough validity to make a point worth noting.

The point is that in spite of top-level and continuous efforts since cancellation of the bracero program, prematurely last December, there still is a severe and serious shortage of farm help.

Recruiters seeking thousands of workers throughout the Nation are finding only scores willing to work or available for employment. In the meantime, crops worth millions of dollars have rotted in the fields because there was no help to pick them; the price of farm table food has risen dramatically, and even Mexico has been hurt by losing the millions of dollars braceros returned to that nation each year.

The situation is still the same today as the California tomato crop approaches peak harvest.

Secretary of Labor Willard Wirtz now has belatedly authorized a total of 18,400 foreign nationals to help harvest the late tomato crop. While it is a step in the right direction, it still is inadequate. By knowledgeable estimates at least 23,000 to 25,000 braceros are needed to help harvest the tomato corps that are now on the vines.

The dictatorial attitude of the Secretary of Labor, in refusing to permit the additional help, is unreasonable and beyond understanding. It was only last April that the Secretary assured California farmers that if they planted tomatoes he would guarantee the necessary help to pick them.

On the basis of his word, California farmers planted 116,000 instead of the 80,000 acres of tomatoes they had planned. The 116,000 acres, incidentally, is a sharp reduction from the 143,000 acres of tomatoes the previous year.

In spite of the reduced acreage, the labor to harvest the vegetable still is not available and no amount of official statements can hide the fact.

The fact that there are fewer braceros working in the fields this year is not a matter of pride if it means that crops rot or that farmers plant less or move their operations to Mexico.

If pressure from the farmers, housewives, and concerned people cannot move the obstinate Secretary of Labor the case must be brought to the President and Congress.

As a first step, all possible steps must be taken to save the remainder of this year's crops in California. This will require at least several thousand additional braceros immediately.

On a longer range basis Congress should institute some modified form of bracero program that assures U.S. nationals who want to work in the fields of first priority for jobs but does not exclude use of American neighbors if they are needed.

Mr. MURPHY. Mr. President, the mathematics produced by the Labor Department would confound that most extravagant computer system. It has been pointed out with pride that there are 10,000 to 15,000 more domestics on California's farms at one point this year than there were at the same time last year. At the same time, however, there were 40,000 to 50,000 fewer foreign workers. Considering that the Secretary himself admits that it takes 13 domestics to replace 10 foreign workers—and our experience would indicate a much higher ratio—simple arithmetic will show that our farmers are short 50,000 or 60,000 workers.

What the Secretary's figures do not show also is that of the 12,000 to 15,000 so-called domestics newly on our farms this year, many, perhaps all, are really Mexican nationals who are permitted in because of their special green cards. Nor do the Secretary's reports reflect the fact that 17 employees of the employment office, which is responsible for compiling figures on farm placement, have either resigned, been dismissed, or fired because of admitted padding of their figures. This is a scandalous situation, the full extent of which has not yet been uncovered, I understand.

For a moment, I should like to summarize the direct losses I have already mentioned: $15 million in tomatoes, $10 million in strawberries, $10 million in asparagus, and $2 million in citrus.

It is not yet possible to obtain figures on melons, brussels sprouts, lettuce, peaches, pears, grapes, pickles, olives, onions, and all the rest of the specialty crops, but I assure you that the cost will be very staggering indeed.

I ask permission at this point to have printed in the RECORD a letter from Salinas Strawberries, dated August 24, 1965, the article from the September 1965, California Farm Bureau Monthly concerning asparagus losses, and a telegram to me dated September 9, 1965, from Jack Bias, of the Grower, Shipper, Vegetable Association in Salinas.

There being no objection, the letter, article, and telegram were ordered to be printed in the RECORD, as follows:

SALINAS STRAWBERRIES,
Salinas, Calif., August 24, 1965.

HON. GEORGE MURPHY,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: I think the following statements will be indicative of what can happen to the tomato industry in California for 1965.

Following, in brief, are the facts from Salinas Strawberries balance sheet and P. & L. as of June 30, 1965:

	1964	1965
Current assets	$2,283,165.00	$1,225,772.83
Current liabilities	$1,963,942.23	$516,231.09
Sales:		
Freezer	$1,583,710.24	$2,121,296.00
Fresh	$3,380,254.06	$1,175,206.04
Total sales	$4,963,964.30	$3,296,502.64
Net income	$732,429.50	($96,860.47)
Cost per pound (all costs except G. & A.)	$.1379	$.1780
Harvesting labor (only)	$.0820	$.1025
Production, in pounds:		
Freezer	11,312,216	10,962,622
Fresh	13,815,669	4,442,046
Total	25,127,885	15,404,668

It is evident from these figures that 10 million pounds of strawberries went to pay for sociological experiments for the unemployed, and also in the complete unconcern by the Department of Labor for growers in California.

We presented documented proof of need for supplemental help and were granted that help—4 weeks too late.

Those 10 million pounds should have made 12 million pint baskets of berries which in turn should have fed 24 to 30 million school children breakfast on Sunday morning.

However, they went to rot in the field. How much were they worth retail? Probably 50 cents per pint in your supermarket in the spring. This is $6 million of gross revenue loss in the economy by one grower.

I am appalled at what can happen to the tomato industry if they are treated as we were.

Perhaps a best seller sequel to "Six Days in May" will be written called "Thirty Days in September." It could depict the collapse of an entire industry due to the whims of somebody either in, or behind, the Department of Labor.

I hope this information can be of some use to you.

Best regards,

TOM MCNAMARA.

[From the California Farm Bureau Monthly]

INADEQUATE SUPPLY OF LABOR THIS YEAR CRIPPLES ASPARAGUS INDUSTRY

(By Betty Yater)

This year's inadequate supply of labor dealt a crippling blow to the asparagus industry in this State regardless of what the Secretary of Labor says about there having been "no serious shortages" of labor and only "some small crop losses" thus far this year in California.

Harvested asparagus acreage in the Sacramento and San Joaquin Delta area was approximately 41,000 acres this year compared to 58,000 harvested in 1964. On the 41,000 acres, growers harvested an average of between 35 and 40 percent of the yield.

This year's pack of white asparagus, which accounts for 60 percent of the crop annually, was less than half that of last year. This represents a minimum loss of $6.7 million to growers on white asparagus alone.

Such acreage and dollar losses cannot be passed off as small.

The California Asparagus Growers' Association, with headquarters in Stockton, has just completed an initial assessment and evaluation of the 1965 season which brought out the above figures.

In expanding on the loss, Association Manager Bill DePaoli points out that asparagus beds don't start producing at their maximum until their third year. Some beds will remain top producers up to 10 or 12 years, he said. In order to keep the harvested acreage at about 60,000 high yielding acres, the growers in the past have ripped out and replanted between 4,000 and 5,000 acres of older beds annually.

However, with the outlook for an adequate supply of labor what it was in late 1964, DePaoli stated that an association-conducted survey shows that growers plowed out 16,263 acres last year and this acreage included many beds which were good producers.

This brought the acreage to be harvested in 1965 down to 41,000 acres. Out of the 41,000 acres, more than 16,000 went to farn or was either chopped, disced or reridged in hopes of receiving labor and was lost, the association manager stated. During the 1965 season about 12,000 acres of white asparagus was harvested where normally 24,000 acres of white is harvested. And of that harvested, growers were able to get off about 35 to 40 percent of the yield.

"Not only that, but growers are wondering how much they have damaged the remaining beds," DePaoli pointed out. "Asparagus is never disced back after it has once gone to fern. However, with the inadequate labor supply they had this year, the growers just couldn't keep up with the grass. It kept getting away from them and going to fern. In a desperate effort to try to salvage just a little more of the crop and cut losses, growers were forced into the position of discing down asparagus which was well into the fern stage. We don't know how this is going to affect the plants—it could materially reduce the yield in coming years. Some of the fields look pretty sick right now."

Continuing, DePaoli said that because of the 400 percent above normal plowout last year, the projected plowout for this year was expected to be on the low side. However, because of the losses incurred during this year's harvest season, DePaoli stated that a grower survey just completed places this year's plowout at a total of 12,000 additional acres—or an accumulated total of 28,263 acres for late 1964 and 1965.

"We're going into the 1966 season with about 30,000 acres—slightly over half the normal acreage of this crop," DePaoli said and sadly added, "It is a crop for which there is market demand. West Germany wants all the canned white asparagus we can ship her."

LABOR AVAILABLE WAS COSTLY

The asparagus growers not only were confronted with severe labor shortages, but their costs in using the labor that was available this year were very high, reports Nat Scatena, president of the Stockton Growers Group, Inc., a labor management organization which serves many asparagus growers in the area.

Growers' labor costs in harvesting this year came close to doubling those of a year ago, Scatena said. The people available were inexperienced and required additional supervision, their productivity was poor, and the grower had to guarantee a minimum of $1.40 per hour. The attrition rate on these workers was extreme.

"The growers made every possible effort to find labor and tried everything that came along," the farm labor service president stated.

Last year 4,013 braceros were used in the harvest. This past season only 981 foreign workers were allowed to harvest asparagus.

Among the persons hired this year were day-haul workers; intrastate domestics recruited from Sacramento, Delano, and Bakersfield; and interstate domestics (both adult and youth groups) from Montana, Nebraska, Oklahoma, and Texas on which the growers footed the transportation costs.

The average number of man-work-days per individual on the intrastate workers was 2.7. To cite just a couple of the Stockton Growers Group's experiences with these men, on March 17, 15 men were received, on March 22 only 3 remained. These departed March 28. Another group—this one of 20 workers—was received March 20. On March 25, just one remained.

On their interstate recruiting, Scatena said on April 3, 66 American Indians of the Crow Tribe from Billings, Mont., were recruited and brought to Stockton at a transportation cost of $2,904.50. Because their deportment during nonworking hours was unacceptable to the neighborhood, on April 13 the growers had to return those remaining at a transportation cost of $2,316.

April 16, 72 Sioux Indians from Nebraska arrived on which the growers picked up a $3,520 transportation bill. An additional group of 36 arrived on April 20 with a transportation cost of $1,760; and the final increment of 10 Sioux arrived May 15 at a cost of $479. The personal and work habits of the Sioux were no better than those of the Crow, Scatena asserted. Voluntary attrition was swift, however, and as of June 15, just one Sioux remained and was working, he added.

One adult group of domestics (37) was recruited from Muskogee, Okla. Of this group, 6 departed without working at all; 3 departed after 1 day's work; 2 departed the following day; 6 departed after 3 days' work; and after 6 days work, only 14 remained. In addition, Scatena commented, insobriety contributed to some no-work days.

Trying to harvest with this type labor force was bedlam. The harvest normally lasts 120 days and starts in mid-February. However, the asparagus has to be cut every day or two during this period which means the growers must have a stable labor force.

Losses of asparagus became so great that finally in mid-May the U.S. Department of Labor allowed the asparagus growers the use of 481 Japanese nationals already in the State and gave its permission to import 500 Mexican nationals. (Growers' records at the time showed a need for 2,000 supplemental workers.)

It wasn't quite as easy to make the arrangements to bring in the Mexican nationals as the Secretary of Labor had contended it would be. By the time the nationals did arrive in Stockton, in many instances it was just too late—the grass was too far along in the fern stage to be brought back.

However, since the growers had contracted for the nationals, they had to take them and provide work. One of the growers interviewed—Joe Cechini, who with his three brothers started the season with 1,500 acres of asparagus—said they had an out-of-pocket loss of $50,000 this year. Some of this was accumulated by trying to use braceros after the asparagus was too far gone, he said.

CANNERS AND CANNERY WORKERS LOST

Besides growers' losses, the canneries, their workers and suppliers lost money this year because of the lack of asparagus to process. Tri-Valley Growers, a growers' cooperative, reported deliveries of asparagus down this year to less than half that of 1964. According to Philip N. Mark, Tri-Valley vice president, this resulted in income losses to workers, members, and suppliers of $1,372,000.

A breakdown of these losses shows:

1. Cannery workers lost $232,000 in wages, contract benefits, and payroll tax contributions.

2. Raw-product payments to growers were reduced $666,000.

3. Purchases of cans were cut by $183,000.

4. Purchases of shipping cartons and labels were reduced by $35,000.

5. Purchases of incidental goods and services were cut back by $36,000 from 1964 levels.

6. Losses to Tri-Valley and its members as a result of the cutback were calculated at $220,000. This amount would have been available to pay overhead charges and returns to members had this year's pack equaled last year's.

A field representative of another canner reported that his cannery operated two 8-hour and one 4-hour shifts per day last year during the asparagus pack. This year, because they couldn't get the raw product, they were down to one shift per day—averaging between 6 and 7 hours.

On the basis of statistics accumulated, the California asparagus growers estimate the loss to the economy resulting from the reduced asparagus harvest this year will amount to well over $30 million.

GROWERS' REACTION

As to the future, the asparagus growers are waiting to see how the Secretary of Labor handles the tomato harvest. If the tomato growers get adequate labor supplies, asparagus growers interviewed say they probably will try to harvest again next year. If the tomato growers suffer the same fate as the asparagus growers experienced earlier this year, the grass men say they will plow out additional acreages and get by the best they can until the crash program now underway gets a mechanical harvester into the fields.

SALINAS, CALIF.,
September 9, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Wish to inform you present condition vegetable crops. Tomato harvest northern California greatly curtailed due lack of harvesting workers. Some cannery employees harvesting in morning in order cannery can operate in afternoon. Estimated tomato loss presently 25 percent. Slowness Department of Labor certifying Mexican nationals caused great deal this loss. Original certification for tomatoes northern California 8,000. Before these workers could be recruited from Mexico, Department of Labor increased certification. Although Mexico has cooperated fully and expedited recruitment orders for first 8,000 workers will not be filled until September 11. Before growers can receive their inadequate allocation tomato loss will be at least 35 percent. Central coastal area California provides large percentage fresh market tomatoes this time of year. Tomato growers furnishing fresh market production down 40 percent due to lack of harvest workers. First Mexican national arriving presently earning $30 to $40 a day which proves rate of pay very adequate. Growers Farm Labor Association received certification from California Department of Employment for 950 tomato workers and 1,000 strawberry workers on August 27. Department of Labor approved only 571 tomato workers. We will not receive any of these workers until September 12 due to recruiting procedures in Mexico. Strawberry harvest reaching peak of fall crop. Central California needs at least 1,500 workers. September 8 Department of Labor approved transfer 500 Japanese and 61 Filipinos for strawberries taking them away from pickle and tomato harvest in Stockton area which is also suffering. We are more than pleased to receive these workers, however, less than half number required. Brussels sprouts growers central coast area produce 90 percent of brussels sprouts for Nation. They are in need of 650 harvesters. Have not received certification for any, resulting early crop loss. Other growers vegetables such as cauliflower, celery, carrots, lettuce, struggling with inadequate harvest crews which is causing curtailed work union employees on packing sheds. We predict that with tremendous losses this year, acreage next year will be greatly curtailed resulting increased consumer cost. Presently price fresh tomatoes shipping point $5 which is at least double normal price, causing consumers to pay unwarranted high prices. Apparently California grower is forgotten man.

JACK E. BIAS,
Executive Vice President,
Grower Shipper Vegetable.

Mr. MURPHY. An article in the San Francisco Examiner of September 3 quotes a high Teamster official as saying:

> Between 12,000 and 20,000 members of our union have been thrown out of work this summer by a decrease in farm production * * * many growers reduced their acreage in fear that they would be unable to get their crops harvested.

I ask unanimous consent that this article be printed in the RECORD at this point. It would seem that the figures of the Teamsters Union and of Secretary Wirtz are somewhat in disagreement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANNERY UNIONIST SAYS: "BRACERO CURBS COST JOBS"

(By Ray Christiansen)

For every bracero requested by a California grower and rejected by the U.S. Department of Labor, a California cannery worker has lost his job.

"Between 12,000 and 20,000 members of our union have been thrown out of work this summer by a decrease in farm production," it was reported yesterday by Peter Andrade, chairman of the Teamsters' Western Cannery Council.

"Many growers reduced their acreage in fear that they would be unable to get their crops harvested," he explained.

"Some of these and others who actually expanded their acreage this year were unable to harvest more than a fraction of their crops.

"With a shortage of field laborers, we don't know how we're going to come out in the tomato harvest."

SIXTY THOUSAND ACRES LEFT

Andrade, a Teamster International organizer, said there were 116,000 acres planted to tomatoes in California this year.

"Between 24,000 and 25,000 acres may be harvested by machine, and 30,000 acres by the Mexicans who have been permitted to come in," he said. "That leaves some 60,000 acres to be harvested by domestic labor."

Andrade pointed out that the Teamsters Union had recommended a gradual phaseout of the bracero program and had opposed the abrupt termination voted by Congress.

DOWN 40 PERCENT

A spokesman for the California Processors & Growers Association said:

"We estimate that the tomato pack will be down 40 percent this year. You can imagine the seriousness of this loss in wages when you realize that the tomato pack represents 70 percent of the farm products processed in California canneries."

The State Department reported yesterday that there is an immediate need for 14,000 additional tomato pickers in northern California.

The Department also reported that northern California growers, at the end of August, were employing 149,480 seasonal domestic (American) workers and 520 foreigners, compared with 142,780 seasonal domestic workers and 44,590 foreigners last year.

BIG NUMBER LOST

But the total number of farmers, unpaid family workers, regular employees and seasonal workers employed in agriculture last week was only 282,810—down a whopping 38,000 from August of 1964.

In other words, a 44,000 reduction in the number of braceros resulted in the creation of 6,700 farm jobs for Americans and the loss of more than 12,000 jobs for California cannery workers, truckdrivers, container employees and others.

Les Hubbard, spokesman for the Council of California Growers, said the 38,000 job loss figure, of course, did not include employment losses in such allied industries as trucking, containers and freezing.

Mr. MURPHY. It is, in short, a simple demonstrable fact that Mr. Wirtz' experiment to increase domestic employment on our farms has been a terrible, costly failure and that, in fact, by destroying agricultural production, he has reduced jobs in California this year. With 1¼ million jobs in California dependent upon agriculture, the potential mischief which could be caused by a continuation of the Secretary's policies is horrifying. The Secretary has also added to the age-old problem of illegal entry into California from Mexico, the full extent of which has not yet been assessed. I do have a letter from the Commissioner of Immigration and Naturalization Service indicating a 50-percent increase in the number of so-called wetbacks who have been returned to Mexico in the first half of this year, and I ask unanimous consent that that letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., September 1, 1965.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: In response to your recent letter, control of the Mexican border has become more difficult in recent months. The number of deportable Mexican aliens found along the Mexican border during the period January 1, 1965, to June 30, 1965, was 30,623 compared to 19,474 during the same period of the previous year. Nevertheless the Service has been able to cope with the situation and control of the border is being maintained.

The 1966 fiscal year budget contains no additional funds or positions for this purpose and no additional funds or positions are expected to be included in the 1967 fiscal year budget.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

Mr. MURPHY. I would also point out that many of our farmers have given up trying to exist under the Department of Labor and have already moved to Mexico—never to come back, taking with them badly needed jobs and millions of dollars of payrolls. This, of course, has a bad effect on the balance-of-payments situation which has been so much discussed in this Chamber.

I submit that if I had not seen it I would never have believed it. Millions of tons of tomatoes, strawberries, asparagus rotting for want of hands to harvest it. There was no question of wages, Mr. President. A good man can earn $20 to $40 a day on our farms today. There was no question of willingness of the growers to cooperate. They spent thousands of dollars in an experiment they knew would not work simply because they were afraid of reprisals if they did not go along. Many farmers had been assured on the word of the Secretary himself that there would be no labor shortage in tomatoes—"go ahead and plant" they were told, and when they needed 25,000 workers for the harvest the Secretary grudgingly permitted only 8,000 at first and then later on when the pressure of politics entered the picture he added another 10,400 workers—and these, I might point out, are not yet in California—another case of "too little, too late"—so that one county has already lost almost half of its entire tomato crop.

And now, the worst news of all. We come to the inevitable conclusion that this fall and winter the housewives of America will have to pay for this unfortunate blunder every time they go to the market. The blunder is too big to be hidden, too important to be ignored, and too serious to be allowed to continue.

Mr. President, we have watched with dismay the experiment and I feel the time has come to call a halt and return the control of supplemental foreign labor to officials who know the facts of agriculture and are willing and able to assess the situation properly. As the distinguished Senator from Florida has so well stated, this is a problem of agriculture. The Secretary of Agriculture should have the responsibility and the knowledge to get the job done properly. I, therefore, urge all of my colleagues—on both sides of the aisle—not just the Senators from the 29 States who use foreign labor—but those from all States in the Union—because we all represent housewives and, most of all, we all want to do what is in the best interests of our Nation, and I do not believe an objective analysis of this year's events can leave any doubt that the best interest of the Nation is to be served by the retention of the amendment of the Senator from Florida, and a negative vote on the amendment entered by the Senator from Tennessee.

Mr. ELLENDER. I yield 20 minutes to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I hope the Bass amendment to strike out section 706 of the pending bill will be defeated.

When I first began corresponding with Secretary of Labor Wirtz on this problem back in March, the Secretary was confident he could recruit enough domestic workers to harvest the crops both on the west and east coasts without admitting any of the Mexican and offshore pickers who formerly were brought in under the bracero program.

But since that time the Secretary has had to break down and admit the failure of his domestic recruiting program in several instances.

First, he agreed to let California bring in about 2,500 Mexicans to try to save the strawberry and asparagus crops, and I am informed that he has more recently authorized a much larger number to pick tomatoes. Later he agreed to let about 700 Canadians cross the line to pick apples in New England.

Similarly, in Virginia, the Labor Department started out on the assumption that it could find enough domestic unemployed in surrounding States to pick apples now ready to be harvested. But last Friday the Department again admitted failure by authorizing the importation of 300 foreign workers for the Shenandoah apple crop.

Although there are about 600 domestic apple pickers now in Virginia from other Southern States, they are reported to be not too happy with the life of an apple picker, and, from what I hear, they are not very proficient at it.

I would like to read a letter from one of my constituents, who knows something about the problem and who wrote me as follows:

> I have followed in the newspapers your efforts to secure an adequate picking force for Virginia apples. The Secretary of Labor may say that they should be given an opportunity to learn how to pick apples, but you can't teach old dogs new tricks, and the so-called pickers I saw were too old ever to learn.
>
> They were averaging 20 bushels a day. Good pickers can average up to 150 bushels a day. At the going rate of 15 cents a bushel, these pickers pick $3 worth in 8 hours, for which we have to pay them at $1.15 an hour, a total of $9.20, so we are losing at the rate of $6.20 a day. No doubt, in due course, these figures will be presented to you by the Frederick County Fruit Growers' Association.

In his first letter to me on March 9, Mr. Wirtz said:

> We are convinced that domestic workers will work in agriculture if satisfactory wages and working conditions are provided.

What this apparently means is that the Labor Department may be able to induce enough domestic unemployed to go out into the country and do harvesting work for which they have no experience, if the growers will sustain the loss resulting from their lack of training.

I should like also to read part of a letter Delmer Robinson, Jr., chairman of the Virginia State Apple Commission, wrote to President Johnson last March. He wrote as follows:

> Canadian apples come into our country picked by foreign workers to compete with our apples. Mexican onions and strawberries picked by foreign workers are available now to American consumers. Bananas and meat grown by foreign workers arrive daily at our ports to compete with American-grown products.
>
> Promoters bring in entertainers, such as the Beatles, and movie and stage actors from foreign countries to work where Americans are available. Foreigners populate our major league baseball and hockey teams. Many jockeys on our major race tracks are from other lands.
>
> These people are applauded for their work. They take millions of dollars out of our land. Yet are they any better for America than the mundane apple picker, cane cutter, or vegetable worker who is also an expert in his field?

We all know that in recent years there has been an exodus of workers from the farms to the cities, and this has occurred in Virginia as well as other parts of the country.

One large apple producer informed me that, according to Census data, the number of farmworkers in Virginia declined more than 44 percent during the decade ending in 1960. This producer estimated that in the past 5 years there has been a reduction of at least an additional 25 percent.

On March 18, I sent Secretary Wirtz an editorial which pointed out that for years 40 percent of Virginia fruit has been harvested by off-shore Bahamians; that 1,000 Bahamians were employed last season to harvest apples in just two Virginia counties of Frederick and Clarke, and the adjoining West Virginia county of Jefferson. The editorial also pointed out that it would take 4,000 unskilled domestic workers to do the same job, and, of course, 4,000 domestic workers in that area are not available.

On August 25, I forwarded to Secretary Wirtz the estimate of Charles S. Toan, executive secretary of the Frederick County Fruit Growers' Association, that Virginia would need 5,000 workers to harvest the current crop. In that letter I said to the Secretary:

> Since your present top estimate of the number of apple harvesters that you can bring into Virginia is only 500, why can't you now authorize Virginia growers to bring in up to 2,500 foreign apple pickers? That will still leave a demand for five times as many domestic pickers as I think you will be able to furnish. The picking season for some

> types in Virginia will commence in early September, and it takes about 2 weeks to make the necessary arrangements to import workers from Jamaica or other off-shore islands.
>
> Millions of dollars are at stake in a labor movement experiment which has not panned out in other areas and which is not going to pan out in Virginia, West Virginia, or any other apple State of the Atlantic seaboard.

Mr. President, you can see from Mr. Toan's estimate that the decision of the Secretary to let us bring in 300 is another case of too little and too late.

I have just been informed by J. Eldred Hill, Jr., commissioner of the Virginia Employment Commission, that his office made a final request for a total of 900 off-shore workers on a staggered basis, of which 300 have been approved. Virginia will need 350 more on September 18, so they can go to work on September 20. We will need 250 more as the crop increases, on September 25 to go to work on September 27.

These estimates assume that the domestic workers who have promised to come through our State recruitment show up. The Labor Department has promised to review Virginia's situation toward the end of this week, but that would be too late. The Department should be reviewing it now if we are going to get the next group of 250 on time.

Virginia needs almost 1,000 off-shore workers right now.

Mr. President, the sum total of the whole matter is this: The Department of Labor has been tried and found wanting in the matter of furnishing the technical advice with respect to the number of foreign workers needed to harvest row crops and fruit in this country.

The Senate ought to defeat the motion of Senator BASS, of Tennessee, and thereby keep in the bill the committee provision sponsored by Senator HOLLAND, of Florida, transferring to the Department of Agriculture jurisdiction over the number of farmworkers to be imported for this seasonal work.

This is a logical transfer of authority because Agriculture deals with farm problems, while the Labor Department deals with industrial problems.

Anyone who thinks that an industrial worker would be just as good on a farm, or that an unemployed city boy who has never had any experience in anything can be any good as a farmworker, just has never done any farmwork.

Successful farms are not operated by men without brains; successful farmwork is not done by men without training. The Department of Agriculture is close to the growers of fruit through the operation of our land-grant colleges, our extension service, our county agents, and our crop reporting service.

All these services are Government workers, just as are the workers in the Department of Labor, but they have dealt with farm problems and have been trained to do that type of work. And I am convinced that the Department of Agriculture could do the necessary job for one-tenth of what it has cost to do an inefficient job by the Department of Labor.

Since this was a new activity for the Department of Labor it asked for a budget in this current year to recruit workers of $40 million. To me that was simply an astounding amount to recruit workers to harvest citrus fruits in Florida; row crops, lemons, dates, and tomatoes in California, and apples in New England and the Middle Atlantic States.

But was that enough? It certainly was not. We have recently passed a bill, when the budget year is only 2½ months old, giving the Department of Labor an additional $1.7 million for this work. I am not at all sure that early next year the Department will not ask for another large supplemental appropriation, unless, of course, we transfer this function to Agriculture.

And, to me, another astounding fact is that when the Appropriations Committee had under consideration the request for a supplemental amount of $1.9 million—which was cut to $1.7 million—to locate the unemployed in one section and transfer men to another section for farmwork, I asked for a report on what had been accomplished up to this time.

I got one report which the experts on our committee staff said was absolutely meaningless. I insisted on another report and finally got one which attempted to enumerate the number of workers who had been recruited, but which showed nonreliable statistics as to who actually went to any particular job, and how long they stayed after they got there. And, of course, the report showed nothing on the crops that had been lost through failure of the Department to furnish the domestic workers as it had promised to do.

An indication of how big that loss has been in California has just been given us by our distinguished colleague from that great State, Hon. GEORGE MURPHY.

In the Appalachian area of Virginia, Maryland, and West Virginia we have an exceptionally fine apple crop. In spite of some drought, the quality of that fruit is good and the size of the crop is above average and, with the current rains, it is daily improving. But, unless we can get enough workers to pick those apples the growers in the Appalachian area will suffer heavy losses.

For a bushel of apples that go into the commercial market as U.S. No. 1's the growers this fall will probably receive $2.50 or $3 a bushel. If those apples drop to the ground and then go to the canners and to the cider plants, the growers will get $1 a bushel or less.

This all adds up to one of my favorite Thomas Jefferson maxims: "If we have to look to Washington for advice as to when to sow and when to reap, we will soon lack bread."

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. President, I support section 706 as it is included in the bill. I do so because I have made a fairly extensive investigation, not only following along on the groundwork done by the Senator from Florida [Mr. HOLLAND] and the Senator from California [Mr. MURPHY], but by following up suggestions from my own State.

I have received a series of letters in response to inquiries I made of the Colorado Department of Employment and various companies. I think the letters will prove to be important so far as the overall debate is concerned. The first letter I received was from the Department of Employment of the State of Colorado. I shall read a portion of it for the understanding of all Senators. It is helpful in determining the merits of the amendment now being considered:

> Farmers are reluctant to use school youth in caring for, handling, and harvesting their crops.
>
> Most farmers feel that the guarantee of $1.30 per hour to these workers is unreasonable and they would rather divert the planting of their land to crops other than those demanding large numbers of workers, than to depend upon school youth, particularly at the high wage established by the Secretary. Last year under the 90-cent-per-hour criteria established by the Secretary of Labor, three pilot crews of school youth were used. In order to make this possible, I contacted the Great Western Sugar Co., Holly Sugar Co., and Western Foods and asked them if they would underwrite any differences between the amount school youth earned and the 90-cent-per-hour rate. All of these companies mentioned had to make up a rather sizable deficit. When this was brought to the attention of the Federal officials their reply was that these young people had not been properly supervised and motivated and since under the Secretary's criteria it was the responsibility of the farmer to employ individuals who would properly supervise and motivate these workers, it would be necessary that we endeavor to work youth in the fields. There are some firms who are willing to employ the youth but not any large number of youth have been used. There are some areas in the State where some firms have used youth this year, as in the past, but these instances are few and scattered.
>
> If conditions are normal next year, and if we have a normal spring, we will have very serious labor problems.

Mr. President, I was sent an article entitled "Buffalo Macaroni Firm Buys Tomatoes in Portgual," which was published in the July 31 issue of the Packer. The article was sent to me by a friend, Mr. John Ewing, who is prominent in agriculture at La Salle, Colo.

This clipping is entitled "Buffalo Macaroni Firm Buys Tomatoes in Portugal." It states in part as follows:

> Due to restrictions on Mexican pickers, there either aren't going to be as many tomatoes processed in California this year, or the price is going to be out of line. So Horace Gioia, president of Gioia Macaroni, has been shopping in Europe for tomatoes.
>
> Mr. Gioia is just back from Portugal and he says he'll buy about $150,000 worth of Portuguese tomato products this year, the closest thing he can find to California's. While he was there, he said, he ran into other big tomato shoppers like Campbell Soup, literally being forced to spend their money abroad and found that H. J. Heinz even has set up a plant in Portugal.

This is all because of the problem that we are having in obtaining a sufficient number of laborers to harvest, plant, thin, and cultivate the agricultural crops, which have overwhelmingly surpassed the technological development of any other country in the world.

I have received a letter from the Holly Sugar Corp., which does business not only in my own State, in which its home offices are located, but also all over the country.

In reply to my letter, the vice president for agriculture of that corporation says, in part:

> Farmers in western Colorado did reduce their beet plantings this season, even below the limitations of the Sugar Act program, because of the uncertainties of the labor supply as well as the increased costs and confusion created by the Secretary of Labor's criteria. The necessary $1.30 per hour earnings guarantee for beet field workers in Colorado, together with the uncertainty of the quality and productiveness of such labor, caused quite a number of our growers to drop their beet acreage allotments and turn to other crops not requiring hand labor.
>
> Beetfarmers were not willing to accept the organized youth programs for their labor needs because of the apparent unwillingness of these young people to do sugarbeet field work, and their productivity did not seem to warrant the payment of the required guaranteed hourly wages. The overhead costs of the training and supervising necessary in such programs was too great to be added to the farmers' other operating costs. There are a few examples of good work performance when young people could use their own initiative to arrange their groups and working conditions at piecework rates.
>
> The uncertainties and obvious conflicts in the rules publicized by the Department of Labor and by the USDA Sugar Division caused a number of farmers to give up sugarbeet growing entirely, at least for the 1965 season.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMINICK. Mr. President, I ask that I may be permitted to continue for 1 additional minute.

Mr. ELLENDER. Mr. President, I yield 1 additional minute to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 additional minute.

Mr. DOMINICK. Mr. President, I am also in receipt of a letter from the Safeway Stores, Inc. This letter is from Mr. Robert Campbell, president of the Denver division of Safeway Stores, Inc.

The letter reads in part as follows:

> Upon receipt of your letter, I directed inquiries to our personnel who work in this area. Needless to say, they expressed great concern regarding the migrant labor situation. They reported that produce had "rotted in the fields" due to lack of labor and that in some instances inexperienced help, both in the fields and grading sheds, contributed to the damage. Of course, as you know, time is a very important element in harvesting such crops and the product is lost if labor is not available.
>
> As you indicated in your letter, there are other factors which contribute to the increase in the price of vegetables. For example, bad weather. One of the veterans in the business said that this is "the worst year in 30 to 40 years."
>
> I hope this information will be helpful to you in your evaluation and I, too, look forward to seeing you this fall.

Mr. President, I ask unanimous consent that the clipping and letters to which I have referred may be printed at this point in the RECORD.

There being no objection, the article and letters were ordered to be printed in the RECORD, as follows:

BUFFALO MACARONI FIRM BUYS TOMATOES IN PORTUGAL

BUFFALO, N.Y.—The Federal Government is complex and sometimes its policies get in the way of each other.

In the interest of solving the balance-of-payment problem, the Government wants individuals and business to spend fewer dollars outside the country. At the same time, in hope of putting more unemployed Californians to work, the Government has tightened restrictions on importation of harvest workers from Mexico.

Caught in the squeeze between these two government desires is Buffalo's $5 million a year Gioia Macaroni Co. which uses nearly 2,000 tons of tomatoes and tomato paste a year and usually gets the kind if needs in California.

Due to restrictions on Mexican pickers, there either are not going to be as many tomatoes processed in California this year, or the price is going to be out of line. So Horace Gioia, president of Gioia Macraoni, has been shopping in Europe for tomatoes.

Mr. Gioia is just back from Portugal and he says he'll buy about $150,000 worth of Portuguese tomatoes products this year, the closest thing he can find to California's. While he was there, he said, he ran into other big tomato shoppers like Campbell Soup, literally being forced to spend their money abroad and found that H. J. Heinz even has set up a plant in Portugal.

HOLLY SUGAR CORP.,
Colorado Springs, Colo., August 2, 1965.

Hon. PETER H. DOMINICK,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR DOMINICK: This is in reply to your letter of July 21 to Mr. Dennis O'Rourke regarding the effects of farm labor problems on our current sugarbeet acreage.

Farmers in western Colorado did reduce their beet planting this season, even below the limitations of the Sugar Act program, because of the uncertainties of the labor supply as well as the increased costs and confusion created by the Secretary of Labor's criteria. The necessary $1.30 per hour earnings guarantee for beet field workers in Colorado, together with the uncertainty of the quality and productiveness of such labor, caused quite a number of our growers to drop their beet acreage allotments and turn to other crops not requiring hand labor.

Beet farmers were not willing to accept the organized youth programs for their labor needs because of the apparent unwillingness of these young people to do sugarbeet field work, and their productivity did not seem to warrant the payment of the required guaranteed hourly wages. The overhead costs of the training and supervising necessary in such programs was too great to be added to the farmers' other operating costs. There are a few examples of good work performance when young people could use their own initiative to arrange their groups and working conditions at piecework rates.

The uncertainties and obvious conflicts in the rules publicized by the Department of Labor and by the USDA Sugar Division caused a number of farmers to give up sugarbeet growing entirely, at least for the 1965 season.

The critical importance of maintaining maximum beet plantings to preserve the beet sugar industry in western Colorado is of serious concern to the farmers who are continuing to plant their own full allotments.

Holly growers in western Colorado have reduced their beet plantings by some 1,200 to 1,500 acres because of labor problems. However, the overplantings by certain farmers who are trying to maintain the sugar industry have held the net loss of acreage to about 8 percent of the total western Colorado area allotment.

Our beet growers have made some good progress in their effective use of improved seed, planting methods, chemical weed control, and mechanization, but they must have a dependable supply of the still necessary field labor, at reasonable costs, if they are going to continue to plant sugar beets.

This problem is of serious importance to Holly Sugar and to its contract beet growers in western Colorado. It also applies, with particular emphasis, in California and in Wyoming where we are also confronted with significant beet acreage reductions this year because of field labor problems and costs.

Very truly yours,

GLEN W. YEAGER,
Vice President, Agriculture.

SAFEWAY STORES, INC.,
Denver, Colo., August 13, 1965.

Mr. PETER H. DOMINICK,
U.S. Senate, Washington, D.C.

DEAR PETE: Thank you very much for your letter of August 5 inquiring about the lack of "stoop" labor as it involves such products as beets, tomatoes, potatoes, etc.

Upon receipt of your letter, I directed inquiries to our personnel who work in this area. Needless to say, they expressed great concern regarding the migrant labor situation. They reported that produce had rotted in the fields due to lack of labor and that in some instances inexperienced help, both in the fields and grading sheds, contributed to the damage. Of course, as you know, time is a very important element in harvesting such crops and the product is lost if labor is not available.

As you indicated in your letter, there are other factors which contribute to the increase in the price of vegetables. For example, bad weather. One of the veterans in the business said that this is the worst year in 30 to 40 years.

I hope this information will be helpful to you in your evaluation and I, too, look forward to seeing you this fall.

Sincerely,

R. L. CAMPBELL,
Vice President.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Arizona [Mr. FANNIN].

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. FANNIN. Mr. President, I appreciate the courtesy of the Senator from Louisiana in permitting me to make a statement in behalf of the amendment.

I commend the distinguished Senator from Florida for his informative remarks on the continuing farm labor problem.

I shall support section 706 of the farm bill, which is sponsored by the Senator.

Surely the experience of the past months has proved that the Secretary of Labor is more concerned with union positions than he is with the practical results of his administrative policies.

Philosophy is a fine thing, Mr. President, but it will not cultivate or harvest perishable food crops.

In his zeal to upgrade the wages and working conditions of domestic migrant labor, the Secretary of Labor has apparently overlooked the basic fact that millions of American consumers also deserve consideration. For that matter, so do the individual growers of such items as cantalopes, onions, tomatoes, and other produce.

A melon field under a blazing hot sun at harvest time—when timing and handling spell the difference between profit and loss—is no place to wage a social revolution by the stubborn insistence of Federal bureaucracy.

With the expiration of Public Law 78, the Department of Labor confidently assured agricultural employers that sufficient numbers of willing and able workers could be produced—at the right times and places—to meet all needs. Against the better judgment of men with lifetime experience in these matters, Mr. Wirtz said imported labor was no longer needed. In the beginning this was not apparent.

The record is now in from many parts of the Nation, Mr. President, and that record shows clearly that Mr. Wirtz was wrong in many instances.

The Department of Labor, indeed, managed to produce large numbers of potential workers. But their inexperience—and in many cases, their lack of motivation or willingness to work—brought about a severe decrease in productivity.

This is particularly true in some areas of my State of Arizona, where there is no substitute for the experienced kind of stoop labor so essential at harvest time.

Melons must be picked carefully and at the proper time, for example, and when that moment comes, there is not time to run a training course for people who are out in the field for the first time.

In all of the turmoil and argument on this issue, one significant point has been overlooked. During the hearings last year relative to the expiration of Public Law 78, the Department of Labor stressed the fact that millions of unemployed adults were available and eager to take over the jobs being handled by braceros from Mexico.

The Department did not mention students as a source of field labor at that time. Then came the end of the bracero program, and we suddenly were told that teams of hardy teenagers were going to save the day.

With all due respect to the so-called A-teams, Mr. President, I submit the record has demonstrated that students are limited in their ability to meet the rigors of stoop labor.

There were some exceptions, of course, but I am informed that most of the growers are sadly disillusioned by their experience with the students as field hands. The brutal truth of the matter is that this is hard, hot, and demanding work—and it requires strong, mature, and experienced adults to do it.

Nearly all of the produce growers in my State are realistic and farsighted enough to know that permanent return fully to the bracero days just is not going to happen.

They also are aware that many of these crops may eventually be bred into varieties which can be machine cultivated and harvested, but that day is not here yet.

Meanwhile, during this interim period, the Department of Labor—in my judgment—is taking a very short-sighted approach in its consideration of the problems faced by growers of perishable crops.

These growers, whether they are large or small, are engaged in the most basic kind of free enterprise economy. By and large, they have thoroughly proved their ability to put an abundance of the world's best food onto the table of the American people—and at a price within the ability of nearly everybody to meet.

If we expect them to continue to place fresh produce on our tables economically, the Federal Government must realize and accept the necessity of imported experienced farm labor to meet peak seasonal needs.

This alone would be enough reason to support the position of the Senator from Florida.

I support this amendment of the farm bill.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, I support the Holland proposal, which is included in the committee bill. I do so for a number of reasons and I shall try to set them forth in a series.

First, this issue involved in the dispute that is now taking place on the Senate floor is one primarily affecting the farmers and not the labor unions.

Second, the immigration bill under which imported labor would be brought into our country requires that they be brought in only when there is a finding that they are necessary to supply a farm labor want.

Third, the bringing in of farm workers from foreign countries does not mean that they will remain here permanently as a force competing with domestic labor.

Those are the primary reasons why I support the Holland amendment.

Now I should like to discuss some paradoxes which appear to me to be connected with the Bass amendment.

Several months ago, on the floor of the Senate and the House of Representatives, there was debated the necessity of establishing an Urban Affairs Department in our Government. It was argued by the proponents of that measure that urban affairs are of a peculiar, unique nature, and therefore require a department separately manned by experts possessing knowledge of urban affairs.

That bill was passed. In the dispute pending on the floor today, however, it is said that the supply of labor to the farmer is primarily one concerning the labor unions, and not the farmers.

We are taking away, if the Bass amendment is adopted, the right of those who are fully informed to determine how this issue shall be settled. The Farm Bureau of the United States, the Grange of the United States, and other agencies contend that the present procedure, in which the Secretary of Labor determines what shall or shall not be recommended to the Attorney General, is wrong.

If there is anyone informed about what should be done, it seems to me that it should be the Secretary of Agriculture.

Is the Holland proposal fair? Does it take any powers away from the Secretary of Labor? The answer is that it does not. Every power of the Secretary of Labor remains intact. All that the Holland proposal does is give to the Secretary of Agriculture the authority and the power to determine, first, how many workers are needed to supply a want of the farmers; second, the number of workers available; and, third, the deficiency. That is all that it does. I cannot understand how it can be argued that that function should be performed by the Labor Department and not by the Department of Agriculture. Is there anything more closely related to the economy of the farmer than the need for an adequate supply of labor? His whole sustenance, his whole life depends upon the planting, the cultivating, and the final harvesting of his crops. This means farmworkers related to the farm economy.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUSCHE. May I have 1 more minute?

Mr. ELLENDER. I yield the Senator from Ohio 1 additional minute.

Mr. LAUSCHE. He is the one who is primarily interested. This is an agricultural problem. It is not a problem of labor unions, and for that reason, the authority to determine whether there is or is not an adequate supply should be vested in the Secretary of Agriculture, and not in the Secretary of Labor.

Mr. MANSFIELD. Mr. President, I yield 3 minutes on the bill to the Senator from Kansas.

Mr. PEARSON. Mr. President, the Food and Agriculture Act of 1965 is an act of much disagreement but all those who have studied this measure will agree on one point, and that is that this is a most complicated measure. Title I deals with wheat, title II with feed grains, title III with rice, title IV with wool, title V with cropland adjustment, title VI with cotton, and title VII provides for several miscellaneous provisions.

I direct my remarks, Mr. President, to the title dealing with wheat, but in so doing, I attempt to deal not so much with the specific provisions of this title, but rather with what I consider to be the fundamental problem of the wheat producer, that is, the problem of greater world markets for wheat.

Mr. President, every wheat program to date has been keyed to the U.S. domestic market. This market, however, is relatively stable in size. Yet we can produce vastly more wheat than we alone can absorb. Under these circumstances excess wheat production in relation to our own needs drives the price of wheat down. To avoid this, Federal wheat programs have been attempting to limit production, raise prices, and bolster farm incomes through the use of acreage allotments, production limitations, and price supports.

The important point is that only the size of the U.S. domestic market has figured in the formulation of domestic wheat programs. The export market has been, unfortunately, ignored. Yet new and expanded markets abroad mean greater demands for U.S. wheat. And as dollar sales of wheat increase in response to these markets the need for limitations on production and price supports could be relieved.

The increase in U.S. wheat production would, undoubtedly, lower the price of wheat in the United States. But if increased sales abroad were great enough they could more than offset any fall in the price per bushel—the net result being an increase in farm income. And income per farmer is the important thing.

Mr. President, Kansas has a vital stake in wheat sales abroad. In the 1963–64 season:

Kansas produced 185 million bushels of Hard Red Winter wheat.

The United States exported 656 million bushels of Hard Red Winter wheat and flour—more than was produced in the entire United States in that year.

As the largest producer of Hard Red Winter wheat, Kansas produces primarily for foreign markets.

Thus, while agricultural statistics show that wheat exports are up these same statistics show that our dollar earnings are down.

Prior to World War II, Western Europe was the only major area of the world which bought wheat from other nations. Since World War II, Asia, Africa, and Latin America have joined Western Europe as wheat importers. Today only two major areas of the world—North America, the United States and Canada; and Oceania, New Zealand and Australia—are able to produce more wheat than their populations require.

Asia, Africa, and Latin America contain 2 billion of the world's 3 billion people. By the year 2000, their combined population will increase another billion. Unable to feed themselves now, they will need to buy even more wheat from surplus wheat countries. Potential foreign markets for U.S. wheat are great and growing greater.

U.S. exports of all types of wheat and flour approached 860 million bushels in the 1963–64 season—an all-time high. Only 350 million bushels—less than one-half—were sold for dollars. In the current year, dollar sales of wheat to other countries will fall to only 150 million bushels—a 15-year low.

Thus, in the face of rising U.S. wheat exports, sales of wheat to foreign countries for dollars are actually decreasing.

Now, both public and private efforts—such as those of Great Plains wheat—have been directed toward expanding foreign markets. But the major factor in expanding wheat exports over the past decade has been the food for peace program. Exports under this program, however, are paid for by the U.S. Treasury and not by the nation receiving wheat.

As the Senate well knows, the United States and a purchasing country enter into an agreement under the Food for Peace Act. The purchaser buys the wheat from private U.S. wheat dealers. The U.S. Treasury pays the private wheat dealers, in dollars, for the wheat sold. The purchasing country then pays the U.S. Treasury in its local currency for the purchase. The local currency cannot be converted to dollars but must be used for U.S. Government expenses for loans to the government which purchased the wheat.

As the Senate also knows, great amounts of wheat can be sold abroad in this manner. But these sales are limited because they must be financed by the Treasury and paid for by the taxpayers.

Mr. President, if food for peace provides the explanation for increasing wheat exports, several stumbling blocks account for declining wheat sales abroad for dollars. Since exports under food for peace are limited, the future of U.S. wheat exports is in our ability to sell more wheat in foreign markets for dollars.

In discussing very briefly these stumbling blocks, I must, of necessity, depart from the bill which is the pending business, but I do not depart from the real problem involved. For example, Mr. President, I think it most necessary that we take a long, hard look at the International Wheat Agreement. Major wheat importing and exporting nations are members of this agreement. The importing nations agree to buy a stated percentage of their wheat from the exporting nations within an established price range.

This agreement provides that the United States and Canada agree to withhold wheat from the world market until the price reaches a certain point in the established price range. Since these two great nations account for the vast majority of wheat sold under the agreement, they are practically able to stabilize the price of wheat. Yet while the United States and Canada withhold wheat and wait for the price to increase, other exporting nations sell at a lower price. We are thus faced with a leftover market. And we have sold less wheat this year to the agreement countries than in any year since 1949.

The international wheat agreement extended for 1 year must be modified to assure the United States of its proper share of the wheat market. If this cannot be arranged, Mr. President, there is little practical reason for us to continue as a member of the agreement.

As what may seem to be a further digression, I would direct the Senate's attention to our tariff negotiations as they affect wheat exports. The Trade Expansion Act of 1962 gave the President broad powers to negotiate lower tariffs for American exports. Current negotiations in Geneva—the Kennedy round—between the United States and European Common Market countries are a result of that act.

The countries of the Common Market are our biggest foreign customers for industrial and agricultural products. If Common Market tariff barriers to U.S. goods could be lowered, our sales to those countries would increase significantly. So far the European countries have refused to discuss agricultural tariffs. Add to this the fact that the Common Market is attempting to become self-sufficient in grain production behind a high tariff wall, and the future of American wheat sales to those countries appears bleak indeed.

The administration must make a determined effort to include agricultural tariffs in the negotiations. To do less is to sacrifice our most important foreign agriculture market.

Mr. President, another of the so-called stumbling blocks may have been partially removed and I refer to the matter of export credit. West Europe has the dollars to buy U.S. wheat. The underdeveloped nations of the world do not. Credit arrangements for dollar sales of wheat to underdeveloped countries are a necessity if we are to increase these sales.

The governments of other wheat exporting nations provide such credit. The Government-backed Wheat Marketing Board of Canada, for example, extends credit to underdeveloped countries for the purchase of Canadian wheat. Canadian producers thus receive payment immediately from the Wheat Marketing Board. The purchasing country pays back the Wheat Marketing Board over a period of years. No comparable service is available for private U.S. exporters.

This year the Senate Commerce Committee held hearings on the Export Expansion Act of 1965. While no bill was reported it now appears that the Export-Import Bank has taken administrative actions which would provide for greater flexibility in financing sales to countries with risky credit ratings. It is my hope that the Export-Import Bank will now move forward to equalize America's position on the extension of credit as compared with other exporting nations.

Another handicap to the wheat exporter is that of cargo preference statutes and executive orders.

Under the Cargo Preference Act of 1934, any export of American goods assisted by Federal financing arrangements—Export-Import Bank credit, for example—must be shipped in American vessels. American costs far exceed the world average. Consequently, the price of U.S. wheat delivered by American ships is significantly higher than that shipped in foreign vessels.

Cargo preference may benefit the shipping industry by giving it more business. But it does so at the expense of U.S. wheat sales abroad. If the Export-Import Bank should expand its credit provisions as mentioned above, we may still lose sales to other nations because of the cargo preference provision.

It is my understanding that pursuant to the action of the distinguished majority leader, the Committee on Foreign Relations will now consider whether or not it is the sense of Congress that if commercial exports are not required to be shipped in American vessels to the extent of 50 percent of the cargo, then that same limitation shall be removed from agricultural products. This would be a step forward in eliminating the cargo preference which has been a severe handicap to the wheat exporters. For as I have stated before the cargo preference seriously limits the ability of the United States to sell wheat to poor nations who are extremely sensitive to price. This policy should be revised.

Total farm income is of great importance to the Nation. It is of even greater importance to Kansas. If that income increases, the Nation benefits. If it falls, the Nation suffers. With this in mind, the Government became involved in agriculture three decades ago attempting to assure the farmer a healthy and growing income.

The key, I would suggest to the so-called farm problem so far as wheat is concerned, is increased dollar exports. Markets abroad must be developed in order to ease present production limitations.

Mr. President, the world is hungry and growing hungrier. No country has been able to match American productivity and abundance. Yet our productivity is presently shackled. Kansas and the Nation have much to gain by looking abroad for increased wheat outlets.

Mr. TOWER. Will the Senator yield for 5 minutes?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, the provision of the bill we are now considering would place responsibility for the availability of farm labor in the hands of the Secretary of Agriculture, where, in my opinion, it has always belonged.

The determinations are, of course, primarily agricultural ones. Certainly the Department of Agriculture has more detailed knowledge of the production and harvesting of crops which may be adversely affected in an extremely short period of time by weather, market conditions, labor, and transportation availability and the like.

As well as detailed knowledge of these conditions that I have referred to, careful judgment is of corresponding importance. This detailed knowledge and careful judgment are much more likely to come from the Department of Agriculture, which is by its very nature more conversant of problems and needs.

Let us consider briefly the qualifications of the Agricultural Department to assume this responsibility. The organization for making necessary decisions is well established, with its county agents and committees throughout the Nation. Specialists in virtually every field are available, colleges and extension services are available, a Federal-State market and new service crop reporting service are presently maintained.

And I feel with the transfer of responsibility called for in this provision would go a long way toward eliminating much of the conflict we now have between the farm community and the Federal Government. Just the very fact that the Secretary knows more about farm problems and needs will, I believe, make for better relations between farmers and Government.

Much confusion and much conflict has arisen under present law. The amendment adopted by the committee will lessen this confusion and conflict.

I have introduced this year a bill which would leave this farmworker determination up to the chief agricultural official of each individual State. I believe this would be the best solution, because the needs of the States vary widely.

However, until that proposal can be adopted, it certainly is a step in the right direction to get Federal agricultural officials into the act, rather than the Labor Department.

Mr. President, we find ourselves in the present trouble because we were persuaded by some union leaders and some economists that we could help resolve our domestic unemployment problem if we got rid of bracero labor. This is not true. We cannot take a laid off industrial worker out to the fields to do stoop labor. He is not competent to do it, he does not want to do it, and he will not do it.

We have been told that some of the rioting which occurred recently in Los Angeles occurred because people were angry because they did not have jobs. Yet only a few miles away, in the fields of the great fertile State of California, there were crops rotting because there was no one to harvest them.

Mr. President, it is foolish to think we are going to help our domestic employment situation, because we are not, and the economics of that contention are absolutely false. What we are going to do is kill off our domestic fruit and vegetable industry. We are going to send it to Mexico and to other places. We are going to kill off the packing plants which can for export purposes. We are not going to create new jobs in this country.

Furthermore, we are going to compel the housewife to pay more for her groceries in the market. It does not hurt a wealthy family to pay an additional 10 cents for a head of lettuce, but the workingman who must work for a fixed wage will pay in the long run, if we do not have a bracero program, because his food will cost him more.

We are not helping the workingmen of the country by pursuing the course outlined by the Secretary of Labor. It is mandatory, if we are to preserve the fruit and vegetable industry, the cotton industry, and other crop industries, and if we are to preserve the packing industry and also maintain stable prices, that we adopt the pending amendment. We are much more likely to achieve these results and have the program operated in a viable and effective manner by giving this authority to the Secretary of Agriculture, who has the facilities for determining the actual needs in the 50 States, than by giving the authority to the Secretary of Labor.

I urge the adoption of the pending amendment.

Mr. BASS. Mr. President, I wonder if we could enter into an agreement fixing the time for a vote. I believe I have about 12 minutes remaining. I am about ready to vote, and I wonder if the chairman of the committee is ready to vote. I wonder if it would be agreeable to allot 15 minutes to a side, and thus wind up the debate.

Mr. ELLENDER. I have no objection.

Mr. HOLLAND. I should like to have 4 or 5 minutes to summarize my argument.

Mr. BASS. Five minutes would be sufficient for me. I therefore ask unanimous consent that the vote on the pending amendment come 10 minutes from now.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, will the Chair kindly state what action has just been taken?

The PRESIDING OFFICER. The Chair understands that the Senator from Tennessee has made a unanimous-consent request that the Senate vote on the pending amendment in 10 minutes' time, 5 minutes to be allotted to the Senator from Tennessee and 5 minutes to the distinguished chairman of the committee.

Mr. MANSFIELD. Fine.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield to me briefly?

Mr. BASS. I yield 2 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I wish to express my support of the Senator's amendment. I have been participating in the struggle with relation to braceros for a long time. I served on the subcommittee with the Senator from New Jersey [Mr. WILLIAMS] with regard to migratory workers, and I believe that we should give the present plan proper consideration as to whether it can or cannot work. We should not, in my judgment, try to change the base. I shall support the Senator's amendment.

Mr. BASS. I thank the Senator from New York for his support of my amendment.

Mr. President, in conclusion, let me point out exactly what the amendment would do.

It would have the effect of transferring the authority for making it harmful for the needs of nonfarm labor, immigrant labor, coming into the United States. We are not talking about farm labor. If we were talking about full-time farm labor, there would be no problem, but we are talking about the seasonal needs of labor brought in as immigrants into the United States to work.

The Secretary of Agriculture does not have the facilities or the personnel to determine where additional nonfarm labor exists, its availability and seasonal use therein involved.

It has been interesting for me to note, and I have listened attentively to the entire debate——

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. BASS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 additional minutes.

Mr. BASS. Mr. President, all the discussion involved has pointed, not to the provision of the law which I seek to strike from the bill, or the provision in the bill, but to reinstating the old bracero program, a program which Congress voted out of existence. This provision does not deal with the bracero program. This is dealing with the administration of migrant workers.

In my opinion, what is being attempted by the provision in the bill is to reinstate the bracero program. Evidently the sponsors of the bill feel that they can use the back door approach to reinstate a program which Congress voted out, by getting someone who might be, in their opinion, more sympathetic to the idea of bringing in immigrant workers. That is not what is involved in this provision of the law.

Accordingly, let us not try to reinstate a program through the back door which Congress has stated emphatically and affirmatively was wrong, was administered wrong, and should be stopped.

Mr. President, I believe that the Secretary of Labor will be sympathetic toward the problems of migrant workers, at the same time trying to protect the domestic workers in this country in meeting the need of seasonal employment which they might not get in certain areas.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield me 5 minutes?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, we are dealing with farm labor—not with full-time farm labor but with farm labor. If anyone knows how an unskilled laborer can handle a machete in the cutting of sugarcane, or a 45-foot ladder in climbing orange trees to pick the oranges, he would realize that those who do know how are farm laborers and quite skilled in their particular line of work. That would also apply to other kinds of employment, such as the picking of apples and other fruits, which requires skill and experience.

Mr. President, I am concerned about this problem, because the Secretary of Labor has been so idealistic in his approach.

This is what he says in his justification for his recruiting system:

> The task is now expected to be rendered singularly more difficult, since it will be directed toward the complete transition from foreign to domestic labor.

Mr. President, the Secretary had no such mandate. He has no right to go in that direction. The Appropriations Committee invited his attention to that, and stated as follows:

> The Department should be prepared, when it appears to testify before this committee on the pending 1966 supplemental for additional funds under Public Law 414, to inform the Senate of the specific plans which will be used to prevent future crop loss, et cetera.

No such specific information was given.

What is happening to us is that people continue with this unfortunate and unsatisfactory policy of the Secretary of Labor. We cannot stand idly by and see that occur.

I have heard much about what labor is saying. I wonder whether the Senate knows that on April 24, 1962, George Meany, speaking for the AFL–CIO, submitted to the Secretary of Labor a memorandum brief, which I hold in my hand, and which I ask unanimous consent to have placed in the Record in full.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

The British West Indies Agricultural Labor Program

(Submitted to the Secretary of Labor by President George Meany of the AFL–CIO)

It is estimated that over 330,000 foreign workers are employed in the United States each year as supplementary labor in areas where the U.S. Department of Labor has certified a shortage of domestic workers. The average number of British West Indies (B.W.I.) workers employed during each month of 1962 was 6,976 with a high of 10,267 on December 31 and a low of 2,917 on July 31. These workers earned gross wages of $14,694,522 and of this $2,137,219 was transmitted to the West Indies for the savings accounts operated by the Governments on behalf of the workers. Analysis of the foreign exchange transactions of the various banks shows that similar amounts were sent by the workers as direct remittances to their families or to their commercial bank accounts.

These earnings show that the United States is making a substantial aid contribution to the West Indies at no cost to the American taxpayer, at no loss of self-respect to the West Indians, but merely as a fair return for a fair day's work on the part of law-abiding and ambitious West Indian workers.

The gainful employment of West Indian workers on American farms constitutes a substantial relief to the serious West Indian unemployment problem where, for example, in Jamacia the rate is as high as 18 percent.

About 95 percent of the foreign national agricultural workers in the United States are Mexicans, whose programs are administered by a treaty between the United States and Mexico and under Public Law 78, which was recently extended by Congress for 2 years ending December 31, 1962. The other workers are admitted under the provision of the McCarran-Walter Act, Public Law 414, and these programs are administered without expense to the U.S. Government; in the case of the British West Indies a contract and work conditions are negotiated each year between representatives of the West Indies Government and representatives of the American farmers.

In February 1962 the Department of Labor issued a bulletin concerning the entry of Mexican agricultural workers into this country. This bulletin states that Mexican workers should not remain in the United States for a period exceeding 9 months and that the majority of Mexican workers must return after working 6 months.

Although arrangements for Mexican workers under Public Law 78 has no bearing on the B.W.I. program, the Secretary of Labor has applied the restriction against farm machine operation by Mexican nationals to the B.W.I. and has been endorsing certifications to this effect. It stands to reason that the Secretary is likely to apply the 9-month limitation to the British West Indies. This would destroy continuity of employment and make it extremely difficult to recruit men for the Midwest and Northern States for a short season if these workers knew they would have to return home at the end of that season. It would also make it impossible to transfer workers from Florida to the Northern States. This would be a considerable hardship to the economy of the West Indies, particularly Jamaica which supplies more than 75 percent of the B.W.I. workers.

The workers of the British West Indies in the United States typically work in Florida from late spring or early summer, and are then transferred to Connecticut and the Midwestern States of Wisconsin, Indiana, Iowa, and Minnesota. When the summer harvest has been completed they are transferred back to Florida.

Through such transfer operations it was possible, up to 1957, to obtain continuous employment for fairly large groups of men. However, during 1958 mechanization of the pea and corn harvests in the Midwest had grown to such proportions that there was a considerable reduction in the number of workers transferred to that area, and that number has been further reduced each year since for the same reason. It is still possible, however, to send workers to Connecticut for tobacco during April and May; to send a few hundred men to the Midwest in June; to recruit more men for the September apple harvest in New York; the tomato harvest in Indiana in late August and early September; and to the fruit harvest in Michigan during early September. These workers are transferred, at the end of the harvest period, back to Florida.

It is well known that the standards of the B.W.I. program improve the lot of domestic workers in regard to housing, workmen's compensation, and racial matters. The British West Indies Central Labor Office maintains a ratio of 1 liaison officer to 900 workers. These officers are responsible for seeing that the terms of employment are satisfactory, that the contractual obligations are honored both by the employers and by workers.

The large camps in Florida in which West Indian workers are housed provide infirmaries, and it is interesting that, while the U.S. Government is now attempting to develop a group insurance policy to protect domestic migrant workers against accidents or sicknesses which are nonoccupational, the B.W.I. program provided such protection for West Indian workers as far back as 1948. This policy incidentally, provides better medical, hospital, and financial benefits to the workers than are proposed in the U.S. Government schemes. Full workmen's compensation protection in accordance with that given to industrial workers is required for all B.W.I. workers and no employment is approved unless there is such protection. This requirement protects American workers employed by the same farmers as West Indians, because the domestics receive the workmen's compensation benefits. Here again the workmen's compensation provision provides more benefits for the B.W.I. workers than are required by law for Mexican national workers, despite the treaty between the two governments concerned.

The racial problem in many areas has been eased by the presence of B.W.I.'s. For example, a director of labor in one of the Southern States commented publicly, at a 1958 National Farm Labor Conference, that when B.W.I.'s worked in a neighborhood it became easier for American Negroes to enter that neighborhood and obtain gainful employment.

The Secretary of Labor has the authority to make exemptions in the B.W.I. program. The AFL–CIO urges that he allow the B.W.I. workers to remain, as at present, on a year-round basis. The Department of Labor, through local, State, and regional employment services, has to be satisfied that there

> is a shortage of domestic workers before they will certify the need for foreign labor. If this shortage is so certified, there should be no hesitation in allowing B.W.I.'s to remain on a year-round basis, either with one employer or with more than one employer on transfers.
>
> The Government of Jamaica would not be opposed to a treaty similar to that between Mexico and the United States, and it is believed that most of the American employers would not be opposed to such action.

Mr. HOLLAND. Mr. President, Mr. Meany very clearly favors importation of British West Indian laborers. He was talking about them in particular, to the effect that they were not hurtful to the labor supply in this country.

I shall not read the memorandum in full, but just one quotation, as follows:

> The Secretary of Labor has the authority to make exemptions in the B.W.I. program. The AFL–CIO urges that he allow the B.W.I. workers to remain, as at present, on a year-round basis.

He was talking, then, more directly to get them in on a year-round basis. We do not make such a request.

Mr. President, that was Mr. Meany's position in 1962. Therefore, it was the position of the AFL–CIO. He says further in this able memorandum:

> The gainful employment of West Indian workers on American farms constitutes a substantial relief to the serious West Indian unemployment problem where, for example, in Jamaica the rate is as high as 18 percent.

Mr. President, there is no doubt that organized labor, as represented by Mr. Meany, asserts that this is a helpful matter, one of mutual aid. Senators will realize that if they read the letter where we give dollars for labor honestly rendered in this field.

I have already inserted in the Record an editorial from the Jamaican newspapers showing their hostility.

I should like to read one paragraph or two from a letter received from the port director of the Port of Palm Beach district in West Palm Beach, Fla., who has been in Jamaica with a group of businessmen, in which he comments on the complete change in the situation there, how hostile they are to our people, and how much they have depended on our agricultural employment. Then he gives this picture of their hostility, which I believe will speak louder than any words of mine on this subject:

> On our drive across Jamaica, we saw many instances of open hostility. Even members of military convoys would shout harsh remarks at us. Workers along the highway would frequently shake their fists at us as we drove by. Merchants in small stores were very surly even though we presented a cash sale. This was not the attitude which I met last February on a similar trip. At first, I was inclined to charge it up to our position in Dominica; however, I was told by my Jamaican friends that most people supported that action. It was the travel and labor restrictions coming on the heels of one another that caused the reaction. One man told me that, in his opinion, we have pushed the people of the Caribbean closer to Castro than they have ever been.

Let us realize that this unfortunate, idealistic approach is not based upon any real understanding of the problem. As adopted and applied by the Secretary of Labor, it is hurting. It is also hurting our foreign relations. It is hurting in our friendship with our good neighbors, whose workers have come into this country periodically to work for us and have been pleased at their employment here. It is hurting the growers of perishable commodities. It is hurting the housewives of this country. It is hurting in that it is the cause of the removal of workers from our Nation, as producers, as taxpayers, into the islands in the Caribbean. It is hurting in cutting down the total supply of our perishable products by saying that we should end it by letting the Secretary of Agriculture, who has the know-how, prescribe the number which are needed by our people.

Mr. BASS. Mr. President, I believe I have 1 minute remaining. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BASS. Let me say in closing that I disagree with respect to the issue being raised by my friend from Florida. If there is a problem, it should be studied separately, and special legislation should be handled, as has been done historically by the Congress. This is nothing but a backdoor approach to trying to reinstate the bracero program.

The vote about to be taken is to strike out a section of the bill which should not be here in the first place, and, secondly, is the wrong approach to this problem.

Mr. ELLENDER. Mr. President, I yield 1 minute to the Senator from Maine.

Mr. MUSKIE. Mr. President, my State has a direct interest in the farm labor question. Traditionally, Canadian workers have been recruited to help with the harvesting of potatoes and apples.

This year we have gone through a careful review of the program as it operates in Maine and we have endeavored to meet the objectives of the Secretary of Labor in expanding opportunities for American workers to obtain these harvesting jobs.

I am in agreement with the Secretary's objectives. I believe we should make every effort to recruit American workers for farm jobs before we seek foreign labor. I believe we should do everything we can to insure better wages and working conditions for American farmworkers.

At the same time, I have had questions about the Secretary of Labor's approach to the problem, this year. In the beginning of his efforts to curtail the importation of foreign laborers, there was a tendency to be arbitrary in calling for drastic reductions in the use of foreign labor. There was the clear implication that he planned to eliminate this source in 1 year. There was a disruption of the farm labor market as a result of the vigorous prosecution of his aims and some farmers have been hurt. None of us, I am sure, is happy over these conditions.

On the basis of our experience in Maine, however, it is clear that the Secretary of Labor has adopted a more realistic attitude toward the farm labor problem. When we were able to demonstrate that there were not sufficient domestic laborers available the Secretary authorized importation of Canadian workers.

I would not want the Secretary to abandon his objective of expanding job opportunities and improving working conditions for American workers, on the farm as well as in our factories. But, while he pursues his objective, he must give realistic attention to the needs of our farmers for a dependable supply of workers. He should consult with appropriate agencies, including the Department of Agriculture, in setting administrative guidelines.

I appreciate the intention of the distinguished Senator from Florida [Mr. Holland] to prevent a recurrence of the difficulties which we encountered this year. I disagree with the remedy he offers. I do not think it is administratively sound to place a labor supply and working condition question in the hands of the Secretary of Agriculture or any department or agency head other than the Secretary of Labor. The Secretary of Labor has this basic responsibility under many acts of Congress and his Department has the personnel and the administrative system to handle these questions. We should not change a basic administrative system simply to modify or correct a single policy matter.

For these reasons, Mr. President, I have decided to support the Bass motion to strike the Holland amendment.

I do so because I believe the approach offered by that amendment is not the best one to achieve our objective of encouraging a better handling of the farm labor problem, and because I believe that the Secretary of Labor will give more attention to the problems of farmers in future harvesting seasons.

Mr. BASS. Mr. President, I yield back the remainder of my time, and I am ready to vote.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. Bass] to strike out section 706 of the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], the Senator from Connecticut [Mr. Ribicoff], the Senator from South Carolina [Mr. Russell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], and the Senator from Oregon [Mrs. Neuberger] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Gore], the Senator from Oregon [Mrs. Neuberger], and the Senator from Connecticut [Mr. Ribicoff] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. Long] is paired with the

Senator from Minnesota [Mr. McCarthy]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Minnesota would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

If present and voting, the Senator from Utah [Mr. Bennett] and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

The yeas and nays resulted—45 yeas, 45 nays, as follows:

[No. 253 Leg.]

YEAS—45

Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Cannon
Case
Church
Clark
Douglas
Gruening
Harris
Hart
Hartke
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—45

Aiken
Allott
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Hayden
Hickenlooper
Holland
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morse
Morton
Mundt
Murphy
Pearson
Prouty
Randolph
Robertson
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—10

Anderson
Bennett
Gore
Long, La.
McCarthy
Neuberger
Ribicoff
Russell, S.C.
Scott
Talmadge

There was a recapitulation of the vote.

Mr. HOLLAND. Mr. President, I ask for the regular order.

The VICE PRESIDENT. There has been no announcement as yet.

On this vote there are 45 yeas and 45 nays. The Chair votes "yea."

So Mr. Bass' amendment was agreed to.

Mr. BASS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered.

Mr. KUCHEL. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the motion by the Senator from Tennessee [Mr. Bass] to reconsider the vote by which the Bass amendment was agreed to.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Connecticut [Mr. Ribicoff], the Senator from South Carolina [Mr. Russell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], and the Senator from Oregon [Mrs. Neuberger] are necessarily absent.

I further announce that, if presented and voting, the Senator from Tennessee [Mr. Gore], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mrs. Neuberger], and the Senator from Connecticut [Mr. Ribicoff] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. Long] is paired with the Senator from Minnesota [Mr. McCarthy]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Minnesota would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

If present and voting, the Senator from Utah [Mr. Bennett] and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

The result was announced—45 yeas, 44 nays, as follows:

[No. 254 Leg.]

YEAS—45

Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Cannon
Case
Church
Clark
Douglas
Gruening
Harris
Hart
Hartke
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—44

Aiken
Allott
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Hayden
Hickenlooper
Holland
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Randolph
Robertson
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—11

Anderson
Bennett
Gore
Long, La.
McCarthy
McGee
Neuberger
Ribicoff
Russell, S.C.
Scott
Talmadge

So Mr. Pastore's motion to lay on the table Mr. Bass' motion to reconsider the vote on the Bass amendment was agreed to.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces the appointment of Senator Bennett to be a delegate to the International Atomic Energy Agency Conference to be held in Tokyo for 2 weeks beginning September 21, 1965, in lieu of Senator Hickenlooper, who will be unable to attend.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

AMENDMENT NO. 438

Mr. PROXMIRE. Mr. President, I call up my amendment No. 438. I ask unanimous consent that the reading of the amendment be dispensed with, but that the amendment be printed at this point in the Record.

The VICE PRESIDENT. Without objection, it is so ordered. The amendment is as follows:

At the end of the bill add a new title as follows:

"TITLE VIII—DAIRY

"Sec. 801. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by adding at the end of section 8c(5) the following new subparagraph (H):

"'(H) Notwithstanding any other provision of this section, providing:

"'(i) for allocating, or providing a method for allocating, to each producer under a marketing order, a share of the total sales of milk received from producers classified in, and subject to the minimum price or prices applicable to, the highest use classification or classifications under the marketing order and such reserves of producer milk as may be found essential thereto, which share shall be determined on the basis of total deliveries of milk made by each such producer during the year 1964, or such other representative period as the Secretary may prescribe in the order as more appropriate, due allowance being made in the provisions of the order for (a) abnormal conditions, (b) hardship cases, and (c) producers under the order engaged in milk production at the time provisions hereunder are incorporated in the order but who did not produce milk during all or part of the representative period. Dairy farmers who were producing and marketing milk prior to the date when provisions hereunder were incorporated in the order and who were not on such date delivering milk as producers under the order shall upon becoming producers under the order be provided, with respect to milk delivered under the order, allocations on the same basis as those who were producers under the order when such provisions become effective: *Provided*, That if any dairy farm of such a dairy farmer has been transferred to another person and no allocation based on deliveries from such farm has been issued when milk is first delivered therefrom as producer milk under the order, such transferee then operating the farm shall be provided any allocation for which the said dairy farmer would otherwise have been eligible based on deliveries from such farm. Provisions shall also be made for allocating to any new producer under an order who was not engaged in dairy farming prior to the incorporation in the order of provisions hereunder an equitable share of the allocated sales on such terms and conditions as prescribed in the order, due consideration being given to the current and prospective supply conditions in the regulated market. The application of allocations hereunder shall be subject to such provisions as may be incorporated in the order under section 8c(5) (D). Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public, existing producers, and prospective new producers. The allocations or bases hereunder may be adjusted from time to time or new allocations or bases may be established by amending the order or under provisions incorporated in the order;

"'(ii) that in distributing to producers the amounts of money required to be paid by handlers on milk each producer shall be paid (1) for milk delivered by him which exceeds his allocation at the lowest class price specified in the order and (2) for milk delivered by him within his allocation a blend price, based on utilization in such higher class uses plus reserve, representing his pro rata share of the remaining funds available for current distribution to producers under the order, after the computation has been made under (1) hereof. The payments under (1) and (2) above shall be subject to adjustments prescribed in the order under section 8c (5)(B) or other provisions of the Act and to such provisions as may be incorporated in the order under section 8c(5) (D);

"'(iii) in marketing orders where individual handler pools are approved as provided by subparagraph 8c(5) (B) (i) the provisions of this subparagraph may be applied to each handler individually and to the producers delivering milk to such handlers;

"'(iv) in the case of any producer who during any accounting period delivers a portion of his milk to persons not fully regulated by the order, provision may be made for reducing the allocation of, or payments to be received by, any such producer to compensate for any marketings of milk to such other persons for such period or periods as necessary to insure equitable participation in marketings among all producers.

"'(v) the order may provide for such reports and the keeping of such books and records by producers and by the person or persons to whom he may dispose of milk as the Secretary may prescribe and upon request of the Secretary such person or persons shall make required records available for inspection;

"'(vi) the provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk;

"'(vii) order provisions under this subparagraph shall not become effective in any marketing order unless separately approved by producers in the same manner provided for the approval of marketing orders. Disapproval of order provisions under this subparagraph shall not be considered disapproval of the order or of other terms of the order. Order provisions under this subparagraph may be terminated separately whenever the Secretary makes the determination with respect to such provisions as is provided for the termination of an order in section 8c(16) (B);

"'(viii) Any producer for whom an allocation or base is established under the authority of this subparagraph may obtain a review thereof as prescribed by the order and rules and regulations thereunder, which shall constitute the exclusive procedure for review thereof and section 8c(15) (A) of this title shall not apply thereto. Under such order, rules, or regulations any officers or employees of the Department or any committees or boards of producers under the order created for the purpose may be vested with authority to perform any or all functions in connection with such review proceedings, including ruling thereon. Committees or boards created for this purpose shall be deemed agencies of the Secretary within the meaning of subsection 8c(7) (C) and section 10 of this title. The ruling upon such review shall be final if in accordance with law. The producer may obtain a judicial review of such ruling in accordance with the provisions of section 8c(15) (B) of this title; and

"'(ix) the provisions of section 8a(5) shall not apply to any producer in the application of this subparagraph or regulations issued pursuant thereto.'"

Mr. PROXMIRE. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I yield myself 15 minutes.

Mr. AIKEN. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I have yielded myself 15 minutes to explain the amendment. I shall be happy to yield to the Senator from Vermont after I have finished my explanation.

Mr. AIKEN. I wish to make sure that the Senate understands the intent of the Senator's amendment. Will the Senator from Wisconsin, after he has made his presentation, permit me to ask him several questions?

Mr. MANSFIELD. Mr. President, I ask that there be order in the Chamber and that attachés who have no business to attend to be requested to leave the Chamber.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator's point is well taken. The attachés will please leave the Chamber if they cannot be in order.

Mr. AIKEN. Mr. President, after the Senator from Wisconsin has finished his opening remarks, will it be agreeable to him to permit me to ask clarifying questions on the various sections of the amendment, so that there will be no mistake in the RECORD as to exactly what each section and each part of the amendment means?

Mr. PROXMIRE. I should hope that we could use that time on both sides as equally as possible.

Mr. AIKEN. Mr. President, with that understanding I do not intend to interrupt the distinguished Senator from Wisconsin while he is speaking.

Mr. PROXMIRE. Mr. President, I thank the Senator.

This amendment would insert in the Food and Agriculture Act of 1965, as it was reported by the Committee on Agriculture and Forestry, a new dairy title. The amendment is identical with S. 1915, the Proxmire dairyman's class I base plan. It is also quite similar to title I of H.R. 9811, as it was passed by the House of Representatives.

Mr. President, this amendment would increase farm income, according to the Department of Agriculture.

It would reduce the cost of the farm program, according to the Department of Agriculture.

It would not increase the cost of milk to the consumer. The amendment has been tried and won enthusiastic support in British Columbia, where it succeeded in increasing farm income with no increase in cost to the consumer.

The amendment is strictly permissive. At least two-thirds of the farmers in a particular market order must vote in favor of the plan before it would go into effect in their market order. A simple majority vote can cancel the plan.

In testifying before the Senate Committee on Agriculture and Forestry this year, Secretary of Agriculture Freeman supported this proposal. In doing so, he said:

> Enactment of legislation authorizing the use of base plans in Federal milk order markets would be a step in the right direction. In markets where producers elected to adopt a base plan, as provided for in this bill, there would be an incentive to hold down increases in milk production. This would help reduce present surpluses to the benefit of all.
>
> It would not impose barriers on the entry of new producers to markets adopting a base plan. Its provisions would leave the door open for needed, yet equitable adjustments within the industry.

This amendment is identical with the bill which passed the Senate by a 45-to-33 vote in the fall of 1963. It is similar to, but not identical with, title I of the farm bill as it passed the House of Representatives this year. That title was deleted by the Senate committee.

At present, farmers selling milk for fluid consumption in marketing order areas receive a blend price for that milk. That "blend" is made up of two prices—first, a relatively higher price for the part of the milk that actually goes into fluid consumption; and, second, a relatively lower price for the excess which goes into cheese, ice cream, and so forth.

Regardless of how much the farmer produces, he receives the single blend price.

Dairy farmers object to this practice, because, as farmers producing under the same marketing order increase their production, the production going into excess increases and the blend price drops lower and lower.

This is how the amendment would permit the farmers to modify the blend price system:

If two-thirds of the farmers in a market order area vote to do so, they can end the blend price system for their own particular order.

Instead, they could receive the high fluid price for that part of their production that goes into fluid milk, and the lower, excess price for that part of their milk that goes into excess production. This has two advantages.

First, it would enable the farmer to protect himself against overproduction by other farmers under the order. This is because the farmer could count on the established fluid price, and that fluid price would not be diminished by increased excess production, as is the blend price.

Second, overall milk production would decline. The burden on the taxpayer—which has been several hundred million dollars a year—to pay for acquiring excess milk production would be reduced considerably. This is because farmers would receive a lower excess price for all their increased production, rather than the higher blend price which they now receive.

Mr. President, let me mention some of the things this amendment would not do. I want to make it crystal clear that the freedom of action now existing under milk marketing orders would in no way be affected. It may be suggested that this amendment makes many modifications in existing law. I believe this is because of a misapprehension. This amendment would only do one thing. It would provide farmers with an option on the kind of system under which they would be compensated for their milk in fluid milk areas, and nothing else.

First, my amendment would not in the slightest degree represent production control. Dairy farmers will continue to be free to produce just as much or as little milk as they wish. They will continue to be able to keep as many or as few dairy cows as they want and feel they need. Their position in the marketplace vis-a-vis their neighboring producers would not be affected one iota.

Second, my amendment would have no effect on the minimum prices paid by handlers, but would deal only with the apportionment of the proceeds among producers.

Third, this provision contains no mandatory features whatsoever. It is a completely voluntary program, to be accepted or rejected by dairy farmers in a referendum. If rejected, the remainder of the milk marketing order would remain in effect.

Fourth, this amendment contains not a single penalty clause.

Fifth, the amendment would not affect the price of milk to consumers.

To place this amendment in perspective, consider the present situation as it exists under milk marketing orders, since the amendment has to do only with these orders.

Milk marketing orders play an important role in the dairy picture in the United States as a whole. More than 75 orders are now in operation. These orders produce almost 50 percent of the Nation's milk.

Since 1940 the number of markets covered by Federal orders has increased from 17 to 77. The amount of milk regulated under these orders has increased from less than 20 percent to almost 50 percent of all the milk marketed in the United States. Over the same period, the percentage of Federal order milk used for manufacturing purposes has increased from less than 30 percent to almost 40 percent. In some of the larger markets, the amount of milk used for manufacturing purposes exceeds the milk used for fluid purposes.

I ask unanimous consent to have printed at this point in the RECORD a tabulation showing in detail the amount delivered under Federal order markets, the average surplus price, and the approximate value of this surplus since 1947.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Approximate value of surplus milk in Federal order markets, 1947–64

Year	Product deliveries minus delivery used in class I[1] (1)	Average surplus price[2] (2)	Approximate value[3] (3)
	1,000 pounds		*1,000 dollars*
1947	5,172,119	$3.39	175,335
1948	5,167,534	3.83	197,917
1949	6,944,805	2.80	194,455
1950	7,659,948	2.87	219,841
1951	7,398,822	3.52	260,439
1952	8,326,343	3.71	308,907
1953	10,459,979	3.21	335,765
1954	10,968,193	2.89	316,981
1955	10,916,212	2.90	316,570
1956	11,764,090	2.99	351,746
1957	12,116,639	3.02	365,922
1958	13,046,964	2.94	383,581
1959	13,898,734	2.96	411,403
1960	16,054,501	3.06	491,268
1961	18,943,710	3.14	594,832
1962	20,042,265	3.02	605,276
1963	19,896,503	3.05	606,843
1964	20,454,127	3.12	638,169

[1] This figure includes some milk used for fluid purposes and included in a class other than class I. The amount of such milk is relatively small.

[2] Estimated to be equal to the U.S. manufacturing milk price converted to 3.5-percent butterfat content.

[3] Col. 1 × col. 2.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I am sorry. I had told the distinguished Senator from Vermont that I would continue my presentation without yielding. I apologize to the distinguished Senator from Washington who is a cosponsor of my amendment and was a cosponsor of the amendment in 1963, when it was agreed to by the Senate.

The present blend price system increases our dairy surpluses. If we eliminated the blend pricing system, we could reduce the burden on the taxpayer, and, at the same time, give the dairy farmer an opportunity to tailor his production to what is needed.

It is fantastic that the Chicago marketing area should produce more than 1½ times as much excess milk as is used for the fluid purpose for which the order is designed. In other words, for every quart that is used for fluid purposes, there is 1½ quarts of excess.

At present, if farmers who are under the marketing order increase their production, the price goes down. However, under my amendment, the farmer would not have to increase production in order to keep up with other farmers.

Under the blend pricing system, an individual farmer has no control over either the blend price he receives for his milk or his total income. Under the proposed amendment, any producer can control his own price and income. This is so because his allotment guarantees a high price for a specified quantity. Then, to attain his income and economic objective, he produces only the amount which would maximize his returns. Producers can adjust either upward or downward to suit their particular levels, but they will in no way affect any other producer's effort.

An example can best demonstrate the weaknesses of the present system and how this amendment would stop the increases in dairy production.

Assume that a farmer's herd produces, and he markets through the marketing order 200,000 pounds of milk in a particular year. Assume that half of this milk—as in the New York-New Jersey area—goes into fluid or Class I purposes, and half goes into excess or manufacturing purposes. Assume further, for simplicity's sake, that the price for fluid milk is $5 a hundred and the price for manufacturing milk is $3 a hundred. Assume finally, that the farmer has a fluid milk base of half of his production, or 100,000 pounds.

Under both the present administration of the law and the proposed amendment, the farmer would receive $8,000 for the milk which he marketed—that is, 200,000 pounds multiplied by $4 a hundredweight.

Under the present law, he would receive a $4 blend price for each hundredweight which he marketed. However, under the proposed amendment, he would receive $5 a hundred, or $5,000 for his first 100,000 pounds, or base, and only $3 a hundred, or $3,000, for the second 100,000 pounds that he marketed.

The incentive to reduce production, and especially the incentive not to increase production, shows up sharply when we see what happens under the present law and the proposed amendment if the farmer decides to change the amount of his production.

Under the present law, if the farmer cuts back production by 10,000 pounds—or about one cow—he loses the blend price, or $400 in receipts. Under the proposed legislation, if he cuts back production to the amount of 10,000 pounds, he loses the manufacturing price of only $300. Hence, there is a significantly larger incentive under the amendment for the dairy farmer to reduce his production.

The incentive is likely to work even more sharply for the farmer contemplating an increase in production. Under the present law, if the farmer increases his production by 10,000 pounds, he receives the blend price of $4 a hundred, or $400. But under the proposed amendment, if he increased production by 10,000 pounds, he would receive only $300. He would not get $400. He would get only $300.

The reason that this proposed legislation is likely to be so decisive in discouraging additional production is that the overwhelming majority of farmers throughout the Nation cannot cover their costs at $3 a hundred, and they know it.

The result is that the vast majority of farmers who take out pencil and paper to decide whether or not to add another cow and an additional 6,000 or 8,000 pounds of annual production to their herd will find that the addition would cost them money if the additional production brought them only the manufacturing price—in this case $3—and not the blend price—in this case $4.

Much of the evidence concerning the need for dairy legislation relates to excess production and the cost of the program to the Federal Government. Production in the past few years, as well as now, is in excess of market needs.

During 1963 the Federal Government was required to purchase 7.8 billion pounds of milk on an equivalent milkfat basis produced in excess of our needs.

Last year the Department of Agriculture was required to purchase 8.5 billion pounds and through July of this year the Government purchased 6.2 billion pounds in excess of needs. The Government was required to purchase 6.2 billion pounds because of an overproduction of milk on our farms. My amendment is designed in part to help correct that overproduction, and that is one of the reasons the Department of Agriculture supports it.

Two years ago the Department of Agriculture estimated that production would be cut by about 600 million pounds and that there will be a net savings to the Government of approximately $26 million in the first year, if my proposal is enacted. That is a conservative estimate because it is based upon the assumption that it will require longer than a year for the marketing order areas to take advantage of the law and for the law to become fully effective. I stress that the first year is where there would be the least saving. As the years go on, I think the savings would distinctly increase. This is another very desirable feature of the amendment; that is, the feature of gradualism. There will be no sharp adjustment which could have a tremendous adverse economic and market impact on the entire dairy industry, to say nothing of consumer interests. It might also be well to point out here that consumer interests are fully protected under the law, and that any reductions in production would create no upward pressure on consumer prices. All we are doing here in this regard is to reduce the cost to the Government and save the taxpayer's money.

It is also true that the income of dairy producers is pitifully small. For example, the Department of Agriculture reports that the average return per hour earned by milk producers on grade B, eastern Wisconsin farms in 1964 amounted to only 36 cents per hour.

That is what these farmers earn, although they have greatly increased their efficiency and their investment. In 1964 they earned 36 cents an hour, and only 11 cents an hour in 1960. The income of these farmers is held down because of the excess production encouraged by the blend price in order areas. Anything we can do to cut down on excess milk production will be a step forward toward improving incomes of these producers.

The Agricultural Marketing Agreement Act of 1937, under which marketing orders are regulated today, is largely a restatement of the provisions relating to marketing agreements of the act of 1935.

The substantive provisions of this act as they relate to milk marketing agreements have not been amended since this act was passed. In 1963 the Senate Agriculture Committee reported out a substantive amendment to that act which I sponsored and which is identical in every respect to the proposal I have called up today. It passed the Senate by a 45 to 33 margin. This was the first time that the Senate considered a substantive amendment to the milk marketing portion of the Agricultural Marketing Agreement Act of 1937. Today is the second time.

As my colleagues well know, the House of Representatives took no final action on the Proxmire dairy bill in the 88th Congress. Today we are in a situation which is exactly the reverse of that which existed in 1963–64. The House added a similar provision to the Food and Agriculture Act of 1965 yet the Senate Agriculture Committee deleted that provision from the bill we are considering today. That is the reason I am asking my colleagues to once again accept a measure they, in their wisdom, passed in 1963.

Here is how the amendment differs from the House dairy section—title I of the agriculture bill as it passed the House.

First. With respect to the entry of new producers into the market, the House bill provides only that an increase in class I sales, or forfeited bases would be made available to new producers and hardship cases. My amendment safeguards free access to a milk marketing order by providing that producers who delivered milk, but not under the order, at the time the allotment provision becomes effective under an order, would receive allotments on the same basis as those who were at that time delivering under the order.

Second. My amendment would permit cooperatives to engage in bloc voting, and I think that is in accordance with a custom which the Senate has generally approved.

Third. The House bill specifically authorizes marketing orders for manufactured milk. My amendment does not. After a thorough examination of the milk marketing provisions of the Agricultural Adjustment Act of 1937, I am convinced that manufacturing milk orders can be promulgated under the current language of the act.

Finally, my amendment provides for administrative review of allotments made to individual producers while the House bill does not. This is a technical difference which goes to the question of program flexibility. The pending amendment allows the administrator more leeway in applying the law.

Mr. President, I have finished my 15-minute presentation.

Mr. HOLLAND. Will the Senator yield?

Mr. PROXMIRE. I shall be happy to yield with the sufferance of the Senator from Vermont, who asked for the floor first.

Mr. AIKEN. Suppose first I ask my question, and then the Senator may yield.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. AIKEN. Mr. President, the Senator from Wisconsin has made a very able case for his amendment. However, there are two matters which should be made clear before we vote on it, so that, should his amendment become law, there will be no misunderstanding as to the intent and purpose.

The PRESIDING OFFICER. The Senator's additional minute has expired.

Mr. AIKEN. I will yield myself 15 minutes.

I will first call attention to one of the statements the Senator made, showing the amount of milk which has been purchased by the Federal Government the first 6 months of this year and comparing it to the purchases of the entire year.

Of course, the Senator from Wisconsin understands that almost all the milk is purchased the first 6 months of the year, but the figures which he presented actually indicate that less milk will be purchased this year than last year. I believe that when it comes to some dairy products, the Government is not purchasing any at all at the present time and, during the last 6 months, will even be disposing of what it purchased the first 6 months of the year.

However, to get down to my question, as I understand, the purpose of the Senator's amendment is to raise prices to the farmer without increasing prices to the consumer.

Mr. PROXMIRE. Will the Senator yield for me to reply to that part of his question?

Mr. AIKEN. I yield.

Mr. PROXMIRE. The amendment would not raise prices to the farmer. As the Senator knows, the amendment would permit the farmer to receive the fluid price for that part of his milk which goes into fluid consumption.

Mr. AIKEN. If he took advantage of the Senator's amendment, the fluid milk producer would be voting to reduce his sales of milk in the order market, is that correct?

Mr. PROXMIRE. He could obtain an allotment, and that allotment would be related to his previous production. If he then was, so to speak, a good citizen and reduced his production so that the Government would not have to buy so much, he would still be able to sell as much as he did before at the fluid price, and he would therefore be in a better profit and loss position, but that would not increase the fluid price to the consumer.

Mr. AIKEN. But under the Senator's amendment, he would be authorized and presumably would vote to reduce his total deliveries of class I or drinking milk to the market, is that correct?

Mr. PROXMIRE. Of course, as the Senator from Vermont well knows, everythings that he sells qualifies as class I. The sanitary requirements are the same. But he would reduce the amount of milk he sends to the market. The amount that would be reduced would be the excess milk.

Mr. AIKEN. Is there anything in the bill which would indicate that he would reduce his total production of milk?

Mr. PROXMIRE. Nothing except that the incentive would exist.

Mr. AIKEN. An incentive to do what?

Mr. PROXMIRE. An incentive to reduce his herd's production, because on excess production, he would get a reduced price. Instead of $4 a hundred pounds he would get a price of approximately $3 a hundred.

Mr. AIKEN. A producer who had a favorable base would get a larger share of the class I sales. A producer who was expanding and had a poor base would be reducing his share of class I sales. Does the Senator contend that reducing the amount of high-priced milk which he sends to market and selling more of the low-priced milk would be an incentive? It is difficult for me to understand how decreasing the amount of drinking milk and increasing the amount of manufacturing milk would result in increasing income to that farmer.

Mr. PROXMIRE. What would happen would be that the farmer would reduce the amount his herd would produce. At any rate, less milk would be sold in the market area. As it is reduced—to take the situation in Chicago—instead of producing 60 percent in excess, that excess milk would be diminished down to 50 percent, or 40 percent.

Mr. AIKEN. As I understand, the reduction is supposed to be made in the high-priced milk, that is the milk that is approved for fluid consumption. Is that correct?

Mr. PROXMIRE. The reduction would be made in the excess milk.

Mr. AIKEN. But the bill would work to reduce the farmer's total production, would it not?

Mr. PROXMIRE. Yes, indeed. The incentive would be for the farmer to reduce excess production, because he would be better off economically in doing so.

Mr. AIKEN. The incentive is to reduce the amount of milk suitable for fluid consumption going to market. For a producer with a poor base, this would reduce his quantity sold at $6 a hundred and increase the amount of milk sold at $2.50 a hundred. I fail to see any incentive there. It may be present, but I may not be able to see it.

The idea, as I understand, is to reduce the amount of drinking milk sent into the market, on the presumption that that might raise the farmer's income. Of course it might raise the consumer's cost. Suppose he voted to reduce the amount that was supposed to be sent into the market enough to result in a shortage. Would that market be prohibited from using second-class milk to fill up any void that might be created?

Mr. PROXMIRE. The Senator is referring to the bacteria count?

Mr. AIKEN. I do not know. That is why I am asking the question.

Mr. PROXMIRE. There is no difference. The milk is precisely the same as delivered. However, under a base-excess plan the farmer would tend to reduce his production to the amount that would be sold in the area, and if we got down to the point where 90 percent of the milk being produced used for fluid, and only 10-percent excess, the danger point could be reached. The processors would then be free to negotiate a situation for farm allotments to expand production. Each producer would receive a larger fluid allotment, or other farmers could come into the market.

There is plenty of flexibility here.

Mr. AIKEN. Who would make sure that the farmers would keep within their quotas? There are many farmers who would ship into the marketing order areas. Who would police it?

Mr. PROXMIRE. The allotment would be determined on the basis of history—on the basis of what production was in the past. The bill does provide for recordkeeping. If the farmer produced and sold and brought to market his allotment, then anything in addition would simply get the excess price.

There would not have to be any additional policing, or any penalty, in my judgment.

Mr. AIKEN. Who urged the Proxmire bill?

Mr. PROXMIRE. The bill is supported by the Department of Agriculture. Secretary of Agriculture Freeman testified for it.

Mr. AIKEN. Did he ask for it?

Mr. PROXMIRE. He testified for it.

Mr. AIKEN. He did not ask for it?

Mr. PROXMIRE. In 1961 President Kennedy asked, I repeat, asked for this program. President Johnson has asked for this as part of a larger program. He was supported by the Milk Producers Federation, the National Grange, and by a number of cooperatives.

Mr. AIKEN. I do not recall the extent of the testimony of the National Grange on this subject, but I would not be surprised. They are completely sold on this program.

Mr. PROXMIRE. The National Grange has great respect and admiration for the Senator from Vermont, but they knew he had made up his mind and there was no point in arguing with him.

Mr. AIKEN. The President did not ask for this proposed legislation, did he? The Department of Agriculture did not ask for this proposed legislation, did it? Has the Senator from Wisconsin any evidence to show that either of them did?

Mr. PROXMIRE. The testimony of the Secretary of Agriculture indicates a desire for this proposed legislation and he approved of it.

Mr. AIKEN. May I read a paragraph from the report on the bill?

Mr. PROXMIRE. Yes, indeed.

Mr. AIKEN. I shall read an excerpt from the first page of the Department of Agriculture report:

> The bill also provides that producers would receive the lowest class price for milk delivered in excess of their allotments.

Then, if they cut the highest price production, where would there be an incentive; where would they gain more income; where would they make money at all?

Mr. PROXMIRE. If I may answer that question, they would make money by more economic operation. They would cull out the cows which were making for inefficient production and which did not produce much milk in any event.

They would have an additional incentive for culling out more of the older cows and operating on a more efficient basis. In this way, they would be able to reduce the numbers in their herd in relation to income. Let me say that the Secretary of Agriculture, on page 177 of the hearings, says this:

> We have tried, and tried hard, to develop a comprehensive dairy program. We have worked with the dairy industry from producer to retailer; we have explored programs and legislative avenues of many kinds. Unfortunately, so far there has been little agreement within the dairy industry. As a result, no proposals have yet commanded the support necessary to be enacted into law. I know that this is a problem for the committee as it is for the administration.
>
> Nonetheless, positive steps can and should be taken to improve the economic position of the dairyman. I believe that enactment of legislation authorizing the use of base plans in Federal milk order markets, as proposed in S. 399 by the chairman, would be a step in the right direction. In markets where producers elected to adopt a base plan, as provided for in this bill, there would be an incentive to hold down increases in milk production. This would help reduce present surpluses to the benefit of all.

Mr. AIKEN. I do not believe the Senator from Wisconsin should use up so much of my time. Let me ask the majority leader if I may have time on the bill——

Mr. MANSFIELD. Yes, indeed.

Mr. AIKEN. I should like to read what the Secretary of Agriculture said in his report.

He said:

> No producers are prohibited by subparagraph (h) from marketing any quantity he desires to market.

Then in the next to the last paragraph, he says:

> We believe that the proposed bill could increase incomes of dairymen slightly and reduce marketings of milk in some areas.

I agree that there are some areas where the marketing of milk has been so badly mishandled that they could not help getting more income if there were any change at all in their methods.

Mr. PROXMIRE. I agree with the Senator wholeheartedly. I would say that this is not a panacea. It will not solve all our problems. It will help to increase farm income quite modestly and will cut costs—some $26 million, which is not a sum of money to be sneezed at.

Mr. AIKEN. To continue, the Secretary of Agriculture said that if it is enacted, it will be a small step.

Mr. PROXMIRE. I agree with the Senator from Vermont on that.

Mr. AIKEN. Can the Senator from Wisconsin tell me of one single milk marketing order area in this country where farmers would be likely to vote to reduce their production and would be benefited by such an action? Can he name one?

Mr. MAGNUSON. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. In the Chicago area?

Mr. PROXMIRE. I yield to the Senator from Washington.

Mr. MAGNUSON. I can name one. In the area of western Washington. All the co-ops there support the bill and wish to do exactly what the Senator from Wisconsin suggests.

Mr. AIKEN. They have one market for their milk there, do they not?

Mr. MAGNUSON. No.

Mr. AIKEN. A small one, maybe?

Mr. MAGNUSON. The Seattle milk shed.

Mr. AIKEN. What about the Inland Empire?

Mr. MAGNUSON. In western Washington most of the dairy people are located. The State grange is highly desirous of the bill. When the Senator from Vermont suggests who wishes such a bill, let me say that the U.S. Senate wished such a bill 2 years ago——

Mr. AIKEN. I will tell the Senator who wants the bill. It is a group of misfits who are looking forward to getting Federal jobs policing the program. Those are the ones who are promoting it. They are going from State to State telling the milk producers of the advantages they would receive if they marketed less of the high-priced milk and more of the half-priced milk.

Mr. MAGNUSON. I do not believe anyone in the Washington State grange wishes that. I have no applicants at all from the Washington State grange. They would like to have a good dairy program such as the Senator from Wisconsin is advocating.

Mr. AIKEN. Would the Inland Empire, for instance, which now markets—what? 60, 70, 80 percent—a good share of the milk as class I. Would it wish to reduce that class I milk?

Mr. MAGNUSON. One of the reasons they do say and claim that there is more stability in prices and that the farmers can plan better for his herds and how he produces milk. This was the main argument 2 or 3 years ago when we passed a bill in the Senate which would create a more stable price situation for the producer.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. AIKEN. I have got some more questions.

Mr. MONRONEY. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. I should like to say that the principal markets in Oklahoma support the program.

Mr. JACKSON. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. PROXMIRE. I yield.

Mr. JACKSON. Mr. President, I should like to corroborate what my senior colleague [Mr. MAGNUSON] has said. Both milksheds in the Puget Sound area and the Inland Empire have indicated through their cooperative groups that they have made, at least they support the pending legislation, and they supported it previously when it passed the Senate. The Senator from Wisconsin has indicated it is modest and is a reasonable approach, and it seems to me that it should be tried out. If it does not work, then we can try something else.

Mr. PROXMIRE. One of the biggest market areas is Chicago and Mr. McWilliams, the executive secretary of the largest cooperative selling in the area is an enthusiastic supporter and has been one of its principal proponents.

Mr. AIKEN. Yes, he has been traveling all over the country telling this story, trying to make up for his failure to get decent prices for the farmers who produce milk in the Chicago area, trying to make alibis and excuses that the laws are to blame.

Yet, Milwaukee area farmers are selling approximately 82 percent of their milk as Class I milk. I doubt if the high-price milk producers wish to reduce their production to make room for lower price milk from the Chicago area.

Mr. PROXMIRE. I am glad the Senator mentioned that. We have a strong cooperative, the Golden Guernsey Cooperative, which is able to do this with 82 to 85 percent utilization.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. AIKEN. Mr. President, I yield myself 15 minutes more.

I would like to ask the Senator why it is, if this proposal is so popular around the Chicago area, so many of the dairymen just outside the Chicago area are asking for a defeat of the amendment?

Mr. PROXMIRE. The information of the Senator from Wisconsin is that this is not so. The State of Wisconsin includes several marketing order areas. We also export more milk than the next five milk producing States combined. I am a Senator from Wisconsin, who gets out to talk to the people of my State as much as I can. I have been traveling around my State and talking with farmers a very great deal in recent years. They want this legislation. There are some differences and disputes, but, by and large, they favor this provision.

Mr. AIKEN. By what miracle did the Senator from Wisconsin acquire such vigorous support from the oleo producers for his amendment?

Mr. PROXMIRE. The Senator is referring to one of the ablest of Senators and a cosponsor of the amendment, the Senator from Arkansas [Mr. FULBRIGHT]. I am glad to have him as a cosponsor on any amendment of which I am a sponsor. The Senator from Arkansas has an important dairy industry in Arkansas. He favors this proposal.

Mr. AIKEN. Of course, for every 100 pounds of milk that can be kept off the market, oleo is helped.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I have not much time. I have not gotten started with my questions, but I will yield. I know the influence of the Senator from Arkansas. He has licked us before. It looks as if he might have the vote against us again. He is the greatest champion of oleo in the United States, if not the whole world.

Mr. FULBRIGHT. I appreciate the Senator's compliment.

There was debate on the oleomargarine bill. It was a friendly exchange.

I joined in offering the pending amendment because it would authorize a milk program which is good for Arkansas dairymen and good for the Nation as a whole. This amendment would authorize the Secretary of Agriculture to provide for allotments under milk marketing orders, so that producers may receive a higher return on fluid milk covered by allotments and a lower return for milk produced in excess of allotments. This pricing system would discourage overproduction and surpluses caused by the so-called blend-price system.

This plan is supported by the administration, and it was passed by the House of Representatives. I think it should be adopted by the Senate.

My interest in this amendment has nothing to do with the relative merits of oleomargarine and butter. Over 90 percent of Arkansas milk production is marketed as fluid milk. Participation in the proposed pricing system must be approved by a two-thirds vote of the farmers in each milk-marketing area. Arkansas milk producers favor the class I—fluid milk—base plan system, and I support them.

The amendment of the Senator from Wisconsin, of which I am a cosponsor, is to the advantage of fluid milk producers. In my State 90 percent of the milk is sold in the form of fluid milk. They are in favor of this amendment. If the figures which the Senator from Wisconsin has given—and he has more knowledge on this subject than I have—are correct, it will be an advantage to producers of fluid milk. This is an alternative to the present system. As he has said, it is permissive. I do not think it is to the disadvantage of butter. I have nothing against butter——

Mr. AIKEN. I know that.

Mr. FULBRIGHT. Oleomargarine still can be bought for less than 30 cents a pound, less than half the price of butter. As the Senator knows, the only reason why my oleomargarine bill did not pass many years earlier was that of unlimited debate in the Senate. It passed the House many times. It was in the consumers' interest that we enabled them to purchase the healthy spread known as oleomargarine.

Mr. AIKEN. I am glad the Senator from Arkansas has become reconciled to the use of some butter.

Mr. FULBRIGHT. I did not hear the Senator. What butter?

Mr. AIKEN. Some butter.

Mr. FULBRIGHT. Oh, it has its place.

Mr. AIKEN. Let me tell the Senator from Arkansas that if the amendment proposed by the Senator from Wisconsin should be adopted and the marketing order areas were to go ahead under the proposal, there would be much more butter in competition, if producers are required to cut down on the production of class I milk.

Mr. FULBRIGHT. I agree with the Senator. That which is least profitable should show a decline immediately.

Mr. PROXMIRE. Certainly as compared with the present situation.

Mr. AIKEN. Mr. President, my 15 minutes are going fast, and I have many questions to ask.

Assuming that a group of producer-organizations sells milk in two order areas; could they vote in both of them? There are many of them up and down the New York-Vermont boundary line. First, they will ship milk to the Boston market, and then to the New York market; they shift back and forth. Could they vote in both areas?

Mr. PROXMIRE. There is sufficient flexibility in the proposal so that the Secretary of Agriculture could permit it if they had a history. For example, if one farmer owned two farms, one selling in one market and the other in another market he should be allowed to continue as he had been doing.

We are anxious to do all we can, the Secretary recognizes this, and this would be the intent of the amendment—not to permit a dairy farmer to violate the spirit of this provision by acquiring bases in more than one market for one farm.

Mr. AIKEN. That question is rather immaterial. The next question, I think, is more important. This amendment calls for a base for marketing, not for production. Is that correct?

Mr. PROXMIRE. That is correct, but the base is established on the basis of the history of production—not of marketing, but of production.

Mr. AIKEN. Suppose a farmer has a base of 2,000 pounds a day, and half of his cows go dry. There are times when they do go dry. Could he sell his full quota?

Mr. PROXMIRE. Yes.

Mr. AIKEN. Where would he get the milk?

Mr. PROXMIRE. So long as his herd produced milk he could do it. If his herd produced it he could market it.

Mr. AIKEN. How could he do it under the Senator's proposal?

Mr. PROXMIRE. He could buy somewhere else and sell it? Is that what the Senator means?

Mr. AIKEN. Yes. It has been done before.

Mr. PROXMIRE. Under rare and unusual circumstances, it could be done, but not in many areas. It would be unusual to have a great proportion of a herd go dry at once.

Mr. AIKEN. But if a farmer had only 40 cows, and his base covered only 36 of them, that would mean a 10-percent reduction. He would not be authorized, under the Senator's amendment, to market all his milk for class I. As a result, he would have to use class II milk, to fill out his quota for class I.

Under the standards of the Department of Agriculture, and under State sanitation standards, as the Senator knows—and we had this matter up in 1963—the requirements for manufacturing milk are far below class I milk in many areas. However, class II milk is produced under the same 83 sanitary requirements as class I in our State.

Mr. PROXMIRE. That kind of class II is perfectly proper, but the Senator seemed to be referring to strictly class II, which would not be eligible.

Mr. AIKEN. They are not permitted to ship into the market that kind of milk.

Mr. PROXMIRE. Yes.

Mr. AIKEN. I am speaking of the class II milk which is produced on a class I quota farm, of which the producers can market all they can.

I have one or two other questions. Suppose one marketing area votes to restrict the marketing of class I milk, and the adjoining area votes not to. Could the second area ship into the first area and take up the slack created?

Mr. PROXMIRE. As the Senator well knows, it would seem to be virtually impossible, or very difficult. It would be against the interests of the farmers in the long run and against the interests of the producers. Both the farmers and the producers would be against that. All they would have to do would be to permit the farmers in the area to expand their class I base. They are always anxious to get farmers to come in. They could get plenty of milk.

Mr. AIKEN. Is there anything in the Senator's amendment to prevent areas which produced a surplus from shipping into other areas?

Mr. PROXMIRE. They can do it now. The present situation would not be changed.

Mr. AIKEN. Perhaps I can quote Secretary Freeman to convince the Senator from Wisconsin.

When the Secretary appeared before the Committee on Agriculture, Senator Mondale asked:

> Would a class I base plan be administered to divide fluid milk sales among producers under the order at the time of the adoption of the plan or would new sources be permitted to come in freely?
>
> Secretary Freeman. I think new sources could be permitted to come in freely under the bill that has been before the Senate.

Mr. PROXMIRE. I believe that is correct. But that is something else. Secretary Freeman is talking about new farmers who come in that could qualify.

Mr. AIKEN. Oh, no. He is not talking about farmers, but areas, I will read the rest.

> Secretary Freeman. I think they would not be permitted to come in freely under the bill that has passed the House.
>
> Senator Mondale. Will new producers of outside milk be able to enter the market and receive its full class I value without first having to earn a base during some specified production?
>
> Secretary Freeman. The answer is the same as to the previous question.

In other words, an area reduces its production. May another area, within reach, that qualified with high production, be able to ship into that area? There is nothing in the amendment offered by the Senator from Wisconsin to prevent that.

Mr. PROXMIRE. We can go back to my answer the first time. There is nothing except the perfectly normal economic reaction, and the producers in the area who do not want to lose their market.

Mr. AIKEN. They do ship now.

Mr. PROXMIRE. They can ship now, but in the long run there will not be others coming in, pirating it away from them. There will be an agreement to get enough milk to handle the fluid market. As the Senator from Vermont indicated, they can and do ship in now.

Mr. AIKEN. They can do it now. But if they can get Florida or any other marketing area to reduce its marketing, they can ship in more.

Mr. PROXMIRE. If a particular area wants to go out of the dairy business, it is free to do it. If farmers in Florida want to go out of the dairy business, they are free to do it, and buy milk from Michigan, Vermont, or any other place.

Mr. AIKEN. That brings me to my next question. What States are covered by the amendment offered by the Senator from Wisconsin?

Mr. PROXMIRE. It would cover all 50 States, if 50 States had a desire to have marketing orders. There are some States that do not have marketing orders.

Mr. AIKEN. Would it cover California? The Senator ought to know.

Mr. PROXMIRE. I believe California has a State, not a Federal, order. But it could cover California if California wanted to come into a Federal order.

Mr. AIKEN. If California wanted to be covered. But could North Carolina?

Mr. PROXMIRE. At the present time they do not have marketing orders.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. AIKEN. I yield myself one-half hour under the bill.

Would the Senator from Wisconsin be surprised if I told him that there are 17 States which have State orders; that 51 percent of the milk sold in this country is sold under Federal marketing orders; and that 15 to 20 percent is sold under State marketing orders?

Mr. PROXMIRE. I understand that. It would apply to California, Nevada, and a number of other States.

Mr. AIKEN. About 17 States with State orders. They would not be covered, would they?

Mr. PROXMIRE. They would not be covered if they chose not to come under the Federal orders. It is permissive, and each State would come in. The legislation would not interfere with State marketing orders.

Mr. AIKEN. Do not producers in the Chicago area ship into the southeastern part of the country now?

Mr. PROXMIRE. I am sure there is some shipment. I do not believe it amounts to a great deal.

Mr. AIKEN. Do Western States ship into California?

Mr. PROXMIRE. They may. I do not know the full pattern of marketing. It would not surprise me if they did. They probably do.

Mr. AIKEN. To come to another important matter, I believe the amendment of the Senator authorizes transfer of bases; is that correct?

Mr. PROXMIRE. Yes, indeed.

Mr. AIKEN. How would they be transferred?

Mr. PROXMIRE. They would be transferred usually in the following manner: If a farmer sold his dairy farm to another farmer, the bases would go along with the farm. If the farm were sold without the allotment, it would not be worth much. In another area he could sell his allotment if he sold the herd.

The Secretary of Agriculture would be authorized to set up regulations designed to prevent trafficking in allotments and the buildup of big corporation farms.

Let me read five lines from the amendment, at page 3. I read lines 19 to 24:

> Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public, existing producers, and prospective new producers.

This language provides flexibility and establishes guidelines which would help to make the administration of this provision work well.

Mr. AIKEN. The matter of transfers would be left to the discretion of the Secretary of Agriculture. Is that correct?

Mr. PROXMIRE. But he would have to act in the best interest of the public, existing producers, and prospective new producers, as the amendment provides.

Mr. AIKEN. Suppose I have been producing milk from 50 cows and I go away for 3 years. When I come back, the Secretary could decide that any base which was not used for 2 or 3 years should be transferred, could he not?

Mr. PROXMIRE. He could, and under certain circumstances that would be perfectly equitable and proper.

Mr. AIKEN. He would be an absolute czar with respect to any areas that voted to stick their necks into the noose. Where would it have to be transferred? I do not see any restriction in the Senator's amendment.

Mr. PROXMIRE. The Senator is correct.

Mr. AIKEN. It could be sold. For instance, the Wisconsin bases could be sold to lower California.

Mr. PROXMIRE. As the Senator from Washington [Mr. MAGNUSON] has just told me, if milk were wanted in any one area, and it were found to be needed there, that would be the desirable thing to do.

Mr. AIKEN. If there was too much milk produced in the Puget Sound area, would it not be in the interest to transfer that milk to another area?

Mr. MAGNUSON. The Secretary might say "No."

Mr. AIKEN. The Senator from Washington may have control over the Secretary. Some people do not have such control.

Mr. PROXMIRE. We must assume, whether it be Secretary Benson or Secretary Freeman or Secretary Anderson, that the Secretary would work in the interest of the public and that he would not work to the disadvantage of the consumer or the producer.

Mr. AIKEN. Yes. Some Secretaries have made mistakes, but we have not had Secretaries in a long time who would do anything to the detriment of the public and deliberately go against the public interest.

If a producer should sell his base and, for example, go into the Boeing plant and work in that plant, and leave his farm without a base, how would the next operator, assuming the next man wanted to produce milk, obtain his right to produce it?

Mr. PROXMIRE. Generally he gets his right to produce on the record of past production.

He can be a farmer who has not produced, for example, class I milk, but he could have had a record of producing grade II milk who decided to go to the expense of qualifying his operation for class I milk.

If the Secretary were transferring to a new producer, he could do so on the basis of the producer finding a handler, as he does now. There would be as much free enterprise as possible. It would not be up to the Secretary of Agriculture to find a handler. It would be up to the handler to find a farmer who could do the job, or up to the farmer to find a handler.

Mr. AIKEN. He would have to buy a base to produce his milk.

Mr. PROXMIRE. He might have to do so.

Mr. AIKEN. Could the Senator estimate what a fair price would be for a thousand-pound base, in case somebody wanted his milk and no bases were available?

Mr. PROXMIRE. No.

Mr. AIKEN. Let me read from a letter from an officer of Land O'Lakes Creameries, Inc., dated September 2, just a few days ago:

> I cannot for the life of me figure out how anyone in the United States could go for transferable quotas. Certainly we have mixed up the economics of marketing in the United States about as badly as possible. Up to this time we have not made the right to sell a property right. Transferable quotas would accomplish this and undoubtedly increase the cost of producing milk over a period of years. It is impossible for me to figure out why anybody would propose such a thing, although I know it has been proposed by many persons in high places and educational institutions. I hope the time never comes when the U.S. Government makes the right to sell any farm or food product a property right which in itself can be bought and sold.

That letter is signed by Gordon W. Sprague, Land O'Lakes Creameries, Inc., one of the largest butter producers in the world.

I have another question: Would the Proxmire amendment lower Government costs?

Mr. PROXMIRE. Yes, indeed. As the Senator will recall, we discussed this question in some detail in 1963. In my judgment, it would lower costs and permit the farmer to operate on a more efficient basis. He could cull out his inefficient, low producers. He could count on a particular allotment for fluid milk. It seems to me that doing so would help to reduce costs.

There would not be the temptation, in some cases, where the blend price is quite high—$4½ or $5—to bring in very inefficient producers. As inefficiency was eliminated, costs would be reduced.

Mr. AIKEN. Does the Senator from Wisconsin agree that milk is the largest single commodity sold from farms in the United States, and that the Government costs of the dairy price-support program, the cost of supplying the armed services and schools with milk, and the cost of supplying milk for the food for peace program amounts to only 7.7 percent of the total, compared with 47 percent of the total value of rice production, 66 percent of wheat production, 29 percent of upland cotton, and 22 percent on feed grains? The cost of the milk program to the Government is the least in this respect. The total for 1964 was $408 million, so there has been a sharp drop in the cost in the last 2 or 3 years.

Mr. PROXMIRE. I wholeheartedly agree with the Senator from Vermont. As he knows, the dairy farmer has done an excellent job. Nevertheless, the costs to the Federal Government would be reduced; and, my amendment would help to reduce the farm program's costs in the judgment of the Secretary of Agriculture.

Mr. AIKEN. The Senator from Wisconsin knows that when $300 million is spent for surplus dairy products during the first 6 months of a year, a good portion is recovered by resale during the last months, when there is a short season.

Mr. PROXMIRE. That is undoubtedly correct. The dairy farmers have done well, but there is still room for improvement. Nevertheless, this amendment would save money for the taxpayers and help the dairy farmers to increase their income.

Mr. AIKEN. Does the Senator from Wisconsin believe that his amendment would help to reduce a milk surplus?

Mr. PROXMIRE. Oh, yes.

Mr. AIKEN. What surplus? We are using more dairy products than we produce and have had to renege on our commitments.

Mr. PROXMIRE. The Senator from Vermont knows that up until July our cumulative purchases were about 6 billion pounds of dairy products. They are the most recent figures available.

Mr. AIKEN. What was the total for last year?

Mr. PROXMIRE. In July of last year, the comparable figure was 6.8 billion pounds. This year the figure is 6.2 billion pounds through July. The amounts are fairly close, although the total is a little less this year.

Mr. AIKEN. In the very same bill, do we not authorize the Secretary of Agriculture to go into the market and buy up, wherever he can find it, about $50 million worth of dairy products to meet the demands we are not able to meet with the products purchased under the price-support program?

Mr. PROXMIRE. The Senator from Vermont must realize that as we correct the situation and get the Government out of buying excess dairy products, we enable the dairy farmer to earn the kind of income that he deserves to earn.

According to the Secretary of Agriculture, the dairy farmers of Wisconsin are earning less than 40 cents an hour. That is shameful. The more the excess supply is reduced, the better the situation will be for the dairy farmers. They can then begin to earn a decent, respectable living related to efficiency, investment, and their 10 to 12 hours of work every day, 7 days a week.

Mr. AIKEN. Does the Senator from Wisconsin believe that integration or take-over of milk production by retail outlets would be helpful? And to whom? Suppose the practice is followed which has been carried on in the broiler industry. I am not talking entirely from hearsay, because the talk now is to the effect that the retail stores could go into the producer handler business and buy bases from the small producers who are squeezed out by voting to reduce their production. The retail stores would produce their own milk, just as the chainstores and other markets produce their broilers now. This bill is exactly what they want.

Mr. PROXMIRE. This bill is exactly what they do not want. What they are concerned about is that on page 5 of the amendment, lines 13 to 15, we provide:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

I have been discussing with another Senator the possibility of eliminating that language. I do not believe it should be taken out, because I believe we should do everything we can to provide the strongest protection for the family farm to stop vertical integration.

Mr. AIKEN. Does the Farmers Union favor selling milk bases?

Mr. PROXMIRE. The Farmers Union has never opposed that. Their concern was that the amendment did not provide the kind of assistance needed for manufacturing milk producers. I agree. That is a slice of bread, not a whole loaf. I presume they did not have any particular concern with selling bases.

Mr. AIKEN. The Senator from Wisconsin spoke about the Department of Agriculture's support. I have a report entitled "Agricultural Economics Report No. 3," prepared by the Department of Agriculture and Michigan State University.

They say:

> As expected, for each farm type, profitable milk production is less under the two-price plans than under blend pricing for unlimited production, regardless of whether the farm could add land as a substitute. Smaller milk sales and lower excess milk prices would reduce farm incomes.

The title of the report is "Milk Production Allotment and Class I Base Plans." That is from the Michigan State Agricultural College, prepared in conjunction with the United States Department of Agriculture before they made the report.

Mr. PROXMIRE. Mr. President, I say, in answer to the Senator from Vermont, that I would prefer to rely on the farmers other than on professors.

The farmers know what is good for them, and unless they vote by a two-to-one vote, they will not get the program. Any time they want to, they can knock it out by a majority vote. What could be more fair?

Mr. AIKEN. Mr. President, I have a telegram from the New England Milk Producers Association. That is the largest milk producer organization in New England. They are opposed to the general farm bill, H.R. 9811. The telegram reads as follows:

> BOSTON, MASS.
>
> Senator GEORGE AIKEN,
> *Washington, D.C.:*
>
> New England Milk Producers Association is opposed to the general farm bill, H.R. 9811, for several years, the association's delegate body has passed resolutions against quota control of production by individual dairy farmers such as the class I base plan proposed in H.R. 9811. Even the voluntary aspect of the plan is objectionable, for mixed acceptance of the plan would create problems calling for mandatory controls at an early date. We are strongly opposed to any general exemption of producer handlers from the Secretary's milk price regulations. We understand that Congressman O'BRIEN of New York State will offer an amendment to H.R. 9811 proposing such exemption and we vigorously opposed any such possible amendment.
>
> JOHN F. ADAMS,
> *General Manager,*
> *New England Milk Producers Association.*

Mr. President, I also have a telegram from what I believe is probably the largest dairy cooperative in the world. It is the Dairymen's League Cooperative Association, Inc.

It is certainly the largest cooperative in the Northeast. They have 17,000 members. They state:

> Any attempt to strangle the incentive and productive capacity of our dairy industry is ill-advised and has dangerous implications for the future. Furthermore, we have seen no evidence to indicate that the dairy quota program, as proposed in the original farm bill, will provide any improvement in the net income of dairy farmers. On behalf of our 17,000 member families, we urge you to oppose any efforts to reinstate the dairy quota section in the farm bill now under consideration.

Mr. PROXMIRE. Mr. President, in 1963 the same issue was raised. We pointed out then the policies of the members of the organization, not the leadership, but the members of the Farm Bureau in New York. In every single case, a substantial majority wanted the class I plan. Even when the Farm Bureau members were polled, they voted 5 to 4 for this class I base plan, in most groups, the vote was 4 to 1 or 5 to 1, whenever they were given an opportunity to vote.

Furthermore, this plan would not go into effect unless they voted 2 to 1 in a referendum in their area. Then it would not affect any other area.

The Senator from Vermont has quoted from telegrams and indicated that some of the leaders of this organization are opposed to the class I base plan. They have always been opposed.

Mr. AIKEN. Do leaders not count?

Mr. PROXMIRE. They count, yes. I believe their words should be listened to. However, we should also listen to the members.

Mr. AIKEN. I have here a telegram from the Farm Bureau. They are opposed to it, too.

Mr. LAUSCHE. Mr. President, the statement was made that the leaders count. That statement is dependent upon the type of economic association they promote.

Mr. AIKEN. The Senator is correct.

Mr. LAUSCHE. There are certain leaders whose word is law. There are other economic associations which have leaders whose word means nothing. I think we had an example today of a case when the word of the leader counts; and it is followed implicitly and without deviation.

Mr. AIKEN. I also have some more information. However, I do not believe that I need to have any more of the communications printed in the RECORD now.

If the amendment of the Senator from Wisconsin is agreed to and most of the order areas tried to avail themselves of it and operate under it, they would find it the worst law that they have had for a long time. I do not say that there are not one or two areas which have been so badly mismanaged they would be better off with anything at all. However, for most of them, this would be starting down the primrose path toward Utopia. I forget whether it was the friend of the Senator from Wisconsin or someone else who told the dairymen of our area of this Utopia for milk producers. However, one of the agitators who came to New England said that the Proxmire bill would bring Utopia to dairymen. All I could think of was that it was the first time that I knew of when there was a primrose path to Utopia.

Mr. PROXMIRE. Mr. President, I yield myself 5 minutes so that I may yield to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. MONDALE. Mr. President, I commend the Senator from Wisconsin for his leadership in this important effort to improve the lot of the dairy farmers. The figures he just cited indicate that earnings for the dairy farmer are approximately 40 cents an hour. That underscores the fact that, of all the commodity programs, there is none that is less effective in terms of farmers' income than the program for the dairy farmers of this country.

Coming, as we do, from the two States of the Union which produce more milk and more dairy products than any other State, I think we have a responsibility to speak for our dairy farmers and try to do all we can to lend our support to proposals designed to provide them with more support.

I also commend the Senator for his explanation of the Class I proposal which passed the Senate last session and which is now before the Senate in identical form.

I understand that the language of the amendment of the Senator from Wisconsin is the so-called class I base bill, which the Senator first introduced as S. 1915 in 1963, and which is identical to S. 399, a bill introduced by the senior Senator from Louisiana [Mr. ELLENDER], which was considered during the present hearings before the Senate Committee on Agriculture and Forestry.

Mr. PROXMIRE. The Senator is correct.

Mr. MONDALE. Mr. President, during the recent hearings before the Senate Agriculture Committee, I inquired of the Secretary of Agriculture whether the Senate version of the Class I Base bill would restrict or in any way limit the entry of outside milk into any marketing area. The Secretary's answer to my questions appears on pages 1366 and 1367 of the hearing record. The Secretary assured me that under the Senate bill, new producers of outside milk would be able to enter the market and receive the full Class I price without first having to earn a base during some specified production period. Is that also the understanding of the Senator from Wisconsin?

Mr. PROXMIRE. Yes, it is. The class I Base Bill would in no way change the present law as interpreted by the Supreme Court in the Lehigh case.

Mr. MONDALE. Mr. President, I ask unanimous consent that the colloquy which I had with the Secretary of Agriculture, and which appears on pages 1366 and 1367 of the transcript of hearings be printed at this point in the RECORD.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

The CHAIRMAN. Senator MONDALE, I understood that you desire to ask a few questions as to the program.

Senator MONDALE. Yes. Mr. Secretary, I know I don't have to recount the problems that our milk producers have had in Midwest. Indeed, I think that in your testimony at the outset of these hearings, you pointed out that the dairy farmer is perhaps the worst off of all of our farmers.

I was happy to see some improvement in the returns to our dairy farmers, in 1964 over 1963 but I think it still is very low. I am pleased to see the reserves of butter and powdered cheese are no longer burdensome. Indeed, I think, they are below in every case, the recommendations for national reserves.

Now, there is a great deal of discussion about this proposed class I base program and I see that the House bill, as recommended by the House committee, incorporates the so-called Poage bill. Following the Lehigh Valley case, there has been I think a very healthy development in terms of the intermarket movement of milk. As a result, milk now moves between markets into an order market easier than it did, easier that it could before.

I am worried about the restrictive features of a class I program. I must say there are certain parts of it that I think could have an appeal if we can get away from the blend price, that we might take off some of the incentive for increased surplus production. But I am afraid that there is built into the class I proposal, at least, as we see it in the House and some have testified here in the Senate, an exclusionary provision that will have the effect of eliminating all of the encouraging interstate marketing of milk that has come about since the Lehigh Valley case.

I would like to ask you a few questions along those lines, if I may.

Would a class I base plan be administered to divide fluid milk sales among "producers" under the order at the time of the adoption of the plan or would new sources be permitted to come in freely?

Secretary FREEMAN. I think new sources could be permitted to come in freely under the bill that has been before the Senate. I think they would not be permitted to come in freely under the bill that has passed the House.

Senator MONDALE. Will new producers of outside milk be able to enter the market and receive its full class I value without first having to earn a base during some specified production period?

Secretary FREEMAN. The answer is the same as to the previous question.

Senator MONDALE. In other words, your understanding of the Senate version as we now see it is that outside milk could come in freely and earn a class I base and receive a class I price.

Secretary FREEMAN. Yes, that is my understanding. Under the Senate bill, both new producers and those who have been in the milk business but not in a given market can come in and get a base in due course as well.

Senator MONDALE. Now, can an outside milk producer ship class I milk into the milk market order area?

Secretary FREEMAN. Under the Senate bill, yes.

Senator MONDALE. And sell it in the first instance for class I price?

Secretary FREEMAN. That is my understanding.

Senator MONDALE. Well, now, what bothers me about this is that as I understand the class I program, it will be essentially constructed as follows. There will be some study made of the traditional demand for class I. Then the class I demand will be allocated among the traditional suppliers of class I and each will be allocated a class I production base. Then the handlers in effect act as a conduit, take the money from the sales and return it to the farmers. But if in addition outside milk is able to come in and receive the class I prices, it seems to me that by that fact you are dislocating part of the traditional market upon which the whole basis of the class I base system is structured. You are dislocating part of the demand. Where are those who have been allocated bases going to get their money?

Secretary FREEMAN. I cover that by saying it would be no different than it is now in any milk market order where someone can come in, and does, and what keeps them from coming in is either local sanitary regulations or transportation cost differentials. So there would be no difference between the application under this provision under the base excess plan than there is under the operation of the milk marketing orders now.

Senator MONDALE. Would you have any objection to the amendment of the class I plan that would clearly write in your understanding of its operation; that is, the Senate version, to provide that the full impact of the Lehigh Valley case is not intended in any way to be modified and that outside milk can come in and receive a class I price at the outset without any discrimination or period during which they get the manufactured milk price?

Secretary FREEMAN. I have no objection to a clarification that will continue the same treatment of outside milk as is presently provided.

Mr. MONDALE. I should also observe that the testimony of the National Milk Producers Association, first by Mr. Lake, and later by Mr. Norton, appearing at pages 1126, 1133, and 1134 of the transcript of hearings expresses precisely the same view of their understanding of class I base bill.

Mr. PROXMIRE. That is my understanding exactly.

Mr. MONDALE. And that testimony, on behalf of this proposal, represented the consensus of most of the milk producers of this country.

I ask unanimous consent at this time that the testimony of Mr. Lake, appearing in the last paragraph at the bottom of page 1126, my question and answer of Mr. Lake appearing at the bottom of page 1133, and the response of Mr. Norton, appearing at the top of page 1134, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. LAKE. The new base provisions would not result in barriers to the movement of milk. The movement of milk from area to area is a fact of life. These movements are taking place over wider areas and to a growing degree under the present terms of Federal milk marketing orders. None of the other provisions of the act would be changed in any way, and section 8c(5)(G) of the act, as interpreted by the Supreme Court in the case of *Lehigh Valley Cooperative Farmers* v. *United States*, would remain unimpaired.

* * * * *

Senator MONDALE. I was pleased to note your testimony at the top of page 6 in which you state the federation does not wish by the proposed class I marketing plan to place any barriers on the movement of milk and to retain section 8c(5)(G) in full force and effect as interpreted by the *Lehigh Valley* case. I assume that you would have no objection if we would include an amendment in the class I proposal which spelled out the clear meaning of this paragraph, and stated in effect that regardless of anything else in the act or in this amendment the provisions of 8c(5)(G) should apply.

Mr. LAKE. I think that is about what we have said here. That none of the other provisions of this act would be changed in any way, and section 8c(5)(G) of the act as interpreted by the Supreme Court in the case of Lehigh Valley Cooperative Farmers against the United States would remain unimpaired.

* * * * *

Mr. NORTON. Senator, this section that you refer to was referred to the Department of Agriculture Solicitor's Office and the Solicitor there maintains that is what the section is—S. 399 means, and we certainly do not object to any longer opinions, shorter opinion, amendment to or inclusion in the law which clarifies this to anyone's satisfaction. We have no intent whatsoever to change the intent of the *Lehigh Valley* case.

Mr. MONDALE. All of that underscores the point of the Senator in charge of the bill as to what is intended by the sponsors and authors of this legislation as it relates to this proposal. In other words, the Senator's understanding of the Senate version would coincide exactly with that of the Secretary as expressed in his testimony before the Senate committee—that is, that an outside milk producer would be able to ship milk into any milk marketing order area and in the first instance receive the class I price without first having to earn a base?

Mr. PROXMIRE. Yes; that is my understanding exactly.

Mr. MONDALE. Some of my producers have been concerned with the introductory language beginning, "notwithstanding any other provisions of this section, and so forth." They are worried that the new class I base amendment would be made effective notwithstanding any other section of the bill including 8(c)(5)(G), which is the section cited by the Supreme Court in the Lehigh case as prohibiting any restrictions on the entry of milk into any marketing area?

Mr. PROXMIRE. No; and I am glad the Senator from Minnesota gives me an opportunity to clarify that point. That is not the intent of the introductory language. The only purpose of that language is to overcome any inconsistency which might arise from the present allocation provisions contained in section 8(c)(5)(B) of the act. The amendment would simply provide that the proceeds of the market could be allocated according to the producer's base.

Mr. MONDALE. I thank the Senator. I am satisfied that our discussion will make it clear that no new restrictions on the free entry of outside milk into any marketing area are intended by the Senator's amendment.

Let me add, however, that I find some who complain that the concept of free entry into a fluid milk market is new and unique.

Mr. PROXMIRE. It has been going on for years. The purpose is to establish with certainty that the practice will not be prohibited by the new legislation.

Mr. MONDALE. There is a considerable body of law, of which the Lehigh Valley case is the landmark case, interpreting the meaning of free access under section 8(c)(5)(G). All we are saying, in effect, is that the same law should apply to class I base plans which now applies in milk-marketing orders.

Mr. PROXMIRE. The Senator is correct. There is no change.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Washington.

Mr. MAGNUSON. There has been a great deal of discussion as to who endorses the Senator's amendment and who does not endorse it.

I am not a dairy farmer. There are many good dairy farmers in my State. But ever since I cosponsored the amendment with the Senator from Wisconsin in 1963, I have received considerable mail, not only from the cooperatives, the granges, and the Farmers' Union but from individual dairy farmers, suggesting that this was a good amendment, that it was what they wanted.

I do not know what the dairy farmers in New York may have to say through their leaders or otherwise, but I wish the record to be clear that the Washington State Grange, which I think has closer contact with the dairy farmer than any other organization in my area, both Oregon and Washington, particularly the western part, in which there are more dairy farms, wholeheartedly sponsors the Senator's amendment, as it did 2 years ago.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

I think it very significant that both Senators from Washington [Mr. MAGNUSON and Mr. JACKSON] are cosponsors of this legislation. They know that in British Columbia, where such a system has been tried for a number of years, it has worked very well, has helped the dairy farmer and has not hurt the consumer. It has been most satisfactory. Of course, having witnessed that program and how it works, they want it in Washington.

Mr. MAGNUSON. I am sure that if a vote were taken today, they would vote for the plan 2 to 1.

Mr. AIKEN. Was that a telegram from the Carnation people the Senator was discussing?

Mr. MAGNUSON. No, it was from the master of our State grange.

Mr. AIKEN. I misunderstood.

Mr. MAGNUSON. I did not wish to encumber the RECORD with it. It also contains a little discussion about the weather and other matters.

Mr. AIKEN. Fine. Mr. President, I yield myself 2 minutes.

I ask unanimous consent that there be printed in the RECORD a letter to me from the American Dairy Association of Vermont dated September 9, 1965, opposing this legislation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN DAIRY ASSOCIATION
OF VERMONT, INC.,
Montpelier, Vt., September 9, 1965.

Hon. GEORGE D. AIKEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR AIKEN: The executive committee of the American Dairy Association of Vermont, Inc., at a meeting held on Thursday, September 2, 1965, directed that I write to the Vermont congressional delegation expressing their concern about the dairy section of the omnibus farm bill. The committee feels that the House version of the farm bill places all dairy promotion in jeopardy inasmuch as the class I base plan in the dairy section states that any increase in bases as a result of increased sales would first go to new producers. If the omnibus bill which is finally approved should contain such a provision the committee feels that the incentive for dairy promotion would be lost if producers cannot benefit from increased sales.

Vermont dairymen are currently contributing over one-half million dollars for milk promotion in the markets where their milk is sold. They lead the Nation in their contribution to dairy promotion. It is fundamental to the continuance of this program that the producers continue to receive the benefit from their efforts.

Sincerely yours,
EDWARD A. PETERSON,
Manager.

Mr. AIKEN. I should also like to state that there is a way the producers in the Chicago area might improve their lot. The Department of Agriculture is holding a hearing in the Chicago area, I think starting the 20th of this month, on the problem of the Chicago market area. Something is obviously wrong with it, for it to be in so much worse condition than the rest of the country. But the Department of Agriculture is starting hearings, and we hope some good will come of it. That is the right way to go about achieving better income.

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

I hoped that the Senate would not take up any amendments on the milk program. The matter was submitted to the committee, and by a vote of 13 to 2, it was decided not to include a dairy section in the bill since the House of Representatives had a title dealing with milk in their bill which contained undesirable clauses. We felt that we might have a better chance to obtain desirable legislation if we did not include a title which dealt with milk in the committee amendment. I believe the same situation would prevail if the dairy title should be defeated on the Senate floor, since the Senate conferees would then have wide latitude and great bargaining power in working with the House conferees to obtain the most desirable provisions possible.

The proposed Proxmire amendment was agreed to by the Senate 2 years ago. Under the rules of the committee of which I am chairman, I submitted the language of the Proxmire amendment in a bill numbered S. 399. The so-called Proxmire bill of 2 years ago is identical with the bill that I introduced as chairman of the committee and the one that is being presented now.

It is my opinion that under the law as it now stands, that is, the Agricultural Marketing Agreement Act of 1937, as amended, the Secretary of Agriculture could provide producers with one price for their share of the class 1 milk and necessary reserves and another for their excess milk. But to make certain that the Department of Agriculture would carry out what Congress intended, I supported the Proxmire bill 2 years ago.

Under the 1937 Marketing Agreement Act, it was the intention of Congress to say to farmers who organized themselves into a milkshed, "If you get together and produce milk for direct consumption, we will see that the price of that milk will be one at which you can make a fair income."

That would have worked well practically all over the country, except in some of our Northern States, where milk production was far in excess of demand.

When the Agricultural Marketing Agreement Act of 1937 was enacted, I doubt that as many as 35 States produced sufficient milk for direct consumption. As time passed and production increased, a practice developed of establishing a blend price for milk, whereby the milk that was produced for direct consumption was added to the milk that was produced for making cheese, butter and other products, and that blend price, in my opinion, induced or actually forced the production of more and more milk.

In one of the milksheds, more specifically the Chicago area, 39 percent of the milk produced is now used for direct consumption and 61 percent is used for manufacturing purposes. That huge amount of milk produced in excess of class I occurred because, as I said, a blend price, made possible through administrative rulings of the Department of Agriculture, is in effect there.

The Department, in my opinion, in the early stages of the marketing program did not follow what Congress desired. I repeat, the Congress wanted to make it possible for farmers to furnish our country good, pure, wholesome milk produced under the highest of sanitary conditions, and receive good prices for it. But, the blend price forced individual farmers to produce more and more in order to maintain their income, as the blend price declined.

Mr. President, one of the most vexing problems that the Committee on Agriculture and Forestry has had to deal with in past years has been the milk program.

As I showed in the RECORD last week, the milk program has cost, since its inception, approximately $4,750 million. In fiscal 1964, the milk program cost the taxpayers $829 million. Although that is a substantial amount, when we consider the total value represented by milk production and its byproducts, as the Senator from Vermont has pointed out, it is much less, percentagewise, than most other commodities on which we have price support.

Mr. President, as I said, the committee voted 13 to 2 not to take action on the milk program, but for us to proceed and try to deal with the House, since it had a provision somewhat similar to what we propose to do through the Proxmire amendment. The House bill has several undesirable features, and it would seem to me that we would fare better if we were to leave the milk provision out of the bill so that we might be in a better position to deal with the House. My fear is, as I said, and I do not know, I have never canvassed around to see who would vote for what on the milk program, but I can well see that if insistence is made to add a milk title to the bill, we may not be able to bargain as well with the House as we can by leaving it out and trying to get a compromise after the bill is enacted. I am sure that we can work our will in conference. I stated that before the committee. I am now stating it to the Senate.

I have no objection to the enactment of the bill which I personally introduced, because it is trying, more or less, to force the Department of Agriculture to do what we intended be done under the 1937 Marketing Act. Further, I supported the enactment of the Proxmire bill in 1963 very vigorously, and under different circumstances would also support the Senator at this time very vigorously. However, as I said, it is my opinion that to include this amendment in the bill will present the Senate with unusual problems in trying to deal with the House in conference.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Vermont?

Mr. ELLENDER. I yield.

Mr. AIKEN. Apropos of what the Senator has said regarding the cost to the Government, let me point out that in 1963 the cost of the price support and related programs was $431 million. In 1964 it was $599 million. In 1965 it is estimated to be $288 million, so the cost is coming down.

Mr. ELLENDER. Mr. President, I have before me the hearings of the Agricultural Appropriation Act for 1966 and I ask unanimous consent to have a tabulation therein printed in the RECORD at this point; it appears on page 308, part I of the agricultural appropriations bill for 1966.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Net realized losses and funds used for activities directly involving dairy products fiscal year 1964

	Millions
Agricultural Stabilization and Conservation Service (Commodity Credit Corporation)	
Price-support program, net realized losses:	
Payments to Veterans' Administration and armed services under sec. 202 of the Agricultural Act of 1949, as amended, for fluid milk used in excess of normal requirements and donations of other dairy products:	
Butter	$17.4
Cheese	1.3
Milk, fluid	26.5
Total	45.2
Donations from CCC inventories under sec. 416 of the Agricultural Act of 1949, as amended:	
Domestic:	
Butter	108.3
Cheese	50.4
Milk, dried	29.3
Total	188.0
Foreign:	
Butter	25.0
Butter oil	98.8
Cheese	1.9
Ghee	5.6
Milk, dried	100.9
Total	232.2
Other price-support losses:	
Butter	49.5
Butter oil	1.9
Cheese	3.8
Ghee	.1
Milk, dried	41.9
Total	97.2
Total, price-support program	562.6
Commodity export program, net realized losses:	
Milk, dried	29.7
Butter and butter products	6.9
Total	36.6
Public Law 480:	
Title I: [1]	
Milk, condensed	12.6
Milk, dried	7.5
Milk, evaporated	3.0
Butter and butter products	.9
Cheese	.1
Total	24.1
Title II:	
Milk dried	$8.9
Butter and butter products	11.9
Cheese	.5
Total	21.3
Title IV: [1]	
Butter and butter products	1.4
Milk, condensed	.7
Milk, evaporated	.2
Total	2.3
Total, Public Law 480	47.7
Consumer and Marketing Service:	
Special milk program for children	97.1
Removal of surplus agricultural commodities (sec. 32):	
Butter	52.8
Cheese	23.9
Milk, dried	8.3
Total	85.0
Total	829.0

[1] Amounts shown represent gross cost—do not reflect recoveries from sales of foreign currencies under title I and collections under title IV.

Mr. ELLENDER. Mr. President, the table states that the net realized losses and funds used for activities directly involving dairy products for the fiscal year 1964, and it shows the various programs for which we spend money for milk, including the separate appropriations which are made.

The total amount is $829 million for fiscal 1964.

Mr. AIKEN. For what year?

Mr. ELLENDER. Fiscal 1964.

Mr. AIKEN. Yes, but that is the total, including food for peace.

Mr. ELLENDER. I know, but that is——

Mr. AIKEN. The figures that I was reading concerned support prices.

Mr. ELLENDER. That is the total cost—for school milk for children, milk selling under special laws, at a bargain to the Army, Navy, and Air Force—also section 32—there is a lot of milk——

Mr. AIKEN. The Senator is correct.

Mr. ELLENDER. Purchased under section 32, and it includes the entire cost.

Mr. AIKEN. Both figures are correct, I believe.

Mr. ELLENDER. The Senator is correct. I am sure that my good friend the Senator from Vermont knows there is another provision in the bill before us which would give the Secretary of Agriculture the right to purchase milk and milk products in the open market in event that the surplus runs out, but I believe——

Mr. AIKEN. That would really do some good because we have no surplus at the present time.

Mr. ELLENDER. Yes—but I favor it.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. If the Senator from Vermont wishes to yield back the remainder of his time, I will——

Mr. HOLLAND. Mr. President, if someone will yield me a few minutes, I should like to ask——

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, most of the inquiries and complaints which have come from my State—and there has been some support from my State as well—but the complaints have been against what they regard as an invitation to the shipment of milk from south of the State. At present, we have one milkshed—the Miami milkshed, under the Federal marketing order. Two others are in contemplation. They are working on them. Apparently, there are many dairymen who are fearful that coming in under this bill, if it were to be enacted, would open the door to the shipment of large quantities of outside milk into those two new milkshed areas which would cover most of the highly populated portions of the State other than the Miami area, which is already covered.

I should like both of my distinguished friends to comment upon this, because it seems to be a matter of substantial concern to some of my dairy people.

Mr. PROXMIRE. Let me say to the Senator from Florida that I believe his is a perfectly proper concern, but my best judgment is that this amendment would have no effect whatsoever on that problem. It would not change the present milk marketing situation one way or the other. The situation would be precisely the same that maintains now. There is a possible hypothesis that I believe the Senator from Vermont may or may not espouse; that it is conceivable that the farmers and the marketing order area in Miami may, under this kind of situation, choose to reduce production quite sharply. It is also possible that they might even decide to go out of the dairy business. They might of course do so now without this amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Under those circumstances it is possible that more milk would be shipped in. But this is most illogical and certainly would be against the interests of the farmers and handlers. I think there would be every expectation that the matter would be handled in such a way that they would continue to produce the fluid milk they need in the Florida area. They might decide to reduce the excess, but it would not have a significant effect on the flow of milk into Florida.

Mr. HOLLAND. We have very little excess production, and milk is expensive in Florida.

Mr. PROXMIRE. Then I do not think it would have much effect in Florida.

Mr. HOLLAND. The standards are high. The great percentage of the milk—my recollection is 90 percent—is consumed as liquid milk.

The concern manifested by certain dairymen who have communicated with me is that the bill, if it is followed by bringing these two areas into the milkshed, would be an invitation to receiving milk from other producing areas where the milk is not so good.

Mr. PROXMIRE. This provision would enable the Florida farmers to preserve this good condition, and not diminish their blend price. Many marketing order areas have started that way, but have deteriorated. There is no reason why there should be an increase of milk going into Florida in view of the fact that the producers in Florida are interested in this matter and are undoubtedly capable of taking care of the situation now.

Mr. AIKEN. Mr. President, I was about to say——

The PRESIDING OFFICER. All time has been used, unless the Senator wishes to yield time on the bill.

Mr. AIKEN. I yield 2 minutes on the bill.

I was about to say, in response to what has been said by the Senator from Florida and the Senator from Wisconsin, that any Federal market order area where the producers vote to reduce their production of class I or drinking milk would be subject to invasion of surplus milk from other areas.

Mr. HOLLAND. Mr. President, if I may have 1 minute on the bill——

Mr. ELLENDER. I yield 1 minute on the bill.

Mr. HOLLAND. Just what does the Secretary mean in his testimony in which he contrasts the situation between the House provision and this provision, referred to as the Proxmire provision, by saying this provision would invite flowing in of milk across a State line and the other would not?

Mr. AIKEN. The Secretary spoke on that subject, because the provisions of the House bill would virtually prohibit the importation of milk from outside an area that had voted to reduce its class I production. That is the principal difference between the House provision and the provision of the Senator from Wisconsin.

Mr. HOLLAND. I thank the Senator.

Mr. PROXMIRE. Mr. President, I have 4 minutes remaining, I believe. I yield 1 minute to the Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I do not know how the pending amendment would apply to Virginia, but our farmers say it would help them and the producers. Therefore, I shall vote for it.

Mr. President, on another matter, we have an amendment, No. 441, by the Senator from Maryland [Mr. BREWSTER], which would limit all payments from all sources to $10,000. Back in 1949 I voted to end this program of supports. Following that, not only did it not end, but it grew bigger and bigger. I do not think $10,000 is very much. I send to the desk an amendment to the amendment which would raise the amount to $25,000 and provide that there shall be no payment after January 1, 1967, to any corporation.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. LAUSCHE. Mr. President, will the Senator from Vermont yield for a question? May I have 2 minutes on the bill?

Mr. AIKEN. Yes, if it comes out of the time on the bill.

Mr. LAUSCHE. The mail and telegrams which I am receiving indicate that the small milk producer is against the Proxmire amendment and the large producer is for it. I have my own surmise as to the cause of the divergence of views. Will the Senator from Vermont give me his understanding of the reason for this divergence of views?

Mr. AIKEN. I think it is easy to see why. If the small producer, one milking 20 or 40 cows, was forced by the majority to reduce his production 10 percent, it would put him out of business, because his capital costs would not come down at all, and the dealer and handler, the retail store and chain store, and any other organization would come in and pick up that farmer's base, and pretty soon they would control the whole business. They have that in mind, too.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

Answering what the Senator from Vermont has said, in order to have such a catastrophic effect on the farmer forum there would have to be a 2-to-1 vote of the producers and farmers in the milk marketing area. There are more small farmers and producers than big ones. If the small producers do not want this program, it will not go into effect. Only if the small producers, and some big ones, want it, will it go into effect. Cows do not vote. Acres do not vote. Each individual farmer, however small, has as big a vote as the biggest farmer. It is one farmer, one vote.

Mr. AIKEN. Does the Senator believe that in any State where there are marketing orders under State law they should continue to operate under those marketing orders?

Mr. PROXMIRE. Of course. This amendment would not affect that.

Mr. AIKEN. The N.A.M. will be glad to hear of that defense of section 14(b) by the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin has 2 minutes remaining.

Mr. PROXMIRE. Mr. President, if the Senator from Vermont is willing to yield back his time, I shall be glad to yield back my time.

Mr. AIKEN. I am glad to yield back my time.

The PRESIDING OFFICER. All time on the amendment has been either yielded back or exhausted.

Mr. MILLER. Mr. President, I send to the desk an amendment to the amendment of the Senator from Wisconsin, and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. It is proposed on page 3, line 19, to strike out everything beginning with the word "Allocations" through the period at the end of page 3, line 24, inclusive.

Mr. MILLER. Mr. President, I would like to say to my colleagues that I have three amendments I propose to discuss, though very briefly. I hope the Senator from Wisconsin will accept them. I do not expect to take a long time on the amendments.

I was one of two members of the Agriculture Committee who voted against the deletion of the dairy title from the agriculture bill. I felt that the committee should have considered the dairy title and should have worked to perfect it rather than delete it. My amendments are the very amendments I had planned to offer in committee if the title had been left in.

I appreciate the fact that a great amount of time and effort have gone into what is known as the Proxmire amendment. I do not know whether it would work or not, but it has a meritorious theory behind it. I for one did not like to see short shrift given to it. I refer to the transfer of allocations on page 3 of the language which I find undesirable, as follows:

> Allocations to producers under this subparagraph may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public and prospective new producers.

My difficulty with this language is that I am opposed basically to a system of transfer of allotments and allocations.

There was a title in the bill which would have covered the transferability of allotments of acreage. The committee deleted this title for several reasons. One reason was that where there was set up a system of transfer of allotments, it lays the foundation for the larger farmer to grow bigger and the small farmer to go out of business.

In other words, I believe, insofar as the assurance that the Secretary of Agriculture would not take action against the public interest is concerned, this provision lays a foundation for just such an occurrence. What operates in the public interest and what does not operate in the public interest can mean many things to many people.

The Secretary of Agriculture may think one thing; the Senator from Iowa and the Senator from Wisconsin and many other Senators may think something else. I believe it is a dangerous precedent to set up a foundation for the transfer of these allotments.

There is another aspect. It lays a foundation for more corporation farming, and we are trying to get away from that and preserve the family farmer.

I believe the best guarantee of that assurance is to delete this language altogether. I cannot see that it is going to interfere with the basic thrust of this legislation. That is why I hope the Senator from Wisconsin will seriously consider accepting my amendment to his amendment.

Mr. PROXMIRE. With great regret I must tell the Senator from Iowa that I do not support his position on this amendment.

I can understand his argument for his amendment, but I feel strongly that if allocations are not transferable, the capacity of a dairy farmer to sell his farm could be destroyed. If a dairy farmer wants to sell a farm organized for dairy production, in terms of equipment, plant, herd, and so on, say in the Miami area, which sells 90 percent of its milk for fluid purposes, the Miller amendment means that a dairy farmer could not transfer his allocation to the farmer who bought the farm. He could not transfer at all. He would suffer an economic loss.

Furthermore, if a dairy farmer sold a part of his herd, he should be able to transfer his allocation if it was used to produce class I milk. To stop him from doing this would not be practicable or fair, and would almost be taking property without due compensation.

I must oppose the amendment offered by the Senator from Iowa.

Mr. MILLER. I regret that. But I point out to the Senator from Wisconsin that I do not believe his answer has been quite responsive. It is my understanding that, even with this language deleted from his amendment, the present law provides for transfer rules under marketing orders which permit the farmer to transfer his allocation under those rules.

So I do not believe the deletion of this language is necessarily going to do what the Senator from Wisconsin says it would do.

Mr. PROXMIRE. I say to the Senator from Iowa, with respect to his position, that such an interpretation can be put on the Department of Agriculture regulations—there are no allotments now. Whether such rules would be implicit in the market order law of 1937, is the subject of debate. I am not sure they would be. At any rate, if the Senator's position is correct, I cannot see that it has to do with any language on page 3, lines 19 through 24.

This provides that the Secretary of Agriculture may allocate allotments on the basis of certain general guidelines.

Mr. MILLER. I say to my friend the Senator from Wisconsin that I am not interested in adding to the transfer of allotment problem.

My understanding is that present transfer rules are entered in the order as base rules in certain areas, and that the permission to do so has been so interpreted under basic law, and that in these cases a transfer of an allocation is permitted.

If a farmer wishes to sell his farm to someone who wants to come on that farm, he can make that transfer. I believe in that limited situation this is all right.

It is getting away from the situation where he can sell to somebody else and provide a foundation for allocation in corporate farmers.

Mr. PROXMIRE. I cite the case of a farmer—and this is true in Wisconsin, Iowa, and many other States—who retires and has a son who wants to maintain the farm.

The son has a job in a factory and he cannot maintain the dairy farm. He has to take too much time at work. He could maintain a farm for production of some crops, but not dairy farming.

In this case the farmer sells his herd, and the value of the herd would diminish sharply if the farmer could not sell along with it an allotment to sell milk. He might have to sell outside the State. The situation might be very difficult.

Furthermore, this language permits workable flexibility.

Mr. MILLER. I say to the Senator from Wisconsin that I, too, am sympathetic about the situation in the example which he just gave us. If he is going to follow the logic of his example, this means that if the farmer can sell to a corporation or another large farmer this is all right.

I understood that that was what we were trying to get away from. If the farmer's son wishes to work in a factory and make fine wages, and wants to get away from dairy farming, that is all right. Let him do it.

Mr. PROXMIRE. This is why we asked the Secretary of Agriculture to exercise discretion.

Furthermore under the present law there is nothing to keep a farmer from selling out to a corporation selling milk in a marketing order area. This amendment of mine would not affect this situation at all.

Mr. MILLER. Does the Senator from California have a question?

Mr. MURPHY. The Senator has answered the question.

Mr. MILLER. If the Senator from Wisconsin is willing, I yield back the remainder of my time.

Mr. PROXMIRE. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. MILLER] to the amendment of the Senator from Wisconsin [Mr. PROXMIRE].

The amendment to the amendment was rejected.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Washington.

Mr. JACKSON. Mr. President, I rise in support of the amendment offered by the Senator from Wisconsin to the omnibus farm bill. Dairy farmers in my State have for a number of years wholeheartedly supported the principles of this amendment as has the National Milk Producers Federation, which represents on a national basis the vast majority of dairy farmers and their cooperatives.

Senator PROXMIRE's amendment is more commonly known as the dairymen's class I base rating plan. It is a piece of legislation which dairy farmers throughout the Nation have almost unanimously supported. They want and need this program and they should have it. The dairymen's class I base rating plan is one of the few major legislative efforts which will result in absolutely no cost to the Government and at the same time will result in no increased cost to the consumer. This is a voluntary plan which could only be used if it were approved by two-thirds of the producers voting in a Federal order market and would result in self-imposed incentives to cut back on the production within that market.

This plan would allow a dairy farmer to relate his production to class I or bottled sales in a Federal order market. Under this plan it would be possible for any individual farmer supplying a Federal order market to more nearly gear his production to the needs of the market. He would be free to produce as much or as little milk as he pleased but, if he produced milk in excess of the requirements of the market and in excess of his class I base, he would receive a lower manufacturing price for that milk. In this way his excess production would not adversely affect the price that was received by other dairy farmers.

This program passed the Senate in 1963 by a substantial margin. I cosponsored the bill which passed the Senate. The House, however, failed to act on the bill. This year, however, is a completely different story. Title I of the House omnibus farm bill contains provisions similar to those provided by Senator PROXMIRE's amendment.

I certainly hope the Senate can support this program again, especially when nearly unanimous dairy farmer support has prevailed.

The dairymen's class I base rating plan affects only one portion of Federal milk marketing orders and, moreover, it only affects markets where the majority of dairy farmers elect to use the program. It provides a new and modern method of distributing money among the farmers based upon their performance in meeting the requirements of the fluid milk market.

In view of these considerations the amendment offered by the Senator from Wisconsin deserves the support of every Member of the Senate. It could result in considerable savings to the Federal Government in its supporting cost of the dairy program. It will result in no increase in cost to the consumer and will serve to stabilize the dairy industry on a market to market basis.

I, therefore, strongly endorse this amendment and express the hope that it receives unanimous approval.

I also want to call to my colleagues' attention an article that appeared in the September 1965 issue of Farm Journal, comparing the operation of a class I base plan in Vancouver, B.C., with the Washington State situation where such a plan is not in effect. I believe this article is a useful description of the value of a class I plan and I commend it to the attention of the Senate.

I ask unanimous consent that the article be printed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A TALE OF TWO MARKETS

(What happens to dairymen when they switch to a base plan, like the one now before Congress? This will help you decide, as we compare two markets—one with quotas, one with a Federal order.)

(By Glenn Lorang)

The most important dairy legislation in 30 years (if enacted) will be up before Congress as you read this. It appears that the class I base plan will pass, riding through Congress on the omnibus farm bill.

With this plan for pricing milk, a dairyman will be allotted a milk base—his historical share of the fluid milk sales in his market—for which he gets the class I price. The excess milk he produces above that base would bring class II (manufacturing milk) prices, considerably lower than the class I price.

Purpose is to take the incentive out of increasing production. For example: Suppose that class I milk is bringing $5 per hundred weight, class II is $3 and that 50 percent of the milk is going into fluid class I uses.

Under present Federal order markets, the blend price would be $4, since half would go into fluid use at $5 and the other half into manufacturing at $3. You can expand or cut production and still you get only $4. There's no incentive to cut back to the needs of your fluid milk market; and since the only way to increase income is to produce more milk at the $4 blend, there is an incentive to produce more.

As more dairymen do this, the proportion of milk that can be sold for class I use falls below 50 percent, and the blend goes below $4. Thus the need to produce even more milk to maintain the same income.

But with the class I base plan, you'd get the $5 for your class I base milk and only $3 for the class II excess. That's what will influence many dairymen to either cut back to the class I base, or at least not expand unless their base is increased, or they buy more base.

Supporters of the legislation say it will:

Reduce the milk surplus (and Government costs) without increasing consumer prices for bottled milk.

Maintain freedom for dairymen, because they can produce as much or as little milk as they want to.

Slow the race to get bigger. Expansion would be profitable only if you get more base, or if you can make money at class II prices.

Provide a retiring dairyman with a base that he can sell when he sells off the herd.

Those against the plan argue that it will—

Add to the cost of getting started in dairying. Beginners may have to buy their base, or earn it by producing at class II prices for a while.

Stimulate corporation farming by those who can afford to buy larger bases, unless a limit is put on such buying.

Give a big windfall to the farmer who happens to be dairying now and therefore has a base he can sell.

To see which of these claims and counterclaims hold up in actual practice, I went to two markets. One was the British Columbia market in Canada where a class I quota plan has operated since 1962. The other was the Puget Sound Federal order market directly across the border in northwestern Washington, which has operated since 1952.

The two areas have a lot in common. Both lie in the heavy rainfall belt, both ship in hay from east of the Cascades, and both produced more milk than they could sell in bottles—about the same percent more.

But that's where the similarities end. Puget Sound is now a surplus-burdened market and getting worse; the Canadians are tuning production to demand, as you can see in the table at left below.

This was no scientific test; other things like population trends, promotion and retail prices can affect milk consumption. But the trend is clear.

Since starting the quota plan, the Canadians have increased the percent of milk utilized for fluid to 54 percent this June; Puget Sound's percentage was the lowest in its history in June—37.4 percent. Canadian dairymen now get 40 cents per hundredweight more than Puget Sound dairymen for class I milk, 70 cents more for their blend price. But a higher percentage of the Canadian dairymen quit, probably because they could sell both cows and bases.

"Our class I quota plan did not guarantee life for the small producer," says J. D. Honeyman, a farmer-member of the three-man British Columbia Milk Board. "But overall, we feel it is hard to beat." He tells what it was like before the quota era: About 300 producers selling to high utilization dealers were getting 80 percent of their milk into the fluid market; the other 4,000 had to settle for only 40 percent.

"Now the market is stabilized, and everyone gets his fair share of class I sales, according to his quota," says Honeyman. Canadian dairymen say their quota plan has stopped the race to expand, which has plagued the Puget Sound market, and most Federal order markets.

Most of the Canadian dairymen now get more for their milk, but not all of them. "It hurt us a bit," says Jack Hougen, a 60-cow dairyman in British Columbia. The quota plan lowered his prices by $1 a can because he'd been on a 100 percent class I utilization market. "But small shippers are getting about $1 a can more now; it's been good for the area as a whole."

Now let's take a look at the Puget Sound market on the U.S. side of the line:

Puget Sound production has continued to climb, up again 3.3 percent in June 1965 over the previous June, while the amount of milk used for class I fluid dropped by 2 percent.

That spells trouble for dairymen, and those in the Puget Sound market know it. Yet they go on adding cows and feeding better to fight lower blend prices with that familiar weapon—more production. "This increased production has caused most of our problems," says Gordon Laughlin, of Consolidated Dairy Products, the marketing arm of United Dairymen's Association.

"A base quota would have kept down the size of our shippers, and the amount of class II milk," agrees dairyman Harold Knight, Whatcom County, Wash.

But not all producers blame the Federal order for all the surplus milk in the Puget Sound market. Some blame the co-op that has negotiated as much as a 74-cent premium over the Federal order price for class I milk.

The truth is probably somewhere in the middle. But the result, either way, has been to encourage more dairymen to retail their own milk to get more for it. There are now 43 such producer-handlers in the Puget Sound market, more than twice as many as in 1958. They sell 7 percent of all the fluid milk.

"We had to regulate the producer-handlers," says E. C. Carr, chairman of the British Columbia Milk Board. Laughlin, of Consolidated Dairy Products, in Seattle, explains why he thinks that is also necessary in Puget Sound.

"Every 100 pounds of milk the producer-handler sells is costing our producers 3 cents per hundredweight and that is increasing."

Producer-handler Floyd McKennon, Snohomish County, Wash., is currently leading the fight against co-op domination. He markets about all the milk from his 600-cow herd through his attractive drive-in Milk Barns in north Seattle.

McKennon argues that he doesn't add to the milk surplus because he restricts production to his fluid sales. He's fighting the class I base plan, sees it as a tool that would force him to double his herd in order to produce enough class I milk for his business.

Actually, the plan before Congress so far specifies no change in status for producer-handlers.

Milk bases will be worth gold if the new plan goes into effect. In Canada, a base has sold for as much as $23 a pound of daily quota. Current value is around $18. This means the base on a $300 cow that averages 50 pounds of milk a day would be worth nearly $1,000.

Of course, that purchased base lasts indefinitely—long after the cow is dead—so it's a good investment. But this cost cuts down on the income from your class I base if you have to buy it.

Speculators thrived on bases in British Columbia until last year when an order was passed forbidding a producer from transferring his quota unless he has been licensed (all producers are licensed) by the milk board for at least 5 consecutive years. Two exceptions: health reasons, or if he sells the whole herd.

The base plan, as it comes out of Washington, will not spell out much detail on operations. "Nuts and bolts" will be worked out in the individual Federal order markets. The base plan will:

1. Be restricted to Federal order markets, or grade B milk markets where a classified system of pricing is used. That's where grade B producers get one price for manufacturing milk used commercially, and a lower price for that going to the Government.

2. Require a two-thirds "yes" vote of all dairymen in a market to be adopted. No bloc voting, where a co-op could vote for all its members.

3. Give the Secretary of Agriculture approval or veto power over any class I base plan worked out in Federal order markets.

4. Allocate any increase in class I usage in a market first to new producers or "hardship cases." Any left over would go to established producers.

5. Allow a producer to underproduce without losing any base.

Will a class I base system affect the amount of outside milk shipped in? Under law, a Federal order cannot establish a barrier to outside milk. But producers in unregulated markets would probably have to acquire a base in order to enter a Federal order market.

How hard that would be would depend on how hard dairymen in a Federal order market made it, and you could hardly expect them to make it easy. The net result would probably be more milk barriers.

It will take a while to initiate the new class I base system. First, specific plans for each Federal order market must be developed. Then, as happened in Canada, it will probably spend time in the courts.

"Ours has been in and out of the courts for 4 years, but each time it was upheld," says E. C. Carr, milk board chairman in British Columbia.

Dairyman Kaye Andrus, in Connecticut, sums up the thinking of many U.S. dairymen:

"One bill can't solve it all, but I'm willing to try anything. It can't go on this way."

	British Columbia		Puget Sound	
	1961	1964	1961	1964
Blend price (4 percent butterfat)	$4.56	$4.60	$4.42	$4.26
Class I price	$5.96	$5.98	$5.69	$5.48
Percent milk used in class I	50.2	52.3	48.1	44.8
Total production (pounds)	479,000,000	480,000,000	1,100,000,000	1,300,000,000
Number of producers	2,119	1,692	3,236	2,728

Mr. LAUSCHE. Mr. President, how much time is left on the bill?

The PRESIDING OFFICER. Ninety-two minutes remain to the proponents, and 153 minutes remain to the opponents.

Mr. MILLER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5 of the Proxmire amendment, No. 438, it is proposed to strike out lines 13, 14, and 15, inclusive, as follows:

> (vi) the provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

It is proposed to renumber succeeding paragraphs accordingly.

Mr. MILLER. Mr. President, the amendment would strike from the Proxmire amendment the language on page 5 in lines 13 to 15, inclusive.

By doing so we would keep the law exactly as it is now. I assure Senators that I have discussed the amendment with representatives of many milk producer associations, those who are in this business, and some of whom favor the Proxmire amendment. There is absolutely no objection to the amendment by those people. They wish to leave the law exactly as it is now.

I suggest that that is the way it should be, because any action we take which might result in a different interpretation than presently exists would be premature.

Last year Congress established a National Food Marketing Commission. The purpose of the commission is to examine into all facets of food marketing, including dairying, production, and the various areas of the marketing of food products.

I know that problems exist in the dairy industry with respect to producers and handlers. Let us allow the Food Marketing Commission to make its findings and determinations and submit its recommendations. Not until then will we be in a position, intelligently, to evaluate what should be done.

I believe that the language of the amendment of the Senator from Wisconsin should not be in the bill. I hope he will consider removing it.

Mr. PROXMIRE. Mr. President, I object to the amendment of the Senator from Iowa. I do so because we tried hard in 1963 and have tried hard this year to frame language that would conform with the present practice of the Department of Agriculture. Only this afternoon, my staff spoke with representatives of the Department of Agriculture. They said the Secretary of Agriculture can now include producer-handlers under marketing orders. This is just what the language on page 5, lines 13 through 15 does. It reads:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

I feel strongly that this language should be in the bill because, as was brought out in the colloquy with the Senator from Vermont, we are anxious to prevent any integrated type of dairy farming from developing on a big scale. We have a real fear that without a continuation of this kind of policy in the Department of Agriculture, it is possible that big chainstores and other marketers may get into this field, to the great detriment of the family farm, and have a serious, unfortunate effect on family farming as we know it today.

Mr. PROXMIRE. I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I wholeheartedly endorse the viewpoint of the senior Senator from Wisconsin. The provision contained in the Senator's class I proposal incorporates existing law. In the Ideal Farms case, in the third circuit, it was held that existing Federal milk marketing order statutes authorized the regulation of so-called producer-handlers. It is hard to see how the order system could work if the Department could not regulate the marketing of a producer's own milk.

The committee did not consider in the hearings the proposal of the Senator from Iowa, although he proposed it at one point, because we did not reach the juncture where extended hearings could be held on the meaning of his amendment. But it seems to me that the Senator from Wisconsin is correct. The whole theory behind the Federal milk marketing order system is that through administrative action it is possible to increase the return that can be paid to the farmer.

If certain groups are exempt from the order system, it means that they will have a lower cost for milk produced than their competitors under the order system. That amendment would exempt the large companies, namely, those that are big enough to be producers and handlers, and who own the whole chain from owning the herd to the distribution to the consumer. We can take judicial notice that most farmers, are not large enough operators to own their own handling systems. Thus one can envision situations such as this: A large grocery chain in a major community may decide that it wants to be a producer and a handler. It establishes its own dairy herd, and because it is not regulated, it could, if the Miller amendment were adopted, sell its milk at a much lower cost than for handlers regulated under the marketing order.

So it seems to me, without hearings on the proposal, that the amendment of the Senator from Iowa would lead to integrated farming and, in my opinion, would endanger the whole marketing order structure. I believe that it is not only contrary to existing law, but might also result in a host of dangers that would be difficult to deal with.

Mr. MILLER. Mr. President, I yield myself as much time as I need.

I cannot quite follow the logic of the Senator from Minnesota. The Senator from Wisconsin [Mr. PROXMIRE] says that this part of the bill reflects the present state of the law. If it reflects the present state of the law, why is it necessary to have the amendment in the bill?

Mr. MONDALE. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. MONDALE. As I understand, it is the view of the Senator from Iowa that the present law exempts producer-handlers.

Mr. MILLER. No, I have not said anything to that effect at all.

Mr. MONDALE. Is it the Senator's view that present law is such that the producer-handler is regulated?

Mr. MILLER. It is my understanding that the Secretary of Agriculture has interpreted the present law as the Senator from Wisconsin stated it to be interpreted. If that is so, I cannot follow the Senator from Minnesota, when he says that to take this language out will make a difference in what we have right now.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONDALE. Does the amendment of the Senator from Iowa seek to exempt producer-handlers from the order system regulation?

Mr. MILLER. No. It seeks to leave the law exactly as it is now, as I think it should be, until the Food Marketing Commission submits its recommendations.

So long as the Senator from Minnesota has raised this point, let me make this statement: The language of the amendment of the Senator from Wisconsin reads:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

What about a regulated handler who is not using his own production of milk but is using someone else's production to make up a deficiency? What would the Senator propose to do in a situation like that? To answer that question, one would probably have to go through the briefs of a good many cases. That is what happens when language like this is placed in a bill in an attempt to play around with existing law. I suggest it is premature and unnecessary to have such a provision. I do not know why the Senator from Wisconsin persists in retaining it.

Mr. PROXMIRE. I understand the Senator's point. I believe a strong argument could be made that the law already specifies what is contained on page 5 of my amendment, lines 13 through 15. If that is so, why take it out? Why change it?

Furthermore, I agree with the policy of the Secretary of Agriculture. I believe it is right. I believe in the family farm. I have seen what has happened to the family farm in the broiler industry. I do not want to see it happen to the dairy industry. I think it is important to the family farm that this language should remain.

Mr. MILLER. If this language is left in the bill, we shall not quite be doing what the present law requires, because we shall have written into the bill:

> The provisions authorized under this subparagraph may be made applicable to a regulated handler's own production of milk.

What shall we do about a regulated handler who handles not only his own production, but somebody else's, as well? We shall automatically have opened the bill up to something new.

Mr. PROXMIRE. If he is handling someone else's production, that is perfectly all right. He is not a producer-handler to that extent. So long as he is not handling his own, there is an arm's length situation in which he is dealing with a farmer-producer, and I do not believe that that situation should necessarily be covered.

Mr. MILLER. Perhaps it should not be, but this is by no means clear in the present state of the law. I am advised on good authority that a person who is a producer-handler uses his own production; but if, suddenly, he runs short during a certain period and goes out and buys production which is not his own production, in order to make up a deficiency, the area becomes a fuzzy one.

This is not clear. By putting this language in the bill, the Senator has automatically laid a foundation for more difficulty on this very point.

I believe that the amendment and the reasons for the amendment have been adequately explained. I do not wish to take any more of the time of the Senate. If the Senator from Wisconsin is ready to yield back the remainder of his time, I am ready to yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa to the amendment of the Senator from Wisconsin [Mr. PROXMIRE].

The amendment to the amendment was rejected.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 2, to insert the following: before the word "providing": "in any marketing area in which, during a representative period determined by the Secretary of Agriculture, the highest use classification sales of milk for the area covered by such order, or proposed order, was or, in the case of new or merged areas, would have been less than 50 per centum of the total producer deliveries of milk in such area,".

Mr. MILLER. Mr. President, the reason for my amendment is to restrict coverage to those few areas which I think probably all of us would agree are in a serious situation so far as overproduction of milk is concerned, by limiting, as my amendment would do, the application of the Proxmire amendment to areas which use less than 50 percent of their milk for class I milk.

It would mean that the Proxmire amendment would apply to the New York-New Jersey marketing area, in which area 49 percent of the milk is marketed as class I milk. In the Chicago area, 39 percent of their milk is marketed as class I milk. In the Puget Sound area, 45 percent of their milk is marketed as class I milk.

I do not believe any of us know how this proposal would work. It may work and it may not. If it does not work, I believe that the fewer areas where it might not work that we provide for, the better.

If it does work out and it can be shown that it will work out, I am quite satisfied that the Senator from Wisconsin will have no difficulty in presenting the Senate with the results of how it has worked out.

This can be extended to other areas. Perhaps it should not be only 50 percent. Perhaps it ought to be 55 or 60 percent. However, it seems to me that it would be reasonable to take cognizance of the three areas which are in the most serious difficulty.

I know that the Senator from Wisconsin can say, "Why worry about it? It will not go into effect in any marketing area unless they vote 2 to 1 to put it in." I am not sure that is the complete answer. I am not sure that I want to vote to allow a vote of 2 to 1 to put it into effect in some areas in which there is no difficulty.

I would rather walk before I run. We are dealing with a very important area of food commodities.

I believe that by limiting it, as my amendment would do, it would give the program a fair chance to work in areas in which there is a serious problem. If it works there, we can vote to extend it.

Mr. PROXMIRE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 minute.

Mr. PROXMIRE. Mr. President, I object to this amendment. It would mean that my amendment would apply to four States, according to the statement of the distinguished Senator from Iowa. The other 46 States would be out of it. I submit that it is not fair. It does not make sense. It seems to me that in any State in which two out of three farmers want this provision, it should apply. My amendment would provide that, without this Miller amendment.

Mr. MILLER. Mr. President, I say to my friend the Senator from Wisconsin that he is dead wrong when he says it would apply in three or four States. It would apply in all 50 States, as his amendment would apply in all 50 States, if the conditions arise.

The Senator in his colloquy with the Senator from Vermont said that his amendment would apply to 50 States. I believe it was pointed out that only 17 States are covered by marketing orders. I grant that there may be only three or four States in which there is such an amount of overproduction of milk that less than 50 percent is marketed as class I milk. However, that does not mean that my amendment would not apply in some other State—New Mexico, Mississippi, Florida, or any of the 50 States—if those conditions arise.

I should like to make it clear that my amendment is as applicable to the 50 States of the United States as is the amendment of the Senator from Wisconsin.

Mr. PROXMIRE. I yield 1 minute to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I am going to vote for the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE], but I want to make clear the basis on which I am doing so.

The base-excess idea for the dairy industry is not at all new. It has been advanced for some years and has always been the subject of great debate within the dairy industry and among dairy economists. Even today there are almost as many different opinions about it as there are experts on dairy matters. If the Proxmire amendment and the somewhat different version which the House included in H.R. 9811 directly legislated the two-price plan into existence, I would have considerable doubts about supporting it. I would hesitate to support any plan which is widely doubted in the industry that it is designed to help, the industry which knows most about it.

However, both the Proxmire amendment and the House version contemplate that a referendum will be taken among the farmers. If the farmers in a particular milkshed feel that the plan will be beneficial to them, they can vote for it and put it into effect. If not, they can vote it down and that will be the end of the matter.

There is considerable support for the plan among dairy farmers around the country. It would be unfair to deny them the chance to vote on it. In my judgment, then, basic fairness suggests that we should authorize a referendum on the two-price experiment. It is on that basis that I am voting for the Proxmire amendment.

There are certain differences between the version offered by the Senator from Wisconsin and the version passed by the House. The guarantee of free access to markets which is contained in the Proxmire version appears to be more desirable for the dairy industry in the Northeastern States. The provisions in the House bill protecting producer-handlers seem to be more desirable than the comparable aspects of the Proxmire version. These matters will have to be worked out in conference. At the present, I support the Proxmire amendment so that we can give Senate conferees a mandate to include a dairy provision in the bill as it finally emerges from conference.

I realize that there is opposition to this plan, even within my own State, but there is also great support for it, and I think it is only fair that the farmers be allowed to vote on this matter themselves.

That is why I support Senator PROXMIRE'S amendment.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

The amendment was rejected.

Mr. MANSFIELD. Mr. President, I yield 5 minutes on the bill to the senior Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, in October 1963, when this question was first considered, I voted against the Proxmire plan. I intend to vote against it again today. My reasons today have been very well stated by the Senator from Vermont [Mr. AIKEN]. As a Senator from New York, the second largest producer of class I fluid milk in the country, I have had a special concern and deep interest in the provisions of this amendment. Along with almost all other Senators on both sides of the aisle from the Northeastern portion of the country I voted against this proposal in the form of S. 1915 on October 10, 1963. The amendment would establish a class I base for each dairy producer in a Federal order market and would enable the producer to receive a higher price for milk consumed in fluid form on a specified quantity of his production in lieu of a blended price on total production used for fluid consumption and for manufacturing into butter, cheese, powdered milk and other milk products. Excess production would be priced at a lower price to encourage reduced production.

The dairy farmers in my State are very much divided with respect to this proposal. Of the four largest organizations, two favor the base excess plan proposal and two strongly oppose it. There appears to be equally marked lack of consensus behind the bill nationally. The administration expressly did not include any diary plan in its farm message this year and has not enthusiastically supported any proposal. On April 5, 1965, Clarence Girard, Deputy Administrator, Regulatory Programs, Consumer and Marketing Service of the Department of Agriculture, testified before the Subcommittee on Dairy and Poultry of the House Agriculture Committee that—

> There is substantial disagreement within the dairy industry itself as to what sort of legislation they would support * * * and we have not been able to get general substantial agreement among the industry representatives on any particular proposed legislation.

Mr. Girard also testified:

> We believe this improvement in income position of some fluid milk producers can be achieved without adversely affecting the income of other dairy farmers.

He stated that favorable action on a base excess proposal such as S. 1915 "would represent a small step toward an improved dairy program." This is hardly the type of support that one would hope for a major agricultural program costing the Federal Government approximately $360 million per year. In 1963 Under Secretary of Agriculture Murphy testified before the Senate committee that the base excess proposal, without the assistance of a direct payment plan, would be of little help to dairymen.

I am most sympathetic over the serious need for improving the income of our dairymen. With sustained drought conditions and prolonged burdens of increased production costs, the dairyman in the Northeast has sustained a heavy burden. I have tried to ease this burden by working to obtain feed grains at reduced prices from the Department of Agriculture and haying and grazing privileges on land taken out of production. I have worked to obtain the Department's consideration of emergency price adjustments for hard pressed areas. The Department of Agriculture has provided important aid in many of these areas. However, I do not believe it is in the best interest of our dairymen or the consumer to impose tight production quotas on them. The curtailment of productive incentive for a sustained period will not in my judgment provide the best method of improving dairy income. The imposition of production quotas based on periods of past production places regulation on the producers which may prove very disadvantageous. With each marketing order being voted on, by bloc vote rather than individual voting, it is possible that certain parts of the country will be regulated by tight production quotas while other areas will not.

It is also possible that under the referendums provisions which do not permit voting by the individual membership that production quotas may be set by one group in approving an order and imposed upon another in the minority. The imposition of a production limitation upon one dairyman by his fellow dairyman is a situation raising many questions as desirability.

The Senate Agriculture Committee by an overwhelming vote chose to eliminate the base excess plan from the farm bill. This decision reflects the views of a very substantial number of dairymen in the Northeast. Senators from the Northeast area reflected this attitude in October 1963 when the base excess plan was acted upon by the Senate. I believe they will reflect this view again today.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Wisconsin to the committee amendment in the nature of a substitute. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the Senator from Massachusetts [Mr. SALTONSTALL]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. INOUYE. I announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. LONG], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. RUSSELL], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Virginia [Mr. ROBERTSON] are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia [Mr. BYRD], and the Senator from

Connecticut [Mr. RIBICOFF] would each vote "yea."

On this vote, the Senator from Louisiana [Mr. LONG] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

The Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The pair of the Senator from Massachusetts [Mr. SALTONSTALL] has been previously announced.

The result was announced—yeas 57, nays 27, as follows:

[No. 255 Leg.]

YEAS—57

Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Cannon
Carlson
Church
Clark
Cooper
Curtis
Douglas
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hill
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Long, Mo.
Magnuson
McClellan
McGee
McGovern
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Nelson
Neuberger
Pearson
Proxmire
Russell, S.C.
Simpson
Sparkman
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—27

Aiken
Allott
Boggs
Byrd, Va.
Case
Cotton
Dodd
Dominick
Ellender
Fong
Hickenlooper
Holland
Javits
Kennedy, Mass.
Kuchel
Lausche
Mansfield
McIntyre
Miller
Murphy
Pastore
Pell
Prouty
Randolph
Smith
Williams, Del.
Young, N. Dak.

NOT VOTING—16

Anderson
Bennett
Byrd, W. Va.
Dirksen
Eastland
Long, La.
McCarthy
Muskie
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Scott
Smathers
Talmadge
Tower

So Mr. PROXMIRE's amendment to the committee amendment in the nature of a substitute was agreed to.

Mr. MAGNUSON. Mr. President, I move that the vote by which the amendment to the amendment was agreed to be reconsidered.

Mr. PROXMIRE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Illinois is recognized.

Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. AIKEN. Mr. President——

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader about the business for the remainder of the day and also the schedule for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question which has been raised, it is my understanding that the distinguished Senator from Maryland [Mr. BREWSTER] is about to call up his amendment which has to do with the payment of subsidies on the basis of a $10,000 income and that I understand it all depends upon who obtains recognition. This will be followed by an amendment to be offered by the Senator from South Dakota [Mr. MUNDT], and in turn perhaps an amendment by the Senator from Vermont.

Mr. President, the Senator from New York [Mr. JAVITS] also has an amendment.

Mr. President, perhaps there will be other amendments. All this will be for tomorrow, not tonight. There will be no further votes on amendments because of a number of conditions with which Senators are confronted.

It is understood, of course, that the unanimous-consent agreement is still in effect, and that immediately upon conclusion of the prayer, debate will begin on a time limitation basis on the amendment to be offered by the Senator from Maryland [Mr. BREWSTER].

That is about it.

Mr. DIRKSEN. Mr. President, one other question. Assuming that we finish the bill tomorrow, is it still the intention of the majority leader to call up the so-called highway beautification bill, or bills?

Mr. MANSFIELD. Either that, or the immigration bill, whichever is ready, but those will be the next two bills to be considered. Of course, in the meantime, there will be conference reports and other matters to attend to.

Mr. DIRKSEN. But there will be no further votes tonight?

Mr. MANSFIELD. There will be no further voting tonight.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE THIEF HAS A KEY TO YOUR CAR

Mr. KUCHEL. Mr. President, law enforcement officials in California and across the country have recently become alarmed about the indiscriminate, unregulated traffic in master keys. At least six companies in the United States advertise that for sums ranging from $3 to $20, sets of keys may be ordered by mail which will unlock automobiles of any domestic make. On March 25, 1965, the Chicago's American reported the apprehension of an auto thief carrying 17 master keys which would open almost any Ford car. Police concluded that the thief had obtained the keys from a mail order supplier. The Los Angeles Police Department reports that nine recent bank robberies in the Los Angeles area were accomplished by a bandit who used General Motors master keys to steal his getaway car. The National Automobile Theft Bureau has information that the operator of one of the six principal master key suppliers has a past record of auto theft.

Police Chief Thomas Cahill, of San Francisco Police Department, has called the master keys "the answer to an auto thief's dream." Chief Cahill also reports that nearly one-third of the cases of residential burglaries were by the use of a key or device which readily opened the lock without a resort to force. New York City License Commissioner Joseph C. DiCarlo has noted this problem and has said that mail order firms are sending master keys for cars to anyone with the money to pay for them, including thieves and addicts.

In an editorial on July 25, 1965, the San Francisco Examiner expressed shock that criminals should have such easy and inexpensive access to master keys. The editorial remarked that "disturbed citizens may well wonder why locksmiths and keymakers are not regulated and licensed, and required to register both keys and buyers."

The report to the 1965 General Session of the California Legislature from the Assembly Interim Committee on Governmental Efficiency and Economy stated:

> At present locksmiths may obtain lock picks by mail. No official records are kept of keys made, and no identifying number is required on keys, to help in crime detection.

I am happy to say that the California Legislature has not been unmindful of this problem. A very able assemblyman, the Honorable Richard J. Donovan, of the 77th Assembly District introduced in the last session a bill which would deal with this matter effectively. The Donovan bill sought to establish a licensing scheme for locksmiths and provided that master keys would be sold to or duplicated by licensed locksmiths only. It required that keys manufactured or duplicated would bear a number which identified the manufacturing locksmith. It also required that the locksmith maintain a record of persons to whom keys are delivered.

I have given very careful consideration to the possibility of a Federal licensing system for master key manufacturers and dealers. In view of the severity of such a proposal, I am introducing instead a companion bill to one introduced in the House of Representatives by Congressman LIONEL VAN DEERLIN, of San Diego, who has given much thought as has Assemblyman Donovan to this matter. This proposal provides that no master key shall be shipped in interstate commerce to a person prohibited by State law from receiving or possessing master keys. The bill will prevent State licensing laws, such as the one now under consideration in California, from being circumvented by interstate traffic in master keys. Not only will this proposal put teeth in State regulations, but it will encourage those States which do not now regulate the sale of master keys to consider establishing controls. I am today sending to my friend, the distinguished Senator from Connecticut [Mr. DODD], chairman of the Subcommittee on Juvenile Delinquency of the Senate Committee on the Judiciary, a letter requesting that hearings be held on this bill at an early date.

A reasonable regulation of master keys will safeguard the legitimate uses to which they may be put. Master keys are indispensable to automobile dealers, locksmiths, and police agencies. By correcting the abuses which now exist we will at the same time insure that the legitimate interests are protected. I do hope that this bill will receive the careful attention it deserves.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the San Francisco Examiner on July 25, 1965. It is appropriately titled "The Thief Has a Key to Your Car." I also ask unanimous consent that the bill as introduced be printed at this point in the RECORD and referred to the Committee on the Judiciary.

The PRESIDING OFFICER. The bill will be received, and, without objection, the bill will be referred to the Committee on the Judiciary, and the bill and editorial will be printed in the RECORD.

The bill (S. 2524) to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act—

(1) The term "interstate or foreign commerce" means commerce—

(A) between any State, the Commonwealth of Puerto Rico, any territory or possession, or the District of Columbia and any place outside thereof;

(B) between points within the Commonwealth of Puerto Rico or within the same State, but through any place outside thereof; or

(C) within or between points within the District of Columbia or any territory or possession.

(2) The term "master key" means a key which will operate all the locks in a given group of locks each of which can be operated by a key which will not operate one or more of the other locks in such group.

SEC. 2. (a) It shall be unlawful for any person to sell, offer for sale, transport, or ship a master key in interstate or foreign commerce, knowing that such key is a master key, if, upon the delivery of such shipment or the conclusion of such sale or transportation, the key will be received or possessed by any person prohibited by the law of the jurisdiction within which such receipt or possession occurs from receiving or possessing master keys.

(b) Any person who violates any prohibition contained in subsection (a) of this section shall be fined not more than $5,000 or imprisoned not more than one year or both.

The editorial presented by Mr. KUCHEL is as follows:

THE THIEF HAS A KEY TO YOUR CAR

Severe shock is the response of car owners, and homeowners too, to disclosure in the Examiner of the easy and inexpensive access criminals have to master keys that make any lock an open invitation to dishonest entry.

For a total expenditure of $11 the criminal can equip himself with keys unlocking almost any car of American manufacture. At still less cost he can have the key to any home in the country, and to any door.

The purchase and sale of such keys involve no broken laws. Similarly, the reproduction of keys may be accomplished cheaply and legally in numerous shops.

Disturbed citizens may well wonder why locksmiths and key makers are not regulated and licensed, and required to register both keys and buyers; as in the case of small arms dealers. They should be; but with full awareness that there would be only partial answer at best to the problem in this. Criminals subvert most laws; are mainly deterred by law, not circumvented.

We have laws penalizing owners for leaving keys in cars on the street—useful in keeping juveniles out of temptation's way. But these laws are useless against the professional thief who can open a car as easily as its owner. It is preposterous that $3 can buy the key giving a criminal possession of an automobile for which the owner has paid thousands of dollars.

Final responsibility here rests on car makers, not key makers. Automobile manufacturers every year, probably daily, solve greater problems than the development of a lock that only the owner can manipulate. A numbers combination might be the answer. If there are better answers it is the business of the industry to come up with them.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

AMENDMENT NO. 446

Mr. AIKEN. Mr. President, I have an amendment which I send to the desk on behalf of myself and the Senator from Delaware [Mr. WILLIAMS], and ask to have it printed.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and will lie on the table.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 684, Senate bill 1826.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 1, after line 9, to strike out:

(2) by striking out the last sentence thereof.

On page 2, after line 6, to insert a new section, as follows:

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

At the beginning of line 17, to change the section number from "3" to "4"; and, at the beginning of line 22, to change the section number from "4" to "5"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended—

(1) by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; and

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"Appropriations

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SPARKMAN. Mr. President, I should like to yield to the Senator from Maryland [Mr. BREWSTER], provided that in doing so I shall not lose my right to the floor.

Mr. BREWSTER. Mr. President, I thank the Senator from Alabama. Mr. President, I wish to call up my amendment No. 441 and ask that it be stated.

The PRESIDING OFFICER. The Senator will suspend.

The Senate will please be in order. There is a bill pending under the unanimous-consent agreement. Will the Senator withhold his request temporarily?

Mr. BREWSTER. I certainly shall.

Mr. SPARKMAN. Mr. President, if I may proceed, I do not believe that it will take more than a moment to dispose of the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

The first committee amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 684, S. 1826, be withdrawn at this time.

The PRESIDING OFFICER. The question is on agreeing to the second committee amendment.

The second committee amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending bill be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

AMENDMENT NO. 447

Mr. SPARKMAN. Mr. President, I submit an amendment for printing and ask that it lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 441

Mr. BREWSTER. Mr. President, I now call up my amendment No. 441 and ask that it be laid down and be the first order of business tomorrow morning, in accordance with the agreement entered into.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill add a new section as follows:

SEC. 707. Notwithstanding any other provision of law, no producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer.

Mr. BREWSTER. Mr. President, have I the floor?

Mr. MANSFIELD. Yes.

Mr. BREWSTER. At this point, I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I thank my friend the Senator from Maryland for yielding to me.

Mr. President, last week I submitted an amendment to the bill to strike the so-called Mondale amendment and substitute in place a proposal of the joint select committee. I understand that the Mondale amendment has been withdrawn. Mr. President, I therefore indefinitely postpone my amendment.

Mr. President, tomorrow, I shall submit a concurrent resolution to cover this subject.

ADDITIONAL COSPONSORS

Mr. LAUSCHE and Mr. METCALF addressed the Chair.

Mr. MOSS. Mr. President, will the Senator from Maryland yield to me?

Mr. BREWSTER. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, I ask unanimous consent that on further printing of Senate Concurrent Resolution 55, the names of the Senator from Kentucky [Mr. COOPER], the Senator from Indiana [Mr. HARTKE], and the Senator from New York [Mr. KENNEDY] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BREWSTER. Mr. President, I yield the floor.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. METCALF. Mr. President, will the Senator from Montana yield to me?

Mr. LAUSCHE. Mr. President, who has the floor?

Mr. MANSFIELD. Mr. President, if the Senator from Ohio will allow me, my colleague [Mr. METCALF] came to me some time ago. He wishes to make some brief remarks on the pending amendment at this time, if he may.

Mr. LAUSCHE. Mr. President, it will take me only one moment.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I had prepared an excellent speech giving many reasons why I shall vote against the farm bill, but I have lost the speech. If someone on the floor of the Senate finds a document replete with good thinking, he will know it is mine, and I ask him to return it.

Mr. MANSFIELD. Mr. President, I now yield to the Senator from Montana [Mr. METCALF]. In the meantime, if members of the staff find a document that has been lost, we will see that it is returned to the Senator from Ohio.

I ask unanimous consent that the Senator from Montana [Mr. METCALF] be recognized without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, each time an agricultural bill comes up for debate, the fundamental purpose of our national policy on agriculture must be clarified again.

Even in the Senate of the United States we find evidence of misunderstanding of a very simple policy.

Such is the case today. The Senator from Maryland has proposed an amendment to the farm bill which would strike at the very heart of our farm policy, and it is based upon a misconception of what our policy is.

Our agriculture is great, not only because of vast resources and the hard work and intelligence of our farm people but also because our national policy has made it great. From the very beginning of our Nation, our policy has been to keep the land and the tools of farm production in the hands of the people who till the soil. Our early leaders turned their backs upon the old-world system of landed aristocracy and subservient peasants. In much of the world then—and it is true even today—farmers had no chance to own the land.

The Founding Fathers recognized—and I hope we have not forgotten—that civilization rests upon agriculture. No nation can have industry or the arts or great institutions until many people have been freed from the necessity of hunting or cultivating the soil.

So from the beginning, we have used public funds to help create the kind of agriculture we wanted. As early as 1796 George Washington recommended to Congress the use of public funds to aid agriculture and the establishment of boards to collect and diffuse agricultural information. We were not providing relief to individuals. We were building the kind of agriculture we wanted—one that was destined to become fabulously productive; one of the wonders of the world.

Over the years, the Government sent out plant explorers to bring back new crops; distributed seeds; established a Department of Agriculture; passed a Homestead Act providing gifts of land to farmers; gave land from the public domain to support agricultural education; created agricultural experiment stations and agricultural extension work to foster scientific and profitable agriculture and better living on the land.

In 1916 came the Federal Farm Loan Act initiating national farm credit policy and authorizing Federal land banks. Since then have come Federal support for vocational agriculture teaching, measures for conservation of forests, soil and water, protection of farmers and consumers against unscrupulous trade practices, protection against diseases and pests of plants and animals.

After World War I, we fought farm depression through export subsidy, cooperative marketing and the Federal Farm Board.

Later came the New Deal with new devices to curb surpluses and maintain a healthy agriculture.

Through the years, we have recognized that the kind of agriculture we want—one that is highly productive and with the farms owned and operated by farmers—this kind of agriculture has certain built-in problems. For example, farmers without Government programs cannot keep production in line with demand. They cannot do their own research. The conservation job is too big for them to handle without help. And, worst of all, a depressed agriculture is costly to the entire economy.

Now, we have recognized that agriculture has within itself the same kind of relief problems that are common to other segments of our Nation. And we have tried to deal with them as relief problems through relief measures.

But the key point to remember is this: Our basic agricultural policy is not a relief policy. It is not aimed at the plight of individuals as such, although it helps individuals by strengthening the markets in which they sell—by strengthening the economy of which they are individual parts. No. Our policy deals with agriculture as a whole. Our commodity programs deal with supply, demand, price, and income of entire crops.

The wheat program offers price-support loans. These are aimed at keeping market prices above a specified level and therefore are available to all who produce wheat. They do provide some direct help to the man who needs capital at the moment, but that is not their real purpose. They are also available to the producer who is not short of capital because the loans encourage him to keep his wheat off the market unless he can sell it for a price above the support level.

The wheat program also offers payments. But the primary purpose of the payment is not to supplement income. The purpose is to induce the producer to hold down his acreage and production of wheat. He gives up production and income in order to cooperate in the surplus-reduction program. The payment encourages him to do it.

It is perfectly true that large producers get bigger loans and bigger payments than do small producers. It is often argued that this works against our fundamental policy—that of keeping our agriculture in the hands of the people who actually till the soil.

The answer is that there is a greater danger. The greater danger is that farm commodity prices will go too low and that only those institutions which have great resources of capital can withstand a long period of loss. This forces the actual farmers off the land and puts it into the hands of giant financial collectives. So the great danger is that the economy will go sour and that ordinary farmers canot live in it.

This means we must safeguard the entire farm economy, commodity by commodity. This means we must apply our national policy to the large producers as well as the small. In a sense, we must be even more sure that the large producers are able to take part in commodity programs because they have a greater effect on the total supply and price of the commodity.

If it ever becomes necessary to limit the size of farms or to limit the total holdings of a corporation or other collective, we can do so through appropriate means. But we do not have to do so now. We must not do so by wrecking the programs which maintain the strength of the farm economy.

Make no mistake about it—if you keep the commercial family farms and the farms of even larger size out of the commodity programs, you will kill the programs. In the absence of the programs, you will see a drop in farm income—according to competent authorities—of approximately 50 percent. This would mean a total failure of our agriculture.

This is the issue with which we are dealing here today.

So much for the background. Now let me deal in greater detail with certain points of misunderstanding. The first point I wish to emphasize is that in commodity programs designed to affect the entire supply and price of a commodity—the entire economy of that commodity—payments are not welfare.

Payments are not welfare. They are a part of the stabilizing mechanism to protect overall farm income in the interests of the national welfare. In instances where they are used, they are the least costly method of achieving this objective.

They assist in conserving and protecting millions of acres of the Nation's soil resources whether it is 2 acres protected on a 25-acre farm or 1,000 acres on a 10,000-acre farm.

Payments are not handouts. Payments are made to farmers who take land out of production. In taking the land out, they sacrifice the production on this land.

Price support loans are made on a quantity of a commodity. The commodity has value in the marketplace. Farmers put up their commodity as collateral for a loan. The loans do not constitute either payments or losses in themselves. If the Government acquires the commodity, it is later sold or used in the food-for-peace program and in domestic donation programs.

Payments are not profit. A farmer does not get his regular income plus payments. Payments are in lieu of income he would have received from raising crops on acreage held out of production or selling the commodities put under loan.

For example, 4 farms received about $340,000 under the 1964 wheat program. For this, they kept 21,395 acres out of production. Under normal circumstances, this acreage would have produced 546,000 bushels with a return of more than twice the payments received. If this quantity had been produced, it would have been added to CCC stocks but was not because of the participation of these large farmers.

Payments reflect the degree of program participation. As acreage contributions under the program go up, payments go up. No useful purpose would be served in forcing the larger farmers out—this certainly would result from a payment limitation.

The objective under the cotton, wheat and feed grain programs is to get sufficient acreage out of production to prevent surpluses which would result in more extensive Government commodity operations at increased cost. Excluding the large acreages from participation would simply require larger payments to the smaller farmers—many of whom are too small already—in order to achieve the acreage objectives needed to balance production with needs.

The purpose of the commodity loan operation is to stabilize market prices by promoting orderly marketing of commodities. If supplies are in excess of needs, the loan operation by its very nature will embrace the quantity needed to be withheld from the market in order that market prices will go to the loan level. The excess amount will go under loan whether from large farms or smaller farms. Denying the loan program to farmers of large acreages would not change the supply situation. It would require thousands of more loans to be made to smaller farmers in order to draw off the excess.

The across-the-board application of farm programs is the only sensible approach. Preventing this would have the opposite effect desired by the proponents. If large operators could not participate in acreage diversion programs, total production would be increased. Even worse, payments would probably go up to get the acreage diversions needed from the smaller farms. Either way, higher acreage payments or greater surpluses, spells increased Government costs.

If the large operators could not qualify for price-support loans, their production would go on the market putting downward pressure on market prices and farm income. Small operators would suffer from the lower prices.

The price-support loan and acreage-diversion payment programs are not putting the family farm out of business. The number of larger-than-family farms is not growing under existing farm programs. Fifteen years ago, there were 17 family farms for each larger-than-family farm. Today, there are 26 family farms for every larger-than-family farm. These programs have not encouraged expansion of large farming at the expense of the family farmer.

In general, the farm programs are aimed in part at achieving some kind of reasonable balance between what farmers produce and what can be used—either by ourselves or through the export and food for peace programs which have been substantially increased. We have done a great deal to bring balance into our grain economy—and by indirection into our livestock economy. We hope—through programs recently enacted and now before the Congress—to achieve similar results in cotton and tobacco.

But the point is that unless the larger producers are brought into the programs, their production—being large—will overpower the whole effort to achieve balance. The programs would therefore be defeated in their purpose, and small growers as well as large would suffer the consequences of such an ill-fated expedition. It would be impossible to maintain decent market prices for any size farmer without the Government taking over the whole excess at a zooming cost to the taxpayer.

This possibility is especially dramatic when you consider that we have in agriculture a great deal of overcapacity in terms of acreage. We have—with the help of the programs—been holding harvested cropland acreage at a level a little below 300 million acres. This is a level that is a historic low for the entire time that we have been keeping records of this type since 1909.

In addition to these acres we are actually using, we have on farms better than 150 million additional acres that are now classified as cropland and could with very little difficulty be brought into production. What I am saying is that for every 2 acres that we are harvesting crops from, we have an additional cropland acre that could easily go into production. In addition, there are many additional millions of acres that are in grassland or treeland but which could be converted to cropland; in fact, many acres of this land has at some time in our history been used for crop production.

We have, then, all of this overcapacity which would be a threat to our productive balance, our farm prices, our entire agricultural economy—should farm programs be permitted to fail. If—through a limitation such as has now been proposed—a great many larger farmers were discouraged from participating in the programs, then we might very well see a lot of this additional land brought into production.

So, it is plain that small farmers as well as larger farmers have a stake in permitting a commodity program to function effectively across the board—to act successfully in balancing supplies and maintaining prices. Otherwise, the smaller farmer as well as the larger operator, would be trying to stay afloat in a sea of farm commodities which we would not have sufficient outlets for, and which would bring the entire fabric of farm programs down around our ears.

We have had considered several times before this proposal to limit payments. It is no more sensible than it has been in the past. It is perhaps even more dangerous to consider it now, because it would in a very short time reverse the successes we have achieved in farm programs the past few years. I ask that the amendment be defeated.

Mr. President, I ask unanimous consent that there be printed in the RECORD a statement and a table with regard to the effect of payment and loan limitation of $10,000 per farm.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

EFFECT OF PAYMENT AND LOAN LIMITATION OF $10,000 PER FARM (PRESUMABLY UNDER EACH PROGRAM)

WHEAT

The total amount of money received from the Government for loans and payments by a wheat farmer with a 220-acre allotment participating in the program and making minimum diversion would total about $10,000 a year.

Nationally, this represents about 98 percent of all wheat farms, so it would not appear to be a serious limitation. However, the proportion of farms of this size varies considerably by States. In Montana and Texas, for example, farms with allotments of 200 acres or less make up between 70 and 80 percent of the total farms with wheat allotments. It would, however, prevent 33 percent of the allotment acreage nationally from participating in the program.

What does a 220-acre allotment mean in income to a wheat producer participating in the 1965 program? With a blend price for his crop of $1.70 to $1.80, only about 25 cents per bushel reflects his share of the wheat on which he must meet living expenses and enjoy some of the things in life that his urban brothers enjoy.

Assuming an average yield of 25 bushels per acre, the harvest from a 220-acre allotment would gross about $9,500 but provide a net wage of only about $1,375. Although many smaller wheat producers have income from alternative enterprises, farmers with allotments larger than 100 acres are more specialized and depend on wheat as their primary or only source of income. Therefore, the very men prohibited from receiving benefits under the program are those who need them most.

In 1964, by comparison, the average annual wage per employed factory worker was $5,354. And he had little, if any, investment in the physical facilities with which he worked. The cotton, wheat, and feed grain farmer, on the other hand had $200 or more per acre invested in land and additional thousands of dollars invested in machinery, equipment and buildings.

SEPTEMBER 10, 1965.

Wheat farm example—effect of payment and loan limitation of $10,000 per farm under 1965-type program in 1966

Item	Unit	Participant who voluntarily diverts—		
		No additional acreage	10 percent of allotment	20 percent of allotment
Allotment	Acre	220	230	235
Diversion:				
Mandatory, no payment	do	24.4	25.6	26.1
Voluntary, for payment		0	23.0	47.0
Yield, actual and projected	Bushels per acre	27	27	27
Price support loan	Dollars per bushel	1.25	1.25	1.25
Certificate value:				
Domestic certificate	do	.75	.75	.75
Export certificate	do	.30	.30	.30
Diversion payment	Dollars per acre	0	16.88	16.88
Harvested acreage	Acre	220	207	188
Production	Bushel	5,940	5,589	5,076
Value of Government support:				
Loan value of production	Dollar	7,425	6,986	6,345
Value of certificates:				
Domestic	do	2,005	2,096	2,141
Export	do	624	652	666
Land diversion payments	do	0	388	793
Total	do	10,054	10,122	9,945

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I have received a number of communications from Oregon constituents relating to various provisions of the bill, H.R. 9811, now under consideration in the Senate. Because of the importance of these communications, I am bringing them not only to the attention of the Senate Committee on Agriculture, but also to the attention of my Senate colleagues so that they can be given thorough consideration prior to final passage of the agriculture bill.

With reference to section 706 of the bill, I have received wires of support from Mr. C. R. Tulley, executive vice president of the Northwest Canners & Freezers Association, Portland, Oreg.; from Mr. J. Hilstrom, of the Portland branch of the California Packing Corp., and from Mr. Shelby M. Tuttle, executive secretary of the Fruit Growers League of Jackson County, Oreg.

Mr. R. G. Scearce, secretary of the Hood River Traffic Association, has indicated his organization's support of S. 1702, which is in essence included in section 706 of the present bill.

President George Meany, of the AFL–CIO, wrote to me under date of September 8 opposing the Holland amendment.

Mr. Alfred J. Stokely, president of Stokely-Van Camp, Inc. also addressed me a letter under date of September 8 in support of section 706.

The class I base rating plan relative to milk marketing orders has been the subject of a number of communications addressed to my office by residents of Oregon. I ask unanimous consent that these letters and telegrams be included in the RECORD at this point in my remarks.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.

WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.:

Northwest Canners & Freezers Association urgently requests your support on Senate floor of committee approved amendment to omnibus farm bill H.R. 9811. Section 706 makes Secretary of Agriculture solely responsible for determining needs for and availability of farm labor. The Agriculture Department is eminently qualified for such determinations through its research statistical regulatory and extension services and since it is administratively responsible for meeting the needs of the Nation for food and fiber it follows that such jurisdiction should be placed solely in the hands of the Secretary of Agriculture.

Regards,

C. R. TULLEY,
Executive Vice President.

PORTLAND, OREG.

Senator WAYNE MORSE,
Senate Chamber,
Washington, D.C.:

Earnestly request your support of section 706 of H.R. 9811. This language in Senate version of farm bill gives Department of Agriculture responsibility to determine availability and need of farm labor for harvesting crops. Our canning industry experiences this year confirm that variability of perishable specialty crops and unique peak labor demands should come within purview of executive department charged with supplying Nation's food requirements. The Department of Agriculture through knowledge obtained from local growing conditions, county agency systems, land-grant schools and crop reporting services is well qualified to proceed with this responsibility.

J. HILSTROM,
California Packing Corp.

MEDFORD, OREG.,
September 7, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The Senate Agriculture Committee has approved a farm bill (H.R. 9811) with a farm labor section included under title VII, section 706, which would switch the responsibility of determining the numbers, availability, and the need for farm laborers from the Secretary of Labor to the Secretary of Agriculture.

We urge your support of H.R. 9811 as amended because (1) the Secretary of Labor can still advise on farm labor matters. It is only the determination of numbers and availability that would rest with the Secretary of Agriculture; (2) since this is primarily an agricultural matter it is logical that the Secretary of Agriculture have these functions; (3) the Department of Agriculture is well set up to perform this job through its county and State committee systems, its extension service, and the land-grant college system; (4) the Department of Agriculture is not to recruit or place labor, but merely to make determinations; (5) through this provision much of the conflict and controversy between farmers and the Government can be eliminated.

Again may we urge your support of this section which is so vital to Oregon agriculture.

FRUIT GROWERS LEAGUE
OF JACKSON COUNTY,
SHELBY M. TUTTLE,
Executive Secretary.

HOOD RIVER TRAFFIC ASSOCIATION,
Hood River, Oreg., September 7, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We have sent you a day letter today urging you to support Senator HOLLAND's amendment to agricultural bill S. 1702 which takes the responsibility of determining agricultural labor needs away from the Secretary of Labor and places it under the Department of Agriculture.

We are sure that you are in accord with this legislation and we can count on you to support same when it is presented to the Senate for consideration.

We will appreciate your keeping us posted as to the Senate vote on this bill.

Yours very truly,

R. G. SCEARCE,
Secretary.

HOOD RIVER, OREG.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

Urgently request you to support Senator HOLLAND's amendment to agricultural bill S. 1702 providing responsibility determining agricultural labor needed by Secretary of Agriculture moving responsibility from Office of Secretary of Labor. Understand this is a new section to farm labor bill of above number and that this bill is to be considered by Senate promptly being reported out of committee today. Your support urgently requested.

R. G. SCEARCE,
Hood River Traffic Association.

AMERICAN FEDERATION OF
LABOR AND CONGRESS OF
INDUSTRIAL ORGANIZATIONS,
Washington, D.C., September 8, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Before reporting H.R. 9811, the omnibus farm bill, the Senate Agriculture Committee added an amendment which would take away the authority of the Secretary of Labor to determine the need for importing foreign farm labor. The amendment would give this authority to the Secretary of Agriculture.

The AFL–CIO strongly opposes this amendment. We believe this amendment, proposed by Senator HOLLAND, would seriously undermine the wages, working conditions, and protections which have been achieved for American farm workers.

The Holland amendment was added to the farm bill without normal hearings and debate. The action by the Senate Agriculture Committee trespasses on the jurisdiction of several other Senate committees. Furthermore, the language of the amendment is so general and vague that it would overturn a considerable body of statutory law approved by the Congress, including not only labor protections and welfare legislation but also many other Federal land, farm, and conservation program.

Therefore, on behalf of the AFL–CIO, I urge you to vote to strike out the Holland amendment or any other amendment affecting farm labor and the orderly processes of our Government.

Sincerely yours,

GEORGE MEANY,
President.

STOKELY-VAN CAMP, INC.,
Indianapolis, Ind., September 8, 1965.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As a member of the business community of the good State of Oregon and being vitally interested in its agriculture, we urge your support of the retention of title VII, section 706, of the farm bill, as approved by the Senate Agriculture Committee. Since this is primarily an agricultural matter the authority to determine the amount and availability of labor required to produce and harvest agricultural commodities is logically and properly a function of the Secretary of Agriculture.

The Department of Agriculture is well set up to perform this job through its present facilities and services. It understands agricultural problems and the problems of the farmer, and can, therefore, make a quicker and fairer judgment as to this industry's needs.

Very truly yours,

ALFRED J. STOKELY,
President.

PORTLAND INDEPENDENT MILK
PRODUCERS ASSOCIATION,
Portland, Oreg., August 5, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
U.S. Congress,
Washington, D.C.

DEAR SENATOR: At the present time, there are two class I base plan bills in the Senate. The bills apply to the Federal milk marketing orders now in effect throughout the United States or those which will come later.

The numbers of the bills to which I refer are S. 399 or S. 2242, either one acceptable to us.

The board of directors of Portland Independent Milk Producers Association has voted to support the proposal in any way they can and have instructed me as their manager to contact our Senators and ask for their support.

Mr. MORSE, the Oregon Milk Producers are in a very precarious position and unless the class I base plan passed, many of them could very well be forced out of the picture. We will apply for a Federal order for this area if the bill passed and becomes law. Our present State milk stabilization is not doing the job for which it was intended due to the interstate milk problem and we are sincere in our belief that a Federal order with a class I base plan is the only answer. May we urge your support of this very important legislation.

We would appreciate having your views on the matter and anxiously await your reply.

Very truly yours,

GLENN RICHARDS,
Manager.

MEDFORD, OREG.

Senator WAYNE MORSE,
Washington, D.C.:

We have requested Washington's representative from National Milk Producers Federation to cooperate with you in furnishing all material and information available pertaining to our desires in returning dairymen's class I base program of text of ominbus farm bill.

D. P. SHOUP,
Oregon Milk Producers,
RICHARD WESTENBERG,
Coordinated Milk Sales.

WOODBURN, OREG.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

As a long-time member Farm Bureau do not support Bureau's objection to milk base plan in farm omnibus bill imperative to Oregon milk producers and reduction of national milk surpluses that base plan be reinstated in omnibus bill urge your support for same.

Neal Miller,
Woodburn, Oreg., Member Board Directors, Oregon Milk Producers, Chairman Milk Committee Oregon Jersey Cattle Club Representative of Grocys Safeway Milk Producers.

Coordinated Milk Sales,
Medford, Oreg., September 7, 1965.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: The question of exemption of producer-handlers has, as you know, caused the Senate Agriculture Committee to delete the dairymen's class I base rating plan from the omnibus farm bill.

This alarms my organization no end as we in Oregon have long desired the passage of this program so that we might realistically look at a Federal order program that might answer many of the problems inherent to the dairy industry. Oregon has a long and satisfactory history of bases for dairymen and without some kind of a basing program has always been hesitant to give serious consideration to the Federal order program despite it superiority in other fields of orderly milk marketing.

There are many reasons why producer-handlers should not have blanket exemptions from regulation that would take pages to explain; however, the pertinent point might be that those who are clouding this issue are major factors in the market they are involved in and they desire for obvious reasons to maintain their competitive advantage to the detriment of producers of inadequate size and finances to dominate a market as they do.

I urge action on your part to see that this needed provision is returned to the text of omnibus farm bill.

Sincerely yours,

Richard Westerberg.

Portland, Oreg.

Senator Wayne Morse,
Washington, D.C.:

By unanimous resolution we urge your support of amendment to include class I base plan in farm bill when offered on Senate floor.

Walter Went,
President, Board of Directors, Mayflower Farms.

Mr. MORSE. Mr. President, Oregon wheatgrowers have expressed a great deal of interest in the wheat certificate plan. In that connection, I enclose a letter dated July 22 addressed to me by Mr. John H. Welbes, executive vice president of the Oregon Wheat Growers League and a wire of September 7, also addressed to me by Mr. Welbes, I request that these items be included in the Record at this point.

There being no objection, the letter and telegram were ordered to be printed in the Record, as follows:

Oregon Wheat Growers League,
July 22, 1965.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to take this opportunity to thank you for the time you had to spend with me last Thursday morning while I was in Washington, D.C. I knew that you were on a very busy schedule and I enjoyed talking to you that morning.

If you recall, you asked me to send you a letter stating the main points that the Oregon Wheat Growers League wanted in a desirable wheat bill. You also mentioned the fact that as senior Congressman from Oregon, you might want to call a meeting of the entire Oregon delegation to discuss this.

We would like a wheat program to contain the following:

1. Increased income for growers.
2. One hundred percent of parity for domestic consumption and the certificate to come from the marketplace. This portion should not be less than 500 million bushels of our production.
3. At least a 4-year program, to enable our producers to plan more in advance and also to have a more favorable condition at the banks on credit.
4. CCC to remain at 105-percent resale for wheat, or if it is raised, that feed grains be raised accordingly to keep wheat comparative in the feed channels.
5. Use of the substitution clause.
6. Lower Government costs.
7. The use of the overseeding privilege.
8. Wheat used for industrial uses be exempt from certificates.
9. Retain the oat-rye base.

Since returning from Washington, we have sent each of the Senators a loaf of bread along with the material, plus one to all Representatives from the States of New York, Pennsylvania, New Jersey, and Ohio.

If you need any further information on our position, or if you have any recommendations for changes, I would appreciate hearing from you.

Again thanking you for your courtesy shown me while in Washington, I am,

Very truly yours,

John H. Welbes,
Executive Vice President.

Pendleton, Oreg.

Wayne Morse,
U.S. Senate,
Washington, D.C.:

We urge you not to abandon the two-price system for wheat. This allows the United States to be competitive in foreign markets and maximizes our exports. We still favor the certificate program similar to one passed by the House. One hundred percent parity on domestic use and long-range program has been endorsed by the league for over 30 years. A 10- to 15-percent export certificate on the House bill would bring income approximately to Young bill thus lowering cost to Government. We favor inclusion of the provision tying wheat prices to bread prices.

John Welbes,
Executive Vice President.
Oregon Wheat Growers League.

Mr. MORSE. Mr. President, several residents of Oregon have written me giving me the benefit of their views on the wheat program and its relationship to the price of bread. Because of the importance of these comments, I ask unanimous consent that these communications be included in the Record.

There being no objection, the telegrams and letters were ordered to be printed in the Record, as follows:

Portland, Oreg.

Senator Wayne Morse,
Senate Building,
Washington, D.C.:

Your vital recognition of the serious detrimental effects of the wheat certificate "bread tax" on already depressed baking industry profits is urgently requested. We urge an amendment to the wheat program which would require this added subsidy to wheat farmers to be paid out of the General Fund of the Treasury. We feel this is a national responsibility and the funds should come from the Treasury so that the burden can be properly distributed among individuals and corporations not just the consumers of wheat products.

H. I. Jenkins,
Manager, American Bakeries, Co., Langendorf Division.

The Dalles, Oreg.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.:

I have the highest wheat average in our county and still can't make interest on my investment. I am frugal and a good manager. We must have higher prices in wheat and barley. Can you help us?

Sincerely,

Gary R. Kortge.

The Dalles, Oreg.,
August 16, 1965.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I urge you to support the 1965 farm bill currently before Congress. I feel that this is a good bill that will achieve what its proponents claim that it will. Among other advantages this bill offers a much needed boost to the wheatgrowers' income.

Opponents of the bill complain that the bill will mean a several-cents-per-loaf increase in the price of bread. This is not true. The actual increase has been calculated at about seven-tenths of a cent for a 1-pound loaf.

This seems only reasonable to me when we realize that the farmer is earning 10 percent less for the wheat in a loaf of bread today than he was in 1950. I am not a wheatgrower, but I do feel that the consumer should expect to pay a portion of the cost of offering a decent price to those who do grow wheat.

Please support this bill with a "yes" vote.

Sincerely yours,

Les Fredrickson.

Portland, Oreg.,
August 7, 1965.

Hon. Wayne Morse,
Senator,
Washington, D.C.

Dear Sir: This is the first time I have felt impelled to write you concerning pending legislation.

I am utterly opposed to the wheat processing tax, which will accelerate the normal rise in foods from wheat source.

It is perplexing to me and seems wholly inconsistent that the tax on such luxuries as furs, diamonds, jewelry, etc., should be repealed, and a tax placed on wheat products, such as bread, flour, cereals, etc.

It would seem that if any legislation is proposed to "rob Peter to pay Paul," the funds could be raised from a source other than a basic food product.

Respectfully,

L. V. Meagher.

Heppner, Oreg.,
August 13, 1965.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The Morrow County Farm Bureau has gone on record as supporting the proposed farm program. Your assistance in securing passage of this legislation is requested as we feel that it is in the best interests of the commercial wheatgrower.

Very respectfully yours,

Gene Majeske,
President, Morrow County Farm Bureau.

Pendleton, Oreg.,
August 4, 1965.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Not as a wheat farmer but as the nearest thing to one, his wife, I am writing you my judgment on the two best things the Government can do for the wheat farmer:

One, get out of our business.

Two, stop spending so much money.

How do the statisticians, as quoted by Congressman Ullman, know that the wheat certificate program raised farmer's income $450 million? The income that counts, the part which is left after taxes on one side and expenses on the other, gets smaller every year.

Another set of meaningless statistics states that since 1947 the price of wheat has dropped 9 percent while bread has risen 47 percent. I can tell you from personal experience what has really happened on the farm since 1947.

While the cattlemen had voted an end to Government controls, the wheat men, threatened as always with a surplus, decided to stay in the Government program. Apparently no one in the Government or on the farm had ever heard of the law of supply and demand, or else thought it had been repealed. At any rate, everything was rosy in the late forties and the fifties. Price supports were high and crops were good. Wheat that could not be sold was absorbed by the Government. Although wheat farmers were not really trading in their Cadillacs as soon as the ashtrays were full, they were like kids turned loose in a candy shop, buying all the machinery they wanted for the first time in history, and farming became the world's first automated industry.

At the same time they were bidding against outside investors for land.

Only economists controlled by farm-bloc politicians could have failed to foresee the results. First, the use of wheat as a feed grain ceased, impossible at support prices, and wheat, the most nutritious livestock feed, continued to pile up. An embarrassed Government began a giveaway program which culminated in our ridiculous sale of subsidized wheat to the Russians, who claim to be our enemies. Land prices doubled and tripled, and real estate taxes tripled too.

The rush of machinery buying sent prices skyrocketing, while the machinery companies were squeezed in their own way by higher taxes and the increasing demands of labor, which had become a sacred cow to the Government since the reforms of depression days. But wheat men were saying that they had to keep buying new machinery so that the depreciation allowances would keep the income tax from eating them up, and machinery prices continued to rise.

In the meantime fertilizer entered the picture, and farmers, who had always taken pride in making two blades of grass grow where only one had before, accelerated the growth of the wheat surplus until it became a national scandal, and farmers were looked upon as villains. Bureaucratic acreage controls and the multiple price plan were inevitable. The first pays the farmer not to produce, a form of legalized racketeering, and the second is a foreign giveaway at the expense of the American processor, consumer, and taxpayer, which demoralizes the economy of the people who receive our largess while it weakens ours.

Was there a better way? The Oregon Wheat League found it, but they made one serious mistake—they sold wheat instead of wheat products. Before World War I, every town in the wheat country had its mills. Much flour in our area was exported to China and the byproducts, about a fourth of the total, were used to produce our horsepower. Although petroleum has now replaced wheat for this purpose, we should reactivate the mills or build new ones here instead of in foreign countries, making jobs at home; we should sell wheat products abroad; we should feed livestock on wheat and wheat byproducts for sale both at home and abroad.

Under a system of really free enterprise, which I have seen called outmoded, we would not be treated to the ridiculous spectacle of the farmers of this area trying to make a living from wheat alone, which we are allowed to raise in limited quantities only so that the price can be held too high to make it economical for feed, while our turkey industry has gone broke, most mills have long since faded from the picture, and we import meat, milk and poultry products into the country. And right across our nearest ocean is a booming economy of 90 million people with mouths watering for our beef which we can't afford to raise.

We can't afford our Robin Hood government, which is taking credit for our prosperity which really belongs to science and industry. The world had been preparing for our postwar burst of progress since the first man built a fire. From that progress America was able to help both its friends and former enemies to get back on their feet, and so delayed the depression which always follows war. But this prosperity is being endangered by continued deficit spending, to help a lot of people who cannot find jobs because deficit spending causes inflation, which in turn causes unemployment.

We are changing from a nation of people who work for what they want to a horde of supplicants who are given what the bureaucrats think they need. And if you think the bureaucrats are not in charge, just try to cut down on some of them and see what happens.

I am not against the war in Vietnam, as such, since I have read Dr. Dooley's book, "Deliver Us From Evil." But the tactics seem incomprehensible. Worst of all, we seem to have forgotten our real purpose, to prove that a society based on principles of justice, freedom, and individual responsibility under God is better than one based on atheism. We act as if man can, too, live by bread alone. The proliferation of welfare programs has left Americans with no incentive. Is it any wonder so many misbehave for kicks? In short, our fascistic and socialistic government is taking all the fun out of life.

You can put a stop to our slide into regimentation, however, by tightening the purse strings. Get the Government out of our private affairs; stop squandering our money on programs that don't accomplish what they are supposed to; and get on with the legitimate Government business of protecting us from our enemies.

Very truly yours,

Mrs. R. L. Harris.

Mr. MORSE. Mr. President, egg producers have informed me of their great interest in the Case-McGovern amendment to H.R. 9811 relating to a national marketing order for eggs. I ask unanimous consent that these communications be included in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Newberg, Oreg.,
August 27, 1965.

Senator Wayne Morse,
Washington, D.C.:

It is my understanding that Senators Chase and McGovern will offer an amendment to the farms bill containing enabling legislation for the poultry industry. As an independent family-type farmer with 15,000 laying hens, I believe that egg producers are entitled to vote on their own future and would appreciate your support of this amendment.

Benson C. Mitchell, Jr.

Newberg, Oreg.,
August 27, 1965.

Hon. Wayne Morse:

Senator Case from New Jersey will introduce an amendment to the farm omnibus bill which is an enabling act. The enabling act which will only give the producer the right to vote on a marketing order. Please give your support to this amendment.

Sincerely,

Milton R. Keck.

National Egg Producers' Organization,
Lexington, Mo., *August 5, 1965.*

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: We wish to call your attention to a serious situation confronting Oregon's egg industry. You will note in the enclosed "Shifting Egg Industry" that Oregon and other States are losing their egg industry to the Southeastern States because of cheap labor.

Senator Clifford Case, of New Jersey, has introduced the H.R. 7481 Resnick egg bill into the Senate and we are seeking cosponsors. The Resnick egg bill asks no Federal money or loans and is strictly self-help and enabling legislation. In short, it would permit the existing egg producers to agree and vote on a nationwide egg marketing order.

Virtually all the egg producers, the Department of Agriculture, National Grange, National Farmers' Union, National Farmers' Organization, and all bona fide producer groups are in agreement on this Resnick bill.

The opposition comes from a few hatcheries, the Farm Bureau, and from the Southeastern States who admit they are out to take over the egg industry. It is difficult to "come out of committee" with the Resnick bill because 4 of 11 House Dairy and Poultry Subcommittee and 6 members of Senate Agriculture Committee are from this southeast area.

Our best bet would seem to be an amendment from the floor. Representative Resnick intends to present his bill on the House floor.

The Resnick bill would not bring back lost egg production (we can't turn back the clock), but it would nail down existing production history in each State.

In closing we wish to call your attention to the enclosed "White Paper on Eggs" and kindly urge your cosponsorship with Senator Case. I remain,

Sincerely yours,

Forest Nave, Jr.

National Egg Producers' Organization,
Lexington, Mo.

The Shifting Egg Production

Due to cheaper labor, the egg industry has been going south at the expense of other States. The Resnick bill would stabilize the industry and prevent further losses.

THE LOSERS

[In million eggs]

	1955	*1964*
Colorado	336	262
Illinois	3, 035	1, 863
Indiana	2, 289	2, 182
Iowa	4, 859	3, 818
Kansas	1, 723	927
Kentucky	1, 029	943
Maryland	404	276
Massachusetts	704	607
Michigan	1, 690	1, 316
Minnesota	4, 287	2, 791
Missouri	2, 132	1, 366
Montana	225	189
Nebraska	1, 790	1, 397
Nevada	20	10
New Hampshire	429	348
New Jersey	2, 433	1, 632
New York	2, 123	1, 909
North Dakota	559	387
Oklahoma	829	530
Oregon	616	550
Pennsylvania	3, 654	3, 143
Utah	380	273
Vermont	201	156
West Virginia	396	327
Wisconsin	2, 311	1, 630

THE GAINERS

Alabama	789	2,177
Arkansas	544	2,242
Florida	568	1,611
Georgia	1,213	3,299
Louisiana	364	542
Mississippi	585	2,160
North Carolina	1,469	2,388
South Carolina	510	1,053
Virginia	860	1,237

POVERTY WITH FULL EMPLOYMENT

(NOTE.—The following is the NEPO white paper on the poultry and egg industry prepared by Forest Nave, Jr., of Lexington, Mo., chairman of National Egg Producers Organization.)

Over 30 years ago, uncontrolled and unrestricted free enterprise almost destroyed itself in the Great Depression. During the intervening years many controls and safeguards have been applied to industry, labor, finance, welfare, and agriculture and we now enjoy the greatest era of prosperity and security in history.

The multibillion-dollar poultry industry is the last vestige of unregulated free enterprise and remains a chronic wasteland of poverty and exploitation.

The consumer can afford to pay a few pennies more for a dozen eggs because the U.S. Department of Agriculture points out that in 1947–49 an hour's factory labor would buy 2 dozen eggs and in 1963 it would buy 5 dozen eggs.

The poultry industry can be restored to solvency by legislation to put up a few economic stop signs and traffic lights to regulate the supply of poultry and eggs and once and for all end the senseless and costly overproduction that chronically plagues the industry. A few commonsense regulations by an enlightened Department of Agriculture would return many times over the small cost by income taxes from a now profitless industry.

The producers of wheat, feed grains, wool, cotton, rice, tobacco, peanuts, sugarcane, sugarbeets, soybeans, cottonseed, milk, butterfat, honey, and tung nuts have Government programs to insure them of a measure of financial security. The livestock producers are prospering by near-parity prices of $28 for choice cattle and lambs and $25 for hogs and the farmworkers get decent wages because of the elimination of the Mexican braceros and all this while the poultry and egg farmers are wallowing in poverty.

THE PROOF

The following statistics show what has happened to poultry and egg prices since 1951.

Average farm price

	Eggs	Chickens	Turkeys
1951	47.9	27.3	37.5
1952	41.9	26.4	33.6
1953	47.5	25.5	33.7
1954	36.4	21.3	28.8
1955	38.9	23.4	30.2
1956	38.7	18.8	27.2
1957	35.8	18.0	23.4
1958	38.3	17.7	23.9
1959	31.1	15.3	23.9
1960	36.0	16.3	25.4
1961	35.4	13.4	18.9
1962	33.6	14.6	21.6
1963	34.0	14.0	22.2
1964	33.5	13.7	21.3
1965	31.5	14.8	22.5
May 15, 1965	29.4		
Parity	48.0	22.1	32.0

The foregoing chart shows that as of May 15, 1965, farmers were receiving the following:

	Percent of parity
Eggs	61
Chickens	67
Turkeys	70

THE CAUSE

The pitiful economic status of the poultry farmers is due to several factors.

1. Poultry farmers have no organization among themselves as does labor.
2. No legislation to protect them.
3. No program as do other farmers.
4. They have no protection against the feed grain program which increases their costs.
5. Their greatest enemy is exploitation by certain feed companies and chain food stores who are constantly promoting new production with complete disregard for market needs. Their procedure is to induce uninformed people to invest their life's savings in the poultry business. They soon find they are working for nothing and they are soon forced out and their life's savings are lost in abandoned poultry houses. The promoters merely go to another community and repeat the process and the cheap poultry and eggs the consumer enjoys are subsidized by cheap labor and a constant supply of savings of victimized people.

SOLUTION

The solution really is very simple. We merely need a Government-operated program administered by the Agriculture Stabilization and Conservation Service (ASCS) which has an office in each county.

The program would be based on number of hens kept in the case of egg producers and pounds of broilers and turkeys sold in the case of broiler and turkey growers.

A "base" should be established for each producer according to his recent production history and if in a 12-month period prices were unfavorable the Secretary of Agriculture would call for a referendum in which all qualified baseholders would vote to accept or reject a reasonable cutback for the ensuing 12-month period.

This kind of a program would make it difficult for feed companies and chainstores to induce inexperienced outsiders to enter the poultry business because the newcomer would have no base (production history). The promoters would have to bargain with the existing poultry and egg farmers and we could have a stable and prosperous industry and unsuspecting outsiders would not be duped into putting their money in chickenhouses which are usually abandoned.

The National Egg Producers Organization (NEPO) has filed a proposed egg control bill with Representative WILLIAM RANDALL which is at this date in the process of being introduced in Congress.

FOREST NAVE, Jr.,
Chairman, National Egg Producers Organization (NEPO).
LEXINGTON, MO.

SALEM, OREG.,
August 27, 1965.

WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We urge you to support Senator CASE's amendment to the omnibus farm bill—Senate amendment No. 423, which provides for a national marketing order for eggs.

This legislation will be a means of preventing the takeover of the egg industry by national feed concerns and elimination of family farming.

We have 3,000 hens. We are 60 years of age and our sole livelihood is dependent upon these hens. We have several neighbors in this same situation.

Thank you for your past favors.

Sincerely,
W. M. and J. DE MOISE WHITE.

Mr. MORSE. Mr. President, Mr. R. C. Burgess, interim superintendent, Division of Parks and Memorials, wrote me an important letter under date of August 11, 1965, dealing with Senator NELSON's proposed amendment to the farm bill. Mr. Burgess expressed the view that this amendment would constitute an excellent solution to recreation and wildlife problems. I ask unanimous consent that this letter be included in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DIVISION OF PARKS AND MEMORIALS,
Portland, Oreg., August 11, 1965.

Hon. WAYNE MORSE,
Senator of Oregon,
Washington, D.C.

DEAR WAYNE: You may wonder what an old eastern Oregonion is doing in Multnomah County. Foresters and conservationists know no boundaries, and a fellow has to keep his interest even after so-called retirement.

Senator NELSON's (Wisconsin) proposed amendments to S. 1902—the big farm bill—would appear to be an excellent solution to a lot of recreation and wildlife problems. These amendments make good sense from every angle. It is not often one can work out legislation that will benefit all parties concerned as these amendments appear to do. When we can get added cover and game feed with all the accompanying benefits from our soil bank land with a minimum of extra cost, let's give it the support it deserves.

Very sincerely yours,
R. C. BURGESS,
Interim Superintendent.

Mr. MORSE. Finally, Mr. President, I received a letter dated August 21 containing the very thoughtful views of Mr. Lawrence E. Spraker on the subject of the soil bank. It deserves serious consideration and I ask unanimous consent that this letter also be included in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STAYTON, OREG.,
August 21, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: If I remember newspaper accounts correctly the Senate soon will be considering the farm bill.

One provision of this measure would permit a soil bank of some kind.

If farmland is to be held out of production for a term of years provision should be included for plowing of the tillable acreages every summer to control Johnson grass which can be given a blow by exposure of its multitudinous roots to hot sunshine.

I speak from experience.

Two years ago we bought a 169-acre farm in the Turner area that had been in the soil bank for 5½ years and was continued in that category for another 6 months under our ownership.

Results: Johnson grass has taken a tremendous hold on the land. Plowing is extremely difficult; requires a special breaking plow and lots of expensive tractor power. And most destructive is the poor yield of the land because of the extensive Johnson grass root system.

By summertime plowing and the resulting exposure of these roots to hot sunshine we hope to get this pest under control. It can be treated chemically, but I'm told that costs $20 an acre.

So, you can see, the soil bank has been a destructive factor. Definitely, fertility of the soil was not improved by allowing it to remain idle for 6 years.

In my view, an inducement (financial) should be written into the proposed law that would promote yearly cultivation or, say, a chemical treatment periodically.

Sincerely,

LAWRENCE E. SPEAKER.

INNOCENT MAN CLEARED—PRESIDENT GRANTS PARDON TO SERGEANT BUCK

Mr. DOUGLAS obtained the floor.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Will the Senator from Illinois state the amount of time he wishes to take?

Mr. DOUGLAS. Mr. President, I ask unanimous consent, although it might be a somewhat ironical request, that any time I take not be included in the time allotted on the bill or on any amendment thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. I am delighted that no objection was made to that request.

Mr. President, it is my honor to announce to the Senate that a great wrong has been set right. The good name of an innocent man has been cleared. The President of the United States has granted a pardon based on his innocence to former Marine M. Sgt. Carl H. Buck. This has come, finally, 13 years after his conviction and after 9 years of effort and investigation by Mr. Howard Shuman of my staff and others on Buck's behalf. The facts in the case are substantially as follows:

CONVICTION

M. Sgt. Carl H. Buck, a marine with an unblemished record of almost 20 years of service, was convicted on August 19, 1952, by a general court martial at Camp Pendleton, Calif., of stealing three boxes of chevrons worth almost $500 through an off-the-record deal in which it was alleged he gave $50 in return.

The crime occurred at noon on March 7, 1952. Buck was convicted even though he was arrested 25 miles from the scene of the crime only 8 to 10 minutes after the crime took place, according to the definite testimony at the trial of California highway police officer, William Doran, who stopped him. The real culprit was a marine in a light colored or yellow Studebaker. The reason for the mistaken identity was that Sergeant Buck was also a marine driving a yellow Studebaker.

Sergeant Buck was originally confined for over 3 days for investigation but was released to duty and told that no charges would be placed against him. He would never have been released, as he was, if the testimony later given at his trial had really been true.

Four months later, however, he was charged, and 5 months later, on August 19, 1952, he was convicted.

CURIOUS CIRCUMSTANCES

He was convicted under curious circumstances, not the least of which was that his defense counsel was called as a prosecution witness.

In addition, it was alleged that he had confessed.

He was identified as the culprit by two people at the scene of the crime, but not by a third person who was there.

It was said that chevrons wrapped in an Army blanket were left at his lawyer's office 11 days after the crime took place. It was alleged that Buck had returned the chevrons.

Finally, it was said that he asked for his money back—the $50 which was paid for the chevrons worth about $500.

Mr. President, we have spent years investigating this case. We found out numerous things which have now, finally, brought justice for Sergeant Buck.

TIME ELEMENT

We obtained radio logs from the California Highway Police and the Oceanside, Calif., Highway Police Department which prove that Buck was apprehended at a time which made it impossible for him to have traveled the 25 miles. In addition, we have established that Buck's car was incapable of the high speed because it had a bad camshaft. He was in Oceanside, Calif., just outside the base, on the morning of the crime, in order to arrange for the camshaft to be replaced, which, later, it was.

We have corroborative evidence from the police radio logs of Police Officer William Doran's testimony to establish that at the absolutely latest time Buck could have been apprehended in order to have been the guilty party, he would have had to drive the last 18 miles of the 25 miles in from 13 to 16 minutes, or at an average speed of from 67 to 89 miles per hour, through a driving rain at the noon hour, to have met 150 cars coming his way and to have overtaken approximately 75 cars on a 3 lane highway, through 6 towns, 9.5 miles of built-up areas, past 91 intersections, through 7 or 8 stop lights, and to have disposed of the stolen goods and then to have pulled up in front of the highway police officer and calmly gotten out of his car in order to fix a dangling license plate which had been called to his attention by a motorist who stopped him at the Solana Beach, Calif., intersection. He was not speeding when seen by the police officer.

Unlike the real culprit, he was wearing a green uniform, not khaki, was clean shaven and without a mustache, and he did not have the chevrons in his car. Furthermore, there was no blanket or robe in his car, which the culprit had used to cover the boxes of chevrons, and there was also no sweater or jacket or shawl which the real culprit used at the scene of the crime to protect his head from the driving rain.

THE UNKNOWN BLACKMAN

At the trial, the military policeman who was charged with setting a trap for the real culprit and who, due to his own neglect and incompetence, let the real culprit escape, swore that he had Buck's name ahead of time. But the radio logs prove that at 1 p.m., or 50 minutes after the crime took place, this investigator did not know the name of Buck.

Two California highway police officers gave us affidavits stating that the military police were looking for a "Blackman," not "Buck" at the noon hour on March 7, 1952.

But, at the trial, the military policeman swore that "there was no Blackman." He was positive. He had looked everywhere. But 2 years ago we found a Blackman who was stationed at Camp Pendleton at the time by merely asking the Marine Corps about it. We now know there were a total of at least seven men by that name stationed at Camp Pendleton or at the Marine Corps Recruit Depot, San Diego, at the time.

In June of this year, by what must be considered almost a miracle, we were able to obtain the original handwritten notes of the military policeman or investigator which he made at the time the crime took place 13 years ago. They show in his own handwriting the names of three men named "Blackman." Yet, his insistent and repeated testimony at the trial was that there "were no Blackman's." One of the names he had was the same Blackman we found 2 years ago.

ALLEGED CONFESSION

It was this same military policeman who testified that Buck had confessed. Yet there were no other witnesses to the confession. There was no written confession. There was not even a memorandum about the confession. It was only the CID man's word. In addition, we were able to establish from a 1952 map of Camp Pendleton and the original statement of one of the other witnesses that the facts which it was alleged Buck had confessed to were both physically and inherently improbable.

THE PHONY CHEVRONS

We found that, with respect to the alleged return of the chevrons:

First. The man to whom they were delivered and who later became Buck's defense counsel, did not know Buck at the time the chevrons arrived and Buck did not know him.

Second. The chevrons which were returned were in an Army blanket which contained private first class chevrons and no green chevrons. The chevrons which had been stolen were corporal and sergeant chevrons and included green chevrons. At the trial, a third box of chevrons was introduced as prosecution exhibit No. 1. But neither the stolen chevrons nor the returned chevrons were produced. The chevrons introduced by the prosecution and the chevrons returned were like "the flowers that bloom in the spring," they had nothing to do with the case.

Third. We were able to establish from the records of the U.S. Naval hospital in San Diego that Buck was in that hospital, 50 miles away, flat on his back with spinal myositis on the date some chevrons wrapped in an Army blanket were left at the office of the man who only later became Buck's defense counsel.

TAINTED TESTIMONY

We also made a most startling discovery with respect to the sworn testimony that Buck had asked for his $50 back. The $50 paid for the stolen goods consisted of two $20 bills and two $5 bills.

Several years ago Buck gave us a sworn statement about this matter. What happened was that when he was arrested and put in the brig, his wallet and clothes were taken from him. He remembered that he had a $50 bill—not the two twenties and two fives which were paid for the stolen goods—in an inner compartment of his wallet as "mad money." He retrieved his wallet, took out the $50 bill, and turned it in. The CID military policeman said at that time:

> Take down the number. It's probably counterfeit.

When Buck came out of the brig he asked for his "$50 bill," not the two twenties and two fives paid for the stolen goods. But, at the trial, the CID man swore that Buck asked for his money back—the money paid for the stolen loot.

Again, Mr. President, we made an amazing discovery. In the original documents written in the period March 7, to 25, 1952, which we obtained in June of 1965, we found the confinement order which sent Buck to the brig. On the top of that order is the handwritten notation, "$50 bill" and the serial number of that bill.

In those same documents are the notes of the CID sergeant and investigator who testified against Buck. In his own handwriting and in his notes written on March 7, 1952, is also the notation, "$50 bill" and the bill number, and the two bill numbers agree.

Thus, when he testified at the trial that Buck "asked for his money back," he knew Buck had done no such thing but had asked for his "$50 bill" back. The notation was in the CID man's own handwriting. Yet, at the trial this incident was called "the crowning glory" by the prosecutor.

PERJURED TESTIMONY

Buck was convicted on perjured and tainted evidence. We can prove it from the handwritten notes of the man who gave that testimony, and virtually all the other key testimony against Buck. This was the same man who goofed in letting the real culprit escape, but who was nonetheless put in charge of the investigation of the case.

IDENTITY—NO LINEUP

It was this same man who also identified Buck at the trial as the culprit. He had a motive to do this; namely, he had let the real culprit escape and had allowed $500 of Government property to be stolen. But we found out that, apart from his motive, no lineup was held for the identification. And, to the best of our knowledge, the second man who identified Buck as the culprit, did not set eyes on Buck until at least 4 months after the crime took place; namely, at the time of the pretrial hearing. By this time, this second witness had been told that: First, they had the guilty man; second, he had confessed; third, the original stolen chevrons had been returned by the lawyer; and four, he had asked for his money back—none of which, as we now know, was true. And at the pretrial, this second witness testified the culprit wore a mustache, which Buck had never worn. Buck was clean shaven when arrested a few minutes later.

THE UNUSED LICENSE NUMBER

We also found out that the military policeman had the license number of the guilty party 2 hours before the crime took place. But the license number was never used at the trial and was "suppressed" by the CID man and was unknown to the prosecutor at the time of the trial. If it had been Buck's license number, it would have been used. It accounts for the name of a "Blackman" going out over the police radio at noon on March 7, 1952. And it is also the reason the radio logs show that the CID man did not have Buck's name that day as he repeatedly swore he did at the trial.

MILITARY POLICEMAN REFUSES TO TALK

Finally, Mr. President, when this CID man was confronted with this information on June 25 of this year, he not only refused to talk about the case, but literally ran away. He has, over the years, repeatedly and consistently refused to cooperate in any way with us in our investigation.

BUCK'S STRUGGLE

Mr. President, this has been a terrible struggle and ordeal for Sergeant Buck and his family. He and his lovely wife, Jeanette, and their two fine children have suffered for the injustice for a 13-year period. During most of this entire period, the 13 years Buck has suffered, the 9 years we have worked on the case, and the 7 years in which a pardon has been pending, the permanent officials of various agencies of the Government, both military and civilian, have opposed our efforts. They have cooperated with us in getting information and facts, but they have opposed clearing this man's good name.

It should be a good lesson to the public, and especially to the political scientist who tends to downgrade elected officials and to lionize administrators that it was because the elected politicians, both in the legislative branch and the executive branch, were willing to fight for justice for Sergeant Buck while, in most cases, the administrators and permanent bureaucracy—both military and civilian—opposed him, that his good name has now been cleared.

A SALUTE TO THOSE WHO HAVE HELPED

Mr. President, there are a great many people who deserve recognition for the help they have given to Buck over the years.

First, I pay tribute to my administrative assistant, Howard Shuman, who for 9 years has waged an untiring and selfless struggle to obtain the facts and to make them evident to the administrative officials. He has furnished the driving force and the clear analysis which has resulted in the final exoneration. Probably more than all others together, he is responsible for the final vindication of Sergeant Buck.

Attorneys, Joe Rauh and John Silard, have worked 7 years for Buck without compensation. Senators MANSFIELD, SMATHERS, and MUNDT joined with me in requesting a Presidential pardon in 1958. Senators JACKSON and MAGNUSON, of Washington, where Buck now lives, have helped. Congressman TOM FOLEY, when he was a member of Senator JACKSON's staff, did a great deal of work on this matter. Miss Alma Hostetler, of Senator MAGNUSON's office, helped at crucial times. Attorney Charles Slayman, who formerly was the counsel of the Senate Constitutional Rights Subcommittee, worked very hard on this case. Attorneys Fred Shields and James N. Jones, of Washington, represented Buck at crucial times in his struggle. Attorney Frank Delany gave a great deal of time, free of charge, in an effort to help Buck—unknown to Buck, I believe.

Federal Judge Martin Pence, of Hawaii, wrote one of the finest briefs on Buck's behalf, and as a civilian lawyer and former serviceman who knew Buck, helped manfully in his defense. Brig. Gen. James Snedeker, retired, of the Marine Corps, wrote an excellent brief for Buck at the appellate stage.

I must also mention Mr. Lee White, of the White House staff, without whose help our efforts for justice could never have been successful.

Not the least of all, I want to pay tribute to Charles Horsky, special assistant to the President, who recommended the pardon for Buck based on the materials submitted to him. I can honestly say that at no time did we bring any political pressure on him or ask him to do anything but judge this case on the facts which we had gathered. He is one of the few people who have reviewed this case over the years who had had a thorough grasp of it and worked at it hard enough to understand fully the vast materials which we had gathered and submitted.

There are others—almost too numerous to name—who have helped with this case, only to have their efforts, until today, end in discouragement and disappointment. Among them I should mention newspapermen James McCartney, of the Chicago Daily News, the late Albon Hailey, of the Washington Post, and Fred Cook and Al Toffler.

Mr. President, it is a great day for the country that a way has been found to clear the good name of an innocent man. I am only sorry that it has taken so long and so much agony to right this wrong.

PRESIDENT JOHNSON DESERVES TRIBUTE

Especially, I want to pay tribute to the President of the United States. Here is a 13-year-old case. Here is a case in which Sergeant Buck fought to clear his good name over the years. His wife and family stood beside him throughout his terrible ordeal. His was one of those rare and compelling cases where a man was wrongfully convicted. And a great tribute should be paid to the President of the United States and his staff who, seeing such a wrong, took action to correct it.

There is tragedy and injustice in the world. Our system, however, does have within it a way to rectify injustice. It is the result of a democratic society and the way in which elected officials can respond to the needs of the individual citizen.

Sergeant Buck was without political influence. He had no lobby. He is by any standards a man of most modest means. Yet, his case and his injustice was recognized and put right by the

President of the United States who took a personal interest in this modern example of a Dreyfus case.

That this could happen not only does honor to Sergeant Buck, but the President of the United States, by pardoning Sergeant Buck on grounds of innocence, does honor to himself and also honors us all. God bless the United States of America.

I ask unanimous consent that certain newspaper articles dealing with the case of Sergeant Buck be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Sept. 11, 1965]

THIRTEEN YEARS AFTER CONVICTION PRESIDENT CLEARS MARINE OF CHARGE HE STOLE CHEVRONS WORTH $500

(By Harrison Young)

Carl Hirdler Buck can call himself a marine again.

President Johnson granted him a full pardon yesterday on grounds of "innocence" 13 years after his conviction on a charge that he stole three cartons of uniform chevrons worth $500.

A spokesman for the Justice Department said a pardon by reason of innocence was exceptionally rare but that new evidence had been uncovered to support Buck's adamant plea that he was guiltless.

The offense with which Buck was charged was alleged to have taken place in San Diego, Calif., in March of 1952. He was court-martialed, found guilty, sentenced to 11 months in the stockade and dishonorably discharged. Buck appealed his case unsuccessfully through all possible military channels.

WANTED TO CLEAR NAME

In 1956 the Board of Correction of Naval Records changed his discharge from dishonorable to general discharge under honorable circumstances, but Buck wasn't satisfied. He wanted to clear his name and get back in the Corps. He had already moved to Washington to fight the court-martial, and he didn't plan to quit.

Then Senator PAUL H. DOUGLAS, Democrat of Illinois, came to his aid. Buck was born in Illinois and the Senator had served in World War II as a marine. So Buck went to see him when his appeals were denied.

Senator DOUGLAS persuaded Rear Adm. Chester Ward and the Navy Judge Advocate General, to take another look. He pointed to "numerous questions of military justice" in Buck's case:

"Buck's defense counsel acted as a prosecution witness during the trial."

"No stolen goods were ever produced at the trial * * *."

"From the police logs at San Diego and at Oceanside, Calif., it appears that for Buck to have been the person involved he would have had to drive some 22 miles, at high noon, through a driving rain, through five towns, most of them with stop lights, and meanwhile have gotten rid of the stolen goods, all in some 21 minutes."

TRAP SET FOR BUYER

Buck had been charged with buying the $496 worth of chevrons for $50. The chevrons were handed over by two supply sergeants and a Criminal Investigation Division master sergeant who had set a trap for the man who proposed the deal.

The buyer appeared, paid one of the sergeants $50 and drove away in a yellow Studebaker. Not more than 21 minutes later, Buck was spotted by a California highway patrolman 22 miles away, sitting at a stoplight in his yellow Studebaker. Buck was taken to Camp Pendleton and put in the stockade.

Buck told the Washington Post last night from his home in Seattle that when he arrived the CID sergeant took a $50 bill Buck had with him. When he was released 72 hours later, he asked the man, who was in the stockade office at the time, what he had done with the $50 bill. Buck was given a check instead of cash.

At the trial, Buck, said the CID sergeant testified that Buck had asked what he had done with the $50. The sergeant had not made clear that the reference was to the bill, not to the money that was paid by whoever bought the chevrons, Buck said.

A note in the CID sergeant's handwriting was recently discovered in the stockade log, Buck said, stating that a $50 bill had been taken from him. This erased the implication of the CID sergeant's testimony.

Buck said the note was found by a member of Senator DOUGLAS' staff. DOUGLAS had pursued the case, even after Admiral Ward announced there was "no legal justification" to reopen the court-martial.

Buck, now 52, and operator of a restaurant in Seattle, said he felt "light as a feather," after the pardon. He said he presumed it meant he was back in the corps—though he can't go back to active duty as a master sergeant since he has been crippled by arthritis for the past 2 years.

"I was a marine for 22 years," he said. "I imagine I'll die one."

[From the Chicago (Ill.) Daily News, Sept. 11, 1965]

L.B.J. GRANTS PARDON AFTER 13 YEARS—MARINE'S ORDEAL AS ACCUSED THIEF

(NOTE.—President Johnson Friday granted a presidential pardon to an obscure former Marine Corps sergeant who was convicted by military court-martial on a charge of larceny in 1952. In a virtually unprecedented case, the President overruled military authorities and declared the sergeant did not commit the crime. The story behind the presidential pardon is a startling case history of a miscarriage of military justice as well as an amazing real-life detective story. The Daily News tells the story here in all its fascinating detail in an exclusive dispatch by Washington correspondent James McCartney.)

(By James McCartney)

WASHINGTON.—This is the story of the ordeal of Sergeant Buck—an ordeal of 13 years that has finally ended at the White House.

It began, innocently enough on March 7, 1952, at an intersection in Solano Beach, Calif., 90 miles south of Los Angeles.

Marine M. Sgt. Carl H. Buck, a baker, then 39, with 16 years in the Marine Corps and a virtually perfect record, stopped to fix a loose license plate and was approached by a state highway patrolman.

Within minutes he was held for investigation in connection with a theft that had occurred, at the most, 23 minutes earlier—25 miles away, at Camp Pendleton, Calif.

The thief had been identified as a marine master sergeant. He had escaped in a "light colored" Studebaker. Buck was driving a yellow Studebaker.

At first Buck took it all as a joke and believed that, like a bad dream, it would go away.

But within hours the military policeman who had let the thief escape pointed to Buck and said: "That's the man I want."

For 13 years Buck argued that he was the victim, first, in a fantastic case of mistaken identity, and, next, of a frame up.

He saw his career ruined with a dishonorable discharge, his savings drained and his reputation destroyed.

At one time in the Eisenhower administration he was offered a pardon based on his record both before and after the crime, but avoiding an assessment of his role in the incident.

He refused it as a matter of principle—insisting that his name be completely cleared.

He battled on long past the point where obtaining his pension rights could be considered his main goal. What he sought to save was his honor.

President Johnson has now given that back to him, formally. He not only granted Buck a special Presidential pardon, he formally cleared his name.

FOUND GUILTY IN 7 MINUTES

When first arrested Buck was held incommunicado for 72 hours and then released.

But 4 months later he found that a case had been built against him—primarily by the man who had let the thief escape.

To his astonishment he was called to stand trial on a larceny charge. Even then he took it as a lark.

But on August 19, 1952, a six-man military court deliberated for 7 minutes, found him guilty, and sentenced him to 18 months in the brig.

Veteran Washington civil rights Attorney Joseph L. Rauh, Jr., described it as "one of the strangest cases in military history."

Senator PAUL DOUGLAS, Democrat, of Illinois, an ex-marine himself, called Buck an innocent man.

The road back for Buck began in the summer of 1956 when he walked into DOUGLAS' office in Washington to plead for help. He went to DOUGLAS because he was born in southern Illinois.

On that day he encountered Howard Shuman, 41, administrative assistant to DOUGLAS, and a passionate believer in civil liberties.

At first Shuman, onetime Oxford student and former instructor in economics at the University of Illinois, was skeptical. But he took the time to examine the evidence carefully and, slowly, over a period of time, became convinced that Buck, was, indeed, innocent.

For 9 years Shuman made the case his personal responsibility. It became the consuming passion of his life.

He read all the documents and records and was not satisfied. He began to write letters, by the dozens, and finally by the hundreds, to contact witnesses—all in Senator DOUGLAS' name.

At one time he ran up more than $300 in long-distance telephone calls to California that DOUGLAS had to pay for out of his own pocket.

Shuman always acted in Senator DOUGLAS' name. He could have done little without the Senator's encouragement and support.

One immediate achievement was to obtain the reversal of the dishonorable discharge. The conviction, however, stood.

NEW EVIDENCE—AFTER 13 YEARS

Finally, this year, Shuman made a trip to California to examine the scene of the crime.

To his astonishment he found new evidence—13 years after the event—that had apparently been overlooked by all of the military authorities assigned to the case.

Where did he find it? In the official file on the case. Shuman believes it was this new evidence that led directly to Buck's pardon.

To Shuman, there were three major areas of contention.

One was whether Buck could possibly have gotton to the place where he was arrested if he had committed the crime.

Another was, essentially, whether the chief witness against Buck—M. Sgt. Walter Franz, a military policeman—sought to pin the crime on Buck, possibly to cover his own failure to find the real criminal.

Another was whether a particularly damaging bit of "evidence" used against Buck in his trial—involving a $50 bill—wasn't, in fact, a complete misinterpretation of what really happened.

BRIBE OFFER STARTED CASE

The case itself, as pieced together by Shuman, began on March 5, 1952—2 days before Buck was arrested.

On that day a marine master sergeant who identified himself only as "Chuck" visited Marine Supply Warehouse No. 22–S–4 at Camp Pendleton.

He spoke to Sgt. Shurlan Hatley, who was working behind the counter. He told Hatley he wanted to make a deal.

He offered Hatley a bribe of $50 if Hatley would steal some corporals' and sergeants' chevrons from the warehouse and turn them over to him. He said he knew where he could dispose of $500 worth of chevrons.

Hatley pretended to go along with the deal, but promptly reported the bribe offer to his superiors. They decided to set a trap for "Chuck" and to catch him in the act of stealing the chevrons.

Sergeant Franz, of the criminal investigation division of the post's provost marshal's office—in effect a military policeman—was to be planted at the scene of the expected crime in the warehouse.

The plan was to let "Chuck" get the chevrons in his car, so that a crime actually would have occurred, and then to make the arrest.

At first everything went according to plan. "Chuck" telephoned Hatley 2 days later, on March 7, and said he would be around to pick up the chevrons at noon "on the dot." Franz took his post.

It was raining heavily when "Chuck" showed up in his light-colored Studebaker and he had thrown a sort of shawl over his head for protection.

With Hatley's help—as Franz watched—he got three cases of chevrons into the car and drove off.

Franz quickly moved into action to catch him with the chevrons in the car, but plans started going awry.

Franz had parked his military jeep facing the wrong way outside the warehouse. He had to drive 50 yards in the wrong direction to turn around. By that time "Chuck" was speeding away in the distance.

Franz testified that he managed to keep "Chuck's" car in sight for about 3 miles—but then lost it. He was, however, still within the confines of Camp Pendleton.

He raced into a home along the route and called the camp's main gate to alert military police there to stop the fleeing car. He was just barely too late. The car was going through the gate as Franz call was answered.

By the best estimate of all concerned the time was between 12:17 and 12:20 that the car left the gate—a crucial time in the case. The record is clear that Buck was stopped no later than 12:33.

As Shuman has computed it, to have committed the crime Buck would have had to have made the trip from the camp gate to Solano Beach, where he was stopped, in between 13 and 16 minutes.

The distance is, as Shuman clocked it in a rented car, 18 miles.

"That means," says Shuman, "that he had to average between 65 and 85 miles an hour in a driving rain, at the noon hour, when traffic was heavy."

As traffic moves on this highway, Highway 101, he says, Buck would have had to have overtaken and passed 75 cars in this period.

There were, at that time, 91 intersections along the route to slow him down and either seven or eight stoplights. At least half of the distance, he computed, is built up, residential area with speed limits of less than 45 miles per hour.

If the case against Buck is sound, Shuman points out, Buck also had to dispose of the stolen goods in this period—without a trace.

He also had to change his clothes and, according to at least two witnesses, get rid of a mustache.

A key point in the case was that no evidence of the stolen goods was found in Buck's car when he was stopped. Nor was there any evidence of a shawl of the type Chuck wore over his head.

No physical evidence of any kind was ever produced to link Buck with the crime.

WEAK ALIBI WAS KEY POINT

One of Buck's basic problems from the beginning was that he was not able to supply a firm alibi. He testified that he was in Oceanside, Calif., which is near Camp Pendleton, that morning to see if he could get a camshaft on his Studebaker repaired.

The owner of the Studebaker agency in Oceanside reported last seeing Buck about 11:30 or 11:40 a.m., after setting an appointment to get the car repaired the next day.

Shuman says that if he had any remaining doubts about Buck's innocence in the case they were removed in June when he drove the route himself.

It took 27 minutes. "I know that I could conceivably have done it in 23 minutes," he says, "but it simply couldn't be done in 13 or 16 minutes."

The military men who put Buck on trial and found him guilty never tried to make the drive.

Franz quickly became the principal witness against Buck—in fact it might be said that without Franz there would have been no case at all.

Yet it was Franz who had allowed "Chuck" to escape, after a trap had been set. If there was any man in the case who had reason to want an arrest, and to get a conviction, it was Franz.

Franz insisted in sworn testimony that he had been given the name of "a man named Buck" as a possible suspect by a superior officer when the trap was being set—2 hours before the chevrons were stolen.

He also swore that he had told Oceanside police to pick up a man named Buck after the incident at the gate.

Franz, however, never came up with a corroborating witness. In fact, a military board of review that eventually went over the facts of the case stated, flatly, that there was no way that the superior officer Franz mentioned could have had Buck's name—let alone give it to Franz.

The board of review apparently did not consider this evidence of perjury sufficiently important enough to throw out the case.

In his exhaustive study of the case and his questioning of witnesses, Shuman found several persons willing to testify that another name—the name of Blackman—actually went on police radios as the man sought.

The patrolman who arrested Buck—William A. Doran—said that while he was talking to Buck in his car he overheard a message on his radio in which the name of Blackman was used as the name of the man sought.

The pattern of events suggested to Shuman that Franz had actually been seeking a man named Blackman, but may have decided to pin his hopes on Buck after Buck had been stopped.

"THERE WERE NO BLACKMANS": FRANZ

Franz, however, did introduce the name of Blackman into the case. Franz testified at Buck's trial that on the afternoon of his arrest Buck "confessed" to him—although Franz had no documentary evidence of a confession, nor any evidence beyond his word.

Franz said that Buck told him he had turned over the stolen chevrons to a man named Blackman at a rendezous points inside the Camp Pendleton gates soon after the theft.

This testimony resulted in some discussion of the name Blackman at the trial. Franz testified that while investigating the case he tried to find a man named Blackman at Camp Pendleton, but had no luck.

"There were no Blackmans, there was no record of Blackman."

It was this testimony that Shuman believes he upset on his visit to California in June of this year.

Shuman had gone to the Camp Pendleton legal office and asked for the records of the Buck case. They were handed to him in a huge stack. He took them back to his motel and began to read.

First he came across Franz' original, handwritten report on the case. Then, to his amazement, he found a bit of scrap paper—in the same handwriting—with a list of persons named Blackman.

"If there was no Blackman," asks Shuman, "why was there a list of people by the name of Blackman in Franz' own handwriting?"

Shuman went further, seeking to check out the names on Franz' list in the area, in spite of the passage of the years. He quickly came to the end of the trail.

The Blackman in the most prominent position on the Franz list, he discovered, took his own life recently.

Franz, incidentally, today is a marshal in the municipal court in Santa Ana, Calif. He refused to talk to Shuman. At one time he even ran from him.

BUCK WAS FREED AFTER CONFESSION

Franz' testimony that Buck "confessed" to him is another fasinating insight into the vagaries of military justice as it was applied to Buck.

Buck flatly denied ever making any admissions, and it is a matter of record that Franz never did reduce his charges involving the so-called confession to paper.

Shuman asks: If Franz had told his superiors that Buck had confessed—why did they release Buck after holding him for 72 hours?

The "confession" became a part of the case only after Buck had been arrested a second time.

Some of the Navy officers involved in the case told Shuman—years after the event—that they had always believed that Buck had "confessed." In their minds, Shuman found, this was all there was to it.

Even written "confessions" signed by the accused, are often thrown out of civil courts. In this case the testimony involving a confession came from a man with a strong motive for finding a culprit. And it was simply his word against Buck's.

But the "confession" apparently was accepted as valid by the military court.

A $50 BILL: EVIDENCE OR COINCIDENCE?

Of all of the circumstances that came to combine against Buck, none, in retrospect, was more damaging than a single affair involving a $50 bill.

At the time of his arrest Buck was asked to turn in all his money. He turned in $79.98 in cash and then, at the last moment, recalled that he had a $50 bill—which he called "mad money"—in a secret compartment in his billfold.

Buck gave Shuman a sworn statement 2 years ago saying that he dug out the $50 bill and handed it to the brig warden.

According to Buck, Franz was standing nearby and said: "Take the number of that bill down. It's probably counterfeit."

Buck swore that when he was released from the brig he said to Franz, who was again standing by: "What about my $50 bill? Was it counterfeit?"

Others were present and overheard this remark.

When Buck was brought to trial this discussion about the $50 bill was used against him, with damning effect.

The prosecutor argued that Buck was actually asking Franz for the $50 that "Chuck" had given to Sergeant Hatley in the warehouse when the chevrons were taken.

The prosecution told the court that this was the "crowning glory" of the case against Buck. He later called it "the frosting on the cake."

When Shuman was in California this summer, however, he carefully examined Buck's original arrest report.

Handwritten—at the top of that report—he found the figure $79.98. Immediately under it he found the number L–000–83698—the serial number of a $50 bill and the words "50 bill."

To Shuman it was confirmation of a story that Buck had told him 2 years earlier, and reduced to a sworn affidavit.

Later on Shuman found the frosting on his cake. He found the same serial number, and the same words scribbled in Franz' own handwriting among Franz' notes.

BUCK STILL PROUD TO BE A MARINE

Buck was 39 in 1952. Today he is 52.

He lives in Seattle, where he has been operating a small and none-too-successful restaurant.

He never gave up hope that his name would be cleared. He said, too, that he refused to abandon his faith in the Marine Corps—that he is still "proud to be a marine."

Friday, Senator DOUGLAS telephoned Buck in Seattle to tell him the good news.

Buck listened incredulously as the Senator told him: "Carl, you've been granted a full and complete pardon. It's another Dreyfus case."

Sixteen years in the Marine Corps didn't prevent Buck from breaking into tears.

"God bless you, Senator," he sobbed into the telephone. "God bless you and all those who work with you."

Then Shuman took the phone—almost too excited to speak. He was grinning broadly.

"You've got to come to Washington, Carl," he said. "We've got to have a party to celebrate."

Said the President: "I * * * do hereby grant to the said Carl Hirdley Buck, a full and unconditional pardon."

[From the Seattle (Wash.) Post-Intelligencer, September 1965]

"I'M STILL A MARINE"—NAME IS CLEARED

(By Charles Russell)

President Johnson yesterday granted a full pardon on grounds of innocence to Carl H. Buck, 52, Seattle cafe owner and former Marine Corps master sergeant, who was convicted of stealing uniform chevrons in 1952.

Buck, 11204 10th Avenue South, who still considers himself a marine and has waged a 13-year battle to clear his name, received the good news in telephone calls from Senator HENRY M. JACKSON and Senator PAUL H. DOUGLAS.

Buck, originally from Illinois, appealed in 1956 to Senator DOUGLAS, Democrat of Illinois, for help. The Senator, himself a former marine, took on the case and sent an aid, Howard Shuman, to Camp Pendleton, Calif., where the three cases of chevrons had been stolen, to investigate. Shuman found proof it was a case of mistaken identity and that the sergeant had been unjustly convicted of larceny.

The telephone jangled incessantly with congratulatory calls yesterday in the Buck home, where Buck, his wife, Jeanette, and their equally happy children, Callene, 15, and Richard, 13, were gathered. Callene attends Glacier High School and Richard is a student at Glendale Junior High.

"I'm just about the happiest guy in the world," Sergeant Buck said. "Inside of me it feels just like I've been born again. Now that I've had this unjust yoke and mark removed, I'll be able to tell my son that I'm still a marine.

"And I thank God that there are men in the Senate like the six who helped in wiping out this grave injustice."

Aiding JACKSON and DOUGLAS in the long fight to clear Buck were Senators WARREN G. MAGNUSON, Washington, MIKE MANSFIELD, Montana; KARL MUNDT, South Dakota, and GEORGE SMATHERS, Florida.

"I was afraid," Buck added, "that President Johnson was so busy with so many pressing problems that he couldn't take time for a lowly sergeant's case. But he did today. I knew all along he was an honorable, God-fearing man. Now I'll be able to die a marine."

Buck's health has broken during his long fight. He said he still wishes to rejoin the Marines but that his physical condition will not permit it.

He first joined the marines on his 20th birthday and was in the corps 22 years. During World War II he was a mess sergeant. He was on Tarawa, underwent strafing by a Japanese Zero on Okinawa, and saw the LST in front of his own blown up by a kamikaze plane in the landing on Saipan.

He was chief baker at the San Diego Marine Recruit Depot when the chevrons were stolen at Camp Pendleton. He was convicted, served 11½ months in military prison, received a bad conduct discharge. In 1956 the Board for Correction of Naval Records changed the bad conduct discharge to a general discharge.

But Buck continued his fight. The family lived 3 years in Washington, D.C., and New York while he tried to clear his name.

"Ever since the kids were little it's always been, 'When Daddy wins his case,' " Mrs. Buck explained. "It seems as though we've always been waiting for this day. This has been our whole life. Today a load has been taken off us."

[From the Seattle (Wash.) Times, Sept. 11, 1965]

FORMER MARINE HOLDS NO GRUDGES AFTER PRESIDENT CLEARS HIS NAME

The world of Carl H. Buck today had no space for grudges or animosity.

Buck, 52, a Boulevard Park restaurant owner, yesterday received a Presidential pardon from a 1952 military court conviction which resulted in his expulsion from the Marine Corps.

"I just feel wonderful," Buck said today. "I can't tell you how good it is to get this off my back.

"I never had anything against the Marine Corps and I still don't. It's the greatest outfit."

In 1952 Buck was convicted of stealing three cases of military chevrons worth $496 at Camp Pendleton, Calif.

Buck, a career marine with 18½ years of service including action at Okinawa and Saipan in the Second World War, was jailed for 11½ months and later given a bad-conduct discharge.

But the sergeant insisted upon his innocence and convinced a number of Senators, including HENRY M. JACKSON and WARREN G. MAGNUSON of Washington, and PAUL DOUGLAS, of Illinois, Buck's home State.

Buck said his case went to the White House during President Eisenhower's administration. President Kennedy ordered an investigation, but it was halted by Mr. Kennedy's death.

In announcing the pardon, President Johnson said, "It has been made apparent to me that Buck was unjustly convicted of the offense and is innocent of the charge."

Mr. Johnson observed that Buck had exhausted all recourse to the courts.

Buck, who resides at 11204 10th Avenue South, said the conviction was due to mistaken identity.

The case was subjected to constant military review over the years. In 1956, the Board of Correction of Naval Records changed his bad-conduct discharge to a general discharge. But that wasn't enough for Buck.

Buck has lived here 7 years. He worked in bakeries before opening the restaurant at Des Moines Way South and South 120th Street in 1960.

Buck expects to recover some pay he lost during his last months in the corps and to qualify for military retirement pay.

Buck and his wife have a daughter, Callene, 15, a pupil at Glacier High School, and a son, Richard, 13, a pupil at Glendale Junior High School.

Buck never lost confidence.

"I didn't know when this would happen—this year, or when—but I knew that when I got a hearing I would be exonerated," Buck said.

Buck said the East Lake Washington Chapter of the Disabled American Veterans backed his campaign.

Stan Vorachek, chapter commander, said the State D.A.V. unit and the national group adopted resolutions supporting Senator DOUGLAS in his campaign to clear Buck's name.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON ADDITIONAL RESEARCH LABORATORY SPACE AT THE UNIVERSITY OF DENVER, COLO.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on the provision of additional research laboratory space at the University of Denver, Denver, Colo. (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Administrator of Veterans Affairs, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Administration; to the Committee on Appropriations.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO RETIREMENT PAY FOR CERTAIN MEMBERS OF THE UNIFORMED SERVICES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, relating to the adjustment of retire pay and retainer pay of members of the uniformed services to reflect changes in the Consumer Price Index, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Reply to Report of Acting Comptroller General

A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting, for the information of the Senate, a copy of that Agency's reply to a report of the Acting Comptroller General relating to follow-up examination on certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran (with an accompanying paper); to the Committee on Government Operations.

Report on Tort Claims Paid by Smithsonian Institution

A letter from the Acting Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Institution, during the fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

Report on Tort Claims Paid by General Services Administration

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Administration, during fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS

The PRESIDENT pro tempore laid before the Senate four petitions, signed by Giko Maeda, Mayor, Yabu-Son Office, Akira Okamura, Mayor of Kin Son, Koho Arakaki, Mayor of Gushikawa-son, and Shizen Toma, Mayor of Sashiki-Son, all of the island of Okinawa, praying for the enactment of legislation for damages caused by the U.S. Armed Forces in the Ryukyus, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 10871. An act making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 708).

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY"—REPORT OF A COMMITTEE (S. REPT. NO. 707)

Mr. ERVIN. Mr. President, on September 2, 1965, the full Committee on Armed Services approved the annual report entitled "Operation of Article VII, NATO Status of Forces Treaty," together with other jurisdictional operations, for the period December 1, 1963, through November 30, 1964.

I submit to the Senate this report and ask that it be printed, with illustrations.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, the report will be received and printed, as requested by the Senator from North Carolina.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated September 2, 1965, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the ninth session of the General Conference of the International Atomic Energy Agency;

Henry DeWolf Smyth, of New Jersey, John Gorham Palfrey, of New York, James T. Ramey, of Illinois, Verne B. Lewis, of Maryland, and Kenneth Holum, of South Dakota, to be alternate representatives of the United States of America to the ninth session of the General Conference of the International Atomic Energy Agency.

BILLS INTRODUCED

Bill were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 2515. A bill for the relief of Nieves Pintos Montes; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2516. A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; to the Committee on Government Operations.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA (by request):

S. 2517. A bill to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2518. A bill to incorporate Junior Achievement, Inc.; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2519. A bill for the relief of Sister Mary Cecilia (Leonie Esquivel); to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2520. A bill to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes; to the Committee on Banking and Currency.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for Mr. Scott):

S. 2521. A bill to permit the mailing by State motor vehicle authorities of certain matter as third-class mail; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 2522. A bill for the relief of Teodoro A. Ramel; to the Committee on the Judiciary.

By Mr. HART:

S. 2523. A bill for the relief of Dr. Nasser Barkhordari and his wife, Susan Barkhordari; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2524. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on the Judiciary.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. McNAMARA. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes. I ask unanimous consent that an explanation of the bill be printed in the Record, as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection the explanation will be printed in the Record.

The bill (S. 2517) to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes, introduced by Mr. McNamara, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The explanation presented by Mr. McNamara is as follows:

Statement in Explanation of the "Federal Employees' Compensation Act Amendments of 1965"

INTRODUCTION

This bill proposes improvements in the Federal Employees' Compensation Act which move toward an updating of workmen's compensation protection for Federal employees and their survivors to the basis the act is intended to furnish. The major deficiency of the Compensation Act, which the bill would supplement, is an increased maximum compensation limit, to take the place of the existing limit which was set in 1949. At that time the top salary for Presidential appointees was $15,000 a year and for classified employees $10,330. Parallel salaries are now $35,000 and $24,500.

The maximum monthly compensation would be increased by this bill from $525 to $685 a month, and the minimum from $180 to $210.

Under the bill present beneficiaries of the act are authorized to receive an increase in their benefits commensurate with the annual average percentage change in the Consumer Price Index since the year in which the benefits were awarded, offset by any increases authorized by Congress since the award.

In survivor cases, the bill authorizes the continuation of benefits for educational purposes to unmarried children after the age of 18 up to age 23. The bill also permits these payments up to age 23 to children who became 18 before the effective date of the proposed act.

Increase of present maximum and minimum compensation

The present dollar maximum of $525 a month was established in 1949. Between 1949 and 1964 Government earnings have increased 80 percent and over this period the consumer price index shows an increase of 31 percent. Manifestly, the maximum of $525 does not carry out the intent of the act that employees generally may receive up to 75 percent of their basic compensation if they are totally disabled. This proposal alleviates this situation by increasing the present dollar maximum to $686 a month, a figure which takes into account the increase in the consumer price index. This would permit all employees making $10,960 (the equivalent of a GS-11, step 8, or a GS-12, step 3) or less, to receive benefits up to the 75-percent maximum of basic monthly compensation which the act authorizes. Available information indicates that 93 percent of all Federal workers are in this category.

The Compensation Act now provides a minimum compensation amount of $180 per month and that totally disabled employees whose monthly pay is less than this amount shall be entitled to full pay. The bill would increase the minimum amount to $210 a month, approximately the same income which would be earned in a 40-hour work week at the minimum wage rate of $1.25 an hour required under the Fair Labor Standards Act. The minimum in the Compensation Act was increased in 1960 to the present amount. With today's living costs, it is believed that employees making $210 a month or less would not be able to subsist on 75 percent of their earnings and that, therefore, their entire earnings should be paid during total disability. Only a few thousand blue collar employees fall within a wage bracket so low they would be affected by this provision. The minimum rate for white collar employees under the Classification Act—employees in GS-1, step 1, receive $3,385, or approximately $280 a month.

The bill also amends section 6(a)(1) to increase from $420 to $546 the limit upon the amount of an employee's basic pay which may be considered in computing additional compensation because of dependents.

Increase of compensation under previous awards

The last increase authorized for previously adjudicated compensation awards was for injuries occurring prior to January 1, 1958. As a matter of equity, the bill authorizes an increase in previous awards on a basis related to the increased cost of living. These awards are to be adjusted on the basis of the annual average change in the Consumer Price Index as determined by the Secretary, since the award was made, offset by any increase authorized by Congress since the award adjudication.

Authority to continue benefits on account of surviving children for school attendance

The bill also permits in survivor cases, the continuation of benefits to unmarried children after the age of 18 to permit completion on a full-time basis of their program of education at an educational institution as such terms are defined by the Secretary. At present, payment of these benefits is terminated at age 18 unless the beneficiaries are disabled. This age occurs when most children are finishing high school, many of whom may wish to enter college. The increased family financial need could be alleviated and education encouraged if the survivor payment continues until such time as the child could normally finish college (i.e., the age of 23).

To prevent inequities with respect to children who become 18 before the effective date of this act and who might otherwise qualify for the continuation of benefits, the bill authorizes payment of compensation on their account until the age of 23 or the completion of their education, whichever is earlier. This amendment would also bring the Compensation Act in line with a similar program of the Veterans' Administration for continuation of benefits of war orphans.

The continuation of compensation for educational reasons is not only dictated by principles of justice and equity, but is socially and economically desirable in our society which regards the education of offspring as one of the breadwinner's primary responsibilities.

Improvement in administrative provisions

A technical amendment is proposed to transfer a substantive item from the Department of Labor Annual Appropriations Act to the Compensation Act. For many years, the appropriations acts of the Department have provided that the rulemaking authority of the Secretary of Labor under the Federal Employees' Compensation Act be construed to include the authority to establish the nature and extent of proofs and evidence required in compensation claims of certain noncitizens and nonresident employees employed outside the United States.

Technical provisions

The bill also makes clear that it applies only to persons who are "employees" under the act; that no reduction in compensation by reason of Consumer Price Index changes is authorized; that no previous compensation award shall be increased by more than this change; and that all payments authorized pursuant to the bill will be on a prospective basis.

LOANS FOR NURSING HOMES

Mr. WILLIAMS of New Jersey. Mr. President, not long ago, we enacted the medicare program which will serve as a milestone attesting to this country's commitment to meeting the health needs of our elderly. But the medicare program is only one front on the war against ill health and the problems of the aged. Enactment of this legislation has revealed inadequacies and weakness in other segments of the total medical care picture.

Under the provisions of medicare, those over 65 who are eligible for coverage are entitled to 100 days of extended, nursing home care in an accredited institution. This benefit may be received either as an alternative or as a supplement to the 90 days of hospitization which also provided under the bill.

I do not think I need to detail here the appalling shortage of hospital facilities in this country. In the past few weeks—spurred on, I am sure, by the situation made apparent by medicare—numerous magazine articles, television programs, and newspaper stories have called attention to the dreadful state of our hospitals. Characterized by a shortage of buildings, beds, doctors, nurses, and money, the situation in hospitals has truly reached crisis proportions.

Because of the impossibility of providing sufficient in-parent hospital services to all who may need them, an extraordinary demand will be created in the next few years for nursing home care and services under the medicare benefits. But the quantity and quality of nursing home facilities is not significantly more encouraging than that of hospitals.

There are now about 25,000 nursing homes in the United States with more than one-half million beds. These facilities range all the way from the small family residence with only a few beds to the multimillion dollar structure with hundreds of beds. In function they range from the relatively few providing an active organized medical care program to those providing purely domiciliary care. They are predominately privately owned and operated for profit.

The Public Health Service, in recent studies, reached the shocking conclusion that about 40 percent of the existing nursing home beds are substandard and unacceptable. Thus, of the 500,000 beds we do have, at least 200,000 of them are not fit for the use of our elderly citizens.

At least 500,000 new nursing home beds, it has been estimated by the Public Health Service, will be needed in the next few years to replace the substandard ones and to provide an adequate supply of new ones. Past history has shown that there is little prospect of meeting this need without leadership and encouragement from the Federal Government.

Most nursing homes are proprietary and have been largely financed from private sources. Since proprietary nursing homes are profitable ventures, there seems to have been little difficulty in financing these institutions. Over the past several years, the Small Business Administration has made numerous loans for the construction of proprietary nursing homes.

Nonprofit nursing homes have constituted a relatively small percentage of the total. They are mostly owned and operated by churches, fraternal organizations, local governments, and increasingly by nonprofit hospitals. Here the financing has been far more difficult.

The source of Federal funds has been the much-needed Hill-Burton program. For many years the amount authorized for this purpose was only $20 million per year. Last year, under the Hill-Harris amendments, the amount for nursing homes was finally increased to $70 million. The housing and home finance program was also amended last year to permit guaranteed loans to nonprofit nursing homes.

Since the beginning of the Hill-Burton program, 667 nursing homes with 36,275 beds have been built under the program. These nursing home facilities have met the highest standards. Unfortunately, both restrictions in the act and limitations placed by the States have sharply limited the amounts of Federal aid. For example, the 667 nursing homes constructed with Hill-Burton aid cost a total of $437,381,000 of which only $147,869,000 was Federal money.

The cost of nursing homes, both for construction and operation, is much less than that of general hospitals. Those constructed under the Hill-Burton program in 1964 averaged between 12 and 13 thousand dollars per bed or less than one-half the cost of new general hospitals. Operating costs vary greatly depending on the quality of care, but even in the better homes, it is less than one-half the cost of hospitals.

There is every reason to believe that the Public Health Service estimate of a need for 500,000 beds errs on the conservative side. Certainly the demand has been increasing even more rapidly in recent years even though the cost of care has not been generally covered by private hospitalization plans. Numerous factors make it likely that the demand will continue to increase even more rapidly. The life span will continue to increase. More money is coming into the hands of elderly people through social security and pension plans. The increasing cost of hospital care provides a strong incentive to get patients out of hospitals and into nursing homes as soon as possible. The effect of the social security amendments, titles 18 and 19, on the demand for nursing home beds is certain to be tremendous. The State Hill-Burton agencies have estimated that, to replace the 200,000 substandard beds now in existence and to meet the increasing overall need, we will need to build 514,000 new nursing home beds to meet present known needs.

As a member of the Subcommittee on Health and the Special Committee on Aging, I have paid close attention to the problems relating to our elderly and their health needs. I am particularly disturbed, in this field of nursing homes, about the very great preponderance of proprietarism. While I am convinced that the proprietary nursing homes have contributed valuable services up to this date, I do feel that it is in the best interests of the individual patient and the public at large, for nonprofit institutions and agencies to take a much larger role in nursing home operations than they have in the past.

It is undoubtedly true that the lack of funds for construction and the lack of assurance of operating income from long-term patients has retarded the development of nonprofit nursing homes in the past. The new Medicare Act, which assures a return of operating costs for the care of elderly patients, will remove one of the hindering factors. In my opinion, only the lack of adequate funds for construction stands in the way of a spectacular expansion of nonprofit institutions into the nursing home field.

While the Hill-Burton program will continue to provide an important segment of the nursing home expansion in the public and voluntary areas, it cannot be expected to fill the whole gap. Even so, the relatively small percentage of Federal funds allotted to each project places a heavy debt burden on the sponsors with resulting high debt servicing costs. These are beyond the ability of most nonprofit sponsors to carry.

To remedy this situation, I am today introducing legislation which will establish a 2-year program of low-interest Federal loans for construction of properly accredited nursing homes. These loans will be made only to private nonprofit corporations, limited dividend corporations and public agencies.

As a member of the Housing Subcommittee, I have watched the successful progress of the 202 direct loan program of housing for the elderly which I had the pleasure of originally sponsoring. And in certain respects, it has served as a model for the program I am introducing today. We have found that use of the direct loan program, now pegged at the rate of 3 percent, has proven to be a highly effective and economical mechanism for stimulating nonprofit sponsors and limited dividend corporations in their plans for construction of residential housing for the elderly. A similar program—aimed at filling the need for new nursing homes—will provide the necessary funds and low financing charges which will enable the nonprofit sponsors to build the nursing homes we so urgently need.

Because of the particular problems associated with building acceptable, standard nursing homes, I have included the requirement that applicants for this loan program meet the standards set down for nursing homes under the medicare legislation.

I am asking that Congress authorize $50 million for the first year of this new program and $100 mililon for its second year.

Mr. President, I ask unanimous consent that this bill lie on the table for 1 week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 2520) to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PERMISSION FOR MAILING BY STATE MOTOR VEHICLE AUTHORITIES OF CERTAIN MATTER AS THIRD-CLASS MAIL

Mr. PEARSON. Mr. President, on behalf of the Senator from Pennsylvania [Mr. SCOTT], I introduce, for appropriate reference, a bill to amend the United States Code so that vehicle registrations, driver's license applications, and notices of driver's license renewals which now require postage at the first-class rate can be mailed by the States at rates charged for third-class mail.

The bill conforms with a proposal of the National Governors' Conference which was held in Minneapolis last month. It would constitute a direct form of Federal aid to the States, unencumbered by any of the carrying charges required to pay the middlemen in Washington when the Federal Government first taxes the States, and then returns funds in the forms of grants. It would help the States to help themselves.

Prompt consideration of this legislation is urged.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2521) to permit the mailing by State motor vehicle authorities of certain matter as third-class mail, introduced by Mr. PEARSON (for Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENTS OF CONVENTION OF INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the Senate remove the injunction of secrecy from Executive H, 89th Congress, 1st session, amendments to articles 17 and 18 of the Convention of the Intergovernmental Maritime Consultative Organization, and that the amendments, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith amendments to articles 17 and 18 of the Convention of the Intergovernmental Maritime Consultative Organization, which amendments were adopted on September 15, 1964 by the Assembly of the Intergovernmental Maritime Consultative Organization at its second extraordinary session, held at London from September 10 to 15, 1964.

The amendments, which relate to the composition of the Council of the Intergovernmental Maritime Consultative Organization, enlarge the membership of the Council from 16 to 18, provide for a more democratic method of electing such members, and insure a more equitable geographic representation on the Council.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the amendments.

I recommend that the amendments be given favorable consideration by the Senate.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 13, 1965.*

FOOD AND AGRICULTURE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 445

Mr. ROBERTSON submitted an amendment, intended to be proposed by him to the amendment (No. 441) to be proposed by Mr. BREWSTER to House bill 9811, the Food and Agriculture Act of 1965, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 446

Mr. AIKEN (for himself and Mr. WILLIAMS of Delaware) submitted an amendment, intended to be proposed by them, jointly, to House bill 9811, the Food and Agriculture Act of 1965, which was ordered to lie on the table and to be printed.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, RELATING TO CERTAIN CLAIMS AGAINST THE GOVERNMENT OF CUBA—AMENDMENT

AMENDMENT NO. 447

Mr. SPARKMAN submitted an amendment, intended to be proposed by him, to the bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. PELL. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Delaware [Mr. Boggs] be added at the next printing as a cosponsor of Senate Joint Resolution 16, which grants the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a contract to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICES OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that on September 8 the Senate received the nominations of Mr. John H. Burns, of Oklahoma, to be Ambassador to Tanzania, and Mr. Richard H. Davis, of the District of Columbia, to be Ambassador to Rumania.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

Mr. President, as chairman of the Committee on Foreign Relations, I desire also to announce that today the Senate received the following nominations:

U. Alexis Johnson, of California, to be Deputy Under Secretary of State for Political Affairs.

The following-named persons to be Representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.

Charles W. Yost, of New York.

Barratt O'Hara, U.S. Representative from the State of Illinois.

Peter H. B. Frelinghuysen, U.S. Representative from the State of New Jersey.

William C. Foster, of the District of Columbia.

The following-named persons to be alternate representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

James M. Nabrit, Jr., of the District of Columbia.

James Roosevelt, U.S. Representative from the State of California.

Mrs. Eugenie Anderson, of Minnesota.

William P. Rogers, of Maryland.

Miss Frances E. Willis, of California; and the nomination of Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

THE INFORMATIONAL MEDIA GUARANTEE FUND PROGRAM OF THE U.S. INFORMATION AGENCY

Mr. DODD. Mr. President, I note with great pleasure the introduction of a bill, S. 2256, to revise the structure of the informational media guarantee fund program of the U.S. Information Agency.

This program has been in effect since 1948, having been stimulated by findings of a joint congressional committee which had exhaustively studied the U.S. overseas information program. The purpose of the program is to advance the U.S. national interest by the overseas sale, through private channels, of U.S. informational media, including books, magazines, newspapers, and motion pictures.

To achieve that end, the Government guarantees to American exporters, where necessary, the convertibility of foreign exchange obtained by sales of their products.

The Subcommittee on State Department Organization and Public Affairs of the Committee on Foreign Relations issued a report in 1958 supporting this program. The chairman of that subcommittee was the distinguished Majority Leader, the senior Senator from Montana.

I have supported this program in the past as an exceedingly effective way of getting American books and magazines into some key countries, where there is no possibility of placing them there through normal commercial channels.

The program is now operating in Afghanistan, Guinea, Korea, Pakistan, Poland, Turkey, Vietnam, and Yugoslavia. U.S. publications are purchased in these countries by consumers who want them and are willing to pay for them. Magazines thus acquired carry little of the propaganda taint usually ascribed to Government publications.

S. 2256 appears to be designed to expand the scope and effectiveness of the informational media guaranty fund program, in order to permit it to operate in the many other countries where information about the United States is needed and where exporters encounter difficulties.

The spring 1965, issue of the George Washington magazine contains an excellent and thoughtful article by Edgar R. Baker, a vice president of Time Inc., entitled "The American Magazine Overseas." In that article, Mr. Baker pays tribute to the informational media guarantee program and points out that:

> It has enabled U.S. magazines to seek out readers in countries otherwise closed to them by exchange restrictions and thus deserves great credit for helping establish U.S. magazine footholds in strategically important nations.

I ask permission to insert appropriate portions of the article in the Record at this point.

There being no objection, the excerpts from the article were ordered to be printed in the Record, as follows:

The American Magazine Overseas

(By Edgar R. Baker)

A short while ago, when the foreign minister of Red China arrived at a meeting in Peiping with the President of Pakistan, he brought several things: dossiers and notes, assistants and translators—and, under his arm, the current issue of Time with his portrait on the cover.

What was said about Time by the minister to the President (himself a former cover subject) is not known and not really important. What is to be noted is that American magazines like Time are as well known and read in great cities of the world like London and Buenos Aires, Milan, and Melbourne, as they are in Washington and New York.

It is also interesting to note that the copy of Time carried by the foreign minister was probably 1 of 50 regularly purchased by Chinese agents from a certain newsstand in Toyko and flown to Peiping via diplomatic pouch. Time and other American magazines are not allowed to reach the public behind the Bamboo Curtain.

Despite only selective distribution in Communist countries behind whatever curtains, the combined circulation of American magazines in some 150 other countries now amounts to about 17 million copies per issue—a foreign circulation vastly greater than the home circulation ever achieved by the magazine industry of any other country.

Several points should be made about this world penetration of American magazines.

First, it has been brought about by private enterprise without Government subsidy. Magazines published by the U.S. Information Service for distribution in Iron Curtain countries are not included in my figures. It should be acknowledged, however, that for some years the Department of State has operated the information media guarantee program (IMG) under which State, for a fee sufficient to cover its expenses, redeems for dollars various local currencies which publishers themselves cannot convert. Although this program never covered more than 2 or 3 percent of overseas circulations, it has enabled U.S. magazines to seek out readers in countries otherwise closed to them by exchange restrictions, and thus deserves great credit for helping establish U.S. magazine footholds in strategically important nations.

Secondly, American magazines have been able to attract audiences all over the free world because the English language is becoming more and more the lingua franca of educated people. English is required or recommended as a second language in most of the free world's secondary school systems. More and more foreign students are coming to the United States for higher education—some 70,000 this year. English is the unofficial language of international business.

The third point is that much of the thrust of American magazines has been exerted since World War II. National Geographic, it is true, has had readers abroad since 1888, but most of its 650,000 foreign readers have been added in the past 20 years. Reader's Digest has published editions in other languages since 1940. But it was not until during and after World War II that the weekly and fortnightly news magazines moved energetically overseas.

At the time he announced the formation of Times-Life International in September 1945, Henry R. Luce declared that "America as a nation and we as journalists can no longer afford to be apart from the world." On the theory that men who are continually informed about others are less likely to make war upon them, he committed the new division to make American ideas and attitudes as reflected in Time and Life available to all who wished to know them. Hopefully, but secondarily, he wanted the job done at a profit.

There was no immediate prospect of financial gain at the time of this decision. Much of Europe and Asia were in ruins. There was small reader ability to pay, and smaller immediate prospects of advertising income. For several years losses were substantial, but the enterprise has been constantly profitable since 1949.

What American magazines are now most popular overseas? They divide generally into three major categories: general magazines, news magazines, and business-professional-industrial magazines.

The most popular general magazine overseas is, of course, the Reader's Digest, which sells about 10½ million copies per month through 29 basic international editions in 14 languages. The Digest varies in content from country to country, but nothing is published overseas which has not already appeared in the U.S. edition. Since the Digest derives much of its content from other American magazines, scores of additional titles are thus given representation abroad which they would not have otherwise.

Reader's Digest is followed overseas (admittedly at some distance) by two international editions of Life whose combined circulation approximates 900,000 every other week. English-language Life International, printed in Paris, has the distinction of being the only general magazine specifically edited for a world audience. To the average 50 percent of content derived from material appearing in the U.S. edition, Life International adds articles and picture essays of cosmopolitan interest. It tends to be more literary than the Life we know here, and is generally more cerebral. The fact that it has found a distinguished audience wherever men are free to choose their reading matter attests to both the universality of English and to the existence of what I like to call "a world community of curious minds."

Life en Español, first published in 1953, has long since won a succès d'estime as Latin America's most prestigious popular magazine. It too derives perhaps 50 percent of its editorial content from the U.S. Life and creates additional material of particular interest to the Spanish-speaking world.

Popular Mechanics, appearing in seven languages, is bought each month by about 530,000 foreign readers who share the American penchant for learning how it's done.

Two service-club magazines of general interest have substantial circulation abroad. The Rotarian in English is read by some 80,000 families, and by more than 40,000 in Spanish. The Lion Magazine reaches close to 70,000 in English and more than 40,000 in Spanish.

Taken together, U.S. general magazines with international editions reach more than 12 million foreign families with a single issue. To these must be added the more than 1½ million foreign circulation of the regular domestic editions of scores of other general interest magazines. In addition to National Geographic, which leads the group, practically every favorite magazine here has fans abroad as well; Saturday Evening Post, Ladies Home Journal, Look, McCall's, Esquire, Seventeen, the New Yorker, Popular Photography, Fortune, Scientific American, and many others. A recent dispatch from Thailand reports that Playboy is selling like hot egg rolls in Bangkok as it does in most areas of the world.

The second major category of international U.S. magazines—and the category which probably exerts most influence on the attitudes of readers—is that of the news magazines: Time, Newsweek, U.S. News & World Report, Visión (in Spanish) and Visão (in Portuguese).

Time is the leader in the news magazine category, with a weekly circulation of over 800,000 concentrated among the most influential people of the free world. Time could be called an export magazine in the sense that its editorial content (except for the Canada edition, which has added local news) is identical around the world—and in Time English, too. It is printed in five foreign cities to speed distribution, but nothing is changed, added or deleted for foreign consumption. Thus Time readers overseas are almost literally looking over the shoulders of American readers to find out what American editors think of the world that week—and, surprisingly often, to find out what's really going on in their own countries.

Right after Time come the international editions of Newsweek. Europe, Africa, and the Middle East are served by an edition printed near London. The Far East and southeast Asia are served by a Pacific edition printed in Tokyo. Canada and Latin America are served with the U.S. edition.

Like Time, Newsweek's editorial content is substantially the same the world over. Total circulation outside the United States exceeds 240,000 per week.

U.S. News & World Report does not publish international editions as such, but finds an audience of some 34,000 per issue overseas. Some copies are delivered by airmail.

Visión is a fortnightly news magazine in the Spanish language with particular orientation toward Latin American businessmen. It is printed both in Mexico and Chile and enjoys a circulation of some 155,000. A weekly edition in Portuguese, printed in Brazil and including special local content, has a circulation of some 65,000.

The last major category of U.S. magazines circulating abroad is by no means the least. So-called export business magazines (many in Spanish and most distributed free of charge) have a per-issue circulation in excess of 800,000. Other business, technical, and trade publications published primarily for U.S. audiences but "overflowing" abroad number more than 600 (from Adhesives Age to the Writer) and reach more than 700,000 readers abroad with one issue. And finally, well over 100 scholarly periodicals, led by those in the social sciences and the humanities, find an overseas audience of more than 70,000 per issue.

What accounts for this prodigious popularity of all sorts of American magazines in other countries? Many reasons, I think, and reasons varying by country.

In smaller nations where a local press has not been established, or whose orientation is perhaps a bit parochial, American magazines find readers because American publishers have been aggressive enough to make them available to help fill the homegrown vacuum.

In countries with a flourishing local press, American magazines seem to be bought for news and views of America, for general foreign news not available through local media, for the smart way in which American magazines are edited, and for the generally superior style in which they are produced. (Robert Benchley could hardly say today of any edition of Time, as he did of the first issues in 1923, that the magazine appeared to be printed on slices of stale bread.) J. S. Chaloner, manager of Britain's largest magazine distribution firm and a participant in the founding of Germany's famed Der Spiegel, passes along the view of a professional: "If the price of imported magazines is higher than the domestic equivalent, it must be said bluntly that far too often so is the editorial quality, the production, and number of pages."

The exigencies of distributing almost 3 million magazines a fortnight number scarcely less than 3 million themselves. The documents (invoices, bills of lading, customs declarations, etc.) necessary to cover distribution of single issues of Time and Life weigh about 100 pounds.

Time originates in six locations for foreign distribution: in Montreal for all of Canada; in Atlanta, Ga. (since Castro closed down our Cuban plant) for Latin America; in Paris for Europe, the Middle East and Africa; in Tokyo for the Far East; in Melbourne for Australia and, just recently, in Auckland for New Zealand. Time is printed in these cities by offset plates made directly from special film flown from Chicago. Distributed by air (we are one of the five largest users of international air freight) Time is in the hands of readers in all the principal cities of the world no later than the date on its cover and generally several days before.

Life International and Life en Español, printed on heavy stock, are delivered mostly by surface transport. Life en Español, printed in Chicago on the same presses that produce Life United States, travels by train to Mexico and thence by ship and truck to readers throughout Latin America. Life International travels from its printing point in Paris by air and rail throughout Europe, by ship elsewhere.

About half the circulation of Time and Life overseas is by subscription, paid for in some 30 currencies. There are banking and remitting facilities in every major country which enable the reader to order a subscription by writing a personal check on his local account.

In years past, getting pesetas out of Spain, pounds out of England, zlotys out of Poland or most anything from almost anywhere was one of our most frustrating problems. At one time, I remember, we thought of buying Dutch guilders with exchangeable other moneys, using the guilders to buy Dutch cheese, then importing the cheese to the United States and selling it by the chunk to gourmets. Today our exchange problems are relatively few, probably the greatest of them being galloping inflation in much of Latin America.

Censorship and discriminatory practices have plagued us since Time first flew to Latin America in 1941. Mr. Peron, of Argentina forbade us entry for some 6 years—thus creating a flourishing black market in copies sneaked in from Uruguay. Mr. Trujillo of the Dominion Republic liked us even less than we did him. The late ex-King Farouk of Egypt banned us for lese majeste shortly before he was banished for much the same thing. Spain maintains two sets of censors: one operated by the church, the other by the state. Both frown on opulent ladies whether painted by Rubens or photographed by Eisenstaedt. Most of the Arab countries, refusing to recognize the existence of Israel, either ban issues with editorial or advertising content mentioning that country or set their censors to work with shears removing the offending pages. Ireland smiles on most that we offer, but grimaces at advertisements for ladies' undergarments.

None of our magazines, of course, is allowed to circulate in Russia, although a few dozen subscription copies go in to top officials. Periodically we are allowed to open a news bureau in Moscow, but it is ordered closed and our correspondents banished when they work too embarrassingly at their trade. Some of Russia's satellites allow us in for a time and then as mysteriously allow us out. In Red China Time has a circulation of one, Life of none, although the Government keeps the Winter Palace supplied by pouch from Tokyo. Mr. Sukarno of Indonesia has banned us since 1961. He disliked many things in Time's reporting, including the fact that he liked girls. He still dislikes Time, and there is still no evidence that he dislikes girls.

During the Algerian crisis, Time had a highly unfavorable cover story on General Salan, one of the dissenting French commanders who wanted to keep the French grip on Algeria. Salan was pictured in front of a desert, and in the sand was written his slogan: "Algérie française." When the cover came off press in Paris, the French Minister of Information, perhaps fearful that our cover would be misinterpreted as favoring Salan's cause—"Après tout, c'est lui sur la couverture, n'est-ce-pas?"—caused us to block out the illustration with green ink before allowing copies to go on sale. Result, of course: a sellout but no insurrection.

Matters of censorship, distribution and advertising, complicated as they may be, are nevertheless routine matters in international publishing. To survive, and to progress, management must look beyond the present to a hopefully better tomorrow.

It is obvious, when we stand back, that the penetration of English-language magazines in countries speaking something else is limited to the better educated and to those with broad curiosity. The number of such readers increases with the years as population and sophistication increase, but this still leaves untouched the minds of the majority. The question arises: Should we, as publishers, remain content with reaching only the leadership group, or should we publish in local tongues?

Our experiments along this line began 25 years ago with an attempt to put Time into Spanish. Translation was easy enough (although the Spanish ran 20-percent longer than Time's terse English) but the result was no longer Time. A North American frame of reference does not become a South American frame by being put into Spanish. It remains North, and seems inappropriate in Castilian. So the experiment was dropped. Some years later, as we've seen, Life en Español was born—and it was produced from the first by writers and editors born to the Latin frame.

Three years ago last April we announced a new approach to publishing in other languages. We formed an equal partnership with Italy's leading magazine publisher to produce Panorama. To the editors of this new monthly we offered the entire editorial product of Time Inc. After 2½ years of publication, the Italian Panorama has evolved as intended into a magazine for world-oriented Italians. Its editors draw from Life, Time, Fortune, Sports Illustrated, and the wealth of other stories in the file of our worldwide correspondents. They also develop material about Italy itself, thus combining in one magazine both the local and the global point of view—and all within the Italian frame of reference.

Panorama Italy fared well enough so that we have since started a counterpart in the Spanish language in Argentina. Though produced under the same governing idea, this Panorama is distinctly different—reflecting a different national point of view and the different personalities of its editors. We are now investigating other possible Panoramas in other languages.

Along similar lines, we are now copublishers in Japan of a business-oriented magazine called President. Based essentially on Fortune magazine, President reports on the stratosphere of world business as well as the toposphere of business, Japanese style. President's great success in a country whose economic philosophy so closely approximates our own has led to investigation of other Presidents elsewhere.

This, then, is the American magazine overseas, at least it seems to my particular experience. I have been part of this fascinating business for 20 years and have yet to experience a single day when it did not offer challenge and opportunity. For here is not merely a business engaged in for profit. The vast majority of American magazines circulated in other countries are sources of information and means of education for those who read them. They speak facts, they entertain, they broaden horizons. They seek out, with complete disregard of national boundaries, like-thinking men. They establish communities of the mind whose members cover the earth. By contributing to understanding, they ultimately serve the cause of peace.

PARTICIPATION BY DR. MARTIN LUTHER KING AND BAYARD RUSTIN IN INTERNATIONAL AFFAIRS

Mr. THURMOND. Mr. President, I ask unanimous consent that a statement I made concerning a development in international affairs over the weekend be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> A whole new sphere of troublemaking for the United States was launched yesterday when Martin Luther King, accompanied by Bayard Rustin, turned from his successes at creating domestic disorders to an attempt to play the same role with similar consequences in international affairs. It is a distinct disappointment to me and a disgrace to the country that Ambassador Goldberg would officially receive such persons as Martin Luther King and Bayard Rustin, and thereby lend credence to an appearance of official respectability of these two troublemakers.
>
> Neither King nor Rustin have backgrounds or experiences which would even entitle them to an official audience. King is a notorious troublemaker and intermeddler, who has of late publicly revealed his interest in international affairs. Only King, and possibly some agencies of Government, can be sure what qualifications he possesses, or thinks he possesses, which would make persuasive his proposals to the leaders of communism to whom he proposes next to address them.
>
> Bayard Rustin's qualifications are better documented in the public record, in that he was reported in the press to have been a member of the Young Communist League, not to mention the fact that he was convicted for sex perversion and dodging the draft.
>
> It is indeed a sad commentary that even the existence of such persons is acknowledged to the extent of an audience with a high official of the Government. Ambassador Goldberg is, of course, free to accept advice from whomever he pleases privately, but I would hope that in the public conduct of his official position, he would be more discriminating and concerned for the image of our Nation than he demonstrated in publicly receiving King and Rustin.

AMERICANS UNITED ON VIETNAM

Mr. SMATHERS. Mr. President, the results of a Harris Survey published yesterday give convincing evidence that the American people have rallied strongly behind their President over the gravest issue facing this land today, the war in Vietnam. Right now, as we meet in this Chamber, 66 percent of the public approves the course President Johnson is following in Vietnam. This support is an overwhelming repudiation of the Communists' wishful contention that deep divisions within the United States over the administration's southeast Asian policies will eventually lead to our ignominious defeat. In every region of our great Nation, the people understand the necessity for our commitment to the South Vietnamese. They understand that it is a commitment rooted in the desire for peace, and they support it.

Doubtless we will continue to have one or two misguided civil rights leaders issuing statements and isolated demonstrations against the war in Vietnam, but these actions are becoming less popular and, indeed, more futile every day. No matter how vocal they have been, the peacemongers have not been able to shake the commonsense of most Americans.

Those who oppose American involvement in southeast Asia have repeatedly attempted to swing public opinion against the course being followed by President Johnson's administration, and have tried in vain to rally the people around several principal arguments.

One of the chief of these arguments is that we have failed to evolve a solid and consistent policy; that our goals have been hazy and ill-defined; that, in fact, we do not know what we seek in aiding the people of South Vietnam.

But in reviewing official public statements on Vietnam, one cannot help but be struck by the strong continuity of our policy as it relates to that beleaguered nation. Since 1954, when President Dwight Eisenhower pledged to "assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means," every administration has committed itself to aiding the cause of freedom in South Vietnam.

In 1961, the late President John F. Kennedy said:

> We are prepared to help the Republic of Vietnam to protect its people and preserve its independence.

And President Johnson has said:

> We have made a national pledge to help South Vietnam to defend its independence.

I know it is the President's intention to keep that promise.

Mr. President, almost every American official involved with the conduct of our foreign relations has taken great pains to clarify the aims of the United States in southeast Asia. Time after time, members of both Democratic and Republican Administrations have explained to the American people just what it is we are trying to accomplish.

In a June 1, 1956, speech to the American Friends of Vietnam, here in Washington, former Assistant Secretary of State for Far Eastern Affairs Walter Robertson outlined out goals in Vietnam as follows:

> To support a friendly, non-Communist government in Vietnam and to help it diminish and eventually eradicate Communist subversion and influence.
>
> To help the Government of Vietnam establish the forces necessary for internal security.
>
> To encourage support for Free Vietnam by the non-Communist world.
>
> To aid in the rehabilitation and reconstruction of a country and people ravaged by 8 ruinous years of civil and international war.

The roots of the conflict in southeast Asia extend back to the close of World War II and the emergence of a strong sense of nationalism and anti-colonialism in nearly every underdeveloped region of the earth. This surge of nationalism eventually swept France from her historic control of Indochina and led to the Geneva Conference of 1954, which divided Vietnam into two distinct nations. Article 21 of the Agreement on Vietnam states that each party, North and South Vietnam, shall respect the territory of the other and shall commit no act and undertake no operation against the other party.

This provision has been violated by the Communists in Hanoi.

Since 1959 North Vietnam has been on the march. Unable to undermine and topple the Government of South Vietnam by subversion, the Communists have embarked on a course of open aggression. They have infiltrated tens of thousands of guerrillas and vast stores of weapons into South Vietnam. They have sent several identified regiments of the regular army of North Vietnam into the South. They have stepped up their campaigns of terror and subversion.

The people of South Vietnam have resisted every attack bravely and with all the resources at their command. They have made great sacrifices in the defense of their liberty.

But, Mr. President, these people in a land 10,000 miles from our shores cannot stand alone. They face a strong and determined enemy who is supported by Communist China and other Communist nations. They were forced to seek help from the free world, and that help was extended by President Eisenhower and has been continued by each of his successors.

This aid has become the cornerstone of free world support for Vietnam. As the major free world power this is a responsibility our Nation must not and cannot shirk. The history of America itself is the fulfillment of a dream against odds which at times seemed overwhelming. In the face of that history, we cannot abandon any free nation which seeks similar goals. Following our lead, 36 other free world nations are already contributing military or economic assistance to South Vietnam, or are pledged to do so in the near future.

Even while the forces of freedom have been increasing military efforts to counter the growing Communist aggression, we have continued our work in the economic and social fields. And, most important of all, we have again and again stated our willingness to enter into discussions or negotiations leading to peace and stability in Vietnam.

In his famous Johns Hopkins speech on April 7, of this year, President Johnson stated our readiness to engage in unconditional discussions with the governments of North Vietnam and other countries in an effort to arrive at an honorable settlement. He reaffirmed, however, that until such an agreement is reached, "We will use our power with restraint and with all the wisdom that we can command. But we will use it."

Mr. President, Secretary of State Dean Rusk stated the essence of the Vietnamese issue as clearly as I have heard it in his press conference of November 17, 1961. At that time, he said:

> The determined and ruthless campaign of propaganda, infiltration, and subversion by the Communist regime in North Vietnam to destroy the Republic of Vietnam and subjugate its people is a threat to the peace. The independence and territorial integrity of that free country is of major and serious concern not only to the people of Vietnam and their immediate neighbors, but also to all other free nations.

The Communists in Hanoi would have us believe Secretary Rusk's words are untrue, and that the conflict in South Vietnam is nothing more than a civil war between factions of South Vietnamese. Regrettably, many of the domestic opponents of President Johnson's Asian policies have echoed this contention and have accused us of meddling in the internal affairs of another country.

The charge that what is taking place in South Vietnam is a civil war, however, is not substantiated by the available information. The Government in Saigon and our Government are in possession of a large mass of evidence from many sources which plainly indicates that North Vietnam is directing the war from Hanoi. Its commands are channeled through its military and political cadres in South Vietnam. Most of the weapons used by the Vietcong have been supplied by the North.

The so-called national liberation front is a child of Hanoi. Its member organizations are mostly shadows without substance. Its leaders are without political stature, and most of them are unknown in the South. Dr. Robert Scalapino of the University of California, who has long studied the problems of southeast Asia, said in May of this year that—

> The real leaders of the Vietcong are, and always have been * * * members of the Communist Party—and that party has Hanoi as its headquarters now as in the past.

The South Vietnamese people, who have had long and bitter experience with the Communists, know these facts. But few foreigners do, and this is an advantage Hanoi and Peiping have been exploiting to the utmost in their political and propaganda activities.

Mr. President, the critics of our actions in Vietnam have raised one point that is the legitimate concern of every responsible American. It is the question of whether a war being waged in a tiny, far-off country will expand into a conflagration that will sweep the earth. For while the course of our involvement in southeast Asia has remained constant, its scale has become greatly enlarged as we have moved to meet the increase of Communist activity. Early this year, for instance, the administration began a carefully controlled series of bombing raids on targets of military value in North Vietnam.

The United States has repeatedly declared that we do not seek to destroy cities or the civilian population of the North.

What we do expect to accomplish through these air attacks was set forth by Ambassador Maxwell Taylor, our former Ambassador in Saigon, in an August 16 television interview. He made three major points:

First. To give the South Vietnamese people the sense of being able to strike back for the first time against the source of all their evils, North Vietnam.

Second. To reduce infiltration.

Third. To remind the Communists in Hanoi that unless they cease their aggression they will have to pay an ever-higher price for their actions.

No one can accurately predict when our soundly balanced strategy of air and ground military activity, logistical support, and political flexibility will yield concrete results, but yield them it will.

While no one can contend that the road ahead in Vietnam is short or easy, or that great dangers do not exist, the possibility of an eventual settlement seems nearer.

The propaganda of Hanoi and the National Liberation Front has moved away from the flat demand that U.S. Armed Forces get out of South Vietnam, and now we are hearing carefully worded suggestions that a token force of American troops might remain in South Vietnam while discussions were undertaken.

The Communists still insist on the fiction, however, that the National Liberation Front must represent South Vietnam in any peace talks, which is comparable to insisting that the American Communist Party represent the United States in some hypothetical negotiation with Communist nations.

Meanwhile, the monsoon season in Southeast Asia is drawing to a close, and the Vietcong and their North Vietnamese masters are no nearer to victory than when their latest offensive began in late May. This is not to say that the teeth of the Communists have been pulled, but American-led forces have dealt them some serious blows in recent weeks. We have bombed within 17 miles of the Red Chinese border. In addition we have demonstrated very forcibly to Hanoi that we can wipe out their rail and supply lines with ease.

The latest news reports filed from Saigon indicate that, as their frustrations on the battlefield mount, the Vietcong are turning more and more to methods of brutal terrorism in their drive for conquest.

Mr. President, the possibility of direct Chinese intervention in the struggle in Vietnam is another question which has been raised as a result of our stepped-up military support for Saigon.

Both former Ambassador Taylor and Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, believe that such action by Communist China is unlikely as long as that nation is not attacked. Many others agree.

For, no matter how belligerent the tone of the Chinese, they are fully aware of the fact that they would not enter a contest with the United States in southeast Asia on terms to their advantage. The Red Chinese know we are fully prepared militarily; that they would have to fight in an area exposed to effective U.S. airpower; and that there is a very real possibility that Soviet Russia would remain neutral in such a struggle.

Perhaps most significantly, neither the Chinese nor the North Vietnamese want to completely puncture the myth—already full of obvious holes—that the war in Vietnam is a civil war, a war, to use the Communist term, of national liberation.

Mr. President, there can be no easy way out of the situation in Vietnam. There are no cheap or quick solutions to a problem that has been with us for 11 years and that has occupied the energies of 3 Presidents.

But, I am confident that our policies which have been so carefully worked out and tested in the crucible of war have stood the test of time and, in the long run, will prove successful.

The American people, all people, want peace but not at the price of surrender to aggression. We have learned from hard and costly experience that peace without honor, peace without proper safeguards, peace "at any price," is merely the prelude to mounting aggression and bloody, costly war.

In his July 28 press conference, President Johnson said:

> We are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant Nation.
>
> Strengthened by that purpose, the people of South Vietnam have fought for many long years. Thousands of them have died. Thousands more have been crippled and scarred by war. We just cannot now dishonor our word, or abandon our commitment, or leave those who believed us and who trusted us to the terror and repression and murder that would follow.
>
> This, then, my fellow Americans, is why we are in Vietnam.

I am convinced that we can do no less than the President has pledged we will do.

WHEAT SHIPMENTS TO RUSSIA IN U.S. SHIPS

Mr. YOUNG of North Dakota. Mr. President, the Executive order providing that 50 percent of all wheat shipped to Russia and Russian-bloc countries must be carried in U.S. bottoms represents a serious problem to the wheat industry of this Nation. No such provision applies to any other farm commodity or even industrial goods except for those that are declared strategic war materials.

From the days of the Pilgrims the U.S. wheat producers have had to depend on foreign markets for a large part of its production and currently far more than 50 percent. Even with greatly curtailed acreage through Government programs we still have a sizable surplus of wheat. This means that there is no other way for wheat farmers to survive without a farm price support program.

There would be little need of any price support program for wheat if we were not blocked out of the big dollar markets of the world as is now the case. The Fargo Forum of Fargo, N. Dak., under date of September 10, 1965, has a very appropriate editorial dealing with this subject which I ask unanimous consent to have inserted as a part of my remarks, and also a column by Richard Wilson appearing in the Wednesday, September 8, 1965, issue of the Evening Star entitled "Union Snaffles Wheat-Sale Hopes." Both of these in a very factual way set forth the problem all this presents, not only to the wheat industry, but to the entire Nation.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Fargo (N. Dak) Forum, Sept. 10, 1965]

MARITIME UNIONS PREVENT U.S. WHEAT FARMERS FROM SELLING ON WORLD MARKET

Once again the American maritime unions, notably leftwing in their thinking, and the ultraconservative wing of American political thought are working together to deprive the U.S. wheat farmer of a chance to sell his product on the world market.

They are adamant against letting American grain interests sell wheat to the East European nations, including Russia, unless 50 percent of the exports are shipped in American-flag vessels.

Cargo rates in American-flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

Even if President Johnson or the Congress lifted the requirement for shipping half the wheat sold to Eastern Europe in American-flag vessels, there is considerable doubt that U.S. maritime workers would load the wheat.

Victor Riesel, a labor news reporter-columnist, recently interviewed Teddy Gleason, leader of 60,000 longshoremen. Gleason said it would take the U.S. Marines to get grain loaded onto any ship, American or foreign, in any U.S. port if U.S. shippers did not get half the business.

Riesel added: "And unless Gleason's followers load that grain, it won't get into the cargo holds. If the marines handle it, the American ships won't sail because their crews belong to Paul Hall's militant Seafarers, or the National Maritime Union. If the Government mans the ships, the marine engineers will strike again."

So labor won't let the American farmer enter the world wheat market without putting out its fist first and demanding a cut. And the same labor organizations—through their Congressman—are the first to complain about the high cost of farm subsidies which are intended only to give the farmer a fair return for his product.

The maritime blockade against the farmer makes a mockery of the Great Lakes seaway which gave the Great Plains farmer an outlet to the world markets.

[From the Washington, D.C., Evening Star, Sept. 8, 1965]

UNION SNAFFLES WHEAT-SALE HOPES

(By Richard Wilson)

A labor union is successfully thwarting a major foreign policy thrust of the U.S. Government. This ludicrous situation illustrates to what lengths labor union tyranny can be carried.

But the fault lies not alone with the union; it also rests on an administration in Washington that will permit itself to be so intimidated.

The union involved is the militant leftwing Maritime Union, backed up by George Meany, president of AFL–CIO. The issue is sales of American surplus wheat to the Soviet Union. But far more is involved than merely unloading American farm surpluses.

Communism's great failure is its inability everywhere, in China and Cuba as well as the Soviet Union, to organize agricultural production to feed properly an industrialized society. It is a glaring failure of State socialism known to all the important people of the world and thus is a continuous question mark behind the effectiveness of the Communist system. Moreover the problem of agricultural production is the chief problem of every emerging nation of the world, from Vietnam to Tanzania.

The Soviet Union is undergoing the humiliating experience of scrambling in the world market for wheat to feed the industrial sector of her society because her farm technology is hopelessly fouled up under Socialist direction and cannot stand the slightest adversity in crop-growing weather.

Imagine the great planners of the abundant society in Moscow, that society that would leave the United States far behind in material progress, having to go hat-in-hand to Ottawa and Canberra seeking enough wheat to avoid bread riots in Sverdlovsk.

But the Moscow bargainers will accept only so much humiliation, and they balk at buying American wheat that they can't bring into their own ports in shipping of their own choosing. This is the point at which the Maritime Union has thwarted a U.S. policy of getting rid of American surplus wheat while at the same time focusing a glaring light on the failure of Socialist planning.

The union forced President Kennedy to impose the requirement that 50 percent of any wheat sold to the Russians must be transported in American vessels so as to provide employment for American seamen, the highest paid in the world.

Since American shipping costs are about 40-percent higher than those of other countries, the requirement has a very discouraging effect on Russian purchases. Russians get their wheat elsewhere when they can, from Canada, Argentina, Australia, and France.

In practice, all that the 50-percent requirement has done is discourage any shipments of American wheat to the Soviet Union, and that reduces maritime employment rather than increases it. The opportunity to get rid of many millions of bushels of American wheat is lost, but the Soviet Union is little the worse for it.

Behind the scenes, Vice President HUBERT H. HUMPHREY has been urging President Johnson to lift the 50-percent requirement. HUMPHREY is reflecting the desires of the grain trade and grain farmers in his home State of Minnesota. It is ironic that congressional and public support has swung in favor of the practicalities of trading with the Russians, but that the rightwing political organizations and the leftwing Maritime Union join in blocking it.

Meany's opposition is notable only for its adamancy. He seems wholly under the influence of his adviser, Jay Lovestone, a recanted U.S. Communist Party official, who has reacted so strongly against his former associations that he wants no truck with the Communist world at all.

Johnson has hung back, apparently fearing that if he lifts the 50-percent requirement dock workers will refuse to load the ships, as they did in 1964. To enforce his policy he might have to call out Federal troops. That would be a politically exploitable contradiction: Paratroopers loading wheat for the Russians while the Air Force bombs Russian-manned missile sites in Vietnam.

Informed officials here are forecasting that in 6 months or so the conditions may have been created for breaking the Maritime Union tyranny. Why not now?

DEATH OF DR. MORTIMER TAUBE

Mr. TYDINGS. Mr. President, one of the most beloved citizens of Montgomery County, Md., passed away last week.

Dr. Mortimer Taube was an outstanding civic leader, a remarkable businessman and an extraordinarily learned and sensitive human being.

Long active in civic affairs, Dr. Taube served during the past 2 years as chairman of the United Givers Fund for Montgomery County.

A specialist in the field of information theory, Dr. Taube had organized Documentation, Inc., in 1951 with three employees. The firm now employs more than 700 persons and is the world's largest aerospace information center, running the scientific and technical information service for the National Aeronautics and Space Administration.

Although his firm worked chiefly with computer-stored information, Dr. Taube vigorously opposed the overcomputorization of modern life. His book, "Computers and Commonsense," published in 1961, emphasized his admonition that computers cannot think.

A philosopher by training, Dr. Taube studied at Harvard during the 1930's under Alfred North Whitehead. He received a doctorate in philosophy in 1935 from the University of California.

Last year, he served as an adjunct professor at the Columbia University School of Library Science, flying to New York once a week to teach a course on modern methods of information gathering.

At the time of his death, he was working on a book to be called "Philosophy for Philistines."

Dr. Taube's death, at age 55, came as a deep shock to me and to all who knew and loved him.

I ask unanimous consent that an editorial from the Montgomery County Sentinel of September 9 be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Montgomery County Sentinel, Sept. 9, 1965]

DR. MORTIMER TAUBE

Dr. Mortimer Taube is dead and his passing is a grievous loss to the Montgomery County community.

A man of many interests—he was a philosopher, astute businessman, sportsman, scientist, author, teacher, music lover, art collector—he had a fine mind and boundless energy and enthusiasm. Like many men of notable achievement, he needed—or wanted—little sleep. Like Robert Frost he felt he had many miles to travel before he slept. And promises to keep. His premature death at the age of only 55 is tragic indeed.

Typical of men of his caliber he was genuinely concerned about his community. And typical of the man he didn't scatter his shots. The single institution that performs best for the community's less fortunate is United Givers Fund, raising huge sums of money for social welfare agencies that relieve enormous distress and soften tragedy. Dr. Taube served as chairman of last year's UGF drive in the county and when he died he had accepted the chairmanship of this year's drive and was, despite the heavy demands on his time, already throwing himself into this most worthwhile community endeavor.

Four days before his death he sent a letter to all leading business firms in Montgomery County announcing a meeting in his office at which he wanted to discuss "how best we can jointly assume the responsibility which faces us."

We can think of no more fitting tribute to his memory than for the community to give to this year's UGF fund drive in his name. He would be pleased.

There are too few Dr. Mortimer Taubes in the world and their departure creates a great void. The sympathies of the entire Montgomery County community go out to his family. It is our loss, too.

JOHNSON ADMINISTRATION SUPPORTED SUBSTANTIALLY ON VIETNAM POLICIES AND TACTICS

Mr. RANDOLPH. Mr. President, it is gratifying to read newspaper accounts of Louis Harris polls, as published Sunday and today in the Washington Post, under the encouraging headlines, "Support Solidifying for Johnson Course in Vietnam Crisis," and "Administration Backed on Tactics in Vietnam."

I commend the President of the United States and continue to support his Vietnam policies. As I stated in a speech at Ramage, W. Va., at a large family reunion event on August 22, 1965, an action such as that in which America is involved in Vietnam is not acclaimed in the ordinary sense of popularity. Who would expect such circumstances to be popular? But the consensus of support for efforts there is overwhelming. Widespread knowledge exists in our country that it is necessary for the United States and other anti-Communist nations to draw the line there against Communistic aggression, expansion, and infiltration. We must blunt the Communist drive in Vietnam and convince the Reds that they should negotiate a peaceful settlement.

In comments on our involvement in Vietnam, I also declared, and I reemphasize today, that we are not going it alone in Vietnam, as some citizens would have other citizens believe. And we are not prosecuting an aggrandizing offensive against a small country. We are in a complex effort—even more so than in Korea. But that root fact is that we are assisting South Vietnam, with more than three dozen other allied countries, in an effort to contain communism in southeast Asia and thereby stabilize the tenuous peace.

Although we are in a form of war on a small front in a faraway land on a limited basis, we continue as a Nation to experience a relatively peaceful life instead of the disaster of a major holocaust and instead of rapid Communistic expansion.

The satisfaction which comes from peace, even in the relative sense, and from prosperity at home in the factual sense, will not be ours for long, however, unless we continue with vigor to prosecute our efforts in Vietnam.

I repeat: We do have allies there—more than 36 of them—in addition to the Republic of South Vietnam. Their numbers and contributions to the fight against the Vietcong and the North Vietnamese Communists will grow until the Reds are convinced they cannot conquer or take over in that distant but vital area. They must be convinced that peace is the only real solution.

For us to abandon the effort and pull out, as some citizens counsel, would be an invitation to the communistic hordes to swarm over all of southeast Asia—and then over all of Asia—and to break loose aggressively and insidiously in many other parts of the world. Where can we draw the line against the Communists better than in Vietnam?

We must and we will hold on the Vietnamese line. Otherwise, we will be facing peril and possibly will be forced to fight a larger war on a much closer front. In strength we will find peace. If we weaken, the future of our country will be insecure.

Mr. President, I ask unanimous consent to have printed in the RECORD articles from the Washington Post of Sunday, September 12, 1965, "The Harris Survey—Support Solidifying for Johnson Course in Vietnam Crisis," and Monday, September 13, 1965, "The Harris Survey—Administration Backed on Tactics in Vietnam," and I ask unanimous consent, also, to have printed in the RECORD the text of an address I delivered in Parkersburg, W. Va., August 7, 1965, on the subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 12, 1965]

THE HARRIS SURVEY—SUPPORT SOLIDIFYING FOR JOHNSON COURSE IN VIETNAM CRISIS

(By Louis Harris)

President Johnson today has more solid support for his policies in Vietnam—66 percent of the public—than at any other time since the fighting began to escalate in February. Opposition to U.S. involvement in the war appears to be fading, while public opinion behind a firm military posture is very substantial.

The American people apparently have passed an important threshold in their thinking about Vietnam. Only a relatively small minority any longer expect a quick settlement of the war. More than twice as many, in fact a majority of the public, believe that the Vietnam fighting will go on for several years.

It is now clear that as concern over the war in Asia has mounted—73 percent say they think about it often and 61 percent feel personally affected by it—most Americans have concluded that the failure of the United States to stand firm in Vietnam would lead to even deeper trouble for the free world later on.

On five occasions this year, the Harris Survey has asked cross sections of the public:

"How would you rate the job President Johnson has been doing in handling the war in Vietnam—excellent, pretty good, only fair, or poor?"

L.B.J. handling of war

[In percent]

	Excellent—pretty good	Only fair—poor
September	66	34
July	65	35
May	57	43
March	60	40
January	41	59

From the essentially negative feelings of last January, public opinion has shifted sharply. Furthermore, there is a growing firmness about the course the American people want to see followed in Vietnam. The public was asked in May, July, and again in this latest survey:

"What course do you feel the United States should follow in the Vietnam fighting—carry the ground fighting to North Vietnam, at the risk of bringing Red China into the war, negotiate a settlement, or hold the line to keep the Communists from taking over South Vietnam?"

[In percent]

	Sept.	July	May
Hold the line	49	45	42
Negotiate	25	30	36
Carry the war north	26	25	22

In order to test just how solidly people are willing to hold to their positions about the Vietnam war, a series of statements was presented to people who professed to hold each point of view. After each statement was read, each person was then asked if he would still agree with his stated position. The results are particularly revealing.

All of the 25 percent of the public who want to carry the war to North Vietnam are willing to see this done even if it means the Government would have to reimpose the taxes that were reduced last year. Ninety-five percent of this group feel the war should be carried to the North even if it means that the United States would become involved in an Asian land war with casualties as great as in Korea or if it means that Russia and China join forces with North Vietnam. Ninety-two percent of this group favor carrying the war to the North even if it means we would ultimately have to use atom bombs on the Chinese mainland.

The bulk of Americans—the 49 percent who want to hold the line in South Vietnam—feel almost as strongly about that view. Ninety-five percent of them say they are willing to give up last year's tax cut to maintain that position. Seventy-three percent say they are for holding the line even if it means a land war as in Korea. Sixty-nine percent say they are for holding the line even if it means Russia and China join with North Vietnam. And 58 percent are for staying in South Vietnam even if it means the eventual use of atom bombs against China.

In sharp contrast, the 25 percent of the public who want to end the fighting in Vietnam with the best settlement we can get is far less solid in its views. Seventy percent of these people say they would change their minds about our course in Vietnam if it means that Communists would use similar tactics on other continents. Almost two-thirds say they would change their minds if negotiating our way out of Vietnam means that the Communists would take over all of southeast Asia or that Americans would be fighting against Communist wars of liberation in other places in the next 15 years.

Thus, it is clear that some of the possible consequences of pulling out of Vietnam now are unacceptable even to those who believe President Johnson is pursuing the wrong policy there.

In fact, when public opinion about Vietnam is assessed in the light of these probes, it is perfectly apparent that the American people are nearly 70–30 behind the proposition that Vietnam should be the ground on which the United States should take its stand against communism in Asia.

There is little doubt now that most Americans appear ready for a long haul in Vietnam, as distasteful as the sacrifice and suffering might be. This was evident in the replies to another question:

"Do you feel the war in Vietnam will now last several years, or do you feel it is likely to be settled soon?"

	Percent
Several years	54
Settled soon	24
Not sure	22

[From the Washington Post, Sept. 13, 1965]

THE HARRIS SURVEY—ADMINISTRATION BACKED ON TACTICS IN VIETNAM

(By Louis Harris)

As reported yesterday, the American public is now solidly behind the present U.S. policy to do everything possible to prevent a Communist takeover in South Vietnam. On most questions of specific military and political tactics in the war there, people in this country also tend to back the decisions made in Washington.

There are, however, two important exceptions. By a 3-to-2 margin, the public would like to see the United Nations take over the defense of South Vietnam as it did in Korea in the early 1950's. And by a 5-to-4 margin, the public favors imposing a naval and air blockade on the ports of North Vietnam.

The Johnson administration has not used a blockade, and the United Nations is not involved in the defense of South Vietnam.

On other important tactical points, however, key decisions made by Washington receive strong support. For example 2 out of every 3 Americans who have an opinion on the issue oppose bombing Hanoi, the capital of North Vietnam, despite some demands in this country that such attacks be carried out. By 5 to 1, the public also supports the refusal of the administration to use tactical atomic ground weapons or to bomb the mainland of China. And the $1 billion economic assistance program Mr. Johnson pledged for all of southeast Asia if the war in Vietnam were to end meets with better than 2-to-1 public acceptance among a cross section of the adult public.

KEY VIETNAM POLICIES

"I want to read off to you a number of positions the Johnson administration has taken on Vietnam. For each, I wish you would tell me if you think the administration is more right or more wrong."

[In percent]

	More right	More wrong	Not sure
Not using tactical atomic ground weapons	67	14	19
Not bombing the China mainland	65	13	22
Pledging $1,000,000,000 to southeast Asia if war ends	48	22	30
Not bombing Hanoi	47	20	33
Not blockading North Vietnam ports	31	38	31
Not asking United Nations to take over defense of South Vietnam	29	42	29

It is significant that even people who say they want to escalate the ground war by carrying it to North Vietnam oppose the use of tactical atomic weapons and the extension of air strikes to China. This group would likewise favor the United Nations' taking over the military direction of the war in Vietnam.

On the question of bombing Hanoi or imposing a blockade on North Vietnamese ports, there are sharp divisions according to people's general views on overall strategy.

Bombing Hanoi

[In percent]

	Favor bombing	Oppose bombing	Not sure
Nationwide	20	47	33
By attitude toward war:			
Carry to North Vietnam on ground	48	28	24
Hold line	14	62	24
Negotiate best we can	13	52	35

Blockading North Vietnam ports

[In percent]

	Favor bombing	Oppose bombing	Not sure
Nationwide	38	31	31
By attitude toward war:			
Carry to North Vietnam	64	18	18
Hold line	39	38	23
Negotiate best we can	25	40	35
By 1964 vote:			
Goldwater voters	45	23	32
Johnson voters	36	35	29
By sex:			
Men	46	31	23
Women	30	31	39

In the case of both issues, the balance of power is clearly held by the group who would like to hold the line in South Vietnam. The hold-the-liners are overwhelmingly opposed to bombing Hanoi but tend by a narrow margin to favor a blockade.

It is interesting to note that the people who voted for Barry Goldwater in 1964 are heavily in favor of the blockade, while Johnson voters are split down the middle. This, of course, bears out a division that emerged in the 1964 election itself.

When asked if they feel Mr. Johnson's position on Vietnam now is more like Goldwater's than it was a year ago, or is it still very different, Goldwater backers by nearly 2 to 1 think the President has come over to the former Republican Senator's views. But those who voted for President Johnson last year feel just as decisively that this is not the case.

CURBING COMMUNISTIC EXPANSION AND AGGRESSION

(Speech by Senator JENNINGS RANDOLPH, of West Virginia, at Parkersburg, W. Va., August 7, 1965)

Today, as never before, the American proposition of the dignity of freemen is threatened by an implacable, ruthless and resourceful enemy. In 48 years, international communism has grown from a handful of theorists and revolutionaries to a power which now rigidly controls one-third of mankind and has penetrated in varying degrees the remaining two-thirds.

In southeast Asia, in the Middle East, in Africa, and in Latin America, communism has made significant inroads in the past 20 years—and not by military means alone, but by exploiting the tensions of the newly independent societies and by holding forth a false but appealing vision of a new life.

This is a time for our rededication to the ideals for which the American struggle for independence was fought, and for dedication to the right of all men and women to share in those ideals.

Though we are locked in a struggle for which we can see no early end, we must not allow ourselves to be stampeded by alarmist cries of impending doom. Rather. let us continue in patience and intelligent determination to seek the grounds for a just and enduring peace and the maintenance of individual liberty.

I believe it is time to ask a truly pertinent question, and it is this—What kind of a world would we now have if, in the last 20 years, the several Communist aggressions, wars of liberation, and involvement in the affairs of others had not been met?

This a fair inquiry at a time when the Communists are berating this country as imperialistic and when a number of our fellow countrymen—not excepting segments of the press—seem to feel uneasy because the United States has acted forthrightly in a time of international crisis.

In answering the question each individual must consider the Soviet record particularly and the Communist record in general.

In the years since the end of World War II it has been necessary for the United States and the free world to meet and counter subversions and aggressions in Iran, Greece, Turkey, Berlin, the Philippines, Korea, Lebanon, Cuba, the Dominican Republic, and now in southeast Asia.

It will be recalled that scarcely had Japan surrendered before the Soviets, by infiltration and assistance to a local Communist group, had set up an independent government in a province of Iran. The United States strongly protested and placed the issue before the newly created United Nations. Our country's position was clear. If the United Nations had been defied there likely would have been direct United States action, I believe. All signs pointed in that direction, but the Russians deliberated and then reluctantly withdrew from that Communist excursion into the Iranian province. Had the Red aggression not been met, the Soviets soon would have taken over all of Iran, and it seems to be a proper assumption that within a year thereafter all of the rich Middle East would have been occupied or controlled by the Communists.

It is pertinent to cite that Winston Churchill, in 1947, said that only U.S. possession of the atomic bomb had stood between the Soviets and a takeover of Europe.

Collaterally, there were developed the Truman doctrine and the Marshall plan.

The Truman Doctrine was enforced to save Greece and Turkey, even though in Greece the Communists' forces reached the suburbs of Athens. Turkey, in political chaos and near bankruptcy, was on the verge of capture by the Communists when the United States intervened. United States and free world actions in Greece and Turkey immediately following World War II were direct and decisive.

Application of the Marshall plan in another action of the post-World War II period saved Italy and France from chaos and communism.

Later came the Berlin blockade by the Soviets. This was an attempt to drive the United States and our allies out of Berlin. But the successfully accomplished airlift by the United States thwarted that Communist scheme.

We recall that for a number of months that city of several million persons was supplied with food, coal, and clothing only because of the airlifting of those necessities on an around-the-clock basis. It was a determined, but hazardous mission on the part of our country; it succeeded without provoking hostilities and was a stabilizer of the tenuous peace experienced in the midst of the cold war.

Then, too, at the close of World War II there was a large Communist force (the Huks) in the Philippines receiving Soviet assistance. The Huks attempted to overthrow the established government through guerrilla action. The same pattern was attempted by the Communists in Malaya. And, of course, we are aware that a Soviet and Red Chinese supported North Korean army, violating agreements, made a surprise strike into South Korea in the spring of 1950. In the early weeks of that Communist aggression, the invaders from Red-held territory nearly succeeded in their takeover mission. We recall that this communistic effort brought the United Nations into action on land, sea, and in the air—with the United States supplying the major forces, but with allies assisting. Total casualties on the U.N. side of that major and catastrophic armed confrontation with the Communists reached 160,000 before the Red excursion was halted.

It was in the first administration of President Eisenhower that the Korean affair was arrested, but it was also during the Eisenhower years that this country became involved in southeast Asia, including Laos and Vietnam. After 1954 the Russians and Red Chinese assisted in equipping and training the Vietcong Communist forces in Vietnam. Now, 12 years later, they continue to do so, and a treaty agreement was violated by North Vietnam and Russia in supporting this guerrilla force of the Vietcong.

To point out the wide dispersion of the Communist expansion activity, we recall also that in the Eisenhower years it was necessary to land troops from our U.S. forces in Lebanon to prevent a Communist coup in that country against a legitimately established government.

It is fresh in our memories, of course, that the late President Kennedy's firm policies prevented the Soviets from arming Cuba to the hilt with missiles within close range of our country.

Quick action by President Johnson earlier this year significantly prevented what could have been further take-over efforts in this hemisphere by the Communists in the Dominican Republic.

Had not the cited aggressions been met resolutely by all four of our Presidents since World War II, the position of the United States and the whole Western World long ago would have become so unstable as to have brought freedom to the brink of doom and communism to the fore as the dominant world force.

From the initial event in Iran to the present in southeast Asia, the Soviet record in the past score of years is one of gross interference in the affairs of other countries. The bellicose Red Chinese have been participating similarly and even more insidiously in recent years.

Notwithstanding these citations from modern history, we hear the United States arrogantly accused from Moscow, Peiping, Havana and Hanoi of having imperialistic designs and of interference in the affairs of other peoples.

It is an even more saddening experience to read in segments of the press and to hear some of our own citizens—seemingly without any reference whatever to the Communists' record of the past 2 decades—in expressions of contempt and in utterances of confusion concerning the policies of this country and its leaders in time of crisis.

I believe it remains clear that the aim of this Government continues to be the protecting of freedom and independence from Communist aggression without resort to general war.

Following President Johnson's press conference and address to the Nation on the Vietnam crisis recently, the Washington Post commented editorially:

"We do not see how President Johnson could have explained the necessity of the United States course in Vietnam more effectively than he did when he said:

"If we are driven from the fields in Vietnam, then no nation can ever again have the same confidence in our promise of protection. In each land the forces of independence would be weakened. An Asia so threatened by Communist domination would imperil the security of the United States itself * * *

" 'We just cannot now dishonor our word or abandon our commitment or leave those who believed us and who trusted us to the terror and repression and murder that would follow. This, then, my fellow Americans, is why we are in the Vietnam.'

"The President's reference to 'Asian communism' doubtless holds special significance. His exclusion of the Russians from his comments was an indirect appeal for Moscow's understanding of why we must do what we are doing. The Soviet Union shares at least some of the alarm in the West over the openly belligerent and recklessly aggressive course of Communist China and the North Vietnam Hanoi Government. President Johnson seemed to be saying to Moscow that the United States is doing everything possible to avoid a general war and that the two major nuclear powers have a common interest in not allowing this Asian Communist brushfire to get out of hand for want of a rational confrontation at a conference table.

"Within the United States, we surmise that the response to the President's speech will be overwhelmingly favorable. Despite the innate hatred of war, most of the people are aware of the kind of world we live in. They appear to be reconciled to a hard struggle in a far away land because of the close relation it has to the preservation of our own freedom * * *."

I agree completely with Max Freedman, whose views I summarize from a recent discussion of "America's Stake in Vietnam":

"What is at stake in Vietnam is not alone the noble but elusive concept of national honor but the stark imperatives of self-interest of the United States to have its word respected by every friend and feared by every foe. Without this respect the United States would be a hollow giant. With it, and without self-righteousness, it can be a guardian of peace. For its pledges can never be recklessly given, but once given, they must be resolutely redeemed. Otherwise national honor would indeed be seriously compromised—and national safety too."

There are those in this country who argue that what is happening in Vietnam is a civil war in which the United States has neither the right nor the interest to intervene. Whatever else may be said of this argument, it surely cannot be denied that it has not prevailed with three Presidents or with successive sessions of Congress.

The national commitment has rested on the principle that Communist aggression and Communist subversion are in fact taking place in Vietnam. It rests on that principle today.

What would happen if the United States abandoned that principle and retreated from its obligations? The results would not be limited to the loss of South Vietnam's freedom and the cruel punishments exacted by Communist tyranny. The calamitous results would be seen in a diminished respect for the stability of America's commitments and therefore in an increased threat to peace.

For the lesson of Vietnam, in these tragic circumstances of evasion and betrayal and retreat, would not be that aggression and subversion never succeed. The grim and dangerous lesson would be that the United States always runs away when the going gets rough and abandons its friends in the time of challenge. How could that lesson help the hopes of peace?

Does it not appeal to commonsense to suggest that weakness and retreat by the United States in Vietnam would bring new threats to peace in other vulnerable areas?

Rightly or wrongly, the United States for many years has made a test case out of Vietnam and now it must be tested by it. National self-interest gives no other choice except at the cost of intolerable risks.

This does not mean that the United States is committed to an endless land war in Asia. It does not mean that the United States wants to enlarge the war, to provoke China, or to widen the breach with Russia.

The President's desire to seek peace even while refusing to yield to Communist pressure must be manifest now to everyone who has any respect for facts. He has rejected the extreme policies of some of his advisers in the hope that the Communists would come to the conference table before the field of battle takes its frightful toll. But he will do whatever is necessary to redeem America's pledge if Communist pressure continues its ugly grip on South Vietnam.

The argument there has been in the cold and inevitable terms of self-interest, not in the emotional terms of freedom.

A ROUSING ROUNDUP

Mr. CHURCH. Mr. President, one of the most dramatic beatings of an old sword into a new plowshare has recently been completed in my State and the experience has enriched everyone connected with the event. I refer to the 1965 Senior Girl Scout Roundup held on the site of a one-time Navy training base at Farragut, Idaho.

When it was learned that Idaho would play host to this outstanding gathering, huge bulldozers rolled into the former military installation which had been in long disuse on the shore of one of America's most beautiful mountain lakes. The machines smashed flat the last vestiges of the barracks and other machines, graded, and landscaped the area. Then there rose phoenix-like out of the debris of the old Navy base, a new tent city which eventually housed 10,000 girls and their counselors. Here the Girl Scouts came with their, "On the Trail to Tomorrow."

It was the free world's largest assembly of teenage girls: 9,000 Senior Girl Scouts, 2,000 leaders and administrative personnel, from all 50 States and though all-American in its spirit, universal enough to attract delegations of Girl Scouts from 40 foreign countries.

On the Trail to Tomorrow these girls were welcomed by Idaho's four ages; the age of thousands, even millions, of years ago, in natural wonders which remain just as our ancestors saw them for the first time; the age of yesterday's Wild West, for Idaho is still only a little more than a human lifespan away from the Oregon Trail, the colorful gold rushes, and the thundering herds; the age of today where the best of modern progress and comfort lives in strange closeness with the past; and the age of tomorrow, for Idaho with its atomic installations is already a vital part of nuclear advancement and space exploration.

We feel that Idaho provided a perfect setting for the Girl Scout Roundup. And there was a wonderful spirit of get-together about the entire event. Our Idaho Basque dancers performed. As the warmth of Idaho hospitality spread, the outreach of Girl Scout ideals was felt throughout Idaho, too.

I am sure that our Girl Scout visitors are taking home a new and more active interest in everything American. As these girls depart upon the Trial to Tomorrow, they have left us a memorable gift. Idaho is now not only more on the map than ever. Idaho now has a warmer place in the heart of every State in our Union.

To the largest group of visitors we ever entertained at one time we say, "Come back again, soon."

NIKOLA PETKOV, BULGARIAN NATIONAL HERO AND GREATEST MARTYR IN THE STRUGGLE FOR FREEDOM AND INDEPENDENCE

Mr. LAUSCHE. Mr. President, Nikola Dimitrov Petkov was born in Sofia in 1894. He was the son of Dimiter Petkov, a self-educated peasant from Dobrudja, who became Prime Minister of Bulgaria. Dimiter Petkov was assassinated in 1907 for opposing foreign intervention in the internal affairs of Bulgaria, especially on the part of tsarist Russia.

Petko Petkov, Nikola's brother, was one of the greatest Bulgarian peasant leaders. He fought Alexander Tzankov's fascist dictatorship of 1923 and as a result was shot down on a Sofia street on June 14, 1924—exactly 1 year after the merciless assassination of Alexander Stamboliiski.

Nikola Petkov received a law degree in Paris, where he spent most of his youth. During the Nazi occupation of Bulgaria he was an underground leader and was imprisoned several times.

When the Nazis were driven out of Bulgaria, Nikola Petkov and three other representatives of the Bulgarian National Agrarian Union—the largest political organization in Bulgaria—took part in the first coalition government, together with Communists, Socialists, representatives of the political group "Zveno,"and the independent intellectuals. Together with Dr. G. M. Dimitrov, Secretary General of the Bulgarian National Agrarian Union, Nikola Petkov fought stubbornly against Communist outrages, terror, and violence, and thus incurred the hatred of both the Communist Party and the Soviet occupation authorities. Despite these difficulties, he continued to defend the freedom and independence of his country.

When the Soviet occupation authorities demanded the removal of the "capitalist agent" Dr. G. M. Dimitrov from his post as Secretary General, Nikola Petkov took his place.

In July 1945, Nikola Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945. These elections were to involve only one list of candidates, headed by the Communist Party. As a result of the memorandum, the Prime Minister declared that Petkov had resigned, although formally he never did so. In protest, Nikola Petkov and other cabinet ministers broke up the coalition government, and thenceforth openly opposed the Communist dictatorship. Upon intervention of the Control Commission, the elections were postponed until November 18th, 1945.

During the winter of 1946, Stalin sent Vishinsky to Sofia for the purpose of getting Petkov to come back into the government. At their dramatic meeting, Petkov declared that it was not his custom to obey the orders of any foreigner, but to listen only to the will of the Bulgarian people.

That meeting decided Petkov's fate.

In October 1946, Petkov headed the opposition in its election campaign against the Communist-Soviet attempts to seize full control of the country. The enthusiastic people from the countryside and towns voted en masse for Petkov's list, but the election results were falsified and violence and bloodshed were commonplace. Nevertheless, 101 people's representatives headed by Petkov, were acknowledged to have been elected and triumphantly entered the Grand National Assembly. It was there that Petkov's most courageous and heroic struggle culminated. Availing himself of his constitutional immunity, he unmasked in Parliament the treacherous intentions of the Communist and their leader, Georgi Dimitrov, former Secretary-General of the Comintern. He accused them of being Stalinist agents, and said that their hands were stained with the blood of innocent Bulgarians and that they wanted to make Bulgaria a Soviet province.

As a result of his activity, Petkov was charged with conspiracy against the state and the Soviet Union. Like his predecessor, he was called an agent of Anglo-American capitalism.

After dramatic and stormy debates in Parliament, Petkov was arrested inside the Parliament building in complete defiance of the Constitution and the law. Petkov declared dauntlessly that he would share with pride the fate of his father and his brother.

On August 16 Petkov was sentenced to die on the gallows.

Early in the morning of September 23, only 15 minutes after midnight, he was executed in secret because the Communists feared the people's mass indignation. At that time all executions took place about 5 o'clock in the morning.

Prior to the execution a representative of the Bulgarian Communist government appeared in Nikola Petkov's prison cell and offered him a pardon if he signed a petition in which he declared his repentance.

Petkov replied.

> You are even trying to desecrate my sacred memory, my sentence was passed by your Moscow masters and no one can revoke it. I do not seek any mercy from you. I want to die so that my people may be freed sooner.

The heroic example set by Nikola Petkov shook the free world and opened its eyes to the treacherous intentions and methods of the Bolshevist international conspiracy and the tragic fate which Soviet imperialism is preparing for all of humanity.

Petkov's career was a brilliant model of self-sacrifices for his people, principles, ideas, freedom and democracy. Thousands and thousands of Bulgarian patriots followed his great example.

That is the reason why the American Congressmen who, upon the occasion of a visit to Bulgaria, laid a wreath on his freshly dug grave, called him one of the greatest democrats of all time.

This is why government officials and statesmen from all over the world sent protest notes to his Sofia and Moscow executioners, and honored and still continue to honor, Nikola Petkov as one of the greatest martyrs of human freedom and the right to independence.

With each elapsing year, the memory of Nikola Petkov is becoming a greater danger for the Communist tyranny, shaking its yoke and leading the freedom fighters to their final victory.

A GOOD THREE-MAN COMMISSION

Mr. GRUENING. Mr. President, the Anchorage News bestows well-deserved praise on a Government official who has served as chairman of the Temporary Claims Commission, which sought to achieve an equitable settlement between the Fish and Wildlife Service and the State of Alaska. At issue was the property, equipment, floating and otherwise, which in view of statehood and the assumption of many of the functions formerly performed by the Federal agency, and now performed by the State's department of fish and game, should have been transferred to the State.

As the editorial makes clear, the commission acted with unprecedented efficiency and economy. But the editorial makes one regrettable omission. There were two other members on the commission. They are entitled to share the credit for good performance with Mr. Ward. If statues are to be erected, there should be three of them. The other two members of the commission were Maurice Oaksmith, of Ketchikan, and W. C. Arnold, of Anchorage. They are to be commended no less than is Ray Ward.

I ask unanimous consent that the editorial from the Anchorage Daily News of September 11, 1965, entitled "There Ought to Be a Statue," be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

There Ought To Be a Statue

There ought to be a statue—to Mr. Ray Ward, that is. To lovers of redtape, bureaucracy, and fuddy-duddism, Ward's name must be like a dirty word. He is a traitor to his colleagues who believe every appropriation should be spent to the last penny.

We all have read and heard how Government agencies, high and low, as fiscal periods come to a close hurry around thinking up things to buy lest they be caught with a surplus in their budgets. The word goes out from headquarters "you've got some money left, hurry up and spend it."

Mr. Ward was Chairman of the Temporary Alaska Claims Commission, created in March 1964 to aid in settling certain claims for equipment and property still dangling from the statehood transition period. Mr. Ward didn't even bother to have any official stationery. In fact he didn't even have an office.

Mr. Ward had a budget of $33,000 for his Commission and this scorner of big spending had the audacity to use only $5,354.02. The rest he returned to the Government.

This most unusual turn of events caused Representative Thomas Curtis, of Missouri, to remark wryly, "It is an inefficient bureaucrat who can't spend $33,000 and come in for a supplemental or two and who cannot find many reasons to prolong life of a temporary assignment to approximate his own." Representative Curtis was referring to Mr. Ward's closing of his "office" forthwith when the last piece of goods was adjudicated.

There ought to be more people like Mr. Ward. At least there ought to be a statue.

TITLE VIDEX TELEVISION DEVICE

Mr. BAYH. Mr. President, when the Gemini astronauts were picked up by the carrier *Lake Champlain*, still pictures of their arrival on the carrier were beamed instantaneously to millions of television viewers via a new process called Videx. This process, developed in Fort Wayne, Ind., by International Telephone & Telegraph Industrial Laboratories, made possible the graphic evidence of Astronauts Cooper and Conrad's physical health and vitality.

This is not the first important contribution made by ITT Industrial Laboratories in our space program. Several months ago an infrared sensor developed by this company was responsible for producing the nighttime pictures of the earth from the Nimbus satellite.

I would like to pay tribute to ITT Lab's dynamic president, Dr. Robert Watson, and his skilled team who are making these important developments in Fort Wayne.

The Videx process used in transmitting the astronauts' pictures has great promise in many commercial and communications applications and is lauded in an article appearing in the September 10, 1965, issue of Time magazine.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Up-to-the-Minute Picture

Minutes after they reached the deck of the *Lake Champlain*, Astronauts Cooper and Conrad were seen, bearded and smiling, on TV screens across the Nation. The images were not live TV pickups, which were not feasible due to technical difficulties. But they were the next best thing: still pictures transmitted almost instantly.

At first the TV screen turned all grey. Then the image took shape, teasingly, as if appearing from behind a slow-parting curtain that moved from left to right. While faint beep-beep-beeps were heard in the background, the picture grew in a series of vertical lines. In less than a minute, the picture was whole. For the first time on network television, still photographs were transmitted by a process called Videx.

Developed by International Telephone & Telegraph Corp., Videx is essentially an adaptation of the slow-scan process used in closed-circuit television and to send television pictures from space.

A videcon tube, much like a standard TV camera tube, sees the picture or other photographable object. The tube stores the image in the form of a pattern of varying intensities of light and dark. This pattern is then scanned by an electron beam, which registers the value of the light intensities, from white to grey to black. The electronic signal is next transmitted by radio or ordinary telephone line to a receiving screen.

TV cameramen on the *Lake Champlain* used Polaroid cameras to snap the pictures that were scanned by Videx. Each picture was scanned for 40 seconds; each frame consisted of 400 vertical lines, compared with the 525 horizontal lines of ordinary TV images. The pictures were transmitted by radio from the ship to Long Island, thence by telephone lines to Houston, where the TV networks were waiting with their receiving equipment. The beeping heard by the TV audience was the sound of the Videx signals.

Unlike regular TV, Videx does not require line-of-sight transmission, and it uses more compact equipment than ordinary TV. Banks are already employing the system to flash check signatures from branches to the main office for verification. The U.S. Weather Bureau sends weather maps and charts by Videx. The military has it too, but keeps the secrecy lid on its use.

CHINESE COMMUNIST APPROACH TO WORLD REVOLUTION

Mr. DODD. Mr. President, some critics of our present course of action in southeast Asia say we are interfering in a civil war.

They contend it is unrelated to the aggressive expansion of communism throughout the world.

We are also told that communism has limited territorial aims.

It is even said that communism's territorial expansionism is based upon legitimate national aspirations.

True to the quality of its past record, the journal Problems of Communism, in its July/August issue, has many articles of high scholarly excellence. I would like to call attention, in particular, to one article, "Maoism at Home and Abroad," by Tang Tsou and Morton H. Halperin.

Mr. Tsou is associate professor of political science at the University of Chicago and author of "America's Failure in China," 1963. Mr. Halperin is assistant professor of government at Harvard University and the author of "Limited War in the Nuclear Age," 1963, and "China and the Bomb," 1965.

The theme of Professors Tsou's and Halperin's paper is that Mao's revolutionary strategy, developed and applied to the Chinese internal political-military struggle, is also believed, by the Chinese Communist leadership, to be applicable not only to other countries, in the underdeveloped areas, but also to the world struggle between the Communist and anti-Communist camps. The article says:

> Several documents issued by the CCP in its dispute with the CPSU confirm that Mao is pursuing against the West a global, long-term strategy of encircling the developed areas from the underdeveloped areas, which amounts to an international projection of his strategy of surrounding the cities from the countryside in the Chinese civil war.

The findings of Professors Halperins' and Tsou's article, which came out in July, have been fully corroborated by the recent, revealing statement of Marshal Lin Piao, Chinese Communist defense minister.

Marshal Lin Piao, apparently speaking for the Chinese Communist hierarchy, explicitly states that Vietnam is a theater of the world revolutionary struggle. He explains that world communism, as led by China, has adapted the model of the Chinese civil war for its goals in the international arena.

He boasts in no uncertain terms that China is bent on shackling the world to her creed of communism.

Mr. President, the article "Maoism at Home and Abroad," is somewhat lengthy. However, because of the quality of the research, the high regard in which the authors are held, and the importance of the subject, I ask unanimous consent that the full text of the article be inserted in the RECORD at this point.

I also ask unanimous consent to have several articles from the Washington Post and the New York Times, which report and discuss the recent Chinese statements on world strategy, put into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Problems of Communism, July–August 1965]

MAOISM AT HOME AND ABROAD

(By Tang Tsou and Morton H. Halperin)

Despite its political implications, the explosion on October 16, 1964, of Communist China's first atomic device, and of a second device (or possibly a bomb) on May 14, 1965, has not greatly altered China's military position vis-a-vis the West. By all standards except size and population, Communist China is still not a first-rate power; yet the fact is that she has proceeded to challenge—simultaneously and from a position of relative military and economic weakness—not just one but both of the world's superpowers, the United States and the Soviet Union. It is an equally undeniable fact that Peiping's success to date in this dual struggle, though limited and perhaps only temporary, nevertheless considerably exceeds what might have been anticipated on the sole basis of Communist China's military and economic strength.

The contention of this paper is that an explanation of these two striking facts must be sought in the nature of the revolutionary strategy developed and applied by Mao in the Chinese internal political-military struggle, and in his belief that this same strategy can be applied not only to other individual countries, particularly those in the underdeveloped areas, but also to the world struggle between the Communist and anti-Communist camps. Mao dared to challenge the superior military and economic strength of the United States because his revolutionary experience proved to his own satisfaction that his integrated and comprehensive strategy would enable him both to score present, if partial, political gains from a position of military inferiority and also to achieve highly ambitious ultimate objectives with initially meager means in a protracted struggle. This conviction also explains in part his willingness to challenge the Soviet policy of "peaceful coexistence" even at the cost of losing Soviet economic aid and risking an open split in the international Communist movement.

Thus, the key to Communist China's foreign policy lies in Mao's revolutionary strategy and the projection of that strategy to the international area. The present paper begins with a brief examination of the various factors facilitating the effort of the Chinese Communists to project their revolutionary strategy abroad and an enumeration of some items of evidence bringing out the close relationship between this strategy and Chinese international behavior. It then seeks to define the nature of Mao's revolutionary strategy and to show how the various elements of that strategy from a unified and intelligible structure.

REVOLUTIONARY STRATEGY AND INTERNATIONAL BEHAVIOR

All violent political revolutions have been originated by groups of men initially weak in numbers and strength. But no other group of successful revolutionaries in the modern world was confronted with greater odds, waged a more protracted armed struggle, and survived greater defeats than did Mao Tse-tung and his comrades. In his tortuous road to ultimate victory, Mao followed a pattern of action and formulated a set of principles which, on many occasions, helped him to achieve political gains from a position of military weakness, and which over a period of time enabled him to bridge the enormous gap between his highly ambitious goals and his early military-political impotence.

This pattern of action and set of principles followed, in time and logical sequence, Lenin's substitution of the conquest of political power in place of socialism as the end in view of the Communist movement, and his use of military analogy for the purpose of analyzing the revolutionary situation and developing a theory of political strategy. The effect of the latter was to obliterate the analytic difference between political and military forms of the class struggle and to call attention to the relevance of military analysis as a method of formulating programs to deal with political conflict.[1] Unlike Lenin, however, Mao was engaged in an intermittent civil war over a period of more than 20 years before the final conquest of power. Consequently, Mao went beyond Lenin in emphasizing the importance of military power. He laid down precepts for coordinating its use with political policies, developed a doctrine of protracted war and a military strategy of surrounding the cities from the countryside, and exemplified, in his strategic and tactical thinking, a combination of prudence and revolutionary enthusiasm. While Mao's doctrines and precepts are by no means profound, they were perfectly adapted to the objective conditions confronting him and proved instrumental in enabling the Chinese Communists to win the most bitter and protracted internal war in the 20th century.

The Communists' theory of revolution, however, is a theory not merely of domestic but of world revolution. To them the analytic categories relevant to internal and international politics are identical.[2] From the Chinese Communists' viewpoint, their revolution to overthrow the Kuomintang government was, among other things, a fight against "the lackeys of Western imperialism," particularly American imperialism in the last few years of the struggle; and they have viewed their attacks on the West, particularly the United States, since their capture of power as merely a continuation of their previous struggle. The recent precarious balance of power in the Far East and southeast Asia within a worldwide context of American military superiority must have seemed to them analogous to the situation that had prevailed in China during the larger part of the civil war, when overall Nationalist superiority existed in juxtaposition to local Communist strength in particular areas.

The predilection of the Chinese Communists to project the now sacrosanct principles of their own revolution into the international arena is further reinforced by Communist China's relatively short but highly traumatic experience as a member of the family of nations. This experience militates against wholehearted acceptance of the system of national states and the rules governing nations in that system. The moral unanimity existing among Chinese Communist leaders who claim to know the absolute and universal truth reinforces traditional Chinese ethnocentrism and strengthens the tendency of those leaders to view the foreign scene in the Chinese image and to judge alien things by Chinese standards. Thus, it is not surprising that many of Mao's principles and precepts of political-military action have underlain Peiping's policies, strategies, and tactics in the international arena generally and in specific encounters with other nations.

As early as August 1946, Mao set forth four theses on the international situation which, with some modifications, have continued to guide his foreign policy: First, an all-out war between the United States and the Soviet Union in the immediate future was improbable. Second, the struggle between the socialist and imperialist camps in the period immediately ahead would take place in "the vast zone" outside the United States and the Soviet Union and embracing "many capitalist, colonial and semicolonial countries in Europe, Asia and Africa." (This thesis was the origin of the controversial concept of an "intermediate zone.") Third, the atomic bomb is a "paper tiger" because "the outcome of a war is decided by the people, not by one or two new types of weapons." Fourth, all reactionaries, including "the United States reactionaries," also are paper tigers: "In appearance, the reactionaries are terrifying, but in reality they are not so powerful from the long-term point of view."[3] These four theses, enunciated in what amounted to Mao's first independent assessment of the global situation confronting the international Communist movement,[4] reflected to a striking degree his unified strategy in the Chinese revolution, particularly in the period between 1937 and 1945. At the same time, this assessment constituted Mao's justification, from the viewpoint of the international Communist movement as whole, of his acceptance (in July 1946) of all-out war with Chiang and placed the revolutionary war in China within the context of the world struggle between the socialist and imperialist camps.

Soon after the establishment of their regime, the Chinese Communists began to apply Mao's political-military strategy outside of China. In November 1949, Liu Shao-ch'i, already the second-ranking leader of the Chinese Communist Party, declared that the peoples of colonial and semicolonial countries should follow the "path taken by the Chinese people in defeating imperialism and its lackeys," and he specifically identified this path as consisting of Mao's three magic weapons: the united front, armed struggle, and the building of a strong party organization.[5] Subsequently, in Korea, the Chinese Communist forces successfully turned back MacArthur's drive to the Yalu by the use of Mao's strategy of retreating deep in his own base area, waiting for the enemy to commit mistakes, and then fighting a battle of quick decision as a prelude to a general counter-offensive.[6] In Indochina, the Vietminh applied to its own revolutionary war those Chinese methods and precepts which were suitable to Vietnamese conditions, perfected some new tactics of its own, and ultimately defeated the modern, fully-trained, and excellently-equipped French Expeditionary Corps.[7] In the Quemoy crisis of 1958, a timely retreat, an early offer to negotiate, and a unilateral cease-fire declaration by Peiping kept military risks and political costs to a minimum and achieved some political gains.[8] In the military clash over the border with India in 1962, China inflicted a stinging defeat on the Indian forces and then declared a unilateral cease-fire, once again illustrating Mao's strategy of limited victory and restraint. In Laos, the strategy and tactics of the Pathet Lao, both in the coalition government and on the battlefield, seem to have been influenced by Mao's principles and precepts. Finally, several documents issued by the CCP in its dispute with the CPSU confirm that Mao is pursuing against the West a global, long-term strategy of encircling the developed areas from the underdeveloped areas, which amounts to an international projection of his strategy of surrounding the cities from the countryside in the Chinese civil war.[9]

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[1] Andrew C. Janos, "The Communist Theory of the State and Revolution," in "Communism and Revolution," edited by Cyril E. Black and Thomas P. Thornton, Princeton, N.J., Princeton University Press, 1964, pp. 32–36.

[2] Janos loc. cit., p. 40.

[3] Mao Tse-tung, "Talk With the American Correspondent Anna Louises Strong," "Selected Works," vol. IV Peiping, Foreign Languages Press, 1963, pp. 97–101. Hereafter cited as Mao, "Selected Works," vol. IV (Peiping), in order to distinguish it from the 4th volume of Mao's selected works published by Lawrence and Wishart (London), which covers the period from 1941 to Aug. 9, 1945.

[4] Prior to that time, Mao's pronouncements on international questions generally followed the twists and turns of the Soviet line. See Tang Tsou, "America's Failure in China," Chicago, University of Chicago Press, 1963, pp. 209–216.

[5] "Opening Speech by Liu Shao-ch'i at the Trade Union Congress of Asian and Australian Countries," "For a Lasting Peace, for a People's Democracy," Dec. 30, 1949, p. 14.

[6] For Mao's doctrine on this point, see Mao Tse-tung, "Problems of China's Revolutionary War," "Selected Works," vol. I, London,

The Chinese Communist leaders are highly conscious of their global revolutionary mission. The late Marshal Lo Jung-hunan, for instance, told cadres at the Chinese Communist political Academy in October 1960:

"At present, revisionism is spreading. The world revolution relies on the thought of Mao Tsetung * * * which belongs not only to China but also has its international implications."[10]

Again, at a conference of top Chinese military leaders, Marshal Yeh Chien-yin declared:

"No other nation in the world has more experience in fighting a war than we. * * * The nations which have not yet been liberated also want to overthrow imperialism and feudalism * * * and to wage armed struggle. They very much need our experience. Therefore, we should sum up our experience in order to hand it down to posterity and present it to our friends."[11]

As this experience is most relevant to the national liberation movements in underdeveloped areas, Peiping accords high priority in its foreign policy to support of these movements. A Chinese Communist military journal implicitly contrasted Peiping's attitude on this issue with that of Moscow in the following terms:

"Toward national liberation movements in colonial and semicolonial countries, there are two different attitudes. One makes the improvement of relations with the West a primary concern and does not support, or gives meager support to, the national liberation movements. The other makes support for national liberation movements a primary concern; it permits some proper dealings with the western countries but considers this a secondary question. Our country adopts the latter attitude, firmly supporting the national liberation movements and opposing colonialism and imperialism. We may have dealings with western countries, but do not bargain away our support for national liberation movements."[12]

Thus, Communist China actively seeks to cultivate close relationships with countries in Asia, Africa, and Latin America, but not with the imperialist powers, particularly the United States. Even the Taiwan question is viewed by Peiping in the broader context of the worldwide struggle against Western imperialism. If Communist China should yield to the United States and let imperialist forces retain their hold on part of her territory, a Chinese statement warns, "her international prestige will drop 10,000 feet"[13]; on the other hand, by refusing to compromise on this issue and keeping Sino-American relations in a stalemate, "we can keep aloft the anti-imperialist banner, freely support the national liberation struggle in the colonial and semicolonial countries, preserve our ability to attract policical support, and stimulate our morale."[14]

Marshal Chen Yi, Chinese Communist Foreign Minister, neatly summed up Peiping's approach to world affairs when he affirmed in September 1964 that Mao's strategic and tactical thinking, together with the policies and general line of the party center, have been the principal guides to Communist China's analysis of international problems over the past 15 years.[15] Hence, it is not surprising that the revolutionary strategy employed by Mao in the internal struggle for the control of China is a recurrent element in Peiping's international behavior.

MAOIST STRATEGY OF REVOLUTION

Mao's success as leader of the Communist revolution in China stemmed largely from two basic qualities: the ability to face reality squarely and the determination to change that reality. On the one hand, he fully realized the gap between his goal and the means at his disposal and harbored no illusions about the relative military strength of the Communists and the Kuomintang, but at the same time correctly discerned the contrast between the Kuomintang's military power and its political weakness. On the other, his determination led him gradually to evolve a set of political-military doctrines, principles, and precepts which would enable the Communists first to survive the attacks of vastly superior Nationalist forces, then to expand their power, and finally to swing the balance of social forces in their favor and attain ultimate victory.

While stressing the indispensability of military power to achieve political purposes and implement political policies, Mao emphasized the primacy of such purposes and policies in order to provide military power with the necessary foundation and direction and to exploit the political weakness of the Kuomintang, thus compensating for the Communists' military inferiority. As his grand strategy, he evolved the concept of surrounding the cities from the countryside and the doctrine of protracted war. Concerning the form of military operations, he developed a doctrine of guerrilla warfare and its gradual transformation into mobile warfare. In military tactics, he stressed retreat and dispersal of forces when necessary to avoid defeat, but concentration of forces when opportunities arose to win battles of quick decision. As his objective on the battlefield, he subordinated the holding or conquest of territory to the annihilation of the enemy's effective strength and the preservation of his own forces. In evaluating the factors making for military success, he advanced the notion of the decisive importance of men rather than of weapons. Regarding appraisal of the enemy's strength, he emphasized the principle that the Communists should not underestimate their enemies with respect to each particular struggle, but on the other hand should not overestimate them from the viewpoint of the overall strategic situation. He stressed the need to combine prudence with revolutionary spirit. To stave off irreversible defeat, he turned the united front doctrine into a rationale for seeking temporary peace with the Kuomintang. To expand Communist influence while avoiding an all-out conflict, he practiced limited war. To transform partial military success into legitimate political gains, he sought a political settlement through negotiations in a favorable climate of opinion created by astute propaganda and a moderate political program. To clinch final victory when the balance of forces could be altered in his favor by large-scale fighting, he accepted all-out war. These doctrines, principles, precepts, and practices were consistent with one another and formed a coherent whole.

THE PRIMACY OF POLITICS

The conquest of political power by armed force required a military strength superior to that of the Kuomintang. But the Kuomintang's greatest strength lay precisely in its military power, while its weaknesses were political, economic, and social. To develop military power in the service of the Communist revolution, it was necessary for the Communists to adopt certain policies designed to exploit the political chaos, economic stagnation, social ferment, and nationalistic sentiments fostered by foreign encroachments. These policies, directed at the most vulnerable chinks in the Kuomintang's armor, would provide the Communists with a political foundation on which to build up their own military power and, in the meantime, would compensate for their military weakness through expanded political influence. Thus, necessity and political expediency reinforced the imperatives of a revolutionary ideology in impelling Mao to stress the paramount importance of the political purpose and policies which military power was employed to achieve.

According to Mao, political purpose gave direction to the armed struggle, differentiated real friends from the real enemy, legitimized the political leadership of the armed forces, and laid the political foundation on which military power must be built. "Without a political goal," he warned, "guerrilla warfare must fail, as it must also fail if its political objectives do not coincide with the aspirations of the people and their sympathy, cooperation and assistance cannot be gained."[16] He further stressed that "any tendency * * * to belittle politics, to isolate war from politics, and to become advocates of 'war is

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Lawrence and Wishart, 1955, pp. 210–253. On the actions of the Chinese Communist forces in Korea, see Roy E. Appleman, "South to the Maktong, North to the Yalu," Washington, D.C., Government Printing Office, 1961, pp. 667–776; S. L. A. Marshall, "The River and the Gauntlet," New York, 1953.

[7] George Modelski, "The Viet Minh Complex," in "Communism and Revolution," op. cit., pp. 207–209; George K. Tanam, "Communist Revolutionary Warfare, the Viet Minh in Indo-China," New York, 1961, pp. 23–28.

[8] Robert W. Barnett, "Quemoy: The Use and Consequences of Nuclear Deterrence" (mimeographed), Center for International Affairs, Harvard University, 1960; Alice Langley Hsieh, "Communist China's Strategy in the Nuclear Era," Englewood, N.J., 1962, pp. 119–130; Tang Tsou, "The Embroilment of Quemoy: Mao, Chiang, and Dulles," Salt Lake City University of Utah Press, 1959.

[9] Tang Tsou, "Mao Tse-tung and Peaceful Coexistence," "Orbis," Spring, 1964, pp. 36–51. For an interpretation of the struggle for power in China, see Tang Tsou, "America's Failure in China," op. cit., pp. 48–56, 127–141, 186–192, 300–311, 401–440.

[10] "Kung-tso t'ung-hsun (Work Correspondence)" No. 8 (Feb. 2, 1961), pp. 16, 17. This is a secret journal for study by cadres of the People's Liberation Army at the regimental level and above.

[11] Ibid., No. 12 (Mar. 10, 1961), p. 4.

[12] Ibid., No. 17 (Apr. 25, 1961), p. 22.

[13] Ibid., p. 25.

[14] Ibid., p. 24.

[15] Chen Yi, "Commemorating the Thirtieth Anniversary of the Publication of Shih-Chieh chih-shih," "Shih-chieh chih-shih," Sept. 10, 1964, p. 1.

[16] Mao, "On Guerrilla Warfare," trans. by Samuel B. Griffith, New York, Praegar, 1961, p. 43.

everything,' is erroneous and must be corrected."[17] To assure the primacy of politics, a strong Communist party must take command of the army.[18]

Mao's political strategy prescribed, first of all, Communist espousal of the agrarian revolution in order to win the support of the peasants.[19] A workers' and peasants' political power must be established in the base areas, he held, to carry out social and economic reforms, to mobilize the masses, and to give support to the army. During the Sino-Japanese War, nationalism provided another powerful tool for mobilizing the masses.[20] The army, Mao taught, not only must fight to destroy the enemy's military strength, but also must "shoulder such important tasks as agitating the masses, organizing them, arming them, helping them to set up revolutionary political power, and even establishing organizations of the Communist Party."[21] In this manner, Mao laid the political foundations for building the military power which would in turn become the chief instrument for carrying through the Communist political revolution.

While there were many twists and turns in the implementation of Mao's political strategy, the essence of that strategy was to "develop the progressive forces, win over the middle-of-the-road forces, and isolate the diehards."[22] Once the intermediate class were won over and the archenemy isolated, the revolutionary forces, it was calculated, would enjoy such overwhelming popular support that their military power could be progressively developed and the balance of military power eventually tipped in favor of the revolution. Mao's mobilization of the peasants and his efforts to win over the intermediate classes did, in fact, draw new groups into the political arena, extended the base of political participation, and ultimately created a coalition of social forces larger and stronger than those supporting the Kuomintang. And, as the balance of armed strength tipped in their favor, the Communists' mounting military success enabled them to win over those whose chief concern was to be on the winning side.

FROM THE COUNTRYSIDE TO THE CITIES

While political goals and policies could provide the foundations for developing Communist military power and direct it toward certain general objectives, they furnished no guidance as to how this power could be used most effectively in terms of military stategy and tactics. On the basis of the lessons taught by both the early successes of Communist forces and the defeats they suffered in the Kuomintang's fifth campaign of encirclement and annihilation, Mao formulated and gradually systematized a strategy of surrounding the cities from the countryside and a doctrine of protracted war.

Mao had first adopted or advocated some of his ideas in opposition to the early leadership of the Chinese Communist Party, which insisted on adhering to policies based in part on Soviet experience and backed by the Communist International. Mao argued that the mechanical application of Soviet military doctrines in China would lead to Communist defeat, and he urged the adoption of a strategy based on the peculiar conditions and characteristics of the Chinese revolution and the Chinese Red Army.[23]

In Mao's view, a basic characteristic of the Chinese revolutionary war differentitated it from revolutions in capitalist countries, including the October Revolution in Russia. In the latter, the first step had been to seize the cities, where proletarian strength was greatest, and then advance into the countryside. In China, however, the correct strategy was "to employ our main forces to create rural bases, surround the cities from the countryside, and use the bases to expedite the nationwide revolutionary upsurge."[24] Mao set forth the rationale for his strategy:

"Since powerful imperialism and its allies, the reactionary forces in China, have occupied China's key cities for a long time * * * they the revolutionary forces must build the backward villages into advanced, consolidated base areas, into great military, political, economic, and cultural revolutionary bastions, so that they can fight the fierce enemy who utilizes the cities to attack the rural districts, and, through a protracted struggle, gradually win an overall victory for the revolution."[25]

If the Kuomintang's hold on the urban centers was strong, its control over the vast rural areas was weak. By devoting themselves "mainly to rural work,"[26] the Communists exploited this fatal weakness and gradually built up a peasant army strong enough to defeat the Kuomintang.

Mao realized that the strategy of surrounding the cities from the countryside would take a long time, and he therefore developed his doctrine of protracted struggle. As Mao envisaged it in 1936, the struggle would take the form of a prolonged alternation between Nationalist campaigns of "encirclement and annihilation" directed against the Communists and Communist countercampaigns.[27] This pattern, he predicted, would come to an end when the Red Army finally became stronger than the enemy and could launch its own campaign of encirclement and annihilation, against which the Kuomintang would be powerless because it lacked the political requisites for a successful countercampaign. This forecast was eventually borne out in late 1948 and 1949.

Mao's doctrine of protracted war rested upon simple principles governing tactics and battlefield objectives. The tactics prescribed for the period of Communist military inferiority were summed up in the now famous formula: "The enemy advances, we retreat; the enemy halts, we harass; the enemy tires, we attack; the enemy retreats, we pursue." Implicit in these tactics was the principle that the Communists' priority objective in battle was the preservation of their forces rather than the defense of Communist-held territory. Similarly, as Communist military strength increased and the guerrilla bands developed into regular units, greater stress was to be placed on the annihilation of enemy forces rather than the mere expansion of Communist territorial control. Mao's general plan of operations was to execute a strategic retreat deep into the Communist base areas in order to facilitate the concentration of his forces and create favorable conditions for defeating the enemy in a battle of quick decision, to be followed by a strategic counteroffensive.[28]

The doctrine that men rather than weapons are the decisive factor in war was fully consistent with the nature of guerrilla warfare, in which popular support is an essential ingredient of success. This doctrine, in turn, required a complementary set of psychological attitudes: On the one hand, cautious realism in estimating the enemy's present strength; on the other, confidence in his ultimate vincibility. Mao, in 1948, synthesized this balance of psychological elements as follows:

"If, with regard to the whole, we overestimate the strength of our enemy and hence do not dare to overthrow him and do not dare to win victory, we shall be committing a right-opportunist error. If, with regard to each part, each specific problem, we are not prudent, do not carefully study and perfect the art of struggle, do not concentrate all our strength for battle * * * we shall be committing a 'left'-opportunist error."[29]

In 1957, he restated this thought in the principle that "strategically we should take all enemies lightly, but tactically take them seriously."[30]

ARMED STRUGGLE AND POLITICAL STRUGGLE

The overriding questions of political-military policy in a protracted struggle were when to seek peace, when to fight a war, and what form the war should take. In the course of the Communist revolutionary struggle against the Kuomintang, Mao found himself confronted by three different political-military situations and adopted three different policies to cope with them. In a sense, these policies paralleled the usual alternatives open to states acting on the international plane under analogous circumstances: To seek peace, to fight a limited war, or to accept all-out war. But on a deeper level of analysis, Mao's conception of these alternatives was demonstrably different. For him, seeking peace meant merely the cessation of all-out war and did not preclude limited armed clashes. Conversely, limited war was waged under the concept of "peaceful struggle": The threat or use of force on a limited scale was a fairly constant feature of Mao's practice of "peaceful struggle" rather than a last resort employed only when nonviolent measures failed.[31]

Thus, in Mao's view, peace was as much a form of struggle as war, and emphasis could be shifted from one to the other in varying degrees depending upon the precise requirements of the existing situation. The essence of Mao's thought on this question has been succinctly summed up by Li Wei-han in the following words:

"In order to defeat the enemy we must * * * be adept at choosing the most advantageous forms of struggle. The working-class party must arm itself to the teeth * * * with all the means and methods of struggle so as to be able to make timely changes in the form of struggle to suit changes in the situation. The forms of struggle can be divided into main and secondary, and which should be the main and which should be secondary differs under different historical conditions in different countries. The working class and the Communist Party must be good at mastering the main form of struggle under the historical conditions of the time and properly coordinating it with other forms of struggle; only by so doing can they deal the enemy effective blows and firmly maintain the leadership of the revolution."[32]

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[17] Mao, "On Protracted War," "Selected Works," vol. II, p. 158.

[18] Mao, "Problems of War and Strategy," ibid., p. 228.

[19] Mao, "The Struggle in the Chingkang Mountains," "Selected Works," vol. I, pp. 74, 80; "A Single Spark Can Start a Prairie Fire," ibid., p. 117.

[20] Chalmers Johnson, "Peasant Nationalism and Communist Power," Stanford, Stanford University Press, 1962.

[21] Mao, "On the Rectification of Incorrect Ideas in the Party," "Selected Works," vol. I, p. 106.

[22] Mao, "Selected Works," vol. III, p. 194.

[23] Mao "Strategic Problems of China's Revolutionary War," "Selected Works," vol. I, pp. 177, 192.

[24] Mao, "Selected Works," vol. IV, pp. 178, 193–4, 197.

[25] Mao, "The Chinese Revolution and the Chinese Communist Party," "Selected Works," vol. III (London, 1954), p. 85.

[26] Mao, "Selected Works," vol. IV, pp. 190–5.

[27] Mao, "Problems of China's Revolutionary War," "Selected Works," vol. I, pp. 198–203.

[28] Ibid., pp. 203–48.

[29] Mao, "Selected Works," vol. IV (Peiping), pp. 181–2.

[30] Comrade Mao Tse-tung on "Imperialism and All Reactionaries are Paper Tigers," Peiping, Foreign Languages Press, 1961, pp. 25–6.

[31] Alice Langley Hsieh, "Communist China and Nuclear Force," Rand Corp., p. 9.

From 1927 up to the establishment of the second united front in 1937, the main form of struggle employed by the Chinese Communists was armed struggle, primarily as an instinctive response to the Kuomintang's policy of suppressing the Communists by force. From 1937 to July 1946, "peaceful political struggle" supplanted armed struggle as the main form, Mao's policy and initiative playing a large role in the transition, as we shall see. From July 1946 the main emphasis reverted to armed struggle, principally in response to the Kuomintang's postwar attempt to expel the Communists from stategic areas and its use of relentless military pressure to force the Communists to accept a political-military fait accompli. This Kuomintang policy was itself a response to Mao's prior resort to limited military actions (under the aegis of "peaceful struggle") for the purpose of expanding the territory under Communist control. Mao in 1946 shifted to all-out war when he saw that "peaceful struggle" was no longer advantageous to the Communists and that there was now a good chance of defeating the Kuomintang in a prolonged armed conflict despite continued Nationalists superiority in number of troops and arms. Limited war was therefore escalated into all-out war. The transitions in both 1937 and 1946 marked the culminations of fluctuating events and Communist moves over fairly long periods during which Mao had been preparing for the next main form of struggle.

Mao was adept not only in alternating the main form of struggle in the light of changing conditions, but also in blending and coordinating the methods of peaceful (i.e., political) and armed struggle in an integrated course of action. This coordination of the two forms of struggle to achieve a political objective was one corollary of Mao's general principle that military power is indispensable to the accomplishment of a political purpose and that, conversely, political purpose must govern the use of military power. Its effect was to make force a constant instrument to be used in conjunction with other methods.

Thus, in the period from 1927 to 1937, when the main emphasis was on armed struggle, political struggle—in the specific form of appeals and agitation for cessation of the civil war—was intensified and broadened as the military fortunes of the Communists ebbed and the possibility of total defeat drew closer.[33] This Communist political effort was facilitated by the political conditions created in China by Japan's aggressive actions: i.e., by the rising tide of Chinese nationalism demanding internal unity in the face of foreign aggression and opposing Chiang Kai-shek's policy of subordinating resistance against Japan to suppression of the Communists, and by consequent policy divisions within the Kuomintang. Mao's political maneuvers were instrumental in bringing about the Sian incident of December 1936, which forced Chiang to agree to an informal truce in the civil war against the Communists.

After the outbreak of the Sino-Japanese war in July 1937, the informal truce between the Kuomintang and the Communists developed into a formal united front, officially established in September 1937. The united front agreement, on its surface, committed the Communists to full political and military support of the Kuomintang in the war against Japan, but Mao never intended it to mean wholehearted Communist cooperation with, or unconditional obedience to, the Nationalist Government. Rather, it was to be merely a temporary alliance based on the "independence and antonomy" of the Chinese Communist Party.[34] Thus, the Communists never relinquished their absolute and exclusive control over the Communist military units and base areas, and the Communist armies were instructed from the outset to conduct guerrilla operations on their own initiative and independently of the Nationalist military command.[35] Nor did Mao's united front policy exclude continued Communist "struggle against the Kuomintang." On the contrary, it called for the active pursuit of " 'peaceful' and 'bloodless' struggle waged along ideological, political, and organizational lines,"[36] and even—in certain situations—for resort to limited armed struggle. Thus, for the Communists, the united front meant merely that "peaceful political struggle" was for the time being the main form of struggle, and armed struggle the secondary or subordinate form.

An essential feature of Mao's doctrine of limited armed struggle was the requirement that Communist military activity be carefully regulated so as to achieve a strengthening of the Communist position vis-a-vis the Kuomintang without incurring undue risk of all-out war. Thus, the doctrine stressed that limited armed struggle must be primarily defensive in character (though not excluding counterattack); that it must be undertaken only when the Communists were adequately prepared and certain of a favorable outcome; and that the Communists, after gaining the advantage in a particular armed conflict, should quickly take the initiative in seeking to negotiate a temporary peace in order to limit the duration of hostilities and conserve Communist strength. The effect of this policy in practice was to punctuate armed clashes between the Communists and the Kuomintang with periodic "peace" negotiations in which "peaceful political struggle" temporarily supplanted armed struggle as the immediate method of advancing Communist aims. The fourfold objective of such negotiations was to prevent the escalation of limited conflict into all-out war; to gain formal recognition of some of the gains achieved by force of arms; to influence public opinion by a show of restraint and moderation; and finally to win time and political support for an all-out civil war, if it did come. Political bargaining thus became an inseparable complement to the military struggle. Mao's policy of seeking a political settlement while using military power to strengthen the Communist bargaining position and preparing for all-out war was clearly in evidence during the period between the summers of 1945 and 1946.

The Chinese Comunist decision to shift to armed conflict as the principal form of struggle can be traced to a Central Committee innerparty directive of July 20, 1946, drafted by Mao, which called on the Communists to smash Chiang's offensive. Yet even the placing of primary emphasis on armed struggle was not incompatible with further negotiations provided they could be turned to Communist advantage. The negotiations which the Communists conducted with the Kuomintang in the latter half of 1946 and again in the early months of 1949 obviously represented a secondary resort to methods of "peaceful political struggle" simultaneous with and supplementing the use of armed force as the main form of struggle. Other examples of the secondary use of political methods of struggle were the Communist efforts to induce defections through secret contacts and understandings with Kuomintang officers; attempts to secure the piecemeal surrender of local Nationalist commanders through separate peace agreements; and the consistent Communist policy of granting lenient treatment to prisoners of war as part of an effort to induce them to join the Communist forces.

The central aim of the political struggle waged by the Communists in this period of the civil war was to build up a "very broad united front of the whole nation" against Chiang's government by winning over "all those who can be won over." The front was to embrace 90 percent of the people, isolating the small remaining group of reactionaries, and was to be led by the Communist Party.[37] The effectiveness of this political effort was such that, by the time the Communists were preparing to organize a new central government in 1949, Mao could declare, not without some justification:

"The Chinese revolution is a revolution of the broad masses of the whole nation. Everybody is our friend except the imperialists, the feudalists, and the bureaucrat-capitalists, the Kuomintang reactionaries, and their accomplices."[38]

There is little doubt that the Communists' political struggle to forge a united front helped them to gain victory in the armed struggle, while conversely their military success aided them in broadening and deepening the "revolutionary united front."

In waging political struggle as a supplement to armed struggle, Mao also was preparing for the transition once again from war to peace. The united front effort during the final phase of the armed struggle served to rally popular support for the Communists, to enlist non-Communist participation in the new regime, to retain the help of ex-Kuomintang personnel in running various agencies, to reassure businessmen and industrialists, and to minimize economic and administrative dislocation.

PEIPING'S GLOBAL STRATEGY: PROSPECTS AND PROBLEMS

Since coming to power, the Chinese Communists have vigorously sought to propagate their own successful strategy of revolution as an appropriate model to be followed by revolutionary movements in other colonial or semicolonial countries of Asia, Africa, and Latin America. To what extent is this claim justified? The answer depends, in part, on whether the objective conditions which made the success of the Chinese Communists possible exist or will emerge in these countries.

One of the most important of these conditions was the political weakness of the government in power. There is little doubt that the existing regimes in many underdeveloped countries are characterized by a similar weakness; but, as the example of the Chinese Nationalist regime itself up to 1937 shows, a politically weak but militarily strong government can still manage to consolidate its rule against relatively feeble opposition. In the last analysis, the decisive factor in undermining the Nationalist government in

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[32] Li Wei-han, "The Struggle for Proletarian Leadership in the Period of the New-Democratic Revolution in China," Peking Review, Mar. 2, 1962, p. 12. The first installment of this article appeared in the Feb. 23, 1962, issue. The article is one of the most significant and revealing published by the Chinese Communists on their revolutionary strategy and tactics.

[33] Mao, "Selected Works," vol. I, pp. 153–74, 354–7, 368–74; Charles B. McLane, "Soviet Policy and the Chinese Communists," 1931–36, New York, Columbia University Press, 1958, pp. 64–5.

[34] Mao Tse-tung, "Selected Works," vol. II (new ed., London, 1958), pp, 67, 69, 218–22. For a discussion of this principle in its historical context, see Tang Tsou, "America's Failure in China," op. cit., pp. 137–41.

[35] Mao, "Selected Works," vol. II, p. 67.

[36] Mao, "Introductory Remarks to The Communist," "Selected Works," vol. III, p. 59.

[37] Mao, "The Present Situation and Our Tasks" (Report to the CCP Central Committee, December 1947), "Selected Works," vol. IV (Peiping), pp. 171–2.

[38] Mao, "Selected Works," vol. IV (Peiping) pp. 220, 225–6, 407.

China and enabling the Chinese Communist Party to build up sufficient strength to overthrow it was the Sino-Japanese war. This suggests that a prolonged external conflict, or a war of national liberation, or possibly a civil war between two nonCommunist groups, markedly enhances the applicability and chances of success of the Maoist model of revolution. It is perhaps for this reason that the Chinese Communists profess to see a progressive intensification of conflicts and contradictions everywhere in the non-Communist world—conflicts among the capitalist countries, between newly independent nations and the Western Powers, between colonial or semicolonial countries and the "imperialist" powers.

A less important but by no means negligible factor in Mao's victory was the acquisition by the Communists of captured Japanese arms handed over to them by the Soviet forces in Manchuria after Japan's surrender. This points to the role of the geographical contiguity of areas controlled by revolutionary forces to the territory of an established Communist state. In the case of Vietnam, this factor admittedly has vital importance today. Finally, Mao's march to power was aided by the fact that Western policy placed very few obstacles in his way. These, then, were the four principal objective conditions which contributed to the success of the Maoist strategy of revolution in China. The extent to which analogous conditions do or do not exist in any particular country must obviously affect the prospects for the successful application of that strategy elsewhere in Asia, Africa, or Latin America.

If one looks beyond the prospects for Maoist-type revolutions in individual countries to the global situation, there are formidable obstacles which Mao must overcome or else face the eventual failure of his foreign policy. Unlike the Kuomintang, his two chief international antagonists at the present time, the United States and the Soviet Union, represent dynamic forces in the world arena; both are politically and militarily strong. Mao's military strategy and tactics, moreover, were developed for guerrilla and mobile warfare with conventional weapons and are totally inapplicable to all-out war in the nuclear age, even for the defense of the Chinese mainland. While official Chinese doctrine has been modified somewhat in the light of nuclear weapons development, some Chinese military leaders have argued that this adaptation does not go far enough.[39]

The basic obstacle in the path of Mao's attempt to apply his political-military strategy on a worldwide scale is, however, the system of national states itself. It was the inherent conflict between the universalist pretensions of communism and the nation-state system which in the first place produced Mao's own "creative application" of Marxism-Leninism to the concrete conditions of China. Yet, Mao now insists upon the correctness, for the whole Communist camp, of a political-military strategy based largely on the particular experience of the Chinese revolution, and this has disrupted the unity of the camp. Again, although Mao effectively exploited the forces of nationalism in his bid for power in China and now seeks to turn these forces against the West in other areas of the world, nationalism is also likely to become a formidable obstacle to his own international ambitions as fear of Chinese expansionism grows. The further he tries to move beyond the area of traditional Chinese cultural hegemony, the more formidable will the barriers of nationalism become.

Thus, the attempted projection of Mao's revolutionary strategy into the international arena is a factor which, quite apart from the Marxist-Leninist ideology, complicates Peiping's adjustment to the system of national states. Peiping's leaders undoubtedly realize that it will be necessary for Communist China to live with that system for a long time to come, but their tendency to see the international situation and to fashion their foreign strategy in the light of their own revolutionary experience inhibits their understanding of the rules that govern the conduct of national states. Maoist revolutionary strategy was developed in a civil war in which the contending groups were not separated by any national boundaries. Yet the strategy and tactics employed in a conflict within a single country, however moderate or cautious, are not always applicable in the international arena. Indeed, a given strategy or tactic adopted in the struggle against a political group or party may have completely different implications and consequences when applied against a foreign power.

Many of the discrepancies between Peiping's professions and actions arise not so much from hypocrisy as from the conflict between the need to live with the system of national states and the tendency to project Mao's revolutionary strategy abroad. Thus, Peiping loudly denies that revolution can be exported, yet at the same time it advocates and supports "national liberation movements" everywhere. It proclaims the "five principles of peaceful coexistence," which embody the generally recognized rules of international behavior; yet in its actions it constantly violates the spirit and the letter of these principles.

The Chinese Communists' whole understanding of war and peace is filtered through their revolutionary experience, their concept of armed and "peaceful" struggle, and their propensity to use force as a constant instrument of policy.[40] They denounce solutions of international issues based on the concept of spheres of influence—even if Communist China is given her fair share—and in so doing, they reject a time-honored and widely accepted method of resolving conflicts within the nation-state system.

The Chinese Communists' projection of their revolutionary strategy abroad is a more systematic and self-conscious expression of the general tendency of many peoples to see others as they see themselves, to judge foreign events and institutions by their own standards, and to understand developments in other countries and societies in terms of their own experience. This tendency has often produced deleterious results as much for those who have practiced it as for those at whom it has been directed. In the 19th century, Western traders and missionaries, backed with force by their governments, introduced alien ideas and values into China, disrupting the Confucian order; and the disintegration of the traditional social and political system eventually doomed Western hopes of seeing the emergence of a China fashioned after the image of a Christian, democratic nation. Instead, social, political, and economic chaos gave rise to a totalitarian regime at odds with the traditions of its own country as well as bitterly hostile to the outside world.

The tendency of a successful revolutionary elite to project its way of life abroad, to view the oustide world in terms of its self-image, is particularly pronounced. Such an elite finds adjustment to the international environment difficult. It is given to creating disturbances in the system of national states, and especially in the balance of power. The Chinese Communist Party is no exception to this rule. Mao's revolutionary strategy will tend to make Communist China a disruptive influence in world politics for some time to come and will delay its adjustment to the established norms of international behavior. In the meantime, Communist China will be a formidable force to reckon with, and Mao's strategy will pose a serious challenge to the stability and peace of the world.

MAO ON LIMITED WAR

We must pay attention to the following principles of self-defense. We shall never attack unless attacked; if attacked, we shall certainly counterattack. That is to say, we must never attack others without provocation; but once we are attacked, we must never fail to return the blow. Herein lies the defensive nature of the struggle. As to the military attacks of the die-hards, we must resolutely, thoroughly, utterly, and completely smash them. Secondly, the principle of victory. We do not fight unless we are sure of victory; we must on no account fight without preparation and without certainty of the outcome. We should know how to utilize the contradictions among the die-hards and must not deal blows to many sections of them at the same time; we must pick out the most reactionary section to strike at first. Herein lies the limited nature of the struggle. Thirdly, the principle of truce. After we have repulsed the attack of the die-hards and before they launch a new one, we should stop at the proper moment and bring that particular fight to a close. In the period that follows, we should make a truce wth them. Then we should on our own initiative seek unity with the die-hards and, upon their consent, conclude a peace agreement with them. We must on no account fight on daily and hourly without stopping, nor become dizzy with success. Herein lies the temporary nature of every particular struggle. Only when the die-hards launch a new offensive should we retaliate with a new struggle. In other words, the three principles are justifiability, expediency and restraint. Persisting in such justifiable, expedient, and restrained struggles, we can develop the progressive forces, win over the middle-of-the-road forces, isolate the die-hard forces and make the die-hards chary of heedlessly attacking us * * * or heedlessly starting a large-scale civil war. And we can in this way win a favorable turn in the situation. (Mao Tse-tung, "Selected Works," vol, III, p. 199.)

[From the New York Times, Sept. 3, 1965]

Peiping Declares Vietnam Is Focus of Anti-U.S. Fight—New Statement of Military Doctrine Says War There Is Part of Encirclement

(By Seymour Topping)

Hong Kong, September 2.—Communist China declared today that its support of revolutionary wars in underdeveloped countries was a strategy directed at the eventual encirclement of the United States and Western Europe.

In a new statement of military doctrine, Peiping said that the focus of this worldwide revolutionary struggle was now in Vietnam.

The war in Vietnam demonstrates that a "people's war" in Asia, Africa, or Latin America can be waged successfully against the United States, the statement asserted.

These definitions of Chinese Communist global strategy were contained in an article by Marshal Lin Piao, Minister of Defense, a deputy chairman of the Communist Party and a Deputy Premier.

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[39] Morton H. Halperin, "China and the Bomb," New York(Praeger, 1965, pp. 24–82. See also Hsieh, "Communist China's Strategy in the Nuclear Age," op. cit.; David Charles, "The Dismissal of Marshal P'eng Teh-huai," China Quarterly (London), October–December 1961, p. 65.

[40] Marshal Lo Jung-huan claimed that no better discussion of the question of war and peace is to be found than in a speech by Mao in 1945 which dealt with CCP-Kuomintang relations and the civil war in China. "Work Correspondence," No. 8 (Feb. 6, 1961), p. 17.

An extensive summary of the article, marking the 20th anniversary of the World War II victory over Japan, was distributed by Hsinhua, the Chinese Communist press agency.

ALL PAPERS TO PRINT TEXT

The text, of more than 50,000 words, is to be published tomorrow in Jenmin Jih Pao, the party newspaper; Hung Chi, ideological journal of the Central Committee, and all provincial and municipal newspapers throughout the country.

Marshal Lin stated that the outlook for a worldwide revolutionary movement against the United States was more favorable than ever before and that the application of the theories of Mao Tse-tung, the chairman of the party, could result in an overcoming of the superior material strength of the industrial powers of North America and Western Europe.

The article reviewed the military strategy of Mr. Mao, which holds that revolutionary bases must be established in rural areas so that cities can be encircled from the countryside. This technique was employed successfully in the war against Japan and in the civil war against the Chinese Nationalists.

THEORY RELATED TO PRESENT

Marshal Lin then stated that the Mao theory was "of outstanding and universal practical importance for present revolutionary struggles." He wrote:

"Take the entire globe—if North America and Western Europe can be called cities of the world then Asia, Africa, and Latin America constitute rural areas of the world.

"Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in North America and the West European capitalist countries while the people's revolutionary movement in Asia, Africa, and Latin America has been growing vigorously.

"In a sense, the contemporary world revolution also present a picture of the encirclement of cities by rural areas."

The marshal added:

"In the final analysis, the whole cause of world revolution hinges on the revolutionary struggles of the Asian, African, and Latin American peoples, who make up the overwhelming majority of the world's population. The Socialist countries should regard it as their internationalist duty to suport the people's revolutionary struggle in Asia, Africa, and Latin America.

PENG HINTED AT DOCTRINE

The first hint that this doctrinal statement would be forthcoming was given in a speech made last May by Peng Chen, mayor of Peiping and a Politburo member, at the Jakarta celebration of the 45th anniversary of the founding of the Indonesian Communist Party.

Mr. Peng asserted:

"To win victory in the world revolution, the proletariat must attach great importance to revolutions in Asia, Africa, and Latin America—that is, to revolutions in the world's rural areas, and there is no other path."

This reference in his speech attracted little public attention, although it aroused the interest of analysts here.

Marshal Lin's article elaborates on the theory that has become Chinese Communist dogma. In essence, it conflicts with the global pattern of Marxist-Leninist theory, adhered to by Moscow, that the proletariat must lead the revolution, and subscribes to the Maoist theory that it must be based on the peasantry.

SOVIET POSITION RIDICULED

The article accused the Scviet leadership of collaborating with the United States in opposing people's wars. It ridiculed what it described as an untrue assertion of Khrushchev revisionists that a single spark on any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind.

Expressing determination tc stand by the Vietnamese Communists, Marshal Lin declared that his forces were prepared for any U.S. attack.

"We want to tell the United States imperialists once again that a vast ocean of several hundred million Chinese people in arms will be more than enough to submerge your few million aggressor troops," he asserted. "If you dare to impose war on us we shall gain freedom of action. It will then be up to you to decide how the war will be fought. We shall fight in ways most advantageous to us to destroy the enemy and wherever the enemy can be most easily destroyed."

The article asserted that a world war would result only in the turning of hundreds of millions of people to communism and the doom of the United States.

[From the New York Times, Sept. 4, 1965]

Red China Urges a People's War—Exhorts Vietnam and Others To Strike at United States Without Fear of Nuclear Reply

(By Seymour Topping)

Hong Kong, September 3.—Communist China urged the Vietnamese Communists and other leftist revolutionaries today to strike at U.S. forces without fear of nuclear retaliation.

Marshal Lin Piao, Defense Minister, asserted in a major doctrinal article that the American "colossus" could be defeated "piece by piece" by what he termed "people's wars" in Asia, Africa, and Latin America. He said the United States would refrain from using its nuclear weapons because of a fear of international censure.

Peiping newspapers devoted 3½ pages this morning to the text of the article commemorating the 20th anniversary of the surrender of Japan. The article also was published by Hung Chi, journal of the central committee, and all municipal and provincial newspapers.

A summary of the statement was distributed yesterday by Hsinhua, the Chinese Communist press agency, and reported in today's issue of the New York Times.

Experts on Communist China said that the article, which was published with front-page photographs of Mao Tse-tung, head of the Communist Party, was intended to elevate the Peiping leader to the rank of principal architect of world revolution.

While the Vietnamese Communists and other revolutionaries are spurred to violent armed struggle against the United States and its allies, the article displays a great degree of caution in committing Communist China to direct involvement.

This is particularly apparent in references to the war in Vietnam. The article states that the Chinese people will do all in their power to aid the Vietnamese people in compelling the departure of the last American soldier. However, there is no specific commitment by the Peiping Government, nor is there any allusion to an earlier offer to send "volunteers" and war materiel to Vietnam.

Propounding new dogma, the article by Marshal Lin held that the Maoist theory of revolutionary war should be applied as the basic strategy of achieving world communism. It declared that so-called liberation wars in Asia, Africa, and Latin America must be employed to encircle the industrial powers of North America and Western Europe.

This concept was described as growing from the tested Mao strategy of striking from rural bases at cities held by an enemy.

RUSSIANS CALLED CAPITULATORS

The dogma implies that Peiping would become at least the doctrinal center of an envisioned world order. Marshal Lin denounced Moscow, once the center of the international Communist movement, as now dominated by a heretical philosophy opposed to "people's wars" and dedicated to capitulation before U.S. power.

Specialists here said the article contained contradictions suggesting that Mr. Mao, who is 71 years old, has encountered frustrations in a practical attainment of his goals and was consoling himself by spinning out his theory to its ultimate extensions.

In doctrinal terms, the article warns revolutionaries that in people's wars "it is imperative to adhere to a policy of self-reliance." It declared that revolutionaries must "be prepared to carry on the fight independently even when all material aid from outside is cut off."

"If one does not operate by one's own efforts," it added, "does not independently ponder and solve problems of revolution in one's own country and does not rely on the strength of the masses but leans wholly on foreign aid—even though this be aid from Socialist countries that persist in revolution—no victory can be won or be consolidated even if it is won."

UNITED STATES AND SOVIET SCORNED

Marshal Lin expresses contempt of both the United States and the Soviet Union for their reliance on nuclear weapons and rockets.

In urging people's wars, the marshal assures revolutionaries that "in the final analysis the outcome of a war will be decided by the sustained fighting of the ground forces, by the fighting at close quarters on battlefields, by the political consciousness of the men, by their courage and spirit of sacrifice."

Vietnam is cited as an example where American power is being frustrated by a "people's war."

While expressing confidence in the ability of the Chinese Communist forces to defeat the "few million aggressor troops" of the United States, Marshal Lin makes it clear that Peiping intends to fight with the United States only if war is imposed by Washington.

The article warns that, apart from the United States, there are others that possess nuclear weapons. But, oddly, the marshal does not directly repeat earlier assertions of Peiping that it possessed nuclear arms. Communist China has carried out two nuclear tests.

The article asserted that the United States has been "condemned by the people of the whole world for its towering crime of dropping two atom bombs on Japan."

PEIPING TAKES VICTORY CREDIT

At no point in the article of more than 50,000 words does Marshal Lin specifically give credit to the United States for the World War II victory over Japan. He assigns the role of the "main force" in the victory to Chinese Communist troops and asserts that it was only the Maoist theories that enables a weak country to overcome such a powerful country as Japan.

Although the article repeatedly states that the peoples of Asia, Africa and Latin America are turning in growing numbers to the Mao theory of "people's war," analysts here have noted recently in statements by Peiping manifestations of feelings of increased isolation.

The Chinese Communist leadership may have been disturbed by hints that North Vietnam is considering a negotiated settlement of the war.

The refusal of African and Asian leaders at the postponed conference in Algiers to follow Peiping's lead may have stirred some doubts in the minds of the Chinese Communists about the effectiveness of their propaganda.

Premier Chou En-lai in a speech last night complained about the use being made of Asian and African countries by the United States and others to sound out North Vietnam on peace negotiations.

There have also been reports recently of a coolness in relations between Communist China and North Korea, which once was one of Peiping's closest supporters in the ideological quarrel with Moscow.

[From the New York Times, Sept. 4, 1965]

EXCERPTS FROM PEIPING DECLARATION URGING WORLD PEOPLE'S WAR TO DESTROY UNITED STATES

(PEIPING, September 3 (Reuters).—Following are excerpts from an article by the Chinese Communist Defense Minister, Marshal Lin Piao, published in all major Chinese newspapers today and made available in English by Hsinhua, the official press agency.)

It was on the basis of the lessons derived from the people's wars in China that Comrade Mao Tse-tung, using the simplest and most vivid language, advanced the famous thesis that "political power grows out of the barrel of a gun."

He clearly pointed out:

The seizure of power by armed force, the settlement of the issues by war, is the central task and the highest form of revolution. This Marxist-Leninist principle of revolution holds good universally, for China and for all other countries.

War is the product of imperialism and the system of exploitation of man by man. Lenin said that "war is always and everywhere begun by the exploiters themselves, by the ruling and oppressing classes."

So long as imperialism and the system of exploitation of man by man exist, the imperialists and reactionaries will invariably rely on armed force to maintain their reactionary rule and impose war on the oppressed nations and peoples. This is an objective law independent of man's will.

READINESS TO GO TO WAR IS MARXIST TOUCHSTONE

In the last analysis, whether one dares to wage a tit-for-tat struggle against armed aggression and suppression by the imperialists and their lackeys, whether one dares to fight a people's war against them means whether one dares to embark on revolution. This is the most effective touchstone for distinguishing genuine from fake revolutionaries and Marxist-Leninists.

In view of the fact that some people were afflicted with the fear of the imperialists and reactionaries, Comrade Mao Tse-tung put forward his famous thesis that "the imperialists and all reactionaries are paper tigers."

In appearance, the reactionaries are terrifying but in reality they are not so powerful. From a long-term point of view, it is not the reactionaries but the people who are really powerful.

The history of the people's war in China and other countries provides conclusive evidence that the growth of the people's revolutionary forces from weak and small beginnings into strong and large forces is a universal law of development of the class struggle, a universal law of development of the people's war. A people's war inevitably meets with many difficulties, with ups and down and setbacks in the course of its development, but no force can alter its general trend toward inevitable triumph.

Comrade Mao Tse-tung points out that we must despise the enemy strategically and take full account of him tactically.

To despise the enemy strategically is an elementary requirement for a revolutionary. Without the courage to depise the enemy and without daring to win, it will be simply impossible to make a revolution and wage a people's war, let alone to achieve victory.

THESIS OF "PAPER TIGER" CALLED LIGHT OF TRUTH

The imperialists are extremely afraid of Comrade Mao Tse-tung's thesis that "imperialism and the reactionaries are paper tigers" and the revisionists are extremely hostile to it. They all oppose and attack this thesis and the Philistines follow suit by ridiculing it. But all this cannot in the least diminish its importance. The light of truth cannot be dimmed by anybody.

Comrade Mao Tse-tung's theory of the people's war solves not only the problem of daring to fight a people's war, but also that of how to wage it.

Comrade Mao Tse-tung is a great statesman and military scientist, proficient at directing war in accordance with its laws. By the line and policies, the strategy and tactics he formulated for the people's war, he led the Chinese people in steering the ship of the people's war past all hidden reefs to the shores of victory in most complicated and difficult conditions.

It must be emphasized that Comrade Mao Tse-tung's theory of the establishment of rural revolutionary base areas and the encirclement of cities from the countryside is of outstanding and universal practical importance for the present revolutionary struggles of all the oppressed nations and peoples, and particularly for the revolutionary struggles of the oppressed nations and peoples in Asia, Africa, and Latin America against imperialism and its lackeys.

Many countries and peoples in Asia, Africa, and Latin America are now being subjected to aggression and enslavement on a serious scale by the imperialists headed by the United States and their lackeys. The basic political and economic conditions in many of these countries have many similarities to those that prevailed in old China. As in China, the peasant question is extremely important in these regions. The peasants constitute the main force of the national-democratic revolution against the imperialists and their lackeys.

In committing aggression against these countries, the imperialists usually begin by seizing the big cities and the main lines of communication, but they are unable to bring the vast countryside completely under their control. The countryside, and the countryside alone, can provide the broad areas in which the revolutionaries can maneuver freely.

The countryside, and the countryside alone, can provide the revolutionary bases from which the revolutionaries can go forward to final victory. Precisely for this reason, Comrade Mao Tse-tung's theory of establishing revolutionary base areas in the rural districts and encircling the cities from the countryside is attracting more and more attention among the people in these regions.

Taking the entire globe, if North America and Western Europe can be called "the cities of the world," then Asia, Africa, and Latin America constitute "the rural areas of the world."

Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in the North American and West European capitalist countries, while the people's revolutionary movement in Asia, Africa, and Latin America has been growing vigorously. In a sense, the contemporary world revolution also presents a picture of the encirclement of cities by the rural areas.

The October revolution in Russia opened up a new era in the revolution of the oppressed nations. The victory of the October revolution built a bridge between the Socialist revolution of the proletariat of the West and the national-democratic revolution of the colonial and semi-colonial countries of the East. The Chinese revolution has successfully solved the problem of how to link up the national democratic with Socialist revolution in the colonial and semi-colonial countries.

Comrade Mao Tse-tung has pointed out that, in the epoch since the October revolution, anti-imperialist revolution in any colonial or semicolonial country is no longer part of the old bourgeois, or capitalist world revolution, but is part of the new world revolution, the proletarian-Socialist world revolution.

Comrade Mao Tse-tung has formulated a complete theory of the new democratic revolution. He indicated that this revolution, which is different from all others, can only be, nay must be, a revolution against imperialism, feudalism, and bureaucrat capitalism waged by the broad masses of the people under the leadership of the proletariat.

This means that the revolution can only be, nay must be, led by the proletariat and the genuinely revolutionary party armed with Marxism-Leninism, and by no other class or party.

This means that the revolution embraces in its ranks not only the workers, peasants, the urban petit bourgeoisie, but also the national bourgeoisie and other patriotic and anti-imperialist democrats.

This means, finally, that the revolutions directed against imperialism, feudalism, and bureaucrat capitalism.

The new democratic revolution leads to socialism, and not to capitalism.

Comrade Mao Tse-tung's theory of the new democratic revolution is the Marxist-Leninism theory of uninterrupted revolution.

Comrade Mao Tse-tung made a correct distinction between the two revolutionary stages, i.e., the national-democratic and the Socialist revolutions, and he correctly and closely linked the two. The national-democratic revolution is the necessary preparation for the Socialist revolution and the Socialist revolution is the inevitable sequel to the national-democratic revolution.

There is no great wall between the two revolutionary stages. But the Socialist revolution is only possible after the completion of the national-democratic revolution. The more thorough the national-democratic revolution, the better the conditions for the Socialist revolution.

MOSCOW REVISIONISTS SERVE IMPERIALISM

The experience of the Chinese revolution shows that the tasks of the national-democratic revolution can be fulfilled only through long and tortuous struggles. In this stage of revolution, imperialism and its lackeys are the principal enemy.

In the struggle against imperialism and its lackeys, it is necessary to ally all anti-imperialist patriotic forces, including the national bourgeoisie, and all patriotic personages.

All those patriotic personages from among the bourgeoise and other exploiting classes who join the anti-imperialist struggle play a progressive historical role: they are not tolerated by imperialism but welcomed by the proletariat.

The Khrushchev revisionists are now actively preaching that socialism can be built without the proletariat and without a Communist Party. And they have cast the fundamenal tenets of Marxism-Leninism to the four winds. The revisionists' purpose is solely to divert the oppressed nations from their struggle against imperialism and to sabotage their national-democratic revolution, all in the service of imperialism.

The Chinese revolution provides a successful lesson for making a thorough-going national-democratic revolution under the leadership of the proletariat: it likewise provides a successful lesson for the timely transition from the national democratic revolution to the Socialist revolution under the leadership of the proletariat.

Ours is the epoch in which world capitalism and imperialism are heading for their doom and socialism and communism are marching to victory. Comrade Mao Tse-tung's theory of people's war is not only a product of the Chinese revolution, but has also the characteristics of our epoch. The new experience gained in the people's revolutionary struggles in various countries since

World War II has provided continuous evidence that Mao Tse-tung's thought is a common asset of the revolutionary people of the whole world. This is the great international significance of the thought of Mao Tse-tung.

Since World War II, U.S. imperialism has stepped into the shoes of German, Japanese, and Italian fascism and has been trying to build a great American empire by dominating and enslaving the whole world. It is the most rabid aggressor in human history and the most ferocious common enemy of the people of the world.

Every people or country in the world that wants revolution, independence, and peace cannot but direct the spearhead of its struggle against U.S. imperialism.

The U.S. imperialists' policy of seeking world domination makes it possible for the people throughout the world to unite all the forces that can be united and to form the broadest possible united front for a converging attack on U.S. imperialism.

At present, the main battlefield of the fierce struggle between the people of the world on the one side and U.S. imperialism and its lackeys on the other is the vast area of Asia, Africa, and Latin America. In the world as a whole, this is the area where the people suffer worst from imperialist oppression and where imperialist rule is most vulnerable.

Since World War II, revolutionary storms have been rising in this area, and today they have become the most important force directly pounding U.S. imperialism.

The contradiction between the revolutionary peoples of Asia, Africa, and Latin America and the imperialists headed by the United States is the principal contradiction in the contemporary world. The development of this contradiction is promoting the struggle of the people of the whole world against U.S. imperialism and its lackeys.

Since World War II and the succeeding years of revolutionary upsurge, there has been a great rise in the level of political consciousness and the degree of organization of the people in all countries, and the resources available to them for mutual support and aid have greatly increased. The whole capitalist-imperialist system has become drastically weaker and is in the process of increasing convulsion and disintegration.

U.S. imperialism is stronger, but also more vulnerable, than any imperialism of the past. It sets itself against the people of the whole world, including the people of the United States. Its human, military, material, and financial resources are far from sufficient for the realization of its ambition of dominating the whole world.

When committing aggression in a foreign country, U.S. imperialism can only employ part of its forces, which are sent to fight an unjust war far from their native land and, therefore, have a low morale, and so U.S. imperialism is beset with great difficulties.

The people subjected to its aggression are having a trial of strength with U.S. imperialism neither in Washington nor New York, neither in Honolulu nor Florida, but are fighting for independence and freedom on their own soil.

Once they are mobilized on a broad scale, they will have inexhaustible strength. Thus, superiority will belong not to the United States but to the people subjected to its aggression. The latter, though apparently weak and small, are really more powerful than U.S. imperialism.

The struggles waged by the different peoples against U.S. imperialism reinforce each other and merge into a worldwide tide of opposition to U.S. imperialism. The more successful the development of people's war in a given region, the larger the number of U.S. imperialist forces that can be pinned down and depleted there.

When the U.S. aggressors are hard pressed in one place, they have no alternative but to loosen their grip on others. Therefore, the conditions become more favorable for the people elsewhere to wage struggles against U.S. imperialism and its lackeys.

Everything is divisible. And so is this colossus of U.S. imperialism. It can be split up and defeated. The peoples of Asia, Africa, Latin America, and other regions can destroy it piece by piece, some striking at its head and others at its feet. That is why the greatest fear of U.S. imperialism is that people's wars will be launched in different parts of the world, and particularly in Asia, Africa, and Latin America, and why it regards people's wars as a mortal danger.

U.S. imperialism relies solely on its nuclear weapons to intimidate people, but these weapons cannot save U.S. imperialism from its doom. Nuclear weapons cannot be used lightly.

U.S. imperialism has been condemned by the people of the whole world for its towering crime of dropping two atomic bombs on Japan. If it uses nuclear weapons again, it will become isolated in the extreme.

Moreover, the U.S. monopoly of nuclear weapons has long been broken; U.S. imperialism has these weapons, but others have them, too. If it threatens other countries with nuclear weapons, U.S. imperialism will expose its own country to the same threat.

For this reason, it will meet with strong opposition not only from the people elsewhere but also inevitably from the people in its own country. Even if U.S. imperialism brazenly uses nuclear weapons, it cannot conquer the people, who are indomitable.

FIGHTING ON GROUND KEY TO VICTORY

However highly developed modern weapons and technical equipment may be and however complicated the methods of modern warfare, in the final analysis the outcome of a war will be decided by the sustained fighting of the ground forces, by the fighting at close quarters on battlefields, by the political consciousness of the men, by their courage and spirit of sacrifice.

Here the weak points of U.S. imperialism will be completely laid bare, while the superiority of the revolutionary people will be brought into full play. The reactionary troops of U.S. imperialism cannot possibly be endowed with the courage and the spirit of sacrifice possessed by the revolutionary people.

The spiritual atom bomb that the revolutionary people possess is a far more powerful and useful weapon than the physical atom bomb.

Vietnam is the most convincing example of a victim of aggression defeating U.S. imperialism by a people's war. The United States has made South Vietnam a testing ground for the suppression of people's war. It has carried on this experiment for many years, and everybody can now see that the U.S. aggressors are unable to find a way of coping with a people's war.

On the other hand, the Vietnamese people have brought the power of people's war into full play in their struggle against the U.S. aggressors. The U.S. aggressors are in danger of being swamped in the people's war in Vietnam.

They are deeply worried that their defeat in Vietnam will lead to a chain reaction. They are expanding the war in an attempt to save themselves from defeat. But the more they expand the war, the greater will be the chain reaction. The more they escalate the war, the heavier will be their fall and the more disastrous their defeat.

The people in other parts of the world will see still more clearly that U.S. imperialism can be defeated, and that what the Vietnamese people can do, they do, too.

History has proved and will go on proving that the people's war is the most effective weapon against U.S. imperialism and its lackeys. All revolutionary people will learn to wage a people's war against U.S. imperialism and its lackeys. They will take up arms, learn to fight battles and become skilled in waging a people's war, though they have not done so before.

U.S. imperialism, like a mad bull dashing from place to place, will finally be burned to ashes in the blazing fire of the people's wars it has provoked by its own actions.

The Khrushchev revisionists have come to the rescue of U.S. imperialism just when it is most panic-stricken and helpless in its efforts to cope with the people's war. Working hand in glove with the U.S. imperialists, they are doing their utmost to spread all kinds of arguments against the people's war, and wherever they can, they are scheming to undermine it by overt or covert means.

RUSSIANS DENOUNCED FOR LACK OF FAITH

The fundamental reason why the Khrushchev revisionists are opposed to the people's war is that they have no faith in the masses and are afraid of U.S. imperialism, of war and of revolution.

Like all other opportunists, they are blind to the power of the masses and do not believe that the revolutionary people are capable of defeating imperialism.

They submit to the nuclear blackmail of the U.S. imperialists and are afraid that, if the oppressed peoples and nations rise up to fight the people's wars or the people of Socialist countries repulse U.S. imperialist aggression, U.S. imperialism will become incensed, they themselves will become involved and their fond dream of Soviet-United States cooperation to dominate the world will be spoiled.

Ever since Lenin led the Great October Revolution to victory, the experience of innumerable revolutionary wars has borne out the truth that a revolutionary people who rise up with only their bare hands at the outset finally succeed in defeating the ruling classes who are armed to the teeth.

The poorly armed have defeated the better armed. People's armed forces, beginning with only primitive swords, spears, rifles and hand grenades, have in the end defeated the imperialist forces armed with modern airplanes, tanks, heavy artillery and atom bombs.

Guerrilla forces have ultimately defeated regular armies. "Amateurs" who were never trained in any military schools have eventually defeated "professionals" graduated from military academies, and so on and so forth.

Things stubbornly develop in a way that runs counter to the assertions of the revisionists, and facts are slapping them in the face.

The Khrushchev revisionists insist that a nation without nuclear weapons is incapable of defeating an enemy with nuclear weapons, whatever methods of fighting it may adopt.

That is tantamount to saying that anyone without nuclear weapons is destined to come to grief, destined to be bullied and annihilated, and must either capitulate to the enemy when confronted with his nuclear weapons or come under the protection of some other nuclear power and submit to its beck and call.

Isn't this the jungle law of survival par excellence?

Isn't this helping the imperialists in their nuclear blackmail? Isn't this openly forbidding people to make revolution?

The Khrushchev revisionists assert that nuclear weapons and strategic rocket units are decisive while conventional forces are insignificant, and that a militia is just a heap of human flesh.

For ridiculous reasons such as these, they oppose the mobilization of and reliance on the masses in the Socialist countries to get prepared to use the people's war against imperialist aggression.

They have staked the whole future of their country on nuclear weapons and are engaged in a nuclear gamble with U.S. imperialism, with which they are trying to strike a political deal. Their theory of military strategy is the theory that nuclear weapons decide everything.

Their line in army building is the bourgeois line which ignores the human factor and sees only the material factor and which regards technique as everything and politics as nothing.

The Khrushchev revisionists maintain that a single spark in any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind. If this were true, our planet would have been destroyed time and time again.

There have been wars of national liberation throughout the 20 years since World War II. But has any single one of them developed into a world war? Isn't it true that the U.S. imperialists' plans for a world war have been upset precisely, thanks to the wars of national liberation in Asia, Africa, and Latin America?

By contrast, those who have done their utmost to stamp out the "sparks" of people's war have in fact encouraged U.S. imperialism in its aggressions and wars.

The Khrushchev revisionists claim that if their general line of "peaceful coexistence, peaceful transition, and peaceful competition" is followed, the oppressed will be liberated, and "a world without weapons, without armed forces, and without wars" will come into being.

But the inexorable fact is that imperialism and reaction headed by the United States are zealously priming their war machine and are daily engaged in sanguinary suppression of the revolutionary peoples and in the threat and use of armed force against independent countries.

The kind of rubbish peddled by the Khrushchev revisionists has already taken a great toll of lives in a number of countries. Are these painful lessons, paid for in blood, still insufficient?

The essence of the general line of the Khrushchev revisionists is nothing other than the demand that all the oppressed peoples and nations and all the countries that have won independence should lay down their arms and place themselves at the mercy of the U.S. imperialists and their lackeys who are armed to the teeth.

"While magistrates are allowed to burn down houses, the common people are forbidden even to light lamps." Such is the way of the imperialists and reactionaries. Subscribing to this imperialist philosophy, the Khrushchev revisionists shout that the Chinese people standing in the forefront of the fight for world peace:

"You are bellicose."

Gentlemen, your abuse adds to our credit. It is this very "bellicosity" of ours that helps to prevent imperialism from unleashing a world war. The people are "bellicose" because they have to defend themselves and because the imperialists and reactionaries force them to be so.

It is also the imperialists and reactionaries who have taught the people the arts of war. We are simply using revolutionary "bellicosity" to cope with counterrevolutionary bellicosity.

How can it be argued that the imperialists and their lackeys may kill people everywhere, while the people must not strike back in self-defense or help one another? What kind of logic is this?

The Khrushchev revisionists regard imperialists like Kennedy and Johnson as "sensible" and describe us together with all those who dare to carry out armed defense against imperialist aggression as "bellicose." This has revealed the Khrushchev revisionists in their true colors as the accomplices of imperialist gangsters.

WAR IS GREAT SCHOOL TO TEMPER PEOPLE

We know that war brings destruction, sacrifice, and suffering on the people. But the destruction, sacrifice, and suffering will be much greater if no resistance is offered to imperialist armed aggression and the people become willing slaves.

The sacrifice of a small number of people in revolutionary wars is repaid by security for whole nations, whole countries, and even the whole of mankind; temporary suffering is repaid by lasting or even perpetual peace and happiness.

War can temper the people and push history forward. In this sense, war is a great school.

In diametrical opposition to the Khrushchev revisionists, the Marxist-Leninists and revolutionary people never take a gloomy view of war.

Our attitude toward imperialist wars of aggression has always been clear cut. First, we are against them, and second, we are not afraid of them. We will destroy whoever attacks us.

As for revolutionary wars waged by the oppressed nations and peoples, so far from opposing them, we invariably give them firm support and active aid. It has been so in the past, it remains so in the present, and, when we grow in strength as time goes on, we will give them still more support and aid in the future.

It is sheer daydreaming for anyone to think that, since our revolution has been victorious, our national construction is forging ahead, our national wealth is increasing, and our living conditions are improving, we too will lose our revolutionary fighting will, abandon the cause of world revolution and discard Marxism-Leninism and proletarian internationalism.

Of course, every revolution in a country stems from the demands of its own people. Only when the people in a country are awakened, mobilized, organized, and armed can they overthrow the reactionary rule of imperialism and its lackeys through struggle; their role cannot be replaced or taken over by any people from outside.

In this sense, revolution cannot be imported. But this does not exclude mutual sympathy and support on the part of revolutionary peoples in their struggles against the imperialists and their lackeys. Our support and aid to other revolutionary peoples serves precisely to help their self-reliant struggle.

The propaganda of the Khrushchev revisionists against people's war and the publicity they give to defeatism and capitulationism tend to demoralize and spiritually disarm revolutionary people everywhere.

These revisionists are doing what the United States imperialists are unable to do themselves and are rendering them great service; they have greatly encouraged U.S. imperialism in its war adventures. They have completely betrayed the Marxist-Leninist revolutionary theory of war and have become betrayers of people's war.

To win the struggle against U.S. imperialism and carry the people's wars to victory, the Marxist-Leninists and revolutionary people throughout the world must resolutely oppose Khrushchev revisionism.

Today, Khrushchev revisionism has a dwindling audience among the revolutionary people of the world.

Wherever there is armed aggression and suppression by imperialism and its lackeys, there are bound to be people's wars against aggression and oppression. It is certain that such wars will develop vigorously. This is an objective law independent of the will of either the U.S. imperialists or the Khrushchev revisionists.

The revolutionary people of the world will sweep away everything that stands in the way of their advance. Khrushchev is finished. And the successors to Khrushchev revisionism will fare no better.

The imperialists, the reactionaries and the Khrushchev revisionists, who have all set themselves against people's war, will be swept like dust from the stage of history by the mighty broom of the revolutionary people.

Great changes have taken place in China and the world in the 20 years since the victory of the war of resistance against Japan, changes that have made the situation more favorable than ever for the revolutionary people of the world and more unfavorable than ever for imperialism and its lackeys.

When Japanese imperialism launched its war of aggression against China, the Chinese people had only a very small people's army and a very small revolutionary base. And they were up against the biggest military despot of the East. Yet even then, Comrade Mao Tse-tung said that the Chinese people's war could be won and that Japanese imperialism could be defeated.

Today, the revolutionary base areas of the peoples of the world have grown to unprecedented proportions, their revolutionary movement is surging as never before. Imperialism is weaker than ever, and U.S. imperialism, the chieftain of world imperialism, is suffering one defeat after another.

We can say with ever greater confidence that the people's wars can be won and U.S. imperialism can be defeated in all countries.

The peoples of the world now have the lessons of the October revolution, the anti-Fascist war, the Chinese's people's war of resistance and war of liberation, the Korean people's war of resistance to U.S. aggression, the Vietnamese people's war of liberation and their war of resistance to U.S. aggression, and the people's revolutionary armed struggles in many other countries.

Provided each people studies these lessons well and creatively integrates them with the concrete practice of revolution in their own country, there is no doubt that the revolutionary peoples of the world will stage still more powerful and splendid dramas in the theater of people's war in their countries and that they will wipe off the earth once and for all the common enemy of all the peoples, U.S. imperialism, and its lackeys.

PEIPING VOWS TO SUPPORT VIETCONG UNTIL VICTORY

The struggle of the Vietnamese people against U.S. aggression and for national salvation is now the focus of the struggle of the people of the world against U.S. aggression.

The determination of the Chinese people to support and aid the Vietnamese people in their struggle against U.S. aggression and for national salvation is unshakable. No matter what U.S. imperialism may do to expand its war adventure, the Chinese people will do everything in their power to support the Vietnamese people until every single one of the U.S. aggressors is driven out of Vietnam.

The U.S. imperialists are now clamoring for another trial of strength with the Chinese people, for another large-scale ground war on the Asian mainland.

If they insist on following in the footsteps of the Japanese Fascists, well then, they may do so, if they please. The Chinese people definitely have ways of their own for coping with a U.S.-imperialist war of aggression.

Our methods are not secret. The most important one is still mobilization of the people, reliance on the people, making every one a soldier and waging a people's war.

We want to tell the U.S. imperialists once again that the vast ocean of several hundred million Chinese people in arms will be more than enough to submerge your few million aggressive troops.

If you dare to impose war on us, we shall gain freedom of action. It will then not be up to you to decide how the war will be fought. We shall fight in the ways most advantageous to us to destroy the enemy and wherever the enemy can be most easily destroyed.

Since the Chinese people were able to destroy the Japanese aggressors 20 years ago, they are certainly still more capable of finishing off the U.S. aggressors today.

The naval and air superiority you boast about cannot intimidate the Chinese people and neither can the atom bomb you brandish at us.

If you want to send troops, go ahead. The more the better. We will annihilate as many as you can send, and can even give you receipts.

The Chinese people are a great, valiant people. We have the courage to shoulder the heavy burden of combating U.S. imperialism and to contribute our share in the struggle for final victory over this most ferocious enemy of the people of the world.

It must be pointed out in all seriousness that after the victory of the war of resistance, Taiwan was returned to China. The occupation of Taiwan by U.S. imperialism is absolutely unjustified. Taiwan Province is an inalienable part of Chinese territory. The U.S. imperialists must get out of Taiwan. The Chinese people are determined to liberate Taiwan.

In commemorating the 20th anniversary of victory in the war of resistance against Japan, we must also point out in all solemnity that the Japanese militarists fostered by U.S. imperialism will certainly receive still severer punishment if they ignore the firm opposition of the Japanese people and the people of Asia, again indulge in their pipedreams.

U.S. imperialism is preparing a world war. But can this save it from its doom? World War I was followed by the birth of the Socialist Soviet Union. World War II was followed by the emergence of a series of Socialist countries and many nationally independent countries.

If the U.S. imperialists should insist on launching a third world war, it can be stated categorically that many more hundreds of millions of people will turn to socialism; the imperialists will then have little room left on the globe; and it is possible that the whole structure of imperialism will collapse.

We are optimistic about the future of the world. We are confident that the people will bring to an end the epoch of wars in human history.

Comrade Mao Tse-tung pointed out long ago that war, this monster, "will be finally eliminated by the progress of human society. And in the not too distant future, too. But there is only one way to eliminate it and that is to oppose war with war, to oppose counter-revolutionary war with revolutionary war."

All peoples suffering from U.S. imperialist aggression, oppression and plunder, unite.

Hold aloft the just banner of people's war and fight for the cause of world peace, national liberation, people's democracy and socialism.

Victory will certainly go to the people of the world.

Long live the victory of people's war.

[From the Washington (D.C.) Post, Sept. 5, 1965]

Peiping Warns Hanoi on Talks—Johnson's Peace Pleas Denounced

(By Stanley Karnow)

In a shrill denunciation of President Johnson's recent appeals for peace in Vietnam, Communist China yesterday appeared to be exerting pressure on North Vietnam to resist a negotiated settlement of the war.

The Chinese statement, contained in a New China News Agency report received here, declared that the administration's new peace offensive is a "sinister scheme." Its purpose, the statement continued, is to lay a "peace smokescreen" over Vietnam in order to shroud U.S. "preparations for fighting a Korean-type war there."

One passage seemed almost wholly directed at North Vietnam. It warned that the United States is creating the "false impression" that it wishes to discuss proposals advanced by Hanoi and revive the 1954 Geneva agreement as the basis for a Vietnam settlement.

"But," said Peiping, "such tricks of Johnson's can deceive no one."

"SIGNALS" FROM HANOI

Peiping's strong words emerged at a time when faint and somewhat elusive signals appear to indicate that the North Vietnamese may be modifying their bargaining position.

One such signal was discernible in Moscow on Thursday when the North Vietnamese Ambassador to the Soviet Union, Nguyen Van Kinh, delivered a speech in which he omitted the usual demand that U.S. troops be withdrawn from South Vietnam. That demand was one of four conditions for negotiation issued by Hanoi in April.

In private conversation, North Vietnamese officials are known to have taken a supple position on the question of American forces in South Vietnam. Kinh's speech is believed to be the first time a Vietnamese Communist has not raised the question in publicly discussing a settlement of the conflict.

But if the North Vietnamese have eased their public stance on that point, Peiping apparently has not. In their statement yesterday, the Chinese insisted that the only way out of Vietnam for the United States is "to end its aggression and withdraw all its troops."

OFFERS FOR CONTINUING WAR

The Chinese are also said to be offering more tangible inducements to Hanoi to continue its resistance to peace overtures. Among these, it is reported, are offers to rebuild North Vietnamese bridges anad other installations destroyed by U.S. air attacks.

Peiping's interest in continuing the Vietnam war fits into the Chinese Communist blueprint for world revolution, most recently enunciated by Marshal Lin Piao, the Chinese Defense Minister.

As he outlined it, the United States and Western Europe eventually will be encircled through revolutionary wars in Asia, Africa, and Latin America. The war in Vietnam, he said, is the present focus of that global struggle.

IDEOLOGICAL DIFFERENCES

An aspect of the dispute between Red China and the Soviet Union evolved out of their divergent views on revolutionary war. Peiping ridiculed former Premier Khrushchev's assertion that "a single spark on any part of the globe may touch off a world nuclear conflagration and bring destruction to mankind."

Against that background the Chinese are currently criticizing the Russians for not taking a sufficiently belligerent line on Vietnam. And criticism of the Russians can be construed as an indirect warning to Hanoi to ignore Soviet advice.

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At the same time, Peiping warned that the United States is turning to certain Asian and African states "to bring pressure to bear upon the Vietnamese people to force peace talks on them."

VETERANS ORGANIZATIONS UNANIMOUS IN SUPPORT OF COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, I would like to call to the attention of my colleagues the September 9, 1965, issue of the Stars and Stripes, in its lead article on page 1. In one small subhead under the headline, this newspaper sums up the entire story of the cold war GI bill when they state, "Veteran Groups Favor Measure; VA and Department of Defense Oppose."

This simple statement is representative of the fate of the cold war GI bill, as the people's voices, the organizations of veterans, and the citizens of this country all favor this proposal, but it has become the victim of sabotage by governmental agencies who slow-drag, block, and vehemently oppose a proposal to benefit the very people these agencies are set up to protect. The supposed voice of the American soldier, the Department of Defense, the supposed protector of veterans' rights, the Veterans' Administration, are the stumbling blocks against the cold war GI bill.

I think it is time that the interest of the people, of the soldier, and of the veteran, should overshadow the shallow opposition of the Government agencies and the cold war GI bill be enacted into law.

To illustrate some of the forces behind this bill, I ask unanimous consent that the short article, complete with headlines, from the Stars and Stripes of Thursday, September 9, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hearings Begin on Cold War GI Bill—Veteran Groups Favor Measure, VA and Department of Defense Oppose

As hearings opened before the House Veterans Affairs Committee on the GI cold war bill, already passed by the Senate, representatives of veterans' organizations were unanimous in support of the bill. The only opposition registered was that by the Department of Defense and the Veterans' Administration.

Spokesman for the legislation were representatives of the American Legion, the Veterans of Foreign Wars, the American Veterans Committee, and the Association of Regular Army Sergeants. Also appearing was Representative George Grider, of Tennessee, testifying in favor of the provisions of the bill. Senator Ralph Yarborough, of Texas, sponsor of the legislation in the Senate, submitted a statement setting forth his views as to the need for the legislation.

WHEAT SALES ON THE WORLD MARKET

Mr. BURDICK. Mr. President, I would like to call to the attention of my colleagues an editorial which appeared in the Fargo Forum, Fargo, N. Dak., on September 10, 1965, entitled "Maritime Unions Prevent U.S. Wheat Farmers From Selling on World Markets."

The editorial in part states:

> Cargo rates in American flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

The Fargo Forum presents a logical and irrefutable argument for the termination of these shipping rules. The maritime workers gain nothing by this position, the American farmers lose a market, and the taxpayers pay to store our surplus. Further, these cash sales are a valuable contribution to our balance of payments.

I have joined with other farm State Senators in an appeal to the President and Secretary Connor to end this untenable policy. I will support legislation to accomplish this.

Mr. President, I ask unanimous consent to have the Fargo Forum editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MARITIME UNIONS PREVENT U.S. WHEAT FARMERS FROM SELLING ON WORLD MARKET

Once again the American maritime unions, notably left wing in their thinking, and the ultraconservative wing of American political thought are working together to deprive the U.S. wheat farmer of a chance to sell his product on the world market.

They are adamant against letting American grain interests sell wheat to the East European nations, including Russia, unless 50 percent of the exports are shipped in American-flag vessels.

Cargo rates in American-flag vessels are higher than rates offered by foreign vessels, and this requirement has the effect of raising the cost of American wheat by at least 10 to 15 cents a bushel. So Russia and its allies buy wheat from Canada for gold. Canadian farmers are being urged to raise all the wheat they can, while the U.S. Congress debates a farm bill that is intended to continue controls over American wheat production in an effort to keep our surplus production from overflowing our storage bins.

Even if President Johnson or the Congress lifted the requirement for shipping half the wheat sold to Eastern Europe in American-flag vessels, there is considerable doubt that U.S. maritime workers would load the wheat.

Victor Riesel, a labor news reporter-columnist, recently interviewed Teddy Gleason, leader of 60,000 longshoremen. Gleason said it would take the U.S. Marines to get grain loaded onto any ship, American or foreign, in any U.S. port if U.S. shippers did not get half the business.

Riesel added: "And unless Gleason's followers load that grain, it won't get into the cargo holds. If the marines handle it, the American ships won't sail because their crews belong to Paul Hall's militant Seafarers, or the National Maritime Union. If the Government mans the ships, the marine engineers will strike again."

So labor won't let the American farmer enter the world wheat market without putting out its fist first and demanding a cut. And the same labor organizations—through their Congressmen—are the first to complain about the high cost of farm subsidies which are intended only to give the farmer a fair return for his product.

The maritime blockade against the farmer makes a mockery of the Great Lakes seaway which gave the Great Plains farmer an outlet to the world markets.

ORGANIZATION OF CONGRESS STUDY

Mr. MONRONEY. Mr. President, fortunately for the Joint Committee on the Organization of Congress, its members have had available to them the ideas of some of the scholars who are participating in a 2-year study of Congress sponsored by the American Political Science Association. The study is being done under a $230,000 grant made to the association by the Carnegie Corp. Its director is Dr. Ralph K. Huitt, professor of political science at the University of Wisconsin.

Although the study was begun only last fall and is not complete, it was of value to us to hear some of the men who are working on studies of various aspects of the organization, procedure and operation of Congress. About 15 studies are being made by individual scholars who already have done research and had firsthand experience on Capitol Hill. The individuals will be free to recommend changes as they please, Dr. Huitt has told us, contradicting each other if they desire. There will be no official list of recommendations by the study itself.

One of the scholars participating is Dr. James A. Robinson, an outstanding young man with whom I have had the opportunity to work. He also obtained one of his degrees at the University of Oklahoma. In addition to his work on the American Political Science Association's longer study, he has been 1 of 13 political scientists working on a summer project now nearly complete. The latter study was sponsored by the American Enterprise Institute for Public Policy Research and is intended to stimulate new thought about the role of Congress in the Federal system.

I ask unanimous consent to insert in the RECORD at this point a short sketch outlining some of Jim Robinson's background.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

JAMES A. ROBINSON

James A. Robinson is a professor of political science at the Ohio State University who is very much interested in the question how congressional processes and procedures affect policy decisions reached by Congress. For the American Political Science Association's study of Congress, Robinson will employ a rather elaborate statistical approach which he hopes will give some answers which cannot be had by the slower process of individual case studies.

Dr. Robinson received his bachelor's degree from George Washington University and his master's degree from the University of Oklahoma. He is a Northwestern University Ph. D. He taught political science at Northwestern from 1958 until 1964, when he went to Ohio State University as a full professor of political science.

In 1957–58, Dr. Robinson was a congressional fellow of the American Political Science Association. He served in the offices of Representative A. S. J. Carnahan, Democrat, of Missouri, and with the Subcommittee on International Finance of the Committee on Banking and Currency, of which Senator MONRONEY was then chairman. This experience led to the research which resulted in his book "Congress and Foreign Policy Making." He has also published "The House Rules Committee" as well as numerous scholarly articles.

Dr. Robinson's rapid assent from instructor to full professor in 6 years is most unusual and reflects the kind of drive and intellectual energy which has made him an outstanding young professor of political science.

FIGHTING VENEREAL DISEASE

Mr. TYDINGS. Mr. President, in this day of modern medical advances, it is particularly distressing when human beings suffer needlessly with diseases for which there is a cheap and effective cure. Yet, the rate of venereal disease is on the rise. Indeed, the American Medical Association has termed VD the Nation's most urgent communicable disease problem. This is indeed a needless tragedy, since both syphilis and gonorrhea are eradicable if all those carrying the disease receive timely treatment.

Venereal disease is especially a problem in this city of Washington. Mr. President, I ask unanimous consent to insert at the conclusion of my remarks an editorial which appeared in the Washington Star of September 3, entitled "The VD Menace," and an editorial from the New York Times of the same day, on the general problem of venereal disease.

In an effort to combat the menace of venereal disease, I have introduced a bill, S. 1081, to require a laboratory test for syphilis before the issuance of a marriage license in the District of Columbia. Such a requirement would provide a simple and easy method of detecting venereal disease, and preventing further venereal disease infection. Such a requirement would be an eminently sensible procedure to augment the campaign against venereal disease which the District of Columbia Health Department is now conducting.

The senior Senator from Oregon [Mr. MORSE], the chairman of the Public Health, Education, and Welfare, and Safety Subcommittee of the Senate District of Columbia Committee, has held hearings on S. 1081. It is my hope that this bill will be acted on at an early date. Together with the intensive program of treatment without charge which the health department is carrying on, and a campaign of public education in the hazards of venereal disease, the bill should be successful in combating the scourge of venereal disease in the District of Columbia.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Sept. 3, 1965]

THE VD MENACE

It is grim irony that penicillin, the cure for both syphilis and gonorrhea, has been available for 23 years, yet the rate of venereal disease is on the rise.

The situation is so critical now, in fact, that the American Medical Association terms VD the Nation's most urgent communicable disease problem.

VD is infecting 1.1 million Americans a year. Cases of infectious syphilis have nearly trebled in the past 5 years. In young persons, the incidence of new cases of gonorrhea is on the increase at nearly the same pace.

As the Star reported recently, the District continues to lead both States and comparable cities in VD, despite a flood of pamphlets and information programs that have been promoted here for many years.

This is a shocking situation, rendered all the more tragic by the availability of medicine and knowledge for control of these diseases. When asked why the rate is climbing, after a highly successful anti-VD drive in the 1950's, physicians cite public apathy, the increasing use of alcohol contributing to sexual promiscuity, and the spread of homosexuality, itself a morbid symptom.

But the greatest single cause seems to be that young people have not been adequately warned about the hazards of these diseases. A Victorian prudery still bans the subject of VD prevention from discussion in many public schools.

The AMA this month has launched a nationwide campaign through pamphlets, posters, and other media to encourage preventive measures and treatment. The program deserves wholehearted support. VD is not only a matter of medicine but of education.

[From the New York Times, Sept. 3, 1965]

FIGHTING VD

The American Medical Association's decision to mount a national drive against venereal diseases is a necessary response to a fast-worsening situation. Public Health Service statistics show that newly reported cases of both syphilis and gonorrhea have been rising for almost a decade. The magnitude of the problem is suggested by the estimate that over a million Americans are infected with venereal disease each year. Its urgency for the future is underlined by the fact that infectious syphilis is most prevalent among teenagers and young adults.

Prudery and reticence are still major obstacles to checking VD. Both syphilis and gonorrhea are curable through the use of penicillin and other antibiotics. They are eradicable if all those carrying the diseases receive adequate and timely treatment. The military services long ago created an efficient system of prophylaxis to protect soldiers, sailors, and airmen.

The more basic problem of morality is a more difficult—and perhaps insoluble—one. We live in a go-go-go civilization in which too many look upon restraint and continence as "square." Young people and adults alike are assailed from many sides by sexual stimulants deliberately employed for commercial purposes. Homosexuality—a very substantial source of venereal infection—is now flaunted more openly and praised more publicly than in earlier decades. The rising tide of VD is one of the consequences of these trends, even though medical research has made it needless if available resources are fully used.

NONTARIFF OBSTACLES TO THE FREE EXCHANGE OF GOODS AND CAPITAL

Mr. DODD. Mr. President, there is a growing realization among the major trading countries of the world that nontariff obstacles to the free exchanges of goods and capital are as every bit restrictive as tariffs.

The magazine European Community, in its July and August editions, featured articles dealing with nontariff techniques that are used to restrict trade between the United States and Europe.

To quote the introductory paragraph of the August article:

> Nontariff obstacles to trade are older than tariff obstacles. They are as old as international trade itself. They may, in fact, be the last ditch of protectionism wherever a country or group of countries wishes to protect a product or maintain a particular position against foreign competition.

Mr. President, I ask unanimous consent that these two informative articles from European Community be inserted into the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, the wide variety of protectionist devices that can be and are being used to inhibit the free flow of trade between the United States and Europe makes one fully aware of the great difficulties that lie ahead of us as we try to liberalize trade channels with the Common Market and other European countries.

And we must not forget the political differences that exist between us and our European allies.

A better political understanding would undoubtedly ease the solution of the economic and technical problems.

On the other hand, a greater effort at accommodation in the area of economic policy, for example, modification of some of the nontariff barriers to trade, would no doubt help ease the political situation.

I commend to the attention of my colleagues these two interesting and informative articles.

EXHIBIT 1

EUROPEANS WEIGH U.S. NONTARIFF OBSTACLES TO TRADE—KENNEDY ROUND FILE LISTS CUSTOMS VALUING, BUY AMERICAN ACT

(The following article is the first of two reprinted in part from Opera Mundi—Europe (No. 301, Apr. 22, 1965) published by the Times Publishing Co. Ltd., London. This article concerns European objections to nontariff obstacles to trade in the United States. The U.S. criticisms of European obstacles will be presented in the August issue of European Community.)

Economic nationalism, in the classic form of protection, is not yet dead; this much at least is evident from the slow pace of preparations for the Kennedy round of negotiations on nontariff (and semitariff) obstacles to international trade. President Kennedy's Trade Expansion Act may even have strengthened rather than weakened the laws which protect the United States commercially.

The Six's first reaction was to try to establish common principles and a joint procedure for protecting the Common Market against unfair trading practices by nonmembers, in order that the Community should be armed with means of defense equal to those which the United States has available. It would obviously have improved the Six's negotiating position to have had a common trade policy, but the proposal which the Commission laid before the Council of Ministers on November 26, 1963, has still not been adopted.

BRITAIN SUPPORTS SIX

The Six may not be agreed on what they want to do, but they are quite clear what they want to demolish—the barriers erected by other countries, especially the United States. At GATT meetings, they have found a powerful ally in Great Britain. The Common Market Commission has drawn up a complete inventory of measures applied by the biggest parties to the negotiations. The American file is the thickest.

Its first chapter concerns customs classification and nomenclature. In 1950 many of the industrial countries adopted the Brussels Convention, which includes a definition of customs value and lays down a uniform method of assessment and the principles to be applied, based on a standard nomenclature with a limited number of items. The United States never signed it, and has retained tariffs with very complicated headings and widely varying rates of duty.

This has meant that the exporter has often been left in doubt how much duty he will have to pay—a doubt which has been made worse by arbitrary changes of classification. The other countries have little hope that America will speedily adopt the Brussels nomenclature and other standards, but they do ask that the Americans should try to make their nomenclature clearer and better classified, so as not to take exporters by surprise.

U.S. CUSTOMS VALUING BASIS DIFFERS

Assessing customs values is another source of argument. Under the Brussels Convention c.i.f. (cost, insurance, freight) prices are generally adopted for contracts of sale, but the American system divides goods into three groups, each with a different basis of customs assessment:

Group I: For the majority of items the customs value is based on the f.o.b. (free on board) price.

Group II: For some 500 products or categories of products, which are set out in a list issued by the Treasury Department under date January 20, 1958, the customs value is the same as the value in the home market of the exporting country (domestic consumption price) or the export value (f.o.b. price) when the latter is higher.

Group III: For organic chemical products and some others (rubber soled shoes, clams in tins, knitted woolen gloves and mittens whose value does not exceed $1.75 per dozen pairs), the value is based on the A.s.p.—American selling price, that is the wholesale price in the United States of the competing American product (as judged by the American industry itself—editor), including all expenses and profits of sale. The effect of this method is that the U.S. customs can refuse to accept an invoice price or a price assessed by experts and refer simply to the price on the American market.

Unquestionably, disparities one way or the other will subsist and will sometimes be considerable for as long as the main industrial countries, including the United States, fail to apply a common method of assessing customs values. There seems no reason why they should not adopt the simplest one, which is the Brussels Convention.

A.S.P. RAISES IMPORT PRICE

The A.s.p. basis mentioned in group III above amounts to raising the import price considerably (by anything from once to twice or three times that figure) and thus the amount of customs duty according to the American tariff. The system is entirely contrary to the rules laid down in GATT (the General Agreement on Tariffs and Trade), article VII, ii(c) which says, among other things, that the customs value should not be based on the value of similar goods produced in the importing country.

Taking dyes, for instance, the American customs assessment depends on the standard of strength which, in turn, is based on the position before July 1, 1914. The effective rate of customs duty for synthetic dyes is thus double, and sometimes even triple, the duty appearing in the American tariff. The Six, therefore, consider that the best solution would be to harmonize customs assessments on the basis of the Brussels Convention.

The British, who are large exporters of organic chemical products, correctly point out that the American system of excessive protection, which was devised some decades ago to protect a young chemical industry, is quite unsuitable for today's huge and highly competitive American chemical industry, whose production is to a considerable extent based on oil derivatives obtained from cheap raw materials. The present system often pushes up the duties to absolutely prohibitive levels, sometimes as high as 120 percent, especially for dyes ready for use. The British therefore agree with the Six in asking for the Amercan system to be ended.

ANTIDUMPING MEASURES QUESTIONED

The second chapter of the file on American protection relates to nontariff barriers, and first and foremost to dumping. The Six would like to bring in a common procedure for antidumping measures, based on article VI of GATT (appreciation of the legality of unilateral action by a contracting party). The difficulty in doing this comes from the varied nature of the practices in force, especially those applied before the existence of dumping is recognized.

The United States has had an antidumping act since 1921 which allows the administration, as soon as it is informed of a case of dumping, to set in train a procedure charging the dumping goods with an additional duty, calculated on the difference between the original price and the import price, which is sometimes enough to discourage the exporter. This legislation has recently been made more flexible, especially by abolishing retroactive application of antidumping duty by allowing full examination of the files and publication of the documents which, until now, had been examined separately and confidentially.

But the main part of the procedure remains in force and it has had very unfavorable effects on exports to America. Assessment of the customs value can be suspended by the Treasury Department as soon as it suspects a case of dumping, even when no proof of damage has been submitted. The inquiries alone are harmful to the suspected European exporters (since in order to gain satisfaction, they must agree to making their files public—editor) and no country in Europe uses any procedure of this kind.

The American customs law (art. 303) also conflicts at two points with the rules laid down in article VI of GATT. It empowers the administration to charge compensating duties:

When export subsidies and production subsidies are granted by private organizations (through agreements, trade associations, etc.) in the exporting country; while the GATT regulations only apply to Government subsidies.

Even when the American industry has suffered no serious harm; while GATT requires proof of serious damage before compensating duties may be applied.

This special provision has seldom been applied on industrial goods, but it often has been on agricultural products.

BUY AMERICAN ACT CRITICIZED

In the United States, Government buying is subject to the Buy American Act which came into force in 1933 and authorizes the Government to give an American firm preference over a foreign one, even if it costs from 6 percent to 12 percent more (according to the rate of unemployment in the area concerned) on condition that the value of American materials used in the work is not less than 50 percent of the total cost.

For a long time, this national preference was applied only to goods intended for use within the United States, but under the Kennedy administration the Defense Department extended it to purchases of goods for use abroad, in consequence of the adverse balance-of-payments position. Since July 1962, the margin of preference has been 50 percent whether the goods are used at home or abroad.

The Buy American Act threatens to nullify the tariff concessions for articles purchased by the American Government. To allow home suppliers to obtain the contract when their prices are not more than 50 percent higher than those of foreign suppliers practically amounts to authorizing the application of an additional 50 percent customs duty on imported goods. What is more, the psychological effects of this legislation are so great that in many cases possible suppliers do not quote at all, believing that their chances of success are very small.

Since the margin of preference was raised to 50 percent for orders relating to national defense, British industry has given up quoting for contracts for $35 million and up, of which there have been 30 in heavy electrical equipment sector alone. Now the Common Market and Britain are asking the United States to consider whether they will not abolish this discrimination.

ASME CODE DRAWS FIRE

Then there are the administrative and technical regulations, several of which have been pointed out at Geneva as harmful. First of these is the code of ASME—the American Society of Mechanical Engineers. Some States and some local authorities require boilers and containers for liquid gas under pressure used in their area to comply with the code. Several States stipulate that the inspector responsible for checking them should be a State employee affiliated to ASME, which, however, follows a policy of declining to approve manufacturers outside the United States and Canada, in order not to cheapen the significance of the code. In Britain, for instance, there are several inspectors approved by the United States National Board of Boilers and Pressure Vessels Inspectors, but ASME does not wish to admit this and several British firms which have tried to get American orders have run up against ASME's veto.

High pressure gas cylinders intended for the United States have to conform to the specification for unsoldered gas cylinders laid down by the Commission for Interstate Trade. Since inspection and trials have to be carried out in America, this provision prevents foreign goods entering American territory. In this case, as in the previous one, the British are asking for inspection to be made in Britain as well as in the United States.

Finally, American legislation prohibits (on pain of confiscation) any foreign-built dredger to dredge in America unless it is registered there, but foreign-built ships are only registered if they are intended exclusively for trading with foreign countries. In other words, foreign-built dredgers cannot be registered in the United States and dredge there, so they cannot be sold there at all. At least one British firm has received inquiries from American firms interested in buying dredgers, but the restrictions have prevented them from getting any orders.

This is the kind of case which the Community (represented by the EEC Commission) and Britain are preparing for their negotiations with the United States on nontariff and semitariff obstacles to trade (the American selling price and the Antidumping Act have an effect on tariffs).

Although such obstacles are more serious in the United States than in Europe, they do exist in the Common Market and the Americans in particular complain about them. There are also obstacles in some other countries which affect international trade, and these will be considered in a later article.

EUROPEAN NONTARIFF OBSTACLES TO TRADE CRITICIZED—UNITED STATES OBJECTS TO QUOTAS, CUSTOMS VALUING AND INDIRECT TAXES

(The following article is reprinted in part from Opera Mundi—Europe (No. 302, Apr. 29, 1965) published by the Times Publishing Co., Ltd., London. The article lists the U.S. complaints against European nontariff obstacles to trade. Europe's objections to certain U.S. administrative and legislative trade practices appeared in European Community, June 1965, No. 82.)

Nontariff obstacles to trade are older than tariff obstacles. They are as old as international trade itself. They may, in fact, be the last ditch of protectionism wherever a country or group of countries wishes to protect a product or maintain a particular position against foreign competition.

This emerges from a study of the "catalog" of reproaches the great powers concerned in the Kennedy round talks at GATT are making against each other—Britain, the Common Market and the United States of America.

QUOTA RESTRICTIONS SURVIVE

Quota restrictions, introduced when Europe was having balance-of-payments difficulties, have been kept in force for a great many products, although the payments problems have long since vanished. The list of quota restrictions prepared by the American delegation is impressive and relates to a variety of goods besides agricultural products. In France's case, it includes oil, radio telegraph and telephone sets, paper and cardboard, electric lights, tubes, valves, watches and clockwork movements, and ships.

Italy restricts sulfur, cork, citric acid, and cars; Germany, textiles, ceramics, porcelain, and casein; Britain, coal, jute clothing, watches, aircraft, and Commonwealth products under Imperial preference.

In many cases, quotas are naturally accompanied by import licenses. The longest list is the Japanese. They require licenses for 154 manufactured products; Germany does so for only 64. In at least 12 countries (besides the United States), imports of cotton textiles run into nontariff barriers and the same is true of agricultural products.

The United States is particularly critical of restrictions on coal imports, and asks that these should be freed. At the moment, the American mines can produce about 600 million metric tons a year, while internal consumption is under 500 million, and mechanization of equipment keeps raising productivity of their coal, which is cheap and of good quality. The United States would be able and would like to export large quantities, but the most promising markets are countries which also mine coal and (understandably) have erected barriers against imports.

Belgium has a very strict quota system, with import licenses for non-Community bituminous coal. France, which imported large amounts of American coal at a time of crisis, now limits imports of non-Community coal by the device of giving the Association Technique de l'Importation Charbonniére a trading monopoly.

COAL IMPORTS HAMPERED

Germany has a quota for duty-free non-Community coal imports of 6 million metric tons, of which 5 million are alloted to the United States. Beyond that figure all imports bear duty at $5 per metric ton. Even Canada subsidizes her coal at the rate of $5 per metric ton in order to meet American competition. The United States feels most strongly about Britain, which absolutely forbids imports of American coal. In spite of many approaches by the U.S. Government and many requests for licenses to the Board of Trade, there has been no importation for several years.

Coal is a good example of how much necessary evil can exist in some survivals of protectionism. Coal like wheat, raises social and therefore political problems. Coal now moves freely inside the Community, but experience has shown that neither production nor the market is insulated from crises, and this position would be worsened if American coal also came in freely.

This is even truer for Britain, which needs to export some of its coal and to maintain a high level of coal production for social and political reasons. Germany, by the way, does not import the whole of its duty-free quota. The fact that American coal is better and cheaper than some European coal does not alter the social repercussions which the coal market may feel, but it should encourage governments to find a more liberal compromise.

ARBITRARY PROCEDURES CITED

The second chapter of the American's complaints relates to the European countries' economic and trading policies and to their administrative practices. The Americans complain of the European assessment of customs values, just as the Europeans do of theirs. They too would like to see harmonization.

The Europeans raise nontariff barriers through executive measures whereas the Americans nearly always have theirs endorsed by the legal processes of Congress. The American method is fairer if the exporter knows where he stands, which is not always the case, as shown by the American selling price. The ease with which the U.S. administration can raise the margin of preference from between 6 percent and 12 percent to 50 percent (for Government procurement concerned with defense) leads to the question whether the absence of law may not sometimes be preferable to a very elastic law.

Few European countries have real antidumping legislation but they sometimes use arbitrary methods of protection against dumping. Last year, the Germans complained that Kaiser Aluminum was selling its aluminium at dumping prices. Under the threat of antidumping legislation, the United States firm, after several weeks of talks, had to raise its prices.

There is no buy-French, buy-British, or buy-European act but most European countries do not allow open bids for government contracts, or else they arrange to give preference to their own industries. For instance, a spokesman of Electricité de France has stated that a hydroelectric plant should be bought in France unless it is not available there. There are similar preferences in the railways and other nationalized industries.

The same thing happens in Germany and Britain, and altogether very few American firms try to sell to European governments. The Americans sent OECD (Organization for Economic Cooperation and Development) a questionnaire to find out what percentage of equipment is purchased abroad by the government of each member country. A U.S. official said, "If we had received replies to our questionnaire, we should have proved that the American Government buys more abroad than foreign governments buy in the United States." In the American list of nontariff obstacles there are few specific complaints. The firms concerned are too frightened of losing future business.

UNITED STATES URGES OPEN BIDS

The Americans' strongest complaint is against the secrecy which surrounds many European contracts. Their delegation has tabled a proposal at Geneva which would make it obligatory to publish all regulations and practices governing their procurement procedure, and criteria governing the eligibility of suppliers. According to this proposal, the list of firms invited to bid should be open to any foreign supplier on terms and conditions equal to those applicable to domestic suppliers. The text goes far enough in constructive directions to avoid any possible discrimination in this large area of international competition.

INDIRECT TAXES PROTESTED

The fiscal chapter raises fresh difficulties because of the indirect taxes which are much more usual in Europe than in the United States. The Americans protest especially against the added-value tax (AVT) and turnover taxes. These taxes are about 10 percent in the Federal Republic of Germany and much higher in France and Italy, where they reach 25 percent. When a French business exports, it recovers AVT; when it imports, AVT is calculated on the c.i.f. price increased by the customs duty.

For instance, if the duty is 20 percent on an article costing 100 francs, the AVT of 25 percent will be applied to 100 francs plus 20 francs. The Americans know that AVT forms part of the country's internal fiscal system and, therefore, they do not expect it to be abolished. However, they fear that the fiscal harmonization of turnover taxes, AVT and other indirect taxes which affect trade in the Six may, in the end, be fixed nearer the French level than the German. This would further reduce the American exporters' opportunities when the Community's common external tariff is in force and the duties between Common Market members have been abolished.

The Americans do make specific complaints on some points, including cars and alcoholic drinks. The Americans do not understand why the automobile road-use taxes in four European countries (Austria, Belgium, France, and Italy) should be calculated on cylinder capacity or fiscal horsepower instead of on the cost or price of the vehicle. Most European cars do not exceed 2,500 cubic centimeters or 16 fiscal horsepower; while (with the exception of the compacts) American cars exceed both these figures. The result is that a 220 SE Mercedes costing 48,000 francs in France pays tax of 150 francs (equal to United States $30) a year, while a Chevrolet Chevy II 200–400, which is only half the price, pays 1,000 francs (equal to United States $200) a year.

The American share in automobiles imported into France fell from 46 percent in 1955 to 2 percent in 1962. The Americans say that the drop is due to the annual tax imposed on October 1, 1956. Other factors, however, may also have contributed to this development: the growth and competivity of the European automobile industry, the Common Market, and the lowering of customs duties on German and Italian cars, the lower petrol consumption of European cars and the high cost of petrol in Europe compared with the United States.

Another subject of American complaint is the importation of alcoholic drinks into France where the advertising and sale of these drinks are governed by the rules for licensed premises and steps against alcoholism. The Americans claim that prohibiting them from advertising their bourbon whisky amounts to forbidding its importation and sale, for goods cannot be made known without advertising.

HEALTH REGULATIONS HELD RESTRICTIVE

When rigorously applied, health regulations can also form obstacles or restrictions, especially for food, including meat. The Americans complain of regulations prohibiting the entry into France of citrus fruits preserved with diphenyl (unless the method of preserving is shown on the packages) or chemically colored. They also dislike the rules against importing chickens from countries like the United States which do not prohibit the use of certain chemical substances, such as hormones and antimony for feeding poultry. Every country has health regulations but the important thing is that they should be neither discriminatory nor contradictory. Here also some harmonization between Europe and America is needed.

The American codes and regulations of which the British complained were mentioned in the earlier article, but there are grounds for similar complaints in Europe. The French weights and measures legislation contains a complicated regulation concerning air separation in the construction of petrol pumps. The British delegation considers that the formalities and delays involved in getting foreign-made pumps approved amounts to prohibiting their importation.

By reason of the regulations of the Technical Control Association, as interpreted and applied by the German Physics Institute testing office and the German Electrical Association, similar difficulties arise in getting approval for measuring apparatus (such as electrodynamic computers and precision levels), for electrical equipment (such as switches, motors, lighting equipment for instance), earthing terminals and circuit breakers. British exporters complain that here too the differences in standards are used as a means of dragging out formalities and thus defeating attempts to import such equipment into Germany.

Examples can be multiplied. Those we have quoted should be enough to confirm that nontariff obstacles are most often used as a roundabout means of protecting a home industry when customs duties no longer protect it sufficiently. Some countries, like the United States, rely on laws, regulations and codes, which they interpret or extend in case of need. Other countries, in Europe, do without actual laws but manage to keep some surprises up their sleeves.

It may take years to draw up a complete list of these obstacles to face them squarely and try at least to harmonize them while they are being gradually eliminated. The Geneva negotiations provide the opportunity for the countries involved to confront each other, and if the Common Market Commission makes a beginning by harmonizing regulations inside the Community, and if the United States, for their part, ease their legislation, the first big step will have been taken.

NOMINATION OF DR. CHARLES FRANKEL TO BE ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS

Mr. FULBRIGHT. Mr. President, I regret I was not present last week when the nomination of Dr. Charles Frankel for confirmation as Assistant Secretary of State for Educational and Cultural Affairs was considered by the Senate.

This disinguished philosopher is taking leave of a senior faculty position at one of our great universities to direct a bureau which does not always receive the attention it deserves. Dr. Frankel will be lending dignity to a position which, to my mind, has been vacant far too long.

During his long career as professor and Government advisor, Dr. Frankel has devoted much time to generating contact between nations in the fields of the arts and humanities. A keen observer of the process of social change, he is firm in his belief that mere propaganda, and criticism based on superficial and limited knowledge, must be replaced by an exchange of higher levels of understanding. A gentleman committed to the proposition that foreign policy should not, in his own words, "consist merely of a series of resolute and ingenious tactical operations," he is well suited for a job in which policy is based not on planning for emergencies, but where each measure of international conduct must be a concrete step in broadening the exchange of ideas, opinions, and experience. His philosophical concern for improving international communication has earned the respect of his colleagues throughout the world. His interest in explaining the American posture, clarifying our policies, justifying the decency of our motives and the strength of our commitment, will do much to alter the sometimes erroneous impression that American foreign policy is essentially passive and defensive. Dr. Frankel's general optimism for the future of western civilization, expressed in his recent scholarly work, "The Case for Modern Man," has made him an American whom foreigners have learned to trust and admire. His services can only benefit our international standing.

Mr. President, I ask unanimous consent that the following editorial from the Washington Post of August 25, 1965, pertaining to the appointment of Dr. Frankel, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CULTURAL EXCHANGE

Selection of Dr. Charles Frankel as Assistant Secretary of State for Educational and Cultural Affairs affords a heartening indication that President Johnson attaches great importance to this subtle assignment. He should. Cultural exchange can not be said to control the relations between great powers. But it affords the best hope for reciprocal understanding, friendship and peace.

Dr. Frankel is a professor of philosophy at Columbia University. He is a scholar, a man of learning, who commands the respect of intellectual leaders abroad as well as at home. If in this sense he is a citizen of the world, he is also an articulate and forceful representative of American values, interests and points of view; he has been expressing these American points of view quietly but persuasively in international conferences for some time and will thus bring to his assignment much experience as well as intellectual capacity.

The Department of State needs Dr. Frankel's talents as leavening to the ordinary usages of diplomacy. The times may not now seem entirely auspicious for the exploitation of common educational and cultural interests among nations. But no opportunity for the development of such interests should be neglected. Dr. Frankel can be counted upon to develop them imaginatively and resourcefully.

HIGHWAYS AND NATURAL BEAUTY

Mr. HARTKE. Mr. President, on Monday evening of last week Rex M. Whitton, Federal Highway Administrator, addressed the 90th annual meeting of the American Forestry Association in Jackson, Wyo., on the topic "Highways and Natural Beauty."

Before turning to his major theme, Mr. Whitton outlined the present situation concerning our Federal roads program. He noted, as I have on several occasions pointed out in the Senate, the completion of the Interstate Highway System will result in a saving of 8,000 lives per year, and that it will give us enormous savings in monetary values.

In fact, it should be noted that the estimate given by Mr. Whitton for savings on completion of the system is considerably higher than that which I have previously cited. The figure I have used in the past is that of $11 billion per year, a figure which appears in a Bureau of Public Roads release of July 6, 1964, Mr. Whitton says in his speech, and I call attention to these new estimates:

> The highway users * * * reap a handsome return in savings of time and vehicle operation costs, fewer accidents, and less driver strain—$7 billion this year and $21 billion a year by 1973.

It should be noted, however, that the context indicates that here Mr. Whitton is speaking of the total Federal road program rather than confining himself exclusively to the Interstate Highway program.

The entire address is worthy of note by Members of the Senate. It includes consideration of the bills before the Congress for control of outdoor advertising and junkyards in the process of highway beautification. There is consideration not only of the bills but of the philosophy which lies behind them.

> Highways—

Says Mr. Whitton—

> have social responsibilities far beyond their basic function of transporting people and goods.

I ask unanimous consent, Mr. President, that this address may appear in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HIGHWAYS AND NATURAL BEAUTY

(Remarks by Rex M. Whitton, Federal Highway Administrator, Bureau of Public Roads, U.S. Department of Commerce, at the 90th annual meeting of the American Forestry Association, Jackson Lake Lodge, Jackson, Wyo., Monday evening, September 6, 1965)

I am delighted to be here with you tonight, in one of the most beautiful parts of our wonderful America. It was something of a surprise to me, to learn that this is the 90th annual meeting of the American Forestry Association. The age of your organization certainly hasn't affected its vigor and fresh outlook.

I am delighted to know, too, that members of the National Council of State Garden Clubs are here. Happily, you have survived the era of the Helen Hokinson cartoon. Public—and Government—recognition of the sincerity and value of your public service efforts have now come into full bloom, like the flowers you love so well.

I want to talk with you tonight about highways and natural beauty. But first, if I may, I would like to explain briefly our Federal-aid highway program. It is an outstanding example of Federal-State cooperation, in which the State highway departments and the Federal Bureau of Public Roads have operated as partners for almost 50 years. The States choose the routes and projects to build, design them, and manage their construction. The Bureau's role is that of review and reasonable control, to safeguard Federal funds. All Federal aid for highways now comes from taxes on highway users, handled in a special trust fund.

I'm sure all of you have traveled on the Interstate Highway System, for which Federal aid is providing 90 percent of the cost. Nearly half of this 41,000-mile planned freeway network is now open to traffic, and it is scheduled to be completed in 1972.

Improvement of the 851,000 miles of roads and streets in the Federal-aid primary and secondary systems is our long-continuing, so-called ABC program. In this, Federal aid provides half of the project costs.

Work completed or put underway in the interstate and ABC program since 1956 has a total cost of over $42 billion, almost three-fourths of it Federal aid. The highway users, who have made this investment through their taxes, reap a handsome return in savings of time and vehicle operation costs, fewer accidents, and less driver strain—$7 billion this year and $21 billion a year by 1973.

There is another great saving, too. Every 5 miles of the Interstate System we open to traffic will save one more life a year, on the average; and the completed system will save 8,000 lives annually. Lifesaving in the ABC improvement program is less dramatic, but it is important, for these roads and streets carry much of our Nation's traffic. We are paying special attention now to those road locations that have known bad safety records.

This audience will have particular interest in the Federal highway program for national forests. As a matter of fact, the first legislation providing Federal highway aid, passed in 1916, provided funds for forest highways, too—and Congress put up $1 million for them and only $5 million for all the rest of the roads in the country, for that first year.

The funds, and the needs, have grown some since then, although you may be disappointed in the change in proportions. For the current fiscal year, Congress has authorized $1 billion of Federal highway aid, and $33 million for forest highways. Since these are the main traffic arteries into and through the national forests, Congress appropriates the money to the Bureau of Public Roads, and we work closely with the Forest Service and the State highway departments in planning its use.

The $33 million is only part of the story, however, for Congress has authorized $123 million for this fiscal year in the continuing program for forest development roads and trails. This program is administered by the Forest Service, although they call upon our staff for engineering assistance on some projects.

From that sketchy outline, I turn now to my theme tonight, highways and natural beauty. We in the highway profession recognize and accept certain basic responsibilities, whether in finding a specific new route location, designing a project, or planning an entire highway program. Certainly, we must provide adequate capacity, safety, and comfort and convenience for the traveling public. Certainly, we must pay due consideration to economy, in the broadest sense. Certainly, we must do our work with technical skill and integrity.

But we have other responsibilities in our planning: to cause the least possible disruption or damage—and even to enchance, where possible—the locations and situations upon which our highways impinge. These include forests and wildlife habitats, parks, recreation facilities, close-knit community areas, historic and scenic sites, and the landscape generally.

Such objectives are not always altogether attainable, but highway planners are sincerely trying to achieve them. If we cannot meet all demands by all interests, it is not because we are not interested. Sometimes the nontraffic demands conflict among themselves, or with traffic safety. Sometimes they are wholly unreasonable, or far too costly, or cannot legally be paid for from highway funds.

If highway officials have seemed hesitant to spend money for social needs and amenities affected by highway construction and use, it is because by tradition their responsibility has been to the highway user who pays the bills. But in this age of the Great—and complex—Society, the highway user must accept expenditure of reasonable amounts of his taxes for such purposes. I believe that he willingly does accept this, as a proper part of transportation cost and as a social responsibility. So the highway official need be less hesitant than he used to be.

Even in the past, perhaps, the highway official was somewhat remiss in his hesitancy. He felt it his duty to follow public opinion, or stay abreast of it, when he might more properly have been in the vanguard. This is a lesson we are learning, and there is still room for progress. I am happy to say that the Federal Government has been providing leadership and incentive in this direction; and I am proud to say that the Bureau of Public Roads has taken every opportunity to steer a forward course.

The President has called this year for positive action against our shabby roadsides. He recognized that not all roads are ugly; the many good examples, in fact, show what can be done. I might add that the President found many other flaws in the landscape; his beautification program encompasses much more than roads alone.

I might add, too, that the highway profession is neither averse to nor ignorant of esthetics in general and roadside beautification in particular. We have been actively promoting esthetics in highway location and design for some years. The States, too, have generally been attentive to this subject, as witnessed by adoption in 1961 of a policy on landscape development by the American Association of State Highway Officials. In many highway locations, the view from the road and the view of the road speak proudly of our efforts.

And our interest in America's natural and cultural resources is not new, either. By regulation issued in June 1963 and expanded in 1964, the Bureau of Public Roads requires the State highway departments, in planning Federal-aid highway projects, to protect and enhance fish and wildlife habitats, historic sites, and parks, playgrounds, and other recreation areas. Public agencies responsible for such resources must have opportunity to review project planning at the earliest possible stage.

The State must certify to us that due consideration has been given to suggestions offered by these agencies, and if it does not agree with any of them it must, in submitting projects for our approval, include valid reasons for their rejection. Many State highway departments have had longstanding policies or working arrangements of this sort. Our requirement assures nationwide and full attention to this aspect of highway planning.

An interesting project resulting from consultation and cooperative planning of this nature was completed not long ago, only 500 miles east of here. By combining highway embankment and dam construction, two lakes have been created alongside Interstate Route 94 in North Dakota, near the Bismarck-Mandan urban area. The work was planned and carried out by agreement among the State highway department, game and fish department, and water conservation commission, and the Morton County Board of Park Commissioners. The water and recreation agencies paid the extra cost of right-of-way and construction, and have stocked the lakes with fish. At two other places in North Dakota, under the same kind of arrangements, lakes have been created as part of Federal-aid secondary road construction projects. You can imagine the recreation values and tourist attraction offered by these roadside lakes.

But despite what we had been doing, far more needed to be done. President Johnson has now provided welcome leadership and emphasis on the highway beautification program.

Last January, in a letter to Secretary of Commerce John T. Connor, the President pointed to a number of possible actions, which the Bureau of Public Roads promptly put into effect. We have required that the State highway departments include landscaping as an integral part of all interestate, primary, and urban Federal-aid construction projects. We are urging increased use of Federal aid funds for landscaping projects, especially to screen unsightly areas. We have proposed development of many more rest areas and scenic overlooks on Federal-aid highways.

And we have continued to stress the basic principle, long known to and practiced by good highway engineers, that the skillful choice of route location is a major factor in the appearance of a highway and its effect on the landscape.

On May 26, only a day after the close of the White House Conference on Natural Beauty, the President formalized his interest in highway beautification by sending four pertinent bills to the Congress.

Two of these would require the States—as a condition of receiving Federal aid—to control outdoor advertising and junkyards along the interstate and Federal-aid primary systems. Federal aid could be used to share in purchase costs if necessary. The billboard control would be far more potent than the voluntary bonus plan which was available to the States from 1958 until last June, but was adopted by only 25 of them.

The third bill sent to Congress by the President would require the States to use 3 percent of their Federal-aid funds, without matching, for acquiring and enhancing scenic roadside areas beyond the needed right-of-way width. This would broaden and make mandatory a little-used provision of existing law.

The fourth bill would provide the funds to build scenic and recreational roads and for landscaping Federal-aid highways, by requiring the States to use one-third—$100 million a year at the current rate—of their Federal-aid secondary road funds for those purposes.

Passage of these four bills will greatly enrich the opportunity for highway builders to preserve and enhance one of the Nation's great resources—its natural beauty.

I know of no better way to express the merit of these four bills, and the role of highways in the United States, than to quote President Johnson's letter sending the bills to Congress: "* * * Federal-aid (for) highways * * * is an investment in the future of America. Surely that future will include the wonders of the natural world, as well as the growth of the world which man has made. We must invest in both these futures if we are to conquer the challenges of the modern world while protecting the values of our past." I sincerely echo the President's words.

This July and August, committees in both Houses of Congress held hearings on these bills and on the general subject of highway beautification. I think I am not reporting unfairly when I say that everyone seems to be in favor of roadside beautification, but there are doubts by some about who should pay for it—the highway user, the general public, or both in some proportion or other.

I want to point out that three of the four roadside beautification bills concern areas along the roadside but beyond the normal right-of-way line. The proposals of the President recognize that there are certain highway-oriented problem responsibilities beyond that line. True, it is a legal boundary for certain purposes. But the sight line from the highway does not end at the right-of-way line. The view is open across it in both directions, from either the road or the roadside.

Every householder, farmer, and businessman has a responsibility to keep his buildings and grounds reasonably neat and presentable. After all, they are a prominent part of the roadside scenery. It only takes occasional application of a little paint and a package of flower seeds, some periodic manual effort, and a continuing feeling of self-respect and pride to spruce up a house front or farmyard, and keep it that way.

Volunteer organizations can do much toward inspiring such individual action—not just once, or as an annual cleanup week campaign, but on a continuing basis. They can set examples of all kinds, too.

Public response to President Johnson's beautification program has been tremendous. Garden clubs, youth groups, and other citizens' organizations have been quick to offer their help. The hazards of working close to high-speed traffic are too great to suggest that such volunteers work within the highway right-of-way. But certainly they can undertake leadership activities such as I have just described. And they can undertake beautification improvements outside of the right-of-way line, with permission, on both private and public property.

The role of the Federal Government in highway beautification has been indicated in President Johnson's proposals. State and local agencies—not just the highway departments, but all of them—need to direct continuing attention to the problems of the roadside and the general landscape, too. Example, encouragement, and leadership—and legislation, regulation, and enforcement where needed—are the assortment of tools available to State and local government. I think they will find the public is ready and willing—if I may reverse an old saying—to be led up the rosy path to beauty.

There is another tremendous problem related to beautification for which the public as individuals are wholly responsible—the problem of litter, on the highway and everywhere else. Every State and local highway departments have active cleanup and anti-litter programs; and $100 million is spent each year to pick up the papers, bottles and cans, garbage, and even old mattresses that are carelessly—or deliberately—discarded along our roads and streets.

This money could better be used to make our highways safer and more efficient. Or it could be spent for beautification in a positive rather than what I call a negative way. The $100 million spent annually on litter cleanup would buy, for example, high-quality landscaping for 10,000 miles of rural or 3,000 miles of metropolitan area interstate highways; or 1,000 fully equipped safety rest areas or 4,000 scenic overlooks.

A little more care and conscience by everyone would come close to solving the litter problem—all we need to do is reverse our national fault and make nonlittering our national habit. Government, both State and local, should have strong antilitter policy and law. And leadership should also come—and it is—from citizen and business organizations.

Many of them are now involved in a massive campaign to educate the public on this problem, and a good job is being done in a variety of ways. One to which I would like to see some good part of our effort devoted is getting every car equipped with a suitable litter container. I am thinking not of the small litter bags commonly sold or given away, but of a more sizable container; one that can hold most of the objects—both in size and quantity—that form our daily discards and comprise our major litter problem.

We could go a long way toward solving the problem if we could promote widespread use of such litter containers in cars, and also promote the habit of emptying them in proper trash cans at home or at service stations. I would hope in time that automobile manufacturers would see the public acceptance and demand for practical litter containers, and would install them in new cars as standard equipment.

Just look at the economics of such a move. Our annual highway litter bill of $100 million equals $12 for every new car sold last year. I'm sure $12 is far more than the cost of a good factory-installed litter container. The one I have in my car cost about $2.50—and it's a pretty good one.

Another essential part of this effort would be a program to encourage service stations to maintain conveniently placed, uniformly marked trash receptacles in which customers could empty their litter containers Overall, our objective should be to make it as easy to dispose of trash properly as it is to be a litterbug.

As a final subject, tonight, I want to comment on the nature of roadside beautification. I think the phrase "natural beauty" conveys the entire concept of what is appropriate.

We don't want to plant balsam fir in Texas or organpipe cactus in Vermont. Clipped boxwood may look fitting along an urban freeway but not on a country road. And we have no idea of establishing roadside oases, equipped with artesian springs, in the desert. Whatever we plant should look as though mother nature had a firm, sensible hand in the planning.

The sensible part is just as important as the natural part, in roadside beautification. We're going to have to take care of what we plant. Consequently, in most situations our plantings must be hardy, native materials that can survive and thrive on their own. And they should be of such nature that the roadside can largely be tended by mechanical maintenance. This means no continuous rows of trees close to the pavement or scattered frequently and haphazardly along the roadside slopes. These larger scenic elements are best handled as clumps or clusters, spaced at reasonable intervals, both for better appearance and economy in mowing operations. Sizable trees, of course, must be set well back from the roadway, for safety's sake.

Native wildflowers of the more hardy types—bluebonnets, daisies, wild azaleas, trumpet vine, black-eyed susans, and the like—can be encouraged along the roadway, and mowing can be postponed for their blooming season.

For some special locations—in cities and at rest areas, for example—more extensive and unusual plantings may seem fully appropriate. But we must then be prepared not only for higher initial cost but the continuing and not inconsiderable expense of watering and hand-labor maintenance.

Roadside beautification thus does have some metes and bounds—but moderate expenditure, good commonsense, keen imagination, and the will to do a good job can give us highways that will provide a real pleasure ride and will truly enhance the landscape.

The call for roadside beautification is only one aspect of an increasing recognition by Federal officials and legislators, paralleled in many of the States, that highways have social responsibilities far beyond their basic function of transporting people and goods. That function is vital to the Nation's well-being, without question. But equally without question, it cannot heedlessly override all other elements of the public and individual's well-being. And we must be attentive to the amenities as well as to the necessities of life.

Not that we need to forsake reality and integrity, or compromise on safe and sound design. I think we can fulfill our responsibilities to both the highway user and the public at large. I think we can build for both a practical and a beautiful America.

JOB CORPS "IMAGE"

Mrs. NEUBERGER. Mr. President, there is a possibility that the people who join the Job Corps will be stereotyped in the public mind. To show the fallacy of a Job Corps "image" I ask unanimous consent to include in the Record a letter to the editor of the Oregon Journal of August 30, 1965. This letter, written by a dormitory counselor in the Job Corps program at Tongue Point, Oreg., is a timely reminder that we must always treat persons as individuals, not merely as members of a particular group, faction or sect.

There being no objection, the letter to the editor was ordered to be printed in the Record, as follows:

Job Corps Image Nonexistent

To the Editor:

It is with trepidation that I write this letter, for I must use the term Job Corps in in order to assert that there is no Job Corps, and because it is through the press that I hope to make known my fear of the stereotype which the press is consciously or unconsciously attaching to the Job Corps.

The purpose of this letter is to make public the results of a study made last month of Job Corps students who visited Portland on weekend leave, July 16–18. To the best of my knowledge, the only information available to Portlanders about this visit was that three Job Corps students were arrested on charges of minor in possession.

For various reasons, only 35 of the 60 students in Portland responded to the anonymous questionnaires.

Summary: 85 percent enjoyed their stay in Portland. Major reasons: "I liked mostly the girls," "Being away from Astoria," "Staying in a nice home," "Lots of things to do and places to go," "Going to a church of my faith," and "Meeting girls who would hold a conversation with a Job Corps boy." Most common complaint: "I ran out of money." Three-fourths of the students spent $8 to $10.

Thirty percent of the respondents consumed some form of alcoholic beverage in Portland with 12 percent getting drunk or nearly drunk; 53 percent attended church services in Portland; 35 percent visited families for all or part of the weekend, and 81 percent of the others would have liked to. Almost all the students were glad in a way to be back at Tongue Point after an active weekend.

When asked how they liked the Job Corps, 60 percent were affirmative, 20 percent indifferent, and 20 percent negative. Representative responses: "It looks like San Quentin, man," "I don't, but I will stay as long as I can," "It's all right, but not the food," "I like it, but I miss home a whole lot," "I love it. It is a great opportunity."

Although the responses recorded here are brief, they point clearly to the conclusion that there is no "job corps" personality. The variety of responses and attitudes indicate the injustice of thinking of Ralph Jones as "a Job Corps boy" instead of as an individual who is studying in the Job Corps program. Second, even if we were to assign a model personality, the stereotype most people seem to hold is incorrect. The 70 percent who do not drink, who attend church, who want to visit families, and who are basically optimistic toward life, seem to be the "hidden good" whom no one cares to look for.

A final observation made less readily from this brief report than from actual observation is that in most cases these students are absolutely not "abnormal" or "inferior." Rather, special circumstances have intensified the frustrations and insecurities we all feel. The end of those circumstances and the first steps toward alleviating those frustrations and insecurities will come when we stop flattering our own egos by looking down self-righteous noses, and begin to understand and love "our neighbor."

Are there 500 families among the 1 million inhabitants of Greater Portland who would invite a student 2,000 miles from his home into their homes for Sunday dinner?

Carl Simpson.

Tongue Point.

(Writer of the above letter is a summer dorm counselor at the Tongue Point Center and a senior at Stanford University.—The Editor.)

THE CRIME OF UNSAFE TIRES

Mr. HARTKE. Mr. President, it was my privilege to preside over the hearings held by the Commerce Committee recently on automobile tire safety.

The situation is one which totals up to little less than shocking chaos. Senator Nelson is author of the bill on which the hearings were held, S. 1643, and I am a cosponsor. The witnesses before us included top officials of the major automobile companies, and their statements and their responses to questions concerning safety, tire sizes, loads, and air pressure did not bring order out of the chaos. The plain fact is, there appears to be no common acceptable agreement on what is a safe tire. I have received, as has Senator Nelson, numerous letters from persons who have experienced failures and blowouts on tires furnished as original equipment on new cars, tires which have been driven only 4,000 or 5,000 miles and even less.

Senator Nelson is the author of an enlightening article on the subject which appears in the September issue of the Progressive under the title "Death on Wheels." The article contains information developed by Senator Nelson and in the committee, and it is a valuable contribution to the question of automobile safety, and particularly to tire safety.

I ask unanimous consent that this article may appear in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Death on Wheels

(By Senator Gaylord A. Nelson)

Who speaks for the American public in the field of highway safety, where we are killing more than 47,000 people every year?

The tolerance which the American public has developed toward death on the highway is one of the strange phenomena of our lives. At a time when the national conscience has been aroused, as never before, over justice to all men, we remain largely indifferent to the mass murder, the pain and suffering, and the brutality which occurs every day on our highways.

Whole families are wiped out; children are maimed or lose their parents; economic losses soar; and our courts become clogged with civil damage suits and traffic violation cases. Yet publicly we do almost nothing.

One reason may be that this is in an age of technology in which we worship machines and the men who make them. A mere mortal hardly dares to question whether that growling tiger at the curb, with its 400 horsepower engine, its bucket seats, and chromium wheel spinners, is the proper mode of transportation for an American family.

What is the role of democratic government in an age of technology? Do we surrender our authority to the engines and engineers?

As Governor of Wisconsin, I became more and more concerned about our rapidly rising highway death rate, which is now well over 1,000 per year in that State. We developed a comprehensive highway safety program involving a marked increase in traffic law enforcement, better driving training, and expanded research and education in the safety field. But we got no further during my 4 years as Governor than have most other State Governors in similar situations.

Since becoming a Senator, while still recognizing the need for action at the State and local level I have sought to find the proper role which the Federal Government should play in this mounting national crisis. Although they are only a partial answer, I have introduced three bills:

To establish a national system of tire grading and labeling and to ban unsafe tires.

To require all new cars to incorporate the special safety features now required on cars bought by the Federal Government.

To appropriate $5 million for a special program of Federal safety research, leading to the design and construction of a series of prototypes of safely constructed automobiles.

Frankly, I introduced these bills as a relative novice in this field. I was dumbfounded by the astonishing and shocking information that deluged me once I stirred up this issue. Letters poured in from motorists, tire dealers, Government purchasing agents, doctors, and attorneys representing accident victims.

The problem is far worse than I ever imagined. It seems clear that the concern for the public interest in automobile and tire design and manufacture is almost completely obliterated by the competitive pressures in these industries.

It is easy to hurl wild charges and to terrify the public with grisly statistics. But no charge by a politician, no statistics on highway slaughter, no pictures of mangled bodies in highway collisions could be as shocking as the facts brought out in the last few months.

The story begins with 3 days of hearings before the Federal Trade Commission early this year to consider whether tires are adequately labeled at the present time. The Federal Trade Commissioners were as stunned as I was when the highest officials in the automobile tire industry testified that:

Quality labels on tires, such as "deluxe," "premium," and "first line," have no meaning whatever and "there is no way to tell one tire grade from another."

Size labels on tires were never meant to indicate the precise size. The notion that these labels were meant to indicate the exact size is merely a recent misunderstanding on the part of the public. It is perfectly possible for a 7.50 by 14 tire to be larger than 8.00 by 14.

The ply or ply-rating labels on tires have no understandable meaning anymore.

Tires supplied by the auto industry with its new cars are not designed to carry the full load for which these automobiles are designed.

These are not charges made by a legislator trying to pass a bill. They are the official explanations of standard practices within a great American industry which affects the lives of almost every citizen and which is trying to avoid Federal regulation.

After studying the 635-page manuscript of the Federal Trade Commission hearings, I stated publicly that I thought it documented a national scandal in automobile tires. I made my arguments on the Senate floor and before the Senate Commerce Committee. They were given nationwide press coverage and yet, so far as I can tell, the responsible officials in industry paid no attention, although the Akron bureau of the Cleveland Plain-Dealer reported that an unidentified tire industry spokesman had brushed off my remarks as "a politician picking a dull day in the Senate to read something into the CONGRESSIONAL RECORD."

For that reason, I wrote to the presidents of the four major automobile manufacturing firms and asked them directly about these sensational disclosures. Their replies, as expected, made a strong defense of their present practices. Yet not a single one of the revelations from the FTC hearings was refuted. In fact, the replies from the automobile manufacturers added up to complete confirmation of the hearing disclosures.

One might have thought that these automobile manufacturers would write back and say, "Of course our tires are safe for any reasonable use to which our cars may be put."

But that is not what they said. Almost like lawyers drafting a contract, they worked in careful, qualifying language to protect themselves and to shift the responsibility to the motorist.

The simple fact brought out at the FTC hearings, and confirmed by the automobile manufacturers in their letters to me, is that tires are selected for new cars on the assumption that they will carry approximately three passengers and no luggage—this, in an age when cars are bigger than ever, when they have monstrous trunks, when a fantastic array of accessories is available, and when many family cars and station wagons are put to a tremendous range of uses hardly known a few years ago.

The most important question I asked the auto makers was whether their tires could carry a full load in extended travel at modern highway speeds.

American Motors replied that its cars could carry a full load provided the tires were specially inflated. "The front tires should be inflated from 24 to 26 pounds and the rear tires to 30 pounds," American Motors said. When the tires are specially inflated in this manner, they are "adequate for occasional full load service," the company told me.

This is a shocking admission, but almost the same information came from the other manufacturers.

General Motors conceded that the "design guide in selecting tires" was three passengers, but said that its sedans could carry six passengers plus 200 pounds of luggage, provided the tires were specially inflated to 28 pounds in the front and 30 pounds in the rear. Chrysler said simply that its tires were adequate "provided they are properly maintained," but it uses similar tires and its cars have similar weights, so apparently the same principles apply as in General Motors' case.

Ford conceded that "it has been customary to make tire selections on the basis of a three-passenger load," but said that its sedans could carry six passengers plus luggage (up to a maximum of 1,100 pounds) if the tires were specially inflated to 30 pounds in front and 32 pounds in the rear. If a Ford station wagon is expected to carry a full load (which Ford considers to be six passengers and 400 pounds of luggage, or eight passengers and 100 pounds of luggage, totaling 1,300 pounds) then its tires must be specially inflated to 28 pounds in the front and 36 pounds in the rear.

What more sweeping confirmation could there be of the existence of a national tire scandal? The very companies which are pouring out automobiles at the rate of 7 million or more a year concede that their cars cannot safely carry their full, designed load unless the tires are constantly inflated and deflated according to a set of tables hidden somewhere in a driver's manual.

I wonder if there is a motorist on any highway in America today who is calculating the load of this car, his accessories, his passengers, and his luggage to within 100 pounds, then carefully adjusting his tire pressure in an attempt to stay alive. I doubt that most motorists could tell you the amount, within 5 pounds, of air pressure they have in their tires. I doubt that many could tell you the total loads they carry, either regularly or occasionally. Obviously it is ridiculous to expect American motorists to carry out the daily—or even hourly—inflation and deflation ritual prescribed by the auto makers. Do you think that the president of the Ford Motor Co., for instance, stops at a gasoline station on the way to work to inflate his tires if he has five of his associates riding with him? Will he stop again on the way home at night to deflate if only two of them ride back?

In addition to being unrealistic, this special inflation program, in my opinion, is downright dangerous. I asked a high official of the Tire and Rim Association, the accepted spokesman for the tire industry, what he thought of a suggestion that motorists should inflate their rear tires from 24 to as much as 36 pounds to increase their load-carrying capacity. His answer was that there is a great disagreement within the industry as to proper tire pressure, but that the consensus is that 36 pounds would be too much pressure, would cause excessive wear, and could cause a blowout.

After poring over the automakers' replies, plus the beautiful manuals and accessory brochures which they sent along, I became convinced, more than ever, that only the Federal Government can protect the public interest in automobile safety.

The automakers know that their tires are not adequate. If you read their manuals, you will find this confirmed a hundred ways. You are supposed to switch to a larger tire if you add an air conditioning unit with its extra weight to some models, for instance. If we are that close to the edge of safety, why should not all of the cars of such models have the larger and safer tires?

At the same time, you are urged to load up your car with a fantastic array of accessories, including a camper top large enough for a small family to sleep under. How many cars loaded down with such accessories, or pulling heavy trailers, are speeding along our highways on tires overloaded by as much as 500 to 1,000 pounds each?

If you believe the automakers, no one can really answer such questions because no one knows what the maximum safe tire loads are.

The May issue of Consumer Bulletin states that the full-size Ford, Chevrolet, and Plymouth "have overloaded tires, and we suggest that the consumer order his car with tires of the next larger size." Paul Rand Dixon, Chairman of the Federal Trade Commission, testified before the Senate Commerce Committee that "anyone in his right mind" buying a new car would ask the dealer to install the next larger tire.

These statements were based on comparing official car weight figures with the tire load ratings of the Tire & Rim Association. Yet when these apparently irrefutable facts were presented to the automakers, their answer was simply that these association figures are not intended to be maximum loads.

"The Tire & Rim Association yearbook load inflation tables never have indicated maximum capacities," says Ford.

Apparently, we must fit tires to cars so as to carry certain maximum loads without knowing the maximum carrying capacity of a tire. The automakers' position seems to be that they test their cars carefully on proving grounds and elsewhere, and if the tires do not fail, they are considered adequate.

Certainly that is not enough assurance for the American public. In this age of advanced science and technology, there is no reason why we cannot develop sensible, reasonable, understandable standards for automobile tires to enable the automakers and the individual motorists to make a safe and intelligent selection.

I dwell on tires simply because that is the field in which we have gathered the most evidence, but the same problem of safety exists in the manufacture and sale of the modern American automobile.

The Federal Government cannot remain indifferent to automobile design when we are killing more than 47,000 people and disabling 1,700,000 more a year. We have an elaborate program of regulation and supervision in the aircraft industry, yet 50 times as many people are killed in auto accidents as in airplane accidents. Last year was the safest year in airline history and the worst year in highway traffic history.

The Federal Aviation Agency will spend $40 million next year in research and development. The FAA is intimately connected with every phase in the construction of an airplane. As one commercial airline publication put it:

"From the time a designer first put pencil to paper, FAA inspectors carefully followed its development to make sure that design and production methods and facilities met rigid FAA standards. These inspectors lived with the first models as they came down the assembly line, and their aeronautical engineers were present when the FAA production test pilots took the plane aloft for a very thorough flight test program."

Think what we could do to reduce our appalling highway death rate if we were similarly concerned about safe automobile design.

Much of the criticism of unsafe features on automobiles runs the risk of sounding somewhat petty. It is true that a different knob on an ashtray or the elimination of reflections on the dashboard and windshield wipers probably would not greatly affect our national death toll.

But the real point is that basic principles of safety are not the controlling factor in automobile design. Cars today are designed to sell. And what sells are glamour and horsepower and a strange form of status which certainly have no connection with safety and may actually run counter to safety principles.

The money which the industry itself spends on safety research is often wasted when styling trends override sensible conclusions. There already is abundant expert know-how available to show us how we can improve automobile design in such a way as to sharply reduce highway fatalities.

The U.S. Public Health Service accident prevention bureau estimates that 43 percent of the people who die in auto accidents die under survivable conditions. A number of expert studies by university professors and scientists have reached conclusions such as these:

If cars were built so that heads would not strike windshields and dashboards, one out of five of those killed in accidents could be saved.

When a person is thrown from a car, the chance of being killed is five times as great.

Occupants could probably survive any crash up to 35 miles per hour if cars had shoulder-harness seat belts, doors which did not fly open, and steering wheels designed to protect the driver.

The steering column and the steering wheel are key factors. In many cars, the bottom of the steering column projects close to the front bumper. In a collision, it is driven back with tremendous force. In some cases, the steering column "spears" the driver. In other cases, the steering wheel strikes the abdomen or chest with such force as to cause fatal injuries.

Scientists have shown how this problem could be corrected by use of a flexible steering shaft instead of a rigid column, and through the redesign of the steering wheel itself. But this is a change which the industry resists very strongly.

The Federal General Services Administration has developed 17 safety features which will be required on all federally purchased cars beginning with the 1967 models. I hope that the States will set similar requirements for cars which they buy.

If we can set these safety standards for publicly owned vehicles, surely we can extend the same degree of safety to all automobile purchasers. These specific 17 features are not the perfect answers. The important thing is to have a responsible government agency with an official concern for automobile design, and the authority to set minimum safety standards to protect the motoring public.

It has been my experience over the years that all industries which deal with the public will oppose any attempts to regulate them in an effort to protect the public interest. They will say that we are destroying free enterprise, that we are substituting political vote-getting for scientific expertise. But while they protest, they often begin to carry out the very reforms that they oppose. We have just seen this happen in the field of detergent pollution. Early in 1963, I introduced legislation to require the soap and detergent industry to convert, by July 1, 1965, to a new form of detergent which would decompose in the sewage treatment processes and would not pollute our water supplies. The industry howled in outrage and said such a move was unnecessary and impossible. Detergent pollution was good because it warned of other pollution, the industry argued. The bill has still not passed, but on July 1, 1965, the soap and detergent industry proudly announced that it had completed the changeover which it had said was not needed and could not be achieved.

I hope that the same thing might happen in the fields of automobile and tire safety. It has been suggested that the automakers equip their cars with the next larger size tire than those now used, to end the overloading which they now concede. Two of the four automakers have already announced that they will voluntarily include, on all their cars, some of the 17 safety features required on Federal cars by the General Services Administration. These features are required on all cars under the terms of my auto safety bill.

If the manufacturers will move voluntarily, it will certainly speed up some meaningful action to reduce highway deaths. But it will not provide a final answer.

Someone must speak for the public interest until safety is made an integral and lasting part of the design, manufacture, and sale of automobiles and tires. In a nation as far-flung and as widely traveled as ours, only a Federal agency, backed with enabling legislation, can provide an adequate voice.

WE ARE BUYING DEATH

Here are some typical letters from motorists received recently by Senator NELSON:

R. L. Templeton, Wellington, Tex.: "My only son was killed when a defective tire blew out on a new car. These new cars with 2-ply tires are a fraud and a shame. We think we are buying safety but we are buying death."

Paul Worland, Cheyenne, Wyo.: "At 800 miles I had my first blowout (on a new 1964 Oldsmobile). At 1,500 miles I had my second, and when the car was 3 months and 21 days old, I had another blowout—just as I was passing another car. My wife was painfully injured. I totally wrecked my new car and damaged the other to the extent of several hundred dollars."

Clifton D. Hill, Northville, Mich.: "In November 1963, I purchased a Ford Thunderbird which had new 2-ply tires (Goodyear tires). * * * When there was 6,000 miles on the car, one tire blew out and caused me to cross over a median of a superhighway in Canada and almost have a fatal accident. At 7,200 miles another tire blew out at Gaylord, Mich., causing me to go into a ditch."

Mrs. Richard A. Williams, Hermosa Beach, Calif.: "In November 1962, we bought a factory fresh new Mercury station wagon equipped with five brand new tires (Goodrich tires). In the summer we left California for a 2-week trip to the Midwest. Before we returned we had blown out all five tires. While traveling through Arizona, out in the middle of nowhere, we blew two tires at one time * * *."

ADJUSTMENT IN CIVIL SERVICE AND POST OFFICE ANNUITIES

Mr. SPARKMAN. Mr. President, recently it was my privilege to appear before the Subcommittee on Retirement of the Senate Committee on Post Office and Civil Service in support of H.R. 8469. At that time, it was made clear by my testimony and now it has been made clear by my vote that I supported H.R. 8469. However, as I said at the hearing and I say now after passage of H.R. 8469 that I do not feel that the provisions in this bill in many aspects are sufficient to correct the inequities now existing in the present annuities paid to civil service and post office retirees.

The responsibility to meet the exploding costs of living by adjustments in civil service and post office annuities belongs to us, the Senate, and our fellow colleagues in the House of Representatives. We are in agreement that necessary adjustments must be made, but we must go beyond H.R. 8469 and we must immediately begin considering future legislation to balance the annuities of retired employees and to compensate survivors' annuities further.

As of June 30, 1964, approximately 75,000 survivor annuitants are drawing less than $50 per month; 50,000 retiree annuitants are drawing less than $50 per month; and a shocking combination figure of 275,000 retiree annuitants and survivor annuitants are drawing less than $100 per month, and 475,000, less than $200. As you can see, Mr. President, there are inequities involved in the present civil service and post office annuity program.

Certainly, H.R. 8469, will bring these figures more in line, but still there is a need for future legislation. The sooner we act, the sooner the inequities will be resolved. So last week I urged passage of H.R. 8469, but today I ask Congress to begin considering future, more comprehensive legislation in this field.

MEDICARE AND THE PSYCHIATRIST

Mrs. NEUBERGER. Mr. President, in the recently enacted medical care bill, I supported amendments aimed at eliminating several discriminatory clauses relating to the treatment of mental illness. Though my own proposal would have provided the elderly with the same equal protection in psychiatric hospitals as provided in general hospitals, the final version retained a discriminatory feature by imposing an overall lifetime limitation of 190 days for inpatient psychiatric treatment.

Dr. Robert W. Gibson, director of the Sheppard & Enoch Pratt Hospital in Towson, Md., and spokesman for the American Psychiatric Association, noted in the September 1965 issue of Mental Hospitals the encouraging developments taken by Congress in providing for treatment of mental illness under the health care bill. Dr. Gibson's editorial points to the general trend of a more sympathetic understanding of mental illness. Congress, by passage of medicare, has moved in this direction. Dr. Gibson admonishes psychiatrists and private insurance to follow suit:

> Medicare should serve as an example for private insurance programs to handle the mentally ill as they do persons suffering from other illnesses. It can even influence the opinion of the general public about the mentally ill. No longer will they be a group that must be treated differently and denied the benefits given to others.
>
> If the psychiatric patient is to be treated just like other patients, it is the psychiatrist who must give leadership in solving the many problems that will arise.

I applaud Dr. Gibson not only for his significant contribution to the medicare legislation, but for his foresight and wisdom in understanding the realities of the future. Congress can only do so much in providing for the general welfare by enacting constructive programs. It takes the cooperative efforts of all sides before the true value of these programs is fully realized and successfully applied.

There being no objection, the article was ordered to be printed in the Record, as follows:

MEDICARE AND THE PSYCHIATRIST'S RESPONSIBILITY

(By Robert W. Gibson, M.D., medical director, Sheppard and Enoch Pratt Hospital Towson, Md.)

Many of the issues surrounding medicare are highly complex, but one is remarkably simple. The complex issues concern the effect on hospitals across the country, the specter of socialized medicine, and the economic impact on the wage earner who supports the program and on the retired person who benefits from it. But for psychiatry medicare posed one very simple issue: discrimination against the mentally ill.

The first version of the bill (H.R. 1, King-Anderson) contained a simple clause excluding any institution that was primarily for the care of the mentally ill. This meant that medicare would pay for psychiatric treatment only in psychiatric units of general hospitals. Although the number of such facilities has increased in recent years, there are still far too few beds to meet the needs. Furthermore, there is no reason why these units should be expected to meet the needs of most psychiatric patients, since they offer a specialized service and do not attempt to treat the full range of mental illnesses. Moreover, many of these units will not accept patients over 65.

In early discussions with Members of Congress, their staffs, and those persons from the Department of Health, Education, and Welfare who were working on the bill, we learned that there had been virtually no public reaction to the announcement that psychiatric hospitals would be excluded. This situation was soon corrected by Daniel Blain, M.D., then president of the American Psychiatric Association, who vigorously protested against this exclusion. His protest was strongly supported by the National Association of Private Psychiatric Hospitals, the National Association for Mental Health, and the National Association of State Mental Health Program Directors. Through the coordinated efforts of many individuals representing these four organizations, the basic message—eliminate discrimination against the psychiatric patient—was brought to the attention of Congress. This message found sympathetic ears. In response to requests for information, we were able to demonstrate that the exclusion was not justified: that the cost of including treatment for mental illness would not be prohibitive; that mental illness is not simply a local problem being adequately handled by State hospital systems; and that most psychiatric patients over 65 could be rehabilitated.

When the bill came out of the House Ways and Means Committee, significant gains had been made. The concept of a voluntary health insurance program had been developed, and persons who chose to participate at a cost of $3 a month would have some psychiatric coverage. Even so, some qualifications made it clear that mentally ill persons were still being placed in a special category.

When the bill went to the Senate, the APA was given the opportunity to testify before the Senate Finance Committee. As APA's official spokesman, I was able to present the basic position so strongly stated by Dr. Blain: we should root out all discrimination against the mentally ill, lock, stock, and barrel. Through the strong support of Senators Maurine Neuberger, Democrat, of Oregon, and Eugene McCarthy, Democrat, of Minnesota, the Senate eliminated with a few exceptions the discriminatory clauses. As it now stands, active treatment in a psychiatric hospital could be obtained under the basic hospital insurance plan. Although no such restriction was made for any other illness, a 190-day lifetime limit was placed on coverage for psychiatric hospitalization. While we are grateful for the tremendous progress that has been made, our basic position remains unchanged: we want discrimination totally eliminated, and we hope that after experience is gained, the 190-day lifetime limit—this vestige of discrimination—will be wiped out.

Gains have already been made that can lead to far-reaching benefits for the mentally ill. From its inception, the public assistance program excluded patients hospitalized for mental illness. This exclusion has been eliminated, provided States improve their services to attain a satisfactory level of intensive treatment. There are other indications of a changing attitude. For example, when a provision was enacted to give coverage for "each spell of sickness" beyond 60 days, there was no hedging about the psychiatric patient. He, like patients with other illnesses, can take advantage of the extra 30 days.

This general trend toward eliminating discriminatory restrictions against the mentally ill supports the contention that there is more at stake here than the medicare bill itself. There is every reason to believe that the bill will lead to widespread reform in all health legislation. Medicare should serve as an example for private health insurance programs to handle the mentally ill as they do persons suffering from other illnesses. It can even influence the opinion of the general public about the mentally ill. No longer will they be a group that must be treated differently and denied the benefits given to others.

Progress so far is encouraging, but it would certainly be premature to conclude that we have won our point on the simple issue—eliminating discrimination against the mentally ill. Nevertheless, we must begin to face up to the complex issues. If the psychiatric patient is to be treated just like other patients, it is the psychiatrist who must give leadership in solving the many problems that will arise.

Each year about 48,000 patients over 65 years of age are admitted to State mental hospitals, and 7,000 patients over 65 to private psychiatric hospitals. Preliminary surveys indicate that, with active treatment and adequate follow-up services, about three fourths of these patients could be discharged within 2 or 3 months. With psychiatric hospital services available under medicare, there is going to be a tremendous increase in the demand for intensive treatment for the older patient. Medicare does not provide for custodial care. On the contrary, the whole emphasis of the bill is on benefits for those who can be rehabilitated through active treatment.

The present geriatric services throughout the country are totally inadequate to meet this increased demand. They must be improved and expanded. New services must be developed. This will present a whole series of problems and will severely tax our all too few psychiatric personnel. The need for hospital services will be felt first, but this will soon be followed by a demand for the whole range of modern psychiatric treatment facilities—outpatient services, day hospitals, sheltered workshops, and the rest.

We psychiatrists must continue to fight for the fundamental right of each of our patients to receive treatment on an equitable basis. On all sides we see indications that progress is being made. In particular, Congress has moved in this direction with the medicare bill. If the ultimate victory can be won, the psychiatrist must provide leadership and consultation to draft appropriate regulations. He must see that the psychiatric benefits are not abused, and he must do the plain hard work that will be required to meet the massive psychiatric needs that have been so long neglected.

"CONSUMERS DIGEST"—A DISCOUNT CATALOG

Mr. HART. Mr. President, always, it seems, there are those who can find some way to exploit a worthwhile trend for their own financial advantage. The bulletin of the Better Business Bureau of St. Louis for July-August 1965 offers new evidence of this fact.

Because those that would be exploited are consumers who are making a sincere effort to be more informed in their purchasing, the "Consumers Digest" gimmick is particularly distressing to me.

On general principles—and because I understand the "Consumer Digest" mail solicitation is entering this area—I ask unanimous consent that the Better Business Bureau report be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

[From the Better Business Bureau Bulletin, July-August 1965]

"CONSUMERS DIGEST"—A MERE DISCOUNT CATALOG

Playing on the currently popular magic of the word, "consumer," a Chicago outfit under the name of "Consumers Digest" is offering "charter memberships" to whoever sends in a $7 subscription.

For the $7 annually, you are supposed to get: Consumers Digest magazine every 2 months; Consumers Digest Price Buying Directory (published annually); and what is described as a "Library Answering Service."

The firm, operated by the brothers Arthur and Louis Weber, does not sell merchandise: it merely sells information as to where you are supposed to be able to buy national brand merchandise at alleged substantial discounts from list prices.

The membership invitation, signed by one Kenneth Holgate, tells you that:

"You can start right now to increase your family savings $25—even as much as $100 or more a month. As a member of Consumers Digest Price Buying Service, you save up to 50 cents of every dollar you spend on nationally advertised products of every kind for the home, the office, for recreation, for personal advancement—for the things which make life worth living.

"For instance, if you had been a member when you bought your last car, you could have saved up to $1,000 on its purchase. If you and your family are users of vitamins, you could have bought the same nationally advertised brands you now use for as much as 50 percent less. Same goes for most of your purchases."

Noting that many of the items listed in the directory sell regularly in usual retail outlets for far less than the "list prices" quoted, an investigator for the Chicago Better Business Bureau set out to have a chat with the Consumers Digest people.

Seeking the "Consumers building" as advertised in the mailing prices, he looked for a building at the originally advertised address, 1102 Third Avenue, Des Plains, Ill., he found only a single family house in a residential area—once upon a time but no longer occupied by Consumer Digest.

The investigator then went to another Consumers Digest listed address, at 5756 North Lincoln Avenue, Chicago, Ill. This was entirely vacant except for a telephone. Undaunted he went on to 6313 North Lincoln Avenue, Chicago, and found a two-story bulding, the lower front of which is in truth the operating headquarters of Consumers Digest, housing a few people selling catalogs for $7, but it does not house the reference library, which Consumers Digest illustrates but does not have.

An interested St. Louis lady and "charter member" of Consumers Digest, wrote politely to the "reference library," inquiring as to where some of the cataloged stuff could be purchased. She received a printed postcard in return bearing this "seal" of "Service—Integrity—Savings" and advising that the nearest place for her needs was in the Chicago area.

RECESS UNTIL 11 A.M. TOMORROW

Mr. DOUGLAS. Mr. President, in accordance with the order heretofore entered, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 5 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, September 14, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 13, 1965:

DEPARTMENT OF STATE

U. Alexis Johnson, of California, a Foreign Service officer of the class of career ambassador, to be a Deputy Under Secretary of State.

UNITED NATIONS

Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

The following-named persons to be representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.

Charles W. Yost, of New York.

Barratt O'Hara, U.S. Representative from the State of Illinois.

Peter H. B. Frelinghuysen, U.S. Representative from the State of New Jersey.

William C. Foster, of the District of Columbia.

The following-named persons to be alternate representatives of the United States of America to the 20th session of the General Assembly of the United Nations:

James M. Nabrit, Jr., of the District of Columbia.

James Roosevelt, U.S. Representative from the State of California.

Mrs. Eugenie Anderson, of Minnesota.

William P. Rogers, of Maryland.

Miss Frances E. Willis, of California.

DEPARTMENT OF LABOR

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Francis Keppel, of Massachusetts, to be an Assistant Secretary of Health, Education, and Welfare. (New position.)

U.S. MARSHAL

Rex B. Hawks, of Oklahoma, to be U.S. marshal for the western district of Oklahoma for the term of 4 years. (Reappointment.)

DEPARTMENT OF DEFENSE

Robert A. Brooks, of Massachusetts, to be Assistant Secretary of the Army, vice Daniel M. Luévano, resigned.

John S. Foster, Jr., of California, to be Director of Defense Research and Engineering, vice Harold Brown.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeons

Henry Bosshard
William H. Cope
Seymour M. Perry
Charles R. Sharp
Richard B. Stephenson
Jan Wolff

To be surgeons

Jerome B. Block
Robert E. Burky
Joseph Davidson
James J. Egan
Harold E. Hall
Edward S. Henderson
William R. Kirkham
Robert D. Lindeman
Gines A. Martinez
Phillip G. Nelson
William D. Odell
Lewis E. Patrie
John T. Schwartz
Frederick Snyder
Robert E. Stam
David H. Woodbury

To be senior assistant surgeons

Robert L. Allred
Richard M. Asofsky
Nicholas R. Bachur, Sr.
Frederic D. Ball
Richard R. Bates
Jon M. Beauchamp
Paul Bornstein
Harry L. Braeuer
Glenn O. Bratcher
Nijole V. Brazauskas
William R. Bronson
Paul W. Brown
Charles M. Cashel
Thomas R. Cate
Robert S. Chabon
Allen W. Cheever
Vincent A. Ciavarra
John M. Coyne
Clifford L. Culp, Jr.
Thomas E. Drake
James P. Durham, Jr.
Albert L. Ebaugh
Ernest Feigenbaum
Ronald K. Gary
Michael F. Glynn
Arlan J. Gottlieb
William J. Hale
James B. Halligan
Robert L. Hampton
John R. Hansell
George R. Herron, Jr.
James M. Holland
Paul V. Holland
Michael R. Hunsaker
Luverne A. Husen
Louis A. Ivey
James W. Justice
Harry R. Keiser
Aaron W. Kemp, Jr.
James R. Kimmey, Jr.
Donald E. La Marche
Ronald E. Lather
E. James Lieberman
William D. Lilly
Gerald L. Looney
James B. Lucas
Sanford P. Lyle
John R. Marshall
Larry J. Matthews
John A. Mazzarella
John W. McBride, Jr.
Clayton H. McCracken, Jr.
Charles D. McDonald, Jr.
Dale E. McFarlin
Michael J. Middleton
William E. Monk
Kenneth J. Monsma
Hugo Montes-Cardona
William M. Moore
Ronald A. Naumann
Guy R. Newell, Jr.
James R. Noonan
Abner L. Notkins
J. Coleman O'Gwynn III
Paul M. Packman
Lawrence V. Perlman
James C. Prescott
Donald L. Randall
Harvey P. Randall
Dwayne M. Reed
Martin Reivich
Richard L. Robin
Benjamin B. Rubinstein
Barney S. Saunders
Ronald H. Scheeringa
John J. Schrogie, Jr.
Myron G. Schultz
Derek J. Sharvelle
Paul R. Sondrup
Duncan E. Stewart
Allen H. Storm
William J. Straughen
Robert W. Sullivan
Stephen P. Swersie
Donald A. Swetter
Nicola M. Tauraso
James E. Taylor, Jr.
Edward A. Teitelman
Edwin A. Turner, Jr.
William I. Wade, Jr.
Spencer A. Ward
Kenneth S. Welsh
Leland D. Whitelock, Jr.
John J. Witte
Dennis E. Wolf
Donald G. Wong
Vernon G. Wong
Kirk D. Wuepper
William J. Yount

To be senior dental surgeons

Dean W. Darby.
Harold R. Englander.

To be dental surgeon

Thomas A. McDermott.

To be senior assistant dental surgeons

Thomas L. Austin
Wallace B. Brown
Gary E. Callow
Louis F. Cannavale
Patrick T. Cavalli
Edward B. Dowd
Jewell T. Gillahan
Keith A. Gordon
Maurice R. Hamill, Jr.
Gary C. Hammer
Clement H. Handlon
Jon A. Hays
Lester B. Hilborn
John N. Kent
Donald R. Merryfield
Norman Nepo
William H. Olson
John J. O'Neill
Richard R. Ranney
James E. Standifer
Thomas M. Tarpley, Jr.
Frank D. Tice
David A. Wallace
Victor E. Walters
Richard L. Webber

To be senior assistant sanitary engineers

Donald G. Myer.
Francis L. Schulte.

To be assistant sanitary engineers

James S. Benson
Leslie M. Dunn
George W. Fisher
Allen G. Leary
Thomas L. Marshall
James G. Payne, Jr.
Marion R. Scalf
Claude A. J. Schleyer
Garry E. Stigall
Daniel A. Stock

To be junior assistant sanitary engineers

George E. Anderson
David L. Calkins
Joseph A. Cochran
Willard G. Hopkins
Thomas E. Kreichelt

To be pharmacists

Leslie E. Collins.
John M. Folmer.

To be senior assistant pharmacist

William A. Millar, II.

To be assistant pharmacists

Grover P. Art
Robert L. Ashmore
Thomas S. Bozzo
Dean M. Chetkovich
James F. Cooper
Joseph H. Deffenbaugh, Jr.
Paul T. Farrell
Sydney H. Hamet
Samuel C. Ingraham III

To be junior assistant pharmacists

Robert A. Epstein
Richard F. MacIntosh
Francis A. Quam
Harold G. Smith, Jr.

To be scientists

Malcolm D. Hoggan
George E. Thompson

To be senior assistant scientists

Leonard Chiazze, Jr.
Harley G. Sheffield

To be sanitarians

Raymond A. Belknap
Alfredo Casta-Velez
Virgil D. Grace
Charles J. Hart
Elmer D. McGlasson

To be senior assistant sanitarians

Gerald I. Goldschmidt
Stephen J. Pijar
James M. Stewart

To be veterinary officers

Everette F. Baker, Jr.
William M. Blackmore
Gerald A. Jacobson

To be senior assistant veterinary officers

Ezra Berman
David L. Madden

To be nurse officer

Meral J. Loewus

To be senior assistant nurse officer

Pietrina R. Ragaglia.

To be assistant nurse officer

Roberta J. Bessette.

To be assistant dietitians

Kathleen M. Doherty.
Sylvia Hatch.

To be junior assistant dietitians

Jacqueline S. Freeman
Geraldine A. Jevnikar
Margaret M. McNellis
Joanne L. Miller
Joyce D. Newman
Patricia M. Theis

To be senior assistant therapist

Robert N. Parrette.

To be assistant therapists

William W. Haley.
Leonard A. Stone.

To be health services officers

Lawrence T. Barrett.
Robert M. Pennington.

To be senior assistant health services officers

Iola G. Arnold
Erich W. Bretthauer
Stanley P. Farlow
Neil S. Goldstein
Melvin J. Meketon
Roger H. Schneider

To be assistant health services officers

John W. Biedenkapp
David W. Callagy
John M. Collins
Thomas G. Gallagher
Stanley J. Kissel, Jr.
Bert L. Murphy

FOR PERMANENT PROMOTION

To be senior assistant sanitary engineers

Charles H. Bolton, III.
Todd A. Cayer.
Eugene I. Chaiken.

To be senior assistant therapist

Neil O. Hartman.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 13, 1965:

STATE DEPARTMENT

I withdraw the nomination of William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia, which was sent to the Senate July 9, 1965.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 13, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scripture: Psalms 119: 18: *Open Thou mine eyes, that I may behold wondrous things out of Thy law.*

Eternal God in whom we trust; whose wisdom and purpose we accept and whose ways we must follow if we are to know the life that is victorious and triumphant.

Fill us with more of the spirit of love and good will that binds us to humanity in its hopes and aspiration and unites us more closely with those who have been wounded by some great sorrow or some desolating misfortune.

Help us to realize that what we need in our troubled world is not more books on this or that dogma, but more kind, helpful, and joyous lives which exudate the Christ-like spirit to others, enabling them to carry on courageously and hopefully.

Grant us to be more forgiving, because we have so much need to be forgiven and may we be faithful to all and most eager to be loyal to Thy wise and holy will.

May we accept this new day as a great gift, a divine opportunity to be coworkers with Thee and challenge for heroic endeavor.

In Christ's name we pray. Amen.

THE JOURNAL

The SPEAKER. The Clerk will report the Journal of the preceding session.

The Clerk read.

Mr. HALL (interrupting reading). Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, I demand that the Journal be read in full.

The SPEAKER. The Clerk will read the Journal.

The Clerk read.

CALL OF THE HOUSE

Mr. ARENDS (interrupting reading). Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present.

Will the gentleman withhold that until the Chair receives a message from the Senate?

Mr. ARENDS. Mr. Speaker, I insist upon my point of order.

The SPEAKER. The gentleman insists upon his point of order.

Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 272]

Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Belcher
Bolton
Bonner
Cahill
Cameron
Casey
Cederberg
Clancy
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Farnsley
Farnum
Foley
Fraser
Frelinghuysen
Grabowski
Griffin
Griffiths
Hamilton
Harris
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Henderson
Jacobs
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
Long, La.
Long, Md.
McClory
McVicker
Macdonald
Mackie
Martin, Ala.
May
Mills
Murphy, N.Y.
Passman
Pepper
Powell
Reid, N.Y.
Reifel
Resnick
Rivers, S.C.
Roush
Ryan
St Germain
Shipley
Steed
Stephens
Thomas
Thompson, Tex.
Toll
Tupper
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall, 359 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. MOSS. Mr. Speaker, I move to dispense with further proceedings under the call of the House.

Mr. GROSS. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. That motion is not in order.

The question is on the motion of the gentleman from California [Mr. Moss].

The question was taken; and the Speaker announced that the "ayes" had it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 226, nays 126, not voting 80, as follows:

[Roll No. 273]

YEAS—226

Abernethy
Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Carey
Celler
Clark
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gibbons
Gilbert
Gilligan
Green, Oreg.
Green, Pa.
Greigg
Grider
Gubser
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Hathaway
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Madden
Mahon
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.

Roosevelt
Rosenthal
Rostenkowski
Roybal
Rumsfeld
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Widnall
Williams
Willis
Wilson, Bob
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—126

Abbitt
Adair
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Berry
Betts
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Flynt
Fountain
Fulton, Pa.
Fuqua
Gettys
Goodell
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Herlong
Hosmer
Hutchinson
Jarman
Jonas
Keith
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Mass.
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Mosher
Murray
Nelsen
O'Neal, Ga.
Pirnie
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Robison
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Walker, Miss.
Watkins
Watson
Whitener
Younger

NOT VOTING—80

Addabbo
Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Bolton
Bonner
Cahill
Cameron
Casey
Cederberg
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Donohue
Ellsworth
Farnsley
Farnum
Feighan
Fisher
Fogarty
Ford, Gerald R.
Frelinghuysen
Gallagher
Gathings
Giaimo
Gonzalez
Grabowski
Gray
Griffin
Griffiths
Halpern
Harris
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Henderson
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Laird
Lindsay
McClory
McVicker
Mackie
Mailliard
Martin, Ala.
May
Mills
Murphy, N.Y.
O'Brien
Passman
Philbin
Reifel
Resnick
Rivers, S.C.
Rodino
Roush
Ryan
St Germain
St. Onge
Shipley
Steed
Stephens
Thomas
Thompson, Tex
Toll
Van Deerlin
Waggonner
Whitten
Wilson, Charles H.
Wolff
Wright

So the motion was agreed to.

Mr. SENNER and Mr. McDADE changed their votes from "nay" to "yea."

Mr. JARMAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will proceed with the reading of the Journal.

The Clerk resumed the reading of the Journal.

Mr. SMITH of Virginia (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 274]

Andrews, George W.
Andrews, Glenn
Ashbrook
Ayres
Baring
Bolton
Bonner
Cameron
Casey
Cederberg
Clausen, Don H.
Conyers
Craley
Culver
Daddario
Denton
Dickinson
Farnsley
Farnum
Fisher
Flood
Foley
Fraser
Frelinghuysen
Giaimo
Grabowski
Griffin
Griffiths
Harris
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Leggett
Lindsay
McClory
McMillan
McVicker
Mackie
Mailliard
Martin, Ala.
May
Mills
Murphy, N.Y.
O'Hara, Mich.
Pucinski
Purcell
Reifel
Rivers, Alaska
Rivers, S.C.
Roosevelt
Roush
Ryan
St Germain
Shipley
Steed
Stephens
Talcott
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall, 363 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. SMITH of Virginia. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SMITH of Virginia. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. That motion is not in order.

The question is on the motion offered by the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SMITH of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Virginia [Mr. SMITH] objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 244, nays 127, not voting 61, as follows:

[Roll No. 275]

YEAS—244

Abernethy
Adams
Albert
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Clark
Clevenger
Cohelan
Colmer
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Gubser
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Landrum
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Martin, Mass.
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitten
Widnall
Willis
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—127

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Bates
Battin
Belcher
Berry
Betts
Bow
Bray
Brock
Broyhill, N.C.
Broyhill, Va.
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Fisher
Flynt
Fountain
Fulton, Pa.
Fuqua
Gathings
Gettys
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hosmer
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith

King, N.Y.
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Murray
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Williams
Wilson, Bob
Younger

NOT VOTING—61

Addabbo
Anderson, Tenn.
Andrews, George W.
Ashbrook
Baring
Boggs
Bolton
Bonner
Cameron
Carey
Casey
Cederberg
Celler
Conyers
Culver
Daddario
Denton
Dickinson
Ellsworth
Farnsley
Farnum
Feighan
Fogarty
Ford, Gerald R.
Griffin
Griffiths
Halpern
Harris
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Leggett
Lindsay
McClory
McVicker
Mailliard
Martin, Ala.
May
Mills
Murphy, Ill.
Murphy, N.Y.
O'Brien
Purcell
Reifel
Rivers, S.C.
Rogers, Tex.
Ryan
St. Onge
Shipley
Steed
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Wolff
Wright

So the motion was agreed to.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will continue to read the Journal.

The Clerk continued to read.

Mr. HALL (interrupting reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Mr. Speaker, the Clerk is now reading rollcall No. 271 which appears at page 23381. Was rollcall No. 270 read in the Journal for today?

The SPEAKER pro tempore. The Chair will state to the gentleman from Missouri that the Clerk has gone beyond that point. The Clerk will continue to read.

Mr. HALL. Mr. Speaker, that was not the parliamentary inquiry. Did the reading in full of the Journal as demanded by the Member today include rollcall 270, similar to the way it is being read now on rollcall 271?

The SPEAKER pro tempore. The Chair will state to the gentleman from Missouri that that part of the Journal had been passed before the demand had been made for the reading of the Journal in full. The question is moot.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. That being the case, is this the Journal of the House of Representatives for September 9, 1965, as entrusted to the Clerk of the House of Representatives by article I, section 5, of the Constitution, and rule 3(641)(3) according to Jefferson's Manual?

The SPEAKER pro tempore. It is the Journal for the last day's session.

Mr. HALL. Mr. Speaker, I renew my demand that it be read in full.

The SPEAKER pro tempore. The Clerk will continue reading the Journal.

The Clerk continued to read.

Mr. GROSS (interrupting reading of the Journal). Mr. Speaker, I submit that the Clerk is not reading in full the names of those who failed to answer on rollcall No. 271.

The SPEAKER pro tempore. The Clerk took up exactly where he left off.

The Clerk continued the reading of the Journal.

Mr. SMITH of California (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and eighty-seven Members are present, not a quorum.

Mr. MOSS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 276]

Andrews, George W.
Ashbrook
Baring
Blatnik
Bolton
Bonner
Cameron
Casey
Cederberg
Conyers
Culver
Daddario
Denton
Dickinson
Evans, Colo.
Farnsley
Farnum
Fraser
Griffin
Griffiths
Hansen, Idaho
Harris
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
McClory
McVicker
Macdonald
Martin, Ala.
May
Miller
Mills
Mosher
Murphy, N.Y.
Purcell
Reifel
Rivers, S.C.
Roberts
Ryan
St Germain
Shipley
Thomas
Thompson, Tex.
Toll
Widnall
Willis
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. SMITH of California. Mr. Speaker, I object to further proceedings under the call being dispensed with.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SMITH of California. Mr. Speaker, I move that that motion be laid on the table.

The SPEAKER. That motion is not in order.

The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes had it.

Mr. SMITH of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-one Members are present, a quorum.

The Clerk will continue to read the Journal.

The Clerk continued the reading of the Journal.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Inasmuch as the Clerk is now reading from the proceedings at page 22386, would it be in order to move to amend the Journal now or after completion of the reading of the Journal?

The SPEAKER. In response to the parliamentary inquiry of the gentleman from Missouri, any effort of the gentleman or of any other Member to amend the Journal would have to be at the conclusion of the reading of the Journal.

The Clerk will continue to read.

The Clerk continued the reading of the Journal.

Mr. HALL (interrupting reading). Mr. Speaker, I rise to again demand that the Journal be read in full. We have just skipped all of section 522(a) and gone directly from page 5 to the end of page 6 in the Journal.

The SPEAKER. The Chair will advise the gentleman from Missouri that the Clerk is reading the Journal in accordance with its preparation.

The Clerk will proceed.

The Clerk continued the reading of the Journal.

Mr. WAGGONNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 277]

Adair
Andrews, George W.
Ashbrook
Baring
Blatnik
Bolton
Bonner
Cameron
Casey
Cederberg
Conyers
Culver
Daddario
Dickinson
Dingell
Evans, Colo.
Farnsley
Farnum
Fogarty
Foley
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Landrum
Lindsay
McClory
McVicker
Martin, Ala.
May
Mills
Murphy, N.Y.
Reifel
Rivers, Alaska
Rivers, S.C.
Ryan
St Germain
Steed
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Clerk will continue the reading of the Journal.

The Clerk continued the reading of the Journal.

Mr. WAGGONNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-three Members are present, a quorum.

The Clerk will continue the reading of the Journal.

The Clerk continued the reading of the Journal.

Mr. SIKES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. SIKES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-one Members are present, a quorum.

The Clerk will read.

The Clerk continued the reading of the Journal.

Mr. McMILLAN (interrupting reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 278]

Andrews, George W.
Ashbrook
Baring
Blatnik
Bolton
Bonner
Cameron
Casey
Conyers
Culver
Daddario
Dickinson
Farnsley
Farnum
Goodell
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Landrum
Lindsay
McClory
McVicker
Martin, Ala.
May
Mills
Reifel
Rivers, S.C.
Roberts
Ryan
Smith, N.Y.
Steed
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall 387 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—ayes 256, nays 124, not voting 52, as follows:

[Roll No. 279]

YEAS—256

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Cahill
Callan
Clark
Clevenger
Cohelan
Conable
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kornegay
Krebs
Kunkel
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Madden
Mahon
Martin, Mass.
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitten
Widnall
Wilson, Bob
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—124

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Battin
Belcher
Berry
Bow
Bray
Brock
Broyhill, Va.
Buchanan
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Findley
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith
King, N.Y.
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mackie
Mailliard
Marsh
Martin, Nebr.
Matthews
Minshall
Mize
Moore
Murray
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Williams
Younger

NOT VOTING—52

Andrews, George W.
Ashbrook
Baring
Betts
Blatnik
Bolton
Bonner
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Dickinson
Farnsley
Farnum
Fogarty
Gallagher
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Landrum
Lindsay
McClory
McVicker
Martin, Ala.
May
Mills
Olsen, Mont.
Reifel
Rivers, S.C.
Roosevelt
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Willis
Wilson, Charles H.
Wolff
Wright

So the motion was agreed to.

The result of the vote was announced as above recorded.

Mr. CALLAWAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALLAWAY. On this vote were Members required to qualify?

The SPEAKER. It was a yea-and-nay vote.

Mr. CALLAWAY. Were they required to qualify?

The SPEAKER. On a yea-and-nay vote, yes.

Mr. CALLAWAY. Did Members so qualify?

The SPEAKER. The Chair understood that was so. The Chair assumes the occupant of the chair advised Members that they had to qualify.

The Clerk will continue to read.

The Clerk continued the reading of the Journal.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Will the reading of the Journal in full be concluded prior to the reading of the special orders and the referral of bills and rules submitted on the 9th of September?

The SPEAKER. The Journal is being read in accordance with the practices and customs of the House of Representatives.

The Clerk will read.

The Clerk continued the reading of the Journal.

CALL OF THE HOUSE

Mr. GERALD R. FORD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 280]

Andrews, George W.
Ashbrook
Baring
Bolton
Bonner
Brock
Cameron
Casey
Celler
Conyers
Craley
Culver
Daddario
Dickinson
Farnsley
Farnum
Fisher
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
McMillan
McVicker
Mackay
Martin, Ala.
May
Mills
Moorhead
Moss

Reifel
Rivers, S.C.
Roosevelt
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Ullman
Weltner
Wilson, Charles H.
Wolff
Wright

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

Mr. LAIRD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 255, nays 121, answered "present" 1, not voting 55, as follows:

[Roll No. 281]

YEAS—255

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Clark
Clevenger
Cohelan
Colmer
Conable
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Laird
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Scott
Senner
Shipley
Shriver
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
White, Idaho
White, Tex.
Whitten
Widnall
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—121

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Battin
Belcher
Berry
Betts
Bow
Bray
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Everett
Findley
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Henderson
Hutchinson
Ichord
Jennings
Johnson, Pa.
Keith
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McMillan
MacGregor
Marsh
Matthews
Minshall
Mize
Murray
Natcher
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Secrest
Selden
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watts
Whalley
Whitener
Williams
Wilson, Bob
Younger

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—55

Andrews, George W.
Ashbrook
Baring
Bolton
Bonner
Cameron
Casey
Celler
Conyers
Culver
Daddario
Dickinson
Farnsley
Farnum
Fogarty
Gallagher
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jonas
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
McEwen
McVicker
Mackay
Martin, Ala.
Martin, Nebr.
May
Mills
Morrison
Moss
Purcell
Rivers, S.C.
Roosevelt
Ryan
St. Onge
Steed
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Watson
Weltner
Willis
Wilson, Charles H.
Wolff
Wright

The Clerk announced the following pair:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

So the motion was agreed to.

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will resume the reading of the Journal.

The Clerk continued the reading of the Journal.

Mr. HALL (interrupting the reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, does not the Journal for September 9 include any part of the special orders including, on page 23253 of the CONGRESSIONAL RECORD, the remarks by my colleague from Missouri on "The Human Investment Act of 1965: A New Approach to Meeting the Challenge of Unemployment"?

The SPEAKER. The Chair will state that the reading of the Journal does not include special orders, because the same is not business.

The Clerk will continue the reading of the Journal.

The Clerk concluded the reading of the Journal.

Mr. ALBERT. Mr. Speaker, I move that the Journal be approved as read; and on that I move the previous question.

Mr. HALL. Mr. Speaker, I move that that motion be laid on the table; and I offer an amendment to the Journal.

The SPEAKER. The Chair will state that the motion to lay on the table is in order, but the amendment is not in order.

What is the motion of the gentleman from Missouri?

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, during the reading of the Journal, section by section, I asked at what time it might be amended; and if I understood the distinguished Speaker correctly he said that if such an amendment were submitted by the gentleman from Missouri or any other person at any time it would be in order at the end of the reading of the Journal.

The SPEAKER. The gentleman from Missouri has a correct recollection of what the Chair said at that time. However, the gentleman from Oklahoma [Mr. ALBERT] has made a motion that the Journal as read be approved and upon that he has moved the previous question.

Mr. HALL. Then, Mr. Speaker, I move to table that motion.

The SPEAKER. The question is on the motion to lay on the table the motion that the Journal be approved as read.

The question was taken and the Speaker announced that the "noes" appeared to have it.

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The Chair will count. [After counting.] The Chair will state that 55 Members have arisen. The Chair will count the House.

[After counting.] The Chair will state that evidently a sufficient number has arisen.

The yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 244, not voting 50, as follows:

[Roll No. 282]

YEAS—138

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Corbett
Cramer
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Findley
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jennings
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Natcher
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roudebush
Satterfield
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whitener
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—244

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Clark
Clevenger
Cohelan
Conte
Cooley
Corman
Craley
Cunningham
Curtin
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Whalley
White, Idaho
White, Tex.
Whitten
Wolff
Yates
Zablocki

NOT VOTING—50

Andrews, George W.
Ashbrook
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Dickinson
Ellsworth
Farnsley
Farnum
Fogarty
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
McVicker
Mackay
Martin, Ala.
May
Mills
Moss
Rivers, S.C.
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Willis
Wilson, Charles H.
Wright
Young

So the motion was rejected.

Messrs. NATCHER and MORTON changed their votes from "nay" to "yea."

Messrs. CLARK and CONTE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on ordering the previous question.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Is not debate in order on this motion inasmuch as under section 805 of Jefferson's Manual there has been no debate on ordering the previous question?

The SPEAKER. The Chair will state that the motion on the previous question is not debatable. The question is on ordering the previous question on the motion to approve the Journal.

The question was taken; and the Speaker announced that the "ayes" had it.

Mr. HALL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 126, answered "present" 1, not voting 48, as follows:

[Roll No. 283]

YEAS—257

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Aspinall
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Widnall
Willis
Wolff
Wyatt
Yates
Young
Zablocki

NAYS—126

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Collier
Conable
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross

Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Hosmer
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Nebr.
Matthews
Minshall
Mize
Moore
Morton
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Whitten
Williams
Wilson, Bob
Wydler
Younger

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—48

Andrews, George W.
Ashbrook
Ashley
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Chamberlain
Colmer
Conyers
Culver
Daddario
Dickinson
Ellsworth
Farnsley
Farnum
Fogarty
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
McClory
Martin, Ala.
May
Mills
Moss
Rivers, Alaska
Rivers, S.C.
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Wilson, Charles H.
Wright

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. CURTIS and Mr. COLLIER changed their votes from "yea" to "nay."

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. Daddario]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on approving the Journal, as read.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. May we not have debate at this time, under the rules of the House, under section 805, as quoted?

The SPEAKER. If a Member claims the right.

Mr. HALL. I make such a claim, Mr. Speaker.

The SPEAKER. The gentleman is recognized for 20 minutes.

Mr. HALL. Mr. Speaker, I appreciate the indulgence of the House. I believe it is of great interest to show what the rules of procedure of this great deliberative body have done in the way of protection of individuals and certainly of minority groups down through the ages, as revised in each Congress by the Parliamentarian and the distinguished Speakers, severally, of our House of Representatives.

I do not believe that anyone here today believes for a minute that anyone is interested in preventing any of these resolutions—seven of which have been listed today—from coming before this body for determination of a rule under which we will consider other bills in the future. Rather, Mr. Speaker, as we said and made clear in the Record a while back, when 14(b) of the Taft-Hartley Act and the education and labor bill were called up under the 21-day rule—which is now a standing rule of this body—the question is whether we will by precedent, custom, and tradition use this technique of bringing matters before us, here in the House for true debate, rather than bringing them through the Rules Committee which, we understand, in the past two Congresses has been expanded for purposes of better control and greater efficiency on the part of the "leadership" of the House, better organization, and better scheduling.

Indeed, if we are to pass seven resolutions with no time to be granted to the minority, it is a sorry day for those rules that we have honored since the time of Jefferson.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Indiana, the distinguished former minority leader.

Mr. HALLECK. I am glad the gentleman put that word "former" in.

Mr. Speaker, I served on the Rules Committee for a long time. I valued my service there.

I understand that through the years the Rules Committee has been under constant attack from some sources for being a recalcitrant body which allegedly has been interested only in preventing the House of Representatives from working its will. My experience with the Rules Committee was never of that order.

We had a 21-day rule once before, and the House of Representatives in its wisdom saw fit to get rid of that rule. But we have got it again. So today we have been operating under the 21-day rule.

As I understand it, Mr. Speaker, the 21-day rule was to circumvent this allegedly recalcitrant Rules Committee, to bring to the floor measures which the House really wanted to vote on.

When the 21-day rule was adopted, Mr. Speaker, I do not believe it was ever expected—I say this with the understanding I am sure you have of me, of my respect for you as the Speaker, as a man, as a person and as a friend—I do not believe the rule was ever devised to bring about the mass presentation of seven 21-day rule operations on 1 day. If we took the time to debate them, under the hour, and to vote, we would be here until midnight.

We may well be here until midnight anyway. That is all right with me, I say to my friends.

Now, having said as much, let me say, Mr. Speaker, that I understand it is now proposed to call as the first matter under the 21-day operation today the so-called FEPC proposal. I have been importuned, Mr. Speaker, to say something about some of the things that transpired in connection with the 1964 Civil Rights Act. Some of these matters I shall talk about, Mr. Speaker. You were there and heard them, but a lot of people who have served in the White House since that time have been writing what they think they know, so maybe at this time, perhaps, I could with propriety say something, may I say to my friend from Missouri, about what I know.

First of all, for the Committee on Rules and my service on it and for the recent years when I have not served on it, the Republican record on civil rights, may I say to my friend from New York, has been a good one, as has been the Republican record when we delivered a bigger percentage of our people for civil rights bills than was given on the other side of the aisle. Now, that is not to say that we are right or wrong in that. In whatever I say here, Mr. Speaker, I am not passing judgment on the merits of this particular measure, which I understand is to be called. In the first place the Committee on Rules has not been recalcitrant, because on these first bills that have been scheduled the lag has been only one, or at most a few days from the time that the rule was requested until the discharge petition was filed. I think I can say now for the five Republican members of the Committee on Rules that if they had heard the evidence, they would be willing to report a rule on any reasonable civil rights bill, just as they have in the past, without resort to this kind of procedure.

To go back to the 1964 civil rights bill, just so that we may know the facts, some of you may recall a bill was being reported by certain members of the subcommittee and the committee that went way beyond what the Kennedy administration wanted. On our side we were being importuned by the President of the United States, Mr. Kennedy, by the then Attorney General, and by the Assistant Attorney General, who is now the Attorney General of the United States, to assist in writing a bill that could become law. I was asked about the inclusion of an FEPC amendment. I expressed my concern about cluttering up the bill we had before us with that sort of an addition. It was not in the administration's proposal when it came forward. But I think if President Kennedy said to me once, may I say to my good friend from Missouri [Mr. Hall], he said to me two or three times, "Charlie, this is the Republican FEPC bill." It has been introduced and drafted by certain members of the Committee on Education and Labor. Finally we put it in the bill. I may add—and I know it is a discomfiture to some of my friends on the Democratic side of the aisle—we were trying to write good legislation. We had an arrangement for the enforcement of the FEPC which required enforcement in the courts and not by a board. When that was agreed upon we turned in and the Committee on Rules voted out the rule and we supported the bill. I supported the bill.

What do we find today? You talk about good legislative practice. I understand that some people in the administration were not anxious to have this come up now. If I am wrong about that, the gentleman from New York can correct me, because he is the expert in these matters and I am not.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be glad to yield to the gentleman from New York.

Mr. POWELL. May I say to my beloved friend from Indiana there has been no arm twisting on this piece of legislation from down Pennsylvania Avenue. In fact, all of those Republicans on the Committee on Education and Labor on a rollcall vote voted for this except one.

Mr. HALLECK. I do not know what that proves, may I say to my friend from New York. In any event, if that happened, that is a really good arrangement. It is further evidence that the Republicans are not remiss when it comes to consideration of civil rights bills.

Mr. HALL. Mr. Speaker, if the gentleman from Indiana will permit me to interpolate, the fact is, as I stated at the beginning of this debate which has finally been allowed under this procedure today, that there is no objection to any of these bills; it is the procedure that is being objected to. Why throw a wet sock in the face of the Rules Committee just because we have this rule, when under normal procedure, rules would have been granted and when there was no delay on any one of them?

Mr. HALLECK. I may say to the gentleman that it has to do with the apparent haste that is present here. Now, Mr. Speaker, in order that I may conclude—and I do not want to lose interest here, because if I get to doing that, I shall quit—may I say to the gentleman from New York, the ink is hardly dry on the 1964 act. It came into effect on July 1, 1965. That is what—a month and a half ago—am I correct? You know that is correct.

There are regulations that need to be written by the agency. They have not even been written yet.

May I say to the Members that it is all right to resort to the 21-day rule. You have got it. But I did not vote for it. I never had any trouble with the Committee on Rules. I doubt the Speaker would have too much trouble with it yet. But let me conclude with this one thought.

Without regard to the merits of this legislation—and as far as I am concerned, I do not know how I am going to vote—if you get this up under this arrangement, I suppose, if I follow my own record, I shall vote for it, but may I say to the gentleman from New York, do not push me too far. I think it would have been good advice to let us have some experience under the bill that we passed in the last session.

I had a citation from the civil rights leaders commending me for my leadership in bringing about the passage of the civil rights bill. As a matter of fact, I was credited so much by President Kennedy and Attorney General Kennedy in public for my part in the operation that it was beginning to be misunderstood back home. That happens to be a plain statement of fact.

I want to cooperate. I want to cooperate in the conclusion of the business of the House of Representatives. The other day I asked the majority leader, who has no better friend than I am, whether it was proposed to call up all seven of these measures, after they got rules on them today, and he could not assure me that they were going to be called up. I said, is this just going to be one of these exercises in futility? I do not know, maybe it will be. Possibly that is what we want. But as far as I am concerned I do not want it.

Mr. Speaker, I rose to straighten the record out as best I could about the Republican position and the Rules Committee position on the civil rights matter. I do not think it is right to indict the five Republican members, not to mention the other Members of the Rules Committee who would have voted for a rule for this bill if conditions demonstrated that such a rule ought to be granted.

Mr. HALL. Mr. Speaker, I appreciate the remarks of the distinguished gentleman from Indiana, and I now yield to the minority leader, the distinguished gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, the distinguished gentleman from Indiana has ably and forcefully pointed out most pertinent matters that all of us ought to take into consideration here this afternoon as we unfortunately proceed with the schedule that the leadership has indicated it will follow.

Mr. Speaker, it seems to me that the scheduling of seven proposals, as has been done here under the 21-day rule, is an unnecessary and regrettable slap in the face to the House Committee on Rules.

Mr. Speaker, the gentleman from California, the ranking Republican member of the Committee on Rules, when he is recognized will give the facts and the figures which will indicate that the Committee on Rules has not been given adequate and ample time during which to proceed with the orderly consideration of these seven bills.

Mr. Speaker, based on their record this year, the House Committee on Rules does not deserve this kind of treatment.

Also the 21-day rule in this instance on this day has been used in one way or the other, indirectly or otherwise, to bypass what we in the House have approved as a method of considering legislation concerning the District of Columbia on 2 days each month.

Now pending before us are seven proposals brought up for consideration under the 21-day rule, and the suggestion is or the rumor is if all are considered the House Committee on the District of Columbia that should have been recognized today for its business, will not be recognized.

Mr. Speaker, I feel that this is an unfortunate development, regardless of how we may or may not vote on legislation that may come from that committee as it relates to the home rule issue.

So, Mr. Speaker, it seems to me when you take into consideration the facts laid on the record, the observations and the recommendation of the gentleman from Indiana [Mr. HALLECK], those that have come from others such as the gentleman from California, I think the motions, the quorum calls, and the like we have been doing here today are fully justified under all of the facts and circumstances.

Mr. HALL. Mr. Speaker, I now yield to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, in connection with several of these bills that are pending before us today, I would like to call the attention of the Members of the House to the fact that House Resolution 478 providing for the consideration of H.R. 9460, the National Foundation on the Arts and Humanities Act of 1965, was received in the Rules Committee on July 14. A petition was filed the next day, July 15, under the 21-day rule. We were not requested to hear the bill until the following day, July 16.

On the second bill which House Resolution 536 would make in order, H.R. 10281, the Government Employees' Salary Comparability Act, it was received on August 16 and a hearing was requested on August 16. However, only 3 days later a petition was filed under the 21-day rule.

On the third item, House Resolution 534, providing for the consideration of H.R. 6183, the mid-decade censuses, we received the bill on August 12 in the Committee on Rules and a hearing was requested on August 19. A petition was filed the same day under the 21-day rule.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield for a question on the arts and humanities bill?

Mr. SMITH of California. Not until the gentleman from California completes his statement and then I shall yield, with the gentleman from Missouri permitting.

Mr. Speaker, on House Resolution 506, the Equal Opportunity Act of 1965, it was received on August 3 and a hearing was requested on August 4. The petition was filed on August 9, under the 21-day rule.

Mr. Speaker, during this time we were pretty busy bringing out rules on other important legislation. I do not believe we turned down any rule we were requested to grant. On the minority side we supported each of these measures; and even though I voted against the immigration bill and the voting rights bill, I did support the rule.

During July we reported out 10 important bills. And in August, we reported out 15 bills. We supported rules on the immigration bill, the higher education bill, the farm bill, the public works bill, the interest equalization bill, the extension of the vocational rehabilitation bill, the Peace Corps bill, the military pay bill, and the voting rights bill, and when we were asked for medicare and the Social Security Act amendments, we granted the rule. It was passed. Also the farm bill. We will also be called upon to report out the omnibus rivers and harbors bill, probably this week as I see the bill is scheduled for floor action. I will support a request for a rule.

Mr. Speaker, when the leadership asked us for a rule on all of these matters coming before the Committee on Rules, we of the minority supported a rule, even though some of us voted against some of the bills. I am disappointed after all the effort we have made in sending more legislation to the floor this year than at any time during my 9 years of service, that we would have this sort of slap in the face and this attack made on us today.

Mr. Speaker, I deeply regret that the leadership has seen fit to do this.

Mr. HALL. Mr. Speaker, I want to say as far as the approval of the House of Representatives' Journal is concerned, after it having been clearly established here in colloquy and by parliamentary inquiry, that it is the responsibility of the Clerk of the House of Representatives; it was demonstrated that entire sections and complete amendments have been left out. Therefore I do not believe it should be approved on final vote when that is called for.

I now yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I thank the gentleman.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER. For what purpose does the gentleman from Iowa arise?

Mr. GROSS. The transacting of business of the House prior to adoption of the reading of the Journal.

The SPEAKER. The Chair will state it is always proper, as well as courteous, to receive a message from the President of the United States, or from the other body, as quickly as possible.

The gentleman from Oklahoma [Mr. ALBERT] is recognized for 20 minutes.

Mr. ALBERT. Mr. Speaker, if I were to use the 20 minutes I might be accused of engaging in a filibuster, which I sense has been going on all afternoon. But I do not think I should let this occasion pass without saying to my good friend from Indiana and my good friend from Michigan, that I thought the 21-day rule issue had been settled in January last; that this procedure was a legitimate and bona fide method of calling up legislation in the House; that it is a method which enables the Members to express their will on legislation in which they are interested.

It was in this spirit and not in any spirit of criticism or going around the Committee on Rules that this procedure was used.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, in response to the statement of the gentleman from California with respect to the bill having to do with the arts and humanities, our distinguished majority leader and I asked the distinguished chairman of the Rules Committee, the gentleman from Virginia [Mr. SMITH], some time ago about the possibility of hearings on that bill. He was asked courteously and he said he would take the matter under advisement as to whether or not the committee would have time; it had a very heavy load.

We waited until another time. The majority leader and I went to the gentleman from Virginia who in this instance actually suggested in the interest of saving time in his committee that we use the 21-day procedure on that bill.

Mr. ALBERT. The gentleman is correct, and the gentleman from Virginia said specifically to me that that procedure was permissible under the rules of the House.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from South Carolina.

Mr. McMILLAN. Is it not a fact these bills were scheduled for District Day?

Mr. ALBERT. The gentleman is in error. These resolutions were scheduled to be called today because today is the day on which their consideration is in order under the 21-day rule.

I may say to the gentleman these matters are of the highest privilege, they rank in privilege with resolutions considered under discharge petitions.

They rank in privilege ahead of bills reported from the great Committee on the District of Columbia. There was no relation, and I can say this without any fear of contradiction—there was no relation at all between programing these rules and any business that the gentleman from South Carolina might have had from the Committee on the District of Columbia.

May I say, Mr. Speaker, I am a little bit surprised at the gentleman from Missouri [Mr. HALL] who has been complaining about not having had time to debate, when the minority could have had 30 minutes on every resolution, I am sure, had the minority not spent so much time filibustering today.

Mr. HALL. Mr. Speaker, will the gentleman yield to me at that point for a question since he has used my name?

Mr. ALBERT. Yes, I will yield to my friend from Missouri who has used more time today than any other Member and, therefore, has less right to complain than any Member of the House about being given insufficient time to debate these matters.

Mr. HALL. I appreciate the distinguished majority leader from my neighboring State yielding to me. May I say I appreciate the beautiful bouquet. It is like something from the hills of home when he says it that way. If we have established a rule of procedure here today that will in future generations even establish the right of the minority not in debate but in procedures of the House, he should as majority leader that he is, be most appreciative of it.

Mr. ALBERT. The gentleman has not established any rules. He has exercised his rights under the rules—and I concede that to him. But I would say to the gentleman, I am a little bit surprised when I find that it was the FEPC bill that the minority leadership were filibustering against. I thought it was the bill dealing with certain matters from the Committee on Banking and Currency and a bill dealing with pay for Federal employees that was causing all of the filibustering on the other side.

Mr. HALL. Let me complete my point that the gentleman so generously yielded to me for. Will you assure us when these resolutions are called up that we will have equal time and if so that is quite contrary to what our understanding was.

Mr. ALBERT. May I say to the gentleman that nobody—no Member of the minority including the distinguished gentleman who has led the procedure here today on the other side of the aisle—no Member of the minority suggested to me any kind of procedure which would guarantee them equal time if in return they would cease and desist engaging in this obvious filibuster against the consideration of legislation which has been duly programed by the majority and by the Speaker of the House.

Mr. HALL. The distinguished majority leader knows that we must live on the basis of what has happened in the past.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. I thank the gentleman from Missouri yielding to me before when he had no time left and it seems both gentlemen are being very generous with their time since the distinguished majority leader just yielded back his time.

Mr. ALBERT. I meant to yield to my friend.

Mr. SMITH of Virginia. I would like to make a brief statement since my name as chairman of the Committee on Rules has been mentioned.

The SPEAKER. The gentleman from Oklahoma [Mr. ALBERT] has 12 minutes remaining.

Mr. ALBERT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. SMITH] and if the gentleman wants more time, I will be glad to yield more time to him.

Mr. SMITH of Virginia. The gentleman is getting a little more generous all the time. Maybe he will get generous today after a while, enough to let us all go home to dinner after a long and hard day's work.

Now, Mr. Speaker, the Committee on Rules has been mentioned and the 21-day rule. On the first day of this Congress, this House by a small majority voted the 21-day rule. That is a part of the rules of the House. But the 21-day rule by its provisions leaves it in the discretion of the Speaker of the House as to whether everything is going to be recognized, and I am sure the Speaker of the House would agree with me that it was never contemplated at that time we would just take the whole bushel and throw them all in here for consideration in 1 day's time. However, that is what has happened and some of us do not like it. The gentleman from New Jersey mentioned about his bill to take care of the arts, actors, and actresses, and the songbirds and so forth.

The gentleman did ask me about that. I am sure I told him, as I have told every Member of the House who has brought up the question about the 21-day rule, that it was a part of the rules of the House. I have said, "If you do not think you are going to get action on the part of the Rules Committee, go ahead and file your request under the 21-day rule."

I am sure I told the gentleman that. I told others that.

The gentleman from New York [Mr. POWELL] seems to have gotten the habit in recent days, when reporting bills from the Committee on Education and Labor, of writing a letter to the Rules Committee asking for the consideration of a rule. At the same moment he has negatived that action by filing a rule under the 21-day provision of the rules.

In view of that sort of attitude, I do not know why the Rules Committee should get down and crawl in order to accommodate one who takes that attitude.

The SPEAKER. The 2 minutes yielded to the gentleman from Virginia have expired.

Mr. SMITH of Virginia. Does the generosity of the gentleman from Oklahoma still exist?

Mr. ALBERT. How could I refuse? Mr. Speaker, I yield 2 additional minutes to the gentleman from Virgina.

Mr. SMITH of Virginia. The gentleman from Indiana, who has had long experience on the Rules Committee, as I have had, has spoken. We served on the Rules Committee many years together. I have served on that committee for 33 years. I wish to say to the House, on my responsibility as a Member of the House, that never in my time has there been a Committee on Rules that has reported out as much business for the administration and has turned down less stuff that the administration has wanted than the Committee on Rules has during the present session of the Congress. I have the assurance of the leadership that we have cooperated fully.

Why should we be kicked around in this way by picking up all the garbage out of the Rules Committee in instances in which the 21 days have expired and dumping it on the floor of the House on one day? If that is orderly procedure, my 35 years of experience in this body has not taught me anything.

Why should we take the action requested? What is there in the seven bills about which there is so much rush and that is of such great importance to the administration that the leadership takes this extraordinary opportunity?

At least one of the bills—and I have not had an opportunity to read them all—is directly opposed by the administration. Another of these bills about which there is so much hurry to get through, I am told, exceeds by far the recommendation for expenditures by the administration—by the President. I do not believe that there is one of those seven bills—and I shall stand corrected if I am wrong—that has the support of the President. I am talking about what appears in the newspapers; I am not talking about what conversation goes on behind doors.

I challenge anyone to show that any one of the seven bills is endorsed by the administration. I know that two of them are opposed. I beg your pardon. I observe the gentleman from New Jersey [Mr. THOMPSON] has risen. That is one that I remember, and I stand corrected.

Mr. THOMPSON of New Jersey. I should like my name to appear at that point in the RECORD.

Mr. ALBERT. Mr. Speaker, I promised to yield to the gentleman from Missouri [Mr. BOLLING].

I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, I have not served on the Rules Committee for 33 years, but I have served for 11 years. Since my distinguished chairman is making clear how very cooperative we have been this year, I should like to suggest that two events had something to do with that cooperation. The first of those events took place in January 1961 when we increased the size of the committee, so that we did really have a majority.

The second event took place in January of this year, when the House had the wisdom to adopt the 21-day rule so that if the Rules Committee was obstructive, the House would be able to work its will.

Second, since some of us on both sides of the aisle are being so pious about orderly procedures I should like to point out that the Committee on Rules of the House of Representatives is the only committee, to the best of my knowledge, which always violates the rules of the House that requires the committees, with one exception, to have regular meeting days.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield 1 minute to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I do not know what my good friend and colleague from Missouri is getting at. I want to say that I have never claimed that the Rules Committee was without sin. I have never claimed that I was without sin, and I do not know whether the gentleman from Missouri is without sin.

But what I do say is that with the exception of the bill of the gentleman from New Jersey [Mr. THOMPSON], I am quite sure that there is not a one of these seven bills there is so much rush to get through by the leadership which has the endorsement or approval on the record of either the report of the committee or of any other Department or Agency of the administration I have seen.

I express my appreciation to my good friend from Oklahoma for yielding.

Mr. ALBERT. I thank the gentleman from Virginia.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. Mr. Speaker, I dislike not yielding to the gentleman, but the colloquy has gone on quite a bit. I yield the gentleman one-half minute.

Mr. HALLECK. Mr. Speaker, the 21-day rule, as I understand it, was designed to permit the House of Representatives to work its will. Under the rules of the House, before we ever had a 21-day rule, the District of Columbia Committee was given 2 days a month to bring its bills to the floor.

I believe it can be said without any question at all that the scheduling of these seven bills—and I say to the gentleman from Oklahoma that they are high priority; they are high enough priority to shove the District of Columbia Committee right out, and that is what they have done—means that the District of Columbia Committee has been denied its day in court, for bringing here its bills for the House of Representatives to have an opportunity to express its will.

Mr. ALBERT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma [Mr. ALBERT] that the Journal, as read, stand approved.

Mr. HALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 119, answered "present" 1, not voting 47, as follows:

[Roll No. 284]

YEAS—265

Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Carey
Cederberg
Chamberlain
Clancy
Clark
Clevenger
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Craley
Cunningham
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Laird
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher

Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Widnall
Willis
Wolff
Wyatt
Yates
Young
Zablocki

NAYS—119

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Callaway
Carter
Chelf
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conable
Cramer
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Everett
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Hull
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Mass.
Michel
Morton
Murray
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Rogers, Tex.
Roudebush
Satterfield
Schneebeli
Scott
Selden
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stanton
Talcott
Taylor
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
Whitener
Whitten
Williams
Wilson, Bob
Wydler

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—47

Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Farnsley
Farnum
Gallagher
Griffin
Griffiths
Halpern
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Lindsay
McClory
Martin, Ala.
May
Mills
Moss
Ryan
St. Onge
Steed
Teague, Tex.
Thomas
Thompson, Tex
Toll
Weltner
Wilson, Charles H.
Wright
Younger

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. DADDARIO]. If he were present, he would vote "yea." I voted "nay." I withdraw my vote "nay" and vote "present."

Mr. ADAIR changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. McMILLAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. McMILLAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. McMILLAN. Mr. Speaker, now that the Journal has been read and other business has been dispensed with, is it in order to call up District bills under the rules of the House?

The SPEAKER. If the gentleman from New York [Mr. POWELL] yields for that purpose.

Mr. McMILLAN. Mr. Speaker, has the gentleman from New York [Mr. POWELL] been recognized?

The SPEAKER. The Chair is going to recognize the gentleman from New York [Mr. POWELL] because the gentleman from New York has the privileged matter.

The Chair recognizes the gentleman from New York.

MOTION TO ADJOURN

Mr. McMILLAN. Mr. Speaker, I move that the House do now adjourn and on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 175, nays 204, answered "present" 1, not voting 53, as follows:

[Roll No. 285]

YEAS—175

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Corbett
Cramer
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harris
Henderson
Herlong
Hicks
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morton
Murray
Natcher
Nelsen
O'Neal, Ga.
Passman
Pickle
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—204

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Carey
Clark
Clevenger
Cohelan
Conte
Corman
Craley
Cunningham
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hays
Hechler
Holifield
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kluczynski
Krebs
Kunkel
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer

Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
White, Idaho
Willis
Wolff
Yates
Zablocki

ANSWERED "PRESENT"—1

Derwinski

NOT VOTING—53

Andrews,
  George W.
Ashbrook
Aspinall
Baring
Bolling
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Farnsley
Farnum
Gallagher
Green, Oreg.
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Landrum
Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Miller
Mills
Moss
Ryan
St. Onge
Steed
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Weltner
Wilson,
  Charles H.
Wright
Young

So the motion to adjourn was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Derwinski for, with Mr. Daddario against.

Messrs. WILLIS and KASTENMEIER changed their vote from "yea" to "nay."

Mr. HOSMER changed his vote from "nay" to "yea."

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. Daddario]. If he were present he would vote "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Chair recognizes the gentleman from New York.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired;

H.R. 3864. An act for the incorporation of the Merchant Marine War Veterans Association;

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8351. An act for the relief of Clarence L. Aiu and others;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary;

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of "The Prayer Room in the U.S. Capitol"; and

H. Con. Res. 468. Concurrent resolution to recognize the World Law Day.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives.

The message also announced that the Senate had passed a bill and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. Con. Res. 46. A concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez;

S. Con. Res. 47. A concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; and

S. Con. Res. 48. A concurrent resolution to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez.

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed the following Members on the part of the Senate to the Eleventh North Atlantic Treaty Organization Parliamentary Conference to be held in New York, N.Y., October 4 to 9, 1965: Mr. Pell (chairman), Mr. Williams of New Jersey, Mrs. Neuberger, Mr. Bayh, Mr. Kennedy of New York, Mr. Saltonstall, Mr. Mundt, Mr. Javits, and Mr. Case.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 88th Congress, entitled "An act to provide for the disposal of certain records of the United States Government," appointed Mr. Monroney and Mr. Carlson members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 66–4.

EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1965

Mr. POWELL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up House Resolution 506, providing for the consideration of H.R. 10065, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by said committee.

The Clerk read as follows:

H. Res. 506

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10065) to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. Powell].

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished gentleman from New York indicate what time allocation he will make on this rule to the opposition?

Mr. POWELL. Responding to our distinguished minority leader, it is my purpose to use only about 30 seconds and out of the magnaminity of my heart, I would like to give the Republicans 10 times that much.

Mr. GERALD R. FORD. I am frankly overwhelmed at the generosity exhibited by the gentleman from New York for 5 minutes for the minority, as I calculate it. I am sure it is the desire of Members on our side to have and use more time than that. But I am sure if we asked the distinguished gentleman, he will make certain that more time is made available at the proper time.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 259, nays 121, answered "present" 2, not voting 50, as follows:

[Roll No. 286]

YEAS—259

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson,
  Tenn.
Andrews,
  N. Dak.
Annunzio
Ashley
Ayres
Baldwin
Bandstra
Barrett
Bates
Bell
Berry
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Carter
Chamberlain
Clancy
Clark
Clausen,
  Don H.
Cleveland
Clevenger
Cohelan
Conable
Conte
Corbett
Corman
Craley
Cunningham
Curtin
Dague
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Dole
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, Gerald R.
Ford,
  William D.
Fraser
Friedel
Fulton, Pa.
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grover
Gubser
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Kee
Keith
King, Calif.
King, N.Y.
King, Utah
Kluczynski
Krebs
Kunkel
Latta
Long, Md.
Love
McCarthy
McCulloch
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mathias
Matsunaga
Meeds
Minish
Mink
Moeller
Monagan

Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Whalley
White, Idaho
White, Tex.
Widnall
Wolff
Wyatt
Wydler
Yates
Zablocki

NAYS—121

Abbitt
Abernethy
Andrews,
Glenn
Arends
Ashmore
Battin
Beckworth
Belcher
Bennett
Betts
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Cederberg
Chelf
Clawson, Del
Collier
Colmer
Cooley
Cramer
Curtis
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fisher
Flynt
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Gathings
Gettys
Grider
Gross
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Harris
Henderson
Herlong
Hull
Jarman
Jennings
Jonas
Jones, Ala.
Kornegay
Laird
Landrum
Langen
Lennon
Lipscomb
Long, La.
McEwen
McMillan
Mahon
Mailliard
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Morton
Murray
Nelsen
O'Neal, Ga.
Passman
Pickle
Poage
Poff
Pool
Purcell
Quillen
Reid, Ill.
Rivers, S.C.
Roberts
Rogers, Fla.
Rogers, Tex.
Satterfield
Scott
Selden
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Va.
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watson
Watts
Whitener
Whitten
Williams
Willis
Wilson, Bob
Younger

ANSWERED "PRESENT"—2

Derwinski
Mize

NOT VOTING—50

Andrews,
George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Farnsley
Farnum
Gallagher
Gilligan
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Miller
Mills
Moss
Ryan
St. Onge
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Wilson,
Charles H.
Wright
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Daddario for, with Mr. Derwinski against.

Mr. Keogh for, with Mr. Hébert against.

Mrs. May for, with Mr. Martin of Alabama against.

Until further notice:

Mr. Kirwan with Mr. Harvey of Indiana.
Mr. Mills with Mr. Martin of Massachusetts.
Mr. St. Onge with Mr. Griffin.
Mrs. Kelly with Mrs. Bolton.
Mr. Toll with Mr. Harvey of Michigan.
Mr. Miller with Mr. Ashbrook.
Mr. Charles H. Wilson with Mr. Bray.
Mr. Moss with Mr. Lindsay.
Mr. Helstoski with Mr. McClory.
Mr. George W. Andrews with Mr. Aspinall.
Mr. Celler with Mr. Conyers.
Mr. Carey with Mr. Bonner.
Mr. Farnum with Mr. Gallagher.
Mr. Hardy with Mr. Griffiths.
Mr. Gilligan with Mr. Thomas.
Mr. Wright with Mr. Culver.
Mr. Casey with Mr. Cameron.
Mr. Weltner with Mr. Leggett.
Mr. Young with Mr. Ryan.
Mr. Steed with Mr. Farnsley.
Mr. Johnson of Oklahoma with Mr. Baring.
Mr. Thompson of Texas with Mr. Holland.

Messrs. ANDERSON of Illinois, FINDLEY, KEITH, RHODES of Arizona, DON H. CLAUSEN, and HUTCHINSON changed their vote from "nay" to "yea."

Mr. DERWINSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. Daddario]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

Mr. McCULLOCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCULLOCH. Mr. Speaker, was the previous question ordered on the question to adopt the resolution that has just been voted on?

The SPEAKER. It was not.

Mr. McCULLOCH. Mr. Speaker, having voted in the affirmative, I now move that the vote by which House Resolution 506 was adopted be now reconsidered.

Mr. ALBERT. Mr. Speaker, I move that that motion be laid upon the table.

Mr. McCULLOCH. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma [Mr. Albert].

Mr. LAIRD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair is in the process of counting.

Evidently a sufficient number have risen, and the yeas and nays are ordered.

Mr. LAIRD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. LAIRD. Mr. Speaker, on the resolution just passed no one was allowed to debate that resolution on behalf of the minority or the majority. If this motion to table, offered by the gentleman from Oklahoma [Mr. Albert] is defeated, then there will be time to debate the resolution just passed.

The question of reconsideration is debatable, and it can be debated on the merits of the legislation which has not been debated by the House.

The SPEAKER. What part of the gentleman's statement does he make as a parliamentary inquiry?

Mr. LAIRD. Mr. Speaker, if the motion to table is defeated, the motion to reconsider will give us an opportunity to debate the question on the resolution.

The SPEAKER. Under the present circumstances, the motion to reconsider would be debatable.

Mr. LAIRD. I thank the Speaker.

Mr. McCULLOCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. McCULLOCH. Mr. Speaker, what time would be allowed to debate the question and how would it be divided?

The SPEAKER. It will be under the 1-hour rule and the gentleman from Ohio would be entitled to the control of the entire hour.

The Chair will restate the question on which the yeas and nays have been demanded and ordered.

The question is on the motion of the gentleman from Oklahoma [Mr. Albert] to lay on the table the motion to reconsider.

The question was taken; and there were—yeas 194, nays 181, not voting 57, as follows:

[Roll No. 287]

YEAS—194

Adams
Addabbo
Albert
Anderson,
Tenn.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Carey
Clark
Clevenger
Cohelan
Corbett
Corman
Craley
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford,
William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Matsunaga
Meeds
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush

Roybal
St Germain
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa

Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman

Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
Wolff
Yates
Zablocki

NAYS—181

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bow
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Findley

Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McDade
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Murray
Nelsen
O'Konski

O'Neal, Ga.
Passman
Pelly
Pickle
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—57

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Davis, Ga.
Derwinski
Duncan, Oreg.
Farnsley
Farnum

Gallagher
Gilligan
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Ichord
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.

May
Miller
Mills
Moss
Multer
Pirnie
Poage
Ryan
St. Onge
Sisk
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Wilson, Charles H.
Wright
Young

So the motion was agreed to.

Mr. LANDRUM changed his vote from "yea" to "nay."

Mr. ICHORD. Mr. Speaker, just exactly what are the conditions for qualifying?

The SPEAKER. In order to qualify the gentleman must have been listening and did not hear his name called.

Mr. ICHORD. Mr. Speaker, I cannot qualify.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SIKES. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. SIKES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 203, not voting 56, as follows:

[Roll No. 288]

YEAS—173

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn

Everett
Evins, Tenn.
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Green, Oreg.
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hansen, Idaho
Harris
Hays
Henderson
Herlong
Hicks
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Morse
Morton

Mosher
Murray
Natcher
Nelsen
O'Neal, Ga.
Passman
Pelly
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stephens
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Idaho
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—203

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Baldwin
Bandstra
Barrett

Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.

Burke
Burton, Calif.
Byrne, Pa.
Callan
Carey
Clark
Clevenger
Cohelan
Conte

Corbett
Corman
Craley
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Harsha
Hathaway
Hawkins
Hechler
Holifield
Horton
Howard
Hungate
Huot
Irwin

Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Minish
Mink
Moeller
Monagan
Morgan
Morris
Morrison
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price

Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
White, Tex.
Willis
Wolff
Yates
Young
Zablocki

NOT VOTING—56

Adair
Andrews, George W.
Ashbrook
Ashley
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Farnsley
Farnum
Gallagher

Griffin
Griffiths
Hansen, Wash.
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Miller

Mills
Moorhead
Moss
Multer
Pirnie
Poage
Ryan
St. Onge
Sisk
Steed
Stubblefield
Thomas
Thompson, Tex.
Toll
Weltner
Wilson, Charles H.
Wright

So the motion was rejected.

Mr. FRASER changed his vote from "yea" to "nay."

Mr. McMILLAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

TO AMEND THE BANK HOLDING ACT OF 1956

Mr. PATMAN. Mr. Speaker, pursuant to the provisions of clause 23, rule 11, I call up the resolution (H. Res. 499) providing for the consideration of the bill

(H.R. 7371) to amend the Bank Holding Company Act of 1956, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by said committee.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. PATMAN. Mr. Speaker, I would like to finish my statement, but I am glad to yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is a rule making in order a legislative bill. Under the 21-day rule, and under the normal rules, there is 1 hour of debate on a resolution, equally divided between the majority and the minority. Is there any rule that does away with that procedure?

Mr. PATMAN. Mr. Speaker, may I say for the benefit of the gentleman from Virginia [Mr. SMITH], that I have already agreed with the minority that they will be yielded 30 minutes for purposes of debate with the hope, of course, that if possible, this time will be shortened. I do not expect to use that much time myself.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Is it the intention of the gentleman from Texas to yield 30 minutes to the minority, the gentleman from Tennessee [Mr. BROCK]?

Mr. PATMAN. Yes. He represents the minority and it is my intention to yield to him 30 minutes for debate purposes, with the understanding that he will shorten it, if it can be done.

Mr. Speaker, this bill is not a new bill. It is a bill involving the Du Pont Co. in Florida. This resolution provides for 4 hours of general debate. The debate will be confined to the bill. Therefore, it is necessary to debate the merits of the bill at this time, because we will have 4 hours of general debate, one-half of which will be in charge of the chairman of the committee and one-half in charge of the ranking minority member for debate purposes. We will have plenty of time to debate the bill when it comes up. It will be considered in the Committee of the Whole House on the State of the Union as bills are generally considered under the 5-minute rule and after that there will be a motion to recommit, if one desires to make the motion, with or without instructions.

Of course, it is just the general rule that is granted by the Committee on Rules normally. In this case the bill was reported on June 21, 1965, unanimously by the subcommittee of 12 members of the Committee on Banking and Currency and by a vote of 21–4 in favor of the bill by the full committee.

Mr. Speaker, we waited 42 days after we had filed the bill and the report with the Rules Committee chairman and then I wrote the Rules Committee chairman and we were just as courteous as it is possible to be and I was just as humble as a Member can be in asking for consideration of a rule for this particular bill. Well, I did not hear from the chairman at all or in any way. So after 42 days, I filed a resolution—in other words, a rule for the consideration of the committee and then after 21 days elapsed, which it has, we have the privilege under the rules of the House, the regular rules, of bringing this resolution up for consideration.

Mr. Speaker, I do not believe that there should be any real objection to this procedure. It is the regular way.

We did not try to stop hearings on this bill. We had hearings during the 88th Congress, and during the last session of Congress we had several days of hearings on a similar measure. We had heard every witness who wanted to be heard for or against the bill. Again this year we had hearings for a period of several days and heard every witness that wanted to be heard before our committee, for or against the bill.

So, Mr. Speaker, it has been thoroughly considered and I hope that this resolution will be adopted. Really, I do not believe there should be any objection to it because the merits will be voted on and discussed when the bill comes up in the regular way after the adoption of the resolution.

Now, Mr. Speaker, the only agency of our Government that has to do with holding companies and this particular bill, is the Federal Reserve Board. The Federal Reserve Board unanimously endorsed this bill and it has been endorsing this bill for a number of years. But now is the first time that we have had the privilege of considering this bill in this House.

I hope that the Members of the House will vote to consider it after the Committee on Banking and Currency has spent so much time and effort in order to get the facts and information to you so all could see exactly what it is all about.

Mr. Speaker, I trust the rule is adopted.

CALL OF THE HOUSE

Mr. SMITH of Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 289]

Adair
Anderson, Tenn.
Andrews, George W.
Ashbrook
Aspinall
Baring
Bell
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Farnsley
Farnum
Fulton, Tenn.
Gallagher
Goodell
Griffin
Griffiths
Hansen, Wash.
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
McClory
Mailliard
Martin, Ala.
Martin, Mass.
May
Miller
Mills
Morrison
Moss
Multer
Pirnie
Poage
Ryan
St. Onge
Sisk
Smith, Calif.
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Williams
Wilson, Charles H.
Wright
Young

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 372 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. TALCOTT. Mr. Speaker, I object.

Mr. McFALL. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the Speaker pro tempore announced that ayes had it.

Mr. TALCOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point or order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). The Chair will count. [After counting.] Two hundred forty-two Members are present, a quorum.

Mr. TALCOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 243, nays 136, not voting 53, as follows:

[Roll No. 290]

YEAS—243

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Carey
Clark
Cleveland
Clevenger
Cohelan
Conte
Corbett
Corman
Craley
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray

Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Krebs
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McFall
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Mahon
Mathias
Matsunaga
Meeds
Michel
Minish
Mink
Moeller
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Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
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Randall
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Taylor
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Thompson, N.J.
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Trimble
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Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
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Weltner
White, Idaho
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Buchanan
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Clausen, Don H.
Clawson, Del
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Devine
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Dorn
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Duncan, Tenn.
Edwards, Ala.
Ellsworth
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Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Goodell
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Henderson
Herlong
Hull
Hutchinson
Ichord
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Laird
Langen
Latta
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Lipscomb
Long, La.
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Bolton
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Casey
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Farnsley
Farnum
Gallagher
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
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Leggett
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Miller
Mills
Morse
Moss
Multer
Pirnie
Poage
Ryan
Sisk
Steed
Thomas
Thompson, Tex.
Toll
Wilson, Charles H.
Young

So the motion was agreed to.

Mr. TUTEN and Mr. DOLE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. BURLESON. Mr. Speaker, will the gentleman from Texas yield for a unanimous-consent request?

Mr. PATMAN. I yield to the gentleman from Texas for a unanimous-consent request.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that on tomorrow the Committee on House Administration may be permitted to sit during general debate.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7371, TO AMEND THE BANK HOLDING COMPANY ACT OF 1956

Mr. PATMAN. Mr. Speaker, I will ask the minority to use some time.

Mr. BROCK. Has the gentleman yielded me a specific amount of time?

Mr. PATMAN. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee.

Mr. BROCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been a long day and I know we are all tired, so I rise with some reluctance to address myself to this bill. However, I do want to make a couple of points on the rule.

I am opposed to it for two basic reasons: First of all, I do not understand the need for haste in the consideration of this legislation. Second, I do not believe that this is the proper way for this body to legislate.

I find it rather ironic to note that the distinguished chairman of the Committee on Banking and Currency has before the House today three resolutions to discharge the Committee on Rules from consideration of legislation. I recall the gentleman from Texas was one of us who voted against the adoption of the 21-day rule last January. Also it is very curious that he is now championing the cause of expediency and asking the House to act with speed and dispatch in view of the fact that our committee has been considering another bill, the bank merger bill, for 5 weeks, a bill which passed the other body without a single dissenting vote. Five weeks, I might note, is more time than has been devoted by our committee to all of the following bills—housing, International Monetary Fund, the gold reserve requirement, coinage, permission to grant the commercial right to banks to deal with revenue bonds.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the chairman.

Mr. PATMAN. I think the gentleman is mistaken in his statement that I voted against the 21-day rule.

Mr. BROCK. If I am, I apologize. I thought that was the fact of the matter.

I think it is also somewhat ironic that after just having voted on a piece of civil rights legislation, most of us received today a letter from the distinguished chairman of the Committee on the Judiciary asking us to oppose this rule on the grounds that it is single-purpose and class type legislation. Why is haste required? For 7 years the Federal Reserve Board has been coming before our committee with a request to remove all exemptions, not just one.

Mr. POOL. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. POOL. What religious organizations are affected by this amendment to the Banking Holding Company Act? I have been trying to figure out from this report what it affects and what organizations it affects.

Mr. BROCK. To my knowledge, the only organization affected by this statement to the Bank Holding Company Act is the du Pont charitable foundation for crippled children.

Mr. POOL. They have this in the report:

> During the hearings it was attempted to ascertain what organizations would be brought under the broadened bill, but your committee was unable to develop this information.

I want to know what it does cover. Does it cover Catholics, Baptists, Methodist, Masons, Knights of Columbus. I have never seen anything like it.

Mr. BROCK. I thank the gentleman for his contribution.

The committee in its wisdom was not able to find out, either.

Mr. POOL. This is a single-shot piece of legislation aimed at one man down in Florida who is the trustee for the Du Pont estate. That is what it is. Is that right?

Mr. BROCK. That is the essence of my objection to the rule.

Mr. POOL. It should be on the private bill calendar instead of here on the 21-day rule. Do you not think so?

Mr. BROCK. I agree that we should broaden the bill to increase the coverage and remove all exemptions. That is the purpose of my remarks. The Federal Reserve Board for 7 years has been requesting us to remove all exemptions from the Bank Holding Company Act. They sent 25 specific recommendations to our committee. Yet we vote out a bill, and bring it up under the 21-day rule, which affects only one corporation. In committee in executive session I offered an amendment which would have removed all other exemptions. It was opposed on the grounds that we had not had adequate testimony on other exemptions.

The fact of the matter is that we have had substantial testimony on these other exemptions. We had, if I recall correctly, at least two members of the Federal Reserve Board of Governors testify to the effect that they had consistently requested the committee to remove other exemptions.

Secondly, I question whether this bill represents a proper legislative approach for the House of Representatives. The chairman said in his initial remarks that this is a bill involving only the Du Pont estate and that is the nub of it. That is the one company affected. In the committee report the gentleman from Texas referred to, we were unable to find—that is, the committee was unable to find—any other company or organization affected by this bill. The Federal Reserve Board was asked if they could ascertain whether any other charitable organization was affected and they said they could not.

We do not consider in this bill any other area of exemption, although we have numerous other areas; agricultural cooperatives, labor unions, other banks and holding companies. The problem is that if we legislate in this body by considering those bills which affect only single areas which have achieved some degree of public attention, when there are other areas of concern, then it is literally impossible for a committee to engender support in attacking those other areas of concern. After we have taken the public heat off by passing one bill taking away the exemption from the one company which happens to have the press or some particular special interest group on its back, possibilities for further legislation in the field become slim or nonexistent.

I hope the House will defeat this rule, not because I do not think we should remove the exemption; this is a very debatable point. I personally think we should remove all exemptions from this act. We should insist that the committee, acting in full responsibility and in full knowledge of the facts, give full hearings to removing all exemptions. Then we can bring before this body legislation which is not class legislation, which is not punitive, but which is all inclusive in its scope and application to all organizations under the Bank Holding Company Act.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. HOSMER. Would this bill be subject to a point of order on the ground that it is equivalent to a bill of attainder.

Mr. BROCK. The gentleman is asking the wrong gentleman; I do not know.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, sometime between now and sunrise I hope we get down this list to the Federal salary bill which is one of the seven resolutions on the calendar today. I doubt that there are very many Members on the other side of the aisle who have not written glowing letters in the last month to the Federal employee organizations telling them how much you love them, what great friends of theirs you are. But you are picking a fine way to show it here tonight. I also doubt that there are very many on the other side of the Chamber who have not demanded an early adjournment of Congress. If this strategy tonight succeeds, and I do not think it will, you will either delay adjournment by 2 weeks or you will defeat the 1965 salary bill.

I am really intrigued with the new look in the Grand Old Party. It takes brilliant generalship, in my judgment, to revive the old coalition in the attempt to prevent consideration of a civil rights bill which two-thirds of the House said earlier tonight ought to be debated and voted upon. I think it takes brilliant strategy to defeat a pay bill for 2½ million Federal employees in order to prove you love the Du Pont family.

Somebody has pointed out that the GOP controlled the House of Representatives twice in 34 years. Tonight I can understand a little better why.

Mr. BROCK. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I would like to direct a question to the gentleman from Arizona, and it is this. Who was it, his side of the aisle or ours, that decided on the order in which these bills were to be presented? If it was his side, why did they not bring up the pay bill as the first bill?

Mr. UDALL. If the gentleman will yield, I would say that the leadership decides the order in which resolutions are brought up. My friend, the gentleman from California, surely believes with me that the House ought to be able to work its will. If any of these 21-day resolutions are bad, then they ought to be voted down. Let us vote them either up or down. However, we stalled for about 6 hours on the resolution providing for the consideration of the FEPC bill before it was adopted by a margin of more than two-thirds of the Members voting. If the pay bill is defeated or delayed, I think the responsibility will be quite clear.

Mr. HOSMER. I do not believe it is either fair or logical to equate the parliamentary procedures that have been conducted here today with any substantive position relative to the pay bill. These are separate matters entirely and the gentleman knows it. I want to vote for that bill just as much as he does.

Mr. UDALL. If the gentleman will yield further, I am concerned with the Federal employees' salary bill on which we have worked long and hard and it is a good bill. It either ought to be voted up or down. I cannot help but notice who prevented a vote on that bill.

Mr. BROCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I believe the House of Representatives is interested in fair play in all of the legislation which it enacts.

It has been pointed out, and I reiterate the fact that this is punitive legislation, designed and pointed at one organization. This is not fair play.

Now, Mr. Speaker, the Federal Reserve Board has for the past 7 years sent 25 recommendations to the Congress each year intended to eliminate imperfections in the Bank Holding Company Act. These recommendations would do away with all exemptions, not just one, not just the Du Pont exemption. These recommendations would do away with all exemptions. But they have been ignored.

Mr. Speaker, I find it difficult to understand why those recommendations were ignored through all the years and why we have a bill before us at this time pointed just at the Du Pont organization.

Mr. Speaker, I carry no brief for the Du Ponts. I do appreciate the fact that they have industry located in the congressional district which it is my honor to represent. That industry provides good jobs for the people. It is a sound industry. So I do not apologize for being against legislation that is pointed only at that one organization, and which ignores and perpetuates all other exemptions.

A little later, at the appropriate time, Mr. Speaker, I believe my distinguished colleague, the gentleman from Florida [Mr. BENNETT], will offer an amendment which would bring all exempted organizations under this act in the manner which the Federal Reserve Board has recommended. It would treat everyone equally. This is fair play. I am going to vote for the gentleman's amendment. But I do believe the bill as it is now written is bad legislation. Both the rule and the bill should be defeated.

Mr. BROCK. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I would like to speak briefly on this act, because it does affect a concern which has very substantial headquarters in the district which I represent.

Mr. Speaker, I have made a thorough study of this legislation and I attended many of the hearings held thereon. I have come to the conclusion that this bill is an improvement over the law as the law now exists. It would be a much better bill if very substantial amendments were added to the bill.

Mr. Speaker, perhaps it would be a little in point to say something about what this bill proposes to do. For many years the banking laws of our country have said that a bank cannot also operate a nonbanking business at the same time, for various good reasons. One good reason is that perhaps that nonbanking business might slip a little here and there once in while and there might be a tendency on the part of the bank to bail out that particular concern against the interests of the general public and to some extent of the depositors of that bank. That has been the law for quite some time.

Mr. Speaker, in 1956 a law was passed saying that even banking holding companies, concerns that owned and held banks—provided that there were two banks involved—would be prevented from indulging in a nonbanking business. But when that bill went from the House of Representatives to the other body and came back, it came back with very substantial exemptions. These exemptions included churches, they included labor unions, they included a good number of other concerns, including testamentary trusts.

Mr. Speaker, I personally think that the Du Pont concern, a testamentary trust, is a wonderful concern, providing great charitable benefits for the citizens of our country. Primarily crippled children and aged are assisted.

As a matter of fact, as a fledgling lawyer in 1934, I helped to draft the papers involved in this $500 million estate, including Mr. Du Pont's will.

Mr. PATMAN. I wanted to ask a question.

Mr. BENNETT. I do not want to answer it until I get through. If I get through I will be glad to answer. If I have made any mistakes I will be glad to be corrected. My time is limited. The gentleman has the floor, and he can ask me questions in his own time. I want to talk about this bill. I am trying to put this into perspective.

I came to the conclusion this bill was a good bill over the law as it now exists even though it may pick out only one concern. They cannot find any concern other than the Du Pont estate.

Let us realize that the Federal Reserve Board has repeatedly gone on record asking for all of these exemptions to be eliminated. Let us look at the paradox: a great big bank like Manufacturer's Trust with all of its numerous branches can be many times the size of the Du Pont concern and yet not be covered by the law or this bill at all, because it is one company with branches, not separate banks. There is no logic in such a legal situation. Labor unions are not covered either and there are other concerns not covered, such as churches and others. These exemptions were written in by the Senate in 1956 and passed by the House and became the law of our country. These exemptions should all be eliminated.

It would be an advantageous and a proper thing to eliminate the exemptions for testamentary trusts, such as the Du Pont trust. There is no reason why a testamentary trust owning banks should also own railroads when comparable banking concerns are prohibited from doing this. We should consider the fundamental idea established by law that a bank should not be allowed to run nonbank enterprises.

I intend at the proper time to offer an amendment to carry out all of the Federal Reserve Board suggestions on these exemptions. I will put it in the RECORD. It will be in the Appendix of today's RECORD. You can read these the amendments, which are to carry out the recommendations of the Federal Reserve Board. I will offer them at the proper time.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman is very fair in his statement, and I appreciate it personally. I believe he stated that this bill is an improvement over the present law.

Mr. BENNETT. Yes, that is true.

Mr. PATMAN. But even if the gentleman were unsuccessful in his efforts to get the bill amended, he would still vote for it?

Mr. BENNETT. Yes; Mr. Ball has taken this up with me and asked me about it. I have known Mr. Ball for most of my life. I said "You have been an example to me of great integrity, you have been an example of great independence; and I hope both of these things will be exemplified by my action on the floor as I intend to vote for the bill even if it is not amended."

Mr. PATMAN. May I make this comment, and this is the testimony of Mr. Balderson, vice chairman of the board under Mr. Martin? He made this statement when he testified on this bill:

> The Board of Governors of the Federal Reserve System favors enactment of H.R. 7371.

Mr. BENNETT. I am glad they agree with me.

Mr. PATMAN. The gentleman made one statement I do not understand. He referred to handling a trust under a subsidiary.

Mr. BENNETT. I think I said Manufacturer's Trust.

Mr. PATMAN. I believe that would be very unusual. I believe the gentleman made a mistake.

Mr. BENNETT. Maybe I do not know all about banking that the gentleman from Texas does. I know that in the State of Florida you are not allowed to have branch banks. The separate banks of the Florida National Bank chain are less than 40 I am sure. There are many single banks of larger size than the entire Du Pont chain in the United States and they are not covered by this bill because their business is done by numerous branches and not by separate banks. You see the great big buildings of the branches and the assets of the branches—they are all big. You think they, the branches, are big banks, but they are actually branches. I may have the wrong banking word. It is either "subsidiary" or "branch". There are certain banks of great size that have many branch banks and they are not covered. I know that to be the fact.

I know my bill would change this after my amendment is passed. If my amendment is passed, it will apply not only to a banking situation where there may be two banks but to a bank which is one bank with branches.

Mr. BROCK. Mr. Speaker, I yield to the gentleman from California [Mr. TALCOTT] 5 minutes.

Mr. TALCOTT. Mr. Speaker, I have asked for these few minutes to discuss a couple of points involved in this bill. I object to the rule and I object to the bill for a number of reasons. Some of them have already been discussed here.

The gentleman from Texas [Mr. PATMAN] in his first statement said we are dealing in this bill only with the Du Pont Co. This should be reason enough for everyone to vote against the rule and to vote against the bill itself. This is punitive legislation and applies to only one company. This should be sufficient reason to vote against the rule and the bill at this time when we are supposedly considering general legislation.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman.

Mr. PATMAN. It only involves one company because only one company is exempted under the law. It should never have been exempted. They got special privileges. Since that one company got the exemption, this would remove that one company.

Mr. TALCOTT. Is that statement actually accurate, Mr. Chairman? There are many exemptions made under the bank holding company act—for religious organizations and fraternal organizations and unions and so on.

Mr. PATMAN. This has nothing to do with those other exemptions. We could not include them all in one bill.

Mr. TALCOTT. There are too many exemptions but they all could be included in one bill.

Mr. PATMAN. The gentleman had his day in court. I asked the gentleman to bring in any witnesses he wanted to and he never did produce any.

Mr. POOL. Mr. Speaker, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman.

Mr. POOL. The committee report says that during the hearings they attempted to ascertain what organizations would be brought in under the broadened bill, but your committee was unable to develop this information. So they do not know.

Mr. TALCOTT. Well, that is true. As a matter of fact, the bill H.R. 7371 does not take into consideration fraternal organizations, religious organizations, unions, and a number of other similar organizations.

I requested of the Federal Reserve Board a list of all the trusts that might be involved in this bill. They were unable to supply me with the names of any trusts other than the Du Pont Co. which would be involved. I personally wrote to about 10 other trusts concerning this matter, asking if there would be some likelihood of their entity being included in H.R. 7371 and each wrote back and claimed that they would not be included under this bill. So the fact is the bill is very carefully drawn to include only the Du Pont estate and this, of course, does make it very special legislation to which I think all of us should object. We can get around this very easily. The members of the Board of Governors of the Federal Reserve System have for a number of years suggested amendments to the Bank Holding Company Act and they have submitted to the Committee on Banking and Currency a list of 25 suggestions. We could take them and incorporate all of them and have a good bill. This was suggested in committee by a sizable number of members of the committee.

I would like to quote from a letter that most of us received today which was signed by the gentleman from New York [Mr. Celler] chairman of the Committee on the Judiciary. For many years the gentleman from New York [Mr. Celler] has been a champion of the 21-day rule. He is an eminent lawyer and is chairman of the Committee on the Judiciary. This is what he wrote:

> Congress of the United States,
> House of Representatives,
> *Washington, D.C., September 10, 1965.*
>
> Dear Colleague: On September 13, House Resolution 499 will be before the House requesting a rule on H.R. 7371, a bill ostensibly designed to do away with exemptions from the provisions of the Bank Holding Company Act of 1956. We urge you to vote against the rule and the bill.
>
> During the past 7 years, the Federal Reserve Board has sent the same 25 recommendations to the Congress designed to eliminate imperfections in the act. These recommendations would do away with all exemptions to the act, yet H.R. 7371 affects only one legal entity in the United States, the Alfred I. du Pont Estate in Jacksonville, Fla. During the course of the hearings, the statements which were submitted in support of H.R. 7371 demonstrated that the bill was not an effort made in good faith to plug the holes in the Bank Holding Company Act, but rather that the bill was aimed squarely at the Du Pont estate for reasons which have little to do with the original purpose of the act.
>
> The bill is single-purpose, punitive legislation affecting one legal entity only—exactly the type of legislation our forefathers fled from in the old country, which led to the creation of the United States and the establishment of this House. If the Bank Holding Company Act is imperfect, let us hold hearings on the act in its entirety and eliminate any and all exemptions. Any modification through patchwork and single-purpose legislation will only serve to discriminate unjustly.
>
> We urge you to vote against the rule, and if granted, to vote against the passage of H.R. 7371.
>
> Emanuel Celler,
> *Member of Congress.*
> Robert L. F. Sikes,
> *Member of Congress.*

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Ohio.

Mr. FEIGHAN. When the gentleman refers to "we," to whom does he refer?

Mr. TALCOTT. The gentleman has asked to whom I referred, when I read from the letter, as "we." I said at the end of my statement that the letter was from Emanuel Celler, Member of Congress, and Robert L. F. Sikes, Member of Congress. That is a great combination.

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from California.

Mr. HANNA. I thank the chairman for yielding.

I have sat here with some real satisfaction hearing that the gentleman would like to go further than we are going. It appears to me that whenever one is against what is taking place, there are two courses he can take. He can either say, "You should not be doing it at all" or, "I do not like what you are doing, for you are not going far enough."

In order to get the record straight as to what we are doing we must realize that we have a bill which merely provides that the law of the United States is that if one owns a bank and he is in the banking business, whether there are a great many branches or there are not a great many branches has nothing to do with the Bank Holding Act. Whether you have a lot of banks or whether you have one branch, one bank with a lot of branches, has nothing to do with it. You can be in the banking business, but you cannot be in other businesses. That is what the Bank Holding Act provides. There was an exemption for testamentary trusts.

Gentlemen, you have been around this House for a long time; both Members on this side and many of you on the other side. How do amendments get into bills? Do you go in with a blanket amendment? Do you think all the people who were not covered by the bill have come in under one blanket amendment conceived at one fell swoop? Do you suppose that the labor leaders have cozened up to the people in the Du Pont Trust and said, "Fellows, let's get together and get out of that bill?" You can bet your bottom dollar that that did not happen. They got out on their own. Du Pont got out as a testamentary trust. You can be sure the fingerprints of the Du Pont Co. were carefully kept off the amendment on the testamentary trust. But they single shotted it. We are not trying to put their fingerprints on the bill now. They tried to single shot it; we are trying to single shot it.

It seems to me that the question of whether you should or should not take out such a provision in one fell swoop places it in the position of the fellow who came up and said to another, "How is your wife?" The second fellow said, "Compared to whom?"

The answer to the question will be somewhat different. Compared to whom?

The question that is asked here is whether a testamentary trust should be included in the Bank Holding Act. We are merely saying, "Yes. You single shotted to get included out. We will have to single shot to include you in."

That is what this bill does. With all the hearings that were conducted and all the testimony that was taken on the question, that is all that came out of it: "You were included out by an initiated amendment which was a single shot. You will by this bill be covered by the national law by this bill which is a single shot.

I yield back the balance of my time.

Mr. BROCK. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, the issue before us is whether the resolution providing for debate on the bill should be adopted.

First, I wish to commend the gentleman from Texas for his fairness in following the precedent of the Rules Committee when they present a rule before the House in yielding half the time available to the minority side. That was the problem involved in connection with the previous resolution for considering the FEPC bill. There was no opportunity for the House to consider the merits of the question as to whether the rule should be adopted. In my judgment, the question whether a rule should be adopted—and I think in the judgment of most of the Members—depends on whether or not the committee that has considered the bill has indeed considered it, has printed hearings available, and has a written committee report.

I finally got a copy of the committee report. There were only about five committee reports available on our side at the Clerk's desk. The document room is closed, and has been closed for several hours.

I tried to determine whether committee hearings were available. I understand there were committee hearings, but they are not available here in the Chamber because the committee room is closed.

In order to intelligently debate the issues—and we have been hearing about some of them, as to whether this matter has been properly prepared so that the House can consider it—we need such documents.

The issue, as I see it, has been pointed up by the very brief debate on the substantive matters. The conclusion is that this is not ready for debate at this time.

Let me point out the difference between matters which come before us from the Rules Committee and matters which come before us under the 21-day rule. Before the Rules Committee those of us who are not on the committees involved are given an opportunity, if we choose, to appear, and to say whether we have been heard or whether people we know should have been heard or have not been heard. We are given an opportunity to express our views before the Rules Committee as to whether the matter is ready and timely for debate.

Where can any of us be heard under the procedures of the 21-day rule? I submit that the 21-day rule is an extraordinary remedy. If it is to be used, it should be used only if the Rules Committee has not provided an adequate forum for those who would like a bill reported and for those who disagree as to whether the bill should be before the House, so that they can be heard.

I believe the time we are spending on each one of these resolutions providing the procedures for debating these various bills should be spent to some degree in pointing out wherein the Rules Committee has failed, if at all. Perhaps the committee has failed on some of these particular bills.

I do not know why this bill could not have gotten a regular rule, if the House leadership had been interested, or if anyone had wanted to bring it up. I understand it was not even brought up before the Rules Committee.

I would assume, on something of this nature, although there is some controversy involved, the controversy might have been resolved.

I certainly do understand why the previous matter which was brought up under the 21-day rule might not have been ready for consideration. Anyone who cared to read the committee report could read the minority views, for example, of the gentleman from Nebraska, Congressman Dave Martin, which pertain to the procedures followed by the committee, as to whether the matter was ready for floor debate and the timeliness of bringing the matter before the House.

This matter should have been discussed. The majority could have worked its will. I am sure it would have.

We all saw the manner in which the gentleman from New York, the chairman of the Committee on Education and Labor, said to the minority leader [Mr. Ford], "I will yield you 10 times the amount of time I am going to use, and I am going to use 30 seconds." That was done, instead of the procedure which the gentleman from Texas used. Again I commend the gentleman from Texas for immediately yielding half of the time allotted to him to those on the other side who have points they wished to make, a total of 30 minutes.

Let me make one correction in explanation of a difference of opinion between the gentleman from Tennessee [Mr. Brock] and the gentleman from Texas [Mr. Patman] on the vote on the 21-day rule. The gentleman from Texas pointed out that his vote was on the previous question. There was no record vote on the 21-day rule itself. That technically is correct, and I believe it explains the confusion.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the chairman of the committee.

Mr. PATMAN. I suggest to the gentleman that the bill was reported on June 21, 1965. I asked for a rule. I wrote Judge Smith, the chairman of the committee, in just as courteous a way as I possibly could and in just as humble a way as I could asking him for consideration of a rule. That was June 21, 1965. We did not hear from him at all. We never heard a word from him. Every week the staff would call, and would be informed that the chairman was still considering it and had not scheduled anything on it. We waited 42 days, not 21, and filed the resolution. Then, 21 days after that, which is today, we were privileged to bring it up. Do you not think that was plenty of time to give the Committee on Rules?

Mr. CURTIS. I do not want to yield further, because I want to comment on that.

This is the type of discussion I would have expected on the floor of the House during the consideration of a rule under the 21-day rule. This would permit members of the Committee on Rules to respond so that those of us in the House who are neither on the Banking and Currency Committee nor the Committee on Rules could vote on this with intelligence. I hope we will vote down this rule and consider this in an orderly fashion at the proper time of day.

Mr. BROCK. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, in conclusion I would like to echo the remarks of the gentleman from Missouri in thanking the chairman of the committee for his generosity in yielding time, allowing those of us who do have a concern with this rule and this bill to speak our minds. Regardless of the feelings of the gentleman from California as to our particular motivations, I point out that the Federal Reserve Board has requested that all exemptions be removed. I personally have introduced a bill to that effect. I think we are sincere in requesting that the committee give full consideration to the entire scope of the Bank Holding Company Act. This is the reason why we object to this bill. It is a valid reason, I think, and we request you vote against the rule.

Mr. TODD. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. TODD. May I ask one question? If we vote for the rule affirmatively, you can submit your amendments to the final bill, can you not?

Mr. BROCK. The gentleman knows full well the arguments which will be made against the amendment on the floor. That is the reason why we would like to have the amendment considered in committee as properly as possible.

Mr. TODD. I thank the gentleman. However, we can consider the amendments on the floor.

Mr. BROCK. We could, and I think we shall. The Bennett amendment will be offered and I will support it.

Mr. PATMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to discuss what Mr. Brock, the gentleman from Tennessee, just suggested, namely, that this should be considered in the committee. I do not believe any committee ever acted more fairly in every possible way in the consideration of a bill than we acted in the consideration of this bill. We had every witness that wanted to be heard brought before the committee. The gentleman from California [Mr. Talcott] said, "Can we not find somebody who will be involved in this bill?" That is the language written in the report. We asked Mr. Talcott to find somebody. That was all right. We never necessarily know who is involved in bills. You make the law as it should be in order to treat everyone fairly and equally. That is what we were trying to do.

We considered every amendment which was suggested. The gentleman from California offered amendments. The gentleman from Tennessee offered amendments. Amendments were offered I think by every minority Member and some majority Members. We considered every one of them. Debate was not cut off on a single one. Each amendment was fully and thoroughly discussed. Then there was a vote. Out of 12 members of the subcommittee it was a unanimous vote for this bill—a unanimous vote. Eight Democrats and four Republicans. Then we came before the full committee and after full discussion, going into the hearings, with the printed hearings available, contrary to the remark made by the distinguished gentleman from Missouri, we acted on it. We did have full hearings on this bill.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CURTIS. I did not say that. I said they were not here on the floor.

Mr. PATMAN. The gentleman knew that this bill was coming up. He could have gotten the hearings or the reports last Friday or last Thursday or any time last week. They were available. Just because they are not available tonight does not mean that they have not been available. They are available.

The Federal Reserve Board endorsed this bill unanimously. These other matters can be brought up at any time that anybody wants to bring them up. There are other bills pending on this subject before your committee. We will consider these bills. However, I was thinking of my dear friends on the Republican side. This is one time they could create for themselves a new image, just a little better image. You know, I feel saddened over the situation. I believe in a two-party system. I think we ought to have competition among the parties and have real competition.

Then we could have better laws, they would be better discussed and more fully discussed and people would be better informed. But when our permanent minority party—and we have to call them the permanent minority party, because they have not been in the majority long enough to be anything else except a permanent minority party, and they continue to make themselves the permanent minority party—I want to urge them to change that image, and start tonight by voting for a bill in the interests of the people, like this bill. Quit that old trickle-down theory that you have in your mind; quit that business; it does not belong here—such as this high-interest deal that the Republicans always put out every week, every day—high interest, high interest—and tight money.

Why, it would wreck this country to do what the Republicans are advocating. I hope they change that image a little bit and make a start by voting for a bill like this.

Do you know what interest it is costing the country today, or what it would be costing today if Mr. Eisenhower had not permitted them to raise interest rates higher than they were in 1953, on January 20, when he came into office? If he had just kept them exactly where they had been during the Truman time and the Roosevelt time—when they were sufficiently high and adequate? Government bonds for over 12 years stayed at 2½-percent interest, did not go up, did not go down. They stayed there in the public interest.

They went up a little bit before 1953, but very little, and for obvious reasons. If Mr. Eisenhower had held that line we would not be paying almost $12 billion a year interest on the national debt today. We would only be paying $6 billion interest on the national debt today. That is something you can take your pen and paper and figure out for yourself, exactly how much that high-interest policy is costing the American taxpayers.

Today the people who pay interest in this country are paying not $30 or $40 billion a year, but over $75 billion a year. That is just interest, just interest on the national debt and other debts. It is entirely too much. I wish our Republican friends would quit thinking so much about high interest and tight money and help us get back on the track with reasonable rates of interest, and have more money for the good things in life that the American people need.

This very committee that we are talking about now, the Committee on Domestic Finance of the Banking and Currency Committee, had hearings over a long period of time about high interest by one concern that has been bilking—and I use the word bilking—the young, drafted servicemen in this country and charging them up to 65 percent and 100 percent interest, having them sign notes and contracts in blank and everything else.

Read the hearings. Money is going to a few people like that, just as it is in this estate down in Florida, with the estate getting millions of dollars a year. That is the difference, with that money going in at the top, being poured in at the top, and little if any trickling to the bottom.

The excise tax reduction is a good example. That is a perfect case. It proves the point, and I hope the gentleman from Michigan will listen to this and stay on his feet because I want him to hear it.

You know, it is the first time that excise taxes have been decreased in such a substantial way, and as a result the taxpayers paid more money into the Treasury. Why was that?

It is because the people at the bottom, the low-income groups and the poverty stricken people, the money they get they spend it right quick and it goes up.

Mr. Speaker, money travels 30, 40, 50, 100 times back and forth during the year.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Not right now. Just wait a minute and then I will yield to the gentleman.

In most cases before the year is over the Government has actually gotten its money back. That was proven in the excise tax case. That is percolating up. But when you start to percolate down like the situation is in this Du Pont case in Florida, giving them millions of tax-exempt money every year, it does not go down. It does not percolate down. There is no velocity to the money that is poured in at the top.

So, Mr. Speaker, this is a percolating-up deal where everyone is being helped.

If you dissolve this empire and take the railroads and the banks and separate them and take all of the big businesses they own and separate them and give other people an opportunity and compel them to obey the law just like everyone else is compelled to obey the law, we will all be helped by it.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I am now glad to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. The gentleman from Texas [Mr. PATMAN] has been conducting a somewhat effective filibuster against the consideration of the Government employees' pay bill.

Mr. PATMAN. The gentleman does not really make that as a serious statement?

Mr. GERALD R. FORD. Yes; I most certainly do.

Mr. PATMAN. If we talk 10 minutes, you say it is a filibuster. If you take 6 hours, it is no filibuster.

Mr. GERALD R. FORD. Let me just make this comment. The gentleman said that the interest rate on the national debt increased under the Republicans during the Eisenhower administration. The facts are that since this Democratic administration has taken over, going back to January 1961, there has been better than a $2 billion per year increase in the total amount of interest paid on the national debt over that which was paid during the Eisenhower administration. We are now paying about $11 billion a year—$11 billion a year—in interest payments on the national debt. If I recall correctly under the Eisenhower administration in its last year there was an interest payment on the national debt of $9 billion per year.

May I say one other thing?

Mr. PATMAN. No—I can document the figures which I have used.

Mr. GERALD R. FORD. The gentleman from Texas indicated there had been a rather level rate of interest during the Truman administration. He has inferred the same condition during the Kennedy-Johnson administration. But while we have had those so-called low and level interest payments, during the Truman administration we had the most substantial increase in the cost of living. Again under this administration we are experiencing a very substantial increase in the cost of living rate.

This administration and the Truman administration have been the most inflationary administrations in the history of the United States, at least during modern times. Then and now the American people are suffering from the inflationary policies of the Democratic administration.

Mr. PATMAN. Mr. Speaker, I do not yield further. I am going to answer the gentleman.

The level periods of time which I talked about, I can document them.

I wish the gentleman would stand up. I like to see him on his feet.

I will take the period from June 30, 1939, to June 30, 1951. That was 12 years. That is when Mr. Roosevelt had a Federal Reserve Board that was looking after the interests of the people of the country and not just the banks. And, you know, they kept the interest rates at 2½ percent. Never during that time was the interest rate on long-term Government bonds above that rate, and not one time did any person have to sell his bonds at a loss. They were always sold at par and accrued interest. That represented a period of 12 years.

Now, Mr. Speaker, let us take a look at that 12 years. During that time we have the longest soup lines in history. We had 12 million to 15 million people unemployed. Part of that time people were losing their homes and shotguns were used against the sheriff to keep him from selling homes at forced sale. They could not buy automobiles and appliances. Their money was piled back in the bank representing the greatest potential inflationary specter that any civilized country on earth ever had for a part of that time.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. No. I listened to you fellows and I yielded you the time. A part of that time we were shooting away a quarter of a billion dollars a day on the battlefields. During that 12 years—there never was a rougher 12 years—bad, good, inflationary, deflationary, depression, and hard times.

The Federal Reserve Board kept the interest rates on long-term bonds at exactly 2.5 percent. Nobody had to sell their bonds below par. You can do that at any time. Allowing interest rates to rise hurts the poor man; it is against the poverty drive; it is creating poverty as a matter of fact. They tell you you ought to have high interest to stop inflation but this has never worked. Whenever you have that kind of remedy it is like putting out a fire with gasoline.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I have enjoyed the friendship of the gentleman from Texas for many years. I heard him make this same speech quite frequently. Maybe I can get it to use myself.

Mr. PATMAN. I wish you would. I wish your party had paid attention to it.

Mr. ARENDS. A few years ago there was another gentleman from out in the

Far West who was an expert on money. He came down here with charts time after time, and talked about the monetary system. After one of these speeches, or during one of these speeches, a gentleman punched me in the ribs and said "There is a gentleman in addition to the 11 who knows about this monetary system, because only 12 men are supposed to know anything about money." I suppose the gentleman is 1 of 12.

Mr. PATMAN. There are people who are for high interest and the trickle-down theory who submit views like that. The truth is you have practically ruined this country on high interest and tight money. We cannot stand another 8 years of a Republican administration doing that. It was a good thing we passed that constitutional amendment that no President could serve longer than two terms because if Eisenhower had been in office all this time we would never have gotten out from under this tremendous load. We would have a debt of $600 billion, with an interest of $36 billion a year. We would not have the money to pay anything else.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. If business is so good why did the State of Texas lead the rest of the States last year in bank failures?

Mr. PATMAN. How many did we have? One?

Mr. GROSS. Many more than that.

Mr. PATMAN. I know of but one. It is like the fellow talking about crime increasing among the Chinese by 300 percent. That was because one Chinaman had violated three separate traffic laws, and that is how they reached the 300 percent. There is only one bank failure I know of.

Mr. GROSS. I will be glad to provide the chairman of the Committee on Banking and Currency with a list.

Mr. PATMAN. That is not an alarming figure. I believe in the private enterprise system. In the private enterprise system you make good loans and bad loans. Sometimes you have a loss.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. BROCK. I have enjoyed the colloquy with the gentleman very much, but I would like to get back to the issue. I want to ask the chairman a question. I believe he made one statement I would like to correct.

You said that the income of the beneficiaries of the estate was tax exempt.

Mr. PATMAN. That particular one of $8 million going to the trust was tax exempt.

Mr. Speaker, when the bill comes up we will consider every amendment they want us to consider.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 201, nays 171, answered "present" 3, not voting 57, as follows:

[Roll No. 291]

YEAS—201

Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Clark
Clevenger
Cohelan
Conte
Corbett
Corman
Craley
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Harris
Hathaway
Hawkins
Hechler
Hicks
Holifield
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Krebs
Leggett
Long, Md.
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Staggers
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
White, Idaho
White, Tex.
Willis
Wolff
Yates
Zablocki

NAYS—171

Abbitt
Abernethy
Adams
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bow
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Findley
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Hansen, Wash.
Harsha
Hays
Henderson
Herlong
Hosmer
Hull
Hutchinson
Jennings
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Natcher
Nelsen
O'Neal, Ga.
Passman
Pickle
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Scott
Selden
Shriver
Sikes
Smith, Calif.
Smith, Va.
Stafford
Stanton
Stephens
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

ANSWERED "PRESENT"—3

Pelly
Roncalio
Talcott

NOT VOTING—57

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Griffin
Griffiths
Halleck
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Lindsay
Love
McClory
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Roosevelt
Ryan
Sisk
Skubitz
Steed
Thomas
Thompson, Tex.
Toll
Weltner
Wilson, Charles H.
Wright
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Multer for, with Mr. Talcott against.

Mr. Kirwan for, with Mr. Martin of Alabama against.

Mr. Keogh for, with Mr. Hébert against.

Mr. Daddario for, with Mr. Derwinski against.

Mr. Lindsay for, with Mrs. May against.

Mrs. Kelly for, with Mr. Adair against.

Mr. Toll for, with Mr. Harvey of Indiana against.

Mr. Charles H. Wilson for, with Mrs. Bolton against.

Mr. Helstoski for, with Mr. Bray against.

Mr. Aspinall for, with Mr. Skubitz against.

Mr. Carey for, with Mr. Ashbrook against.

Mr. Fallon for, with Mr. Halleck against.

Until further notice:

Mr. Celler with Mr. Griffin.

Mr. Mills with Mr. Harvey, of Michigan.

Mr. Moss with Mr. Martin, of Massachusetts.

Mr. Weltner with Mr. McClory.

Mr. Wright with Mr. Pirnie.

Mr. Young with Mr. Johnson, of Oklahoma.

Mr. Holland with Mr. Ryan.

Mr. Bonner with Mr. Thomas.

Mr. Thompson of Texas with Mr. Farnsley.
Mr. Gallagher with Mr. Sisk.
Mr. Steed with Mr. Casey.
Mr. Cameron with Mr. Baring.
Mr. Roosevelt with Mr. Kluczynski.
Mr. Culver with Mr. Hardy.
Mrs. Griffiths with Mr. George W. Andrews.
Mr. Conyers with Mr. Baring.

Mr. TALCOTT. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. Multer]. If he had been present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. RONCALIO changed his vote from "yea" to "present."

Mr. FULTON of Pennsylvania changed his vote from "yea" to "nay."

Mr. PELLY changed his vote from "nay" to "present."

Mr. HORTON changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. POWELL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up——

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished gentleman from New York speak loud and clear so we will know exactly what he is intending to do?

Mr. POWELL. Mr. Speaker, this is the second time that I have been almost insulted today.

Mr. Speaker, pursuant to the provisions of clause 23, rule XI, I call up House Resolution 478 providing for the consideration of H.R. 9460 which has been pending before the Committee on Rules for more than 21 calendar days without being reported by the said committee.

The Clerk read the resolution, as follows:

H. Res. 478

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9460) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. HALL. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Missouri will state his point of order.

Mr. HALL. Mr. Speaker, I make a point of order against the consideration of this bill by the House based on clause 4 of rule 27, the last line in section 908, the second paragraph, says:

> Recognition for the motions shall be in the order in which they have been entered on the Journal.

The SPEAKER. The Chair will state that the gentleman is talking about an entirely different rule than is the situation now.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

Mr. CEDERBERG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from New York [Mr. Powell] yield for a parliamentary inquiry?

Mr. POWELL. I do not yield, Mr. Speaker.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Might the Chair suggest that the gentleman from New York yield for a parliamentary inquiry?

Mr. POWELL. For a parliamentary inquiry, Mr. Speaker, I yield.

Mr. GERALD R. FORD. Mr. Speaker, is it the intention of the distinguished chairman of the House Committee on Education and Labor to yield time to the minority?

Mr. POWELL. Mr. Speaker, that is not a parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York has the floor.

Mr. CEDERBERG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CEDERBERG. Mr. Speaker, would a motion at this time be in order to enlarge the Rules Committee to 435 Members?

The SPEAKER. Is the gentleman making a serious parliamentary inquiry?

Mr. CEDERBERG. Mr. Speaker, I withdraw my parliamentary inquiry.

Mr. HALL. Mr. Speaker, a parliamentary inquiry, if the gentleman from New York will yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri for a parliamentary inquiry?

Mr. POWELL. Only for a parliamentary inquiry; yes.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, insofar as the discharge calendar as listed on our calendar of unfinished business refers to clause 4, rule 27, wherein is it possible, referring to my previous point of order with reference to an additional bill being out of order and not being considered to be so considered?

The SPEAKER. The Chair would advise the gentleman from Missouri that the House is operating under clause 23 of rule 11.

Mr. HALL. If the Speaker will allow me to submit further, under the yielding of the gentleman from New York, for a further parliamentary inquiry: There is no reference under the 21-day rule to the order in which bills will be called up, but it is specifically stated that recognition for motions will be in the order in which they have been entered on the Journal. They have been printed in the Record and Journal, and I submit the parliamentary inquiry is valid.

The SPEAKER. The Chair will state that the rule mentioned by the gentleman relates to an entirely different motion.

Mr. POWELL. I have requested that pursuant to clause 23, rule 11, I call up a House resolution.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Is it the intention of the gentleman to yield some time to the minority?

Mr. POWELL. Mr. Speaker, I shall be very, very glad to yield equal time.

The SPEAKER. What time does the gentleman from New York yield, and to which gentleman?

Mr. POWELL. We have not gone into the Committee of the Whole yet.

The SPEAKER. We are not in the Committee of the Whole; no.

Mr. POWELL. I am going to take 10 seconds from myself, and the distinguished gentleman from New Jersey, the author of the bill and the chairman of the subcommittee, is going to take 3 minutes. I will be happy to yield to the gentleman 3 minutes and 10 seconds.

Mr. SMITH of Virginia. Mr. Speaker, a point of order.

The SPEAKER. We are trying to coordinate matters.

Mr. SMITH of Virginia. I think a point of order takes precedence.

The SPEAKER. That is true.

The gentleman will state his point of order.

Mr. SMITH of Virginia. Just a few minutes ago I raised a question of the division of time on the last resolution that was up for consideration. The gentleman from Texas readily conceded, and the Chair conceded, that the usual rule and presentation of the rule is that there is 1 hour for debate, that time to be equally divided between the majority and minority.

If we are going to have rules around here, let us have them. What is the rule?

The SPEAKER. What is the gentleman's point of order?

Mr. SMITH of Virginia. The point of order is that under the rules of the House half the time is controlled—under the rule—by the majority, and the other half, 30 minutes, is yielded to the minority. That has been the rule ever since I have been around here.

The SPEAKER. The Chair will state that the control of time in the present parliamentary situation rests with the gentleman from New York [Mr. Powell].

The gentleman from Virginia [Mr. Smith] has referred to the action taken on the last resolution. That was a matter within the judgment of the gentleman from Texas [Mr. PATMAN]. The gentleman from New York [Mr. POWELL] has control of the 1 hour and he can dispose of that time as his judgment dictates.

Mr. SMITH of Virginia. That is not the usual rule, Mr. Speaker.

The SPEAKER. We are not operating under the usual rule.

Mr. SMITH of Virginia. Throughout the day and evening, Mr. Speaker, I have observed that we have not been operating under the usual rules.

The SPEAKER. When the Chair states that we are not operating under the usual rule, the Chair means by that we are not operating under the rules of the House governing the situation where a rule is reported out of the Committee on Rules where the custom for years has been to yield time to a Member on the minority side. The present situation as to the control of time is more comparable to a conference report for example where the Member in control of the conference report has control of the time and it is a matter of his judgment.

Does the gentleman from New York [Mr. POWELL] yield to any Member and, if so, to whom or does the gentleman from New York seek recognition for himself?

Mr. POWELL. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, I rise to urge the adoption of the resolution H.R. 478, which provides for the consideration of H.R. 9460, a bill providing for the establishment of a National Foundation of the Arts and Humanities.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. POWELL. Mr. Speaker, I am very happy to yield to the distinguished chairman of the subcommittee that reported this bill out. He has been working on this for many years and is the author of this bill, the gentleman from New Jersey [Mr. THOMPSON], after which I will be very happy to yield to the distinguished colleague from Alabama [Mr. GLENN ANDREWS] 10 minutes. I now yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the distinguished chairman of our committee.

Mr. Speaker, I rise to support the adoption of the resolution, House Resolution 478. The adoption of this resolution will simply authorize the House to work its will on the bill, H.R. 9460, which is cosponsored by more than 100 of our colleagues in this body. The purpose of this bill is to create a National Foundation of the Arts and Humanities. It is an open rule providing for the debate to be equally divided on both sides of the aisle with sufficient time to enable both sides to express their position clearly. Under the rule, if adopted, any amendments may be offered. It is a perfectly open rule on a subject that has been before this great body for a great, great many years.

Mr. Speaker, I do not think at this late hour that the substance of the legislation needs any long debate. The question is, simply, Will the House allow the consideration under the proposed resolution of this bill, H.R. 9460, and during which time everyone will have an equal opportunity to discuss it both in general debate and under the 5-minute rule. As the distinguished chairman of the Committee on Rules said today in a colloquy with me, I have petitioned the Committee on Rules for hearings on this measure on a number of occasions and it was decided by that great committee that it had business which it considered to be of greater consequence and that the Committee on Rules could not reach this legislation.

The chairman of the Committee on Rules advised that we use this procedure, it being, he said to me then, and repeated to me this afternoon, a part of the rules of this body.

I might point out, as the chairman of the Committee on Rules explained this afternoon, that the bill is an administration bill and deserves the consideration which it would get under the rules of this body. It is a bill in which the House should be given an opportunity to work its will. What the ultimate disposition of it will be is a question for the House to decide on consideration, full debate, and final disposition of the bill.

Mr. Speaker, I urge my colleagues to support this rule. It will enable the House to work its will on H.R. 9460, a bill to create a National Foundation on the Arts and the Humanities.

This is a small bill, but it is important.

During my second term in the House, I had the privilege of sitting on a subcommittee taking testimony which led to a great bill, the National Defense Education Act. That was our reaction to Sputnik I.

There was a thread running throughout our hearings. Yes, we need scientists, engineers, and technicians. But we also need people who can use the new technology and the new devices and the new knowledge; people who can turn them to the use of mankind. That was the undertone of the testimony. It was a caveat that many of us had in mind when we wrote that bill.

Now the time has come to make sure that our supply of humanists is large enough so that in future years machines remain the servant of mankind, and not vice versa.

I find it significant to recall the caveat of the National Defense Education Act hearings at this time. We propose to act in the area of the humanities while we still glow from the most recent exploit of our astronauts. In that great adventure there were many mishaps. The failures and the mishaps were all those of machines. Man once more proved his individual importance.

This is the importance of the humanities. In essence the humanities are the study of man in relationship to his environment.

Mr. Speaker, I could speak much further on the high purpose of H.R. 9460, and I shall do so when we are in Committee. I shall also discuss the mechanics of the program we propose to authorize. Today I desire to persuade our colleagues to support the rule.

First off, this bill, or bills with a similar purpose, has more Members of the House as cosponsors than any other bill that has been before this body in this Congress. Over 100 Members have expressed their affirmative interest in this proposal by introducing bills.

The hearing record is filled with testimonials from the academic community. It would consume most of time allowed on this rule to list them all. These are just a few of the academicians who endorse this proposal:

Dr. J. A. Stratton, president, Massachusetts Institute of Technology; Dr. Gustave Arlt, president, Council of Graduate Schools; Dr. Kingman Brewster, president of Yale—he was invited as an opposition witness; Dr. Frederick Burkhardt, president, American Council of Learned Societies; Dr. Barnaby Keeney, president, Brown University; Dr. Frederick Dorian, of Carnegie Institute of Technology; Dr. Robert Goheen, president of Princeton; Dr. John T. Fey, president, University of Wyoming; Michael Rapuano, president, American Academy in Rome; and Alvin C. Eurich, president, Aspen Institute for Humanistic Studies.

Business leaders are also for this bill. They include Thomas J. Watson, Jr., chairman of the board, International Business Machines; Nelson Poynter, publisher, St. Petersburg Times; Stanley Obermiller, president, National Art Materials Trade Association; and Lee C. Deighton, chairman, the McMillan Co.

A great many professional and cultural associations also endorse this legislation. Some of them are the American Institute of Architects, the Association of Research Libraries, the National Council on the Arts and Government, American Association of Museums, Print Council of America, National Federation of Music Clubs, American Library Association, National Association of Women Artists, and the American Parents Committee.

Then there are distinguished performers: Charlton Heston, Miss Lillian Gish, Frederick O'Neal, Ron Rawson, and Theodore Bickel.

Labor organizations supporting the bill are the AFL–CIO, the Steelworkers, the Autoworkers, and all of the unions within the performing fields.

Witnesses from the Government who testified in favor include Roger Stevens, chairman, National Council on the Arts; Francis Keppel, Commissioner of Education; Harry C. McPherson, then the Assistant Secretary of State for Cultural Affairs; L. Quincy Mumford, the Librarian of Congress; S. Dillon Ripley, Secretary to the Smithsonian Institution; John Walker, Director, National Gallery of Art; Dr. Glen T. Seaborg, Chairman, Atomic Energy Commission; and Leland J. Haworth.

Additionally it has been enacted in the other body.

Finally, this bill is a part of the legislative program of President Johnson.

Mr. Speaker, a piece of legislation with such a wide backing from within and without the Congress, deserves the consideration of the House.

For this reason, I urge my colleagues to support the rule.

Mr. POWELL. Mr. Speaker, I yield to the gentleman from Alabama [Mr. Glenn Andrews] 10 minutes.

Mr. GLENN ANDREWS. Mr. Speaker, I regret very much that the ranking member of our subcommittee, who is not able to be present today, has taken a position against the bill. He has done so not because of its stated purpose—the development of the arts and humanities—but because it would set up a brand new set of places for education that were untried, untested, and, it was thought, needed some thorough examination.

The minority views are printed. They are very conclusive.

I yield such time as he may need to my colleague, the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Speaker, I thank my colleague for yielding. The hour is late to deal with the substance of the bill, the consideration of which is authorized by House Resolution 478. I will merely state that H.R. 9460 enjoys bipartisan support. As the gentleman from New Jersey [Mr. Thompson] has pointed out, over 100 Members support the bill. Many Members on this side of the aisle support it. I think it is clear that in America today there is a growing feeling that the arts and humanities deserve greater recognition and support at the national level, particularly since there is great emphasis in this day and age on the sciences.

I intend to support the bill. I believe in it. I also plan to offer an amendment at the appropriate time.

Finally, I would say that it is true, as stated in the minority views, that the bill did go through the full committee at a very rapid rate—roughly, 15 minutes. In my judgment, there was not adequate time for consideration. However, the distinguished chairman of the subcommittee [Mr. Thompson], has given the bill very careful thought and study over the years. I believe on balance it is a bill that should be supported.

I yield back the balance of my time.

Mr. GLENN ANDREWS. Mr. Speaker, I yield such time as he might need to the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON of Pennsylvania. Mr. Speaker, as one of the cosponsors of this legislation, I am glad to join with the gentleman from New York [Mr. Reid] in stating that the bill has bipartisan support. In fact, as has been stated, over 100 Members of the House have sponsored similar legislation, if not identical. As a member of the Committee on Science and Astronautics, my position is that we should likewise place emphasis on the arts and humanities, for the Nation is growing up culturally. This will be a good advance for us. It is one of the best bills I have seen on this particular subject.

Mr. GLENN ANDREWS. Mr. Speaker, the distinguished chairman of the subcommittee has been most fair, in my opinion, during the hearings on this subject.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. It was indeed interesting to hear the distinguished Speaker of the House say that this bill was being considered under unusual procedure, because I asked the distinguished majority leader on last Thursday afternoon if it was not unusual for legislation to be considered under the procedure that has been employed today and the distinguished majority leader said—and his statement will be found in the Congressional Record—that this was not unusual procedure.

Mr. GLENN ANDREWS. Mr. Speaker, I yield back the remainder of our time.

Mr. POWELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 260, nays 114, answered "present" 1, not voting 57, as follows:

[Roll No. 292]

YEAS—260

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Berry
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Carey
Carter
Cederberg
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Conable
Conte
Corbett
Corman
Craley
Cunningham
Curtin
Curtis
Daniels
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Hicks
Holifield
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
King, Calif.
King, Utah
Krebs
Kunkel
Laird
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Minshall
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Senner
Shipley
Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Whalley
White, Idaho
Widnall
Willis
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Zablocki

NAYS—114

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Arends
Ashmore
Ayres
Baldwin
Battin
Belcher
Betts
Bow
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Chamberlain
Chelf
Clancy
Clawson, Del
Collier
Colmer
Cooley
Cramer
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Evins, Tenn.
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Hosmer
Hull
Hutchinson
Jonas
King, N.Y.
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
Mailliard
Marsh
Martin, Nebr.
Matthews
Mize
Natcher
Nelsen
O'Neal, Ga.
Passman
Poff
Pool
Quillen
Reid, Ill.
Reinecke
Roberts
Rogers, Tex
Roudebush
Satterfield
Selden
Shriver
Sikes
Skubitz
Smith, Va.
Stanton
Taylor
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
White, Tex.
Whitener
Williams
Wilson, Bob
Younger

ANSWERED "PRESENT"—1

Talcott

NOT VOTING—57

Adair
Andrews, George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Griffin
Griffiths
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Kornegay
Landrum
Lindsay
McClory
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Rivers, S.C.
Roosevelt
Ryan
Sisk
Smith, Calif.
Steed

Thomas
Thompson, Tex.
Toll
Weltner
Whitten
Wright
Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Multer for, with Mr. Talcott against.

Mr. Pirnie for, with Mr. Martin of Alabama against.

Mr. Keogh for, with Mr. Adair against.

Mr. Martin of Massachusetts for, with Mr. Harvey of Indiana against.

Mr. Kirwan for, with Mr. Ashbrook against.

Mr. Celler for, with Mr. Hébert against.

Mrs. Bolton for, with Mr. Bray against.

Mr. Daddario for, with Mr. Derwinski against.

Mr. Steed for, with Mr. Smith of California against.

Until further notice:

Mr. Fallon with Mr. McCloy.

Mr. Moss with Mr. Harvey of Michigan.

Mr. Sisk with Mr. Griffin.

Mr. Helstoski with Mrs. May.

Mr. Roosevelt with Mr. Lindsay.

Mr. Aspinall with Mr. Baring.

Mr. Andrews of Alabama with Mr. Cameron.

Mr. Casey with Mr. Holland.

Mrs. Kelly with Mr. Kornegay.

Mr. Kluczynski with Mr. Ryan.

Mr. Conyers with Mr. Culver.

Mr. Landrum with Mrs. Griffiths.

Mr. Mills with Mr. Gallagher.

Mr. Toll with Mr. Whitten.

Mr. Wright with Mr. Johnson of Oklahoma.

Mr. Thompson of Texas with Mr. Farnsley.

Mr. Rivers of South Carolina with Mr. Weltner.

Mr. Young with Mr. Bonner.

Mr. Hardy with Mr. Thomas.

Mr. TALCOTT. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. MULTER]. If he were here, he would vote "yea." I voted "no." Therefore, I withdraw my vote of "no" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUEST FOR GENERAL LEAVE TO EXTEND REMARKS

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two resolutions, House Resolution 506 and House Resolution 478, which have been passed and to include pertinent and extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. CURTIS. Mr. Speaker, reserving the right to object, I would observe that inasmuch as there was not any debate, it would not be fitting to have the RECORD indicate that there was, and for that reason I object.

The SPEAKER. Objection is heard.

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just adopted by the House, House Resolution 478.

Mr. FLYNT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ADJUSTING RATES OF BASIC COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES IN THE FEDERAL GOVERNMENT AND ESTABLISHING FEDERAL SALARY REVIEW COMMISSION

Mr. UDALL. Mr. Speaker, pursuant to the provisions of clause 23, rule XI, by direction of the Committee on Post Office and Civil Service, I call up the resolution (H. Res. 536) providing for consideration of H.R. 10281, which has been pending before the Committee on Rules for more than 21 calendar days without being reported by the said committee.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 536

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10281) to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. UDALL. Mr. Speaker, the resolution now pending before the House would make in order the consideration of the bill, H.R. 10281, the Federal salary adjustment act of 1965. This bill was reported from our committee on August 16 by a vote of 20 to 3. It represents a full month of hearings and most careful consideration by our committee of this very comprehensive subject.

Mr. Speaker, this is a good bill and the pending resolution would provide for 4 hours of general debate to be equally divided and the rule is an open rule.

At this late hour I shall not go into the details of this very comprehensive legislation, but I urge Members of the House to support the resolution and to adopt it this afternoon.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield for a question on the bill itself?

Mr. UDALL. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would like to inquire whether this is the bill that contained a provision by which the Congress will vote itself another raise in salary?

Mr. UDALL. No. The way the gentleman phrases the question, I cannot answer him in the affirmative. The bill contains a provision which would provide automatic machinery by which congressional, judicial, and Federal executive salaries would be adjusted. Under the bill, as now written, the first adjustment would occur at the beginning of the next Congress, 1967.

Mr. SMITH of Virginia. The gentleman has answered my question and I thank him.

Mr. UDALL. Mr. Speaker, I now yield the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. CORBETT], 10 minutes.

Mr. CORBETT. Mr. Speaker, I yield myself 1 minute to answer the gentleman from Virginia.

In the committee, I believe it is pretty definitely agreed that we shall support an amendment which would exclude Members of Congress, the Cabinet, the judiciary, and high executive employees who would otherwise be subject to the raises, effective prior to enactments that occur prior to January 1, 1967. So the gentleman's objectives will be taken care of.

I yield 1 minute to the gentleman from Alabama [Mr. BUCHANAN], who has distinguished himself by his concentration on our problem.

Mr. BUCHANAN. Mr. Speaker, I merely wish to state that, with the exception of the congressional pay raise feature, about which we had an honest difference, and which we hope will be resolved in an amendment, the bill did have strong bipartisan support. I concur in the judgment of the distinguished subcommittee chairman. With the exception of the congressional pay raise feature, it is a good bill.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BROYHILL] for 3 minutes.

Mr. BROYHILL of North Carolina. Mr. Speaker, it has been a long night. It is not my purpose to prolong the discussion. It is usual when these resolutions are being considered that some explanation of the bill be made. Tonight we do not have the time. It is late. As the gentleman from Arizona has well stated, the bill does include a pay raise for all Federal workers. The first stage in the bill as written provides a 4½ percent increase. A second stage increase is written in the bill, which is known as the automatic increase for next year. Actually, I believe no one really knows exactly how much that increase would amount to. Estimates only, are available.

The fact is, too, that no further consideration would be in order by this Congress for that second stage increase.

It is also a well-known fact that there is opposition to this piece of legislation by the administration. The views of the administration on this bill are well known.

In view of the inflationary spiral that is taking place in this country, the opposition by the administration should not be taken lightly.

As the gentleman from Virginia [Mr. Smith] has brought out, it should be recognized by all Members that there would be an increase in the bill for Members of the Congress. There, again, the amount of the increase is not itemized.

It is also very apparent from the conversations that I have had with a number of Members and a number of pieces of mail that I have had come across my desk that there will be numerous amendments offered to the bill when it is considered in the Committee of the Whole. I only wish that we had had the time available in our discussion on this resolution to discuss, comment, and debate some of the amendments which might be offered.

It is not my purpose tonight to oppose this rule just for opposition's sake. I would hope that all Members will make it a point to study the details of the bill, read the committee report, together with the minority and additional views. This legislation should be considered when it is brought before the House, with careful deliberation. Changes that should be made should be accepted and then the entire bill voted up or down on it merits.

Mr. CORBETT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. Broyhill] a former member of our committee.

Mr. BROYHILL of Virginia. Mr. Speaker, I am mighty pleased to follow the gentleman from North Carolina [Mr. Broyhill], who happens to be my cousin. On a previous occasion I have said in a joking way that I claim him as close kinfolk when we agree on what is good Federal employee legislation. When we disagree on that subject then we threaten to refer to each other as distant relatives.

Mr. Speaker, earlier this evening the gentleman from Arizona [Mr. Udall] who happens to be a good friend of the Federal employee and has been such a great leader in the fight for good Federal employee legislation, took the floor to state that some of us on this side who objected to the procedures of today—in words to this effect—were jeopardizing the possibility of considering a Federal employees pay bill this year.

I do not question the prerogatives of the leadership in the way they want to schedule legislation. I do not question the motives of the gentleman from Arizona [Mr. Udall]. But I do not believe it is necessary for the gentleman from Virginia or anyone else on this side of the aisle to have to defend his position on or support of Federal employee legislation.

Certainly my support of the bill for which we are considering a rule now is known. My position on parliamentary procedures earlier today has nothing to do with my position on this legislation. I believe the gentleman knows that, and the implication of the remarks made earlier today was in error.

Mr. CORBETT. Mr. Speaker, I yield myself 3 minutes.

I should like to say to the gentleman from Arizona [Mr. Udall] that the rule provides for 4 hours of general debate, and the bill will be open for amendment under the 5-minute rule. This will give us ample time to consider all of the administration objections to the bill. It will give us every opportunity to amend the bill in accordance with the wishes of the House.

Therefore, I feel there is no reason in the world why this rule should not be adopted.

In view of the administration's expressed position that along with the bill this year there will be salary adjustments next year, we would all be well advised to adopt a bill this year and amend it as we see fit, and then make such adjustments next year as conditions warrant.

Is that the understanding of the gentleman from Arizona?

Mr. UDALL. I did not fully understand the inquiry of the gentleman. If he will state it again I shall be happy to comment.

The bill as written has the October 1, 1965, salary adjustment for all Federal employees; classified, postal, and others. It also has a formula raise effective October 1, 1966, a year from now. That is in the bill. I support both of those provisions in the bill.

I understand that amendments will be offered to knock out the 1966 raise. I believe there are many good arguments why those should not be stricken out. These are things we can debate, discuss, and resolve when the bill comes before the House.

Mr. CORBETT. The gentleman will agree that 4 hours of general debate, with an adequate opportunity for amendment, will make it possible for the House to work its will on these provisions, and therefore we should adopt this rule and proceed to see what the House desires to do as regards the features of the bill.

Mr. UDALL. I fully agree with the gentleman's statement.

Mr. CORBETT. Very good.

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution now before the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. UDALL. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, is the vote on the previous question?

The SPEAKER. No. The vote is on the adoption of the resolution.

Mr. HALL. The gentleman moved the previous question and the yeas and nays were asked on that motion.

The SPEAKER. The Chair will state that the previous question was ordered by unanimous consent. Then came the question on the adoption of the resolution, and on that the gentleman from Michigan [Mr. Gerald R. Ford] asked for the yeas and nays. Is the Chair's statement correct?

Mr. GERALD R. FORD. Mr. Speaker, as I best recollect it, I believe that the Chair put the motion on the previous question.

The SPEAKER. By unanimous consent.

Mr. GERALD R. FORD. That is correct.

The SPEAKER. Then the gentleman from Michigan demanded the yeas and nays on the adoption of the resolution.

Mr. GERALD R. FORD. That is correct.

The SPEAKER. That is the matter before the House now.

The question was taken; and there were—yeas 289, nays 84, not voting 59, as follows:

[Roll No. 293]

YEAS—289

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashley
Ayres
Baldwin
Bandstra
Barrett
Bates
Battin
Beckworth
Bell
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Cahill
Callan
Carter
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Cooley
Corbett
Corman
Craley
Cramer
Cunningham
Curtin
Dague
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Farbstein
Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Grover
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hechler
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
King, Calif.
King, N.Y.
King, Utah
Krebs
Kunkel
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mathias
Matsunaga
Matthews
Meeds
Michel
Miller
Minish
Mink

Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pool
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Whalley
White, Idaho
White, Tex.
Widnall
Willis
Wilson,
Charles H.
Wolff
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—84

Abbitt
Abernethy
Arends
Ashmore
Belcher
Bennett
Burleson
Byrnes, Wis.
Callaway
Chelf
Clawson, Del
Colmer
Curtis
Davis, Ga.
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harris
Hull
Jonas
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
Mahon
Mailliard
Marsh
Martin, Nebr.
Minshall
Mize
Morris
Nelsen
O'Neal, Ga.
Passman
Poff
Quillen
Rivers, S.C.
Rogers, Tex.
Satterfield
Scott
Selden
Sikes
Skubitz
Stanton
Talcott
Teague, Tex.
Tuck
Utt
Waggonner
Walker, Miss.
Watson
Whitener
Williams
Wilson, Bob
Younger

NOT VOTING—59

Adair
Andrews,
George W.
Ashbrook
Aspinall
Baring
Bolton
Bonner
Bray
Cameron
Carey
Casey
Celler
Conyers
Culver
Daddario
Derwinski
Fallon
Farnsley
Gallagher
Green, Oreg.
Griffin
Griffiths
Harvey, Ind.
Harvey, Mich.
Hays
Hébert
Helstoski
Holland
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Kirwan
Kluczynski
Kornegay
Landrum
Lindsay
McClory
McMillan
Martin, Ala.
Martin, Mass.
May
Mills
Moss
Multer
Pirnie
Poage
Roosevelt
Ryan
Sisk
Smith, Va.
Steed
Thomas
Thompson, Tex.
Toll
Watts
Weltner
Whitten
Wright

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Martin of Massachusetts.
Mr. Hébert with Mr. Pirnie.
Mr. Kirwan with Mrs. May.
Mrs. Kelly with Mrs. Bolton.
Mr. Celler with Mr. Adair.
Mr. Toll with Mr. Harvey of Michigan.
Mr. Culver with Mr. Martin of Alabama.
Mr. Ryan with Mr. McClory.
Mr. Kluczynski with Mr. Griffin.
Mr. Helstoski with Mr. Brady.
Mr. Fallon with Mr. Harvey of Indiana.
Mr. George W. Andrews with Mr. Ashbrook.
Mr. Daddario with Mr. Derwinski.
Mr. Mills with Mr. Smith of Virginia.
Mr. Multer with Mr. Gallagher.
Mrs. Griffiths with Mr. Thomas.
Mr. Landrum with Mr. Carey.
Mr. Casey with Mr. Baring.
Mr. Hays with Mr. Roosevelt.
Mr. Steed with Mr. Moss.
Mr. Weltner with Mr. McMillan.
Mr. Cameron with Mr. Conyers.
Mr. Kornegay with Mr. Sisk.
Mr. Aspinall with Mr. Holland.
Mr. Watts with Mrs. Green of Oregon.
Mr. Wright with Mr. Farnsley.
Mr. Johnson of Oklahoma with Mr. Whitten.
Mr. Thompson of Texas with Mr. Bonner.

Mr. HALEY and Mr. BURLESON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK, HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 4:15 p.m., September 10, 1965, and said to contain H.R. 3329, an act to incorporate the Youth Councils on Civic Affairs, and for other purposes, and a veto message thereon.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

INCORPORATE THE YOUTH COUNCILS ON CIVIC AFFAIRS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 3329, a bill to incorporate the Youth Councils on Civic Affairs, and for other purposes.

The committee reports indicate that this organization had its origin in Jacksonville, Fla., in 1962, and that it was incorporated under Florida law in March 1963. Its general purposes are to promote youth activities for the good of the community and to make youth aware of their civic responsibilities. Obviously, these worthwhile purposes are not the basis of my concern with this bill.

For some time I have been concerned with the question of whether we were granting Federal charters to private organizations on a case-by-case basis without the benefit of clearly established standards and criteria as to eligibility. Worthy civic, patriotic, and philanthropic organizations can and do incorporate their activities under State law. It seems obvious that Federal charters should be granted, if at all, only on a selective basis and that they should meet some national interest standard.

Other questions indicate the desirability of further study of this matter. For example, does the granting of Federal charters to a limited number of organizations discriminate against similar and worthy organizations and possibly stifle their growth? Should federally charted corporations be more carefully supervised by an agency of the Federal Government? Does Federal rather than State chartering result in differences in the legal or tax status of the corporation, and are any differences appropriate ones?

I note that last year Congress enacted Public Law 88–504, at the recommendation of the General Accounting Office, to provide common standards of auditing and reporting for federally chartered corporations covered by title 36 of the United States Code. This reflected a concern similar to mine that proper standards and criteria be established in this area.

I hope that the Judiciary Committees will find it possible to make a comprehensive study of the questions I have outlined above. I am asking the Department of Justice and the Bureau of the Budget to explore these questions also and to make appropriate recommendations to me.

In the light of these concerns and without reflection in any way on the worthy purposes of the organization which would be incorporated by this bill, I feel constrained to withhold my approval from H.R. 3329 at this time.

LYNDON B. JOHNSON.
THE WHITE HOUSE, *September 10, 1965.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the District of Columbia.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. To what does the gentleman object?

Mr. HALL. I object to the reference of the veto message to the committee.

AMERICAN YOUTH

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, too often these days when we think of the term "American youth," we associate it with the much publicized high school dropouts, or unkempt beatniks marching or sitting in protest of anything that will bring them attention. Unfortunately, the picture adds up to one of irresponsibility and bad judgment on the part of our youth. Mr. Speaker, this is simply not the case, for although these elements do get the most publicity, there is another and brighter side of the coin. Throughout this country young men and women of the highest character are constantly performing jobs that contribute to the good of our Nation.

I have had an unusual opportunity to see many of these young people in action in the military. As part of the Defense Department's orientation program for freshmen Congressmen, I have had the good fortune to visit Fort Benning, Ga.; Fort Campbell, Ky.; the nuclear submarine *Nathaniel Greene;* the aircraft carrier *Wasp;* and most recently Offit Air Force Base, Headquarters of the Strategic Air Command, the North American Air Defense Command, and the Air Force Academy. On these tours I was particularly impressed to see the type of jobs being performed by young men of 18 and 19. I saw them at the controls of the submarine, launching jets off the carrier, manning the apparatus through which SAC could be alerted, and in many other tremendously responsible positions. In each case, these young men were doing excellent jobs.

America has always been proud of its youth. Yet at no time in our history could we be more proud than we are today, for despite the bad publicity of a few, the many continue to uphold the highest traditions of American citizenship.

CONFERENCE REPORT (H. REPT. NO. 978)

Mr. MILLS submitted a conference report and statement on the bill (H.R. 5768), to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn or silk.

CONFERENCE REPORT (H. REPT. NO. 979)

Mr. MILLS submitted a conference report and statement on the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States.

SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. Con. Res. 46. A concurrent resolution to authorize placing temporarily in the rotunda of the Capitol the statue of the late Senator Dennis Chavez;

S. Con. Res. 47. A concurrent resolution to authorize the acceptance by Congress of the statue of the late Senator Dennis Chavez; and

S. Con. Res. 48. A concurrent resolution to print as a Senate document the proceedings of the presentation, dedication, and acceptance by Congress of the statue of the late Senator Dennis Chavez. To the Committee on House Administration.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 31 minutes a.m., Tuesday, September 14, 1965), the House adjourned until 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1569. A letter from the Administrator, Veterans' Administration, transmitting a report of a violation consisting of an overobligation of the amount permitted by agency regulations, pursuant to 31 U.S.C. 665(i)(2); to the Committee on Appropriations.

1570. A letter from the Assistant Secretary of the Interior, transmitting a report of tort claims paid in the fiscal year 1964, pursuant to 28 U.S.C. section 2673; to the Committee on the Judiciary.

1571. A letter from the Administrator, General Services Administration, transmitting a report of tort claims during fiscal year 1965, pursuant to title 28, section 2672, U.S.C.; to the Committee on the Judiciary.

1572. A letter from the Acting Secretary, Smithsonian Institution, transmitting a report on tort claims paid during the fiscal year 1965, pursuant to 28 U.S.C. 2673; to the Committee on the Judiciary.

1573. A letter from the Assistant Secretary of the Interior, transmitting a report of an application for a supplemental loan by the Hooper Irrigation Co., of Hooper, Utah, pursuant to section 4(c), 71 Stat. 48; to the Committee on Interior and Insular Affairs.

1574. A letter from the Acting Secretary. Treasury Department, transmitting a report of operations by Federal departments and establishments in connection with the bonding of officers and employees, for the fiscal year ended June 30, 1965, pursuant to section 14(c) (6 U.S.C. 14); to the Committee on Post Office and Civil Service.

1575. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on funds used to provide additional research laboratory space at the University of Denver, Denver, Colo., pursuant to 78 Stat. 310, 311; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of September 9, 1965, the following bill was reported on September 10, 1965:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 10874. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act; with amendment (Rept. No. 976). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on Disposition of Executive Papers. Report pursuant to (63 Stat. 377) without amendment (Rept. No. 977). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 5768. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (Rept. No. 978). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 7969. A bill to correct certain errors in the Tariff Schedules of the United States (Rept. No. 979). Ordered to be printed.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 8035. A bill to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes; with amendment (Rept. No. 980). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 9417. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; without amendment (Rept. No. 981). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 6515. A bill to supplement the act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes; with amendment (Rept. No. 982). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. House Resolution 560. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere; without amendment (Rept. No. 983). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 10998. A bill to continue for a temporary period the existing suspension of duty on heptanoic acid; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 10999. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 11000. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ERLENBORN:

H.R. 11001. A bill to establish the national water resources trust fund; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 11002. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 11003. A bill to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 11004. A bill to create a Small Business Capital Bank; to the Committee on Banking and Currency.

By Mr. SIKES:

H.R. 11005. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

By Mr. TEAGUE of Texas (by request):

H.R. 11006. A bill to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 11007. A bill to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. DWYER:

H.R. 11008. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 11009. A bill to authorize a study of methods of helping to provide financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 11010. A bill to transfer control of Pershing Hall to the Secretary of State; to the Committee on Veterans' Affairs.

By Mr. ASHLEY:

H.R. 11011. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. WIDNALL:

H.R. 11012. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 11013. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRABOWSKI:

H.R. 11014. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HANSEN of Iowa:

H.R. 11015. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOORHEAD:

H.R. 11016. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. OTTINGER:

H.R. 11017. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. STEPHENS:

H.R. 11018. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROCK:

H.R. 11019. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. TALCOTT:

H.R. 11020. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Pennsylvania:

H.R. 11021. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. STANTON:

H.R. 11022. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MIZE:

H.R. 11023. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. DEL CLAWSON:

H.R. 11024. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 11025. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARVEY of Michigan:

H.R. 11026. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 11027. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 11028. A bill to amend the Tariff Schedules of the United States with respect to the tariff treatment of certain waterproof cloth; to the Committee on Ways and Means.

H.R. 11029. A bill relating to the tariff treatment of certain woven fabrics of vegetable fibers (except cotton); to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 11030. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 11031. A bill to amend the Internal Revenue Code of 1954 to treat sintering or burning as a mining process in the case of shale, clay, and slate used or sold for use, as lightweight concrete aggregates; to the Committee on Ways and Means.

By Mr. ROONEY of New York:

H.R. 11032. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TODD:

H.R. 11033. A bill to amend section 18(c) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

By Mr. ROSENTHAL:

H. Con. Res. 506. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. DOW:

H. Con. Res. 507. Concurrent resolution to recognize the World Law Day; to the Committee on Foreign Affairs.

By Mr. BATES:

H. Con. Res. 508. Concurrent resolution authorizing the President to designate the 8-day period beginning October 10, 1965, as Canberra Week; to the Committee on the Judiciary.

By Mr. MOELLER:

H. Res. 577. Resolution relative to the Interstate and Foreign Commerce Committee making an investigation and study of certain policies of the Federal Communications Commission; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11034. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 11035. A bill for the relief of Eleanore W. Ward; to the Committee on the Judiciary.

H.R. 11036. A bill for the relief of Dr. Milagros Grageda Thompson; to the Committee on the Judiciary.

H.R. 11037. A bill for the relief of Adelia Augusta Fernandes; to the Committee on the Judiciary.

H.R. 11038. A bill for the relief of Mrs. Edna A. Bettendorf; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 11039. A bill for the relief of Nimet Allah Odeh Elias Mashni; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 11040. A bill for the relief of Michelle Marie Kendall; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 11041. A bill for the relief of Mr. and Mrs. Imre Emil Bella, and Gustavo Bella; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 11042. A bill for the relief of Panagiota and Konstantinos Karras; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11043. A bill for the relief of Enrique Salem; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 11044. A bill for the relief of Demetrios Kalyvis; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 11045. A bill for the relief of Semra Nurtac Demiray (Erdag); to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 11046. A bill for the relief of Michael Pons; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 11047. A bill for the relief of Hoo Sun Chang; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 11048. A bill for the relief of Matilde Bascon-Acosta; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII a petition was laid on the Clerk's desk and referred as follows:

269. The SPEAKER presented a petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to increasing appropriations for housing, which was referred to the Committee on Appropriations.